

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 President of the Council 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, Chris Rappl, and Kevin Dunbar. Absent: none.

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

1. Excused absence of Mayor Loren Lindahl
2. Minutes of June 28, 2018 meeting of Council
3. Minutes of June 27, 2018 meeting of Board of Adjustment
4. Minutes of July 5, 2018 meeting of Planning Commission
5. Approval of revised job description for Parks Maintenance Worker position and placement on salary scale
6. Mayor's appointment: Glen Wilcox (Planning Commission Representative) to Board of Adjustment, term ends July, 2021
7. Licenses: Plumber: Service One, Inc, Martin Anderson. Electrician: Thomas Wieduwilt, TW Electric.

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

Department head reports presented. Street Committee met on July 10, 2018.

Public hearing on amendment to the general redevelopment plan to provide for a redevelopment contract, was opened at 7:07 p.m. Tom Huston addressed the Council regarding the project and funding. Motion by Tyler, seconded by Lawver, to close the public hearing at 7:13 p.m. Roll call vote: Tyler, yes; Lawver, yes; Kavan, yes; Rappl, yes; Dunbar, yes; and Krejci, yes. Absent and not voting: none. Motion carried.

Council Member Kavan introduced **Resolution No. 2018-17**, and moved for its approval, seconded by Tyler,

"WHEREAS, the City of Wahoo, Nebraska, a municipal corporation (the **"City"**), has determined it to be desirable to undertake and to 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 Community Development Agency of the City (the **"Authority"**) has prepared or caused to be prepared a general redevelopment plan for the Redevelopment Area in the form

attached as **Attachment 2** (the “**Redevelopment Plan**”), which has previously been approved by the Mayor and Council of the City;

WHEREAS, pursuant to and in furtherance of the Act, the Authority has caused to be prepared a substantial modification to the Redevelopment Plan in the form attached as **Attachment 3** (the “**Plan Amendment**”), the purpose of which is to authorize certain community redevelopment projects (collectively, the “**Project**”) within a portion of the Redevelopment Area described in **Attachment 4** (the “**Project Area**”);

WHEREAS, the Authority and the Planning Commission of the City (the “**Planning Commission**”) have both reviewed the Plan Amendment 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 Plan Amendment 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 Plan Amendment; and

WHEREAS, the City has reviewed the Redevelopment Plan, including the Plan Amendment, and determined that the proposed land uses and building requirements described therein 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 MAYOR AND COUNCIL OF THE CITY OF WAHOO, NEBRASKA:

Section 1. The Redevelopment Plan for the Redevelopment Area, including the Project Area, is hereby determined to be feasible and in conformity with the general plan for the development of the City as a whole, and the Redevelopment Plan, including the Plan Amendment, is in conformity with the legislative declarations and determinations set forth in the Act; and it is hereby found and determined, based on the analysis conducted by the Authority, that (a) the Project described in the Plan Amendment would not be economically feasible without the use of tax-increment financing, (b) the Project would not occur in the Project Area without the use of tax-increment financing, and (c) the costs and benefits of the Project, including costs and benefits to other affected political subdivisions, the economy of the City, and the demand for public and private services have been analyzed by the City and have been found to be in the long-term best interest of the community impacted by the Project. The City acknowledges receipt of the recommendations of the Authority and the Planning Commission with respect to the Plan Amendment.

Section 2. The Plan Amendment is hereby approved in substantially the form attached

hereto, with such immaterial changes, additions, or deletions thereto as may be determined to be necessary by the Mayor in the Mayor's sole and absolute discretion. The Plan Amendment shall for all purposes serve as an amendment to the Redevelopment Plan.

Section 3. The Redevelopment Plan, as amended by this Resolution and the Plan Amendment, is hereby ratified and reaffirmed, and the Authority is hereby directed to implement the Redevelopment Plan in accordance with the Act.

Section 4. In accordance with Section 18-2147 of the Act, the City hereby amends the Redevelopment Plan by providing that any ad valorem tax on real property in the Project Area for the benefit of any public body be divided as follows for a period of 15 years after the effective date of this provision as provided in Section 18-2147 of the Act, which effective date shall be January 1, 2019:

(a) That proportion of the ad valorem tax which is produced by levy at the rate fixed each year by or for each public body upon the Redevelopment Project Valuation (as defined in the Act) shall be paid into the funds of each such public body in the same proportion as all other taxes collected by or for the bodies; and

(b) That proportion of the ad valorem tax on real property in the Project Area in excess of such amount (the Redevelopment Project Valuation), if any, shall be allocated to, is pledged to, and, when collected, paid into a special fund of the Authority or City to pay the principal of, the interest on, and any premiums due in connection with the bonds, loans, notes or advances of money to, or indebtedness incurred by, whether funded, refunded, assumed, or otherwise, such Authority for financing or refinancing, in whole or in part, the Project. When such bonds, loans, notes, advances of money, or indebtedness, including interest and premium due have been paid, the Authority or City shall so notify the County Assessor and County Treasurer and all ad valorem taxes upon real property in the Project Area shall be paid into the funds of the respective public bodies.

