

The Council met in regular session in the Wahoo City Hall, 605 North Broadway Street, in compliance with agenda posted at City Hall, Post Office and First Bank of Nebraska, and the City of Wahoo web site, 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 public was informed of the location of posting of the Open Meetings Law. Roll call was taken with the following Council members present: Ryan Ideus, Chris Rapp, Patrick Nagle, Karen Boop, Carl Warford, and Stuart Krejci. Absent: None.

City Administrator Harrell presented Christina Fasel as the new City Clerk and Joe Baudler as the new Chief of Police to the Council. She indicated they would be starting in the next few weeks at City Hall.

Curt Prohaska, candidate for Saunders County Sheriff, was present to introduce himself to the City Council. The Mayor indicated that any other political candidates running for office, representing Wahoo, would be given the same opportunity of introduction.

Department Head reports were made by Street Supervisor Joe Wynn and Acting Police Department Head Alan O'Sullivan. Grant Anderson, EMS Department Head, reviewed the 2021 Annual EMS Report with the Council.

A motion was made by Warford, seconded by Krejci, to approve the following items listed on the consent agenda: the minutes of the January 25, 2022 Council meeting, and acceptance of the January 11, 2022 Library Board meeting. Roll call vote: Warford, yes; Krejci, yes; Boop, yes; Ideus, yes; Rapp, yes; and Nagle, yes. Motion carried.

A motion was made by Krejci to approve the Certificate of Substantial Completion for the Wahoo Dog Park Fencing contract with Elkhorn Fencing, LLC., as recommended by the engineer for the project, seconded by Nagle. Roll call vote: Krejci, yes; Nagle, yes; Ideus, yes; Rapp, yes; Boop, yes; and Warford, yes. Motion carried.

A motion was made by Krejci to approve Pay Estimate #3 and Final to Elkhorn Fencing, LLC for \$4,530.50 for the Wahoo Dog Park Project, seconded by Ideus. Roll call vote: Krejci, yes; Ideus, yes; Rapp, yes; Nagle, yes; Boop, yes; and Warford, yes. Motion carried.

Dave Henke, a member of the Wahoo Dog Park Committee, was present and reported to the Council that with the completion of the fencing, the next steps to complete the amenities for the project would begin. The committee is kicking off a \$25,000 fund raising campaign for the amenities.

A motion was made by Warford to approve the Certificate of Substantial Completion for the 2021 Intersection and Curb Ramp Improvements contract with M.E. Collins Contracting, as recommended by the engineer for the project, seconded by Rapp. Roll call vote: Warford, yes; Rapp, yes; Boop, yes; Ideus, yes; Nagle, yes; and Krejci, yes. Motion carried.

A motion was made by Krejci to approve Change Order #2 to the contract with M.E. Collins Contracting for the 2021 Intersection and Curb Ramp Improvements to adjust final quantities resulting in a deduction of \$84,632.35, and to provide for an amendment to the contract dates, seconded by Ideus. Roll call vote: Krejci, yes; Ideus, yes; Rapp, yes; Nagle, yes; Boop, yes, and Warford, yes. Motion carried.

A motion was made by Krejci to approve Pay Application #4 for the 2021 Intersection and Curb Ramp Improvement Project to M.E. Collins Contracting for \$21,972.76, seconded by Rappl. Roll call vote: Krejci, yes; Rappl, yes; Boop, yes; Warford, yes; Ideus, yes; and Nagle, yes. Motion carried.

Harrell presented information on the proposed 2022 Overlay and Street Improvement Project to the Council. She indicated this project included improvements to intersections along Beech Street from 6th to 12th, and on Linden Street from 7th to 12th, along with water line improvements, storm sewer improvements, sidewalk/handicapped ramp improvements, intersection improvements, and overlay for the streets. Harrell reported the engineer's opinion of probable cost for construction was \$1,162,500. Discussion was held on the opinion of probable cost and Harrell reported that the Council should expect a budget amendment at the time of contract award which would allocate the use of approximately \$735,000 of funds set aside for street improvements from previous budgets. A motion was made by Krejci to approve the plans and specifications as presented and authorize calling for bids, seconded by Rappl. Roll call vote: Krejci, yes; Rappl, yes; Boop, yes; Warford, yes; Ideus, yes; and Nagle, yes. Motion carried.

A motion was made by Nagle to approve the request for a Special Designated License by Karen's Spirits and Smokes for events to be held on March 17, and April 8 at the St. Wenceslaus Church Basement, 211 East 2nd Street, seconded by Rappl. Roll call vote: Nagle, yes; Rappl, yes, Krejci, yes; Boop, yes; Warford, yes; and Ideus, yes. Motion carried.

A motion was made by Warford to authorize the waiver of separate submittals for preliminary and final plats for a replat of Lots 1-3, Block 117, County Addition to the City of Wahoo to combine lots into one parcel, seconded by Ideus. Roll call vote: Warford, yes; Ideus, yes; Rappl, yes; Nagle, yes; Krejci, yes; and Boop, yes. Motion carried.

