

**AGENDA
CITY COUNCIL MEETING
COUNCIL CHAMBERS – CITY HALL
306 PEARL STREET
May 7, 2024**

1. [Call the Meeting to Order – 5:30 p.m.](#)
2. [Pledge of Allegiance](#)

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 Council Chambers as well as on the City of Wayne website.

The City 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.

3. [Approval of Minutes – April 16, 2024](#)
4. [Approval of Claims](#)
5. [Action on Wayne Airport Authority Board Appointment \(will replace Nick Hawthorne\)](#)
6. [Action on Board of Appeal Appointments – Tate Nelson, Mike Kaup, Lucas Thompson, Jill Brodersen, Dave Hix, Bob McBride and Don Buryanek](#)
7. [Presentation by UNL \(via zoom\) on a project they have been working on for Electric Vehicles at Transit](#)
8. [Resolution 2024-22: Accepting Bid and Awarding Contract on the “Wayne Parks & Rec Maintenance Building Project”](#)

Background: Two bids were received on May 1, 2024. The same have been reviewed by the City’s Engineer on the project, Carlson West Povondra Architects. They are recommending that the project be awarded to the low bidder Construction Company for \$1,437,965 (base bid) with an alternate for \$37,580. The engineer’s estimate on this project was \$1,309,825. The other bid was from Huff Construction, Norfolk, for \$1,544,000 (base bid) with an alternate of \$55,000.

9. [Action on Application and Certificate of Payment No. 6 in the amount of \\$364,453.00 to Otte Construction Company, Inc. for the “Wayne City Hall & Police Relocation Project” – Carlson West Povondra Architects](#)

Background: This is for work completed and approved by the Project Engineer.

10. [Presentation of a “Ceremonial Check” to the City of Wayne by the Wayne Rotary Club for the installation of the cornhole and ladder toss games at Freedom Park — Bob Ens](#)

11. [Action on the request of Susan Boust, representing the National Alliance on Mental Health, to waive the Freedom Park Shelter House rental fee on May 17, 2024, for the “Annual Pony Express Ride for Children’s Mental Health Event”](#)

12. Action on the request of Tom and Jennifer Sievers for a sidewalk waiver at 401 Chicago Street

Background: The Community Redevelopment Authority approved an offer for Tom and Jennifer Sievers to purchase the "alumni" house at 401 Chicago Street. One of the contingencies for the Sievers to close is for the Council to waive the requirement to put in a sidewalk on their property and delay this until the surrounding area(s) develop.

13. [Action on the recommendation of the LB840 Revolving Loan Fund Review Committee on the revolving loan fund application to Wayne’s Economic Development Program by “HIS Baking Co., LLC”, owned and operated by Chris and Jaclyn Beach — Luke Virgil, Executive Director of Wayne Area Economic Development](#)

Background: The Review Committee met with the owners of *HIS Baking Co., LLC*, Chris & Jaclyn Beach, who have a purchase agreement for Vel’s Bakery (309 Main Street) and plan to operate and expand the bakery business. *HIS Baking Co., LLC*, will utilize the WEDP Funds for business costs such as purchasing the building/property, as well as some equipment and inventory. To match their request of \$149,943.50 from the WEDP, *HIS Baking Co., LLC*, has secured financing via Elkhorn Valley Bank & Trust, Wayne, NE; they have provided matching funds of \$1,000 (earnest deposit); and they will provide up to 10% equity (personal equity). The total project is estimated to cost at least \$300,887. Following the meeting with *HIS Baking Co., LLC*, the Review Committee discussed the request for an LB840 RLF Loan of \$149,943.50. The LB840 Revolving Loan Fund Review Committee voted unanimously to recommend the following terms for a loan to *HIS Baking Co., LLC*:

- a. Loan amount of \$134,949 (reflects \$1,000 earnest deposit & 10% equity requirement relative to Total Project Cost);
- b. A loan repayment period of 10 years; and
- c. An interest rate to be set at one half the rate set by the primary lender.
(Primary Lender Rate – EVB&T, Wayne, NE: 8.15% fixed for 5 years; WEDP Rate: 4.075% fixed)

For the Council's reference, Luke has included an updated version of the 6-month report on the RLF Program, which includes each project request, Committee recommendation, and Council's approval for the previous projects in the program.

14. [Action on the recommendation of the LB840 Revolving Loan Fund Review Committee on the revolving loan fund application to Wayne’s Economic Development Program by “Wildcat Lanes, LLC,” owned and operated by Darin and Jessi Jensen — Luke Virgil, Executive Director of Wayne Area Economic Development](#)

Background: The Review Committee met with the owners of *Wildcat Lanes, LLC*, Darin & Jessi Jensen, who have a purchase agreement for Wildcat Lanes (1221 Lincoln Street) and plan to operate and expand the bowling alley. *Wildcat Lanes, LLC* will utilize the WEDP Funds for business start-up costs such as purchasing the building/property, as well as

renovations. To match their request of \$180,000 from the WEDP, *Wildcat Lanes, LLC* has secured financing via State Nebraska Bank & Trust, Wayne, NE, and has provided matching funds of \$110,000 (personal equity). The total project is estimated to cost at least \$360,000. Following the meeting with *Wildcat Lanes, LLC*, the Review Committee discussed the request for an LB840 RLF Loan of \$180,000. The LB840 Revolving Loan Fund Review Committee voted unanimously to recommend the following terms for a loan to *Wildcat Lanes, LLC*:

- a. Approval of the loan request for \$180,000 (1st lien position based on WEDP being largest lender);
 - b. A loan repayment period of 10 years; and
 - c. An interest rate to be set at one half the rate set by the primary lender.
(Primary Lender Rate – SNB&T, Wayne, NE: 7.25% fixed for 5 years; WEDP Rate: 3.625% fixed)
15. [Ordinance 2024-5: 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 \(Third and Final Reading\)](#)
 16. [Ordinance 2024-6: Approving a transfer of ownership of waterline located along previously vacated 12th Street, commencing on the east side of Main Street \(Hwy 15\) and continuing east, through Wayne State College 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 \(Third and Final Reading\)](#)
 17. [Ordinance 2024-7: Authorizing the release and abandonment of the 14 foot utility easement located between Lots 5 and 6, Block 6, Vintage Hill 3rd Addition to the City of Wayne, Wayne County, Nebraska, excluding the rear 7' of said easement – Justin Davis](#)

Background: Justin and Allison Davis have purchased two lots in the Vintage Hill 3rd Addition (map showing the lot locations is enclosed). They would like to eliminate the utility easement between the two lots to build on.

18. [Action on the request of Robert Woehler & Sons Construction, Inc., to waive the moving permit fees for a 10'x12' shed – specifically the need for a certified engineer's statement per Wayne Municipal Code Sec. 150.03 Moving Buildings — BJ Woehler](#)
19. Committee update on the Community Activity Center Relocation Project
20. Reminder – Council Tour of New City Hall Building tomorrow at 11:00 a.m.
21. City Administrator Evaluation
22. Adjourn

**MINUTES
CITY COUNCIL MEETING
April 16, 2024**

The Wayne City Council met in regular session at City Hall on April 16, 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, Jason Karsky, Matt Eischeid and Jill Brodersen; City Administrator Wes Blecke; City Clerk Betty McGuire; and City Attorney Amy Miller.

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.

Mayor Giese proclaimed April 28th as "Arbor Day."

Councilmember Brodersen made a motion, which was seconded by Councilmember Buck, to approve the minutes of the meeting of April 2, 2024, and to waive the reading thereof. Mayor Giese stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried and the Minutes approved.

The following claims were presented to Council for their approval:

APPROVED 4/2/24: PHILIP CARKOSKI CONSTRUCTION, SE, 46529.17

VARIOUS FUNDS: ACE HARDWARE, SU, 427.43; ADVANCED ENGINEERED PUMP, SU, 366.90; AMERITAS, SE, 184.72; AMERITAS, SE, 35.00; AMERITAS, SE, 3639.42; AMERITAS, SE, 72.00; AMERITAS, SE, 118.58; APPEARA, SE, 79.32; BROWN, SANDY, RE, 391.97; CARHART LUMBER COMPANY, SU, 3290.00; CASEY ELECTRIC, SE, 1250.43; CITY EMPLOYEE, RE, 120.90; CITY EMPLOYEE, RE, 4465.13; CITY EMPLOYEE, RE, 407.64; CITY EMPLOYEE, RE, 333.83; CITY OF WAYNE, PY, 115302.40; CITY OF WAYNE, RE, .93; COLONIAL RESEARCH, SU, 358.70; COMPLETE FLOORS, SE, 25834.00; CONTINENTAL FIRE SPRINKLER, SE, 1035.00; COTTONWOOD WIND PROJECT, SE, 19794.84; DAS STATE ACCTG-CENTRAL FINANCE, SE, 69.73; DUTTON-LAINSON COMPANY, SU, 1324.00; EAKES OFFICE PLUS, SU, 895.62; ED M. FELD EQUIPMENT, SU, 238.75; ELECTRICAL ENGINEERING & EQUIPMENT, SU, 1097.69; ELLIS HOME SERVICES, SE, 880.17; EMPLOYERS MUTUAL CASUALTY, RE, 185.92; FLOOR MAINTENANCE, SU, 369.32; GALE/CENGAGE LEARNING, SU, 51.33; GERHOLD CONCRETE, SE, 647.60; GROSSENBURG IMPLEMENT, SU, -427.28; GROSSENBURG IMPLEMENT, SU, 87.28; HILAND DAIRY, SE, 369.54; HYTREK LAWN, SE, 600.00; ICMA, SE, 72.03; ICMA, SE, 201.68; ICMA, SE, 72.03; ICMA, SE, 39.80; ICMA, SE, 523.20; ICMA, SE, 130.76; ICMA, SE, 138.72; ICMA, SE, 75.00; ICMA, SE, 1229.22; ICMA, SE, 150.67; ICMA, SE, 596.51; ICMA, SE, 9851.07; IRS, TX, 19051.28; IRS, TX, 12262.91; IRS, TX, 4455.50; IRS, TX, 12.96; IRS, TX, 3.02; JILL BRODERSEN, RE, 283.08; JOHN'S WELDING AND TOOL, SU, 20.40; KNIESCHE, VINCE, RE, 200.00; KNUST, KEN, RE, 500.00; KTCH, SE, 168.00; L.G. EVERIST, SU, 852.76; LUTT OIL, SU, 6350.38; MAIN STREET GARAGE, SE, 131.25; MIDWEST LABORATORIES, SE, 207.57; MUNICIPAL SUPPLY, SU, -1,245.60; MUNICIPAL SUPPLY, SU, 1245.90; NE DEPT OF REVENUE, TX, 5858.03; NPPD, SE, 8827.44; NO SWETT FENCING, SU, 66180.00; NORTHEAST NEBRASKA NEWS, SU, 48.50; ONE NEBRASKA LIBRARY, FE, 750.00; OPTK NETWORKS, SE, 408.54; PEPSI COLA OF SIOUXLAND, SU, 59.95; R PERRY CONSTRUCTION, RE, 500.00; SEBADE CONSTRUCTION, RE, 500.00; SIRSI CORPORATION, FE, -750.00; STATE NEBRASKA BANK & TRUST, SE, 62.80; TIMBERLYNE, RE, 500.00; US FOODSERVICE, SU, 2853.31; VERIZON, SE, 574.49; WAYNE COUNTY COURT, RE, 500.00; WAYNE COUNTY COURT, RE, 141.95; WAYNE DIRT DEVILS, RE, 200.00; BAKER & TAYLOR BOOKS, SU, 826.15; BEIERMANN ELECTRIC, SE, 1800.00; BIG RIVERS ELECTRIC CORPORATION, SE, 142965.38; BIG STONE TRANSPORTATION & LANDSCAPE SUPPLY, SU, 1633.10; COUNCILMEMBER, RE, 35.00; CIRBA SOLUTIONS SERVICES, SU, 108.95; CITY EMPLOYEE, RE, 175.00; CITY EMPLOYEE, RE, 100.00; CITY EMPLOYEE, RE, 92.35; CITY EMPLOYEE, RE, 2,059.99; CITY EMPLOYEE, RE, 1225.10; CITY OF NORFOLK, SE, 149.12; CITY OF WAYNE, RE, 107.65; DEARBORN LIFE INSURANCE COMPANY, SE, 3198.59; DEMCO, SU, 484.47; FAITH REGIONAL PHYSICIAN SERV, SE, 129.50; FLOOR MAINTENANCE, SU, 982.31; GENO'S, SE, 4318.00; GRAINLAND ESTATES, RE, 5114.18; IIMC, FE, 185.00; INGRAM LIBRARY SERVICES, SU, 904.80; MIDWEST ALARM SERVICES, SU, 211.50; MONTEJO, NICK, RE, 150.00; MUNICIPAL SUPPLY, SU, 705.09; NE DEPT OF REVENUE-CHARITABLE GAMING DIV, TX, 1769.00; NE HARVESTORE, SU, 814.71; NORFOLK AREA SHOPPER, SE, 342.90; NORTHEAST TIRE SERVICE, SE, 175.00; ODEYS, SU, 1276.00; OLSSON, SE, 7182.90; OVERDRIVE, SU, 750.85; PER MAR SECURITY SERVICES, SE, 957.12; QUADIENT LEASING USA, SE, 2691.00; QUALITY 1 GRAPHIC, SU, 60.00; QUALITY FOOD, SU, 61.97; REYES, ALMA, RE, 150.00; SEBADE HOUSING, RE, 2440.38; SEBADE HOUSING, RE, 5056.63; SEBADE HOUSING, RE, 8972.20; SKARSHAUG TESTING LAB, SE, 249.22; STADIUM SPORTING GOODS, SU, 1174.00; STAPLES, SU, 28.94; STATE NEBRASKA BANK-PETTY CASH, RE, 457.47; SUBSURFACE SOLUTIONS, SU, 11167.51; THE PENDER TIMES, SU, 50.49; THE WAKEFIELD REPUBLICAN, SU, 45.00; TYLER TECHNOLOGIES, SE, 3800.00; US BANK, SU, 8589.44; UTILITY EQUIPMENT, SU, 512.00; WASTE CONNECTIONS, SE, 146.50; WAYNE AUTO PARTS, SU, 1110.85; WAYNE HERALD, SE, 1740.99; WAYNE HERALD, SE, 504.00; WAYNE HERALD, SE, 190.00; WAYNE HERALD, SE, 315.00; WESCO, SU, 2018.02; WAPA, SE, 23588.49; WISNER WEST, SU, 149.97

Councilmember Brodersen made a motion, which was seconded by Councilmember Bratcher, to approve the claims. Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Buck, Webber and Brodersen who abstained on their own individual claims, the Mayor declared the motion carried.

