

**MINUTE RECORD
CITY OF WEEPING WATER
PUBLIC HEARINGS/MONTHLY MEETING
MAY 16, 2022**

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, Sharon Heneger, Kelly Nutter and Michael Kindle. Notice of the monthly meeting was given in advance thereof by publication in the April 28, 2022 edition of the Plattsmouth Journal. 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.

Notice of the public hearing to hear support, opposition, criticism, suggestions or observations of the public regarding adoption of an ordinance to amend Article 5, Section 4, entitled "Required improvements, street grading and construction" and Article 5, Section 9 entitled "Required improvements, sanitary sewer" of the subdivision regulations of the zoning ordinance was given in advance thereof by publication in the April 28, 2022 edition of the Plattsmouth Journal as well as being posted in three public places in the city. Mayor Michael Barrett opened the Public Hearing at 6:00 p.m. There being no public comment, the Mayor closed the public hearing at 6:02 p.m.

Notice of the public hearing to hear support, opposition, criticism, suggestions or observations of the public regarding the final plat for the development known as Vogler 3rd Addition was given in advance thereof by publication in the April 28, 2022 edition of the Plattsmouth Journal as well as being posted in three public places in the city. Mayor Michael Barrett opened the Public Hearing at 6:02 p.m. There being no public comment, the Mayor closed the public hearing at 6:03 p.m.

Notice of the public hearing to hear support, opposition, criticism, suggestions or observations of the public regarding the proposed rezoning of a tract of land in the Vogler 3rd Addition from Agricultural/Mining District (AG/M) to Medium Density Residential District (R-2) was given in advance thereof by publication in the April 28, 2022 edition of the Plattsmouth Journal as well as being posted in three public places in the city. Mayor Michael Barrett opened the Public Hearing at 6:03 p.m. There being no public comment, the Mayor closed the public hearing at 6:04 p.m.

Motion by Nutter, seconded by Kindle to approve the April 18, 2022 meeting minutes as prepared. On roll call those voting aye: Mozena, Heneger, Nutter and Kindle. Voting nay: None. Motion carried.

Monthly Reports: Fire-10 calls for the month. Motion by Heneger, seconded by Nutter to approve Zachary Fiala to the Fire Department. On roll call those voting aye: Mozena, Heneger, Nutter and Kindle. Voting nay: None. Motion carried. It was noted that there will be six members attending fire school this year. Rescue Department-Motion by Kindle, seconded by Heneger to approve a new contract for the Medical Director, Dr. Ernst, effective July 2022. On roll call those voting aye: Mozena, Heneger, Nutter and Kindle. Voting nay: None. Motion

carried. The Maintenance Report was presented by Jeff Buffington noting that some bank stabilization work needs to be completed on the lakes at the campground. Water/Wastewater Report-Items discussed were getting gas line to treatment plant for generator and lining of Well #1.

The following Ordinance was presented for third and final reading: ORDINANCE NO. 665 entitled: AN ORDINANCE ANNEXING CERTAIN TERRITORY AND INCORPORATING THE SAME WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF WEEPING WATER, NEBRASKA, AND PROVIDING AN EFFECTIVE DATE. Motion by Mozena, seconded by Heneger to approve and adopt Ordinance No. 665 on third and final reading by title only. On roll call those voting aye: Mozena, Heneger, Nutter and Kindle. 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 Heneger, seconded by Nutter to approve starting wage of \$10.00/hour for new summer employees plus \$.25 for returning employees. Heneger and Nutter withdraw motions and amend it to read \$11/hour. On roll call those voting aye: Mozena, Heneger, Nutter and Kindle. Nay: none. Motion carried.

Andrew Willis with Cline Williams Law Firm gave a presentation to the council regarding Tax Increment Financing (TIF) and how it works. The council was favorable to the idea. An ordinance to form a CDA Group, which is the first step in using TIF, will be presented at the June meeting.

Preliminary budget planning was discussed and will continue to be pursued.

