

MINUTES
CITY COUNCIL MEETING
April 2, 2024

The Wayne City Council met in regular session at City Hall on April 2, 2024, 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 Austyn Houser, Terri Buck, Nick Muir, Brittany Webber, Clayton Bratcher, Matt Eischeid and Jill Brodersen; City Administrator Wes Blecke; Finance Director Beth Porter; and City Attorney Amy Miller. Absent: Councilmember Jason Karsky and City Clerk Betty McGuire.

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 March 19, 2024, 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 Karsky who was absent, the Mayor declared the motion carried and the Minutes approved.

The following claims were presented to Council for their approval:

APPROVED 3/19/24: OTTE CONSTRUCTION, SE, 215551.00

VARIOUS FUNDS: ACES, SE, 1127.56; AMERITAS, SE, 184.72; AMERITAS, SE, 35.00; AMERITAS, SE, 3585.36; AMERITAS, SE, 72.00; AMERITAS, SE, 115.99; APPEARA, SE, 88.98; BAKER &

TAYLOR BOOKS, SU, 826.00; BARRONE, AYDEN, RE, 213.00; BEIERMANN ELECTRIC, SE, 68.50; BOMGAARS, SU, 2390.02; BORDER STATES INDUSTRIES, SE, 24989.86; CARLSON WEST POVONDRA ARCHITECTS, SE, 4145.74; CASEY ELECTRIC, SE, 2229.28; CENTER POINT LARGE PRINT, SU, 51.94; CIRBA SOLUTIONS SERVICES, SU, 326.85; CITY EMPLOYEE, RE, 86.61; CITY EMPLOYEE, RE, 473.11; CITY OF WAYNE, PY, 114706.32; CITY OF WAYNE, RE, 237.41; CLAUSSEN & SONS IRRIG, SE, 85.00; CORE & MAIN, SE, 890.96; DAS STATE ACCTG-CENTRAL FINANCE, SE, 537.60; DEARBORN LIFE INSURANCE COMPANY, SE, 75.68; DEMCO, SU, 655.21; DGR & ASSOCIATES, SE, 15325.50; DORING, JOSH, RE, 100.00; EAKES OFFICE PLUS, SE, 2323.29; FASTWYRE BROADBAND, SE, 1640.86; FIREMAN, RE, 262.00; FIREMAN, RE, 150.00; FLOOR MAINTENANCE, SU, 896.69; GALE/CENGAGE LEARNING, SU, 128.65; GERHOLD CONCRETE, SE, 1917.91; GRANQUIST, JIM, RE, 500.00; GROSSENBURG IMPLEMENT, SU, 153.73; H.K. SCHOLZ COMPANY, SU, 1720.00; HANSEN, DALTON, RE, 213.00; HAWKINS, SU, 1264.21; HILAND DAIRY, SE, 110.54; ICMA, SE, 39.80; ICMA, SE, 201.68; ICMA, SE, 72.03; ICMA, SE, 130.76; ICMA, SE, 523.20; ICMA, SE, 9851.07; ICMA, SE, 1229.22; ICMA, SE, 138.72; ICMA, SE, 72.03; ICMA, SE, 75.00; ICMA, SE, 150.67; ICMA, SE, 596.51; INGRAM LIBRARY SERVICES, SU, 830.72; IRS, TX, 4434.62; IRS, TX, 11971.03; IRS, TX, 18961.92; J. F. AHERN CO, SE, 3004.00; JEO CONSULTING GROUP, SE, 1491.50; JOHNSON FITNESS & WELLNESS, SU, 40.00; KARSKY, JASON, RE, 250.00; KEEZEL, MAX, RE, 100.00; MARCO, SE, 175.92; MARCO TECHNOLOGIES, SE, 180.50; MONTINO, LAUREN, RE, 150.00; MUTUAL OF OMAHA, SE, 369.00; NE DEPT OF REVENUE, TX, 5773.11; NE EMERGENCY SERVICE, FE, 45.00; NE HARVESTORE, SU, 988.68; NE NEBRASKA VOLUNTEER FIREFIGHTERS ASSN, FE, 50.00; NE PUBLIC HEALTH ENVIRONMENTAL LAB, SE, 90.00; NORTHEAST POWER, SE, 29233.54; NSVFA FIRE SCHOOL, FE, 1080.00; OLSSON, SE, 16534.88; O'REILLY AUTOMOTIVE STORES, SU, 566.91; PARKER, BRETT, RE, 5.00; PLATINUM CHEMICALS, SU, 452.00; SANDRY FIRE SUPPLY, SU, 599.93; SIOUX SALES COMPANY, SU, 25.83; STATE NEBRASKA BANK-PETTY CASH, RE, 117.65; UNLIMITED LANDSCAPING, SE, 5048.00; USA BLUE BOOK, SU, 872.72; UTILITY EQUIPMENT, SU, 6161.02; VEL'S BAKERY, SU, 53.00; WAYNE AMERICA, FE, 260.00; WESCO, SU, 267.50; WISNER WEST, SU, 138.39; ZIMCO SUPPLY, SU, 3387.90; APPEARA, SE, 48.26; APPEARA, SE, 115.61; BEIERMANN ELECTRIC, SE, 1580.00; BLUE CROSS BLUE SHIELD, SE, 47245.89; BOK FINANCIAL, RE, 440371.51; CAMP ASSURANCE, RE, 200.00; CARHART LUMBER COMPANY, SU, 531.19; CERTIFIED TESTING SERVICES, SE, 277.50; CINTAS, SU, 349.00; CONTINENTAL FIRE SPRINKLER, SE, 995.00; COPY WRITE PUBLISHING, SE, 279.68; ED M. FELD EQUIPMENT, SE, 33.70; FIRST CONCORD GROUP, SE, 4499.72; FLOOR MAINTENANCE, SU, 71.30; GLOBAL PAYMENTS INTEGRATED, SE, 825.08; HILAND DAIRY, SE, 96.89; HOMETOWN LEASING, SE, 180.82; J.P. COOKE COMPANY, SU, 257.95; JEO CONSULTING GROUP, SE, 2980.62; KELLY SUPPLY COMPANY, SU, 209.73; MARRIOTT HOTELS, SE, 816.00; MERCHANT SERVICES, SE, 5833.90; MERCHANT SERVICES, SE, 1397.25; MERCHANT SERVICES, SE, 93.62; MICHAEL TODD INDUSTRIAL SUPPLY, SU, 495.22; MILLER LAW, SE, 6250.00; MORISSEY ENGINEERING, SE, 2800.00; NORTHEAST NE INS AGENCY, SE, 134875.00; NORTHEAST POWER, SE, 6006.00; OERTWICH, RANDY, SU, 4500.00; ONE CALL CONCEPTS, SE, 72.68; PAC N SAVE, SU, 233.31; PAC N SAVE, SU, 1640.10; POSTMASTER, SU, 1119.29; QUADIENT LEASING USA, SE, 655.38; SUMMIT CARBON SOLUTIONS, RE, -250.00; SUMMIT CARBON SOLUTIONS, RE, 450.00; THE MAJESTIC THEATER, SE, 200.00; WAYNE COMM SCHOOL FOUNDATION-POST PROM, RE, 200.00; WESCO, SU, 1273.30; WYNIA, KATIE, SE, 300.00

