

The Council met in regular session in the Wahoo City Hall, 605 North Broadway Street, 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: Ryan Ideus, Patrick Nagle, Karen Boop, Stuart Krejci, and Chris Rappl. Absent: Carl Warford.

The Mayor asked for audience comments on items not on the agenda, and none were offered.

Department heads gave their reports.

Kevin Stuhr, Parks and Rec Director reported that the pool would be closing this Sunday, that this year has been a "top 5 year" for attendance. He also reported the filter change for the indoor pool in the Civic Center went well. Travis Beavers, Zoning/Building Administrator, reported the new Casey's was moving along well. Bruce Ferrell, Chief of Police, reported that call volume was up. Dave Jansa, Street Commissioner, reported there was extensive clean up after the weekend storm.

Melissa Harrell, City Administrator, reported that the 15th and Hackberry construction would be complete before Wahoo Public started school. North Highlands grading work has begun and Jeff Lake with Water Tower Place, LLC presented about the subdivision at the Greater Wahoo Development Foundation meeting in August. It was reported that the Finance Committee will be meeting with the City Administrator and department heads to develop the budget over the next few weeks.

The 2021 League of Nebraska Municipalities Annual Conference is coming up and it was suggested that any Council or Staff interested in attending to contact Jen Foster.

The Board of Public Works will be losing Gerry Tyler after many years of service as a Councilmember and BPW member. Chris Rappl will replace him on the board.

The first tranche of the American Rescue Plan Act moneys have been collected by the City. The money has a few possible allocations such as to be used for revenue recovery and water main system improvements. There are extensive reporting measures to the federal government for using the funds.

A motion was made by Krejci, seconded by Nagle to approve the following items listed on the consent agenda: 1) Excuse Council Member Carl Warford from the current meeting; 2) Minutes of July 13, 2021 Meeting of Council; 3) Minutes of July 21, 2021 Board of Public Works; 4) Approval of change to specs in the City of Wahoo Infrastructure specs for Sewer Main Pipe from SDR35 to SDR26; 5) Acceptance of Mayor's appointments to the following boards: Mike Kleffner – Planning Commission. Roll call vote: Krejci, yes; Rappl, yes; Ideus, yes; Boop, yes; Nagle, yes. Warford, absent and not voting. Motion carried.

The public hearing on an application to rezone 657 East 13th St. was still open and discussed. The decision of Council was to hold the public hearing at the next meeting after contacting the parties involved. No action was taken.

Jon Mooberry of JEO Consulting at 1937 N Chestnut St, Wahoo, NE 68066, was present to explain an asphalt overlay project and some intersection work that is scheduled to be done in 2022 on Linden and Beech Streets. Motion by Nagle, seconded by Rappl, to approve the proposal from JEO to prepare plans and specifications for 2022 Intersection, Curb Ramp, and Asphalt Overlay Project. Roll call vote: Krejci, yes; Rappl, yes; Ideus, yes; Boop, yes; Nagle, yes. Warford, absent and not voting. Motion carried.

A proposal from JEO to complete a space needs assessment of City Hall staff, Police Department and EMS Department as well as an evaluation of the feasibility of City Hall in meeting these needs. Deliverables from this project will include floor plans, opinion of cost, design options, and locations. Motion by Krejci, seconded by Ideus to approve the proposal from JEO to complete the evaluation of City Hall as presented. Roll call vote: Krejci, yes; Rappl, yes; Ideus, yes; Boop, yes; Nagle, yes. Warford, absent and not voting. Motion carried.

An event permit was submitted by Angie Craft for the "Harvest Moon Festival" on Saturday, September 18th, 2021. Angie Craft, organizer of the event, of 230 Kipling Circle was present to discuss the permit. The request included permission to close 5th Street from Broadway to Beech on the day of the event. The Police Chief reviewed the permit and recommended approval. Motion by Rappl, seconded by Boop, to approve the event permit. Roll call vote: Krejci, yes; Rappl, yes; Ideus, yes; Boop, yes; Nagle, yes. Warford, absent and not voting. Motion carried.

