

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.

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

1. Minutes of the October 27, 2016 meeting of the Mayor and Council
2. Mayor's appointment of Alfred (Grady) Gigstad to the Wahoo Planning Commission (fills term vacated by Scott Nielson, ending July, 2019)
3. Licenses: Plumbers: Hugh Sieck III, H & S Plumbing, Lincoln; John H. Zohner, John Henry's Plbg, Lincoln. HVAC: Russell Hans, Hans Heating & Air Conditioning, Omaha; Rick Shortridge, Harley's Heating & A/C, Lincoln; Tom Hardesty, Wellmann Heating & A/C Lincoln; John H. Zohner, John Henry's Plbg, Lincoln. Electrician: Arthur (Scott) Andersen, Andersen Electric, Omaha; Aaron Rix, Hills Electric, Fremont.

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

Tyler reported BPW is working on budget, and will meet next week. Beavers reported filling in for Saunders County, working on nuisances. Mark Meyer, Fire Chief, and Ken Jackson, Police Chief, reported to the Council on an incident that occurred recently with a sprinkler malfunction; both departments were dispatched, and personnel from both departments responded. There was no fire. Jackson noted the Boy Scouts present at the meeting and reported he and Nelson attended the funeral of one of the officers murdered in Iowa, who was an Eagle Scout.

Harrell reported the Maple Street North trail is close to finish, and is already being used. Plans for approaches and sidewalk ramps on 12<sup>th</sup> Street are being reviewed, possible letting in January or February. The auditors will be here for the City audit at the end of November. Health insurance quotes for renewal were received, with a 19% increase. Other plan options are being examined. EMS application period was extended and several applications were received.

Harrell reported meeting with JEO on the Chestnut Street improvement project; decision will need to be made whether to do the entire project or divide it into pieces.

The Mayor noted concerns about dust from 15<sup>th</sup> Street/Co Rd L; the agreement with the County is already in place, work possible next year.

Dalton Specht, Life Scout in Troop 140, addressed the Council about his proposed Eagle project, a flag retirement station in the Veteran's block of Sunrise North cemetery. The VFW/Legion gave approval; Dave Jansa, Cemetery Sexton, stated this would be located on Veterans block. Meyer stated the Fire Department had no objection, as fire would be contained. Allan Jansa reported another scout did a flag retirement recently of 100 flags with no problems. Motion by Kavan, seconded by Krejci, to authorize the proposed Eagle project. Roll call vote: Kavan, yes; Krejci, yes; Lawver, yes; Dunbar, yes; Tyler, yes; and Svoboda, yes. Motion carried.

Beavers reported no complaints received regarding the Conditional Use for beer garden/volleyball court at Chips, 1499 N Chestnut Street. It was agreed to review permit in two years.

**Ordinance No. 2225** was introduced by Council Member Svoboda entitled: AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP BY EXTENDING THE CONDITIONAL USE PERMIT TO ALLOW OPERATION OF A BEER GARDEN AND SAND VOLLEYBALL COURT ON LOTS 1-6, BLK 1, CHILLBERG'S ADDITION. The Mayor then instructed the Clerk to read Ordinance No. 2225 of the City of Wahoo, Nebraska. The Clerk thereupon read the aforesaid Ordinance No. 2225 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; Krejci, yes; Svoboda, yes; Dunbar, yes; and Tyler, yes. Absent and not voting: None. 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. 2225 may be read by title and moved for final passage in the same meeting.

Council Member Svoboda moved that Ordinance No. 2225 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: Svoboda, yes; Lawver, yes; Dunbar, yes; Krejci, yes; Kavan, yes; and Tyler, yes. Absent and not voting: none. 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 signatures 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.

David Voboril appeared for his Conditional Use Permit renewal. Beavers reported most issues have been resolved, parking on the right-of-way and inoperable vehicles were discussed. It was agreed to review in one year.

**Ordinance No. 2226** was introduced by Council Member Kavan entitled: AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP BY EXTENDING THE CONDITIONAL USE PERMIT TO ALLOW AUTOMOBILE SERVICE AND REPAIR ON LOT 1 AND THE EAST 34 FEET OF LOT 2, BLOCK 1, STOCKINGS ADDITION. The Mayor then instructed the Clerk to read Ordinance No. 2226 of the City of Wahoo, Nebraska. The Clerk thereupon read the aforesaid Ordinance No. 2226 by title.

