

**MINUTES  
CITY COUNCIL MEETING  
October 1, 2024**

The Wayne City Council met in regular session at City Hall on October 1, 2024, at 5:30 o'clock P.M.

Council President Jill Brodersen 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, and Matt Eischeid; City Administrator Wes Blecke; City Clerk Betty McGuire; and City Attorney Amy Miller. Absent: Mayor Cale Giese.

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.

Council President Brodersen 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, she 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 Buck made a motion, which was seconded by Councilmember Webber, to approve the minutes of the meeting of October 1, 2024, and to waive the reading thereof. Council President Brodersen stated the motion, and the result of roll call being all Yeas, the Council President declared the motion carried and the Minutes approved.

The following claims were presented to Council for their approval:

**VARIOUS FUNDS APPROVED 9/17/24:** OTTE CONSTRUCTION, SE, 167967.00; TR HARRIS CONSTRUCTION, SE, 154575.00

**2023/2024 VARIOUS FUNDS:** AMERITAS, SE, 140.20; AMERITAS, SE, 184.72; AMERITAS, SE, 35.00; AMERITAS, SE, 72.00; AMERITAS, SE, 3894.00; APPEARA, SE, 76.64; APPEARA, SE, 62.81; ARNIE'S FORD, SU, 611.15; AUTOMATIC SYSTEMS, SE, 1171.25; BELITZ, GARRETT, SE, 132.00; BENSCOTER CONSTRUCTION, RE, -1000.00; BENSCOTER CONSTRUCTION, RE, 1000.00; BENSON, ANNA, RE, 150.00; BIO-ELECTRONICS, SU, 1266.64; BLACKSTONE LABORATORIES, SE, 35.00; BOMGAARS, SU, 3358.21; BURR, THOMAS, SE, 30.00; CINTAS, SU, 590.31; CITY EMPLOYEE, RE, 275.00; CITY EMPLOYEE, RE, 297.08; CITY EMPLOYEE, RE, 166.74; CITY EMPLOYEE, RE, 74.68; CITY EMPLOYEE, RE, 417.15; CITY EMPLOYEE, RE, 133.70; CITY EMPLOYEE, RE, 154.57; CITY EMPLOYEE, RE, 3187.58; CITY EMPLOYEE, RE, 160.45; CITY EMPLOYEE, RE, 1682.83; CITY OF NORFOLK, SE, 149.12; CITY OF WAYNE, RE, 77.36; CITY OF WAYNE, RE, -137.06; CITY OF WAYNE, RE, -918.46; CITY OF WAYNE, PY, 125961.57; COULTER, JAYDEN, SE, 75.00; DAS STATE ACCTG-CENTRAL FINANCE, SE, 612.33; DEMCO, SU, 155.46; DGR & ASSOCIATES, SE, 28119.00; DUNNING, CAROL, RE, 60.00; DUTTON-LAINSON, SU, 208.80; EAKES OFFICE PLUS, SE, 126.78; EISCHEID, MATT, RE, 1000.00; ELECTRICAL ENGINEERING & EQUIPMENT, SU, 17.15; ELLIS HOME SERVICES, SE, 95.00; FLOOR MAINTENANCE, SU, 308.13; GALE/CENGAGE LEARNING, SU, 159.84; GERHOLD CONCRETE, SU, 2367.44; GROSSENBURG IMPLEMENT, SU, 21.65; HAYDEN, HUNTER, SE, 144.00; HILAND DAIRY, SU, 151.73; ICMA, SE, 138.72; ICMA, SE, 130.76; ICMA, SE, 1536.96; ICMA, SE, 72.03; ICMA, SE, 152.88; ICMA, SE, 803.82; ICMA, SE, 10573.60; ICMA, SE, 72.03; ICMA, SE, 75.00; ICMA, SE, 534.38; ICMA, SE, 41.00; ICMA, SE, 202.78; IRS, TX, 20866.38; IRS, TX, 13871.05; IRS, TX, 4880.12; ISLAND SPRINKLER SUPPLY, SU, 468.87; JEO CONSULTING GROUP, SE, 884.69; KARSKY, RYAN, SE, 45.00; KELLY SUPPLY, SU, 435.24; KRUNTORAD, MICHAEL, SE, 60.00; LUTT OIL, SE, 1176.32; MAIN STREET GARAGE, SE, 67.64; MARCO, SE, 175.92; MARCO