

The Council met in special session as called by the Mayor and in compliance with agenda posted at City Hall, Post Office and First National Bank with each Council member being notified of agenda prior to the meeting. The meeting was called to order by Mayor Daryl Reitmajer at 7:00 p.m. and opened with the Pledge of Allegiance. The Mayor informed the public of the location of posting of the Open Meetings Law. Roll call was taken with the following Council members present: Merle Hennings, Diana Vasicek, Gerry Tyler, Jerry Johnson, Jim Svoboda, and Janet Jonas.

The Mayor called for items not listed on the agenda and none were presented.

Council Committee reports were given. Hennings reported the Board of Public Works had met and the main topic of discussion was rates and future increases. Svoboda reported the Street Committee had met and were continuing to work on the solid waste agreement which is set to expire in February 2009.

Department Head reports were reviewed.

The public hearing on an amendment to the Zoning Regulations to add regulations for electronic signs and to make revisions and corrections in that section was declared open at 7:05 p.m. The Planning Commission recommendation was reviewed. The Mayor called for comments from the public and none were presented. Questions were raised on definitions – regarding horizontal and vertical movement. A motion was made by Jonas, seconded by Svoboda to close the public hearing at 7:08 p.m. Roll call vote: Jonas, yes; Svoboda, yes; Hennings, yes; Vasicek, yes; Tyler, yes; and Johnson, yes. Motion carried.

Ordinance No. 2003 was introduced by Council Member Jonas entitled: AN ORDINANCE OF THE CITY OF WAHOO, SAUNDERS COUNTY, NEBRASKA, TO AMEND ORDINANCE NO. 1886, KNOWN AND CITED AS THE ZONING ORDINANCE OF THE CITY OF WAHOO, NEBRASKA, ADOPTED JANUARY 27, 2005 BY THE AMENDMENT OF SECTION 7.06 SIGN REGULATIONS; TO PROVIDE FOR REGULATION OF ELECTRONIC SIGNS AND TO MAKE REVISIONS AND CORRECTIONS TO SAID SIGN REGULATIONS. The Mayor then instructed the Clerk to read Ordinance No. 2003 of the City of Wahoo, Nebraska. The Clerk thereupon read the aforesaid Ordinance No. 2003 by title.

Council Member Jonas moved that the statutory rules in regard to the passage and adoption of ordinances be suspended so that the said ordinance might be introduced, read by title, and then moved for final passage at the same meeting. Council Member Hennings seconded said motion. The Mayor put the question and instructed the Clerk to call for the roll for the vote thereon. The Clerk called the roll and the following was the vote on the motion to suspend the rules: Jonas, yes; Hennings, yes; Vasicek, yes; Tyler, yes; Johnson, yes; and Svoboda, yes. The motion having been carried by the affirmative votes of no less than three-fourths of the members of the Council, the Mayor declared the statutory rules in regards to the passage and approval of ordinance be suspended so that Ordinance No. 2003 may be read by title and moved for final passage in the same meeting.

Council Member Jonas moved that Ordinance No. 2003 be approved and passed and its title agreed to. Council Member Hennings seconded the motion. The Mayor instructed the Clerk to call the roll for the vote and the following was the vote on this motion: Jonas, yes; Hennings, yes; Vasicek, yes; Tyler, yes; Johnson, yes; and Svoboda, yes. Motion carried.

The passage and adoption of said Ordinance having been concurred then by a majority of all members of the Council, the Mayor declared the Ordinance adopted and the Mayor, in the presence of the Council, signed and approved the Ordinance and Clerk attested the passage and approval of the same and affixed her signature thereto. The Mayor ordered the Ordinance to be published in pamphlet form and that said Ordinance be kept in a separate and distinct Ordinance volume record, and that said and distinct Volume be incorporated and made a part of these proceedings the same as though it was read at large herein.

The public hearing on the application for conditional use permit to install a ground monument sign in an R-3 Residential zoning area, under Section 5.12.03, on property describe das Colony Subdivision re-plot, commonly known as 669 West 15th as filed by Wahoo State Bank was opened at 7:10 p.m. The recommendation of the Planning Commission was reviewed. The Mayor called for comments from the public and none were presented. A motion was made by Johnson, seconded by Jonas to close the public hearing at 7:12 p.m. Roll call vote: Johnson, yes; Jonas, yes; Hennings, yes; Vasicek, yes; Tyler, yes; and Svoboda, yes. Motion carried.