Council Member Dunbar 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 Lawver 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: Dunbar, yes; Lawver, yes; Kavan, yes; Svoboda, yes; Tyler, yes; and Krejci, yes. Absent and not voting: None. 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. 2226 may be read by title and moved for final passage in the same meeting.

Council Member Kavan moved that Ordinance No. 2226 be approved and passed and its title agreed to. Council Member Svoboda 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; Svoboda, yes; Dunbar, yes; Tyler, yes; Lawver, yes; and Krejci, yes. Absent and not voting: none. 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 signatures 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 reported the Infrastructure Standards and Specifications do not include standards for downtown sidewalk. Street committee will look at the possibility of cost sharing for downtown projects (for bricks, street lights, or curbing) in the future, and establishing a defined area covered by the downtown standards. Motion by Lawver, seconded by Dunbar, to adopt standards for downtown sidewalks and standard detail plan as part of the Infrastructure Standards and Specifications. Roll call vote: Lawver, yes; Dunbar, yes; Kavan, yes; Svoboda, yes; Tyler, yes; and Krejci, yes. Absent and not voting: none. Motion carried.

Harrell reported the NDOR requires the Council to affirm their commitment to the Safe Routes to School project by adoption of the plan-in-hand-report approval resolution.

The following resolution, **Resolution No. 2016-14**, was introduced by Lawver, who moved for its approval, seconded by Dunbar:

“WHEREAS: City of Wahoo (City) and State entered into an LPA Program Agreement for State to assist City in the development and construction of an LPA Federal-aid transportation project;

WHEREAS: A project Plan-in-hand (PIH) meeting was held at the project site, which included Melissa Harrell, a representative of the City of Wahoo and a PIH report has been written;

WHEREAS: The LPA Program Agreement requires the city to review the PIH Report and either request modification or approve the report;

WHEREAS: City wishes to approve the PIH as written.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WAHOO THAT:

The Mayor, Loren L. Lindahl, is hereby authorized to sign the attached PIH Report on behalf of City and submit the signed copy of the report to the State.

NDOR Project Number: SRTS-78(33)

NDOR Control Number: 13291

NDOR Project Description: Wahoo Elementary SRTS”

Roll call vote: Lawver, yes; Dunbar, yes; Svoboda, yes; Tyler, no; Krejci, yes; and Kavan, yes. Absent and not voting: none. Motion carried.

**Ordinance No. 2227** was introduced by Council Member Lawver entitled: AN ORDINANCE TO ACCEPT AND CONFIRM THE DEDICATION OF 23<sup>RD</sup> STREET WITHIN THE CITY LIMITS OF THE CITY OF WAHOO TO PERPETUAL PUBLIC USE. The Mayor then instructed the Clerk to read Ordinance No. 2227 of the City of Wahoo, Nebraska. The Clerk thereupon read the aforesaid Ordinance No. 2227 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; Krejci, yes; Tyler, yes; Kavan, yes; and Dunbar, yes. Absent and not voting: None. 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. 2227 may be read by title and moved for final passage in the same meeting.

Council Member Lawver moved that Ordinance No. 2227 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; Tyler, yes; Krejci, yes; Svoboda, yes; and Dunbar, yes. Absent and not voting: none. 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 signatures 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.

Parking plan information for 6<sup>th</sup> Street Storage project was reviewed. Beavers reported what regulations state for setbacks, drainage details, and number of stalls, and what has been proposed. The Planning Commission recommended that plan be changed to conform to 50-foot setback, and a drainage study be completed to ensure the plan will not cause problems for other property. Motion by Tyler, seconded by Lawver, to disapprove the parking plan as submitted, as it does not conform to setback and there is no drainage study. Roll call vote: Tyler, yes; Lawver, yes; Kavan, yes; Dunbar, yes; Svoboda, yes; and Krejci, yes. Absent and not voting: none. Motion carried.

Josh Varner, Life Scout in Troop 140, addressed the Council. He is working on his Communication and Citizenship in the Community merit badges, and requested suggestions for an Eagle project.

The next meeting will be Tuesday, November 22, 2016.

Motion by Lawver, seconded by Kavan to adjourn at 8:06 p.m.

Approved:

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Lucinda Morrow, Deputy Clerk

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Loren L. Lindahl, Mayor