**PROCEEDINGS OF THE MAYOR AND COUNCIL**

**OF THE CITY OF WILBER, NEBRASKA**

**Tuesday, May 9, 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 April 26, 2023.  The following were present. Mayor Roger Chrans, Council members Allen Brozovsky, Tim Lempka, Kent Linhart 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 Matt Baumann, Pathways to Progress members Randy Pryor, Kevin Ahrends and Sheryl Kastanek, representing United Methodist Church was Tim Farmer P.E. and Lynette Pospisil.

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 April 11, 2023 regular meeting and claims as presented. Roll call vote. Yes. Lempka, Brozovsky, Linhart 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, 559.37; American Family, in, 297.94; Ameritas, an, 1542.08; Beatrice Sand, sup, 1560.57; Black Hills Energy, ut, 261.15; Blackburn Tech., eq, 4285.38; Blue Cross, in, 11,387.61; Border States, sup, 705.14; Branding Inc., se, 695.00; Card Services, ex, 29.98; City of Wilber, ut, 2842.30; pr, 47,741.57; Constellation Newenergy, ut, 327.60; Core & Main, sup, 1722.91; Crete Ace, sup, 498.12; Crete Area Med Ctr, se, 2400.00; Culligan, se, 18.00; Dave Hochstetler, rb, 725.84; Danko, sup, 35.00; Dvoracek Mem Library, tr, 10,000.00; Dutton-Lainson, sup, 1283.77; Eakes, sup, 652.83; Elan Financial, ex, 439.79; Emergency Medical, sup, 32.85; F & M Bank, bond, 18,887.76; in, 1380.00; Farmers Elevator, sup, rp, 841.87; First Bankcard, sup, 632.91; First St Ins, in, 1458.01; Food Mesto, sup, 2376.55; Hawkins, sup, 546.73; Hydraulic Equip., rp, 2938.83; IRS, pr tx, 10,344.82; Leading Edge, sup, 1193.86; MC2 Inc., sup, 3592.69; Matheson, sup, 334.19; Michael Todd, sup, 786.87; Mutual of Omaha, in, 362.88; Mellen Inc., sup, 2907.08; Midwest Labs, ex, 225.42; Nebr Machinery, eq, 9256.57; Ne Public Health, ex, 30.00; Nebr Sports, eq, 2139.60; Norris PP., ps, 59,987.04; Olsson, pf, 12,896.78; One Call, ex, 21.90; Odeys Inc., ex, 598.00; Pacific Life, an, 1345.28; Petty Cash, rb, 350.00; Quadient, ex, 807.75; Randy Pryor, rb, 205.60; Recreation Supply, sup, 740.76; Rose Equip, sup, 719.14; Sack Lumber, sup, 658.01; Saline Co Clerk, se, 16,666.66; ex, 10.00; Saline Co Treas, se, 309.17; Schuerman Welding, rp, 315.00; Seward Co Independent, ex, 151.42; Shop Qwik, sup, 1241.27; State of Nebr., pr tx, 2578.95; st, 8080.84; Tad Eickman, pf, 2000.00; Waste Connections, se, 18,563.54; WAPA, ps, 10,780.49; Wilber School Dist. #82, tr, 850.00; Walker Uniform, se, 33.49; Waterpark Excitement, const, 20,063.50; Windstream, ut, 551.89.

The Mayor read aloud Ordinance No 969 An Ordinance of the City of Wilber, Nebraska, Annexing to and including within the Corporate Limits of the City of Wilber; to annex certain contiguous or adjacent land containing legal descriptions which are displayed and described in Attachment A: (Farmer’s Coop 2312 E Hwy 41) to extend the Corporate Limits of the City; to provide for and prescribing for the time when this Ordinance shall be in full force and effect. This is the first of three readings of this annexation ordinance.

Deputy Baumann presented the monthly Sheriff’s report.

Tim Farmer P.E. representing the United Methodist Church presented information on the creek channel eroding behind the church causing settlement problems to their building. They looked at a retaining wall, but the cost would not be feasible, they believe the better and more affordable option would be to bury a culvert for that stretch of the channel that would clean up the area and address the issue of the channel bank erosion. Plan A would be to run the new culvert behind the church and extend it under Harris Street to the west side of the street. To extend the new culvert under the city right of way would be the city’s cost and is estimated to be approximately $90,000.00. Plan B would be to leave the City’s culvert in place and engineer a collar around the end of it to extend the existing culvert with a new culvert behind the church to the east. He explained that they would have to go on the upstream end and replace the head wall to flare it open to improve the flow. The Council agreed to take time to review the drawings and plans presented and gather more information and may revisit this item at a future meeting.

Sheryl Kastanek with Pathways to Progress spoke with the Council about the Arbor Day event held at the Wilber Lake and Arboretum and presented information for future ideas to include a walkway on the east side of the Dam, benches that have been purchased and donated by families to be placed around the lake and hopes of a restroom at the site. Randy Pryor presented information on estimated costs of pre-built restrooms and on possible grants that could be applied for restrooms including the Recreational Trails Program (RTP) and Land and Water Conservation Fund (LWCF) grants. Council will look at the information provided and will take this under consideration.

