

The Council met in special 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, Jim Svoboda, and Kevin Dunbar. Absent: none.

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

1. Minutes of the December 10, 2015 meeting of the Mayor and Council
2. Licenses: Plumbers: Randy Damewood, The Waldinger Corporation, LaVista; Derek Turner, Bryant Air Conditioning 7 Htg. Co., Lincoln. Electrician: Jim Gowlovech, Precision Electric, LLC, Phillips.

Roll call vote: Lawver, yes; Kavan, yes; Tyler, yes; Krejci, yes; Svoboda, yes; and Dunbar, yes. Absent and not voting: none. Motion carried.

Krejci reported the Finance Committee met. Tyler reported the Board of Public Works met. Harrell presented the annual Keno report.

Public Hearing on the 2016 Budget for the Wahoo Board of Public Works opened at 7:04 p.m. Tyler provided an overview of the budget and answered questions. No public comments offered. Motion by Kavan, seconded by Svoboda, to close the public hearing at 7:14 p.m. Roll call vote: Kavan, yes; Svoboda, yes; Dunbar, yes; Krejci, yes; Tyler, yes; and Lawver, yes. Absent and not voting: none. Motion carried.

A motion to approve the 2016 budget for the Wahoo Board of Public Works was offered by Krejci, seconded by Kavan. Roll call vote: Krejci, yes; Kavan, yes; Dunbar, yes; Svoboda, yes; Tyler, yes; and Lawver, yes. Absent and not voting: none. Motion carried.

Public Hearing on application for Conditional Use Permit to Operate Automobile Sales on property described as Lots 1-4, Block 1, Wahlstrom's Addition to Wahoo, commonly known as 316 West 11th Street, as filed by Ryan Vanek, opened at 7:15 p.m. Abram Marshall, owner of Harvest Auto, who is leasing property from Vanek, appeared to discuss the application. A letter of objection filed by Terence Sullivan was acknowledged. It was noted that Lot 4 is zoned R-2, which does not permit the conditional use, and Lots 1-3 are zoned NRC. Marshall asked to withdraw the application as to Lot 4, and stated they propose to remove the house in exchange for use for one year and will level and rock surface the lots for vehicle parking. Joe Spicka spoke in favor of removal of the house and use of the property. No other public comments presented. Motion by Svoboda, seconded by Kavan, to close the public hearing at 7:30 p.m. Roll call vote: Svoboda, yes; Kavan, yes; Lawver, yes; Tyler, yes; Krejci, yes; and Dunbar, yes. Absent and not voting: none. Motion carried.

Conditions for the use were discussed: granting the use on Lots 1, 2, and 3, contingent on removal of the house, hard surface the useable portion of the lots, have a survey of the lots completed to locate the property lines for setback and sight triangle purposes, conduct a review in twelve months after the building inspector deems the property suitable to begin occupancy for the use, and no parking of vehicles until conditions are met.

Ordinance No. 2207 was introduced by Council Member Lawver entitled: AN ORDINANCE OF THE CITY OF WAHOO TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF WAHOO, NEBRASKA PERTAINING TO LOTS 1, 2, 3, BLOCK 1, WAHLSTROM'S ADDITION BY ALLOWING A PERMITTED CONDITIONAL USE, AUTOMOBILE SALES AND SERVICE. The Mayor then instructed the Clerk to read Ordinance No. 2207 of the City of Wahoo, Nebraska. The Clerk thereupon read the aforesaid Ordinance No. 2207 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 Lawver 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: Svoboda, yes; Lawver, yes; Kavan, yes; Tyler, yes; Dunbar, yes; and Krejci, yes. Absent and not voting: none. 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. 2207 may be read by title and moved for final passage in the same meeting.

Council Member Lawver moved that Ordinance No. 2207 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: Lawver, yes; Dunbar, yes; Svoboda, yes; Krejci, yes; Kavan, yes; and Tyler, 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 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 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.

Motion was made by Lawver, seconded by Kavan, to approve extension of the Keno Operators Contract with Zeilinger Keno for three years to January 13, 2019. Roll call vote: Lawver, yes; Kavan, yes; Dunbar, yes; Svoboda, yes; Krejci, yes; and Tyler, yes. Absent and not voting: none. Motion carried.

