

**Wahoo Public Library****Wahoo, Nebraska****December 12, 2023**

The Council met in Regular session in the Wahoo Public Library, 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 PM 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: Ryan Ideus: Present, Stuart Krejci: Present, Patrick Nagel: Present, Chris Rappl: Present, Shane Sweet: Present, Carl Warford: Present.

Street Superintendent Joe Wynn reported on the Street and Cemetery Departments.

City Administrator Melissa Harrell reported on projects throughout the city.

The first order of business was reorganization.

Stuart Krejci was nominated to continue as the President of the Council. Council Member Warford motioned, Council Member Sweet seconded to approve Stuart Krejci as president of the council. Roll call vote Warford, yes; Sweet, yes; Krejci, yes; Ideus, yes; Rappl, yes; and Nagle, yes. Motion carried.

Council Member Rappl motioned, and council member Nagel seconded to approve the appointment of Cody Hall as fire chief. Roll call vote Rappl, yes; Nagle, yes; Krejci, yes; Warford, yes; Ideus, yes; and Sweet, yes. Motion carried.

Council Member Sweet motioned, and council member Nagel seconded to approve the appointment of Steve Parr as the street superintendent. Roll call vote Sweet, yes; Nagle, yes; Warford, yes; Krejci, yes; Ideus, yes; and Rappl, yes. Motion carried.

Council Member Ideus motioned, and council member Krejci seconded to approve the appointment of JEO as the city engineer.

Council Member Krejci motioned, and council member Ideus seconded to approve the retainer agreement with Bromm, Lindahl, Freeman-Caddy, & Lausterer as city attorney. Roll call vote Ideus, yes; Krejci, yes; Warford, yes; Sweet, yes; Rappl, yes; and Nagle, yes. Motion carried.

Council Member Warford motioned, and council member Rappl seconded to approve posting of notice of meeting at city hall, the post office, First Bank, and on the City of Wahoo website in advance of council meeting and establish the agenda deadline as 5:00pm on the Thursday before council meetings. 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 designate Wahoo State Bank as the depository of the City of Wahoo, First Bank as the depository for Wahoo Utilities and Wahoo Parks and Rec, designation of authorized signers, and approve the process for approval of claims presented to the City of Wahoo for payment. Roll call vote Krejci, yes; Sweet, yes; Warford, yes; Ideus, yes; Rappl, yes; and Nagle, yes. Motion carried.

Council Member Warford motioned, and council member Krejci seconded to approve the consent agenda which included approval of the November 28, 2023, minutes of the City Council, acceptance of

the November 21, 2023, minutes of the Library Board, Pay Application # 6 from K2 Construction for Wilmer Ridge Subdivision in the amount of \$467,434.58, and approval of claims. Roll call vote Warford, yes; Krejci, yes; Ideus, yes; Sweet, yes; Rappl, yes; and Nagle, yes. Motion carried.

A public hearing on the resolution of Necessity establishing Storm Water District No 2023-01 and Sanitary Sewer District No 2023-01 was opened at 7:21 pm there were no comments from the public. Council Member Krejci motioned, and council member Ideus seconded to close the public hearing at 7:22pm. The resolution was originally introduced at the November 14, 2023, meeting. Roll call vote Krejci, yes; Ideus, yes; Sweet, yes; Warford, yes; Rappl, yes; and Nagle, yes. Motion carried.

A public hearing on the 2024 budget for the Board of Public Works was opened at 7:38pm. There were no comments from the public. Council Member Rappl motioned, and council member Ideus seconded to close the public hearing at 7:39pm. Council Member Warford motioned, and council member Sweet seconded to approve the budget as presented. Roll call vote Warford, yes; Sweet, yes; Krejci, yes; Ideus, yes; Rappl, yes; and Nagle, yes. Motion carried.

Mike Hancock and Brandon Bender from Inspro spoke about the work that they have done with the City of Wahoo.

Council Member Warford motioned, and council member Krejci seconded to approve Resolution No 2023-29 declaring property as surplus.

**RESOLUTION NO. 2023-29**

WHEREAS, the City of Wahoo, Saunders County, Nebraska, is the owner of the following described personal property, to wit:

See Exhibit "A"

and,

WHEREAS, the City of Wahoo, Nebraska, does not have a present need to retain ownership of said above described personal property, and,

WHEREAS, the City of Wahoo, Nebraska, deems it in the best interests of the citizens of the City of Wahoo, Nebraska, that said personal property be disposed of, as set forth herein,

WHEREAS, the City of Wahoo, Nebraska, has determined that the fair market value of said personal property is less than \$5,000.00, as stated in the attached Exhibit "A"

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF WAHOO, NEBRASKA, AS FOLLOWS:

1. That the above described personal property be sold by either sealed bid and/or public sale on a date, time, as advertised in a Notice of Sale of Personal Property posted in three public places in the City of Wahoo, Nebraska, immediately after the passage of said Resolution and not later than seven (7) days prior to the sale of said items, as shall be evidenced by a Notice of Posting of the City of Wahoo Clerk, and,

2. That pursuant to Neb. Rev. Stat. §17-503.01, confirmation of the sale of said personal property by an ordinance is not required.

3. That the City of Wahoo, Nebraska, through the Clerk of the City of Wahoo, Nebraska, shall provide a bill of sale and/or certificate of title to the above personal property indicating that said personal property is being sold "as is" without warranty as to fitness or merchantability for any purpose and that buyer thereof assumes all risks from the utilization of said personal property upon buyer's possession of said items of personal property.

4. That buyer shall receive possession of the above-described items of personal property upon payment in full of the purchase price for each item.

PASSED AND APPROVED this 12th day of December 2023

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

Council Member Warford motioned, and council member Sweet seconded to approve

**Resolution No. 2023-30** to authorize the Mayor to sign the street superintendent end of year certification was introduced by Warford, who moved for approval, seconded by Sweet, as follows:

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

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

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

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

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

City Administrator Harrell reported that future grant applications will require the designation of blight and substandard to be made within the last ten years. The original designation was completed in 2000, which is why it was in need of re-designation. Council Member Krejci motioned, Council Member Rappl

seconded to approve the proposal for the downtown area to be redesignated as blight and substandard. Roll call vote Krejci, yes; Rappl, yes; Nagle, yes; Sweet, yes; Warford, yes; and Ideus, yes. Motion carried.

Council Member Warford motioned, and council member Nagel seconded to enter into closed session for the purpose of protection of public interest with Attorney Lausterer, City Administrator Harrell, and Clerk Fasel to remain in chambers. Roll call vote Warford, yes; Nagle, yes; Sweet, yes; Krejci, yes; Ideus, yes; and Rappl, yes. Motion carried.

The Mayor indicated that the council, City Attorney, City Administrator, and City Clerk would be entering into closed session for the protection of public interest at 8:07pm.

Council Member Warford motioned, and council member Rappl seconded to return to open session at 8:33pm. Roll call vote Warford, yes; Rappl, yes; Krejci, yes; Nagle, yes; Ideus, yes; and Sweet, yes. Motion carried.

The meeting was adjourned at 8:34 pm

Approved:

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Christina Fasel, City Clerk

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Gerald D. Johnson, Mayor