

Council Chambers

Wahoo, Nebraska

October 26, 2017

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.

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

1. Minutes of October 12, 2017 meeting of Council, with corrections
2. Minutes of October 10, 2017 meeting of Library Board
3. Minutes of October 5, 2017 meeting of Planning Commission
4. Approval of Jason Shreck as a member of the Wahoo Volunteer Fire Department
5. Licenses: Plumbers: Bradley Bros Plumbing, Duane Bradley, Omaha; H & S Plumbing, Hugh Sieck III, Lincoln; Simmons Plumbing INC, Keith Lacy, Lincoln; BLT Plumbing Heating and A/C INC, Fremont; Cloyd Heating & Air Conditioning, James Cloyd, Wahoo; Osborn Sales & Services, Doug Osborn, David City; Bouwen's Plumbing Co, Randy Bouwens, Lincoln; EcoWater Systems, Tim Wiebelhouse, Fremont; Hixson Plumbing, Heating & Air Conditioning INC, Bret Hixson. HVAC: A-1 United Heating & Air, Ron Barr, Omaha; Rutts Heating & Air, Brian Larson, Hasting; Air Comfort Heating & Cooling, Bart Bosco, Fremont; Capitol Heating & Air, Brad Provancha, Lincoln; BLT Plumbing Heating & A/C INC, Lucas Schulz, Fremont; Cloyd Heating & Air Conditioning, James Cloyd, Wahoo; Osborn Sales & Services, Doug Osborn, David City; Bogatz Heating & Air Conditioning, Donald Bogatz, Gretna; Todd Valley Plumbing & Heating, Budd Bogatz, Ashland; Hans Heating & Air, Russell Hans, Omaha; Hixson Plumbing, Heating & Air Conditioning INC, Bret Hixson. Electricians: A&E Electric LLC, Zach Adams, Hastings; Hills Electric, Aaron Rix, Fremont; Todd Valley Plumbing & Heating, Budd Bogatz, Ashland.

Roll call vote: Kavan, yes; Lawver, yes; Tyler, yes; Krejci, yes; Svoboda, yes; and Dunbar, yes. Motion carried.

The Street committee and Board of Public Works met.

Council was advised the Planning Commission will consider a final draft of the Comprehensive Plan on November 2, 2017. Motion by Dunbar, seconded by Kavan, to table public hearing on the Wahoo Comprehensive Plan to the November 9, 2017 council meeting. Roll call vote: Dunbar, yes; Kavan, yes; Tyler, yes; Krejci, yes; Svoboda, yes; and Lawver, yes. Absent and not voting: none. Motion carried.

Harrell reviewed the on-line opinion poll, which showed 55% of participants in favor of keeping the stop light at 5th and Chestnut, 45% against. Pedestrian safety and creating a break in traffic for vehicles crossing Chestnut during busy times were cited as reasons for keeping the signal. Cost was a concern.

Jon Mooberry with JEO Consulting Group discussed the proposed Amendment #4 to the engineering agreement for Chestnut Street Improvements, which provides design services for street lighting. Motion was made by Krejci, seconded by Tyler, to approve Amendment #4 to the engineering agreement with JEO Consulting Group. Roll call vote: Krejci, yes; Tyler, yes; Svoboda, yes; Lawver, yes; Dunbar, yes; and Kavan, yes. Absent and not voting: none. Motion carried.

Amendment #5 to the engineering agreement for Chestnut Street improvements, providing engineering services for replacement and relocation of the traffic signal light was discussed. A motion was made by Svoboda, seconded by Kavan, to not approve Amendment #5 for design services for the traffic signal light.

Roll call vote: Svoboda, yes; Kavan, yes; Dunbar, yes; Lawver, no; Tyler, yes; and Krejci, no. Absent and not voting: none. Motion carried.

It was determined more information is needed on a “no overhead wire” zone in the Chestnut/1st Street project area. Motion by Lawver, seconded by Dunbar, to table action. Roll call vote: Lawver, yes; Dunbar, yes; Svoboda, yes; Krejci, yes; Tyler, yes; and Kavan, yes. Absent and not voting: none. Motion carried.