Sandy Brown, representing the Wayne Green Team, gave her yearly update/report on their recycling efforts. The Wayne Green Team was started 15 years ago by the City's then Mayor, Lois Shelton. They are a city-supported volunteer run organization focused on minimizing waste and increasing sustainability in our community. She noted that last year, they diverted 162,000 pounds of recyclable materials from the landfill, which covers electronics, glass, batteries and light strings combined. That is a 40% increase from 2022. They have hosted ten electronic recycling events and ten Earth Day Movies. Since 2013, the City of Wayne Green Team has secured over \$132,000 in grant funds for the community, most of which goes to pay for their electronics and battery recycling programs, and public education. The amount of trash being collected in Wayne keeps growing – 2023 was the highest amount of trash collected in the last 8 years. Wayne continues to have a strong reputation across the State as a rural community committed to sustainability.

Lowell Heggemeyer, Parks and Recreation Director, obtained 3 bids for a new garage (materials only) for the Parks and Recreation Department located at Prairie Park. After reviewing the same, Lowell's recommendation is to accept the bid of and award the project to the low bidder, Vakoc Builder's Resource for \$14,571.77. He noted that staff will do the concrete work, and he will contact a couple of contractors to get quotes for putting the building together.

Councilmember Eischeid introduced Resolution No. 2024-15 and moved for its approval; Councilmember Bratcher seconded.

RESOLUTION NO. 2024-15

A RESOLUTION ACCEPTING BID AND AWARDING CONTRACT ON NEW "PARKS AND RECREATION DEPARTMENT GARAGE" – VAKOC BUILDER'S RESOURCE - \$14,571.77.

Mayor Giese stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Roger Myers was present requesting Council consideration to waiving the rental fee and deposit for the use of the Freedom Park Shelter House for “Adult English as a Second Language (ESL) Classes.” These classes will run from May through September. The classes would meet once or twice a week, depending on student interest. He has been teaching these ESL students on a volunteer basis for the past three semesters at the College; however, they are only able to meet during the times college classes are in session. Several of the students would like to meet throughout the summer if an off-campus space is available. Mr. Myers is also the custodian for the City, so he is familiar with the building and will be responsible for clean-up.

Councilmember Brodersen made a motion, which was seconded by Councilmember Webber, approving the request of Roger Myers to waive the rental fee and deposit for the use of the Freedom Park Shelter House for “Adult English as a Second Language (ESL) Classes. Mayor Giese stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Mayor Giese stated the time was at hand for the public hearing regarding the application for a Retail Class D Liquor License for Wisner West, Inc., d/b/a “Wayne East/Prime Stop,” located at 1330 E 7th Street.

Holly Schroeder, one of the owners of Wayne East, was present to answer questions. She advised the Council that they are having to reapply for the liquor license because her mom has decided that she does not need to be on the liquor license. The shares in the Wisner West Corporation have been reallocated.

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

There being no public comments, Mayor Giese closed the public hearing.

Councilmember Brodersen introduced Resolution No. 2024-16 and moved for its approval; Councilmember Karsky seconded.

RESOLUTION NO. 2024-16

A RESOLUTION APPROVING THE APPLICATION FOR A RETAIL CLASS D LIQUOR LICENSE — WISNER WEST, INC., D/B/A “WAYNE EAST/PRIME STOP.”

Mayor Giese stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Luke Virgil, Economic Development Director, representing Wayne America, Inc., and on behalf of the Chicken Show Committee, was requesting the following streets be closed during the Chicken Show activities:

- Friday, July 12th, from 2:30 p.m. until midnight for the annual Henoween Celebration: Main Street from 1st Street to 4th Street; 2nd Street from the east alley to the west alley and 3rd Street from Pearl Street to end at bump-outs by Bloom/Grace and Harder/Ankeny east of Main Street; and that closed areas on 3rd Street from the alley to Pearl Street be identified for handicap parking.
- Saturday, July 13th from 6:00 a.m. until 5:00 p.m. for the Annual Chicken Show celebration in Bressler Park: 10th Street from Lincoln Street to Douglas Street; Lincoln Street from 10th Street to 8th Street; and intersections at 10th and Lincoln Streets, and 9th and Lincoln Streets are requested to be closed. The intersections at 10th and Douglas and 9th and Douglas will be open to allow traffic flow adjacent to the park.
- On behalf of Wayne Kiwanis: to close part of East 2nd Street from 6:00 a.m. until 10:30 a.m. on Saturday, July 13th from the intersection of 2nd and Main Streets to the alley for their omelet feed and seating area.
- Saturday, July 13th from 9:00 a.m. until 11:30 a.m. (or until the end of the parade): Main Street from 1st Street to 10th Street (including intersections) and 10th Street from Main Street to Lincoln Street. Lincoln Street from 10th Street to 7th Street will also be used for the parade. West 1st Street from Main to Sherman Street and Grainland Road will be closed for the parade line up and monitoring entries via golf cart or ATV.
- Sunday, July 14th, for the Crowing Motors Car Show from 7:00 a.m. until 5:00 p.m.: 2nd Street from Main Street to Pearl Street and Pearl Street from 2nd - 3rd Street, including the intersection of 2nd and Pearl Street be closed.

Councilmember Brodersen made a motion, which was seconded by Councilmember Buck, approving the request of the Chicken Show Committee to close the following streets during the Chicken Show activities:

- Friday, July 12th, from 2:30 p.m. until midnight for the annual Henoween Celebration: Main Street from 1st Street to 4th Street; 2nd Street from the east alley to the west alley and 3rd Street from Pearl Street to end at bump-outs by Bloom/Grace and Harder/Ankeny east of Main Street; and that closed areas on 3rd Street from the alley to Pearl Street be identified for handicap parking.

- Saturday, July 13th from 6:00 a.m. until 5:00 p.m. for the Annual Chicken Show celebration in Bressler Park: 10th Street from Lincoln Street to Douglas Street; Lincoln Street from 10th Street to 8th Street; and intersections at 10th and Lincoln Streets, and 9th and Lincoln Streets are requested to be closed. The intersections at 10th and Douglas and 9th and Douglas will be open to allow traffic flow adjacent to the park.
- On behalf of Wayne Kiwanis: to close part of East 2nd Street from 6:00 a.m. until 10:30 a.m. on Saturday, July 13th from the intersection of 2nd and Main Streets to the alley for their omelet feed and seating area.
- Saturday, July 13th from 9:00 a.m. until 11:30 a.m. (or until the end of the parade): Main Street from 1st Street to 10th Street (including intersections) and 10th Street from Main Street to Lincoln Street. Lincoln Street from 10th Street to 7th Street will also be used for the parade. West 1st Street from Main to Sherman Street and Grainland Road will be closed for the parade line up and monitoring entries via golf cart or ATV.
- Sunday, July 14th, for the Crowing Motors Car Show from 7:00 a.m. until 5:00 p.m.: 2nd Street from Main Street to Pearl Street and Pearl Street from 2nd - 3rd Street, including the intersection of 2nd and Pearl Street be closed.

Mayor Giese stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Councilmember Brodersen introduced Resolution No. 2024-17 and moved for its approval; Councilmember Buck seconded.

RESOLUTION NO. 2024-17

A RESOLUTION ACKNOWLEDGING NEBRASKA DEPARTMENT OF TRANSPORTATION'S REQUIREMENTS FOR THE TEMPORARY USE OF THE STATE HIGHWAY SYSTEM FOR SPECIAL EVENTS.

Mayor Giese stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Councilmember Brodersen made a motion, which was seconded by Councilmember Buck, approving the request for a fireworks display on Friday, July 12, 2024, with an alternate date being Saturday, July 13, 2024, for the Henoween Celebration at the ballfield at Prairie Park. Mayor Giese stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Administrator Blecke stated the following Resolution will allow the City to reimburse expenses for the Electric System Project from the proceeds of bonds issued by the City.

The City has begun improvements to the electric system, including a new electric energy center for the City, and anticipates spending funds in the amount of approximately \$60,000,000 to pay the costs of the project. The City anticipates issuing bonds to finance the costs of the project and the costs of other improvements in the City in a principal amount of \$60,000,000. The City has incurred hard costs for the project within the past 60 days and anticipates incurring additional costs for the project prior to the issuance of the Bonds and desires to preserve its ability to reimburse such costs under the provisions of the Internal Revenue Code of 1986, as amended and the applicable regulations thereunder, including but not limited to, Section 1.150-2 thereof.

Councilmember Eischeid introduced Resolution No. 2024-18 and moved for its approval; Councilmember Webber seconded.

RESOLUTION NO. 2024-18

A RESOLUTION DECLARING THE OFFICIAL INTENT OF THE CITY OF WAYNE, NEBRASKA, TO REIMBURSE CERTAIN EXPENSES IN CONNECTION WITH THE ELECTRIC SYSTEM PROJECT IN THE CITY FROM THE PROCEEDS OF BONDS ISSUED BY THE CITY.

Mayor Giese stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Casey Junck, Water/Wastewater Superintendent, and Clayton Dredge, Electric Distribution Superintendent, were requesting Council consideration to approving the purchase of a new LP XDT Vacuum Excavator and related equipment as per the bid proposal they received from Vermeer High Plains through the Sourcewell Cooperative Pricing Program. Vermeer is willing to take the old piece of equipment for \$20,000. If we do trade the same in, the cost for the new one will be \$49,606.34. If staff sells the old piece of equipment on their own, they may be able to get more for the same. The price for the new piece of equipment would be \$69,606.34 (without trade).

Councilmember Brodersen introduced Resolution No. 2024-19 and moved for its approval; Councilmember Buck seconded.

RESOLUTION NO. 2024-19

A RESOLUTION APPROVING THE SPECIFICATIONS AND AUTHORIZING THE PURCHASE OF AN LP XDT VACUUM EXCAVATOR AND RELATED EQUIPMENT AS PER THE BID PROPOSAL RECEIVED FROM VERMEER HIGH PLAINS THROUGH THE SOURCEWELL COOPERATIVE PRICING PROGRAM - \$69,606.34 (WITHOUT TRADE).

Mayor Giese stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Paul Davis and Travis Zipf, representatives with DGR Engineering, were present to review Amendment No. 1 to Task Order No. 4 on the "Northeast Substation Project" and Amendment No. 1 to Task Order No. 5 on the "Proposed Generation Plant Project." The additional engineering fees for the "Northeast Substation Project" will be \$673,000, and the additional engineering fees for the "Proposed Generation Plant Project" will be \$25,000.

Councilmember Eischeid introduced Resolution No. 2024-20 and moved for its approval; Councilmember Bratcher seconded.

RESOLUTION NO. 2024-20

A RESOLUTION APPROVING AMENDMENT NO. 1 TO TASK ORDER NO. 04 WITH DGR ENGINEERING FOR THE "NORTHEAST SUBSTATION PROJECT."

Mayor Giese stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Councilmember Eischeid introduced Resolution No. 2024-21 and moved for its approval; Councilmember Buck seconded.

RESOLUTION NO. 2024-21

A RESOLUTION APPROVING AMENDMENT NO. 1 TO TASK ORDER NO. 05 WITH DGR ENGINEERING FOR THE "PROPOSED GENERATION PLANT PROJECT."

Mayor Giese stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Matthew Smith of Olsson presented Change Order No. 2 in the amount of \$12,494.11 to Penro Construction Co., Inc., for the "Wayne Prairie Park Phase II Utilities Project." He noted that most of the

items for Change Order No. 2 are final quantity adjustments, but a few of the big-ticket items include adding storm sewer and inlet to the parking lot north of the lake, additional fire hydrant north of the baseball fields, and quantity adjustments for the water main.

Councilmember Brodersen made a motion, which was seconded by Councilmember Eischeid, approving Change Order No. 2 for \$12,494.11 to Penro Construction Co., Inc., for the “Wayne Prairie Park Phase II Utilities Project.” Mayor Giese stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Matthew Smith of Olsson presented Certificate of Payment No. 5 in the amount of \$89,221.70 to Penro Construction Co., Inc., for the “Wayne Prairie Park Phase II Utilities Project.” He also updated the Council on the progress of the project.

Councilmember Brodersen made a motion, which was seconded by Councilmember Houser, approving Certificate of Payment No. 5 for \$89,221.70 to Penro Construction Co., Inc., for the “Wayne Prairie Park Phase II Utilities Project.” Mayor Giese stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Councilmember Bratcher introduced Ordinance No. 2024-3 (2) and moved for approval of the third and final reading thereof; Councilmember Buck 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 Brodersen who voted Nay, the Mayor declared the motion carried. The third and final reading will take place at the next meeting.

Councilmember Brodersen introduced Ordinance No. 2024-5 and moved for approval of the second reading thereof; Councilmember Eischeid 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 Bratcher who voted Nay, the Mayor declared the motion carried. The third and final reading will take place at the next meeting.

Councilmember Brodersen introduced Ordinance No. 2024-6 and moved for approval of the second reading thereof; Councilmember Buck 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, the Mayor declared the motion carried. The third and final reading will take place at the next meeting.

Bob Soukup, representing Carlson West Povondra Architects, presented Application and Certificate of Payment No. 5 from Otte Construction Co., LLC, in the amount of \$183,459.00 for the "Wayne City Hall and Police Relocation Project." He also updated the Council on the progress of the project.

