

The Council met in regular session 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: Mike Lawver, Greg Kavan, Gerry Tyler, Stuart Krejci, and Kevin Dunbar. Absent: Jim Svoboda.

The Mayor called for audience comments on items not listed on the agenda. Phil Teggart reported to the Council about Omaha Steel Castings. Progress is going well, contrary to comments made at the Omaha mayoral debate recently. Equipment will be moved in soon, and first casting is expected in June.

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

1. Acceptance of excused absence of Jim Svoboda
2. Minutes of the April 11, 2013 meeting of the Mayor and Council
3. Minutes of April 9, 2013 meeting of Library Board
4. Plumbers: Richard Stava, R.A.S., Valparaiso; Dennis Wellman, 21st Century Builders, Mead; Everly Plumbing & Heating, Fremont; John Wonka, G & G Backhoe, Weston (new); Ronnie Bouwens, Ron Bouwens Plumbing Inc., Lincoln; HVAC installers: Danny Fisher, Bryant Air Conditioning, Lincoln; Adrian T. Doan, Bryant Air Conditioning, Lincoln; Jonathan Mumm, Mumm's Heating & Cooling, Ceresco; Richard Stava, R.A.S., Valparaiso; Craig Labs, U S Mechanical Service, Papillion; Electricians: Richard Wolfe, Wolfe Electric Company, Lincoln; Ted Kayton, IES Commercial, Inc., Holdrege; Mark Denny, Denny Electric, Inc., Fremont (new)

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

Tyler reported the Board of Public Works met. Lawver reported the Street Committee met to discuss 23rd street and 12th Street improvements. Harrell distributed a draft of a redevelopment project by Wahoo Locker. This will be on the May 23, 2013 agenda before the CDA, then to the Planning Commission on June 6, and to the Council on June 13, 2013.

The public hearing on an application for Conditional Use Permit for modification of antenna on cellular tower located at NE ¼ SW ¼ Section 32, T15N, R7E, commonly known as 1850 County Road L, filed by U S Cellular, was declared open by the Mayor at 7:10 p.m. Tim Wichman addressed the Council, explaining the original tower application was issued by Saunders County, but the tower is actually within the City's zoning jurisdiction now. The change will allow support of 4G service. The tower was inspected recently, and maintenance will be performed prior to installation of the antennas. No other comments were presented. Motion by Kavan, seconded by Lawver to close the public hearing at 7:12 p.m. Roll call vote: Kavan, yes; Lawver, yes; Dunbar, yes; Krejci, yes; and Tyler, yes. Absent and not voting: Svoboda. Motion carried.

Ordinance No. 2125 was introduced by Council Member Lawver entitled: AN ORDINANCE OF THE CITY OF WAHOO, NEBRASKA, TO GRANT A CONDITIONAL USE PERMIT TO ALLOW ALTERATION OF AN EXISTING TOWER BY REPLACEMENT OF OMNIDIRECTIONAL ANTENNAS WITH PANEL ANTENNAS, AS PROVIDED IN WAHOO ZONING REGULATIONS SECTION 7.11; PROVIDING FOR THE PUBLICATION OF THIS ORDINANCE

IN PAMPHLET FORM. The Mayor then instructed the Clerk to read Ordinance No. 2125 of the City of Wahoo, Nebraska. The Clerk thereupon read the aforesaid Ordinance No. 2125 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 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: Lawver, yes; Krejci, yes; Dunbar, yes; Kavan, yes; and Tyler, yes. Absent and not voting: Svoboda. 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. 2125 may be read by title and moved for final passage in the same meeting.

Council Member Lawver moved that Ordinance No. 2125 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, yes; Kavan, yes; and Tyler, yes. Absent and not voting: Svoboda. 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.

Public hearing on amendment of zoning regulations regarding accessory building sizes in LLR-Large Lot Residential zoning district opened at 7:15 p.m. Beavers reported he is requesting this amendment to clear up language and prevent disputes as to how much total accessory building space is permitted in LLR district. A residence is intended to be the primary structure; oversized accessory building space shifts the use of the property toward business/industrial. There is already a provision for allowing larger accessory buildings, if the property is greater than three acres. It was noted the Planning Commission declined to act on the amendment request.

Ordinance No. 2126 was introduced by Council Member Dunbar 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, BY THE AMENDMENT OF SECTION 4.12, ACCESSORY BUILDING AND USES, AND SECTION 5.06 LLR – LARGE LOT RESIDENTIAL DISTRICT, TO PROVIDE FOR MAXIMUM AMOUNT OF ACCESSORY BUILDING SPACE; PROVIDING FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM. The Mayor then instructed the Clerk to read Ordinance No. 2126 of the City of Wahoo, Nebraska. The Clerk thereupon read the aforesaid Ordinance No. 2126 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 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: Tyler, yes; Kavan, yes; Lawver, yes; Dunbar, yes; and Krejci, yes. Absent and not voting: Svoboda. 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. 2126 may be read by title and moved for final passage in the same meeting.

