

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 Loren Lindahl 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, Gerry Tyler, Stuart Krejci, Jim Svoboda, and Kevin Dunbar. Absent: none.

The Mayor announced the next order of business was annual reorganization of the Council.

A motion was made by Svoboda, seconded by Kavan, to nominate Stuart Krejci as President of the Council, cease nominations, and cast a unanimous ballot. Roll call vote: Svoboda, yes; Kavan, yes; Lawver, yes; Dunbar, yes; Tyler, yes; and Krejci, yes. Absent and not voting: None. Motion carried and Stuart Krejci was declared President of the Council.

The Mayor announced appointment of the following individuals to appointed offices of the City of Wahoo, until the end of the Mayor’s term of office and until their successors are appointed and qualified unless sooner removed:

City Administrator/Clerk/Treasurer	Melissa M. Harrell
Street Commissioner and Cemetery Sexton	David L. Jansa
Chief of Police	Kenneth H. Jackson
Building Inspector	Travis Beavers
City Engineer/Street Superintendent	Steve Parr with JEO Consulting Group
City Physician	Dr. Leo Meduna

**Ordinance No. 2204** was introduced by Council Member Dunbar entitled: AN ORDINANCE OF THE CITY OF WAHOO, APPROVING THE APPOINTMENT BY THE MAYOR OF SUCH OFFICERS AS SHALL BE REQUIRED BY ORDINANCE OR OTHERWISE REQUIRED BY LAW AND ESTABLISHING THE TERM OF SAID OFFICERS. The Mayor then instructed the Clerk to read Ordinance No. 2204 of the City of Wahoo, Nebraska. The Clerk thereupon read the aforesaid Ordinance No. 2204 by title.

Council Member Tyler 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 Lawver 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: Tyler, yes; Lawver, yes; Kavan, yes; Dunbar, yes; Svoboda, yes; and Krejci, 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. 2204 may be read by title and moved for final passage in the same meeting.

Council Member Dunbar moved that Ordinance No. 2204 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: Dunbar, yes; Kavan, yes; Krejci, yes; Svoboda, yes; Tyler, 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 the Mayor, in the presence of the

Council, signed and approved the Ordinance and 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.

Due to conflict of interest on the matter of appointment of City Attorney, the Mayor was excused from the meeting at 7:02 p.m.

The President of the Council appointed Jovan Lausterer and Maureen Freeman-Caddy of the firm of Bromm, Lindahl, Freeman-Caddy and Lausterer as City Attorney, under terms of separate retainer agreement dated December 16, 2014, until the end of the Mayor's term of office and until their successors are appointed and qualified unless sooner removed.

**Ordinance No. 2205** was introduced by Council Member Lawver entitled: AN ORDINANCE OF THE CITY OF WAHOO, APPROVING THE APPOINTMENT OF SUCH OFFICERS, TO-WIT: CITY ATTORNEY, AS SHALL BE REQUIRED BY ORDINANCE OR OTHERWISE REQUIRED BY LAW AND ESTABLISHING THE TERM OF SAID OFFICERS. The President of the Council then instructed the Clerk to read Ordinance No. 2205 of the City of Wahoo, Nebraska. The Clerk thereupon read the aforesaid Ordinance No. 2205 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 Tyler seconded said motion. The President of the Council 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; Tyler, yes; Krejci, yes; Svoboda, yes; Dunbar, yes; and Kavan, 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 President of the Council declared the statutory rules in regards to the passage and approval of ordinance be suspended so that Ordinance No. 2205 may be read by title and moved for final passage in the same meeting.

Council Member Lawver moved that Ordinance No. 2205 be approved and passed and its title agreed to. Council Member Dunbar seconded the motion. The President of the Council instructed the Clerk to call the roll for the vote and the following was the vote on this motion: Lawver, yes; Dunbar, yes; Tyler, yes; Krejci, yes; Kavan, yes; and Svoboda, 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 President of the Council declared the Ordinance adopted and the President of the Council, in the presence of the Council, signed and approved the Ordinance and Clerk attested the passage and approval of the same and affixed her signature thereto. The President of the Council 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.

The Mayor returned to the meeting at 7:03 p.m.

