

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 Janet Jonas 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: Mike Lawver, Greg Kavan, Gerry Tyler, Stuart Krejci, Jim Svoboda, and Kevin Dunbar. Absent: none.

The Mayor read proclamations declaring April 14-20, 2013 as National Library Week, and for Arbor Day, April 26, 2013. The Mayor stated Wahoo was recognized as part of the 2012 Tree City USA program.

The Mayor called for audience comments on items not listed on the agenda. None were offered.

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

1. Minutes of the March 26, 2013 meeting of the Mayor and Council
2. Minutes of April 4, 2013 meeting of Planning Commission
3. Minutes of February 12, 2013 meeting of Library Board
4. The following licenses: Plumbers: Richard Stava, R.A.S., Valparaiso ; Dennis Wellman, 21st Century Builders, Mead; Everly Plumbing & Heating, Fremont; Ronnie Bouwens, Ron Bouwens Plumbing Inc., Lincoln; and John Wonka, G & G Backhoe, Weston. HVAC Installers : Danny Fisher, Bryant Air Conditioning, Lincoln; Adrian T. Doan, Bryant Air Conditioning, Lincoln; Jonathan Mumm, Mumm's Heating & Cooling, Ceresco; Richard Stava, R.A.S., Valparaiso; Craig Labs, U S Mechanical Service, Papillion. Electricians: Richard Wolfe, Wolfe Electric Company, Lincoln; Ted Kayton, IES Commercial, Inc., Holdrege; and Mark Denny, Denny Electric, Inc., Fremont.

Roll call vote: Svoboda, yes; Krejci, yes; Lawver, yes; Dunbar, yes; Kavan, yes; and Tyler, yes. Absent and not voting: none. Motion carried.

Lawver reported the Street Committee met recently to discuss several items that are on this agenda.

Denise Lawver commended Neal Shull for finding a defective vent fan at the library which could have caused a fire. Beavers reported a new residential building permit, and requests for conditional use and rezoning. Harrell reported an application for TIF funding from Wahoo Locker, and a potential development at the Air Park. The Sarpy County Landfill will be closing in 2014, which will potentially increase truck traffic to the Butler County Landfill through Wahoo by 60 per day. Gretna Sanitation is applying to expand their composting operation to include food waste; they requested Wahoo consider making a statement to endorse the use, as this could reduce the number of loads going through town.

Harrell distributed copies of the ordinance for acquisition of property for the Maple Street North Trail, to obtain easements for the trail from the Wahoo Public Library to Placek Park.

Ordinance No. 2124 was introduced by Council Member Lawver entitled: AN ORDINANCE OF THE CITY OF WAHOO, NEBRASKA, TO ACQUIRE AN INTEREST IN MULTIPLE TRACTS OF REAL ESTATE, BY PURCHASE OR EMINENT DOMAIN FOR THE BENEFIT OF THE CITY OF WAHOO, ITS SUCCESSORS AND ASSIGNS, TO BE UTILIZED FOR THE IMPROVEMENT OF AN ALTERNATIVE TRANSPORTATION TRAIL LOCATED THEREON; PROVIDING FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM. The Mayor then

instructed the Clerk to read Ordinance No. 2124 of the City of Wahoo, Nebraska. The Clerk thereupon read the aforesaid Ordinance No. 2124 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 Kavan 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; Kavan, yes; Tyler, yes; Krejci, yes; Svoboda, yes; and Dunbar, yes. Absent and not voting: none. 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. 2124 may be read by title and moved for final passage in the same meeting.

Council Member Lawver moved that Ordinance No. 2124 be approved and passed and its title agreed to. Council Member Kavan 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; Kavan, yes; Tyler, yes; Krejci, yes; Svoboda, yes; and Dunbar, yes. Absent and not voting: none. 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 that the Ordinance be forwarded to the Mayor for the Mayor's signature. The 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.