Councilmember Brodersen made a motion, which was seconded by Councilmember Buck, approving Application and Certificate of Payment No. 5 in the amount of \$183,459.00 to Otte Construction Co., LLC, for the "Wayne City Hall and Police Relocation Project." Mayor Giese stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Councilmember Brodersen made a motion, which was seconded by Councilmember Bratcher, to set the Mini-Retreat date for Tuesday, April 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, the Mayor declared the motion carried.

Administrator Blecke updated the Council on the Community Activity Center Relocation Project.

There being no further business to come before the meeting, Mayor Giese declared the meeting adjourned at 7:01 p.m.

MINUTES
CITY COUNCIL MEETING
April 30, 2024

The Wayne City Council met in special session at the Wayne Fire Hall on Tuesday, April 30, 2024, at 5:30 o'clock P.M.

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

Notice of the convening meeting was given in advance thereof by posting in three places. 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 in the northwest corner of the Fire Hall, 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.

RETREAT TOPICS:

- Update on Electric System Improvement Projects
- Update on City Owned Properties:
 - Riley's
 - Ameritas Parking Lot
 - Former Randy Pick property - 111 Fairgrounds Avenue
 - Former Brent Pick property - 400 Chicago Street
- Update on CRA owned Properties:
 - 2nd and Logan/Nebraska Streets
 - 721 and 717 Main Street
 - 106 E 7th Street
 - 13th and Main Street - Old Armory Site

- Lot 56, Amended Plat Western Ridge II Addition
- Update on City Projects
 - Community Activity Center
 - Prairie Park
 - Financing
 - Sales Tax
 - \$10M Bond
- Long-Term Planning
 - Plans for old City Hall
 - Auditorium – apartment

There being no further business to come before the meeting, Mayor Giese declared the meeting adjourned at 6:47 p.m.



		Payment Total
COUNCIL APPROVED 4/16/24		
OTTE CONSTRUCTION	CITY HALL/POLICE RELOCATION	183,459.00
PENRO CONSTRUCTION	PRAIRIE PARK PHASE II UTILITIES	89,221.70
Vendor	Payable Description	Payment Total
ACES	WIND ENERGY SERVICE AGREEMENT	1,127.56
ADVANCED ENGINEERED PUMP INC.	MECHANICAL SEAL/SET COLLAR	817.12
AMERITAS LIFE INSURANCE	POLICE RETIREMENT 457 PERCENTAGE	112.75
AMERITAS LIFE INSURANCE	POLICE RETIREMENT 457 AMOUNT	72.00
AMERITAS LIFE INSURANCE	POLICE RETIREMENT	3,696.74
AMERITAS LIFE INSURANCE	AMERITAS ROTH	184.72
AMERITAS LIFE INSURANCE	AMERITAS ROTH	35.00
APPEARA	CAC MAT SERVICE	52.80
APPEARA	CAC MAT SERVICE	52.80
APPEARA	LINEN & MAT SERVICE	63.46
AVILA, FATIMA	FREEDOM PARK DEPOSIT REFUND	150.00
BEIERMANN ELECTRIC	ADD OUTLETS TO TREATMENT PLANT OFFICE	541.58
BINSWANGER GLASS	MIRROR	1,364.82
BLACK HILLS ENERGY	GAS BILLS	2,056.94
BLUE CROSS BLUE SHIELD	HEALTH PREMIUMS	47,803.60
BOMGAARS	TRUCK BATTERY	139.99
BOMGAARS	STEP LADDER/AIR HOSE REEL/BATTERIES/TOOLS/FLAGS	1,409.30
BORDER STATES INDUSTRIES, INC	JUNCTION WITH U STRAPS	817.59
BORDER STATES INDUSTRIES, INC	GROUND ROD CLAMP	117.16
BSN SPORTS, INC	VB WINCH/SOFTBALLS	858.96
CARLSON WEST POVONDRA ARCHITECTS	PARK & REC BUILDING/CAC STUDY/CITY HALL RELOCATION	29,377.85
CASEY ELECTRIC	INSTALL BOTTLE FILLER AT HANK OVERIN	114.58
CENTER POINT LARGE PRINT	BOOKS	242.80
CIRBA SOLUTIONS SERVICES	BATTERY RECYCLING BUCKET	108.95
CITY EMPLOYEE	CLOTHING REIMBURSEMENT	251.45
CITY EMPLOYEE	CLOTHING/MEDICAL REIMBURSEMENT	28.91
CITY EMPLOYEE	SAFETY BOOTS	175.00
CITY EMPLOYEE	MEDICAL REIMBURSEMENT	731.33
HENSCHKE, DEVAN	AUDITORIUM DEPOSIT REFUND	250.00
CITY EMPLOYEE	MEDICAL REIMBURSEMENT	1,268.48
CITY EMPLOYEE	VISION REIMBURSEMENT	904.43
CITY EMPLOYEE	MEDICAL REIMBURSEMENT	80.66
CITY EMPLOYEE	MEDICAL REIMBURSEMENT	485.29
CITY EMPLOYEE	MILEAGE/MEAL REIMBURSEMENT-LEADERSHIP LINCOLN TRIP	1,086.06
CITY OF WAYNE	MOVE FUNDS TO INVESTMENT MONEY MARKET	250,000.00
CITY OF WAYNE	PAYROLL	117,509.90
CITY OF WAYNE	UTILITY REFUNDS	1,181.21
DARLAND CONSTRUCTION	BUILDING PERMIT DEPOSIT REFUND	1,000.00

DAS STATE ACCTG-CENTRAL FINANCE	TELECOMMUNICATION CHARGES	537.60
DEARBORN LIFE INSURANCE COMPANY	VFD INSURANCE	92.86
DECENT DISCOURSE PRESS	LEADERSHIP KEYNOTE SPEAKER	750.00
DGR & ASSOCIATES CO	NORTHEAST ENERGY CENTER	1,272.00
DOOSAN BOBCAT NORTH AMERICA, INC	BOBCAT ANGLE BROOM	6,192.44
DUTTON-LAINSON COMPANY	WATER ERT METERS	4,761.40
EAKES OFFICE PLUS	CONTRACT ADMINISTRATION FEES	55.00
ECHO GROUP INC JESCO	PHASING VOLTMETER/HOTSTICKS/FAULT TESTER/BUSHING	3,423.41
ED M. FELD EQUIPMENT CO INC	FOAM	555.00
ELLIS HOME SERVICES	INSTALL DRINKING FOUNTAIN-SB COMPLEX	292.04
FASTWYRE BROADBAND	TELEPHONE CHARGES	1,640.86
FIRST CONCORD GROUP LLC	FLEX FEES	4,499.72
FLOOR MAINTENANCE	JANITORIAL SUPPLIES	624.78
FLOOR MAINTENANCE	JANITORIAL SUPPLIES	293.93
GALE/CENGAGE LEARNING	BOOKS	79.92
GEOCOMM INC	GIS MAP MAINTENANCE	2,423.00
GERHOLD CONCRETE CO INC.	ROAD GRAVEL	220.00
GERHOLD CONCRETE CO INC.	CONCRETE	2,091.14
GROSSENBURG IMPLEMENT INC	55 GAL DIESEL EXHAUST FLUID	88.19
GROSSENBURG IMPLEMENT INC	BATTERY	78.58
HAWKINS, INC	INJECTION VALVE/CHLORINE/FLUORIDE	2,767.69
HELENA AGRI-ENTERPRISES, LLC	ROUND UP	85.00
HILAND DAIRY	SENIOR CENTER FOOD SERVICE	140.75
HILAND DAIRY	SENIOR CENTER FOOD SERVICE	124.71
HOLIDAY INN OF KEARNEY	LODGING-L WREDE	214.00
HOMETOWN LEASING	COPIER LEASES	-284.32
HOMETOWN LEASING	COPIER LEASES	180.82
HUBER TECHNOLOGY INC	VERTICAL SCREEN BRUSHES	6,396.72
HYDRAULIC EQUIPMENT	PTO/BUCKET TRUCK/DIGGER DERRICK SERVICED	3,447.56
ICMA MEMBERSHIP RENEWAL	MEMBERSHIP RENEWAL	651.40
ICMA RETIREMENT-FIRST NATL BANK -MARYLAND	ROTH IRA - ICMA	75.00
ICMA RETIREMENT-FIRST NATL BANK -MARYLAND	PAYROLL RETIREMENT	201.68
ICMA RETIREMENT-FIRST NATL BANK -MARYLAND	PAYROLL RETIREMENT	9,856.99
ICMA RETIREMENT-FIRST NATL BANK -MARYLAND	ROTH IRA -ICMA	138.72
ICMA RETIREMENT-FIRST NATL BANK -MARYLAND	ICMA RETIREMENT	1,229.22
ICMA RETIREMENT-FIRST NATL BANK -MARYLAND	ROTH ICMA	150.67
ICMA RETIREMENT-FIRST NATL BANK -MARYLAND	PAYROLL RETIREMENT	523.20
ICMA RETIREMENT-FIRST NATL BANK -MARYLAND	PAYROLL RETIREMENT	130.76
ICMA RETIREMENT-FIRST NATL BANK -MARYLAND	ROTH ICMA	596.51
ICMA RETIREMENT-FIRST NATL BANK -MARYLAND	PAYROLL RETIREMENT	72.03
ICMA RETIREMENT-FIRST NATL BANK -MARYLAND	ROTH IRA-ICMA	72.03
ICMA RETIREMENT-FIRST NATL BANK -MARYLAND	PAYROLL RETIREMENT	39.80
IRS	MEDICARE WITHHOLDING	4,506.76
IRS	FICA WITHHOLDING	19,270.26
IRS	FEDERAL WITHHOLDING	12,329.11
IRS	FICA WITHHOLDING	12.96
IRS	MEDICARE WITHHOLDING	3.02
J & Jr. CONSTRUCTION, LLC	1/2 DOWN-SIDE & ROOF W SIDE OF POWER PLANT	4,350.00
JEO CONSULTING GROUP	UV SYSTEM REPLACEMENT/MASTER AGMT/7 TH ST TRAIL	5,940.31
JOHN'S WELDING AND TOOL LLC	ROUND SHAFT	74.00

KELLY SUPPLY COMPANY	FLEX COUPLING FLANGE	82.08
LAQUINTA INNS & SUITES	LODGING-RURAL WATER CONFERENCE	689.70
MAAS, COURTNEY	RUN CLUB SUPPLIES	20.43
MADISON CO COURT	BONDS	470.00
MARCO TECHNOLOGIES LLC	COPIER LEASE	180.50
MASON, ABIGAIL	CAC COUCH	125.00
MICRO FOCUS (US) INC-OPEN TEXT	EMAIL LICENSING & SUPPORT	-3,306.43
MICRO FOCUS (US) INC	EMAIL LICENSING & SUPPORT	3,306.43
MILLER LAW	ATTORNEY FEE	6,250.00
MILLER, GRANT	BUILDING PERMIT DEPOSIT REFUND	250.00
MUNICIPAL SUPPLY INC	CURB VALVE	617.74
MURPHY TRACTOR & EQUIPMENT	CAB GLASS DOOR REPAIR	879.35
MUTUAL OF OMAHA	LIFE INSURANCE	369.00
NE DEPT OF REVENUE	STATE WITHHOLDING	5,896.67
NE PUBLIC HEALTH ENVIRONMENTAL LAB	FLUORIDE/COLIFORM TESTING	108.00
NEBRASKA GENERATOR SERVICE LLC	GENERATORS SERVICE AND TESTING	1,888.02
NLA	2024 PLTS SPRING MEETING	20.00
NMPP ENERGY	UTILITY TRAINING SERVICES	500.00
NORTHEAST NE ECONOMIC DEV DIST	22-PW-008 JAN -MAR 24 SERVICES	892.50
NORTHEAST NE ECONOMIC DEV DIST	MEMBERSHIP FEES	7,944.09
NORTHEAST POWER	WHEELING CHARGES	29,233.54
OLSSON	LOGAN CREEK WATERSHED MAPPING	15,900.00
O'REILLY AUTOMOTIVE STORES, INC.	CABIN FILTER/OIL FILTER	11.07
PLUMBING & HEATING WHOLESALE INC.	FLUSHOMETER	315.96
POSTMASTER	POSTAGE ON UTILITY BILLS	1,116.66
PREMIER BIOTECH, INC.	RANDOM TESTING	216.54
QUADIENT FINANCE USA, INC	POSTAGE	1,000.00
R PERRY CONSTRUCTION INC	BUILDING PERMIT DEPOSIT REFUND	1,000.00
REYES, ALMA	FREEDOM PARK DEPOSIT REFUND	150.00
RIEKES EQUIPMENT CO	HOIST AND CRANE INSPECTION	874.60
SEVERSON, ADAM	BUILDING PERMIT DEPOSIT REFUND	1,000.00
STADIUM SPORTING GOODS	VOLLEYBALL SHIRTS	98.00
STAPLES, INC	OFFICE SUPPLIES	90.85
STAPLES, INC	OFFICE SUPPLIES	72.37
STATE NEBRASKA BANK & TRUST	PUBLIC SAFETY BONDS	53,858.75
THREE RIVERS LIBRARY SYSTEM	WORKSHOP FEE	5.00
TOM'S BODY & PAINT SHOP	DOOR TRIM/REAR VIEW MIRROR	254.00
TOTAL GRAPHICS	RUN CLUB SHIRTS	997.50
TYLER TECHNOLOGIES	OUTPUT LICENSE AND MAINTENANCE FEES	4,858.33
UTILITY EQUIPMENT CO	BACKFLOW REMOVAL AT GOLF COURSE	6,103.24
VAN DIEST SUPPLY	DIBRO GRANULES	1,269.00
VESSCO INC	HELICAL CLARIFIER GEARMOTOR	2,799.62
VICTOR & JANET KNIESCHE CONSERVATORSHIP	RAZING PERMIT BOND REFUND	2,880.00
VOLCO COMPANY	OIL HEATER	4,652.96
WAYNE AMERICA	AMBASSADOR POLO SHIRT	40.00
WAYNE COUNTY COURT	PAYROLL DEDUCTION	141.95
WAYNE HIGH SCHOOL	PARKING REMITS	2,491.25
WAYNE STATER	GREEN TEAM ADS	100.00
WESCO DISTRIBUTION INC	WARNING LABELS/MARKING TAGS	1,861.80

WESCO DISTRIBUTION INC	WARNING LABELS/PEDESTAL CONNECTORS	2,116.46
WESCO DISTRIBUTION INC	METER SOCKETS	2,054.40
WILLIAMS, PAULA	FREEDOM PARK DEPOSIT REFUND	150.00
WISNER WEST	FD GASOLINE	142.65
ZACH HEATING & COOLING	STREET SHOP HEAT PUMP	9,091.00
ZOUCHA, GAVIN	FREEDOM PARK DEPOSIT REFUND	150.00
	Grand Total:	1,016,502.30

RESOLUTION NO. 2024-22

**A RESOLUTION ACCEPTING BID AND AWARDING CONTRACT ON THE
“WAYNE PARKS & REC MAINTENANCE BUILDING PROJECT.”**

WHEREAS, two bids were received on May 1, 2024, on the “Wayne Parks & Rec Maintenance Building Project;” and

WHEREAS, the bids have been reviewed by the City’s Engineer on the project, Carlson West Povondra Architects; and

WHEREAS, Carlson West Povondra Architects is recommending that the bid outlined below be accepted as recommended.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the City of Wayne, Nebraska, that they find and declare that the bid for the “Wayne Parks & Rec Maintenance Building Project,” as submitted by the following contractor:

<u>Bidder</u>	<u>Amount</u>
Otte Construction Company	\$1,437,065.00 (Base Bid)
521 S Centennial Road	\$37,580.00 (Alternate)
Wayne NE 68787	

and filed with the City Clerk in accordance with the general terms calling for the proposals for the furnishing of labor, tools, materials, and equipment required for said project in the City of Wayne, Nebraska, be and the same is hereby accepted.

