

MINUTES
CITY COUNCIL MEETING
July 2, 2024

The Wayne City Council met in regular session at City Hall on July 2, 2024, at 5:30 o'clock P.M.

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

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

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

Councilmember Brodersen made a motion, which was seconded by Councilmember Bratcher, to approve the minutes of the meeting of June 18, 2024, and to waive the reading thereof. Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Buck, Muir and Webber who were absent, the Mayor declared the motion carried and the Minutes approved.

The following claims were presented to Council for their approval:

APPROVED 6/18/24: COONEY FERTILIZER, SE, 335440.19; OTTE CONSTRUCTION COMPANY, SE, 271455.00

VARIOUS FUNDS: ACES, SE, 1127.56; ALERT 360, SE, 84.24; APPEARA, SE, 63.50; ARCADIAN MARKSMANSHIP CLUB, FE, 131.88; ARC-HEALTH & SAFETY, SE, 138.00; CASEY ELECTRIC, SE, 383.36; CITY EMPLOYEE, RE, 359.07; CITY EMPLOYEE, SE, 861.50; CITY EMPLOYEE, RE, 590.72;

CITY EMPLOYEE, SE, 362.70; CITY EMPLOYEE, RE, 62.02; CITY EMPLOYEE, RE, 267.76; CITY EMPLOYEE, RE, 8400.00; CITY OF WAYNE, RE, 1180.58; COTTONWOOD WIND PROJECT, SE, 14593.82; DANKO EMERGENCY EQUIPMENT, SU, 36005.00; DAS STATE ACCTG-CENTRAL FINANCE, SE, 537.60; ECHO GROUP, SU, 366.60; EKBERG, ERIC, SE, 434.00; ELECTRICAL ENGINEERING & EQUIPMENT, SU, 611.50; FASTWYRE BROADBAND, SE, 1616.42; FIRST CONCORD GROUP, SE, 4499.72; FLOOR MAINTENANCE, SU, 967.42; GROSSENBURG IMPLEMENT, SU, 843.87; HILAND DAIRY, SU, 89.70; HILAND DAIRY, SU, -110.54; JASON SEARS FLOORING, RE, 500.00; JEO CONSULTING GROUP, SE, 1485.56; JOHNSON, KAREN, RE, 150.00; LUTT TRUCKING, SE, 375.00; MARCO, SE, 175.92; MARCO TECHNOLOGIES, SE, 180.50; MEYER, INC, SU, 1275.00; NORTHEAST POWER, SE, 29233.54; O'REILLY AUTOMOTIVE STORES, SU, 7.74; PICK, BRENT L, RE, 250.00; RADENMACHER, CHAD, RE, 200.00; RADENMACHER, CHAD, RE, 50.00; RESCO, SU, 23382.72; STADIUM SPORTING GOODS, SU, 1219.00; TYLER TECHNOLOGIES, SE, 145.00; ZIMCO SUPPLY, SU, 1800.00; AMERITAS, SE, 224.30; AMERITAS, SE, 35.00; AMERITAS, SE, 108.86; AMERITAS, SE, 72.00; AMERITAS, SE, 3835.88; APPEARA, SE, 187.87; APX, INC -9551, FE, 56.50; BERNAL, GEORGINA, SE, 55.00; BLADES GROUP, SU, 2037.00; BOMGAARS, SU, 1677.50; BORDER STATES INDUSTRIES, SU, 4965.24; CARHART LUMBER COMPANY, SU, 101.05; CARLSON WEST POVONDRA ARCHITECTS, SE, 2365.98; CENTRAL PUMP & MOTOR, SE, 3489.47; CERTIFIED TESTING SERVICES, SE, 2100.00; CHEMQUEST, SE, 2447.50; CITY EMPLOYEE, RE, 150.00; CITY EMPLOYEE, RE, 3328.60; CITY EMPLOYEE, RE, 99.16; CITY OF WAYNE, PY, 144551.04; CITY OF WAYNE, RE, 609.27; COLONIAL RESEARCH, SU, 771.15; COMPLETE FLOORS, SE, 6172.00; COPY WRITE PUBLISHING, SE, 512.52; DEARBORN LIFE INSURANCE COMPANY, SE, 72.24; DGR & ASSOCIATES, SE, 26640.00; DUTTON-LAINSON COMPANY, SU, 10015.20; ELLIS HOME SERVICES, SE, 131.84; FLOOR MAINTENANCE, SU, 887.89; GERHOLD CONCRETE, SE, 5420.32; GLOBAL PAYMENTS INTEGRATED, SE, 1200.22; GROSSENBURG IMPLEMENT, SU, 40.73; HAWKINS, SU, 