

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, Patrick Nagle, Karen Boop, and Carl Warford. Absent: Greg Kavan and Stuart Krejci. Krejci entered at 7:05 p.m.

Department Head written reports presented. Denise Lawver reported the shredding event is Saturday. Harrell reported meeting with Theresa Klein with Greater Wahoo Development and Chamber about new programs and opportunities. The audit is scheduled next week. Staff met with management at Westview recently. Harrell and Hurst toured of the Cooper Nuclear station. Utilities will be working on a master plan. The hazard mitigation plan is due for update in 2020. The Airport Authority met. The Mayor discussed working on the City's emergency management plan. Boop expressed interest in attending training. Lawver noted the building department currently has 20 building projects ongoing. Lausterer reported Mary Durham, who was determined to be an irresponsible pet owner, has provided information to the Council. He is researching processes for accommodation for support animals, and expects to present an ordinance at the next Council meeting. Lawver noted the information on recycling in the packet.

Harrell requested that the plans and specs for intersections and curb ramps remain tabled.

Harrell asked that the Council committees determine a regular meeting time that will work for the members, so each committee can meet on a regular basis.

A motion was made by Lawver, seconded by Warford, to approve the consent agenda:

- 1) Excused absence of Kavan
- 2) Minutes of the October 24, 2019 meeting of Mayor and Council

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

The 2019 Asphalt overlay project was discussed. Motion by Lawver, seconded by Krejci, to approve Change Order #1 by Cather and Sons. Roll call vote: Lawver, yes; Krejci, yes; Boop, yes; Warford, yes; and Nagle, yes. Absent and not voting: Kavan. Motion carried.

Motion by Lawver, seconded by Krejci, to accept substantial completion of 2019 Asphalt Overlay. Roll call vote: Lawver, yes; Krejci, yes; Boop, yes; Warford, yes; and Nagle, yes. Absent and not voting: Kavan. Motion carried.

Motion by Lawver, seconded by Krejci, to approve Pay Application #2 and Final for \$12,896.00 to Cather and Sons for 2019 Asphalt Overlay. Roll call vote: Lawver, yes; Krejci, yes; Boop, yes; Warford, yes; and Nagle, yes. Absent and not voting: Kavan. Motion carried.

Cody Wickham of D A Davidson & Co. provided information on past financing, expected interest rates, and possible savings by refinancing. Gilmore and Bell drafted ordinances for Highway Allocation Fund Pledge Refunding Bonds and Combined Utility Revenue Refunding Bonds for the Council's consideration.

Ordinance No. 2332 entitled: AN ORDINANCE AUTHORIZING THE ISSUANCE OF HIGHWAY ALLOCATION FUND PLEDGE REFUNDING BONDS, SERIES 2019 OF THE CITY OF WAHOO, NEBRASKA, IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED TWO MILLION FIVE HUNDRED TWENTY-FIVE THOUSAND DOLLARS (\$2,525,000) TO PROVIDE FOR THE PAYMENT AND REDEMPTION OF CERTAIN OUTSTANDING HIGHWAY ALLOCATION FUND PLEDGE BONDS OF THE CITY OF WAHOO, NEBRASKA; PRESCRIBING THE FORM OF SUCH BONDS TO BE ISSUED AND AUTHORIZING OFFICERS OF THE CITY TO APPROVE CERTAIN FINAL TERMS OF THE BONDS; PLEDGING FUNDS TO BE RECEIVED BY THE CITY FROM THE STATE OF NEBRASKA HIGHWAY ALLOCATION FUND FOR THE PAYMENT OF SAID BONDS; PROVIDING FOR THE LEVY OF TAXES TO PAY THE INTEREST ON AND PRINCIPAL OF SUCH BONDS IF NECESSARY; AND PROVIDING FOR PUBLICATION OF THE ORDINANCE IN PAMPHLET FORM, was introduced by Krejci. The Mayor then instructed the Clerk to read Ordinance No. 2332 of the City of Wahoo, Nebraska. The Clerk thereupon read the aforesaid Ordinance No. 2332 by title.

Council Member Lawver moved that the statutory rules in regarding to 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 Warford 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: Lawver, yes; Warford, yes; Nagle, yes; Krejci, yes and; Boop, yes. Absent and not voting: Kavan. Motion carried. 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 regards to the passage and approval of ordinance be suspended so that Ordinance No. 2332 may be read by title and moved for final passage in the same meeting.