PASSED AND APPROVED this 7th day of May, 2024.

THE CITY OF WAYNE, NEBRASKA,

By _____
Mayor

ATTEST:

City Clerk

SECTION 004323 – ALTERNATE PRICES FORM (BID FORM ATTACHMENT)

City of Wayne, Nebraska
Parks & Rec Maintenance Building
520 Fairgrounds Ave.
Wayne, Nebraska 68787

CWPA Project No. 24111
BID DATE May 1, 2024

Attachment to the Bid of: OTTE CONSTRUCTION COMPANY, LLC

ALTERNATES: The lump sum base bid may be modified in accord with the following alternates as may be accepted by the Owner. Refer to Division 1 Section “Alternates” of the Project Manual.

Amounts are to be shown in both words and figures. In case of discrepancy, the amount shown in words will govern.

ALTERNATE 1: Provide Architectural stone veneer wainscot in lieu of accent-colored metal panel on exterior; if accepted, ADD to the Lump Sum Base Bid the sum of

THIRTY-SEVEN THOUSAND FIVE HUNDRED EIGHTY Dollars (\$ 37,580⁰⁰).

5/1/2024
Date

Keith J. McJ
Authorized Officer Signature

DOCUMENT 004321 - ALLOWANCE FORM

City of Wayne
Parks & Rec Maintenance Building
520 Fairgrounds Ave.
Wayne, Nebraska 68787

CWPA Project No. 24111

1.1 BID INFORMATION

A. Bidder: OTTE CONSTRUCTION COMPANY LLC

1.2 BID FORM SUPPLEMENT

- A. This form is required to be attached to the Bid Form.
- B. The undersigned Bidder certifies that Base Bid submission to which this Bid Supplement is attached includes those allowances described in the Contract Documents and scheduled in Section 012100 "Allowances."

1.3 SUBMISSION OF BID SUPPLEMENT

- A. Respectfully submitted this 1st day of MAY, 2024.
- B. Submitted By: OTTE CONSTRUCTION (Insert name of bidding firm or corporation).
- C. Authorized Signature: KEITH J. MOSE (Handwritten signature).
- D. Signed By: Keith J. Mose (Type or print name).
- E. Title: OWNER (Owner/Partner/President/Vice President).

END OF DOCUMENT 004321

SECTION 004113 - BID FORM – COMBINED CONTRACT

City of Wayne, Nebraska
Parks & Rec Maintenance Building
520 Fairgrounds Ave.
Wayne, Nebraska 68787

CWPA Project No. 24111
Bid Date: May 1, 2024 2:00 P.M.

Bid of: OTTE CONSTRUCTION COMPANY, LLC

- a corporation organized and existing under the laws of the State of Nebraska;
- a corporation organized and existing under the laws of the State of _____
and is/is not licensed to do business in the State of Nebraska as a foreign corporation;
- a partnership consisting of _____ partners; or
- a sole proprietor;

hereinafter called the Bidder.

To: Mr. Wes Blecke, City Administrator
City of Wayne, Nebraska
306 N. Pearl Street
Wayne, Nebraska 68787

The undersigned acknowledges that they have received and familiarized themselves with the following:

Project Manual: per Project Manual Section 000110 - Table of Contents

Drawings: per Sheet CC0.1 and Project Manual Section 000115 - List of Drawings

Addenda: CC- 1 through CC- 1

The undersigned further acknowledges that they have had an opportunity to visit the site and familiarize themselves with local conditions affecting the cost of the Work at the place where the Work is to be done.

In submitting this Bid, the undersigned agrees:

1. To furnish all material, labor, tools, expendable equipment, and all utility and transportation services necessary to perform and complete, in a workmanlike manner, all of the Work required for the Combined Construction, including General Construction, Mechanical, and Electrical, in accord with the Bidding Documents prepared by CARLSON WEST POVONDRA ARCHITECTS for the consideration hereinafter set forth.
2. To hold his Bid open for forty (40) days after the receipt of Bids and to accept the provisions of the Instructions to Bidders regarding disposition of Bid Security.

3. To enter into and execute a Contract if awarded on the basis of this Bid, to furnish a Performance Bond and a Labor and Material Payment Bond in accord with the General Conditions and General Requirements of this Contract, and to deliver executed Owner-Contractor Agreements and Bonds to the Architect within six (6) days after notification of award.

LUMP SUM BASE BID: The undersigned hereby proposes and agrees to perform the foregoing for:

ONE MILLION FOUR HUNDRED THIRTY-SEVEN
the Lump Sum of THOUSAND SIXTY-FIVE DOLLARS Dollars (\$ 1,437,065.⁰⁰)
(To be shown in both words and figures. In case of discrepancy, the amount shown in words will govern.)

BID ALTERNATES: Attach Alternates Form Section 004323.

TIME OF COMPLETION: The undersigned Bidder proposes and agrees hereby to commence the Work of the Contract Documents on a date specified in a written Notice to Proceed to be issued by the Architect, and shall achieve Substantial Completion no later than FEBRUARY 14, 2025.
(Bidder to fill in proposed date of Substantial Completion)

ATTACHED FORMS: The undersigned has attached the **Bid Security, Alternates Form, Allowances Form** and other items required in the Instructions to Bidders.

In submitting this Bid, it is understood that the right to reject any and all Bids and to waive irregularities in the bidding have been reserved by the Owner.

Dated this 1ST day of MAY, 2024.

OTTE CONSTRUCTION COMPANY, LLC
Corporate Name of Bidder

521 CENTENNIAL ROAD
Address of Bidder

402-375-2130
Area Code/Telephone Number

KEITH J. MOJE
Authorized Officer Name

Keith J. Moje
Authorized Officer Signature



AIA Document A310™ – 2010

Bid Bond

CONTRACTOR:

(Name, legal status and address)

Otte Construction Company LLC
PO Box 396
Wayne, NE 68787

SURETY:

(Name, legal status and principal place of business)

Inland Insurance Company
P.O. Box 80468
Lincoln, NE 68501

OWNER:

(Name, legal status and address)

City of Wayne
306 Pearl St
Wayne, NE 68787

BOND AMOUNT: Five Percent of the Amount Bid (5%)

PROJECT:

(Name, location or address, and Project number, if any)

Park & Rec Maintenance Building

Project Number, if any:

This document has important legal consequences. Consultation with an attorney is encouraged with respect to its completion or modification.

Any singular reference to Contractor, Surety, Owner or other party shall be considered plural where applicable.

The Contractor and Surety are bound to the Owner in the amount set forth above, for the payment of which the Contractor and Surety bind themselves, their heirs, executors, administrators, successors and assigns, jointly and severally, as provided herein. The conditions of this Bond are such that if the Owner accepts the bid of the Contractor within the time specified in the bid documents, or within such time period as may be agreed to by the Owner and Contractor, and the Contractor either (1) enters into a contract with the Owner in accordance with the terms of such bid, and gives such bond or bonds as may be specified in the bidding or Contract Documents, with a surety admitted in the jurisdiction of the Project and otherwise acceptable to the Owner, for the faithful performance of such Contract and for the prompt payment of labor and material furnished in the prosecution thereof; or (2) pays to the Owner the difference, not to exceed the amount of this Bond, between the amount specified in said bid and such larger amount for which the Owner may in good faith contract with another party to perform the work covered by said bid, then this obligation shall be null and void, otherwise to remain in full force and effect. The Surety hereby waives any notice of an agreement between the Owner and Contractor to extend the time in which the Owner may accept the bid. Waiver of notice by the Surety shall not apply to any extension exceeding sixty (60) days in the aggregate beyond the time for acceptance of bids specified in the bid documents, and the Owner and Contractor shall obtain the Surety's consent for an extension beyond sixty (60) days.

If this Bond is issued in connection with a subcontractor's bid to a Contractor, the term Contractor in this Bond shall be deemed to be Subcontractor and the term Owner shall be deemed to be Contractor.

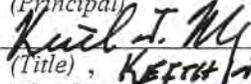
When this Bond has been furnished to comply with a statutory or other legal requirement in the location of the Project, any provision in this Bond conflicting with said statutory or legal requirement shall be deemed deleted herefrom and provisions conforming to such statutory or other legal requirement shall be deemed incorporated herein. When so furnished, the intent is that this Bond shall be construed as a statutory bond and not as a common law bond.

Signed and sealed this **1st** day of **May, 2024**

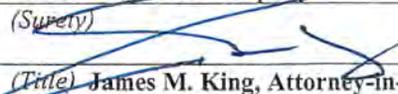

(Witness)


(Witness)

Otte Construction Company LLC
(Principal) _____ (Seal)


(Title), **KEITH J. NOSE PRESIDENT**

Inland Insurance Company
(Surety) _____ (Seal)


(Title) **James M. King, Attorney-in-Fact**

INLAND INSURANCE COMPANY

Lincoln, Nebraska

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS:

That the **INLAND INSURANCE COMPANY**, a corporation of the State of Nebraska having its principal office in the City of Lincoln, Nebraska, pursuant to the following Bylaw, which was adopted by the Board of Directors of the said Company on July 23, 1981, to wit:

"Article V-Section 6. RESIDENT OFFICERS AND ATTORNEYS-IN-FACT. The President or any Vice President, acting with any Secretary or Assistant Secretary, shall have the authority to appoint Resident Vice Presidents and Attorneys-In-Fact, with the power and authority to sign, execute, acknowledge and deliver on its behalf, as Surety: Any and all undertakings of suretyship and to affix thereto the corporate seal of the corporation. The President or any Vice President, acting with any Secretary or Assistant Secretary, shall also have the authority to remove and revoke the authority of any such appointee at any time." does hereby make, constitute and appoint

Robert T. Cirone or James M. King or Tamala J. Hurlbut or Jacob J. Buss or Thomas L. King, Lincoln, Nebraska or Seth Weedon, Gretna, Nebraska

its true and lawful Attorney(s)-in-Fact, to make, execute, seal and deliver for and on its behalf, as Surety:
Any and all undertakings of suretyship

And the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Company, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the Company at its offices in Lincoln, Nebraska, in their own persons.

The following Resolution was adopted at the Regular Meeting of the Board of Directors of the **INLAND INSURANCE COMPANY**, held on July 23, 1981:

"RESOLVED, That the signatures of officers of the Company and the seal of the Company may be affixed by facsimile to any Power of Attorney executed in accordance with Article V-Section 6 of the Company Bylaws: and that any such Power of Attorney bearing such facsimile signatures, including the facsimile signature of a certifying Assistant Secretary and facsimile seal shall be valid and binding upon the Company with respect to any bond, undertaking or contract of suretyship to which it is attached."

All authority hereby conferred shall remain in full force and effect until terminated by the Company.

IN WITNESS WHEREOF, **INLAND INSURANCE COMPANY** has caused these presents to be signed by its President and its corporate seal to be hereunto affixed this 16th day of February, 20 22.

Carol J. Clark

Secretary/Treasurer

By

State of Nebraska

County of

of

ss. Lancaster

INLAND INSURANCE COMPANY

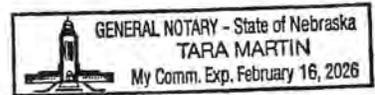
Curt L. Hartter President



On this 16th day of February, 20 22, before me personally came Curtis L. Hartter, to me known, who being by me duly sworn, did depose and say that (s)he resides in the County of Lancaster, State of Nebraska; that (s)he is the President of the **INLAND INSURANCE COMPANY**, the corporation described in and which executed the above instrument; that (s)he knows the seal of the said corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation; that (s)he signed (his) (her) name by like order; and that Bylaw, Article V-Section 6, adopted by the Board of Directors of said Company, referred to in the preceding instrument, is now in force.

Tara Martin

Notary Public



My Commission Expires February 16, 2026.

I, Philip C. Abel, Director of **INLAND INSURANCE COMPANY**, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney executed by said **INLAND INSURANCE COMPANY**, which is still in full force and effect.

Signed and sealed at the City of Lincoln, Nebraska this 1st day of May, 20 24.

