

The Council met in regular 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 Janet Jonas 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, Stuart Krejci, Jim Svoboda, and Kevin Dunbar. Absent: Gerry Tyler.

The Mayor called for audience comments on items not listed on the agenda. None were offered.

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

1. Acceptance of excused absence of Tyler.
2. Minutes of the April 25, 2013 meeting of the Mayor and Council
3. Minutes of May 2, 2013 meeting of Planning Commission
4. Approval of Jaime Iverson as a member of the Wahoo Volunteer Fire Department
5. The following licenses: Plumbers: Scott Macaluso, Alex Legg Plumbing Inc.; Dan Pabian, Pabian Electric; Kevin Pole, TSI Mechanical LLC (new). Electricians: John Z. Bosley, JZ Bosley Electric (new)

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

Lawver requested the Street Committee schedule a meeting right before an upcoming council meeting. Svoboda reported the Airport Authority met on May 9 and discussed haying airport property, repairs to the EAA hangar roof, the replacement courtesy car, and locking gate.

Chief Jackson reported the new patrol vehicle is in service and a new part-time officer has been hired. Beavers reported things are busy, with two new homes and a commercial building permit in April. Harrell reported from the Greater Wahoo Development Foundation meeting that bids for the expressway project are expected to be let in August or September. Harrell and Krejci are working with the Chamber to develop a community survey in electronic format. Jansa reported staff is getting the cemetery ready for Memorial Day. The Mayor requested the Police Chief and Finance Committee meet briefly after this meeting.

The Mayor declared the public hearing opened at 7:07 p.m. to obtain public comment prior to consideration of a resolution declaring an area to be blighted and substandard and in need of redevelopment pursuant to the Community Development Law, Chapter 18, Article 21, Reissue Revised Statutes of Nebraska, as amended.

Harrell reported the blight study was prepared by JEO Consulting Group for property along the highway corridor south and west of town. Once this is approved the process proceeds to approval of a general redevelopment plan. Specific redevelopment projects can then be considered for annexed areas. No other comments were presented. Motion was made by Lawver, seconded by Svoboda to close the public hearing at 7:08 p.m. Roll call vote: Lawver, yes; Svoboda, yes; Kavan, yes; Dunbar, yes; and Krejci, yes. Absent and not voting: Tyler. Motion carried.

The study area was reviewed and discussed. Council Member Krejci introduced the following resolution, **Resolution 2013-11**, and moved for its approval, seconded by Lawver.

“WHEREAS, it is necessary, desirable, advisable, and in the best interests of the City of Wahoo, Nebraska (the “City”), for the City to undertake and carry out redevelopment projects in certain areas of the City that are determined to be substandard and blighted and in need of redevelopment; and

WHEREAS, the Community Development Law, Chapter 18, Article 21, Reissue Revised Statutes of Nebraska, as amended (the “Act”), prescribes the requirements and procedures for the planning and implementation of redevelopment projects; and

WHEREAS, Section 18-2109 of the Act requires that, prior to the preparation by the Community Development Agency of the City of a redevelopment plan for a redevelopment project, the Council shall, by resolution, declare the area to be blighted and substandard; and

WHEREAS, on May 9, 2013, at 7:00 p.m., the Council of the City held a public hearing (the “Public Hearing”) at the Wahoo City Hall, 605 North Broadway in the City, to determine whether that certain area more fully described on Attachment 1 (the “Redevelopment Area”) should be declared blighted and substandard and in need of redevelopment as required by the Act; and

WHEREAS, notice of the Public Hearing was published in the Wahoo Newspaper, a legal newspaper of general circulation in the City, on April 18, 2013, and April 25, 2013, which notice described the time, date, place and purpose of the Public Hearing and the legal description of the Redevelopment Area; the last publication of such notice being at least ten days prior to the time of the Public Hearing; and