Julie Ogden of JEO Consulting Group explained the amendment to the 23rd Street project contract. This was originally included as part of the Chestnut Street project; property acquisition and culvert work done at Chestnut Street, enable changes to the temporary retention basin design and grading plans. Council Member Lawver moved that the amendment to the contract with JEO Consulting Group for the 23rd Street Project to provide for minor design updates, bidding, and construction oversight be approved. Council member Tyler seconded the motion. Roll call vote: Lawver, yes; Tyler, yes; Dunbar, yes; Svoboda, yes; Kavan, yes; and Krejci, yes. Absent and not voting: none. Motion carried.

Beavers presented the parking plan for a building project located at 6th and Elm Streets, for two individually-owned, joined building units, surrounded by common ground. Under zoning regulations, parking plans and surfacing are reviewed by the Planning Commission and Council. Access to the parking area will be through the alley on the south side of the building, with 90' by 20' concrete-surfaced parking area on the east side of the building, and the rest surfaced with rock. One handicapped-accessible stall will be provided. Drainage was discussed; runoff from the roof will be directed west. A motion was made by Council Member Kavan, seconded by Lawver, to approve the parking plan presented, with concrete surfaced parking area and the remainder with rock surfacing. Roll call vote: Kavan, yes; Lawver, yes; Svoboda, yes; Dunbar, yes; Krejci, yes; and Tyler, yes. Motion carried.

Kevin Stuhr addressed the Council regarding the potential use of Kennedy Campus property for park space. He noted the Comprehensive Plan and Park & Recreation Master Plan both refer to expanding park space at the campus and connecting with the trail network. Jerry Johnson discussed the history of attempts to acquire the Kennedy Campus property, fundraising activities, development ideas, and the structural assessment of the buildings done several years ago. Harrell reported there is public support for doing something with the property, evidenced by comments when the Comprehensive Plan was

updated. The council discussed approaching the property owner again to attempt to purchase the property, and also the eminent domain process.

Harrell requested the Council consider authorizing a Waiver of Audit Request for the Wahoo Public Building and Grounds. Since Building and Grounds is a component unit of the City, their transactions either need to be audited or the governing body needs to submit a waiver request. The waiver has been done for several years, as there are few transactions and would not merit a separate audit. Council Member Lawver moved to authorize a Waiver of Audit Request for Wahoo Public Building and Grounds. Council Member Tyler seconded the motion. Roll call vote: Lawver, yes; Tyler, yes; Dunbar, yes; Krejci, yes; Kavan, yes; and Svoboda, yes. Absent and not voting: none. Motion carried.

Harrell explained the proposed Resolution to set fees for preparing copies of records. Council Member Krejci introduced the following resolution, **Resolution 2013-09**, and moved for its approval, seconded by Dunbar.

“WHEREAS, the City Council did, by Ordinance No. 2123, establish those public records of the City of Wahoo that are available to the public for examination and the making of memoranda copies thereof, and,

WHEREAS, said Ordinance requires the City of Wahoo to establish appropriate fees for providing copies of those public records, subject to examination, to the public, and

WHEREAS, said resolution shall be applicable and used by all departments of the City of Wahoo, including those departments under the Wahoo Board of Public Works, the Wahoo Airport Authority, and all appointed boards/departments of the City of Wahoo;

THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Wahoo that the following rates are hereby adopted and established for the City of Wahoo, for the making memoranda copies of those public records available for examination by the public, to wit:

1. \$0.25 per page (one side), except police reports.
2. \$3.00 per police report.
3. For copying any public records which cannot be reproduced by the City of Wahoo’s copying equipment, the actual cost to the City of Wahoo, including staff time, for reproducing such records, which shall include but not be limited to cds, dvds, or maps.

BE IT FURTHER RESOLVED that the effective date of this Resolution shall be April 12, 2013.”

Roll call vote: Krejci, yes; Dunbar, yes; Svoboda, yes; Tyler, yes; Kavan, yes; and Lawver, yes. Absent and not voting: none. Motion carried.

The next meeting will be held on Thursday, April 25, 2013.

A motion was made by Lawver, seconded by Kavan to adjourn at 8:20 p.m.

Approved: _____.

Lucinda Morrow, Deputy Clerk

Janet A. Jonas, Mayor