

AGENDA
COMMUNITY REDEVELOPMENT AUTHORITY
CITY COUNCIL CHAMBERS
306 PEARL STREET
September 27, 2022

1. 4:00 p.m. - Call the meeting to order

Anyone desiring to view the Open Meetings Act may do so. The document is available for public inspection and is located on the southwest wall of the City Council Chambers as well as on the City of Wayne website.

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.

2. Action to approve the Minutes of August 30, 2022
3. Action to approve the Claims
4. Update and discussion and/or action on the following properties:
 - Lot 5 and Part of Lot 6, Block 5, John Lake's Addition to the City of Wayne, Wayne County, Nebraska (106 E. 7th Street)
 - 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 2nd and Logan/Nebraska Streets)
 - Action to consider bid(s) received on the "2nd and Nebraska Street Demolition Project"
 - Update on "Request for Proposal" prepared by Administrator Blecke
 - 200 S. Lincoln Street
 - 721 Main Street
 - Action on Purchase Agreement with Tom Jacobsen
5. Discussion regarding other potential properties of interest
6. Adjourn

NEXT MEETING IS SCHEDULED FOR OCTOBER 25, 2022

August 30, 2022

The Wayne Community Redevelopment Authority (CRA) met in regular session at City Hall on Tuesday, August 30, 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, Greg Ptacek, Jon Meyer, Cale Giese and Terry Sievers; City Attorney Amy Miller; City Administrator Wes Blecke; and City Clerk Betty McGuire. Absent: Chair Jill Brodersen.

Notice of the convening meeting was given in advance by advertising in the Wayne Herald on August 18, 2022, and a copy of the meeting notice and agenda were simultaneously given to the Chair and all members of the Community Redevelopment Authority. All proceedings hereafter shown were taken while the 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. 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 Giese made a motion, which was seconded by Member Meyer, to approve the minutes of the July 26, 2022 and August 9, 2022, meetings. Co-Chair Powicki stated the motion, and the result of roll call being all Yeas, with the exception of Chair Brodersen who was absent, the Co-Chair declared the motion carried.

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

Advanced Consulting Engineering Services	\$1,599.72
Admin Replat Lots 4-6, John Lake's Addition	
City of Wayne	
Attorney Fees	\$800.00
Utilities – 106 E. 7 th	37.00
Ads/Notices	54.55
Misc. Costs (Carhart/Menards/Bomgaars)	
200 S. Lincoln	1,117.31

Olsson \$13,500.00
Wayne CRA Jimmy John's

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

Co-Chair Powicki declared the time was at hand for the public hearing on the proposed FY2022-2023 CRA budget.

Beth Porter, Finance Director, presented the CRA budget. The fiscal year begins October 1, 2022. The total revenues proposed for the FY2022-2023 budget are \$702,201, with expenses of \$790,206. This includes all of the TIF projects. In addition, she noted that there is \$2,186.39 in the CRA checking account at this time.

The original money the CRA received from the City came from the Electric Fund – which was the unallocated portion of the 1.85% dedicated to economic development. Any overages from that 1.85% collected from the electric customers are now transferred to the Community Redevelopment Authority.

City Clerk McGuire had not received any communication for or against this public hearing.

There being no further comments, Co-Chair Powicki closed the public hearing.

Co-Chair Powicki stated the following CRA Resolution would adopt the 2022-2023 budget.

Member Giese introduced CRA Resolution No. 2022-5 and moved for its approval; Member Ptacek seconded.

CRA RESOLUTION NO. 2022-5

A RESOLUTION OF THE COMMUNITY REDEVELOPMENT AUTHORITY OF THE CITY OF WAYNE, NEBRASKA, ADOPTING THE 2022-2023 BUDGET.

Finance Director Porter was directed to prepare a spreadsheet showing what the potential revenue could be off the current TIF projects if there was a 1% - 5% admin fee implemented.

Luke Virgil, Director of Wayne Area Economic Development, was directed to coordinate a visit to Hastings, Nebraska, to look at their downtown district and visit with their Economic Development Director.

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

Matthew Smith, Project Engineer with Olsson, stated two bids were received on August 18, 2022, regarding the "CRA Jimmy John's Site Development Project." Upon review of the same, only one had the required bid documents and came in above the engineer's estimate of \$99,270.00. After review of the bids, Olsson's recommendation is that the Notice of Award be given to the only qualified bidder, Robert Woehler & Sons Construction, Inc., in the contract amount of \$147,726.34 or the alternate price of \$133,179.90

Discussion took place on how to get the contract amount reduced and more in line with the Engineer's estimate.

BJ Woehler, representing Robert Woehler & Sons Construction, Inc., was present and stated if the liquidated damages were reduced from \$500/day to \$100/day this would reduce some of the cost. In addition, quantity and unit price adjustments could be made (e.g. retaining wall from \$51,700 to about \$31,700). He indicated he was trying to obtain different quotes on concrete, too.

