

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 Gerald D. Johnson 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, Patrick Nagle, Stuart Krejci, Karen Boop, and Carl Warford. Absent: Greg Kavan.

Department Head written reports were reviewed. Beavers reported on plan reviews and NPZA conference. Street Department is tearing down some buildings at the old facility. Hull reported the department attended the funeral of long-time member Bob Chvatal. Denise Lawver reported the Library is taking measures to sanitize public areas and equipment. Anderson reported the EMS department has been working closely with area agencies to prepare for the coronavirus pandemic, and a county-wide command system has been established. Hurst reported policy changes were approved for new developments, and Board will meet next week.

A written project status report was received from JEO Consulting Group

A motion was made by Lawver, seconded by Warford, to approve the consent agenda:

1. Excused absence of Kavan
2. Minutes of February 27, 2020 meeting of Council
3. Minutes of February 19, 2020 meeting of Board of Public Works

Roll call vote: Lawver, yes; Warford, yes; Nagle, yes; Krejci, yes; and Boop, yes. Absent and not voting: Kavan. Motion carried.

Motion by Warford, seconded by Krejci, to recommend approval of special designated license by Nebraska Liquor Control Commission for J & J LLC – Chips Restaurant & Bar to serve alcohol at an event at 247 East 5th Street on March 28, 2020. Roll call vote: Warford, yes; Krejci, yes; Boop, yes; Lawver, yes; and Nagel, yes. Absent and not voting: Kavan. Motion carried.

Motion by Krejci, seconded by Warford, to recommend approval of special designated license by Nebraska Liquor Control Commission for Veterans Memorial Club Inc. aka Wahoo Vets Club to serve alcohol at an event at St Wenceslaus Church basement, 214 East 2nd Street on April 3, 2020.. Roll call vote: Krejci, yes; Warford, yes; Lawver, yes; Nagle, yes; and Boop, yes. Absent and not voting: Kavan. Motion carried.

Conditional Use Permit for Family Child Care Home II at 453 West 4th Street, was reviewed. License is maintained, no issues have been reported. Beavers will check on status of fence. Agreed to schedule review in 24 months.

Ordinance No. 2346 entitled: AN ORDINANCE OF THE CITY OF WAHOO, NEBRASKA, TO AMEND THE OFFICIAL ZONING MAP BY EXTENDING A CONDITIONAL USE PERMIT FOR A FAMILY CHILD CARE HOME II IN R-2 RESIDENTIAL ZONING, was introduced by Warford. The Mayor then instructed the Clerk to read Ordinance No. 2346 of the City of Wahoo, Nebraska. The Clerk thereupon read the aforesaid Ordinance No. 2346 by title.

Council Member Lawver moved that the statutory rules in regarding 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 Warford 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: Roll call vote: Lawver, yes; Warford, yes; Nagle, yes; Krejci, yes; and Boop, yes. Absent and not voting: Kavan. Motion carried. 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. 2346 may be read by title and moved for final passage in the same meeting.

Council Member Warford moved that Ordinance No. 2346 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: Warford, yes; Krejci, yes; Boop, yes; Lawver, yes; Nagle, yes. Absent and not voting: Kavan. 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.

Beavers stated he would like to do some additional research on the 2018 International Energy Conservation Code, before the ordinance is adopted.

Ordinance No. 2347 entitled: AN ORDINANCE OF THE CITY OF WAHOO, NEBRASKA, TO AMEND THE MUNICIPAL CODE OF THE CITY OF WAHOO, TITLE XV, SECTION 150.021 TO ADOPT THE 2018 INTERNATIONAL ENERGY CONSERVATION CODE, was introduced by Lawver. The Mayor then instructed the Clerk to read Ordinance No. 2347 of the City of Wahoo, Nebraska. The Clerk thereupon read the aforesaid Ordinance No. 2347 by title.

Council Member Lawver moved that Ordinance No. 2347 be approved and passed on first reading and its title agreed to. Council Member Nagle 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; Nagle, yes; Krejci, yes; Boop, yes; and Warford, yes. Absent and not voting: Kavan. Motion carried.

Motion by Krejci, seconded by Lawver, to approve submittal of Audit Waiver request for FY 2019 (ending 12/31/2020) for Wahoo Public Building & Grounds Association. Roll call vote: Krejci, yes; Lawver, yes; Nagle, yes; Boop, yes; and Warford, yes. Absent and not voting: Kavan. Motion carried.

Motion by Lawver, seconded by Krejci, to approve application for sale of fireworks as submitted by Ka-Boomers Fireworks. Roll call vote: Lawver, yes; Krejci, yes; Boop, yes; Warford, yes; and Nagle, yes. Absent and not voting: Kavan. Motion carried.

Grant Anderson reported on measures being put in place with Three Rivers Public Health, which actually began months ago, which require authorization for his signature on interlocal agreements. Motion by Krejci seconded by Nagle, to approve participation in Interlocal Agreement/Memorandum of

Understanding between Three Rivers Public Health Department and the City of Wahoo Fire/EMS, designating Wahoo Fire/EMS Department as a “Closed POD” distribution point. Roll call vote: Krejci, yes; Nagle, yes; Boop, yes; Warford, yes; and Lawver, yes. Absent and not voting: Kavan. Motion carried.

