

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, and Chris Rappl. Absent: Stuart Krejci and Carl Warford.

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

Councilmember Chris Rappl gave a report on his first meeting with the Board of Public Works. There will be upgrades to the Utilities building at 110 S. Chestnut. It was Gerry Tyler's final BPW meeting, the Mayor noted that he will be missed after his many years of service on the BPW.

Library Director, Denise Lawver, gave the report on the Library. They recently hired a new employee and will be doing so again in the coming months, with an expected retirement approaching for another PT employee.

Councilmember Karen Boop gave a report on the Finance Committee meetings. Budget reports were given during those meetings.

City Administrator, Melissa Harrell, gave her report. There will be a Special Council Meeting on August 31<sup>st</sup> to approve certain plans and specs concerning North Highland's Improvements. This will allow the City to go out for bids and start a portion of the construction.

A motion was made by Nagle, seconded by Boop to approve the following items listed on the consent agenda: 1) Excuse Council Member Carl Warford and Stuart Krejci from the current meeting; 2) Minutes of July 27 and August 10, 2021 Meeting of Council; 3) Minutes of August 10, 2021 Library Board; 4) Minutes of August 5, 2021 Planning Commission. Roll call vote: Rappl, yes; Ideus, yes; Boop, yes; Nagle, yes. Warford and Krejci, absent and not voting. Motion carried.

The Public Hearing to rezone the Cliff House Property is being resubmitted to the Planning Commission for a review and will be brought back to the Council at a later date.

A proposed Ordinance amending the Zoning Code regarding accessory structures, remains tabled.

Resolution No. 2021-13 to authorize the Mayor to sign the Municipal Annual Certification of Program Compliance to Nebraska Board of Public Roads Classifications and Standards 2021 was introduced by Nagle, who moved for approval, seconded by Boop, as follows:

**"WHEREAS:** State of Nebraska Statutes, sections 39-2115, 39-2119, 39-2120, 39-2121, 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 Board Chairperson and shall

include the resolution of the governing body of the municipality authorizing the signing of the certification.

**Be it resolved** that the Mayor of Wahoo is hereby authorized to sign the Municipal Annual Certification of Program Compliance.”

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

Motion by Ideus, seconded by Rappl to recommend approval of a Class D Liquor License for Casey’s General Store #3850 to the Nebraska Liquor Control Commission. Roll call vote: Rappl, yes; Ideus, yes; Boop, yes; Nagle, yes. Warford and Krejci, absent and not voting. Motion carried.

Resolution No. 2021-14, declaring official intent of the City of Wahoo to reimburse expenses in connection with public improvements in North Highlands from the proceeds of bonds issued by the City, was introduced by Boop, who moved for approval, seconded by Rappl, as follows:

**RESOLUTION NO. 2021-14**

**A RESOLUTION DECLARING THE OFFICIAL INTENT OF THE CITY OF WAHOO, NEBRASKA TO REIMBURSE CERTAIN EXPENSES IN CONNECTION WITH PUBLIC IMPROVEMENTS IN NORTH HIGHLANDS SUBDIVISION IN THE CITY FROM THE PROCEEDS OF BONDS ISSUED BY THE CITY**

**BE IT RESOLVED** by the Council (the “**Council**”) of the City of Wahoo, Nebraska (the “**City**”) as follows:

**Section 1. Findings.**

(a) The City has begun the planning for acquiring and constructing certain street, sanitary sewer, storm sewer, and related improvements in the City’s North Highlands Subdivision, Phase I, (the “**Project**”) and the City anticipates spending funds in the amount of approximately \$2,000,000.00 to pay the costs of the Project.

(b) The City anticipates issuing bonds to finance all or a portion of the Project, in the principal amount of not to exceed \$2,000,000.00 (the “**Bonds**”). The City anticipates paying costs of the Project prior to the issuance of the Bonds and desires to preserve its ability to reimburse such costs under the provisions of the Internal Revenue Code of 1986, as amended (the “**Code**”), and the applicable regulations thereunder, including but not limited to Section 1.150-2 thereof (the “**Regulations**”).

(c) It is necessary, desirable, advisable and in the best interests of the City that it declare its official intent to permit the City to reimburse costs of the Project made by the City from the proceeds of the Bonds in accordance with the requirements of the Code and Regulations.