Ordinance No. 2004 was introduced by Council Member Jonas entitled: AN ORDINANCE OF THE CITY OF WAHOO, SAUNDERS COUNTY, NEBRASKA, TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF WAHOO, NEBRASKA, PERTAINING TO THE FOLLOWING-DESCRIBED REAL ESTATE, TO WIT: LOT 1, COLONY SUBDIVISION REPLAT IN THE CITY OF WAHOO, SAUNDERS COUNTY, NEBRASKA, COMMONLY KNOWN AS 669 WEST 15TH STREET, WAHOO, NEBRASKA, BY ALLOWING THEREON A PERMITTED CONDITIONAL USE, THAT BEING TO ERECT AND INSTALL A MONUMENT SIGN, AS ALLOWED BY PERMITTED CONDITIONAL USES LISTED UNDER SIGN REGULATIONS OF WAHOO ZONING

REGULATIONS SECTION 7.06. The Mayor then instructed the Clerk to read Ordinance No. 2004 of the City of Wahoo, Nebraska. The Clerk thereupon read the aforesaid Ordinance No. 2004 by title.

Council Member Jonas moved that the statutory rules in regard to the passage and adoption of ordinances be suspended so that the said ordinance might be introduced, read by title, and then moved for final passage at the same meeting. Council Member Vasicek seconded said motion. The Mayor put the question and instructed the Clerk to call for the roll for the vote thereon. The Clerk called the roll and the following was the vote on the motion to suspend the rules: Jonas, yes, Vasicek, yes; Hennings, yes; Tyler, yes; Johnson, yes; and Svoboda, yes. The motion having been carried by the affirmative votes of no less than three-fourths of the members of the Council, the Mayor declared the statutory rules in regards to the passage and approval of ordinance be suspended so that Ordinance No. 2004 may be read by title and moved for final passage in the same meeting.

Council Member Jonas moved that Ordinance No. 2004 be approved and passed and its title agreed to. Council Member Vasicek seconded the motion. The Mayor instructed the Clerk to call the roll for the vote and the following was the vote on this motion: Jonas, yes; Vasicek, yes; Hennings, yes; Tyler, yes; Johnson, yes; and Svoboda, yes. Motion carried.

The passage and adoption of said Ordinance having been concurred then by a majority of all members of the Council, the Mayor declared the Ordinance adopted and the Mayor, in the presence of the Council, signed and approved the Ordinance and Clerk attested the passage and approval of the same and affixed her signature thereto. The Mayor ordered the Ordinance to be published in pamphlet form and that said Ordinance be kept in a separate and distinct Ordinance volume record, and that said and distinct Volume be incorporated and made a part of these proceedings the same as though it was read at large herein.

