

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 acknowledged the official opening of the Lake Wanhoo Trail and encouraged support of the high school Close-Up program.

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

1. Minutes of the October 13, 2016 meeting of the Mayor and Council
2. Minutes of October 6, 2016 meeting of Planning Commission
3. Licenses: Plumbers: Duane Bradley, Bradley Brothers Plumbing, Omaha; Randy Bouwens, Bouwens Plumbing, Lincoln; Doug Osborn, Osborn Sales & Service; David City. HVAC: Bart Bosco, Air Comfort, Fremont; Doug Osborn, Osborn Sales & Service, David City. Electrician: Colby Schutt, Schutt Construction & Electric, Wahoo.

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

Street committee met and discussed items including Maple Street trail project and storm sewer drainage issues. Tyler reported NPPD will be conducting a phone survey. Lausterer reported on the settlement agreement with Vybiral to repair damage to fence.

The public hearing on amendment to Ordinance 1886, the Wahoo Zoning Ordinance, Article 7, Signs opened at 7:07 p.m. Beavers reported discussion by the sign committee and Planning Commission, including lighting, on premises only, and requiring Conditional Use Permit. A motion was made by Kavan, seconded by Svoboda to close the public hearing at 7:26 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.

Ordinance No. 2224 was introduced by Council Member Lawver entitled: AN ORDINANCE OF THE CITY OF THE CITY OF WAHOO TO AMEND ORD. NO. 1886, THE ZONING ORDINANCE OF THE CITY OF WAHOO, ARTICLE 7, SIGNS, SECTION 7.06.06 PERMITS. The Mayor then instructed the Clerk to read Ordinance No. 2224 of the City of Wahoo, Nebraska. The Clerk thereupon read the aforesaid Ordinance No. 2224 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 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; Krejci, yes; Tyler, yes; Kavan, yes; Lawver, yes; and Dunbar, 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. 2224 may be read by title and moved for final passage in the same meeting.

Council Member Lawver moved that Ordinance No. 2224 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: Lawver, yes; Krejci, yes; Dunbar, no; Svoboda, yes; Tyler, 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.

Harrell reported on the delay of relinquishment of the old highway corridor by NDOR. Motion by Lawver, seconded by Kavan, to approve Maintenance Agreement No. 35 between the Nebraska Department of Roads and the City of Wahoo for 2017. Roll call vote: Lawver, yes; Kavan, yes; Tyler, yes; Krejci, yes; Svoboda, yes; and Dunbar, yes. Absent and not voting: none. Motion carried.

The following resolution, **Resolution No. 2016-13**, was introduced by Lawver, who moved for its approval, seconded by Svoboda:

“WHEREAS, the City of Wahoo, Saunders County, Nebraska, is the owner of the following described personal property, to wit:

EXHIBIT “A”

Vehicles/Equipment to be declared as surplus:

Year	Make	Model	VIN	Estimated Value
	Getz Mfg	Fire Extinguisher Filling System	Vactl-Fill system	
		SN 99-08-SV50-107, Model SV50PR		\$300

and,

WHEREAS, the City of Wahoo, Nebraska, does not have a present need to retain ownership of said above described personal property, and,

WHEREAS, the City of Wahoo, Nebraska, deems it in the best interests of the citizens of the City of Wahoo, Nebraska, that said personal property be disposed of, as set forth herein,

WHEREAS, the City of Wahoo, Nebraska, has determined that the fair market value of the above described personal property is less than \$5,000.00, as stated in the attached Exhibit “A”

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF WAHOO, NEBRASKA, AS FOLLOWS:

1. That the above described personal property be sold by either sealed bid and/or public auction on a date, time, as advertised in a Notice of Sale of Personal Property posted in three public places in the City of Wahoo, Nebraska, immediately after the passage of said Resolution and not later than seven (7) days prior to the sale of said items, as shall be evidenced by a Notice of Posting of the City of Wahoo Clerk, and,
2. That pursuant to Neb. Rev. Stat. §17-503.01, confirmation of the sale of said personal property by an ordinance is not required.
3. That the City of Wahoo, Nebraska, through the Clerk of the City of Wahoo, Nebraska, shall provide a bill of sale and/or certificate of title to the above personal property indicating that said personal property is being sold “as is” without warranty as to fitness or merchantability for any purpose and that buyer thereof

assumes all risks from the utilization of said personal property upon buyer's possession of said items of personal property.

4. That buyer shall receive possession of the above-described items of personal property upon payment in full of the purchase price for each item."

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

There was discussion of handling declarations of surplus property as part of the consent agenda.

Lausterer reported on requests to amend zoning regulations made by individuals, often to allow them to proceed with a project that does not meet the current rules. Beavers noted this is usually an effort to avoid a variance hearing. Lausterer suggested an application process and fee to cover staff time for research, when the change is not initiated by staff.

Motion by Svoboda, seconded by Tyler, to authorize City Staff to proceed with an "Application to Change Zoning Regulations" form and process, with a fee of \$250. Roll call vote: Svoboda, yes; Tyler, yes; Dunbar, yes; Krejci, yes; Kavan, no; and Lawver, yes. Absent and not voting: none. Motion carried.

There were no audience comments offered. Dunbar asked status of FAA decision. Svoboda asked about EMS applications; Harrell noted one application received, and will continue efforts to solicit more applications. Beavers reported asbestos removal is done at 401 East C.

Motion by Kavan, seconded by Svoboda to adjourn at 7:46 p.m.

Approved:

Lucinda Morrow, Deputy Clerk

Loren L. Lindahl, Mayor