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

Roger Protzman, representing JEO Consulting Group, Inc., via zoom, presented Contractor's Application for Payment No. 3 in the amount of \$46,529.17 to Philip Carkoski Construction and Trenching, Inc., for the "2023 Wastewater Treatment Facility Ultraviolet Light Improvements Project." He also updated the Council on the progress of the project.

Councilmember Eischeid made a motion, which was seconded by Councilmember Webber, approving Contractor's Application for Payment No. 3 in the amount of \$46,529.17 to Philip Carkoski Construction and Trenching, Inc., for the "2023 Wastewater Treatment Facility Ultraviolet Light Improvements Project." Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Karsky who was absent, the Mayor declared the motion carried.

Administrator Blecke stated that part of the \$10M bond the City issued last year was to fund a new Parks and Recreation Building in Prairie Park. The City hired Carlson West Povondra Architects to assist with the design and bidding package. The estimated opinion of cost for this project is \$1,309,825. This bid will be for the structure, but does not include finished office spaces and parking/landscaping. The plan is to erect the building this fall and have City staff help as much as possible to construct the office space. Some of this finish work will have to be hired out.

A representative of Carlson West Povondra Architects was present to answer questions, as well as Lowell Heggemeyer, Parks and Recreation Director.

The only thing that has been added/changed since the beginning of this project is floor heat instead of radiant heat.

Councilmember Brodersen introduced Resolution 2024-14 and moved for its approval; Councilmember Webber seconded.

RESOLUTION NO. 2024-14

A RESOLUTION APPROVING THE PLANS, SPECIFICATIONS AND ESTIMATE OF COST FOR THE "PARKS AND RECREATION BUILDING PROJECT," AND AUTHORIZING THE CITY CLERK TO ADVERTISE FOR BIDS.

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

Doug Temme, Andy Nelson and Rod Gilliland, representing the Wayne County Ag Society, were present regarding the possible annexation of the fairgrounds discussion that has taken place on the amended land use map agenda item over the last couple of Council meetings. Mr. Temme noted at this time they were not in favor of being annexed.

Some discussion took place regarding the outside water/sewer charges (double) that the Ag Society pays because they are outside city limits. Further discussion will take place on the matter.

