

**MINUTES
CITY COUNCIL MEETING
November 19, 2024**

The Wayne City Council met in regular session at City Hall on November 19, 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; and Attorney Ted Lohrberg. Absent: 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.

Councilmember Brodersen made a motion, which was seconded by Councilmember Bratcher, to approve the minutes of the meeting of November 5, 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 11/5/24: OTTE CONSTRUCTION, SE, 505484.00; OTTE CONSTRUCTION, SE, 208539.00

VARIOUS FUNDS: APPEARA, SE, 122.37; ARC-HEALTH & SAFETY, SE, 265.00; AUTOMATIC SYSTEMS, SU, 363.86; BERNS, NANCY, RE, 50.00; BSN SPORTS, SU, 491.64; CARHART LUMBER COMPANY, SU, 444.28; CARLSON WEST POVONDRA ARCHITECTS, SE, 283.50; CHEMQUEST, SE, 695.00; CITY EMPLOYEE, RE, 314.29; CITY EMPLOYEE, RE, 4.56; CITY EMPLOYEE, RE, 530.54; CITY EMPLOYEE, RE, 165.29; CITY OF NORFOLK, SE, 149.12; COPY WRITE PUBLISHING, SE, 716.24; CORE & MAIN, SU, 1324.56; COTTONWOOD WIND PROJECT, SE, 17832.25; DAUM TREE SERVICE, SE, 639.00; DEMCO, SU, 115.95; DUTTON-LAINSON COMPANY, SU, 350.59; ED M. FELD EQUIPMENT, SU, 121.59; ELECTRICAL ENGINEERING & EQUIPMENT, SU, 264.06; FAITH REGIONAL PHYSICIAN SERV, SE, 170.00; FLOOR MAINTENANCE, SU, 1333.75; FOOTE, BRIAN, RE, 500.00; GALE/CENGAGE LEARNING, SU, 106.56; GREAT PLAINS COMMUNICATIONS, RE, 11000.00; HILAND DAIRY, SE, 300.03; INGRAM LIBRARY SERVICES, SU, 885.44; LIVING HERE, SU, 29.96; LUTT OIL, SU, 6580.06; MAIN STREET GARAGE, SU, 1890.36; MARRIOTT HOTELS, SE, 358.00; MUTUAL OF OMAHA, SE, 397.80; NPPD, SE, 8250.24; OCLC, SE, 379.72; OVERDRIVE, SU, 1062.33; RADARSIGN, SU, 18212.00; RODRIGUEZ, NANCY, SE, 55.00; SARGENT DRILLING, SE, 47183.98; SERVICE TECH OF CENTRAL IOWA, SU, 400.00; THE MAJESTIC THEATER, FE, 200.00; US FOODSERVICE, SU, 3005.42; WAYNE VETERINARY CLINIC, SE, 70.00; WAPA, SE, 18571.85; WISNER WEST, SU, 104.23; AERZEN USA CORPORATION, SU, 1036.81; ALLO COMMUNICATIONS, SE, 1242.89; AMERITAS, SE, 72.00; AMERITAS, SE, 186.92; AMERITAS, SE, 35.00; AMERITAS, SE, 3601.52; AMERITAS, SE, 138.19; APPEARA, SE, 76.98; BESSMER, RYLEE, RE, 200.00; BIG RIVERS ELECTRIC CORPORATION, SE, 165987.67; BLACK HILLS ENERGY, SE, 467.68; BOK FINANCIAL, RE, 217862.50; CARHART LUMBER COMPANY, SU, 9.78; CHRISTIAN CHINCHILLA, RE, 30.00; CINTAS, SU, 388.36; CITY EMPLOYEE, RE, 237.36; CITY OF WAYNE, PY, 117635.81; CITY OF WAYNE, RE, 1851.37; DAS STATE ACCTG-CENTRAL FINANCE, SE, 74.73; DGR & ASSOCIATES, SE, 39893.50; EAKES OFFICE PLUS, SE, 298.26; ECHEVESTE, SONIA, RE, 35.00; ELLIS HOME SERVICES, SE, 90.00; ENDICOTT, ADAM, RE, 30.00; FASTWYRE BROADBAND, SE, 838.12; FLOOR MAINTENANCE, SU, 436.01; GERHOLD CONCRETE, SU, 460.40; GROSSENBURG IMPLEMENT, SU, 3353.00; HADCOCK, JOHN, RE, 500.00; HANSEN, TONY, RE, 30.00; HAWKINS, SU, 3679.26; HEITHOLD, MANDY, RE, 30.00; HIGHT, TUCKER, RE, 30.00; HILAND DAIRY, SE, 137.36; HUBER TECHNOLOGY, SU, 300.00; ICMA, SE, 10219.24; ICMA, SE, 2437.50; ICMA, SE, 202.78; ICMA, SE, 41.00; ICMA, SE, 533.56; ICMA, SE, 75.00; ICMA, SE, 138.72; ICMA, SE, 803.82; ICMA, SE, 152.88; ICMA, SE, 130.76; INTOXIMETERS, SE, 1166.00; IOWA PUMP WORKS, SU, 395.60; IRS, TX, 19756.30; IRS, TX, 13617.85; IRS, TX, 4620.40; JEO CONSULTING GROUP, SE, 13667.17; JOHNSON FITNESS & WELLNESS, SE, 903.40; KAI, ALLISON, RE, 30.00; KELLY SUPPLY COMPANY, SU, 781.94; KEPCO ENGRAVING, SU, 38.20; KTCH, SE, 170.00; KUTCHA, MARY, RE, 30.00; L.G. EVERIST, SU, 1063.11; LEAGUE OF NEBRASKA MUNICIPALITIES, FE, 528.40; LOVE SIGNS, SU, 9000.00; MID-STATES UTILITY TRAILER SALES, SU, 12400.00; MILLER LAW, SE, 6250.00; MUNICIPAL ENERGY AGENCY OF NE, FE, 400.00; NE DEPT OF REVENUE, TX, 5966.83; NE DEPT OF REVENUE-COMPLIANCE DIV, RE, 347.09; NE PUBLIC HEALTH ENVIRONMENTAL LAB, SE, 247.00; O'REILLY AUTOMOTIVE STORES, SU, 348.86; PARKER, RUSTY, RE, 150.00; PLUMBING & ELECTRIC SERVICE, RE, 35.00; PROVIDENCE MEDICAL CENTER, FE, 199.00; RODRIGUEZ, NANCY, SE, 68.75; RONHOVDE, ANNE, RE, 30.00; SOOLAND BOBCAT, SU, 1376.52; STADIUM SPORTING GOODS, SU, 1080.00; STAPLES, SU, 498.59; TAYLOR, CHRISTY, RE, 200.00; US BANK, SU, 12929.33; USA BLUE BOOK, SU, 27.35; VERIZON, SE, 594.81; VILLA, ELIZABETH, RE, 150.00; WAYNE AUTO PARTS, SU, 155.15; WAYNE COUNTY CLERK, SE, 30.00; WAYNE HERALD, SE, 66.00; WAYNE STATE COLLEGE, RE, 72700.39; WESCO, SU, 6280.90; WESTRUM LEAK DETECTION, SE, 3300.00; WILLIAMSON, CARRIE, RE, 30.00; ZACH HEATING & COOLING, SE, 79.00

