

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, Jim Svoboda, and Kevin Dunbar. Absent: Stuart Krejci.

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

1. Excused absence of Stuart Krejci
2. Minutes of February 8, 2018 meeting of Council
3. Minutes of February 1, 2018 meeting of Planning Commission

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

Lawver reported the Street Committee met. Tyler reported on the Board of Public Works meeting. Svoboda reported on the Airport Authority meeting.

The Mayor opened the public hearing at 7:04 p.m. on the Six Year Road and Street Plan for the City of Wahoo. Steve Parr of JEO Consulting Group discussed the projects depicted in the plan. No public comments offered. Motion by Kavan, seconded by Dunbar, to close the public hearing at 7:06 p.m. Roll call vote: Kavan, yes; Dunbar, yes; Tyler, yes; Lawver, yes; and Svoboda, yes. Absent and not voting: Krejci. Motion carried.

Council member Lawver introduced the following resolution, **Resolution 2018-03**, and moved for its approval, seconded by Kavan,

“WHEREAS, the City Street Superintendent has prepared and presented a One Year and Six Year Plan for Street Improvement Program for the City of Wahoo, Nebraska, and
WHEREAS, a public meeting was held on the 22nd day of February, 2018, to present this plan and there were no objections to said plan;
THEREFORE, BE IT RESOLVED BY THE Mayor and City Council of Wahoo, Nebraska,
that the plans and data as furnished are hereby in all things accepted and adopted.”

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

The Mayor opened public hearing at 7:06 p.m. on application for Conditional Use Permit to erect a pole sign at Lot 1, Airpark-Bomgaars Addition, at 1310 E 34th Street, in I-2 Industrial District, filed by Tri-City Sign. The Planning Commission recommended approval. No public comments.

Motion by Svoboda, seconded by Tyler, to close the public hearing at 7:08 p.m. Roll call vote: Svoboda, yes; Tyler, yes; Kavan, yes; Lawver, yes; and Dunbar, yes. Absent and not voting: Krejci. Motion carried.

Ordinance No. 2270 was introduced by Lawver entitled: AN ORDINANCE OF THE CITY OF WAHOO GRANTING A CONDITIONAL USE, A POLE SIGN IN I-2 ZONING DISTRICT. The Mayor then instructed the Clerk to read Ordinance No. 2270 of the City of Wahoo, Nebraska. The Clerk thereupon read the aforesaid Ordinance No. 2270 by title.

Council Member Kavan moved that the statutory rules in regard to the passage and adoption of ordinances be suspended so 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: Kavan, yes; Tyler, yes; Dunbar, yes; Svoboda, yes; and Lawver, yes. Absent and not voting: Krejci. 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. 2270 may be read by title and moved for final passage in the same meeting.

Council Member Lawver moved that Ordinance No. 2270 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: Lawver, yes; Dunbar, yes; Svoboda, yes; Tyler, yes; and Kavan, yes. Absent and not voting: Krejci. 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.

The Mayor opened public hearing at 7:09 p.m. on application for Conditional Use Permit to remove and replace existing tower with a monopole tower on E 10' N ½ of Lot 5, all of Lots 3 and 4, and S ½ of Lot 5 and 6, Block 138, County Addition, in C-1 Commercial district. Jeffrey Skinner reported on the plans for removal and replacement. Planning Commission recommended approval.

Motion by Kavan, seconded by Lawver, to close the public hearing at 7:14 p.m. Roll call vote: Kavan, yes; Lawver, yes; Tyler, yes; Dunbar, yes; and Svoboda, yes. Absent and not voting: Krejci. Motion carried.

Ordinance No. 2271 was introduced by Dunbar entitled: AN ORDINANCE OF THE CITY OF WAHOO GRANTING A CONDITIONAL USE, REMOVE AND REPLACE EXISTING TOWER WITH A MONOPOLE TOWER IN C-1 ZONING DISTRICT. The Mayor then instructed the Clerk to read Ordinance No. 2271 of the City of Wahoo, Nebraska. The Clerk thereupon read the aforesaid Ordinance No. 2271 by title.

