

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, Carl Warford, Chris Rappl, Karen Boop and Patrick Nagle. Council Member Absent: Stuart Krejci.

Members of the public addressed the Council about their concerns with the living conditions at Westview Apartments. Michele Libal, a victims advocate for Saunders County, explained that the new management of the complex significantly neglects maintenance and that there are health concerns due to this. There have been attempts to contact the owner as well as HUD with no result. Mayor Jerry Johnson acknowledged their comments and assured that the City would investigate what could be done on their end to address the issue.

Steve Parr presented the one-and-six-year road plan for the City of Wahoo. He indicated Downtown and the potential new Wilmer Ridge Subdivision as projects within the next year and a handful of smaller projects to be addressed in the six-year timeline. A hearing will be held at one of the City's September meetings on the purposed plan.

Denise Lawver, Library Director, reported on the successful summer that the library has had 8,468 people walked through the doors this summer and 97 kids participated in the summer reading program. There are new renovations currently going on, including the installation of smart boards in meeting rooms. The Library's GED program has resumed, and a new program called "You, Me and Miss Emily" will be bringing music education to toddler age children. The library also just celebrated the grand opening of their story walk at Lake Wanahoo. The story will be changed out periodically and the first one is entitled "Have You Seen Mary?" by Nebraska Author, Jeff Kurrus.

Council Member Warford motioned and Council Member Rappl seconded to approve the following: Acceptance of excused absence of Council member Krejci, approval of minutes of August 9th, 2022, meeting of the City Council; approval of minutes of August 9th, 2022, meeting of the Wahoo Public Library Board; approval of minutes of August 4th, 2022, meeting of the Planning Commission; approval of new and renewed electrical, plumbing, mechanical and tree contractors; approval of Pay App #3 for the 2022 Asphalt Overlay Project to M.E. Collins in the amount of \$194,076.06; approval of Pay App #9 for the North Highlands Project to M.E. Collins in the amount of \$494,869.50. Roll call vote Warford, yes; Rappl, yes; Nagle, yes; Ideus, yes; Boop, yes; Krejci, absent and not voting. Motion carried.

Public hearing regarding preliminary plat application for subdivision known as Wilmer Ridge, a 38.98 acre parcel of land located in the N½ of the SW¼ and the S½ of the NW¼, S34 T15N R7E of the 6th PM, Saunders County, Nebraska, commonly known as the area east of 23rd and Chestnut, as filed by JEO Investments Inc was opened at 7:26pm. Troy Johnston from JEO described the location as east of chestnut and north and south of 23rd street extended, with 82 residential and 1 large commercial lot.

Tracy Pfligler expressed concerns about the potential waivers that JEO would seek regarding entrance into the subdivision, street width and sidewalk requirements. She also expressed concerns over a lack of recreation space and a potential lack of oversight since JEO is the developer and the engineer on this project. City Administrator Harrell reported that there are two dedicated lots for park space and that there would be connection to the existing trail system. She also assured that there will be independent traffic study conducted by FHU. This will take into consideration the increase in traffic for both the proposed Wilmer Ridge and North Highlands Subdivisions, an expansion to Wahoo Public Schools and the commercial expansion also in the proposed Wilmer Ridge. Council Member Warford motioned, and Council Member Ideus seconded to close the public meeting at 7:41pm. Roll call vote Warford, yes; Ideus, yes; Nagle, yes; Rappl, yes; Boop, yes; Krejci, absent and not voting. Motion carried.

Council Member Warford motioned, and Council Member Boop seconded to approve the preliminary plat as presented for Wilmer Ridge Subdivision. Roll call vote Warford, yes; Boop, yes; Ideus, yes; Rappl, yes; Nagle, yes; Krejci, absent and not voting. Motion carried.

Public hearing regarding Application for Conditional Use Permit to add a metal building for cold and dry storage for the Wahoo Locker facility on property described as the West 31 ½ feet of Lot 6, Block 153 County Addition to Wahoo; was opened at 8:06pm. City Administrator Harrell reported that there is some concern from city employees regarding the proximity of the proposed overhead doors to the future trail planned to pass along Maple Street. An increase in commercial traffic may hinder future grant opportunities for the trail expansion and if there is truck and forklift traffic across the trail itself it would be hazardous. Charlie Emswiler, Owner of Wahoo Locker, stated that this addition would not add traffic across the proposed trail, trucks would pull alongside the building to be unloaded, not backed into the door bays, and forklifts would only use the existing street to move between buildings. Council Member Warford motioned, and Council Member Nagel seconded to close the public hearing at 8:12pm. Roll call vote Warford, yes; Nagle, yes; Boop, yes; Ideus, yes; Rappl, yes; Krejci, absent and not voting. Motion carried.

Council Member Rappl motioned, and Council Member Ideus seconded to table any action for further study. Roll call vote Rappl, yes; Ideus, yes; Nagle, yes; Warford, yes; Boop, yes; Krejci, absent and not voting. Motion carried.

City Administrator Harrell reviewed the renewal of the City's insurance with the Council and explained that there is an increase in valuation due to the cost of building materials and that that is affecting the renewal price for LARM coverage. Council Member Warford motioned and Council Member Ideus seconded approval of a **Resolution No 2022-16** to authorize the City's continued participation in LARM and approval of Renewal Coverage Proposal for the 2022-23 Pool Year.

