

MINUTES OF A WAVERLY CITY COUNCIL MEETING HELD ON SEPTEMBER 8, 2026

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 David Jespersen, Dave Nielson, and Brooke Ruhter-Engelhardt were in attendance. Council Member Aaron Delahoyde was absent. Other City Officials present were City Administrator Stephanie Fisher, City Attorney Mark Fahleson, and City Clerk Megan Frye. Also in attendance were Fire Chief Robin Hoffman, Lancaster County Sheriff Deputy Jason Brownell, and Lancaster County Sheriff Chief Ben Houchin. 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. Council Member Nielson seconded the motion.

The following Council Members voted "YEA": Jespersen, Nielson, Ruhter-Engelhardt. The following Council Members voted NAY: None. Motion Carried. 3-0.

APPROVAL OF THE CONSENT AGENDA ITEMS

Minutes of the August 25, 2026 City Council Meeting

Minutes of the September 2, 2026 City Council Quarterly Strategic Planning Meeting

Consideration of Resolution 26-24 authorizing the Signing of the Municipal Annual Certification of Program Compliance 2026.

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

The following Council Members voted "YEA": Nielson, Ruhter-Engelhardt, Jespersen. The following Council Members voted NAY: None. Motion Carried. 3-0.

PROCLAMATIONS AND PRESENTATIONS

Mayor's Proclamation declaring September 21-27, 2026 as See Tracks? Think Train Week.

ELECTRIC BICYCLES, SCOOTERS, MOTORCYCLES

Public Hearing: Electric Bicycles, Scooters, Motorcycles

Public Hearing open at 6:03 p.m.

No one from the public was in attendance. No comments were heard.

Public Hearing closed at 6:04 p.m.

Consideration of the Second Reading of Ordinance 26-09 Amending Title VII, Chapter 71 of the Waverly Municipal Code Relating to Electric Bicycles, Scooters, and Motorcycles

Council Member Jespersen moved to introduce and approve the Second Reading of Ordinance 26-09 Amending Title VII, Chapter 71 of the Waverly Municipal Code Relating to Electric Bicycles, Scooters, and Motorcycles. Council Member Nielson seconded the motion.

Attorney Fahleson read the ordinance by title:

ORDINANCE 26-09 AN ORDINANCE OF THE CITY OF WAVERLY, NEBRASKA, AMENDING TITLE VII, CHAPTER 71 OF THE WAVERLY MUNICIPAL CODE TO PROVIDE FOR THE DEFINITION OF MOTORCYCLE, GO CART, MINIBIKE AND BICYCLE AND REGULATION OF SAME; REGULATION OF ELECTRIC BICYCLES, ELECTRIC SCOOTERS, AND ELECTRIC

MOTORCYCLES; TO PROVIDE FOR THE REPEAL OF ANY ORDINANCE IN CONFLICT HERewith AND TO PROVIDE FOR THE EFFECTIVE DATE THEREOF.

Council Members reviewed definitions for motorcycles, minibikes, bicycles, Class I, II, and III electric bicycles, electric scooters, and electric motorcycles, with many definitions based on state law. Discussion included the use of sidewalks and public streets, pedestrian right-of-way, helmet requirements, age restrictions, and lighting requirements for bicycles and electric bicycles operated after sunset. Enforcement provisions, including the use of the term “knowingly,” were discussed in relation to intent and enforcement concerns. Council Member Jespersen requested holding a second public hearing at the next meeting to provide an additional opportunity for public input prior to the approval of the ordinance since no members of the public were present.

Council Member Jespersen moved to amend Ordinance 26-09 and replace with the updated version. Council Member Nielson seconded the motion. The following Council Members voted “YEA”: Ruhter-Engelhardt, Jespersen, Nielson. The following Council Members voted NAY: None. Motion Carried. 3-0.

Council Member Jespersen moved to amend strike section 71.71 subsection I.1.a) and I.1.b) in reference to warnings given and move directly to offense. Council Member Nielson seconded the motion. The following Council Members voted “YEA”: Jespersen, Nielson, Ruhter-Engelhardt. The following Council Members voted NAY: None. Motion Carried. 3-0.

Council Member Jespersen moved to amend strike section 71.71 subsection B.5) regarding any notation about a training course. Council Member Ruhter-Engelhardt seconded the motion. The following Council Members voted “YEA”: Nielson, Ruhter-Engelhardt, Jespersen. The following Council Members voted NAY: None. Motion Carried. 3-0.

