

The Council met in special 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, and Jim Svoboda. Absent: Kevin Dunbar.

The Mayor announced he met with department heads regarding the city wide service center and has identified three phases for proceeding: Finance, plan for use of facility, and disposition of excess property, and delegated each area to staff. The Mayor met with the Finance Committee to discuss the City Administrator position, and authorized staff to proceed to draft an ordinance for this position.

The Mayor stated as a disclosure of possible conflict of interest on agenda items, that he has performed work in the past for the Ludvik family, on a fee basis.

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

1. Excused absence of Dunbar.
2. Minutes of July 13, 2017 meeting of the Mayor and Council
3. Minutes of July 6, 2017 meeting of Planning Commission
4. Minutes of July 11, 2017 meeting of Wahoo Public Library Board

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

Tyler reported the Board of Public Works met, selected officers, and discussed the service center. Harrell reported the Open House for the Chestnut Improvement project is set for August 3, from 5:30 to 7:30 p.m. at the Library.

Harrell provided a draft version of the Comprehensive Plan, reviewed the efforts of the steering committee, My Sidewalk input, and focus groups. She asked members to review and submit comments as soon as possible. This will be on the Planning Commission agenda on August 3.

Public hearing regarding application for Subdivision, known as Timber Ridge, filed by Richard and Karen Ludvik, was opened at 7:12 p.m. Dan Martinez of Apex Land and Surveying reviewed the subdivision preliminary plat, access points, water information from the NRD, and zoning/future land use. Beavers noted the Planning Commission had concerns regarding frontage width of some lots, enforcement of setbacks, and water and drainage. Denny Phelps and Andrew Phelps stated concerns with water supply and road maintenance. Lausterer noted the plat review raised several issues which have not been addressed.

Motion by Svoboda to close the public hearing. Motion died for lack of a second. Motion by Lawver to table this item and continue public hearing at the next meeting. Motion seconded by Tyler. Roll call vote: Lawver, yes; Tyler, yes; Krejci, yes; Svoboda, yes; and Kavan, yes. Absent and not voting: Dunbar. Motion carried.

Public hearing regarding request to rezone 90 acres in the SW ¼ Sec 16 T14N R7E from Transitional Ag to Large Lot Residential, as requested by Richard and Karen Ludvik, was opened at 7:54 p.m. Future land use in the area is designated as highway commercial, however highway frontage is not included in the rezone

request. Denny Phelps offered comments. Motion was made by Krejci, seconded by Tyler, to table this request and continue public hearing at the next meeting. Roll call vote: Krejci, yes; Tyler, yes; Svoboda, yes; Lawver, no; and Kavan, yes. Absent and not voting: Dunbar. Motion carried.

Public hearing on Application for Expansion of Conditional Use Permit to add shop area and cooler storage room to existing Wahoo Locker facility on property described as Lots 1-3 and 10-12, Block 152, County Addition, filed by Charlie Emswiler, was opened at 7:59 p.m. Beavers reported the addition is proposed for the west side of the building. No public comments. Motion by Kavan, seconded by Krejci, to close the public hearing at 8:00 p.m. Roll call vote: Kavan, yes; Krejci, yes; Svoboda, yes; Lawver, yes; and Tyler, yes. Absent and not voting: Dunbar. Motion carried.

Setbacks, storm sewer, sanitary sewer, other utilities, and additional future expansion were discussed. It was agreed approval of expansion of the use would be limited to plans as submitted July 6, 2017.

Ordinance No. 2246 was introduced by Svoboda entitled: AN ORDINANCE OF THE CITY OF WAHOO AMENDING THE OFFICIAL ZONING MAP AS TO LOTS 1-3 AND 10-12, BLOCK 152, COUNTY ADDITION, BY ALLOWING EXPANSION OF CONDITIONAL USE BY ADDITION OF A SHOP AREA AND COOLER STORAGE. The Mayor then instructed the Clerk to read Ordinance No. 2246 of the City of Wahoo, Nebraska. The Clerk thereupon read the aforesaid Ordinance No. 2246 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 Krejci 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: Roll call vote: Lawver, yes; Krejci, yes; Svoboda, yes; Kavan, yes; and Tyler, yes. Absent and not voting: Dunbar. Motion carried. 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. 2246 may be read by title and moved for final passage in the same meeting.

