

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 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.

The Mayor recognized the upcoming open house for the Wahoo Volunteer Fire Department/EMS.

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

1. Minutes of the September 22, 2016 meeting of the Mayor and Council
2. Minutes of September 13, 2016 meeting of Wahoo Library Board of Trustees
3. Appointment of Gerry Tyler, with alternate of Mike Lawver, to Lake Wanahoo Advisory Committee
4. Licenses: Plumbers: Richard Stava, RAS, Valparaiso; Matthew Kean, Universal Plumbing LLC, Omaha; Scott Weatherhogg, All Pro Plumbing, Douglas; David Miller, Mainelli Mechanical Contractors, Omaha; Keith Lacy, Simmons Plumbing Inc., Lincoln; Robert Prickett, BLT Plumbing, Heating & A/C Inc., Fremont. HVAC: Richard Stava, RAS, Valparaiso; Terry McNeil, Mainelli Mechanical Contractors, Omaha; Brad Provancha, Capitol Heating & Air Conditioning Inc., Lincoln; Donald Bogatz, Bogatz Heating & Air Conditioning, Gretna; Lucas Schulz, BLT Plumbing, Heating & A/C, Fremont. Electrician: Jesse Dunavan, Power D Inc., Cedar Bluffs; Matt Harris, Harris Electric, Wahoo; Pat Trede, Trede Electric, Ralston.

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

Department Head Reports: Street department is preparing for snow, will be sweeping leaves after the freeze. Beavers reported new houses, work on nuisances, and Dillons is close to opening. Police department report, department will be shorthanded until April. Harrell reported the Walk for Paws utilized the Lake Wanahoo Trail for their event, ribbon cutting set for October 19 at 10:00 a.m. Maple Street Trail is under construction; Dillons will look at adjusting their lights; Harrell and Lawver attended depositions regarding library damages; the EMS position has been advertised; hearing date has been set for Gonzales/Starr nuisance and notice was mailed and delivered personally. Lausterer reported working on nuisance and zoning issues, and working with Park and Rec on damage claim. The Mayor discussed establishing a more formal process for requests to amend the zoning regulations.

The public hearing on Application for Conditional Use to operate a Family Child Care Home II on Lot 4 and the balance of Lot 3, Block 14, Original Town (453 West 4th Street) as filed by Chris and Amy Davis, in R-2 Residential Zoning District, opened at 7:10 p.m. Chris Davis appeared. Number of children, square footage of required play area, and fencing were discussed. No comments from the public. A motion was made by Svoboda, seconded by Tyler to close the public hearing at 7:15 p.m. Roll call vote: Svoboda, yes; Tyler, yes; Dunbar, yes; Krejci, yes; Lawver, yes; and Kavan, yes. Absent and not voting: none. Motion carried.

Installation of a fence prior to annual review was discussed with applicant. Motion by Tyler, seconded by Kavan, to introduce an ordinance approving the Conditional Use, with conditions to maintain the required State of Nebraska license, and review in twelve months.

Ordinance No. 2222 was introduced by Council Member Tyler entitled: AN ORDINANCE OF THE CITY OF THE CITY OF WAHOO TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF WAHOO, NEBRASKA PERTAINING TO LOT 4 AND BALANCE OF LOT 3, BLOCK 14, ORIGINAL TOWN, ZONED R-2 RESIDENTIAL DISTRICT BY ALLOWING THEREON A CONDITIONAL USE, I.E.: FAMILY CHILD CARE HOME II. The Mayor then instructed the Clerk to read Ordinance No. 2222 of the City of Wahoo, Nebraska. The Clerk thereupon read the aforesaid Ordinance No. 2222 by title.

Council Member Lawver 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 Dunbar 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: Lawver, yes; Dunbar, yes; Kavan, yes; Tyler, yes; Krejci, yes; and Svoboda, 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. 2222 may be read by title and moved for final passage in the same meeting.

