

The Council met in regular session in the Wahoo Public Library, 637 N Maple, in compliance with agenda posted at City Hall, Post Office and First Bank of Nebraska, and the City of Wahoo website, 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: Stuart Krejci, Ryan Ideus, Carl Warford, Chris Rappl, Karen Boop and Patrick Nagle.

Department Head Reports were given by Joe Wynn, Street Superintendent, Cody Hull, Fire Chief and Melissa Harrell, City Administrator.

Council Member Warford motioned, and Council Member Krejci seconded to approve the consent agenda which included approval of the minutes of the September 27, 2022, meeting of the City Council and the approval of progress estimate No. 1 to Gana Trucking for the Wanahoo Trail Flood Damage Repairs in the amount of \$49,033.51. City Administrator Harrell reported that additional damage was found on the Lake Wanahoo Trail and that this has stopped the repairs until NEMA and FEMA approve the additional work needed. Roll call vote: Warford, yes; Krejci, yes; Ideus, yes; Boop, yes; Rappl, yes; and Nagle, yes. Motion carried.

Council Member Karen Boop reported on the League of Municipalities annual meeting emphasizing her desire to start the process to pursue a creative district within Wahoo.

Discussion on Ordinance No. 2398 to provide for a conditional use permit for ground level apartments in C-1 downtown district resulted in an amendment to the original. Council Member Krejci motioned, and Council Member Warford seconded, to approve the second reading of Ordinance No. 2398. Roll call vote: Krejci, yes; Warford, yes; Ideus, yes; Nagel, no; Rappl, yes; Boop, yes. Motion passed.

Council Member Rappl motioned, and Council Member Krejci seconded, to approve Resolution No. 2022-20 declaring a 2004 Ford Explorer as surplus. Roll call vote: Rappl, yes; Krejci, yes; Nagle, yes; Warford, yes; Ideus, yes; and Boop, yes. Motion carried.

Council Member Warford motioned, and Council Member Krejci seconded, to approve the plans and specifications for a new engine/rescue truck for the Wahoo Fire Department and to authorize calling for bids. Roll call vote: Warford, yes; Krejci, yes; Ideus, yes; Boop, yes; Rappl, yes; and Nagle, yes. Motion carried.

Council Member Nagel motioned, and Council Member Rappl seconded, to deny the claim filed against the City of Wahoo for damages to a vehicle in Hackberry Park on September 24, 2022. Roll call vote: Nagle, yes; Rappl, yes; Ideus, yes; Krejci, yes; Warford, yes; and Boop, yes. Motion carried.

Ordinance No. 2399 was introduced by Council Member Warford entitled: AN ORDINANCE OF THE CITY OF WAHOO, NEBRASKA, CREATING A STREET IMPROVEMENT DISTRICT WITHIN THE CITY OF WAHOO TO BE KNOWN AS STREET IMPROVEMENT DISTRICT NO. 2022-01; DEFINING THE BOUNDARIES OF SAID DISTRICTS AND THE PROPERTY CONTAINED THEREIN; AND, PROVIDING FOR THE CONSTRUCTION OF IMPROVEMENTS THEREIN CONSISTING OF GRADING AND CONSTRUCTION OF CURB AND GUTTER, PAVING, STORM SEWER IMPROVEMENTS, LANDSCAPING, AND SEEDING, TOGETHER WITH OTHER APPURTENANCES AND ACCESSORIES AS MAY BE INCIDENTAL THERETO.

Council Member Warford 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 on the motion to suspend the rules. Roll call vote: Warford, yes; Krejci, yes; Ideus, yes; Boop, yes; Rappl, yes; and Nagle, yes. 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 regard to the passage and approval of ordinance be suspended so that Ordinance No. 2399 may be read by title and moved for final passage in the same meeting.

Council Member Warford moved that Ordinance No. 3499 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 on this motion: Roll call vote: Warford, yes; Krejci, yes; Ideus, yes; Boop, yes; Rappl, yes; and Nagle, yes. Motion carried.

Ordinance No. 2400 was introduced by Council Member Warford entitled: AN ORDINANCE OF THE CITY OF WAHOO, NEBRASKA, CREATING A WATER IMPROVEMENT DISTRICT WITHIN THE CITY OF WAHOO TO BE KNOWN AS WATER IMPROVEMENT DISTRICT NO. 2022-01; DEFINING THE BOUNDARIES OF SAID DISTRICT AND THE PROPERTY CONTAINED THEREIN; AND, DESIGNATING THE SIZE, LOCATION AND TERMINAL POINTS OF WATER MAINS AND WATER LINES WITHIN SAID DISTRICT, LANDSCAPING, AND SEEDING, TOGETHER WITH OTHER APPURTENANCES AND ACCESSORIES AS MAY BE INCIDENTAL THERETO.