WHEREAS, on or before April 18, 2013, such date being at least 10 days prior to the time of the Public Hearing, the City mailed notice of the Public Hearing by United States Certified Mail, return receipt requested, sufficient postage affixed, to all registered neighborhood associations whose area of representation is located in whole or in part within a one-mile radius of the Redevelopment Area and to the president or chairperson of the governing body of each county, school district, community college, educational service unit, and natural resources district with real property in the Redevelopment Area, which notice included the time, date, place, and purpose of the Public Hearing and a map of sufficient size to show the Redevelopment Area; and

WHEREAS, the Public Hearing was conducted and all interested parties were afforded a reasonable opportunity to express their views respecting the declaration of the Redevelopment Area as blighted and substandard and in need of redevelopment, and the Mayor and Council reviewed and discussed a certain Blight Study (the “Blight Study”); and

WHEREAS, the Mayor and Council submitted the question of whether the Redevelopment Area was blighted and substandard and in need of redevelopment to the Planning Commission of the City for its review and recommendation on April 4, 2013, and the Mayor and Council reviewed and discussed the recommendations received from the Planning Commission; and

WHEREAS, the Mayor and Council desire to declare that the Redevelopment Area is blighted and substandard and in need of redevelopment in accordance with the Act.

NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF WAHOO, NEBRASKA AS FOLLOWS:

Section 1. The Redevelopment Area is hereby declared to be substandard and in need of redevelopment pursuant to the Act, in that conditions now exist in the Redevelopment Area meeting the criteria set forth in Section 18-2103(10) of the Act, as described and set forth in the Blight Study.

Section 2. The Redevelopment Area is hereby further declared to be blighted and in need of redevelopment pursuant to the Act, in that conditions now exist in the Redevelopment Area meeting the criteria set forth in the Act, including, without limitation, (a) one or more of the factors set forth in Section 18-2103(11)(a) of the Act and (b) at least one of the factors set forth in (i) through (iv) of Section 18-2103 (11)(b) of the Act, as described and set forth in the Blight Study.

Section 3. The blighted and substandard conditions existing in the Redevelopment Area are beyond remedy and control solely through the regulatory process and the exercise of police power and cannot be dealt with effectively by the ordinary operations of private enterprise without the aids provided by the Act, and the elimination of the blighted and substandard conditions under the authority of the Act is hereby found to be a public purpose and declared to be in the public interest.

Section 4. The Redevelopment Area is in need of redevelopment and is or will be an eligible site for a redevelopment project under the provisions of the Act at the time of the adoption of any redevelopment plan with respect thereto.

Section 5. This Resolution shall be published and shall take effect as provided by law.”

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

Jake Vasa of JEO Consulting Group explained that completion of storm sewer work for 12th Street Improvements requires a pipeline crossing agreement with Union Pacific Railroad. Councilmember Lawver moved to authorize the Mayor to sign the pipeline crossing agreement with Union Pacific Railroad and payment of \$3,420.00. Councilmember Kavan seconded the motion. Roll call vote: Lawver, yes; Kavan, yes; Dunbar, yes; Svoboda, yes; and Krejci, yes. Absent and not voting: Tyler. Motion carried.

Jake Vasa of JEO Consulting Group discussed Pay Application #7 for Chestnut Street Improvements to TAB Construction. Rain has slowed work somewhat, some additional days will probably be needed. A motion was made by Dunbar, seconded by Svoboda moved to approve Pay Application #7 to TAB Construction for the Chestnut Street Project for \$94,160.21. Roll call vote: Dunbar, yes; Svoboda, yes; Krejci, yes; Kavan, yes; and Lawver, yes. Absent and not voting: Tyler. Motion carried.

The next meeting will be held on Thursday, May 23, 2013.

A motion was made by Lawver, seconded by Krejci to adjourn at 7:21 p.m.

Approved: _____.

Lucinda Morrow, Deputy Clerk

Janet A. Jonas, Mayor