

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

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

A motion was made by Lawver, seconded by Svoboda, to approve the excused absence of Gerry Tyler and the minutes of the November 25, 2014 meeting of the Council. Roll call: Lawver, yes; Svoboda, yes; Dunbar, yes; Krejci, yes; and Kavan, yes. Absent and not voting: Tyler. Motion carried.

The Mayor stated the next item of old business was second reading of Ordinance 2167.

Ordinance No. 2167 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, TO AMEND ORDINANCE NO. 2147, AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF WAHOO, NEBRASKA, PERTAINING TO THE FOLLOWING-DESCRIBED REAL ESTATE, TO WIT: THE EAST 80.51 FEET OF LOT 9, EXCEPT THE NORTH 5.0 FEET THEREOF, THE EAST 80.51 FEET OF LOT 10 AND THE EAST 80.51 FEET OF THE NORTH 23.79 FEET OF LOT 11, BLOCK 3, FAIRVIEW ADDITION TO THE CITY OF WAHOO, SAUNDERS COUNTY, NEBRASKA, SUBJECT TO EASEMENTS OF RECORD; AND LOTS 9 AND 10 EXCEPT THE EAST 80.51 FEET, AND LOT 1 EXCEPT THE EAST 80.51 FEET AND THE NORTH 23.79 FEET, AND THE EAST 46 FEET OF LOTS 12, 13, AND 14, BLOCK 3, FAIRVIEW ADDITION TO THE CITY OF WAHOO, BY ALLOWING THEREON AUTOMOBILE SALES AND SERVICE, AS ALLOWED BY PERMITTED CONDITIONAL USES LISTED UNDER NRC ZONING SECTION 5.11.03 ; PROVIDING FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM. The Mayor then instructed the Clerk to read Ordinance No. 2167 of the City of Wahoo, Nebraska. The Clerk thereupon read the aforesaid Ordinance No. 2167 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 Svoboda 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; Svoboda, yes; Dunbar, yes; Krejci, yes; and Kavan, yes. Absent and not voting: Tyler. 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. 2167 may be read by title and moved for final passage in the same meeting.

Council Member Kavan moved that Ordinance No. 2167 be approved and passed and its title agreed to. Council Member Lawver seconded the motion. The Mayor instructed the Clerk to call the roll for the vote and the following was the vote on this motion: Kavan, yes; Lawver, yes; Dunbar, yes; Svoboda, yes; and Krejci, yes. Absent and not voting: Tyler. 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.

The Mayor stated the next item of old business was second reading of Ordinance 2168.

Ordinance No. 2168 was introduced by Council Member Lawver entitled: AN ORDINANCE OF THE CITY OF WAHOO, NEBRASKA, TO AMEND ORDINANCE 2145 THE OFFICIAL ZONING MAP OF THE CITY OF WAHOO, NEBRASKA, PERTAINING TO THE FOLLOWING-DESCRIBED REAL ESTATE, TO WIT: LOT 1, 2, AND PART OF LOTS 3, 10, 11 AND 12, AND THE VACATED ALLEY LYING CONTIGUOUS TO THE AFORESAID LOTS, ALL IN BLOCK 115, AND PART OF VACATED ELM STREET, COUNTY ADDITION TO THE CITY OF WAHOO, SAUNDERS COUNTY, NEBRASKA, BY ALLOWING THEREON A PERMITTED CONDITIONAL USE, THAT BEING DANCE ACADEMY, AS ALLOWED BY PERMITTED CONDITIONAL USES LISTED UNDER WAHOO ZONING REGULATIONS SECTION 5.08.03; PROVIDING FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM. The Mayor then instructed the Clerk to read Ordinance No. 2168 of the City of Wahoo, Nebraska. The Clerk thereupon read the aforesaid Ordinance No. 2168 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 Svoboda 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; Svoboda, yes; Dunbar, yes; Kavan, yes; and Krejci, yes. Absent and not voting: Tyler. 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. 2168 may be read by title and moved for final passage in the same meeting.

Council Member Lawver moved that Ordinance No. 2168 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; Krejci, yes; Svoboda, yes; and Dunbar, yes. Absent and not voting: Tyler. 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 Lawver, seconded by Svoboda, to adjourn sine die. Roll call vote: Lawver, yes; Svoboda, yes; Krejci, yes; Kavan, yes; and Dunbar, yes. Tyler, absent and not voting. Motion carried.

A plaque was presented to Janet Jonas, acknowledging her service on the City Council and as Mayor.

