

The Council met in regular session 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 Jerry Johnson 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, Mike Lawver, Gerry Tyler, Stuart Krejci, and Janet Jonas. Absent was: Jim Svoboda.

The Mayor was excused from the meeting at 7:00 p.m. Janet Jonas, President of the Council, Acting Mayor, called for items not otherwise listed on the agenda. There were none.

A motion was made by Lawver, seconded by Tyler, to approve the following items listed on the consent agenda:

1. Acceptance of excused absence of Jim Svoboda from the September 27, 2012 meeting
2. Minutes of September 13, 2012 meeting of Council
3. Accept minutes of September 11, 2012 meeting of Wahoo Library Board
4. Approval of Grant Anderson as a member of the Wahoo Volunteer Fire Department
5. The following licenses: Dennis Biggerstaff, Biggerstaff Plbg. Htg. & Air, Lincoln, HVAC, renewal; Brad Provanha, Capitol Heating & Air Conditioning, Inc., Lincoln, HVAC, renewal; Robert Kerwin, AMK Electric, Prague, electrician, renewal

Roll call vote: Lawver, yes; Tyler, yes; Jonas, yes; Hennings, yes; and Krejci, yes. Svoboda absent and not voting. Motion carried.

The Acting Mayor called for Council Committee reports. Jonas reported the Finance Committee met to discuss the six-month evaluation of the Building Inspector/Zoning Administrator. Lawver reported the Street Committee needs to meet to discuss the status of the recycling trailer.

The public hearing regarding amendment of Ordinance 1886 the Wahoo Zoning Ordinance, by amendment of Article 5, Sections 5.07, 5.08, 5.09 and 5.11 regarding setbacks of accessory buildings, and amendment of definitions, was declared open by the Acting Mayor at 7:02 p.m. The Acting Mayor called for questions from the public and none were presented. A motion was made by Lawver, seconded by Krejci, to close the hearing at 7:04 p.m. Roll call vote: Lawver, yes; Krejci, yes; Tyler, yes; Jonas, yes; and Hennings, yes. Svoboda, absent and not voting. Motion carried. This revision will make definitions consistent between the Zoning Regulations and the Subdivision Regulations.

Ordinance No. 2102 was introduced by Council Member Lawver entitled: AN ORDINANCE OF THE CITY OF WAHOO, SAUNDERS COUNTY, NEBRASKA, TO AMEND ORDINANCE 1886, THE WAHOO ZONING ORDINANCE, BY AMENDMENT OF ARTICLE 5, SECTIONS 5.07, 5.08, 5.09 AND 5.11 REGARDING SETBACKS OF ACCESSORY BUILDINGS, AND AMENDMENT OF DEFINITIONS. The Acting Mayor then instructed the Clerk to read Ordinance No. 2102 of the City of Wahoo, Nebraska. The Clerk thereupon read the aforesaid Ordinance No. 2102 by title.

Council Member Tyler 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 Krejci 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: Tyler, yes; Krejci, yes; Jonas, yes; Hennings, yes; and Lawver, yes. Svoboda, absent and not voting. The motion having been carried by the

affirmative votes of no less than three-fourths of the members of the Council, the Acting Mayor declared the statutory rules in regards to the passage and approval of ordinance be suspended so that Ordinance No. 2102 may be read by title and moved for final passage in the same meeting.

Council Member Lawver moved that Ordinance No. 2102 be approved and passed and its title agreed to. Council Member Krejci seconded the motion. The Acting Mayor instructed the Clerk to call the roll for the vote and the following was the vote on this motion: Lawver, yes; Krejci, yes; Hennings, yes; Tyler, yes; and Jonas, yes. Svoboda, absent and not voting. Motion carried.

