

WAHOO CITY COUNCIL AGENDA

Tuesday July 25, 2023 – 7:00 p.m.

Wahoo Public Library, 637 N Maple St, Wahoo, NE

NOTICE IS HEREBY GIVEN that the Mayor and Council of the City of Wahoo meet on the second and fourth Tuesdays of each month at the Wahoo Public Library, 637 N Maple Street Wahoo, Nebraska, at 7:00 p.m. Notice of special meetings shall be given by posting a notice thereof on the bulletin board in City Hall, U.S. Post Office, and First Bank of Nebraska, at least 24 hours before the special meeting. All Council meetings are open to the public and the agenda, which is kept continually current, is available for public inspection at the office of the City Clerk at City Hall during normal business hours.

Individuals requiring physical or sensory accommodations, individual interpreter service, Braille, large print or recorded material, please contact the ADA Coordinator at City Hall, 605 North Broadway, Wahoo, Nebraska, 68066, telephone 402-443-3222 as far in advance as possible, but no later than 48 hours before the scheduled event.

Pledge of Allegiance

Announcement of the Open Meetings Act

(A copy of the Act is posted on the west wall of the Council Chambers for public review. The Act is also available in pamphlet form on request.) All those wishing to speak at a meeting, under the Open Meetings Act, must announce their name and address, unless the information would be a risk to one's security.

Call to order and roll call

Proclamation

Audience comments on items not listed on the agenda

(The public may address the Council at this time with items that are not on the agenda. No action can be taken but the Council can hear your concerns and either the Mayor can direct them to the appropriate Department or Council Committee or ask that the item be placed on the next regular agenda for action.)

Department head reports

Library Director

Consent agenda

(The consent agenda is approved by one motion. Any item listed on the Consent Agenda may, by the request of any single Councilmember or public in attendance, be considered as a separate item under the Regular Agenda.)

1. Acceptance of excused absence of Mayor or Council member(s)
2. Approval of Minutes of the July 11, 2023, meeting of the city council
3. Acceptance of minutes of the July 6, 2023, meeting of the planning commission
4. Acceptance of minutes of July 11, 2023, library board

Public hearing and associated action items

Old business

1. Approve or deny claim filed against the City of Wahoo by Chad White in the amount of \$649.41.

Action items not requiring a public hearing

2. Approval of third and final reading of Ordinance No 2437 to provide for annexation of Water Tower Site.
3. Approval of Resolution No. 2023-15 a renewal of interlocal agreement with LARM
4. Acceptance of 2022 Utility Audit
5. Approval of Ordinance No 2439 to authorize the issuance of Utility Revenue Bonds, for the purpose of providing financing for Sand Creek Sewer.
6. Approval of first reading of Ordinance No 2440 to allow for the use of Golf carts on city streets.

Mayor's comments on items not listed on the agenda

Council comments on items not listed on the agenda

Upcoming planned meeting dates and agenda deadlines

1. Aug 8, 2023 (agenda deadline = 5:00pm Aug 4, 2023)
2. Aug 22, 2023 (agenda deadline = 5:00pm Aug 17, 2023)
3. Sept 12, 2023 (agenda deadline = 5:00pm Sept 7, 2023)

Consent Agenda

Wahoo Public Library

Wahoo, Nebraska

July 11, 2023

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, Patrick Nagle, Shane Sweet Carl Warford and Ryan Ideus. Council Members absent: None.

Council Member Warford motioned and Council Member Krejci seconded to approve the consent agenda which included, Approval of minutes of the June 27, 2023, city council meeting, approval of mayor's reappointment of Chad Aldrich to the Board of Adjustment, approval of drawdown #12 of housing rehab grant funds in the amount of \$105,474.61 including approval for claims for payment from SENDD for \$42.50 for Administration, \$4,156.00 for Housing Management, \$363.44 for LBP, MIT Contracting for \$76,401.67, Comfortechs for \$17,761.00, and Welch Masonry for \$6,750.00, approval of Pay Estimate No. 2 to K2 Construction in the amount of \$208,059.50 for Wilmer Ridge Subdivision infrastructure improvements. Roll call vote Warford, yes; Krejci, yes; Ideus, yes; Sweet, yes; Rappl, yes; and Nagle, yes. Motion carried.

The council convened as the Community Development Authority.

Council Member Krejci motioned, and Council Member Warford seconded to approve Resolution No. 2023-11 to provide recommendation of approval of the Redevelopment plan of the city to include a redevelopment project utilizing tax increment financing, the Kennedy Park Redevelopment Project (Blk 2 and Blk 5 of Dickenson's Addition to the City of Wahoo).

A RESOLUTION OF THE COMMUNITY DEVELOPMENT AGENCY OF THE CITY OF WAHOO, NEBRASKA, APPROVING AND ADOPTING AN AMENDMENT TO THE REDEVELOPMENT PLAN OF THE CITY OF WAHOO, NEBRASKA TO IMPLEMENT THE KENNEDY PARK REDEVELOPMENT PROJECT; ADOPTING A COST-BENEFIT ANALYSIS FOR THE REDEVELOPMENT PROJECT; AND TAKING OTHER ACTIONS REQUIRED OR PERMITTED UNDER THE NEBRASKA COMMUNITY DEVELOPMENT LAW.

RECITALS

A. Pursuant to the Nebraska Community Development Law, Neb. Rev. Stat. §§ 18-2101 through 18-2155, as amended (the "Act"), the City of Wahoo, Nebraska ("City") has adopted a General Redevelopment Plan for certain portions of the City identified as Amended Redevelopment Area #1 (the "Redevelopment Area"), a copy of which is on file and available for public inspection with the City Clerk (the "Redevelopment Plan").

B. The Community Development Agency of the City of Wahoo, Nebraska ("CDA"), in furtherance of the purposes and pursuant to the provisions of the Act, has prepared an amendment to the Redevelopment Plan in the form attached as Exhibit "A" ("Redevelopment Plan Amendment").

C. The Redevelopment Plan Amendment would create a redevelopment project in the Redevelopment Area on property described in the Redevelopment Plan Amendment identified as the Kennedy Park Redevelopment Project (the “Project”).

D. The Project would use Tax Increment Financing pursuant to Section 18-2147 of the Act to assist in paying for the costs of certain eligible public improvements authorized by the Act and more particularly set forth in the Redevelopment Plan Amendment.

E. The CDA is required under Section 18-2113(2) of the Act to conduct a cost benefit analysis for a redevelopment project which will use Tax Increment Financing.

F. The CDA has conducted a cost benefit analysis for the Project, and said cost benefit analysis is attached to the Redevelopment Plan Amendment as Exhibit “C” (the “Project Cost Benefit Analysis”).

G. The CDA submitted the question of whether the Redevelopment Plan Amendment should be recommended to the City Council to the Planning Commission of the City of Wahoo, Nebraska.

H. The Planning Commission recommended the approval of the Redevelopment Plan Amendment.

I. The CDA has determined that the Project would not occur in the Redevelopment Area and could not be financed or constructed but for the use of Tax Increment Financing.

J. Statements of the proposed method and estimated cost of the acquisition and preparation for redevelopment of the redevelopment project area and the estimated proceeds or revenue from its disposal to redevelopers, the proposed method of financing the redevelopment project, and a feasible method proposed for the relocation of families to be displaced from the redevelopment project area, if applicable, are set forth in the Redevelopment Plan Amendment and the Project Cost Benefit Analysis.

NOW THEREFORE, BE IT RESOLVED, by the CDA, as follows:

1. The cost and benefits set forth in the Project Cost Benefit Analysis have been found to be in the long-term best interest of the City.

2. The CDA hereby approves the Project Cost Benefit Analysis as the cost benefit analysis of the Project.

BE IT FURTHER RESOLVED, by the CDA, as follows:

1. The Redevelopment Plan Amendment is in conformance with the general plan for development of the City of Wahoo as a whole, as set forth in the Wahoo Comprehensive Plan, as amended.

2. The Redevelopment Plan Amendment will, in accordance with present and future needs, promote health, safety, morals, order, convenience, prosperity, and the general welfare, as well as efficiency and economy in the process of development, and the prevention of the recurrence of unsanitary or unsafe dwelling accommodations or conditions of blight, in the City of Wahoo.

3. The Redevelopment Plan Amendment is in conformance with the Act.

4. The Project would not be economically feasible and would not occur in the Redevelopment Area without the use of Tax Increment Financing.

5. The CDA hereby approves the Redevelopment Plan Amendment and recommends approval and adoption by the City Council of the City of Wahoo.

Roll call vote Krejci, yes; Warford, yes; Ideus, yes; Sweet, yes, Rappl, yes; and Nagle, yes. Motion carried.

