

The Council met in regular session in the Wahoo City Hall, 605 North Broadway Street, in compliance with agenda posted at City Hall, Post Office and First Bank of Nebraska, and the City of Wahoo web site, with each Council member being notified of agenda prior to the meeting. The meeting was called to order by Mayor Gerald D. Johnson at 7:00 p.m. and opened with the Pledge of Allegiance. The public was informed of the location of posting of the Open Meetings Law. Roll call was taken with the following Council members present: Ryan Ideus, Chris Rappl, Patrick Nagle, Karen Boop, and Stuart Krejci. Absent: Carl Warford.

The Mayor called for audience comments on items not on the agenda, and none were offered.

The Utility General Manager report was briefly reviewed by the Council with no comments. The Mayor announced there would not be a discussion on the radio system as listed on the agenda due to staff not being available, and that it would likely be included on the January 11, 2022 agenda for discussion.

A motion was made by Krejci, seconded by Rappl to approve the following items listed on the consent agenda: 1) excused absence of Carl Warford from the meeting; 2) approval of the December 14, 2021 minutes of the Council; 3) acceptance of the December 2, 2021 minutes of the Planning Commission; 4) acceptance of the December 14, 2021 minutes of the Library Board; 5) acceptance of the December 15, 2021 meeting of the Board of Public Works; and 6) approval of amendments to job descriptions and pay grades for the Utility Officer Manager & Purchasing Agent and the GIS & Materials Management Coordinator positions. Roll call vote: Krejci, yes; Rappl, yes; Ideus, yes; Nagle, yes; and Boop, yes. Warford, absent and not voting. Motion carried.

The Mayor declared the public hearing open on a possible amendment to Ordinance No. 1885, the Wahoo Zoning Ordinance, Section 5.12 C-1 Downtown Commercial District, by adding coffee kiosk as a permitted use at 7:02 p.m. Harrell presented the proposed amendment as it had been received by the applicant, Darrin Hartshorn, and reported the Planning Commission had recommended against the amendment as requested (permitted use), but indicated they would be accepting of adding a coffee kiosk as a conditional use in C-1 Downtown Commercial District. The Mayor called for any comments in favor of the amendment and Erin Longnecker, with 6-Java Boys was present to speak in favor of the amendment either as a permitted use or as a conditional use. She expressed appreciation of the efforts put forth to get their business, Scooter's Coffee, to Wahoo. She explained one of their goals is also safety, so if they reached the stage where the facility was constructed, they would be watching very closely to ensure safety of pedestrians as well as vehicular traffic. The Mayor then called for comments against the possible amendment and none were presented. Further discussion was held by the Council. A motion was made by Rappl, seconded by Nagle, to close the public hearing at 7:13 p.m. Roll call vote: Rappl, yes; Nagle, yes; Krejci, yes; Boop, yes; and Ideus, yes. Warford, absent and not voting. Motion carried.

Ordinance No. 2380 entitled: AN ORDINANCE OF THE CITY OF WAHOO, NEBRASKA, TO AMEND ORDINANCE NO. 1886, KNOWN, AND CITED, AS THE ZONING ORDINANCE OF THE CITY OF WAHOO, NEBRASKA, ADOPTED JANUARY 27, 2005, BY THE AMENDMENT OF SECTION 5.12 C-1 DOWNTOWN COMMERCIAL DISTRICT, TO ADD COFFEE KIOSK AS A CONDITIONAL USE, was introduced by Boop. The Mayor then instructed the Clerk to read Ordinance No. 2380 of the City of Wahoo, Nebraska. The Clerk thereupon read the aforesaid Ordinance No. 2380 by title.

Council Member Nagle moved that the statutory rules regarding the passage and adoption of ordinances be suspended so the said ordinance might be introduced, read by title, and then moved for final passage at the same meeting. Council Member Rappl seconded said motion. The Mayor put the question and instructed the Clerk to call for the roll for the vote thereon. The Clerk called the roll and the following was the vote on the motion to suspend the rules: Roll call vote: Nagle, yes; Rappl, yes; Boop, yes; Ideus, yes; and Krejci, yes. Absent and not voting: Warford. The motion having been carried by the affirmative votes of no less than three-fourths of the members of the Council, the Mayor declared the statutory rules in regard to the passage and approval of ordinance be suspended so that Ordinance No. 2380 may be read by title and moved for final passage in the same meeting.

Council Member Boop moved that Ordinance No. 2380 be approved and passed and its title agreed to. Council Member Ideus seconded the motion. The Mayor instructed the Clerk to call the roll for the vote and the following was the vote on this motion: Boop, yes; Ideus, yes; Rappl, yes; Nagle, yes; and Krejci, yes. Absent and not voting: Warford. Motion carried.

The passage and adoption of said Ordinance having been concurred then by a majority of all members of the Council, the Mayor declared the Ordinance adopted and, in the presence of the Council, signed and approved the Ordinance and Clerk attested the passage and approval of the same and affixed signatures thereto. The Mayor ordered the Ordinance to be published in pamphlet form and that said Ordinance be kept in a separate and distinct Ordinance volume record, and that said and distinct Volume be incorporated and made a part of these proceedings the same as though it was read at large herein.

