

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: Greg Kavan, Gerry Tyler, Stuart Krejci, and Jim Svoboda. Absent: Mike Lawver, Kevin Dunbar.

The Mayor issued a proclamation recognizing April 29, 2016 as Arbor Day, and the week of May 1-7, 2016 as Municipal Clerk's Week.

Planning Commission minutes were not completed, and approval was removed from consent agenda. A motion was made by Svoboda, seconded by Tyler, to approve the following items listed on the consent agenda:

1. Excused absence of Kevin Dunbar and Mike Lawver
2. Minutes of the April 14, 2016 meeting of the Mayor and Council
3. Approval of Schyler Shanahan as a member of the Wahoo Volunteer Fire Department
4. Licenses: Plumbers: Donald Anderson, AWS Well Company, Inc., Mead; HVAC: Josh Kasischke, K & S Mechanical, LLC, Wahoo; Daniel D. Felthouser, Farmers Heating & Cooling, Wahoo. ELECTRICIANS: Steven Brase, Brase Electrical Contracting Corp, Omaha; Jason M Knapp, JK Electric, Inc., Lincoln; Harry Frye, Diversified Electric, Lincoln; Dan Reznicek, Reznicek Electric, Ulysses.

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

Lawver entered the meeting at 7:02 p.m.

Lawver reported the Street committee met and discussed storm water issues, J Road improvements, overlay and repairs, street lighting on 23rd Street, and Chestnut Street project. Council members are asked to submit names to serve on a citizen's advisory committee for Chestnut Street project. Tyler reported Board of Public Works met, discussed replacement of the pivot at the farm, and the option of a pressurized system for sewer in the Country Club area.

Phil Lorenzen of D A Davidson & Co. explained calculations for Bond Anticipation Notes for the J Road project at Dillon's.

Ordinance No. 2212 was introduced by Council Member Krejci entitled: AN ORDINANCE OF THE CITY OF WAHOO TO ISSUE BOND ANTICIPATION NOTES SERIES 2016 IN A PRINCIPAL AMOUNT OF NOT TO EXCEED \$315,000 FOR THE PURPOSE OF INTERIM FINANCING FOR A PORTION OF CONSTRUCTING IMPROVEMENTS IN STREET IMPROVEMENT DISTRICT NO. 2015-1, PENDING THE ISSUANCE OF PERMANENT GENERAL OBLIGATION BONDS; PRESCRIBING THE FORM OF SAID NOTES; AGREEING TO ISSUE GENERAL OBLIGATION BONDS TO PAY THE NOTES AT MATURITY OR TO PAY THE NOTES FROM OTHER AVAILABLE FUNDS; AND, ENTERING INTO A CONTRACT ON BEHALF OF THE CITY WITH THE HOLDERS OF SAID NOTES. The Mayor then instructed the Clerk to read Ordinance No. 2212 of the City of Wahoo, Nebraska. The Clerk thereupon read the aforesaid Ordinance No. 2212 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; Tyler, yes; Krejci, 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. 2212 may be read by title and moved for final passage in the same meeting.

Council Member Krejci moved that Ordinance No. 2212 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: Krejci, yes; Lawver, 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 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.

Council member Kavan introduced the following resolution, **Resolution 2016-07**, and moved for its approval, seconded by Krejci,

“BE IT RESOLVED by the Mayor and City Council of the City of Wahoo, Nebraska, as follows:

Section 1. That the following bonds are hereby called for redemption under the provisions for call as set out in the bonds and in the ordinance authorizing issuance of the Bonds, at par plus accrued interest on June 1, 2016 after which date said bonds shall cease to bear interest:

Aquatic Center Sales Tax Revenue Refunding Bonds, Series 2010, Date of original issue April 12, 2010, in the principal amount of \$65,000 becoming due December 1, 2019 (CUSIP # 930578 AZ2) issued by the City refund outstanding Series 2004 Bonds, date of original issue December 1, 2004. This is a partial call only of CUSIP #930578 AZ2.

Section 2. Said bonds are payable at the office of the Treasurer of the City of Wahoo, in Wahoo, Nebraska as Paying Agent and Registrar.

Section 3. A copy of this resolution shall be filed at least 30 days prior to the date of call with the Treasurer of the City of Wahoo, Nebraska, as Paying Agent and Registrar and said Paying Agent and Registrar is hereby instructed to give notice of redemption in the manner provided for in the ordinance authorizing said bonds.”

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

Jake Vasa of JEO Consulting Group reviewed progress on the Trail and Pay Application. A motion was made by Svoboda, seconded by Krejci, to approve payment of Pay Application #3 from M.E. Collins Contracting Co., for Lake Wanahoo Trail – Phase II, in the amount of \$294,307.43. Roll call vote:

Svoboda, yes; Krejci, yes; Tyler, yes; Kavan, yes; and Lawver, abstained from voting due to conflict of interest. Dunbar, absent and not voting. Motion carried.