Brozovsky moved and Linhart seconded to open the Public Hearing at 8:00 p.m. to review and receive public input, comment, and testimony regarding a Conditional Use Permit Application filed by Farmers Cooperative Elevator Company to install a 30,000 gallon bulk propane storage tank at their site at 2312 E State Hwy 41, Wilber, Nebraska. Roll call vote. Yes. Brozovsky, Linhart, Lempka and Sasek. No. None. Motion carried 4-0. Notice of this Public Hearing was advertised in the Wilber Republican on May 3, 2023. Roger Kriefels with Farmers’ Cooperative presented the plan and answered questions from the Mayor and Council. Mr. Kriefels did state that the area will be surveyed, and land built up if necessary to be above flood plain level and the tanks will be on piers which will also raise the tanks 3 to 4 feet above the ground. The Mayor asked twice if there was anyone in the gallery that wished to give public comment or testimony regarding this Conditional Use Permit Application filed by Farmers Cooperative. No public comment was received. Sasek moved and Linhart seconded to close the Public Hearing at 8:05 p.m. Roll call vote. Yes. Linhart, Lempka, Brozovsky and Sasek. No. None. Motion carried 4-0.

Brozovsky moved and Sasek seconded to approve the Conditional Use Permit for Farmers Cooperative Elevator Company to install a 30,000 gallon bulk propane storage tank at their site at 2312 E State Hwy 41, Wilber, Nebraska. Roll call vote. Yes. Lempka, Brozovsky, Linhart and Sasek. No. None. Motion carried 4-0.

Sasek moved and Brozovsky seconded to approve paying the KS/NE Summer Swim League registration fee the Wilber RYBE Swim Team in the amount of $350.00 and to purchase a banner for the Wilber RYBE Swim Team for $160.00. Roll call vote. Yes. Brozovsky, Linhart, Lempka and Sasek. No. None. Motion carried 4-0.

Lempka moved and Linhart seconded to approve the SDL application for the American Legion for a beer garden during the Community BBQ and music event at the Legion Park on June 17, 2023. Roll call vote. Yes. Linhart, Lempka, Brozovsky and Sasek. No. None. Motion carried 4-0.

It was agreed to proceed with cleaning out the City’s Quonset on S State Hwy 103 and to advertise for demolition bids to remove it.

Swimming Pool season passes and wages were discussed. The pool season passes, and pool parties have not increased since 2019 despite increases in costs of chemicals, maintenance, and wages. After some discussion Linhart moved and Brozovsky seconded to set the season passes as follows. Family $200.00 up to five immediate family members plus $20 for each additional immediate family member (parents and children under the age of 19); Single $75.00; Daily pass $5.00; 10 Punch Pass $40.00; ages 3 and under free. The charge of a 2 hour pool party will be as follows. 1-25 people $225.00; 26-50 people $300.00; 51-75 people $395.00; 76-100 people $470.00; 101-125 people $545.00. Wages for pool guards, managers and assistant managers will increase by .25 per hour making the new wage for guards $9.70 to $11.80 per hour depending on years of return work, Manager $16.52 per hour, and Assistant Managers $12.32 per hour. Wages for the pool party guards will be $12.50 per hour and pool party manager $13.50 per hour. Roll call vote. Yes. Lempka, Brozovsky, Linhart and Sasek. No. None. Motion carried 4-0.

Lempka moved and Sasek seconded to approve the purchase of an Actuator for the Wastewater Treatment Plant at a cost of $23,196.00. Roll call vote. Yes. Brozovsky, Linhart, Lempka and Sasek. No. None. Motion carried 4-0.

Sasek moved and Lempka seconded to declare the old chipper as surplus property and to advertise to sell the chipper by sealed bids. Roll call vote. Yes. Linhart, Lempka, Brozovsky and Sasek. No. None. Motion carried 4-0.

Shanon Meyer presented information on moving the City employee’s retirement plan to Mutual of Omaha through First State Insurance Agency. After some discussion, Brozovsky moved and Linhart seconded to approve allowing employees to move their retirement accounts to Mutual of Omaha if they wish, however they may also have the option to stay with the plan they currently have through Ameritas or Pacific Life. Roll call vote. Yes. Lempka, Brozovsky and Linhart. Abstain. Sasek. No. None. Motion carried 3-0.

Shanon also presented preliminary information on the cost of underground sprinklers for the ballfields and costs of recodification of the City Ordinance book. The Council reviewed pictures of wood piles around town to determine if this issue should be addressed.

Lempka moved and Brozovsky seconded to give permission to the Wilber-Clatonia 8th grade history class to bury a time capsule in the City Park as part of the Wilber 150th Celebration. Roll call vote. Yes. Brozovsky, Linhart, Lempka and Sasek. No. None. Motion carried 4-0.

Discussion was held on allowing a swimming instructor who is not employed by the City to give swimming lessons at the Wilber Pool this summer, this practice will not be allowed after this summer without prior permission by the City Council.

City reports were given. Tad Eickman reminded the Council the Public Hearing for the Zoubek Final Plat before the Planning Commission will be scheduled for June 13, 2023 at 6:30 p.m. and the Public Hearing for the Zoubek Final Plat before the City Council will be scheduled for June 13, 2023 at 8:00 p.m. Water Operator Jason Ripa had discussion of possible water restrictions if it is determined to be necessary due to the cleaning of the water tower or shortage of municipal well water.

Brozovsky moved and Lempka seconded to adjourn the meeting at 9:23 p.m. Roll call vote. Yes. Linhart, Lempka, Brozovsky and Sasek. No. None. Motion carried 4-0.