Council Member Krejci motioned, and Council Member Warford seconded to approve resolution No. 2023-12 to provide recommendation of approval of Redevelopment Agreement for the Kennedy Park Redevelopment Project.

A RESOLUTION OF THE COMMUNITY DEVELOPMENT AGENCY OF THE CITY OF WAHOO, NEBRASKA, APPROVING THE REDEVELOPMENT AGREEMENT FOR THE KENNEDY PARK REDEVELOPMENT PROJECT AND AUTHORIZING THE USE OF TAX INCREMENT FINANCING FOR SAID PROJECT; AND TAKING OTHER ACTIONS REQUIRED OR PERMITTED UNDER THE NEBRASKA COMMUNITY DEVELOPMENT LAW.

RECITALS

A. Pursuant to the Nebraska Community Development Law, Neb. Rev. Stat. §§ 18-2101 through 18-2155, as amended (the “Act”), the City of Wahoo, Nebraska (“City”) has adopted a General Redevelopment Plan for certain portions of the City identified as Amended Redevelopment Area #1 (the “Redevelopment Area”), a copy of which is on file and available for public inspection with the City Clerk (the “Redevelopment Plan”).

B. The Community Development Agency of the City of Wahoo, Nebraska (“CDA”), in furtherance of the purposes and pursuant to the provisions of the Act, has adopted an amendment to the Redevelopment Plan (“Redevelopment Plan Amendment”).

C. The Planning Commission of the City of Wahoo, Nebraska has recommended approval of the Redevelopment Plan Amendment.

D. The CDA shall submit the Redevelopment Plan Amendment to the City Council of the City of Wahoo, Nebraska for final approval and adoption pursuant to the Act.

E. The Redevelopment Plan Amendment authorizes and creates a specific redevelopment project on a portion of the Redevelopment Area identified in the Redevelopment Plan Amendment as the Kennedy Park Redevelopment Project (the “Project”).

F. The CDA has prepared a redevelopment agreement for the Project, a copy of which is attached hereto as Exhibit "A" and incorporated by this reference (the "Redevelopment Agreement").

G. The Project would use Tax Increment Financing pursuant to Section 18-2147 of the Act to assist in paying for the cost of certain eligible public improvements authorized by the Act and identified in the Redevelopment Plan Amendment and the Redevelopment Agreement.

NOW THEREFORE, BE IT RESOLVED, by the CDA, that the Redevelopment Agreement is hereby approved.

BE IT FURTHER RESOLVED, the CDA authorizes the Chairperson of the CDA to execute and enter into the Redevelopment Agreement on the CDA's behalf upon the City Council's approval of the Redevelopment Agreement.

BE IT FURTHER RESOLVED, the CDA authorizes the Chairperson of the CDA to take all such actions that are required to fulfill the terms of the Redevelopment Agreement and to consummate the agreement set forth therein.

BE IT FURTHER RESOLVED, without limitation to the foregoing, the CDA authorizes the issuance of the TIF Indebtedness as set forth in the Redevelopment Agreement without further written approval of the CDA or the City Council. Such TIF Indebtedness shall be repaid solely from the Tax Increment created by the Project and does not represent the general obligation of the CDA or the City.

BE IT FURTHER RESOLVED, the foregoing resolutions are subject to and contingent upon the City Council's approval and adoption of the Redevelopment Plan Amendment for the Project, and if the City Council does not approve and adopt the Redevelopment Plan Amendment, the resolutions contained herein shall be void and of no effect.

BE IT FURTHER RESOLVED, that any other resolutions or actions that are contradictory or incompatible with the provisions of this Resolution are hereby rescinded.

Roll call vote Krejci, yes; Warford, yes; Ideus, yes; Sweet, yes; Rappl, yes; and Nagle, yes. Motion carried.

The Community Development Authority reconvened as the City Council.

A public Hearing on an Amendment of the Redevelopment Plan of the City of Wahoo to include a redevelopment project utilizing tax increment financing, project known as Kennedy Park Redevelopment Project generally located at 12th & Locust, including Block 2 and Block 5, Dickenson's Addition to the City of Wahoo was opened at 7:20pm. There were no comments from the public. Council Member Warford motioned, and Council Member Rappl seconded to close the public hearing at 7:21pm. Roll call vote Warford, yes; Rappl, yes; Krejci, yes; Nagle, yes; Ideus, yes; and Sweet, yes. Motion carried.

Council Member Krejci motioned and Council Member Sweet seconded to approve Resolution No. 2023-13 approving the amendment to the Redevelopment Plan of the City to allow Kennedy Park Redevelopment Project.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WAHOO, NEBRASKA, APPROVING AN AMENDMENT TO THE REDEVELOPMENT PLAN FOR THE CITY OF WAHOO, NEBRASKA, INCLUDING THE KENNEDY PARK REDEVELOPMENT PROJECT.

RECITALS

A. Pursuant to the Nebraska Community Development Law, Neb. Rev. Stat. §§ 18-2101 through 18-2155, as amended (the “Act”), the City of Wahoo, Nebraska (“City”) has adopted a General Redevelopment Plan for certain portions of the City identified as Amended Redevelopment Area #1 (the “Redevelopment Area”), a copy of which is on file and available for public inspection with the City Clerk (the “Redevelopment Plan”).

B. The Community Development Agency of the City of Wahoo, Nebraska (“CDA”) has recommended that the Redevelopment Plan should be amended to include a project for the redevelopment of certain real property within the Redevelopment Area identified in said amendment (the “Project Site”).

C. The proposed amendment to the Redevelopment Plan (“Redevelopment Plan Amendment”) is on file and available for public inspection with the City Clerk.

D. The Redevelopment Plan Amendment includes a redevelopment project identified as the Kennedy Redevelopment Project (the “Project”) that will utilize Tax Increment Financing pursuant to Neb. Rev. Stat. § 18-2147.

E. The CDA submitted the question of whether the Redevelopment Plan Amendment should be recommended to the City Council to the Planning Commission of the City of Wahoo, Nebraska.

F. The Planning Commission recommended the approval of the Redevelopment Plan Amendment.

G. Notice of public hearing regarding the adoption and approval of the Redevelopment Plan Amendment by the City Council was provided in conformity with the Open Meetings Act, Neb. Rev. Stat. § 84-1407 et seq., the Act, and Nebraska law.

H. On July 11, 2023, the City Council held a public hearing relating to the question of whether the Redevelopment Plan Amendment should be adopted and approved by the City. All interested parties were afforded at such public hearing a reasonable opportunity to express their views respecting the submitted question.

I. The City Council has reviewed the Redevelopment Plan Amendment, the cost benefit analysis prepared by the CDA, and the recommendations of the Planning Commission, and has duly considered all statements made and material submitted related to the submitted question.

NOW THEREFORE, it is found by the City Council of the City of Wahoo, Nebraska, in accordance with the Act, as follows:

1. The Project Site is in need of redevelopment to remove blight and substandard conditions identified pursuant to the Act.
2. The Redevelopment Plan Amendment will, in accordance with the present and future needs of the City of Wahoo, promote the health, safety, morals, order, convenience, prosperity, and the general welfare of the community in conformance with the legislative declarations and determinations set forth in the Act.
3. The Redevelopment Plan Amendment is in conformance with the general plan for development of the City of Wahoo as a whole, as set forth in the Wahoo Comprehensive Plan, as amended.
4. The cost and benefits set forth in the cost benefit analysis for the Project are found to be in the long-term best interest of the City of Wahoo.
5. The Project would not be economically feasible without the use of Tax Increment Financing.
6. The Project would not occur on the Redevelopment Area without the use of Tax Increment Financing.

BE IT FURTHER RESOLVED, that pursuant to the provisions of the Act and in light of the foregoing findings and determinations, the Redevelopment Plan Amendment is hereby approved and adopted by the City Council as the governing body for the City of Wahoo.

Roll call vote Krejci, yes; Sweet, yes; Warford, yes; Ideus, yes; Rappl, yes; and Nagle, yes. Motion carried

Council Member Krejci motioned, and Council Member Ideus seconded to approve Resolution No. 2023-14 approving the redevelopment Agreement for the Kennedy Park Redevelopment Project.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WAHOO, NEBRASKA, APPROVING THE FORM OF THE REDEVELOPMENT AGREEMENT AND AUTHORIZING THE COMMUNITY DEVELOPMENT AGENCY TO ENTER INTO SAID AGREEMENT.

