

The Council met in regular session and in compliance with agenda posted at City Hall, Post Office and First Bank of Nebraska, 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, and Jim Svoboda. Absent: Kevin Dunbar.

The Mayor called for items not listed on the agenda. None presented. The Mayor stated the order of agenda items would be changed

Phil Lorenzen of D. A. Davidson & Co. reviewed the current debt structure, and advised an amendment to Ordinance 2155 passed on June 1, 2014 to specify an amount not to exceed \$600,000, with an actual issue of about \$575,000.

**Ordinance No. 2156** was introduced by Council Member Lawver entitled: AN ORDINANCE AMENDING ORDINANCE 2155, AUTHORIZING THE ISSUANCE, SALE, AND DELIVERY OF GENERAL OBLIGATION HIGHWAY ALLOCATION FUND PLEDGE BONDS, SERIES 2014, OF THE CITY OF WAHOO, NEBRASKA, IN A PRINCIPAL AMOUNT NOT TO EXCEED \$600,000 TO PAY COSTS OF CONSTRUCTING IMPROVEMENTS TO CERTAIN STREETS OF THE CITY; PRESCRIBING THE FORM AND CERTAIN DETAILS OF THE BOND AND PROVIDING FOR THE FIXING AND ESTABLISHING OF OTHER DETAILS OF THE BONDS; PLEDGING FUNDS RECEIVED FROM THE NEBRASKA HIGHWAY ALLOCATION FUND AND PROVIDING FOR THE LEVY AND COLLECTION OF AN ANNUAL TAX FOR THE PURPOSE OF PAYING THE PRINCIPAL OF AND INTEREST ON THE BONDS AS THEY BECOME DUE; AND AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS IN CONNECTION THEREWITH; PROVIDING FOR PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM. The Mayor then instructed the Clerk to read Ordinance No. 2156 of the City of Wahoo, Nebraska. The Clerk thereupon read the aforesaid Ordinance No. 2156 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 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: Lawver, yes; Krejci, yes; Kavan, yes; Tyler, yes; and Svoboda, yes. Absent and not voting: Dunbar. 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. 2156 may be read by title and moved for final passage in the same meeting.

Council Member Lawver moved that Ordinance No. 2156 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; Kavan, yes; Tyler, yes; and Svoboda, yes. Absent and not voting: Dunbar. 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.

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

1. Excused absence of Dunbar
2. Minutes of the June 12, 2014 meeting of the Mayor and Council
3. Approval of Mayor's appointment of Eric Thomalla (term expires 7/2016) and Paul Eddie, alternate (term expires 7/2015) to the Wahoo Board of Adjustments
4. Approval of Mayor's reappointment of Al Grandgenett to Board of Public Works (term expires 6/2018)
5. Licenses: Plumbers: Jim Wotipka, J W Plumbing; Ron Voboril

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

Svoboda reported on the Airport Authority meeting. Denise Lawver reported repairs to the fire suppression system at the library will begin Monday. Harrell and Lawver reported they have a better understanding of the operation, maintenance, and monitoring of fire suppression systems. Harrell explained the number of parties involved and the possibility of subrogation complicated the process of inspection and evidence collection. Council members raised questions, and requested that a representative of LARM come to meet with the Council. Harrell reported that III Corps drug task force is working to move records management to Wahoo from Fremont, and the upcoming grant application may require Council action. Harrell reported the official opening of 23<sup>rd</sup> Street will take place June 30 at 10:00 a.m.

The public hearing on the amendment of Ordinance 1886, the Wahoo Zoning Ordinance, regarding sign regulations, Section 7.06.96, was declared open by the Mayor at 7:30 p.m. The Mayor called for comments from the public. None were presented. A motion was made by Kavan, seconded by Lawver, to close the public hearing at 7:30 p.m. Roll call vote: Kavan, yes; Lawver, yes; Tyler, yes; Krejci, yes; and Svoboda, yes. Absent and not voting: Dunbar. Motion carried. Travis Beavers presented a partial list of nonconforming signs.

