

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

The Mayor reported he was interviewed by Channel 7 regarding the sales tax ballot issue.

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

1. Excused absence of Svoboda and Dunbar
2. Minutes of March 22, 2018 meeting of Council
3. Approval of Kollin Barnes, Brooks Roberts, and Larry Huisman as members of the Wahoo EMS Department

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

Department head reports presented. The Street committee discussed upcoming projects, and recycling options offered by Roadrunner Transportation.

The Mayor was excused from the meeting at 7:11 p.m. due to potential conflict of interest.

The President of the Council opened the public hearing on the Blight and Substandard Study for Amended Area 1 at 7:11 p.m. Bobbi Pettit of Five Rule Rural Planning explained the study. No public comments. Motion by Lawver, seconded by Kavan, to close the public hearing at 7:12 p.m. Roll call vote: Lawver, yes; Kavan, yes; Tyler, yes; and Krejci, yes. Absent and not voting: Svoboda and Dunbar. Motion carried.

Pettit explained the criteria for substandard and blight, the general redevelopment plan, and how these are used as an economic development tool.

Council member Tyler introduced **Resolution 2018-10**, declaring amended Area 1 as blighted and substandard and in need of redevelopment, and moved for approval, seconded by Krejci,

“**WHEREAS**, it is necessary, desirable, advisable, and in the best interests of the City of Wahoo, Nebraska (the “**City**”), for the City to undertake and carry out redevelopment projects in certain areas of the City that are determined to be substandard and blighted and in need of redevelopment; and

**WHEREAS**, the Community Development Law, Chapter 18, Article 21, Reissue Revised Statutes of Nebraska, as amended (the “**Act**”), prescribes the requirements and procedures for the planning and implementation of redevelopment projects; and

**WHEREAS**, Section 18-2109 of the Act requires that, prior to the preparation by the Community Redevelopment Authority of the City of a redevelopment plan for a

redevelopment project, the Council shall, by resolution, declare the area to be blighted and substandard; and

**WHEREAS**, on April 12, 2018, at 7:00 p.m., the Council of the City held a public hearing (the “**Public Hearing**”) at Wahoo City Hall, 605 North Broadway Street in the City, to determine whether that certain area more fully described on **Attachment 1** (the “**Redevelopment Area**”) should be declared blighted and substandard and in need of redevelopment as required by the Act; and

**WHEREAS**, notice of the Public Hearing was published in the *Wahoo Newspaper*, a legal newspaper of general circulation in the City, on March 22, 2018, and March 29, 2018, which notice described the time, date, place and purpose of the Public Hearing and the legal description of the Redevelopment Area; the last publication of such notice being at least ten days prior to the time of the Public Hearing; and

**WHEREAS**, on or before March 29, 2018, such date being at least 10 days prior to the time of the Public Hearing, the City mailed notice of the Public Hearing by United States Certified Mail, return receipt requested, sufficient postage affixed, to all registered neighborhood associations whose area of representation is located in whole or in part within a one-mile radius of the Redevelopment Area and to the president or chairperson of the governing body of each county, school district, community college, educational service unit, and natural resources district with real property in the Redevelopment Area, which notice included the time, date, place, and purpose of the Public Hearing and a map of sufficient size to show the Redevelopment Area; and

**WHEREAS**, the Public Hearing was conducted and all interested parties were afforded a reasonable opportunity to express their views respecting the declaration of the Redevelopment Area as blighted and substandard and in need of redevelopment, and the President of the Council and Council reviewed and discussed two certain Blight Studies (the “**Blight Study**”); and

**WHEREAS**, the President of the Council and Council submitted the question of whether the Redevelopment Area was blighted and substandard and in need of redevelopment to the Planning Commission of the City for its review and recommendation on April 5, 2018, and the President of the Council and Council reviewed and discussed the recommendations received from the Planning Commission; and

**WHEREAS**, the President of the Council and Council desire to declare that the Redevelopment Area is blighted and substandard and in need of redevelopment in accordance with the Act.

**NOW THEREFORE, BE IT RESOLVED BY THE PRESIDENT OF THE COUNCIL AND COUNCIL OF THE CITY OF WAHOO, NEBRASKA AS FOLLOWS:**

**Section 1.** The Redevelopment Area is hereby declared to be substandard and in need of redevelopment pursuant to the Act, in that conditions now exist in the Redevelopment Area meeting the criteria set forth in Section 18-2103(10) of the Act, as described and set forth in the Blight Study. The Redevelopment Area is more particularly described on **Attachment 1**.

