

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 Gerald D. Johnson 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, Gerry Tyler, Stuart Krejci, Karen Boop, and Carl Warford. Absent: Greg Kavan.

The Mayor introduced Cary Deane, new Director of Region V Services.
A proclamation was signed, declaring March as Problem Gambling Awareness Month.

Motion by Lawver, seconded by Tyler, to approve the consent agenda:

1. Acceptance of excused absence of Greg Kavan
2. Minutes of February 14, 2019 meeting of Council
3. Minutes of January 31, 2019 meeting of Board of Adjustments
4. Minutes of February 12, 2019 meeting of Wahoo Library Board
5. Approval of Job Description and Pay Rate for part-time file clerk position

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

Lawver reported the Design Standards committee met. The draft will be discussed by the Planning Commission at their next meeting, and a special work session for the Council is set for March 14, 2019 at 6:30 p.m. Tyler reported the Board of Public Works met.

The Mayor opened the public hearing at 7:10 p.m. on the Six Year Road and Street Plan for the City of Wahoo. Steve Parr of JEO Consulting Group discussed the projects depicted in the plan. No public comments offered. Motion by Lawver, seconded by Krejci, to close the public hearing at 7:11 p.m. Roll call vote: Absent and not voting: Kavan. Motion carried.

Council member Lawver introduced the following resolution, **Resolution 2019-03**, to approve the plan and authorize submittal to Nebraska Department of Transportation, and moved for its approval, seconded by Tyler,

“WHEREAS, the City Street Superintendent has prepared and presented a One Year and Six Year Plan for Street Improvement Program for the City of Wahoo, and
WHEREAS, a public meeting was held on the 28th day of February, 2019, to present this plan and there were no objections to said plan;
THEREFORE, BE IT RESOLVED BY THE Mayor and City Council of Wahoo, Nebraska,
that the plans and data as furnished are hereby in all things accepted and adopted.”

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

The Mayor opened public hearing at 7:12 p.m. on the Final Plat of Grenfell Subdivision, a replat of Lots 9, 10, 11, and 12, Block 36, South Wahoo, City of Wahoo, Saunders County, Nebraska. (Site of Runza

project). Beavers and Aaron Grenfell representing Runza, stated the lots are being joined for boundary and setback purposes for the building project. No public comments offered.

Motion by Krejci, seconded by Tyler, to close the public hearing at 7:14 p.m. Roll call vote: Krejci, yes; Tyler, yes; Lawver, yes; Warford, yes; and Boop, yes. Absent and not voting: Kavan. Motion carried.

Motion by Warford, seconded by Lawver, to approve the Final Plat of Grenfell Subdivision, a replat of Lots 9, 10, 11, and 12, Block 36, South Wahoo Addition. Roll call vote: Warford, yes; Lawver, yes; Tyler, yes; Krejci, yes; and Boop, yes. Absent and not voting: Kavan. Motion carried.

The Mayor opened public hearing at 7:15 p.m. on application for Conditional Use Permit to provide off street parking to meet parking requirements at a location other than where the principal use is conducted, as filed by Fubar LLC (Runza), in NRC – Neighborhood Residential Commercial District. The Planning Commission recommended approval. Beavers and Grenfell stated the lot will be hard-surfaced, lighted, with a small directional sign. Entrance from 1st Street has been approved by NDOR. No public comments.

Motion by Tyler, seconded by Krejci, to close the public hearing at 7:21 p.m. Roll call vote: Tyler, yes; Krejci, yes; Boop yes; Warford, yes; and Lawver, yes. Absent and not voting: Kavan. Motion carried. Conditions link the site to the primary use on Grenfell Subdivision, and include hard surfacing the lot, proper drainage, restricted ingress/egress, and lighting deflected from residential uses.

Ordinance No. 2301 was introduced by Lawver entitled: AN ORDINANCE OF THE CITY OF WAHOO GRANTING A CONDITIONAL USE PERMIT, PARKING TO MEET PARKING REQUIREMENTS AT A LOCATION OTHER THAN WHERE THE PRINCIPAL USE IS CONDUCTED, IN NRC ZONING DISTRICT. The Mayor then instructed the Clerk to read Ordinance No. 2301 of the City of Wahoo, Nebraska. The Clerk thereupon read the aforesaid Ordinance No. 2301 by title.

