

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 a letter from the American Public Power Association, stating Jim Gibney would be awarded the Seven Hats Award at their national conference in June.

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

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

1. Minutes of the May 9, 2013 meeting of the Mayor and Council
2. Plumbers: Robert Chvatal, Wahoo; LeRoy Dvorak, Dvorak Sales & Service, Prague; Jim Wotipka, J W Plumbing, Wahoo (new); Tim Hofferber, Welmann Plumbing, Lincoln; Michael Miller, Micro Plumbing Inc., Omaha (new); HVAC installers: Patrick Miller, Stroh Service, Omaha; Benes Heating & Air Conditioning, Raymond; Electricians: LeRoy Dvorak, Dvorak Sales & Service, Prague; Mel Flores, Canon Electric, Gretna (new).

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

Lawver stated the Street committee will meet before the next Council meeting. Tyler reported the Board of Public Works met. Gibney stated the RICE silencers are installed, progress continues at Omaha Steel. Harrell reported grading is near completion on Chestnut Street, and paving will start soon. Change orders are expected to extend the completion date, change pavement width to match the Department of Roads paving, and for work to do an as-built survey showing water line depth at project completion. An on-line community survey is being prepared. UPRR is expected to work on the 12th Street crossing next week. Final grading should be done at Heritage Heights 5th Addition soon. Budget worksheets have been distributed to department heads to prepare for next year's budget process.

The public hearing on an application for Conditional Use Permit to provide an off-premises parking area within 400 feet of an entrance to the principal use on Lot 4 and part of Lot 5, Block 181, Second County Addition, filed by St. Wenceslaus Church, was declared open by the Mayor at 7:06 p.m. Joe Sensibaugh provided an updated parking lot diagram and discussed the plan for the lot. Beavers reported he is working with St. Wenceslaus on the parking plan, and was contacted by a neighbor who had some concerns about drainage, and landscaping to blend the parking lot with neighboring residential properties. No other comments by the public were offered. Motion by Lawver, seconded by Kavan to close the public hearing at 7:18 p.m. Roll call vote: Lawver, yes; Kavan, yes; Tyler, yes; Krejci, yes; Dunbar, yes; and Svoboda, yes. Absent and not voting: none. Motion carried.

Conditions for the use were discussed, including: surface the lot with concrete; installation of solid fence to screen the lot from adjoining residential property; specify drainage of runoff to the city stormwater drainage system; block ingress/egress from the parking lot to the alley; deflect lighting so it does not create shine or glare to adjoining residential uses; increase the width of the center aisle of the parking lot to 32 feet; and designate an open space for traffic to turn around inside the lot.

Ordinance No. 2127 was introduced Council Member Svoboda entitled: AN ORDINANCE OF THE CITY OF WAHOO, NEBRASKA, TO GRANT A CONDITIONAL USE PERMIT TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF WAHOO BY ALLOWING THEREON A PERMITTED CONDITIONAL USE, THAT BEING VEHICLE STORAGE AND STANDING SPACE ON OFF-STREET PROPERTY ON A LOT WITHIN 400 FEET OF AN ENTRANCE TO THE PRINCIPAL USE, AND TO ESTABLISH CONDITIONS FOR SAID USE, AS PROVIDED IN WAHOO ZONING REGULATIONS SECTION 7.01.02; PROVIDING FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM. The Mayor then instructed the Clerk to read Ordinance No. 2127 of the City of Wahoo, Nebraska. The Clerk thereupon read the aforesaid Ordinance No. 2127 by title. Council Member Svoboda moved for passage of the first reading of the Ordinance, and Council Member Tyler seconded the motion. Roll call vote: Svoboda, yes; Tyler, yes; Kavan, yes; Lawver, yes; Dunbar, yes; and Krejci, yes. Absent and not voting: none. Motion carried.

The public hearing on an application for change of zoning of parcels in NE ¼ Sec 15 T14N R7E and N ½ and NW ¼ Sec 15 T14N R7E from R-1 Residential to LLR – Large Lot Residential zoning filed by Matt Harris and Mike Hancock; and from R-1 to TA – Transitional Ag zoning filed by Ronald Sladky, was declared open by the Mayor at 7:31 p.m. No members of the public appeared to comment. Motion by Lawver, seconded by Kavan to close the public hearing at 7:32 p.m. Roll call vote: Lawver, yes; Kavan, yes; Tyler, yes; Dunbar, yes; Svoboda, yes; and Krejci, yes. Absent and not voting: none. Motion carried.

The property is the former Robinson Creek development area, which was zoned R-1 in 2006. Since that time, two parcels were split off, and the remainder of the property is being joined with surrounding farm ground owned by Sladky.