The passage and adoption of said Ordinance having been concurred then by a majority of all members of the Council, the Acting Mayor declared the Ordinance adopted and the Acting 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 Acting 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 regarding amendment of Ordinance 1886 the Wahoo Zoning Ordinance, by amendment of Article 7, Section 7.12.10, pool enclosures, was declared open by the Acting Mayor at 7:05 p.m. The Acting Mayor called for questions from the public and none were presented. A motion was made by Lawver, seconded by Krejci, to close the hearing at 7:06 p.m. Roll call vote: Lawver, yes; Krejci, yes; Tyler, yes; Hennings, yes; and Jonas, yes. Svoboda, absent and not voting. Motion carried. This revision is proposed to make the requirements for protection of swimming pools very clear, and be consistent with the International Residential Code.

Ordinance No. 2103 was introduced by Council Member Tyler entitled: AN ORDINANCE OF THE CITY OF WAHOO, SAUNDERS COUNTY, NEBRASKA, TO AMEND ORDINANCE 1886, THE WAHOO ZONING ORDINANCE, BY AMENDMENT OF ARTICLE 7, SECTIONS 7.12.10, POOL ENCLOSURES. The Acting Mayor then instructed the Clerk to read Ordinance No. 2103 of the City of Wahoo, Nebraska. The Clerk thereupon read the aforesaid Ordinance No. 2103 by title.

Council Member Krejci 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 Tyler seconded said motion. The Acting 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: Krejci, yes; Tyler, yes; Jonas, yes; Hennings, yes; and Lawver, yes. Svoboda, absent and not voting. The motion having been carried by the affirmative votes of no less than three-fourths of the members of the Council, the Acting Mayor declared the statutory rules in regards to the passage and approval of ordinance be suspended so that Ordinance No. 2103 may be read by title and moved for final passage in the same meeting.

Council Member Tyler moved that Ordinance No. 2103 be approved and passed and its title agreed to. Council Member Krejci seconded the motion. The Acting Mayor instructed the Clerk to call the roll for the vote and the following was the vote on this motion: Tyler, yes; Krejci, yes; Hennings, yes; Lawver, yes; and Jonas, yes. Svoboda, absent and not voting. Motion carried.

The passage and adoption of said Ordinance having been concurred then by a majority of all members of the Council, the Acting 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 Acting 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 Mayor returned to the meeting at 7:08 p.m.

The Mayor reported he would be asking the Council for a closed session to discuss acquisition of real estate later in the meeting.

The Mayor presented a proclamation declaring October 13, 2012 as Health and Wellness Day in the City of Wahoo.

The Mayor stated he has not been in contact with Skyline Properties, and there is nothing new to report regarding a possible agreement with JEO for additional components of an economic development plan. The Council previously approved participation in a blight study and general redevelopment plan for developable areas along the Highway 77 corridor south of the Highway 92 intersection to a mile south of the golf course. Motion by Tyler to table consideration of this item for discussion at a future meeting. Lawver seconded the motion. Roll call vote: Tyler, yes; Lawver, yes; Hennings, yes; Jonas, yes; and Krejci, yes. Svoboda, absent and not voting. Motion carried.

Curt Bromm, representing St. Wenceslaus Church requested that the Council consider entering into an agreement regarding future closing of 2nd Street between Linden and Beech Streets. He stated they need to know if access to 2nd Street will be allowed before they can proceed with drawing up plans, arranging for utilities, and obtaining building permits. He suggested the Council could proceed toward closing 2nd Street by establishing conditions which would need to be met before the street is closed, similar to those set for the Wahoo Locker expansion, where closing of the street would occur upon proof of commencement of construction. Lindahl discussed the terms of the proposed agreement. A motion was made by Hennings to enter into an agreement with St. Wenceslaus Church regarding future closing of 2nd Street, and authorize staff to prepare an ordinance to be presented at the next meeting. Motion seconded by Jonas. Roll call vote: Hennings, yes; Jonas, yes; Lawver, yes; Tyler, yes; and Krejci, yes. Svoboda, absent and not voting. Motion carried.