**Ordinance No. 2157** was introduced by Council Member Lawver, entitled: AN ORDINANCE AMENDING ZONING ORDINANCE 1886, BY THE AMENDMENT OF ARTICLE 7, SIGNS, SECTION 7.06.06; PROVIDING FOR PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM. The Mayor then instructed the Clerk to read Ordinance No. 2157 of the City of Wahoo, Nebraska. The Clerk thereupon read the aforesaid Ordinance No. 2157 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; Svoboda, yes; Krejci, yes; and Tyler, yes. Absent and not voting: Dunbar. 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. 2157 may be read by title and moved for final passage in the same meeting.

Council Member Lawver moved that Ordinance No. 2157 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; Svoboda, yes; Tyler, yes; Krejci, yes; and Kavan, yes. Absent and not voting: Dunbar. 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.

Lawver was excused at 7: 33 p.m. due to conflict of interest on the upcoming agenda item.

Harrell presented Pay Application #5 for 23<sup>rd</sup> Street improvements. Motion by Kavan, seconded by Tyler, to approve Pay Application #5 to M E Collins Contracting for 23<sup>rd</sup> Street Paving Improvements for \$151,562.43. Roll call vote: Kavan, yes; Tyler, yes; Krejci, yes; and Svoboda, yes. Lawver abstained. Absent and not voting: Dunbar. Motion carried.

Lawver returned to the meeting at 7:34 p.m.

Motion by Svoboda, seconded by Kavan, to accept the improvements to Simodynes Drive at Wahoo Industries Airpark into the City of Wahoo Street system. Roll call vote: Svoboda, yes; Kavan, yes; Lawver, yes; Tyler, yes; and Krejci, yes. Absent and not voting: Dunbar. Motion carried.

Control of stormwater runoff with curb and gutter, and connecting private underground pipe into the City's storm sewer system, was discussed. Motion by Lawver, seconded by Kavan, to authorize a private connection to the City storm sewer system from Lots 10 and 11, Wahoo Industries Airpark. Roll call vote: Lawver, yes; Kavan, yes; Tyler, yes; Svoboda, yes; and Krejci, yes. Absent and not voting: Dunbar. Motion carried.

The service agreement with Payment Service Network, Inc., which will allow electronic payment of utility bills by computer was reviewed. This company works with the city's Caselle accounting software to facilitate electronic payments. The Board of Public Works approved the agreement. Motion by Kavan, seconded by Lawver to authorize the Mayor to sign agreement with Payment Service Network, Inc. Roll call vote: Kavan, yes; Lawver, yes; Svoboda, yes; Krejci, yes; and Tyler, yes. Absent and not voting: Dunbar. Motion carried.

Traffic control devices, stop signs at the intersections of 23<sup>rd</sup> Street and Locust Street, and 23<sup>rd</sup> Street and Chestnut Street were discussed.

Council member Lawver introduced the following resolution, **Resolution 2014-06**, and moved for its approval, seconded by Kavan,

“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 (l)(b) of the Nebraska Revised Statutes provides the following: "(l) Any local authority with respect to highways under its jurisdiction wand 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 stopping traffic at various  
locations in areas recently annexed into the City of Wahoo, 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 stop signs, be erected at the  
following locations, all located in the City of Wahoo, Nebraska:

- a. Intersection of 23rd Street and Locust Street, stopping north bound traffic at 23rd Street on  
Locust Street;
- b. Intersection of 23rd Street and Chestnut Street, stopping west bound traffic on 23rd  
Street on the east side of Chestnut Street;
- c. Intersection of 23rd Street and Chestnut Street, stopping east bound traffic on 23rd Street  
on the west side of Chestnut Street

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

Harrell reminded the Council that September 11, 2014 is the hearing date for the budget, and requested all to  
attend.

A motion was made by Krejci, seconded by Tyler, to adjourn at 7:59 p.m.

Approved:

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Lucinda Morrow, Deputy Clerk

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Janet A. Jonas, Mayor