

**MINUTES  
CITY COUNCIL MEETING  
January 21, 2025**

The Wayne City Council met in regular session at City Hall on January 21, 2025, 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, Parker Bolte, Dwaine Spieker, Brittany Webber, Jason Karsky, Matt Eischeid and Jill Brodersen; City Administrator Wes Blecke; City Clerk Betty McGuire; and City Attorney Amy Miller. Absent: Councilmember Clayton Bratcher.

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 Houser, to approve the minutes of the meeting of January 7, 2025, and to waive the reading thereof. Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Bratcher who was absent, the Mayor declared the motion carried and the Minutes approved.

The following claims were presented to Council for their approval:

**APPROVED 1/7/25:** OTTE CONSTRUCTION, SE, 238961.00; OTTE CONSTRUCTION, SE, 144357.00  
**VARIOUS FUNDS:** ACE HARDWARE, SU, 1748.15; AMERITAS, SE, 253.88; AMERITAS, SE, 35.00; AMERITAS, SE, 4395.52; AMERITAS, SE, 141.66; AMERITAS, SE, 72.00; APPEARA, SE, 81.44;

APPEARA, SE, 52.80; ARKFELD LOCK & SECURITY, SE, 127.50; BERNAL, GEORGINA, SE, 55.00; BINSWANGER GLASS, SU, 5512.00; BINSWANGER GLASS, SU, 1545.38; BOMGAARS, SU, 182.09; BORDER STATES INDUSTRIES, SU, 47.55; CARHART LUMBER COMPANY, SU, 1215.95; CINTAS, SU, 319.54; CITY EMPLOYEE, RE, 4200.00; CITY EMPLOYEE, RE, 283.08; CITY EMPLOYEE, RE, 182.47; CITY EMPLOYEE, RE, 120.90; CITY EMPLOYEE, RE, 4200.00; CITY OF NORFOLK, SE, 149.12; CITY OF WAYNE, PY, 126513.15; CITY OF WAYNE, RE, 561.20; COONEY FERTILIZER, SU, 12760.54; COPY WRITE PUBLISHING, SE, 92.51; CREATIVE D.ZYNES, SE, 688.46; DAS STATE ACCTG-CENTRAL FINANCE, SE, 74.73; DEARBORN LIFE INSURANCE, SE, 3482.92; DGR & ASSOCIATES, SE, 30482.50; DUTTON-LAINSON COMPANY, SU, 6695.48; DUTTON-LAINSON COMPANY, SU, 3810.62; EAKES OFFICE PLUS, SE, 1553.84; FLOOR MAINTENANCE, SU, 478.86; FOLKERS, MERLIN, RE, 500.00; FREIGHTQUOTE.COM, SE, 527.33; GRAINLAND ESTATES, RE, 2266.62; HILAND DAIRY, SE, 125.71; HILAND DAIRY, SE, 132.37; HOMETOWN LEASING, SE, 456.78; ICMA, SE, 849.19; ICMA, SE, 158.98; ICMA, SE, 272.00; ICMA, SE, 144.28; ICMA, SE, 75.00; ICMA, SE, 1276.94; ICMA, SE, 11405.64; ICMA, SE, 554.88; ICMA, SE, 210.87; ICMA, SE, 170.50; INGRAM LIBRARY SERVICES, SU, 786.23; IRS, TX, 21406.24; IRS, TX, 15640.60; IRS, TX, 5006.30; JOHN'S WELDING AND TOOL, SE, 682.50; KAY CONTRACTING, SE, 1347.50; KELLY SUPPLY COMPANY, SU, 326.44; KTCH, SE, 770.00; MIDWEST SERVICE & SALES, SU, 505.00; NE DEPT OF REVENUE, TX, 148.60; NE DEPT OF REVENUE, TX, 6877.16; NE DEPT OF REVENUE-CHARITABLE GAMING DIV, TX, 1423.00; NE DEPT OF REVENUE-COMPLIANCE DIV, RE, 389.55; NORFOLK DAILY NEWS, SE, 266.00; NORFOLK DAILY NEWS, SE, 45.00; QUADIANT LEASING, SE, 3397.26; SORENSEN, MARK, RE, 500.00; STADIUM SPORTING GOODS, SE, 110.00; STAN HOUSTON EQUIPMENT, SU, 825.00; STAN HOUSTON EQUIPMENT, SU, 7900.00; STAPLES, SU, 113.01; THRASHER, RE, 500.00; TYLER TECHNOLOGIES, SE, 4163.75; US BANK, SU, 18318.93; US FOODSERVICE, SE, 2724.95; WAYNE AUTO PARTS, SU, 525.05; WAYNE COUNTY COURT, RE, 342.50; WAYNE GIRL SCOUTS, RE, 150.00; WAYNE HIGH SCHOOL, RE, 4492.00; WAYNE RENTALS, RE, 16503.42; WAYNE VETERINARY CLINIC, SE, 14.00; ACES, SE, 1161.39; ALLO COMMUNICATIONS, SE, 1250.86; AMGL, SE, 19290.00; ARNIE'S FORD, SU, 91.16; AWWA, FE, 375.00; BENSCOTER, LOUIS, RE, 1000.00; BERNAL, GEORGINA, SE, 55.00; BIG RIVERS ELECTRIC CORPORATION, SE, 174298.41; BLACK HILLS ENERGY, SE, 4306.00; BORDER STATES INDUSTRIES, SU, 1620.86; CITY EMPLOYEE, RE, 4200.00; CITY EMPLOYEE, RE, 330.65; CITY OF PONCA, RE, 15451.55; CITY OF WEST POINT, RE, 22425.90; CITY OF WISNER, RE, 2337.05; CIVICPLUS, FE, 5469.78; CREDIT BUREAU SERVICES, RE, 82.98; DUTTON-LAINSON COMPANY, SU, 450.07; EAKES OFFICE PLUS, SE, 40.49; FASTWYRE, SE, 865.86; HAYDEN, HUNTER, SE, 60.00; KAY PARK REC CORP, SU, 12320.60; KOEHLMOOS, KLAY, SE, 60.00; NORTHEAST POWER, SE, 27387.63; ODEYS, SU, 3000.00; PEPPER & PRINT, RE, -12500.00; PEPPER & PRINT, RE, 112500.00; PEPPER & PRINT, RE, 12500.00; PICK TRUCKING, SE, 656.25; PONCA RURAL FIRE BOARD, RE, 3698.80; SHERWIN WILLIAMS, SU, 45.49; SKARSHAUG TESTING LAB, SE, 336.89; STANTON CO COURT, RE, 500.00; VILLAGE OF WINSIDE, RE, 4944.00; WAYNE AMERICA, FE, 199.00; WESCO, SU, 375.57

