

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 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 items not listed on the agenda. None presented.

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

1. Excused absence of Gerry Tyler
2. Minutes of the September 11, 2014 meeting of the Mayor and Council
3. The following licenses: Plumbers: Pat R Crawford, Crawford Plumbing; Budd Bogatz, Todd Valley Plumbing & Heating. Electricians: Budd Bogatz, Todd Valley Plumbing & Heating; Michael C Martin, JCM Electric, Inc.

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

Krejci reported the bakery has reopened with participation from Greater Wahoo Development Foundation and SENDD. Svoboda reported the airport authority met. Harrell reported the Flood Plain Risk Task Force will meet September 29 to review information for the flood plain map update. Harrell asked Council members to consider alternate meeting dates for the second meetings in November and December, as these dates are holidays. Harrell is working with LARM and the adjuster for final numbers of loss at the library, and will submit a report. Harrell met with III Corps to get ready for Wahoo to begin processing claims. This has been done for several years by Fremont.

Request for "No Parking" signs on the north side of 10th Street between Hackberry and Willow Streets was discussed. The following resolution, **Resolution No. 2014-14**, was introduced by Kavan, who moved for its approval, seconded by Dunbar:

"WHEREAS, the Governing Body of the City of Wahoo, Nebraska, has enacted a Municipal Code, and,

WHEREAS, Wahoo Municipal Code Section 70.01 adopts all portion of the Nebraska Rules of the Road and incorporates them by reference into the Wahoo Municipal Code, and,

WHEREAS, Section 60-680 (1)(b) of the Nebraska Revised Statutes provides the following:

"(1) Any local authority with respect to highways under its jurisdiction wand within the reasonable exercise of police power may: ... (b) Regulate traffic by means of peace officers or traffic control devices;" and

WHEREAS, Section 60-624 of the Nebraska Revised Statutes defines a highway as follows:

"Highway shall mean the entire width between the boundary limits of any street, road, avenue, boulevard, or way which is publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel." and,

WHEREAS, Section 60-670 of the Nebraska Revised Statutes defines a traffic control device as follows:

“Traffic control device shall mean any sign, signal, marking, or other device not inconsistent with the Nebraska Rules of the Road placed or erected by authority of a public body or official having jurisdiction for the purpose of regulating, warning, or guiding traffic.” and,
WHEREAS, the Mayor and Council of the City of Wahoo, Nebraska, as the City of Wahoo’s Governing Body, do desire to adopt this resolution providing for prohibiting parking at certain locations in the City of Wahoo, and,

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the City of Wahoo, Nebraska, as follows:

Section 1. That the finding hereinabove made should be and are hereby made a part of this Resolution as fully as if set out at length herein.

Section 2. That traffic control devices, to wit: one or more no parking signs, be erected at the following locations, all located in the City of Wahoo, Nebraska:

- a. The north side of 10th Street, between Hackberry Street and Willow Street, prohibiting parking along the north side of 10th Street

Section 3. That upon the approval of this Resolution, the aforementioned traffic control devices shall be erected and this Resolution shall remain in full force and effect until the removal of said aforementioned signs, at which time, this Resolution shall be of no force and effect.”

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

Lottery Operator Agreement between Zeilinger Keno, Inc. and the City of Wahoo was reviewed. Harrell noted that per the agreement, complaints or problems need to be reported at least six months before the renewal date. Review of financial records was discussed.

Motion by Lawver, seconded by Svoboda, to approve the Lottery Operator Agreement between the City of Wahoo and Zeilinger Keno, Inc., and authorize the Mayor to sign documents. Roll call vote: Lawver, yes; Svoboda, yes; Kavan, yes; Dunbar, yes; and Krejci, yes. Absent and not voting: Tyler. Motion carried.

Conditional Use Permit for operation of automotive service and repair business at 431 East 6th Street was discussed. Shane Hake was present. No complaints or problems have been noted, and review in one year was recommended with current conditions continued.

Ordinance No. 2164 was introduced by Council Member Lawver, entitled: AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF WAHOO, NEBRASKA, PERTAINING TO THE FOLLOWING-DESCRIBED REAL ESTATE, TO WIT: PART OF LOT 2, LOT 3, AND PART OF LOT 4, BLOCK 146, COUNTY ADDITION, WAHOO, SAUNDERS COUNTY, NEBRASKA, BY GRANTING A CONDITIONAL USE PERMIT ALLOWING AUTOMOTIVE SERVICE AND REPAIR IN C-3 ZONING DISTRICT; PROVIDING FOR PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM. The Mayor then instructed the Clerk to read Ordinance No. 2164 of the City of Wahoo, Nebraska. The Clerk thereupon read the aforesaid Ordinance No. 2164 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 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; Kavan, yes; ; Krejci, yes; Svoboda, yes; and Dunbar, yes. Absent and not voting: Tyler. 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. 2164 may be read by title and moved for final passage in the same meeting.

Council Member Lawver moved that Ordinance No. 2164 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; Krejci, yes; Svoboda, yes; and Dunbar, yes. Absent and not voting: Tyler. 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.

Harrell reported the balance of a housing rehab loan has been paid in full, and action is required to release the loan. A motion was made by Krejci, seconded by Svoboda, to authorize the Mayor and City Administration to take action necessary to release the loan. Roll call vote: Krejci, yes; Svoboda, yes; Dunbar, yes; Lawver, yes; and Kavan, yes. Absent and not voting: Tyler. Motion carried.

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

Approved:

Lucinda Morrow, Deputy Clerk

Janet A. Jonas, Mayor