Ordinance No. 2128 was introduced by Council Member Lawver entitled: AN ORDINANCE OF THE CITY OF WAHOO, NEBRASKA, TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF WAHOO, NEBRASKA, BY CHANGING THE PRESENT ZONING OF THE FOLLOWING DESCRIBED REAL ESTATE, TO WIT: A 10.79 ACRE PARCEL IN THE W ½ NE ¼ SEC 15 T14N R7E, FROM R-1 TO LLR – LARGE LOT RESIDENTIAL ZONING; A 9.65 ACRE PARCEL IN THE W ½ NE ¼ SEC 15 T14N R7E FROM R-1 TO LLR – LARGE LOT RESIDENTIAL ZONING; AND A PARCEL IN THE W ½ NE ¼ SEC 15 T14N R7E AND A PARCEL IN THE N ½ NW ¼ SEC 15 T14N R7E FROM R-1 TO TA – TRANSITIONAL AG ZONING; PROVIDING FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM. The Mayor then instructed the Clerk to read Ordinance No. 2128 of the City of Wahoo, Nebraska. The Clerk thereupon read the aforesaid Ordinance No. 2128 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 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; Dunbar, yes; Svoboda, yes; Krejci, yes; and Tyler, 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. 2128 may be read by title and moved for final passage in the same meeting.

Council Member Lawver moved that Ordinance No. 2128 be approved and passed and its title agreed to. Council Member Dunbar 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; Dunbar, yes; Krejci, yes; Svoboda, yes; Tyler, yes; and Kavan, 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.

Motion by Lawver, seconded by Svoboda, to adjourn as the Council and convene as the Community Development Agency. Roll call vote: Lawver, yes; Kavan, yes; Tyler, yes; Dunbar, yes; Svoboda, yes; and Krejci, yes. Absent and not voting: none.

The Community Development Agency convened at 7:34 p.m. Harrell explained that the areas were previously identified as blighted and substandard. The CDA must recommend approval to the Council of the General Redevelopment plan for the downtown area, and recommend approval to the Council of the specific redevelopment project for the Wahoo Locker.

The following resolution, **Resolution No. 2013-12** was introduced by Krejci, who moved for its approval, seconded by Dunbar:

“A RESOLUTION OF THE COMMUNITY DEVELOPMENT AGENCY OF THE CITY OF WAHOO, NEBRASKA, RECOMMENDING APPROVAL OF A GENERAL REDEVELOPMENT PLAN FOR A REDEVELOPMENT AREA; AND RELATED MATTERS.

WHEREAS, the Mayor and Council of the City of Wahoo, Nebraska (the “**City**”), upon the recommendation of the Planning Commission of the City (the “**Planning Commission**”), and in compliance with all public notice requirements imposed by Sections 18-2101 through 18-2154, Reissue Revised Statutes of Nebraska, as amended (the “**Act**”), duly declared the redevelopment area described on **Attachment 1** (the “**Redevelopment Area**”) to be blighted and substandard and in need of redevelopment;

WHEREAS, a general redevelopment plan (the “**Redevelopment Plan**”) for the Redevelopment Area has been prepared for and on behalf of the Community Development Agency of the City (the “**Authority**”) in the form attached as **Attachment 2** in accordance with Section 18-2111 of the Act;

WHEREAS, the Authority has reviewed the Redevelopment Plan and determined that the proposed land uses and building requirements described in the Redevelopment Plan are designed with the general purpose of accomplishing a coordinated, adjusted, and harmonious development of the City and its environs which will, in accordance with present and future needs, promote health, safety, morals, order, convenience, prosperity and the general welfare, as well as efficiency in economy in the process of development; including, among other things, adequate provision for traffic, vehicular parking, the promotion of safety from fire, panic, and other dangers, adequate provisions for light and air, the promotion of the healthful and convenient distribution of population, the provision of adequate transportation, water, sewerage, and other public utilities, schools, parks, recreational and communitive facilities, and other public requirements, the promotion of sound design and arrangement, the wise and efficient expenditure of public funds, and the prevention of the recurrence of unsanitary or unsafe dwelling accommodations, or conditions of blight; and

WHEREAS, it is necessary, desirable, and advisable, that the Authority recommend the Redevelopment Plan to the Mayor and Council of the City for approval.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMUNITY DEVELOPMENT AGENCY OF THE CITY OF WAHOO, NEBRASKA AS FOLLOWS:

Section 1. The Authority hereby recommends that the Redevelopment Plan be approved by the Mayor and Council of the City. The Secretary of the Authority is hereby instructed to forward the Redevelopment Plan to the Planning Commission for review. Upon receipt of the written recommendations of the Planning Commission, or, if no such recommendations are received within thirty days of the submission of the Redevelopment Plan to the Planning Commission, then without such recommendations, the Secretary of the Authority is hereby instructed to deliver a copy of this Resolution to the Clerk of the City for review and consideration by the Mayor and Council of the City.

Section 2. All prior resolutions of the Authority in conflict with the terms and provisions of this Resolution are hereby expressly repealed to the extent of such conflicts.

Section 3. This Resolution shall be in full force and effect from and after its passage.”

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

Council Member Lawver introduced the following resolution, **Resolution 2013-13**, and moved for its approval, seconded by Tyler.