Council Member Warford 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 on the motion to suspend the rules thereon. Roll call vote: Warford, yes; Krejci, yes; Ideus, yes; Boop, yes; Rappl, yes; and Nagle, yes. 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 regard to the passage and approval of ordinance be suspended so that Ordinance No. 2400 may be read by title and moved for final passage in the same meeting.

Council Member Warford moved that Ordinance No. 3499 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 roll call vote on this motion: Warford, yes; Krejci, yes; Ideus, yes; Boop, yes; Rappl, yes; and Nagle, yes. Motion carried.

The passage and adoption of said Ordinances having been concurred then by a majority of all members of the Council, the Mayor declared the Ordinance adopted and the Mayor, in the presence of the Council, signed and approved the Ordinance and Clerk attested the passage and approval of the same and affixed her signature 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 made by Warford, seconded by Krejci to set a public hearing date for the creation of Storm Water District No. 2022-01 and Sanitary Sewer District No 2022-01.

Ordinance No. 2401 was introduced by Council Member Krejci entitled: AN ORDINANCE OF THE CITY OF WAHOO, SAUNDERS COUNTY, NEBRASKA, TO ACQUIRE INTERESTS IN REAL

ESTATE BY PURCHASE OR EMINENT DOMAIN FOR WATER, SANITARY SEWER, STORM DRAINAGE, GAS AND ELECTRICAL UTILITY AND INGRESS/EGRESS ACCESS EASEMENTS IN FAVOR OF THE CITY OF WAHOO, NEBRASKA, ITS SUCCESSORS, ASSIGNS, AND FRANCHISEES, THE INTERESTS TO BE ACQUIRED AND REDEFINED AS DESCRIBED IN FULL HEREIN, SAID PARCELS LOCATED IN SECTION 33, TOWNSHIP 15, RANGE 7 AND SECTION 4 TOWNSHIP 14, RANGE 7, AND SECTION 9, TOWNSHIP 14, RANGE 7, SAUNDERS COUNTY, NEBRASKA; SAID INTERESTS BEING PERMANENT EASEMENTS THEREIN.

Council Member Krejci 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 Nagel seconded said motion. The Mayor put the question and instructed the Clerk to call for the roll for the vote on the motion to suspend the rules. Roll call vote: Warford, yes; Krejci, yes; Ideus, yes; Boop, yes; Rappl, yes; and Nagle, yes. 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 regard to the passage and approval of ordinance be suspended so that Ordinance No. 2401 may be read by title and moved for final passage in the same meeting.

Council Member Krejci moved that Ordinance No. 3499 be approved and passed, and its title agreed to. Council Member Ideus seconded the motion. The Mayor instructed the Clerk to call the roll for the vote on this motion: Roll call vote: Warford, yes; Krejci, yes; Ideus, yes; Boop, yes; Rappl, yes; and Nagle, yes. 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 the Mayor, in the presence of the Council, signed and approved the Ordinance and Clerk attested the passage and approval of the same and affixed her signature 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 announced the next item of business was discussion regarding the potential acquisition of property by the City of Wahoo. Council Member Warford motioned and Council Member Rappl seconded to enter into closed session for the purpose of protection of public interest due to potential litigation. Roll call vote: Warford, yes; Rappl, yes; Krejci, yes; Nagle, yes; Ideus, yes; and Boop, yes. Motion carried. The Mayor indicated the Council, City Administrator Harrell, City Clerk Fasel, and City Attorney Lausterer would be entering into closed session at 8:17 p.m. for protection of public interest due to potential acquisition of property by the City of Wahoo. Warford motioned and Ideus seconded to return to regular session at 8:40pm. Roll call vote: Warford, yes; Ideus, yes; Krejci, yes; Nagle, yes; Rappl, yes; and Boop, yes. Motion carried.

Motion made by Warford, seconded by Nagel to adjourn at 8:42pm

The next regular meeting is October 25, 2022, at 7:00pm at the Wahoo Public Library, 637 N. Maple St.

Approved:

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Christina Fasel, City Clerk

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Gerald D. Johnson, Mayor