Administrator Blecke stated he has visited with Mr. Woehler about having the City do items 20 (cap & abandon sanitary sewer), 21 (cap & abandon water service) and 22 (seeding) in the bid document. This would reduce the bid another \$6,900.

After discussion, a motion was made by Member Lenihan, which was seconded by Member Sievers, awarding the contract on the "CRA Jimmy John's Site Development Project" to Robert Woehler & Sons Construction, Inc., in an amount not to exceed \$115,000.00, reducing liquidated damages to \$100/day, and with the City doing item nos. 20 (cap & abandon sanitary sewer), 21 (cap & abandon water service) and 22 (seeding) in the bid document.

It was noted that while liquidated damages would be reduced, the City can still hold the retainage of 10% until the project is completed.

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

Administrator Blecke updated the CRA on the following properties:

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

(Update given above)

- 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 2nd and Logan/Nebraska Streets)

The first building has been demolished and all debris is off site. Staff is advertising for bids to take down the other building and both foundations.

Member Ptacek made a motion, which was seconded by Co-Chair Powicki, directing Administrator Blecke to prepare a Request for Proposal for the 2nd and Logan/Nebraska Street property. Co-Chair Powicki stated the motion, and the result of roll call being all Yeas, with the exception of Chair Brodersen who was absent, the Co-Chair declared the motion carried.

Member Lenihan left the meeting at 4:37 p.m.

The next item on the agenda was to receive an update and then possible action on the offer(s) made on the 200 S. Lincoln Street property. Administrator Blecke stated he had received 3 offers on this property.

Member Giese made a motion, which was seconded by Member Ptacek, to enter into executive/closed session to protect the financial interest of the City to discuss the sale of real estate (offers received on 200 S. Lincoln Street), and to allow Attorney Miller, Administrator Blecke, City Clerk McGuire, Finance Director Beth Porter, Street and Planning Director Joel Hansen, and Luke Virgil, Executive Director of Wayne Area Economic Development, 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 who was absent and Member Lenihan who had left the meeting, the Co-Chair declared the motion carried, and executive/closed session began at 4:38 p.m.

The matter again to be discussed in executive/closed session pertained to the sale of property (offers received on the 200 S. Lincoln Street property), with the purpose being to protect the financial interest of the City.

Member Ptacek made a motion, which was seconded by Member Giese, 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 who was absent and Member Lenihan who had left the meeting, the Co-Chair declared the motion carried, and open session resumed at 5:06 p.m.

Member Giese made a motion, which was seconded by Member Ptacek, to accept the offer of the high bidder and to authorize staff to take actions to seal the house if the offer falls through.

It was noted that the buyer would be required to pay all of the closing costs, title insurance, etc.

Co-Chair Powicki stated the motion, and the result of roll call being all Yeas, with the exception of Chair Brodersen who was absent, Member Lenihan who had left the meeting, and Member Meyer who voted Nay, the Co-Chair declared the motion carried.

Discussion took place on other potential properties of interest – 721 Main Street. Administrator Blecke stated they have cleared up the tax issue from their side. The State has advised Tom Jacobsen they have filed the “intent.” Mr. Jacobsen thinks it will still take the State a month to figure everything out on it. Attorney Miller was directed to prepare a purchase agreement for the same contingent upon receiving clear title to be acted upon at the next meeting.

There being no further business to come before the CRA, Chair Brodersen declared the meeting adjourned at 5:11 p.m.

**City of Wayne
CRA Claims List**

September 9, 2022

9/9/2022	#1490	Bockmann Inc Removal/disposal asbestos 2nd/Nebraska	\$	29,979.00
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September 27, 2022

9/27/2022	#1491	City of Wayne Ads/notices \$565.12 Misc. costs 200 S Lincoln \$1.27 Utilites 106 E 7th St \$37.00	\$	603.39
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9/27/2022	#1492	Olsson Wayne CRA Jimmy Johns Inv # 432184 \$550.00	\$	550.00
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9/27/2022	#1493	Wayne County Clerk Wayne CRA easement Mosley \$16.00	\$	16.00
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		Total	\$	31,148.39
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CRA
BANK SUMMARY
CHECKING ACCOUNT
September 27, 2022

BALANCE 8/30/22 2,186.39

DEPOSITS:

Interest	1.46
DPA payments	100.00
LOC draw	30,000.00

SUBTOTAL: 32,287.85

CLAIMS:

Claims Paid	31,148.39
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BOOK BALANCE as of 9/27/22 1,139.46

COMMUNITY REDEVELOPMENT AUTHORITY

2nd & Nebraska Street - Structure Razing

Bid Opening: September 22, 2022 - 2:00 p.m.