RECITALS

A. Pursuant to the Nebraska Community Development Law, Neb. Rev. Stat. §§ 18-2101 through 18-2155, as amended (the “Act”), the City of Wahoo, Nebraska (“City”) has adopted a General Redevelopment Plan for certain portions of the City identified as Amended Redevelopment Area #1 (the “Redevelopment Area”), a copy of which is on file and available for public inspection with the City Clerk (the “Redevelopment Plan”).

B. The Redevelopment Plan, as amended, includes a specific redevelopment project identified as the Kennedy Park Redevelopment Project that will include the use of Tax Increment Financing (the “Project”).

C. On July 11, 2023, the Community Development Agency of the City of Wahoo, Nebraska ("CDA") approved the Redevelopment Agreement for the Project between the CDA and Lincolnshire Investment LLC, a Nebraska limited liability company, a copy of which is on file and available for public inspection with the City Clerk.

D. The City Council has reviewed the Redevelopment Agreement and has found it to be in conformity with the Act and the Wahoo Comprehensive Plan, as amended, and in the best interests of the City.

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Wahoo, Nebraska, that the Redevelopment Agreement is hereby approved.

BE IT FURTHER RESOLVED, the CDA is hereby authorized to execute and deliver the Redevelopment Agreement, with such changes, modifications, additions, and deletions therein and shall they seem necessary, desirable or appropriate, for and on behalf of the CDA.

BE IT FURTHER RESOLVED, the CDA is hereby authorized to take all actions contemplated and required in the Redevelopment Agreement including, without limitation, the issuance of such TIF Indebtedness as set forth in the Redevelopment Agreement. Such TIF Indebtedness shall be repaid solely from the Tax Increment created by the Project and does not represent the general obligation of the CDA or the City.

BE IT FURTHER RESOLVED, that all Resolutions or parts thereof in conflict with the provisions of this Resolution or to the extent of such conflicts, are hereby repealed.

Roll call vote Krejci, yes; Ideus, yes; Sweet, yes; Warford, yes; Rappl, yes; and Nagle, yes. Motion carried.

Council Member Ideus motioned, and Council Member Krejci seconded to approve a Request for waiver of sidewalk requirement or sidewalk location requirement for project located at 13th & Spruce. Roll call vote Ideus, yes; Krejci, yes; Warford, no; Sweet, yes; Rappl, yes; and Nagle, yes. Motion carried.

Council Member Warford motioned, and Council Member Sweet seconded to table action on a claim filed against the City of Wahoo in the amount of \$649.41. Roll call vote Warford, yes; Sweet, yes; Krejci, yes; Ideus, yes; Rappl, yes; and Nagle, yes. Motion carried.

Council Member Warford motioned, and Council Member Krejci seconded to approve the second reading of Ordinance No 2437 to provide for annexation of Water Tower Site. Roll call vote Warford, yes; Krejci, yes; Ideus, yes; Sweet, yes; Rappl, yes; and Nagle, yes. Motion carried.

Ordinance No. 2438 was introduced by Council Member Krejci entitled: **AN ORDINANCE OF THE CITY OF WAHOO, NEBRASKA, AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION VARIOUS PURPOSE BONDS, SERIES 2023, OF THE CITY OF WAHOO, IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED ONE MILLION FIVE HUNDRED TWENTY-FIVE THOUSAND DOLLARS (\$1,525,000) TO PAY FOR A PORTION OF THE COSTS OF CONSTRUCTING IMPROVEMENTS FOR THE FOLLOWING: (I) STREET IMPROVEMENT DISTRICT NO. 2021-01 (II) STORM WATER SEWER DISTRICT NO. 2021-01; AND (III) SANITARY SEWER DISTRICT NO. 2021-01; PENDING THE ISSUANCE OF PERMANENT GENERAL OBLIGATION BONDS; PRESCRIBING THE FORM OF SAID BONDS; AND AUTHORIZING CERTAIN FINAL TERMS OF THE BONDS**

TO BE DETERMINED BY AUTHORIZED OFFICERS OF THE CITY; PROVIDING FOR THE LEVY OF TAXES TO PAY THE SAME; AND ORDERING.

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; Ideus, yes; Sweet, yes; Warford, yes; Rappl, yes; and Nagle, yes. 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. 2438 may be read by title and moved for final passage in the same meeting.

Council Member Krejci moved that Ordinance No. 2438 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: Roll call vote Krejci, yes; Ideus, yes; Sweet, yes; Warford, yes; Rappl, yes; and Nagle, yes. 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 Krejci motioned and Council Member Sweet seconded to Levy and assess the costs and expenses of the work to abate a nuisance at 108 W 1st St. Roll call vote Krejci, yes; Sweet, yes; Warford, yes; Ideus, yes; Rappl, yes; and Nagle, yes. Motion carried.

City Clerk Fasel reported on the state statues for legal use of golf carts set by the State.

City Administrator Harrell reported on the requested feasibility study for city facilities.

The next regular meeting is July 25, 2023, at 7:00 p.m. at the Wahoo Public Library, 637 N Maple Street.

Approved:

Christina Fasel, City Clerk

Gerald D. Johnson, Mayor

WAHOO PLANNING COMMISSION

Meeting Minutes

July 6, 2023

The Wahoo Planning Commission met in regular session and in accordance with the agenda posted at City Hall, the Post Office, and First Bank of Nebraska with each board member being notified of the agenda prior to the meeting. The meeting was called to order at 7:00 p.m. by Vice Chair Glen Wilcox and opened with the Pledge of Allegiance. The Vice Chair advised the public of the posted information regarding Nebraska Open Meetings Act and Title VI. The following Commission members were present, answering roll call: Pfligler, Iversen, Wilcox, Brooks, Baumert, Fick, and Gabel. Absent: Kleffner and Pearson. Travis Beavers, Building Inspector/Zoning Administrator, Melissa Harrell, City Administrator, and Mayor Jerry Johnson were also present.

The Vice Chair reviewed how the presentations for the meeting will proceed and the order for business.

The meeting was declared open for the public hearing at 7:01 p.m. to consider an Amendment of the Redevelopment Plan for the City of Wahoo to include a redevelopment project utilizing tax increment financing. The property which is the subject of the public hearing is generally located at 12th Street and Locust Street and identified as parcels PID 006480000 and 006482500 and legally described, respectively, as follows: Block Two (2) and Block Five (5), Dickinsons Addition, City of Wahoo, Saunders County, Nebraska. City Administrator Melissa Harrell addressed the Commission and explained the two main requirements to qualify for TIF have been met. She explained the area was first declared blighted and substandard, and second, but for TIF, the project would fail. Mike Sullivan of Lincolnshire Investments applied for TIF for the project. Harrell further explained the project will have two phases and each phase has deadlines that must be met. The first phase involves remodeling the South Hall building, and eligible expenses such as parking, creating the park, installing sewer and water lines, and installing utilities would be reimbursed. The second phase involves development of the park and the townhomes, and the parking garage, and Sullivan will have to prove expenses were incurred prior to being reimbursed with TIF funds. Harrell stated that, from a public administration point of view, TIF was created for projects like this one. She also confirmed that public notices were sent according to state statute, and the notice was also published in the newspaper for two weeks. Mayor Johnson clarified that the project involves rental properties. A motion was made by Pfligler, seconded by Baumert, to close the public hearing at 7:07 p.m. Roll call vote: Pfligler, yes; Baumert, yes; Gabel, yes; Iversen, yes; Brooks, yes; Fick, yes; Wilcox, yes. Absent and not voting were Kleffner and Pearson. Motion carried.

Discussion was held between the members and included repurposing the buildings versus demolition of the site, the long overdue need for redevelopment of the area, and adding another park to the city. No additional comments were received from the public. A motion was made by Iversen, seconded by Gabel, to recommend approval of the Amendment of the Redevelopment Plan for the City of Wahoo to include a redevelopment project utilizing tax increment financing generally located at 12th Street and Locust Street and identified as parcels PID 006480000 and

006482500 and legally described, respectively, as follows: Block Two (2) and Block Five (5), Dickinsons Addition, City of Wahoo, Saunders County, Nebraska, and to approve Resolution No. 2023-01.

RESOLUTION NO. 2023-01

(Redevelopment Plan Amendment – Kennedy Park Redevelopment Project)

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WAHOO, NEBRASKA, MAKING A RECOMMENDATION TO THE COMMUNITY DEVELOPMENT AGENCY AND THE CITY COUNCIL OF THE CITY OF WAHOO, NEBRASKA, WITH RESPECT TO THE AMENDMENT OF THE REDEVELOPMENT PLAN FOR THE CITY OF WAHOO, NEBRASKA, INCLUDING THE KENNEDY PARK REDEVELOPMENT PROJECT.

