

The Council met in regular session at the Wahoo Public Library, 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: Mike Lawver, Greg Kavan, Patrick Nagle, Stuart Krejci, Karen Boop, and Carl Warford. A zoom link was provided for public participation.

A motion was made by Lawver, seconded by Kavan to approve the Minutes of the November 24, 2020 Council meeting. Roll call vote: Lawver, yes; Kavan, yes; Nagle, yes; Krejci, yes; Boop, yes; and Warford, yes. Absent and not voting: none. Motion carried.

The Mayor stated the next action would be the second reading of Ordinance No. 2361.

Ordinance No. 2361 entitled: AN ORDINANCE OF THE CITY OF WAHOO, NEBRASKA, REQUIRING FACE COVERINGS BE WORN IN PREMISES THAT ARE OPEN TO THE PUBLIC THROUGH JANUARY 4, 2021, was introduced for second reading by Lawver. The Mayor then instructed the Clerk to read Ordinance No. 2361 of the City of Wahoo, Nebraska. The Clerk thereupon read the aforesaid Ordinance No. 2361 by title.

Council Member Lawver moved that the statutory rules in regard 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 Krejci 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; Krejci, yes; Boop, no; Warford, yes; Kavan, no; and Nagle, no. Absent and not voting: none. Motion failed.

Boop read comments she has received in opposition to the mask mandate. Bob Sullivan, Barb Chall, Pat Burke, Travis Haberman, and Pamela Nelson addressed the council in opposition to the mandate. Theresa Klein of the Wahoo Chamber/Economic Development stated most businesses in the community feel this is a way to keep their businesses open, safely. Officer Martin of Wahoo Police Department stated education and compliance checks of Wahoo businesses is going well. Mayor and Council discussed the issue.

Council Member Lawver moved that Ordinance No. 2361 be approved and passed on second reading and its title agreed to. Council Member Krejci 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; Krejci, yes; Boop, no; Warford, yes; Kavan, no; Nagle, no; and Mayor Johnson, yes. Absent and not voting: none. Motion carried.

Lausterer noted the Board of Health Action 2020-03 is in effect, and State Statute allows local Boards of Health to enact directed health measures. Third reading of the Ordinance will be held at the next meeting.

Recognition was presented to Mike Lawver and Greg Kavan for their service on the City Council.

A motion was made by Lawver, seconded by Kavan, to adjourn sine die at 7:49 p.m. Roll call vote: Lawver, yes; Kavan, yes; Nagle, yes; Krejci, yes; Boop, yes; and Warford, yes. Absent and not voting: none. Motion carried.

The Clerk then indicated it was time for the new Council members to take their elected position. The Oath of Office was administered to the following elected officials: Ryan Ideus, Council member Ward I, and Chris Rappl, Council member for Ward II, and Patrick Nagle for Ward III.

With the oaths administered, the Mayor called the new Council meeting to order, informing the public of the location of posting of the Open Meetings Law. Roll call was taken with the following members present: Ryan Ideus, Chris Rappl, Patrick Nagle, Stuart Krejci, Karen Boop, and Carl Warford.

A motion was made by Boop, seconded by Warford, to nominate Stuart Krejci as President of the Council. No further nominations offered. Roll call vote: Boop, yes; Warford, yes; Ideus, yes; Rappl, yes; Nagle, yes; and Krejci, yes. Absent and not voting: none. Motion carried.

The Mayor noted Cody Hull is appointed Fire Chief for 2021 as recommended by vote of the Wahoo Volunteer Fire Department membership, and Steve Parr of JEO Consulting Group Inc. is appointed the Street Superintendent for the City of Wahoo for 2021 pursuant to the County Highway and City Street Superintendents Act of the State of Nebraska. The Special Engineer will be appointed on an as needed basis for any projects requiring further review. The Mayor presented his appointments:

City Administrator/Treasurer	Melissa M. Harrell
City Clerk	Lucinda Morrow
City Attorney	Jovan Lausterer, Maureen Freeman-Caddy
City Engineer	Steve Parr with JEO Consulting Group
City Physician	Dr. Hank Newburn
Chief of Police	Bruce Ferrell
Director of Civil Defense	Vacant
Electrical Inspector	State Electrical Division, State of NE
Fire Chief	Cody Hull
EMS Director	Grant Anderson
Building Inspector/Zoning Administrator	Travis Beavers
Plumbing and Mechanical Inspector	Travis Beavers
Special Engineer	Vacant -Appointment on an as needed basis
Street Commissioner and Cemetery Sexton	David L. Jansa
Street Superintendent	Steve Parr with JEO Consulting Group
Park and Recreation Director	Kevin Stuhr
Library Director	Denise Lawver
Utilities General Manager	Ryan Hurst

Motion by Warford, seconded by Krejci, to approve the Mayor's appointments to the positions. Roll call vote: Warford, yes; Krejci, yes; Boop, yes; Ideus, yes; Rappl, yes; and Nagle, yes. Absent and not voting: none. Motion carried.