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

Sheryl Lindau, representing her PEO organization, was present requesting Council consideration to waiving the rental fee for the meeting they had at the Freedom Park Shelter House on January 18, 2025, for a PEO function. They are a non-profit organization. This request comes before you after the fact since

it was too late to get on the last agenda for consideration. As you recall, the fee was waived for a previous PEO event because of their non-profit status.

After discussion, Councilmember Karsky made a motion, which was seconded by Councilmember Houser, to approve the request of Sheryl Lindau to waive the rental fee for the Freedom Park Shelter House for their event that was held on January 18, 2025, for a PEO function. Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Bratcher who was absent, the Mayor declared the motion carried.

Sandy Brown and Kirby Hall, representing the Wayne High School Post Prom Committee, were present to request Council consideration to using the Community Activity Center again this year for their post prom event on Saturday, March 29, 2025, and to request Council to consider waiving the rental fee.

After discussion, Councilmember Brodersen made a motion, which was seconded by Councilmember Spieker, approving the request of Sandy Brown and Kirby Hall, representing the Wayne High School Post Prom Committee, to use the Community Activity Center for their post prom event on Saturday, March 29, 2025, and to waive the rental fee. Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Bratcher who was absent, the Mayor declared the motion carried.

Mark Lenihan, Superintendent of Wayne Public Schools, was present requesting Council consideration to waiving the City Auditorium rental fee for the Mid-States Conference Art Show that will take place on March 31 – April 4, 2025. This is the second year the event will be held in Wayne. This art show brought a lot of visitors to Wayne last year. There are 10 schools in the conference this year.

Councilmember Karsky made a motion, which was seconded by Councilmember Webber, approving the request of Mark Lenihan, Superintendent of Wayne Public Schools, to waive the City Auditorium rental fee for the Mid-States Conference Art Show that will take place on March 31 – April 4, 2025. Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Bratcher who was absent, the Mayor declared the motion carried.

Mayor Giese declared the time was at hand for the public hearing on the request of the Wayne School District to consider placing “No parking Midnight to 7:00 a.m.” signs on the diagonal parking spots on the north side of the Elementary School (4<sup>th</sup> Street).

Administrator Blecke provided the background from the last meeting and then advised the Council he received written communications from Becky Barner and Dana and Sonya Tompkins opposing the parking restrictions.

Dr. Mark Lenihan, Superintendent of Wayne Community Schools, was present to advise the Council that their concerns involve snow removal and staff access, especially those that have mobility issues. Dr. Lenihan then suggested a couple of options:

- Shorten the parking restriction hours on Sherman and Douglas Streets (from 7-9 a.m. and 3-5 p.m. to 7-8 a.m. and 3-4 p.m.).
- With the opening of the new Early Learning Center next year, additional parking spots may become available, of which could be specifically assigned by the school to staff.
- To number the diagonal parking spots and assign those numbers to school staff and strongly encourage the teachers to not park on the street.

Todd Barner was also present to speak in opposition to the proposed parking restrictions.

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

Councilmember Brodersen thought shortening the hours on those two streets should be tried first before restricting parking on the terrace as was suggested by Dr. Lenihan. She thought this might alleviate the parking issues. Councilmember Eischeid concurred.

