

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 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 public was informed of the location of posting of the Open Meetings Law. Roll call was taken with the following Council members present: Mike Lawver, Greg Kavan, Patrick Nagle, Stuart Krejci, Karen Boop, and Carl Warford. Absent: none.

The Board of Public Works met Oct 21. Future improvements at the East Service Center were discussed. The sanitary sewer line at Country Club Acres is completed and some homeowners installed lines for future connection. Gene Mercer reported on proposed improvements to the library, plans for issuing a request for proposals, and ideas for modernizing and better utilizing space at the library.

The Mayor reported discussions and an on-site meeting with the property owner at 301 West 13th Street regarding impact of the Chestnut project on their property. He stated he believes an agreement has been reached on most issues and the contractor hopes to complete work early next week.

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

1. Minutes of October 8, 2020 meeting of Council
2. Minutes of October 1, 2020 meeting of Planning Commission
3. Mayor's appointment of Joe Sather, Corky Forbes, Jake Vasa and Loren Lindahl to the Housing Committee
4. Licenses: PLUMBERS: David Radden, Radden Plumbing Inc; James Hearn, Express Plumbing Inc; Tracy Nesson, Fud & Tracy's; Tim Hoefferber, Wellman Plumbing Inc; John Miller, Sanctus Plumbing, Inc; Budd Bogatz, Todd Valley Plumbing & Heating Inc; Cory Pemberton, Platte Mechanical Inc; Christopher Kems, CJK Enterprises; John Turner, Midtown Plumbing Inc; Mike Schultz, Schultz & Sons Plumbing; Tony Luekens, Integrity Plumbing Inc; Dennis Wellman, 21st Century Builders. HVAC: John Aliano, Aksarben Heating, Air Conditioning, & Plumbing; David Snyder, Fud & Tracy's; Rick Kaar, Kaar Sheet Metal; Jeff Ockinga, Complete Comfort Heating & Cooling; Bradley Ohlmann, Custom Cooling & Heating Inc; Russell Hans, Hans Heating & Air Conditioning; Bart Bosco, Air Comfort Heating & Cooling Inc; Robert Taylor, R & R Refrigeration LLC; Brian Pemberton, Platte Mechanical Inc; Thomas Wieser, Capitol Heating & Air Conditioning Inc; Donald Bogatz, Bogatz Heating & Air Conditioning Inc; Larry Brainard, Brainard Heating & A/C, Inc; Thomas Hester, Brian Hester Htg & A/C; Walley Hass, Fremont Plumbing & Heating; Leo Costanzo, Controlled Comfort LLC; Ray Barr, A-1 United Heating Air & Electrical. ELECTRICIANS: Matt Harris, Harris Electric, LLC; Joseph Lutter, Acme Electrical Contracting; Daniel Reznicek, Reznicek Electric LLC; Pat Trede, Trede Electric; Budd Bogatz, Todd Valley Plumbing & Heating Inc; Steven Brase, Brase Electrical Contracting Corp; Sean Mosher, Premier Electric, Inc; Mark Tritsch, Tritsch Electric Co, Inc. TREE CONTRACTORS: Scott Nielson, Wahoo Tree LLC; Mark Bogus, A-Plus Tree Service Inc.

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

Public hearing opened at 7:15 p.m. on consideration of amendment of Wahoo Zoning Ordinance 1886 and the Official Zoning Map to include additional watersheds for the FRD – Floodwater Retarding Dam Breach Overlay District as filed by LPNNRD. Jeff Ray of JEO provided information on the amended overlay district, which adds the Dry Run Creek tributary to the impacted area. There is one structure

existing in this area. The NRD asked for this overlay to notify property owners of possible impact in the event an upstream dam would fail. No public comments offered. The Planning Commission recommended the amendment. Motion to close public hearing at 7:24 p.m. by Lawver, seconded by Kavan. Roll call vote: Lawver, yes; Kavan, yes; Nagle, yes; Krejci, yes; Boop, yes; and Warford, yes. Absent and not voting: none. Motion carried.

Ordinance No. 2357 entitled: AN ORDINANCE OF THE CITY OF WAHOO, NEBRASKA, TO AMEND ORDINANCE NO. 1886, THE WAHOO ZONING ORDINANCE, SECTION 3.02, REGARDING THE OFFICIAL ZONING MAP, FRD – FLOODWATER RETARDING DAM BREACH OVERLAY DISTRICT, was introduced by Warford. The Mayor then instructed the Clerk to read Ordinance No. 2357 of the City of Wahoo, Nebraska. The Clerk thereupon read the aforesaid Ordinance No. 2357 by title.