The Mayor stated he set compensation for appointed officials effective January 1, 2016 until December 31, 2017. He noted the officials have received Cost of Living adjustments along with other employees, but no merit increases for a number of years.

**Ordinance No. 2206** was introduced by Council Member Svoboda entitled: AN ORDINANCE OF THE CITY OF WAHOO FIXING THE SALARIES OF THE APPOINTED OFFICERS OF THE CITY OF WAHOO, NEBRASKA. The Mayor then instructed the Clerk to read Ordinance No. 2206 of the City of Wahoo, Nebraska. The Clerk thereupon read the aforesaid Ordinance No. 2206 by title.

Council Member Dunbar 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 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: Dunbar, yes; Tyler, yes; Lawver, yes; Kavan, yes; Krejci, 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. 2206 may be read by title and moved for final passage in the same meeting.

Council Member Svoboda moved that Ordinance No. 2206 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: Svoboda, yes; Krejci, yes; Dunbar, yes; Tyler, yes; Kavan, 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 the Mayor, in the presence of the Council, signed and approved the Ordinance and 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.

The Mayor stated he would continue the assignments to Council committees and special committees as previously designated:

Standing Council Committees

GENERAL:	Svoboda, Kavan, Tyler
ECONOMIC DEVELOPMENT:	Dunbar, Lawver, Krejci,
FINANCE AND PERSONNEL:	Krejci, Svoboda, Dunbar
STREETS AND SANITATION:	Lawver, Svoboda, Tyler
PARKS, RECREATION & CULTURE:	Kavan, Dunbar, Krejci
BOARD OF PUBLIC WORKS:	Tyler
AIRPORT:	Svoboda

Special Committees of the Council

ECONOMIC DEV. ADVISORY BOARD:	Krejci, Dunbar
PARKS & REC. ADVISORY COMMITTEE:	Kavan, Dunbar
WAHOO PUBLIC BLDGS & GROUNDS:	Svoboda, Krejci, Lindahl

Harrell reported to the Council the current reasonable method of notification of Council meeting was made by posting at three locations in Wahoo: First Bank of Nebraska, Wahoo Post Office, and City Hall, as well as the [www.wahoo.ne.us](http://www.wahoo.ne.us) website, and that the current agenda deadline was 5:00 p.m. the Friday before the Council meeting, except in emergency situations. A motion was made by Svoboda, seconded by Krejci, to approve the method of advance notice and agenda deadlines. Roll call vote:

Svoboda, yes; Krejci, yes; Tyler, yes; Kavan, yes; Lawver, yes; and Dunbar, yes. Absent and not voting: None. Motion carried.

Harrell provided information on bank accounts, authorized signers, and claim approval process. Harrell requested this remain the same. A motion was made by Lawver, seconded by Dunbar to approve the accounts, signatures, and the procedure for approval of payment of claims as previously established. Roll call vote: Lawver, yes; Dunbar, yes; Svoboda, yes; Krejci, yes; Tyler, yes; and Kavan, yes. Absent and not voting: None. Motion carried.

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

1. Minutes of the November 24, 2015 meeting of the Mayor and Council
2. Minutes of the December 3, 2015 meeting of Planning Commission
3. Licenses: HVAC: Paul P. Frazier, Frazier Company, Inc., Omaha; Shaun Moore, Moore's Heating & Air LLC.

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

Department Head reports were presented. Beavers reported on projects, testing for plumbers and HVAC contractors, and work on mobile home park trailer relocations. Jackson reported III Corps has done great work this year. Tyler reported the Board of Public Works meets next week, and public hearing on the budget will be on the Council's next agenda. Denise Lawver reported the Library is busy with their holiday sale, and SECC held an open house to spotlight available programs. Harrell reported NDOR is letting contracts for the overlay from 12<sup>th</sup> and Broadway to Highway 109, expected to be done in late 2016. NDOR is holding hearings for input on future project planning, and City representatives should consider attending. Svoboda extended thanks to Denise Lawver for her volunteer work with the St. Wenceslaus School library.

