MINUTE RECORD

PUBLIC HEARINGS/MONTHLY MEETING

OCTOBER 9, 2023

Mayor Michael Barrett called the monthly meeting of the Weeping Water City Council to order at 6:00 p.m., with the following members of the council answering roll: Lawrence Mozena, Charlie Cover, Sharon Heneger and Kelly Nutter. Notice of the monthly meeting was given in advance by notice being posted in three prominent places in the city which included City Hall, Weeping Water Post Office and Weeping Water Express Lane. The posted location of the Open Meetings Act was noted by the Mayor and a copy of all meeting materials was made available with the city clerk.

Motion by Cover, seconded by Nutter to approve the September 11, 2023 Budget Hearing minutes and well as the September 11, 2023 council meeting minutes as prepared. On roll call those voting aye: Mozena, Cover, Heneger and Nutter. Voting nay: none. Motion carried.

At 6:01 p.m., Mayor Barrett opened a public hearing for the purpose of hearing support, opposition, criticism, suggestions or observations of taxpayers relating to the proposed 2024 One & Six Year Street Improvement Plan for the City of Weeping Water, Nebraska. Notice of the public hearing was published in the September 23, 2023 edition of the Omaha World Herald as well as being posted in three promient locations in the city. Shayne Huxoll with Olsson introduced himself to the Mayor and Council and was there to answer any questions regarding the plan. There being no public comment, the public hearing was closed at 6:02 p.m.

Motion by Mozena, seconded by Cover to adopt Resolution No. 2023-13: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF WEEPING WATER, NEBRASKA TO ADOPT THE 2024 ONE & SIX YEAR STREET IMPROVEMENT PLAN. On roll call those voting aye: Mozena, Cover, Heneger and Nutter. Voting nay: none. Motion carried.

At 6:04 p.m., Mayor Barrett opened a public hearing for the purpose of hearing support, opposition, criticism, suggestions, or observations of taxpayers relating to the updated future land use map, approval of the final zoning map and approval of the proposed zoning and comprehensive plan. Notice of the public hearing was published in the September 23, 2023 edition of the Omaha World Herald as well as being posted in three prominent locations in the city. Mason Hermann with Marvin Planning was there to answer any questions. There being no public comment, the public hearing was closed at 6:05 p.m.

Motion by Mozena, seconded by Nutter to adopt Resolution No. 2023-14: A RESOLUTION OF THE CITY OF WEEPING WATER, NEBRASKA, TO ADOPT THE UPDATED 2023 COMPREHENSIVE DEVELOPMENT PLAN AS THE GUIDE FOR FUTURE GROWTH AND DEVELOPMENT WITHIN THE CITY OF WEEPING WATER AND ITS EXTRA TERRITORIAL ZONING JURISDICTION. One roll call those voting aye: Mozena, Cover, Heneger and Nutter. Voting nay: none. Motion carried.

Motion by Mozena, seconded by Cover to introduce on first reading by title only and to suspend the requirement to read the ordinance on three different days ORDINANCE NO. 680: AN ORDINANCE OF THE CITY OF WEEPING WATER, NEBRASKA TO AMEND TITLE XVII, CHAPTER 177, SECTION 177.10 ZONING AND SUBDIVISION REGULATIONS FOR THE CITY OF WEEPING WATER, NEBRASKA; SECTION 177.11 ZONING FEES; TO PROVIDE FOR THE ADMINISTATION ENFORCEMENT, AND AMENDMENT PROCESS THEREOF; TO ADOPT REVISED SUBNDIVISION REGULATIONS FOR THE SUBDIVISION OF LAND; TO REQUIRE AND REGULATE THE PREPARATION AND PRESENTATION OF PRELIMINARY AND FINAL PLATS FOR SUCH PURPOSE; TO ESTABLISH MINIMUM SUBDIVISION DESIGN STANDARDS, WHICH PROVIDE MINIMUM IMPROVEMENTS TO BE MADE OR GUARANTEED TO BE MADE BY THE LAND DEVELOPER OR SUBDIVIDER; TO SET FORTH THE PROCEDURE FOR THE CITY TO FOLLOW IN APPLYING THESE RULES, REGULATIONS AND STANDARDS; SETTING FORTH A SCHEDULE OF FEES; PRESCRIBING PENALTIES OR VIOLATIONS OF THE PROVISIONS OF THIS ORDINANACE; TO REPEAL ALL ORDINANCES IN CONFLICT; TO PROVIDE FOR PUBLICATION IN PAMPHLET FORM; AND TO PROVIDE AN EFFECTIVE DATE. On roll call those voting aye: Mozena, Cover, Heneger and Nutter. Nays: none. Motion carried.

