**PROCEEDINGS OF THE MAYOR AND COUNCIL**

**OF THE CITY OF WILBER, NEBRASKA**

**Tuesday, April 11, 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 March 29, 2023.  The following were present. Mayor Roger Chrans, Council members Kent Linhart, Tim Lempka, Allen Brozovsky and Randy Sasek. 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 Tyson Osborn, Sandra Koll, John Hensel, Jerrod and Becky Zoubek.

The Mayor stated that the open meetings act is posted in the meeting room and is available for public inspection.  Roll call shows four 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 March 14, 2023 regular meeting and claims as presented. Roll call vote. Yes. Lempka, Linhart, Brozovsky and Sasek. No. None. Motion carried 4-0.

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, 725.13; American Family, in, 297.94; Ameritas, an, 2313.12; Beatrice Sand, sup, 822.60; Black Hills, ut, 181.64; Blobaum & Busboom, P.C. pf, 10,150.00; Blue Cross, in, 11,387.61; Border States, sup, 753.29; City of Wilber, ut, 2881.46; pr, 76,320.22; Constellation Newenergy, ut, 655.82; Core & Main, sup, 8577.12; Crete Ace, sup, 22.16; CAMC, se, 3000.00; Culligan, se, 19.50; Danko, eq, 375.00; Eakes Office, sup, 390.22; Emergency Medical, sup, 220.62; F & M Bank, in, 1380.00; Fastenal, sup, 302.73; Farmers Elevator, rp, sup, 7331.97; First Bankcard, sup, 720.42; First State Ins, in, 1499.99; Grunwald Mechanical, eq, 4422.44; Holiday Inn, ex, 529.80; IRS, pr tx, 16,588.10; Kovar Sales, sup, 107.00; Lori Rezny, rb, 189.93; Lowes, sup, 1177.47; Matheson Tri-Gas, sup, 553.22; Michael Todd, sup, 1548.97; Miller Seed, sup, 581.65; Midwest Labs, ex, 384.69; Mutual of Omaha, in, 362.88; Ne Rural Water Assoc., ex, 150.00; Ne Dept. of HHS, rb, 60.00; Nebr Municipal Power Pool, ex, 1031.73; Nebr. Public Health, ex, 46.00; Norris PP, ps, 72,153.01; Olsson, pf, 800.00; One Call, ex, 35.50; Pacific Life, an, 2017.92; Quadient, ex, 689.00; Sack Lumber, sup, 746.02; Shop Qwik, sup, 941.58; Saline Co Clerk, se, 16,666.66; ex, 816.19; Saline Co Treasurer, se, 309.17; Seward Co Independent, ex, 274.34; State of Nebr, st, 9147.91; pr tx, 1721.90; Tad Eickman, pf, 2000.00; Vyhnalek Ins., in, 506.00; Walker Uniform, se, 33.49; Wilber Rescue, se, 2330.00; Wilber Youth Org., rb, 1262.80; Waste Connections, se, 18,534.82; WAPA, ps, 13,356.70; Windstream, ut, 504.00.

Deputy Osborn presented the monthly Sheriff’s report.

Brozovsky moved and Linhart seconded to approve the claim of Vyhnalek Insurance in the amount of $506.00 for increase in coverages for the Fire & Rescue Equipment and Building. Roll call vote. Yes. Linhart, Brozovsky, Lempka and Sasek. No. None. Motion carried 4-0.

Sasek moved and Brozovsky seconded to approve reimbursement to Wilber Rescue in the amount of $755.00 for NEMSA membership for Craig Vyhnalek, Tonya Vyhnalek and Kaleb Kotas. Roll call vote. Yes. Brozovsky, Lempka, Linhart and Sasek. No. None. Motion carried 4-0.

Sasek moved and Lempka seconded to approve having the Mayor sign for the City the EMS Ambulance and Equipment ARPA Funding Attestation between Nebraska Dept. of Health & Human Services and Wilber Rescue Squad and supporting documents regarding Ambulance and Emergency Medical Equipment grant awards. Roll call vote. Yes. Linhart, Lempka, Brozovsky and Sasek. No. None. Motion carried 4-0.