**Section 2.** The Redevelopment Area is hereby further declared to be blighted and in need of redevelopment pursuant to the Act, in that conditions now exist in the Redevelopment Area meeting the criteria set forth in the Act, including, without limitation, (a) one or more of the factors set forth in Section 18-2103(11)(a) of the Act and (b) at least one of the factors set forth in (i) through (iv) of Section 18-2103(11)(b) of the Act, as described and set forth in the Blight Study.

**Section 3.** The blighted and substandard conditions existing in the Redevelopment Area are beyond remedy and control solely through the regulatory process and the exercise of police power and cannot be dealt with effectively by the ordinary operations of private enterprise without the aids provided by the Act, and the elimination of the blighted and substandard conditions under the authority of the Act is hereby found to be a public purpose and declared to be in the public interest.

**Section 4.** The Redevelopment Area is in need of redevelopment and is or will be an eligible site for a redevelopment project under the provisions of the Act at the time of the adoption of any redevelopment plan with respect thereto.

**Section 5.** This Resolution shall be published and shall take effect as provided by law.”

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

The President of the Council opened the public hearing on the General Redevelopment Plan for Amended Area 1 at 7:20 p.m. Pettit explained this is a basic plan, and specific requirements of a potential development would amend the plan. No public comments. Motion by Kavan, seconded by Krejci, to close the public hearing at 7:20 p.m. Roll call vote: Kavan, yes; Krejci, yes; Tyler, yes; and Lawver, yes. Absent and not voting: Svoboda and Dunbar. Motion carried.

Council member Kavan introduced **Resolution 2018-11**, to adopt the General Redevelopment Plan for Amended Area 1, and moved for approval, seconded by Krejci.

**“WHEREAS**, the City of Wahoo, Nebraska, a municipal corporation (the **“City”**), has determined it to be desirable to undertake and carry out certain community redevelopment projects in certain areas of the City that are determined to be blighted and substandard and in need of redevelopment;

**WHEREAS**, Sections 18-2101 through 18-2154, Reissue Revised Statutes of Nebraska, as amended (collectively, the **“Act”**), prescribe the requirements and procedures for the planning and implementation of community redevelopment projects;

**WHEREAS**, the City has previously declared the area described in **Attachment 1** (the **“Redevelopment Area”**) to be blighted and substandard and in need of redevelopment pursuant to the Act;

**WHEREAS**, the Planning Commission of the City has also reviewed the Redevelopment Plan and recommended its approval by the Mayor and Council of the City;

**WHEREAS**, the City published and mailed notices of a public hearing regarding the consideration of the approval of the Redevelopment Plan pursuant to Section 18-2115 of the Act, and has on the date of this Resolution held a public hearing on the proposal to approve the Redevelopment Plan; and

**WHEREAS**, the City has reviewed the Redevelopment Plan and determined that the proposed land uses and building requirements described in the Redevelopment Plan are designed with the general purpose of accomplishing a coordinated, adjusted, and harmonious development of the City and its environs which will, in accordance with present and future needs, promote health, safety, morals, order, convenience, prosperity and the general welfare, as well as efficiency in economy in the process of development; including, among other things, adequate provision for traffic, vehicular parking, the promotion of safety from fire, panic, and other dangers, adequate provisions for light and air, the promotion of

the healthful and convenient distribution of population, the provision of adequate transportation, water, sewerage, and other public utilities, schools, parks, recreational and communitive facilities, and other public requirements, the promotion of sound design and arrangement, the wise and efficient expenditure of public funds, and the prevention of the recurrence of unsanitary or unsafe dwelling accommodations, or conditions of blight.

**NOW THEREFORE, BE IT RESOLVED BY THE PRESIDENT OF THE COUNCIL AND COUNCIL OF THE CITY OF WAHOO, NEBRASKA:**

**Section 1.** The Redevelopment Plan is hereby approved.

**Section 2.** The Redevelopment Area is designated a redevelopment area as such term is defined in the Act.”

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

The Mayor returned to the meeting at 7:23 p.m.

The 12<sup>th</sup> Street Intersection project was discussed. Motion by Lawver, seconded by Kavan, to approve Change Order No. 1 to the 2017 Street Improvements 12<sup>th</sup> Street Intersection project. Roll call vote: Lawver, yes; Kavan, yes; Tyler, yes; and Krejci, yes. Absent and not voting: Svoboda and Dunbar. Motion carried.

