

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, Jim Svoboda, and Kevin Dunbar. Absent: Stuart Krejci.

There were no proclamations or special recognitions.

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

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

1. Acceptance of excused absence of Krejci.
2. Minutes of the July 25, 2013 meeting of the Mayor and Council
3. Minutes of July 9, 2013 meeting of Library Board
4. Minutes of July 30, 2013 meeting of Planning Commission
5. The following licenses: Plumbers: Christopher Kems, CJK Enterprises. HVAC: Thomas B. Hester, Brian Hester Heating & Air, Inc. Electricians: Steven Brase, Brase Electrical Contracting; John S. Hummel, Spark Electric Co. (new); Jesse Dunavan, Power D Inc.

Roll call vote: Lawver, yes; Svoboda, yes; Kavan, yes; Dunbar, yes; and Tyler, yes. Absent and not voting: Krejci. Motion carried.

Lawver reported the street committee will meet before the next council meeting, and north Chestnut Street is now open. The Mayor asked finance committee members to have a short meeting after the council meeting.

The Mayor stated the next order of business was determination of status of nuisance on premises at 539 N. Broadway and related action. Lindahl stated Anderson provided a copy of a purchase agreement with closing date set September 5, 2013. Jeff Buckmaster addressed the council. He will make repairs with intent of opening his business office and renting apartments, and is working with the building inspector and State Fire Marshal. Some debris has already been removed. He will secure the doors immediately, and make repairs to prevent further basement damage. More extensive work will be done after the closing date.

A motion was made by Kavan to delay action on abatement of nuisance to the meeting on the 26th of September, 2013. Motion was seconded by Tyler. Roll call vote: Kavan, yes; Tyler, yes; Lawver, yes; Dunbar, yes; and Svoboda, yes. Absent and not voting: Krejci. Motion carried.

Harrell asked that action on the dedication plat of right-of-way near Omaha Steel be tabled once again. Motion by Lawver, seconded by Tyler, to table approval of dedication plat and naming of street. Roll call vote: Lawver, yes; Tyler, yes; Kavan, yes; Svoboda, yes; and Dunbar, yes. Absent and not voting: Krejci. Motion carried.

Jake Vasa of JEO Consulting Group presented Pay Application No. 10 for TAB Construction in the amount of \$300,906.06.. Motion by Lawver, seconded by Svoboda, to approve Pay Application No. 10 to TAB

Construction for \$300,906.06. Roll call vote: Lawver, yes; Svoboda, yes; Dunbar, yes; Tyler, yes; and Kavan, yes. Absent and not voting: Krejci. Motion carried.

The following resolution, **Resolution No. 2013-22** was introduced by Lawver, who moved for its approval, seconded by Tyler:

“WHEREAS, the Governing Body of the City of Wahoo, Nebraska, has enacted a Municipal Code, and,

WHEREAS, Wahoo Municipal Code Section 70.01 adopts all portion of the Nebraska Rules of the Road and incorporates them by reference into the Wahoo Municipal Code, and,

WHEREAS, Section 60-680 (1)(b) of the Nebraska Revised Statutes provides the following:

“(1) Any local authority with respect to highways under its jurisdiction and within the reasonable exercise of police power may: ... (b) Regulate traffic by means of peace officers or traffic control devices;” and

WHEREAS, Section 60-624 of the Nebraska Revised Statutes defines a highway as follows:

“Highway shall mean the entire width between the boundary limits of any street, road, avenue, boulevard, or way which is publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.” and,

WHEREAS, Section 60-670 of the Nebraska Revised Statutes defines a traffic control device as follows:

“Traffic control device shall mean any sign, signal, marking, or other device not inconsistent with the Nebraska Rules of the Road placed or erected by authority of a public body or official having jurisdiction for the purpose of regulating, warning, or guiding traffic.” and,

WHEREAS, the Mayor and Council of the City of Wahoo, Nebraska, as the City of Wahoo’s Governing Body, do desire to adopt this resolution providing for a forty-five (45) miles per hour speed limit for north and south bound traffic on North Chestnut Street from 23rd Street north to the corporate limits of the City of Wahoo, Nebraska, and,

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the City of Wahoo, Nebraska, as follows:

Section 1. That the finding hereinabove made should be and are hereby made a part of this Resolution as fully as if set out at length herein.

Section 2. That traffic control devices, to wit: one or more speed limit signs, be erected along North Chestnut Street to provide for a forty-five (45) miles per hour speed limit for north and south bound traffic on North Chestnut Street from 23rd Street north to the corporate limits of the City of Wahoo, Nebraska at the intersection of County Road M and North Chestnut Street in the City of Wahoo, Nebraska.

Section 3. That upon the approval of this Resolution, the aforementioned traffic control devices shall be erected and this Resolution shall remain in full force and effect until the removal of said aforementioned signs, at which time, this Resolution shall be of no force and effect.”

Roll call vote: Lawver, yes; Tyler, yes; Svoboda, yes; Kavan, yes; and Dunbar, yes. Absent and not voting: Krejci. Motion carried.

A motion was made by Dunbar to approve cost of living adjustment of 1.4% and adjustment of wage scales for City of Wahoo and Wahoo Utilities employees effective October 1, 2013. Motion was seconded by Svoboda. Roll call vote: Dunbar, yes; Svoboda, yes; Tyler, yes; Kavan, yes; and Lawver, yes. Absent and not voting: Krejci. Motion carried.

The next meeting will be held on Thursday, August 22, 2013. The budget hearing is September 12, 2013, Harrell asked that all members be present.

A motion was made by Lawver, seconded by Kavan to adjourn at 7:17 p.m.

Approved: _____.

Lucinda Morrow, Deputy Clerk

Janet A. Jonas, Mayor