**PROCEEDINGS OF THE MAYOR AND COUNCIL**

**OF THE CITY OF WILBER, NEBRASKA**

**Tuesday, December 13, 2022  7:30 p.m.**

 Mayor Chrans called the regular meeting to order at the Cultural Center at 110 W Third Street in Wilber, Nebraska at 7:30 p.m.  Notice of this meeting was published in *The Wilber Republican* on November 30, 2022.  The following were present. Mayor Roger Chrans, Council members Randy Sasek, Kent Linhart, and Tim Lempka. City Attorney Tad Eickman, City Treasurer Gail May, City Clerk Lori Rezny, Programs Administrator Shanon Meyer, City Superintendent Tim Krivohlavek, Water/WWTP Operator Jason Ripa, Saline County Deputy Kevin Vogel and Jerrod and Becky Zoubek. Absent was Councilmember Allen Brozovsky.

The Mayor stated that the open meetings act is posted in the meeting room and is available for public inspection.  Roll call shows three Councilmembers are present.  The Mayor called for recognition of visitors if anyone in attendance wishes to address the Council.  No one addressed the Council.

Lempka moved and Linhart seconded the motion to approve the consent agenda including the minutes of the November 8, 2022 regular meeting and November 22, 2022 special meeting and claims as presented.  Roll call vote. Yes. Lempka, Linhart and Sasek. No. None. Motion carried 3-0.

Claims were as follows.  Description of claims for this legal, an-annuity; bond-bond expense, pymt, interest; const-construction; eq-equipment; ex-expense; ga-garnishment; gr-grant reimb; in-insurance; ml-mileage; mi-miscellaneous; pf-professional services; pr-payroll; ps-power supplier; rb-reimbursement; rp-repairs and maintenance; st-sales tax; se-service; sup-supplies; loan-srf/loan pymt; tr-transfer of funds; ut-utilities. 41 Auto Parts, rp, 2304.99; American Family, in, 297.94; Ameritas, an, 961.38; American Legal, ex, 1791.76; Amy Kotas, rb, 250.00; BA Wasserman Trucking, ex, 1851.42; Beatrice Sand, sup, 1845.87; Blue Cross, in, 11,486.43; Blackburn Tech., se, 25.00; Barbara Johnson, rb, 250.00; Black Hills, ut, 336.32; Bob Krull, rb, 250.00; Border States, sup, 2385.04; Card Services, ex, 99.60; Charles Hroch, se, 239.28; City of Wilber, ut, 2128.57; pr, 45,125.78; Crete Ace Hardware, sup, 69.51; CAMC, se, 1800.00; Danko Emergency Equip., sup, 2324.05; Dutton Lainson, sup, 1521.57; David Brozovsky, rb, 250.00; Deitre Colgan, rb, 160.00; Dylan Harris, rb, 250.00; Eakes Office, sup, 115.06; Emergency Medical Products, sup, 714.37; Echo Group, sup, 12.78; Electric Pump, eq, 1600.00; Eric Winfield, rb, 250.00; Evan Packer, rb, 250.00; Farmers Elevator, sup, rp, 1579.34; F & M Bank, in, 1380.00; First Bankcard, sup, ex, 1597.47; First St Ins., in, 226.00; First Wireless, ex, 85.00; Food Mesto, sup, 31.07; Gail May, rb, 43.75; German Torres, rb, 250.00; Hawkins, sup, 1766.07; Heather Makelin, rb, 250.00; Hugo Flores, rb, 250.00; IRS, pr tx, 10,438.20; Jason Gernes, rb, 160.00; Jeff Gaston, rb, 250.00; Jesse Weinrich, rb, 250.00; Jesus Ornelas Canales, rb, 250.00; John Korte, rb, 160.00; Lowes, sup, 1108.07; Leonardo Gomez-Nava, rb, 250.00; Matheson, sup, 511.49; Miller & Assoc., pf, 7610.45; Melinda Baxa, rb, 250.00; Midwest Labs, ex, 186.29; Municipal Supply, sup, 4234.85; Mutual of Omaha, in, 362.88; Ne Czechs of Wilber, ex, 385.00; Ne Snow Equipment, sup, 85.88; Ne Rural Water Assoc., ex, 200.00; Ne State Fire Marshal, ex, 61.00; Nebr. Public Health, ex, 37.00; Nicholas Kreifl, rb, 250.00; Norris PP, ps, 76,214.92; Olsson, pf, 152.42; One Call, ex, 16.72; Pacific Life, an, 1608.02; Petty Cash, rb, sup, 950.38; Quadient, ex, 698.00; Ross Equipment, sup, 572.90; Sack Lumber, sup, rp, 303.23; Saline Co Jr Leaders, ex, 100.00; Saline Co Clerk se, 16,666.66; 309.17; Saline Co Register of Deed, ex, 92.00; Seward Co Independent, ex, 217.19; Shop Qwik, sup, 1088.26; State of Nebr, st, 7104.38; wh, 1628.21; Tami Pallas, rb, 250.00; Vermeer Equipment, eq, 49,209.92; Vyhnalek Ins, in, 27,720.00; Waste Connections, se, 18,239.42; WAPA, ps, 12,975.34; Wilber School Dist. #82; rb, 1800.00; Walker Uniform, se, 66.98; Windstream, ut, 408.42.