The Clerk then indicated it was time for the new Mayor and Council to take their elected position. The Oath of Office was administered to following elected officials: Loren Lindahl, Mayor; Kevin Dunbar, Council member Ward I; Jim Svoboda, Council member Ward II; and Stuart Krejci, Council member Ward III. With the oaths administered the Mayor called the new Council meeting to order, informing the public of the location of posting of the Open Meetings Law. Roll call was taken with the following members present: Mike Lawver, Greg Kavan, Stuart Krejci, Jim Svoboda, and Kevin Dunbar. Absent was Gerry Tyler.

A motion was made by Dunbar, seconded by Kavan, to nominate Stuart Krejci as President of the Council, cease nominations, and cast a unanimous ballot. Roll call vote: Dunbar, yes; Kavan, yes; Lawver, yes; Svoboda, yes; and Krejci, yes. Absent and not voting: Tyler. Motion carried and Stuart Krejci was declared President of the Council.

The Mayor presented the following assignments to Council committees and special committees and requested Council approval:

City Officials

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| CITY ADMIN/CLERK/TREASURER: | Melissa M. Harrell |
| CITY ENGINEER/STREET SUPT.: | JEO Consulting Group, Steve Parr |
| CITY PHYSICIAN: | Dr. Leo Meduna |
| CHIEF OF POLICE: | Kenneth Jackson |
| CHIEF OF FIRE DEPARTMENT: | Mark Meyer |
| STREET COMM/CEMETERY SEXTON: | David Jansa |
| ZONING ADMIN/BUILDING INSPEC.: | Travis Beavers |

Standing Council Committees

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| GENERAL: | Svoboda, Kavan, Tyler |
| ECONOMIC DEVELOPMENT: | Dunbar, Lawver, Krejci, |
| FINANCE AND PERSONNEL: | Krejci, Svoboda, Dunbar |
| STREETS AND SANITATION: | Lawver, Svoboda, Tyler |
| PARKS, RECREATION & CULTURE: | Kavan, Dunbar, Krejci |
| BOARD OF PUBLIC WORKS: | Tyler |
| AIRPORT: | Svoboda |

Special Committees of the Council

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| ECONOMIC DEV. ADVISORY BOARD: | Krejci, Dunbar |
| PARKS & REC. ADVISORY COMMITTEE: | Kavan, Dunbar |
| WAHOO PUBLIC BLDGS & GROUNDS: | Svoboda, Krejci, Lindahl |

A motion was made by Lawver, seconded by Dunbar to approve the Council committee assignments as presented. Roll call vote: Lawver, yes; Dunbar, yes; Kavan, yes; Krejci, yes; and Svoboda, yes. Absent and not voting: Tyler. Motion carried.

Due to conflict of interest on the matter of appointment of City Attorney, the Mayor was excused from the meeting at 7:08 p.m.

Proposals submitted for the City Attorney position were reviewed. Possible conflict of interest, public perception of conflict of interest, and cost of hiring outside counsel were discussed. Appointment would be for two years, until the next Council change.

The President of the Council appointed the firm of Bromm, Lindahl, Freeman-Caddy and Lausterer as City Attorney, and requested approval of the retainer agreement, which provides that any work in excess of the retainer shall be approved by the City Administrator and/or City Council President, and that Loren Lindahl will abstain from all discussions and from all votes regarding the approval of claims regarding attorney fees with such firm. Roll call vote: Dunbar, yes; Svoboda, no; Lawver, yes; Kavan, no; and Krejci, yes. Appointment and retainer agreement approved.

The Mayor returned to the meeting at 7:21 p.m.

Harrell reported to the Council the current reasonable method of notification of Council meeting was made by posting at three locations in Wahoo: First Bank of Nebraska, Wahoo Post Office, and City Hall, as well as the www.wahoo.ne.us website, and that the current agenda deadline was 5:00 p.m. the Friday before the Council meeting. A motion was made by Svoboda, seconded by Kavan, to approve the method of advance notice. Roll call vote: Svoboda, yes; Kavan, yes; Dunbar, yes; Lawver, yes; and Krejci, yes. Absent and not voting: Tyler. Motion carried.

Harrell reported current signers on any City of Wahoo bank account are the City Administrator/ Clerk/Treasurer, the Mayor, and the Deputy City Clerk, and that two signatures were required for any withdrawal. The current designated depository of the City funds of the City of Wahoo is Wahoo State Bank; utility funds are at First Bank of Nebraska; and there is an additional account at Union Bank. Because check stock is printed and a number of electronic transactions are established, Harrell requested this remain the same. A motion was made by Lawver, seconded by Krejci to keep the accounts and signatures as described above. Roll call vote: Lawver, yes; Krejci, yes; Dunbar, yes; Kavan, yes; and Svoboda, yes. Absent and not voting: Tyler. Motion carried.

