

The Council met in special session in compliance with agenda posted at City Hall, Post Office and First National Bank with each Council member being notified of agenda prior to the meeting. The meeting was called to order by Mayor Jerry 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: Merle Hennings, Mike Lawver, Gerry Tyler, Stuart Krejci, Jim Svoboda, and Janet Jonas. Absent: none.

The Mayor called for items not otherwise listed on the agenda. Walker Luedtke asked that the City Council look into actions of the Wahoo Airport Authority and minimum standards enacted. The Mayor stated he would attend the Wahoo Airport Authority meeting on November 21, 2012.

A motion was made by Jonas, seconded by Lawver, to approve the following items listed on the consent agenda:

1. Minutes of November 8, 2012 meeting of Council
2. Approval of Mike Minnehan and Matt Ruwe as members of the Wahoo Volunteer Fire Department
3. The following licenses: Steve Shanahan, Shanahan Mechanical, plumber, renewal; Action Plumbing, Heating & Air Conditioning, Inc., plumber, renewal; Tom Hardesty, Wellmann Heating & Air Conditioning, Inc., HVAC, renewal; Ryan Hall, RH All Electric LLC, electrician, new; and Pat Trede, Trede Electric, electrician, renewal.

Roll call vote: Jonas, yes; Lawver, yes; Hennings, yes; Tyler, yes; Krejci, yes; and Svoboda, yes. Motion carried.

The Mayor called for Council Committee reports. Lawver reported the street committee will meet on November 27<sup>th</sup>. Tyler reported the Board of Public Works met on November 15<sup>th</sup>. They plan a special meeting in December to approve the 2013 budget. Several items associated with the Omaha Steel Castings project are still unknown and could affect the budget, and other potential development projects could have an impact. The Board recommended acceptance of bids for RICE compliance work on three power plant engines.

Lindahl reported an order was received today from the bankruptcy court dismissing the petition filed by Mr. Widlar. The Mayor reported he met with the owner of the Camel Center property; they have taken some steps to secure the property, and are looking into some development plans.

The agreement with Lower Platte North NRD for locating a storage building to house water rescue equipment for the Wahoo Volunteer Fire Department was reviewed. It has been signed by LPNNRD. A motion was made by Lawver to authorize the Mayor to sign the agreement with Lower Platte North Natural Resources District for construction of a building for storage of emergency equipment. Motion was seconded by Krejci. Roll call vote: Lawver, yes; Krejci, yes; Hennings, yes; Tyler, yes; Jonas, yes; and Svoboda, yes. Absent and not voting: none. Motion carried.

Possible placement of "No Parking" signs along the west side of the alley between 14<sup>th</sup> and 15<sup>th</sup> Street and Chestnut and Walnut was discussed. Customers at Chips are using this area as overflow parking and adjoining property owners are concerned. No action was taken. This will be discussed with the property owners.

Beavers reported he received a request to move a house to a lot at 14<sup>th</sup> and Spruce Streets with setbacks less than allowed in R-2 zoning, but in line with other structures on the block, as may be allowed under zoning regulations. The front of the house will still be 40 feet from the curb. A motion was made by Jonas, seconded by Krejci, to allow the construction with a setback less than allowed in R-2 zoning, and in line with other structures. Roll call vote: Jonas, yes; Krejci, yes; Svoboda, yes; Tyler, yes; Lawver, yes; and Hennings, yes. Absent and not voting: none. Motion carried.

Gibney reported a water line to the Omaha Steel Castings site is planned across property owned by Oden Enterprises, which will require permanent and temporary easements. An ordinance is proposed to authorize staff to proceed with obtaining an easement and agree on terms for construction.

