

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.

Second meeting date in July is changed to Monday, July 24, 2017, as the regular meeting date coincides with the County Fair parade.

Motion made by Svoboda, seconded by Kavan, to approve the following items listed on the consent agenda:

1. Minutes of June 8, 2017 meeting of the Mayor and Council
2. Minutes of June 20, 2017 work session of Council
3. Mayor's Appointments/Reappointments:
 - a. Gerry Tyler to Board of Public Works (term to end June, 2021)
 - b. Mark Sutton, Chad Aldrich, and Glen Wilcox (Planning Commission representative) to Board of Adjustment (terms to end July, 2020)
 - c. Glen Wilcox, Tracy Pfligler, and Dave DuBois to Planning Commission (terms to end July, 2020)
4. Licenses: Plumbers: Jim Wotipka, J W Plumbing, Wahoo; Martin Anderson, Services One Today, Inc.; John Wonka, G & G Backhoe, Wahoo; James Hearn, Express Plumbing, Inc, Omaha; Dan Pabian, Pabian Electric, Wahoo. Electrician: Steven Brase, Brase Electrical, Omaha.

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

Kevin Stuhr reported on meetings held by the Emerald Ash Borer committee, and provided a draft of a public information brochure which will be mailed out with utility bills to help residents plan for dealing with diseased trees and understand the City's tree maintenance policy. The group is working on a licensing program for tree trimmers, incorporating tree data into the GIS map, and a community management plan.

Harrell offered to meet with council members to update on the Chestnut Street project and committee work so far. An open house is tentatively planned for August 3 at the Library. Work is beginning on renewal of the franchise agreement with Charter. Tyler reported the Board of Public Works met, the sewer forced main is ready to serve Country Club area. Krejci reported Personnel/Finance committee met to further discuss job description and duties of City Administrator or Administrator/Clerk/Treasurer position.

Motion was made by Krejci, seconded by Lawver, to recess as City Council and convene as the Community Development Agency, at 7:28 p.m. Roll call vote: Krejci, yes; Lawver, yes; Kavan, yes; Tyler, yes; Svoboda, yes; and Dunbar, yes. Absent and not voting: none. Motion carried.

The Mayor opened the hearing before the Community Development Agency regarding substantial modification of the General Redevelopment Plan for a redevelopment area; approving certain redevelopment projects within a redevelopment area; approving a cost benefit analysis for such projects;

and approving a redevelopment contract; and approving related matters as to Lot 1, Airpark-Bomgaars Addition.

Harrell reported the TIF committee met, terms discussed included reimbursement amount and use toward exterior appearance and landscaping to meet guidelines in the zoning regulations.

Council Member Krejci introduced **Resolution No. 2017-11**, and moved for its approval, seconded by Kavan,

“WHEREAS, the City of Wahoo, Nebraska (the **“City”**), in furtherance of the purposes and pursuant to Sections 18-2101 through 18-2154, Reissue Revised Statutes of Nebraska, as amended (the **“Act”**), approved a general redevelopment plan in the form attached as **Attachment 1** (the **“Redevelopment Plan”**), for a redevelopment area of the City, described in **Attachment 2** (the **“Redevelopment Area”**);

WHEREAS, the Community Development Agency of the City of Wahoo, Nebraska (the **“Authority”**), pursuant to and in furtherance of the Act, has caused to be prepared a substantial modification to the Redevelopment Plan in the form attached as **Attachment 3** (the **“Plan Amendment”**), the purpose of which is to authorize certain community redevelopment projects (collectively, the **“Project”**) within that portion of the Redevelopment Area described in **Attachment 4** (**“Project Area”**);

WHEREAS, pursuant to the Plan Amendment, the Authority or the City would agree to incur indebtedness for the purposes specified in the Plan Amendment, in accordance with and as permitted by the Act;

WHEREAS, the City has previously adopted and has in place a comprehensive plan, which includes a general plan for development of the City within the meaning of Section 18-2110 of the Act; and

WHEREAS, the Authority has made certain findings and pursuant thereto has determined that it is in the best interests of the City to approve the Plan Amendment and to carry out the Project.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMUNITY DEVELOPMENT AGENCY OF THE CITY OF WAHOO, NEBRASKA AS FOLLOWS:

