

The Council met in special session and in compliance with agenda posted at City Hall, Post Office and First National Bank with each Council member being notified of agenda prior to the meeting. The meeting was called to order by Mayor Janet Jonas 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: Greg Kavan, Gerry Tyler, Stuart Krejci, Jim Svoboda, and Kevin Dunbar. Absent: Mike Lawver.

The Mayor called for items not listed on the agenda and none were presented.

The Mayor noted the minutes of the Library Board meeting were not available. A motion was made by Kavan, seconded by Krejci, to approve the following items listed on the consent agenda:

1. Excused absence of Council member Mike Lawver
2. Minutes of the November 14, 2013 meeting of the Mayor and Council
3. Approval of Cody Hull as a member of the Wahoo Volunteer Fire Department

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

Erik Alm reported on plans for a Veterans Memorial for Saunders County which will be located on the Courthouse grounds.

Harrell responded to questions about placement of the box culvert on 23rd Street. Harrell stated she and Dave Jansa attended training on signs and sign maintenance; we need to focus on compliance, a sign inventory, and a maintenance plan. Beavers reported he attended a flood plain conference in Columbus, and changes are recommended in zoning and flood plain regulations.

The public hearing on application for Conditional Use Permit to operate a dance academy in R-2 Zoning District on Lot 1 and 2, and part of Lots 3, 10, 11, 12 and the vacated alley lying contiguous with the aforesaid lots, all in Block 115, and also part of vacated Elm Street, County Addition to the City of Wahoo, commonly known as 345 East 10th Street, as filed by Megan Reisen, was declared open by the Mayor at 7:24 p.m. No comments by the public were offered. Motion by Kavan, seconded by Svoboda to close the public hearing at 7:25 p.m. Roll call vote: Kavan, yes; Svoboda, yes; Tyler, yes; Krejci, yes; and Dunbar, yes. Absent and not voting: Lawver. Motion carried.

Megan Reisen, owner of MLR Dance, LLC, d/b/a Wahoo Dance Academy, is purchasing the property contingent upon approval of the Conditional Use. Parking and lighting was discussed. Krejci requested review of the use in twelve months.

Ordinance No. 2145 was introduced by Council Member Tyler entitled: AN ORDINANCE OF THE CITY OF WAHOO, NEBRASKA, TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF WAHOO, NEBRASKA, PERTAINING TO THE FOLLOWING-DESCRIBED REAL ESTATE, TO WIT: LOT 1, 2, AND PART OF LOTS 3, 10, 11 AND 12, AND THE VACATED ALLEY LYING CONTIGUOUS TO THE AFORESAID LOTS, ALL IN BLOCK 115, AND PART OF VACATED ELM STREET, COUNTY ADDITION TO THE CITY OF WAHOO, SAUNDERS COUNTY, NEBRASKA, BY ALLOWING THEREON A PERMITTED CONDITIONAL USE, THAT BEING DANCE ACADEMY, AS ALLOWED BY PERMITTED CONDITIONAL USES LISTED UNDER WAHOO ZONING REGULATIONS SECTION 5.08.03; PROVIDING FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM. The Mayor then instructed the Clerk to read Ordinance No. 2145 of the City of Wahoo, Nebraska. The Clerk thereupon read the aforesaid Ordinance No. 2145 by title.

Council Member Svoboda 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 the roll for the vote thereon. The Clerk called the roll and the following was the vote on the motion to suspend the rules: Svoboda, yes; Krejci, yes; Dunbar, yes; Tyler, yes; and Kavan, yes. Absent and not voting: Lawver. 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. 2145 may be read by title and moved for final passage in the same meeting.

Council Member Tyler moved that Ordinance No. 2145 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: Tyler, yes; Krejci, yes; Svoboda, yes; Kavan, yes; and Dunbar, yes. Absent and not voting: Lawver. 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 that the Ordinance be forwarded to the Mayor for the Mayor's signature. The 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.

Information regarding amendment of sight triangle was reviewed. Public hearing was held on November 14, 2013.

Ordinance No. 2146 was introduced by Council Member Kavan entitled: AN ORDINANCE OF THE CITY OF WAHOO, NEBRASKA, TO AMEND ORDINANCE NO. 1886, KNOWN, AND CITED, AS THE ZONING ORDINANCE OF THE CITY OF WAHOO, NEBRASKA, ADOPTED JANUARY 27, 2005, BY THE AMENDMENT OF SECTION 2.03 DEFINITIONS TO REDEFINE SIGHT TRIANGLE, AND AMEND SECTION 4.08 OBSTRUCTIONS TO VISION AT STREET INTERSECTIONS; PROVIDING FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM. The Mayor then instructed the Clerk to read Ordinance No. 2146 of the City of Wahoo, Nebraska. The Clerk thereupon read the aforesaid Ordinance No. 2146 by title.