WHEREAS, The City of Wahoo is a member of the League Association of Risk Management (LARM);

WHEREAS, section 8.10 of the Interlocal Agreement for the Establishment and Operation of the League Association of Risk Management provides that a member may voluntarily terminate its participation in LARM by written notice of termination given to LARM and the Nebraska Director of Insurance at least 90 days prior to the desired termination given to and that members may agree to extend the required termination notice beyond 90 days in order to realize reduced excess coverage costs, stability of contribution rates and efficiency in operation of LARM; and

WHEREAS, the Board of Directors of LARM has adopted a plan to provide contribution credits in consideration of certain agreements by members of LARM as provided in the attached letter.

BE IT RESOLVED that the governing body of The City of Wahoo, Nebraska, in consideration of the contribution credits provided under the LARM Board's plan, agrees to:

Provide written notice of termination at least 180 days prior to the desired termination date, which date shall be no sooner than September 30, 2025. **(180 day and 3-year commitment; 5% discount)**

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

Council Member Boop motioned and Council Member Warford seconded approval of a **Resolution No 2022-14** to authorize internal borrowing from utility funds for temporary financing of North Highlands Improvements.

WHEREAS, the Mayor and Council of the City of Wahoo have authorized and approved improvements to the North Highlands Subdivision – Phase I obligating the City of Wahoo to expenditure of funds for the construction of the project;

WHEREAS, it is necessary for the Mayor and Council of the City of Wahoo to utilize interim financing to fund the incurred expenses associated with the North Highlands Subdivision – Phase I improvements, to be held by the City of Wahoo until the project construction is complete and the project is fully accepted by the Mayor and Council as complete, at which point assessments will be levied against the property and any the financing of any remaining balance of unpaid assessments and the general obligation balance will be converted to permanent financing;

WHEREAS, the proprietary funds of the City of Wahoo funded by the revenues generated from the electric, natural gas, water, and sanitary sewer operations of the City, managed by the Board of Public Works, have surplus funds available for investment;

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

1. The Mayor and Council find it is appropriate to complete an internal borrowing agreement with the Wahoo Board of Public Works to provide interim financing for the North Highlands Subdivision – Phase I improvements under the following terms:
 - a. The maximum amount to be made available through interfund borrowing is \$1,000,000.00
 - b. The interest rate to be paid quarterly is 1.5%
 - c. Interest due shall be calculated on the balance owed at the end of each month, paid at the end of each quarter
2. The Mayor and Council agree that the balance of the internal borrowing shall be paid in full through the issuance of permanent financing as described below:
 - a. No later than December 31, 2023.
 - b. In the event of an emergency situation, as determined by the Board of Public Works, where the borrowed funds are needed to operate the electric, water, sanitary sewer or natural gas systems of the City of Wahoo.

3. Funds will be requested by the City Administrator/Treasurer as needed each month and requests for funds will be approved through the claim approval process of the Board of Public Works utilized for all claims presented for payment.

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

Council Member Warford motioned, and Council Member Nagel seconded to approve an a proposal for annexation study to be completed by Five Rule Rural Planning. Roll call vote Warford, yes; Nagle, yes; Boop, yes; Ideus, yes; Rappl, yes; Krejci, absent and not voting. Motion carried.

Council Member Rappl motioned, and Council Member Warford seconded to approve **Resolution No 2022-15** to declare the 2009 E450 Road Rescue Ambulance as surplus property and authorize disposal of said property. WHEREAS, the City of Wahoo, Saunders County, Nebraska, is the owner of the following described personal property, to wit:

2009 E450 Road Rescue Ambulance

and,

WHEREAS, the City of Wahoo, Nebraska, does not have a present need to retain ownership of said above described personal property, and,

WHEREAS, the City of Wahoo, Nebraska, deems it in the best interests of the citizens of the City of Wahoo, Nebraska, that said personal property be disposed of, as set forth herein,

WHEREAS, the City of Wahoo, Nebraska, has determined that the fair market value of the above described personal property is greater than \$5,000.00

WHEREAS, the City of Wahoo, Nebraska, has determined the personal property, shall be offered to other public agencies for their use,

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF WAHOO, NEBRASKA, AS FOLLOWS:

1. That pursuant to Neb. Rev. Stat. §17-503.02 (2), the procedure for disposal of personal property that is described in Neb. Rev. Stat. §17-503.02 (1) requiring public notice of the sale of said personal property is not applicable as the property is to be sold to another public entity, and

2. That the above-described personal property shall be sold to the public agency providing the highest bid, after being sufficiently offered to public agencies that may have an interest in said personal property, and

3. That the City of Wahoo, Nebraska, through the Clerk of the City of Wahoo, Nebraska, shall provide a bill of sale and/or certificate of title to the above personal property indicating that said personal property is being sold “as is” without warranty as to fitness or merchantability for any purpose and that buyer thereof assumes all risks from the utilization of said personal property upon buyer’s possession of said item of personal property.

4. That buyer shall receive possession of the above-described items of personal property upon payment in full of the purchase price for each item.

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

Council Member Ideus motioned, and Council Member Boop seconded to approve recommendation regarding Request for Reasonable Accommodation referred to the Reviewing Authority on July 12th, 2022. Roll call vote Ideus, yes; Boop, yes; Warford, yes; Rappl, yes; Nagle, yes; Krejci, absent and not voting. Motion carried.

Council Member Nagel motioned, and Council Member Ideus seconded to Acceptance of Request for Reasonable Accommodation and Referral to the Reviewing Authority. Roll call vote Nagle, yes; Ideus, yes; Krejci, yes; Warford, yes; Boop, yes; and Rappl, yes. Motion carried.

Warford motioned and Rappl seconded to adjourn at 9:05pm.

The next regular meeting is Sept. 13, 2022, at 7:00pm at the Wahoo Public Library, 637 N. Maple St.

Approved: September 13, 2022

Christina Fasel, City Clerk

Gerald D. Johnson, Mayor