Councilmember Spieker stated he would like to know the number of school staff that will be parking at the new building and the number of those who will be parking at the current location.

After discussion, Councilmember Bolte made a motion, which was seconded by Councilmember Houser, to table action on Ordinance No. 2025-1 so that further discussions could take place with the school. Mayor Giese stated the motion, and the result of roll call being 2 Yeas (Councilmembers Houser and Spieker) and 5 Nays (Councilmembers Bolte, Webber, Karsky, Eischeid and Brodersen), the Mayor declared the motion failed.

Mayor Giese then declared said Ordinance 2025-1 died for lack of another motion.

Roger Protzman, representing JEO Consulting Group, presented the plans, specifications and estimate of cost for the “7<sup>th</sup> Street Trail Project.” The engineer’s estimate is \$889,430.

The City received a grant for \$400,000 for this project. This project was supposed to happen two years ago. Those funds were then allocated to the Prairie Park Project. However, this year, the funds have been allocated to this project.

Doug and Bridgette Korth were present to express their concerns with their driveway access and the lack of communication with this project. Mr. Protzman stated he would contact them next week to go over the project/plan.

Councilmember Eischeid introduced Resolution 2025-5, and moved for its approval; Councilmember Houser seconded.

#### RESOLUTION NO. 2025-5

A RESOLUTION APPROVING THE PLANS, SPECIFICATIONS AND ESTIMATE OF COST FOR THE “7<sup>TH</sup> STREET TRAIL PROJECT,” AND AUTHORIZING THE CITY CLERK TO ADVERTISE FOR BIDS.

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

The following Resolution would amend the 2020 Problem Resolution Team Resolution pursuant to the recommendation brought forward by the City Attorney. Attorney Miller is recommending that the reference to having a “City Attorney representative,” as a member of the PRT be omitted, for the reason she feels there is a conflict for that position (attorney) to vote on matters when they are making recommendations on the property complaints.

Councilmember Spieker introduced Resolution No. 2025-6 and moved for its approval, Councilmember Houser seconded.

#### RESOLUTION NO. 2025-6

A RESOLUTION AMENDING RESOLUTION 2020-49 PERTAINING TO THE ESTABLISHMENT OF A PROBLEM RESOLUTION TEAM (PRT) TO ADDRESS ISSUES INVOLVING NUISANCE PROPERTIES, BLIGHTED OR SUBSTANDARD HOUSING, HEALTH DEPARTMENT AND HEALTH & HUMAN SERVICES NON-CRIMINAL REFERRALS (OMITTING CITY ATTORNEY REPRESENTATIVE FROM THE PRT).

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

Matthew Smith, representing Olsson, presented Change Order No. 2 in the amount of \$288,757.53 to Cooney Fertilizer, Inc., for the “Wayne Prairie Park Phase I Grading Project.” This Change Order is for the roundabout addition, storm sewer additions, and bike trail. He explained what led up to this amount for the change order. The delays of the lake directly impacted some of these costs, because Cooney’s crews had to leave and come back on the project on several occasions. The delay was the installation of the wells (about a year) which was part of the R. Perry Construction project. He noted that there was a lack of communication in regard to some of the items that were approved by them. Because of the lack of communication, Olsson was willing to cover some of those costs. Cooney also reduced their original asking on the Change Order from \$340,000 to \$288,000.

After some discussion, consensus was to set up a meeting with R. Perry Construction, Inc., regarding their contractual agreement signed in 2022 with the City regarding this project and the stipulations therein. Council directed Matthew Smith to set up that meeting.

After discussion, Councilmember Eischeid made a motion, which was seconded by Councilmember Houser, approving Change Order No. 2 in the amount of \$101,831.08 (omits roundabout and lake/well delay costs) to Cooney Fertilizer, Inc., for the “Wayne Prairie Park Phase I Grading Project.” Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Bratcher who was absent, the Mayor declared the motion carried.

Matthew Smith, representing Olsson, presented Certificate of Payment No. 4 (now amended) in the amount of \$248,731.11 to Cooney Fertilizer, Inc. for the “Wayne Prairie Park Phase I Grading Project.”

Because of the changes in the Change Order above (omitting roundabout and lake/well delay costs), Councilmember Eischeid made a motion, which was seconded by Councilmember Houser, approving Certificate of Payment No. 4 in the amount of \$248,731.11 to Cooney Fertilizer, Inc., for the “Wayne Prairie Park Phase I Grading Project” which is inclusive of Change Order No. 2. Mayor Giese stated the motion,

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

Mayor Giese requested Council consideration to appointing Elise Reese to the Wayne Housing Authority Board.

Councilmember Parker made a motion, which was seconded by Councilmember Brodersen, approving the appointment of Elise Reese to the Wayne Housing Authority. Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Bratcher who was absent, the Mayor declared the motion carried.

There being no further business to come before the meeting, Mayor Giese declared the meeting adjourned at 8:06 p.m.