

The Council met 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. A special work session was held at the Wahoo Fire Hall at 6:30 p.m. for presentation on the aerial truck by Cody Hull. Attending were: Mayor Johnson, and Council members: Mike Lawver, Gerry Tyler, Stuart Krejci, Karen Boop, and Carl Warford.

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 Gerald D. Johnson 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, Gerry Tyler, Stuart Krejci, Karen Boop, and Carl Warford. Absent: Greg Kavan.

Boy Scout Sam Biggerstaff was introduced, working on Citizenship merit badge and Eagle rank.

Stuhr reported the swimming pool is open; repairs are underway on the Wanahoo Trail. Jansa reported mosquito spraying has begun. Ferrell reported on Police Club and the Little Library interaction with youth. Anderson reported on call volumes, and an invitation to participate in a focus group to represent rural fire and rescue. Building department reported residential projects, Runza, and dirt work beginning for Casey's project. Harrell reported the Airport Authority met, there is a request to expand the main building and still 15-20 names on the hangar waiting list. Staff is dealing with nuisance issues.

Krejci reported Finance committee will meet soon for budget discussion. Board of Public works meets next week. Lawver reported Chestnut work is back on track, and detours are affecting traffic. The Mayor reported meeting regarding emergency management.

A motion was made by Lawver, seconded by Krejci, to approve consent agenda:

- 1) Excused absence of Kavan
- 2) Minutes of May 23, 2019 meeting of Council
- 3) Licenses: Plumbers: Hertzell Plumbing LLC, Michael Hertzell, Lincoln; Fud & Tracy's, Tracy Nesson, Wahoo; Service One, Martin Anderson, Omaha; AWS Well Company, Stuart Way, Mead; MMC Contractors, Gabe Ronk, Omaha; Wellman Plumbing, Tim Hofferber, Lincoln. HVAC: Fud & Tracy's, David Snyder, Wahoo; Service One, John Salmons, Omaha. Electrician: Rick's Electric, Richard Estudillo, Lincoln. Tree contractor: Wahoo Tree, Scott Nielson, Wahoo
- 4) Approval of Mayor's appointments:
Library Board: Amber Francis (reappointment, term ends June, 2023); and C. E. Gene Mercer (new, term ends June, 2023)
Planning Commission: Ahren Woita (new, term begins August 1, 2019, ends July, 2022); Andrea Brooks (term begins August 1, 2019, ends July, 2022); Grady Gigstad (reappointment, term ends July, 2022)
Board of Adjustment: Paul Eddie (reappointment, term ends July, 2022); Erik Thomalla (reappointment, term ends July, 2022); Louis Austin, alternate (term begins immediately, ends July, 2021)
Council Ward III: Patrick Nagle (term begins June 27, 2019, ends December, 2020).

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

Stuhr reported on the satisfactory completion of Hackberry Park concession and restroom improvements, and many positive comments by the public. A motion was made by Warford, seconded by Krejci to accept completion of Hackberry Park improvement Project and Pay App #11 to Buckmaster Construction in the amount of \$18,415.88. Roll call vote: Warford, yes; Krejci, yes; Boop, yes; Lawver, yes; and Tyler, yes. Absent and not voting: Kavan. Motion carried.

Stuhr and Harrell reported on proposed project to complete a press box at Field 1, to be completed before the school season begins. Donation of \$10,000 has been secured; asking for sales tax funding for the balance of the project. A motion was made by Krejci, seconded by Lawver, to approve project to complete a press box on Field 1 at Hackberry Park, using sales tax funds. Roll call vote: Krejci, yes; Lawver, yes; Tyler, yes; Boop, yes, and Warford, yes. Absent and not voting: Kavan. Motion carried.

Charlie Emswiler appeared before the Council, and members discussed the expansion project at Wahoo Locker and consideration of future relocation of grease trap, in the event the easement is revoked. Options were discussed.

Ordinance No. 2310 entitled: AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP PERTAINING TO LOTS 1-3 AND 10-12, BLOCK 152, COUNTY ADDITION, BY ALLOWING EXPANSION OF A CONDITIONAL USE LISTED UNDER C-1 ZONING, FOOD STORAGE LOCKERS INCLUDING PROCESSING, was introduced by Lawver. The Mayor then instructed the Clerk to read Ordinance No. 2310 of the City of Wahoo, Nebraska. The Clerk thereupon read the aforesaid Ordinance No. 2310 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 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; Boop, yes; Warford, yes; and Tyler, yes. Absent and not voting: Kavan. 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. 2310 may be read by title and moved for final passage in the same meeting.

Council Member Lawver moved that Ordinance No. 2310 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: Lawver, yes; Warford, yes; Boop, yes; Krejci, yes; Tyler, no; 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.

Conditional Use Permit for automobile service and repair at 859 North Maple Street was reviewed, with recommendation for review in two years.