Ordinance No. 2370 entitled 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 7.06.05(5) WALL SIGNS, BY ADDITION OF ALLEYS TO THE DEFINITION OF DUAL FRONTAGE WITHIN THE DISTRICT C-1 ONLY ~~AND ON A CONDITIONAL USE BASIS~~ (Note: Conditional use language was amended out of the ordinance prior to final reading) was discussed before the final reading. Council members discussed the safety concern of approving the amendment as well as the Planning Commission's concerns expressed in their recommended denial of the amendment. Council also discussed the need to let businesses have freedom and be creative.

Council Member Boop moved that Ordinance No. 2370 be amended to eliminate the language requiring a conditional use permit as was approved in the second reading of the ordinance. Motion seconded by Ideus. The Mayor then called for roll call vote on the amendment: Boop, yes; Ideus, yes; Krejci, no; Rappl, yes; Nagle, yes. Warford, absent and not voting. Motion carried.

Council Member Boop then moved for approval of the final reading of **Ordinance No. 2370** as amended entitled: 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 7.06.05(5) WALL SIGNS, BY ADDITION OF ALLEYS TO THE DEFINITION OF DUAL FRONTAGE WITHIN THE DISTRICT C-1 ONLY. Council Member Ideus seconded the motion. The Mayor instructed the Clerk to call the roll for the vote and the following was the vote on this motion: Roll call vote: Krejci, no; Rappl, yes; Ideus, yes; Boop, yes; Nagle, yes. Warford, absent and not voting. 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 Acting 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.

Ord. 2372, regarding the permitting of alcohol sales from establishments that are not considered a bar or restaurant to obtain a conditional use permit, was next on the agenda for consideration of second and possible third/final reading. Council Member Ideus moved that the statutory rules in regard to the passage and adoption of ordinances be suspended so that the said ordinance might be read by title, and then moved for final passage at the same meeting. Council Member Boop 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: Krejci, yes; Rappl, yes; Ideus, yes; Boop, yes; Nagle, yes. Warford, absent and not voting. 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. 2372 may be read by title and moved for final passage in the same meeting.

Council Member Ideus moved that Ordinance No. 2372 be approved and passed and its title agreed to. Council Member Boop seconded the motion. The Acting Mayor instructed the Clerk to call the roll for the vote and the following was the vote on this motion: Roll call vote: Krejci, yes; Rappl, yes; Ideus, yes; Boop, yes; Nagle, yes. Warford, absent and not voting. 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 Acting 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.

A proposed Ordinance to amend the zoning code regarding accessory structures was discussed, Travis Beavers wanted to clarify the language before any voting. The item was table until next meeting.

Ordinance No. 2373 regarding downtown parking was discussed. Council members indicated they would have liked more solutions from downtown business members, but agreed this ordinance was a start in the right direction. A motion was made by Krejci, seconded by Nagle to amend Ordinance No. 2373 to eliminate a specific fee in the language and have the fee be established by resolution. Roll call vote on the amendment: Krejci, yes; Nagle, yes; Rappl, yes; Ideus, yes; Boop, yes. Warford, absent and not voting.

Motion by Krejci, seconded by Nagle, to approve the second reading of Ordinance No. 2373 as amended regarding residential downtown parking. Roll call vote: Krejci, yes; Nagle, yes; Rappl, yes; Ideus, yes; Boop, yes. Warford, absent and not voting.

Harrell reported to the Council that part of the Subdivision Agreement with the developers of North Highlands Subdivision required the City to create a street improvement district for road improvements. It was explained that this was necessary to allow the City to assess the property owners in the district for the street improvements for the North Highlands Subdivision.

Ordinance No. 2374 entitled: AN ORDINANCE OF THE CITY OF WAHOO, NEBRASKA, CREATING A STREET IMPROVEMENT DISTRICT WITHIN THE CITY OF WAHOO TO BE KNOWN AS STREET IMPROVEMENT DISTRICT NO. 2021-01, was introduced by Krejci. The Mayor then instructed the Clerk to read Ordinance No. 2374 of the City of Wahoo, Nebraska. The Clerk thereupon read the aforesaid Ordinance No. 2374 by title.

