

Council Chambers

Wahoo, Nebraska

October 10, 2019

The Council met in regular session and in compliance with agenda posted at City Hall, Post Office and First Bank of Nebraska, 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 Mayor informed the public of the location of posting of the Open Meetings Law. Roll call was taken with the following Council members present: Mike Lawver, Greg Kavan, Patrick Nagle, Stuart Krejci, Karen Boop, and Carl Warford. Absent: none.

The Proclamation recognizing Fire Prevention Week, October 6-12, 2019, was signed. The Mayor also noted 20 years of Wahoo operating the Natural Gas system, and Public Natural Gas Week.

Department head reports were presented. Beavers reported on current activities. Ferrell requested the Chamber spread the word about securing businesses at night and providing contact information to the Police Department in the event doors are found unlocked. The Department is working with attorneys on the process for voluntary surrender of a dog. Denise Lawver reported upcoming activities at the library. Harrell asked Council members to complete the questionnaire from the auditors and return it to their office in preparation for the City's audit in November. Steve Daharesh was recently recognized for completing 40 years of service for the Utilities, and Dan Givens, who will be retiring in January, has served 18 years. The NRD is working on a dam breach overlay district, which will be considered at the November Planning Commission meeting. Work has begun on drainage improvements at the Fire Hall.

Planning Commission minutes were removed from the consent agenda. A motion was made by Kavan, seconded by Lawver, to approve the consent agenda:

- 1) Minutes of the September 26, 2019 meeting of Mayor and Council
- 2) Minutes of August 13, 2019 meeting of Wahoo Library Board
- 3) Adoption of revised City of Wahoo Anti-Drug Policy and Alcohol Misuse Policy as required under PHMSA and Substance Abuse and Alcohol Misuse Policy as required under FMCSA
- 4) Approval of renewal of group health insurance with Blue Cross Blue Shield effective December 1, 2019
- 5) Approval of New job description for EMS Paramedic; placement of Paramedic on full-time pay scale Grade G; modify EMS Director job description, and move position from Grade G to Grade K
- 6) Licenses: Plumbers: Randy Bouwens, Bouwens Plumbing Co; Timothy Wiebelhaus, EcoWater Systems; John Miller, Sanctus Plumbing Inc; Douglas Osborn, Osborn Sales & Service LLC; Budd Bogatz, Todd Valley Plumbing & Heating; Brian Pemberton, Platte Mechanical Inc. HVAC: Russ Hans, Hans Heating and A/C, Inc; Douglas Osborn, Osborn Sales & Service LLC; Thomas Hester, Brian Hester Htg & Air Inc; Cory Pemberton, Platte Mechanical Inc; Thomas Wieser, Capitol Heating & Air Conditioning Inc. Electricians: Budd Bogatz, Todd Valley Plumbing & Heating; Andrew Kavan, Kavan Electric LLC. Tree Contractors: Mark Bogus, A Plus Tree.

Roll call vote: Kavan, yes; Lawver, yes; Nagle, yes; Krejci, yes; Boop, yes; and Warford, yes. Absent and not voting: none. Motion carried.

Jeremiah Blake of Spectrum Mid-America (Charter Communications) provided background on the company and the various services it provides, and improvements planned. The previous franchise agreement for cable tv services was entered 15 years ago. Meetings have been held to discuss

improving communication and coordination of projects. The new agreement continues the 3% occupation tax, is for ten years with a five-year renewal.

Ordinance No. 2324 entitled: AN ORDINANCE GRANTING A FRANCHISE TO SPECTRUM MID-AMERICA TO OWN, OPERATE AND MAINTAIN A CABLE TELEVISION SYSTEM IN THE CITY OF WAHOO; SETTING FORTH CONDITIONS ACCOMPANYING THE GRANT OF THE FRANCHISE; PROVIDING FOR REGULATION AND USE OF THE SYSTEM, was introduced by Kavan. The Mayor then instructed the Clerk to read Ordinance No. 2324 of the City of Wahoo, Nebraska. The Clerk thereupon read the aforesaid Ordinance No. 2324 by title.

Council Member Kavan moved that Ordinance No. 2324 be approved and passed on first reading and its title agreed to. Council Member Nagle seconded the motion. The Mayor instructed the Clerk to call the roll for the vote and the following was the vote on this motion: Kavan, yes; Nagle, yes; Krejci, yes; Boop, yes; Warford, abstained; and Lawver, yes. Absent and not voting: none. Motion carried.

