

The Council met in regular session in the Wahoo Public Library, 637 N Maple, in compliance with agenda posted at City Hall, Post Office and First Bank of Nebraska, and the City of Wahoo website, 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, Karen Boop, Carl Warford, and Stuart Krejci. Council Members Chris Rappl and Patrick Nagle were absent.

The Mayor signed a proclamation declaring May 1<sup>st</sup> through May 7<sup>th</sup>, 2022, as Municipal Clerk's week in Wahoo.

Motion by Council Member Warford, seconded by Council Member Krejci, to act on the following items: Acceptance of Excused absence of Council Members, approval of minutes of March 22<sup>nd</sup>, 2022 City Council Meeting, Acceptance of Minutes of April 7<sup>th</sup>, 2022 meeting of the Planning Commission, Approval of Appointment of Kal Lausterer and Teresa Urlacher to the Wahoo Public Library Board, terms to expire June 2026, Approval of Pay App #5 to M.E Collins Contracting for North Highlands improvements in the amount of \$30,942.68, Approval of Pay App #1 to M.E Collins Contracting for the 2022 Asphalt Overlay and Street Improvement Project in the amount of \$7,892.83, and Approval of Change Order #1 to the 2022 Asphalt Overlay and Street Improvement Project. Roll call vote: Warford, yes; Krejci, yes; Ideus, yes; Boop, yes; Nagle, and Rappl, absent and not voting. Motion carried

The public hearing regarding the application received from the Nebraska Liquor Control Commission on behalf of Flatwater Spirits to obtain a Class Z liquor license was opened. Graham Rupe, owner of Flatwater Spirits, 1569 Commercial Park Rd, was present to answer questions. Motion by Council Member Krejci, seconded by Council Member Warford to close the public hearing at 7:10pm. Roll call vote: Krejci, yes; Warford, yes; Ideus, yes; Boop, yes. Nagle, and Rappl, absent and not voting. Motion carried.

Motion by Council Member Krejci, seconded by Council Member Ideus to recommend approval of Class Z Liquor License for Flatwater Spirits LLC, 1569 Commercial Park Road, as requested by the Nebraska Liquor Control Commission. Roll call vote Krejci, yes; Ideus, yes; Boop, yes; Warford, yes; Nagle, and Rappl, absent and not voting. Motion carried.

Public Hearing regarding the request for an amendment to Ordinance 1886, the Wahoo Zoning Ordinance Section 5.12 C-1 Downtown Commercial zoning district to allow apartments and condominiums on the 1st floor or ground level was opened. Mike Sullivan, Lincolnshire Investment, and Theresa Kline from the Wahoo Chamber of Commerce spoke in favor. Tracy Pfligler, 1523 N Linden, and Travis Beavers, Building Inspector and Zoning administrator explained the concerns that were brought up by the Planning Commission. Motion by Council Member Krejci, seconded by Council Member Warford to close the public hearing at 7:23pm. Roll call vote Krejci, yes; Warford, yes; Ideus, yes; Boop, yes; Nagle, and Rappl, absent and not voting. Motion carried.

**Ordinance No. 2393**, 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 APARTMENTS AND CONDOMINIUMS ON THE GROUND FLOOR IN PROPERTIES LOCATED ADJACENT TO NRC, R-1, R-2 AND R-3 ZONING DISTRICTS, EXCLUDING PROPERTIES LOCATED ALONG CHESTNUT STREET AND 5<sup>TH</sup> STREET AS A CONDITIONAL USE, was introduced by Council Member Warford, seconded by Council Member Boop. Roll call vote Warford, yes; Boop, yes; Krejci, yes; Ideus, yes; Nagle, and Rappl, absent and not voting. Motion carried. Council requested that the Ordinance be discussed again at the next Planning Commission meeting with members of the General Committee of the Council present.

Public Hearing regarding the request for an amendment to Ordinance 1886, the Wahoo Zoning Ordinance, to create a Wellhead Protection Overlay District to protect the source water for the City of Wahoo Water System, and to adopt zoning regulations providing for associated regulations in the Wellhead Protection Area was opened. John Mohr, representative from JEO, explained the Wellhead Protection Area and highlighted the enforcement provisions proposed in the overlay district. Motion by Council Member Krejci and seconded by Council Member Ideus to close the public meeting at 7:47pm. Roll call vote: Krejci, yes; Ideus, yes; Boop, yes; Warford, yes; Nagle, and Rappl, absent and not voting. Motion carried.