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

Amy White, Director of Student Activities & Student Center - Wayne State College, requested Council consideration concerning their request for permission to have a bonfire on the Wayne State College Campus, Tuesday, December 3, 2024, from 6:00 p.m. to 8:00 p.m. (weather permitting).

Councilmember Eischeid made a motion, which was seconded by Councilmember Webber, approving the request of Amy White, Director of Student Activities & Student Center – Wayne State College, approving their request to have a bonfire on the Wayne State College Campus, Tuesday, December 3, 2024, from 6:00 p.m. to 8:00 p.m. (weather permitting). Mayor Giese stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Phil Monahan, Fire Chief, introduced Kalli Reese and requested Council consideration to approving her membership application to the Wayne Volunteer Fire Department. It was noted that Kalli is also an EMT.

Councilmember Brodersen made a motion, which was seconded by Councilmember Houser, approving the membership application of Kalli Reese to the Wayne Volunteer Fire Department. Mayor Giese stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Phil Monahan, Fire Chief, introduced Emma Holloway and requested Council consideration to approving her membership application to the Wayne Volunteer Fire Department. Emma is working on becoming an EMT at this time.

Councilmember Brodersen made a motion, which was seconded by Councilmember Muir, approving the membership application of Emma Holloway to the Wayne Volunteer Fire Department. Mayor Giese stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Phil Monahan, Fire Chief, introduced McKinley Dawson and requested Council consideration to approving his membership application to the Wayne Volunteer Fire Department. This will put the department up to 28 members.