Council Member Lawver moved that the statutory rules in regard to the passage and adoption of ordinances be suspended so 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: Lawver, yes; Svoboda, yes; Dunbar, yes; Tyler, yes; and Kavan, yes. Absent and not voting: Krejci. 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. 2271 may be read by title and moved for final passage in the same meeting.

Council Member Dunbar moved that Ordinance No. 2271 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; Tyler, yes; Lawver, yes; and Svoboda, yes. Absent and not voting: Krejci. 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.

David Voboril addressed the Council regarding extension of conditional use permit for auto repair. Motion by Lawver, seconded by Svoboda, to bring Ordinance No. 2268 back to the table for discussion and vote. Roll call vote: Lawver, yes; Svoboda, yes; Dunbar, yes; Kavan, yes; and Tyler, yes. Absent and not voting: Krejci. Motion carried.

Council Member Lawver moved that Ordinance No. 2268 be approved and passed and its title agreed to. Council Member Svoboda 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; Svoboda, yes; Dunbar, yes; Kavan, yes; and Tyler, no. Absent and not voting: Krejci. 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.

Jon Mooberry of JEO Consulting Group discussed Plans and Specifications, engineer's estimate of cost, and schedule for advertising and award of bids for the Chestnut Street Project.

Motion by Dunbar, seconded by Lawver, to approve Plans and Specifications of Chestnut Street Project as presented by JEO Consulting Group. Roll call vote: Dunbar, yes; Lawver, yes; Kavan, yes; Tyler, yes; and Svoboda, yes. Absent and not voting: Krejci. Motion carried.

Motion by Dunbar, seconded by Svoboda, to approve engineer's estimate of cost as presented. Roll call vote: Dunbar, yes; Svoboda, yes; Lawver, yes; Kavan, yes; Tyler, yes. Absent and not voting: Krejci. Motion carried.

Motion by Kavan, seconded by Dunbar, to authorize calling for bids for the Chestnut Street project. Roll call vote: Kavan, yes; Dunbar, yes; Svoboda, yes; Tyler, yes; and Lawver, yes. Absent and not voting: Krejci. Motion carried.

Extension of conditional use permit for dance academy was discussed; Dave Reisen requested review in five years. No other comments

Ordinance No. 2272 was introduced by Svoboda entitled: AN ORDINANCE OF THE CITY OF WAHOO TO EXTEND A CONDITIONAL USE PERMIT FOR DANCE ACADEMY IN R-2 RESIDENTIAL DISTRICT. The Mayor then instructed the Clerk to read Ordinance No. 2272 of the City of Wahoo, Nebraska. The Clerk thereupon read the aforesaid Ordinance No. 2272 by title.

Council Member Kavan moved that the statutory rules in regard to the passage and adoption of ordinances be suspended so 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: Kavan, yes; Lawver, yes; Tyler, yes; Svoboda, yes; and Dunbar, yes. Absent and not voting: Krejci. 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. 2272 may be read by title and moved for final passage in the same meeting.

Council Member Svoboda moved that Ordinance No. 2272 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: Svoboda, yes; Dunbar, yes; Tyler, yes; Kavan, yes; and Lawver, yes. Absent and not voting: Krejci. 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.

Conditional use for 1159 N Chestnut and 1149 N Chestnut Streets, for automobile sales were presented for review. Beavers noted the property has changed hands. It has been less than a year since the use was discontinued by Harvest Auto, so the new tenants could utilize the Conditional Use, but information would need to be updated. Motion by Kavan, seconded by Lawver, to table review of these two Conditional Uses until more information is available. Roll call vote: Kavan, yes; Lawver, yes; Tyler, yes; Dunbar, yes; and Svoboda, yes. Absent and not voting: Krejci. Motion carried.

Ordinance to amend Municipal Code allowing a Mayor's appointment of a fire chief was discussed. The Fire Department will need to amend their bylaws and set criteria and establish a recommendation process before the Council's reorganization meeting in December.