Councilmember Eischeid introduced Ordinance No. 2024-2 and moved for approval of the third and final reading thereof; Councilmember Webber seconded the motion.

ORDINANCE NO. 2024-2

AN ORDINANCE AMENDING THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN FOR THE CITY OF WAYNE.

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

Councilmember Eischeid stated that he had spoken with a couple of homeowners who live along 21st Street that would be affected if the speed limit changes from 35 mph going east from the golf course parking lot, and they both expressed concern. They want to make sure it stays the way it is now – 25 mph until you get past the Armstrong property, and then it increases to 35 mph east to the city limits.

Councilmember Brodersen stated she thought the 25 mph speed limit should go farther east (Claycomb Road) before changing to 35 mph.

Councilmember Bratcher introduced Ordinance No. 2024-3 (2) and moved for approval of the second reading thereof; Councilmember Muir seconded.

ORDINANCE NO. 2024-3 (2)

AN ORDINANCE AMENDING TITLE VII TRAFFIC CODE, PROHIBITIONS AND ENFORCEMENT, SECTION 78-212 SPEED; MAXIMUM; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES OR SECTIONS; AND TO PROVIDE FOR AN EFFECTIVE DATE.

Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Karsky who was absent and Councilmember Brodersen who voted Nay, the Mayor declared the motion carried. The third and final reading will take place at the next meeting.

Administrator Blecke stated the College and city staff have been discussing the option to vacate a portion of Walnut Street for a couple of years. The discussion picked up momentum when the new dorm was announced and then began construction. The College is concerned with the dorm being built where it is and making on-campus students cross a city street. The City has electrical infrastructure on the east side of Walnut Street that we will need to keep as an easement for maintenance. The City does not own 14th Street at the north end of Walnut Street, so this does not cause any issues with connectivity.

Councilmember Eischeid stated he and Councilmember Houser received an anonymous email from someone, regarding the following ordinance, whose biggest concern was whether or not emergency services were going to be able to provide service to the new dorm/area if the street is abandoned.

Joel Hansen, Street and Planning Director, addressed this concern.

Councilmember Brodersen introduced Ordinance No. 2024-5 and moved for approval thereof; Councilmember Webber seconded.

ORDINANCE NO. 2024-5

AN ORDINANCE APPROVING VACATION OF A PORTION OF WALNUT STREET LOCATED WITHIN THE CITY OF WAYNE, WAYNE COUNTY, NEBRASKA, DESCRIBED AS THAT PORTION OF WALNUT STREET LYING BETWEEN THE NORTH LINE OF HILLCREST ROAD AND EXTENDING NORTH TO THE SOUTH LINE OF 14TH STREET.

Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Karsky who was absent and Councilmember Bratcher who voted Nay, the Mayor declared the motion carried. The second reading will take place at the next meeting.

Administrator Blecke stated that action on the following Ordinance would officially give Wayne State College a City water line through campus. WSC could meter at each end, and the City would have no need to maintain this line. With the old 12th Street being turned into a pedestrian way years ago, the City

has limited access to the line should a major issue arise. Staff feels it is in both parties' best interest to have WSC own this line. This water line is only used for fire suppression at this point.

Councilmember Brodersen introduced Ordinance No. 2024-6 and moved for approval thereof; Councilmember Eischeid seconded.

ORDINANCE NO. 2024-6

AN ORDINANCE APPROVING TRANSFER OF OWNERSHIP OF WATER LINE LOCATED ALONG PREVIOUSLY VACATED 12TH STREET, COMMENCING ON THE EAST SIDE OF MAIN STREET (HWY 15), AND CONTINUING EAST, THROUGH WAYNE STATE COLLEGE (WSC) CAMPUS, TO THE WATER VALVES LOCATED IN WHAT IS COMMONLY KNOWN AS LOT 4 OF WSC, LEGALLY DESCRIBED AS LOTS 2-23, CRESTVIEW ADDITION TO THE CITY OF WAYNE, WAYNE COUNTY, NEBRASKA (LOT 10 OF WSC), SUBJECT TO WSC RELOCATING METERS AT THE EAST AND WEST BOUNDARY OF SAID TRANSFERRED WATER LINE, AT THE POINT OF CONNECTION TO THE CITY'S WATER LINE.

Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Karsky who was absent, the Mayor declared the motion carried. The second reading will take place at the next meeting.

Administrator Blecke updated the Council on the property the City owns located at 300 S. Douglas Street. A "For Sale" sign is on the property. Council consensus was to wait until the flood plain determination is received before doing anything with the property.

Administrator Blecke updated the Council on the Community Activity Center Relocation Project. There will be a town hall type meeting on April 10th, one at 5:30 p.m. and then another at 7:00 p.m. at the Community Activity Center.

There being no further business to come before the meeting, Mayor Giese declared the meeting adjourned at 6:19 p.m.