

Tentative Agenda for the WAVERLY CITY COUNCIL MEETING to be held on August 26, 2025 at 6:00 PM. This meeting will be held at the Waverly City Office Building, 14130 Lancashire, Waverly, NE 68462. A current Agenda shall be readily available for public inspection at the office of the City Clerk during normal business hours.

1. **Call to Order**

1.a) Roll Call

1.b) Pledge of Allegiance

1.c) Acknowledgement of the "Open Meetings Act" poster that is posted by the south entrance.

1.d) Adoption of Agenda

1.e) Approval of the Consent Agenda Items*

All items listed with an asterisk (*) are considered to be routine by the City Council and will be approved by one motion. There will be no separate discussion of these items unless a Council Member or a Citizen so requests, in which event the item will be removed from the Consent Agenda status and considered in its normal sequence on the Agenda.

1.f) Proclamations and Presentations

2. **Amendments to Waverly Zoning Regulations**

2.a) Public Hearing: Amendments to Waverly Zoning Regulations, Article 2, Definitions.

2.b) Consideration of the First Reading of Ordinance 25-17 Amending Waverly Zoning Regulations, Article 2, Definitions.

2.c) Public Hearing: Amendments to Waverly Zoning Regulations, Article 6, Supplemental Use Regulations: Residential Uses and Miscellaneous Uses.

2.d) Consideration of the First Reading of Ordinance 25-18 Amending Waverly Zoning Regulations, Article 6, Supplemental Use Regulations: Residential Uses and Miscellaneous Uses.

2.e) Public Hearing: Amendments to Waverly Zoning Regulations, Article 7, Supplemental Site Development Regulations.

2.f) Consideration of the First Reading of Ordinance 25-19 Amending Waverly Zoning Regulations, Article 7, Supplemental Site Development Regulations.

2.g) Public Hearing: Amendments to Waverly Zoning Regulations, Article 9, Off-Street Parking Requirements.

2.h) Consideration of the First Reading of Ordinance 25-20 Amending Waverly Zoning Regulations, Article 9, Off-Street Parking Requirements.

2.i) Public Hearing: Amendments to Waverly Zoning Regulations, Article 10, Sign Regulations.

2.j) Consideration of the First Reading of Ordinance 25-21 Amending Waverly Zoning Regulations, Article 10, Sign Regulations.

3. **Sheriff's Report**

4. **Public Comments**

5. **Approval of Minutes**

5.a) *Minutes of the August 12, 2025 City Council Meeting

6. **Consideration of Claims and Financial Reports**

6.a) Claims for Payment

- 6.b) Keno & Sales Tax Reports
- 7. **Introduction of Resolutions**
 - 7.a) Consideration of Resolution 25-15 approving additional Fire/Rescue member.
 - 7.b) Consideration of Resolution 25-16 authorizing the temporary street closure for the Waverly Marching Festival from 9:30 a.m. to 11:00 a.m. on Saturday, September 27, 2025.
 - 7.c) Consideration of Resolution 25-17 authorizing the installation of temporary no parking signs along the Waverly Marching Festival parade route on Saturday, September 27, 2025.
- 8. **Introduction of Ordinances**
 - 8.a) Consideration of the Third and Final Reading of Ordinance 25-13 Amending Chapter 110 of the Waverly Municipal Code relating to Franchise Fees
 - 8.b) Consideration of the Second Reading of Ordinance 25-14, an ordinance of the City of Waverly, Nebraska, amending Title V, Chapter 51, Section 51.09 of the Waverly Municipal Code: Water; Rates
 - 8.c) Consideration of the Second Reading of Ordinance 25-15, an ordinance of the City of Waverly, Nebraska, amending Title V, Chapter 52, Section 52.39 of the Waverly Municipal Code: Sewers; Base Rates; and Section 52.40 Sewers; Surcharge Rates
 - 8.d) Consideration of the First Reading of Ordinance 25-16 Assigning the Waverly Ridge Estates Subdivision to Ward 2; and Amending Chapter 30 Section 30 of the Waverly Municipal Code relating to Division of Wards 1 and 2.
- 9. **Introduction of Business and Communications**
- 10. **Committee Reports**
 - 10.a) Human Services (Park & Recreation): Council Member Stark
 - 10.b) Public Works (Utilities & Street): Council Member Delahoyde
 - 10.c) Public Health (Fire & Safety): Council Member Jespersen
 - 10.d) Fiscal & Economic Development: Council Member Nielson
 - 10.e) City Administrator Fisher

11. **Adjournment**

The Governing Body reserves the right to go into Executive Session at any time for the reasons outlined in State Statute 84-1410.

The following rules are established for audience members and participants at a Council meeting:

- (1) Any person wishing to address the Council shall first state their name and address.
- (2) Public comments may be for agenda or non-agenda items.
- (3) Remarks shall be limited to five (5) minutes.

ORDINANCE NUMBER 25-17

AN ORDINANCE OF THE CITY OF WAVERLY, NEBRASKA TO AMEND THE WAVERLY ZONING REGULATIONS, ARTICLE 2, DEFINITIONS

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF WAVERLY, NEBRASKA:

Section 1. Whereas, that Section 1.222, S, contained within Article 2 of the Waverly Zoning Regulations is hereby amended to read as follows:

INSERT: 15. Swimming Pool: Any structure intended for swimming or recreational bathing that contains water more than 24 inches (24") deep. This includes in-ground, above ground, and on-ground swimming pools, hot tubs, and spas.

Section 3. That any ordinance in conflict with this ordinance is hereby repealed.

Section 4. This ordinance shall be in full force and take effect from and after its passage, approval, and publication according to the law.

PASSED AND APPROVED THIS _____ DAY OF _____, 2025.

Abbey L. Pascoe
Mayor

Attest:

Megan K. Frye
City Clerk/Human Resources Assistant

(SEAL)

ORDINANCE NUMBER 25-18

AN ORDINANCE OF THE CITY OF WAVERLY, NEBRASKA TO AMEND THE WAVERLY ZONING REGULATIONS, ARTICLE 6, SUPPLEMENTAL USE REGULATIONS

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF WAVERLY, NEBRASKA:

Section 1. Whereas, that Section 11.603, Supplemental Use Regulations: Residential Uses, contained within Article 6 of the Waverly Zoning Regulations is hereby amended to read as follows:

11. 603 Supplemental Use Regulations: Residential Uses

a. Zero-Lot Line Single-Family Residential

Within a common development, one interior side yard may be equal to zero for single-family detached residential use, subject to the following additional regulations:

1. The side yard opposite to the zero yard must equal at least twice the normal required minimum side yard and must taken by itself comply with all side yard requirements for the zoning district.
2. The normal side yard setback requirement must be maintained adjacent to any lot with an existing structure not within the common development; or not otherwise designated for zero lot line use.
3. An easement for maintenance of the zero lot line facade is filed with the Lancaster County Register of Deeds and the City Clerk at the time of application for a building permit.

b. Townhouse Residential

Where permitted, townhouse residential is subject to the following regulations:

1. The minimum width for any townhouse lot sold individually shall be 25 feet, except within an approved creative subdivision.
2. Coverage percentages are computed for the site of the entire townhouse common development.

~~c. Downtown Residential and Group Residential Uses in the DC District~~

Downtown Residential and Group Residential uses are permitted in the DC District subject to the following conditions:

1. Downtown and Group Residential uses are permitted in the DC District only on levels above street level except that a unit specifically designed for occupancy by disabled residents may be developed at street level, subject to approval by the Planning Commission.
2. Residents of units must be informed by the owner of the building that lawful commercial uses have priority over residential uses.
3. All upper level apartments must have two separate means of egress.

Commented [MP1]: Removed "Two-Family Residential" as a residential use

4. One parking space marked and reserved for tenants must be provided for each unit. This parking space shall be located within a maximum distance of 300 feet of the unit.

d. Group Residential

Where permitted, Group Residential use must comply with the following requirements:

1. Within the AG, RR, R-1, R-2, and MH districts, no more than six persons in addition to the family of the owner shall be permitted to reside in an owner-occupied dwelling unit. No more than five persons shall be permitted to reside in a non owner-occupied dwelling unit.

2. Within the R-3 and R-4 districts, no more than ten persons in addition to the family of the owner shall be permitted to reside in an owner-occupied dwelling unit. No more than seven persons shall be permitted to reside in a non owner-occupied dwelling unit.

3. A minimum of 250 square feet must be provided in the dwelling unit for each resident.

e. Mobile Home Parks

In the MH Mobile Home Residential District, which permits mobile home residential use, such use may be configured in a Mobile Home Park or Mobile Home Subdivision. Following the effective date of this Ordinance, no mobile home shall be located outside of a Mobile Home Park or Mobile Home Subdivision. A Mobile Home Park is subject to approval as a Special Use by the Planning Commission and compliance with the following regulations:

1. Certification

A certification of compliance with all ordinances and regulations regarding mobile home licensing, zoning, health, plumbing, electrical, building, fire protection and any other applicable requirements shall be issued by the Zoning Administrator prior to the occupancy of any new Mobile Home Park or any expansion of an existing Mobile Home Park.

2. Minimum and Maximum Area

A Mobile Home Park shall be considered to be one zoned lot. The contiguous area of a Mobile Home Park shall have a minimum of 2.5 acres and a maximum of 15 acres.

3. Density Requirements

(a) The minimum gross site area per dwelling unit shall be 5,000 square feet.

(b) The minimum size of an individual mobile home space shall be 4,000 square feet for single-wide mobile home units and 6,000 square feet for double-wide mobile home units.

(c) Each mobile home space shall have a width of at least 50 feet wide and a length of at least 80 feet.

4. Site Development Standards

(a) Setbacks: Each Mobile Home Park shall have a minimum perimeter setback of 30 feet from adjacent non-residential uses and 50 feet from adjacent residential uses. No space for a dwelling unit or any other structure shall be permitted in the required setback.

(b) Setback landscaping: All area contained within the required setbacks except sidewalks and private drives shall be landscaped and screened in conformance with Section 8 of this Ordinance. Screening shall be provided in conformance with Article 8 for any common property line with another non-residential use.

(c) Impervious Coverage: Impervious coverage for a Mobile Home Park shall not exceed 50 percent of the total site area.

(d) Open Space: Each Mobile Home Park shall provide a minimum of 400 square feet of open recreational space per unit. Such space shall be provided at a central location accessible from all parts of the park by pedestrians. Required perimeter setbacks or buffers shall not be credited toward the fulfillment of this requirement.

(e) Separation Between Mobile Home Units: The minimum separation between a mobile home unit and attached accessory structure and any other mobile home units and/or accessory structure shall be 15 feet.

(f) Separation and Setbacks for Accessory Buildings: An accessory building on a mobile home space maintains a minimum rear and side yard setback of five feet. A minimum distance of ten feet shall be provided between any mobile home and an unattached accessory building.

5. Street Access and Circulation Requirements

(a) Access to Public Street: Each Mobile Home Park must abut and have access to a dedicated public street with a right-of-way of at least 60 feet. Direct access to a mobile home space from a public street is prohibited.

(b) Vehicular Circulation: The Mobile Home Park must provide interior vehicular circulation on a private internal street system. Minimum interior street width shall be 27 feet. The street system shall be continuous and connected with other internal and public streets; or shall have a cul-de-sac with a minimum diameter of 90 feet. No such cul-de-sacs may exceed 300 feet in length.

(c) Separation between Units and Circulation Areas: The minimum distance between a mobile home unit and any attached accessory structure and the pavement of an internal street or parking area shall be ten feet.

(d) Sidewalks: Each Mobile Home Park shall provide a sidewalk system to connect each mobile home space to common buildings or community facilities constructed for the use of its residents; and to the fronting public right of way. Sidewalk width shall be at least four feet.

(e) Street and Sidewalk Standards: All internal streets and sidewalks shall be hard-surfaced. Electric street lighting is required along all internal streets.

(f) Parking Requirements: Each Mobile Home Park must provide at least two off-street parking stalls for each mobile home space.