Council Member Krejci 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 Ideus 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: Krejci, yes; Rappl, yes; Ideus, yes; Boop, yes; Nagle, yes. Warford, absent and not voting. 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. 2374 may be read by title and moved for final passage in the same meeting.

Council Member Krejci moved that Ordinance No. 2374 be approved and passed and its title agreed to. Council Member Ideus seconded the motion. The Mayor instructed the Clerk to call the roll for the vote and the following was the vote on this motion: Nagle, yes; Rappl, yes; Boop, yes; Krejci, yes; and Ideus, yes. Absent and not voting: Warford. 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.

Next on the agenda was a resolution of necessity for storm and sanitary sewer improvements within North Highlands Subdivision. It was explained this is a routine resolution to assess the property owners within the described boundaries for the aforesaid improvements. **Resolution No. 2021-09** to find and determine it necessary to create a storm and sanitary sewer improvement district was introduced by Krejci, who moved for approval, seconded by Boop, as follows:

“BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF WAHOO, NEBRASKA, AS FOLLOWS:

1. The Mayor and Council hereby find and determine that it is necessary and advisable to construct additions and improvements to the City's Storm Water Sewer System (Storm Water Sewer District No. 2021-01) consisting of the following:

Installation of 36”, 30”, 24”, and 18” (inch) diameter reinforced concrete storm sewer pipe, with inlets, utility adjustments, manholes, site grading, and surface restoration and such other appurtenant improvements as necessary in North Highland Subdivision (Lots 1 thru 60 and Outlot “A” inclusive) to the City of Wahoo, Nebraska

2. The Mayor and Council hereby find and determine that it is necessary and advisable to construct additions and improvements to the City's Sanitary Sewer System (Sanitary Sewer District No. 2021-01) consisting of the following:

Installation of an 8" (inch) PVC SDR26 solid wall sanitary sewer main, 6" (inch) PVC SDR26 solid wall sanitary sewer service lines, providing service connections to all 60 lots, with manholes, site grading, and surface restoration and such other appurtenant improvements as necessary in North Highlands Subdivision (Lots 1 thru 60 and Outlot "A" inclusive) to the City of Wahoo, Nebraska.

3. The outer boundaries of Storm Water Sewer District No. 2021-01 and Sanitary Sewer District No. 2021-01 are as follows:

ALL OF NORTH HIGHLANDS SUBDIVISION (LOTS 1 THRU 60 AND OUTLOT "A" INCLUSIVE) BEGINNING AT THE SOUTHEAST CORNER OF SAID SW1/4 OF THE NE1/4, SECTION 33, SAID POINT ALSO BEING ON THE NORTHERLY RIGHT-OF-WAY LINE OF 23RD STREET; THENCE N89°03'30"W (ASSUMED BEARING) ALONG THE SOUTH LINE OF SAID SW1/4 OF THE NE1/4, SECTION 33, A DISTANCE OF 633.59 FEET; THENCE N01°00'16"W, A DISTANCE OF 465.39 FEET; THENCE N89°02'55"E, A DISTANCE OF 188.52 FEET; THENCE N00°56'21"W, A DISTANCE OF 86.31 FEET; THENCE N89°03'39"E, A DISTANCE OF 278.20 FEET; THENCE NORTHEASTERLY ON A CURVE TO THE LEFT WITH A RADIUS OF 270.00 FEET, A DISTANCE OF 60.40 FEET, SAID CURVE HAVING A LONG CHORD WHICH BEARS N82°39'07"E, A DISTANCE OF 60.28 FEET; THENCE N76°14'34"E, A DISTANCE OF 48.38 FEET; THENCE NORTHEASTERLY ON A CURVE TO THE RIGHT WITH A RADIUS OF 330.00 FEET, A DISTANCE OF 73.83 FEET, SAID CURVE HAVING A LONG CHORD WHICH BEARS N82°39'07"E, A DISTANCE OF 73.67 FEET; THENCE N89°03'39"E, A DISTANCE OF 64.89 FEET; THENCE NORTHEASTERLY ON A CURVE TO THE RIGHT WITH A RADIUS OF 330.00 FEET, A DISTANCE OF 3.12 FEET, SAID CURVE HAVING A LONG CHORD WHICH BEARS N89°19'53"E, A DISTANCE OF 3.12 FEET; THENCE N00°56'21"W, A DISTANCE OF 99.06 FEET; THENCE N02°34'21"W, A DISTANCE OF 75.32 FEET; THENCE N08°20'44"W, A DISTANCE OF 74.69 FEET; THENCE N12°42'48"W, A DISTANCE OF 74.68 FEET; THENCE N18°04'37"W, A DISTANCE OF 130.96 FEET; THENCE N09°23'39"W, A DISTANCE OF 90.19 FEET; THENCE SOUTHEASTERLY ON A CURVE TO THE RIGHT WITH A RADIUS OF 470.00 FEET, A DISTANCE OF 2.01 FEET, SAID CURVE HAVING A LONG CHORD WHICH BEARS S86°11'39"E, A DISTANCE OF 2.01 FEET; THENCE S86°04'19"E, A DISTANCE OF 23.43 FEET; THENCE N03°55'41"E, A DISTANCE OF 60.00 FEET; THENCE N01°00'16"W, A DISTANCE OF 137.54 FEET TO A POINT ON THE NORTH LINE OF SAID SE1/4 OF THE NE1/4, SECTION 33; THENCE S89°39'24"E ALONG SAID NORTH LINE OF THE SE1/4 OF THE NE1/4, SECTION 33, A DISTANCE OF 615.25 FEET TO THE NORTHEAST CORNER OF THE NW1/4 OF SAID SE1/4 OF THE NE1/4, SECTION 33; THENCE S01°13'24"E ALONG THE EAST LINE OF THE WEST 1/2 OF SAID SE1/4 OF THE NE1/4, SECTION 33, A DISTANCE OF 1336.91 FEET TO THE SOUTHEAST CORNER OF SAID SW1/4 OF THE SE1/4 OF THE NE1/4, SECTION 33, SAID POINT ALSO BEING ON SAID NORTHERLY RIGHT-OF-WAY LINE OF 23RD STREET; THENCE N89°03'57"W ALONG THE SOUTH LINE OF SAID SE1/4 OF THE NE1/4, SECTION 33, SAID LINE ALSO BEING SAID NORTHERLY RIGHT-OF-WAY LINE OF 23RD STREET, A DISTANCE OF 61.52 FEET; THENCE WESTERLY ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF 23RD STREET ON THE FOLLOWING FOUR (4) DESCRIBED COURSES; (1) THENCE N78°23'22"W, A DISTANCE OF 50.37 FEET; (2) THENCE NORTHWESTERLY ON A CURVE TO THE LEFT WITH

A RADIUS OF 824.81 FEET, A DISTANCE OF 153.69 FEET, SAID CURVE HAVING A LONG CHORD WHICH BEARS N83°43'40"W, A DISTANCE OF 153.47 FEET; (3) THENCE N89°03'49"W, A DISTANCE OF 94.96 FEET; (4) THENCE S00°59'34"E, A DISTANCE OF 23.63 FEET TO A POINT ON SAID SOUTH LINE OF THE SE1/4 OF THE NE1/4, SECTION 33; THENCE N89°03'57"W ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF 23RD STREET, SAID LINE ALSO BEING SAID SOUTH LINE OF THE SE1/4 OF THE NE1/4, SECTION 33, A DISTANCE OF 296.75 FEET TO THE POINT OF BEGINNING. SAID TRACT OF LAND CONTAINS 1,169,082 SQUARE FEET OR 26.839 ACRES, MORE OR LESS.