Council Member Jespersen moved to amend to strike Class I and Class II electric bicycle, electric scooter, or electric motorcycle from section 71.71 subsection B.4). Council Member Ruhter-Engelhardt seconded the motion. The following Council Members voted “YEA”: Ruhter-Engelhardt, Jespersen, Nielson. The following Council Members voted NAY: None. Motion Carried. 3-0.

Council Member Jespersen moved to amend section 71.71 subsection B.4) to change age of under 21 to under 15. Council Member Ruhter-Engelhardt seconded the motion. The following Council Members voted “YEA”: Jespersen. The following Council Members voted NAY: Nielson, Ruhter-Engelhardt. Motion Failed. 1-2.

Council Member Ruhter-Engelhardt moved to amend section 71.71 subsection B.4) to change age of under 21 to under 16. Council Member Jespersen seconded the motion. The following Council Members voted “YEA”: Nielson, Ruhter-Engelhardt. The following Council Members voted NAY: Jespersen. Motion Carried. 2-1.

Council Member Jespersen moved to amend mirror section 71.71 subsection F.) into section 71.70 subsection D) in reference to bicycles sunrise to sunset. Council Member Nielson seconded the motion. The following Council Members voted “YEA”: Jespersen, Nielson, Ruhter-Engelhardt. The following Council Members voted NAY: None. Motion Carried. 3-0.

Council Member Jespersen moved to amend section 71.71 subsection B.1) to add the language under the age of 12. Council Member Ruhter-Engelhardt seconded the motion.

The following Council Members voted “YEA”: Nielson, Ruhter-Engelhardt, Jespersen. The following Council Members voted NAY: None. Motion Carried. 3-0.

On original motion to approve the Second Reading of Ordinance 26-09, as amended, the following Council Members voted “YEA”: Nielson, Ruhter-Engelhardt, Jespersen. The following Council Members voted NAY: None. Motion Carried. 3-0.

**ONE (1) AND SIX (6) YEAR HIGHWAY AND STREET IMPROVEMENT PROGRAM
Public Hearing: One (1) and Six (6) Year Highway and Street Improvement Program for the City of Waverly, Nebraska.**

Public Hearing open: 6:59 p.m.

No one from the public was in attendance. No comments were heard.

Public Hearing closed at 7:00 p.m.

Consideration of Resolution 26-23 accepting the One (1) and Six (6) Year Highway and Street Improvement Program for the City of Waverly, Nebraska.

Council Member Jespersen moved to approve Resolution 26-23. Council Member Nielson seconded the motion.

The following Council Members voted “YEA”: Ruhter-Engelhardt, Jespersen, Nielson. The following Council Members voted NAY: None. Motion Carried. 3-0.

RESOLUTION NUMBER 26-23

RESOLUTION ACCEPTING THE ONE (1) AND SIX (6) YEAR HIGHWAY AND STREET IMPROVEMENT PROGRAM FOR THE CITY OF WAVERLY, NEBRASKA.

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF WAVERLY, NEBRASKA THAT:
It is hereby found and determined that:

1. The new program for distribution of Gas Tax Funds, Motor Vehicle Registration Fees, and Motor Vehicle Sales Tax provides additional funds to municipalities for street and related maintenance and construction.
2. In order to qualify for said funds the City must, among other things, prepare annual One (1) and Six (6) Year Programs for street improvements, conduct a local public hearing and submit the results to the State Highway Commission.
3. The City of Waverly, Nebraska does hereby adopt the One (1) and Six (6) Year program as proposed.

PASSED AND APPROVED THIS 8TH DAY OF SEPTEMBER, 2026.

SHERIFF'S REPORT

Presentation from Lancaster County Sheriff Chief Deputy Ben Houchin.

Chief Ben Houchin provided an overview of the Lancaster County Sheriff's Office's law enforcement activity and statistics for the City of Waverly. He reviewed call volumes, staffing, crime trends, and deputy coverage, noting that Waverly accounted for approximately 10% of the department's workload, with 924 calls during the period reviewed. He discussed common calls for service, including traffic-related incidents, disturbances, thefts, and fraud. Chief Houchin encouraged residents to lock their vehicles, remove valuables, and park in secure, well-lit areas to help prevent vehicle thefts. He also discussed the work of Waverly's three full-time contracted deputies, additional patrol coverage provided

by the Sheriff's Office, and proactive activities such as park checks. Chief Houchin discussed potential future use of drone cameras and real-time crime technology to assist with monitoring, investigations, and officer efficiency.