**Ordinance No 2391**, AN ORDINANCE FOR THE CITY OF WAHOO, NEBRASKA, TO ADOPT THE WELLHEAD PROTECTION PLAN FOR THE CITY OF WAHOO, NEBRASKA, AS PREPARED BY JEO CONSULTING GROUP, INC. FOR THE CITY OF WAHOO; was introduced by Council Member Krejci, seconded by Council Member Boop. Roll call vote: Krejci, yes; Boop, yes; Warford, yes; Ideus, yes; Nagle, and Rappl, absent and not voting. Motion carried.

**Ordinance No 2392**, AN ORDINANCE OF THE CITY OF WAHOO, SAUNDERS COUNTY, 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 ADDITION OF SECTION 5.26 WP WELLHEAD PROTECTION OVERLAY DISTRICT; TO PROVIDE FOR AN AMENDMENT TO THE CITY OF WAHOO ZONING MAP REGARDING SAID SECTION was introduced by Council Member Krejci, seconded by Council Member Ideus. Roll call vote: Krejci, yes; Ideus, yes; Boop, yes; Warford, yes; Nagle, and Rappl, absent and not voting. Motion carried.

Motion by Council Member Boop, seconded by Council Member Krejci to approve Resolution No. 2022-06 to amend Attachment 1, General Fund Fees and Charges, to add Occupation tax for a Class Z, Alcoholic Liquor, Micro Distillery, Liquor License, and Attachment 3, Street Fund Fees, to increase fee for Curb Grinding.

“WHEREAS, it is necessary for the staff of the City of Wahoo to provide services, materials and products, permits, and facilities for use by the public, that will be reimbursed by said members of the public, and,

WHEREAS, it is necessary for the Mayor and City Council of the City of Wahoo to establish and adopt, by resolution, a schedule of appropriate fees and charges as are necessary to recover City costs in providing City services, materials, permits, and products,

WHEREAS, it is desirable to maintain a Master Fee Schedule which provides a compilation of fees and charges assessed by the departments of the City of Wahoo, as attached herein,

WHEREAS, the City did, on March 11, 2021 adopt a Master Fee Scheduled, containing Attachments 1 to 9 as follows:

- Attachment 1: General Fund Fees and Charges
- Attachment 2: Police Department Fees and Charges
- Attachment 3: Street Department Fees and Charges
- Attachment 4: Cemetery Fees and Charges
- Attachment 5: Park and Recreation Fees and Charges
- Attachment 6: Rescue Squad Fees and Charges
- Attachment 7: Wahoo Public Library Fees and Charges
- Attachment 8: Building Department Fees and Charges
- Attachment 9: Zoning Department Fees and Charges

WHEREAS, it is necessary to update particular Attachments to adopt changes to said fees and charges, specifically Attachment 1 regarding General Fund Fees and Charges and Attachment 3 regarding Street Department Fees and Charges.

THEREFORE BE IT RESOLVED by the Mayor and Council of the City of Wahoo that the following amendments to Attachment 1: General Fund Fees and Charges are hereby adopted and are to be incorporated into the City of Wahoo's Master Fee Resolution, and

BE IT FURTHER RESOLVED that the effective date of this amendment shall be April 26<sup>th</sup>, 2022.

Dated this 26<sup>nd</sup> Day of April 2022.

**ATTACHMENT 1 TO MASTER FEE RESOLUTION  
GENERAL FUND FEES AND CHARGES**

**§10.20 PUBLIC RECORDS**

Photocopies \$.25 per page

For copying records which cannot be reproduced by the City of Wahoo's copying equipment, the actual cost, including staff time, of preparing the records will be charged

**§112.01 OCCUPATION TAXES:**

**Liquor License Occupation tax**

|   |       |
|---|-------|
| Alcoholic Beverages (Based on License Class, except non-profits): |       |
| Class A, Beer Only, On Premise Consumption                        | \$100 |
| Class B, Beer Only, Off Premise Consumption                       | \$100 |
| Class C, Alcoholic Liquor, On and Off Premise Consumption         | \$300 |
| Class D, Alcoholic Liquor, Off Premise Consumption                | \$200 |
| Class I, Alcoholic Liquor, On Premise Consumption                 | \$250 |
| Class Z, Micro Distillery   | \$250 |
| Non-Profits   | \$50  |

**Liquor License**

|   |       |
|---|-------|
| Alcoholic Beverages (Based on License Class): |       |
| Class A, Beer Only, On Premise Consumption    | \$100 |

|   |              |
|---|--------------|
| Class B, Beer Only, Off Premise Consumption               | \$100        |
| Class C, Alcoholic Liquor, On and Off Premise Consumption | \$300        |
| Class D, Alcoholic Liquor, Off Premise Consumption        | \$200        |
| Class I, Alcoholic Liquor, On Premise Consumption         | \$250        |
| <u>Class Z, Micro Distillery</u>                          | <u>\$250</u> |

