

The Council met in regular session 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 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.

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

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

1. Minutes of the January 9, 2014 meeting of the Mayor and Council
2. Mayor's appointment of Ken Houfek to the Planning Commission, replacing Patrick Phelps, term ending July 2015
3. Approval of Fr. Adam Sparling as a member of the Wahoo Volunteer Fire Department
4. Licenses: Plumber: Jimmy Bragg, Jimmy's Plumbing, Omaha; Derek Turner, Bryant Air Conditioning & Heating, Lincoln; HVAC: Scott Getzschman, Getzschman Heating LLC, Fremont; Paul P. Frazier, Frazier Company, Inc., Omaha; ELECTRICIAN: Mike Fitzgerald, Getzschman Heating, LLC, Fremont.

Roll call vote: Kavan, yes; Lawver, yes; Tyler, yes; Krejci, yes; Svoboda, yes; and Dunbar, yes. Motion carried..

Harrell reported students from the Wahoo Middle School had helped move items at the Wahoo Public Library and at City Hall in celebration of Martin Luther King, Jr. Day. Harrell indicated the help was much appreciated!

Svoboda reported on the Wahoo Airport Authority meeting – the adoption of a wildlife management plan and plans for using the hangar currently leased to the EAA for a maintenance shop area.

Tyler reported the Board of Public Works had met. NPPD was present to discuss the capacity purchase agreement and items relating to the long-term capacity purchase. He also indicate the BPW decision to purchase storage for natural gas would be paying benefits already this year with the high usage and increase in prices.

The public hearing on an application for a change of zoning from C-1 Downtown Commercial to R-3 Residential on Lots 7, 8, and 9, Block 132, County Addition to the City of Wahoo, commonly known as 708 North Linden, as filed by Phil Dawson and Cynthia Hohl was declared open at 7:04 p.m. by the Mayor. The Mayor called for comments from the public and none were presented. A motion was made by Lawver, seconded by Tyler to close the public hearing at 7:05 p.m. Roll call vote: Lawver, yes; Tyler, yes; Krejci, yes; Svoboda, yes; Dunbar, yes; and Kavan, yes. Motion carried.

**Ordinance No. 2149** 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, BY CHANGING THE PRESENT ZONING OF THE FOLLOWING DESCRIBED REAL ESTATE, TO WIT: LOTS 7, 8, AND 9, BLOCK 132, COUNTY ADDITION TO THE CITY OF WAHOO FROM C-1 DOWNTOWN COMMERCIAL TO R-3 RESIDENTIAL DISTRICT. The Mayor then instructed the Clerk to read

Ordinance No. 2149 of the City of Wahoo, Nebraska. The Clerk thereupon read the aforesaid Ordinance No. 2149 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; Krejci, yes; Svoboda, yes; Dunbar, yes; and Kavan, 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. 2149 may be read by title and moved for final passage in the same meeting.

Council Member Lawver moved that Ordinance No. 2149 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; Svoboda, yes; Dunbar, yes; Tyler, yes; and Krejci, 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.

Harrell presented a lease agreement between the City of Wahoo and Veterans Memorial Inc for the lease of a portion of the upstairs area of the building at 112 East 7<sup>th</sup> Street, Wahoo. A motion was made by Kavan, seconded by Krejci, to authorize the Mayor to sign an agreement with Veterans Memorial, Inc. for \$1,500.00 per month for an area to serve as a temporary location for the Wahoo Public Library. Roll call vote: Kavan, yes; Krejci, yes; Dunbar, yes; Lawver, yes; Tyler, yes; and Svoboda, yes. Motion carried.

The Wildlife Management Plan adopted by the Wahoo Airport Authority was presented to the City Council for acceptance. Pat Burke, Chair of the Wahoo Airport Authority was present to answer any questions. He indicated that the Authority felt it was very necessary to coordinate efforts with the Wahoo Police Department and with the Nebraska Game and Parks. A motion was made by Krejci, seconded by Lawver, to accept the plan as presented. Roll call vote: Krejci, yes; Lawver, yes; Kavan, yes; Tyler, yes; Svoboda, yes; and Dunbar, yes. Motion carried.