TECHNOLOGIES, SE, 180.50; MARKWORTH, NATALI, RE, -72.29; MILLER, DREW, SE, 30.00; MUNICIPAL SUPPLY, SU, 189.97; NDEE-FISCAL SERVICES, FE, 500.00; NE DEPT OF REVENUE, TX, 6401.67; NE DEPT OF REVENUE-COMPLIANCE DIV, RE, 347.09; NE PUBLIC HEALTH ENVIRONMENTAL LAB, SE, 928.00; NE STATE TREASURER, RE, 133.04; NE STATE TREASURER, RE, 918.46; O'NEILL, DALI, RE, 850.00; PREMIER BIOTECH, SE, 72.18; PROCHASKA, MADELYN, RE, -33.75; REDDEN, GAVIN, SE, 15.00; REINHARDT, DREW, SE, 15.00; SEILER INSTRUMENT & MFG. CO, SE, 970.00; SKARSHAUG TESTING LAB, SE, 3824.85; STAN HOUSTON EQUIPMENT, SU, 1231.98; STAPLES, SU, 236.80; STATE NEBRASKA BANK & TRUST, SE, 200.00; THE RETROFIT COMPANIES, SE, 5364.55; THETA PHI ALPHA, RE, 200.00; THETA PHI ALPHA, RE, -200.00; TRI-STATE COMMUNICATIONS, SE, 250.00; USA BLUE BOOK, SU, 228.32; VERIZON, SE, 623.33; WATSON, DIONDRE, RE, -27.00; WAYNE COUNTY COURT, RE, 1000.00; WAYNE DANCE COMPANY, RE, -200.00; WAYNE DANCE COMPANY, RE, 200.00; WESCO, SU, 10723.54; WILLIAMS, LACEY, RE, -20.00; YORK, KASEN, RE, -20.00; ALCANTARA, PATRICIA, RE, 150.00; APPEARA, SE, 52.80; APPEARA, SE, 52.80; BEACOM, LEXI, SE, 70.00; BLACKSTRAP, SU, 3691.03; BLAZER PRODUCTIVE PRODUCTS, SU, 1200.00; BLAZER PRODUCTIVE PRODUCTS, SU, 150.00; BORDER STATES INDUSTRIES, SU, 542.52; CARHART LUMBER COMPANY, SU, 172.06; CENTRAL SAND AND GRAVEL, SU, 2834.04; CHEMQUEST, SE, 695.00; CIRBA SOLUTIONS SERVICES, SU, 108.95; CITY EMPLOYEE, RE, 1012.42; CITY EMPLOYEE, RE, 627.39; CITY EMPLOYEE, RE, 521.13; CITY EMPLOYEE, RE, 175.00; CITY EMPLOYEE, RE, 1100.26; CITY EMPLOYEE, RE, 30.02; CORNHUSKER INTERNATIONAL TRUCKS, SU, 1768.79; DAHLEN, RACHEL, SE, 110.00; DANKO EMERGENCY EQUIPMENT, SU, 270.00; DITCH WITCH UNDERCON, SU, 94.20; FLOOR MAINTENANCE, SU, 456.06; GERHOLD CONCRETE, SU, 1692.90; GROSSENBURG IMPLEMENT, SU, 6087.46; HAWKINS, SU, 1711.74; HELENA AGRI-ENTERPRISES, SU, 290.00; JEANETTE JOHNSON, SE, 5000.00; JOHNSON SERVICE, SE, 4676.00; KELLY SUPPLY COMPANY, SU, 2263.10; L & L THOMPSON CONSTRUCTION, SE, 8510.00; LINCOLN WINWATER WORKS, SU, 321.00; MILLER LAW, SE, 1908.12; NICK'S WOOD SHOP, SU, 2497.00; NO SWETT FENCING, SE, 1050.00; NORTHEAST NE INS AGENCY, SE, 257.50; NORTHEAST POWER, SE, 2206.00; NORTHEAST POWER, SE, 5549.00; NORTHEAST POWER, SE, 27387.63; NORTHEAST POWER, SE, 8331.00; OVERDRIVE, SU, 1293.70; POSTMASTER, SU, 1207.26; QUADIENT FINANCE USA, SU, 1000.00; ROSENBAUM, RYLEE, SE,

90.00; SKARSHAUG TESTING LAB, SE, 312.66; SOOLAND BOBCAT, SU, 92.59; STATE NEBRASKA BANK-PETTY CASH, RE, 443.72; STATE NEBRASKA BANK-PETTY CASH, RE, 72.39; STATE NEBRASKA BANK-PETTY CASH, RE, 300.00; STATE TREASURER OF NE, SE, 703.94; TOM'S BODY & PAINT SHOP, SE, 30.00; TOTAL GRAPHICS, SU, 430.00; TYLER TECHNOLOGIES, SU, 1403.00; US BANK, SU, 13922.62; UTILITY EQUIPMENT, SU, 984.25; VAN LIERE, SHELBY, SE, 120.00; VANDONKERSOED, KYLAH, SE, 140.00; WAYNE HIGH SCHOOL, RE, 6582.25; WAYNE HIGH SCHOOL, SE, 50.00; WAYNE STATE COLLEGE, SE, 194.00; WESCO, SU, 132.68; WHITE FARMHOUSE REALTY, SE, 1300.00

