**PROCEEDINGS OF THE MAYOR AND COUNCIL**

**OF THE CITY OF WILBER, NEBRASKA**

**Tuesday, February 14, 2023  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 February 1, 2023.  The following were present. Mayor Roger Chrans, Council members Kent Linhart, Allen Brozovsky 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 Pat Meister, Jason Richtarik and Library Director Holly Baber. Absent was Councilmember Randy Sasek.

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.

Brozovsky moved and Lempka seconded the motion to approve the consent agenda including the minutes of the January 10, 2023 regular meeting and January 24, 2023 special meeting and claims as presented. Roll call vote. Yes. Lempka, Brozovsky and Linhart. 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, sup, 528.85; American Family, in, 297.94; Ameritas, an, 1936.38; Awards Unlimited, ex, 44.97; Beatrice Sand, sup, 475.00; Black Hills, ut, 263.16; Blue Cross, in, 11,986.11; Border States, sup, 3554.88; Blackburn Tech., pf, 833.98; Blue Valley, const., 344.00; Card Services, sup, 159.86; City of Wilber, ut, 2495.99; pr, 57,661.13; Constellation Newenergy, ut, 1627.55; Crete Ace Hardware, sup, 253.39; Crete Area Medical Center, se, 3600.00; Cornhusker Intl, sup, 77.05; Culligan, se, 79.50; Danko, equip, 5840.10; Dustin Burns, rb, 42.99; Dutton-Lainson, sup, 157.32; Eakes, sup, 892.69; Echo Group, sup, 1444.98; Ed M Feld, sup, 853.65; Emergency Medical, sup, 835.30; Emsar, se, 2064.00; F & M Bank, in, 10,880.00; Farmers Elevator, sup, 225.40; First Bankcard, sup, ex, 2322.41; Hawkins, sup, 1919.40; HOA Solutions, sup, 2855.40; Inland Truck, rp, 158.82; IRS, pr tx, 10,527.02; Johnson Service, se, 74,948.20; K & G Body, rp, 1257.78; Leading Edge, sup, 326.50; League of Ne Munic. Ex, 588.00; Lowes, sup, 311.78; Matheson, sup, 344.63; Midwest Tire, eq, 500.00; Midwest Labs, sup, 186.29; Mutual of Omaha, in, 362.88; Ne Dept. of HHS, rb, 137.35; Ne Dept of Environ., ex, 40.00; Nebr. Public Health, ex, 256.00; Norris, ps, 79,697.87; One Call, ex, 4.00; Olsson, pf, 96.25; Pacific Life, an, 1294.62; Petty Cash, rb, 1000.00; Plymouth Elec., sup, 89.74; Roger Chrans, rb, 30.00; Quadient, ex, 120.75; Sack Lumber, sup, 1165.94; Saline Co Clerk, se, 16,666.66; Saline Co Clerk, se, 292.40; Saline Co Reg of Deed, ex, 16.00; Saline Co Treas., se, 309.17; ex, 70.00; Seward Co Independent, ex, 101.36; Southeast Comm College, ex, 1154.00; Spring Creek, rp, 2270.00; Shop Qwik, sup, 1317.21; State of Nebr., st, 8426.44; pr tx, 1643.56; Tad Eickman, pf, 2000.00; Vyhnalek Ins., in, 5319.00; Walker Uniform, se, 33.49; Waste Connections, se, 19,264.95; WAPA, ps, 16,050.47; Wilber Chamber of Commerce, ex, 160.00; Wilber Plumbing, sup, 673.50; Windstream, ut, 519.61; Wilber Rescue, se, 780.00.

Jason Richtarik was present to request adding the E 22 feet of Lot 265 to his property at 324 S School St. This item will be added to the March agenda for consideration.

Ordinance #968 was read by title. Lempka introduced Ordinance #968 an Ordinance of the City of Wilber, Saline County, Nebraska, relating to compensation and salary which shall be received by appointive officials, employees, the Mayor and the member of the City Council and moved that the statutory rule requiring reading on three days be suspended. Councilmember Linhart 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. Brozovsky, Linhart and Lempka. No. None. Motion carried 3-0.

Linhart moved for passage of Ordinance #968. Publishing this ordinance in *The Wilber Republican* one time in pamphlet form, which motion was seconded by Councilmember Lempka. The Mayor then stated the question, “Shall Ordinance #968 be passed and adopted?” Upon roll call vote, the following was the vote. Roll call vote. Yes. Linhart, Lempka and Brozovsky. No. None. Motion carried 3-0.

ORDINANCE #968

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

Whereupon it was moved by Councilmember Linhart and seconded by Councilmember Lempka 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 #968 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. Linhart, Lempka and Brozovsky. No. None. Motion carried 3-0.

