

The Council met in regular session in the Wahoo Public Library, 637 N Maple, in compliance with the agenda posted at City Hall, Post Office and First Bank of Nebraska, and the City of Wahoo website, with each Council member being notified of the 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: Stuart Krejci, Chris Rappl, Shane Sweet, Carl Warford, and Patrick Nagle. Council Members absent: Ryan Ideus

Council Member Rappl motioned, and Council Member Krejci seconded to approve the consent agenda which included Approval of Pay App No. 6 to M.E. Collins in the amount of \$74,449.53 for the 2022 Asphalt overlay project, Approval of Change Order No. 4 M.E. Collins in the amount of \$-124,929.15 for the 2022 Asphalt Overlay project, and Approval of Volunteer EMT Jamieson Battistella. Roll call vote: Rappl, yes; Krejci, yes; Nagle, yes; Warford, yes; Sweet, yes; and Ideus, absent and not voting. Motion carried.

A public hearing regarding the issuance of a class D liquor License to Hergert Oil Company dba Super C at 1142 North Chestnut Street Wahoo, NE was opened at 7:03 p.m. Joel Larsen from Hergert Oil Company spoke on behalf of the company. There was no other public comment. Council Member Rappl motioned and Council Member Krejci seconded to close the public meeting at 7:05 p.m. Roll call vote: Rappl, yes; Krejci, yes; Nagle, yes; Warford, yes; Sweet, yes; and Ideus, absent and not voting. Motion carried.

Council Member Warford motioned and Sweet seconded to approve the issuance of a class D liquor license to Hergert Oil. Roll call vote: Warford, yes; Sweet, yes; Rappl, yes; Krejci, yes; Nagle, yes; and Ideus, absent and not voting. Motion carried.

Ordinance No. 2414 was introduced by Council Member Warford entitled: AN ORDINANCE OF THE CITY OF WAHOO, SAUNDERS COUNTY, NEBRASKA, TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF WAHOO, NEBRASKA, PERTAINING TO THE FOLLOWING-DESCRIBED REAL ESTATE, TO WIT: LOTS 1-4, PART OF LOTS 5-8 AND ALL OF LOTS 9-12, BLOCK 155, COUNTY ADDITION TO WAHOO AND PART OF VACATED ALLEY BY ALLOWING THEREON A PERMITTED CONDITIONAL USE, THAT BEING ON STREET PARKING SPACES ALONG BEECH STREET AND 4<sup>TH</sup> STREET TO BE COUNTED TOWARDS TOTAL NUMBER OF SPACES REQUIRED BY PERMITTED CONDITIONAL USES LISTED UNDER C-1 DOWNTOWN COMMERCIAL ZONING DISTRICT OF WAHOO ZONING REGULATIONS SECTION 5.12.03.

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: Warford yes; Krejci, yes; Nagle, yes; Rappl, yes; Sweet, yes; and Ideus, 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 regard to the passage and approval of ordinance be suspended so that Ordinance No. 2414 may be read by title and moved for final passage in the same meeting.

Council Member Warford moved that Ordinance No. 2414 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: Roll call vote: Warford, yes; Krejci, yes; Rappl, no; Sweet, yes; Nagel, yes. and Ideus, 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 the Mayor, in the presence of the Council, signed and approved the Ordinance and Clerk attested the passage and approval of the same and affixed her signature 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.

Council Member Warford motioned, and Council Member Rappl seconded to take the third reading of Ordinance No. 2398 – Conditional Use Permit for Ground Level Apartments in C-1 downtown commercial district from the table. Roll call vote: Warford, yes; Rappl, yes; Krejci, yes; Nagle, yes; Sweet, yes; and Ideus, absent and not voting. Motion carried.

Council Member Warford motioned to amend Ordinance No. 2398 to add conditions regarding parking, total number of units, and giving City Council final approval for building plan set for the project. Council Member Warford motioned and Council Member Krejci seconded to approve the final reading of Ordinance No. 2398 as amended. Roll call vote: Warford, yes; Krejci, yes; Nagle, yes; Rappl, yes; Sweet, yes; and Ideus, absent and not voting. Motion carried

Council Member Rappl motioned, and Council Member Krejci seconded to approve Resolution 2022-28 amending the master fee schedule to update building permit fees.