Jake Vasa of JEO Consulting Group reported on the status of Chestnut Street Improvements. Vasa stated Change Order #4 is mainly due to additional tire and concrete disposal and for quick setting concrete in one area, for an adjustment of \$6,709.60.

Council Member Lawver moved that Change Order No. 4 to the contract with TAB Construction, in the amount of \$6,709.60 for 2012 Chestnut Street Improvements be approved, seconded by Jonas. Roll call vote: Lawver, yes; Jonas, yes; Krejci, yes; Tyler, yes; and Hennings, yes. Svoboda, absent and not voting. Motion carried.

Vasa presented Application for Payment No. 4 to TAB Construction Co. for 2012 Chestnut Street Improvements. Council Member Jonas moved that Application for Payment No. 4 to TAB Construction Co. for 2012 Chestnut Street Improvements, for \$387,514.24 be approved, seconded by Krejci. Roll call vote: Jonas, yes; Krejci, yes; Hennings, yes; Lawver, yes; and Tyler, yes. Svoboda, absent and not voting. Motion carried.

Phil Lorenzen of D. A. Davidson Co. addressed the Council regarding the possible benefits of calling 2007 Various Purpose Bonds. Several alternatives were presented for consideration. A motion was made by

Hennings, seconded by Lawver, to table this resolution to the next meeting. Roll call vote: Hennings, yes; Lawver, yes; Tyler, yes; Krejci, yes; and Jonas, yes. Svoboda, absent and not voting. Motion carried.

Harrell presented the report of the Liberty House Monitoring Committee, recommending continuation of the Conditional Use permit through April 30, 2014, which coincides with renewal of licenses through the State of Nebraska. Additionally, the Committee recommended retaining the conditions that no resident of the facility shall have been convicted of: a felonious offense against a person, an offense involving arson, or a crime listed in Neb. Rev. Stat. §29-4003 which requires registration as a sex offender, and that the facility maintain a license as an Assisted Living Facility with the State of Nebraska.

Ordinance No. 2104 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: LOTS 1, 2 AND THE EAST HALF OF THE VACATED OAK STREET ADJACENT TO BLOCK 13, ALL IN BLOCK 13, DICKINSON'S SECOND ADDITION TO THE CITY OF WAHOO, SAUNDERS COUNTY, NEBRASKA, AND LOTS 1 AND 2 BLOCK 1, IN ANDRUS ADDITION OF SUBURBAN LOTS TO THE CITY OF WAHOO, SAUNDERS COUNTY, NEBRASKA, WHICH IS CURRENTLY ZONED R-2 RESIDENTIAL DISTRICT BY ALLOWING THEREON A CONDITIONAL USE, I.E.: ASSISTED LIVING FACILITY. The Mayor then instructed the Clerk to read Ordinance No. 2104 of the City of Wahoo, Nebraska. The Clerk thereupon read the aforesaid Ordinance No. 2104 by title.

Council Member Lawver 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 Tyler 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: Lawver, yes; Tyler, yes; Jonas, yes; Hennings, yes; and Krejci, yes. Svoboda, absent and not voting. 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. 2104 may be read by title and moved for final passage in the same meeting.

Council Member Jonas moved that Ordinance No. 2104 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; Lawver, yes; Krejci, yes; and Tyler, yes. Svoboda, absent and not voting. 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 Building Inspector's report on the Conditional Use Permit for Ken Houfek to operate a limited food service business was reviewed. The building has not been completed yet on the inside. No problems were noted after visiting with neighbors. Lawver recommended that the permit be reviewed again in twelve months.

Ordinance No. 2105 was introduced by Council Member Lawver 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: THE NORTH 50 FEET OF LOTS 7 AND 8, BLOCK 18, ORIGINAL TOWN, WAHOO, SAUNDERS COUNTY, NEBRASKA, WHICH IS CURRENTLY ZONED NRC – NEIGHBORHOOD-RESIDENTIAL-COMMERCIAL DISTRICT BY ALLOWING THEREON A CONDITIONAL USE, I.E.: LIMITED FOOD SERVICE BUSINESS. The Mayor then instructed the Clerk to read Ordinance No. 2105 of the City of Wahoo, Nebraska. The Clerk thereupon read the aforesaid Ordinance No. 2105 by title.