Saline County Deputy Pat Meister presented the monthly Sheriff’s report.

Library Director Holly Baber presented the Annual Library Report. After reviewing the report Brozovsky moved and Lempka seconded to approve the Annual Library Report as presented. Roll call vote. Yes. Lempka, Brozovsky and Linhart. No. None. Motion carried 3-0.

Lempka moved and Linhart seconded to approve the Handbooks for the Youth Sports Programs and Wilber Swimming Pool. Roll call vote. Yes. Brozovsky, Linhart and Lempka. No. None. Motion carried 3-0. No action was taken at this time to move the swim team to the Youth Sports Program, a meeting will be scheduled with the swim team director and this matter may be addressed at a future meeting. Lempka moved and Brozovsky seconded to add a $200,000 level of coverage for the Youth Sports Program. Roll call vote. Yes. Linhart, Lempka and Brozovsky. No. None. Motion carried 3-0.

Lempka moved and Brozovsky seconded to donate $1000.00 to the Wilber Chamber of Commerce for Wilber’s 150th Celebration events in 2023. Roll call vote. Yes. Lempka, Brozovsky and Linhart. No. None. Motion carried 3-0.

Brozovsky moved and Linhart seconded to purchase two new diving boards at $6277.00 each plus freight. Roll call vote. Yes. Brozovsky, Linhart and Lempka. No. None. Motion carried 3-0.

Lempka moved and Brozovsky seconded to accept the proposal from Waterpark Excitement, Inc. to refurbish both slides, edge pads, lily pads and waterdrop feature at the swimming pool including roundtrip travel to site at a cost of $66,878.00. Work will be done onsite at the Wilber swimming pool. Roll call vote. Yes. Linhart, Lempka and Brozovsky. No. None. Motion carried 3-0.

Linhart moved and Lempka seconded to transfer $133,000.00 from the general fund to the street fund. Roll call vote. Yes. Linhart, Brozovsky and Lempka. No. None. Motion carried 3-0.

Linhart moved and Lempka seconded to go into closed session at 8:15 p.m. for the protection of the public interest regarding legal strategies. Roll call vote. Yes. Lempka, Brozovsky and Linhart. Motion carried 3-0. Those in closed session were Mayor Chrans, Councilmembers Linhart, Lempka and Brozovsky, Tad Eickman, Tim Krivohlavek, Jason Ripa, Shanon Meyer, Gail May, Lori Rezny and Dana Peterson with Front Water Engineering by teleconference. The Mayor restated the purpose of the closed session is for the protection of the public interest regarding legal strategies. The doors of the meeting room were opened at 9:03 p.m. Brozovsky moved and Lempka seconded to come out of closed session at 9:03 p.m. Roll call vote. Yes. Brozovsky, Linhart and Lempka. No. None. Motion carried 3-0.

The regular session was reconvened at 9:04 p.m. Joining the meeting were Fire & Rescue Dept. members Scott Havel, Craig Vyhnalek, Derek Filipi and Kaleb Kotas. The City has been notified that they have been awarded grants from the Nebraska Department of Health and Human Services in the amounts of $75,000.00 for an Ambulance and $49,999.99 for Emergency Medical Equipment. Craig Vyhnalek asked that the City officially accept the grants and explained that the Department would choose a remount option to use the box from the 2009 ambulance and mount it onto a new chassis for a new ambulance. The cost of the remount would be $223,750.00. Some of the equipment from the 2009 ambulance would be moved to the new remount ambulance.

After some discussion Brozovsky moved and Lempka seconded to accept two grants from the Nebraska Department of Health and Human Services, grants of $75,000.00 for an Ambulance and $49,999.99 for Emergency Medical Equipment. Roll call vote. Yes. Linhart, Lempka and Brozovsky. No. None. Motion carried 3-0.

Discussion was held on purchasing a generator for Well #6. It was agreed that Tim Krivohlavek will work with Tad Eickman to get some specs prepared to go out for bids for the generator.

Brozovsky moved and Linhart seconded to approve the Letter Agreement with Olsson to assist with response to NDEE January 12, 2023 Letter of Noncompliance and prepare a site-specific monitoring plan for the Municipal Power Plant. The cost for this scope of services is $10,800.00. Roll call vote. Yes. Brozovsky, Linhart and Lempka. No. None. Motion carried 3-0.

Discussion was held on the corporate limits map as prepared by Miller & Associates. More on this matter will be addressed at an upcoming meeting.

City Reports were given.

Brozovsky moved and Linhart seconded to adjourn the meeting at 9:54 p.m. Roll call vote. Yes. Linhart, Lempka and Brozovsky. No. None. Motion carried 3-0.