

**MINUTES
CITY COUNCIL MEETING
May 2, 2023**

The Wayne City Council met in regular session at City Hall on May 2, 2023, at 5:30 o'clock P.M.

Mayor Cale Giese called the meeting to order, followed by the Pledge of Allegiance, with the following in attendance: Councilmembers Brendon Pick, Terri Buck, Nick Muir, Brittany Webber, Clayton Bratcher, Jason Karsky and Jill Brodersen; City Administrator Wes Blecke; City Clerk Betty McGuire; and Attorney Amy Miller. Absent: Councilmember Matt Eischeid.

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 Mayor and all members of the City Council, 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 Mayor and Council of this meeting. All proceedings hereafter shown were taken while the Council convened in open session.

Mayor Giese advised the public that a copy of the Open Meetings Act was located on the southwest wall of Council Chambers, as well as on the City of Wayne website and was available for public inspection. In addition, he advised the public that the Council 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.

Councilmember Brodersen made a motion, which was seconded by Councilmember Buck, to approve the minutes of the meeting of April 18, 2023, and to waive the reading thereof. Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Eischeid who was absent, the Mayor declared the motion carried and the Minutes approved.

The following claims were presented to Council for their approval:

APPROVED 4/18/23: OTTE CONSTRUCTION, SE, 44348

VARIOUS FUNDS: ACES, SE, 1093.66; AMERITAS, SE, 3147.94; AMERITAS, SE, 97.94; AMERITAS, SE, 35.00; AMERITAS, SE, 168.44; AMERITAS, SE, 72.00; APPEARA, SE, 117.79; ATCO INTERNATIONAL, SU, 155.60; BOMGAARS, SU, 830.05; BORDER STATES INDUSTRIES, SU, 1336.00; CARHART LUMBER COMPANY, SU, 232.45; CARLSON WEST PVONDRA ARCHITECTS,