Deputy Brownell expressed appreciation for the partnership between the Lancaster County Sheriff's Office and the City of Waverly. Jespersen requested statistics from the new advanced warning lights interest in receiving similar updates in the future.

PUBLIC COMMENTS

None.

APPROVAL OF MINUTES

Minutes of the August 25, 2026 City Council Meeting

Consent Agenda.

Minutes of the September 2, 2026 City Council Quarterly Strategic Planning Meeting

Consent Agenda.

CONSIDERATION OF CLAIMS AND FINANCIAL REPORTS

Claims for Payment

Claims for Payment: August 26th - September 8th, 2026		
Group A		
Vendor	Description	Amount
Brandon Bassford	Utility Deposit Refund	\$ 100.00
Packers Supply Company	Utility Deposit Refund	\$ 100.00
Mick/Lisa Von Busch	Utility Deposit Refund	\$ 100.00
ADP Fees	Payroll Fees	\$ 414.12
ADP Payroll	Payroll	\$ 55,640.96
ALLO Communications	Phone/Internet Services	\$ 1,039.28
Badger Body & Truck Equipment	Snow equipment repair	\$ 717.00
Ben Cassler	Flag football payout	\$ 170.00
BOK Financial	Cert. of Participation 2020	\$ 93,391.25
Camden Ballinger	Flag football payout	\$ 170.00
Carquest Auto Parts	Brake cleaner	\$ 46.80
Colonial Life	Insurance	\$ 43.92
Core & Main	Meter & Readout Purchase	\$ 3.56
DataVizion, LLC	Microsoft 365 Business, Support	\$ 2,010.36
Dawson Radenslaben	Flag football payout	\$ 170.00
Design Wear	Fire departments shirts & caps	\$ 1,202.00
Emily Swoboda	WFR-Personal Vehicle Reimbursement	\$ 240.00
Frontier	Cornerstone Plus	\$ 60.00
Gage Frye	Flag football payout	\$ 60.00
Grainger	Air compressor repairs, clothing allowance	\$ 574.86
HBE LLP	Preparation 2026-2027 Budget	\$ 8,000.00
Henry Hosking	Flag football payout	\$ 170.00
Hippo Equipment	Engine oil filter	\$ 14.98
Hometown Leasing	City office copier	\$ 190.15
Horizon Bank	Ambulance - Payment #2	\$ 54,974.02
Horizon Bank	Monthly ACH Fees	\$ 10.00

Jaydon Pribyl	Flag football field supervisor	\$ 200.00
JEO Consulting Group, Inc.	134th & Hwy 6 Drainage Improvements	\$ 5,400.00
Joey Wenzl	Flag football payout	\$ 170.00
John Deere Financial	Mower repairs	\$ 276.77
John Hancock USA	Retirement	\$ 4,017.93
Knox Company	Annual license fee - safe	\$ 584.00
Lancaster Co. Sheriff Office	September 2026	\$ 38,759.00
Landon Ekwall	Flag football payout	\$ 170.00
Landry Maahs	Flag football payout	\$ 170.00
Lincoln Electric System	Electricity	\$ 24,530.38
Logan Benes	Flag football payout	\$ 170.00
Mammoth Station	Fuel, supplies	\$ 1,883.95
Matheson Tri-Gas, Inc.	Compressed oxygen	\$ 65.23
Menards-Lincoln North	Supplies	\$ 148.45
Midwest Laboratories, Inc.	Lab fees	\$ 864.79
Miles Masur	Flag football payout	\$ 170.00
Nebraska Dept of Revenue Waste	Utility Sales Tax	\$ 12,783.58
Nicholas Jackson	Flag football payout	\$ 170.00
One Call Concepts, Inc.	One-Call Service	\$ 107.57
One Source-Background Check Co	Background check	\$ 57.00
Pinnacle Bank	Supplies, conference/training	\$ 14,295.02
Principal Life Insurance Co.	Life, Vision & Dental Insurance	\$ 1,797.40
Production Creek Specialty Adv	Employee clothing	\$ 534.20
Rivers Metal Products, Inc.	Aluminum angle for clarifier stairs	\$ 51.31
S & L Trenching LLC	Water line repair	\$ 3,150.00
Schemmer Associates Inc.	Amberly & Canongate Imprv, N 148 th & US-6	\$ 51,450.00
Small Engine Specialists	Cemetery trimmer repair	\$ 319.80
Sunbelt Rentals, Inc.	Forklift rental	\$ 1,126.72
Terracon Consultants, Inc.	Geotechnical Report	\$ 4,750.00
The Voice News	Advertising & Printing	\$ 312.71
Turner McIntire	Flag football payout	\$ 170.00
Uribe Refuse Services	Restroom Rental	\$ 96.00
Veolia Water Technologies	New UV system at WWTP	\$ 187,200.00
Zac Williamson	Flag football payout	\$ 170.00
Rec Desk	Monthly Deposit Charge	\$ 25.00
Rec Desk	Monthly Deposit Charge	\$ 25.00
Rec Desk	Soccer refund - Mlnarik	\$ 65.00
Rec Desk	Flag football coach reimbursement x 23	\$ 575.00
Claims Group A Total		\$ 576,425.07