Motion by Nagle, seconded by Lawver, to approve participation in Interlocal Agreement/Memorandum of Understanding between Three Rivers District Health Department and the City of Wahoo Fire/EMS, designating Wahoo Fire/EMS Department as an assisting agency during a public health emergency. Roll call vote: Nagle, yes; Lawver, yes; Krejci, yes; Boop, yes; and Warford, yes. Absent and not voting: Kavan. Motion carried.

Municipal code amendments regarding tobacco/nicotine products, minor age, and kratom were discussed.

Ordinance No. 2343 entitled: AN ORDINANCE OF THE CITY OF WAHOO, NEBRASKA, TO AMEND THE MUNICIPAL CODE §131.50 AND §131.51 TO PROHIBIT POSSESSION OR DELIVERY OF TOBACCO, VAPOR NICOTINE PRODUCTS, ALTERNATIVE NICOTINE PRODUCTS OR KRATOM BY MINORS AS DEFINED BY NEB. RS 28-1418 AND 28-1419, was introduced by Lawver for second reading. The Mayor then instructed the Clerk to read Ordinance No. 2343 of the City of Wahoo, Nebraska. The Clerk thereupon read the aforesaid Ordinance No. 2343 by title.

Council Member Lawver moved that the statutory rules in regarding 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 Nagle 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: Roll call vote: Lawver, yes; Nagle, yes; Krejci, yes; Boop, yes; and Warford, yes. Absent and not voting: Kavan. Motion carried. 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. 2343 may be read by title and moved for final passage in the same meeting.

Council Member Lawver moved that Ordinance No. 2343 be approved and passed and its title agreed to. Council Member Warford 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; Warford, yes; Nagle, yes; Krejci, yes; and Boop, yes. Absent and not voting: Kavan. 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.

Warford requested that prohibition of use of alternative nicotine products (such as gum or chewed tobacco products) be removed from the proposed ordinance prohibiting use in public places. Language was amended, and agreed to give more time for public comment.

Ordinance No. 2344 entitled: AN ORDINANCE OF THE CITY OF WAHOO, NEBRASKA, TO AMEND THE MUNICIPAL CODE TO DEFINE ALTERNATIVE NICOTINE PRODUCTS, VAPOR NICOTINE PRODUCTS, AND TO PROHIBIT THE USE OF PRODUCTS IN A PLACE OF EMPLOYMENT, A PUBLIC PLACE, OR WITHIN PUBLICLY OWNED PROPERTY, EXCEPT AS DESIGNATED, was introduced by Warford. The Mayor then instructed the Clerk to read Ordinance No. 2344 of the City of Wahoo, Nebraska. The Clerk thereupon read the aforesaid Ordinance No. 2344 by title.

Council Member Warford moved that Ordinance No. 2344 as amended be approved and passed on second reading and its title agreed to. Council Member Nagle seconded the motion. The Mayor instructed the Clerk to call the roll for the vote and the following was the vote on this motion: Warford, yes; Nagle, yes; Krejci, yes; Boop, yes; and Lawver, yes. Absent and not voting: Kavan. Motion carried.

Ordinance No. 2345 entitled: AN ORDINANCE OF THE CITY OF WAHOO, NEBRASKA, TO AMEND THE MUNICIPAL CODE TO DEFINE KRATOM, DELIVERY, DISTRIBUTION, AND POSSESSION, was introduced by Lawver. The Mayor then instructed the Clerk to read Ordinance No. 2345 of the City of Wahoo, Nebraska. The Clerk thereupon read the aforesaid Ordinance No. 2345 by title.

Council Member Warford moved that the statutory rules in regarding 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 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: Roll call vote: Warford, yes; Krejci, yes; Boop, yes; Lawver, yes; and Nagle, yes. Absent and not voting: Kavan. Motion carried. 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. 2345 may be read by title and moved for final passage in the same meeting.

Council Member Lawver moved that Ordinance No. 2345 be approved and passed and its title agreed to. Council Member Warford 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; Warford, yes; Nagle, yes; Krejci, yes; and Boop, yes. Absent and not voting: Kavan. 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.

Lausterer reported he communicated with Cooper Properties regarding the purchase of tax certificates of Block 2, Dickinson's Addition, and negotiated for the City of Wahoo to acquire this interest for the sum of \$5,000. Motion by Warford, seconded by Krejci, to approve payment of \$5,000 to Cooper Properties to acquire the tax certificates for Block 2, Dickinson's Addition. Roll call

vote: Warford, yes; Krejci, yes; Boop, yes; Lawver, yes; and Nagle, yes. Absent and not voting: Kavan. Motion carried.

Lausterer will report further regarding the possibility of the City acquiring current taxes on the property.

Motion by Warford, seconded by Boop, to adjourn at 7:44 p.m.

Approved:

Lucinda J. Morrow, Clerk

Gerald D. Johnson, Mayor