

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 President of the Council Stuart Krejci at 7:00 p.m. and opened with the Pledge of Allegiance. The President of the Council 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, Chris Rappl, and Kevin Dunbar. Absent: Loren Lindahl.

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

1. Excused absence of Lindahl
2. Minutes of August 9, 2018 meeting of Council
3. Approval of Jordan Camp as a new member of the Wahoo Volunteer Fire Department
4. Approval of membership with SENDD and SENDD Housing for 7/1/18-6/30/19
5. Licenses: Plumbers: Bernard Barrett, Roto-Rooter Service Company; Tony Lukens, Integrity Plumbing; Gil Balboa, Midlands Mechanical Inc. HVAC: Nick Buresh, TechMasters Inc.; Gil Balboa, Midlands Mechanical Inc. Electrician: Dustin Gordan, Gordan Electric. Tree Contractor: Mark Bogus, A-Plus Tree Service Inc.

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

No Council committee reports.

Public hearing opened at 7:01 p.m. on Subdivision and final plat of Sycamore Hills 2nd Addition, a part of the NE ¼ of the SE ¼ of Section 33, Township 15 North, Range 7 East of the 6th p.m., and a replat of part of Sycamore Hills 1st Addition. Troy Johnston of JEO Consulting Group reported on the lots platted and easements. No public comments. Harrell reported terms of the subdivision agreement are established, but the written document is not available for review. Motion by Dunbar, seconded by Lawver, to close the public hearing at 7:05 p.m. Roll call vote: Dunbar, yes; Lawver, yes; Kavan, yes; Tyler, yes; Rappl, yes; and Krejci, yes. Absent and not voting: none. Motion carried.

Motion by Dunbar, seconded by Rappl, to table approval of final plat and subdivision agreement. Roll call vote: Dunbar, yes; Rappl, yes; Krejci, yes; Tyler, yes; Kavan, yes; and Lawver, yes. Absent and not voting: none. Motion carried.

The President of the Council declared the City Council meeting in recess at 7:06 p.m.

The Community Development Agency convened at 7:06 p.m.

The President of the Council opened the hearing before the Community Development Agency regarding substantial modification of the General Redevelopment Plan for a redevelopment area; approving certain redevelopment projects within a redevelopment area; approving a cost benefit analysis for such projects; and approving a redevelopment contract; and approving related matters as to a project on North Chestnut Street (JBC project). Documents were reviewed. No public comments received.

Council Member Tyler introduced **Resolution No. 2018-23**, and moved for its approval, seconded by Lawver,

“WHEREAS, the Mayor and Council of the City of Wahoo, Nebraska (the **“City”**), upon

the recommendation of the Planning Commission of the City (the “**Planning Commission**”), and in compliance with all public notice requirements imposed by Sections 18-2101 through 18-2154, Reissue Revised Statutes of Nebraska, as amended (the “**Act**”), duly declared the redevelopment area described on **Attachment 1** (the “**Redevelopment Area**”), to be blighted and substandard and in need of redevelopment;

WHEREAS, a general redevelopment plan (the “**Redevelopment Plan**”) for the redevelopment Area has been prepared for and on behalf of the Community Development Agency of the City (the “**Authority**”), in the form attached as **Attachment 2** in accordance with Section 18-2111 of the Act;

WHEREAS, the Authority has reviewed the Redevelopment Plan and determined that the proposed land uses and building requirements described in the Redevelopment Plan are designed with the general purpose of accomplishing a coordinated, adjusted, and harmonious development of the City and its environs which will, in accordance with present and future needs, promote health, safety, morals, order, convenience, prosperity and the general welfare, as well as efficiency in economy in the process of development; including, among other things, adequate provision for traffic, vehicular parking, the promotion of safety from fire, panic, and other dangers, adequate provisions for light and air, the promotion of the healthful and convenient distribution of population, the provision of adequate transportation, water, sewerage, and other public utilities, schools, parks, recreational and communitive facilities, and other public requirements, the promotion of sound design and arrangement, the wise and efficient expenditure of public funds, and the prevention of the recurrence of unsanitary or unsafe dwelling accommodations, or conditions of blight; and

WHEREAS, it is necessary, desirable, and advisable, that the Authority recommend the Redevelopment Plan to the Mayor and Council of the City for approval.

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

Section 1. The Authority hereby recommends that the Redevelopment Plan be approved by the Mayor and Council of the City. The Secretary of the Authority is hereby instructed to forward the Redevelopment Plan to the Planning Commission for review. Upon receipt of the written recommendations of the Planning Commission, or, if no such recommendations are received within thirty days of the submission of the Redevelopment Plan to the Planning Commission, then without such recommendations, the Secretary of the Authority is hereby instructed to deliver a copy of this Resolution to the Clerk of the City for review and consideration by the Mayor and Council of the City.

Section 2. All prior resolutions of the Authority in conflict with the terms and provisions of this Resolution are hereby expressly repealed to the extent of such conflicts.

Section 3. This Resolution shall be in full force and effect from and after its passage.”