Resolution No. 2019-14 was introduced by Lawver, who moved for its approval, seconded by Nagle:

“WHEREAS: State of Nebraska Statutes, sections 39-2115, 39-2119, 39-2120, 29-2121, and 39-2520(2), requires an annual certification of program compliance to the Nebraska Board of Public roads Classifications and Standards; and

WHEREAS: State of Nebraska Statute, section 39-2120 also requires that the annual certification of program compliance by each municipality shall be signed by the Mayor or Village Board Chairperson and shall include a copy of a resolution of the governing body of the municipality authorizing the signing of the certification form.

BE IT RESOLVED that the Mayor of Wahoo is hereby authorized to sign the attached Municipal Annual Certification of Program Compliance form.”

Roll call vote: Lawver, yes; Nagle, yes; Krejci, yes; Boop, yes; Warford, yes; and Kavan, yes. Absent and not voting: none. Motion carried.

Motion by Krejci, seconded by Kavan, to approve sale of alcoholic liquor by Eagles Club FOE 2971 before noon (beginning at 8:00 a.m.) on Sunday, October 20, 2019 for their District meeting. Roll call vote: Krejci, yes; Kavan, yes; Nagle, yes; Boop, yes; Warford, yes; and Lawver, yes. Absent and not voting: none. Motion carried.

Motion by Lawver, seconded by Kavan, to table approval of sale of the 1986 Pierce Aerial Truck. Roll call vote: Lawver, yes; Kavan, yes; Nagle, yes; Krejci, yes; Boop, yes; and Warford, yes. Absent and not voting: none. Motion carried.

Lausterer reported on the revised Interlocal Agreements between the City of Wahoo and the Wahoo Rural Fire Protection District, for fire services and EMS services. The Rural Fire board adopted and signed the revised agreement. Motion by Krejci, seconded by Nagle, to approve the Interlocal agreement for fire services and the Interlocal agreement for EMS services between the City of Wahoo and the Wahoo Rural Fire Protection District, and authorize the Mayor to sign the agreements. Roll call vote: Krejci, yes; Nagle, yes; Kavan, yes; Lawver, yes; Warford, yes; and Boop, yes. Absent and not voting: none. Motion carried.

Harrell reported the State revised the format for filing the levy request, and a resolution containing the updated language is provided.

Resolution No. 2019-15 was introduced by Warford, who moved for approval, seconded by Krejci:

“WHEREAS, Nebraska Revised Statute 77-1601.02 provides that the City Council of the City of Wahoo must pass by a majority vote a resolution or ordinance setting the tax request; and

WHEREAS, a special public hearing was held as required by law on September 12, 2019 to hear and consider comments from the public concerning the property tax request; NOW, THEREFORE, be it resolved by the City Council of the City of Wahoo that:

1. The 2019-2020 property tax request shall be set at \$1,600,249.00 and shall be levied as follows for the following funds:

	Tax Amount	Tax Levy
General Fund	\$1,398,249.00	0.484107
Bond Fund	<u>\$202,000.00</u>	<u>0.069936</u>
TOTAL	\$1,600,249.00	0.554043

2. The total assessed value of property differs from last year's total assessed value by 6%.

3. The tax rate which would levy the same amount of property taxes as last year, when multiplied by the new total assessed value of property, would be \$.539279 per \$100 of assessed value.

4. The City of Wahoo proposes to adopt a property tax request that will cause its tax rate to be \$.554043 per \$100 of assessed value.

5. Based on the proposed property tax request and changes in other revenue, the total operating budget of \$11,153,353.00 of the City of Wahoo will decrease from last year's operating budget by 1%.

6. A copy of this resolution be certified and forwarded to the County Clerk on or before October 13, 2019.”

	2018	2019	Change
Operating Budget	\$11,212,545.00	\$11,153,353.00	-1%
Property Tax Request	\$1,557,606.85	\$1,600,249.00	3%
Valuation	271,656,981	288,831,098	6%
Tax Rate	\$.573373	\$.554043	-3%
Tax Rate if prior tax request was at current value		\$0.539279	

Roll call vote: Warford, yes; Krejci, yes; Boop, yes; Lawver, yes; Kavan, yes; and Nagle, yes. Absent and not voting: none. Motion carried.

No public comments offered.

The Mayor reported Teresa Klein has been selected as Chamber/Economic Development Director.

Motion by Kavan, seconded by Warford, to adjourn at 7:37 p.m.

Approved:

Lucinda J. Morrow, Clerk

Gerald D. Johnson, Mayor