Philip C. Abel

Director



SECTION 004113 - BID FORM – COMBINED CONTRACT

City of Wayne, Nebraska
Parks & Rec Maintenance Building
520 Fairgrounds Ave.
Wayne, Nebraska 68787

CWPA Project No. 24111
Bid Date: May 1, 2024 2:00 P.M.

Bid of: Huff Construction Nebraska, LLC

- a corporation organized and existing under the laws of the State of Nebraska;
- a corporation organized and existing under the laws of the State of _____ and is/is not licensed to do business in the State of Nebraska as a foreign corporation;
- a partnership consisting of _____ partners; or
- a sole proprietor;

hereinafter called the Bidder.

To: Mr. Wes Blecke, City Administrator
City of Wayne, Nebraska
306 N. Pearl Street
Wayne, Nebraska 68787

The undersigned acknowledges that they have received and familiarized themselves with the following:

- Project Manual:** per Project Manual Section 000110 - Table of Contents
- Drawings:** per Sheet CC0.1 and Project Manual Section 000115 - List of Drawings
- Addenda:** CC- 1 through CC- 1

The undersigned further acknowledges that they have had an opportunity to visit the site and familiarize themselves with local conditions affecting the cost of the Work at the place where the Work is to be done.

In submitting this Bid, the undersigned agrees:

1. To furnish all material, labor, tools, expendable equipment, and all utility and transportation services necessary to perform and complete, in a workmanlike manner, all of the Work required for the Combined Construction, including General Construction, Mechanical, and Electrical, in accord with the Bidding Documents prepared by CARLSON WEST POVONDRA ARCHITECTS for the consideration hereinafter set forth.
2. To hold his Bid open for forty (40) days after the receipt of Bids and to accept the provisions of the Instructions to Bidders regarding disposition of Bid Security.

3. To enter into and execute a Contract if awarded on the basis of this Bid, to furnish a Performance Bond and a Labor and Material Payment Bond in accord with the General Conditions and General Requirements of this Contract, and to deliver executed Owner-Contractor Agreements and Bonds to the Architect within six (6) days after notification of award.

LUMP SUM BASE BID: The undersigned hereby proposes and agrees to perform the foregoing for:

the Lump Sum of One million five hundred forty four thousand dollars (\$ 1,544,000).
(To be shown in both words and figures. In case of discrepancy, the amount shown in words will govern.)

BID ALTERNATES: Attach Alternates Form Section 004323.

TIME OF COMPLETION: The undersigned Bidder proposes and agrees hereby to commence the Work of the Contract Documents on a date specified in a written Notice to Proceed to be issued by the Architect, and shall achieve Substantial Completion no later than January 31, 2025.
(Bidder to fill in proposed date of Substantial Completion)

ATTACHED FORMS: The undersigned has attached the **Bid Security, Alternates Form, Allowances Form** and other items required in the Instructions to Bidders.

In submitting this Bid, it is understood that the right to reject any and all Bids and to waive irregularities in the bidding have been reserved by the Owner.

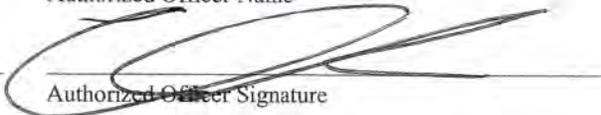
Dated this 1st day of May, 2024.

Huff Construction Nebraska, LLC
Corporate Name of Bidder

600 1/2 West Benjamin Ave
Address of Bidder Norfolk, NE 68701

402/860-6580
Area Code/Telephone Number

Chris Daniels
Authorized Officer Name


Authorized Officer Signature

DOCUMENT 004321 - ALLOWANCE FORM

City of Wayne
Parks & Rec Maintenance Building
520 Fairgrounds Ave.
Wayne, Nebraska 68787

CWPA Project No. 24111

1.1 BID INFORMATION

A. Bidder: Huff Construction Nebraska, LLC

1.2 BID FORM SUPPLEMENT

- A. This form is required to be attached to the Bid Form.
- B. The undersigned Bidder certifies that Base Bid submission to which this Bid Supplement is attached includes those allowances described in the Contract Documents and scheduled in Section 012100 "Allowances."

1.3 SUBMISSION OF BID SUPPLEMENT

- A. Respectfully submitted this 1st day of May, 2024.
- B. Submitted By: Huff Construction Nebraska, LLC (Insert name of bidding firm or corporation).
- C. Authorized Signature:  (Handwritten signature).
- D. Signed By: Chris Daniels (Type or print name).
- E. Title: Vice President (Owner/Partner/President/Vice President).

END OF DOCUMENT 004321

SECTION 004323 – ALTERNATE PRICES FORM (BID FORM ATTACHMENT)

City of Wayne, Nebraska
Parks & Rec Maintenance Building
520 Fairgrounds Ave.
Wayne, Nebraska 68787

CWPA Project No. 24111

BID DATE May 1, 2024

Attachment to the Bid of: Huff Construction Nebraska, LLC

ALTERNATES: The lump sum base bid may be modified in accord with the following alternates as may be accepted by the Owner. Refer to Division 1 Section “Alternates” of the Project Manual.

Amounts are to be shown in both words and figures. In case of discrepancy, the amount shown in words will govern.

ALTERNATE 1: Provide Architectural stone veneer wainscot in lieu of accent-colored metal panel on exterior; if accepted, **ADD** to the Lump Sum Base Bid the sum of

Fifty five thousand Dollars (\$ 55,000.00).

5/11/2024
Date


Authorized Officer Signature

INLAND
INSURANCE COMPANY

P.O. Box 80468
Lincoln Nebraska 68501-0468
PHONE - 1-800-755-2666
FAX - 402-435-3274

UNIVERSAL
SURETY COMPANY

Bid Bond

CONTRACTOR (Name and Address):
Huff Construction-Nebraska, LLC
11 N Dakota St
Aberdeen, SD 57401

SURETY (Name and Principal Place of Business):
UNIVERSAL SURETY COMPANY, a corporation
PO Box 80468
Lincoln, NE 68501

OWNER (Name and Address):
City of Wayne, Nebraska
306 N Pearl St
Wayne, NE 68787

BOND AMOUNT: Five percent (5%) of the total amount bid including all alternates

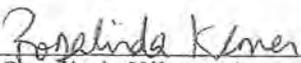
PROJECT: (Name, Location or Address and Project Number, if any)
Wayne Parks & Rec Maintenance Building
Wayne, NE

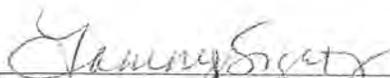
The Contractor and Surety are bound to the Owner in the amount set forth above, for the payment of which the Contractor and Surety bind themselves, their heirs, executors, administrators, successors and assigns, jointly and severally, as provided herein. The conditions of this Bond are such that if the Owner accepts the bid of the Contractor within the time specified in the bid documents, or within such time period as may be agreed to by the Owner and Contractor, and the Contractor either (1) enters into a contract with the Owner in accordance with the terms of such bid, and gives such bond or bonds as may be specified in the bidding or Contract Documents, with a surety admitted in the jurisdiction of the Project and otherwise acceptable to the Owner, for the faithful performance of such Contract and for the prompt payment of labor and material furnished in the prosecution thereof; or (2) pays to the Owner the difference, not to exceed the amount of this Bond, between the amount specified in said bid and such larger amount for which the Owner may in good faith contract with another party to perform the work covered by said bid, then this obligation shall be null and void, otherwise to remain in full force and effect. The Surety hereby waives any notice of an agreement between the Owner and Contractor to extend the time in which the Owner may accept the bid. Waiver of notice by the Surety shall not apply to any extension exceeding sixty (60) days in the aggregate beyond the time for acceptance of bids specified in the bid documents, and the Owner and Contractor shall obtain the Surety's consent for an extension beyond sixty (60) days.

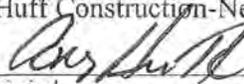
If this Bond is issued in connection with a subcontractor's bid to a Contractor, the term Contractor in this Bond shall be deemed to be Subcontractor and the term Owner shall be deemed to be Contractor.

When this Bond has been furnished to comply with a statutory or other legal requirement in the location of the Project, any provision in this Bond conflicting with said statutory or legal requirement shall be deemed deleted herefrom and provisions conforming to such statutory or other legal requirement shall be deemed incorporated herein. When so furnished, the intent is that this Bond shall be construed as a statutory bond and not as a common law bond.

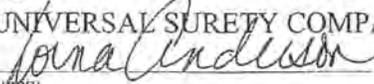
Signed and sealed this **26th** day of **April** 20**24**


Witness Rosalinda Kilmer, Account Manager


Witness Tammy Sigaty, Account Manager

Huff Construction-Nebraska, LLC

Principal _____ (seal)

Cory Huff, Managing Member
Title _____

UNIVERSAL SURETY COMPANY

Surety _____ (seal)

Title Lorna Anderson, Attorney-In-Fact

ACKNOWLEDGMENT OF PRINCIPAL (Individual)

STATE OF _____
COUNTY OF _____ ss:

On this _____ day of _____, in the year _____, before me personally come(s) _____, known to me to be the person(s) who (is) (are) described in and who executed the foregoing instrument and acknowledge(s) to me that he/she executed the same.

NOTARY PUBLIC

ACKNOWLEDGMENT OF PRINCIPAL (Partnership)

STATE OF _____
COUNTY OF _____ ss:

On this _____ day of _____, in the year _____, before me personally come(s) _____ a member of the co-partnership of _____ known to me to be the person who is described in and who executed the foregoing instrument, and acknowledges to me that he/she executed the same as and for the act and deed of the said co-partnership.

NOTARY PUBLIC

ACKNOWLEDGMENT OF PRINCIPAL (Corporation)

STATE OF South Dakota
COUNTY OF Lincoln ss:

On this 26th day of April in the year 2024, before me personally come(s) Corv Huff to me known, who, being by me duly sworn, deposes and says that he/she resides in the City of Aberdeen that he/she is the Managing Member of Huff Construction - Nebraska, LLC a corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed by the order of the Board of Directors of said corporation, and that he/she signed his/her name thereto by like order.

My Commission Expires:

March 4, 2030

ELIZABETH CALLIES

NOTARY PUBLIC
SOUTH DAKOTA

Elizabeth Callies
NOTARY PUBLIC

ACKNOWLEDGMENT OF SURETY

STATE OF South Dakota
COUNTY OF Lincoln ss:

On this 26th day of April in the year 2024, before me personally come(s) Lorna Anderson Attorney(s)-in-Fact of Universal Surety Company with whom I am personally acquainted, and who, being by me duly sworn, says that he/she reside(s) in Sioux Falls, SD that he/she is (are) the Attorney(s)-In-Fact of Universal Surety Company the company described in and which executed the within instrument; that he/she know(s) the corporate seal of such Company; and that the seal affixed to the within instrument is such corporate seal and that it was affixed by order of the Board of Directors of said Company, and that he/she signed said instrument as Attorney(s)-in-Fact of the said Company by like order.

My Commission Expires:

March 4, 2030

ELIZABETH CALLIES

NOTARY PUBLIC
SOUTH DAKOTA

Elizabeth Callies
NOTARY PUBLIC

UNIVERSAL SURETY COMPANY

Lincoln, Nebraska

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS:

That the **UNIVERSAL SURETY COMPANY**, a corporation of the State of Nebraska having its principal office in the City of Lincoln, Nebraska, pursuant to the following Bylaw, which was adopted by the Board of Directors of the said Company on July 23, 1981, to wit:

"Article V-Section 6. **RESIDENT OFFICERS AND ATTORNEYS-IN-FACT** The President or any Vice President, acting with any Secretary or Assistant Secretary, shall have the authority to appoint Resident Vice Presidents and Attorneys-In-Fact, with the power and authority to sign, execute, acknowledge and deliver on its behalf, as Surety: Any and all undertakings of suretyship and to affix thereto the corporate seal of the corporation. The President or any Vice President, acting with any Secretary or Assistant Secretary, shall also have the authority to remove and revoke the authority of any such appointee at any time."

does hereby make, constitute and appoint

Lorna Anderson or Van Carmody or Chad Dubisar
or Michael M. Mahan, Sioux Falls, South Dakota

its true and lawful Attorney(s)-in-Fact, to make, execute, seal and deliver for and on its behalf, as Surety:
Any and all undertakings of suretyship

And the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Company, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the Company at its offices in Lincoln, Nebraska, in their own persons.

The following Resolution was adopted at the Regular Meeting of the Board of Directors of the **UNIVERSAL SURETY COMPANY**, held on July 23, 1981:

"RESOLVED, That the signatures of officers of the Company and the seal of the Company may be affixed by facsimile to any Power of Attorney executed in accordance with Article V-Section 6 of the Company Bylaws: and that any such Power of Attorney bearing such facsimile signatures, including the facsimile signature of a certifying Assistant Secretary and facsimile seal shall be valid and binding upon the Company with respect to any bond, undertaking or contract of suretyship to which it is attached."

All authority hereby conferred shall remain in full force and effect until terminated by the Company.

IN WITNESS WHEREOF, **UNIVERSAL SURETY COMPANY** has caused these presents to be signed by its President and its corporate seal to be hereunto affixed this 10th day of August, 20 23.

Carol J. Clark

UNIVERSAL SURETY COMPANY

Carl L. Hartter



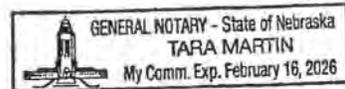
State of Nebraska } Secretary/Treasurer
County of } ss. Lancaster

By

President

On this 10th day of August, 20 23, before me personally came Curtis L. Hartter, to me known, who being by me duly sworn, did depose and say that (s)he resides in the County of Lancaster, State of Nebraska; that (s)he is the President of the **UNIVERSAL SURETY COMPANY**, the corporation described in and which executed the above instrument; that (s)he knows the seal of the said corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation; that (s)he signed (his) (her) name by like order; and that Bylaw, Article V-Section 6, adopted by the Board of Directors of said Company, referred to in the preceding instrument, is now in force.

Tara Martin



My Commission Expires February 16, 2026.