Motion by Cover, seconded by Heneger to adopt on third and final reading by title only Ordinance No. 680. On roll call those aye: Mozena, Cover, Heneger and Nutter. Nays: none. Motion carried. Said ordinance will be posted in the manner provided by law, with a true, correct, and complete copy being on file in the city clerk’s office.

 Monthly Reports-Fire Department-One call for the month. Rescue Department-13 calls for the month. Current CLIA Certification expires in November 2023 and new certificate is being processed. Jeff Buffington presented the Maintenance Report noting many general maintenance projects being completed. Water/Wastewater Report-Olsson presented the final Water System Review with recommendations given, which included a VFD at Well #1, begin searching for a new well site, build a booster pump station and replace the transmission main coming into town. There is some grant funding available which Olsson would assist with. Water tapping for a property outside the city limits was tabled for further review. There are still numerous MXU’s that need to be installed.

Motion by Mozena, seconded by Cover to introduce on first reading by title only and to suspend the requirement to read the ordinance on three different days ORDINANCE NO. 681: AN ORDINANCE OF THE CITY OF WEEPING WATER, NEBRASKA GRANTING BLACK HILLS NEBRASKA GAS, LLC D/B/A BLACK HILLS ENERGY, A DELAWARE CORPORATION, ITS LESSEES, SUCCESSORS AND ASSIGNS, A NATURAL GAS FRANCISE AND THE AUTHORITY TO CONSTRUCT, OPERATE, MAINTAIN, AND EXTEND A NATURAL GAS DISTRIBUTION PLANT AND SYSTEM, AND GRANTING THE RIGHT TO USE, SUBJECT TO TITLE IX GENERAL REGULATIONS, CHAPTER 92 PUBLIC WAYS AND PROPERTY OF THE WEEPING WATER CODE OF ORDINANCES; ESTABLISHING THE TERM OF THE FRANCISE; ESTABLISHING RULES AND REGULATIONS AND OTHER TERMS UNDER WHICH THE FRANCHISE WILL OPERATE; TO REPEAL ALL ORDINANES IN CONFLICT; TO PROVIDE FOR PUBLICATION IN PAMPHLET FORM; AND TO PROVIDE AN EFFECTIVE DATE. On roll call those voting aye: Mozena, Cover, Heneger and Nutter. Voting nay: none. Motion carried.

Motion by Mozena, seconded by Heneger to adopt on third and final reading by title only Ordinance No. 681. On roll call those voting aye: Mozena, Cover, Heneger and Nutter. Voting nay: none. Motion carried. Said ordinance will be posted in the manner provided by law, with a true, correct and complete copy being on file in the city clerk’s office.

Motion by Cover, seconded by Mozena to introduce on first reading by title only and to suspend the requirement to read the ordinance on three different days ORDINANCE NO. 682: AN ORDINANCE OF THE CITY OF WEEPING WATER, NEBRASKA TO ENACT TITLE IX, CHAPTER 92, SECTION 92.91 OF THE WEEPING WATER BASIC CODE OF ORDINANCES RELATED TO PERMITS TO OCCUPY THE CITY’S RIGHTS-OF-WAY; TO REPEAL ALL ORDINANCES IN CONFLICT; TO PROVIDE FOR PUBLICATION IN PAMPHLET FORM; AND TO PROVIDE AN EFFECTIVE DATE.

Motion by Heneger, seconded by Nutter to adopt on third and final reading by title only Ordinance No. 682. On roll call those voting aye: Mozena, Cover, Heneger and Nutter. Voting nay: none. Motion carried. Said ordinance will be posted in the manner provided by law, with a true, correct and complete copy being on file in the city clerk’s office.

Motion by Nutter, seconded by Mozena to introduce on first reading by title only and to suspend the requirement to read the ordinance on three different days ORDINANCE NO. 683: AN ORDINANCE OF THE CITY OF WEEPING WATER, NEBRASKA TO ENACT TITLE XVII LOCAL LEGISLATION, CHAPTER 177 LAND USAGE BUILDING PERMITS, SECTION 177.51 CERTIFICATE OF OCCUPANCY, OF THE WEEPING WATER CODE OF ORDINANCES REGARDING APPROVAL OF NEW CONSTRUCTION FOR RESIDENTIAL USE WITHIN THE CITY’S CORPORATE LIMITS AND EXTRA TERRITORIAL ZONING JURISDICTION; TO REPEAL ALL ORDINANCES IN CONFLICT; TO PROVIDE FOR PUBLICATION IN PAMPHLET FORM; AND TO PROVIDE AN EFFECTIVE DATE.

Motion by Cover, seconded by Heneger to adopt on third and final reading by title only Ordinance No. 683. On roll call those voting aye: Mozena, Cover, Heneger and Nutter. Voting nay: none. Motion carried. Said ordinance will be posted in the manner provided by law, with a true, correct and complete copy being on file in the city clerk’s office.