Council Member Lawver 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 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: Roll call vote: Lawver, yes; Kavan, yes; Nagle, yes; Krejci, yes; Boop, yes; and Warford, 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 Mayor declared the statutory rules in regard to the passage and approval of ordinance be suspended so that Ordinance No. 2357 may be read by title and moved for final passage in the same meeting.

Council Member Warford moved that Ordinance No. 2357 be approved and passed 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; Lawver, yes; and Kavan, 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.

No action on tabled items.

Motion by Kavan, seconded by Krejci to approve Pay Application #27 to M E Collins for Chestnut Street Project in the amount of \$100,456.79 (\$96,974.87 city share, \$3,481.92 utility share). Roll call vote: Kavan, yes; Krejci, yes; Boop, yes; Warford, yes; Nagle, yes; and Lawver, abstained. Absent and not voting: none. Motion carried.

Ordinance No. 2355 entitled: AN ORDINANCE OF THE CITY OF WAHOO, NEBRASKA, TO AMEND THE OFFICIAL ZONING MAP BY CHANGE OF ZONING FROM TA – TRANSITIONAL AG TO LLR – LARGE LOT RESIDENTIAL, ON A PARCEL IN SE ¼ NE ¼ SEC 10 AND SW ¼ NW ¼ SEC 11 T14N R7E, was introduced by Warford for second reading. The Mayor then instructed the Clerk to read Ordinance No. 2355 of the City of Wahoo, Nebraska. The Clerk thereupon read the aforesaid Ordinance No. 2355 by title.

Council Member Warford 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 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; Lawver, yes; Kavan, yes; Nagle, yes; Krejci, yes; and Boop, 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 Mayor declared the statutory rules in regard to the passage and approval of ordinance be suspended so that Ordinance No. 2355 may be read by title and moved for final passage in the same meeting.

Council Member Warford moved that Ordinance No. 2355 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: Warford, yes; Lawver, yes; Kavan, yes; Nagle, yes; Krejci, yes; and Boop, 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.

Resolution No. 2020-20, concurring in final plans and specifications, selection of contractor, and pledging funds (as previously agreed) for the Wahoo Elementary Safe Route to School project (SRTS-78(33)) was introduced by Krejci, who moved for its approval, seconded by Nagle, as follows:

“WHEREAS, there has been signed by the CITY OF WAHOO on the 24th day of July, 2014, and the State on the 8th day of August, 2014, an agreement providing for the construction of a Federal Aid City Project at the following location: WAHOO ELEMENTARY SAFE ROUTE TO SCHOOL, and

WHEREAS, in the above agreement, the City has pledged sufficient funds to finance its share of the cost of the construction of this project identified as SRTS-78(33), and

WHEREAS, the above mentioned agreement provided that the City will pay costs as set forth in the agreement, and

WHEREAS, the State, on behalf of the City received bids for the construction of this project based on the final plans and specifications on October 15, 2020, at which time 3 bid(s) were received for the construction of the proposed work, and

WHEREAS, the following Contractor(s) for the items of work listed has/have been selected as the low bidder(s) to whom the contract(s) should be awarded:

M. E. COLLINS CONTRACTING COMPANY, INC., WAHOO, NE 668066-0083
GRADING, CONCRETE PAVEMENT, CULVERTS, SEEDING, SIGNING, GENERAL ITEMS
\$1,038,170.55

NOW THEREFORE, in consideration of the above facts, the City Council of the CITY OF WAHOO, by this resolution, takes the following official action:

1. If for any reason the Federal Highway Administration rescinds, limits its obligations, or defers payment of the Federal share of the cost of this project, the City hereby agrees to provide the necessary funds to pay for all costs incurred until and in the event such Federal funds are allowed and paid.

2. The Council hereby concurs in the selection of the above mentioned Contractor(s) for the items of work listed, to whom the contract(s) should be awarded.
3. The Council hereby approves of the final plans and specifications that were used in the bidding process for this project.
4. The Council hereby authorizes the Mayor to sign the contract(s) with the above mentioned Contractor(s) for the above mentioned work on behalf of the City.”

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

Health Insurance renewal with Blue Cross Blue Shield was quoted with minimal change in premium, effective December 1, 2020. Motion by Krejci, seconded by Nagle, to approve renewal of group health insurance with Blue Cross Blue Shield. Roll call vote: Krejci, yes; Nagle, yes; Boop, yes; Warford, yes; Lawver, yes; and Kavan, yes. Absent and not voting: none. Motion carried.

The second meeting in November will be held on Tuesday, November 24th, and the second meeting in December will be held Tuesday, December 22nd.

Motion by Lawver, seconded by Kavan, to adjourn at 7:30 p.m.

Approved:

Lucinda Morrow, Clerk

Gerald D. Johnson, Mayor