A motion was made by Krejci to approve Application No. 2 submitted for payment to Elkhorn Fencing in the amount of \$30,685.40 for the Wahoo Dog Park Fencing Project, seconded by Ideus. Roll call vote: Krejci, yes; Ideus, yes; Nagle, yes; Boop, yes; and Rappl, yes. Warford, absent and not voting. Motion carried.

The following resolution, **Resolution No. 2021-25**, to approve expenditures for nonalcoholic beverages and meals for an employee appreciation banquet, was introduced by Ideus who moved for approval, seconded by Rappl:

“WHEREAS, Nebraska Revised Statutes §13-2203(2)b(iii) and, part of the Local Government Miscellaneous Expenditure Act, grants the governing body of a political subdivision the authority to expend public funds as follows:

(b) Nonalcoholic beverages and meals:

(iii) Provided at one recognition dinner each year held for elected and appointed officials, employees, or volunteers of the local government. The maximum cost per person for such dinner shall be established by formal action of the governing body, but shall not exceed fifty dollars. An annual recognition dinner may be held separately for employees of each department or separately for volunteers, or any of them in combination, if authorized by the governing body;

WHEREAS, administration of the City of Wahoo and Wahoo Utilities is recommending the City of Wahoo and Wahoo Utilities recognize employees at an annual banquet,

WHEREAS, the Wahoo Board of Public Works did, at their December 15, 2021 meeting, recommend to the City Council that a resolution be considered to provide a fifty dollar limit per employee for a recognition banquet, and

WHEREAS, the Wahoo Board of Public Works did, at their December 15, 202 meeting, agree the cost of the banquet for all City and Utility employees will be paid by utility funds.

NOW THEREFORE BE IT RESOLVED, the Mayor and Council hereby approve and authorize the expenditure of up to fifty dollars per employee for an annual employee recognition banquet.”

Roll call vote: Ideus, yes; Rappl, yes; Nagle, yes; Krejci, yes; and Boop, yes. Warford, absent and not voting. Motion carried.

A motion was made by Krejci, seconded by Ideus to approve JEO Consulting Group as the City Engineer of record for the City of Wahoo for 2022. Roll call vote: Krejci, yes; Ideus, yes; Boop, yes; Rappl, yes; and Nagle, yes. Warford, absent and not voting. Motion carried.

Jon Mooberry with JEO Consulting Group was present to request approval of an amendment to the construction engineering agreement for the Safe Routes To School construction project. He indicated this was needed due to the construction taking longer than planned, and that this had been previously approved by the NE Department of Transportation. Krejci introduced Resolution No. 2021-26, authorizing the Mayor to sign the necessary contract documents, seconded by Boop:

“WHEREAS: City of Wahoo and JEO Consulting Group Inc., have previously executed a Construction Engineering Services Agreement (BK2101) for a transportation project for which the Local Public Agency (LPA) would like to obtain Federal funds;

WHEREAS: City of Wahoo understands that it must continue to strictly follow all Federal, State and local laws, rules, regulations, policies and guidelines applicable to the funding of this Federal-aid project; and

WHEREAS: City of Wahoo and JEO Consulting Group, Inc. wish to enter into a Construction Engineering Services supplemental agreement setting out modifications and/or additional duties and/or funding responsibilities for the Federal-aid project.

BE IT RESOLVED: by the City Council of the City of Wahoo, Nebraska that:

Gerald D. Johnson, Mayor of City of Wahoo, is hereby authorized to sign the Construction Engineering Services Supplemental Agreement No. 1 between the City of Wahoo and JEO Consulting Group, Inc.

NDOT Project Number: SRTS-78(33)

NDOT Control Number: 13291

NDOT Project Description: Wahoo Elementary Safe Route to School”

Roll call vote: Krejci, yes; Boop, yes; Ideus, yes; Rappl, yes; and Nagle, yes. Warford, absent and not voting. Motion carried.

A motion was made by Boop, seconded by Krejci, to waive the separate subdivision submittal requirements for Preliminary and Final Plats for a Minor Subdivision as allowed by Section 3.10 of the City's Subdivision Regulations for property located at 1744 County Road M, Wahoo, as recommended by City staff. Roll call vote: Boop, yes; Krejci, yes; Nagle, yes; Ideus, yes; and Rappl, yes. Warford, absent and not voting. Motion carried.

The Mayor called for audience comments on items not listed on the agenda. Boop presented the Council with information on the previously discussed rezoning of the Chestnut Street corridor, including the mailer that was sent to property owners in September 2021, and a timeline summary document for any rezoning application, amendment to zoning regulations, or conditional use application.

A motion was made by Ideus to adjourn at 7:34 p.m., seconded by Nagle.

The next regular meeting will be January 11, 2022.

Approved:

, Clerk

Gerald D. Johnson, Mayor