

The Council met in regular session in the Wahoo Public Library, 637 N Maple, in compliance with the agenda posted at City Hall, Post Office and First Bank of Nebraska, and the City of Wahoo website, with each Council member being notified of the 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: Stuart Krejci, Chris Rappl, Shane Sweet, Patrick Nagel, Ryan Ideus and Carl Warford. Council Members absent: none.

City Administrator Harrell reported that the street department wants to purchase an asphalt roller to allow for more extensive road repairs. She also reported that SENDD is looking for communities to participate in a rural workforce housing collaborative grant program.

Mayor Johnson and City Administrator Harrell reported on a breakdown in communication between the City of Wahoo and the Wahoo Rural Fire Board. There is a stipulation in the existing agreement that allows for a joint subcommittee of elected officials and Rural Fire Board members to help address communications issues. Mayor Johnson appointed Carl Warford and Chris Rappl to the joint subcommittee.

Council Member Warford motioned, and Council Member Krejci seconded to approve the consent agenda which includes Approval of Minutes from the January 24, 2023, City Council Meeting, Acceptance of January Planning Commission Minutes, Acceptance of February Planning Commission Minutes, Acceptance of the January Library Board Minutes, Approval of Bryant Bartek and Josh Nuckolls as volunteer fire fighters. Roll call vote: Warford, yes; Krejci, yes; Ideus, yes; Sweet, yes; Rappl, yes; and Nagle, yes. Motion carried.

City Administrator Harrell reported on state statutes, current Wahoo regulations and examples of how other communities regulate ATV, UTV, and golf carts using city streets in their communities. Many Council Members expressed interest in taking the next step in allowing these vehicles to be operated as vehicles on city streets. City Administrator Harrell advised that it would be added to the action items for the next meeting so the Council could authorize staff to draft an ordinance. This will also allow city staff to express their opinions on the topic as well.

Council Member Krejci motioned, and Council Member Nagel seconded to approve Change order No. 18 in the amount of \$0.00 to M.E. Collins adding a three-year maintenance bond to the contract for the Chestnut Street Improvement Project, Group G for the North Chestnut Street Lights. Roll call vote: Krejci, yes; Nagle, yes; Sweet, yes; Warford, yes; Ideus, yes; and Rappl, yes. Motion carried.

Council Member Krejci motioned, and Council Member Ideus seconded to approve the final pay application for the Chestnut Street Improvement Project in the amount of \$120,828.93 to M. E. Collins. Roll call vote: Krejci, yes; Ideus, yes; Sweet, yes; Warford, yes; Rappl, yes; and Nagle, yes. Motion carried.

Council Member Ideus motioned, and Council Member Krejci seconded to accept the Chestnut Street Improvement Projects completion and authorize the Mayor to sign the certificate of substantial

completion. Roll call vote: Ideus, yes; Krejci, yes; Warford, yes; Sweet, yes; Rappl, yes; and Nagle, yes. Motion carried.

Council Member Warford motioned, and Council Member Rappl seconded to approve the Mayor and City Administrator to sign amendment to City of Wahoo Retirement Plan documents providing for a change in eligibility for participation from age 21 to age 19. Roll call vote: Warford, yes; Rappl, yes; Krejci, yes; Nagle, yes; Ideus, yes; and Sweet, yes. Motion carried.

Council Member Warford motioned, and Council Member Sweet seconded to approve a satellite location for 4 Sons Keno to operate at Titles Lounge and Sports Bar, 128 W 5th Street Wahoo. Roll call vote: Warford, yes; Sweet, yes; Krejci, yes; Ideus, yes; Rappl, yes; and Nagle, yes. Motion carried.