SE, 21005.14; CIRBA SOLUTIONS SERVICES, SU, 102.00; CITY EMPLOYEE, RE, 420.36; CITY EMPLOYEE, RE, 4200.00; CITY EMPLOYEE, RE, 146.07; CITY EMPLOYEE, RE, 415.29; CITY OF WAYNE, PY, 97266.73; CITY OF WAYNE, RE, 193.83; CJH TECHNOLOGIES, SE, 1000.00; CLAUSSEN & SONS IRRIG, SE, 256.09; COMMUNITY REDEVELOPMENT AUTHORITY, RE, 10000.00; COMPLETE FLOORS, SE, 1990.00; DJ GONGOL & ASSOCIATES, SE, 2750.00; DAS STATE ACCTG-CENTRAL FINANCE, SE, 448.00; DEARBORN LIFE INSURANCE COMPANY, SE, 86.00; DUNKLAU, RYAN, RE, 30.00; FASTWYRE BROADBAND, SE, 1512.16; FIRST CONCORD GROUP, SE, 4284.64; FLOOR MAINTENANCE, SU, 232.39; GERHOLD CONCRETE, SU, 738.08; GRAINLAND ESTATES LLC, RE, 1799.69; HILAND DAIRY, SE, 330.59; HOEPPNER, CHAD, RE, 332.85; HYTREK LAWN, SE, 900.00; ICMA, SE, 8687.90; ICMA, SE, 127.36; ICMA, SE, 36.84; ICMA, SE, 186.63; ICMA, SE, 166.28; ICMA, SE, 413.68; ICMA, SE, 137.38; ICMA, SE, 70.00; ICMA, SE, 372.24; ICMA, SE, 255.46; ICMA, SE, 1460.02; IIMC, FE, 185.00; INTERNATIONAL CODE COUNCIL, FE, 145.00; IRS, TX, 10.38; IRS, TX, 44.36; IRS, TX, 16258.18; IRS, TX, 11290.81; IRS, TX, 3802.24; ISLAND SPRINKLER SUPPLY, SU, 766.63; JENSEN BUILDERS, RE, 1000.00; JEO CONSULTING GROUP, SE, 969.00; KASEYA US, SU, 356.50; KELLY SUPPLY COMPANY, SU, 181.81; MAAS, COURTNEY, SE, 103.75; MAIN STREET GARAGE, SE, 211.89; MARCO, SE, 175.92; MARCO TECHNOLOGIES, SE, 180.50; MATTHES, LONNIE, RE, 50.00; MONAHAN, PHILLIP, RE, 134.35; NE DEPT OF REVENUE, TX, 6.65; NE DEPT OF REVENUE, TX, 5207.12; NE PUBLIC HEALTH ENVIRONMENTAL LAB, SE, 111.00; NE STATE VOLUNTEER FIREFIGHTERS ASSOC, FE, 60.00; NICK'S WOOD SHOP, SE, 13645.45; NO SWETT FENCING, SU, 4350.00; NNEDD, FE, 7884.36; NNEDD, SE, 356.25; NORTHEAST POWER, SE, 21756.30; OLSSON, SE, 7128.46; O'REILLY AUTOMOTIVE STORES, SU, 165.43; PER MAR SECURITY SERVICES, SE, 984.83; PLUMBING & HEATING WHOLESALE, SE, 1176.16; PROKOP, KEN, RE, 384.00; SID SUDBECK CONSTRUCTION, RE, 35.00; SKL RENTALS, RE, 500.00; SPARTAN ATHLETIC, SU, 519.86; STAPLES, SU, 106.37; STATE NEBRASKA BANK-PETTY CASH, RE, 109.09; ULINE, SU, 396.81; UTILITY EQUIPMENT, SU, 1665.90; WAYNE COUNTY AG, RE, 500.00; WESCO, SU, 1904.60; WISNER WEST, SU, 157.56; WSC FOUNDATION CHEERLEADING, FE, 400.00; ZIMCO SUPPLY, SU, 2098.00; BEIERMANN ELECTRIC, SE, 3901.05; BLUE CROSS BLUE SHIELD, SE, 48325.17; BORDER STATES INDUSTRIES, SU, 586.31; BROWN, SANDY, SE, 182.83; CITY EMPLOYEE, RE, 902.82; DUTTON-LAINSON COMPANY, SU, 3884.10; ELLIS HOME SERVICES, SE, 144.00; FLOOR MAINTENANCE, SU, 966.73; FLOOR MAINTENANCE. SU. 340.84; GALE/CENGAGE LEARNING, SU, 102.66; GERHOLD CONCRETE, SU, 578.56; HELENA AGRI-ENTERPRISES, SU, 1372.50; HILAND DAIRY, SE, 15.31; HOMETOWN LEASING, SE, 365.84; MERCHANT SERVICES, FE, 80.46; MERCHANT SERVICES, FE, 4575.09; MERCHANT SERVICES. FE, 1374.35; MILLER LAW, SE, 5416.67; NORTHEAST POWER, SE, 6667.00; OPTK NETWORKS, SE, 408.54; O'REILLY AUTOMOTIVE STORES, SU, 7.64; PLUNKETT'S PEST CONTROL, SE. 299.99; PLUNKETT'S PEST CONTROL, SE, 968.91; POSTMASTER, SU, 1034.41; SANDRY FIRE SUPPLY, SU, 406.60; SKARSHAUG TESTING LAB, SE, 261.10; SOOLAND BOBCAT, SU, 888.31; STAPLES, SU, 394.71; STATE NEBRASKA BANK & TRUST, SE, 60.80; ULINE, SU, 111.44; VIAERO, SE, 70.86; WAED, SE, 8980.41; WAPA, SE, 22440.13

Councilmember Brodersen made a motion, which was seconded by Councilmember Webber, to approve the claims. Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Eischeid who was absent, the Mayor declared the motion carried.