Council Member Jespersen moved to approve claims in the amount of \$576,425.07. Council Member Nielson seconded the motion.

The following Council Members voted "YEA": Jespersen, Nielson, Ruhter-Engelhardt. The following Council Members voted NAY: None. Motion Carried. 3-0.

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, Ruhter-Engelhardt, Jespersen. The following Council Members voted NAY: None. Motion Carried. 3-0.

INTRODUCTION OF RESOLUTIONS

Consideration of Resolution 26-24 authorizing the Signing of the Municipal Annual Certification of Program Compliance 2026.

Consent Agenda.

RESOLUTION 26-24

SIGNING OF THE MUNICIPAL ANNUAL CERTIFICATION OF PROGRAM COMPLIANCE 2026

Whereas: State of Nebraska Statutes, sections 39-2115, 39-2119, 39-2120, 39-2121, and 39-2520(2), requires an annual certification of program compliance to the Nebraska Board of Public Roads Classifications and standards; and

Whereas: State of Nebraska Statute, section 39-2120 also requires that the annual certification of program compliance by each municipality shall be signed by the Mayor or Village Board Chairperson and shall include the resolution of the governing body of the municipality authorizing the signing of the certification.

Be it resolved that the Mayor of Waverly is hereby authorized to sign the Municipal Annual Certification of Program Compliance.

Adopted this 8th day of September, 2026 at Waverly, Nebraska.

Consideration of Resolution 26-25 adopting and revising the Employee Handbook

Council Member Jespersen moved to approve Resolution 26-25 adopting and revising the Employee Handbook. Council Member Nielson seconded the motion.

City Administrator Fisher stated this change includes adding the Economic Development Director to the handbook.

The following Council Members voted "YEA": Ruhter-Engelhardt, Jespersen, Nielson. The following Council Members voted NAY: None. Motion Carried. 3-0.

RESOLUTION 26-25

RESOLUTION ADOPTING AND REVISING THE EMPLOYEE HANDBOOK

WHEREAS, the establishment of rules and regulations for the hiring and continued employment of City personnel is of benefit to the City, and

WHEREAS, it is advantageous for City personnel to know their rights and terms of employment.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF WAVERLY, NEBRASKA that the Employee Handbook as revised on November 27, 2018, incorporates revisions to the following sections:

PAY PLAN JOB DESCRIPTIONS

The additions and changes in the above stated sections shall be in full force and effect and is hereby adopted as policy.

PASSED AND APPROVED THIS 8TH DAY OF SEPTEMBER, 2026.

INTRODUCTION OF ORDINANCES

Consideration of the Third and Final Reading of Ordinance 26-03, 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 introduce and approve Third and Final Reading of Ordinance 26-03, 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.

Attorney Fahleson read the ordinance by title:

ORDINANCE NUMBER 26-03 AN ORDINANCE OF THE CITY OF WAVERLY, NEBRASKA, AMENDING TITLE V, CHAPTER 51, SECTION 51.09 OF THE WAVERLY MUNICIPAL CODE: WATER; RATES

The following Council Members voted "YEA": Jespersen, Nielson, Ruhter-Engelhardt. The following Council Members voted NAY: None. Motion Carried. 3-0.