Council Member Svoboda moved that Ordinance No. 2246 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: Svoboda, yes; Kavan, yes; Tyler, yes; Krejci, yes; and Lawver, yes. Absent and not voting: Dunbar. 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, in the presence of the Council, signed and approved the Ordinance and Clerk attested the passage and approval of the same and affixed signatures 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.

Grant Anderson explained the revised wage scale for in-town transport operations reflects the fees outlined in the agreement for transportation executed with South Haven. For in-town transports, provider (Paramedic or EMT) receives \$30, driver receives \$20. Out-of-town transports remain the same, Paramedic receives \$150, EMT \$100, and driver \$75 per call. Motion by Krejci, seconded by Lawver, to approve the revised wage scale for EMS transports. Roll call vote: Krejci, yes; Lawver, yes; Kavan, yes; Tyler, yes; and Svoboda, yes. Absent and not voting: Dunbar. Motion carried.

Anderson and Harrell presented the proposed EMS Employee/Volunteer Handbook for review. This will be a supplement to the City of Wahoo Personnel Policies, referring specifically to EMS providers. Motion by Krejci, seconded by Tyler, to approve the EMS Employee/Volunteer Handbook. Roll call vote: Krejci, yes; Tyler, yes; Svoboda, yes; Lawver, yes; and Kavan, yes. Absent and not voting: Dunbar. Motion carried.

Request for variation of setback from the required 25 feet, as allowed under Zoning Regulation 4.09.04, at 822 North Laurel Street, for construction of a single room addition, was reviewed. Beavers provided information verifying setback and lot coverage, stating the addition would be attached to and match the setback of the house. A portion of this lot was taken for street right of way in the past. Motion by Lawver, seconded by Svoboda, to approve the variation in setback as requested. Roll call vote: Kavan, yes; Krejci, yes; Svoboda, yes; Lawver, yes; and Tyler, yes. Absent and not voting: Dunbar. Motion carried.

Request for variation of setback from the required 25 feet at 962 North Locust Street, for construction of a garage stall addition, was reviewed. Beavers provided information verifying existing house setback, lot coverage, and stated the addition would be attached to and match the setback of the house. The party requesting the variation is purchasing the property, contingent on the approval of the variation and ability to construct the addition. Motion by Lawver, seconded by Svoboda, to approve the variation in setback as requested by Randy Neukirch, contingent upon that party's purchase of the property. Roll call vote: Lawver, yes; Svoboda, yes; Kavan, yes; Tyler, yes; and Krejci, yes. Absent and not voting: Dunbar. Motion carried.

Harrell reported on history of participation with League Association of Risk Management, and recommended participation with three-year commitment to take advantage of maximum savings available.

Council member Kavan introduced the following resolution, **Resolution 2017-17**, and moved for its approval, seconded by Lawver,

“WHEREAS, the City of Wahoo is a member of the League Association of Risk Management (LARM);

WHEREAS, Section 8.10 of the Interlocal Agreement for the Establishment and Operation of the League Association of Risk Management provides that a member may voluntarily terminate its participation in LARM by written notice of termination given to LARM and the Nebraska Director of Insurance at least ninety (90) days prior to the desired termination given to and that members may agree to extend the required termination notice beyond ninety (90) days in order to realize reduced excess coverage costs, stability of contribution rates and efficiency in operation of LARM; and

WHEREAS, the Board of Directors of LARM has adopted a plan to provide contribution credits in consideration of certain agreements by members of LARM as provided in the attached letter.

BE IT RESOLVED that the governing body of the City of Wahoo, Nebraska, in consideration of the contribution credits provided under the LARM Board's plan, agrees to: Provide written notice of termination at least 180 days prior to the desired termination date, which date shall be no sooner than September 30, 2020 (180 day and 3 year commitment; 5% discount).”

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

The Mayor noted the improved appearance at 1st and Pine Streets, and thanked Beavers and other staff for

their efforts. No audience comments.

Motion by Lawver, seconded by Kavan, to adjourn at 8:29 p.m.

Approved:

Melissa M. Harrell, City Clerk

Loren L. Lindahl, Mayor