Discussion was held on the proposed annexation of areas of development around Wahoo. Jared Ketner, resident of County Club Acres, was present to question the Council on the necessity of this, particularly now with down economic times. Johnson responded to Ketner's concerns with the fact that there has been ample discussion and negotiation on this, that it is in the best interests of the community as a whole. Questions were raised on where funding would come from for the infrastructure improvements and Council indicated that initially it would come from bonding sources. Council member Johnson introduced Ordinance No. 2005 entitled: AN ORDINANCE OF THE CITY OF WAHOO, NEBRASKA, TO ANNEX THE FOLLOWING DESCRIBED REAL ESTATE, TO WIT: A PARCEL OF LAND LOCATED IN SECTIONS 9 AND 16, TOWNSHIP 14 NORTH, RANGE 7 EAST OF THE SIXTH P.M., SAUNDERS COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SECTION 9; THENCE WESTERLY ON THE SOUTH LINE OF SAID SECTION 9 TO THE WEST RIGHT OF WAY LINE OF COUNTY ROAD 17 AND THE POINT OF BEGINNING; THENCE NORTHERLY ON SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 33.00 FEET TO THE SOUTHEAST CORNER OF LOT 25, COUNTRY CLUB ACRES; THENCE NORTHERLY ON THE EAST LINE OF LOTS 23 THRU 25 OF SAID COUNTRY CLUB ACRES TO THE SOUTHEAST CORNER OF LOT 31, COUNTRY CLUB ACRES REPLAT; THENCE NORTHERLY ON THE EAST LINE OF LOTS 29 THRU 31 OF SAID COUNTRY CLUB ACRES REPLAT TO THE NORTHEAST CORNER OF SAID LOT 29; THENCE WESTERLY ON THE NORTH LINE OF SAID LOT 29 TO THE SOUTHEAST CORNER OF LOT 1, JANECEK SUBDIVISION REPLAT; THENCE NORTHERLY ON THE EAST LINE OF SAID LOT 1 TO THE NORTHEAST CORNER OF SAID LOT 1; THENCE NORTHERLY TO THE SOUTHEAST CORNER OF LOT 3, JANECEK SUBDIVISION 2ND REPLAT; THENCE NORTHERLY ON THE EAST LINE OF SAID LOT 3 TO THE NORTHEAST CORNER OF SAID LOT 3; THENCE NORTHERLY TO THE SOUTHEAST CORNER OF LOT 5, JANECEK SUBDIVISION; THENCE NORTHERLY ON THE EAST LINE OF SAID LOT 5 TO THE NORTHEAST CORNER OF SAID LOT 5; THENCE WESTERLY ON THE NORTH LINE OF SAID LOT 5 TO THE NORTHWEST CORNER OF SAID LOT 5; THENCE SOUTHERLY ON THE WEST LINE OF SAID AND ITS SOUTHERLY EXTENSION TO THE NORTH LINE OF LOT 4 OF SAID JANECEK SUBDIVISION 2ND REPLAT; THENCE WESTERLY ON THE NORTH LINE OF SAID LOT 4 TO THE NORTHWEST CORNER OF SAID LOT 4; THENCE SOUTHERLY ON THE WEST LINE OF SAID LOT 4 TO THE SOUTHWEST CORNER OF SAID LOT 4; THENCE SOUTHERLY ON THE WEST LINE OF SAID JANECEK SUBDIVISION 2ND REPLAT TO THE SOUTHWEST CORNER OF SAID JANECEK SUBDIVISION 2ND REPLAT; THENCE EASTERLY ON THE SOUTH RIGHT OF WAY LINE OF JANECEK DRIVE TO THE NORTHWEST CORNER OF LOT 2 OF SAID JANECEK SUBDIVISION REPLAT; THENCE SOUTHERLY ON THE WEST LINE OF SAID LOT 2 TO THE SOUTHWEST CORNER OF SAID LOT 2; THENCE WESTERLY ON THE NORTH LINE OF LOTS 27 AND 28 OF SAID COUNTRY CLUB ACRES REPLAT TO THE NORTHEAST CORNER OF LOT 19 OF COUNTRY CLUB ACRES; THENCE WESTERLY ON THE NORTH LINE OF LOTS 12 THRU 19 OF SAID COUNTRY CLUB ACRES TO THE NORTHWEST CORNER OF SAID LOT 12; THENCE SOUTHERLY ON THE WEST LINE OF LOTS 11 AND 12 OF SAID COUNTRY CLUB ACRES TO THE SOUTHWEST CORNER OF SAID LOT 11; THENCE EASTERLY ON THE SOUTHERLY LINE OF LOTS 4 THRU 11 OF SAID COUNTRY CLUB ACRES TO THE SOUTHEAST CORNER OF SAID LOT 4; THENCE SOUTHERLY ON THE WEST LINE OF LOTS 1 THRU 3 OF SAID COUNTRY CLUB ACRES TO THE SOUTHWEST CORNER OF SAID LOT 1; THENCE WESTERLY ON THE NORTH RIGHT OF WAY LINE OF COUNTY ROAD J TO THE