Notary Public

I, Philip C. Abel, Director of **UNIVERSAL SURETY COMPANY**, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney executed by said **UNIVERSAL SURETY COMPANY**, which is still in full force and effect.

Signed and sealed at the City of Lincoln, Nebraska this 26th day of April, 20 2024.

Philip C. Abel

Director



Betty McGuire - [External] 23115 Wayne City Hall & Police Relocation Pay App No. 06

From: Bob Soukup <BSoukup@cwparchitects.com>
To: Wes Blecke <wblecke@cityofwayne.org>, Betty McGuire <betty@cityofwayne.org>
Date: 5/2/2024 5:20 PM
Subject: [External] 23115 Wayne City Hall & Police Relocation Pay App No. 06
Cc: Tate Nelson <tnelson@otteconstruction.com>, "zmoje@otteconstruction.com" ...
Attachments: ACP-06 240502.pdf

Re: Wayne City Hall & Police Relocation
513 Main Street
Wayne, NE 68787

CWPA Project No. 23115

Dear Wes:

Attached please find the Owner's copy of Application for Payment No. 06, period to April 30, 2024, submitted by Otte Construction Company, LLC. We have reviewed this application and recommend payment be made directly to the Contractor in the amount of \$364,453.00. Lien Waivers are attached to the payment application.

I was able to walk the site on Wednesday, May 1st to observe the progress of construction against the payments requested. The new electric generator is onsite. Structural steel framing for the garage is in place and the hollow core deck has been installed. Otte construction is expecting to get their electrical inspections next week. Assuming they pass the inspections they will be ready to start interior drywall.

I have forwarded the contractor's copy directly to Otte Construction Company, LLC.

If you have any questions, please do not hesitate to call me.

Bob Soukup AIA LEED-AP
Principal | Architect

CARLSON WEST POYONDRA ARCHITECTS
5060 Dodge Street, Omaha, NE 68132

T 402.551.1500

C 402.720.3273

www.cwparchitects.com



G702

Application and Certificate for Payment

To Owner:
 Wayne City Hall & Police Relocation
 513 Main Street
 Wayne, NE 68787

Project:
 Wayne City Hall & Police Relocation
 513 Main Street
 Wayne, NE 68787

Application No: 6
Period To: 4/30/2024
Contract For: General Architect
Contract Date: 10/17/2023 Contractor

Distribution To:
 Owner
 Architect
 Contractor

From Contractor:
 Otte Construction Company, LLC
 521 Centennial Rd.
 Wayne, NE 68787

Project NOS: CWPA 23115 Field
 Other

CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for payment, as shown below, in connection with the Contract. AIA Document G703, Continuation Sheet, is attached.

1. ORIGINAL CONTRACT SUM \$ 4,204,500.00
2. NET CHANGE BY CHANGE ORDERS \$ 2,356.00
3. CONTRACT SUM TO DATE (Line 1 ± 2) \$ 4,206,856.00
4. TOTAL COMPLETED & STORED TO DATE (Column G on G703) \$ 1,120,667.00

5. RETAINAGE:

- a. 10% of Completed Work (Columns D + E on G703) \$ 112,067.00
- b. 10% of Stored Material (Column F on G703) \$ -

6. TOTAL EARNED LESS RETAINAGE \$ 112,067.00
 (Line 4 minus Line 5 Total)

7. LESS PREVIOUS CERTIFICATES FOR PAYMENT \$ 644,147.00
 (Line 6 from prior Certificate)

8. CURRENT PAYMENT DUE \$ 364,453.00

9. BALANCE TO FINISH, INCLUDING RETAINAGE (Line 3 minus Line 6) \$ 3,198,256.00

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates of Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

CONTRACTOR: OTTE CONSTRUCTION COMPANY, LLC

By: [Signature] **Date:** 4/30/24

State of: Nebraska

County of: Wayne

Subscribed and sworn to before me this 30 day of April 2024

County of Wayne
 Notary Public: [Signature]
 My commission expires: October 29, 2026



ARCHITECT'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising this application, the Architect certifies to the Owner that to the best of the Architect's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED: \$ 364,453.00
 (Attach explanation if amount certified differs from the amount applied. Initial all figures on this Application and on the Continuation Sheet that are changed to conform with the amount certified.)

ARCHITECT: Carlson West Povondra Architects

By: [Signature] **Date:** 5/2/24

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment, and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner	\$ 6,333.00	\$ (3,977.00)
Total approved this month	\$ -	\$ -
TOTAL	\$ 6,333.00	\$ (3,977.00)
NET CHANGES by Change Order	\$	2,356.00

APPLICATION NUMBER: 6

APPLICATION DATE: 4/30/2024

PERIOD TO: 4/30/2024

G703

ARCHITECTS PROJECT NO: CWPA 23115

A ITEM NO.	B DESCRIPTION OF WORK	C SCHEDULED VALUE	D WORK COMPLETED		E THIS PERIOD	F MATERIALS PRESENTLY STORED (NOT IN D OR E)	G TOTAL COMPLETED AND STORED TO DATE (D+E+F)	H BALANCE TO FINISH (C-G)	I RETAINAGE
			FROM PREVIOUS APPLICATION (D+E)	THIS PERIOD					
1	General Conditions, Supervision, Project Start-Up	73,220	19,756	3,990	0	23,736	49,484	2374	
2	Bonds & Insurance	40,960	40,960	0	0	40,960	0	4096	
3	Submittal Exchange Allowance	8,500	7,920	0	0	7,920	580	792	
4	Site Demo & Earthwork	192,030	82,653	0	0	82,653	109,377	8285	
5	Building Demolition & Infills	76,490	59,320	2,210	0	71,530	4,960	7153	
6	Concrete Figs, Slabs, Walls, Steps	190,410	119,082	39,784	0	158,876	31,534	15888	
7	Waterproofing, Drainage, & Backfilling	23,470	3,584	0	0	3,584	19,886	358	
8	Structural Steel & Erection	106,250	50,691	36,597	0	87,288	18,962	8729	
9	Precast Hollowcore	15,540	0	15,540	0	15,540	0	1554	
10	Rough Carpentry & Sheathing	27,470	8,304	0	0	8,304	19,166	830	
11	TPO Roofing & Sheetmetal	65,030	0	0	0	0	65,030	0	
12	Roof Specialties	8,270	0	3,830	0	3,830	4,440	383	
13	Doors, Frames, & Hardware	183,940	46,259	0	0	46,259	137,681	4626	
14	Aluminum Entrance, Windows, & Glazing	96,250	0	0	0	0	96,250	0	
15	Metal Studs, Insulation, Drywall, Ballistic Panels	381,830	58,355	85,822	0	144,177	237,653	14418	
16	EIFS System	27,100	0	0	0	0	27,100	0	
17	Metal Wall Panels	68,320	0	0	0	0	68,320	0	
18	Acoustical Ceilings	52,000	0	0	0	0	52,000	0	
19	Finish Floorings & Sealers	114,990	0	0	0	0	114,990	0	
20	Painting, Wall Coverings, & Caulking	147,400	0	0	0	0	147,400	0	
22	Cabinetry, Millwork, & Tops	202,230	0	0	0	0	202,230	0	
22a	Council Chambers Custom Millwork	21,070	0	0	0	0	21,070	0	
23	Sectional Overhead Doors	33,530	0	0	0	0	33,530	0	
24	Wall Protection & Signage	7,870	0	0	0	0	7,870	0	
25	Toilet Partitions, Accessories, VD's, & FE's	21,120	0	0	0	0	21,120	0	
26	FRP Paneling	8,340	0	0	0	0	8,340	0	
27	Lockers	18,220	407	0	0	407	17,813	41	
28	Roller Shades	3,330	0	0	0	0	3,330	0	

G703

APPLICATION NUMBER: 6
 APPLICATION DATE: 4/30/2024
 PERIOD TO: 4/30/2024
 ARCHITECTS PROJECT NO: CWPA 23115

A ITEM NO.	B DESCRIPTION OF WORK	C SCHEDULED VALUE		D WORK COMPLETED		E THIS PERIOD	F MATERIALS PRESENTLY STORED (NOT IN D OR E)	G TOTAL COMPLETED AND STORED TO DATE (D+E+F)	H BALANCE TO FINISH (C-G)	I RETAINAGE
		FROM PREVIOUS APPLICATION (D+E)	THIS PERIOD	FROM PREVIOUS APPLICATION (D+E)	THIS PERIOD					
29	Food Service Appliances	30,080	0	0	0	0	0	0	30,080	0
30	Flagpole	5,120	0	0	0	0	0	0	5,120	0
31	Awnings	6,500	0	0	0	0	0	0	6,500	0
32	Plumbing & HVAC	352,970	97,980	0	49,495	0	0	147,485	205,485	147,49
33	Electrical	642,750	80,608	0	78,640	0	0	159,248	483,502	15925
33a	Fire Alarm	20,000	0	0	2,000	0	0	2,000	18,000	200
33b	Emergency Generator	63,000	0	0	50,400	0	0	50,400	12,600	5040
33c	Switchgear	113,000	16,950	0	5,650	0	0	22,600	90,400	2260
33d	Audio, Visual, & Access Control	310,000	0	0	31,000	0	0	31,000	279,000	3100
33e	Data & Communications	149,000	0	0	0	0	0	0	149,000	0
34	Concrete Site Paving	170,780	0	0	0	0	0	0	170,780	0
35	Storm Sewer Utilities	32,720	0	0	0	0	0	0	32,720	0
36	Planting Beds	5,000	0	0	0	0	0	0	5,000	0
37	Installation of OFCI & Allowance Items	8,400	0	0	0	0	0	0	8,400	0
38	Thru-Wall Depositories Allowance	10,000	0	0	0	0	0	0	10,000	0
39	Athletic Wall & Floor Pads Allowance	20,000	0	0	0	0	0	0	20,000	0
40	Owner Contingency Allowance	50,000	12,870	0	0	0	0	12,870	37,130	1287
CO 001	Office Window & Flooring Revisions	2,356	0	0	0	0	0	0	2,356	0
		4,206,856	715,719	404,948	0	1,120,667	0	3,086,189	27%	112067

CONDITIONAL LIEN WAIVER FOR PARTIAL / PROGRESS PAYMENT

NOTICE: THIS DOCUMENT WAIVES THE CLAIMANT'S LIEN, STOP PAYMENT NOTICE, AND PAYMENT BOND RIGHTS EFFECTIVE ON RECEIPT OF PAYMENT. A PERSON SHOULD NOT RELY ON THIS DOCUMENT UNLESS SATISFIED THAT THE CLAIMANT HAS RECEIVED PAYMENT.

1. IDENTIFYING INFORMATION.

Claimant Name: OTTE CONSTRUCTION COMPANY, LLC
Customer Name: CITY OF WAYNE
Job Location: 513 MAIN ST., WAYNE, NEBRASKA 68787
Owner: CITY OF WAYNE
Through Date: APRIL 30, 2024

2. CONDITIONAL WAIVER AND RELEASE.

This document waives and releases lien, stop payment notice, and payment bond rights the claimant has for labor and service provided, and equipment and material delivered, to the customer on this job through the Through Date of this document. Rights based upon labor or service provided, or equipment or material delivered, pursuant to a written change order that has been fully executed by the parties prior to the date that this document is signed by the claimant, are waived and released by this document, unless listed as an Exception below. This document is effective only on the claimant's receipt of payment from the financial institution on which the following check is drawn:

Maker of Check: CITY OF WAYNE
Check Amount: \$364,453.00
Check Payable to: OTTE CONSTRUCTION COMPANY, LLC

3. EXCEPTIONS.

This document does not affect any of the following:

- a) Retentions.
- b) Extras for which the claimant has not received payment.
- c) The following progress payments for which the claimant has previously given a conditional waiver and release but has not received payment:
Date(s) of waiver and release: N/A
Amount(s) of unpaid progress payment(s): \$ 0.00
- d) Contract rights, including (i) a right based on rescission, abandonment, or breach of contract, and (ii) the right to recover compensation for work not compensated by the payment.

4. SIGNATURE.

Claimant Signature: Tate Nelson Date: 4/30/24
Claimant Title: TATE NELSON - PROJECT MANAGER

5. NOTARIZATION.

State of Nebraska
County of Wayne

The foregoing instrument was acknowledged before me, Tate Nelson, this 04/30/2024 (mm/dd/yyyy), by the undersigned, _____, who is personally known to me or satisfactorily proven to me to be the person whose name is subscribed to the within instrument.

Jessica J. Dobias
Notary Public

My Commission Expires: _____



17691877	PAYMENT	PAYMENT	AUTHORIZ	BUDGET T	FUEL TYPE	CLIENT ID	CLIENT LA	CLIENT FIR	CLIENT MII	CLIENT STF	CLIENT CIT	CLIENT ST/
17691877	6.74E+08	20240507	\$700.00	HEATING	Electricity	66333004	TREASE	LYNNZI	DIANE	1106	NAT+WAYNE	NE
17691877	6.74E+08	20240507	\$697.55	HEATING	Electricity	66333004	TREASE	LYNNZI	DIANE	1106	NAT+WAYNE	NE
17691877	6.74E+08	20240507	\$315.00	SUPPLEME	Electricity	66333004	TREASE	LYNNZI	DIANE	1106	NAT+WAYNE	NE



Request for Future Agenda Item

If you have a specific topic that you would like the City Council to discuss at a future meeting, please list your name, address, telephone number, and the specific topic. If you have additional documentation which would be beneficial to the topic, please attach to this form. The item will be reviewed and possibly scheduled for future meeting, or forwarded to City staff for appropriate action.

Event insurance is required for anyone wishing to use city right-of-Way (e.g. block off streets for block parties, block off sidewalks and/or alleys).