The following resolution, **Resolution No. 2022-03**, was introduced by Nagle, who moved for its approval, seconded by Rappl:

"WHEREAS, the Governing Body of the City of Wahoo, Nebraska, has enacted a Municipal Code, and,

WHEREAS, Wahoo Municipal Code Section 70.01 adopts all portion of the Nebraska Rules of the Road and incorporates them by reference into the Wahoo Municipal Code, and,

WHEREAS, Section 60-680 (1)(b) of the Nebraska Revised Statutes provides the following:

"(1) Any local authority with respect to highways under its jurisdiction and within the reasonable exercise of police power may: ... (b) Regulate traffic by means of peace officers or traffic control devices;" and

WHEREAS, Section 60-624 of the Nebraska Revised Statutes defines a highway as follows:

"Highway shall mean the entire width between the boundary limits of any street, road, avenue, boulevard, or way which is publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel." and,

WHEREAS, Section 60-670 of the Nebraska Revised Statutes defines a traffic control device as follows:

“Traffic control device shall mean any sign, signal, marking, or other device not inconsistent with the Nebraska Rules of the Road placed or erected by authority of a public body or official having jurisdiction for the purpose of regulating, warning, or guiding traffic.” and,

WHEREAS, the Mayor and Council of the City of Wahoo, Nebraska, as the City of Wahoo’s Governing Body, do desire to adopt this resolution providing for the speed limits on Chestnut Street from the south boundary to north boundary of the corporate limits of the City of Wahoo, Nebraska, and,

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the City of Wahoo, Nebraska, as follows:

Section 1. That the finding hereinabove made should be and are hereby made a part of this Resolution as fully as if set out at length herein.

Section 2. That traffic control devices, to wit: one or more speed limit signs, be erected along Chestnut Street to provide for the following speed limits for north and south bound traffic from the south corporate limits to the north corporate limits in the City of Wahoo:

- a. a forty-five (45) miles per hour speed limit from south corporate limits to the intersection of South Chestnut Street and J Road (County Road J);
- b. a forty (40) miles per hour speed limit from the intersection of South Chestnut Street and J Road (County Road J) and the Wahoo Creek Bridge;
- c. a thirty (30) miles per hour speed limit from the Wahoo Creek Bridge to the intersection of North Chestnut Street and 23rd Street; and
- d. a forty-five (45) miles per hour speed limit from the intersection of North Chestnut Street and 23rd Street to the north corporate limits.

Section 3. That upon the approval of this Resolution, the aforementioned traffic control devices shall be erected, and this Resolution shall remain in full force and effect until the removal of said aforementioned signs, at which time, this Resolution shall be of no force and effect.

Roll call vote: Nagle, yes; Rappl, yes; Krejci, yes; Boop, yes, Warford, yes; and Ideus, yes. Motion carried.

Joe Wynn, Street Supervisor, presented information to the Council on a 2011 Ford F350 with 80,000 miles that he would like to purchase for the Street Department. He indicated the truck included a topper with side tool bins, and a portable generator installed in the bed of the truck. He had a negotiated price of \$21,000. A motion was made by Rappl to authorize the purchase of the vehicle, seconded by Krejci. Roll call vote: Rappl, yes; Krejci, yes; Boop, yes; Warford, yes; Ideus, yes; and Nagle, yes. Motion carried.

Harrell presented the 2020-2021 Annual Keno Report to the Council for consideration. A motion was made by Krejci to approve the report as presented, seconded by Ideus. Roll call vote: Krejci, yes; Ideus, yes; Rappl, yes; Nagle, yes; Boop, yes; and Warford, yes. Motion carried.

Harrell presented a draft Request for Proposals for the redevelopment of property owned by the City of Wahoo including Blocks 2 and 5 of Dickenson’s Subdivision. The draft RFP was reviewed by the Council and minor revisions were made following the discussion. A motion was made by Krejci to approve the

request for proposals and authorize Harrell to reach out to interested developers for this property, seconded by Ideus. Roll call vote: Krejci, yes; Ideus, yes; Rappl, yes; Nagle, yes; Boop, yes; and Warford, yes. Motion carried.

Jovan Lausterer, City Attorney, provided an update to the Council on conversations with Destiny Ministries, Inc. regarding properties known as Kennedy Campus Gymnasium and East Hall. He explained the City has negotiated an agreement for the expectations and timeline of improvements to these facilities, to address the vacant buildings and property, and reviewed the terms of the agreement with the Council. A motion was made by Krejci to authorize the Mayor to sign a development agreement with the People of Destiny Ministries, Inc. regarding development and improvements to Lots 1, 2, and 6 of Kennedy College Subdivision, seconded by Warford. Roll call vote: Krejci, yes; Warford, yes; Boop, yes; Ideus, yes; Rappl, yes; and Nagle, yes. Motion carried.

The Mayor called for audience comments on items not listed on the agenda. Steven Olson of 1326 North Hackberry was present to encourage the Council to consider approval of the conditional use application being submitted by 6 Java Boys for a Scooter's coffee kiosk. He also thanked the City for the Safe Routes To School Project; he uses it and has seen several kids using it walking to and from school, as well as the Dog Park which he felt was a good addition. He asked if there were any solar panel rebates available to homeowners. He also asked if the City would consider vacating 14th Street located directly north of his home.

A motion was made by Warford to adjourn the meeting at 8:18 p.m., seconded by Nagle. Roll call vote: Warford, yes; Nagle, yes; Boop, yes; Ideus, yes; Rappl, yes; and Krejci, yes. Motion carried.

The next regular meeting will be February 22, 2022.

Approved:

Melissa M. Harrell, Acting City Clerk

Gerald D. Johnson, Mayor