6. Tornado Shelters: Underground tornado shelters shall be provided in the Mobile Home Park. Such shelter or shelters shall be built according to the recommendations of the Emergency Management authority and be large enough to meet the specific needs of the park and its residents.
7. Utilities
 - (a) All Mobile Home Parks shall provide individual units and common facilities with an adequate, piped supply of water for both drinking and domestic purposes; and standard electrical service, providing at least one 120-volt and one 240-volt electrical service outlet to each mobile home space.
 - (b) Complete sanitary and sewer service shall be provided within each Mobile Home Park in accordance with the Subdivision Chapter of the Land Development Ordinance.
 - (c) Properly spaced and operating fire hydrants shall be provided for proper fire protection within each Mobile Home Park in accordance with the Subdivision Chapter of the Land Development Ordinance and other applicable city codes and public improvement design standards.
 - (d) All electric, telephone, gas, and other utility lines shall be installed underground.
8. Financial Responsibility: Each application for a Mobile Home Park shall include a demonstration by the developer of financial capability to complete the project; and a construction schedule.
9. Completion Schedule: Construction must be begin on any approved Mobile Home Park within one year of the date of approval by the Planning Commission. Such construction shall be completed within two years of approval, unless otherwise extended by the Commission.
10. All other uses and provisions of the Waverly Mobile Home Park regulations are incorporated herein by reference. These provisions include tie-down and other structural requirements included in the Waverly Municipal Codes.

f. Mobile Home Subdivisions

1. Mobile Home Subdivisions shall be developed in accordance with all standards and requirements set forth in the Subdivision Chapter of the Land Development Ordinance of Waverly. Site development regulations shall be the same as those required in the R-2 Zoning District. Each mobile home shall be considered a single-family detached residential unit for the purpose of determining applicable development regulations.
2. Mobile home units within Mobile Home Subdivisions shall be built in accordance with the minimum design standards of the US Department of Housing and Urban Development and display a certification of such compliance.
3. Mobile Home Subdivisions shall provide tornado shelter facilities as required by Section 603 f(5).
4. The minimum size of a mobile home subdivision shall be ten (10) acres.

g. Earth-Sheltered Residences

No subterranean or basement structure shall be occupied for residential purposes, except for those that meet the following requirements as earth-sheltered residences:

1. The living area shall be provided with exterior windows and/or skylights with a total glassed area of at least 10% of the gross floor area of the residence. Such windows or skylights shall give direct access to natural light and open space.
2. All earth sheltered residences shall conform to the development regulations for their respective zoning districts.
3. An outdoor space shall be provided immediately outside one wall of the residence that has:
 - a) A minimum size of 500 square feet.
 - b) A minimum width of 20 feet.
 - c) An average grade elevation no more than 2 feet above or below the finished floor elevation of the residence.
4. All earth-sheltered residences shall have structural systems designed by a professional structural engineer and shall have plans signed and approved by such engineer.

h. Homestead Exemptions (*Est. by Ord. 01-01, 1/3/01*)

A lot or parcel of land of five acres or more located within an AG District may be used for a single-family dwelling, provided that a residential structure:

1. has existed on such land for more than five years;
2. such structure is, or has been, used as the primary residence associated with a farm;
3. is in conformance with other provisions of the zoning codes, the minimum building codes, and the minimum standards for water and sewage facilities and does not represent a hazard to the health and safety of occupants;
4. have been properly platted and subdivided; and
5. leaves a balance of twenty or more acres for each parcel of land platted.

Section 3. Whereas, that Section 11.605, Supplemental Use Regulations: Civic Uses, b. Day Care, contained within Article 6 of the Waverly Zoning Regulations is hereby amended to read as follows:

b. Day Care

1. Limited Day Care uses are permitted on residential lots and may be operated by the occupant of a dwelling unit on the site.
2. Day care facilities are permitted by Special Use permit in the GI General Industrial Zoning District only if incidental to a permitted primary use.

3. Day care centers accommodating more than four children or adults shall conform with all requirements and licensures of the State of Nebraska.

Section 4. Whereas, that Section 11.612 Supplemental Use Regulations: Miscellaneous Uses, contained within Article 6 of the Waverly Zoning Regulations is hereby amended to read as follows:

INSERT: d. Swimming Pools

1. Permit Required: Building permits are required for all pools, spas, and hot tubs which have a maximum depth of greater than twenty-four inches (24").
2. Barrier Requirement: The following is required for any pool, spa, and hot tub greater than 24" in maximum depth:
 - (a) A barrier with a minimum height of four feet (4') or forty-eight inches (48").
 - (b) Any openings in the barrier shall not allow the passage of a four-inch (4") diameter sphere
 - (c) Access gates shall be of the self-closing, self-latching type and shall be equipped to accommodate a locking deviceException: Spas or hot tubs with a safety cover which comply with ASTM F 1346 shall be exempt from the above barrier requirements.
3. Location and Setbacks:
 - (a) Pools, spas, and hot tubs shall not be allowed within the required front yard of any lot.
 - (b) Pools, spas, and hot tubs shall be located a minimum of five feet (5') from any side and/or rear lot line.
 - (c) Pools shall be located a minimum of six feet (6') from the foundation of any building, principal structure, and/or accessory structure.

Commented [MP2]: Deleted:

a) Not be located along a major arterial street as designated in the City's Comprehensive Development Plan.

b) Provide at least 100 square feet of open space per child, entirely enclosed by a building, fence, or wall with a height of at least six feet.

Commented [MP3]: Should this be added to Article 6, Supplemental Use Regulations, or Article 7, Supplemental Site Development Regulations?

Section 5. That any ordinance in conflict with this ordinance is hereby repealed.

Section 6. This ordinance shall be in full force and take effect from and after its passage, approval, and publication according to the law.

PASSED AND APPROVED THIS _____ DAY OF _____, 2025.

Abbey L. Pascoe
Mayor

Attest:

Megan K. Frye
City Clerk/Human Resources Assistant

(SEAL)

ORDINANCE NUMBER 25-19

AN ORDINANCE OF THE CITY OF WAVERLY, NEBRASKA TO AMEND THE WAVERLY ZONING REGULATIONS, ARTICLE 7, SUPPLEMENTAL SIGHT DEVELOPMENT REGULATIONS

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF WAVERLY, NEBRASKA:

Section 1. Whereas, that Section 11.704 Setback Adjustments, b. Encroachments on Required Yards, contained within Article 7 of the Waverly Zoning Regulations is hereby amended to read as follows:

b. Encroachments on Required Yards

Every part of a required yard shall be open and unobstructed from finished grade upward, except as specified herein.

1. Architectural projections, including roofs which cover porches, enclosed porches, window sills, belt courses, cornices, eaves, flues and chimneys, and ornamental features may project three feet into a required yard.
2. Terraces, patios, uncovered decks, and ornamental features which have no structural element more than two feet above or below the adjacent ground level may project ten feet into a required yard. However, all such projections must be set back at least three feet from an adjacent side lot line; or twenty feet from any street property line.
3. Fire escapes, fireproof outside stairways, and balconies opening to fire towers may project a maximum of 3 feet into required yards, provided that they do not obstruct the light and ventilation of adjacent buildings.
4. For buildings constructed upon a front property line, a cornice may project into public right-of-way. Maximum projection is the smaller of four feet or five percent of the right-of-way width.
5. In commercial districts, a canopy may extend into a required front yard, provided that the canopy is set back at least five feet from the front property line, covers less than fifteen percent of the area of the required front yard, and has a vertical clearance of at least eight feet six inches.
6. Accessory structures are subject to all site development regulations of its zoning district, except as provided below: (Amended by Ord. 02-07, 3-4-02; Ord. 04-02, 4-19-04; Ord. 04-10, 9-7-04; Ord. 11-06, 4-5-11)
 - (a) Side Yards: An accessory structure may be located a minimum of five feet from the side lot line of the property if it is located between the rear building line of the principal building and the rear property line.
 - (b) Front Yards: No accessory structure may be located between the front building line of the principal building and the front property line.
 - (c) Rear Yard: The minimum rear yard setback for accessory structures shall be 5 feet. This minimum rear yard setback shall be increased to 15 feet if the accessory structure is a garage with a vehicular entrance door that is directly oriented toward an alley. Double-frontage lots shall require front-yard setbacks along both street frontages as set forth in

Table 4-3. Easements may be incorporated into these required setbacks. No accessory structure shall be located within any easement or right-of-way along the rear property line.

(d) Maximum Size: The number of accessory structures for a residential zoned district shall be limited to no more than two accessory structures per residence, except for lots one-half acre or more in which case up to three accessory structures per residence may be permitted. The maximum total floor space of all attached and detached garages and storage buildings shall not exceed the smaller of 2000 square feet or the square footage contained in the footprint of the principal structure. The maximum building coverage for all structures on a residential lot shall not exceed the limits specified in Table 4-3. All accessory structures on a site, taken together, must comply with the building coverage requirements for the zoning district and shall not occupy more than 30% of any required rear yard except for irregular size lots that shall comply with the maximum building coverage for the specific zoning.

(e) Height: The height of an accessory structure shall not exceed the height of the principal structure on the lot. Any accessory structures located within 15' of the property line shall have a maximum height of 15', if placed more than 15' away from any side or rear property line, the structure can have a maximum height of 20'. The maximum height of any accessory structure shall not exceed 20 feet.

(f) Foundations: All accessory structures shall be built with a permanent foundation system that will keep the structure securely fastened in-place. Any accessory structure not built on a permanent foundation is considered a temporary structure, and is not allowed.

(g) Footings: Footings that extend below the frost line, (36" below grade), are required on all accessory structures except those with a floor area of less than 400 SF.

(h) Separation from Other Buildings: No accessory structure shall be placed within ten feet of any other building on its own property or any adjacent properties.

(i) Attached Accessory Buildings: Any accessory structure physically attached to the principal building shall be considered part of the principal building and subject to the development regulations of its zoning district.

(j) Effect on Adjacent Properties: If an adjacent lot is built upon, the accessory structure must be entirely to the rear of the line of any principal building on such adjacent lot. No accessory building shall damage adjacent property by obstructing views, inhibiting solar access, or hindering ventilation.

(k) Hazards: Any accessory use which creates a potential fire hazard shall be located a minimum of 10 feet from any residential structure. Such uses include but are not limited to detached fireplaces, barbecue ovens, or storage of flammable materials.

(l) No accessory building shall be built upon any lot until construction of the principal building has begun.

(m) Appearance: The exterior appearance of all accessory structures shall be architecturally harmonious with the main residential structure and consistent with the design, scale, and appearance of the primary structure. Materials that are used to construct the accessory structure shall be exterior grade wood or better of similar appearance and durability to that of the principal structure.

(n) Carports: A carport is a covered structure used to offer limited protection to vehicles, primarily cars, from the elements. The structure can either be free standing or attached to a wall. Carports that are not architecturally connected to the principal residence by similar appearance and materials are prohibited. This includes but is not limited to metal framed structures with metal roofs, post and beam structures with a low slope roof, or a low slope roof attached to another structure or between structures.

(o) Garage Setbacks: Any garage that fronts on a public street must be set back at least 25 feet from such street, regardless of the setback requirement within the zoning district. This shall not be interpreted to waive a larger required minimum setback required by the zoning district.

Commented [MP1]: Deleted Lamp Post Set back regulation (o). Lamp post height and setback addressed in #7., see below

7. Lamp posts with a maximum height of ten (10) feet, and flagpoles up to maximum height of base district may be located within required yards, provided they are set back at least five (5) feet from property lines.

Section 3. Whereas, that Section 11.704 Setback Adjustments, f. Satellite Antennas, 1., contained within Article 7 of the Waverly Zoning Regulations is hereby amended to read as follows:

1. Each dwelling unit shall have no more than one satellite antenna.

Section 4. Whereas, that Section 11.704 Setback Adjustments, g. Vision Clearance Zones, contained within Article 7 of the Waverly Zoning Regulations is hereby amended to read as follows:

g. Vision Clearance Zones

Except in the DC District, no structure, including a fence, shall be built to a height of more than thirty inches (30") above the established curb grade on the part of the lot within the vision clearance zone. The vision clearance zone shall be a triangle measured from the point of intersection of the centerline of the streets to a point 90 feet in each direction from the intersection along such centerlines. At the intersection of major streets, the 90-foot distance shall be increased to 120 feet. No landscaping shall be planted in such area which will materially obstruct the view of drivers approaching the street intersection. See 11.707d for Sight Obstruction at Street Intersections.

Section 5. Whereas, that Section 11.705 Height Exceptions, b. Amateur Radio Towers and Federal Communication Commission Pronouncements, 2., contained within Article 7 of the Waverly Zoning Regulations is hereby amended to read as follows:

2. Special instances may require that amateur radio tower heights exceed 75 feet to achieve effective and reliable communications. In such cases, the Board of Adjustment may grant a Special-Use Permit to a licensed amateur radio operator for a specific tower height that exceeds 75 feet. In determining whether to grant such permission, the City Council shall consider the federal guidelines contained in PRB-1 (Amateur Radio Preemption, 101 FCC 2d (1985); codified at C.F.R. Section 97.15(e).

Section 6. Whereas, that Section 11.707 Fence Regulations, d. Sight Obstructions at Street Intersections, 3., contained within Article 7 of the Waverly Zoning Regulations is hereby amended to read as follows:

INSERT: 3. At intersections of a sidewalk and residential driveway, the intersection sight triangle shall be defined as a triangle whose legs extend 15 feet back from the

sidewalk along the driveway, and 20 feet parallel to and along the back of the sidewalk back from the intersecting driveway.

Section 7. Whereas, that Section 11.707 Fence Regulations, h. Protective Fences around Swimming Pools, contained within Article 7 of the Waverly Zoning Regulations is hereby amended to read as follows:

h. Protective Fences around Swimming Pools, Spas, and Hot Tubs

See Section 11.612 for swimming pool barrier requirements.

Section 8. Whereas, that Section 11.707 Fence Regulations, i. Residential Fences, contained within Article 7 of the Waverly Zoning Regulations is hereby amended to read as follows:

i. Residential Fences

Fences constructed within residential districts or on land used for residential purposes are subject to the following provisions.

