

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 Loren Lindahl 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 signed a statement of recognition and support for the National Guard and Reserve, all Service members and Veterans, and the Uniformed Services Employment and Reemployment Rights Act (USERRA). Dan Cady of ESGR thanked the Mayor and Council for their support and requested they encourage other employers to participate.

The Mayor extended special recognition and thanks to the Wahoo Saddle Club, Saunders County Ag Society, Amusement Association, and other organizations and volunteers who made the Saunders County Fair and Rodeo a successful event.

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

1. Minutes of the July 23, 2015 meeting of the Mayor and Council
2. Minutes of August 6, 2015 meeting of Planning Commission
3. Licenses: Plumbers: Jim Hearn, Express Plumbing, Inc., Omaha; Cory Pemberton, Platte Mechanical Inc., Fremont; William Thomas, W Thomas & Son Inc., Gretna; Michael Virka, Webster Well Services, Morse Bluff. HVAC: Steve Roberson, A-1 United Heating & Air, Omaha; Thomas B. Hester, Brian Hester Heating & A/C, Lincoln; Brian Pemberton, Platte Mechanical Inc., Fremont. Electricians: Aaron Rix, Hills Electric LLC, Fremont.

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

Beavers reported building and inspections have been very busy. Knox Boxes, key boxes for fire department use at commercial business locations, and enforcement of fire code requirements were discussed. Jansa reported the old "Welcome to Wahoo" signs were noncompliant with NDOR standards, and were replaced. Denise Lawver reported theft of a handicapped parking sign, and back-to-school library activities. Jackson reported activity related to the County Fair and parade, and monitoring traffic around schools and new streets. Opening of the bypass on August 25, 2015 at 11:00 a.m. was discussed. Harrell reported the job audit process has begun; Finance committee has met several times; Dillon's project plans are moving forward with some changes. Harrell and Jansa reported an NDEQ inspector visited the tree pile site and found items deposited which were in violation of regulations. Since then another dumping incident occurred and citations were issued. The City will be required to remove all ash and debris and haul it for disposal because of the violations. Lausterer reported recent work on nuisance regulations and process; two banks have filed action on the Linden street house; progress on tower agreement with SBA.

Svoboda reported on the Airport Authority meeting. Finance committee met. Street committee will meet soon.

The Mayor reported on a bequest from the estate of Marcia Manners for the benefit of the Police department, Fire department, and Rescue squad.

Public hearing on amendment of the official zoning map by extension of extraterritorial jurisdiction of the City of Wahoo opened at 7:44 p.m. No members of the public appeared to comment. Motion by Kavan, seconded by Tyler, to close the public hearing at 7:44 p.m. Roll call vote: Kavan, yes; Tyler, yes; Krejci, yes; Svoboda, yes; Dunbar, yes; and Lawver, yes. Absent and not voting: none. Motion carried.

Harrell reported two concepts presented: one squares off the existing arc with some give and take between county and city; the other extends outside the existing arc to take jurisdiction from the county. The Planning Commission held a public hearing and recommended extension of the ETJ to square off the boundaries outside the current arc lines. Lausterer reported generally favorable conversation with county officials about the City assuming additional zoning jurisdiction. He suggested the City and County reach informal agreement prior to preparing the metes and bounds descriptions and passing the necessary Resolutions and Ordinances. Motion made by Kavan, seconded by Krejci, to approve the informal proposal to square off the extraterritorial boundaries outside the existing one-mile arc to discuss with the County. Roll call vote: Kavan, yes; Krejci, yes; Lawver, yes; Tyler, yes; Svoboda, yes; and Dunbar, yes. Absent and not voting: none. Motion carried.

A request by Jim Wotipka to waive the testing requirement for HVAC licensing was discussed. Beavers reported Wotipka had an HVAC license once, but it expired in 2010. The plumber's license he maintained expired in June, 2015. In the process of inspections, Beavers recently found installation of an air conditioning system by Wotipka without any permit or license and another system was installed after that. Wahoo does not have a test to administer; he could take a test offered in another city, like Fremont. Reason for license and permits was discussed. Tyler moved the Council not grant a waiver of the testing requirement for HVAC license in this case. Motion was seconded by Lawver. Roll call vote: Tyler, yes; Lawver, yes; Kavan, yes; Krejci, no; Svoboda, no; and Dunbar, yes. Absent and not voting: none. Motion carried.