Council Member Krejci 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: Krejci, yes; Tyler, yes; Lawver, yes; Warford, yes; and Boop, yes. Absent and not voting: Kavan. 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. 2301 may be read by title and moved for final passage in the same meeting.

Council Member Lawver moved that Ordinance No. 2301 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; Boop, yes; and Warford, yes. Absent and not voting: Kavan. 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.

Parking plan for Runza building project was provided, with revisions as recommended by the Planning Commission. Beavers stated the plan includes more than the required number of stalls, a loading zone area, and ADA parking. Motion by Krejci, seconded by Lawver, to approve the parking plan as submitted. Roll call vote: Krejci, yes; Lawver, yes; Warford, yes; Boop, yes; and Tyler, yes. Absent and not voting: Kavan. Motion carried.

Final design plan for Runza building project was reviewed Beavers stated the proposed design standards were used to evaluate the plan, it meets requirements, including a landscaping plan. Motion by Krejci, seconded by Tyler, to approve the final design plan as submitted. Roll call vote: Krejci, yes; Tyler, yes; Lawver, yes; Warford, yes; and Boop, yes. Absent and not voting: Kavan. Motion carried.

Motion by Warford, seconded by Krejci, to approve Change Order No. 5 for Chestnut Street improvements. Roll call vote: Warford, yes; Krejci, yes; Boop, yes; Tyler, yes, and Lawver, abstained. Absent and not voting: Kavan. Motion carried.

Motion by Krejci, seconded by Tyler, to approve Pay Application No. 9 for \$51,602.17 to M E Collins Contracting for Chestnut Street improvements. Roll call vote: Krejci, yes; Tyler, yes; Warford, yes; Boop, yes; and Lawver, abstained. Absent and not voting: Kavan. Motion carried.

The Mayor named a committee of: legal counsel, City Administrator, Mayor, Krejci, and Kavan to negotiate with a committee of the Wahoo Rural Fire Board 13 regarding an interlocal agreement. Motion by Tyler to approve the committee appointments, seconded by Lawver. Roll call vote: Tyler, yes; Lawver, yes; Warford, yes; Boop, yes; and Krejci, yes. Absent and not voting: Kavan. Motion carried.

Plans for 2019 asphalt overlay were reviewed; this project will be let at the same time as the County overlay project bid. Jon Mooberry of JEO Consulting Group discussed the plans for the three sections of overlay, and cost estimate. Motion by Krejci to approve 2019 asphalt overlay plans, seconded by Lawver. Roll call vote: Krejci, yes; Lawver, yes; Warford, yes; Boop, yes; and Tyler, yes. Absent and not voting: Kavan. Motion carried.

Ordinance No. 2302 was introduced by Tyler entitled: AN ORDINANCE OF THE CITY OF WAHOO AMENDING THE MUNICIPAL CODE TITLE III ADMINISTRATION, SECTION 30.20 STANDING COMMITTEES. The Mayor then instructed the Clerk to read Ordinance No. 2302 of the City of Wahoo, Nebraska. The Clerk thereupon read the aforesaid Ordinance No. 2303 by title.

Council Member Tyler moved that Ordinance No. 2302 be approved and passed on first reading and its title agreed to. Council Member Warford seconded the motion. The Mayor instructed the Clerk to call the roll for the vote and the following was the vote on this motion: Tyler, yes; Warford, yes; Lawver, yes; Krejci, and Boop, yes. Absent and not voting: Kavan. Motion carried.

Lausterer reviewed additional materials for changes to municipal code and zoning regulations regarding pets, animals, and livestock. Further discussion of regulation in other communities, domestic animals/pets, prohibited animals, dangerous animals, service animals, nuisance issues, and licensing/registration was conducted. A draft will be prepared for further discussion at the next meeting.

Fire Chief Hull asked about the timetable for the drainage project in the vicinity of the Fire Hall. The Mayor thanked those who attended the League Conference in Lincoln. Topics included property inspection codes, and purchasing/cleanup of nuisance properties. Harrell reported she will be attending the trial scheduled the week of March 11, 2019 for the subrogation of the library damage claim.

No public comments offered.

Motion by Lawver, seconded by Warford, to adjourn at 8:25 p.m.

Approved: March __, 2019

Lucinda Morrow, Clerk

Gerald D. Johnson, Mayor