1. Height: The maximum height of a fence within a required front yard or street side yard setback shall be 42 inches. The maximum height for any fence outside of a required front yard shall be six feet.
2. Exception for Street Side Yards: On corner lots, a fence built parallel to the street side yard line but set back in conformance with the required street yard setback may have a maximum height of six feet.
3. Exception to Openness Requirement: Fences built on residential property outside of required front or street side yards may exceed 50 percent of closed construction.
4. Exception for Front Yards of Double Frontage Lots: A fence built within the required front yard of a double frontage lot may be a maximum of six feet in height and may exceed 50 percent closed construction if such lot fronts an arterial street or expressway, as defined in the Comprehensive Development Plan of the City of Waverly; and if such frontage does not provide primary access to the property.
5. Exception for Separate Districts: A fence separating a residential lot from a commercial or industrial lot may be a height of 8'.
6. Materials: Fences shall be constructed of wood, chain-link, PVC/resin, stone or masonry materials, or ornamental metals only. Wood fences shall utilize standard building lumber only. Barbed wire and/or electrified fences are not permitted, and are defined as any fence that includes in its material barbs, blades, razors, electric current or other features specifically designed to injure or abrade an individual or animal who attempts to negotiate the fence. Wire mesh fences may be permitted to enclose tennis courts and game and recreation areas on public land and residential lots. Other materials may be used if approved by the Building Inspector.

Section 9. That any ordinance in conflict with this ordinance is hereby repealed.

Section 10. This ordinance shall be in full force and take effect from and after its passage, approval, and publication according to the law.

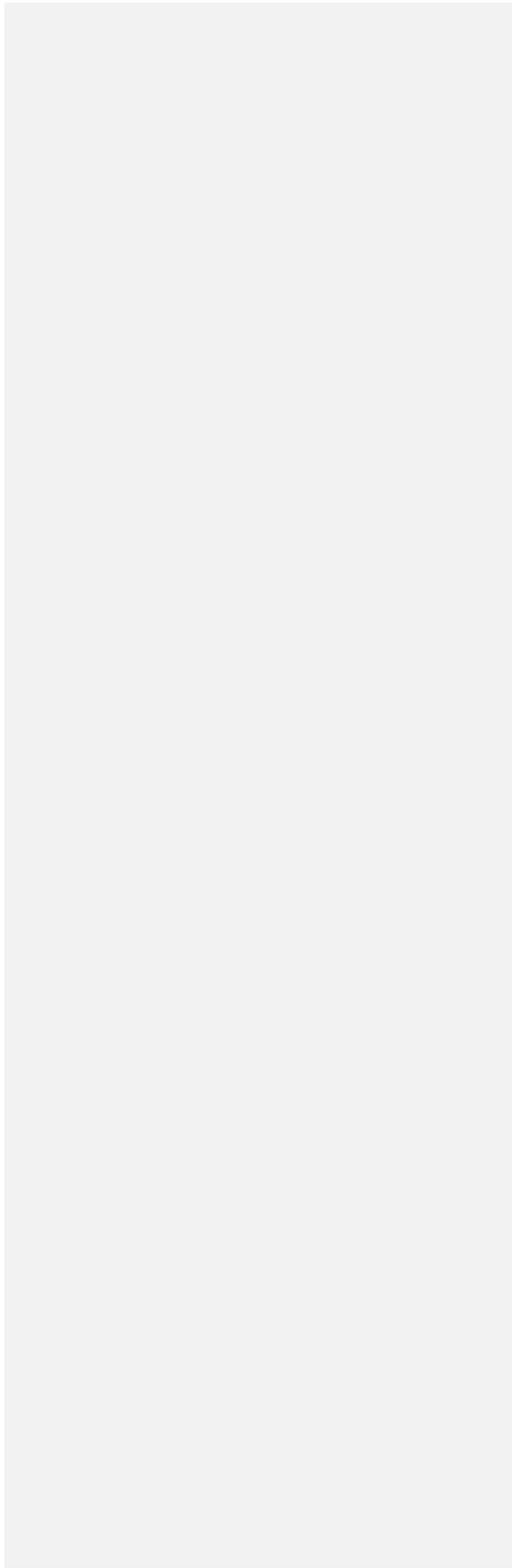
PASSED AND APPROVED THIS _____ DAY OF _____, 2025.

Abbey L. Pascoe
Mayor

Attest:

Megan K. Frye
City Clerk/Human Resources Assistant

(SEAL)



ORDINANCE NUMBER 25-20

AN ORDINANCE OF THE CITY OF WAVERLY, NEBRASKA TO AMEND THE WAVERLY ZONING REGULATIONS, ARTICLE 9 OFF-STREET PARKING

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF WAVERLY, NEBRASKA:

Section 1. Whereas, that Section 11.909 Parking for Personal and Recreational Vehicles, b. Location of Parking, 1. (c), contained within Article 9 of the Waverly Zoning Regulations is hereby amended to read as follows:

(c) The parking of motor vehicles and/or towed trailers, Recreational Vehicles (RV's), boats, or other recreational equipment shall not be permitted in the front, rear, or side yards of a platted lot unless they are parked on a paved surface.

Section 2. Whereas, that Section 11.909 Parking for Personal and Recreational Vehicles, c. Special Provisions for Recreational Vehicles and Boats, contained within Article 9 of the Waverly Zoning Regulations is hereby amended to read as follows:

c. Special Provisions for Recreational Vehicles and Boats

Parking and storage of recreational vehicles and boats within residential districts is subject to the following additional conditions. These conditions are in addition to those requirements for the parking of Personal Vehicles.

1. Recreational vehicles and boats must be maintained in a clean, well-kept state.
2. Recreational vehicles and boats equipped with liquefied petroleum gas containers must ensure that such containers must meet the current standards of the Interstate Commerce Commission, the United States Department of Transportation, or the American Society of Mechanical Engineers. Any valves must be closed at all times that the vehicle is not in preparation for immediate use. Leaks in containers must be repaired immediately.
3. Recreational vehicles may be used as temporary parking by non-paying guests for a maximum of three consecutive days or fourteen days total during any calendar year. Cooking in the recreational vehicle is prohibited at all times.
4. Recreational vehicles and boats may not be connected to utility lines for any period that exceeds 30 consecutive days.
5. Recreational vehicles and boats may not be used for the storage of goods, materials, or equipment other than those items which pertain to the use of the vehicle.
6. If feasible on a lot, recreational vehicles and boats shall be parked outside of the required front yard and street side yard setbacks.
7. Recreational Vehicles and boats may be parked not less than two feet from the front property line, and not less than two feet from the side and/or rear lot lines of the property.

Commented [MP1]: Removed the word "concrete" before the word "paved"

8. No part of any parked recreational vehicle or boat may extend over a public sidewalk or public right-of-way.

Section 3. That any ordinance in conflict with this ordinance is hereby repealed.

Section 4. This ordinance shall be in full force and take effect from and after its passage, approval, and publication according to the law.

PASSED AND APPROVED THIS _____ DAY OF _____, 2025.

Abbey L. Pascoe
Mayor

Attest:

Megan K. Frye
City Clerk/Human Resources Assistant

(SEAL)

ORDINANCE NUMBER 25-21

AN ORDINANCE OF THE CITY OF WAVERLY, NEBRASKA TO AMEND THE WAVERLY ZONING REGULATIONS, ARTICLE 10 SIGN REGULATIONS

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF WAVERLY, NEBRASKA:

Section 1. Whereas, that Section 11.1002 Definition of Terms, contained within Article 10 of the Waverly Zoning Regulations is hereby amended to read as follows:

11.1002 Definition of Terms (*Amended by Ord. 07-13; 11-5-07*)

The following definitions shall be used for terms contained in this chapter that are not otherwise defined in the Waverly Municipal Code or in this Zoning Ordinance.

1. **Abandoned Sign:** A sign, including sign face and supporting structure, which refers to a discontinued business, profession, commodity, service, or other activity or use formerly occupying the site; or which contains no sign copy on all sign faces for a continuous period of six months.
2. **Attached Sign:** A sign which is structurally connected to a building or depends upon that building for support
3. **Auxiliary Design Elements:** Terms which describe secondary characteristics of a sign, including its method of illumination and other features within the bounds of its basic shape.
4. **Awning and Awning Sign:** A temporary or movable shelter supported entirely from the exterior wall of a building and composed of non-rigid materials, except for a supporting framework. An awning sign is a message printed on such a shelter.
5. **Banner:** Material with a printed message or graphic secured or mounted from a structure in such a way as to allow wind movement.
6. **Billboard:** An outdoor advertising sign that displays products or services that are not typically available at the location of the sign site.
7. **Building Marker:** An historic or commemorative plaque, or a building name or cornerstone carved into a masonry surface.
8. **Business Center Identification Sign:** A sign which identifies a building or group of commercial buildings in single ownership or control, sharing parking and access.
9. **Canopy:** A projecting non-movable structure cantilevered or suspended from a building, supported by the main structural members to which it is attached, and used only as a roof or fixed shelter.
10. **Canopy Sign:** A sign which is attached or made an integral part of a canopy.
11. **Clearance:** The distance from the bottom of a sign face elevated above grade and the grade below.
12. **Detached Sign:** A sign which is self-supporting and structurally independent from any building.

13. Directional Sign: A sign which serves only to designate the location or direction of any area or place.
14. Double-Faced Sign: A sign consisting of no more than two parallel faces supported by a single structure.
15. Electronic Information Sign: Any sign intended primarily to provide information of general community interest, including time, temperature, and other atmospheric conditions, date, news, traffic control, or commercial messages.
16. Frontage: The length of a property line of any one premises abutting and parallel to a public street, private way, or court.
17. Ground Sign: A detached sign built on a freestanding frame, mast, or pole(s) with a clearance no greater than 3 feet.
18. Illumination: Lighting sources installed for the primary purpose of lighting a specific sign or group of signs. Illumination techniques referred to by these Regulations include:
 - (a) Bare Bulb: Illumination of signs using unshielded bulbs.
 - (b) Direct Illumination: Illumination of signs through flood lights whose luminous surface is visible to the normally located observer.
 - (c) Flame: Use of open flame or torches as a light source.
 - (d) Flashing: Use of an intermittent light source, including the illusion of intermittence through animation or other external light sources. Electronic information signs are excluded from this definition, except for any flashing mode of these signs.
 - (e) Indirect: Use of a light source whose luminous surface is not visible to the normally located observer.
 - (f) Internal: Use of a light source concealed or contained within the sign, and visible by shining through a translucent surface.
 - (g) Neon or gas tube: Use of a light source supplied by passing electricity through a tube containing neon or other gas, bent to form letters, symbols, and other shapes.
19. Marquee: A permanent roofed structure attached to and supported by a building and extending over public right-of-way.
20. Maximum Permitted Sign Area: The maximum permitted combined area of all signs allowed on a specific property.
21. Monument Sign: An on-premise freestanding sign with the appearance of a solid base. The width of such base shall be at least 75 percent of the width of the sign.
22. Moving Sign: A sign which conveys its message through rotating, changing, or animated elements.
23. Nonconforming Sign: A sign that was legally erected prior to the adoption of this chapter but which violates the regulations of this chapter.

24. Off-Premise Sign: A sign which directs attention to a business, profession, commodity, or service offered on a property other than that on which the sign is located.
25. Pole Sign: A sign built on a freestanding frame, mast, or pole(s) with a clearance greater than 3 feet, and where the support encompasses less than 75% of the width of the sign.
26. Portable Sign: Any sign supported by frames or posts rigidly attached to bases not permanently attached to the ground or a building and capable of being moved from place to place.
27. Premise Identification Sign: An sign which pertains to the use of a premises and which contains information about the owner or operator of that use; the type of business being conducted or the principal brand name of a commodity sold on the premises; and other information relative to the conduct of the use.
28. Premises: A tract of one or more lots or sites which are contiguous and under common ownership or control.
29. Projecting Signs: A sign other than a wall sign that is attached to and projects from a building face.
30. Residential Sign: A small detached or attached sign located on a residential premise, conveying a message communicated by the owner of the property.
31. Roof Sign: Any sign or part of sign erected upon, against, or directly above a roof or on top of or above the parapet or cornice of a building.
 - (a) Integral Roof Sign: A roof sign positioned between an eave line and the peak or highest point on a roof, substantially parallel to the face of a building.
 - (b) Above-peak Roof Sign: A roof sign positioned above the peak of a roof or above a parapet or cornice.
32. Sign: A symbolic, visual device fixed upon a building, vehicle, structure, or parcel of land which is intended to convey information about a product, business, activity, place, person, institution, candidate, or political idea.
33. Sign Type: A functional description of the use of an individual sign. Includes owner identification, advertising, directional, electronic message, and temporary.
34. Street Facade: Any separate external face of a building, including parapet walls and omitted wall lines, oriented to and facing a public street, private way, or court. Separate faces oriented in the same direction or within 45 degrees of one another are considered part of the same street facade.
35. Temporary Signs: A sign, flag, banner, pennant, or valance constructed of light weight materials which is not permanently attached to building or land, and which is intended for display for a limited period of time.
36. Wall Sign: A sign attached to and parallel with the side of a building.
37. Window Sign: A sign painted on or installed inside a window for the purpose of viewing from outside the premises.