Motion by Cover, seconded by Heneger to introduce on first reading by title only and to suspend the requirement to read the ordinance on three different days ORDINANCE NO. 684: AN ORDINANCE OF THE CITY OF WEEPING WATER, NEBRASKA TO AMEND TITLE XVII LOCAL LEGISLATION, CHAPTER 177 LAND USAGE BUILDING PERMITS, SECTION 177.50 ISSUANCE, OF THE WEEPING WATER CODE OF ORDINANCES REGARDING PROCEDURES FOR THE ISSUANCE OF BUILDING PERMITS FOR STRUCTURES AND ADDITIONS TO STRUCTURES WITHIN THE CITY’S CORPORATE LIMITS AND EXTRA TERRITORIAL ZONING JURISDICTION; TO REPEAL ALL ORDINANCES IN CONFLICT; TO PROVIDE FOR PUBLICATION IN PAMPHLET FORM; AND TO PROVIDE FOR AN EFFECTIVE DATE.

Motion by Heneger, seconded by Cover to adopt on third and final reading by title only Ordinance No. 684. On roll all those voting aye: Mozena, Cover, Heneger and Nutter. Voting nay: none. Motion carried. Said ordinance will be posted in the manner provided by law, with a true, correct and complete copy being on file in the city clerk’s office.

Motion by Nutter, seconded by Heneger to renew the Interlocal Maintenance Agreement with Oakwood Cemetery Association until the year 2025. On roll call those voting aye: Mozena, Cover, Heneger and Nutter. Voting nay: none. Motion carried.

Motion by Mozena, seconded by Cover to increase pet fees from $8.00/pet to $10.00/pet starting January 1, 2024. On roll call those voting aye: Mozena, Cover, Heneger and Nutter. Voting nay: none. Motion carried.

Developing an app for the campground was tabled for further review.

Motion by Mozena, seconded by Nutter to adopt RESOLUTION NO. 2023-15: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEEPING WATER, NEBRASKA TO DECLARE CITY OWNED PLAYGROUND EQUIPMENT SURPLUS AND TO ORDER THE SALE OF THE SAME. On roll call those voting aye: Mozena, Cover, Heneger and Nutter. Voting nay: none. Motion carried.

Participating in the Housing Study being conducted by Cass County Nebraska Economic Development Council was tabled for further review.

Correspondence received was distributed for council review, after which, motion by Mozena, seconded by Cover to approve the following claims: Salaries-16,998.82; Utilities: Black Hills Energy-324.30; Oppd-9,958.15; Verizon-571.89; Windstream-1,169.55; Ameritas, emp ret-955.39; Aqua Chem, equip-4,082.50; Baker & Taylor, bks-624.50; Banyon Data Systems, support-3,869; BOK Financial, bd pmt-1,130; Bound Tree, sup-42.27; Brandie Morales, prof-50; Card Service Center, sup-1,036.23; Chamber of Commerce, mtg-20; Columbus Bank & Trust, bd pmt-21,045; DAS State Acctg, class-25; Demco-63.83; EFTPS, whlg-4,753.71; Fast Signs, tags-277.78; Hofeling Enterprises, prof-30,000; Jensen Gardens, prof-3,251; Junior Library Guild, bks-107.58; Keckler Oil, rep,tires-1,269.26; Marvin Planning, comp plan-650; Matheson Tri-Gas, sup-77.85; Meeske Hardware, sup-215.19; Miller Farrel Ins, city ins pkg-54,572; Ne Dept of Agr, pet fees-326.96; NE Dept of Rev, whlg, sls, ldg tx-1,292.01; NE Library Commission, annual fee-500; ODP Business Solutions, sup-246.78; Olsson, prof-4,357.67; Omaha World Herald, publ-313.29; Quick Med Claims, reimb-370.69; Roger Johnson, prof-2,079.24; Sirkdot, prof-143; Stryker, annual srv-296.40; TextMyGov, annual sup-3,500; United Healthcare, ins-3,834.87; WW Express Lane, fuel, concessions-559.83; PeopleService, prof-14,106; Cass County Refuse, reimb-14,233; S&L Trenching, rep-4,100; One Call lct fees-22.58; Post Office, pstg-351; Wiles Woodworking, bus impr-2,500. On roll call those voting aye: Mozena, Cover, Heneger and Nutter. Voting nay: none. Motion carried.

The next council meeting will be held Monday, November 13, 2023 at 6:00 p.m.

The meeting adjourned at 7:20 p.m.

/s/Michael Barrett, Mayor

/s/Linda Sheehan, City Clerk