Linhart moved and Brozovsky seconded to approve the 2021-2022 fiscal year audit report as prepared by Blobaum and Busboom P.C. Roll call. Yes. Linhart, Brozovsky, Lempka and Sasek. No. None. Motion carried 4-0.

Lempka moved and Brozovsky seconded to approve the purchase of UV Lamps for the Wastewater Treatment Plant at a cost of $2605.80 plus freight. Roll call vote. Yes. Brozovsky, Lempka, Linhart and Sasek. No. None. Motion carried 4-0.

Linhart moved and Sasek seconded to approve the purchase of a motor for the Wastewater Treatment Plant as a cost of $2850.00. Roll call vote. Yes. Lempka, Linhart, Brozovsky and Sasek. No. None. Motion carried 4-0.

Brozovsky moved and Sasek seconded to approve the request from the Wilber Garden Club to purchase mulch in an amount not to exceed $100.00 for the City Park gardens. Roll call vote. Yes. Linhart, Brozovsky, Lempka and Sasek. No. None. Motion carried 4-0.

Sandra Koll was present to request banners for $160.00 and team registration fee of $250.00 for the Wilber Swim Team. These items will be added to the May agenda for consideration.

City reports were given.

Sasek moved and Linhart seconded to open the Public Hearing at 8:00 pm. to review and hear public comment on the Preliminary Plat for Zoubek Addition, a subdivision of Lot 6, Block 2, Kenneth Kreshel’s 5th Addition of Wilber, Saline County, Nebraska. Jerrod and Becky Zoubek addressed the Council. Discussion was held on the recommendation made by the City’s Planning Commission at their March 13, 2023 meeting. Discussion was held with the Zoubek’s regarding the City’s Zoning Regulations pertaining to subdivisions, regulations for streets, curb and gutter, sidewalks, and easements. The Mayor asked for public comment from others in attendance, no other public comment was received. After discussion Brozovsky moved and Lempka seconded to recess the Public Hearing until May 2, 2023 at 7:00 p.m. to allow time to research the lot and the City’s zoning regulations pertaining to items discussed. Roll call vote. Yes. Lempka, Linhart, Brozovsky and Sasek. No. None. Motion carried 4-0. Lempka moved and Brozovsky seconded to exit the hearing until May 2, 2023. Roll call vote. Yes. Linhart, Brozovsky, Lempka and Sasek. No. None. Motion carried 4-0.

Sasek moved and Brozovsky seconded to open a Public Hearing at 8:56 p.m. to review and hear public comment regarding annexation of the following real property into the City’s corporate limits: Farmers’ Cooperative Elevator Company, 2312 State Highway 41, Wilber, Nebraska, also described as Pt. of the SW ¼ SW ¼ of Section 14, Township 6 North, Range 4, East of the 6th PM in Saline County, Nebraska, consisting of 7.84 acres. Roll call vote. Yes. Brozovsky, Lempka, Linhart, and Sasek. No. None. Motion carried 4-0. The Mayor asked for public comment. No public comment was received. Sasek moved and Lempka seconded to close the Public Hearing at 8:58 p.m. Roll call vote. Yes. Lempka, Linhart, Brozovsky and Sasek. No. None. Motion carried 4-0.

It is noted that the Farmers Coop was given notice by certified return receipt mail of the meetings of the Planning Commission and City Council regarding the annexation of this property and no correspondence has been received from them. The Planning Commission during its March 13, 2023 meeting approved a recommendation to the City Council to approve annexing into the City’s corporate limits certain real property owned by Farmers Cooperative Elevator Co. as described above. Sasek moved and Linhart seconded to approve annexation of the following real property into the City’s corporate limits: Farmers’ Cooperative Elevator Company, 2312 State Highway 41, Wilber, Nebraska, also described as Pt. of the SW ¼ SW ¼ of Section 14, Township 6 North, Range 4, East of the 6th PM in Saline County, Nebraska, consisting of 7.84 acres. Roll call vote. Yes. Linhart, Brozovsky, Lempka and Sasek. No. None. Motion carried 4-0. An Annexation Ordinance will be prepared for reading at the May, June & July 2023 Council meetings, with final consideration of the Annexation Ordinance at the July 11, 2023 meeting.