Incidental	P (C)	P (C)	P (C)	P	P	P	P	P	P	P	P	P	P	P
Marquee	N	N	N	N	N	P	P	P	P	P	P	N	P	P
Projecting	P	N	N	N	N	N	P	N	P	P	P	N	N	N
Roof, Integral	N	N	N	N	N	N	N	N	P	P	P	P	P	P
Roof, Above Peak	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Wall	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Window	N	N	N	N	N	N	P	P	P	P	P	P	P	P
Miscellaneous														
Flag	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Portable (On-Premise)	N	N	N	N	N	N	N	N	N	N	N	N	N	N

P: Permitted for All Uses S: Special-Use Permit Required
P(C): Permitted for Civic Uses N: Not Permitted

Section 4. Whereas, that Table 10-3: Maximum Permitted Sign Area for Zone Lot By Zoning District, Note 6, contained within Article 10 of the Waverly Zoning Regulations is hereby amended to read as follows:

Note 6:

One Billboard for civic or commercial use, with a maximum area of 672 square feet (14' Height x 48' Width), is located in the Interstate Corridor Overlay District, and is within 300 feet to the Interstate, may be permitted by Special-Use Permit.

Section 3. That any ordinance in conflict with this ordinance is hereby repealed.

Section 4. This ordinance shall be in full force and take effect from and after its passage, approval, and publication according to the law.

PASSED AND APPROVED THIS _____ DAY OF _____, 2025.

Abbey L. Pascoe
Mayor

Attest:

Megan K. Frye
City Clerk/Human Resources Assistant

(SEAL)

MINUTES OF A WAVERLY CITY COUNCIL MEETING HELD ON AUGUST 12, 2025

CALL TO ORDER

Mayor Abbey Pascoe called the Meeting to order at 6:00 p.m. and led those in attendance in reciting the Pledge of Allegiance. Pascoe acknowledged the Open Meetings Act Poster located on the south wall of the Council Chambers. Mayor Pascoe and Council Members Delahoyde, Jespersen, Nielson, and Stark were in attendance. Other City Officials present were City Administrator Stephanie Fisher and City Attorney Mark Fahleson. Also in attendance were Emergency Services Coordinator Robin Hoffman, Interim Fire Chief Jared Rains, and Lancaster County Sheriff Deputy Jason Brownell. Notice of the Meeting and Agenda were given to the Mayor and all Members of the City Council prior to the Meeting. Notice of the Meeting was posted at Russ's Market Express, the US Post Office, the City Office and the City website (citywaverly.com).

ADOPTION OF AGENDA

Council Member Jespersen moved to adopt the Agenda as presented with the exception of 1) f., which will be heard at the Mayor's discretion. Council Member Nielson seconded the motion. The following Council Members voted "YEA": Jespersen, Nielson, Delahoyde, and Stark. The following Council Members voted "NAY": None. Motion Carried. 4-0.

APPROVAL OF CONSENT AGENDA

Minutes of the July 21, 2025 City Council Budget Workshop

Minutes of the July 22, 2025 City Council Meeting

Minutes of the July 28, 2025 Joint Public Meeting

Consideration of Mutual Aid Agreement between the City of Waverly, Waverly Suburban Fire District, Southeast Rural Fire District, and Eagle/Alvo Rural Fire Protection District No. 9.

Consideration of using Point C for the administration of an employee Health Reimbursement Account (HRA) plan and authorizing the mayor to sign all documents.

Council Member Jespersen moved to approve the Consent Agenda. Council Member Nielson seconded the motion.

The following Council Members voted "YEA": Nielson, Delahoyde, Stark, and Jespersen. The following Council Members voted "NAY": None. Motion Carried. 4-0.

PROCLAMATIONS AND PRESENTATIONS

Recognition to Waverly Fire/Rescue personnel with Mayor's Award for actions on July 11, 2025.

Mayor Pascoe read a statement from the Buss family thanking the members for their quick response in delivering their baby. Pascoe presented the Mayor's Certificate of Excellence and Interim Fire Chief Rains presented the Stork Award from DHHS to Caleb Bishop, Tell Hanes, Robin Hoffman, and John Adams. Rains advised to receive the Stork Award, you must be on an EMS team and take part in assisting with a delivery in a location other than a hospital. Rains stated this doesn't happen very often—during my 20 years on the department, there have been only 3 deliveries.

Rachel Buss thanked the members for respecting her wishes and being patient with her. Buss stated I couldn't have asked for a better at home birth. Members congratulated the Buss family on their new baby.

PUBLIC HEARINGS

None.

2025-2026 WATER AND SEWER RATES

Public Hearing: Water and Sewer Rates for Fiscal Year 2025-2026.

Public Hearing opened at 6:02 p.m.

Mayor Pascoe asked if anyone wanted to make comments. No comments were heard.

Public Hearing closed at 6:03 p.m.

Consideration of the First Reading of Ordinance 25-14, an ordinance of the City of Waverly, Nebraska, amending Title V, Chapter 51, Section 51.09 of the Waverly Municipal Code: Water; Rates

Council Member Jespersen moved to approve the First Reading of Ordinance 25-14, an ordinance of the City of Waverly, Nebraska, amending Title V, Chapter 51, Section 51.09 of the Waverly Municipal Code: Water; Rates. Council Member Nielson seconded the motion.

City Attorney Fahleson read the ordinance by title:

ORDINANCE 25-14, AN ORDINANCE OF THE CITY OF WAVERLY, NEBRASKA, AMENDING TITLE V, CHAPTER 51, SECTION 51.09 OF THE WAVERLY MUNICIPAL CODE: WATER; RATES

City Administrator Fisher stated this includes a 7% increase according to the rate study completed by JEO.

The following Council Members voted “YEA”: Delahoyde, Stark, Jespersen, and Nielson. The following Council Members voted “NAY”: None. Motion Carried. 4-0.

Consideration of the First Reading of Ordinance 25-15, an ordinance of the City of Waverly, Nebraska, amending Title V, Chapter 52, Section 52.39 of the Waverly Municipal Code: Sewers; Base Rates; and Section 52.40 Sewers; Surcharge Rates

Council Member Jespersen moved to approve the First Reading of Ordinance 25-15, an ordinance of the City of Waverly, Nebraska, amending Title V, Chapter 52, Section 52.39 of the Waverly Municipal Code: Sewers; Base Rates; and Section 52.40 Sewers; Surcharge Rates. Council Member Nielson seconded the motion.

City Attorney Fahleson read the ordinance by title:

ORDINANCE NUMBER 25-15, AN ORDINANCE OF THE CITY OF WAVERLY, NEBRASKA, AMENDING TITLE V, CHAPTER 52, SECTION 52.39 OF THE WAVERLY MUNICIPAL CODE: SEWERS; BASE RATES; AND SECTION 52.40 SEWERS; SURCHARGE RATES

City Administrator Fisher stated this includes a 2% increase according to the rate study completed by JEO. Pascoe stated sewer rates were not raised at all last year.

The following Council Members voted “YEA”: Stark, Jespersen, Nielson, and Delahoyde. The following Council Members voted “NAY”: None. Motion Carried. 4-0.

SHERIFF’S REPORT

Deputy Brownell reported the weather has been great, school is starting, Wayne Park had some calls for service that were handled, not many accidents. The LSO shift bid is coming up next month.

PUBLIC COMMENTS

None.

APPROVAL OF MINUTES

Minutes of the July 21, 2025 City Council Budget Workshop

Consent Agenda.

Minutes of the July 22, 2025 City Council Meeting

Consent Agenda.

Minutes of the July 28, 2025 Joint Public Meeting

Consent Agenda.

CONSIDERATION OF CLAIMS AND FINANCIAL REPORTS

Claims for Payment

Claims for Payment: July 23rd - August 12th, 2025		
Group A		
Vendor	Description	Amount
Garrett & Taylor Borchert	Utility Deposit Refund	\$ 100.00
Carl & Susan Brosseau	Utility Deposit Refund	\$ 100.00
Amanda Burhoop	Utility Deposit Refund	\$ 100.00
Nicole & Tony Kinnaman	Utility Deposit Refund	\$ 100.00
Brendan Kouma	Utility Deposit Refund	\$ 100.00
Matt Kubes	Utility Deposit Refund	\$ 100.00
Jay & Jill Martens	Utility Deposit Refund	\$ 100.00
Tanner Matt	Utility Deposit Refund	\$ 54.04
Rebecca Robla	Utility Deposit Refund	\$ 100.00
Aaron Hummel	WFR-Personal Vehicle Reimbursement	\$ 735.00
ADP Fees	Payroll Fees	\$ 224.15
ADP Fees	Payroll Fees	\$ 304.44
ADP Fees	Payroll Fees	\$ 304.44
ADP Payroll	Payroll	\$ 78,517.09
Allo Communications	Phone/Internet Services	\$ 938.68
Aqua-Chem, Inc.	Pool chemicals	\$ 1,477.65
Badger Body & Truck Equipment	Snowplow repairs	\$ 720.00
Barco Municipal Products Inc.	Street name signs, square posts, brackets & caps	\$ 2,076.90
Bauer Built	Tire repair	\$ 923.00
Black Hills Energy	Natural gas	\$ 155.78
Bound Tree Medical, LLC	Medical equipment & supplies	\$ 8,456.85
Brent Cooper	WFR-Personal Vehicle Reimbursement	\$ 195.00
Caleb Bishop	WFR-Personal Vehicle Reimbursement	\$ 855.00
Chase Bank	2016 Var Purp Bond & Interest	\$ 35,665.00
Colonial Life	Insurance	\$ 43.92
Commercial Restoration Group	Pool awning	\$ 1,500.00
Commonwealth Electric Company	Repair generator power issues	\$ 2,031.87
Core & Main	Meter & Readout Purchase	\$ 175.80
Cubby's, Inc.	Fuel	\$ 2,442.37
DataVizion, LLC	Microsoft 365 Business, Support, WWTP computers, monitor, warranty	\$ 4,670.77
Eakes Office Plus	FD copier contract billing	\$ 46.71
Environmental Resource Assc	PH Test	\$ 163.39
Grainger	Supplies	\$ 46.58
Greg Gerlach	WFR-Personal Vehicle Reimbursement	\$ 255.00
Heermann Economic Development	Economic Development Consulting Svcs	\$ 2,900.00

Hippo Equipment	Supplies, Rental fee	\$ 257.93
Home2 Suites by Hilton	Fire department room charges	\$ 575.00
Horizon Bank	Ambulance loan legal fees	\$ 3,500.00
Horizon Bank	Monthly ACH Fees	\$ 10.00
Huffman Engineering, Inc.	PLC connection troubleshoot	\$ 1,572.50
IWORQ	Software Management & Support	\$ 5,500.00
James Bartels	WFR-Personal Vehicle Reimbursement	\$ 450.00
Jamieson Battistella	WFR-Personal Vehicle Reimbursement	\$ 315.00
Jared Rains	WFR-Personal Vehicle Reimbursement	\$ 720.00
JEO Consulting Group, Inc.	Comp. Safety Action Plan, 134 th & Hwy 6 Drainage Improvements	\$ 31,969.75
John Adams	WFR-Personal Vehicle Reimbursement	\$ 1,350.00
John Catsinas	WFR-Personal Vehicle Reimbursement	\$ 75.00
John Deere Financial	Repairs	\$ 79.82
John Hancock USA	Retirement	\$ 3,446.76
Jones Group	Add 2025 ambulance & portable eqpmnt	\$ 548.00
Joseph Hummel	WFR-Personal Vehicle Reimbursement	\$ 510.00
K2 Construction	Danvers St. & Oak Ln. Water Main	\$ 155,952.00
Kelly Supply Company	Supplies	\$ 57.37
Kevin LaPage	Repair fee	\$ 200.00
Kubert Appraisal Group, PC	Appraisal Services	\$ 2,850.00
Kubert Appraisal Group, PC	Appraisal Services	\$ 2,850.00
Lancaster Co. Sheriff Office	August 2025	\$ 38,093.00
Larry Fichtner	WFR-Personal Vehicle Reimbursement	\$ 135.00
League Of NE Municipalities	Utilities Membership Dues	\$ 1,498.00
League of Nebr. Municipalities	League Membership Dues	\$ 24,226.00
Life-Assist, Inc.	Medical Supplies	\$ 1,962.46
Lincoln Electric System	Electricity	\$ 6,740.83
M & E Plastic Repair	Playground equipment repair	\$ 2,500.00
MacQueen Emergency	Helmet, helmet front	\$ 610.81
Mammoth Station	Fuel	\$ 204.92
Menards-Lincoln North	Waverly Ridge Bluff Rd. culvert, clarifier repair, data cable, pliers, anchor, padlocks	\$ 514.11
Michael McClellan	WFR-Personal Vehicle Reimbursement	\$ 270.00
Midwest Laboratories, Inc.	Lab fees	\$ 889.98
Midwest Turf & Irrigation	Mower repair	\$ 792.96
Nathan Vidlak	WFR-Personal Vehicle Reimbursement	\$ 675.00
Nebraska Dept Revenue Waste	Utility sales tax & pool pass tax	\$ 13,104.15
Nebraska Generator Service	Repairs to generator	\$ 4,538.41
Nebraska Snow Equipment	Snowplow repair	\$ 325.00
Nebraska.Gov	Instant Access Return Billback	\$ 55.00
Odey's Inc.	Supplies	\$ 3.88
Olsson	Waverly Ridge Construction	\$ 21,157.00
One Call Concepts, Inc.	One-Call Service	\$ 153.96
One Source-Background Check Co	Background check	\$ 57.00
Paul Davis Restoration, Inc.	Laundering Bunker Gear	\$ 50.00
Pepsi-Cola of Lincoln	Aquatic Center concessions	\$ 139.90
Pepsi-Cola of Lincoln	Aquatic Center concessions	\$ 150.05