Section 1. The Authority has determined that the proposed land uses and building requirements in the Redevelopment Area are designed with the general purposes of accomplishing, and in conformance with the general plan of the City, a coordinated, adjusted, and harmonious development of the City and its environs which will, in accordance with present and future needs, promote health, safety, morals, order, convenience, prosperity and the general welfare, as well as efficiency in economy in the process of development; including, among other things, adequate provision for traffic, vehicular parking, the promotion of safety from fire, panic, and other dangers, adequate provisions for light and air, the promotion of the healthful and convenient distribution of population, the provision of adequate transportation, water, sewerage, and other public utilities, schools, parks, recreational and communitive facilities, and other public requirements, the promotion of sound design and arrangement, the wise and efficient expenditure of public funds, and the prevention of the recurrence of unsanitary or unsafe dwelling accommodations, or conditions of blight.

Section 2. The Authority has conducted a cost benefit analysis for the Project in accordance with the Act, and has found and hereby finds that the Project would not be economically feasible without the use of tax increment financing, the Project would not occur in the Project Area without the use of tax increment financing and the costs and benefits of the Project, including costs and benefits to other affected political subdivisions, the economy of the community, and the demand for public and private services, have been analyzed and have been found to be in the long term best interests of the City.

Section 3. The Authority hereby recommends approval of the Plan Amendment, following publication of notice and a public hearing with respect to the Plan Amendment pursuant to the Act.

Section 4. The Chair and Secretary are hereby authorized and directed to execute such documents and take such further actions as are necessary to carry out this Resolution.

Section 5. All prior resolutions of the Authority in conflict with the terms and provisions of this resolution are hereby expressly repealed to the extent of such conflicts.

Section 6. This resolution shall be in full force and effect from and after its passage and approval.”

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

Motion was made by Lawver, seconded by Dunbar, to adjourn as Community Development Agency and reconvene as City Council. Roll call vote: Lawver, yes; Dunbar, yes; Kavan, yes; Tyler, yes; Krejci, yes; and Svoboda, yes. Absent and not voting: none. Motion carried.

The meeting of the Wahoo City Council was reconvened at 7:36 p.m.

Motion by Svoboda, seconded by Kavan, to accept the audit report for Wahoo Board of Public Works for FY 2016 prepared by BMG. Roll call vote: Svoboda, yes; Kavan, yes; Tyler, yes; Krejci, yes; Dunbar, yes; and Lawver, yes. Absent and not voting: none. Motion carried.

Request for variation of setback from the required 25 feet at 406 East 3rd Street for construction of garage was reviewed. Beavers provided measurements for the remainder of the block, and reported the homeowner is requesting to match the setback of the house, 20’ 9”, rather than an average of structures on the block, which would be less. Motion by Kavan, seconded by Lawver, to approve the variation in setback as requested. Roll call vote: Kavan, yes; Lawver, yes; Tyler, yes; Krejci, yes; Svoboda, yes; and Dunbar, yes. Absent and not voting: none. Motion carried.

Council Member Dunbar introduced the following resolution, **Resolution No. 2017-12**, and moved for its approval, seconded by Kavan,

“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 and 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 stopping traffic at Sycamore Street at the intersection with 23rd Street located within the corporate limits of the City of Wahoo, Nebraska, 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 stop signs, be erected at the following location, all located in the City of Wahoo, Nebraska:

a. Intersection of Sycamore Street and 23rd Street, stopping north bound traffic on Sycamore 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: Dunbar, yes; Kavan, yes; Tyler, yes; Krejci, yes; Svoboda, yes; and Lawver, yes. Absent and not voting: none. Motion carried.

Motion by Kavan, seconded by Tyler, to approve the application for Special Designated License for an August 25, 2017 event at 202 South Linden Street, requested by Bishop Neumann Central High School. Roll call vote: Kavan, yes; Tyler, yes; Krejci, yes; Svoboda, yes; Dunbar, yes; and Lawver, yes. Absent and not voting: none. Motion carried.