Council Member Lawver 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 Jonas 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: Lawver, yes; Jonas, yes; Krejci, yes; Tyler, yes; and Hennings, yes. Svoboda, absent and not voting. 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. 2105 may be read by title and moved for final passage in the same meeting.

Council Member Lawver moved that Ordinance No. 2105 be approved and passed and its title agreed to. Council Member Krejci seconded the motion. The Mayor instructed the Clerk to call the roll for the vote and the following was the vote on this motion: Lawver, yes; Krejci, yes; Jonas, yes; Hennings, yes; and Tyler, yes. Svoboda, absent and not voting. 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.

Ordinance No. 2106 was introduced by Council Member Jonas entitled: AN ORDINANCE OF THE CITY OF WAHOO, NEBRASKA, TO AMEND TITLE XV; LAND USAGE OF THE WAHOO MUNICIPAL CODE BY AMENDMENT OF CHAPTER 150: BUILDING REGULATIONS; GENERAL PROVISIONS, SECTION 150.001 SWIMMING POOLS, ENCLOSURE; AND SECTIONS 150.015, 150.016, 150.018, 150.019, 150.020, AND 150.021 TO SPECIFY THE OFFICIAL BUILDING CODES FOR THE CITY OF WAHOO, NEBRASKA. The Mayor then instructed the Clerk to read Ordinance No. 2106 of the City of Wahoo, Nebraska. The Clerk thereupon read the aforesaid Ordinance No. 2106 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 Lawver 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; Lawver, yes; Hennings, yes; Krejci, yes; and Tyler, yes. Svoboda, absent and not voting. 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. 2106 may be read by title and moved for final passage in the same meeting.

Council Member Jonas moved that Ordinance No. 2106 be approved and passed and its title agreed to. Council Member Krejci 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; Krejci, yes; Lawver, yes; Tyler, yes; and Hennings, yes. Svoboda, absent and not voting. 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.

Harrell reported that municipalities may now designate an employee to access confidential sales tax return information. Access to this information can help a city plan a reserve of sales tax funds in the event a local business requests a refund of local option sales tax through the Nebraska Advantage Act. A motion was made by Krejci, seconded by Jonas, that Melissa Harrell be designated agent to review sales tax records. Roll call vote: Krejci, yes; Jonas, yes; Hennings, yes; Lawver, yes; and Tyler, yes. Svoboda, absent and not voting. Motion carried.

The settlement agreement with the Lower Platte North Natural Resources District, City of Wahoo and Saunders County were reviewed. The Mayor stated he spoke with Roger Cox of Harding & Shultz, regarding the agreement. Saunders County approved the settlement agreement. A motion was made by Jonas to approve the settlement agreement with the addition of hold harmless language, seconded by Tyler. Roll call vote: Jonas, yes; Tyler, yes; Krejci, yes; Hennings, no; Lawver yes. Svoboda, absent and not voting. Motion carried.

Harrell presented a draft Citizen Participation Plan, which is required when Federal funding is received for projects. Changes were suggested to state, "All meetings will be held at community facilities which are accessible to the handicapped." And "When it is anticipated that non-English speaking persons will participate in the citizen participation process, the City Clerk shall make arrangements for oral or written translation of information regarding any CDBG program, application or project upon request by such non-English speaking persons or representatives of such persons." A motion was made by Lawver to adopt the Citizen Participation Plan with the suggested changes, seconded by Tyler. Roll call vote: Lawver, yes; Tyler, yes; Hennings, yes; Jonas, yes; and Krejci, yes. Svoboda, absent and not voting. Motion carried.