RECITALS

A. Pursuant to the Nebraska Community Development Law, Neb. Rev. Stat. §§ 18-2101 through 18-2155, as amended (the “Act”), the City of Wahoo, Nebraska (“City”) has adopted a General Redevelopment Plan for certain portions of the City identified as Amended Redevelopment Area #1 (the “Redevelopment Area”), a copy of which is on file and available for public inspection with the City Clerk (the “Redevelopment Plan”).

B. The Community Development Agency of the City of Wahoo, Nebraska (“CDA”) has submitted the question of whether the Redevelopment Plan should be amended to include a project for the redevelopment of certain real property within the Redevelopment Area identified in said amendment (the “Project Site”).

C. The proposed amendment to the Redevelopment Plan (“Redevelopment Plan Amendment”) is on file and available for public inspection with the City Clerk.

D. The Redevelopment Plan Amendment includes a redevelopment project identified as the Kennedy Park Redevelopment Project (the “Project”) that will utilize Tax Increment Financing pursuant to Neb. Rev. Stat. § 18-2147.

E. Notice of public hearing regarding the question of whether the Redevelopment Plan Amendment should be recommended to the City Council and ultimately be adopted and approved by the City was provided in conformity with the Open Meetings Act, Neb. Rev. Stat. § 84-1407 et seq., the Act, and Nebraska law.

F. On July 6, 2023, the Planning Commission held a public hearing relating to the question of whether the Redevelopment Plan Amendment should be recommended to the City Council and ultimately be adopted and approved by the City. All interested parties were afforded at such public hearing a reasonable opportunity to express their views respecting the submitted question.

G. The Planning Commission has reviewed the Redevelopment Plan Amendment and has duly considered all statements made and material submitted related to the submitted question.

NOW THEREFORE, BE IT RESOLVED, by the Planning Commission of the City of Wahoo, Nebraska, in accordance with the Act, as follows:

1. The Project Site is in need of redevelopment to remove blight and substandard conditions identified pursuant to the Act.
2. The Redevelopment Plan Amendment will, in accordance with the present and future needs of the City of Wahoo, promote the health, safety, morals, order, convenience, prosperity, and the general welfare of the community in conformance with the legislative declarations and determinations set forth in the Act.
3. The Redevelopment Plan Amendment is in conformance with the general plan for development of the City of Wahoo as a whole, as set forth in the Wahoo Comprehensive Plan, as amended.

BE IT FURTHER RESOLVED, that pursuant to the provisions of the Act and in light of the foregoing findings and determinations, the Planning Commission does hereby recommend: (i) recommendation of the Redevelopment Plan Amendment by the CDA to the City Council; and (ii) approval of the Redevelopment Plan Amendment by the City Council as the governing body for the City of Wahoo.

Roll call vote: Iversen, yes; Gabel, yes; Pfligler, yes; Brooks, yes; Fick, yes; Baumert, yes; Wilcox, yes. Absent and not voting were Kleffner and Pearson. Motion carried.

The meeting was declared open for public hearing at 7:10 p.m. to consider an application for Conditional Use Permit for a ground monument sign on property described as lots 1-3 & East 11' of lot 4, Block 24, Original Town, Wahoo, Saunders County, Nebraska, better known as 504 West 8th Street, as filed by Bethlehem Lutheran Church. Mayor Johnson explained the ground monument is located on the southeast corner and has been there for years. The sign has aged significantly, some bricks have fallen off the monument, and it needs to be updated. Beavers stated there were concerns with setbacks and if the sign needs to be set closer to the church building. Beavers explained the County Surveyor stated the east side of the property was acceptable, but there are issues with the south side which would require the monument to be moved one foot farther to the north. Beavers also pointed out to the members that the dimensions and size of the ground sign were in the documents submitted by the church. There were no additional comments from the public. A motion was made by Iversen, seconded by Pfligler, to close the public hearing at 7:13 p.m. Roll call vote: Iversen, yes; Pfligler, yes; Gabel, yes; Baumert, yes; Brooks, yes; Fick, yes; Wilcox, yes. Absent and not voting were Kleffner and Pearson. Motion carried.

Beavers stated the Church could have just refaced the monument and sign which would not have required a conditional use permit. However, they decided to also change the sign and

monument which requires a conditional use permit. He stated the message board will remain the same size, as they are basically just updating the monument and meeting the setback requirements. Beavers also stated there are no issues with the sight triangle for traffic flow. A short discussion was held between the members regarding sign regulations for corner lots. No additional comments were received from the public. A motion was made by Brooks, seconded by Fick, to recommend approval of the application for Conditional Use Permit for a ground monument sign on property described as lots 1-3 & East 11' of lot 4, Block 24, Original Town, Wahoo, Saunders County, Nebraska, better known as 504 West 8th Street, as filed by Bethlehem Lutheran Church. Roll call vote: Brooks, yes; Fick, yes; Pfligler, yes; Iversen, yes; Gabel, yes; Baumert, yes; Wilcox, yes. Absent and not voting were Kleffner and Pearson. Motion carried.

Discussion was held regarding the Final Plat of Robert's 3rd Addition First Replat, a replat of lots 1 and 2 Robert's 3rd additional and part of the S ½ SW ¼ of section 34, Township 15 North, Range 7 East of the 6th P.M., City of Wahoo, Saunders County, Nebraska, as filed by Ken Roberts. Beavers stated this is a basic replat for making two lots larger which already meet the minimum lot size requirements. Beavers provided the members with an aerial photograph of the property involved and explained the Final Plat. The discussion included ownership of property, the number of lots, that this will not change the utilities for the area, that the replat will not landlock any surrounding properties, plans for the existing lots, and access for the back lot. A motion was made by Iversen, seconded by Baumert, to recommend approval of the Final Plat of Robert's 3rd Addition First Replat, a replat of lots 1 and 2, Robert's 3rd Addition and part of the S ½ SW ¼ of section 34, Township 15 North, Range 7 East of the 6th P.M., City of Wahoo, Saunders County, Nebraska, as filed by Ken Roberts. Roll call vote: Iversen, yes; Baumert, yes; Pfligler, yes; Brooks, yes; Gabel, yes; Fick, yes; Wilcox, yes. Absent and not voting were Kleffner and Pearson. Motion carried.

Beavers reported his monthly report was not yet complete, however he provided the following updates on current and upcoming projects:

- Permits were issued for one new home and one new pool house. He is expecting prints to be delivered soon for a couple of other houses.
- Eight houses are going up in the North Highlands subdivision.
- No new information has been received from Roger Harders; however, the surveyor did call to get clarification from Beavers.

Miscellaneous and correspondence:

- City Administrator Melissa Harrell asked the members to begin thinking about updating the City's Comprehensive Plan. She stated the previous plan was from 2016-2017, and that JEO no longer offers a comprehensive plan service. She asked the members to consider what they want for the Comprehensive Plan, such as an update versus a new plan, how far out the plan should go, or a toned-down version of the Plan. A short discussion was held regarding objectives of the plan, the extent of community involvement, design standards, use of the plan in future projects, starting over with a new

plan versus updating the numbers in the current plan, usability of the plan, and marketing the plan.

There were no corrections to the June 1, 2023, minutes. Motion was made by Iversen, seconded by Pfligler, to approve the minutes from the June 1, 2023, meeting. Roll call vote: Iversen, yes; Pfligler, yes; Baumert, yes; Fick, yes; Gabel, yes; Brooks, yes; Wilcox, yes. Absent and not voting were Kleffner and Pearson. Motion passed.

The meeting was adjourned at 7:43 p.m.