ORDINANCE NUMBER 26-03

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"	\$21.34
	3/4"	\$21.49
	1"	\$21.89
	1.5"	\$48.36
	2"	\$79.11
	3"	\$174.16
	4"	\$283.63

2. Two dollars and thirty-five cents (\$2.35) 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. Three dollars and three cents (\$3.03) 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 seventy-nine cents (\$3.79) 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"	\$42.68
	3/4"	\$42.98
	1"	\$43.78
	1.5"	\$96.72
	2"	\$158.22
	3"	\$348.32
	4"	\$567.26

2. Four dollars and seventy cents (\$4.70) 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. Six dollars and six cents (\$6.06) 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. Seven dollars and fifty-eight cents (\$7.58) 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 thirty-five cents (\$2.35) shall be charged per thousand gallons of water used up to ten thousand (10,000) gallons per calendar month, and
3. Three dollars and three cents (\$3.03) shall be charged per thousand gallons of water

used from 10,001 to 20,000 gallons per calendar month,

4. Three dollars and seventy-nine cents (\$3.79) 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 seventy cents (\$4.70) shall be charged per thousand gallons of water used up to ten thousand (10,000) gallons per calendar month, and
 3. Six dollars and six cents (\$6.06) shall be charged per thousand gallons of water used from 10,001 to 20,000 gallons per calendar month,
 4. Seven dollars and fifty-eight cents (\$7.58) 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; 25-14, 9/9/25)*

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, 2026.

PASSED AND APPROVED THIS 8TH DAY OF SEPTEMBER, 2026

Consideration of the Third and Final Reading of Ordinance 26-04, 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 introduce and approve Third and Final Reading of Ordinance 26-04, 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.

Attorney Fahleson read the ordinance by title:

ORDINANCE NUMBER 26-04 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

The following Council Members voted "YEA": Nielson, Ruhter-Engelhardt, Jespersen. The following Council Members voted NAY: None. Motion Carried. 3-0.

ORDINANCE NUMBER 26-04

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"	\$37.63
	3/4"	\$37.63
	1"	\$37.63
	1.5"	\$49.77
	2"	\$57.72
	3"	\$75.39
	4"	\$117.80

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; 25-15, 9/9/25*)

Section 2. That Section 52.40 of the Waverly Municipal Code be amended to read as follows:

§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 sixty-six cents (\$3.66) 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 twenty-two cents (\$5.22) 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 seven dollars and sixteen cents (\$7.16) 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-seven cents (\$.87) per pound of BOD, or
2. Fifty-two cents (\$.52) per pound of COD, whichever is greater, and
3. Forty-five cents (\$.45) 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; 25-15, 9/9/25*)

Section 3. 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 4. This ordinance shall take effect and be in full force as of October 1, 2026.

PASSED AND APPROVED THIS 8TH DAY OF SEPTEMBER, 2026.

Consideration of the Second Reading of Ordinance 26-05 to Annex IT Lot 54 generally located in the 12200 block of US Hwy 6

Council Member Jespersen moved to introduce and approve Second Reading of Ordinance 26-05 to Annex IT Lot 54 generally located in the 12200 block of US Hwy 6. Council Member Nielson seconded the motion.

Attorney Fahleson read the ordinance by title:

ORDINANCE NO. 26-05 AN ORDINANCE OF THE CITY OF WAVERLY, NEBRASKA TO ANNEX LOT 54 SOUTHWEST, LOCATED IN SECTION 20, TOWNSHIP-11-NORTH, RANGE-8, EAST OF THE 6TH PRINCIPAL MERIDIAN, LANCASTER COUNTY, NEBRASKA.

The following Council Members voted "YEA": Ruhter-Engelhardt, Jespersen, Nielson. The following Council Members voted NAY: None. Motion Carried. 3-0.

Consideration of the Second Reading of Ordinance 26-06 to Rezone IT Lot 54 from Agricultural (AG, City of Lincoln) District to General Commercial (GC, City of Waverly) District, generally located in the 12200 block of US Hwy 6

Council Member Jespersen moved to introduce and approve Second Reading of Ordinance 26-06 to Rezone IT Lot 54 from Agricultural (AG, City of Lincoln) District to General Commercial (GC, City of Waverly) District, generally located in the 12200 block of US Hwy 6. Council Member Nielson seconded the motion.

Attorney Fahleson read the ordinance by title:

ORDINANCE NO. 26-06 AN ORDINANCE OF THE CITY OF WAVERLY, NEBRASKA TO REZONE 54 SOUTHWEST, LOCATED IN SECTION 20, TOWNSHIP-11-NORTH, RANGE-8, EAST OF THE 6TH PRINCIPAL MERIDIAN, LANCASTER COUNTY, NEBRASKA.

The following Council Members voted “YEA”: Jespersen, Nielson, Ruhter-Engelhardt. The following Council Members voted NAY: None. Motion Carried. 3-0.