Harrell reported the approval of payment of claims had previously been delegated to the Mayor, and that the only claims officially approved, individually, by the Council are those that are connected to major infrastructure improvements that are under contract. Procedure for approval of claims to the firm of Bromm, Lindahl, Freeman-Caddy and Lausterer was discussed. It was decided any claims or checks to this law firm would require signature and approval of the President of the Council. A motion was made by Krejci, seconded by Kavan, to approve the procedure for approval of payment of claims. Roll call vote: Krejci, yes; Kavan, yes; Lawver, yes; Svoboda, yes; and Dunbar, yes. Absent and not voting: Tyler. Motion carried.

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

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

1. Excused absence of Gerry Tyler
2. Minutes of the November 11, 2014 meeting of Wahoo Library Board
3. Minutes of December 4, 2014 meeting of Planning Commission

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

Harrell reported she has been working with the attorneys and Airport Authority on the response to the formal complaint. The Airport farm ground was rented; maintenance has moved into the former EAA hangar; fuel prices are low. She advised the Lake Wanhoo Trail Phase II grant is on the list for consideration by the Game & Parks Commission. Gibney reported the Board of Public Works met and approved their budget with no rate increases; they have discussed extending utilities to the highway corridor; natural gas prices are good. Beavers reported an upcoming conditional use application. Harrell requested Street committee members meet to discuss the 1-6 year road plan. Staff recently met to discuss the increase in minimum wage effective January 1. The Wahoo Mobile Home Park appeal is scheduled for briefs and oral arguments. Stuhr reported the Parks and Recreation Board will be meeting to plan and prioritize future projects, since the sales tax measure was approved. The minimum wage increase will cause increase of some current program fees.

Harrell reported "Infrastructure Standards and Specifications" were adopted in 2012, and an error in type of pipe specified in one section was recently discovered. Motion by Lawver, seconded by Krejci, to approve amendment of the "Infrastructure Standards and Specifications." Roll call vote: Lawver, yes; Krejci, yes; Svoboda, yes; Dunbar, yes; and Kavan, yes. Absent and not voting: Tyler. Motion carried.

Harrell requested the Council discuss the possibility of lease of a parcel of property; the property is where a city well is located, at 15th and Hackberry. Council members questioned the sudden demand for cell towers, and why they need to be located in town. Harrell reported data demand has increased dramatically, requiring more towers and stronger signals, which are most effective close to the customer base. She stated there would be zoning, building, and conditional use issues, a bidding process, and contract negotiation before anything would actually move forward; if there is no interest by the Council in leasing ground, the process would stop. Safety, aesthetics, and possible other uses for the property were noted as main concerns by the Council.

Harrell reported on the history of the City's recycling containers, ongoing problems with dumping, littering, use of the containers by out-of-town residents, and cost for emptying the containers. Other options were mentioned, such as cooperating with Region V, or encouraging residents to work with the haulers to participate in curbside recycling. A motion was made by Kavan, seconded by Lawver, to table further discussion and action to the January 8, 2015 meeting. Roll call vote: Kavan, yes; Lawver, yes; Dunbar, yes; Krejci, yes; and Svoboda, no. Absent and not voting: Tyler. Motion carried.

Motion by Kavan, seconded by Krejci, to approve renewal of dental, long term disability, and life/AD&D insurance plans with Principal effective January 1, 2015. Roll call vote: Kavan, yes; Krejci, yes; Svoboda, yes; Dunbar, yes; and Lawver, yes. Absent and not voting: Tyler. Motion carried.

Motion by Kavan, seconded by Krejci, to accept the Annual Lottery report for Fiscal Year 2013-2014 as presented. Roll call vote: Kavan, yes; Krejci, yes; Lawver, yes; Dunbar, yes; and Svoboda, yes. Absent and not voting: Tyler. Motion carried.

The Mayor provided a list of goals and ideas for discussion, and stated he would like to spend a few minutes at the end of each meeting to discuss, change, and add to the list, and move items forward for action. Time for audience comments on items not listed on the agenda will be moved to the end of the meeting, and time for Council comments will be added.

A motion was made by Kavan, seconded by Lawver, to adjourn at 8:06 p.m.

Approved:

Lucinda Morrow, Deputy Clerk

Loren L. Lindahl, Mayor