

The Council met in regular session at the Wahoo Public Library, in compliance with agenda posted at City Hall, Post Office and First Bank of Nebraska, and the City of Wahoo web site, with each Council member being notified of agenda prior to the meeting. The meeting was called to order by Acting Mayor Stuart Krejci at 7:00 p.m. and opened with the Pledge of Allegiance. The public was informed of the location of posting of the Open Meetings Law. A video/telephone Zoom link was also provided.

Krejci reported the Finance Committee met to work on the budget. Board of Public Works met. A video presentation and summary report on the Rural Futures Institute interns was provided by Harrell.

Motion by Lawver, seconded by Warford, to approve the consent agenda: 1) Excused absence of Gerald Johnson; 2) Minutes of August 13, 2020 meeting of Council; 3) Minutes of August 6, 2020 meeting of Planning Commission; 4) Minutes of August 11, 2020 meeting of Library Board; 5) Minutes of August 19, 2020 meeting of Board of Public Works. Roll call vote: Lawver, yes; Warford, yes; Nagle, yes; Kavan, yes; Boop, yes, and Krejci, yes. Absent and not voting: none. Motion carried.

Ken and Joyce Delay were present to explain events regarding a claim due to a sanitary sewer main backup, and their contention this is a city line, not private. Louis Austin also addressed the Council. Backflow preventer valves, and whose responsibility it is for installation, were discussed. The Board of Public Works recommendation for denial was presented to the Council. Motion by Krejci, seconded by Kavan to deny the sanitary sewer back up claim as recommended by the Board of Public Works. Roll call vote: Krejci, yes; Kavan, yes; Nagle, yes; Lawver, yes; Warford, yes; and Boop, yes. Absent and not voting: none. Motion carried.

Motion by Kavan, seconded by Krejci to approve Pay Application #25 to ME Collins Contracting for \$161,884.47 for Chestnut Street Improvements. Roll call vote: Kavan, yes; Krejci, yes; Boop, yes; Warford, yes; Lawver, abstained; and Nagle, yes. Absent and not voting: none. Motion carried.

The hearing on potentially dangerous/dangerous dog owned by Joe Kubr was opened at 7:42 p.m. Chief Ferrell provided a report of the situation leading up to the bite, and the incident. Tiffany Byrket, a certified dog trainer, presented information for the Council's consideration. Neighbors Steve Sudik, Elizabeth Rozzle, and Jeff Peterson addressed the Council stating the animal has never threatened them. Motion by Kavan, seconded by Warford to close the hearing at 8:02 p.m. Roll call vote: Kavan, yes; Warford, yes; Krejci, yes; Lawver, yes; Nagle, yes; and Boop, yes. Motion carried.

Motion was made by Warford, seconded by Kavan, to declare the German Shepherd, Gunther, owned by Joe Kubr, as a potentially dangerous dog. Roll call vote: Warford, yes; Kavan, yes; Lawver, yes; Krejci, yes; Boop, yes; and Nagle, yes. Absent and not voting: none. Motion carried.

Beavers explained the request for replat of a lot and a rezoning request at 1341 County Road 16, and request to waive separate submittal of preliminary and final plat. Motion by Kavan, seconded by Warford to allow a waiver of submittal of a preliminary plat and approval by submitting only the final plat for a Replat of 13.367 acres commonly known as 1341 Co. Rd. 16. Roll call vote: Kavan, yes; Warford, yes; Nagle, yes; Lawver, yes; Krejci, yes; and Boop, yes. Absent and not voting: none. Motion carried.

Ferrell recommended denial of an event permit request, which asked to block all traffic between 4th and 5th Street on Broadway on September 12, 2020. Ferrell stated concerns with public safety, extra traffic already diverted from Chestnut Street and parking for other businesses, if the entire block is closed. Sue DuBois explained the vendor event and farmers' market, which would be held together. Other options for use of green space, sidewalks, and other lots, and vendors backing into some parking stalls, were discussed. Motion was made by Kavan, seconded by Warford to allow the event scheduled for September 12, 2020 to block only the parking area located on the east side of Broadway between 5th Street and the alley located ½ block south, to allow for vendors to set up for a farmers' market between 6:00 a.m. and noon. Roll call vote: Kavan, yes; Warford, yes; Boop, yes; Krejci, yes; Lawver, yes; and Nagle, yes. Absent and not voting: none. Motion carried.

Lawver introduced Res. No. 2020-15 to approve the PS&E package for the Safe Routes To School Project and moved for its approval, seconded by Nagle, as follows:

“Whereas: City of Wahoo and State entered into an LPA Program Agreement for State to assist City in the development and construction of an LPA Federal-aid transportation project;

Whereas: The State or the design consultant has developed the project plans to the point where they are ready to submit to State's PS & E Section for final edits for a bid letting;

Whereas: The LPA Program Agreement requires the city to review the preliminary PS & E package and either request modification or approve them as acceptable at this stage;

Whereas: City wishes to approve the preliminary PS & E package as prepared.

Be It Resolved by the City Council of the City of Wahoo that:

The Acting Mayor, Stuart Krejci, is hereby authorized to sign the bottom of this resolution and submit it to the State signifying the City's approval of the preliminary PS & E package.

NDOR Project Number: SRTS-78(33)

NDOR Control Number: 13291

NDOR Project Description: Wahoo Elementary Safe Routes to School”

Roll call vote: Lawver, yes; Nagle, yes; Warford, yes; Boop, yes; Krejci, yes; and Kavan, yes. Absent and not voting: none. Motion carried.

Motion by Lawver, seconded by Warford to adjourn at 8:25 p.m.

Approved:

Melissa Harrell, Acting City Clerk

Stuart Krejci, Acting Mayor