BIDDER NAME	AMOUNT
Kay Contracting, Inc.	\$31,950.00
Robert Woehler & Sons Construction, Inc.	\$44,685.33
Detlefsen Construction	\$78,000.00

Kay Contracting Inc

57655 851st Rd
Wayne, NE 68787
402.375.4583

Estimate

Date
9/22/2022

Name / Address
City of Wayne 306 N Pearl St Wayne, NE. 68787

Structure Razing: 2nd & Nebraska Street		
Description	Notes	Total
Structure Razing: 2nd & Neb	Price includes the following: Demolition to 1 structure Demolition to 2 concrete foundations Grade site to match properties Hauling debris to landfill	31,950.00
Total		\$31,950.00



Robert Woehler & Sons Construction, Inc.
 123 Fairgrounds Ave.
 Wayne NE 68787

Phone: 402-375-3744
 Fax: 402-833-5363

Bid Proposal For:

9/22/2022

The Community Redevelopment Agency for The City of Wayne
 Attn. **Betty McGuire**
 306 Pearl St
 Wayne, NE 68787

Phone: 402-375-1733

Project: Structure Razing; 2nd & Nebraska Street Wayne, NE

Item	Description	Estimated		Unit Cost	Sub Totals
		Unit	Quantity		
1	Structure Razing; 2nd & Nebraska Street Wayne, NE per Advertisement Site to be fine graded, holes will be filled to drain and compacted , all debris 2" or larger will be removed.	Lump	1	\$44,685.33	\$44,685.33
Total Project Cost					\$44,685.33

Schedule of work is to be reviewed, negotiated and approved by all parties, Completed by November 15, 2022

Price **Does Not** Include any other Debris or Hazardous Waste Disposal, work to be done by others and/or billed as extra's

All Quantities are estimated based on info given any addition, subtraction or extra dirt work will adjust total cost.

Owner is responsible for paying any city, engineering, compaction, inspection, state, hazard waste or misc. fees.

Prices include Labor and Material and are good for 30 days. Material Cost will be billed as delivered and payment is due in 10 days. Monthly billings will reflect work completed as project progresses. Payments due within 10 days of billing and final payment is due in full within 10 days of project completion.

I have read the proposal, have received an exact copy, and accept the proposal.
 Please sign one copy and return.

Approved By: _____

Date: _____

Approved By: 
 Bradley J Woehler Secretary
 Robert Woehler & Sons Construction, Inc

Date: 9/22/22

Thank you for the opportunity to submit this proposal and we look forward to the possibility of working with you on this project. If you have any questions please call. 402-369-0049

B. J. Woehler

Detlefsen Construction
57363 Hwy 20
Laurel, NE 68745

Drew Detlefsen
402-375-8566 Mobile

Attached is Detlefsen Constructions bid for Structure Razing 2ND and Nebraska St.

Bid total: \$78,000 Seventy eight thousand dollars

Demolition to include one (1) structure and two (2) concrete foundations (completely removed), Demolition shall be completed by November 15, 2022, Site shall be fine graded to match neighboring properties to eliminate any ponding of water in preparation for seeding ,Contractor shall provide a liability insurance policy in the amount of \$1 million, listing the CRA as an additional insured and waiving subrogation ,Demolition materials must be taken to a licensed landfill.

PURCHASE AGREEMENT

This agreement is made and entered into by and between, **Wayne Rentals, LLC, a Nebraska Limited Liability Company**, hereinafter referred to as "Seller," and **The Community Redevelopment Authority of The City of Wayne, Nebraska**, hereinafter referred to as "Buyer."

Seller and Buyer agree as follows:

1. **Property Purchased.** Seller agrees to sell to Buyer, and Buyer agrees to purchase from Seller, the following described property, to-wit:

West 90' of Lots 1 and 2, Block 5, John Lake's Addition to the City of Wayne, Wayne County, Nebraska

Including all fixtures and equipment permanently attached to the property. The only personal property included is: None.

2. **Purchase Price.** Buyer agrees to pay to Seller, as full consideration for the above-described premises, the sum of **\$43,000.00** payable as follows:

\$43,000.00 to be paid in full at time of closing. All payments are to be made in cash, money order, or certified bank draft.

3. **Title.** Seller shall provide proof of marketable title in fee simple and furnish to Buyer a commitment for title insurance insuring merchantability. The cost of such title insurance policy shall be split equally between Buyer and Seller. Buyer shall be responsible for the cost of any additional title endorsements or riders required as a condition of Buyer's loan. Buyer agrees that should a valid defect exist, Seller shall have a reasonable time to correct said defect, not to exceed 30 days from the date of the title commitment. If there are defects that cannot be reasonably corrected within 30 days, this agreement shall be null and void and any earnest money paid upon execution shall be refunded.

4. **Deed.** Seller agrees to convey the property to Buyer, by Warranty Deed, free and clear of all liens and encumbrances, special assessments, levied or assessed, except any special assessments resulting from assessments from districts that may be created or ordered constructed subsequent to the date of acceptance of this purchase agreement, and subject to all easements, restrictions and covenants of record and any applicable zoning regulations.

5. **Taxes.** Seller shall pay all real estate taxes up to and including for the calendar year of 2021. Taxes for the calendar year of 2022 shall be prorated to date of closing. Taxes shall be prorated on the basis of the prior year's taxes unless the current tax rate is available, in which case they shall be prorated on the basis of the current valuation and tax rate.