**2024/2025 VARIOUS FUNDS:** ACES, SE, 1127.56; BLUE CROSS BLUE SHIELD, SE, 60624.53; DEARBORN LIFE INSURANCE COMPANY, SE, 79.12; HOMETOWN LEASING, SE, 456.78; MILLER LAW, SE, 6250.00; MUTUAL OF OMAHA, SE, 405.00; PROVIDENCE MEDICAL CENTER, SE, 77558.00

Councilmember Bratcher made a motion, which was seconded by Councilmember Webber, to approve the claims. Council President Brodersen stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Eischeid who abstained on his claim only, the Council President declared the motion carried.

Deb Poehling, Northeast Field Service Representative for the Nebraska Department of Economic Development, presented the City with a plaque recognizing its recertification under the Economic Development Certified Community Program. The City of Wayne has been approved for recertification from 2024-2029. Wayne was originally EDCC certified in 2008 and had been EDCC recertified in 2012 and 2018.

No discussion or action was taken on Agenda Item No. 6 — Action on the recommendation of the LB840 Revolving Loan Fund Review Committee on the application of Michael and Rebecca Brudigam, d/b/a “Tom’s Auto Body” for \$110,000 to purchase the business and real estate, for the reason that that the Review Committee had not yet met on the matter.

Council President Brodersen requested Council consideration to appointing Luke Virgil, Economic Development Director, to the Problem Resolution Team (until the position of the Housing Director is filled).

Councilmember Eischeid made a motion, which was seconded by Councilmember Webber, approving the appointment of Luke Virgil, Economic Development Director, to the Problem Resolution Team (until the position of the Housing Director has been filled). Council President Brodersen stated the motion, and the result of roll call being all Yeas, the Council President declared the motion carried.

Council President Brodersen requested Council consideration to reappointing Abby Schademann (term will end 2028) and appointing Dakota Schroll (to fill the vacancy left by Mike Carnes) to the Library Board.

Councilmember Eischeid made a motion, which was seconded by Councilmember Karsky, approving the reappointment of Abby Schademann (term will end 2028) and the appointment of Dakota Schroll (to fill the vacancy left by Mike Carnes) to the Library Board. Council President Brodersen stated the motion, and the result of roll call being all Yeas, the Council President declared the motion carried.

Administrator Blecke, representing Carlson West Povondra Architects, presented Application and Certificate of Payment No. 11 from Otte Construction Company, LLC, in the amount of \$287,832.00 for the “Wayne City Hall and Police Relocation Project.”

Keith Moje with Otte Construction Company, LLC, updated the Council on the project.

Councilmember Eischeid made a motion, which was seconded by Councilmember Buck, approving Application and Certificate of Payment No. 11 in the amount of \$287,832.00 to Otte Construction Company, LLC, for the “Wayne City Hall and Police Relocation Project.” Council President Brodersen stated the motion, and the result of roll call being all Yeas, the Council President declared the motion carried.

The following Resolution and Ordinance pertain to the sale of Lot 19, Southview II Addition to the City of Wayne, Wayne County, Nebraska, to Lowell and Terri Heggemeyer, Husband and Wife, who have offered the sum of \$15,000 for said property. They intend to build a smaller home on the lot to live in.

Administrator Blecke suggested if Council would move forward with the sale, that they put some type of a restriction on the same (e.g. 24-30 months to build).

The Heggemeyers have talked with Joel Hansen, Zoning Administrator, regarding floodplain issues, etc. It was noted that March, 2026, is when the new floodplain information will come out.

Councilmember Brodersen introduced Resolution 2024-58, and moved for its approval, with conditions on the sale being payment of a \$5,000 performance lien and for the buyers to have an occupancy permit within 30 months (3/1/27); Councilmember Eischeid seconded.

RESOLUTION NO. 2024-58

A RESOLUTION AUTHORIZING THE SALE OF LOT 19, SOUTHVIEW II ADDITION TO THE CITY OF WAYNE, WAYNE COUNTY, NEBRASKA, TO LOWELL AND TERRI HEGGEMEYER, HUSBAND AND WIFE, FOR \$15,000.00, INCLUDING A \$5,000 PERFORMANCE LIEN, AND TO HAVE AN OCCUPANCY PERMIT WITHIN 30 MONTHS (3/1/27).

Council President Brodersen stated the motion, and the result of roll call being all Yeas, the Council President declared the motion carried.

Councilmember Eischeid introduced Ordinance No. 2024-12, and moved for approval thereof; Councilmember Webber seconded.