Geneie Andrews presented information on the GIS Workshop E-City GIS Product, which provides a platform for digitizing and mapping a variety of asset and infrastructure information all in one location. The Board of Public Works recommended acquiring this product. Initial cost is \$13,850, with annual subscription of \$6,525. A motion was made by Lawver, seconded by Svoboda, to authorize the Mayor, Administrator, and Utilities General Manager to sign a contract for this product. Roll call vote: Lawver, yes; Svoboda, yes; Kavan, yes; Tyler, yes; and Krejci, yes. Dunbar, absent and not voting. Motion carried.

Glen Wilcox addressed the Council regarding operation of Saunders County Pets LLC over the past six years. No complaints have been noted on the facility. It was recommended to continue the Conditional Use Permit with review in five years.

Ordinance No. 2213 was introduced by Council Member Lawver entitled: AN ORDINANCE OF THE CITY OF WAHOO TO AMEND ORDINANCE 2065 PROVIDING A CONDITIONAL USE PERMIT FOR A KENNEL, BOARDING AND TRAINING, IN C-1 COMMERCIAL ZONING. The Mayor then instructed the Clerk to read Ordinance No. 2213 of the City of Wahoo, Nebraska. The Clerk thereupon read the aforesaid Ordinance No. 2213 by title.

Council Member Kavan 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: Kavan, yes; Krejci, yes; Svoboda, yes; Tyler, yes; and Lawver, 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. 2213 may be read by title and moved for final passage in the same meeting.

Council Member Lawver moved that Ordinance No. 2213 be approved and passed and its title agreed to. Council Member Tyler 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; Tyler, yes; Krejci, yes; Svoboda, 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 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.

Lausterer explained an attorney for WMHP2 LLC requested the postponement of discussion of expenses associated with the abatement of nuisances on Lots B-9 and C-6 at 2201 North Highway 77. The item was removed from the agenda.

Mark Meyer explained the benefits available through participation in the proposed mutual aid interlocal agreement. Motion was made by Kavan, seconded by Lawver, to approve the Tri-Mutual Aid Fire

Fighters Association mutual aid interlocal agreement. Roll call vote: Kavan, yes; Lawver, yes; Tyler, yes; Svoboda, yes; and Krejci, yes. Dunbar, absent and not voting. Motion carried.

Motion by Kavan, seconded by Lawver to authorize the Mayor to sign Interlocal Agreement with various communities to provide mosquito spraying at rates to be established. Roll call vote: Kavan, yes; Lawver, yes; Svoboda, yes; Krejci, yes; and Tyler, yes. Dunbar, absent and not voting. Motion carried.

Harrell reported on Charter Communication franchise agreement, which provides for automatic extension, and stated Charter is asking for verification of the extension to May, 2020. Motion by Kavan, seconded by Svoboda to authorize renewal of franchise agreement with Charter Communication. Roll call vote: Kavan, yes; Svoboda, yes; Krejci, yes; Tyler, yes; and Lawver, yes. Dunbar, absent and not voting. Motion carried.

The PEG (Public Education and Government) channel has not been utilized for a number of years, and Charter requested release of that channel so it can be used for other programming. Motion by Kavan, seconded by Tyler to authorize release of PEG channel to Charter Communication. Roll call vote: Kavan, yes; Tyler, yes; Lawver, yes; Svoboda, yes; and Krejci, yes. Dunbar, absent and not voting. Motion carried.

Beavers reported on request for variation in front yard setback for addition at 110 East 12th Street for construction of a deck. The house and existing garage do not meet the Broadway Street setback. The deck will match the house setback. Motion by Krejci, seconded by Lawver, to approve the variation in setback. Roll call vote: Krejci, yes; Lawver, yes; Svoboda, yes; Kavan, yes; and Tyler, yes. Dunbar, absent and not voting. Motion carried.

Beavers reported on request for variation in front yard setback for porch addition at 650 West 2nd Street. The house does not meet the front yard setback, and the new porch will encroach further into the setback. Motion was made by Kavan, seconded by Tyler, to approve the variation in setback. Roll call vote: Kavan, yes; Tyler, yes; Krejci, yes; Svoboda, yes; and Lawver, yes. Dunbar, absent and not voting. Motion carried.

Beavers reported on abatement process on abandoned trailers. Other nuisance situations and deadlines for abatement were discussed. Lausterer reported the Assessor is determining value of farm property which has been in dispute as to taxable status.

Mitch Snow of the Village of Malmo asked the Council to consider entering into some type of agreement for contracting inspection services in Malmo. Options will be discussed.

Svoboda mentioned concern about demo derby cars, unlicensed vehicles.

Motion by Kavan, seconded by Lawver, to adjourn at 8:30 p.m.

Approved:

Melissa M. Harrell, City Clerk

Loren L. Lindahl, Mayor