3439.14; HELENA AGRI-ENTERPRISES, SU, 1058.00; HILAND DAIRY, SU, 179.12; HILAND DAIRY, SU, 110.54; HISTORY NEBRASKA, FE, 35.00; HOEMAN, PAM, RE, 42.69; HOLIDAY INN EXPRESS – HASTINGS, SE, 107.00; HOMETOWN LEASING, SE, 456.78; ICMA, SE, 39.80; ICMA, SE, 202.78; ICMA, SE, 72.03; ICMA, SE, 130.76; ICMA, SE, 533.56; ICMA, SE, 75.00; ICMA, SE, 596.51; ICMA, SE, 10317.13; ICMA, SE, 72.03; ICMA, SE, 138.72; ICMA, SE, 1229.22; ICMA, SE, 152.88; IRS, TX, 23460.98; IRS, TX, 14616.08; IRS, TX, 5486.92; JOHNSON'S PLUMBING & HEATING, SU, 363.30; KELLY SUPPLY COMPANY, SU, 500.10; KENNY, LEVI, RE, 500.00; LIFE LINE SCREENING, RE, 200.00; LMWIN LOAD MANAGEMENT, SE, 2300.50; MARRIOTT HOTELS, SE, 238.00; MERCHANT SERVICES, SE, 122.17; MERCHANT SERVICES, SE, 5149.07; MERCHANT SERVICES, SE, 1329.83; MICHAEL TODD INDUSTRIAL SUPPLY, SU, 772.48; MILLER LAW, SE, 6250.00; MUNICIPAL SUPPLY, SU, 5365.82; MUTUAL OF OMAHA, SE, 361.80; NE DEPT OF REVENUE, TX, 6956.23; NEENAH FOUNDRY COMPANY INFRASTRUCTURE, SU, 2778.33; NORTHEASTNE INS AGENCY, SE, 144541.00; NORTHEASTPOWER, SE, 7558.00; ODEYS, SU, 743.35; ONE CALL CONCEPTS, SE, 72.52; OPTK NETWORKS, SE, 408.54; O'REILLY AUTOMOTIVE STORES, SU, 5.29; PAC N SAVE, SU, 1261.53; POSTMASTER, SU, 1107.37; QUADIENT LEASING USA, SE, 655.38; RATHBUN, DAVID, RE, 45.00; SD MYERS, SE, 2386.00; SKARSHAUG TESTING LAB, SE, 499.27; STADIUM SPORTING GOODS, SE, 50.00; STATE NEBRASKA BANK-PETTY CASH, RE, 108.50; TOTAL GRAPHICS, SE, 702.00; TYLER TECHNOLOGIES, SE, 870.00; VAN DIEST SUPPLY, SU, 228.15; VERIZON, SE, 574.39; WAYNE COUNTY COURT, RE, 141.95; WAYNE FIREWORKS COMMITTEE, SE, 2000.00; WAYNE SENIOR CENTER, SE, 93.00; WAPA, SE, 23259.01; WINNING FINISH, SE, 120.00; WISNER WEST, SU, 81.61

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, Muir and Webber who were absent, the Mayor declared the motion carried.

Mayor Giese declared the time was at hand for the public hearing to consider the Planning Commission's recommendation regarding the Replat of Lot 5B, Lot 5C, and Outlot A, of the Replat of Lot 5, Western Ridge Third Addition to the City of Wayne, Wayne County, Nebraska. The applicants are Steve and Cynthia Meyer, Brendon and Karla Pick, and Mark and Lona Meyer.

Joel Hansen, Street and Planning Director, stated the Planning Commission held a public hearing on this matter July 1st. After discussion, the Planning Commission voted unanimously to forward a recommendation of approval and to include staff's recommendation that Outlot A be dedicated by the owners to extend Milo Drive for the length of the two new lots and for the right-of-way to be widened from 50' to 60' for that same length.

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

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

Councilmember Eischeid introduced Resolution 2024-34, and moved for its approval; Councilmember Houser seconded.

RESOLUTION NO. 2024-34

A RESOLUTION APPROVING THE REPLAT OF LOT 5B, LOT 5C, AND OUTLOT A, OF THE REPLAT OF LOT 5, WESTERN RIDGE THIRD ADDITION TO THE CITY OF WAYNE, WAYNE COUNTY, NEBRASKA.

Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Buck, Muir and Webber who were absent, the Mayor declared the motion carried.

Diane Bertrand, Senior Center Director, gave a report on what is taking place at the Senior Center. George Burcham, President of the Senior Center Board, was also present.

Diane Bertand, Senior Center Director, requested Council consideration to approving the submission of the Senior Center Budget to the Northeast Nebraska Area Agency on Aging. The Senior Center must apply for State funding for the meal program, and Council must approve the budget to be submitted to the Northeast Nebraska Area Agency on Aging. In addition, she requested Council action on

acceptance of the new fiscal year Service Awards that have been awarded by the Area Agency and approval of any revisions made during the fiscal year to the Service Awards.

Councilmember Brodersen made a motion, which was seconded by Councilmember Bratcher, approving the submission of the Wayne Senior Center's Fiscal Year 2024 detailed plan of operation and budget to the Northeast Nebraska Area Agency on Aging; acceptance of new fiscal year Service Awards that have been awarded by the Area Agency; and approval of any revisions made during the fiscal year to the Service Awards. Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Buck, Muir and Webber who were absent, the Mayor declared the motion carried.

Kelley Rosburg, representing Carlson West Povondra Architects, presented Application and Certificate of Payment No. 8 from Otte Construction Company, LLC, in the amount of \$370,281.00 for the "Wayne City Hall and Police Relocation Project."

Keith Moje, representing Otte Construction Company, LLC, was also present to update the Council on the project.

Councilmember Eischeid made a motion, which was seconded by Councilmember Brodersen, approving Application and Certificate of Payment No. 8 in the amount of \$370,281.00 to Otte Construction Company, LLC, for the "Wayne City Hall and Police Relocation Project." Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Buck, Muir and Webber who were absent, the Mayor declared the motion carried.

Ms. Rosburg then presented Change Estimate No. 011, for \$106,308.00 to Otte Construction Company, LLC, for the "Wayne City Hall and Police Relocation Project." The City requested a cost proposal to saw cut, remove additional existing paving, prepare 18" subgrade, and replace with 7" pavement on the west parking area.

Mr. Moje, in response to Councilmember Eischeid's question, stated he had reached out to Lorensen Redi-Mix and Gerhold Concrete for bids on the concrete. Lorensen Redi-Mix did not give them a price because they are not able to handle the load; they are too busy this fall. However, Mr. Moje did

reach out to them to get a comparison price of 47B4000 mix concrete. It is about \$9 - \$11 less than Gerhold Concrete's price.

After discussion, Councilmember Eischeid made a motion, which was seconded by Councilmember Brodersen, approving Change Estimate No. 011, for \$106,308.00 to Otte Construction Company, LLC, for the "Wayne City Hall and Police Relocation Project." Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Buck, Muir and Webber who were absent, the Mayor declared the motion carried.

Luke Virgil, Director of Wayne Area Economic Development, gave his department's report and also the semi-annual LB840 Activity Report to Council.

Councilmember Brodersen made a motion, which was seconded by Councilmember Eischeid, to set the Mini-Retreat date for Tuesday, July 30th, at 5:30 p.m. at the Wayne Fire Hall. Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Buck, Muir and Webber who were absent, the Mayor declared the motion carried.

Councilmember Brodersen made a motion, which was seconded by Councilmember Bratcher, setting the budget work session for August 6th after the regularly scheduled Council meeting. Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Buck, Muir and Webber who were absent, the Mayor declared the motion carried.

Councilmember Eischeid made a motion, which was seconded by Councilmember Brodersen, to enter into executive/closed session to discuss potential negotiations on real property, with the purpose being to protect the financial interest of the City, and to allow City Administrator Blecke, City Clerk McGuire, and City Attorney Miller to also be in attendance. Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Buck, Muir and Webber who were absent, the Mayor declared the motion carried, and executive/closed session began at 6:24 p.m.

Mayor Giese again stated the matter to be discussed in executive/closed session relates to the discussion on potential negotiations on real property.

Councilmember Brodersen made a motion, which was seconded by Councilmember Bratcher, to resume open session. Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Buck, Muir and Webber who were absent, the Mayor declared the motion carried, and open session resumed at 6:41 p.m.

There being no further business to come before the meeting, Mayor Giese declared the meeting adjourned at 6:41p.m.