

The Council met in special work 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 6:30 p.m. 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: Greg Kavan, Gerry Tyler, Stuart Krejci, Jim Svoboda. Absent: Mike Lawver and Kevin Dunbar.

A review of the 2017-18 budget was done by City Administrator/Clerk/Treasurer Harrell. Handouts reviewing the past, current, and proposed budgets were distributed, questions addressed, and discussion held on various parts of the budget document.

A motion was made by Kavan, seconded by Svoboda, to adjourn the work session at 6:57 p.m.

Approved:

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Lucinda Morrow, Deputy Clerk

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Loren L. Lindahl, Mayor

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, and Jim Svoboda. Absent: Kevin Dunbar.

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

1. Excused absence of Dunbar
2. Minutes of August 24, 2017 meeting of the Mayor and Council
3. Licenses: Plumbers: Anthony Swiczek, Andersen Plumbing, Waterloo; Joshua Andersen, Andersen Plumbing, Waterloo; David Miller, Mainelli Mechanical Contractors Inc., Omaha; Dan Dallman, Dallman Plumbing, Hooper; Jeffery Adair, HandiJeff, Wahoo; Mike Schultz, Schultz & Sons, Lincoln. HVAC/Mechanical: Terry McNeil, Mainelli Mechanical Contractors Inc., Omaha; John Aliano, American Residential Services dba Aksarben Heating & Air, Omaha; Richard Peavy, Anthony's Air Conditioning, Ithaca; James Abraham, Abraham Htg & A/C Inc., Omaha; Thomas Wieser, Capitol Heating & Air Conditioning, Inc., Lincoln. Electricians: David Engel, Five Star Electric, Wahoo; Sean Mosher, Premier Electric Inc., Gretna.

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

Department head reports presented. Jansa reported several culverts were televised, showing severe damage. Denise Lawver reported library activity and upcoming program. Anderson reported on fire/rescue activity. The passing of Dr. John Hansen was noted, who gave many years of service to the fire department

and community. Stuhr reported Park and Recreation activity and plans for further development/expansion. Harrell reported on recent activity, budget process, 12<sup>th</sup> Street work, Chestnut Street progress, and SRTS plans. Ken Jackson advised the Council of his upcoming departure and retirement from the Wahoo Police Department.

Council committee reports presented.

The public hearing on the 2017-18 City of Wahoo budget was declared open by the Mayor at 7:14 p.m. The Mayor called for comments from the public on the budget proposed, and none were presented. A motion was made by Kavan, seconded by Lawver, to close the public hearing at 7:15 p.m. Roll call vote: Kavan, yes; Lawver, yes; Tyler, yes; Krejci, yes; and Svoboda, yes. Absent and not voting: Dunbar. Motion carried.

A motion was made by Tyler, seconded by Krejci, to authorize an additional 1% increase in the restricted funds budget as per the State budget document, above and beyond the 2.5% and the growth factor of the valuation. Roll call vote: Tyler, yes; Krejci, yes; Svoboda, yes; Lawver, yes; and Kavan, yes. Absent and not voting: Dunbar. Motion carried.

A motion was made by Krejci, seconded by Svoboda, to approve the 2017-18 Budget as presented. Roll call vote: Krejci, yes; Svoboda, yes; Lawver, yes; Kavan, yes; and Tyler, yes. Absent and not voting: Dunbar. Motion carried.

The public hearing on the 2017 Property Tax Levy for the City of Wahoo was declared open by the Mayor at 7:16 p.m. The Mayor called for comments from the public and none were presented. A motion was made by Kavan, seconded by Lawver, to close the public hearing at 7:17 p.m. Roll call vote: Kavan, yes; Lawver, yes; Svoboda, yes; Krejci, yes; and Tyler, yes. Absent and not voting: Dunbar. Motion carried.

The following resolution, **Resolution No. 2017-18**, was introduced by Krejci, who moved for its approval, seconded by Kavan:

“WHEREAS, Nebraska Revised Statute 77-1601.02 provides that the property tax request for the prior year shall be the property tax for the current year for purposes of the levy set by the County Board of Equalization unless the Governing Body of the City of Wahoo passes by a majority vote a resolution or ordinance setting the tax request at a different amount; and

WHEREAS, a special public hearing was held as required by law to hear and consider comments concerning the property tax request; and

WHEREAS, it is in the best interest of the City of Wahoo that the property tax request for the current year be a different amount than the property tax request for the prior year.

NOW, THEREFORE, the Council of the City of Wahoo, by a majority vote of the entire Council, resolves that:

1. The 2017 property tax request be set and allocated as follows:

	<u>Tax Amount</u>	<u>Levy</u>
General Fund	\$1,284,694.75	.472392
Bond Fund	<u>\$ 227,250.00</u>	<u>.083561</u>
Total	\$1,511,944.75	.555953

2. A copy of this resolution be certified and forwarded to the County Clerk on or before October 15, 2017.”

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

Two versions of parking plan proposal for Saunders County were reviewed, one without parking spaces at the curb, and one with five parallel parking spaces. Motion by Lawver, seconded by Kavan, to approve the parking plan with parallel parking spaces on street right-of-way, contingent upon agreement that maintenance and repairs are responsibility of Saunders County. Roll call vote: Lawver, yes; Kavan, yes; Tyler, yes; Krejci, yes; and Svoboda, yes. Absent and not voting: Dunbar. Motion carried.