Council Member Krejci moved that Ordinance No. 2332 be approved and passed 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: Krejci, yes; Nagle, yes; Boop, yes; Warford, yes; and Lawver, yes. Absent and not voting: Kavan. 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.

Ordinance No. 2333 entitled: AN ORDINANCE OF THE CITY OF WAHOO, NEBRASKA, AUTHORIZING THE ISSUANCE OF COMBINED UTILITY REVENUE REFUNDING BONDS, SERIES 2019 OF THE CITY OF WAHOO, NEBRASKA IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED TWO MILLION NINE HUNDRED THOUSAND DOLLARS (\$2,900,000) FOR THE PURPOSE OF (A) AUTHORIZING AND PROVIDING FOR THE PAYMENT AND REDEMPTION OF THE CITY'S OUTSTANDING COMBINED UTILITY REVENUE BONDS, SERIES 2011, THE CITY'S OUTSTANDING COMBINED UTILITY REVENUE REFUNDING BONDS, SERIES 2013A, AND THE CITY'S OUTSTANDING COMBINED UTILITY REVENUE REFUNDING BONDS, SERIES 2013B, AND (B) PAYING COSTS OF ISSUANCE; DIRECTING THE APPLICATION OF THE PROCEEDS OF SAID BONDS; PRESCRIBING THE FORM AND CERTAIN TERMS AND DETAILS OF SAID BONDS AND AUTHORIZING THE OFFICERS OF THE CITY TO SET CERTAIN TERMS AND DETAILS OF SAID BONDS; PROVIDING FOR THE COLLECTION, SEGREGATION AND APPLICATION OF THE REVENUE OF SAID COMBINED UTILITY SYSTEM; ENTERING INTO A CONTRACT

ON BEHALF OF THE CITY WITH THE HOLDERS OF SAID BONDS; PRESCRIBING THE FORM AND DETAILS OF THE BONDS AND THE COVENANTS AND AGREEMENTS TO PROVIDE FOR THE PAYMENT AND SECURITY THEREOF; PROVIDING FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM; AUTHORIZING CERTAIN ACTIONS AND DOCUMENTS; AND PRESCRIBING OTHER MATTERS RELATING THERETO, was introduced by Krejci. The Mayor then instructed the Clerk to read Ordinance No. 2333 of the City of Wahoo, Nebraska. The Clerk thereupon read the aforesaid Ordinance No. 2333 by title.

Council Member Lawver moved that the statutory rules in regarding to 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 Warford 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: Lawver, yes; Warford, yes; Nagle, yes; Krejci, yes and; Boop, yes. Absent and not voting: Kavan. Motion carried. 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 regards to the passage and approval of ordinance be suspended so that Ordinance No. 2333 may be read by title and moved for final passage in the same meeting.

Council Member Krejci moved that Ordinance No. 2333 be approved and passed 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: Krejci, yes; Nagle, yes; Boop, yes; Warford, yes; and Lawver, yes. Absent and not voting: Kavan. 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.

Ordinance No. 2327 entitled: AN ORDINANCE TO AMEND THE WAHOO ZONING MAP BY CHANGE OF ZONING OF A PARCEL DESCRIBED AS A 6-ACRE PARCEL IN NW ¼ OF S33-T15N-R7E, FROM TA – TRANSITIONAL AG TO LLR – LARGE LOT RESIDENTIAL, SOUTH OF COUNTY ROAD M AND NORTH OF 1595 17<sup>TH</sup> AVE RD, was introduced by Lawver, contingent upon applicant providing a legal description of the parcel. The Mayor then instructed the Clerk to read Ordinance No. 2327 of the City of Wahoo, Nebraska. The Clerk thereupon read the aforesaid Ordinance No. 2327 by title.

Council Member Lawver moved that the statutory rules in regarding to 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 Warford 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: Lawver, yes; Warford, yes; Nagle, yes; Krejci, yes; and Boop, yes. Absent and not voting: Kavan. Motion carried. 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 regards to the passage and approval of ordinance be suspended so that Ordinance No. 2327 may be read by title and moved for final passage in the same meeting.