Council Member Tyler 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 Kavan seconded said motion. The Mayor put the question and instructed the Clerk to call the roll for the vote thereon. The Clerk called the roll and the following was the vote on the motion to suspend the rules: Tyler, yes; Kavan, yes; Krejci, yes; Svoboda, yes; and Dunbar, yes. Absent and not voting: Lawver. 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. 2146 may be read by title and moved for final passage in the same meeting.

Council Member Kavan moved that Ordinance No. 2146 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: Kavan, yes; Tyler, yes; Dunbar, yes; Svoboda, yes; and Krejci, yes. Absent and not voting: Lawver. 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 that the Ordinance be forwarded to the

Mayor for the Mayor's signature. The 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.

Harrell reported an opinion was received that value for a parcel of City of Wahoo property including vacated Maple Street between A and B Street was less than \$5,000. Declaration as surplus property, lease terms, minimum amount, and process was discussed. Harrell will prepare a resolution for consideration at the next meeting. Motion was made by Tyler, seconded by Krejci, to establish the value of surplus property as less than \$5,000, and table action to the next meeting. Roll call vote: Tyler, yes; Krejci, yes; Dunbar, yes; Svoboda, yes; and Kavan, yes. Absent and not voting: Lawver. Motion carried.

Trevor Wiskus addressed the Council stating Roundbale Logistics, LLC is new owner of property at 1159 North Chestnut, and the business, Harvest Auto & Machinery, will sell used vehicles and skidsteer loaders. They met with Beavers to discuss parking requirements and traffic flow. A Conditional Use Permit was issued for auto sales to the previous property owner by Ordinance No. 2049, with review by the Council. Conditions for use by new owners and one-year review were discussed.

Ordinance No. 2147 was introduced by Council Member Svoboda entitled: AN ORDINANCE OF THE CITY OF WAHOO, NEBRASKA, TO AMEND ORDINANCE NO. 2049, AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF WAHOO, NEBRASKA, PERTAINING TO THE FOLLOWING-DESCRIBED REAL ESTATE, TO WIT: THE EAST 80.51 FEET OF LOT 9, EXCEPT THE NORTH 5.0 FEET THEREOF, THE EAST 80.51 FEET OF LOT 10 AND THE EAST 80.51 FEET OF THE NORTH 23.79 FEET OF LOT 11, BLOCK 3, FAIRVIEW ADDITION TO THE CITY OF WAHOO, SAUNDERS COUNTY, NEBRASKA, SUBJECT TO EASEMENTS OF RECORD, COMMONLY KNOWN AS 1159 NORTH CHESTNUT STREET, WAHOO, NEBRASKA, BY ALLOWING THEREON AUTOMOBILE SALES AND SERVICE, AS ALLOWED BY PERMITTED CONDITIONAL USES LISTED UNDER NRC ZONING SECTION 5.11.03; PROVIDING FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM. The Mayor then instructed the Clerk to read Ordinance No. 2147 of the City of Wahoo, Nebraska. The Clerk thereupon read the aforesaid Ordinance No. 2147 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 Kavan seconded said motion. The Mayor put the question and instructed the Clerk to call the roll for the vote thereon. The Clerk called the roll and the following was the vote on the motion to suspend the rules: Dunbar, yes; Kavan, yes; Tyler, yes; Svoboda, yes; and Krejci, yes. Absent and not voting: Lawver. 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. 2147 may be read by title and moved for final passage in the same meeting.

Council Member Svoboda moved that Ordinance No. 2147 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; Krejci, yes; Kavan, yes; and Tyler, yes. Absent and not voting: Lawver. 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 that the Ordinance be forwarded to the Mayor for the Mayor's signature. The 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.

Harrell reported petition for annexation was not received.

Harrell requested that the Council certify the vacancies which will occur on the Governing Board to the County Election Commissioner as required by law. Harrell reported that if an increase in pay for Mayor and Council is considered, this could affect filing fees for office. Increase would not be received until December 2015. A motion was made by Dunbar to certify the vacancies to be filled in the 2014 election cycle, motion seconded by Svoboda. Roll call vote: Dunbar, yes; Svoboda, yes; Krejci, yes; Kavan, yes; and Tyler, yes. Absent and not voting: Lawver. Motion carried.

A motion was made by Kavan, seconded by Tyler, to adjourn at 7:54 p.m.

Approved:

Lucinda Morrow, Deputy Clerk

Janet A. Jonas, Mayor