

The Council met in special 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, Chris Rappl, and Kevin Dunbar. Absent none.

The Mayor acknowledged this is his 96th meeting, and the last full meeting where he will preside.

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

1. Minutes of November 8, 2018 meeting of Council
2. Minutes of November 1, 2018 meeting of Planning Commission
3. Approval of Cody Blocker, Megan Svoboda, and Cole Talbert as a member of the EMS Department

Roll call vote: Lawver, yes; Kavan, yes; Tyler, yes; Krejci, yes; Rappl, yes; and Dunbar, yes. Motion carried.

Public Hearing opened at 7:01 p.m. on application for change of zoning from C-3 General Commercial to I-2 Heavy Industrial for Lot 1, Block 1, Stocking's Second Addition, and Lots 1-5 and Lot 8, Block 2, Stocking's Second Addition, commonly known as 569 East 1st Street and 441 East 1st Street, as filed by Varner's R & R LLC and Waste TD LLC. Nathen Varner and Jerry Divis appeared in support of the change. The Planning Commission recommended approval of the changes. No other public comments offered. Motion by Lawver, seconded by Kavan, to close the public hearing at 7:03 p.m. Roll call vote: Lawver, yes; Kavan, yes; Tyler, yes; Krejci, yes; Rappl, yes; and Dunbar, yes. Absent and not voting: none. Motion carried.

Ordinance No. 2294 was introduced by Lawver entitled: AN ORDINANCE OF THE CITY OF WAHOO TO AMEND THE OFFICIAL ZONING MAP TO CHANGE ZONING ON LOT 1, BLOCK 1, STOCKINGS 2ND ADDITION FROM C-3 ZONING to I-2 INDUSTRIAL. The Mayor then instructed the Clerk to read Ordinance No. 2294 of the City of Wahoo, Nebraska. The Clerk thereupon read the aforesaid Ordinance No. 2294 by title.

Council Member Kavan 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 Tyler 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: Roll call vote: Kavan, yes; Tyler, yes; Krejci, yes; Rappl, yes; Dunbar, yes; and Lawver, 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 Mayor declared the statutory rules in regards to the passage and approval of ordinance be suspended so that Ordinance No. 2294 may be read by title and moved for final passage in the same meeting.

Council Member Lawver moved that Ordinance No. 2294 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; Rappl, 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, 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.

Ordinance No. 2295 was introduced by Lawver entitled: AN ORDINANCE OF THE CITY OF WAHOO TO AMEND THE OFFICIAL ZONING MAP TO CHANGE ZONING ON LOTS 1-5 AND LOT 8, BLOCK 2, STOCKINGS 2ND ADDITION FROM C-3 ZONING to I-2 INDUSTRIAL. The Mayor then instructed the Clerk to read Ordinance No. 2295 of the City of Wahoo, Nebraska. The Clerk thereupon read the aforesaid Ordinance No. 2295 by title.

Council Member Dunbar 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 Tyler 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: Roll call vote: Dunbar, yes; Tyler, yes; Krejci, yes; Rappl, yes; Lawver, yes; and Kavan, 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 Mayor declared the statutory rules in regards to the passage and approval of ordinance be suspended so that Ordinance No. 2295 may be read by title and moved for final passage in the same meeting.

Council Member Lawver moved that Ordinance No. 2295 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; Dunbar, yes; Rappl, yes; Krejci, 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, 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.

Jon Mooberry of JEO Consulting Group appeared to explain the request by M E Collins to reconsider the milestones of the Chestnut Street project. Mooberry stated this has been discussed with staff, there are no concerns on the change, work has been proceeding in multiple areas when crews are able to work; there have been some weather delays. This would amend the contract, and be specified in a change order.

Motion by Dunbar, seconded by Krejci, to approve amendment of the contract with M E Collins Contracting for Chestnut Street Improvements to waive the phasing milestones, contingent upon the parties agreeing that the substantial and final completion deadlines with associated liquidated damage

clauses remain in place, and that the contractor will continue to work with the engineer on the appropriate progression of the project. Roll call vote: Dunbar, yes; Krejci, yes; Rappl, yes; Lawver, abstained; Kavan, yes; and Tyler, yes. Absent and not voting: none. Motion carried.

Motion by Kavan, seconded by Krejci, to approve Pay Application #6 in the amount of \$100,138.70 to M E Collins Contracting Co., for Chestnut Street Improvement Project. Roll call vote: Kavan, yes; Krejci, yes; Rappl, yes; Lawver, abstained; Kavan, yes; and Tyler, yes. Absent and not voting: none. Motion carried.

Motion by Kavan, seconded by Lawver, to approve Pay Application #4 to Buckmaster Construction in the amount of \$35,313.42 for Hackberry Park Improvement project. Roll call vote: Kavan, yes; Lawver, yes; Tyler, yes; Krejci, yes; Rappl, yes; and Dunbar, yes. Absent and not voting: none. Motion carried.

Ordinance No. 2296 was introduced by Dunbar entitled: AN ORDINANCE OF THE CITY OF WAHOO TO AMEND TITLE III, CHAPTER 31, SECTION 31.10 APPOINTMENT, BY ADDITION OF A LIST OF APPOINTED OFFICIALS. The Mayor then instructed the Clerk to read Ordinance No. 2296 of the City of Wahoo, Nebraska. The Clerk thereupon read the aforesaid Ordinance No. 2296 by title.

Council Member Dunbar 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 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: Roll call vote: Dunbar, yes; Rappl, yes; Krejci, yes; Tyler, yes; Kavan, yes; and Lawver, 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 Mayor declared the statutory rules in regards to the passage and approval of ordinance be suspended so that Ordinance No. 2296 may be read by title and moved for final passage in the same meeting.

Council Member Dunbar moved that Ordinance No. 2296 be approved and passed and its title agreed to. Council Member Rappl seconded the motion. The Mayor instructed the Clerk to call the roll for the vote and the following was the vote on this motion: Dunbar, yes; Rappl, yes; Krejci, yes; Tyler, yes; Kavan, yes; Lawver, 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, 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.

The Mayor stated in discussion by the Wahoo Public Building and Grounds, the Wahoo Library Foundation, and Library Board of Trustees, for a way to acknowledge the bequest of the Pestal family, there is a desire to rename the library the "Raymond D. and Georgia E. Pestal Memorial Library." Chris Pestal thanked the boards for considering naming the facility in his relatives' honor, and stated he hoped the boards would be creative in using the funding to help the library continue to grow and expand. Motion by Kavan, seconded by Dunbar, to proceed with renaming the Wahoo Public Library, the

Raymond D. and Georgia E. Pestal Memorial Library. Roll call vote: Kavan, yes; Dunbar, yes; Lawver, yes; Tyler, yes; Krejci, yes; and Rappl, yes. Absent and not voting: none. Motion carried.

The Mayor extended thanks to those who have served the City during his term, and acknowledged Dunbar and Rappl, who will be ending their terms on the Council.

Lawver stated he will be absent on December 27.

Motion by Krejci, seconded by Lawver, to adjourn at 7:28 p.m.

Approved:

Lucinda Morrow, Deputy Clerk

Loren L. Lindahl, Mayor