Council Member Krejci moved to approve the second reading of Ordinance No. 2417 Entitled: AN ORDINANCE OF THE CITY OF WAHOO, SAUNDERS COUNTY, NEBRASKA, TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF WAHOO, NEBRASKA, PERTAINING TO THE FOLLOWING-DESCRIBED REAL ESTATE, TO WIT: Block 4 Original Town Wahoo & the N ½ vacated 4th street, better known as 433 North Chestnut, Wahoo, Nebraska BY ALLOWING the removal of an existing 60' lattice communications tower and construction of a new 120' monopole tower in the same location, AS PROVIDED IN WAHOO ZONING REGULATIONS SECTION 7.11 and that the statutory rules in regard to the passage and adoption of ordinances be suspended so that the third reading of Ordinance No. 2417 might be waived. Council Member Nagel 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, Krejci, yes; Nagle, yes; Sweet, yes; Warford, yes; Ideus, yes; and Rappl, 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 regard to the passage and approval of ordinance be suspended so that Ordinance No. 2417 may be moved for final passage in the same meeting.

Council Member Krejci moved to approve Ordinance No. 2417, entitled a conditional use permit for Saunders County to construct a radio tower at 433 North Chestnut Street. Council Member Nagel seconded. Roll call vote: Krejci, yes; Nagle, yes; Sweet, yes; Warford, yes; Ideus, yes; and Rappl, yes.

Council Member Krejci motioned, and Council Member Nagel seconded to approve the final reading of Ordinance No. 2417. Roll call vote: Warford, yes; Sweet, yes; Krejci, yes; Ideus, yes; Rappl, yes; and Nagle, yes. Motion carried.

Council Member Warford motioned, and Council Member Rappl seconded to approve Resolution No. 2023-02 declaring city property as surplus.

RESOLUTION NO. 2023-02

WHEREAS, the City of Wahoo, Saunders County, Nebraska, is the owner of the following described personal property, to wit:

See Exhibit "A"

and,

WHEREAS, the City of Wahoo, Nebraska, does not have a present need to retain ownership of said above described personal property, and,

WHEREAS, the City of Wahoo, Nebraska, deems it in the best interests of the citizens of the City of Wahoo, Nebraska, that said personal property be disposed of, as set forth herein,

WHEREAS, the City of Wahoo, Nebraska, has determined that the fair market value of the above described personal property is less than \$8,000.00, as stated in the attached Exhibit "A."

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF WAHOO, NEBRASKA, AS FOLLOWS:

1. That the above described personal property be sold by either sealed bid and/or public sale on a date, time, as advertised in a Notice of Sale of Personal Property posted in three public places in the City of Wahoo, Nebraska, immediately after the passage of said Resolution and not later than seven (7) days prior to the sale of said items, as shall be evidenced by a Notice of Posting of the City of Wahoo Clerk, and,

2. That pursuant to Neb. Rev. Stat. §17-503.01, confirmation of the sale of said personal property by an ordinance is not required.

3. That the City of Wahoo, Nebraska, through the Clerk of the City of Wahoo, Nebraska, shall provide a bill of sale and/or certificate of title to the above personal property indicating that said personal property is being sold "as is" without warranty as to fitness or merchantability for any purpose and that buyer thereof assumes all risks from the utilization of said personal property upon buyer's possession of said items of personal property.

4. That buyer shall receive possession of the above-described items of personal property upon payment in full of the purchase price for each item.

Exhibit "A"

To Resolution No. 2023-02

Vehicles/Equipment to be declared as surplus:

<u>Year</u>	<u>Make</u>	<u>Model</u>	<u>VIN</u>	<u>Estimated Value</u>
1982	Ford	Digger Derrick	1FDPF82HXCVA05837	\$2000.00
1999	Dodge	1500 Van	2B7HB11Y6XK534233	\$250.00

Other Items to be declared as surplus:

<u>Description</u>	<u>Department</u>	<u>Estimated Value</u>
Computer Desk	Library	\$200.00
Projector	Library	\$500.00

Roll call vote: Warford, yes; Rappl, yes; Krejci, yes; Nagle, yes; Ideus, yes; and Sweet, yes. Motion carried.

Council Member Nagel motioned, and Council Member Rappl seconded to adjourn at 8:02pm. Roll call vote: Nagle, yes; Rappl, yes, Ideus, yes; Krejci, yes; Warford, yes; and Sweet, yes. Motion carried.

The next regular meeting is February 28, 2023, at 7:00pm at the Wahoo Public Library, 637 N Maple Street.

Approved: February 28, 2023

Christina Fasel, City Clerk

Gerald D. Johnson, Mayor