Administrator Blecke stated City staff is recommending that Council consider amending the 2018 IBC pertaining to storm shelters (Section 423). With both Wayne Community Schools and the City of Wayne (specifically the police department) renovating/constructing new buildings, staff/architects have

found the storm shelter sections to be very arduous. When the Council adopted and amended the 2018 IBC code in 2021, these provisions were not reviewed for amendment. While safety is always the key component of establishing and upholding building codes, the reason local jurisdictions have the ability to amend is so it can fit certain circumstances in their communities. Staff feels the amendments proposed in Ordinance 2023-9 protects the public, employees, and students, while making the code more cost effective to the end user/consumer. This section, if not amended, would require the garage that we will build to be storm rated to protect the vehicles. In addition, we would need to have our dispatch center storm protected as well (according to the IBC 500, it would have to sustain a 250 mph wind). Dispatch will also be located downstairs in the building. If we would build according to the IBC 500 Code, the building could be wiped away and dispatch could operate out of this “bomb shelter.” However, we have a communication tower at the old City Hall. If that is gone or destroyed, too, you cannot communicate. It does not make a lot of sense to bomb proof one area and be vulnerable at another area. We want to make sure the Police Department staff is protected and they feel comfortable in whatever we do. Staff does not think we need to go to the extreme and the cost of making this IBC 500 compliant. The code is kept intact. What has been added are exceptions.

Councilmember Karsky introduced Ordinance No. 2023-9, and moved for approval thereof; Councilmember Buck seconded.

ORDINANCE NO. 2023-9

AN ORDINANCE TO AMEND TITLE XV LAND USAGE, CHAPTER 150 BUILDING REGULATIONS; CONSTRUCTION, SECTION 150.15 BUILDING CODE; BUILDING PERMITS; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES OR SECTIONS; TO PROVIDE FOR AN EFFECTIVE DATE; AND TO PROVIDE THAT SAID ORDINANCE BE PUBLISHED IN PAMPHLET FORM.

Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Eischeid who was absent, the Mayor declared the motion carried.

Councilmember Karsky made a motion, which was seconded by Councilmember Buck, to suspend the statutory rules requiring ordinances to be read by title on three different days. Mayor Giese stated the

motion, and the result of roll call being all Yeas, with the exception of Councilmember Eischeid who was absent, the Mayor declared the motion carried.

Councilmember Brodersen made a motion, which was seconded by Councilmember Webber, to move for final approval of Ordinance No. 2023-9. Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Eischeid who was absent, the Mayor declared the motion carried.

Jill Brodersen, Architect, presented Application for Payment No. 8 in the amount of \$82,695 to OCC Builders, LLC, for the “Freedom Park Trailhead Project.”

Councilmember Webber made a motion, which was seconded by Councilmember Buck, approving Application for Payment No. 8 for \$82,695 to OCC Builders, LLC, for the “Freedom Park Trailhead Project.” Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Eischeid who was absent, the Mayor declared the motion carried.

Councilmember Brodersen made a motion, which was seconded by Councilmember Webber, setting the date for the next Council “Mini-Retreat” for Tuesday, May 30th, at 5:30 p.m. at the Wayne Fire Hall. Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Eischeid who was absent, the Mayor declared the motion carried.

Administrator Blecke updated the Council on 513 Main Street (New Police and City Municipal Building Renovation Project). There is a second rendition. Councilmember Brodersen wanted to see what the architects’ ideas are for the outside of the building. Administrator Blecke would forward the second rendition to the Council for their review.

Discussion took place on housing. Luke Virgil, Wayne Area Economic Development Director, stated there is a need for housing. Council needed to determine what level of development they wanted. Wayne is in need of residential lots. It is a question of size and location. There are approximately 25-28 empty lots in Wayne at this time. Wayne should probably have 100 available lots. Incentives were discussed (water & sewer). Affordable housing is now considered to be at \$325,000. This makes it difficult

for the average employee or average household to consider building a home. Continued discussions will take place.

Councilmember Brodersen made a motion, which was seconded by Councilmember Webber, to enter into executive/closed session to conduct the City Administrator's evaluation, with the purpose being to prevent the needless injury to the reputation of the City Administrator. Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Eischeid who was absent, the Mayor declared the motion carried, and executive session began at 6:22 p.m.

Mayor Giese again stated the matter to be discussed in executive/closed session relates to the City Administrator's evaluation.

Councilmember Brodersen made a motion, which was seconded by Councilmember Buck, to resume open session. Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Eischeid who was absent, the Mayor declared the motion carried, and open session resumed at 6:48 p.m.

There being no further business to come before the meeting, Mayor Giese declared the meeting adjourned at 6:48 p.m.