Motion by Kavan, seconded by Lawver, to approve the capacity purchase agreement between Nebraska Public Power District and the City of Wahoo, Nebraska as recommended by Board of Public Works. Roll call vote: Kavan, yes; Lawver, yes; Tyler, yes; Krejci, yes; Svoboda, yes; and Dunbar, yes. Absent and not voting: none. Motion carried.

Resolution No. 2015-27 to approve signing of a professional construction services agreement with Olsson Associates, Inc., was introduced by Council member Kavan, who moved for approval, seconded by Tyler:

“WHEREAS: City of Wahoo, Nebraska is developing a transportation project for which it intends to obtain Federal funds;

WHEREAS: City of Wahoo as a sub-recipient of Federal-Aid funding is charged with the responsibility of expending said funds in accordance with Federal, State and local laws, rules, regulations, policies and guidelines applicable to the funding of the Federal-aid project;

WHEREAS: City of Wahoo and Olsson Associates, Inc. wish to enter into a Professional Construction Engineering Services Agreement to provide construction engineering services for the Federal-aid project.

BE IT RESOLVED: by the City Council of the City of Wahoo, Nebraska that:
Loren Lindahl, Mayor of the City of Wahoo, is hereby authorized to sign the attached construction engineering services agreement between the City of Wahoo, Nebraska and Olsson Associates, Inc.

NDOR Project Number: ENH-78(26)

NDOR Control Number: 12880

NDOR Project Description: Wahoo Trail – Maple Street North.”

Roll call vote: Kavan, yes; Tyler, yes; Krejci, yes; Svoboda, yes; Dunbar, yes; and Lawver, yes. Absent and not voting: none. Motion carried.

Proposed amendment of Municipal Code §50.12 was discussed. This would provide for licensing period from October 1 through September 30 of the following year, and fees for mid-year applications would be \$200 (not pro-rated) and expire on the last day of September.

Ordinance No. 2208 was introduced by Council Member Lawver entitled: AN ORDINANCE OF THE CITY OF WAHOO TO AMEND MUNICIPAL CODE SECTION 50.12 AS TO LICENSE PERIOD AND APPROVAL DATE FOR COMPANIES HAULING SOLID WASTE. The Mayor then instructed the Clerk to read Ordinance No. 2208 of the City of Wahoo, Nebraska. The Clerk thereupon read the aforesaid Ordinance No. 2208 by title.

Council Member Kavan 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 Lawver 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: Kavan, yes; Lawver, yes; Tyler, yes; Dunbar, yes; Svoboda, yes; and Krejci, yes. Absent and not voting: none. 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. 2208 may be read by title and moved for final passage in the same meeting.

Council Member Lawver moved that Ordinance No. 2208 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; Dunbar, yes; Svoboda, yes; Krejci, yes; 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 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 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.

The application for solid waste hauling filed by Christopher Vasa, Roadrunner Transportation, was reviewed. Motion by Kavan, seconded by Dunbar, to approve the application for solid waste hauling effective upon passage, until September 30, 2016. Roll call vote: Kavan, yes; Dunbar, yes; Tyler, yes; Krejci, yes; Lawver, yes; and Svoboda, yes. Absent and not voting: none. Motion carried.

Motion by Lawver, seconded by Svoboda, to authorize the Wahoo Rescue Squad to solicit, charge, or collect funds, fees, or charges for services as required under NE Statute 35-901. Roll call vote: Lawver, yes; Svoboda, yes; Krejci, yes; Dunbar, yes; Kavan, yes; and Tyler, yes. Absent and not voting: none. Motion carried.

Beavers reported he received a request to perform HVAC work in Wahoo from a person not licensed in Fremont, Omaha or Lincoln. Bruce Hayek addressed the Council. Other communities vary widely on their requirements for licensing. Those cities with tests are individualized to meet the version of code followed, and any unique requirements of the city. Beavers will continue to look for information for a proper test which fits the codes Wahoo follows. No action taken.

Motion by Kavan, seconded by Lawver to adjourn at 8:15 p.m.

Approved:

Lucinda Morrow, Deputy Clerk

Loren L. Lindahl, Mayor