NORTHERLY EXTENSION OF THE WEST LINE OF LOT 6, COOK'S SUBDIVISION; THENCE SOUTHERLY ON SAID NORTHERLY EXTENSION TO THE NORTHWEST CORNER OF SAID LOT 6; THENCE SOUTHERLY ON THE WEST LINE OF SAID LOT 6 TO THE SOUTHWEST CORNER OF SAID LOT 6; THENCE EASTERLY ON THE SOUTH LINE OF SAID LOTS 1 THRU 6 OF SAID COOK'S SUBDIVISION AND ITS EASTERLY EXTENSION TO THE WEST RIGHT OF WAY LINE OF COUNTY ROAD 17; THENCE NORTHERLY ON SAID WEST RIGHT OF WAY LINE TO THE POINT OF BEGINNING; TO THE CITY OF WAHOO, SAUNDERS COUNTY, NEBRASKA, AND BY SAID ANNEXATION, TO MAKE SAID ABOVE DESCRIBED REAL ESTATE A PART OF THE CORPORATE LIMITS OF THE CITY OF WAHOO, NEBRASKA; THAT AN ACCURATE MAP OR PLAT OF THE ABOVE DESCRIBED REAL ESTATE BE RECORDED IN THE OFFICES OF THE SAUNDERS COUNTY REGISTER OF DEEDS AND SAUNDERS COUNTY ASSESSOR; THAT THE INHABITANTS OF THE ABOVE DESCRIBED REAL ESTATE RECEIVE SUBSTANTIALLY THE SAME BENEFITS AS OTHER INHABITANTS OF THE CITY OF WAHOO, NEBRASKA, AND THAT GOVERNMENTAL AND PROPRIETARY PLANS FOR THE FURNISHING OF SAID BENEFITS BE ADOPTED BY THE MAYOR AND COUNCIL OF THE CITY OF WAHOO, NEBRASKA, NOT LATER THAN ONE YEAR AFTER THE DATE OF ANNEXATION OF THE ABOVE DESCRIBED REAL ESTATE; THAT ALL INHABITANTS OF THE ABOVE DESCRIBED REAL ESTATE SHALL BE SUBJECT TO THE ORDINANCES AND REGULATIONS OF THE CITY OF WAHOO, NEBRASKA, UPON THE EFFECTIVE DATE OF THIS ORDINANCE and moved for approval of first reading. Motion seconded by Jonas. Roll call vote: Johnson, yes; Jonas, yes; Hennings, yes; Vasicek, yes; Tyler, yes; and Svoboda, yes. Motion carried.