Encroachment into Maple Street ROW as requested by Wahoo Locker to install a new grease trap was discussed. Conditions of placement of tank to minimize encroachment, installation of bollards, and making the encroachment easement revocable in the event of further remodel/expansion of the locker plant building or city projects were noted. A legal description has been provided.

Ordinance No. 2257 was introduced by Kavan entitled: AN ORDINANCE OF THE CITY OF WAHOO TO GRANT A REVOCABLE EASEMENT OF ENCROACHMENT INTO THE MAPLE STREET RIGHT-OF-WAY IN BLOCK 152, COUNTY ADDITION, FOR INSTALLATION OF A GREASE TRAP AND SEWER LINE. The Mayor then instructed the Clerk to read Ordinance No. 2257 of the City of Wahoo, Nebraska. The Clerk thereupon read the aforesaid Ordinance No. 2257 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 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; Krejci, yes; Svoboda, yes; Dunbar, yes; Kavan, yes; and Tyler, yes. Absent and not voting: none. 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. 2257 may be read by title and moved for final passage in the same meeting.

Council Member Kavan moved that Ordinance No. 2257 be approved and passed and its title agreed to. Council Member Dunbar 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; Dunbar, yes; Lawver, yes; Tyler, yes; Krejci, 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 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.

A claim for \$96.52 submitted by Nebraska Banker’s Association for repairs to a vehicle was reviewed. Motion by Svoboda, seconded by Tyler, to pay the claim. Roll call vote: Svoboda, yes; Tyler, yes; Krejci, yes; Dunbar, yes; Lawver, yes; and Kavan, yes. Absent and not voting: none. Motion carried.

Motion by Lawver, seconded by Kavan, to approve waiver of Section 113.02 of Wahoo Municipal Code regarding hours of sale for alcoholic beverages to allow for sales of liquor and wine between 6:00 a.m. and 12:00 p.m. on Sunday, December 24, 2017 and Sunday, December 31, 2017. Roll call vote: Lawver, yes; Kavan, yes; Tyler, yes; Dunbar, yes; Svoboda, yes; and Krejci, yes. Absent and not voting: none. Motion carried.

Ordinance No. 2256 was introduced for second reading by Svoboda entitled: AN ORDINANCE OF THE CITY OF WAHOO, SAUNDERS COUNTY, NEBRASKA, TO AMEND TITLE IX: GENERAL REGULATIONS, CHAPTER 98, TREES AND SHRUBS, BY ADDITION OF SECTION 98.10 PROVIDING FOR LICENSING OF PERSONS ENGAGING IN THE BUSINESS OF CUTTING, PRUNING, OR REMOVING TREES; TO AMEND TITLE XI: BUSINESS REGULATIONS, CHAPTER 111: PROFESSIONAL LICENSES, BY CREATION OF SECTION 111.70, TREE CONTRACTOR LICENSING, AND SECTION 112.01(A) OF THE MUNICIPAL CODE OF THE CITY OF WAHOO, NEBRASKA, PERTAINING TO OCCUPATION TAXES BY ESTABLISHING TREE CONTRACTOR LICENSE OCCUPATION TAX RATES. The Mayor then instructed the Clerk to read Ordinance No. 2256 of the City of Wahoo, Nebraska. The Clerk thereupon read the aforesaid Ordinance No. 2256 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; Krejci, yes; and Dunbar, yes. Absent and not voting: none. 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. 2256 may be read by title and moved for final passage in the same meeting.

Council Member Svoboda moved that Ordinance No. 2256 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: Svoboda, yes; Lawver, yes; Tyler, yes; Krejci, yes; Dunbar, yes; and Kavan, 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, 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 Dunbar, seconded by Kavan, to approve placement of a temporary stop sign at 5th and Linden Streets to stop eastbound traffic when needed during construction of the Wahoo State Bank Building. Roll call vote: Dunbar, yes; Kavan, yes; Lawver, yes; Svoboda, yes; Tyler, yes; and Krejci, yes. Absent and not voting: none. Motion carried.

No comments offered by the public or Council members.

Motion by Dunbar, seconded by Krejci, to adjourn at 7:50 p.m.

Approved:

Lucinda Morrow, Deputy Clerk

Loren L. Lindahl, Mayor