Motion by Krejci, seconded by Nagle, to approve the Mayor's appointments to the Board of Public Works, Joel Woita and Ryan Ideus, Council representative, with terms ending December, 2024. Roll call vote: Krejci, yes; Nagle, yes; Boop, yes; Warford, yes; Ideus, yes; and Rappl, yes. Absent and not voting: none. Motion carried.

The Mayor presented assignments to the Council standing committees and special committees:

GENERAL:	Boop, Rappl, Nagle
ECONOMIC DEVELOPMENT:	Ideus, Krejci, Warford
FINANCE AND PERSONNEL:	Krejci, Warford, Boop
STREETS AND SANITATION:	Nagle, Boop, Rappl
PARKS, RECREATION & CULTURE:	Warford, Rappl, Nagle
BOARD OF PUBLIC WORKS:	Ideus
AIRPORT:	Harrell

**Special Committees of the Council (as assigned on 12/10/2020)**

ECONOMIC DEV. ADVISTORY BOARD:	Ideus, Krejci
WAHOO PUBLIC BLDGS & GROUNDS:	Johnson, Warford, Krejci,

Motion by Krejci, seconded by Rappl, to approve assignments to committees. Roll call vote: Krejci, yes; Rappl, yes; Nagle, yes; Boop, yes; Warford, yes; and Ideus, yes. Absent and not voting: none. Motion carried.

Motion by Krejci, seconded by Rappl, to approve appointments to the Board of Health: the Mayor, President of the Council, Chief of Police, City Administrator, and City Physician. Roll call vote: Krejci, yes; Rappl, yes; Nagle, yes; Boop, yes; Warford, yes; and Ideus, yes. Absent and not voting: none. Motion carried.

The attorney retainer agreement was reviewed. Motion by Krejci, seconded by Nagle, to approve the attorney retainer agreement as submitted. Roll call vote: Krejci, yes; Nagle, yes; Boop, yes; Warford, yes; Ideus, yes; and Rappl, yes. Absent and not voting: none. Motion carried.

Recommendation for salaries of appointed officials were presented.

**Ordinance No. 2363** was introduced by Warford entitled: AN ORDINANCE OF THE CITY OF WAHOO FIXING THE SALARIES OF THE APPOINTED OFFICERS OF THE CITY OF WAHOO. The Mayor then instructed the Clerk to read Ordinance No. 2363 of the City of Wahoo, Nebraska. The Clerk thereupon read the aforesaid Ordinance No. 2363 by title.

Council Member Warford moved that the statutory rules in regard to the passage and adoption of ordinances be suspended so that the said ordinance might be introduced, read by title, and then moved for final passage at the same meeting. Council Member Krejci 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: Warford, yes; Krejci, yes; Boop, yes; Ideus, yes; Rappl, yes; and Nagle, yes. Absent and not voting: none. 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. 2363 may be read by title and moved for final passage in the same meeting.

Council Member Warford moved that Ordinance No. 2363 be approved and passed and its title agreed to. Council Member Krejci seconded the motion. The Mayor instructed the Clerk to call the roll for the vote and the following was the vote on this motion: Warford, yes; Krejci, yes; Boop, yes; Ideus, yes; Rappl, yes; and Nagle, yes. Absent and not voting: none. 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.

Current regular meeting dates for the City Council are the second and fourth Thursday of each month. Harrell reported to the Council the current reasonable method of notification of Council meeting was made by posting at three locations in Wahoo: First Bank of Nebraska, Wahoo Post Office, and City Hall, as well as the [www.wahoo.ne.us](http://www.wahoo.ne.us) website, and that the current agenda deadline was 5:00 p.m. the Friday before the Council meeting. A motion was made by Krejci, seconded by Nagle, to approve the method of advance notice. Roll call vote: Krejci, yes; Nagle, yes; Boop, yes; Warford, yes; Ideus, yes; and Rappl, yes. Absent and not voting: none. Motion carried.

Harrell reported that two signatures are required for any withdrawal on any City of Wahoo bank account. The current designated depository of the City funds of the City of Wahoo is Wahoo State Bank; Park and Recreation and utility funds are at First Bank of Nebraska. Harrell reported claims are reviewed and approved by department heads, entered into Accounts Payable, approved by the City Administrator, and approved by the Mayor, and that the only claims officially approved, individually, by the Council are those that are connected to major infrastructure improvements that are under contract.

A motion was made by Krejci, seconded by Ideus to keep depository of funds and procedure for approval of claims as described above. Roll call vote: Krejci, yes; Ideus, yes; Rappl, yes; Nagle, yes; Boop, yes; and Warford, yes. Absent and not voting: none. Motion carried.

Department Head and Committee reports were presented. Anderson reported for the EMS Department. Hull reported for the Fire Department. Harrell reported on right-of-way permits and work on easements. Annual Occupation tax report was presented. Hurst reported the Board of Public Works approved the proposed budget.