Ordinance No. 2311 entitled: AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP BY EXTENDING A PERMITTED CONDITIONAL USE IN C-1 ZONING DISTRICT, AUTOMOBILE SERVICE AND REPAIR , was introduced by Lawver. The Mayor then instructed the Clerk to read Ordinance No. 2311 of the City of Wahoo, Nebraska. The Clerk thereupon read the aforesaid Ordinance No. 2311 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 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; Krejci, yes; Boop, yes; and Warford, yes. Absent and not voting: Kavan. 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. 2311 may be read by title and moved for final passage in the same meeting.

Council Member Lawver moved that Ordinance No. 2311 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; Boop, yes; and Warford, yes. Absent and not voting: Kavan. 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 Permit for automobile service and repair at 215 West 1st Street was reviewed, with discussion of parking, storage, and possible nuisance/unlicensed vehicle issues, and review in one year.

Ordinance No. 2312 entitled: AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP BY EXTENDING A PERMITTED CONDITIONAL USE IN NRC ZONING, AUTOMOBILE SERVICE AND REPAIR, was introduced by Warford. The Mayor then instructed the Clerk to read Ordinance No. 2312 of the City of Wahoo, Nebraska. The Clerk thereupon read the aforesaid Ordinance No. 2312 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 Boop 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; Boop, yes; Warford, yes; Tyler, yes; Krejci, no; and Johnson, yes. Absent and not voting: Kavan. 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. 2312 may be read by title and moved for final passage in the same meeting.

Council Member Warford moved that Ordinance No. 2312 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: Warford, yes; Lawver, yes; Tyler, yes; Krejci, no; and Boop, yes. Absent and not voting: Kavan. 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.

Retention of a general easement for the full area of 14th Street right-of-way between Chestnut and Maple Streets was discussed. Ownership of the north and south halves of the vacated right-of-way will transfer to the abutting property on each side. The property owner, KSS Investments LLC, has waived special damages from the vacation, so appointment of committee to determine damages is waived.

Ordinance No. 2313 entitled: AN ORDINANCE TO VACATE A PORTION OF 14TH STREET BETWEEN LOTS 2 AND 3, BLOCK 70, AND LOTS 1 AND 2, BLOCK 87, BOTH IN COUNTY ADDITION, AND RETAIN A GENERAL EASEMENT ON VACATED RIGHT-OF-WAY, was introduced by Krejci. The Mayor then instructed the Clerk to read Ordinance No. 2313 of the City of Wahoo, Nebraska. The Clerk thereupon read the aforesaid Ordinance No. 2313 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 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; Krejci, yes; Boop, yes; and Warford, yes. Absent and not voting: Kavan. 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. 2313 may be read by title and moved for final passage in the same meeting.

Council Member Krejci moved that Ordinance No. 2313 be approved and passed and its title agreed to. Council Member Boop seconded the motion. The Mayor instructed the Clerk to call the roll for the vote and the following was the vote on this motion: Krejci, yes; Boop, yes; Warford, yes; Lawver, yes; and Tyler, yes. Absent and not voting: Kavan. 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.

Harrell reported two liens/special assessments have been filed against a property known as 740 West 8th Street for nuisance abatement totaling \$1,538.29 plus interest, and liens remain unpaid. She requested direction on proceeding to foreclosure, to collect the debt or acquire the property. Motion by Lawver, seconded by Krejci to authorize staff to proceed with foreclosure on property for nonpayment of assessments for abatement of nuisance. Roll call vote: Lawver, yes; Krejci, yes; Boop, yes; Warford, yes; and Tyler, yes. Absent and not voting: Kavan. Motion carried.

Harrell reported on renewal of the Charter Franchise agreement for television service. She asked members to report any issues with Charter, so they may be discussed with a company representative. Charter would like to get the new agreement in place January 1, 2020.

Anderson reported on benefits of membership with Omaha Metropolitan Healthcare Coalition and resources available, at no cost. He reported Wahoo will not be required to respond to disasters or emergency events in the coalition area, but help from our agency may be requested. A motion was made by Krejci, seconded by Boop, to authorize entering into agreement with Omaha Metropolitan Healthcare Coalition. Roll call vote: Krejci, yes; Boop, yes; Warford, yes; Lawver, yes; and Tyler, yes. Absent and not voting: Kavan. Motion carried.

A motion was made by Tyler to enter into closed session for protection of public interest to discuss contract negotiation, with Melissa Harrell, Jovan Lausterer, Lucinda Morrow, Cody Hull, and Grant Anderson to remain in the room, seconded by Krejci. Roll call vote: Tyler, yes; Krejci, yes; Boop, yes; Warford, yes; and Lawver, yes. Absent and not voting: Kavan. The Mayor announced the Council would be entering into closed session to discuss negotiation of a contract with Wahoo Rural Fire District at 8:19 p.m.

A motion was made by Lawver, seconded by Warford to return to regular session at 9:07 p.m. Roll call vote: Lawver, yes; Warford, yes; Tyler, yes; Krejci, yes; and Boop, yes. Absent and not voting: Kavan. Motion carried.

Motion by Lawver, seconded by Warford, to adjourn at 9:08 p.m.

Lucinda Morrow, City Clerk
Gerald D. Johnson, Mayor