Council Member Dunbar moved that Ordinance No. 2126 be approved and passed and its title agreed to. Council Member Lawver seconded the motion. The Mayor instructed the Clerk to call the roll for the vote and the following was the vote on this motion: Dunbar, yes; Lawver, yes; Tyler, yes; Krejci, yes; and Kavan, yes. Absent and not voting: Svoboda. 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 explained Wahoo's Hazard Mitigation Plan has been updated and upon approval will become an appendix to the Lower Platte North NRD Multi-jurisdictional Hazard Mitigation Plan. Council Member Lawver introduced the following resolution, **Resolution 2013-10**, and moved for its approval, seconded by Krejci.

“WHEREAS, the Federal Disaster Mitigation Act of 2000 was signed into law on October 30, 2000, placing new emphasis on state and local mitigation planning for natural hazards and requiring communities to adopt a hazard mitigation action plan to be eligible for pre-disaster and post-disaster federal funding for mitigation purposes; and

WHEREAS, the City of Wahoo, Nebraska did adopt in 2007 and did have approved by FEMA in August 2007, a Hazard Mitigation Plan for the jurisdiction of the City of Wahoo; and

WHEREAS, a Multi-jurisdictional Hazard Mitigation Plan was prepared by the Lower Platte North Natural Resources District, with assistance from JEO Consulting Group, Inc. of Lincoln, NE and which now includes the jurisdiction of the City of Wahoo, Nebraska.

WHEREAS, it was necessary for the City of Wahoo to review the previously approved Hazard Mitigation Plan and to incorporate the City of Wahoo Hazard Mitigation Plan into the Lower Platte North Natural Resources District Multi-jurisdictional Hazard Mitigation Plan, and,

WHEREAS, the purpose of the Multi-jurisdictional Hazard Mitigation Plan is to lessen the affects of disasters by increasing the disaster resistance of the Lower Platte North Natural Resources District and participating jurisdictions located within the planning boundary by identifying the hazards that affect the Lower Platte North Natural Resources District, including the City of Wahoo, Nebraska, and prioritize mitigation strategies to reduce potential loss of life and property damage from those hazards, and

WHEREAS, FEMA regulations require documentation that the Multi-jurisdictional Hazard Mitigation Plan has been formally adopted by the Governing Body of the City of Wahoo, Nebraska in the form of a resolution and further requesting approval of the Plan at the Federal level, and,

NOW, THEREFORE, the Governing Body of the City of Wahoo, Nebraska, does herewith adopt the Lower Platte North Natural Resources District Multi-jurisdictional Hazard Mitigation Plan in its entirety.”

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

Julie Ogden of JEO Consulting Group discussed revisions to the plans and specifications for 23rd Street Improvements, and discussed the schedule for bids, with approval tentatively at the June 13, 2013 meeting. A motion was made by Councilmember Krejci to approve the plans and specifications for 23rd Street Improvements, and authorize calling for bids, motion seconded by Councilmember Tyler. Roll call vote: Krejci, yes; Tyler, yes; Lawver, yes; Kavan, yes; and Dunbar, yes. Absent and not voting: Svoboda. Motion carried.

The map illustrating 2013 Street Improvements including 12th Street Intersection improvements was reviewed. A motion was made by Councilmember Krejci to approve agreement with JEO Consulting Group for 2013 Street Improvements and 12th Street Intersection Returns from Broadway to Spruce Streets, seconded by Councilmember Kavan. Roll call vote: Krejci, yes; Kavan, yes; Dunbar, yes; Tyler, yes; Lawver, yes. Absent and not voting: Svoboda. Motion carried.

The Mayor reported interest in an appraisal of Kennedy Campus buildings and property, as a next step toward acquisition. If the Council agrees, a request for proposals will be prepared; once proposals with cost estimates are received, a decision of whether to proceed can be made. A motion was made by Councilmember Krejci, seconded by Councilmember Kavan, to authorize City staff to prepare a request for proposals for an appraisal of Kennedy Campus properties. Roll call vote: Krejci, yes; Kavan, yes; Lawver, yes; Dunbar, yes; and Tyler, yes. Absent and not voting: Svoboda. Motion carried.

The Mayor requested members of the Finance Committee to remain for a meeting following adjournment.

A motion was made by Lawver, seconded by Tyler to adjourn at 7:59 p.m.

Approved: _____.

Lucinda Morrow, Deputy Clerk

Janet A. Jonas, Mayor