Consideration of the Second Reading of Ordinance 26-07 to Annex IT Lots 21 and 59 generally located northeast of the N 148th St and Bluff Rd Intersection

Council Member Jespersen moved to introduce and approve Second Reading of Ordinance 26-07 to Annex IT Lots 21 and 59 generally located northeast of the N 148th St and Bluff Rd Intersection. Council Member Nielson seconded the motion.

Attorney Fahleson read the ordinance by title:

ORDINANCE NO. 26-07 AN ORDINANCE OF THE CITY OF WAVERLY, NEBRASKA TO ANNEX LOT 21 SOUTHWEST AND LOT 59 SOUTHWEST, LOCATED IN SECTION 15, TOWNSHIP-11-NORTH, RANGE-8, EAST OF THE 6TH PRINCIPAL MERIDIAN, LANCASTER COUNTY, NEBRASKA.

The following Council Members voted “YEA”: Nielson, Ruhter-Engelhardt, Jespersen. The following Council Members voted NAY: None. Motion Carried. 3-0.

Consideration of the Second Reading of Ordinance 26-08 to Rezone IT Lots 21 and 59 from Agricultural (AG) District to Residential (R-2) District generally located northeast of the N 148th St and Bluff Rd Intersection

Council Member Jespersen moved to introduce and approve Second Reading of Ordinance 26-08 to Rezone IT Lots 21 and 59 from Agricultural (AG) District to Residential (R-2) District generally located northeast of the N 148th St and Bluff Rd Intersection. Council Member Nielson seconded the motion.

Attorney Fahleson read the ordinance by title:

ORDINANCE NO. 26-08 AN ORDINANCE OF THE CITY OF WAVERLY, NEBRASKA TO REZONE LOT 21 SOUTHWEST AND LOT 59 SOUTHWEST, LOCATED IN SECTION 15, TOWNSHIP-11-NORTH, RANGE-8, EAST OF THE 6TH PRINCIPAL MERIDIAN, LANCASTER COUNTY, NEBRASKA.

The following Council Members voted “YEA”: Ruhter-Engelhardt, Jespersen, Nielson. The following Council Members voted NAY: None. Motion Carried. 3-0.

INTRODUCTION OF BUSINESS AND COMMUNICATIONS

Presentation of preliminary 2026-27 budget by City Administrator Fisher.

Fisher stated the City’s assessed valuation increased approximately 9.08%, while new growth accounted for 3.07%. Fisher shared the proposed property tax request and resulting mill levy were reviewed, along with the City’s levy history and projected property tax impact. The City is staying within the allowable budget growth so will not need to attend the pink postcard hearing.

Fisher shared projects and expenditures across various City funds. General Fund priorities include computer and IT network upgrades, potential design engineering for a new City office & Rec Center, support for the economic development director position, and an accounting software update. Sales Tax Fund projects include contributions toward the new fire station, a parks master plan, and potential construction of a City office or public works maintenance facility. Street projects include the Oldfield Street paving project, Canongate Road resurfacing, potential improvements at Amberly and Canongate, Waverly Road improvements, N 148th and Hwy 6 conceptual design, and engineering for stormwater. Additional budget items include pool deck and parking improvements for the Aquatic Center, parks and recreation maintenance, the new fire station, Building and Zoning staffing, and an update to the

Comprehensive Plan and zoning regulations. Water and wastewater projects include equipment purchases, water main and well planning, wastewater capacity studies, completion of the UV system and backup generator projects, and installation of a manhole monitoring system. The budget also includes continued payments on existing bonds, cemetery improvements, Downtown and West Area-Wide TIF projects, pedestrian safety improvements, and land acquisition for future development. The preliminary budget was presented for Council review, with the property tax and budget hearings to follow at the next meeting.

Update on wells and water levels.

City Administrator Fisher provided an update on the City's well levels and water conservation efforts. 2026 rain received so far is 24.35 inches, the City's seven active wells continue to show a long-term decline in static water levels, no emergency triggers established in the municipal code have been reached. Well 11, located in the south aquifer, has declined approximately 17 feet since 2017. Most of the City's wells have continued to show declining levels despite the increased rainfall. Well 5, located in town, was the only well showing an increase in static water level.