Approved:

Sally Klein, Office Assistant
City of Wahoo

The regular monthly meeting of the Wahoo Public Library Board of Trustees took place on Tuesday July 11, 2023 at 7:00 p.m. in Meeting Room B (Former Computer Lab)

Present: Merry Fenton, Kal Lausterer, Teresa Urlacher, Jenny Wagner-Kramer and Library Director Denise Lawver. Absent: Dave Privett Guest: Gabe Kramer, Director Nebraska Talking Book & Braille Services at the Nebraska Library Commission

AGENDA:

- I. **Open Meetings Compliance Law:** addressed and noted, meeting called to order at 7:00 p.m. by President Teresa Urlacher.
- II. **Roll Call, Absences, & Recognition of guests—** Privett absent.
- III. **Approval & adjustments to the agenda—** Motion by Lausterer; Second by Fenton to approve the agenda: Voting Yes: Lausterer, Fenton, Wagner-Kramer & Urlacher. Absent & not voting: Privett
- IV. **Public Comments:** Gabe Kramer presented a project that would be a 30-day addition to the story walk at the lake. A story presented in Braille has been created & put on aluminum plaques that would be temporarily attached to our story walk frames. Since this is a 30-day display we should have no issues with it being added in the future. Gabe will coordinate with Carrie.
- V. **Approval of Library Board minutes of June 11, 2023—**Motion to approve minutes by Fenton, Second by Wagner-Kramer: Voting Yes: Fenton, Wagner-Kramer & Urlacher; Abstain: Lausterer, Absent & not voting: Privett.
- VI. **Review of Bills & Budget/Revenue Sheets—**May & June budget/revenue sheets shared.
- VII. **Director's Report—**Denise—highlighted activity for month, upcoming events.
- VIII. **Old Business:**
 - A. Update on west property—property sold to a new buyer, Denise has already been in contact & started a conversation about a future purchase for the library.
- IX. **New Business:**
 - A. Items not on agenda may be added during action of item III.
 - B. Strategic Plan Committee needs 2 library board members: Kal & Merry will serve. Denise will send them information on what is required for accreditation process.
 - C. What's Next—project for interior—discussions only no concrete plans.
 - D. Denise's plan to reset quiet reading area—plan shared to rearrange library areas to create a new quiet space for newspaper/magazine area. Staff have discussed & all agree that creating/moving of space is needed. Due to time issues we won't do any final move until after Christmas.
- X. **Adjournment:** Motion by Lausterer, Second by Wagner-Kramer; to adjourn at 8:02 p.m.: Voting yes: Lausterer, Wagner-Kramer, Fenton, and Urlacher. Absent & not voting: Privett

Next Regular Meeting: August 8, 2023 at 7:00 p.m.

Denise Lawver Recording Secretary

Item 1

ORDINANCE NO. 2437

AN ORDINANCE OF THE CITY OF WAHOO, NEBRASKA, TO ANNEX THE FOLLOWING DESCRIBED REAL ESTATE, TO WIT:

A PARCEL OF LAND LOCATED IN THE EAST HALF OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 33, TOWNSHIP 15 NORTH, RANGE 7 EAST OF THE SIXTH P.M., SAUNDERS COUNTY, NEBRASKA BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF THE EAST HALF OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 33; THENCE N01°00'16"W (ASSUMED BEARING) ON THE WEST LINE OF SAID EAST HALF OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER, A DISTANCE OF 673.36 FEET TO THE NORTHWEST CORNER OF THE WAHOO WATER TOWER SITE AS DESCRIBED ON A SURVEY BY E.G. ERICKSON DATED 10/21/1974; THENCE N88°59'44"E ON THE NORTH LINE OF SAID SITE, A DISTANCE OF 209.37 FEET TO THE NORTHEAST CORNER OF SAID SITE; THENCE S00°56'21"E ON THE EAST LINE OF SAID SITE, A DISTANCE OF 208.85 FEET TO THE NORTHEAST CORNER OF LOT 60, NORTH HIGHLANDS ADDITION; THENCE S89°02'55"W ON THE NORTH LINE OF SAID LOT 60, A DISTANCE OF 188.52 FEET TO THE NORTHWEST CORNER OF SAID LOT 60; THENCE S01°00'16"E ON THE WEST LINE OF SAID NORTH HIGHLANDS ADDITION, A DISTANCE OF 465.39 FEET TO THE SOUTHEAST CORNER OF SAID SITE; THENCE N89°03'30"W ON THE SOUTH LINE OF SAID EAST HALF OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER, A DISTANCE OF 20.62 FEET TO THE POINT OF BEGINNING

INTO THE CITY OF WAHOO, SAUNDERS COUNTY, NEBRASKA, AND BY SAID ANNEXATION, TO MAKE SAID ABOVE DESCRIBED REAL ESTATE A PART OF THE CORPORATE LIMITS OF THE CITY OF WAHOO, NEBRASKA; THAT AN ACCURATE MAP OR PLAT OF THE ABOVE DESCRIBED REAL ESTATE BE RECORDED IN THE OFFICES OF THE SAUNDERS COUNTY REGISTER OF DEEDS AND SAUNDERS COUNTY ASSESSOR; THAT THE INHABITANTS OF THE ABOVE DESCRIBED REAL ESTATE RECEIVE SUBSTANTIALLY THE SAME BENEFITS AS OTHER INHABITANTS OF THE CITY OF WAHOO, NEBRASKA, AND THAT GOVERNMENTAL AND PROPRIETARY PLANS FOR THE FURNISHING OF SAID BENEFITS BE ADOPTED BY THE MAYOR AND COUNCIL OF THE CITY OF WAHOO, NEBRASKA, NOT LATER THAN ONE YEAR AFTER THE DATE OF ANNEXATION OF THE ABOVE DESCRIBED REAL ESTATE; THAT ALL INHABITANTS OF THE ABOVE DESCRIBED REAL ESTATE SHALL BE SUBJECT TO THE ORDINANCES AND REGULATIONS OF THE CITY OF WAHOO, NEBRASKA, UPON THE EFFECTIVE DATE OF THIS ORDINANCE; 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; TO

PROVIDE FOR THE SEVERABILITY OF ANY SECTION, CLAUSE, PROVISION OR PORTION FOUND UNCONSTITUTIONAL OR INVALID; TO REPEAL ALL ORDINANCES IN CONFLICT HERewith; TO PROVIDE THAT THIS ORDINANCE SHALL BE PUBLISHED AND SHALL BE IN FULL FORCE AND TAKE EFFECT FROM AND AFTER ITS PASSAGE AND APPROVAL, AS PROVIDED BY LAW AND AS PROVIDED HEREIN; AND TO PROVIDE THAT THIS ORDINANCE SHALL NOT BE MADE A PART OF THE WAHOO MUNICIPAL CODE.

WHEREAS, the aforementioned real estate is contiguous and directly adjacent to the City of Wahoo, Nebraska, as defined by Neb.Rev.Stat. §17-405.02, and,

WHEREAS, the Mayor and Council did receive a Petition for Annexation by the owner of the entire above described property, namely the Estate of Russell D. Lindgren, deceased, by and through Laramie Lindgren its Personal Representative, who has waived all statutory hearing requirements, and,

WHEREAS, the Mayor and Council of the City of Wahoo, Nebraska, did find the Petition for Annexation to be in order for said annexation to proceed, and,

WHEREAS, said above-described real estate is suburban in character and not rural based on the pending residential development of the real estate, and,

WHEREAS, there is a City of Wahoo road adjacent to southerly portions of the above area to be annexed, and,

WHEREAS, it is in the best interests of the residents of the City of Wahoo, Nebraska, that said above described real estate be annexed to the City of Wahoo, Nebraska,

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF WAHOO, NEBRASKA, AS FOLLOWS:

Section 1. That the findings herein above made should be and are hereby made a part of this Ordinance as if fully as if set out at length herein.

Section 2. That the following-described real estate be annexed to the City of Wahoo, Nebraska, and included within the corporate limits of the City of Wahoo, Nebraska, to wit:

A PARCEL OF LAND LOCATED IN THE EAST HALF OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 33, TOWNSHIP 15 NORTH, RANGE 7 EAST OF THE SIXTH P.M., SAUNDERS COUNTY, NEBRASKA BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF THE EAST HALF OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 33; THENCE N01°00'16"W (ASSUMED BEARING) ON THE WEST LINE OF SAID EAST HALF OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER, A DISTANCE OF 673.36 FEET TO THE NORTHWEST CORNER OF THE WAHOO WATER TOWER SITE AS DESCRIBED ON A SURVEY BY E.G. ERICKSON DATED 10/21/1974; THENCE N88°59'44"E ON THE NORTH LINE OF SAID SITE, A DISTANCE OF 209.37 FEET TO THE NORTHEAST CORNER OF SAID SITE; THENCE S00°56'21"E ON THE EAST LINE OF SAID SITE, A DISTANCE OF 208.85 FEET TO THE NORTHEAST CORNER OF LOT 60, NORTH HIGHLANDS ADDITION; THENCE S89°02'55"W ON THE NORTH LINE OF SAID LOT 60, A DISTANCE OF 188.52 FEET TO THE NORTHWEST CORNER OF SAID LOT 60; THENCE S01°00'16"E ON THE WEST LINE OF SAID NORTH HIGHLANDS ADDITION, A DISTANCE OF 465.39 FEET TO THE SOUTHEAST CORNER OF SAID SITE; THENCE N89°03'30"W ON THE SOUTH LINE OF SAID EAST HALF OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER, A DISTANCE OF 20.62 FEET TO THE POINT OF BEGINNING

Section 3. That an accurate map or plat of the above-described real estate, certified by a duly licensed surveyor, and acknowledged as provided by law, shall at once be filed and recorded in the office of the Saunders County Register of Deeds and the office of the Saunders County Assessor, together with a certified copy of this Ordinance, declaring such annexation, under the seal of the City of Wahoo, Nebraska.