Councilmember Brodersen made a motion, which was seconded by Councilmember Webber, approving the membership application of McKinley Dawson to the Wayne Volunteer Fire Department. Mayor Giese stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Matthew Smith, representing Olsson, presented Change Order No. 002 for \$10,373.00 to TR Harris for the “Wayne Prairie Park Phase 3 Lake Amenities Project.” This Change Order increase pertains to finalizing quantities (installing additional trail from the lake to the east roadway, some additional dirt work/backfilling, and removing the section of the trail south of the bridge). TR Harris has requested that this be the final close-out of the project. They have everything completed but the sidewalk in front of the bathhouse. Since they have to wait until the bathhouse is finished, they have requested to close out this portion of the project. Once the bathhouse has been set and constructed, they will come back next spring/summer and finish the sidewalk.

Councilmember Brodersen made a motion, which was seconded by Councilmember Buck, approving Change Order No. 002 for \$10,373.00 to TR Harris for the “Wayne Prairie Park Phase 3 Lake Amenities’ Project.” Mayor Giese stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Matthew Smith, representing Olsson, presented Certificate of Payment No. 4 (Final) in the amount of \$36,154.62 to TR Harris for the “Wayne Prairie Park Lake Amenities’ Project.”

Councilmember Brodersen made a motion, which was seconded by Councilmember Karsky, approving Certificate of Payment No. 4 (Final) in the amount of \$36,154.62 to TR Harris for the “Wayne Prairie Park Lake Amenities’ Project.” Mayor Giese stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

The following Resolution would accept the completion and work on the “Wayne Prairie Park Phase III Lake Amenities’ Project” with TR Harris Construction, Inc. There is a one-year warranty on the project.

Councilmember Brodersen introduced Resolution 2024-65, and moved for its approval; Councilmember Muir seconded.

RESOLUTION NO. 2024-65

A RESOLUTION ACCEPTING COMPLETION OF THE “WAYNE PRAIRIE PARK PHASE III LAKE AMENITIES’ PROJECT” WITH TR HARRIS CONSTRUCTION, INC.

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

The following two Resolutions, if approved, would initiate a 3-year rate adjustment on both the water and sewer bills. The increase will start with the meter readings taken on 1/15/25. The bills received 3/1/25 will reflect the increase. It has been three years since the last increase.

Councilmember Eischeid introduced Resolution 2024-66, and moved for its approval; Councilmember Houser seconded.

RESOLUTION NO. 2024-66

A RESOLUTION TO ESTABLISH RESIDENTIAL, COMMERCIAL AND SPECIAL USE WATER SERVICES AND USE RATES.

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

Councilmember Eischeid introduced Resolution 2024-67, and moved for its approval; Councilmember Houser seconded.

RESOLUTION NO. 2024-67

A RESOLUTION AMENDING SEWER SERVICE AND USE RATES.

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

The following agenda item is being brought back for reconsideration by Council President Brodersen concerning the use of the Freedom Park Shelter House by the Girl Scouts/Boy Scouts. She

would like the Girl Scouts/Boy Scouts to be able to use the facility rent-free without having to come before Council for approval each time. When the City demolished the Girl Scout Cabin, Council said we will build you this building and you can use it for the scout meetings, storage, etc. She thinks they should be able to use that building as long as someone else does not have it rented without having to come before Council. They would still be required to have a deposit.

After discussion, Councilmember Eischeid introduced Resolution 2024-68, and moved for its approval; Councilmember Houser seconded.

RESOLUTION NO. 2024-68

A RESOLUTION AMENDING THE RENTAL AGREEMENT FOR THE USE OF THE FREEDOM PARK SHELTER HOUSE.

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

Mayor Giese requested Council consideration to the following mayoral appointments to the Recreation-Leisure Services Commission: Carol Ellenbecker, Bryce Meyer and Justin Davis.

Councilmember Brodersen made a motion, which was seconded by Councilmember Webber, approving the mayoral appointments of Carol Ellenbecker, Bryce Meyer and Justin Davis to the Recreation-Leisure Services Commission. Mayor Giese stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Councilmember Eischeid made a motion, which was seconded by Councilmember Webber, to enter into executive/closed session for the purpose of protecting the public interest, regarding the update from Dave Peterson, JEO Consulting Group, on the initial interviews with companies that submitted proposals for the Southwest Power Pool Market Participant duties, and to allow Mayor and Council, Administrator Blecke, Dave Peterson and Attorney Lohrberg to be in attendance. Mayor Giese stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried, and executive/closed session began at 6:00 p.m.

Mayor Giese again stated the matter to be discussed in executive/closed session relates to the update from Dave Peterson, JEO Consulting Group, on the initial interviews with companies that submitted proposals for the Southwest Power Pool Market Participant duties.

Councilmember Brodersen made a motion, which was seconded by Councilmember Webber, to resume open session. Mayor Giese stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried, and open session resumed at 6:50 p.m.

There being no further business to come before the meeting, Mayor Giese declared the meeting adjourned at 6:50 p.m.