Pinnacle Bank	Concession items, EMS conference, medical supplies, office supplies	\$ 4,997.63
Pioneer Overhead Door	Commercial door repair	\$ 3,021.00
Point C	Health Reimbursement Account	\$ 93.00
Quik Dump Refuse	Garbage Service	\$ 689.33
Rembolt Ludtke LLP	Legal Fees	\$ 3,000.00
Robin L. Hoffman	WFR-Personal Vehicle Reimbursement	\$ 1,995.00
School District #145	Office paper	\$ 395.76
S.E. Rural Fire Protection Dist	EMS Calls	\$ 1,500.00
Stingray Technology Services	Cameras & IT services	\$ 648.33
Stryker Sales, LLC	Modem kit, printer kit, storage bag kit	\$ 3,571.31
Stryker Sales, LLC	Lifepak monitor/defibrillator	\$ 49,492.42
Sunbelt Rentals, Inc.	Lift rental	\$ 609.00
Tell Hanes	WFR-Personal Vehicle Reimbursement	\$ 1,080.00
The Voice News	Advertising & Printing	\$ 868.61
Theresa Wymore	Pool admission refund	\$ 35.31
Thiele Geotech, Inc.	Water main Oak Ln. & Danvers St	\$ 804.00
Tyler Tongish	WFR-Personal Vehicle Reimbursement	\$ 240.00
U.S. Bank Equipment Finance	Ricoh Copier	\$ 143.95
Uribe Refuse Services	Restroom Rental	\$ 133.50
Val Limited	Concession pizza	\$ 387.00
Vessco, Inc.	Pumpheads	\$ 912.77
Visual Edge IT	Copies	\$ 151.68
Whitehead Oil Co.	Fuel	\$ 92.60
William Gerdes	WFR-Personal Vehicle Reimbursement	\$ 1,890.00
Goodcents	Food for FD meeting	\$ 143.04
RecDesk	Monthly deposit charge	\$ 25.00
RecDesk	Monthly deposit charge	\$ 25.00
RecDesk	Pool party deposit refunds (7)	\$ 700.00
RecDesk	Soccer refund (2)	\$ 125.00
RecDesk	Flag football refund (3)	\$ 285.00
	Claims Group A Total	\$ 556,371.22

Council Member Jespersen moved to approve Claims Group A in the amount of \$556,371.22. Council Member Nielson seconded the motion.

The following Council Members voted "YEA": Jespersen, Nielson, Delahoyde, and Stark. The following Council Members voted "NAY": None. Motion Carried. 4-0.

Treasurer's Report and Budget & Expense Report

Council Member Jespersen moved to approve Treasurer's Report and Budget & Expense Report. Council Member Nielson seconded the motion.

The following Council Members voted "YEA": Nielson, Delahoyde, Stark, and Jespersen. The following Council Members voted "NAY": None. Motion Carried. 4-0.

INTRODUCTION OF RESOLUTIONS

Consideration of Resolution 25-14 for the League Association of Risk Management (LARM) 2025-26 Insurance Pool renewal.

Council Member Jespersen moved to approve Resolution 25-14 for the League Association of Risk Management (LARM) 2025-26 Insurance Pool renewal with a 3-year commitment with 180 day notice at a 5% discount. Council Member Nielson seconded the motion.

The following Council Members voted “YEA”: Delahoyde, Stark, Jespersen, and Nielson. The following Council Members voted “NAY”: None. Motion Carried. 4-0.

INTRODUCTION OF ORDINANCES

Consideration of the Second Reading of Ordinance 25-13 Amending Chapter 110 of the Waverly Municipal Code relating to Franchise Fees

Council Member Jespersen moved to approve the Second Reading of Ordinance 25-13 Amending Chapter 110 of the Waverly Municipal Code relating to Franchise Fees. Council Member Nielson seconded the motion.

City Attorney Fahleson read the ordinance by title:

ORDINANCE 25-13, AN ORDINANCE OF THE CITY OF WAVERLY, NEBRASKA, AMENDING CHAPTER 110 OF THE WAVERLY MUNICIPAL CODE RELATING TO BUSINESS LICENSING; FRANCHISES; C.A.T.V.; PAYMENT TO THE CITY

The following Council Members voted “YEA”: Stark, Jespersen, Nielson, and Delahoyde. The following Council Members voted “NAY”: None. Motion Carried. 4-0.

INTRODUCTION OF BUSINESS AND COMMUNICATIONS

Consideration of Mutual Aid Agreement between the City of Waverly, Waverly Suburban Fire District, Southeast Rural Fire District, and Eagle/Alvo Rural Fire Protection District No. 9.

Consent Agenda.

Consideration of using Point C for the administration of an employee Health Reimbursement Account (HRA) plan and authorizing the mayor to sign all documents.

Consent Agenda.

Consideration of Mayor's appointment of Robin Hoffman as Fire Chief.

Council Member Jespersen moved to approve the Mayor's appointment of Robin Hoffman as Fire Chief. Council Member Nielson seconded the motion.

Robin Hoffman stated this is a big commitment and I will give my all; we need to keep in mind to do what's best for the citizens of Waverly. I'm happy to serve at the Mayor's pleasure. Mayor Pascoe stated this was a panel interview and there was a wonderful group of members that interviewed for this position, which we support and hope that every member can also support that decision because the community needs a team that supports the chief regardless.

The following Council Members voted “YEA”: Jespersen, Nielson, Delahoyde, and Stark. The following Council Members voted “NAY”: None. Motion Carried. 4-0.

Consideration of an agreement with JEO Architecture, Inc for programming and preliminary design services for the Waverly Fire Station project in an amount not to exceed \$24,000.

Council Member Jespersen moved to approve an agreement with JEO Architecture, Inc for programming and preliminary design services for the Waverly Fire Station project in an amount not to exceed \$24,000. Council Member Nielson seconded the motion.

The following Council Members voted “YEA”: Nielson, Delahoyde, Stark, and Jespersen. The following Council Members voted “NAY”: None. Motion Carried. 4-0.

COMMITTEE REPORTS

Human Services (Park & Recreation): Council Member Stark

Council Member Stark reported there was a Parks meeting last Monday. City Administrator Fisher reported we tried to have the dog fun run but the weather had other plans. Stark reported 29 people signed up for the dog run but we ended up canceling it, unfortunately. Mayor Pascoe stated Parks & Rec Director Hufford and Parks & Rec Assistant Manning did a wonderful job getting Field 1 ready for the Legion Baseball State Championship game, finding out at short notice. Stark reported Friday was the tailgate party for NFL Flag Football, and it had a good turnout. They grilled burgers and gave everyone a little bag of goodies. Flag football registration has closed with 165 registered. Soccer registration has closed with 184 registered. There were not enough registrants for the adult coed softball league. There will be the coed volleyball league and 3-on-3 basketball league coming sometime this fall, so keep an eye out for that. There had been some tree work and then the tree branch pick up after the recent storm. Pascoe stated the Aquatic Center has officially ended their regular season hours, but the next 2 weekends it will be open, weekend hours. There will be one final event—a Paws & Splash Bash, where you bring your dogs and have them swim in the Aquatic Center; raising funds for the dog park.

Public Works (Utilities & Street): Council Member Delahoyde

Council Member Delahoyde reported the public works department has been doing cleanup of a lot of downed tree limbs from the recent storm all over town, in addition to moving tree branches around at the tree dump to make room for more that keep coming in. They submitted the 2nd Quarter discharge monitoring reports to the State and the EPA. Ran wastewater lab samples. The repairs to the WWTP generator transfer switch were completed. Worked on plow for F 250 truck repairs and installed new parts on F 350 plows. Moved signs to new streetlight poles. Changed oil on the Oxidation ditch pumps. New computer installed at WWTP office. Hauled in scrap metal.

Public Health (Fire & Safety): Council Member Jespersen

No report.

Fiscal and Economic Development: Council Member Nielson

City Administrator Fisher reported our economic development group met yesterday. We continued to work through the steps to become a corporation by the state. Mayor Pascoe reported we had our joint public meeting on July 28, City Council, Planning Commission, CRA, and Economic Development met for introductions, work on strategic planning, and align group focus.

City Administrator Fisher

City Administrator Fisher reported next week we will get our certified valuation from the county and at that point in time, we will make the final determination of where we want to set our levy for the budget for next year.

EXECUTIVE SESSION

Council Member Nielson moved to enter Executive Session to protect the public interest, to receive legal advice, and to discuss negotiation strategy relating to possible real estate acquisitions. Council Member Jespersen seconded the motion.

The following Council Members voted “YEA”: Delahoyde, Stark, Jespersen, and Nielson. The following Council Members voted “NAY”: None. Motion Carried. 4-0.

City Administrator Fisher declared Closed Session at 6:46 p.m. Those present were Mayor Pascoe, Council Members Jespersen, Delahoyde, Stark, and Nielson, City Administrator Fisher, and City Attorney Fahleson. No action was taken during Executive Session.

Mayor Pascoe declared Open Session at 7:00 p.m.

Council Member Jespersen moved to leave Executive Session at 7:00 p.m. Council Member Nielson seconded the motion.

The following Council Members voted “YEA”: Stark, Jespersen, Nielson, and Delahoyde. The following Council Members voted “NAY”: None. Motion Carried. 4-0.

ADJOURNMENT

Council Member Stark moved to adjourn the meeting at 7:00 p.m. Council Member Nielson seconded the motion.

The following Council Members voted “YEA”: Jespersen, Nielson, Delahoyde, and Stark. The following Council Members voted “NAY”: None. Motion Carried. 4-0.

Abbey L. Pascoe
Mayor

Megan K. Frye
City Clerk/Human Resources Assistant

Claims for Payment: August 13th - 26th , 2025

Group A			
Vendor	Description	Amount	Date Paid
Aden Brummer	Flag football ref	\$ 160.00	
ADP Fees	Payroll Fees	\$ 224.15	8/29/2025
ADP Fees	Payroll Fees	\$ 289.96	8/29/2025
ADP Payroll	Payroll	\$ 62,485.91	8/22/2025
Aqua-Chem, Inc.	Pool chemicals	\$ 825.20	
Bauer Built	New tires F-350 truck, mower tire repair	\$ 1,216.25	
Blue Cross Blue Shield NE	Health Insurance	\$ 17,780.89	9/1/2025
Caden Cerny	Flag football ref	\$ 200.00	
Carquest Auto Parts	Filters for generator, shop towels, motoseal, air filters, battery cleaner	\$ 302.47	
CWORKS INC.	Fleet management software	\$ 600.00	
Emily Swoboda	WFR-Personal Vehicle Reimbursement	\$ 225.00	
General Traffic Controls Inc.	Traffic light repair 141st	\$ 448.00	
Grainger	Clothing allowance	\$ 70.07	
Guardian	Life & Vision Insurance	\$ 588.83	
Hayden Demuth	Flag football ref	\$ 160.00	
Hometown Leasing	FD Copier	\$ 71.48	
Interstate All Battery Center	Battery	\$ 212.95	
Jacob Brosseau	WFR-Personal Vehicle Reimbursement	\$ 2,220.00	
Jaydon Pribyl	Flag football ref	\$ 200.00	
JEO Consulting Group, Inc.	Oak Lane & Danvers Water Main	\$ 31,503.75	
John Hancock USA	Retirement	\$ 3,534.35	8/22/2025
Life-Assist, Inc.	Medical Supplies	\$ 21.00	
Lincoln Electric System	Electricity	\$ 19,234.09	
MacQueen Emergency	Pant repair	\$ 154.87	
Matheson Tri-Gas, Inc.	Oxygen	\$ 157.45	
McMaster-Carr Supply Co.	Clarifier repair	\$ 44.85	
Menards-Lincoln North	Oil dri, toilet repair parts, tape measure, line w/reel, zip ties, electric tape	\$ 214.27	
Nadia Koval	Cleaning Service	\$ 439.23	
NE Public Health Environ.Lab	Lab Fees	\$ 407.00	
One Billing Solutions	July 2025 Billing-EMS	\$ 817.75	
Point C	Health Reimbursement Account	\$ 93.00	
Production Creek Specialty Adv	Employee clothing	\$ 391.50	
Quik Dump Refuse	Garbage Service	\$ 689.33	
Rembolt Ludtke LLP	Waverly Suburban Fire District, Mutual Aid Agreement	\$ 1,969.00	
Russ's Market Express	Ice, water, gatorade	\$ 41.94	
Russ's Market Express	Water, pool concession items	\$ 32.24	
Stryker Sales, LLC	Battery charger assembly	\$ 723.84	
Stryker Sales, LLC	Lifepak power adapter kit, sensor	\$ 2,244.74	
Stryker Sales, LLC	NIBP cuffs	\$ 71.66	
Sunbelt Rentals, Inc.	Grapple bucket	\$ 2,300.00	
Terracon Consultants, Inc.	Canongate Rd. geotechnical work	\$ 4,760.00	
Titan Machinery-Lincoln	Skid steer repair	\$ 508.90	
Total Tool Supply, Inc.	Shop tools, impact wrench	\$ 877.00	
U.S. Postmaster	Stamps/Postage	\$ 636.79	
Union Bank & Trust Co.	HSA Accounts	\$ 2,750.00	9/1/2025
USA Blue Book	Pump parts	\$ 1,994.75	
Val Limited	Concession pizza	\$ 941.00	
Verizon Wireless	Phone Service	\$ 410.48	
RecDesk	Pool party deposit refunds (9)	\$ 900.00	
RecDesk	Soccer refunds (8)	\$ 495.00	
RecDesk	Soccer refunds (2)	\$ 150.00	
Storage Ninjas - Waverly	Storage for Engine 34 - F.D. debit card purchase	\$ 139.00	
Claims Group A Total		\$ 167,929.94	

