

The Council met in special session and 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 Acting Mayor Stuart Krejci at 7:00 p.m. and opened with the Pledge of Allegiance. The Acting 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, Jim Svoboda, and Kevin Dunbar. Absent: Greg Kavan.

The Mayor called for items not listed on the agenda and none were presented.

Kavan entered the meeting at 7:01 p.m.

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

1. Excused absence of Mayor Janet Jonas
2. Minutes of the September 26, 2013 meeting of the Mayor and Council
3. Acceptance of Planning Commission minutes of October 3, 2013

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

Department Head reports were reviewed. Stuhr reported on activity at Hackberry Park and the economic impact of tournaments and ball games. Impact of the bypass, and traffic flow and parking issues near the fields were discussed.

Harrell requested the Finance Committee meet to discuss the recent appraisal of Kennedy Campus.

Lawver was excused from the meeting at 7:08 p.m.

Pay Application #2 for 12th Street Improvements representing approximately 97% completion of the project was discussed. A motion was made by Kavan, seconded by Tyler to approve Pay Application #2 to M E Collins Construction Company for the 12th Street Improvement Project for \$46,166.72. Roll call vote: Kavan, yes; Tyler, yes; Svoboda, yes; Krejci, yes; and Dunbar, yes. Absent and not voting: Lawver. Motion carried.

Lawver returned to the meeting at 7:12 p.m.

Harrell reported on proposed vacation of the portion of Maple Street between A Street and B Street. The City would retain ownership of the land but it would no longer be dedicated for public use, which would allow the City to lease the property to a private party.

Ordinance No. 2143 was introduced by Council Member Lawver entitled: AN ORDINANCE OF THE CITY OF WAHOO, NEBRASKA, TO VACATE A PORTION OF MAPLE STREET, DESCRIBED AS: THAT PORTION OF MAPLE STREET LOCATED BETWEEN "A" STREET AND "B" STREET AND IMMEDIATELY ADJACENT TO LOTS 6 AND 7, BLOCK 7, AND LOTS 1 AND 12, BLOCK 8, STOCKINGS ADDITION TO THE CITY OF WAHOO; TO PROVIDE THAT THE CITY OF WAHOO, NEBRASKA SHALL RETAIN FEE SIMPLE TITLE TO SAID VACATED STREET; PROVIDING FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM. The Mayor then instructed the Clerk to read Ordinance No. 2143 of the City of Wahoo, Nebraska. The Clerk thereupon read the aforesaid Ordinance No. 2143 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 Kavan seconded said motion. The Mayor put the question and instructed the Clerk to call 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; Kavan, yes; Tyler, yes; Krejci, yes; Dunbar, yes; and Svoboda, yes. Absent and not voting: none. 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. 2143 may be read by title and moved for final passage in the same meeting.

Council Member Lawver moved that Ordinance No. 2143 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; Dunbar, yes; Svoboda, yes; Kavan, yes; and Krejci, 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.

Lindahl reported the property must be declared as surplus before it can be leased. Possible lease terms will be discussed at a later meeting.

Harrell reported the City processes several types of electronic banking transactions with First National Bank for payroll, utility bill payments, and park and recreation memberships; she has been working with bank staff to update agreements. Staff authorized in transaction agreements are: Janet Jonas, Mayor; Melissa Harrell, Administrator-Clerk-Treasurer; Lucinda Morrow, Deputy Clerk; Carolyn Barry, Utility Office Manager; Marcella Thompson, Utility Billing Clerk; James M. Gibney, Utilities General Manager; Gerry Tyler, Chair, Board of Public Works; Kevin Stuhr, Park and Recreation Director; Cindy Henkel, Park and Recreation Clerk. Motion was made by Lawver to authorize Mayor and staff to sign documents with First National Bank regarding origination agreement and other necessary documents. Motion seconded by Kavan. Roll call vote: Lawver, yes; Kavan, yes; Tyler, yes; Dunbar, yes; and Svoboda, yes. Krejci abstained. Absent and not voting: none. Motion carried.

Kevin Stuhr presented the annual report of the Wahoo Aquatic Center. Weather affected attendance again this year. Stuhr requested that a transfer from sales tax revenues of \$38,811.00 be made to cover operating deficit for 2013 operations, as has been done in the past. A motion was made by Dunbar, seconded by Svoboda, to accept the Annual Report for the Wahoo Aquatic Center and authorize transfer from sales tax funds of \$38,811.00 to cover the 2013 deficit. Roll call vote: Dunbar, yes; Svoboda, yes; Krejci, yes; Kavan, yes; Tyler, yes; and Lawver, yes. Absent and not voting: none. Motion carried.

Hazard posed to aircraft by geese and other wildlife at and near the airport was discussed. Harrell reported the FAA has procedural guidelines for controlling wildlife hazards, which must comply with local regulations. Wahoo Municipal Code prohibits discharge of firearms within city limits. Harrell stated many communities include an exception to permit discharge on airport property for animal control as deemed necessary by the airport authority for safety of aircraft operation. The Wahoo Airport Authority will be discussing this further. A motion was made by Kavan, seconded by Lawver, to table discussion to

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

Harrell distributed a copy of the Omaha Steel Casting subdivision plat, illustrating 12th Street right of way and easements, for review at the next Council meeting.

Krejci reminded members of the Heartland 2050 meeting at the Performing Arts Center at Wahoo High School on October 10, 2013.

A motion was made by Lawver, seconded by Kavan, to adjourn at 7:41 p.m.

Approved:

Lucinda Morrow, Deputy Clerk

Stuart Krejci, President of the Council