Section 4. That an accurate map or plat of the above-described real estate, certified by a duly licensed surveyor, and acknowledged as provided by law, shall also be filed with the State of Nebraska, Department of Revenue.

Section 5. That all inhabitants of the above-described real estate shall receive substantially the benefits of the other inhabitants of the City of Wahoo, Nebraska, as soon as practical, and adequate plans and necessary City of Wahoo, Nebraska, action to furnish such benefits as police, fire protection, snow removal, and utility services shall be adopted not later than one (1) year after the date of annexation of the above-described real estate.

Section 6. That the inhabitants of the above-described real estate shall be subject to the ordinances and regulations of the City of Wahoo, Nebraska, upon the effective date of this Ordinance.

Section 7. That should any section, paragraph, sentence or word of this Ordinance hereby adopted be declared for any reason to be invalid, it is the intent of the Mayor and Council of the City of Wahoo that it would have passed all other portions of this Ordinance independent of the elimination herefrom of any such portion as may be declared invalid.

Section 8. That all ordinances and parts of ordinances passed and approved prior to the passage, approval, and publication of this Ordinance, in conflict herewith, are hereby repealed.

Section 9. That this Ordinance shall be published in pamphlet form and shall be effective on the fifteenth (15th) day from and after its passage and approval, provided it has been published, as aforementioned, within the first fifteen (15) days after its passage and approval.

Section 10. That this Ordinance shall not be made a part of the Wahoo Municipal Code.

PASSED AND APPROVED this ____ day of ____, 2023.

CITY OF WAHOO, NEBRASKA

By: _____
Gerald D. Johnson, Its Mayor

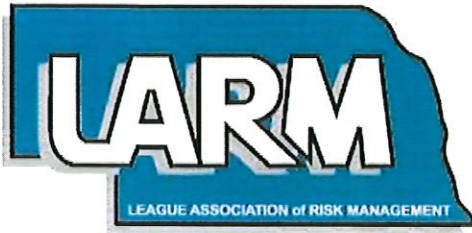
ATTEST:

Christina Fasel, Its Clerk

(SEAL)

First Reading:
Second Reading:
Third Reading:

Item 2



1335 L. St, Ste 200
Lincoln, NE 68508
Phone: (402) 742-2600
Fax: (402) 476-4089
www.larmpool.org

June 28, 2023

Dear LARM Member,

Attached, please find your Renewal Coverage Proposal for the 2023-24 Pool Year. This proposal is itemized by line of coverage to represent your specific limits, deductibles, annualized contributions and to outline LARM's resolution credit options available for the new term.

Record inflation numbers, supply chain challenges and labor shortages are significantly impacting the cost of construction and the commercial property insurance industry. Added together and paired with increasing wages, it simply continues to cost more to repair or replace your property following damage. The value of a property is always changing, and once again, accurate insured values remain very important to ensure LARM members are adequately covered. As a result, LARM has modestly increased our overall scheduled values for the new pool year. Most members are seeing increases for their property values, contents, and property in the range of 3-10%, depending on whether you had a valuation of your scheduled properties in the last year.

To continue the goal of pursuing a strong financial position, the Board formally approved the recommended adjustment to the 2023-2024 Pool Year rate levels as follows:

- + 14.5% rate adjustment for Property Coverages.
- + 4.5% rate adjustment for Liability Coverages.
- No rate adjustment for Workers' Compensation.

With increased values, new rates and individual qualities and exposure changes since last year, please know that LARM staff and agents are here to assist you with providing optional deductible and other contribution saving opportunities.

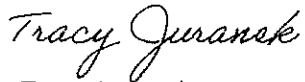
Finally, the information presented in this communication packet does not include any potential mono-line insurance placements that are not part of the formal LARM Property, General Liability or Workers' Compensation coverages (such as Bonds, Special Events Coverage, Liquor Liability, etc.). Renewal details for such policies will continue to be provided under separate cover according to their respective effective dates.

In addition, please be advised that your proposal may not reflect any endorsements recently processed, and bear in mind, that your final invoice amount may vary from the renewal packet based on such services that require contribution adjustment over the next several weeks.

As always, the LARM Board and staff are very pleased that your community will continue to support LARM as we move into our 28th year of unparalleled commitment to serving our Members. On behalf of each of us, I thank you for making our partnership a mutual success.

Sincerely,

LEAGUE ASSOCIATION OF RISK MANAGEMENT

A handwritten signature in cursive script that reads "Tracy Juranek".

Tracy Juranek

Customer Service Specialist/Assistant Executive Director

LARM Proposal for FY 2023-24

	2021-22 w/5% discount	2022-23 w/5% discount	2023-24	2023-24 w/5% discount	(22-23 to 23-24) Difference
Worker's Comp *	\$ 95,468	\$ 101,972	\$ 117,318	\$ 111,452	\$ 9,480
Liability					
General Liability	\$ 41,455	\$ 52,808	\$ 57,330	\$ 54,464	\$ 1,656
Errors & Omissions	\$ 10,279	\$ 10,626	\$ 11,499	\$ 10,924	\$ 298
Law Enforcement Liability	\$ 6,674	\$ 7,040	\$ 7,743	\$ 7,356	\$ 316
TOTAL Liability	\$ 58,408	\$ 70,474	\$ 76,572	\$ 72,743	\$ 2,269
Auto					
Auto Liability	\$ 14,668	\$ 16,896	\$ 19,052	\$ 18,099	\$ 1,203
Auto Physical Damage **	\$ 36,153	\$ 37,831	\$ 44,007	\$ 41,807	\$ 3,976
TOTAL Auto	\$ 50,821	\$ 54,727	\$ 63,059	\$ 59,906	\$ 5,179
Commercial Property ***	\$ 175,991	\$ 228,548	\$ 314,610	\$ 298,880	\$ 70,332
	\$ 380,688	\$ 455,721	\$ 571,559	\$ 542,981	\$ 87,260

Notes:

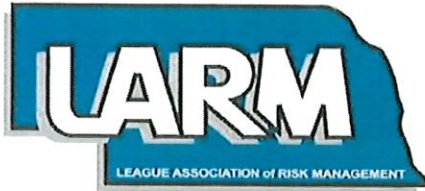
* Worker's Comp - our experience modification factor combined with payroll impacts this total (2021-22 = 1.02, 2022-23 = .91, 2023-24 = .88). Payroll increased from \$3.37 million to \$3.65 million to \$3.95 million in 2023-24.

** Auto Property - Starting 2022-23 we changed from a high deductible (\$10K) for expensive vehicles such as fire trucks & ambulances to an agreed upon value coverage with the same deductible for all vehicles. This was increased from \$1K to \$2.5K in 2022-23)

*** Commercial Property - includes all types of coverage - fire, wind, hail, flood, ice (2023-24 increase in property value of \$5.5 million)

Split of Contributions

	2021-22 w/5% discount	2022-23 w/5% discount	2023-24	EST 2023-24 w/5% discount	(22-23 to 23-24) Difference
City	\$ 214,359	\$ 252,874		\$ 297,764	\$ 44,891
Utilities	\$ 150,417	\$ 182,279		\$ 218,868	\$ 36,589
Airport	\$ 15,912	\$ 20,568		\$ 26,348	\$ 5,780
TOTAL	\$ 380,688	\$ 455,721	\$ -	\$ 542,981	\$ 87,260



Proposal For: City of Wahoo

Effective Date: 10/1/2023

COVERAGE	LIMITS AND APPLICABLE DEDUCTIBLES	CONTRIBUTION
Worker's Compensation	Statutory Limits \$500,000 Employer Liability	\$117,318 (w/5% disc) - 111,452
General Liability	\$5,000,000/\$5,000,000 Per Occurrence/Aggregate \$0 Deductible	\$57,330 - 54,464
Errors & Omissions	\$5,000,000/\$5,000,000 Per Occurrence/Aggregate \$2,500 Deductible	\$11,499 - 10,924
Law Enforcement Liability	\$5,000,000/\$5,000,000 Per Occurrence/Aggregate \$2,500 Deductible	\$7,743 - 7,356
Auto Liability	\$5,000,000 Combined Single Limit \$0 Deductible	\$19,052 - 18,099
Auto Physical Damage	67 x Vehicles \$ Varies on Deductible	\$44,007 - 41,807
Commercial Property	\$72,191,927 \$10,000 Deductible	\$314,610 - 298,880
TOTAL ANNUAL CONTRIBUTION:		\$571,559

