

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.

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

1. Minutes of the January 8, 2015 meeting of the Mayor and Council
2. Minutes of January 5, 2015 meeting of Planning Commission
3. Approval of Mayor's reappointment of Mark Sutton and Chad Aldrich to the Board of Adjustment (terms expire 7/2017)
4. Approval of Brandon Walling and Josh Trutna as members of the Wahoo Volunteer Fire Department
5. The following licenses: Plumbers: Jimmy Bragg, Jimmy's Plumbing, Inc.; Randy Damewood, The Waldinger Corporation; Jon P. Miller, JTM Plumbing. HVAC: Jonathan Mumm, Mumm's Heating & Cooling. Electricians: Kirk Bartek; Leslie B Shallberg, Fremont Electric Inc.

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

Lawver reported the Street Committee met to discuss future projects, solid waste issues, and 1-6 year road plan. Harrell reported the Lake Wanhoo Trail Phase II project was approved; she will meet with Game & Parks Commission for further information on the process. The Airport Authority final rebuttal was submitted and the FAA is expected to issue a preliminary determination in 120 days. Tyler reported the Board of Public Works met: gas prices are low; NPPD presented a report; and Phil Euler, Larry Arens, and representatives of Omaha Steel Castings discussed rates and how demand charges work. Svoboda reported the Airport Authority met.

Joe Coyle of Pyramid Network Solutions provided information regarding a proposed telecommunications tower. He explained how increased demand on services requires additional sites to boost network capacity, site selection, evolving technology, and the tower's appearance. The City owns the proposed site at 15<sup>th</sup> Street and Hackberry. Further discussion at the February 12, 2015 meeting.

**Ordinance No. 2172** was introduced by Council Member Kavan, entitled: AN ORDINANCE TO ANNEX PART OF THE N ½ NE ¼, PART OF THE S ½ NE ¼, PART OF THE SE ¼, AND PART OF THE NW ¼, ALL IN SEC 26, T15NR7E, CONTAINING 57.97 ACRES, MORE OR LESS; PROVIDING FOR PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM. The Mayor then instructed the Clerk to read Ordinance No. 2172 of the City of Wahoo, Nebraska. The Clerk thereupon read the aforesaid Ordinance No. 2172 by title. Council Member Kavan moved that Ordinance No. 2172 be approved on its third and final reading. 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: Kavan, yes; Lawver, yes; Tyler, yes; Dunbar, yes; Svoboda, yes; and Krejci, 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 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.

Motion was made by Krejci, seconded by Svoboda, to accept the audit report and financial statements as presented. Roll call vote: Krejci, yes; Svoboda, yes; Dunbar, yes; Tyler, yes; Kavan, yes; and Lawer, yes. Absent and not voting: none. Motion carried. Harrell reported information will be reported in compliance with the SEC's Municipalities Continuing Disclosure Cooperation Initiative.

Discussion opened on the City's vision pertaining to handling and treatment of new and existing telecommunication towers. City Attorney Lausterer stated this issue is coming up more frequently, and suggested examining zoning and subdivision regulations related to tower site requirements and setbacks, rather than dealing with many requests for variances. Beavers reported on issues with existing and proposed towers. Lausterer suggested hiring a firm or entering into an interlocal agreement with another community to assist in evaluating technical issues associated with towers. Council members discussed concerns about location, appearance, safety, and providing infrastructure to adequately serve the community. Additional information will be gathered for further discussion.

The status of title and a special assessment filed against a house at 11<sup>th</sup> and Linden Streets was discussed. Motion was made by Tyler to proceed with title search and foreclosure of the lien on the property at 241 East 11<sup>th</sup> Street, with cost and fees not to exceed \$5,000. Motion was seconded by Kavan. Roll call vote: Tyler, yes; Kavan, yes; Lawver, yes; Krejci, yes; Svoboda, yes; and Dunbar, yes. Absent and not voting: none. Motion carried.

Site drainage and stormwater runoff issues, particularly on commercial sites, was discussed. Beavers reported on problems encountered when builders/developers expect immediate approval of building permits, and stated he favored a minimum of three days waiting period prior to issuing a building permit for commercial construction and development. He reported a drainage plan in advance of issuing the permit would be beneficial. The proposed ordinance was reviewed, and it was noted language could be amended prior to final passage.

**Ordinance No. 2173** was introduced by Council Member Lawver entitled: AN ORDINANCE OF THE CITY OF WAHOO, NEBRASKA, TO AMEND THE MUNICIPAL CODE, CHAPTER 150: BUILDING REGULATIONS, SECTION 150.048. The Mayor then instructed the Clerk to read Ordinance No. 2173 of the City of Wahoo, Nebraska. The Clerk thereupon read the aforesaid Ordinance No. 2173 by title.

Council Member Lawver moved that Ordinance No. 2173 be approved on its first reading. 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. Motion carried.

**Ordinance No. 2174** was introduced by Council Member Lawver entitled: AN ORDINANCE OF THE CITY OF WAHOO, NEBRASKA, TO AMEND SECTION 31.15 SALES AND USE TAX OF CHAPTER 35: FINANCE AND REVENUE OF THE WAHOO MUNICIPAL CODE BY AMENDMENT OF SAID SECTION TO CONTINUE THE ADDITIONAL SALES AND USE TAX OF ONE-HALF OF ONE PERCENT WHEN THE CURRENT ONE-HALF OF ONE PERCENT SALES AND USE TAX SUNSETS. The Mayor then instructed the Clerk to read Ordinance No. 2174 of the City of Wahoo, Nebraska. The Clerk thereupon read the aforesaid Ordinance No. 2174 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; Dunbar, yes; Tyler, yes; Krejci, yes; and Svoboda, yes. 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. 2174 may be read by title and moved for final passage in the same meeting.

Council Member Lawver moved that Ordinance No. 2174 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: Lawver, yes; Kavan, yes; Tyler, yes; Dunbar, yes; Krejci, yes; and 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 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 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.

No audience comments were presented.

The Mayor reported he and Harrell are working on a request for proposals to evaluate job descriptions and perform a wage comparability study.

Motion was made by Lawver, seconded by Krejci, to adjourn at 8:31 p.m.

Approved:

---

Lucinda Morrow, Deputy Clerk

---

Loren L. Lindahl, Mayor