Ordinance No. 2273 was introduced by Svoboda entitled: AN ORDINANCE OF THE CITY OF WAHOO TO AMEND TITLE III, CHAPTER 31 OF THE MUNICIPAL CODE TO PROVIDE FOR MAYOR'S APPOINTMENT OF FIRE CHIEF. The Mayor then instructed the Clerk to read Ordinance No. 2273 of the City of Wahoo, Nebraska. The Clerk thereupon read the aforesaid Ordinance No. 2273 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 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: Dunbar, yes; Lawver, yes; Kavan, yes; Tyler, yes; and Svoboda, yes. Absent and not voting: Krejci. 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. 2273 may be read by title and moved for final passage in the same meeting.

Council Member Svoboda moved that Ordinance No. 2273 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: Svoboda, yes; Dunbar, yes; Tyler, yes; Kavan, yes; and Lawver, yes. Absent and not voting: Krejci. 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.

The Mayor appointed Cody Hull to serve as Fire Chief. Motion by Lawver, seconded by Kavan, to approve the Mayor's appointment of Cody Hull. Roll call vote: Lawver, yes; Kavan, yes; Tyler, yes; Svoboda, yes; and Dunbar, yes. Absent and not voting: Krejci. Motion carried.

Disposition of surplus property (S ½ Lots 1 and 2, all of Lot 3, Block 110, County Addition to Wahoo) was discussed.

Council member Kavan introduced the following **Resolution No. 2018-04**, seconded by Lawver:

“WHEREAS, the City of Wahoo, Saunders County, Nebraska, is the owner of the following described real property, to wit: The South Half of Lots 1, 2, and all of Lot 3, Block 110, County Addition to Wahoo, Saunders County, Nebraska, the street address of which is 11th & Pine, Wahoo, Nebraska, and,

WHEREAS, the City of Wahoo does not have a present need to retain ownership of the above described real property, and,

WHEREAS, the Mayor and Council of the City of Wahoo, Nebraska, have determined that the fair market value of the above described real property may be greater than \$5,000.00,

WHEREAS, Neb. Rev. Stat. § 17-503 allows for the conveyance of real property owned by a city of the second class,

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

1. That the above described real property, together with all appurtenances located thereon, be sold by either public auction or through the use of a licensed realtor on a date, time, and for a minimum price to be specified by the Mayor and Council of the City of Wahoo, Nebraska.
2. That the terms of said sale shall be twenty-five (25%) percent down on the date of the sale and the balance upon the adoption by the Mayor and Council of an ordinance authorizing the sale of the above-described real property.
3. That the City of Wahoo, Nebraska, shall provide to the buyer of the above-described real property a quitclaim deed for the above-described real property.
4. That the buyer of the above-described real property shall pay all costs associated with obtaining a title insurance policy to the above-described real property and the filing fee to the Register of Deeds for said quitclaim deed.
5. That the buyer of the above-described real property shall receive possession of the above-described real property upon payment in full of the purchase price and the enactment of the aforementioned ordinance.

BE IT FURTHER RESOLVED that the Clerk of the City of Wahoo, Nebraska, shall publish notice of the proposed sale of the above described real property, and the terms thereof, once each week for three (3) consecutive weeks in the Wahoo Newspaper after the passage of this Resolution. The above described property shall be sold following the passage of this resolution directing the sale, the publishing of the required notice and the

passage of the thirty (30) day right-of-remonstrance period.”

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

Interlocal agreement between City of Wahoo and Weston Rural Fire District regarding Emergency Medical Services was discussed. Grant Anderson explained Weston is discontinuing rescue service due to lack of staffing, the call volume is low, and Wahoo has already been responding to mutual aid calls.

Motion by Dunbar, seconded by Lawver, to approve the interlocal agreement between City of Wahoo and Weston Rural Fire District for rescue services. Roll call vote: Dunbar, yes; Lawver, yes; Kavan, yes; Tyler, yes; and Svoboda, yes. Absent and not voting: Krejci. Motion carried.

Beavers reported on street closing issues around the Wahoo State Bank construction site. Access to other businesses in the block, permit for use of right-of-way, and emergency vehicle traffic concerns were discussed.

The Mayor reported attending the John Manners Banquet.

No audience comments presented.

Motion by Kavan, seconded by Dunbar, to adjourn at 8:19 p.m.

Approved:

Lucinda Morrow, Deputy Clerk

Loren L. Lindahl, Mayor