Harrell stated the Street Department is looking for a used motor grader, and due to specialized requirements it is difficult to draw up specifications. Harrell requested authorization to draw up minimum specifications, and ask for proposals with detailed information about the equipment available. The proposals received would be reviewed; the City would reserve the right to refuse any proposals. A motion was made by Jonas to authorize development of minimum specifications for a used motor grader, and authorize the Street Committee, Harrell, and Jansa to review proposals received and select the best piece of equipment. Motion seconded by Hennings. Roll call vote: Jonas, yes; Hennings, yes; Krejci, yes; Tyler, yes; and Lawver, yes. Svoboda, absent and not voting. Motion carried.

Solid waste applications submitted by Waste Connections of NE Inc. and Quality Disposal Service LLC were reviewed. A motion was made by Jonas to accept the applications submitted and approve the permit to haul solid waste for Waste Connections and Quality Disposal. Krejci seconded the motion. Roll call vote: Jonas, yes; Krejci, yes; Tyler, yes; Lawver, yes; and Hennings, yes. Svoboda, absent and not voting. Motion carried.

A motion was made by Lawver, seconded by Tyler, to enter in to closed session to discuss a claim for assessments on Skyline properties, and acquisition of real estate. Roll call vote: Lawver, yes; Tyler, yes; Hennings, yes; Jonas, yes; and Krejci, yes. Svoboda, absent and not voting. Motion carried. The Mayor indicated the Council would be entering into closed session at 8:19 p.m. to discuss a claim for assessments on Skyline properties, and acquisition of real estate.

A motion was made by Jonas, seconded by Hennings, to return to regular session at 8:17 p.m. Roll call vote: Jonas, yes; Hennings, yes; Lawver, yes; Tyler, yes; and Krejci, yes. Svoboda, absent and not voting. Motion carried.

Ordinance No. 2107 was introduced by Council Member Lawver entitled: AN ORDINANCE OF THE CITY OF WAHOO, NEBRASKA, TO AMEND ORDINANCE NO. 2075, REGARDING THE ACQUIRING OF AN INTEREST IN REAL ESTATE BY PURCHASE OR EMINENT DOMAIN FOR THE CITY OF WAHOO, NEBRASKA, ITS SUCCESSOR AND ASSIGNS, IN REAL ESTATE LOCATED IN THE FOLLOWING, TO WIT: THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 33, TOWNSHIP 15 NORTH, RANGE 7, SAUNDERS COUNTY, NEBRASKA, THE INTEREST TO BE ACQUIRED BEING FEE SIMPLE TITLE, AND AS FURTHER DESCRIBED IN THIS ORDINANCE, LOCATED WITHIN THE CORPORATE LIMITS OF THE CITY OF WAHOO, NEBRASKA, TO BE UTILIZED FOR STREET PURPOSES;. The Mayor then instructed the Clerk to read Ordinance No. 2107 of the City of Wahoo, Nebraska. The Clerk thereupon read the aforesaid Ordinance No. 2107 by title.

Council Member Krejci 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: Krejci, yes; Hennings, yes; Lawver, yes; Tyler, yes; and Jonas, yes. Svoboda, absent and not voting. 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. 2107 may be read by title and moved for final passage in the same meeting.

Council Member Lawver moved that Ordinance No. 2107 be approved and passed and its title agreed to. Council Member Jonas seconded the motion. The Mayor instructed the Clerk to call the roll for the vote and the following was the vote on this motion: Lawver, yes; Jonas, yes; Krejci, yes; Hennings, yes; and Tyler, yes. Svoboda, absent and not voting. 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.