Fisher reported the City will continue the year-round water conservation plan: watering is permitted Tuesday and Saturday for addresses ending in odd numbers and watering is permitted Wednesday and Sunday for addresses ending in even numbers; no watering on any day between 10am and 4pm to reduce water loss from evaporation. Watering is not permitted on Mondays, Thursdays, and Fridays. Sod permits can be obtained through the City for 14-day watering permit, again adhering to the 10am to 4pm no watering guideline. Residents were encouraged to follow the watering schedule, check for household leaks, use water wisely, report water waste, and stay informed through information available on the City's website. Waverly's declining well levels were noted as part of a broader statewide trend, with Waverly experiencing more significant declines than the statewide trend.

Consideration of Change Order No. 2 from Midwest Excavating Services, LLC for the 134th St & Hwy 6 Drainage Improvement Project.

Council Member Jespersen moved to approve Change Order No. 2 from Midwest Excavating Services. Council Member Nielson seconded the motion.

Fisher advised this change order includes extending substantial completion date due to BNSF scheduling. The following Council Members voted "YEA": Jespersen, Nielson, Ruhter-Engelhardt. The following Council Members voted NAY: None. Motion Carried. 3-0.

Consideration of accepting a bid(s) for the leased farm ground owned by the City of Waverly.

Council Member Jespersen moved to move to accept the Group 2 bid of \$255 per acre and reject all of Group 1. Council Member Nielson seconded the motion.

The following Council Members voted "YEA": Nielson, Ruhter-Engelhardt, Jespersen. The following Council Members voted NAY: None. Motion Carried. 3-0.

COMMITTEE REPORTS

Human Services (Park & Recreation): Council Member Nielson

Council Member Nielson reported the parks department was awarded 10 new trees through the Trees for Nebraska Towns grant. We will receive them September 24 and are working on locations for planting. We have had to reschedule all three soccer games so far due to heat. Flag football week 3 and picture day is this Saturday. Women's volleyball has 4 registrations so far, looking good to hit similar registration as last fall. Volleyball registration is open until October 9.

Public Works (Utilities & Street): Council Member Jespersen

No report.

Public Health (Fire & Safety): Council Member Delahoyde

Fisher reported the New Fire Station bid opening has been moved one week to September 17 at 2pm due to a significant amount of general contractors having issues getting bids from sub-contractors on the project.

Fiscal and Economic Development: Council Member Ruhter-Engelhardt

Council Member Ruhter-Engelhardt reported two individuals were interviewed for the economic development position, Interim Economic Development Consultant Amanda Staab will make recommendation at the WEDC meeting tomorrow. The next CRA meeting is September 21 and Planning Commission meets on September 29.

City Administrator Fisher

No report.

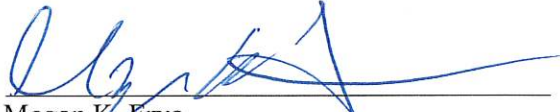
ADJOURNMENT

Council Member Nielson moved to adjourn the meeting at 7:50 p.m.. Council Member Jespersen seconded the motion.

The following Council Members voted "YEA": Ruhter-Engelhardt, Jespersen, Nielson. The following Council Members voted NAY: None. Motion Carried. 3-0.