Lausterer reported the remonstrance period for lease of property to SBA Towers will end before the next Council meeting, and the contractors would like to begin as soon as possible. Motion was made by Lawver, seconded by Svoboda, to authorize the Mayor to sign the lease agreement with SBA Towers, contingent on no objections being received during the remonstrance period. Roll call vote: Lawver, yes; Svoboda, yes; Krejci, yes; Tyler, yes; Kavan, yes; and Dunbar, yes. Absent and not voting: none. Motion carried.

New manager application submitted to the Nebraska Liquor Control Commission for Acapulco Mexican Grill was reviewed; no objections received. Motion by Kavan, seconded by Dunbar, to approve Jesus G. Zaragoza as manager for Acapulco Mexican Grill LLC. Roll call vote: Kavan, yes; Dunbar, yes; Lawver, yes; Tyler, yes; Krejci, yes; and Svoboda, yes. Absent and not voting: none. Motion carried.

Motion by Kavan, seconded by Krejci, to certify to the Saunders County Clerk that Wards I, II, and III will each have a City Council seat vacancy to be filled in the 2016 election cycle. Roll call vote: Kavan, yes; Krejci, yes; Svoboda, yes; Dunbar, yes; Lawver, yes; and Tyler, yes. Absent and not voting: none. Motion carried.

**Resolution No. 2015-26** to amend Resolution No. 2015-01, setting Cemetery fees, was introduced by Council member Dunbar, who moved for approval, seconded by Lawver:

“WHEREAS, TITLE IX, GENERAL REGULATIONS, Chapter 92: Cemeteries of the Wahoo Municipal Code, pertains to the operation and maintenance of the cemeteries of the City of Wahoo, Nebraska, and,

WHEREAS, the City of Wahoo, Nebraska, maintains three (3) cemeteries designated as follows:

- a. Wahoo Cemetery (Greenwood Cemetery);
- b. K of H Cemetery (Sunrise Cemetery);
- c. Sunrise North Cemetery (Sunrise North Cemetery),

and,

WHEREAS, Section 92.01 of Chapter 92 of Article IX of the Wahoo Municipal Code specifies that all rules and regulations for the operation of the cemeteries shall be adopted by the City Council of the City of Wahoo, Nebraska, for the efficient operation of the cemeteries, and,

WHEREAS, it is the desire of the Mayor and Council of the City of Wahoo, Nebraska, to establish rules and regulations for the efficient operation of the cemeteries, to include fees and costs for various activities and items for said cemeteries, and,

WHEREAS, prior hereto, the Mayor and Council of the City of Wahoo, Nebraska, have adopted one or more Resolutions pertaining to rules and regulations for the efficient operation of said cemeteries, to include fees and costs for various activities and items for said cemeteries, and,

WHEREAS, it is the desire of the Mayor and Council of the City of Wahoo, Nebraska, to amend and revise said rules and regulations and to substitute therefore new rules and regulations, including fees and costs, as set forth within this Resolution,

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

1. That the findings here and above made should be and are hereby incorporated herein by reference as fully as if set out at length herein.

2. That all persons desiring to bury a deceased person, or disinter a dead body, within the cemeteries of the City of Wahoo, Nebraska, shall be required to comply with all applicable Statutes of the State of Nebraska pertaining thereto and all Ordinances and Rules and Regulations of the City of Wahoo, Nebraska, pertaining thereto.

3. That the following shall be the fees and costs for the various activities and items noted therein:

**A. Grave Spaces**

K of H Cemetery (Sunrise Cemetery)	\$300.00 per space
Sunrise North Cemetery (Sunrise North Cemetery)	\$300.00 per space
Wahoo Cemetery (Greenwood Cemetery)	\$300.00 per space
K of H Cemetery (Sunrise Cemetery), Babyland	\$100.00 per space
Wahoo Cemetery (Greenwood Cemetery) Potter's Field	\$100.00 per space

**B. Grave Opening and Closing Fees**

Graves for children under five years of age	\$200.00 per grave
All graves for persons over five years of age	\$450.00 per grave
Crematory Urns	\$250.00 per grave