Abbey Pascoe, Mayor

Cheris Cadwell, City Treasurer/Deputy Clerk

City of Waverly
July, 2025

Gross Sales

Waverly \$ 205,187.01

Gross Sales 100.00% **\$ 205,187.01**

Prizes (Payouts)

Waverly

Prizes (Payouts) 74.8662% **\$153,615.71**

Operator Commission 12.0000% \$24,622.44

City Share 12.7848% \$26,232.76

Uncollected Winnings 0.3490% \$716.10

Interest \$6.28

Still due resreve

Total to city **\$26,955.14**

YTD SALES \$ 2,267,917.36

City 7%min earned YTD \$158,754.22

Paid YTD \$130,220.11

Due City **\$28,534.11**

Sales Tax Collections: sales tax earned two months prior-- shown as month paid to City

	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025		
January		\$32,992.14	\$29,189.49	\$29,531.36	\$32,688.55	\$32,284.36	\$33,172.54	\$46,014.14	\$41,917.94	\$46,648.43	\$90,625.85	\$103,786.45	\$105,194.37	\$104,708.89	\$125,496.52		
February		\$29,537.64	\$30,246.77	\$64,480.25	\$36,940.26	\$41,698.05	\$41,692.99	\$60,599.43	\$46,095.47	\$54,122.85	\$109,289.36	\$116,586.73	\$131,852.76	\$114,253.11	\$133,595.25		
March		\$26,920.56	\$26,887.71	\$30,457.12	\$35,161.97	\$35,290.80	\$40,821.47	\$40,219.57	\$42,933.14	\$42,610.56	\$75,928.93	\$99,352.41	\$95,771.88	\$82,176.63	\$123,786.47		
April		\$28,796.53	\$28,137.26	\$29,420.11	\$29,176.72	\$30,227.87	\$34,683.45	\$41,461.95	\$34,740.53	\$47,940.60	\$77,700.69	\$111,903.31	\$97,168.62	\$111,029.70	\$101,190.07		
May	\$8.24	\$35,288.09	\$34,362.26	\$34,621.55	\$31,802.05	\$39,108.51	\$43,465.17	\$52,003.47	\$47,233.51	\$44,064.34	\$93,473.57	\$97,854.57	\$101,491.84	\$105,729.62	\$109,905.53		
June	\$21,243.02	\$32,198.24	\$28,426.22	\$38,672.07	\$31,794.65	\$33,427.73	\$40,781.58	\$45,768.13	\$41,378.54	\$52,572.46	\$99,944.43	\$95,376.36	\$111,660.31	\$96,112.09	\$112,449.89		
July	\$25,244.63	\$30,457.75	\$31,952.30	\$39,768.61	\$43,691.63	\$5,327.24	\$45,632.90	\$50,294.37	\$52,805.83	\$45,600.18	\$98,328.54	\$100,142.61	\$106,592.60	\$107,047.20	\$109,031.89		
August	\$29,839.16	\$36,192.83	\$33,585.11	\$32,131.22	\$31,226.35	\$44,897.74	\$48,886.02	\$51,641.21	\$50,411.52	\$59,379.70	\$107,707.62	\$121,477.70	\$130,326.31	\$99,092.02	\$124,102.79		
September	\$30,988.54	\$37,130.93	\$34,002.03	\$41,645.33	\$49,711.78	\$36,561.46	\$41,391.36	\$42,353.80	\$50,953.89	\$67,428.76	\$99,848.37	\$104,395.19	\$103,737.29	\$91,604.71			
October	\$29,229.16	\$36,993.71	\$38,297.05	\$35,077.10	\$36,328.32	\$39,165.85	\$45,678.64	\$52,076.81	\$57,694.98	\$55,385.72	\$99,986.54	\$119,671.73	\$114,754.32	\$95,256.32			
November	\$29,346.34	\$32,505.44	\$41,745.15	\$37,159.48	\$36,419.27	\$47,264.28	\$50,944.62	\$42,158.82	\$58,477.36	\$56,647.46	\$118,010.17	\$109,006.57	\$102,350.94	\$104,667.52			
December	\$27,622.05	\$29,632.44	\$17,238.71	\$32,581.21	\$22,368.15	\$35,162.51	\$48,520.21	\$45,481.83	\$45,307.48	\$90,445.57	\$87,009.84	\$14,777.74	\$102,439.75	\$83,758.65			
Total Year	\$193,521.14	\$388,646.30	\$374,070.06	\$445,545.41	\$417,309.70	\$420,416.40	\$515,670.95	\$570,073.53	\$569,950.19	\$662,846.63	\$1,157,853.91	\$1,194,331.37	\$1,303,340.99	\$1,195,436.46	\$939,558.41	\$626,372.59	\$313,185.82
Monthly Ave	\$24,190.14	\$32,387.19	\$31,172.51	\$37,128.78	\$34,775.81	\$35,034.70	\$42,972.58	\$47,506.13	\$47,495.85	\$55,237.22	\$96,487.83	\$99,527.61	\$108,611.75	\$99,619.71	\$117,444.80		

RESOLUTION NUMBER 25-15

RESOLUTION APPROVING ADDITIONAL VOLUNTEER FIRE/RESCUE DEPARTMENT MEMBER(S)

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF WAVERLY, NEBRASKA:

That the following list of additional member(s) of the Volunteer Fire/Rescue Department of the City of Waverly is hereby approved:

JULIAN LINKE

All member(s) of the Volunteer Fire/Rescue Department of the City duly approved as provided in this Resolution shall be considered employee(s) of the City of Waverly for the purpose of providing them Worker's Compensation coverage and life insurance.

PASSED AND APPROVED THIS 12TH DAY OF AUGUST, 2025.

Abbey L. Pascoe
Mayor

ATTEST:

Megan K Frye
City Clerk/Deputy Treasurer

(SEAL)



**Waverly Volunteer Fire/Rescue Department
Membership Application**

Name: Julian Linke

Date: 06/16/2025

Are you 18 years of age or older? (Circle one) YES or NO

Occupation: Rural carrier

Do you live or work in Waverly? (Circle one) YES or NO

Email: _____

Previous Experience Involving Fire and Rescue

1) Department Name and Location: Priority medical

Date Started: 08-12-2024

Date Ended: 06-01/2025

Responsibilities while Serving: Driving ambulance/rig restock / EMT medical care

Reason (s) for leaving: work commute / work schedule

2) Department Name and Location: N/A

Date Started: _____

Date Ended: _____

Responsibilities while Serving: _____

Reason (s) for leaving: _____

(If needed please attach additional department details to your application)

Training

Please list course names, date completed, where taken and who instructor was. Please be able to present certificates if needed.

1. EMT Course, 05/17/2024, Cherri Fuehring

2. Basic life support 2/9/2024, Cherri Fuehring

3. 15-200, 700, 800 Cherri, Fuehring

(If needed please attach additional training details to your application)

Applicant Signature: Julian Linke

Date: 06/16/2025

Fire Chief Signature: _____

Date: 7-17-2025

Emergency Services Coordinator Signature: _____

Date: 8/5/25

***** Administrative Use *****

Background Check: Passed

Failed

Drug Screen: Passed

Failed

Clerk Signature: _____

Date: 8/19/25

RESOLUTION 25-16

RESOLUTION AUTHORIZING THE TEMPORARY CLOSING OF HEYWOOD STREET FROM N 146TH TO N 143RD STREET, N 143RD STREET FROM HEYWOOD TO CASTLEWOOD STREET, AND CASTLEWOOD FROM N 143RD STREET TO PEACE LUTHERAN CHURCH ENTRANCE FROM 9:30 A.M. TO 11:00 A.M. ON SATURDAY, SEPTEMBER 27, 2025

WHEREAS, the Waverly Viking Band has requested approval to hold a parade for the 2025 Waverly Marching Festival on September 27, 2025; and

WHEREAS, they have requested the temporary closing of Heywood Street from N 146th Street to N 143rd Street; N 143rd Street from Heywood to Castlewood Street; and Castlewood Street from N 143rd Street to Peace Lutheran Church entrance from 9:30 a.m. to 11:00 a.m.; and

WHEREAS, the City of Waverly has agreed to provide the necessary signage barricades to prohibit vehicular traffic from 9:30 a.m. to 11:00 a.m. at the outlined locations with the understanding that the volunteers of the Waverly Viking Band will install the barricades by 9:30 a.m. and remove the barricades by 11:00 a.m. on September 27, 2025.

NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF WAVERLY, NEBRASKA that barricades be provided and placed by 9:30 a.m. on September 27, 2025 to prohibit vehicular traffic except emergency vehicles on Heywood Street from N 146th to N 143rd Street, N 143rd Street from Heywood to Castlewood Street, and Castlewood Street from N 143rd Street to Peace Lutheran Church entrance after 9:30 a.m. on September 27, 2025 until 11:00 a.m. on September 27, 2025.

PASSED AND APPROVED THIS 12TH DAY OF AUGUST, 2025.

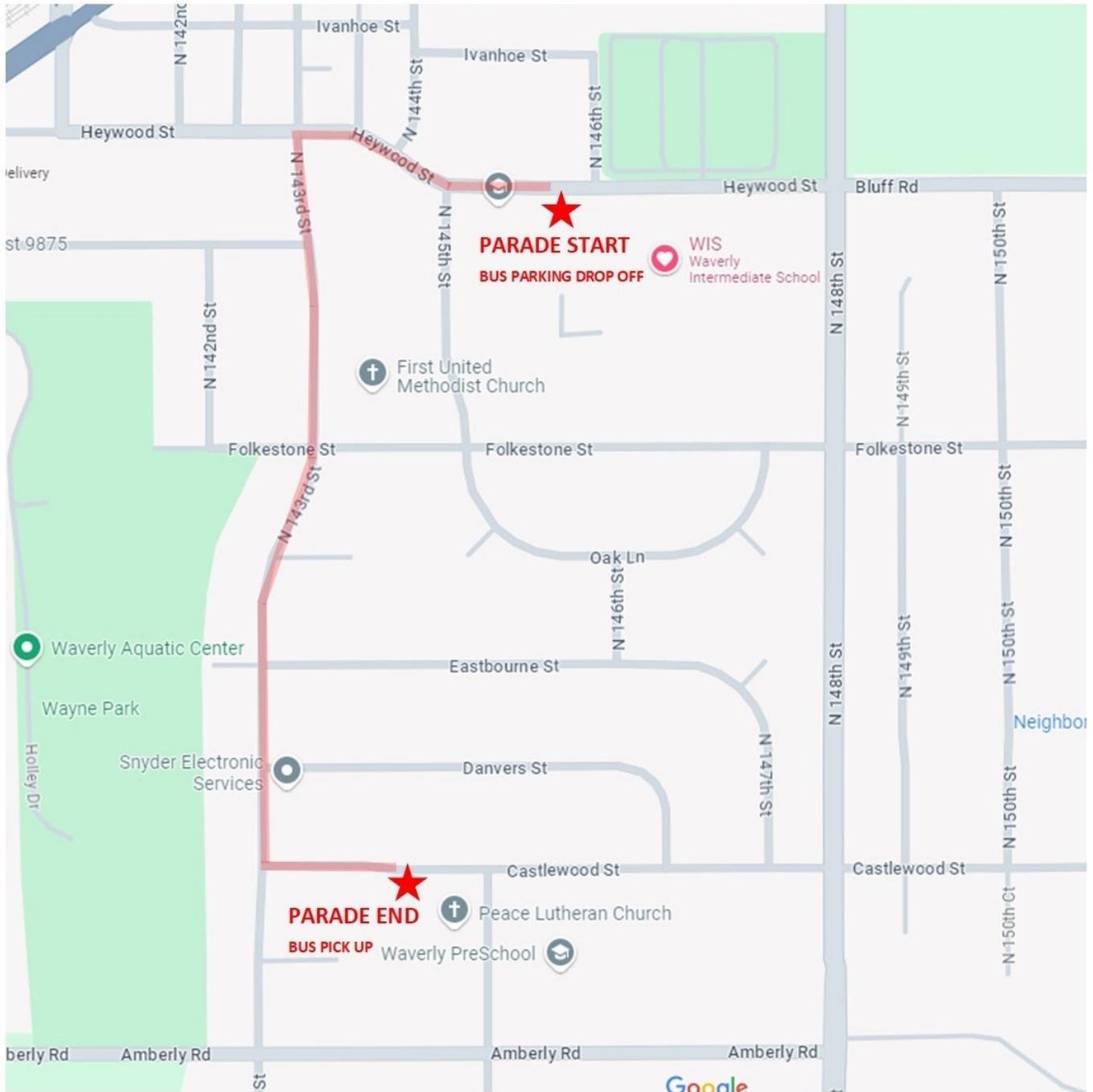
Abbey L. Pascoe
Mayor

ATTEST:

Megan K. Frye
City Clerk/Human Resources Assistant

(Seal)

WAVERLY MARCHING FESTIVAL PARADE ROUTE



RESOLUTION 25-17

RESOLUTION AUTHORIZING TEMPORARY INSTALLATION OF “NO PARKING” SIGNS ON BOTH SIDES OF HEYWOOD STREET FROM N 146TH TO N 143RD STREET, N 143RD STREET FROM HEYWOOD TO CASTLEWOOD STREET, AND CASTLEWOOD FROM N 143RD STREET TO PEACE LUTHERAN CHURCH ENTRANCE FROM 9:30 A.M. TO 11:00 A.M. ON SATURDAY, SEPTEMBER 27, 2025

WHEREAS, the Waverly Viking Band has requested approval to hold a parade for the 2025 Waverly Marching Festival on September 27, 2025; and

WHEREAS, they have an agreement with the City of Waverly to hold the parade along the approved route, and;

WHEREAS, the Lancaster County Sheriff’s Office has been made aware of the parade and will have additional deputies available to help with the event, and;

WHEREAS, the Waverly City Council has mandated there will be no parking on both sides of Heywood Street from N 146th Street to N 143rd Street; N 143rd Street from Heywood to Castlewood Street; and Castlewood Street from N 143rd Street to Peace Lutheran Church entrance before and during the event to allow adequate passage for emergency vehicles, and;

WHEREAS, the City of Waverly has agreed to provide the necessary signage to ban parking on both sides of Heywood Street from N 146th Street to N 143rd Street; N 143rd Street from Heywood to Castlewood Street; and Castlewood Street from N 143rd Street to Peace Lutheran Church entrance from 9:30 a.m. to 11:00 a.m. on September 27, 2025.

NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF WAVERLY, NEBRASKA that temporary “No Parking” signs shall be made and installed by 9:30 a.m. on September 27, 2025 to prohibit parking on both sides of Heywood Street from N 146th to N 143rd Street, N 143rd Street from Heywood to Castlewood Street, and Castlewood Street from N 143rd Street to Peace Lutheran Church entrance until 11:00 a.m. on September 27, 2025.

PASSED AND APPROVED THIS 12TH DAY OF AUGUST, 2025.

Abbey L. Pascoe
Mayor

ATTEST:

Megan K. Frye
City Clerk/Human Resources Assistant

(Seal)

ORDINANCE NO. 25-13

AN ORDINANCE OF THE CITY OF WAVERLY, NEBRASKA, AMENDING CHAPTER 110 OF THE WAVERLY MUNICIPAL CODE RELATING TO BUSINES LICENSING; FRANCHISES; C.A.T.V.; PAYMENT TO THE CITY

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF WAVERLY, LANCASTER COUNTY, NEBRASKA:

Section 1. That Subsection A of Section 110.43 contained within Chapter 110 of the Waverly Municipal Code be amended to read as follows:

§ 110.43 C.A.T.V.; PAYMENT TO THE CITY.

- A. The Company hereby agrees to pay annually to the City, during the term of this franchise granted hereunder and commencing from the date of institution of service to subscribers, the sum of ~~three percent (3%)~~ **five percent (5%)** of the total gross annual basic subscriber revenues as defined in §110.21(O).

Section 2. That any ordinance in conflict with this ordinance is hereby repealed.

Section 3. This ordinance shall be in full force and take effect from and after its passage, approval and publication according to the law.

PASSED AND APPROVED THIS _____ DAY OF _____, 2025.

Abbey L. Pascoe
Mayor

ATTEST:

Megan K. Frye
City Clerk/Human Resources Assistant

(Seal)

ORDINANCE NUMBER 25-14

AN ORDINANCE OF THE CITY OF WAVERLY, NEBRASKA, AMENDING TITLE V, CHAPTER 51, SECTION 51.09 OF THE WAVERLY MUNICIPAL CODE: WATER; RATES

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF WAVERLY, NEBRASKA:

Section 1. That Section 51.09 of the Waverly Municipal Code be amended to read as follows:

§ 51.09 RATES.

All water from the Municipal Water Department shall be furnished at metered rates unless otherwise provided herein. All consumers of water, except the Municipality, shall pay for water used or metered in accordance with the following schedule:

A. RATES APPLICABLE FOR EACH WATER METER WHERE WATER IS SUPPLIED TO ONE (1) OR MORE SEPARATE UNITS LOCATED WITHIN THE MUNICIPALITY:

1.	<u>Meter Size</u>	<u>Costs of Service Charge</u>	
	5/8"	\$18.64	\$19.94
	3/4"	\$18.77	\$20.08
	1"	\$19.12	\$20.46
	1.5"	\$42.24	\$45.20
	2"	\$69.10	\$73.94
	3"	\$152.12	\$162.77
	4"	\$247.74	\$265.08

2. ~~Two dollars and five twenty cents (\$2.0520)~~ shall be charged per thousand gallons of water used up to ten thousand (10,000) gallons multiplied by the number of separate units per billing month,
3. Two dollars and ~~sixty-four eighty-three cents (\$2.6483)~~ shall be charged per thousand gallons of water used from 10,001 to 20,000 gallons multiplied by the number of separate units per billing month, and
4. ~~Three dollars and thirty-one fifty-four cents (\$3.3154)~~ shall be charged per thousand gallons of water used in excess of twenty thousand (20,000) gallons multiplied by the number of separate units per billing month.

B. RATES APPLICABLE FOR EACH WATER METER WHERE WATER IS SUPPLIED TO ONE (1) OR MORE SEPARATE UNITS LOCATED OUTSIDE THE MUNICIPALITY:

1.	<u>Meter Size</u>	<u>Costs of Service Charge</u>	
	5/8"	\$37.28	\$39.88
	3/4"	\$37.54	\$40.16
	1"	\$38.24	\$40.92
	1.5"	\$84.49	\$90.40
	2"	\$138.20	\$147.88
	3"	\$304.24	\$325.54
	4"	\$495.47	\$530.16

2. ~~Four dollars and ten forty cents (\$4.1040)~~ shall be charged per thousand gallons of water used up to ten thousand (10,000) gallons multiplied by the number of separate units per billing month, and
3. ~~Five dollars and twenty-eight sixty-six cents (\$5.2866)~~ shall be charged per thousand gallons of water

used from 10,001 to 20,000 gallons multiplied by the number of separate units per billing month, and

4. ~~Six Seven dollars and sixty-two eight cents~~ (\$~~6.627.08~~) shall be charged per thousand gallons of water used in excess of twenty thousand (20,000) gallons multiplied by the number of separate units per billing month.

C. RATES APPLICABLE WHERE WATER IS SUPPLIED TO RESIDENTS OR SEPARATE UNITS LOCATED WITHIN THE MUNICIPALITY FOR LOADING INTO A TRANSPORT VEHICLE OR FOR ANY OTHER PURPOSE AND THE SAME IS NOT DELIVERED TO A STRUCTURE THROUGH THE MAINS, SUPPLY PIPES, AND SERVICE PIPES WHICH CONSTITUTE THE MUNICIPAL WATER SYSTEM:

1. Fifteen dollars (\$15.00) shall be charged per calendar month, and
2. ~~Two dollars and five twenty cents~~ (\$~~2.0520~~) shall be charged per thousand gallons of water used up to ten thousand (10,000) gallons per calendar month, and
3. Two dollars and ~~sixty-four eighty-three cents~~ (\$~~2.6483~~) shall be charged per thousand gallons of water used from 10,001 to 20,000 gallons per calendar month,
4. ~~Three dollars and thirty-one fifty-four cents~~ (\$~~3.3154~~) shall be charged per thousand gallons of water used in excess of twenty thousand (20,000) gallons multiplied by the number of separate units per billing month, and
5. A loading fee of fifteen dollars (\$15.00) shall be charged per transport vehicle or vessel loaded.

D. RATES APPLICABLE WHERE WATER IS SUPPLIED TO NON-RESIDENTS OR SEPARATE UNITS LOCATED OUTSIDE THE MUNICIPALITY FOR LOADING INTO A TRANSPORT VEHICLE OR FOR ANY OTHER PURPOSE AND THE SAME IS NOT DELIVERED TO A STRUCTURE THROUGH THE MAINS, SUPPLY PIPES, AND SERVICE PIPES WHICH CONSTITUTE THE MUNICIPAL WATER SYSTEM:

1. Thirty dollars (\$30.00) shall be charged per calendar month, and
2. ~~Four dollars and ten forty cents~~ (\$~~4.1040~~) shall be charged per thousand gallons of water used up to ten thousand (10,000) gallons per calendar month, and
3. ~~Five dollars and twenty-eight sixty-six cents~~ (\$~~5.2866~~) shall be charged per thousand gallons of water used from 10,001 to 20,000 gallons per calendar month,
4. ~~Six Seven dollars and sixty-two eight cents~~ (\$~~6.627.08~~) shall be charged per thousand gallons of water used in excess of twenty thousand (20,000) gallons multiplied by the number of separate units per billing month, and
5. A loading fee of thirty dollars (\$30.00) shall be charged per transport vehicle or vessel loaded.

E. All water sold pursuant to Paragraphs C and D of this section shall be sold in accordance with the following regulations:

1. Persons purchasing water pursuant to Paragraphs C and D of this section shall be issued a receipt by the office of the Municipal Clerk, which receipt shall state:
 - a. The date of purchase.

- b. The number of gallons purchased (metered or estimated).
 - c. The dollar amount paid to the Municipality, and,
 - d. The name and address of the purchaser.
2. In the event the metering of the water purchased is not feasible, the Water Department Representative, or his or her agent, shall estimate the capacity of the vessel to be filled and state the quantity purchased as an estimated quantity on the receipt issued to the purchaser. In no event shall any adjustment whatsoever be made, based upon the accuracy of such estimate, subsequent to issuance of the receipt and payment by the purchaser.
 3. It shall be the responsibility of the purchaser to prove prior purchase of water within the same calendar month in order for rates for quantities in excess of the monthly minimum to apply. For this purpose, an original receipt signed by the clerk in the same calendar month shall be conclusive.
 4. In the event of an actual or potential water shortage, the Mayor shall have absolute authority to suspend sales of water pursuant to paragraphs C & D of this section, as to residents, non-residents, or both.
- F. It shall be the responsibility of the water consumer to maintain a water meter in good working order. When a meter is temporarily out of service, the consumer shall be charged in accordance with his, her, or its past usage for comparable months. Should a customer's meter fail to register properly, the customer shall be charged for water during the time the meter is out of repair on the basis of the monthly consumption during the same month of the preceding year. Provided that if no such basis for comparison exists, the customer shall be charged such amount as may be reasonable fixed by the Water Department.
- G. Rate changes imposed by this article shall become effective for meter readings taken during the first month of the fiscal year. *(Amended by Ord. Nos 85-05, 09/03/85; 87-08, 6/15/87; 92-12, 09/21/92; 97-02, 02/03/97; 99-23, 09/07/99; 01-04, 05/07/01; 03-06, 09/15/03; 07-09, 09/17/07; 08-13, 09/15/08; 09-08, 09/21/09; 11-18, 08/16/11; 12-18, 09-18-12; 13-06, 09/17/13; 19-07, 09/24/2019; 20-04, 08/25/20; 21-07, 08/10/21; 22-05, 08/09/22; 23-11, 09/12/23; 24-07, 09/24/24)*

Section 2. That any other ordinance or section passed and approved prior to the passage, approval, and publication or posting of this ordinance and in conflict with its provisions, is hereby repealed.

Section 3. This ordinance shall take effect and be in full force as of October 1, 2025.

PASSED AND APPROVED THIS ____ DAY OF _____, 2025.

Abbey L. Pascoe
Mayor

ATTEST:

Megan K. Frye
City Clerk/Human Resources Assistant

(Seal)

ORDINANCE NUMBER 25-15

AN ORDINANCE OF THE CITY OF WAVERLY, NEBRASKA, AMENDING TITLE V, CHAPTER 52, SECTION 52.39 OF THE WAVERLY MUNICIPAL CODE: SEWERS; BASE RATES: AND SECTION 52.40 SEWERS; SURCHARGE RATES

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF WAVERLY, NEBRASKA:

Section 1. That Section 52.39 of the Waverly Municipal Code be amended to read as follows:

§52.39 BASE RATES.

Except for the Municipality, all customers of the Municipal Sewer department shall be charged a base rate to be set by ordinance of the Governing Body. The sewer base rates shall be as follows for:

A.	<u>Meter Size</u>	<u>Costs of Service Charge</u>	
	5/8"	\$36.17	\$36.89
	3/4"	\$36.17	\$36.89
	1"	\$36.17	\$36.89
	1.5"	\$47.84	\$48.80
	2"	\$55.48	\$56.59
	3"	\$72.46	\$73.91
	4"	\$113.23	\$115.49

Both multiple housing units and multiple commercial units on a single water meter for use of the waste water system shall be charged the base rate for each separate unit served by said meter.