**Section 2. Declaration of Intent and Related Matters.**

(a) The Council hereby declares the official intent of the City to reimburse all or part of the costs of the Project through the issuance of Bonds, the interest on which may be excludable from gross income for federal income tax purposes under Section 103 of the Internal Revenue Code of 1986, as amended.

(b) The Bonds will be issued in the amount and upon the terms and conditions provided in a bond ordinance to be passed by the Council at a meeting held for such purpose. Notwithstanding any other provision of this Resolution, nothing contained herein is intended to obligate the City to issue the Bonds or to reimburse any particular expenditure.

(c) The Mayor, City Administrator and City Treasurer (each an “**Authorized Officer**”) are hereby individually authorized to take any further action as such Authorized Officer shall deem necessary or desirable without further action by the Council to carry out the transactions contemplated by this Resolution.

**Section 3. Effective Dates.** This Resolution will be in full force and effect from and after its passage and adoption by the Council and approval by the Mayor.

**Section 4. Conflicting Resolutions Repealed.** All resolutions of the Council, or parts thereof, in conflict with the provisions of this Resolution are, to the extent of such conflict, hereby repealed.

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

Motion by Nagle, seconded by Boop, to approve of work completed by Philip Carkoski Construction and Trenching, Inc. in the amount of \$46,702.00. Roll call vote: Rappl, yes; Ideus, yes; Boop, yes; Nagle, yes. Warford and Krejci, absent and not voting. Motion carried.

**Ordinance No. 2373** entitled AN ORDINANCE OF THE CITY OF WAHOO, NEBRASKA, TO AMEND TITLE VII: TRAFFIC CODE, CHAPTER 70. GENERAL PROVISIONS, SECTION 70.04 OFF STREET PARKING, OF THE WAHOO MUNICIPAL CODE, AND IN PARTICULAR, THE PORTION THEREOF PERTAINING TO DOWN TOWN PARKING; TO PROVIDE THAT THE MAYOR AND THE APPROPRIATE DEPARTMENT, WHETHER ONE OR MORE, OF THE CITY OF WAHOO, NEBRASKA, ARE AUTHORIZED AND DIRECTED TO IMPLEMENT THIS ORDINANCE; was discussed before the final reading. Council members discussed the fact that this would be a living document but was a great start. There was discussion on making the effective date of the ordinance for January 1, 2022.

Council Member Nagle then moved for approval of the final reading of **Ordinance No. 2373** as amended entitled: AN ORDINANCE OF THE CITY OF WAHOO, NEBRASKA, TO AMEND TITLE VII: TRAFFIC CODE, CHAPTER 70. GENERAL PROVISIONS, SECTION 70.04 OFF STREET PARKING, OF THE WAHOO MUNICIPAL CODE, AND IN PARTICULAR, THE PORTION THEREOF PERTAINING TO DOWN TOWN PARKING; TO PROVIDE THAT THE MAYOR AND THE APPROPRIATE DEPARTMENT, WHETHER ONE OR MORE, OF THE CITY OF WAHOO, NEBRASKA, ARE AUTHORIZED AND DIRECTED TO IMPLEMENT THIS ORDINANCE. 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: Rappl, yes; Ideus, yes; Boop, yes; Nagle, yes. Warford and Krejci, 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.

The proposal from Thiele Geotech, Inc. was discussed and the Council was reminded this was a part of the 2022 downtown street improvements. Motion by Nagle, seconded by Boop, to accept proposal from Thiele Geotech, Inc. for pavement evaluation services. Rappl, yes; Ideus, yes; Boop, yes; Nagle, yes. Warford and Krejci, absent and not voting. Motion carried.

The Mayor had comments on items not listed on the agenda. The Council discussed what the next move was and if there was a possible reevaluation of the sign code. The Mayor expressed concern for the possibility of the Council not heeding the recommendation of the Planning Commission and other review boards. The Downtown Retail group that meets regularly was discussed as well.

No audience comments. The next special meeting date is Tuesday, August 31, 2021.

Motion by Ideus seconded by Boop, to adjourn at 7:35 p.m.

---

Cody Brem, Clerk

---

Gerald D. Johnson, Mayor