## **RESOLUTION NO. 2022-28**

### **CITY OF WAHOO MASTER FEE RESOLUTION**

WHEREAS, it is necessary for the staff of the City of Wahoo to provide services, materials and products, permits, and facilities for use by the public, that will be reimbursed by said members of the public, and,

WHEREAS, it is necessary for the Mayor and City Council of the City of Wahoo to establish and adopt, by resolution, a schedule of appropriate fees and charges as are necessary to recover City costs in providing City services, materials, permits, and products,

WHEREAS, it is desirable to maintain a Master Fee Schedule which provides a compilation of fees and charges assessed by the departments of the City of Wahoo, as attached herein,

WHEREAS, the City did, on March 11, 2021 adopt a Master Fee Scheduled, containing Attachments 1 to 9 as follows:

Attachment 1: General Fund Fees and Charges

Attachment 2: Police Department Fees and Charges

Attachment 3: Street Department Fees and Charges

- Attachment 4: Cemetery Fees and Charges
- Attachment 5: Park and Recreation Fees and Charges
- Attachment 6: Rescue Squad Fees and Charges
- Attachment 7: Wahoo Public Library Fees and Charges
- Attachment 8: Building Department Fees and Charges
- Attachment 9: Zoning Department Fees and Charges

WHEREAS, it is necessary to update particular Attachments to adopt changes to said fees and charges, specifically Attachment 1: General Und Fees and Charges and Attachment 2: Police Department Fees and Charges.

THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Wahoo that the following amendments to Attachment 8: Building Department Fees and Charges are hereby adopted and are to be incorporated into the City of Wahoo’s Master Fee Resolution, and

BE IT FURTHER RESOLVED that the effective date of this amendment shall be January 1<sup>st</sup>, 2023.

ATTACHMENT 8 TO MASTER FEE SCHEDULE  
BUILDING DEPARTMENT FEES AND CHARGES

PURSUANT TO TITLE XV: LAND USAGE, Chapter 150, Building Regulations, and specifically §150.049 FEES of the Wahoo Municipal Code as amended from time to time, the following shall be the Building Permit Fees for the City of Wahoo, Nebraska, effective as of October 1, 2008.

I.

The Building Permit Fee for the erection of any new building or for any alteration or remodeling of any building shall be the total of paragraphs A, B, C, D and E, hereof, computed as follows, subject to Section IV hereof.

**A. CONSTRUCTION COSTS:**

(1)	<i>Apartments, Duplexes, Dwellings</i>	
	Frame Construction	\$115.00
	Finished Basement	\$55.00
	Unfinished Basement	\$15.00
	Each additional floor	\$40.00
(2)	<i>Garages (attached or unattached, brick or frame)</i>	
	Garage	\$40.00 per sq. ft. or contractor’s estimated cost, whichever is greater
	Single Carport	\$1,000.00
	Double Carport	\$1,500.00
	Each additional carport	\$700.00
(3)	<i>Commercial-Recreational Buildings (with or without basement)</i>	
	Masonry, concrete, or frame construction	\$120 per sq. ft. or contractor’s est. cost, whichever is greater

	Steel construction	\$100 per sq. ft. or contractor's est. cost, whichever is greater
	Each additional floor	\$60 per sq. ft. or contractor's est. cost, whichever is greater
(4)	<i>Warehouse Storage (with or without basement-unfinished interior)</i>	
	Masonry, concrete, or frame construction	\$80 per sq. ft. or contractor's est. cost, whichever is greater
	Steel construction	\$70 per sq. ft. or contractor's est. cost, whichever is greater
	Each additional floor	\$40 per sq. ft. or contractor's est. cost, whichever is greater
(5)	Miscellaneous Building Permits Fence, Egress Window, Driveway, Sidewalks	\$20.00
(6)	<i>Remodeling any residence, garage, commercial building</i> – use contractor's estimated cost	
<b>B.</b>	<b>VALUATION FEE:</b>	
(1)	\$1.00 to \$500.00	\$20.00
(2)	\$501.00 to \$2,000.00	\$20.00 for the first \$500.00, plus \$2.00 for each Additional \$100.00 or fraction thereof, to and including \$1,900.00
(3)	\$2,001.00 to \$25,000.00	\$90.00 for the first \$2,000.00 plus \$10.00 for each additional \$1,000.00 or fraction thereof, to and including \$25,000.00
(4)	\$25,001.00 to \$50,000.00	\$320.00 for the first \$25,000.00 plus \$8.00 for each additional \$1,000.00 or fraction thereof, to and including \$50,000.00
(5)	\$50,001.00 to \$100,000.00	\$520.00 for the first \$50,000.00 plus \$6.00 for each Additional \$1,000.00 fraction thereof, to and including \$100,000.00
(6)	\$100,001.00 to \$300,000.00	\$820.00 for the first \$100,000.00 plus \$4.00 for each additional \$1,000.00 or fraction thereof, to and including \$200,000.00
(7)	\$300,001.00 to \$500,000.00	\$1620.00 for the first \$300,000.00 plus \$2.00 for each additional \$1,000.00 or fraction thereof, to and including \$300,000.00
(8)	\$500,001.00 and up	\$2020.00 for the first \$500,000.00 plus \$1.00 for each Additional \$1,000.00 or fraction thereof
<b>C.</b>	<b>BUILDING PERMIT ISSUANCE ADMINISTRATIVE FEE</b>	\$30.00
<b>D.</b>	<b>CERTIFICATE OF OCCUPANCY</b> Refundable Deposit	(SEE Section III hereof) \$500.00