The Supplemental Agreement #6 with Nebraska Department of Roads, for the Maple Street Trail between the library and Placek Park, was reviewed.

The following Resolution, **RESOLUTION NO. 2015-14**, was introduced by Kavan, who moved for its approval, seconded by Dunbar:

“WHEREAS: City of Wahoo and Nebraska Department of Roads (NDOR) have previously executed Project Program Agreement YL0722 for a transportation project for which the Local Public Agency (LPA) would like to obtain Federal Funds;

WHEREAS: City of Wahoo understands that it must continue to strictly follow all Federal, State and local laws, rules, regulations, policies and guidelines applicable to the funding of the Federal-aid project; and

WHEREAS: City of Wahoo and NDOR wish to enter into Supplemental Project Program Agreement No. 6 setting out modifications and/or additional duties and/or funding responsibilities for the Federal-aid project.

BE IT RESOLVED: by the City Council of the City of Wahoo, Nebraska that: Loren Lindahl, Mayor of the City of Wahoo, Nebraska is hereby authorized to sign the attached Project Program Supplemental Agreement No. 6 between the City of Wahoo and the NDOR.

City of Wahoo is committed to providing local funds for the project as required by the Project Program Agreement and any Supplemental Project Program Agreements.

NDOR Project Number: ENH-78(26)

NDOR Control Number: 12880

Project Location: Wahoo Maple Street North“

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

Harrell reported proposed renewal rates with LARM are in, which show a reduction in Work Comp premium, and an increase in Commercial Property premium, due to review of values and recent severe losses around the state. Change of deductible to a larger amount was discussed, but it was agreed to maintain the \$5,000 per occurrence deductible.

The following Resolution, **RESOLUTION NO. 2015-15**, was introduced by Krejci, who moved for its approval, seconded by Lawver:

“WHEREAS, The City of Wahoo is a member of the League Association of Risk Management (LARM);

WHEREAS, section 8.10 of the Interlocal Agreement for the Establishment and Operation of the League Association of Risk Management provides that a member may voluntarily terminate its participation in LARM by written notice of termination given to LARM and the Nebraska Director of Insurance at least 90 days prior to the desired termination given to and that members may agree to extend the required termination notice beyond 90 days in order to realize reduced excess coverage costs, stability of contribution rates and efficiency in operation of LARM; and

WHEREAS, the Board of Directors of LARM has adopted a plan to provide contribution credits in consideration of certain agreements by members of LARM as provided in the attached letter.

BE IT RESOLVED that the governing body of The City of Wahoo, Nebraska, in consideration of the contribution credits provided under the LARM Board’s plan, agrees to:

Provide written notice of termination at least 180 days prior to the desired termination date, which date shall be no sooner than September 30, 2018. (180 day and 3 year commitment; 5% discount)”

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

Expenses associated with abatement of nuisances on property at 401 East C Street were reviewed. Motion by Lawver, seconded by Kavan, to authorize the Clerk to file an assessment lien against property described as: Balance of Lot 5, Block 6, Stocking’s Second Addition to Wahoo, in the amount of \$248.48. Roll call vote: Lawver, yes; Kavan, yes; Tyler, yes; Dunbar, yes; Svoboda, yes; and Krejci, yes. Absent and not voting: none. Motion carried.

Dennis Stuchlik addressed the Council about front yard setback for a garage at 207 South Broadway. The Council previously approved a variation in setback to the average of structures on the block, as allowed under Sec. 4.09.03 of Zoning Regulations. Stuchlik would like to build to match the front of the house, closer to the lot line than the average setback. The reason for wording of the regulation, and possible amendment to give the Council more discretion was discussed; this will be put before the Planning Commission for discussion.

The Mayor and Council discussed several issues: complaints about lack of dump stations at Lake Wanahoo; budgeting more funds for building and zoning enforcement; franchise fees; safety on the expressway and educational brochures provided by the Department of Roads.

Motion by Kavan, seconded by Tyler, to adjourn at 8:33 p.m.

Approved:

Melissa M. Harrell, City Clerk

Loren L. Lindahl, Mayor