**§110.51 Sidewalk Café permit** \$100.00 per year (May 1 – April 30)

**§113.10 Beer Garden license** \$100.00 per year (May 1 – April 30)

**Contractors**

|  |      |
|--|------|
| Electricians, original license, per year                 | \$40 |
| Renewal License, per year                                | \$25 |
| HVAC Contractor (mechanical), original license, per year | \$40 |
| Renewal License, per year                                | \$25 |
| Plumbers, original license, per year                     | \$40 |
| Renewal License, per year                                | \$25 |
| Tree Contractor, original license, per year              | \$40 |
| Renewal License, per year                                | \$25 |

**§110.20 Peddlers, Itinerant Merchants, and Solicitors**

|          |       |
|----------|-------|
| Per day  | \$10  |
| Per year | \$100 |

**§116 Mobile Food Vendors**

|   |       |
|---|-------|
| Application fee: One year, renewable January 1 of each year | \$100 |
| Renewal of one year permit                                  | \$50  |
| One-day permit  | \$50  |

**Miscellaneous:**

|                                       |      |
|---------------------------------------|------|
| Bowling Alley:                        |      |
| First two alleys or less, per year    | \$25 |
| For each additional alley, per year   | \$10 |
| Buses, per year                       | \$10 |
| Fire Insurance Companies, per year    | \$5  |
| Railroad Companies, per year          | \$25 |
| Trailer Camps, first 2 lots, per year | \$10 |
| Each additional lot, per year         | \$5  |

**§110.10 Fireworks permit**

|  |          |
|--|----------|
| Fireworks applications accepted January 1 to April 1   |          |
| Application fee (non-refundable)                       |          |
| If sale location is in NRC, C-1 or C-2 Zoning District | \$50.00  |
| If sale location is in other Zoning District           | \$100.00 |
| Cash bond (refunded after cleanup of site)             | \$500.00 |
| Occupation tax (per day)                               | \$60     |

**§110.01 Tobacco License**

|                  |  |
|------------------|--|
| Tobacco licenses | \$10.00 per year (January 1 – December 31) |
|------------------|--|

**§112.02 Mechanical Amusement Devices**

|   |                                    |
|---|------------------------------------|
| Pool Tables   | per year (January 1 – December 31) |
| First Table   | \$25.00                            |
| Second Table  | \$15.00                            |
| Third Table   | \$10.00                            |
| Each additional table                               | \$5.00                             |
| Shuffleboards, per table                            | \$25.00                            |
| All other mechanical amusement devices, per machine | \$10.00                            |

**§114.53 Mechanical Amusement Devices**

|                              |                                     |
|------------------------------|-------------------------------------|
| Mechanical Amusement Devices | \$25.00 per year (May 1 – April 30) |
|------------------------------|-------------------------------------|

**114.01 Bingo License**

|               |   |
|---------------|---|
| Bingo License | \$10.00 per year (October 1 – September 30) |
|---------------|---|

**§112.03 Electric Utility**

|   |                        |
|---|------------------------|
| Occupation tax for use of public right-of-way | .002 per kilowatt hour |
|---|------------------------|

**§112.06 Natural Gas Utility**

|   |  |
|---|--|
| Occupation tax for use of public right-of-way     |  |
| Residential, Commercial and Industrial Customers: |  |
| a) \$.025 per CCF from October 1 to March 31      |  |
| b) \$.060 per CCF from April 1 to September 30    |  |
| City Power Plant Generation                       |  |
| a) \$.03 per CCF all year                         |  |

**§112.04 Lodging Tax**

|                                       |    |
|---------------------------------------|----|
| Occupation tax on charges for lodging | 4% |
|---------------------------------------|----|

**§112.26 Telecommunication Tax**

|   |    |
|---|----|
| Occupation tax on charges for telecommunications services | 5% |
|---|----|

**§50.12 Solid Waste Haulers permit** \$200.00 per year (March 1 – February 28)  
Occupation tax of 5% of charge for service provided

**§95.102 Event permit** \$10.00 per event

**§36.06 Filing fee for elected office** 1% of annual salary  
(no fee for offices with salary less than \$500 per year)

**ATTACHMENT 3 TO MASTER FEE RESOLUTION  
STREET DEPARTMENT FEES AND CHARGES**

**EQUIPMENT AND LABOR CHARGES**

No equipment is available without an employee of the City of Wahoo. The minimum amount of time billed is one hour. Time billed after one hour shall be billed at half hour increments.