Certificate of Temporary Occupancy \$750.00

E. Certificate of Zoning Compliance \$25.00

F. DISCOUNTED FEES: Any political subdivision applying for a Building Permit is eligible for a 50% discount on the valuation fee calculated in paragraph B of the above section. All other permit fees and charges shall apply.

II.

The following fees shall be charged for the specific items and shall be in addition to the Building Permit Fee as set forth in Section I hereof:

A. Moving Building. Before any building is moved, a permit for such removal shall be obtained. The fee for such permit shall be the sum of \$50 except in the case of private garages and small buildings not exceeding 240 sq. ft. of floor area, in which case the fee shall be the sum of \$15.00.

B. Demolish Buildings. Before any building is demolished, a permit to do so shall be obtained and County Assessor's and County Treasurer's offices notified, and all taxes are to be paid on said property. The fee for such permit shall be \$30.00 for 240 sq. ft. or less. For buildings over 240 sq. ft., \$30.00 plus \$3.00 for each additional 100 sq. ft. or fraction thereof.

C. Erection of Signs. Before any sign is erected a permit shall be obtained. The City of Wahoo shall charge and collect the following fee:

For signs valued at \$50 - \$500	\$25.00
All over \$500	Use above fee schedule

Mechanical Permit	
Permit issuance fee:	\$25.00
Up to 100,000 BTU	\$20.00
Over 100,000 BTU	\$30.00
Air Conditioner or Heat Pump	\$20.00

Plumbing Permit	
Permit issuance fee:	\$25.00
Sewer or Septic	\$20.00
Water Service or Well	\$20.00
Gas System	\$10.00
Water heater	\$ 7.00
Each fixture	\$ 7.00

Occupancy certificate will not be issued until final State Electrical Inspection is complete.

III.

After the construction and/or remodeling of a building is completed, the owner thereof shall contact the Building Inspector/Zoning Administrator to conduct an occupancy inspection of said building pursuant to Section 9.05 of the Zoning Ordinance of the City of Wahoo, Nebraska. Upon the Building Inspector's/Zoning Administrator's determination that all Ordinances, Codes, Rules and Regulations of the City of Wahoo, Nebraska, reference the construction of said building have been complied with, the

Building Inspector/Zoning Administrator shall issue a Certificate of Occupancy and refund to the owner thereof the aforementioned Certificate of Occupancy Permit Fee of \$250.00. If there are violations of said Ordinances, Codes, Rules and Regulations, the Building Inspector/Zoning Administrator shall not issue the Certificate of Occupancy until all violations have been corrected. If the owner has moved into the newly constructed and/or remodeled building prior to the issuance of the Certificate of Occupancy, or if the owner is using the newly constructed and/or remodeled building prior to the issuance of the Certificate of Occupancy, the Building Inspector/Zoning Administrator, in his/her discretion, may deduct from the Certificate of Occupancy Permit Fee a reasonable amount for said violation and/or violations, prior to the issuance of the Certificate of Occupancy.

IV.

