

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 President of the Council Stuart Krejci at 7:00 p.m. and opened with the Pledge of Allegiance. The acting 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, Jim Svoboda, Stuart Krejci and Kevin Dunbar. Absent: Loren Lindahl and Gerry Tyler.

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

1. Excused absence of Lindahl and Tyler.
2. Minutes of December 14, 2017 meeting of Council
3. Minutes of December 7, 2017 meeting of Planning Commission

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

Lawver reported Street committee met and discussed the 1-6 year road plan. Svoboda noted the extensive amount of time devoted by Harrell and the Airport Authority in responding to the FAA complaint.

Public hearing was opened at 7:03 p.m. on the Final Plat of Timber Ridge subdivision. Dan Martinez reported on the Final Plat. No public comments offered. Motion by Lawver, seconded by Kavan, to close the public hearing at 7:06 p.m. Roll call vote: Lawver, yes; Kavan, yes; Krejci, yes; Svoboda, yes; and Dunbar, yes. Absent and not voting: Tyler. Motion carried.

Motion by Kavan, seconded by Lawver, to approve the Final Plat of Timber Ridge Subdivision as presented. Roll call vote: Kavan, yes; Lawver, yes; Svoboda, yes; Dunbar, yes; and Krejci, yes. Absent and not voting: Tyler. Motion carried.

Public hearing was opened at 7:08 p.m. on request for amendment of Zoning Ordinance 1886 regarding height limitations and setback requirements for accessory buildings. Travis Toline and Travis Beavers discussed the Planning Commission recommendations for changes, and language regarding orientation of garage doors toward alleys. Motion by Lawver, seconded by Dunbar, to close the public hearing at 7:16 p.m. Roll call vote: Lawver, yes; Dunbar, yes; Svoboda, yes; Kavan, yes; and Krejci, yes. Absent and not voting: Tyler. Motion carried.

Ordinance No. 2263 was introduced by Lawver entitled: AN ORDINANCE OF THE CITY OF WAHOO TO AMEND THE ZONING ORDINANCE 1886 REGARDING HEIGHT LIMITATIONS AND SETBACKS OF ACCESSORY BUILDINGS. The President of the Council then instructed the Clerk to read Ordinance No. 2263 of the City of Wahoo, Nebraska. The Clerk thereupon read the aforesaid Ordinance No. 2263 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 President of the Council 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: Roll call vote: Lawver, yes; Kavan, yes; Svoboda, yes; Dunbar, no; and Krejci, yes. Absent and not voting: Tyler. Motion failed.

Council Member Lawver moved that Ordinance No. 2263 be approved and passed on its first reading and its title agreed to. Council Member Kavan seconded the motion. The President of the Council instructed

the Clerk to call the roll for the vote and the following was the vote on this motion: Lawver, yes; Kavan, yes; Svoboda, yes; Dunbar, yes; and Krejci, yes. Absent and not voting: Tyler. Motion carried.

Public hearing was opened at 7:21 p.m. on the 2018 Board of Public Works budget. James Gibney, Jr., Utilities General Manager reported on the budget presented. No public comments presented. Motion by Kavan, seconded by Lawver, to close the public hearing at 7:24 p.m. Roll call vote: Kavan, yes; Lawver, yes; Krejci, yes; Dunbar, yes; and Svoboda, yes. Absent and not voting: Tyler. Motion carried.

Motion by Kavan, seconded by Krejci, to approve the 2018 Board of Public Works budget as presented. Roll call vote: Kavan, yes; Krejci, yes; Dunbar, yes; Svoboda, yes; and Lawver, yes. Absent and not voting: Tyler. Motion carried.

Hearing opened at 7:25 p.m. on cost of abatement of nuisance on Lot 1, Block 1, Stocking's Second Addition. Jovan Lausterer, City Attorney, presented Exhibits 1, 2, 3, 5, 6 and 7 on behalf of the City of Wahoo. Lausterer noted that in addition to the bill for abatement from Lierman Excavating, there has been considerable expense for staff time and attorney fees incurred by the City. Jerry Johnson, representing Gabriel Gonzales and Patricia Starr, discussed the original estimate/bid submitted and additional costs. The process for hiring a contractor to abate nuisances was discussed.

Motion by Lawver, seconded by Kavan, to close the public hearing at 7:47 p.m. Roll call vote: Lawver, yes; Kavan, yes; Svoboda, yes; Dunbar, yes; and Krejci, yes. Absent and not voting: Tyler. Motion carried.

Division of expense between the City and property owner was discussed.

Motion by Svoboda, seconded by Lawver, that the revised invoice for \$8,000 for abatement of nuisance submitted by Lierman Excavating be accepted and paid by the City of Wahoo, and that staff be authorized to file an assessment against Lot 1, Block 1, Stocking's Second Addition for expenses of \$6,166.37. Roll call vote: Svoboda, yes; Lawver, yes; Kavan, yes; Krejci, yes; and Dunbar, yes. Absent and not voting: Tyler. Motion carried. Jerry Johnson, agent for the property owners, confirmed that the property owners agreed to the amount of the assessment as passed.

Harrell reported that the required notice was published regarding conveyance of property from the City of Wahoo to Wahoo Public Buildings and Grounds Association, and that no remonstrances were filed.

Ordinance No. 2264 was introduced by Kavan entitled: AN ORDINANCE OF THE CITY OF WAHOO TO CONFIRM THE CONVEYANCE OF REAL PROPERTY TO WAHOO PUBLIC BUILDINGS AND GROUNDS ASSOCIATION. The President of the Council then instructed the Clerk to read Ordinance No. 2264 of the City of Wahoo, Nebraska. The Clerk thereupon read the aforesaid Ordinance No. 2264 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 Dunbar seconded said motion. The President of the Council 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: Roll call vote: Kavan, yes; Dunbar, yes; Svoboda, yes; Krejci, yes; and Lawver, yes. Absent and not voting: Tyler. Motion carried. The motion having been carried by the affirmative votes of no less than three-fourths of the members of the Council, the President of the Council declared the statutory rules in regards to the passage and approval of ordinance be suspended so that Ordinance No. 2264 may be read by title and moved for final passage in the same meeting.

Council Member Kavan moved that Ordinance No. 2264 be approved and passed and its title agreed to. Council Member Dunbar seconded the motion. The President of the Council instructed the Clerk to call the roll for the vote and the following was the vote on this motion: Kavan, yes; Dunbar, yes; Svoboda, yes; Krejci, yes; and Lawver, 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 President of the Council declared the Ordinance adopted and, 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 President of the Council 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.

Kavan noted the flashing yellow light seems to be working well at 5th and Chestnut, and he has heard favorable comments.

Motion by Kavan, seconded by Svoboda, to adjourn at 8:11 p.m.

Approved:

Lucinda Morrow, Deputy Clerk

Stuart Krejci, President of the Council