Council Member Tyler moved that Ordinance No. 2222 be approved and passed and its title agreed to. Council Member Kavan 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; Kavan, yes; Lawver, yes; Krejci, yes; Svoboda, yes; and Dunbar, 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 public hearing on amendment of the Zoning Ordinance, Article 7, Section 7.25 Commercial Cabin Campgrounds, opened at 7:18 p.m. Rick and Linda Dorothy appeared to discuss the proposed changes. Beavers stated the Planning Commission discussed the proposed increase in size of footprint, ADA requirements, and maximum square footage. Requirements for sewer for larger occupancies was discussed. Plans would need to be engineered and NDEQ would need to approve. Gibney noted that a licensed operator would be required for treatment for multiple dwellings. Beavers noted this use could be requested for any LLR zoned property. Motion by Kavan, seconded by Lawver to close the public hearing at 7:25 p.m. Roll call vote: Kavan, yes; Lawver, yes; Tyler, yes; Krejci, yes; Svoboda, yes; and Dunbar, yes. Absent and not voting: none. Motion carried.

Density of structures and square footage of coverage possible under this ordinance, versus single-family residential properties on neighboring property was discussed.

Ordinance No. 2223 was introduced by Council Member Kavan entitled: AN ORDINANCE OF THE CITY OF THE CITY OF WAHOO TO AMEND ORDINANCE 1886, THE WAHOO ZONING ORDINANCE, ARTICLE 7, SECTION 7.25 COMMERCIAL CABIN CAMPGROUNDS. The Mayor then instructed the Clerk to read

Ordinance No. 2223 of the City of Wahoo, Nebraska. The Clerk thereupon read the aforesaid Ordinance No. 2223 by title.

Council Member Lawver 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 Svoboda 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: Lawver, yes; Svoboda, yes; Dunbar, yes; Kavan, yes; Tyler, 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. 2223 may be read by title and moved for final passage in the same meeting.

Council Member Kavan moved that Ordinance No. 2223 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: Kavan, yes; Krejci, yes; Lawver, yes; Tyler, yes; Dunbar, no; Svoboda, 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.

Public hearing on Application for Conditional Use Permit to operate recreational rental cabins on tract in SW ¼ Sec 27-T-15-R7, as filed by Rick and Linda Dorothy, was removed from the agenda, as this was not heard by the Planning Commission.

The Coalition on Human Trafficking offers training for motel staff regarding human trafficking and contacted the Mayor and Police Department requesting support. Motion by Kavan, seconded by Lawver, to authorize the Mayor to issue a letter of support. Roll call vote: Kavan, yes; Lawver, yes; Tyler, yes; Krejci, yes; Svoboda, yes; and Dunbar, yes. Absent and not voting: none. Motion carried.

Board of Public Works resolution of intent to move forward with plans for a joint service center in the interest of efficiency was discussed. The Mayor noted this would be part of the capital improvement plan. Motion by Lawver, seconded by Kavan, to approve the concept of a joint service center for city and utility services. Roll call vote: Lawver, yes; Kavan, yes; Tyler, yes; Krejci, yes; Svoboda, yes; and Dunbar, yes. Absent and not voting: none.

Motion by Lawver, seconded by Kavan, to authorize City Staff to proceed with filing an assessment against Lots 15 and 16, Willow Creek Subdivision to Wahoo for the abatement of a nuisance in August in the amount of \$168.12 plus costs. The property owner has not objected. Roll call vote: Lawver, yes; Kavan, yes; Tyler, yes; Krejci, yes; Svoboda, yes; and Dunbar, yes. Absent and not voting: none. Motion carried.

There were no audience comments offered. Special meeting date of Tuesday, November 22, 2016 was noted.

Motion by Lawver, seconded by Kavan to adjourn at 7:52 p.m.

Approved:

Lucinda Morrow, Deputy Clerk

Loren L. Lindahl, Mayor