| <b>EQUIPMENT</b>  | <b>RATE PER HOUR</b> | <b>LABOR PER HOUR</b> | <b>TOTAL</b> |
|---|----------------------|-----------------------|--------------|
| Tandem Dump Truck (International or Ford)                     | \$60.00              | \$40.00               | \$100.00     |
| Single Axle Dump Truck (Freightliner, International or Chevy) | \$50.00              | \$40.00               | \$90.00      |
| Tractors (Ford, John Deer, Fermecc)                           | \$38.00              | \$40.00               | \$78.00      |
| Loaders (Dresser or Komatsu)                                  | \$70.00              | \$40.00               | \$110.00     |
| Street Sweeper  | \$70.00              | \$40.00               | \$110.00     |
| Patrol  | \$70.00              | \$40.00               | \$110.00     |
| Mowers  | \$35.00              | \$40.00               | \$75.00      |
| Backhoe   | \$70.00              | \$40.00               | \$110.00     |
| Pickup  | \$24.00              | \$40.00               | \$64.00      |

**CURB GRINDING**

Curb grinding is available only after review and approval by the Building Inspector/Zoning Administrator and Street Superintendent.

Curb grinding shall be billed at ~~\$10.00~~ \$15.00 per linear foot, with a minimum of \$250.00 per job.”

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

Motion by Council Member Krejci and seconded by Council Member Ideus to approve an Interlocal Agreement between the City of Wahoo and the various other municipalities for Mosquito Control. Roll call vote: Krejci, yes; Ideus, yes; Boop, yes; Warford, yes; Nagle, and Rappl, absent and not voting.  
Motion carried.

Ordinance 2390 AN ORDINANCE OF THE CITY OF WAHOO, SAUNDERS COUNTY, NEBRASKA, TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF WAHOO, NEBRASKA, PERTAINING TO THE FOLLOWING-DESCRIBED REAL ESTATE, TO WIT:

LOTS 1, 2 AND THE EAST HALF OF THE VACATED OAK STREET ADJACENT TO BLOCK 13, ALL IN BLOCK 13, DICKINSON'S SECOND ADDITION TO THE CITY OF WAHOO, SAUNDERS COUNTY, NEBRASKA, AND LOTS 1 AND 2 BLOCK 1, IN ANDRUS ADDITION OF SUBURBAN LOTS TO THE CITY OF WAHOO, SAUNDERS COUNTY, NEBRASKA,

WHICH IS CURRENTLY ZONED R-2 RESIDENTIAL DISTRICT, BY ALLOWING THEREON A CONDITIONAL USE, I.E.: ASSISTED LIVING FACILITY. To provide the renewal of a Conditional Use Permit for Liberty House was introduced by Council Member Boop, seconded by Council Member Ideus. Roll call vote: Boop, yes; Ideus, yes; Krejci, yes; Warford, yes; Nagle, and Rappl, absent and not voting. Motion carried.

Motion by Council Member Warford, seconded by Council Member Krejci to approve the waiver of separate submittals for preliminary and final plats for a replat of Lots 10, 11, 12 and the East 84 ½ feet of Lot 13 Block 1, Stocking Second Addition, Wahoo, Saunders County, Nebraska into two lots. Roll call vote: Warford, yes; Krejci, yes; Ideus, yes; Boop, yes. Nagle, and Rappl, absent and not voting. Motion carried.

Motion by Warford, seconded by Krejci to accept the recommendation from the Economic Development Committee of the City Council to select the proposal presented by Lincolnshire Investments for the development of Kennedy Campus South Hall/ Camel Center. Roll call vote: Krejci, yes; Ideus, yes; Warford, yes; Boop, abstain; Nagle, and Rappl, absent and not voting. Motion carried.

Council Member Krejci motioned, and Council Member Ideus seconded to authorize the Mayor to sign the contract for rental of hay ground Known as Wahoo Landfill, awarded to Ken Cejka. Roll call vote: Krejci, yes; Ideus, yes; Boop, yes; Warford, yes; Nagle, and Rappl, absent and not voting. Motion carried.

City Attorney Lausterer provided an update to the Council on the status of a development agreement with the owners of Kennedy Campus East Hall and Gymnasium. Motion by Council Member Warford, seconded by Council Member Krejci to table Action related to Kennedy Campus East Hall and Gymnasium Properties. Roll call vote: Warford, yes; Krejci, yes; Ideus, yes; Boop, yes; Nagle, and Rappl, absent and not voting. Motion carried.

Motion by Council Member Warford, seconded by Council Member Ideus to adjourn at 8:25pm. Roll call vote: Warford, yes; Ideus, yes; Krejci, yes; Boop, yes; Nagle, and Rappl, absent and not voting. Motion carried.

The next regular meeting is May 24<sup>th</sup>, 2022, at 7:00pm at the Wahoo Public Library, 637 North Maple.

Approved: May 10<sup>th</sup> 2022

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Christina Fasel, City Clerk

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Gerald D. Johnson, Mayor