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

Council Member Lawver introduced **Resolution No. 2018-24**, and moved for its approval, seconded by Rappl,

“**WHEREAS**, the Community Development Agency of the City of Wahoo, Nebraska (the “**Authority**”), in furtherance of the purposes and pursuant to Sections 18-2101 through 18-2154, Reissue Revised Statutes of Nebraska, as amended (the “**Act**”), has recommended approval of a general redevelopment plan in the form attached as **Attachment 1** (the “**Redevelopment Plan**”), for a redevelopment area of the City of Wahoo, Nebraska (the “**City**”),

described in **Attachment 2** (the “**Redevelopment Area**”);

WHEREAS, pursuant to and in furtherance of the Act, the Authority has caused to be prepared a substantial modification to the Redevelopment Plan in the form attached as **Attachment 3** (the “**Plan Amendment**”), the purpose of which is to authorize certain community redevelopment projects (collectively, the “**Project**”) within that portion of the Redevelopment Area described in **Attachment 4** (“**Project Area**”);

WHEREAS, pursuant to the Plan Amendment, the Authority or the City would agree to incur indebtedness for the purposes specified in the Plan Amendment, in accordance with and as permitted by the Act’

WHEREAS, the City has previously adopted and has in place a comprehensive plan, which includes a general plan for development of the City within the meaning of Section 18-2110 of the Act; and

WHEREAS, the Authority has made certain findings and pursuant thereto has determined that it is in the best interests of the City to approve the Plan Amendment and to carry out the Project.

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

Section 1. The Authority has determined that the proposed land uses and building requirements in the Redevelopment Area are designed with the general purposes of accomplishing, and in conformance with the general plan of the City, a coordinated, adjusted, and harmonious development of the City and its environs which will, in accordance with present and future needs, promote health, safety, morals, order, convenience, prosperity and the general welfare, as well as efficiency in economy in the process of development; including, among other things, adequate provision for traffic, vehicular parking, the promotion of safety from fire, panic, and other dangers, adequate provisions for light and air, the promotion of the healthful and convenient distribution of population, the provision of adequate transportation, water, sewerage, and other public utilities, schools, parks, recreational and communitive facilities, and other public requirements, the promotion of sound design and arrangement, the wise and efficient expenditure of public funds, and the prevention of the recurrence of unsanitary or unsafe dwelling accommodations, or conditions of blight.

Section 2. The Authority has conducted a cost benefit analysis for the Project in accordance with the Act, and has found and hereby finds that the Project would not be economically feasible without the use of tax increment financing, the Project would not occur in the Project Area without the use of tax increment financing and the costs and benefits of the Project, including costs and benefits to other affected political subdivisions, the economy of the community, and the demand for public and private services, have been analyzed and have been found to be in the long term best interests of the City.

Section 3. The Authority hereby recommends approval of the Plan Amendment, following publication of notice and a public hearing with respect to the Plan Amendment pursuant to the Act.

Section 4. The Chair and Secretary are hereby authorized and directed to execute such documents and take such further actions as are necessary to carry out this Resolution.

Section 5. All prior resolutions of the Authority in conflict with the terms and provisions of this resolution are hereby expressly repealed to the extent of such conflicts.

Section 6. This resolution shall be in full force and effect from and after its passage and approval.”

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

The Community Development Agency adjourned at 7:10 p.m.

The Council reconvened at 7:10 p.m.

Pay Application #3 was reviewed. Motion by Dunbar to approve Pay Application #3 for \$182,260.17 to M E Collins Contracting Co., for Chestnut Street Improvement Project, seconded by Kavan. Roll call vote: Dunbar, yes; Kavan, yes; Tyler, yes; Rappl, yes; and Krejci, yes; Lawver abstained. Absent and not voting: none. Motion carried.

Vacation of a portion of an alley in Block 2, Stocking's Second Addition to Wahoo was discussed. There is reference to vacation of this section of the alley in correspondence when the Wheeler's/Bomgaars building was expanded in 1970, but nothing in the Council records.

Ordinance No. 2288 was introduced by Kavan entitled: AN ORDINANCE OF THE CITY OF WAHOO TO VACATE A PORTION OF THE ALLEY IN BLK 2, STOCKINGS 2ND ADD. The President of the Council then instructed the Clerk to read Ordinance No. 2288 of the City of Wahoo, Nebraska. The Clerk thereupon read the aforesaid Ordinance No. 2288 by title.

Council Member Kavan moved that the statutory rules in regard to the passage and adoption of ordinances be suspended so 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 President of the Council 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: Roll call vote: Kavan, yes; Lawver, yes; Tyler, yes; Rappl, yes; Dunbar, yes; and Krejci, yes. Absent and not voting: none. Motion carried. The motion having been carried by the affirmative votes of no less than three-fourths of the members of the Council, the President of the Council declared the statutory rules in regards to the passage and approval of ordinance be suspended so that Ordinance No. 2288 may be read by title and moved for final passage in the same meeting.

Council Member Kavan moved that Ordinance No. 2288 be approved and passed, and its title agreed to. Council Member Dunbar seconded the motion. The President of the Council instructed the Clerk to call the roll for the vote and the following was the vote on this motion: Kavan, yes; Dunbar, yes; Krejci, yes; Lawver, yes; Tyler, yes; and Rappl, 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, 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.

Paul Greenwalt, Elizabeth Greenwalt, and Andrea Brooks addressed the Council requesting change of municipal code to allow keeping chickens in Wahoo. They were advised zoning regulations control areas where livestock/farm animals are allowed. Household pets, other types of animals, hobby pets, and commercial keeping of animals for meat/eggs, were discussed. Lausterer explained the process for zoning amendment, variance, and appeal.

The next Council meeting will be the budget hearing, with a work session set at 6:00 p.m. on September 13. A work session to discuss reorganization is set for September 5 at 7:00 p.m.

Motion by Tyler, seconded by Kavan, to adjourn at 7:37 p.m.

Approved:

Lucinda Morrow, Deputy Clerk

Stuart Krejci, President of the Council