Name: Bob Ensz obo Wayne Rotary Club

Address: 223 Fairway Circle, Wayne, NE

Telephone No.: 402-281-7812

Date of Request: 04-16-24

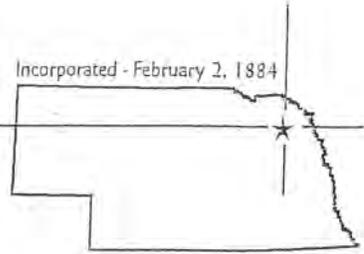
Description of Requested Topic: Wayne Rotary would like to present a ceremonial check to the Mayor and Council for the installation of the cornhole and ladder toss games at Freedom Park. Wayne Rotary partnered with the Park and Recreation Department to accomplish this project.

City of Wayne

306 Pearl • P.O. Box 8
Wayne, Nebraska 68787

(402) 375-1733
Fax (402) 375-1619

Incorporated - February 2, 1884



REQUEST FOR FUTURE AGENDA ITEM

If you have a specific topic that you would like the City Council to discuss at a future meeting, please list your name, address, telephone number, and the specific topic. If you have additional documentation which would be beneficial to the topic, please attach to this form. The item will be reviewed and possibly scheduled for a future meeting, or forwarded to City staff for appropriate action.

Event insurance is required for anyone wishing to use city right-of-way (e.g. block off streets for block parties, block off sidewalks and/or alleys).

Name: Susan Boust

Address: 1406 Linden St. Wayne

Telephone No.: 402-833-5323

Date of Request: May 17, 2024 (event) May 7 City Council Agenda

Description of Requested Topic: Request to waive rental fee for
use of Freedom Park Shelter House for a
NAMI (National Alliance on Mental Health) Nebraska
(NAMI Northeast Affiliate) Event: the annual
Pony Express Ride for Children's Mental Health.

Susan Boust





[Back to Top](#)

May 3, 2024

Wes Blecke
City Administrator
306 Pearl Street
POB 8
Wayne, NE 68787

RE: LB840 RLF Review Committee – recommendation for *HIS Baking Co, LLC*

Dear Wes,

The City of Wayne LB840 Revolving Loan Fund Review Committee met on May 2, 2024, and reviewed a revolving loan fund application to Wayne's Economic Development Program (WEDP) by *HIS Baking Co, LLC*.

The Review Committee met with the owners of *HIS Baking Co, LLC*, Chris & Jaclyn Beach, who have a purchase agreement for Vel's Bakery (309 Main Street) and plan to operate and expand the bakery business. *HIS Baking Co, LLC* will utilize the WEDP Funds for business costs such as purchasing the building/property, as well as some equipment and inventory.

To match their request of \$149,943.50 from the WEDP, *HIS Baking Co, LLC* has secured financing via Elkhorn Valley Bank & Trust, Wayne, NE, has provided matching funds of \$1,000 (earnest deposit), and will provide up to 10% equity (personal equity). The total project is estimated to cost at least \$300,887.

Following the meeting with *HIS Baking Co, LLC*, the Review Committee discussed the request for an LB840 RLF Loan of \$149,943.50. The LB840 Revolving Loan Fund Review Committee voted unanimously to recommend the following terms for a loan to *HIS Baking Co, LLC*:

- loan amount of \$134,949 (reflects \$1,000 earnest deposit & 10% equity requirement relative to Total Project Cost);
- a loan repayment period of 10 years;
- and, an interest rate to be set at one half the rate set by the primary lender.
(Primary Lender Rate – EVB&T, Wayne, NE: 8.15% fixed for 5 years; WEDP Rate: 4.075% fixed)

Please convey this recommendation to the members of the City Council so the necessary steps can be taken to complete the application process. Feel free to contact me if you have any questions.

Sincerely,

Lucas R. Virgil
Director of Ec. Dev.

PROVIDING PROGRESSIVE AND UNIFIED RESOURCES TO ENHANCE WAYNE AMERICA

**APPLICATION FOR WAYNE'S
ECONOMIC DEVELOPMENT PROGRAM (WEDP) FUND**

Application Number:

Date Received

LB840 (form approved 073109)

2024

PART I. GENERAL INFORMATION

TYPE OR PRINT ALL INFORMATION

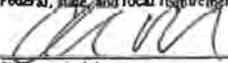
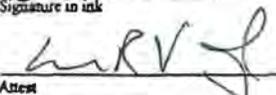
1. APPLICANT IDENTIFICATION			2. PERSON PREPARING APPLICATION		
Applicant Name <u>Chris Beach</u>			Name/Business <u>HIS Baking Co LLC.</u>		
Mailing Address <u>PO Box 191</u>			Address <u>222 E. 3rd Street</u>		
Wayne <u>Allen</u> NE <u>68787</u> <u>68710</u>			Wayne <u>Allen</u> NE <u>68787</u> <u>68710</u>		
(City) (State) (ZIP)			(City) (State) (ZIP)		
Telephone Number <u>712-281-0855</u>			Telephone Number <u>402-370-8988</u>		
Fax Number			Federal Tax ID # / SS#		
Federal Tax ID Number			Federal Tax ID # / SS#		
Email Address <u>c.beach2000@gmail.com</u>			Email Address <u>hisbakingco@gmail.com</u>		
3. BUSINESS TYPE			5. FUNDING SOURCES		
<input type="checkbox"/> Corporation <input checked="" type="checkbox"/> Limited Liability Company <input type="checkbox"/> Partnership <input type="checkbox"/> Sole Proprietorship <input type="checkbox"/> Other:			WEDP Funds Requested \$ <u>149,943.50</u>		
4. ASSISTANCE TYPE REQUESTED			Matching Funds \$ <u>149,943.50</u>		
<input checked="" type="checkbox"/> Low interest loan <input type="checkbox"/> Interest buy down <input type="checkbox"/> Performance-based loan <input checked="" type="checkbox"/> Grant <input type="checkbox"/> Other			Other Funds \$ <u>1,000.-</u>		
			Total Project Funds \$ <u>299,887 300,887</u>		
			<i>(Round amounts to the nearest hundred dollars.)</i>		

6. PROGRAM SUMMARY: Brief narrative description of the project for which WEDP funds are requested

Vets Bakery Purchase and renovation + start up costs!

7. CERTIFYING OFFICIAL: Chief Executive Officer or owner of applicant requesting WEDP funds.

To the best of my knowledge and belief, data and information in this application are true and correct, including any commitment of local or other resources. This applicant will comply with all Federal, state, and local requirements governing the use of WEDP funds.

	Typed Name and Title	<u>05-02-24</u>
Signature in ink		Date Signed
	Luke Virgil, WAED Executive Director	<u>04/22/2024</u>
Attest	Typed Name and Title	Date Signed

SUBMIT THE ORIGINAL AND ONE COPY (UNBOUND) OF THE ENTIRE APPLICATION TO:

Wayne Economic Development Program Fund
108 W 3rd Street, Wayne, NE 68787
(402) 375-2240 Fax (402) 375-2246

PART II. FUNDING SUMMARY
 (Round amounts to the nearest hundred dollars.)

Eligible Activities	WEDP Funds	Matching Funds	Other Funds	Total Funds	Sources of Matching or Other Funds
The purchase of real estate, options for such purchases, the renewal or extension of such options, and public works improvements					
Payments for salaries and support of City staff to implement the Program or for contracting of an outside entity to implement any part of the Program.					
Expenses for business and industry recruitment activities to locate or relocate a qualifying business into the area and for equity investment in a qualifying business.					
The authority to issue bonds pursuant to the act subject to City Council approval.					
Grants or agreements for job training.					
Small business and microenterprise development including expansion of existing businesses.	149,943.50	149,943.50	1000.-	300,887.-	
Interest buy down agreements.					
Expand and promote Wayne through marketing, workforce attraction, and tourism related activities.					
Development of housing related programs to foster population growth.					
Activities to revitalize and encourage growth in the downtown area.					
May contribute to or create a revolving loan fund from which low interest or performance based loans will be made to qualifying entities on a match basis.					
Other approved activity					
TOTAL PROGRAM COSTS					

APPLICANT CERTIFICATIONS

- a. There are no legal actions underway or being contemplated that would significantly impact the capacity of this company to effectively proceed with the project; and to fulfill all WEDP requirements.

If benefiting business/organization is a proprietorship or partnership, sign below:

By: [Signature] Date: 4-22-24

If benefiting business/organization is a Corporation, sign below:

By: [Signature] Date: 4-22-24

[Signature] Luke Virgil/WAED Executive Director 04/22/2024
 Attest _____ Typed Name/Title _____ Date _____



WAYNE AMERICA

[Back to Top](#)

May 3, 2024

Wes Blecke
City Administrator
306 Pearl Street
POB 8
Wayne, NE 68787

RE: LB840 RLF Review Committee – recommendation for *Wildcat Lanes, LLC*

Dear Wes,

The City of Wayne LB840 Revolving Loan Fund Review Committee met on May 2, 2024, and reviewed a revolving loan fund application to Wayne's Economic Development Program (WEDP) by *Wildcat Lanes, LLC*.

The Review Committee met with the owners of *Wildcat Lanes, LLC*, Darin & Jessi Jensen, who have a purchase agreement for Wildcat Lanes (1221 Lincoln Street) and plan to operate and expand the bowling alley. *Wildcat Lanes, LLC* will utilize the WEDP Funds for business start-up costs such as purchasing the building/property, as well as renovations.

To match their request of \$180,000 from the WEDP, *Wildcat Lanes, LLC* has secured financing via State Nebraska Bank & Trust, Wayne, NE, and has provided matching funds of \$110,000 (personal equity). The total project is estimated to cost at least \$360,000.

Following the meeting with *Wildcat Lanes, LLC*, the Review Committee discussed the request for an LB840 RLF Loan of \$180,000. The LB840 Revolving Loan Fund Review Committee voted unanimously to recommend the following terms for a loan to *Wildcat Lanes, LLC*:

- approval of the loan request for \$180,000 (1st lien position based on WEDP being largest lender);
- a loan repayment period of 10 years;
- and, an interest rate to be set at one half the rate set by the primary lender.
(Primary Lender Rate – SNB&T, Wayne, NE: 7.25% fixed for 5 years; WEDP Rate: 3.625% fixed)

Please convey this recommendation to the members of the City Council so the necessary steps can be taken to complete the application process. Feel free to contact me if you have any questions.

Sincerely,

Lucas R. Virgil
Director of Ec. Dev.

PROVIDING PROGRESSIVE AND UNIFIED RESOURCES TO ENHANCE WAYNE AMERICA

**APPLICATION FOR WAYNE'S
ECONOMIC DEVELOPMENT PROGRAM (WEDP) FUND**

Application Number:

Date Received

2024

LB840 (form approved 073109)

PART I. GENERAL INFORMATION

TYPE OR PRINT ALL INFORMATION

1. APPLICANT IDENTIFICATION			2. PERSON PREPARING APPLICATION		
Applicant Name	Darin and Jessi Jensen Wildcat Lanes LLC		Name/Business	Wildcat Lanes	
Mailing Address	57045 Hwy 35		Address	1221 Lincoln Street	
Wayne	NE	68787	Wayne	NE	68787
(City)	(State)	(ZIP)	(City)	(State)	(Zip)
Telephone Number	712-490-3120		Telephone Number	402-375-3390	
Fax Number			Federal Tax ID # / SS#		
Federal Tax ID Number					
Email Address	huska001@gmail.com		Email Address		
3. BUSINESS TYPE			5. FUNDING SOURCES		
<input type="checkbox"/> Corporation	<input checked="" type="checkbox"/> Limited Liability Company		WEDP Funds Requested	\$ 180,000	
<input type="checkbox"/> Partnership	<input type="checkbox"/> Sole Proprietorship		Matching Funds	\$ 180,000	
<input type="checkbox"/> Other:			Other Funds	\$	
4. ASSISTANCE TYPE REQUESTED			Total Project Funds	\$ 360,000	
<input checked="" type="checkbox"/> Low interest loan	<input type="checkbox"/> Interest buy down		<i>(Round amounts to the nearest hundred dollars.)</i>		
<input type="checkbox"/> Performance-based loan	<input type="checkbox"/> Grant				
<input type="checkbox"/> Other					

6. PROGRAM SUMMARY: Brief narrative description of the project for which WEDP funds are requested \$110,000 available cash available for the purchase of Wildcat Lanes. \$70,000 has been secured by State Nebraska Bank and Trust. WEDP funds requested will be used for \$115,120 for the purchase of the building and business. \$25,000 will be used for working capital, \$15,000 for small renovations, and \$24,880 used for Roof Repair. We are requesting the Council to approve a loan rate of 1.8% for 10 yrs. based on a preceding WEDP loan on 12/05/2023 with the same Bank loan rate of 7.25% and Council approved loan rate of 1.80%.

7. CERTIFYING OFFICIAL: Chief Executive Officer or owner of applicant requesting WEDP funds. To the best of my knowledge and belief, data and information in this application are true and correct, including any commitment of local or other resources This applicant will comply with all Federal, state, and local requirements governing the use of WEDP funds.

	Darin Jensen/owner	04/16/2024
Signature in ink	Typed Name and Title	Date Signed
	Luke Virgil, WAED Executive Director	04/16/2024
Attest	Typed Name and Title	Date Signed

SUBMIT THE ORIGINAL AND ONE COPY (UNBOUND) OF THE ENTIRE APPLICATION TO:
Wayne Economic Development Program Fund
108 W 3rd Street, Wayne, NE 68787
(402) 375-2240 Fax (402) 375-2246

PART II. FUNDING SUMMARY

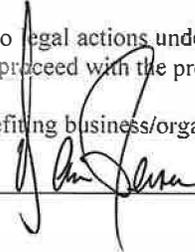
(Round amounts to the nearest hundred dollars.)

