

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 Kevin Dunbar. Absent: Jim Svoboda.

The Mayor presented proclamations: Municipal Clerk's Week (May 6-12, 2018); National Police Week (May 13-19, 2018) and Peace Officer's Memorial Day (May 15, 2018); Arbor Day (April 27, 2018). Wahoo was named a 2017 Tree City USA by the Arbor Day Foundation. A Howard Hanson tribute program will be presented on May 4 and 5, 2018.

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

1. Excused absence of Svoboda
2. Minutes of April 12, 2018 meeting of Council
3. Minutes of April 5, 2018 meeting of Planning Commission
4. Minutes of April 10, 2018 meeting of Library Board
5. Licenses: Plumbers: Brian Weise, Wiese Plumbing, Fremont; Scott Mueller, Mueller Trenching, Syracuse; James Brunner, General Excavating, Lincoln; Shane Vath, Universal Plumbing, Omaha. HVAC: W. Ohlmann, Custom Cooling, Lincoln; Josh Kasischke, K & S Mechanical, Wahoo; Randy Damewood, Waldinger Corp, LaVista; Paul Frazier, Frazier Company, Omaha. Electrician: Kevin Jackson, REI Rosenbaum Electric, Omaha. Tree Contractors: Bryan Barta, Z & B Tree Service, Brainard.

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

Council Committee reports: Kavan reported Board of Public Works met.

First reading of Ord. No. 2278 was approved on March 22, 2018, and second reading was approved on April 12, 2018.

**Ordinance No. 2278** was introduced by Lawver entitled: AN ORDINANCE OF THE CITY OF WAHOO TO ANNEX A TRACT OF LAND IN NW ¼ 4-14-7, AND BY SAID ANNEXATION, TO MAKE SAID ABOVE DESCRIBED REAL ESTATE A PART OF THE CORPORATE LIMITS OF THE CITY OF WAHOO, NEBRASKA. The Mayor then instructed the Clerk to read Ordinance No. 2278 of the City of Wahoo, Nebraska. The Clerk thereupon read the aforesaid Ordinance No. 2278 by title.

Council Member Lawver moved that Ordinance No. 2278 be approved and passed on its third and final reading, 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; Dunbar, yes; and Kavan, yes. Absent and not voting: Svoboda. 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.

First reading of Ord. No. 2279 was approved on April 12, 2018, providing for review in twelve months.

**Ordinance No. 2279** was introduced by Kavan entitled: AN ORDINANCE OF THE CITY OF WAHOO TO EXTEND THE CONDITIONAL USE PERMIT FOR OPERATION OF ASSISTED LIVING FACILITY. The Mayor then instructed the Clerk to read Ordinance No. 2279 of the City of Wahoo, Nebraska. The Clerk thereupon read the aforesaid Ordinance No. 2279 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 Dunbar 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; Dunbar, yes; Kavan, yes; Tyler, yes; and Krejci, yes. Absent and not voting: Svoboda. 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. 2279 may be read by title and moved for final passage in the same meeting.

Council Member Kavan moved that Ordinance No. 2279 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: Kavan, yes; Krejci, yes; Dunbar, yes; Lawver, yes; and Tyler, yes. Absent and not voting: Svoboda. 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.

Request for variation in front yard setback for addition to existing structure at 907 North Broadway was reviewed. Beavers reported the setback of existing house is 16 feet, similar to others in the block. Motion by Kavan, seconded by Lawver, to grant the variation in setback for attached addition to non-conforming structure. Roll call vote: Kavan, yes; Lawver, yes; Dunbar, yes; Krejci, yes; and Tyler, yes. Absent and not voting: Svoboda. Motion carried.

Bid tabulation and award of contract for Chestnut Street improvement project were discussed.

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

Motion by Krejci to award the contract for Chestnut Street project to M E Collins Contracting Company, Inc., including alternate F. Motion seconded by Dunbar. Roll call vote: Krejci, yes; Dunbar, yes; Lawver, abstained due to conflict of interest; Kavan, yes; and Tyler, yes. Absent and not voting: Svoboda. Motion carried.

Disposition of recycling bins, previously located at Wahoo Super, and stored at the transfer station site, was discussed. The bins are no longer useful and the City does not have a truck able to haul them. Value is less than \$5,000.

Council member Lawver introduced **Resolution 2018-12**, to dispose of surplus property of value of less than \$5,000, and moved for approval, seconded by Tyler,

“WHEREAS, the City of Wahoo, Saunders County, Nebraska, is the owner of the following described personal property, to wit:

Two (2) metal roll-off containers, divided into compartments, for recycling collection and,

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

WHEREAS, the City of Wahoo, Nebraska, deems it in the best interests of the citizens of the City of Wahoo, Nebraska, that said personal property be disposed of, as set forth herein,

WHEREAS, the City of Wahoo, Nebraska, has determined that the fair market value of the above described personal property is less than \$5,000.00, as stated in the attached Exhibit “A”

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

1. That the above described personal property be sold by either sealed bid and/or public auction on a date, time, as advertised in a Notice of Sale of Personal Property posted in three public places in the City of Wahoo, Nebraska, immediately after the passage of said Resolution and not later than seven (7) days prior to the sale of said items, as shall be evidenced by a Notice of Posting of the City of Wahoo Clerk, and,

2. That pursuant to Neb. Rev. Stat. §17-503.01, confirmation of the sale of said personal property by an ordinance is not required.

3. That the City of Wahoo, Nebraska, through the Clerk of the City of Wahoo, Nebraska, shall provide a bill of sale and/or certificate of title to the above personal property indicating that said personal property is being sold “as is” without warranty as to fitness or merchantability for any purpose and that buyer thereof assumes all risks from the utilization of said personal property upon buyer’s possession of said items of personal property.

4. That buyer shall receive possession of the above-described items of personal property upon payment in full of the purchase price for each item.”

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

No audience comments presented.

Motion by Krejci, seconded by Dunbar, to adjourn at 7:19 p.m.

Approved:

---

Lucinda Morrow, Deputy Clerk

---

Loren L. Lindahl, Mayor