**Ordinance No. 2115** was introduced by Council Member Jonas entitled: AN ORDINANCE OF THE CITY OF WAHOO, SAUNDERS COUNTY, NEBRASKA, TO ACQUIRE AN INTEREST IN REAL ESTATE BY PURCHASE OR EMINENT DOMAIN FOR THE PURPOSE OF SURVEYING, CONSTRUCTING, RECONSTRUCTING, RELOCATING, ALTERING, INSPECTING, REPAIRING, REPLACING, ADDING TO, MAINTAINING AND OPERATING, UTILITIES WITH APPURTENANCES AND ACCESSORIES THERETO OF THE CITY OF WAHOO, NEBRASKA AT ANY TIME, OVER, ACROSS, AND UNDER THE FOLLOWING-DESCRIBED REAL ESTATE, TO WIT: SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 14 NORTH, RANGE 7 EAST OF THE SIXTH P.M., SAUNDERS COUNTY, NEBRASKA. The Mayor then instructed the Clerk to read Ordinance No. 2115 of the City of Wahoo, Nebraska. The Clerk thereupon read the aforesaid Ordinance No. 2115 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 Jonas 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: Lawver, yes; Jonas, yes; Hennings, yes; Tyler, yes; Krejci, yes; and Svoboda, yes. 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. 2115 may be read by title and moved for final passage in the same meeting.

Council Member Jonas moved that Ordinance No. 2115 be approved and passed 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: Jonas, yes; Krejci, yes; Svoboda, yes; Tyler, yes; Hennings, yes; and 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 that the Ordinance be forwarded to the Mayor for the Mayor's signature. The Clerk attested the passage and approval of the same and affixed her signature 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.

A request by Jerry Divis for release of a utility easement on property not occupied by a permanent structure, on the South 50 feet of Lots 7 and 8, Block 154, County Addition, was discussed. This easement was filed in 1989, and the Board of Public Works recommended releasing the easement at their November 15, 2012 meeting. Divis plans to construct a new building on the property. A motion was made by Hennings, seconded by Jonas, to approve release of the utility easement. Roll call vote:

Hennings, yes; Jonas, yes; Lawver, yes; Tyler, yes; Svoboda, yes; and Krejci, yes. Absent and not voting: none. Motion carried.

Olsson Associates prepared specs and contract documents for a 3.75/5.25 MVA Substation Furnace Transformer, associated with the Omaha Steel Castings project, which were recommended by the Board of Public Works. A motion was made by Lawver to approve the specifications and contract documents prepared by Olsson Associates for the furnace transformer, and authorize calling for bids. Motion was seconded by Jonas. Roll call vote: Lawver, yes; Jonas, yes; Hennings, yes; Svoboda, yes; Tyler, yes; and Krejci, yes. Absent and not voting: none. Motion carried.

Due to fire protection needs of Omaha Steel Castings, a larger water service is required to their site. JEO has prepared a design for a water main loop which will circulate the water through the system, which was recommended by the Board of Public Works. Lawver requested that updates be provided from time to time on status of TIF funding for projects, as many changes have occurred since the original plan. A motion was made by Jonas to approve specifications for water main improvements prepared by JEO Consulting Group, and authorize calling for bids for the project. Motion was seconded by Krejci. Roll call vote: Jonas, yes; Krejci, yes; Svoboda, yes; Tyler, yes; Lawver, yes; and Hennings, yes. Absent and not voting: none. Motion carried.

Bids were opened for procurement of equipment and labor and installation of materials on engines at the power plant for RICE compliance, and the Board of Public Works recommended approval of bids from Midstates Erection for labor and installation of equipment, and from DCL America, Inc. for the equipment and materials.

A motion was made by Lawver, seconded by Jonas, to approve award of the bid for labor and installation of catalytic converters to Midstates Erection, Inc., in the amount of \$82,115. Roll call vote: Lawver, yes; Jonas, yes; Hennings, yes; Tyler, yes; Svoboda, yes; and Krejci, yes. Absent and not voting: none. Motion carried.

A motion was made by Svoboda, seconded by Tyler, to approve award of the bid for equipment and materials to DCL America Inc., in the amount of \$190,330.00. Roll call vote: Svoboda, yes; Tyler, yes; Lawver, yes; Hennings, yes; Krejci, yes; and Jonas, yes. Absent and not voting: none. Motion carried.

A motion was made by Lawver, seconded by Tyler to adjourn at 7:54 p.m.

Approved: \_\_\_\_\_.

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Lucinda Morrow, Deputy City Clerk

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Gerald D. Johnson, Mayor