Eligible Activities	WEDP Funds	Matching Funds	Other Funds	Total Funds	Sources of Matching or Other Funds
The purchase of real estate, options for such purchases, the renewal or extension of such options, and public works improvements					
Payments for salaries and support of City staff to implement the Program or for contracting of an outside entity to implement any part of the Program.					
Expenses for business and industry recruitment activities to locate or relocate a qualifying business into the area and for equity investment in a qualifying business.					
The authority to issue bonds pursuant to the act subject to City Council approval.					
Grants or agreements for job training.					
Small business and microenterprise development including expansion of existing businesses.	\$180,000	\$180,000		\$360,000	Owners Cash and SNB&T
Interest buy down agreements.					
Expand and promote Wayne through marketing, workforce attraction, and tourism related activities.					
Development of housing related programs to foster population growth.					
Activities to revitalize and encourage growth in the downtown area.					
May contribute to or create a revolving loan fund from which low interest or performance based loans will be made to qualifying entities on a match basis.					
Other approved activity					
TOTAL PROGRAM COSTS					

APPLICANT CERTIFICATIONS

- a. There are no legal actions underway or being contemplated that would significantly impact the capacity of this company to effectively proceed with the project; and to fulfill all WEDP requirements.

If benefiting business/organization is a proprietorship or partnership, sign below:

By:  Date: 04/16/2024

If benefiting business/organization is a Corporation, sign below:

By: _____ Date: _____

 Luke Virgil/WAED Executive Director 04/16/2024
 Attest _____ Typed Name/Title _____ Date _____

LB840 RLF Program - Project Comps

Applicant	Loan Amount	Purpose	Primary Lender Interest Rate	Committee Review	Recommended WEDP Rate	Recommended WEDP Term	Approved WEDP Rate	Approved WEDP Term	Council Approval
Talon Capital, LLC (dba Fyre-Tec)	\$ 250,000.00	purchase existing business/expand business	Midwest Bank: 5.7%	1/10/2019	2.85%	10 years	2.85%	10 years plus 5 FTE in 3 years	2/5/2019
Ace Hardware & Home	\$ 200,000.00	start retail store/purchase inventory	rate not yet set when approved by Council	9/18/2019	0% Y1-5 / 2% Y6-15 *	15 years	0%	15 years with no interest to diversify inventory	10/1/2019
Johnnie Byrd Brewing Company	\$ 40,000.00	purchase real estate	SNB&T: 2%	12/13/2019	1.00%	term of lender	1.00%	term of lender	12/17/2019
DSF Wayne Short Stop, LLC	\$ 85,000.00	property improvements/business expansion	SBA: 2.75% + prime (variable)	4/14/2021	3.00% fixed	10 years	3.00%	10 years with fixed interest	4/20/2021
Sanctuary Apartments, LLC	\$ 400,000.00	historic preservation/housing development	F&M Bank: 3%	10/13/2021	1.50%	10 years/20 year amortization	1.50%	10 years/20 year amortization & preserving historic building	11/2/2021
Nix Wayne, LLC	\$ 300,000.00	property improvements/business expansion	BankFirst: 4.625%	6/16/2022	2.3125% *	10 years	1.00%	10 years	6/21/2022
I Wet My Plants (Katelynn Broders)	\$ 40,000.00	property improvements/business expansion	SNB&T: 7.5%	2/15/2023	3.75%	10 years	3.75%	10 years	2/21/2023
Blazer, LLC	\$ 200,000.00	purchase existing business/expand business	RVR Bank: 6.75%	6/29/2023	3.375% *	5 years	2.00%	5 years	7/6/2023
Webber Hospitality, LLC	\$ 200,000.00	purchase existing business/expand business	SNB&T: 7.25%	11/20/2023	3.625% *	10 years	1.80%	10 years	12/5/2023
Blends & Boards	\$ 10,000.00	purchase equipment/inventory	SNB&T: 9.5% variable (prime [8.5% on 02.15.2024] + 1.0%)	2/15/2024	4.75% fixed*	5 years	0%	5 years	2/20/2024
TOTAL RLF COMMITMENTS (as of Feb. 20, 2024)	\$ 1,725,000.00				* Applicant Requested Rate Lower than Recommendation		1.89%	Average Rate Approved	

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.

BE IT ORDAINED by the Mayor and Council of the City of Wayne, Nebraska:

Section 1. That vacation of the portion of Walnut Street lying between the north line of Hillcrest Road and extending north to the south line of 14th Street, is in the best interest of the City of Wayne, Nebraska.

Section 2. That the portion of Walnut Street lying between the north line of Hillcrest Road and extending north to the south line of 14th Street, Wayne, Wayne County, Nebraska, is hereby vacated.

Section 3. The City of Wayne, Nebraska, shall reserve in said street, an electrical easement for installing and/or maintaining all electrical utilities in and along the street herein vacated.

Section 4. Ownership of all water lines located in the above-described portion of Walnut Street are hereby granted, conveyed, and transferred to the Board of Trustees of Nebraska State Colleges (Board).

Section 5. Any easements or licenses benefiting the City of Wayne, Nebraska in relation to the foregoing water lines located in the above described portion of Walnut Street are hereby released and waived.

Section 6. Ownership of the real property of above-described vacated portion of Walnut Street are hereby granted to the Board.

Section 7. This Ordinance shall take effect and be in full force from and after its passage, approval, and publication according to law.

PASSED AND APPROVED this 7th day of May, 2024.

THE CITY OF WAYNE, NEBRASKA

By _____
Mayor

ATTEST:

City Clerk

EXHIBIT "A"

Walnut Street from the North line of Hillcrest Drive to the South line of 14th Street, abutted on the east by Lot 1, Hillcrest Addition, and Lots 1-23, Crestview Addition, and abutted on the west by Lots 13-24, Block 15, College Hill First Addition, and Lots 13-24, Block 14, College Hill First Addition, and Lots 7-12, Block 1, College Hill First Addition, and all vacated streets and alleys contained therein, all located in Wayne, Wayne County, Nebraska.

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.

BE IT ORDAINED by the Mayor and Council of the City of Wayne, Nebraska:

Section 1. That the transfer of ownership of the City of Wayne's 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 the Board of Trustees of Nebraska State Colleges (Board) relocating meters at the east and west boundary of said transferred water line, at the point of connection to the City's water line, is in the best interest of the City of Wayne, Nebraska.

Section 2. That the portion of ownership of the water line described above is hereby granted, conveyed, and transferred from the City of Wayne, Nebraska, to the Board, subject to the Board relocating meters at the east and west boundary of said transferred water line, at the point of connection to the City's water line, is in the best interest of the City of Wayne, Nebraska.

Section 3. Any easements or licenses benefiting the City of Wayne, Nebraska in relation to the foregoing water lines are hereby released and waived, subject to the Board relocating meters at the east and west boundary of said transferred water line, at the point of connection to the City's water line, as said release and waiver is in the best interest of the City of Wayne, Nebraska.

Section 4. This Ordinance shall take effect and be in full force from and after its passage, approval, and publication according to law.

PASSED AND APPROVED this 7th day of May, 2024.

THE CITY OF WAYNE, NEBRASKA

By _____
Mayor

ATTEST:

City Clerk

ORDINANCE NO. 2024-7

AN ORDINANCE AUTHORIZING THE RELEASE AND ABANDONMENT OF THE 14 FOOT UTILITY EASEMENT LOCATED BETWEEN LOTS 5 AND 6, BLOCK 6, VINTAGE HILLS 3RD ADDITION TO THE CITY OF WAYNE, WAYNE COUNTY, NEBRASKA, EXCLUDING THE REAR 7 FEET OF SAID EASEMENT.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF WAYNE, NEBRASKA:

Section 1. The City of Wayne, Nebraska has received a request to release the 14 foot utility easement located between Lots 5 and 6, Block 6, Vintage Hills 3rd Addition to the City of Wayne, Wayne County, Nebraska, excluding the rear 7 feet of said easement.

Section 2. The City hereby releases and abandons the 14 foot utility easement located between Lots 5 and 6, Block 6, Vintage Hills 3rd Addition to the City of Wayne, Wayne County, Nebraska, excluding the rear 7 feet of said easement.

Section 3. This Ordinance shall be in full force and effect, from and after its passage, approval and publication, as provided by law.

PASSED AND APPROVED this _____ day May, 2024.

THE CITY OF WAYNE, NEBRASKA

By _____
Mayor

ATTEST:

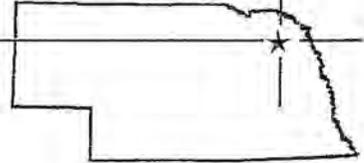
City Clerk

City of Wayne

306 Pearl • P.O. Box 8
Wayne, Nebraska 68787

(402) 375-1733
Fax (402) 375-1619

Incorporated - February 2, 1884



REQUEST FOR FUTURE AGENDA ITEM

If you have a specific topic that you would like the City Council to discuss at a future meeting, please list your name, address, telephone number, and the specific topic. If you have additional documentation which would be beneficial to the topic, please attach to this form. The item will be reviewed and possibly scheduled for a future meeting, or forwarded to City staff for appropriate action.

Event insurance is required for anyone wishing to use city right-of-way (e.g. block off streets for block parties, block off sidewalks and/or alleys).

Name: Robert Woehler + Sons Constuction, Inc

Address: By BJ Woehler

123 Fairgrounds Ave Wayne, NE 68797

Telephone No.: 402-369-0049

Date of Request: 5/2/24

Description of Requested Topic: to Waiver the Mouns
Permit for a 10' x 12' shed more specifically
150.03 Mouns Buildings Section 3 f
(Certified engineers statment) and any or
all item's you would waive for this
permit



§ 150.03 MOVING BUILDINGS.

(A) Permit required.

(1) It shall be unlawful for any person to move, or cause to have moved, any permanent, previously used or otherwise occupied structure greater than 50 square feet including, but not limited to, garages and storage type structures, along or across any road, street or alley, into or within the jurisdiction of the city, except as provided in this chapter. Any person desiring to move any permanent structure, previously-used structure or otherwise occupied structure, including garages and storage type structures, upon, along or across any road, street or alley of the jurisdiction of the city shall make written application to the Building Inspector for a permit to do so.

(2) This section shall not pertain to new designed modular or mobile type structures moved into and/or through the jurisdiction of the city. Buildings and/or structures of 50 square feet or less, determined by exterior measurements of the structure, shall be exempted from this section.

(3) Prior to issuance of a moving permit, the applicant shall provide and state the following to the City Building Inspector:

- (a) A vermin-free certification from a reputable exterminating firm;
- (b) Description of the lot on which the structure is located within the jurisdiction of the city;
- (c) Proof of ownership of the structure;
- (d) A statement of verification that all taxes have been paid at the structure's current location;
- (e) Proposed route of travel of the structure;
- (f) A certified engineer's statement, unless waived by the City Council, that the movement of the structure will in no way have adverse effects upon any road surface or bridge on or along the proposed route within the city jurisdiction;
- (g) Date of the proposed move;
- (h) Proof that the structure will be moved by a licensed and bonded contract mover;
- (i) Proof of liability insurance, provided by the moving contractor, in the amount of \$1,000,000;
- (j) Estimate of the time required to complete the move;
- (k) Written and signed statement indicating the intended use of the structure at the new site;
- (l) If within the jurisdiction, a signed statement, attesting that all utilities will be properly disconnected and abandoned as per this code to include, but not be limited to, electrical connections, shutting off the water and properly plugging and sealing all sewer lines back of curb or at right-of-way;

(m) Legal description of the lot the structure will be placed upon;

(n) To-scale drawing depicting the exact location of the structure on the new site or lot, if within the jurisdiction of the city;

(o) A cost of repair, remodel or construction estimate provided by a reputable and practicing construction firm, recognized by the city as an active firm engaged in repair, remodel or new construction;

(p) A certified copy of any and all recorded covenants in place at the new lot location;

(q) An approved building permit, from the city, meeting all the requirements of the adopted Electrical and International Property Maintenance Code in effect at the time of the application;

(r) Copies of approved moving applications from all counties of jurisdiction affected by the move and/or the state, is required; and

(s) A statement from all utility entities that the movement of the structure is acceptable or that a representative of that entity will be present during the move and that the applicant agrees to pay the cost of monitoring and all subsequent related costs pursuant thereto, including, but not limited to, Electrical, Telephone, Gas, Water and the City Street Department.

(4) Prior to issuance of a moving permit, the Building Inspector shall inspect the structure at the present site or location to determine structural soundness of the building to be moved. If evidence of vermin infestation is noted, the applicant shall remove or cause to have removed adjacent interior wall coverings of all vermin-infested areas of the structure, to allow the Building Inspector to determine the extent of damage. A reinspection fee shall be charged as per the schedule outlined in the current Building Code.

(5) (a) Exception: used, previously erected or occupied modular or mobile homes seeking approval to move into or within the city shall meet all of the above conditions, except divisions (A)(3)(a), (b), (f), (h), (i), (l), (n), (o), (p), (q), (r), and (s) above. Upon inspection, the Building Official may require the owner to comply to any or all of the expected divisions listed above, where justified by inspection results. Appeal of the Building Official's decision shall be presented in writing to the Building Official's office, requesting an appeal to the specific divisions above not accepted by the Building Official, a minimum of ten days prior to the next regularly scheduled City Council meeting.

(b) In accordance with the exception above, such modular or mobile home owners, excluding those moving from one mobile home park to another within the city limits, after placing the home on a lot within the City shall be required to:

1. Close/skirt or underpin the area directly under the unit to the ground, including the tongue or towing apparatus if non-detachable;

2. Construct or otherwise provide a landing at all exterior doors a minimum of three feet in any direction;

3. Construct or otherwise provide a set of steps that meet current Building Code regulations;

4. Where indicated by current Building Code, construct a guard and handrails for the above landing and steps;

5. Obtain a statement from a licensed electrician the structure is safe to connect to the City's electrical system;

6. Install GFCI receptacles at all appropriate locations per current NEC requirements;

7. Meet all requirements as set forth in § 152.140 of this code, including tongue or towing mechanism removal and the City's adopted Property Maintenance Code.

(c) Upon completion of all of the required and stipulated conditions above, the Building Official shall issue an occupancy certificate prior to the owner or tenants occupying the structure. The owner shall not occupy structure until authorized by the Building Official.

(6) Any of the above provisions may be waived upon showing good cause and upon approval by the City Council.
(2002 Code, § 18-301; Ord. 2019-17, passed 12/17/19)