\* In the event a grave is opened or closed on Saturday, Sunday or a City Holiday, or if an employee is required to stay after 4:00 p.m. Monday through Friday, an additional

	fee will be charged of	\$200.00 per grave
<b>C.</b>	<b>Disinterment Fees</b>	
	Urn	<del>\$300</del> <u>\$350</u> .00 per grave
	Baby Grave (Under 5 years of age)	<del>\$300</del> <u>\$350</u> .00 per grave
	Adult Grave	<del>\$800</del> <u>\$900</u> .00 per grave
<b>D.</b>	<b>Foundations</b>	
	Foundations, unless otherwise listed	(\$ .40) per square inch
	Foundations for double monuments	\$30 plus \$ .40 per square inch
	Foundations for vases	\$50.00 per vase
	Foundations for Veteran's markers	\$75.00 each
	Cement urn pads for cement urns	\$30.00 per pad

4. That the following shall be the rules and regulations for all cemeteries of the City of Wahoo, Nebraska:

**A. Grave Opening and Closing**

1. The City shall open and close all adult graves, baby graves, and crematory urn spaces.

**B. Disinterment**

1. Movement from one site to another within the City's cemeteries will mean the incurring of both disinterment costs and opening costs.
2. Moving of the vault will be done by vault company.

**C. Foundations**

1. The City shall set all foundations for cemetery markers for the monument companies.
2. The minimum size of a foundation for a vase is 12" X 12" X 10".
3. Foundations for vases must be concrete.
4. The foundations will be poured so that there will be a minimum of a 4" wash from all sides of a monument.
5. Cement urn pads for cement urns must have a minimum size of 12" X 12" X 4"

**D. Markers**

1. Maximum height for personal or private cemetery markers in K of H Cemetery (Sunrise Cemetery) and Sunrise North Cemetery (Sunrise North Cemetery) shall be three feet including foundation.
2. All markers in Babyland located in K of H Cemetery (Sunrise Cemetery) shall be flush with ground level and shall not be larger than 8" X 16".
3. All markers that have been set will be inspected by City personnel only.
4. Organizational and/or commemorative markers shall be considered on a case-by-case basis by the Streets and Cemetery Committee of the City Council.

**E. Mausoleums**

1. No mausoleums shall be allowed in the City's cemeteries except in Block 14, Third Addition to K of H Cemetery (Sunrise Cemetery).

**F. Decoration and ornamentation of graves**

1. New graves may be decorated with floral sprays and arrangements immediately following interment. The City will remove the decorations one week following interment, or before if the decorations become unsightly.
2. No plantings shall be permitted on graves.
3. From May 1<sup>st</sup> to October 1<sup>st</sup>, artificial flowers and plants must be in permanent containers.
4. No grave blankets shall be permitted.
5. No temporary markers shall be permitted.
6. No yard ornaments, figurines, or stuffed animals shall be permitted.

7. No shepherd's planters, wreath stands or hooks, or wind chimes shall be permitted.
  8. No dogs permitted.
  9. No lighting shall be permitted, except that lighting which is built into the monument.
  10. Memorial Day decorations:
    - a. Additional grave decorations will be permitted one week before and one week after Memorial Day;
    - b. Items left on graves after one week after Memorial Day shall be removed by City and stored at the Cemetery Shed located at K of H Cemetery (Sunrise Cemetery) until July 1 at which time they will be thrown away.
  11. The City shall not be responsible for lost items in the cemeteries.
- The effective date of this Resolution shall be ~~March 1, 2015~~ January 1, 2016."

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

Chris Vasa addressed the Council regarding an application his business submitted in November for solid waste hauling. Lausterer reported Municipal Code provides for an annual term beginning March 1 of each year. There was discussion of amending Municipal Code to consider mid-year or pro-rated applications. Possible amendment of Code, and consideration of the solid waste hauling application for Roadrunner Transportation, LLC, will be on the next Council agenda.

John Hilligas addressed the Council regarding a potential film project. He also asked the status of the transfer station.

The Mayor expressed thanks to all department heads for their service, dedication and knowledge. He plans to hold regular meetings with department heads and boards, and begin working on a 1-5 year capital improvement budget and development plan for each department.

The Finance Committee will meet on Friday at noon.

Motion by Kavan, seconded by Lawver to adjourn at 7:51 p.m.

Approved:

---

Lucinda Morrow, Deputy Clerk

---

Loren L. Lindahl, Mayor