Ordinance #966 was read by title. Sasek introduced Ordinance #966 an Ordinance of the City of Wilber, Saline County, Nebraska, providing for the amendment of said City’s Official Zoning Map to change zoning of Lot Six in Block Two, Kenneth Kreshel’s 5th Addition from Large Lot Residential District (LLR) to Single Family Residential District (R-1) and moved that the statutory rule requiring reading on three days be suspended. Councilmember Lempka seconded the motion to suspend the rules requiring the ordinance be read three times and upon roll call vote on the motion the following was the vote. Roll call vote. Yes. Linhart, Lempka and Sasek. No. None. Motion carried 3-0.

Sasek moved for passage of Ordinance #966. Publishing this ordinance in *The Wilber Republican* one time in pamphlet form, which motion was seconded by Councilmember Linhart. The Mayor then stated the question, “Shall Ordinance #966 be passed and adopted?” Upon roll call vote, the following was the vote. Roll call vote. Yes. Lempka, Linhart and Sasek. No. None. Motion carried 3-0.

ORDINANCE #966

 Whereupon the Mayor announced that the introduction of Ordinances was now in order.

 Whereupon it was moved by Councilmember Sasek and seconded by Councilmember Linhart that the minutes of the proceedings of the Mayor and Council of the City of Wilber, Saline County, Nebraska in the matter of passing and approving Ordinance #966 be preserved and kept in a separate and distinct volume be incorporated in and made a part of these proceedings the same as though it were spread at large herein. The Mayor called the roll, and the following was the vote. Yes. Lempka, Linhart and Sasek. No. None. Motion carried 3-0.

Saline County Deputy Kevin Vogel presented the monthly Sheriff’s report.

 Lempka moved and Linhart seconded to accept the Certificate of Vote by the Saline County Clerk from the election held November 8, 2022 for the positions of Mayor and City Council. Roll call vote. Yes. Linhart, Lempka and Sasek. No. None. Motion carried 3-0.

 Mayor Chrans stated that on December 10, 2022 he swore in newly elected Councilmember Allen Brozovsky who signed the Oath of Office form for the position of Councilmember. City Attorney Tad Eickman swore in newly elected Mayor Roger Chrans and Councilmember Randy Sasek who signed the Oath of Office forms for their positions and the meeting proceeded with new business. Reorganization of the Council was discussed. Lempka moved to nominate Randy Sasek as Council President which motion was seconded by Kent Linhart. Roll call vote. Yes. Lempka, Linhart and Mayor Chrans as a voting member to create a quorum. Abstain. Sasek. No. None. Motion carried 3-0.

The Mayor appointed standing committees to oversee the following departments. Councilmember Sasek to Fire, Ambulance, Fire Sinking and Swimming Pool. Councilmember Lempka to Water, Sewer and Street & Bridge. Councilmember Linhart to Law Enforcement, Sanitation, Department Services, Amusements & Library. Councilmember Brozovsky to Parks, Landfill, and Electric. Mayor Chrans shall be a member ex officio of each standing committee. Linhart moved and Sasek seconded to approve the committees as appointed by the Mayor. Roll call vote. Yes. Linhart, Lempka and Sasek. No. None. Motion carried 3-0.

 The Mayor made recommendations that all appointments remain as they currently are. Those appointments are as follows. Lori Rezny as Municipal Clerk, Gail May as Municipal Treasurer, Shanon Meyer as Municipal Programs Administrator, Tad Eickman as Municipal Attorney, the Crete Area Medical Center as a group for Municipal Physicians, Saline County Sheriff’s Dept. as Municipal Law Enforcement, Scott Havel as Municipal Fire Chief, Olsson as Special Engineers for the City of Wilber, Tim Krivohlavek as Municipal Utility Superintendent, Municipal Street Commissioner, Municipal Building Inspector, Municipal Electrical Inspector, Municipal Plumbing Inspector and Municipal Zoning Inspector. Sasek moved and Lempka seconded to approve the appointments as recommended by the Mayor. Roll call vote. Yes. Lempka, Linhart and Sasek. No. None. Motion carried 3-0.