Council member Vasicek introduced Ordinance No. 2006 entitled: AN ORDINANCE OF THE CITY OF WAHOO, NEBRASKA, TO ANNEX THE FOLLOWING DESCRIBED REAL ESTATE, TO WIT: A PARCEL OF LAND LOCATED IN SECTIONS 10, 15 AND 16, TOWNSHIP 14 NORTH, RANGE 7 EAST OF THE SIXTH P.M., SAUNDERS COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SECTION 15; THENCE SOUTHERLY ON THE WEST LINE OF SAID SECTION 15, A DISTANCE OF 33.00 FEET TO THE SOUTH RIGHT OF WAY LINE OF COUNTY ROAD J; THENCE EASTERLY ON SAID SOUTH RIGHT OF WAY LINE TO THE NORTHWEST CORNER OF A PARCEL OF LAND DESCRIBED IN DEED BOOK 241, PAGE 783; THENCE EASTERLY ON THE NORTH LINE OF SAID PREVIOUSLY DESCRIBED PARCEL TO THE NORTHWEST CORNER OF LOT 6, WEST CONTINENTAL ESTATES; THENCE EASTERLY ON THE NORTH LINE OF LOTS 1 THRU 6 OF SAID WEST CONTINENTAL ESTATES TO THE NORTHWEST CORNER OF LOT 6, EAST CONTINENTAL ESTATES; THENCE EASTERLY ON THE NORTH LINE OF SAID LOT 6 TO THE NORTHEAST CORNER OF SAID LOT 6; THENCE EASTERLY TO THE NORTHWEST CORNER OF LOT 1 OF SAID EAST CONTINENTAL ESTATES; THENCE EASTERLY ON THE NORTH LINE OF SAID LOT 1 TO THE NORTHWEST CORNER OF LOT 3, ARBOR LODGE ESTATES; THENCE EASTERLY ON THE NORTH LINE OF SAID LOT 3 TO THE NORTHEAST CORNER OF SAID LOT 3; THENCE EASTERLY ON THE SOUTH RIGHT OF WAY LINE OF COUNTY ROAD J TO THE SOUTHERLY EXTENSION OF THE EAST LINE OF LOT 1, HERITAGE HEIGHTS 2ND ADDITION; THENCE NORTHERLY ON SAID SOUTHERLY EXTENSION TO THE NORTH RIGHT OF WAY LINE OF SAID COUNTY ROAD J; THENCE EASTERLY ON SAID NORTH RIGHT OF WAY LINE TO THE NORTHERLY EXTENSION OF THE EAST LINE OF LOT 1, ARBOR LODGE ESTATES; THENCE SOUTHERLY ON SAID NORTHERLY EXTENSION TO THE NORTHEAST CORNER OF SAID LOT 1; THENCE SOUTHERLY ON THE EAST LINE OF LOTS 1 AND 6 OF SAID ARBOR LODGE ESTATES TO THE SOUTHEAST CORNER OF SAID LOT 6; THENCE SOUTHERLY ON THE EAST LINE OF SAID ARBOR LODGE ESTATES TO THE SOUTHEAST CORNER OF SAID ARBOR LODGE ESTATES; THENCE WESTERLY ON THE SOUTH LINE OF SAID ARBOR LODGE ESTATES TO THE NORTHEAST CORNER OF LOT 7 OF SAID ARBOR LODGE ESTATES; THENCE SOUTHWESTERLY ON THE SOUTHEASTERLY LINE OF SAID LOT 7 TO THE SOUTHEAST CORNER OF SAID LOT 7; THENCE WESTERLY ON THE SOUTH LINE OF SAID LOT 7 TO THE SOUTHEAST CORNER OF LOT 3 OF SAID EAST CONTINENTAL ESTATES; THENCE WESTERLY ON THE SOUTH LINE OF LOTS 3 AND 4 OF SAID EAST CONTINENTAL ESTATES TO THE NORTHEAST CORNER OF LOT 5, CITY VIEW ACRES; THENCE SOUTHERLY ON THE EAST LINE OF SAID LOT 5 TO THE SOUTHEAST CORNER OF SAID LOT 5; THENCE SOUTHERLY TO THE NORTHEAST CORNER OF LOT 8 OF SAID CITY VIEW ACRES; THENCE SOUTHERLY ON THE EAST LINE OF SAID LOT 8 TO THE SOUTHEAST CORNER OF SAID LOT 8; THENCE WESTERLY ON THE SOUTH LINE OF LOTS 8 THRU 11 OF SAID CITY VIEW ACRES TO THE SOUTHWEST CORNER OF SAID LOT 11; THENCE SOUTHERLY ON THE EAST LINE OF LOT 12 OF SAID CITY VIEW ACRES TO THE SOUTHEAST CORNER OF SAID LOT 12; THENCE WESTERLY ON THE SOUTH LINE OF LOTS 12 AND 13 OF SAID CITY VIEW ACRES TO THE SOUTHWEST CORNER OF SAID LOT 13; THENCE SOUTHERLY ON THE EAST RIGHT OF WAY LINE OF MAPLE STREET TO THE SOUTHEAST CORNER OF SAID CITY VIEW ACRES; THENCE WESTERLY ON THE SOUTH LINE OF SAID CITY VIEW ACRES TO THE SOUTHEAST CORNER OF LOT 27 OF SAID CITY VIEW ACRES; THENCE WESTERLY ON THE SOUTH LINE OF SAID LOT 27 TO THE SOUTHWEST CORNER OF SAID LOT 27; THENCE WESTERLY ON THE WESTERLY EXTENSION OF THE SOUTH LINE OF SAID LOT 27 TO THE WEST LINE OF SAID SECTION 15; THENCE CONTINUING WESTERLY ON SAID WESTERLY EXTENSION TO THE WEST RIGHT OF WAY LINE OF COUNTY ROAD 17; THENCE NORTHERLY ON SAID WEST RIGHT OF WAY