Council Member Lawver moved that Ordinance No. 2327 be approved and passed and its title agreed to, contingent upon applicant providing a legal description of the parcel. 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: Lawver, yes; Nagle, yes; Krejci, yes; Boop, yes; and Warford, yes. Absent and not voting: Kavan. Motion carried. Ordinance will be prepared when legal description is provided by applicant.

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.

Chief Ferrell provided information regarding the purchase of a 2017 Police Interceptor from the Missouri Highway Patrol, to replace the unit that was damaged, for \$21,500. Motion by Lawver, seconded by Nagle, authorizing the purchase of the 2017 Police Interceptor. Roll call vote: Lawver, yes; Nagle, yes; Krejci, yes; Boop, yes; and Warford, yes. Absent and not voting: Kavan. Motion carried.

Resolution No. 2019-16 to ratify the election of LARM Board members, was introduced by Krejci, who moved for approval, seconded by Warford:

“WHEREAS, the City of Wahoo is a “participating member” of the League Association of Risk Management (“LARM”); and

WHEREAS, the Interlocal Agreement that formed and continues to govern LARM provides in 8.1.4.1. that “Each participating member may cast one vote for each of the open Board positions.”; and

WHEREAS, the following 15 individuals were elected by LARM members at a Members Meeting on March 21, 2018, which terms commenced effective January 1, 2018:

| Name                   | Term | Member        |
|------------------------|------|---------------|
| Mayor Doug Hanson      | 3    | Hickman       |
| James (Jim) Hawks      | 3    | North Platte  |
| Melissa Harrell        | 3    | Wahoo         |
| Jo Leyland             | 3    | Imperial      |
| Lanette Doane          | 3    | Ansley        |
|                        |      |               |
| Nathan Johnson         | 2    | Scottsbluff   |
| Mayor Scott Getzschman | 2    | Fremont       |
| Teresa Bartlett        | 2    | Beavaer City  |
| Mayor Josh Moenning    | 2    | Norfolk       |
| LeAnn Brown            | 2    | Oshkosh       |
|                        |      |               |
| Tom Ourada             | 1    | Crete         |
| Sandra Schendt         | 1    | Nelson        |
| Mayor Deb Van Matre    | 1    | Gibbon        |
| Douglas Schultz        | 1    | Curtis        |
| Pamela Buethe          | 1    | Sarpy SID #29 |

WHEREAS, at a LARM Members Meeting on September 19, 2018, the five individuals listed above who were initially elected to one-year terms—Tom Ourada, Sandra Schendt, Mayor Deb Van Matre, Douglas Schultz, and Pamela Buethe—were re-elected to three-year terms commencing effective January 1, 2019.

WHEREAS, at a LARM Members Meeting on September 18, 2019, the five individuals listed above who were initially elected to two-year terms—Nathan Johnson, Mayor Scott Getzschman, Teresa Bartlett (now Teresa Youngquist), Mayor Josh Moenning, and LeAnn Brown—were re-elected to three-year terms commencing effective January 1, 2020.

WHEREAS, the remaining five individuals listed above who were initially elected to three-year terms—Mayor Doug Hanson, James (Jim) Hawks, Melissa Harrell, Jo Leyland, and Lanette Doane—continue to serve on the LARM Board of Directors, and their terms will expire on December 31, 2020, unless they are re-elected to a second term at a LARM Members Meeting to take place in 2020.

WHEREAS, in order to avoid any doubt as to its assent to the election and re-election of the members of the LARM Board of Directors as stated above, the City of Wahoo wishes to ratify the election and re-election of the LARM Board of Directors.

NOW, THEREFORE, BE IT RESOLVED that the City of Wahoo hereby ratifies and confirms its assent to the election and re-election of the LARM Board of Directors as stated above.”

Roll call vote: Krejci, yes; Warford, yes; Lawver, yes; Nagle, yes; and Boop, yes. Absent and not voting: Kavan. Motion carried.

Mike Kleffner expressed concern about a concrete pour on Chestnut Street which was done in freezing temperatures and not covered. This will be discussed with the project engineer and contractor.

Motion by Lawver, seconded by Boop, to adjourn at 8:15 p.m.

Approved:

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Lucinda J. Morrow, Clerk

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Gerald D. Johnson, Mayor