**Ordinance No. 2249** was introduced for second reading by Lawver entitled: AN ORDINANCE OF THE CITY OF WAHOO AMENDING THE OFFICIAL ZONING MAP BY APPROVAL OF CONDITIONAL USE PERMIT FOR GROUND MONUMENT SIGN. The Mayor then instructed the Clerk to read Ordinance No. 2249 of the City of Wahoo, Nebraska. The Clerk thereupon read the aforesaid Ordinance No. 2249 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 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: Roll call vote: Lawver, yes; Tyler, yes; Kavan, yes; Svoboda, yes; and Krejci, 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. 2249 may be read by title and moved for final passage in the same meeting.

Council Member Lawver moved that Ordinance No. 2249 be approved and passed and its title agreed to. Council Member Tyler 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; Tyler, yes; Krejci, yes; Svoboda, yes; and Kavan, 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.

**Ordinance No. 2250** was introduced for second reading by Kavan entitled: AN ORDINANCE OF THE CITY OF WAHOO AMENDING THE OFFICIAL ZONING MAP AS TO PART OF LOTS 9-12, BLOCK 146 COUNTY ADDITION, BY EXTENDING CONDITIONAL USE TO OPERATE AUTO GLASS REPAIR AND INSTALLATION BUSINESS. The Mayor then instructed the Clerk to read Ordinance No. 2250 of the City of Wahoo, Nebraska. The Clerk thereupon read the aforesaid Ordinance No. 2250 by title.

Council Member Svoboda 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: Roll call vote: Svoboda, yes; Lawver, yes; Kavan, yes; Tyler, yes; and Krejci, 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. 2250 may be read by title and moved for final passage in the same meeting.

Council Member Kavan moved that Ordinance No. 2250 be approved and passed and its title agreed to. Council Member Lawver seconded the motion. The Mayor instructed the Clerk to call the roll for the vote and the following was the vote on this motion: Kavan, yes; Lawver, yes; Tyler, yes; Svoboda, yes; and Krejci, 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.

Kevin Stuhr reported on activity by the Emerald Ash Borer Committee, and discussed a process for licensing of tree contractors, who would need to provide proof of insurance. These would not be required to be professional arborists. The Mayor authorized legal counsel and staff to begin work on an ordinance.

Easement in Sycamore Hills 1<sup>st</sup> Addition for fire hydrants located on private property was discussed.

**Ordinance No. 2251** was introduced by Tyler entitled: AN ORDINANCE OF THE CITY OF WAHOO TO ACQUIRE AN INTEREST IN REAL ESTATE BY PURCHASE OR EMINENT DOMAIN FOR THE PURPOSE OF MAINTAINING UTILITIES AND ACCESSORIES THERETO. The Mayor then instructed the Clerk to read Ordinance No. 2251 of the City of Wahoo, Nebraska. The Clerk thereupon read the aforesaid Ordinance No. 2251 by title.

Council Member Kavan 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 Svoboda 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: Roll call vote: Kavan, yes; Svoboda, yes; Tyler, yes; Krejci, yes; and Lawver, 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. 2251 may be read by title and moved for final passage in the same meeting.

Council Member Tyler moved that Ordinance No. 2251 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: Tyler, yes; Krejci, yes; Svoboda, yes; Lawver, yes; and Kavan, 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.

Motion by Krejci, seconded by Lawver, to approve the 2016 Audit Waiver request for Wahoo Public

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

Harrell reported on the change of Keno operator from Zeilinger Keno to Four Sons, Inc. Motion by Kavan, seconded by Svoboda, to authorize the Mayor and City Administrator to sign assignment of lottery operator agreement to Four Sons, Inc. Roll call vote: Kavan, yes; Svoboda, yes; Lawver, yes; Tyler, yes; and Krejci, yes. Absent and not voting: Dunbar. Motion carried.

Harrell reported on the proposed landscape and parking plan for Bomgaars, requirements in the zoning regulations, and explained a waiver request to not have berms in parking areas, due to the type of expected vehicle traffic. Additional landscaping will be put in place to offset this. Motion by Kavan, seconded by Lawver, to approve the landscaping and parking plan for Bomgaars project as submitted, with waiver of requirement for parking berms. Roll call vote: Lawver, yes; Kavan, yes; Svoboda, yes; Krejci, yes; and Tyler, yes. Absent and not voting: Dunbar. Motion carried.

Motion by Lawver, seconded by Kavan, to authorize staff to file assessment against Lots 1-2 Blk 95, County Addition to Wahoo for abatement of nuisance in amount of \$241.59 for cleanup on 6/13/2017. Roll call vote: Lawver, yes; Kavan, yes; Tyler, yes; Krejci, yes; and Svoboda, yes. Absent and not voting: Dunbar. Motion carried.

Abram Marshall reported the contractor built the retaining wall in the wrong spot when completing the parking plan for Harvest Auto. This reduces the width of the sidewalk in front of the stalls. It was noted this sidewalk is outside of city right-of-way. Motion by Krejci, seconded by Kavan, to approve waiver from original parking plan to accept the retaining wall/sidewalk as installed. Roll call vote: Krejci, yes; Kavan, yes; Tyler, yes; Svoboda, yes; and Lawver, yes. Absent and not voting: Dunbar. Motion carried.

Kevin Stuhr reported on plans for transition of departments to the City-Wide Service Center. Anticipated closing date is October 2, 2017. The west building will house street and park departments, with much of the equipment to be moved this fall. Grading, landscaping and fencing is anticipated in the spring. The east building will house electric and gas departments, and interior remodel work will be completed first, with much of this done by city staff. Options for interior and exterior security systems and access control systems are being reviewed.

No public comments offered.

Lawver stated in view of recent culvert and street problems it is time to move forward with Chestnut repairs.

Motion by Kavan, seconded by Krejci, to adjourn at 8:08 p.m.

Approved:

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Lucinda Morrow, Deputy Clerk

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Loren L. Lindahl, Mayor