Brozovsky moved and Lempka seconded to open a Public Hearing at 8:59 p.m. to review and hear public comment to determine if an amendment should be made of Article 7, Section 2-702, N, and if a Section LL should be added to Article 8, Section 208, of the City of Wilber Zoning Regulations to include language to provide for body art / tattoos and body piercing businesses to be permitted uses in “C-1” General Commercial District and “C-2” Highway Commercial District. Roll call vote. Yes. Brozovsky, Lempka, Linhart and Sasek. No. None. Motion carried 4-0. The Mayor called for public comment in support of or opposition to the proposed amendment to the Zoning Regulations. No public comment was received. Linhart moved and Lempka seconded to close the public hearing at 9:01 p.m. Roll call vote. Yes. Lempka, Linhart, Brozovsky and Sasek. No. None. Motion carried 4-0.

The Mayor asked for a motion to approve the proposed addition of language to the City’s Zoning Regulation to provide for body art / tattoos and body piercing businesses in a “C-1” General Commercial District and “C-2” Highway Commercial District. No motion was made, and no action was taken on the matter.

Lempka moved and Linhart seconded to go into closed session at 9:18 p.m. To prevent needless injury to the reputation of an individual and if such individual has not requested a public meeting. Regarding review of personnel six month probationary period completion. Roll call vote. Yes. Linhart, Brozovsky, Lempka and Sasek. No. None. Motion carried 4-0. The Mayor repeated the purpose of the closed session is for review of personnel six month probationary period completion. Those in attendance were Mayor Chrans, Councilmembers Sasek, Linhart, Lempka and Brozovsky, City Attorney Tad Eickman and City Clerk Lori Rezny. At 9:22 p.m. the meeting doors were opened and Brozovsky moved and Lempka seconded to come out of closed session. Roll call vote. Yes. Lempka, Linhart, Brozovsky and Sasek. No. None. Motion carried 4-0. Lempka moved and Linhart seconded to approve a $500 annual increase in wages for completion of the six month probationary period for Programs Administrator Shanon Meyer as of March 12, 2023 and Library Director Holly Baber as of April 27, 2023 and to begin enrollment into the City’s Annuity plan. Roll call vote. Yes. Lempka, Linhart, Brozovsky and Sasek. No. None. Motion carried 4-0.

Brozovsky moved and Sasek seconded to go into closed session at 9:25 p.m. For the protection of the public interest. Pertaining to legal negotiations regarding water source, Czech Festival highway closure and ambulance call process. Roll call vote. Yes. Linhart, Brozovsky, Lempka and Sasek. No. None. Motion carried 4-0. The Mayor repeated the purpose of the closed session is for legal negotiations regarding water source, Czech Festival highway closure and ambulance call process. Those in attendance were, Mayor Chrans, Councilmembers Sasek, Linhart, Lempka and Brozovsky, City Attorney Tad Eickman, City Clerk Lori Rezny, City Treasurer Gail May, Water/WWTP Operator Jason Ripa, City Superintendent Tim Krivohlavek and Programs Administrator Shanon Meyer. The meeting room doors were opened at 9:48 p.m. Sasek moved and Brozovsky seconded to come out of closed session. Roll call vote. Yes. Brozovsky, Lempka, Linhart and Sasek. No. None. Motion carried 4-0. No action was taken on closed session items.

Lempka moved and Brozovsky seconded to adjourn the meeting at 9:49 p.m. Roll call vote. Yes. Lempka, Linhart, Brozovsky and Sasek. No. None. Motion carried 4-0.