4. The size, kind and location and terminal points of storm sewer system proposed to be constructed as a part of said additions and improvements is as follows:

IMPROVEMENTS CONSISTING OF TWO SECTIONS, THE FIRST COMMENCING AT A POINT ADJACENT TO THE NORTHWEST CORNER OF LOT 60, NORTH HIGHLANDS SUBDIVISION AND EXTENDING NORTHERLY AND EAST IN A COLLECTION SYSTEM, TERMINATED AND OUTLETING IN A BASIN LOCATED IN OUTLOT "A" OF NORTH HIGHLANDS SUBDIVISION, AND COMMENCING AT A POINT ADJACENT TO THE NORTHWEST CORNER OF LOT 24, NORTH HIGHLANDS SUBDIVISION AND EXTENDING EAST AND SOUTH IN A COLLECTION SYSTEM, TERMINATING AND OUTLETING IN A BASIN LOCATED IN OUTLOT "A" OF NORTH HIGHLANDS SUBDIVISION, ALL LOCATED IN NORTH HIGHLANDS SUBDIVISION. SAID STORM SEWER MAINS SHALL CONSIST OF REINFORCED CONCRETE SEWER PIPE WITH DIAMETERS OF 36, 30, 24, AND 18 INCHES AS APPROPRIATE, TOGETHER WITH STORM SEWER INLETS AND OTHER NECESSARY APPURTENANT IMPROVEMENTS

4. The size, kind and location and terminal points of sanitary sewer system proposed to be constructed as part of said addition and improvements is as follows:

INSTALLATION OF AN 8" (INCH) PVC SDR26 SOLID WALL SANITARY SEWER MAIN, 6" (INCH) PVC SDR26 SOLID WALL SANITARY SEWER SERVICE LINES, PROVIDING SERVICE CONNECTIONS TO ALL 60 LOTS, WITH MANHOLES, SITE GRADING, AND SURFACE RESTORATION AND SUCH OTHER APPURTENANT IMPROVEMENTS AS NECESSARY.

5. Reference is hereby made to the plans and specifications for said additions and improvements which have been reviewed and approved by JEO Consulting Group, Special Engineers for the City who has been employed for such purpose, and which, together with said Engineer's estimate of total cost for said additions and improvements have been filed with the City Clerk prior to the publication of this Resolution.

6. The Engineer's estimate of total cost for the proposed improvements for said Districts is as follows:

SANITARY SEWER IMPROVEMENT DISTRICT NO. 2021-01	\$536,000.00
STORM WATER IMPROVEMENT DISTRICT NO. 2021-01	\$308,000.00

7. It is hereby found and determined that the Storm Water Sewer Improvements and Sanitary Sewer Improvements constitute improvements of benefit to all properties located in North Highlands Subdivision to the City of Wahoo, and said improvements shall be made at public cost, but special assessments shall be levied against all property benefited thereby. Said storm sewer and sanitary sewer

improvements shall be financed by the issuance of the City's General Obligation Sewer Bonds issued pursuant to Neb. Rev. Stat. § 17-925.

8. There being no petition filed in opposition to this resolution as provided by Neb. Rev. Stat. §17-916, the Mayor and City Council hereby orders the making of the improvements described herein.”

(NOTE: The vote on Resolution No. 2021-09 will be held following the public hearing on September 14, 2021.)

Resolution No. 2021-10 to set a hearing date for Resolution No. 2021-09 was introduced by Krejci, who moved for approval, seconded by Ideus, as follows:

“BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF WAHOO, NEBRASKA:

Section 1. That at a meeting of the Mayor and Council held August 10, 2021 there was proposed a Resolution of Necessity for the construction of storm sewer improvements within proposed Storm Water Sewer District No. 2021-1 and for construction of sanitary sewer improvements within Sanitary Sewer District No. 2021-1, both located in the North Highlands Subdivision (Lots 1 thru 60 and Outlot “A” inclusive) to the City of Wahoo, Nebraska .

Section 2. That a hearing shall be set for the 14th day of September, 2021 for consideration of said Resolution, and that notice be provided for at least two publications in the Wahoo Newspaper, which shall contain the entire wording of the Resolution, with the last publication not less than five days nor more than two weeks prior to the time set for hearing of objections to the passage of the resolution, at which hearing the owners of the property, which might become subject to assessment for the contemplated improvements, may appear and make objections to the proposed improvement.