B. Non-Resident Users

Wastewater system users located outside the corporate limits of the Municipality shall be charged double the base rates set for residents of the Municipality under the classification that the non-resident may be placed. *(Amended by Ord. No. 01-13, 9/4/01; 01-08, 7/2/01; 99-24, 9/7/99; 01-08, 07/02/01; 07-09, 09/17/07; 09-09, 09/21/09; 11-19, 08/16/11; 12-19, 12/18/12; 13-07, 08/06/13; 19-08, 09/24/19; 20-05, 8/25/20; 21-08, 08/10/21; 22-06, 08/09/22; 23-12, 08/08/23)*

§52.40 SURCHARGE RATES.

Except for the Municipality, all customers of the Municipal Sewer Department for the use of sewer service for volume, high pollutant, or industrial waste discharges shall be charged, in addition to other wastewater system use fees imposed by this Article, a surcharge at rates to be set by ordinance of the Governing Body. In the absence of either separate plumbing systems or flow recording equipment acceptable to the Wastewater Operator sufficient to clearly show the volume of water discharged into the wastewater system, all users shall be presumed to discharge into the wastewater system all of the water purchased from the Municipality. The sewer surcharge rates shall be as follows:

A. Residential Volume Surcharge

All residential users for volume use of the wastewater system shall be charged monthly a surcharge of three dollars and fifty ~~two~~ **nine** cents (\$3.5**29**) per one thousand (1,000) gallons of water used and discharged into the wastewater system as determined by a monthly average of water supplied by the Municipal water Department during the winter quarter, for usage during December, January and February.

If a resident or commercial user's December, January and February monthly usage of water are not available to determine an average, the monthly rate shall be calculated on the basis of a 4,000 gallon metered water bill

until the December, January and February billing statements are available or such other reasonable estimate can be made by the City.

B. Commercial Volume Surcharge

All commercial users, except industrial level commercial users, for volume use of the waste water system shall be charged monthly a surcharge of five dollars and ~~two~~ ~~twelve~~ cents (\$5.~~012~~) per one thousand (1,000) gallons of water used and discharged into the waste water system as determined by a monthly average of water supplied by the Municipal water department during a twelve (12) month period and for which billings are made by the Municipality from October through September.

C. Industrial Pollutant Surcharge

All industrial level users, who introduce into the waste water system any sewage other than “normal sewage” shall be charged monthly a surcharge of ~~six~~ ~~seven~~ dollars and ~~eighty-eight~~ ~~two~~ cents (\$~~6.887.02~~) per one thousand (1,000) gallons of water used and discharged into the wastewater system and determined by a monthly average of water supplied by the Municipal water Department during a twelve (12) month period and for which billings are made by the Municipality from October through September.

D. Industrial Level Commercial and Industrial Surcharge

All users who discharge “High Pollutant Wastes” into the waste water system shall be charged monthly a surcharge, which shall be computed in accordance with the following schedule:

1. Eighty-~~four~~ ~~six~~ cents (\$.8~~46~~) per pound of BOD, or
2. Fifty-~~one~~ cents (\$.5~~01~~) per pound of COD, whichever is greater, and
3. Forty-~~three~~ ~~four~~ cents (\$.4~~34~~) per pound of suspended solids.
4. Grease Disposal Clause – The City requires that customers with the wastewater discharges that have high concentrations of grease and oil as determined by the City will install city approved grease traps in drains. Failure to install such traps and proper disposal of grease will result in a Grease Penalty Charge of 25% of the total wastewater bill to be added to each monthly bill until traps are installed and approved by the City.

E. The surcharge imposed in Paragraph “D” of this Section shall be based on the high three (3) daily averages for each such user based upon a sampling program which includes sampling by the Municipality over four (4), four (4) day periods during each calendar year. One (1) of said sampling periods shall fall within each quarter of the calendar year but sampling dates within each quarter shall be selected at random by the Wastewater Operator.

F. The surcharge applicable to any “slug” which is introduced into the wastewater system shall be computed at four (4) times the rates specified in paragraph “D” of this Section, provided, however that the surcharge applicable to any “slug” which is introduced into the wastewater system shall be computed at two (2) times the rates specified in paragraph “D” of this Section, if the user shall:

1. Provide the Municipality an opportunity to sample the “slug” no less than twenty-four (24) hours prior to its introduction into the wastewater system, and
2. Provide the Municipality with a written “slug” discharge request no less than twenty-four (24) hours prior to its introduction into the wastewater system, and
 - a. A brief statement, acceptable to the wastewater Operator, as to the composition of the

“slug”, and

- b. A statement as to the time and rate at which the “slug” will be introduced into the wastewater system,
 - c. In every case, actual laboratory fees shall be assessed to the user to reimburse the Municipality for the cost of handling the laboratory tests for each individual “slug” tested at the request of any user.
- G. Users who have not installed a control manhole and flow recorder, if required under this Article, and a sampling station, on or before the effective date of this Article, shall be assessed a surcharge based on the best estimate of the Wastewater Operator derived from samples taken from the nearest available manhole and estimates of flow.
- H. It shall be the duty of each user to install a suitable control manhole, flow recorder, and all other equipment required under this Article within thirty (30) days of the effective date of this Article.
- I. The laboratory analysis required in order to evaluate the samples taken in order to determine the surcharges imposed by this Section shall be performed by the Municipality at no charge whenever possible, but where the Municipality lacks the necessary equipment, users shall pay the cost of all testing which must be done by independent laboratories.
- J. The Wastewater Operator, or any law enforcement officer, for the purpose of enforcing this Article, or abating any nuisance existing hereunder, may enter private premises.
- K. Wastewater system users located outside the corporate limits of the Municipality shall be charged double the surcharge rates set for residents of the Municipality under the classification that the non-residents may be placed. *(Amended by Ord. Nos. 85-6, 09/03/85; 87-09, 07/20/87; 92-13, 09/21/92; 97-01, 02/03/97; 99-24, 09/07/99; 01-08, 07/02/01; 07-09, 09/17/07; 09-09, 09/21/09; 10-10, 08/16/10; 11-19, 08/16/11; 12-19, 09/18/12; 13-07, 09/17/13; 19-08, 09/24/19; 19-16, 11/12/19; 20-05, 08/25/20; 21-08, 08/10/21; 22-06, 08/09/22; 23-12, 08/08/23)*

Section 2. That any other ordinance or section passed and approved prior to the passage, approval, and publication or posting of this ordinance and in conflict with its provisions, is hereby repealed.

Section 3. This ordinance shall take effect and be in full force as of October 1, 2025.

PASSED AND APPROVED THIS _____ DAY OF _____, 2025.

Abbey L. Pascoe
Mayor

ATTEST:

Megan K. Frye
City Clerk/Human Resources Assistant

(Seal)

ORDINANCE 25-16

AN ORDINANCE OF THE CITY OF WAVERLY, NEBRASKA ASSIGNING THE WAVERLY RIDGE ESTATES SUBDIVISION TO WARD 2; AND AMENDING CHAPTER 30, SECTION 30, OF THE WAVERLY MUNICIPAL CODE RELATING TO DIVISION OF WARDS 1 AND 2.

WHEREAS, the City of Waverly (“City”) passed and approved Ordinance 25-11 annexing the Waverly Ridge Estates subdivision as legally described in Ordinance 25-11 (“Waverly Ridge Estates”);

WHEREAS, pursuant to Section 17-102 of the Nebraska Revised Statutes, it is the City Council’s duty to assign each part of the City to a ward for the purposes of political elections and make each ward as equal in population as is practical; and

WHEREAS, the City Council has determined that it can best satisfy its duties by assigning the Waverly Ridge Estates to Ward 2 of the City.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF WAVERLY, NEBRASKA:

Section 1. That the Waverly Ridge Estates shall be assigned to Ward 2, also known as the South Ward, of the City of Waverly.

Section 2. That Section 30.30 of the Waverly Municipal Code shall be amended as follows:

§ 30.30 ELECTION; TERMS; QUALIFICATIONS.

(A) The City Council shall consist of four members who shall be elected by ward on a nonpartisan ballot. The City shall have two (2) wards established pursuant to the precinct lines created by the Lancaster County Election Commissioner.

1. Ward 1 shall consist of the voting precincts within the corporate limits: (a) north of Heywood Street and west of North 148th Street; and (b) north of U.S. Highway 6 and east of North 148th Street.
2. Ward 2 shall consist of the voting precincts within the corporate limits: (a) south of Heywood Street and west of North 148th Street; and (b) south of U.S. Highway 6 and east of North 148th Street.

Each ward shall have two (2) members of the Council.

(B) Members of the Council shall be elected in the manner provided in the Nebraska Election Act. The term of office shall begin on the first regular meeting of the Council in December following the statewide general election. No person shall be

eligible to the office of member of the Council who is not at the time of the election an actual resident of the ward for which he or she is elected and a registered voter. (Neb. RS 17-104)

(C) Members of the Council shall serve for terms of four (4) years or until their successors are elected and qualified. (Neb. RS 32-533)

Section 3. That a map reflecting the new division of the City between the North Ward and the South Ward, as shown on Attachment “A”, shall be sent to the Lancaster County Election Commissioner to update the Lancaster County Voter Precincts.

Section 4. That any ordinance in conflict with this ordinance is hereby repealed.

Section 5. That this ordinance shall take effect and be in force from and after its passage, approval, and publication according to the law.

PASSED AND APPROVED THIS _____ DAY OF _____, 2025.

Abbey L. Pascoe
Mayor

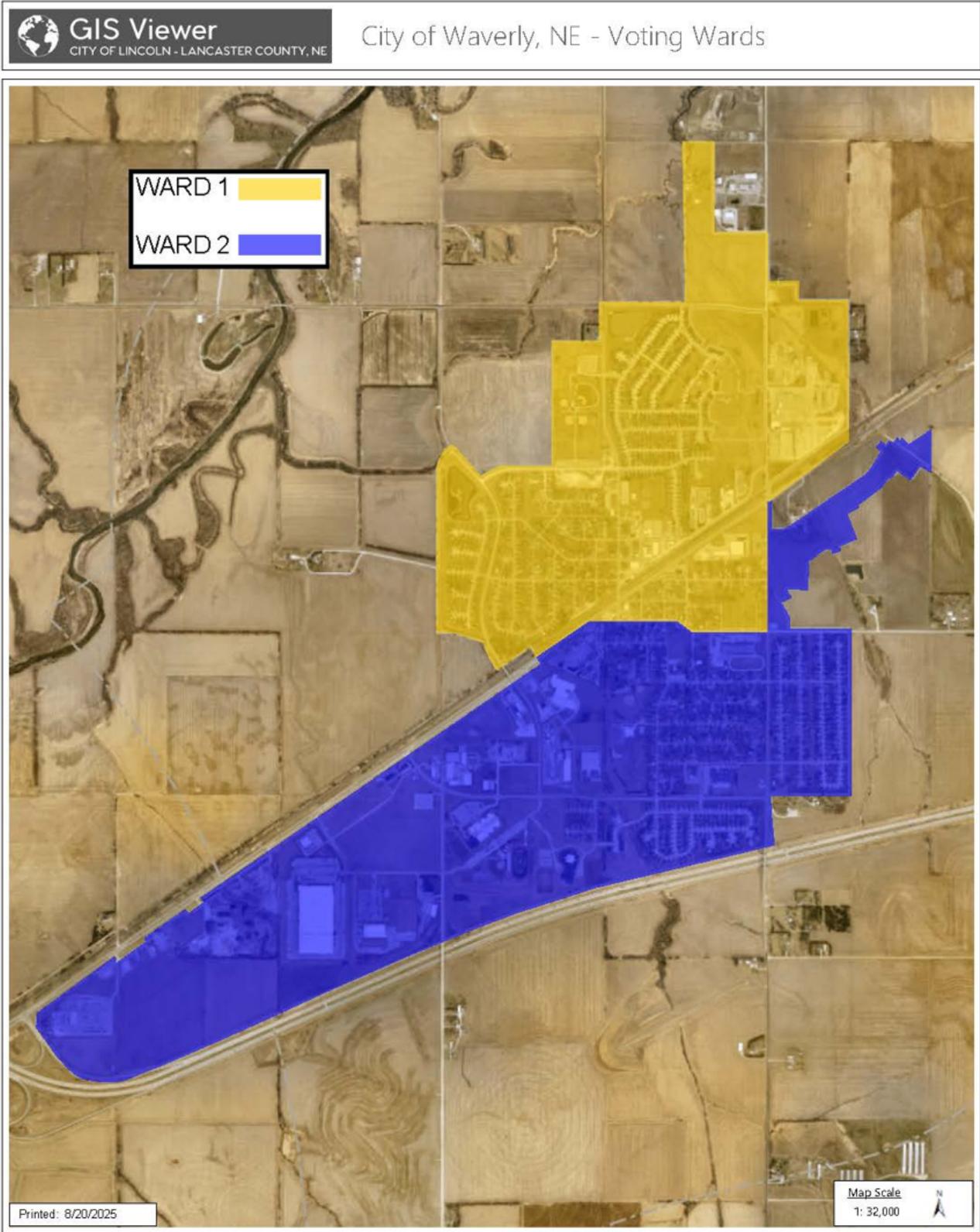
ATTEST:

Megan K. Frye
City Clerk/Human Resources Assistant

(Seal)

Attachment A

4937-8479-9317, v. 1



DISCLAIMER: The information is presented on a best-efforts basis, and should not be relied upon for making financial, survey, legal or other commitments. If you have questions or comments regarding the data displayed on this map, please email a sessor@lancaster.ne.gov and you will be directed to the appropriate department.