LINE TO THE SOUTH RIGHT OF WAY LINE OF COUNTY ROAD J; THENCE EASTERLY ON SAID SOUTH RIGHT OF WAY LINE TO THE POINT OF BEGINNING; TO THE CITY OF WAHOO, SAUNDERS COUNTY, NEBRASKA, AND BY SAID ANNEXATION, TO MAKE SAID ABOVE DESCRIBED REAL ESTATE A PART OF THE CORPORATE LIMITS OF THE CITY OF WAHOO, NEBRASKA; THAT AN ACCURATE MAP OR PLAT OF THE ABOVE DESCRIBED REAL ESTATE BE RECORDED IN THE OFFICES OF THE SAUNDERS COUNTY REGISTER OF DEEDS AND SAUNDERS COUNTY ASSESSOR; THAT THE INHABITANTS OF THE ABOVE DESCRIBED REAL ESTATE RECEIVE SUBSTANTIALLY THE SAME BENEFITS AS OTHER INHABITANTS OF THE CITY OF WAHOO, NEBRASKA, AND THAT GOVERNMENTAL AND PROPRIETARY PLANS FOR THE FURNISHING OF SAID BENEFITS BE ADOPTED BY THE MAYOR AND COUNCIL OF THE CITY OF WAHOO, NEBRASKA, NOT LATER THAN ONE YEAR AFTER THE DATE OF ANNEXATION OF THE ABOVE DESCRIBED REAL ESTATE; THAT ALL INHABITANTS OF THE ABOVE DESCRIBED REAL ESTATE SHALL BE SUBJECT TO THE ORDINANCES AND REGULATIONS OF THE CITY OF WAHOO, NEBRASKA, UPON THE EFFECTIVE DATE OF THIS ORDINANCE, and moved for approval of first reading. Motion seconded by Jonas. Roll call vote: Vasicek, yes; Jonas, yes; Hennings, yes; Tyler, yes; Johnson, yes; and Svoboda, yes.

A motion was made by Johnson, seconded by Vasicek, to repeal Resolution No. 2008-06 enacted by the Council on February 28, 2008 to establish how existing services would be handled in newly annexed areas. Roll call vote: Johnson, yes; Vasicek, yes; Hennings, yes; Tyler, yes; Svoboda, yes; and Jonas, yes. Motion carried.

A motion was made by Jonas, seconded by Svoboda, to authorize the placement of a temporary "No Parking" sign on the east side of Walnut Street, directly across from the driveway entrance to 337 North Walnut, to allow the resident of 337 North Walnut access to said driveway during the construction of the Law Enforcement Center. Roll call vote: Jonas, yes; Svoboda, yes; Hennings, yes; Vasicek, yes; Tyler, yes; and Johnson, yes. Motion carried.

Motion was made by Hennings, seconded by Vasicek, to authorize the Eagles to sell liquor before noon on Sunday, October 19, 2008 for their annual meeting. Roll call vote: Hennings, yes; Vasicek, yes; Tyler, yes; Johnson, yes; Svoboda, yes; and Jonas, yes. Motion carried.

Discussion on the process for the Wahoo Board of Public Works to follow for amending the Municipal Code Sections pertaining to the Board of Public Works was held. A motion was made by Tyler, seconded by Svoboda to table any action on this to the next meeting to allow staff and BPW members to get a handle on the exact process and procedures that should be followed. Roll call vote: Tyler, yes; Svoboda, yes; Hennings, yes; Vasicek, yes; Johnson, yes; and Jonas, yes. Motion carried.

Discussion was held on the recent events of concern regarding the building located at 108 East 5th. Building Inspector Jerry Peterson reported the area had been blocked off for the safety of the public until the building could be correctly evaluated and addressed. City regulations were reviewed for the processes that would be followed. Joe Vculek was present along with property owners of the adjacent property. Concern was expressed about cost of repair/demo and the impact to surrounding building owners.

A motion was made by Vasicek, seconded by Jonas, to authorize the City Attorney to commence civil and/or criminal proceedings to abate a public nuisance (unsafe building – 108 East 5th) under applicable civil or penal code provisions as an alternative to nuisance proceedings, as allowed by Section 94.34 of the Wahoo Municipal Code. Roll call vote: Vasicek, yes; Jonas, yes; Hennings, yes; Tyler, yes; Johnson, yes; and Svoboda, yes. Motion carried.