Section 5. The City has determined that the proposed land uses and building requirements in the Redevelopment Area, including the Project Area, are designed with the general purposes of accomplishing, and in conformance with the general plan of the City, 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.

Section 6. The Mayor and Clerk are hereby authorized and directed to execute such documents and take such further actions as are necessary to carry out the purposes and intent of this Resolution and the Plan Amendment."

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

Council Member Kavan introduced **Resolution No. 2018-18**, and moved for its approval, seconded by Dunbar,

“A Resolution authorizing the issuance of Tax Increment Revenue Notes (Wahoo State Bank Project), Series 2018 of the City of Wahoo, Nebraska, for the purpose of paying certain project costs in connection with the Wahoo State Bank Project; prescribing the form and details of said notes and the covenants and agreements made by the City of Wahoo, Nebraska to facilitate and protect the payment thereof; and prescribing other matters relating thereto,”

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

A revised version of proposed Ordinance No. 2282, eliminating ATVs, was reviewed. Lausterer noted some type of action must be taken in view of the state law change. The use of UTVs or ATVs by city staff and emergency personnel in the course of their duties, in times of emergency as declared by FEMA or the Mayor, and for snow removal or parade activities, as well as Inspection and safety compliance of vehicles and use of safety equipment by city personnel, was discussed. Use by the general public would be eliminated. This remains tabled, and a further revised version of the ordinance will be drafted for consideration at the next meeting.

Motion was made by Lawver, seconded by Kavan, to accept the Certificate of Substantial Completion of the Wahoo Ball Field Fencing Replacement project, and authorize the Mayor to sign documents. Roll call vote: Lawver, yes; Kavan, yes; Tyler, yes; Krejci, yes; Rapple, yes; and Dunbar, yes. Absent and not voting: none. Motion carried.

The first reading of Ordinance No. 2284 was passed on June 28, 2018.

Ordinance No. 2284 was introduced by Lawver, entitled: AN ORDINANCE OF THE CITY OF WAHOO TO AMEND ORD. NO. 1886, THE ZONING ORDINANCE, BY AMENDMENT OF SECTION 2, DEFINITIONS; ARTICLE 5, SECTION 5.15 I-1 LIGHT INDUSTRIAL AND SECTION 5.16 I-2 HEAVY INDUSTRIAL ZONING DISTRICT; AND ARTICLE 7, CREATING SECTION 7.26 REGULATING ADULT ESTABLISHMENTS. The President of the Council then instructed the Clerk to read Ordinance No. 2284 of the City of Wahoo, Nebraska. The Clerk thereupon read the aforesaid Ordinance No. 2284 by title.

Council Member Lawver moved that the statutory rules in regard to the passage and adoption of ordinances be suspended so the said ordinance might be introduced, read by title, and then moved for final passage at the same meeting. Council Member Rappl 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; Rappl, yes; Dunbar, yes; Krejci, yes; Kavan, yes; and Tyler, yes. Absent and not voting: none. 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. 2284 may be read by title and moved for final passage in the same meeting.

Council Member Lawver moved that Ordinance No. 2284 be approved and passed, and its title agreed to. Council Member Tyler 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; Tyler, yes; Rappl, yes; Dunbar, yes; Krejci, yes; and Kavan, 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 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.

Chief Ferrell explained the plan to replace the 2010 Crown Victoria, which has numerous mechanical issues, as soon as possible. He requested authorization to purchase a vehicle from the Kansas State Police, a 2016 or 2017 Dodge Charger with approximately 50,000 miles. Approximate cost is \$17-\$18K, plus cost of installation of equipment of \$9-\$10K. Money has been set aside in the budget for purchase and equipping a new vehicle, and the Finance Committee has reviewed this request.

Motion by Kavan, seconded by Rappl, to authorize purchase of a Dodge Charger from the Kansas State Police by the Wahoo Police Department. Roll call vote: Kavan, yes; Rappl, yes; Dunbar, yes; Krejci, yes; Lawver, yes; and Tyler, yes. Absent and not voting: none. Motion carried.

No audience comments presented.

The next meeting will be held on Tuesday, July 24, 2018. Lawver reported he will be absent.

Motion by Kavan, seconded by Dunbar, to adjourn at 7:39 p.m.

Approved:

Lucinda Morrow, Deputy Clerk

Stuart Krejci, President of the Council