A motion was made by Krejci, seconded by Nagle, to approve the consent agenda, including:

1. Acceptance of Occupation Tax Report as required by LB 445
2. Minutes of December 3, 2020 meeting of Planning Commission
3. Minutes of November 18, 2020 meeting of Board of Public Works
4. Approval of Angela Kirchner as a member of the Wahoo EMS Department

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

Public Hearing opened at 8:11 p.m. on the Board of Public Works 2021 budget. Hurst reported on the proposed budget and planned projects, including the automatic meter infrastructure, updates at the

service center, and master plans for water, electric, and sewer departments. No public comments offered. Motion by Warford, seconded by Krejci to close the public hearing at 8:22 p.m. Roll call vote: Warford, yes; Krejci, yes; Boop, yes; Ideus, yes; Rappl, yes; and Nagle, yes. Absent and not voting: none. Motion carried.

Motion by Krejci, seconded by Rappl, to approve the 2021 Board of Public Works budget as submitted. Roll call vote: Krejci, yes; Rappl, yes; Nagle, yes; Boop, yes; Warford, yes; and Ideus, yes. Absent and not voting: none. Motion carried.

No action on tabled items.

Hull reported on the Tri-Mutual Aid Fire Fighters Association Interlocal Agreement, which began two years ago. Motion by Warford, seconded by Nagle, to approve the Interlocal agreement as presented. Roll call vote: Warford, yes; Nagle, yes; Krejci, yes; Boop, yes; Ideus, yes; and Rappl, yes. Absent and not voting: none. Motion carried.

Harrell and Dave Henke reported the Planning Commission discussed the request for waiver of City Zoning Regulations regarding a chain link fence taller than four feet to be installed within the front and side yard setbacks for the proposed dog park at 15<sup>th</sup> and Hackberry. The Planning Commission recommended approval with several findings of fact to support the recommendation. Motion was made by Krejci, seconded by Rappl, to approve the waiver of regulations to allow the construction of a fence taller than four feet within the front and side yard setbacks, noting the findings as stated by the Planning Commission: 1) the Safe Routes to School project is located on the east side of Hackberry and installation of sidewalk along the west side of Hackberry is not anticipated; 2) allowing the fence to be closer to property lines will not impact the sight triangle for traffic at 15<sup>th</sup> and Hackberry; 3) a six-foot tall fence is needed for the safety and protection of the public; and 4) it is in the best interests of the community to have a dog park facility available for use. Roll call vote: Krejci, yes; Rappl, yes; Nagle, yes; Boop, yes; Warford, yes; and Ideus, yes. Absent and not voting: none. Motion carried.

Resolution No. 2020-24 to sign the year-end certification of City Street Superintendent 2020 was introduced by Warford, who moved for approval, seconded by Nagle, as follows:

“Whereas: State of Nebraska Statutes, sections 39-2302, and 39-2511 through 39-2515 details the requirements that must be met in order for a municipality to qualify for an annual incentive payment; and

Whereas: The State of Nebraska Department of Transportation (NDOT) requires that each incorporated municipality must annually certify (by December 31<sup>st</sup> of each year) the appointment of the City Street Superintendent to the NDOT using the Year-End Certification of City Street Superintendent; and

Whereas: The NDOT requires that such certification shall also include a copy of the documentation of the city street superintendents appointment, i.e., meeting minutes; showing the appointment of the City Street Superintendent by their name as it appears on their License (if applicable), their License Number and Class of License (if applicable), and type of appointment, i.e., employed, contract (consultant, or interlocal agreement with another incorporated municipality and/or county), and the beginning date of the appointment; and

Whereas: The NDOT also requires that such Year-End Certification of City Street Superintendent shall be signed by the Mayor or Village Board Chairperson and shall include a copy of a resolution of the governing body authorizing the signing of the Year-End

Certification of City Street Superintendent by the Mayor or Village Board Chairperson.  
Be it resolved that the Mayor of Wahoo is hereby authorized to sign the attached  
Year-End Certification of City Street Superintendent.”

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

Harrell reported on proposed changes to the Personnel Policies, which have been discussed by the Finance Committee and reviewed by legal counsel. Changes included: use of the floating holiday during the calendar year it is given, taken as a full day; change in the method of calculating overtime; and limited carryover of comp time. Changes would be effective January 1, 2021. Motion was made by Krejci, seconded by Boop, to approve changes to City of Wahoo Employee Personnel Policies as outlined. Roll call vote: Krejci, yes; Boop, yes; Warford, yes; Ideus, yes; Rappl, yes; and Nagle, yes. Absent and not voting: none. Motion carried.

No audience comments were presented.

The Mayor welcomed the new Council members.

The next meeting date is Tuesday, December 22, 2020.

Motion by Rappl, seconded by Nagle, to adjourn at 8:38 p.m.

Approved:

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Lucinda Morrow, Clerk

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Gerald D. Johnson, Mayor