Lempka moved and Linhart seconded to appoint Justin Stark with Olsson as Wilber City Street Superintendent from January 1, 2023 thru December 31, 2023. City Superintendent’s License Number S-1534 Class A, Nebraska Engineer License E-13167. Roll call vote. Yes. Linhart, Lempka and Sasek. No. None. Motion carried 3-0.

Lempka moved and Linhart seconded to declare the following banks as City depositories, First State Bank, Farmers & Merchants Bank, Jones Bank, City Bank & Trust, and Citizens State Bank. Roll call vote. Yes. Lempka, Linhart and Sasek. No. None. Motion carried 3-0.

Linhart moved and Lempka seconded to reappoint Brian May to the City’s Planning Commission for a 3-year term from January 1, 2023 to December 31, 2025. Roll call vote. Yes. Linhart, Lempka and Sasek. No. None. Motion carried 3-0.

Sasek moved and Lempka seconded to reappoint Randy Kozeal to the City’s Board of Adjustment for a 3-year term from January 1, 2023 to December 31, 2025. Roll call vote. Yes. Lempka, Linhart and Sasek. No. None. Motion carried 3-0. There remains one vacancy on the City’s Board of Adjustment.

Linhart moved and Sasek seconded to reappoint Liz Clark and Tonja Vyhnalek to the Dvoracek Memorial Library Board for a 5-year term from January 1, 2023 thru December 31, 2027. Roll call vote. Yes. Linhart, Lempka and Sasek. No. None. Motion carried 3-0.

Sasek moved and Linhart seconded to approve paying $385.00 towards the Czech Festival Ad in the SENTC magazine for 2023 with the understanding that this will be the last year the City will help pay for the Czech Festival Ad in the SENTC magazine. Roll call vote. Yes. Lempka, Linhart and Sasek. No. None. Motion carried 3-0.

 Linhart moved and Lempka seconded to reconsider the motion from the November 22, 2022 special meeting to award the bid for the City’s General Insurance to First State Insurance Agency bidding Continental Western Group at a cost of $87,830.00 to change the motion to award the bid for the City’s General Insurance to First State Insurance Agency bidding Continental Western Group in the amount of $73,853.00. This excludes the workers comp portion of the bid. This is a 3-year bid award. Roll call vote. Yes. Linhart, Lempka and Mayor Chrans as a voting member to create a quorum Abstain. Sasek. No. None. Motion carried 3-0.

 Lempka moved and Linhart seconded to accept the bid for the City’s Workers Comp Insurance from Vyhnalek Insurance Agency through Bitco in the amount of $13,977.00. This is a three year bid award. Roll call vote. Yes. Lempka, Linhart and Mayor Chrans as a voting member to create a quorum. Abstain. Sasek. No. None. Motion carried 3-0.

 Lempka moved and Linhart seconded to approve the Certificate of Compliance and Maintenance Agreement No. 42 with Nebraska Dept. of Transportation for the period January 1, 2023 to December 31, 2023. Roll call vote. Yes. Linhart, Lempka and Sasek. No. None. Motion carried 3-0.

 Discussion was held on a proposal from Windstream for internet and phone services at the City Offices. Sasek moved and Linhart seconded to accept the proposal from Windstream. Roll call vote. Yes. Linhart, Lempka and Sasek. No. None. Motion carried 3-0.

 Agenda items discussed with no action were subdivision request discussion / process and discussion on change to Ordinance Book regarding Standing Committees. A special meeting was scheduled for Wednesday, January 4, 2023 at 5:30 p.m. for the purposes to declare the 1998 Freightliner as surplus property and to hold a workshop with Programs Administrator Shanon Meyer regarding youth sports. Reports were given by Dept. Heads.

Sasek moved and Lempka seconded to go into closed session for the protection of the public interest, legal strategies, personnel, and wages. Roll call vote. Yes. Linhart, Lempka and Sasek. No. None. Motion carried 3-0. The Mayor restated the purpose of the closed session is for the protection of the public interest, legal strategies, personnel, and wages. The Mayor and Council went into closed session at 8:43 p.m. Those present in the closed session are Mayor Chrans, Councilmembers Sasek, Linhart, and Lempka. Programs Administrator Shanon Meyer and City Attorney Tad Eickman.  The doors of the meeting room were opened at 8:58 p.m. Sasek moved and Linhart seconded to come out of closed session at 8:58 p.m. Roll call vote. Yes. Linhart, Lempka and Sasek. No. None. Motion carried 3-0.  No action was taken.

Lempka moved and Sasek seconded to adjourn the meeting. Roll call vote. Yes. Linhart, Lempka and Sasek. No. None. Motion carried 3-0.