Motion by Lawver, seconded by Tyler, to approve Pay Application No. 2 & Final to MTZ Construction. Roll call vote: Lawver, yes; Tyler, yes; Krejci, yes; and Kavan, yes. Absent and not voting: Svoboda and Dunbar. Motion carried.

Motion by Kavan, seconded by Krejci, to accept the 12<sup>th</sup> Street Intersection project. Roll call vote: Kavan, yes; Krejci, yes; Tyler, yes; and Lawver, yes. Absent and not voting: Svoboda and Dunbar. Motion carried.

Jon Mooberry of JEO Consulting Group reported on the bids received for the Chestnut Street Project. Lawver declared a conflict of interest. Mooberry reported M E Collins Contracting offered the low bid with a start in June. Total project cost, financing, and whether the outcome of the sales tax ballot issue would affect moving ahead with the project were discussed.

**Ordinance No. 2278** was introduced by Kavan entitled: AN ORDINANCE OF THE CITY OF WAHOO TO ANNEX A TRACT OF LAND IN NW ¼ 4-14-7, AND BY SAID ANNEXATION, TO MAKE SAID ABOVE DESCRIBED REAL ESTATE A PART OF THE CORPORATE LIMITS OF THE CITY OF WAHOO, NEBRASKA. The Mayor then instructed the Clerk to read Ordinance No. 2278 of the City of Wahoo, Nebraska. The Clerk thereupon read the aforesaid Ordinance No. 2278 by title.

Council Member Kavan moved that Ordinance No. 2278 be approved and passed on its second reading, and its title agreed to. Council Member Krejci 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; Krejci, yes; Lawver, yes; and Tyler, yes. Absent and not voting: Svoboda and Dunbar. Motion carried.

Harrell reported the committee conducted the annual review of operations of the Liberty House, and noted no conditions that were concerning.

**Ordinance No. 2279** was introduced by Lawver entitled: AN ORDINANCE OF THE CITY OF WAHOO TO EXTEND THE CONDITIONAL USE PERMIT FOR OPERATION OF ASSISTED LIVING FACILITY. The Mayor then instructed the Clerk to read Ordinance No. 2279 of the City of Wahoo, Nebraska. The Clerk thereupon read the aforesaid Ordinance No. 2279 by title.

Council Member Lawver moved that Ordinance No. 2279 be approved and passed on its first reading, and its title agreed to. Council Member Krejci 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; Krejci, yes; Tyler, yes; and Kavan, yes. Absent and not voting: Svoboda and Dunbar. Motion carried.

Motion by Krejci, seconded by Kavan, to approve the 2017 Audit Waiver Form from Wahoo Public Building and Grounds Association. Roll call vote: Krejci, yes; Kavan, yes; Lawver, yes; and Tyler, yes. Absent and not voting: Svoboda and Dunbar. Motion carried.

Two applications for fireworks vendors were received prior to the April 1 deadline. Motion by Kavan, seconded by Lawver, to approve the applications submitted. Roll call vote: Kavan, yes; Lawver, yes; Tyler, yes; and Krejci, yes. Absent and not voting: Svoboda and Dunbar. Motion carried.

Method of disposal of property located near 10<sup>th</sup> and Pine Streets was discussed, including listing with a realtor or public auction by an auction service or staff. Staff will compile information on the property which will be provided to any potential buyers, and this will be discussed further at the next meeting.

Public hearing on the Resolution of Necessity for additions and improvements to the City's Storm Water Sewer System, the Chestnut Street Project, was opened by the Mayor at 7:56 p.m.

Motion by Krejci, seconded by Kavan, to close the public hearing at 7:57 p.m. Roll call vote: Krejci, yes; Kavan, yes; Lawver, yes; and Tyler, yes. Absent and not voting: Svoboda and Dunbar. Motion carried.

Council member Krejci introduced **Resolution 2018-06**, a Resolution of Necessity for additions and improvements to the City's Storm Water Sewer System, the Chestnut Street Project, and setting the boundaries of Storm Water Sewer District No. 2018-1, seconded by Tyler.

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

No public comments.

Motion by Lawver, seconded by Kavan, to adjourn at 7:59 p.m.

Approved:

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Lucinda Morrow, Deputy Clerk

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Loren L. Lindahl, Mayor