ORDINANCE NO. 2024-12

AN ORDINANCE DIRECTING THE SALE OF LOT 19, SOUTHVIEW II ADDITION TO THE CITY OF WAYNE, WAYNE COUNTY, NEBRASKA, TO LOWELL AND TERRI HEGGEMEYER, HUSBAND AND WIFE, FOR \$15,000.00.

Council President Brodersen stated the motion, and the result of roll call being all Yeas, the Council President declared the motion carried.

Councilmember Eischeid made a motion, which was seconded by Councilmember Houser, to suspend the statutory rules requiring ordinances to be read by title on three different days. Council President Brodersen stated the motion, and the result of roll call being all Yeas, the Council President declared the motion carried.

Councilmember Eischeid made a motion, which was seconded by Councilmember Houser, to move for final approval of Ordinance No. 2024-12. Council President Brodersen stated the motion, and the result of roll call being all Yeas, the Council President declared the motion carried.

Lowell Heggemeyer, Parks and Recreation Director, obtained two quotes for the purchase of a new wheel loader that will replace their 2018 Bobcat tool cat that has 2000 hours on it. The low quote, with trade-in, was from Sooland Bobcat, Sioux City, for \$60,083.04.

Councilmember Webber introduced Resolution 2024-59 and moved for its approval; Councilmember Houser seconded.

RESOLUTION NO. 2024-59

A RESOLUTION APPROVING THE SPECIFICATIONS AND AUTHORIZING THE PURCHASE OF A BOBCAT L95 COMPACT WHEEL LOADER AND RELATED EQUIPMENT AS PER THE BID PROPOSAL RECEIVED FROM SOOLAND BOBCAT, SIOUX CITY, IOWA (\$60,083.04).

Council President Brodersen stated the motion, and the result of roll call being all Yeas, the Council President declared the motion carried.

The following Resolution would approve an amended Capacity Purchase Agreement, which was approved by Northeast Power last night, and would increase the \$1.25 kW-month to \$4.50 per kW-month effective June 1, 2025. It also includes an annual increase of 2% or a maximum of \$5.50 per kW month. Once the City gets into a new contract with whoever its new provider is, we can then give notice and get all of our capacity together.

Councilmember Eischeid introduced Resolution No. 2024-60 and moved for its approval; Councilmember Webber seconded.

RESOLUTION NO. 2024-60

A RESOLUTION APPROVING THE CAPACITY PURCHASE AGREEMENT BETWEEN NORTHEAST NEBRASKA PUBLIC POWER DISTRICT, THE CITY OF WAYNE, NEBRASKA, AND BIG RIVERS ELECTRIC COOPERATIVE, AND AUTHORIZING THE EXECUTION THEREOF.

Council President Brodersen stated the motion, and the result of roll call being all Yeas, the Council President declared the motion carried.

Casey Junck, Water/Wastewater Superintendent, stated he has obtained a quote to line a section of the sewer main on Pine Heights Road. This particular section of sewer main on Pine Heights Road backed up a couple years ago (November, 2022), and the flow ended up going into Allison Szantor's basement. The cause of the backup was determined to be a massive amount of tree roots that completely plugged the City's sewer main. Staff ended up jetting the main several times to get it open, but eventually had to have Johnson Service come and use their root cutter. After that, they performed a root foaming treatment.

Staff had their crew camera the line last month when they were in town, and the line was already being taken over by roots again, so they went ahead and cleaned it as best as they could. Staff had Johnson

Service come back yesterday to provide a quote to line it so that the roots will not be able to penetrate the seams and cause any future backups. The only alternative to lining the main is tearing out the street and completely replacing the sewer main, which would be much more expensive. The proposed estimate for this work (sewer lining) is \$29,994.

Councilmember Houser made a motion, which was seconded by Councilmember Bratcher, to approve the quote from Johnson Service Company for \$29,994 to do a sewer lining project on Pine Heights Road. Council President Brodersen stated the motion, and the result of roll call being all Yeas, the Council President declared the motion carried.

Josie Broders, owner of Wayne Area Event Center, was present to discuss her inability to repay her LB840 loan payment before 10/10/24 and to request Council consideration to extending her LB840 due date/payment date from 10/10/24 to 10/31/24. She has made two payments in the past week - \$5,000 and \$9,750. The balance remaining is \$14,571.73. She advised the Council she has two weddings this week and would be able to make the remaining payment.

Council President Brodersen made a motion, which was seconded by Councilmember Eischeid, to approve the request of Josie Broders, owner of Wayne Area Event Center, to extend the due date/payment date on her LB840 remaining loan payment from 10/10/24 to 10/31/24. Council President Brodersen stated the motion, and the result of roll call being all Yeas, the Council President declared the motion carried.

There being no further business to come before the meeting, Council President Brodersen declared the meeting adjourned at 6:25 p.m.