Council Member Lawver introduced the following resolution, **Resolution No. 2017-14**, and moved for its approval, seconded by Kavan,

“WHEREAS, it is in the best interest of the City of Wahoo to participate in the III Corps Drug Task Force; and,

WHEREAS, it is the best interest of the members of the III Corps Drug Task Force to participate in an Interlocal Agreement with the City of Wahoo; and,

WHEREAS, the Interlocal Agreement will provide cooperation between law enforcement agencies of the City of Fremont, County of Dodge, City of Blair, City of Wahoo, City of Yutan, County of Cuming, and County of Saunders; and,

WHEREAS, participation in an Interlocal Agreement and cooperation between the above listed agencies will increase the effectiveness of the investigative efforts in drug and violent crime cases in the jurisdictions listed,

WHEREAS, said Interlocal Agreement shall terminate upon when the purpose for which it has been entered into no longer exists, and it may be renewed, modified, extended or continued, unless earlier termination is agreed to by and between the parties as provided herein, and

WHEREAS, any member of this compact that wishes to terminate their participation in the compact may do so by providing written notice of such intent not less than sixty days prior to September 30 in the year they wish to terminate, or within sixty days of the notice of assessment or costs, whichever is later.

NOW THEREFORE BE IT RESOLVED by the City Council of Wahoo, Nebraska, that the Mayor is hereby authorized to sign this Resolution and other necessary documents to

implement and complete the III Corps Interlocal Agreement between the City of Wahoo and other members of the III Corps Drug Task Force.”

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

Motion by Dunbar, seconded by Kavan, to authorize payment of \$115,199.36 to Saunders County for the City’s 3/8 share of cost of concrete paving project on Road L/15th Street. Roll call vote: Dunbar, yes; Kavan, yes; Lawver, abstain due to conflict of interest; Tyler, yes; Krejci, yes; and Svoboda, yes. Absent and not voting: none. Motion carried.

Council Member Lawver introduced the following resolution, **Resolution No. 2017-13**, and moved for its approval, seconded by Dunbar,

“WHEREAS: City of Wahoo and Olsson Associates, Inc. have previously executed a Construction Engineering Services Agreement (BK 1555) for a transportation project for which the Local Public Agency (LPA) would like to obtain Federal funds;

WHEREAS: City of Wahoo understands that it must continue to strictly follow all Federal, State and local laws, rules, regulations, policies and guidelines applicable to the funding of this Federal-aid project; and

WHEREAS: City of Wahoo and Olsson Associates, Inc. wish to enter into a construction engineering services supplemental agreement setting out modifications and/or additional duties and/or funding responsibilities for the Federal-aid project.

BE IT RESOLVED: by the City Council of the City of Wahoo, Nebraska that: Loren L. Lindahl, Mayor of City of Wahoo is hereby authorized to sign the attached Construction Engineering Services Supplemental Agreement No. 1 between the City of Wahoo and Olsson Associates, Inc.

NDOR Project Number: ENH-78(26)

NDOR Control Number: 12880

NDOR Project Description: Wahoo Trail”

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

A motion was made by Dunbar to enter into closed session for protection of the public interest regarding real estate purchase by the City of Wahoo, with Melissa Harrell and Maureen Freeman-Caddy to remain in the room, seconded by Kavan. Roll call vote: Dunbar, yes; Kavan, yes; Lawver, no; Tyler, yes; Krejci, yes; and Svoboda, no. Motion carried. The Mayor announced the Council would be entering into closed session for protection of the public interest regarding real estate purchase by the City of Wahoo, at 7:52 p.m.

A motion was made by Svoboda, seconded by Krejci to return to regular session at 8:08 p.m. Roll call vote: Svoboda, yes; Krejci, yes; Lawver, yes; Kavan, yes; Tyler, yes; and Dunbar, yes. Motion carried.

Proposed purchase agreement was presented and reviewed. The Mayor presented a written statement. Need, priority of other projects, community growth and efficiency were discussed.

Motion by Kavan, seconded by Lawver, to authorize the Wahoo Public Building and Grounds Association to sign a purchase agreement for property at 331 West A Street and 110 South Chestnut for the sum of \$1,050,000. Roll call vote: Kavan, yes; Lawver, no; Tyler, yes; Krejci, no; Svoboda, no; and Dunbar, yes. Mayor Lindahl voted yes to break the tie. Absent and not voting: none. Motion carried.

Motion by Kavan, seconded by Dunbar, to adjourn at 8:25 p.m.

Approved:

Melissa M. Harrell, City Clerk

Loren L. Lindahl, Mayor