Section 3. That the Clerk shall cause notice of said hearing and a copy of the proposed resolution to be served upon the property owners affected by the resolution.”

Roll Call: Nagle, yes; Rappl, yes; Boop, yes; Krejci, yes; and Ideus, yes. Absent and not voting: Warford.
Motion carried.

Resolution No. 2021-11 to renew our insurance coverage with LARM was introduced by Krejci, who moved for approval, seconded by Nagle, as follows:

“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, 2024. **(180 day and 3 year commitment; 5% discount)**"

Roll Call: Nagle, yes; Rappl, yes; Boop, yes; Krejci, yes; and Ideus, yes. Absent and not voting: Warford. Motion carried.

Motion by Nagle, seconded by Boop, to approve Hackberry Ball Field parking plan as presented. Roll Call: Nagle, yes; Rappl, yes; Boop, yes; Krejci, yes; and Ideus, yes. Absent and not voting: Warford. Motion carried.

Due to the amount of traffic on Linden, it was deemed necessary to place "No Parking" signs on the west side; this will allow emergency vehicles to get through the street as well. **Resolution No. 2021-12** to place "No Parking" signs on the west side of Linden between A and 2nd Street was introduced by Nagle, who moved for approval, seconded by Rappl, as follows:

"WHEREAS, the Governing Body of the City of Wahoo, Nebraska, has enacted a Municipal Code, and,

WHEREAS, Wahoo Municipal Code Section 70.01 adopts all portion of the Nebraska Rules of the Road and incorporates them by reference into the Wahoo Municipal Code, and,

WHEREAS, Section 60-680 (1)(b) of the Nebraska Revised Statutes provides the following:

"(1) Any local authority with respect to highways under its jurisdiction and within the reasonable exercise of police power may: ... (b) Regulate traffic by means of peace officers or traffic control devices;" and

WHEREAS, Section 60-624 of the Nebraska Revised Statutes defines a highway as follows:

"Highway shall mean the entire width between the boundary limits of any street, road, avenue, boulevard, or way which is publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel." and,

WHEREAS, Section 60-670 of the Nebraska Revised Statutes defines a traffic control device as follows:

"Traffic control device shall mean any sign, signal, marking, or other device not inconsistent with the Nebraska Rules of the Road placed or erected by authority of a public body or official having jurisdiction for the purpose of regulating, warning, or guiding traffic." and,

WHEREAS, the Mayor and Council of the City of Wahoo, Nebraska, as the City of Wahoo's Governing Body, do desire to adopt this resolution providing for prohibiting parking at certain locations within the corporate limits of the City of Wahoo, Nebraska,

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the City of Wahoo, Nebraska, as follows:

Section 1. That the finding hereinabove made should be and are hereby made a part of this Resolution as fully as if set out at length herein.

Section 2. That traffic control devices, to wit: one or more no parking signs, be erected at the following locations, all located in the City of Wahoo, Nebraska:

Along the west side of Linden Street between A Street and 2nd Street

Section 3. That upon the approval of this Resolution, the aforementioned traffic control devices shall be erected and this Resolution shall remain in full force and effect until the removal of said aforementioned signs, by the City of Wahoo, Nebraska, at which time, this Resolution shall be of no force and effect.”

Roll Call: Nagle, yes; Rappl, yes; Boop, yes; Krejci, yes; and Ideus, yes. Absent and not voting: Warford. Motion carried.

The Mayor announced he received a call back from the NDOT Director regarding the 77/92/109 intersection and from the conversation, it sounds like things are progressing and ideas are being considered. There was also discussion about a turn lane coming off the Expressway where the new Casey’s is located.

No audience comments. The next meeting date is Tuesday, August 24, 2021.

Motion by Warford seconded by Ideus, to adjourn at 8:35 p.m.

Cody Brem, Clerk

Gerald D. Johnson, Mayor