Information on the City of Wahoo Safe Routes To School Grant Application was presented to the Council; Julie Ogden and Melissa Harrell were present to answer questions of the Council. Ogden explained the grant application proposed a sidewalk along the east side of Hackberry Street from Westdale Lane north to the Wahoo Elementary. It would also include a connecting sidewalk from Locust Street to Hackberry Street to provide a walking route for kids coming from the Locust Street area and south. Much debate was held on the exact location of the proposed sidewalk along the east side of Hackberry, with concern being expressed by the Council for the lack of right-of-way width in front of the homes along Hackberry. Ogden and Harrell explained that if the path was located on the west side of Hackberry children would have to cross Hackberry to get to the path and then cross back to the east side when they got to 15<sup>th</sup>. Concern was expressed about paying for the installation of sidewalks in this area of town when in other areas we may require the homeowner to install the sidewalks themselves.

Discussion continued on the speculation of whether with the sidewalk parents would allow their children to walk or bike to school.

Harrell indicated the NDOR, who would manage the project if the City was successful at getting the grant, could do all aspects of the project except condemnation. NDOR was asking for a resolution supporting the use of condemnation for this project if necessary. After much discussion, **Resolution No. 2014-01** was introduced by Lawver, who moved for its approval, seconded by Dunbar:

“BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF WAHOO, NEBRASKA:

WHEREAS, the City of Wahoo proposed to apply for assistance from the SAFE ROUTES TO SCHOOL PROGRAM for the purpose of providing a sidewalk from the intersection of Westdale Lane and Hackberry Streets to Wahoo Elementary School at 2056 North Hackberry, and from Wahoo Elementary School to 20th and Locust Street, and

WHEREAS, the City of Wahoo understands that property right-of-way may be necessary for completion of proposed project. The City of Wahoo also understands that it may be necessary to acquire such property by condemnation which is defined as the legal process by which a governmental body exercises its right of "eminent domain" to acquire private property for public use. Condemnation includes a resolution of public need, an offer to purchase, and, if a negotiated purchase is not possible, then a condemnation suit.

WHEREAS, the proposed application and potential need to use condemnation to acquire property rights-of-way were made available for public review at a properly announced meeting of the City of Wahoo;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF WAHOO that the City of Wahoo applies for assistance from the Safe Routes to School Program for the purpose of providing a sidewalk from the intersection of Westdale Lane and Hackberry Streets to Wahoo Elementary School at 2056 North Hackberry, and from Wahoo Elementary School to 20th and Locust Street.”

Roll call vote: Lawver, yes; Dunbar, yes; Kavan, no; Tyler, no; Krejci, yes; and Svoboda, yes. Motion carried.

The following resolution, **Resolution No. 2014-02**, was introduced by Dunbar who moved for its approval, seconded by Lawver:

“BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF WAHOO, NEBRASKA:

WHEREAS, the City of Wahoo, proposed to apply for assistance from the SAFE ROUTES TO SCHOOL PROGRAM for the purpose of providing a sidewalk from the intersection of Westdale Lane and Hackberry Streets to Wahoo Elementary School at 2056 North Hackberry, and from Wahoo Elementary School to 20<sup>th</sup> and Locust Street, and

WHEREAS, the City of Wahoo has available the funds to finance the activity until reimbursed by the Safe Routes to School Program, and the financial capability to operate, maintain, and manage the completed project in a safe and attractive manner for public use; and

WHEREAS, the proposed application and supporting documents were made available for public review at a properly announced meeting of the City of Wahoo;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF WAHOO, NEBRASKA that the City of Wahoo applies for assistance from the Safe Routes to School Program for the purpose of providing a sidewalk from the intersection of Westdale Lane and Hackberry Streets to Wahoo Elementary School at 2056 North Hackberry, and from Wahoo Elementary School to 20<sup>th</sup> and Locust Street.”

Roll call vote: Dunbar, yes; Lawver, yes; Tyler, yes; Krejci, yes; Svoboda, yes; and Kavan, yes. Motion carried.

The next meeting will be February 13, 2014.

A motion was made by Kavan, seconded by Lawver, to adjourn at 8:11 p.m.

Approved:

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Melissa M. Harrell, City Clerk

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Janet A. Jonas, Mayor