

January 25, 2022

The Wayne Community Redevelopment Authority (CRA) met in regular session in the Council Chambers of City Hall on Tuesday, January 25, 2022, at 4:00 o'clock p.m. Co-Chair Mike Powicki called the meeting to order with the following in attendance: Members Mark Lenihan, Jon Meyer, and Terry Sievers; City Attorney Amy Miller; City Administrator Wes Blecke; and City Clerk Betty McGuire. Absent: Chair Jill Brodersen and Members Greg Ptacek and Cale Giese.

Notice of the convening meeting was given in advance thereof by publication in the Wayne Herald, Wayne, Nebraska, the designated method of giving notice, as shown by Affidavit of Publication. In addition, notice was given to the Chair and all members of the Community Redevelopment Authority, and a copy of their acknowledgement of receipt of notice and agenda is on file with the City Clerk. Availability of the agenda was communicated in the advance notice and in the notice to the Chair and Members of this meeting. All proceedings hereafter shown were taken while the Community Redevelopment Authority convened in open session.

Co-Chair Powicki advised the public that a copy of the Open Meetings Act was located on the southwest wall of the Council Chambers and was available for public inspection as well as on the City of Wayne website. In addition, he advised the public that the Community Redevelopment Authority may go into closed session to discuss certain agenda items to protect the public interest or to prevent the needless injury to the reputation of an individual and if such individual has not requested a public hearing.

Member Meyer made a motion, which was seconded by Member Lenihan, to approve the minutes of the December 28, 2021, meeting. Co-Chair Powicki stated the motion, and the result of roll call being all Yeas, with the exception of Chair Brodersen and Members Ptacek and Giese who were absent, the Co-Chair declared the motion carried.

Member Sievers made a motion, which was seconded by Member Meyer, to approve the following CRA Claims:

City of Wayne	
Attorney Fees	\$800.00
Ads/notices	82.84
Utilities – 106 E. 7 <sup>th</sup>	45.54
Utilities – 711 Main	216.84
Northeast Nebraska Insurance Agency	\$231.00
Ins – 106 E. 7 <sup>th</sup> Street and 711 Main Street	
Wayne County Treasurer	
Property Taxes – Western Ridge	\$554.98
Property Taxes – 106 E. 7 <sup>th</sup> Street	6,629.06
Property Taxes – Opp. Park, Armory, 201 Logan And Lot 6	1,497.90

Co-Chair Powicki stated the motion, and the result of roll call being all Yeas, with the exception of Chair Brodersen and Members Ptacek and Giese who were absent, the Co-Chair declared the motion carried.

Administrator Blecke advised the CRA that the Wayne City Council held a public hearing on the Redevelopment Plan of the Sanctuary Apartments Redevelopment Project, and approved a resolution recommending approval thereof. The City Council had some safety concerns with the parking being provided for this project. He believes the property owner is going to give the City a few extra feet of property so they can then put the sidewalk closer to their property line. The cars would then be parked behind the sidewalk instead of in front of the sidewalk as originally proposed.

The following Resolution would authorize and provide the issuance of a tax increment development revenue bond, note or other obligation and also approve the Redevelopment Contract for the Sanctuary Apartments, LLC Project. This is the final step in this process to obtain tax increment financing.

Matt Ley, representing Sanctuary Apartments, LLC, was present to answer questions.

Member Powicki introduced CRA Resolution No. 2022-1 and moved for its approval; Member Meyer seconded.

CRA RESOLUTION NO. 2022-1

A RESOLUTION AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF A COMMUNITY REDEVELOPMENT AUTHORITY OF THE CITY OF WAYNE, NEBRASKA, TAX INCREMENT DEVELOPMENT REVENUE NOTE OR OTHER OBLIGATION, IN A PRINCIPAL AMOUNT NOT TO EXCEED \$175,000 FOR THE PURPOSE OF (1) PAYING THE COSTS OF ACQUIRING, DEMOLISHING, CONSTRUCTING, RECONSTRUCTING, IMPROVING, EXTENDING, REHABILITATING, INSTALLING, EQUIPPING, FURNISHING AND COMPLETING CERTAIN IMPROVEMENTS WITHIN THE AUTHORITY'S SANCTUARY APARTMENTS, LLC, REDEVELOPMENT PROJECT AREA, SPECIFICALLY INCLUDING SITE PURCHASE, PREPARATION, DEMOLITION, REHABILITATION, UTILITY EXTENSION AND (2) PAYING THE COSTS OF ISSUANCE THEREOF; PRESCRIBING THE FORM AND CERTAIN DETAILS OF THE NOTE OR OTHER OBLIGATION; PLEDGING CERTAIN TAX REVENUE AND OTHER REVENUE TO THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON THE NOTE OR OTHER OBLIGATION AS THE SAME BECOME DUE; LIMITING PAYMENT OF THE NOTE OR OTHER OBLIGATION TO SUCH TAX REVENUES; CREATING AND ESTABLISHING FUNDS AND ACCOUNTS; DELEGATING, AUTHORIZING AND DIRECTING THE FINANCE DIRECTOR TO EXERCISE HIS OR HER INDEPENDENT DISCRETION AND JUDGMENT IN DETERMINING AND FINALIZING CERTAIN TERMS AND PROVISIONS OF THE NOTE OR OTHER OBLIGATION NOT SPECIFIED HEREIN; APPROVING A REDEVELOPMENT CONTRACT AND REDEVELOPMENT PLAN; TAKING OTHER ACTIONS AND MAKING OTHER COVENANTS AND AGREEMENTS IN CONNECTION WITH THE FOREGOING; AND RELATED MATTERS.