Information regarding the Annual Audit Report was presented for council review.

Motion by Mozena, 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. 670: AN ORDINANCE OF THE CITY OF WEEPING WATER, NEBRASKA TO AMEND ARTICLE 5, SECTION 4, ENTITLED "REQUIRED IMPROVEMENTS, STREET GRADING AND CONSTRUCTION" AND ARTICLE 5, SECTION 9 ENTITLED "REQUIRED IMPROVEMENTS, SANITARY SEWER" OF THE SUBDIVISION REGULATIONS OF THE ZONING ORDINANCE OF THE CITY OF WEEPING WATER BY DELETING SAID ARTICLES IN THEIR ENTIRETY AND SUBSTITUTING THE FOLLOWING; 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, Heneger, Nutter and Kindle. 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 Mozena, seconded by Heneger to adopt on third reading by title only ORDINANCE NO. 670: AN ORDINANCE OF THE CITY OF WEEPING WATER, NEBRASKA TO AMEND ARTICLE 5, SECTION 4, ENTITLED "REQUIRED IMPROVEMENTS, STREET

GRADING AND CONSTRUCTION” AND ARTICLES, SECTION 9 ENTITLED “REQUIRED IMPROVEMENTS, SANITARY SEWER” OF THE SUBDIVISION REGULATIONS OF THE ZONING ORDINANCE OF THE CITY OF WEEPING WATER BY DELETING SAID ARTICLES IN THEIR ENTIRETY AND SUBSTITUTING THE FOLLOWING; 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, Heneger, Nutter and Kindle. 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 Mozena, contingent upon Phase IV being completed in two years, completing and connecting E. Park St. and dedication of said street to the public, and the execution of a subdivision agreement with any modifications, seconded by Kindle to adopt RESOLUTION NO. 2022-01; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF WEEPING WATER, NEBRASKA TO APPROVE A FINAL PLAT OF A MAJOR SUBDIVISION FOR DEVELOPERS LARRY H. VOGLER AND KATHLEEN L. VOGLER AS TRUSTEES OF THE LARRY H. VOGLER AND KATHLEEN L. VOGLER REVOCABLE TRUST DATED JULY 22, 2021, LOTS 1 THROUGH 5, BLOCK 1; LOT 1, BLOCK 2; AND LOTS 1 THROUGH 4, BLOCK 3, VOGLER’S 3RD ADDITION TO THE CITY OF WEEPING WATER, NEBRASKA LOCATED IN THE SOUTH ONE-HALF OF SECTION 36, TOWNSHIP 11 NORTH, RANGE 11 EAST OF THE 6TH P.M., CASS COUNTY, NEBRASKA. On roll call those voting aye: Mozena, Heneger, Nutter and Kindle. Voting nay: none. Motion carried.

Motion by Mozena, seconded by Heneger to introduce on first reading by title only and to suspend the requirement to read the ordinance on three different day ORDINANCE NO. 669: AN ORDINANCE TO AMEND THE WEEPING WATER COMPREHENSIVE DEVELOPMENT PLAN FOR THE CITY OF WEEPING WATER, AND THE ZONING MAP, BY CHANGING THE ZONING OF LAND LEGALLY DESCRIBED AS LOTS 1 THROUGH 5, BLOCK 1; LOT 1, BLOCK 2; AND LOTS 1 THROUGH 4, BLOCK 3, VOGLER’S 3RD ADDITION TO THE CITY OF WEEPING WATER, NEBRASKA LOCATED IN THE SOUTH ONE-HALF OF SECTION 36, TOWNSHIP 11 NORTH, RANGE 11 EAST OF THE 6TH P.M., CASS COUNTY, NEBRASKA FROM AGRICULTURAL/MINING DISTRICT (AG/M) TO MEDIUM DENSISTY RESIDENTIAL DISTRICT (R-2); TO REPEAL ALL ORDINANCES OF THE CITY IN CONFLICT; TO PROVIDE FOR PUBLICATION IN PAMPHLET FORM; AND TO PROVIDE AN EFFECTIVE DATE. On roll call those voting aye: Mozena, Heneger, Nutter and Kindle. 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 Mozena, seconded by Heneger to adopt on third reading by title only ORDINANCE NO. 669: AN ORDINANCE TO AMEND THE WEEPING WATER COMPREHENSIVE DEVELOPMENT PLAN FOR THE CITY OF WEEPING WATER, AND THE ZONING MAP, BY CHANGING THE ZONING OF LAND LEGALLY DESCRIBED AS LOTS 1 THROUGH 5, BLOCK 1; LOT 1, BLOCK 2; AND LOTS 1 THROUGH 4, BLOCK 3,