“A RESOLUTION OF THE COMMUNITY DEVELOPMENT AGENCY OF THE CITY OF WAHOO, NEBRASKA, RECOMMENDING A SUBSTANTIAL MODIFICATION TO THE GENERAL REDEVELOPMENT PLAN FOR A REDEVELOPMENT AREA; APPROVING CERTAIN REDEVELOPMENT PROJECTS WITHIN A REDEVELOPMENT AREA; APPROVING A COST BENEFIT ANALYSIS FOR SUCH PROJECTS; APPROVING A REDEVELOPMENT CONTRACT; AND APPROVING RELATED MATTERS.

WHEREAS, the Community Development Agency of the City of Wahoo, Nebraska (the **“Authority”**), in furtherance of the purposes and pursuant to Sections 18-2101 through 18-2154, Reissue Revised Statutes of Nebraska, as amended (the **“Act”**), has recommended approval of a general redevelopment plan in the form attached as **Attachment 1** (the **“Redevelopment Plan”**), for a redevelopment area of the City of Wahoo, Nebraska (the **“City”**), described in **Attachment 2** (the **“Redevelopment Area”**);

WHEREAS, pursuant to and in furtherance of the Act, the Authority has caused to be prepared a substantial modification to the Redevelopment Plan in the form attached as **Attachment 3** (the **“Plan Amendment”**), the purpose of which is to authorize certain community redevelopment projects (collectively, the **“Project”**) within that portion of the Redevelopment Area described in **Attachment 4** (**“Project Area”**);

WHEREAS, pursuant to the Plan Amendment, the Authority or the City would agree to incur indebtedness for the purposes specified in the Plan Amendment, in accordance with and as permitted by the Act;

WHEREAS, the City has previously adopted and has in place a comprehensive plan, which includes a general plan for development of the City within the meaning of Section 18-2110 of the Act; and

WHEREAS, the Authority has made certain findings and pursuant thereto has determined that it is in the best interests of the City to approve the Plan Amendment and to carry out the Project.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMUNITY DEVELOPMENT AGENCY OF THE CITY OF WAHOO, NEBRASKA AS FOLLOWS:

Section 1. The Authority has determined that the proposed land uses and building requirements in the Redevelopment Area are designed with the general purposes of accomplishing, and in conformance with the general plan of the City, a coordinated, adjusted, and harmonious development of the City and its environs which will, in accordance with present and future needs, promote health, safety, morals,

order, convenience, prosperity and the general welfare, as well as efficiency in economy in the process of development; including, among other things, adequate provision for traffic, vehicular parking, the promotion of safety from fire, panic, and other dangers, adequate provisions for light and air, the promotion of the healthful and convenient distribution of population, the provision of adequate transportation, water, sewerage, and other public utilities, schools, parks, recreational and communitive facilities, and other public requirements, the promotion of sound design and arrangement, the wise and efficient expenditure of public funds, and the prevention of the recurrence of unsanitary or unsafe dwelling accommodations, or conditions of blight.

Section 2. The Authority has conducted a cost benefit analysis for the Project in accordance with the Act, and has found and hereby finds that the Project would not be economically feasible without the use of tax increment financing, the Project would not occur in the Project Area without the use of tax increment financing and the costs and benefits of the Project, including costs and benefits to other affected political subdivisions, the economy of the community, and the demand for public and private services, have been analyzed and have been found to be in the long term best interests of the City.

Section 3. The Authority hereby recommends approval of the Plan Amendment, following publication of notice and a public hearing with respect to the Plan Amendment pursuant to the Act.

Section 4. The Chair and Secretary are hereby authorized and directed to execute such documents and take such further actions as are necessary to carry out this Resolution.

Section 5. All prior resolutions of the Authority in conflict with the terms and provisions of this resolution are hereby expressly repealed to the extent of such conflicts.

Section 6. This resolution shall be in full force and effect from and after its passage and approval.”

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

Motion by Lawver, seconded by Svoboda, to adjourn as the Community Development Agency and reconvene as Council. Roll call vote: Lawver, yes; Svoboda, yes; Dunbar, yes; Tyler, yes; Kavan, yes; and Krejci, yes. Absent and not voting: none.

The Council reconvened at 7:42 p.m.

Sample interlocal agreement for the City of Wahoo to provide mosquito spraying service for villages in Saunders County was reviewed. A motion was made by Council Member Dunbar, seconded by Council Member Kavan, to authorize the Mayor to enter into Interlocal agreements with communities for the City of Wahoo to provide mosquito spraying. Roll call vote: Dunbar, yes; Kavan, yes; Tyler, yes; Krejci, yes; Svoboda, yes; and Lawver, yes. Absent and not voting: None. Motion carried.

A motion was made by Dunbar, seconded by Kavan to adjourn at 7:45 p.m.

Approved: _____.

Lucinda Morrow, Deputy Clerk

Janet A. Jonas, Mayor