Co-Chair Powicki stated the motion, and the result of roll call being all Yeas, with the exception of Chair Brodersen and Members Ptacek and Giese who were absent, the Co-Chair declared the motion carried.

Administrator Blecke updated the CRA on the following properties:

- Lot 4, Block 5, John Lake's Addition to the City of Wayne, Wayne County, Nebraska (711 Main Street).

He advised that no proposals were received to buy or move this house. He thought it would make sense to keep the house and move it to a lot that the City owns (e.g. old impound yard) until the CRA can figure out what they want to do with it. There would be some costs in moving and blocking the house. He thought the CRA would have to spend \$100,000+ to get the house ready to sell. But, in the end, the CRA would have a nice house that could be sold for what the CRA put into it, plus the value thereof (\$150,000+), especially if the CRA obtained a lot from the City for \$1.00.

After discussion, Administrator Blecke was directed to contact and obtain costs from contractors to move the house (Scrib's Housing Moving and Morrow's House Movers) and to work with Council on obtaining a lot. Sam Nixon has stated he would need the house moved by the middle of May. Administrator Blecke was also directed to keep listing the property for sale on Facebook, etc. In addition, he will let the real estate agents know this house is for sale.

- Lot 5 and Part of Lot 6, Block 5, John Lake's Addition to the City of Wayne, Wayne County, Nebraska (106 E. 7<sup>th</sup> Street)

Member Meyer made a motion, which was seconded by Member Sievers, to enter into executive session to protect the financial interest of the City to discuss the financial agreements with Sam Nixon regarding the property at 106 E. 7<sup>th</sup> Street, and to allow Attorney Miller, Administrator Blecke, City Clerk McGuire, Luke Virgil, Executive Director of Wayne Area Economic Development, Scott Nixon, Jan Nixon, and Sam Nixon (via Zoom) to be in attendance.

Co-Chair Powicki stated the motion, and the result of roll call being all Yeas, with the exception of Chair Brodersen and Members Ptacek and Giese who were absent, the Co-Chair declared the motion carried, and executive session began at 4:16 p.m.

The matter again to be discussed in executive session pertained to the financial agreements with Sam Nixon regarding the property at 106 E. 7<sup>th</sup> Street, with the purpose being to protect the financial interest of the City.

Member Lenihan made a motion, which was seconded by Member Meyer, to resume open session. Co-Chair Powicki stated the motion, and the result of roll call being all Yeas, with the exception of Chair Brodersen and Members Ptacek and Giese who were absent, the Co-Chair declared the motion carried, and open session resumed at 4:33 p.m.

Member Powicki made a motion, which was seconded by Member Meyer, to accept the language in the contract with JJ Wayne, LLC, pending the recommended changes — that rent will start either when it opens or no later than January 1, 2023, whichever is first. Co-Chair Powicki stated the motion, and the result of roll call being all Yeas, with the exception of Chair

Brodersen and Members Ptacek and Giese who were absent, the Co-Chair declared the motion carried.

- Part of Lot 5 and all of Lot 6, Block 14, Original Town of Wayne, and Lots 7 and 8, Block 14, Original Town of Wayne (located at 2<sup>nd</sup> and Logan/Nebraska Streets)

Administrator Blecke stated a lease agreement has been signed between the CRA and Robert Woehler & Sons Construction that will go until the end of April for this property. By the end of May, the Woehler's are supposed to have the south building taken down. They will take the building down at no cost, but keep the contents. Rent is \$250 per month. It was noted the Woehler's want to continue discussion on possibly developing this area.

Luke Virgil advised the CRA that he has spoken with some of the businesses on the south part of the 200 block, and there is interest by some if this would ever be used for parking.

There were no other properties of interest to be discussed.

Luke Virgil, Director of Wayne Area Economic Development, stated the housing summit that was supposed to take place this evening has been rescheduled to February 21<sup>st</sup> at the Wayne Country Club.

There being no further business to come before the CRA, Co-Chair Powicki declared the meeting adjourned at 4:55 p.m.