All building permits as set forth in the Building Permit Fee Schedule must be applied for and obtained before construction or any work is begun upon the building or remodeling of a building. If construction or work is begun prior to obtaining of the permit, the City of Wahoo shall charge and collect double the amount of fee otherwise specified. All fees for building permits of any type shall be collected before said permit is issued. All such fees for obtaining building permits shall cover the costs of inspections required by the City of Wahoo and no additional fees shall be required for anyone applying for such permit. All fees for building permits of any type shall be payable to the City Clerk and the City of Wahoo and shall be deposited for the use and purposes of the General Fund of the City of Wahoo, Nebraska.

Ordinance No. 2415 was introduced by Council Member Krejci entitled: AN ORDINANCE OF THE CITY OF WAHOO, NEBRASKA, PROVIDING FOR THE TERMS OF THE APPOINTED OFFICERS AND FIXING THE SALARIES AND BENEFITS OF THE APPOINTED OFFICERS OF THE CITY OF WAHOO, NEBRASKA; PROVIDING FOR THE REPEAL OF PRIOR ORDINANCES IN CONFLICT AND PRESCRIBING THE TIME WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND TAKE EFFECT.

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 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: Krejci, yes; Warford yes; Nagle, yes; Rappl, yes; Sweet, yes; and Ideus, 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 regard to the passage and approval of ordinance be suspended so that Ordinance No. 2415 may be read by title and moved for final passage in the same meeting.

Council Member Krejci moved that Ordinance No. 2415 be approved and passed, and its title agreed to. Council Member Warford 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; Warford, yes; Rappl, yes; Sweet, yes; Nagel, yes. and Ideus, absent and not voting. Motion carried.

Council Member Rappl motioned and Warford seconded to approve the 2021-22 KENO report. Roll call vote: Rappl, yes; Warford, yes; Krejci, yes; Sweet, yes; Nagel, yes. and Ideus, absent and not voting. Motion carried.

James Craft asked if the KENO agreement that the city had with the current KENO operator was exclusive because other businesses would like the opportunity to bring in a different Keno operator. City

Administrator Harrell advised that she would review the agreement and reach out to him with more information.

Council Member Krejci motioned, and Council Member Nagel seconded to approve Change Order #1 for the North Highlands Subdivision project in the amount of \$11,266.50 to M.E. Collins. Roll call vote: Krejci, yes; Nagel, yes; Sweet, yes; Rappl, yes; Warford, yes; and Ideus, absent and not voting. Motion carried.

Council Member Krejci motioned, and Council Member Nagel seconded to approve Final Pay App #3 for the North Highlands Subdivision project in the amount of \$90,547.12 to M.E. Collins. Roll call vote: Krejci, yes; Nagel, yes; Sweet, yes; Rappl, yes; Warford, yes; and Ideus, absent and not voting. Motion carried.

Council Member Krejci motioned, and Council Member Nagel seconded to approve the acceptance of substantial completion for the North Highlands Subdivision. Roll call vote: Krejci, yes; Nagel, yes; Sweet, yes; Rappl, yes; Warford, yes; and Ideus, absent and not voting. Motion carried.

Council Member Warford motioned and Council Member Sweet seconded to enter into closed session for the purpose of protection of public interest at 7:54 p.m. Roll call vote: Warford, yes; Sweet, yes; Rappl, yes; Krejci, yes; Nagel, yes; and Ideus, absent and not voting. Motion carried.

The Mayor announced the Council, City Administrator Harrell, and City Attorney Lausterer would be entering into closed session for the protection of public interest.

Council Member Rappl motioned, and Council Member Nagel seconded to return to regular session at 8:47 p.m. Roll call vote: Rappl, yes; Nagel, yes; Warford, yes; Sweet, yes; Krejci, yes; and Ideus, absent and not voting. Motion carried.

Mayor Johnson outlined his priorities for 2023 and beyond. Comments were made about the possibility of a retreat, C-1 to C-3 zoning, food truck regulations, and traffic patterns along 3<sup>rd</sup> Street near the Civic Center.

Council Member Warford motioned and Council Member Sweet seconded to adjourn the meeting at 9:04 p.m. Warford, yes; Sweet, yes; Rappl, yes; Krejci, yes; Nagel, yes; and Ideus, absent and not voting. Motion carried.

The next regular meeting is January 10th, 2023, at 7:00pm at the Wahoo Public Library, 637 N. Maple St.

Approved: January 10, 2023

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Christina Fasel, City Clerk

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Gerald D. Johnson, Mayor