VOGLER'S 3RD ADDITION TO THE CITY OF WEEPING WATER, NEBRASKA
LOCATED IN THE SOUTH ONE-HALF OF SECTION 36, TOWNSHIP 11 NORTH, RANGE
11 EAST OF THE 6TH P.M., CASS COUNTY, NEBRASKA FROM
AGRICULTURAL/MINING DISTRICT (AG/M) TO MEDIUM DENSISTY RESIDENTIAL
DISTRICT (R-2); TO REPEAL ALL ORDINANCES OF THE CITY IN CONFLICT; TO
PROVIDE FOR PUBLICATION IN PAMPHLET FORM; AND TO PROVIDE AN
EFFECTIVE DATE. On roll call those voting aye: Mozena, Heneger, Nutter and Kindle.
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.

Correspondence received was distributed for council review, after which motion by Nutter,
seconded by Heneger to approve the following claims: Salaries-10,828.97; A 1 Rate Pumping &
Potty, prof-246; Abes Trash Service, dumpsters; Ameritas, emp ret-727; B&W, prof; Baker &
Taylor, bks-709.36; Utilities: Black Hills Energy-1,133.25; OPPD-3,874.85; Verizon-555.53;
Windstream-659.75; Bobby Lawrence, reimb-250; Card Service Center, sup-50.20; Cass Co
Mutual Aid, dues-50; Chamber of Commerce, mtg-8; Concrete Industries, sup; EFTPS, whlg-
2,973.89; E Lane, fuel-133; Farmers & Merchants Bank, tk pmt-861.50; General Fire, prof-
1,035; Grimes Garden, sup-1,398; Jensen Gardens, prof-497.70; Kubota, rep-111.67; Larry
Sorensen, prof-275; Lauren Harms, ump fees-50; Lincoln Journal, publ-70.28; Marvin Planning
Consultant, imp-1,575; Matheson Tri-Gas, sup-72.70; Meeske Auto, maint-131.89; Meeske
Hardware, sup-1,972.86; Mike Mogensen, reimb-179.45; Municipal Suppy, sup-470; NE Vol FF
Assoc, dues-40; NE Dept of Rev, whlg, ldg, sls tx-1,179.30; Pavers, sup-823.60; Quick Med
Claims, reimb-206.71; Roger Johnson, prof-3,491.91; Sirkdot, prof-145; Stop N Shop, fuel-
941.92; SYNBC/Amazon, sup-199; United Healthcare, ins-2,415.19; American Fence Co., rep-
3,034; Karley Ridge, ump fees-50; Lakeview Books, bks-337.44; Cass Co. Refuse, reimb-
13,710; Core & Main, equip-11,760; One Call, lct fees-41,90; Payment Service Network, prof-
177.40; PeopleService, prof-15,501; Post Office, pstg-348; West-E-Con, prof-670.50. On roll
call those voting aye: Mozena, Heneger, Nutter and Kindle. Voting nay: None. Motion carried.

The next meeting will be held on Monday, June 13, 2022 at 6:00 P.M.

Meeting adjourned at 7:35 p.m.

/s/Michael Barrett, Mayor

/s/Linda Fleming, City Clerk