Option not yet approved - Raise Commercial property deductible to \$25,000 = contribution savings of \$26,381 for FY23-24 → 542,982

Contribution Credit Options						
	180 Day Notice, 3 Year Commitment	180 Day Notice, 2 Year Commitment	180 Day Notice Only	90 Day Notice, 3 Year Commitment	90 Day Notice, 2 Year Commitment	90 Day Notice Only
Commitment Discount:	5%	4%	2%	2%	1%	0%
Property & Liability:	\$431,530	\$436,072	\$445,157	\$445,157	\$449,700	\$454,242
Workers' Compensation:	\$111,452	\$112,625	\$114,972	\$114,972	\$116,145	\$117,318
Total Contribution:	\$542,982	\$548,698	\$560,129	\$560,129	\$565,844	\$571,560

**League Association of Risk Management
2023-24 Renewal Resolution**

RESOLUTION NO. _____

WHEREAS, _____ 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 _____, 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, 2026. **(180 day and 3 year commitment; 5% discount)**
- ☐ Provide written notice of termination at least 180 days prior to the desired termination date, which date shall be no sooner than September 30, 2025. **(180 day and 2 year commitment; 4% discount)**
- ☐ 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 notice only; 2% discount)**
- ☐ Provide written notice of termination at least 90 days prior to the desired termination date, which date shall be no sooner than September 30, 2026. **(90 day notice and 3 year commitment only; 2% discount)**
- ☐ Provide written notice of termination at least 90 days prior to the desired termination date, which date shall be no sooner than September 30, 2025. **(2 year commitment only; 1%)**
- ☐ Provide written notice of termination at least 90 days prior to the desired termination date, which date shall be no sooner than September 30, 2024. **(90 day Notice only)**

Adopted this _____ day of _____, _____.

Signature:	_____
Title:	_____
ATTEST:	_____
Title:	_____

Please email (customerservice@LARMpool.org) or fax (402.476.4089) the completed resolution to LARM.

Item 3



June 5, 2023

The Honorable Mayor and City Council
City of Wahoo, Nebraska, Combined Municipal Utilities Fund
Wahoo, Nebraska 68066

Communications as Required Under AU-C Section 260, The Auditor's Communication with Those Charged with Governance

We have audited the financial statements of the business-type activities of the City of Wahoo, Nebraska, Combined Municipal Utilities Fund (Utilities) for the year ended December 31, 2022. Professional standards require that we provide you with information about our responsibilities under generally accepted auditing standards and *Government Auditing Standards*, as well as certain information related to the planned scope and timing of our audit. We have communicated such information in our engagement letter to you dated December 30, 2022. Professional standards also require that we communicate to you the following information related to our audit.

Significant Audit Matters

Qualitative Aspects of Accounting Practices

Management is responsible for the selection and use of appropriate accounting policies. The significant accounting policies used by the City of Wahoo, Nebraska, Combined Municipal Utilities Fund are described in Note 1 to the financial statements. No new accounting policies were adopted other than the implementation of GASB 87, Leases, and the application of existing policies was not changed during 2022. We noted no transactions entered into by the Utilities during the year for which there is a lack of authoritative guidance or consensus. All significant transactions have been recognized in the financial statements in the proper period.

Accounting estimates are an integral part of the financial statements prepared by management and are based on management's knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ significantly from those expected. The most sensitive estimates affecting the City of Wahoo, Nebraska, Combined Municipal Utilities Fund's financial statements were:

- Note 4 - which disclosed information regarding depreciation of capital assets.
- Note 5 - which disclosed information regarding management's estimation of compensated absences.

Certain financial statement disclosures are particularly sensitive because of their significance to financial statement users. The most sensitive disclosure affecting the financial statements was:

The disclosure regarding commitments for ongoing projects with additional estimated costs of \$4,639,196.

The financial statement disclosures are neutral, consistent, and clear.

Difficulties Encountered in Performing the Audit

We encountered no significant difficulties in dealing with management in performing and completing our audit.

Corrected and Uncorrected Misstatements

Professional standards require us to accumulate all known and likely misstatements identified during the audit, other than those that are clearly trivial, and communicate them to the appropriate level of management. Management has corrected all material misstatements. The schedule attached to the representation letter summarizes all corrected adjusting journal entries as well as uncorrected misstatements to the financial statements. Management has determined that the effects of the uncorrected misstatements are immaterial, both individually and in the aggregate, to the financial statements taken as a whole. The uncorrected misstatements or the matters underlying them could potentially cause future period financial statements to be materially misstated, even though, in our judgment, such uncorrected misstatements are immaterial to the financial statements under audit.

Disagreements with Management

For purposes of this letter, a disagreement with management as a financial accounting, reporting, or auditing matter, whether or not resolved to our satisfaction, that could be significant to the financial statements or the auditor's report. We are pleased to report that no such disagreements arose during the course of our audit.

Management Representations

We have requested certain representations from management that are included in the management representation letter dated June 5, 2023.

Management Consultations with Other Independent Accountants

In some cases, management may decide to consult with other accountants about auditing and accounting matters, similar to obtaining a "second opinion" on certain situations. If a consultation involves application of an accounting principle to the governmental unit's financial statements or a determination of the type of auditor's opinion that may be expressed on those statements, our professional standards require the consulting accountant to check with us to determine that the consultant has all the relevant facts. To our knowledge, there were no such consultations with other accountants.

Other Audit Findings or Issues

During our audit, we became aware of opportunities for strengthening internal control. There is a lack of segregation of duties in regards to the cash receipts function. The individual responsible for receiving cash should be independent of recordkeeping functions in order to mitigate any risk of cash being misappropriated. We have already discussed this comment with personnel, and we would be pleased to discuss this comment in further detail at your convenience.

During our audit, we noted that monthly sales tax payments were consistently \$2,000 to \$3,000 larger than the amount accrued. Though management was not able to find the exact cause of this variance, there is likely an error in recording the accrual each month. The total variance caused by this was immaterial to the financial statements and an adjustment was made to correct the liability as of December 31, 2022. We recommend finding the cause of the variance and correcting this item going forward.

We generally discuss a variety of matters, including the application of accounting principles and auditing standards, with management each year prior to retention as the Utilities' auditors. However, these discussions occurred in the normal course of our professional relationship and our responses were not a condition to our retention.

Other Matters

We were not engaged to report on the other information as listed in the table of contents of the financial statements, which accompany the financial statements but are not required supplementary information. Such information has not been subjected to the auditing procedures applied in the audit of the basic financial statements, and accordingly, we do not express an opinion or provide assurance on it.

Restriction of Use

This information is intended solely for the use of the Board of Public Works and management of the Utilities and is not intended to be and should not be, used by anyone other than those specified parties.

Very truly yours,

A handwritten signature in black ink, consisting of the letters 'BMG' in a stylized, cursive-like font.

BMG Certified Public Accountants, LLP

Item 5

ORDINANCE NO. 2440

AN ORDINANCE OF THE CITY OF WAHOO, SAUNDERS COUNTY, NEBRASKA, TO APPROVE AN ORDINANCE PERMITTING THE USE OF ALL-TERRAIN AND UTILITY-TYPE VEHICLES WITHIN THE CORPORATE LIMITS OF THE CITY OF WAHOO UNDER TERMS SPECIFICIED HEREIN; 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; TO PROVIDE FOR THE SEVERABILITY OF ANY SECTION, CLAUSE, OR PROVISION OR PORTION OF THIS ORDINANCE FOUND UNCONSTITUTIONAL OR INVALID; TO PROVIDE FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT HERewith; TO PROVIDE THAT THIS ORDINANCE SHALL BE PUBLISHED WITHIN THE FIRST FIFTEEN (15) DAYS AFTER ITS PASSAGE AND APPROVAL IN PAMPHLET FORM, AND SHALL BE IN FULL FORCE AND TAKE EFFECT FROM AND AFTER ITS PASSAGE AND APPROVAL, AS PROVIDED BY LAW, AND AS PROVIDED HEREIN; AND THAT IT IS THE INTENTION OF THE MAYOR AND COUNCIL OF THE CITY OF WAHOO, NEBRASKA, AND IT IS HEREBY ORDAINED, THAT THE PROVISIONS OF THIS ORDINANCE SHALL NOT BECOME AND BE MADE A PART OF THE WAHOO MUNICIPAL CODE OF THE CITY OF WAHOO, NEBRASKA.