Ordinance No. 2007 was introduced by Council Member Jonas entitled: AN ORDINANCE OF THE CITY OF WAHOO, SAUNDERS COUNTY, NEBRASKA, TO AMEND TITLE XV: LAND USAGE, AND IN PARTICULAR, CHAPTER 150: BUILDING REGULATIONS, BY AMENDING §150.046 UNSAFE BUILDINGS, BY THE ADDITION THERETO OF ONE OR MORE SECTIONS RECODIFYING THE PRESENT SECTION 150.046 AND ADDING THERETO THE REQUIREMENTS OF A HEARING BEFORE THE CITY COUNCIL TO DETERMINE THE STATUS OF AN UNSAFE BUILDING, BY RESOLUTION, AND TO PROVIDE FOR THE COLLECTION OF COSTS TO THE CITY OF WAHOO, NEBRASKA TO REPAIR, REHABILITATE, OR DEMOLISH AND REMOVE A BUILDING OR STRUCTURE FROM THE OWNER OF THE BUILDING OR ENFORCE THE COLLECTION BY CIVIL ACTION IN ANY COURT OF COMPETENT JURISDICTION; TO PROVIDE FOR THE FILING OF A COPY OF SUCH RESOLUTION IN THE OFFICE OF THE SAUNDERS COUNTY REGISTER OF DEEDS. The Mayor then instructed the Clerk to read Ordinance No. 2007 of the City of Wahoo, Nebraska. The Clerk thereupon read the aforesaid Ordinance No. 2007 by title.

Council Member Jonas moved that the statutory rules in regard to the passage and adoption of ordinances be suspended so that the said ordinance might be introduced, read by title, and then moved for final passage at the same meeting. Council Member Vasicek seconded said motion. The Mayor put the question and instructed the Clerk to call for the roll for the vote thereon. The Clerk called the roll and the following was the vote on the motion to suspend the rules: Jonas, yes; Vasicek, yes; Hennings, yes;

Tyler, yes; Johnson, yes; and Svoboda, yes. The motion having been carried by the affirmative votes of no less than three-fourths of the members of the Council, the Mayor declared the statutory rules in regards to the passage and approval of ordinance be suspended so that Ordinance No. 2007 may be read by title and moved for final passage in the same meeting.

Council Member Jonas moved that Ordinance No. 2007 be approved and passed and its title agreed to. Council Member Vasicek seconded the motion. The Mayor instructed the Clerk to call the roll for the vote and the following was the vote on this motion: Jonas, yes; Vasicek, yes; Hennings, yes; Tyler, yes; Johnson, yes; and Svoboda, yes. Motion carried.

The passage and adoption of said Ordinance having been concurred then by a majority of all members of the Council, the Mayor declared the Ordinance adopted and the Mayor, in the presence of the Council, signed and approved the Ordinance and Clerk attested the passage and approval of the same and affixed her signature thereto. The Mayor ordered the Ordinance to be published in pamphlet form and that said Ordinance be kept in a separate and distinct Ordinance volume record, and that said and distinct Volume be incorporated and made a part of these proceedings the same as though it was read at large herein.

A motion was made by Jonas, seconded by Johnson to accept the minutes of the Wahoo Planning Commission of 10/2/08 and the Wahoo Library Board minutes of 9/10/08 as presented. A change of wording was suggested by Svoboda. Roll call vote: Jonas, yes; Johnson, yes; Hennings, yes; Vasicek, yes; Tyler, yes; and Svoboda, yes. Motion carried.

A motion was made by Jonas, seconded by Johnson to approve the following items listed on the consent agenda: Minutes of September 25, 2008; and the following licenses: Todd Valley Plumbing & Heating, Ashland, plumber; Terry Reeh, Eco Water Systems, Fremont, plumber; Steve Roberson, Roberson Sheet Metal, Lincoln, mechanical; Dale Talkington, Alltech Electric, Dorchester, electrician; Matt Harris, Harris Electric, Wahoo, electrician; and Todd Valley Plumbing & Heating, Ashland, electrician. Roll call vote: Jonas, yes; Johnson, yes; Hennings, yes; Vasicek, yes; Tyler, yes; and Svoboda, yes. Motion carried.

A motion was made by Johnson, seconded by Vasicek to adjourn at 7:57 p.m.

Approved: _____, 2008.

Melissa M. Harrell, Clerk

Daryl Reitmajer, Mayor