David M. Jespersen
Council President/Acting Mayor



Megan K. Frye
City Clerk/Human Resources Assistant

Claims for Payment: September 9th - 22nd, 2026

Group A			
Vendor	Description	Amount	Date Paid
ADP Fees	Payroll Fees	\$ 245.65	9/25/2026
ADP Payroll	Payroll	\$ 49,405.20	9/18/2026
Badger Body & Truck Equipment	Snow plow repairs	\$ 969.95	+
Ben Cassler	Flag football payout	\$ 200.00	+
Binder Lift Inc.dba Phase Intl	Binder lifts	\$ 1,722.00	+
Bowman Consulting Group	Canongate Road Roadway Design	\$ 23,736.55	+
Camden Ballinger	Flag football payout	\$ 200.00	+
Carquest Auto Parts	Pump battery Waverly 40, oil filters, air filters, wiper blades, lube	\$ 696.37	+
Clayton Hufford	Fuel reimbursement	\$ 41.43	+
Cubby's, Inc.	Fuel	\$ 2,327.74	+
D.J. Gongol & Associates, Inc.	Digestor pumps	\$ 18,470.15	+
Dawson Radenslaben	Flag football payout	\$ 70.00	+
Dun-Rite Homes, Inc.	Refund-Permit 250117	\$ 755.00	+
Empire Netting & Fence	Sharp Park fence repair	\$ 400.00	+
ESC	Well 7 ladder modifications	\$ 507.96	+
Fastenal Company	Parts for clarifier ladder	\$ 266.51	+
Gage Frye	Flag football payout	\$ 150.00	+
Grainger	Clothing allowance price error	\$ (36.60)	+
Henry Hosking	Flag football payout	\$ 70.00	+
Hometown Leasing	FD Copier	\$ 71.48	+
Jaydon Pribyl	Flag football field supervisor	\$ 240.00	+
JEO Consulting Group, Inc.	Waverly New Fire Station	\$ 19,600.00	+
JEO Consulting Group, Inc.	Waverly New Well Siting, WWTP Generator Replacement	\$ 8,650.00	+
Joey Wenzl	Flag football payout	\$ 200.00	+
John Deere Financial	Mower repair	\$ 70.63	+
John Hancock USA	Retirement	\$ 4,143.49	8/18/2026
Kriha Fluid Power-Lincoln	Hose assy w/fittings, elbows	\$ 734.83	+
Kubert Appraisal Group, PC	Appraisal Services	\$ 6,300.00	+
Landon Ekwall	Flag football payout	\$ 200.00	+
Landry Maahs	Flag football payout	\$ 70.00	+
Lincoln Electric System	Electricity	\$ 518.81	+
Lincoln Lock & Safe	Keys for Cameron	\$ 23.00	+
Logan Benes	Flag football payout	\$ 70.00	+
MacQueen Equipment	Fittings for Waverly 30	\$ 555.90	+
Medica Health Plan Solutions	Health Insurance	\$ 12,653.04	10/1/2026
Menards-Lincoln North	Parts for clarifier stairs, step ladder, tools, safety supplies, hole saw	\$ 528.23	+
Midwest Service & Sales Co.	Snow plow & hitch	\$ 27,330.76	+
Miles Masur	Flag football payout	\$ 200.00	+
Nadezhda Koval	Cleaning Service	\$ 452.41	+
Nebraska Landscape Solutions	Fertilizer & insecticide	\$ 3,286.06	+
NE Public Health Environ. Lab	Lab Fees	\$ 752.00	+
Nicholas Jackson	Flag football payout	\$ 200.00	+
NMC, Inc.	Quick disconnect assy, o-ring	\$ 93.53	+
North Central Emergency Vehicle	Ambulance repair	\$ 242.34	+
One Billing Solutions	August 2026 Billing-EMS	\$ 1,511.47	+
Pavers Inc.	Crushed asphalt millings, cold mix asphalt	\$ 2,588.45	+
Principal Life Insurance Co.	Life, Vision & Dental Insurance	\$ 2,172.06	+
Production Creek Specialty Adv	Employee clothing	\$ 484.00	+
Quik Dump Refuse	Garbage Service	\$ 803.91	+
Rembolt Ludtke LLP	Waverly Suburban Fire District	\$ 1,102.00	+
Rembolt Ludtke LLP	Legal Fees	\$ 3,000.00	+
Rivers Metal Products, Inc.	Well 7 ladder project	\$ 115.41	+
School District #145	Tobacco & Liquor License	\$ 2,670.00	+
S.E.Rural Fire Protection Dist	EMS Calls	\$ 3,750.00	+
Sunbelt Rentals, Inc.	Track mini skidsteer rental, power rake landscape rental	\$ 432.72	+
Tennis Courts Unlimited	Pickleball line striping	\$ 1,900.00	+
Turner McIntire	Flag football payout	\$ 200.00	+
U.S. Postmaster	Stamps/Postage	\$ 656.66	+
Union Bank & Trust Co.	HSA Accounts	\$ 3,250.00	10/1/2026
USA Blue Book	Settleometers	\$ 26.96	+
Verizon Wireless	Phone Service	\$ 434.40	+
Waverly Economic Develop.Corp.	2026 WEDC Membership	\$ 25,000.00	+
Whitehead Oil Co.	Fuel	\$ 142.94	+
Zac Williamson	Flag football payout	\$ 200.00	+
Zimco Supply Co.	Herbicide	\$ 735.00	+
Storage Ninjas	Storage for Engine 34 - F.D. debit card purchase	\$ 155.00	+
RecDesk	Flag football refund - Stauss	\$ 105.00	+
Claims Group A Total		\$ 238,820.40	


Abbey Pascoe, Mayor


Cheris Cadwell, City Treasurer/Deputy Clerk

9/22/26 OLN