Ordinance No. 2108 was introduced by Council Member Lawver entitled: AN ORDINANCE OF THE CITY OF WAHOO, NEBRASKA, TO ACQUIRE AN INTEREST IN THE FOLLOWING TRACTS OF REAL ESTATE, TO WIT: 1.) A 0.12 ACRE TRACT LOCATED IN THE WEST HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 33, TOWNSHIP 15, RANGE 7, SAUNDERS COUNTY, NEBRASKA; 2.) A 0.21 ACRE TRACT LOCATED IN THE WEST HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 33, TOWNSHIP 15, RANGE 7 EAST OF THE 6TH P.M., SAUNDERS COUNTY,

NEBRASKA; 3.) A 0.23 ACRE TRACT LOCATED IN THE WEST HALF OF THE SOUTHEAST QUARTER THE NORTHEAST QUARTER OF SECTION 33, TOWNSHIP 15 NORTH, RANGE 7 EAST OF THE SIXTH P.M., SAUNDERS COUNTY, NEBRASKA; BY PURCHASE OR EMINENT DOMAIN FOR THE CITY OF WAHOO, NEBRASKA, ITS SUCCESSORS AND ASSIGNS, TO BE UTILIZED FOR THE IMPROVEMENT OF THAT PORTION OF 23RD STREET LOCATED BETWEEN LOCUST STREET AND CHESTNUT STREET IN THE CITY OF WAHOO, NEBRASKA. The Mayor then instructed the Clerk to read Ordinance No. 2108 of the City of Wahoo, Nebraska. The Clerk thereupon read the aforesaid Ordinance No. 2108 by title.

Council Member Krejci 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: Krejci, yes; Hennings, yes; Lawver, yes; Tyler, yes; and Jonas, yes. Svoboda, absent and not voting. 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. 2108 may be read by title and moved for final passage in the same meeting.

Council Member Lawver moved that Ordinance No. 2108 be approved and passed and its title agreed to. Council Member Jonas seconded the motion. The Mayor instructed the Clerk to call the roll for the vote and the following was the vote on this motion: Lawver, yes; Jonas, yes; Krejci, yes; Tyler, yes; and Hennings, yes. Svoboda, absent and not voting. 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.

Ordinance No. 2109 was introduced by Council Member Krejci entitled: AN ORDINANCE OF THE CITY OF WAHOO, NEBRASKA, TO ACQUIRE AN INTEREST IN THE FOLLOWING TRACTS OF REAL ESTATE, TO WIT: 1.) THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 33, TOWNSHIP 15, RANGE 7 EAST OF THE 6TH P.M., SAUNDERS COUNTY, NEBRASKA; 2.) THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 33, TOWNSHIP 15, RANGE 7 EAST OF THE 6TH P.M., SAUNDERS COUNTY, NEBRASKA; BY PURCHASE OR EMINENT DOMAIN FOR THE CITY OF WAHOO, NEBRASKA, ITS SUCCESSORS AND ASSIGNS, TO BE UTILIZED FOR THE IMPROVEMENT OF THAT PORTION OF 23RD STREET LOCATED BETWEEN LOCUST STREET AND CHESTNUT STREET IN THE CITY OF WAHOO, NEBRASKA, AND THE IMPROVEMENT OF THAT PORTION OF CHESTNUT STREET IN THE CITY OF WAHOO, NEBRASKA, LYING ADJACENT TO THE ABOVE DESCRIBED REAL ESTATE. The Mayor then instructed the Clerk to read Ordinance No. 2109 of the City of Wahoo, Nebraska. The Clerk thereupon read the aforesaid Ordinance No. 2109 by title.

Council Member Lawver 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 Jonas 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: Lawver, yes; Jonas, yes; Hennings, yes; Tyler, yes; and Krejci, yes. Svoboda, absent and not voting. 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. 2109 may be read by title and moved for final passage in the same meeting.

Council Member Krejci moved that Ordinance No. 2109 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: Krejci, yes; Hennings, yes; Jonas, yes; Lawver, yes; and Tyler, yes. Svoboda, absent and not voting. 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.

No action taken regarding acquisition of Kennedy Campus property.

A motion was made by Jonas, seconded by Lawver to adjourn at 9:22 p.m.

Approved: _____.

Melissa M. Harrell, City Clerk

Gerald D. Johnson, Mayor