WHEREAS, a number of citizens of the City of Wahoo, Nebraska, have requested the City to adopt regulations allowing the use of All-Terrain, Utility-Type Vehicles within the corporate limits of the City of Wahoo, Nebraska, and,

WHEREAS, Neb. Rev. Stat. § 60-6,356(7) gives cities the authority to adopt ordinances relating to use of All-Terrain and Utility-Type Vehicles, and,

WHEREAS, Title VII: TRAFFIC Code; Chapter 70 GENERAL PROVISIONS; Section 70.03 currently provides a process from which an off-road designed vehicle shall be permitted to operate within the City of Wahoo, and,

WHEREAS, the Mayor and Council of the City of Wahoo, Nebraska, are willing to permit the use of All-Terrain and Utility-Type Vehicles within the corporate limits of the City of Wahoo, subject to certain conditions as contained herein, and,

WHEREAS, the Mayor and Council of the City of Wahoo, Nebraska, deem the adoption of this Ordinance to be in the best interests of the citizens of the City of Wahoo, Nebraska, and,

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF WAHOO, NEBRASKA, AS FOLLOWS:

1. That the findings herein above made should be and are hereby made a part of this Ordinance as fully as if set out at length herein.

2. That Title VII: TRAFFIC Code; Chapter 70 GENERAL PROVISIONS; Section 70.03 shall be amended to read as follows:

(A) Golf Cart; DEFINITIONS

- (1) Golf Cart is defined pursuant to Neb. Rev. Stat. § 60-103 and means any vehicle which: (a) is four-wheeled, (b) can attain in 1 mile more than 20 MPH and not more than 25 MPH on paved, level surface, (c) Gross vehicle weight rating is less than 3,000 lbs and (d) complies with 49 C.F.R., Part 571. OR (a) three-wheeled vehicle whose speed attainable in one mile is not more than 25 MPH on a paved, level surface, (b) Gross weight rating is less than 3,000 lbs, (c) equipped with a windshield and occupant protection system, and (d) complies with 49 C.F.R., Part 571.

(B) Golf Cart; OPERATION AND EQUIPMENT

A Golf Cart may be operated upon city streets and highways within the corporate limits of the City only if the operator and vehicle is in compliance with the following provisions in addition to the Nebraska Rules of the Road and City Codes:

1. Such Golf Cart must be registered with City Hall as provided in this Chapter, unless the same is owned by the City itself.
2. A Golf Cart may only be operated on city streets with a posted speed limit of 35 MPH or less.
3. A Golf Cart shall not be operated at a speed faster than twenty (20) miles per hour or the posted speed limit, whichever is less.
4. Any person operating a Golf Cart as authorized by this Code shall:
 - a. Have a valid Class O operator's license as provided for in Neb. Rev. Stat. § 60-4,126;
 - b. Have liability insurance coverage for the Golf Carts while in operation upon a street or highway and provide such insurance proof of coverage upon the demand of any peace officer requesting such proof within five (5) days of such request; such insurance shall be within the limits stated in Neb. Rev. Stat. § 60-509, as amended from time to time;
 - c. Only operate such Golf Carts between sunrise and sunset.
 - d. Only have as many riders as the manufacturers intended.
5. Every Golf Cart shall be equipped with:
 - a. A braking system maintained in good operating condition;
 - b. Equipped with a safety flag which extends no less than five (5) feet above the ground and is attached to the rear of such vehicle. The flag shall be day-glow in color, triangular in shape, and of a size with an area of not less than thirty (30) square inches.

(C) Golf Cart; Usage in Parades; Usage on Public Roads, Sidewalks and Trails.

Golf Cart may be operated without complying with this section only: (1) during parades which have been authorized by the State or any department, board, commission, or political subdivision of the State, (2) if the operation is removing snow from driveways or sidewalks within 48 hours after cessation of a snow storm, or (3) on public trails and streets only if engaged by the public entity for snow removal.

(D) Golf Cart; Controlled-Access Highways and Off-Limit Streets.

A Golf Cart shall not be operated on any controlled-access highway with more than two (2) marked traffic lanes, or Chestnut Street.

Unless engaged by the City for municipal government purposes, it shall be unlawful to operate a Golf Cart anywhere on. Provided, however, the crossing of said streets shall be permissible subject to the restrictions identified herein.

(E) Golf Cart; Crossing Highways

For the purpose of this Article, the crossing of a highway shall be permitted only if:

1. The crossing is made at an angle of approximately ninety degrees (90°) perpendicular to the direction of travel being made on such highway and at a place where no obstruction prevents a timely and safe crossing;
2. The vehicle is brought to a complete stop before crossing shoulder or roadway of said highway;
3. The operator yields the right of way to all traffic which constitutes an immediate or potential hazard;
4. In crossing a divided highway, the crossing shall only be made at an intersection of another highway or roadway; and,
5. Both headlights and taillights must be on when crossing is made.

(F) Golf Cart; Registration.

Only Golf Cart registered with City Hall or owned by the City shall be authorized for operation on streets or highways within the corporate limits of the City. A registration sticker shall be issued by City Hall upon the owner submitting the following:

1. Certification from the Wahoo Police Department stating that the Golf Cart has been inspected and is in compliance with the equipment requirements identified by City Code.
2. Proof of liability insurance coverage for the vehicle specifically listing the vehicle as referenced by year, make, model, and serial number; and,

3. A one hundred dollar (\$100.00) annual fee for registration of the vehicle.

The registration sticker shall entitle the vehicle to be operated on the streets and highways of the City as provided by Code during the calendar year of issuance. The annual fee will not be prorated and is not transferrable. No refunds shall be allowed for any reason. Registration will expire on December 31 of each year.

A reflecting, self-destructing sticker with an assigned number will be provided to the registering owner upon registration of such vehicle at City Hall. This registration sticker shall be affixed on the vehicle's lower driver's side windshield if equipped, or if the vehicle is not equipped with a windshield, then the sticker shall be affixed on the driver's side front of such vehicle. A duplicate sticker at a cost of twenty-five dollars (\$25.00) may be issued by City Hall in the event of a lost or destroyed registration sticker.

(G) Golf Cart; Accident; Report Required.

If an accident involving a Golf Cart results in an injury to any person resulting in the examination or treatment of the injured person by a physician, or results in the death of any person, then the operator of each Golf Cart involved in the accident shall give notice of the accident in the same manner as provided in Neb. Rev. Stat. § 60-699.

(H) Golf Cart; Penalty; Impoundment.

Any person who violates any provision of this Article or violates the provisions defined by Chapter 39 or Chapter 60 of the Revised Statutes of Nebraska while operating an Golf Cart shall be subject to the penalties under the provisions of Chapter 39 and Chapter 60 of the Revised Statutes of Nebraska and additionally all City-issued registrations for all of the operator's and the owner's Golf Cart shall be revoked as follows:

1. For the operator's first offense, the operator shall be fined two hundred dollars (\$200.00);
2. For the operator's second offense occurring within two (2) years of the first offense, the operator shall be fined four hundred dollars (\$400.00)
3. For the operator's third offense occurring within two (2) years of the first offense, the operator shall be fined four hundred dollars (\$400.00), impoundment of vehicle, and all City-issued registrations of both the operator and the owner shall be revoked for a period of two (2) years from the date of offense.
4. For the operator's fifth offense occurring within five (5) years of the first offense, all City-issued registrations of both the operator and the owner shall be revoked for a period of ten (10) years from the date of offense.

3. That the Mayor and the appropriate department, whether one or more of the City of Wahoo, Nebraska, are hereby authorized and directed to implement this Ordinance, to include, but not be limited to, the filing of a certified copy of this Ordinance with the Saunders County Register of Deeds.

4. That should any section, paragraph, sentence, or word of this Ordinance hereby adopted be declared for any reason be invalid, it is the intent of the Mayor and Council of the City of Wahoo, Nebraska, that it would have passed all other portions of this Ordinance independent of the elimination herefrom of any such portion as may be declared invalid.

5. That all Ordinances or parts of Ordinances passed and approved prior to the passage, approval and publication of this Ordinance and in conflict herewith, are hereby repealed.

6. That this Ordinance shall be published within the first fifteen days after its passage and approval, in pamphlet form, and shall be in full force and be effective on January 1, 2024, from and after its passage and approval, and publication, as provided herein.

7. That it is the intention of the Council and Mayor of the City of Wahoo, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Wahoo Municipal Code of the City of Wahoo, Nebraska, and the sections of this Ordinance may be renumbered to accomplish such intention.

PASSED AND APPROVED this _____ day of _____ 2023.

CITY OF WAHOO, NEBRASKA

BY:

Gerald D. Johnson, Its Mayor

ATTEST:

Christina Fasel, Its Clerk
(SEAL)

1st reading: _____
2nd reading: _____
3rd reading: _____