**PROCEEDINGS OF THE MAYOR AND COUNCIL**

**OF THE CITY OF WILBER, NEBRASKA**

**Tuesday, August 8, 2023  7:30 p.m.**

Mayor Roger 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 July 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, Programs Administrator Shanon Meyer, City Clerk Lori Rezny, City Superintendent Tim Krivohlavek, Water/WWTP Operator Jason Ripa, Becky Zoubek, Steve Seyfert, Deputy Kevin Vogel and Doug Oliva. Dale Fritz arrived at 8:25 p.m.

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.

Lempka moved and Brozovsky seconded the motion to approve the consent agenda including the minutes of the July 5th and July 25th special meetings and July 11th, 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. AED, eq, 2555.00; American Family, in, 575.20; Ameritas, an, 1542.08; American Legal; se, 3994.00; Aqua Chem, sup, 1078.24; Beatrice Sand, sup, 4065.18; Black Hills, ut, 801.31; Blue Cross, in, 11,847.78; Border States, sup, 904.51; Brad Kalkwarf, rb, 250.00; Branding Inc., se, 1950.00; City of Wilber, ut, 6652.35; pr, 77,329.48; Constellation Newenergy, ut, 35.75; Core & Main, sup, 6805.20; Crete Ace, sup, 439.63; Crete Area Med Ctr, se, 2400.00; Culligan, se, 71.25; Dutton-Lainson, sup, 408.31; Eakes Office, sup, 338.10; Elan Financial, se, 1162.18; Emergency Medical, sup, 197.24; F & M Bank, in, 10,980.00; Farmers Elevator, sup, 1848.85; Farmers Valley Football LLC, ex, 100.00; First Bankcard, sup, ex, 923.27; First State Ins., in, 122.00; Food Mesto, sup, 146.21; GTS Tire, rp, 395.00; Hawkins, sup, 345.09; IIMC, ex, 185.00; IRS, pr tx, 13,284.90; Kovar Sales, rp, 86.70; Kreshel Excavating, const, 7450.00; League of Ne Munic., ex, 6276.00; Lowes, sup, 1059.66; Matheson, sup, 344.63; Maguire Iron, se, 16,706.18; Michael Todd, sup, 922.23; Midwest Labs, ex, 241.87; Municipal Supply, sup, 5665.92; Mutual of Omaha, in, 695.85; Nebr. Public Health, ex, 536.00; Norris PP, ps, 84,800.21; Olsson, pf, 12,960.00; One Call, ex, 35.42; Pacific Life, an, 1561.58; Petty Cash, 500.00; Quadient, ex, 809.75; Sack Lumber, rp, 522.37; Saline Aging Serv., ex, 3163.55; Saline Co Clerk, se, 16,666.66; Saline Co Treas., se, 309.17; Schuerman Welding, rp, 6740.00; Seward Co Independent, ex, 393.98; Shop Qwik, sup, 1098.65; State of Nebr, st, 10,758.70; wh, 1697.13; Tad Eickman, pf, 2000.00; Vyhnalek Ins, in, 2040.48; Walker Uniform, se, 34.18; Waste Connections, se, 19,068.26; WAPA, ps, 24,732.67; Wilber Plumbing, rp, 9689.59; Wilber Rescue, se, 930.00; Windstream, ut, 572.94.

Deputy Vogel presented the monthly Sheriff’s report.

Brozovsky moved and Linhart seconded to approve the City’s portion of the 2023-2024 Saline Aging Services budget request in the amount of $3163.55. Roll call vote. Yes. Brozovsky, Linhart, Lempka and Sasek. No. None. Motion carried 4-0.

Discussion was held regarding the repairs to the city’s culvert under the street on S Harris Street near the Methodist Church. Olsson has inspected the culvert and the culvert appears structural good, but some patchwork could be done if the City decides to do that. It was agreed the Methodist Church may move forward with their project to make repairs to their creek bed and the culvert headwalls.

Sealed bids for the sale of the woodchipper were opened by the Mayor. Two bids were received, the first bid is from Leo Douglas for $1561.00 and the second bid from Mike Kastanek for $779.50. After reviewing the bids, Sasek moved and Linhart seconded to approve the sale of the woodchipper to Leo Douglas for $1561.00. Roll call vote. Yes. Linhart, Lempka, Brozovsky and Sasek. No. None. Motion carried 4-0.

One sealed bid was received for the purchase of a generator for well #6. The bid opened is from Nebraska Generator Services in an amount totaling $55,290.00 plus sales tax. Brozovsky moved and Lempka seconded to accept the bid for the purchase of a generator from Nebraska Generator Services. Roll call vote. Yes. Lempka, Brozovsky, Linhart and Sasek. No. None. Motion carried 4-0.

Lempka moved and Brozovsky seconded to make a donation in the amount of $250.00 for the Czech Dignitaries tourism event in Wilber on August 24, 2023. Roll call vote. Yes. Brozovsky, Linhart, Lempka and Sasek. No. None. Motion carried 4-0.

Brozovsky moved and Sasek seconded to open a Public Hearing at 8:00 p.m. to discuss and receive public comment on the possible amendment of Chapter 13, Article 1, Section 13-101B, Street Extension, of the City of Wilber Zoning Regulations, to delete the words “such” and “temporary” and to provide for a turnaround to include an additional provision for a hammerhead turnaround, or such other form of turnaround as may be deemed appropriate by the City Council. Roll call vote. Yes. Linhart, Lempka, Brozovsky and Sasek. None. Motion carried 4-0.

Discussion was held regarding this matter and the action taken by the Wilber Planning Commission meeting on July 31, 2023. The Planning Commission made recommendation to the City Council to include the definition of a Hammerhead Turnaround in Chapter 1, Article 1, Section 1-406 of the City Zoning Regulations that defines a Hammerhead Turnaround as a T Shaped dead end street that allows for vehicles to turnaround. The Planning Commission also voted to make recommendation to the City Council to make an amendment to Chapter 13, Article 1, Section 13-101B, Street Extension, of the City of Wilber Zoning Regulations, to provide for a turnaround to include an additional provision for a hammerhead turnaround with specific measurements for a Hammerhead T Shape turnaround to be a minimum of 120 foot in width measuring 60 feet on both sides of the center of the incoming street with a 20 foot width on each end of the T and a 28 foot radius and the entrance into the Hammerhead to match the width of the street and no parking allowed in the Hammerhead turnaround. Mayor Chrans called for public comment. No other public comment was received. Sasek moved and Lempka seconded to close the Public Hearing at 8:08 p.m. Roll call vote. Yes. Lempka, Brozovsky, Linhart and Sasek. No. None. Motion carried 4-0.

Sasek moved and Lempka seconded the motion to adopt the recommendations by the Wilber Planning Commission to include the definition of a Hammerhead Turnaround in Chapter 1, Article 1, Section 1-406 of the City Zoning Regulations that defines a Hammerhead Turnaround as a T Shaped dead end street that allows for vehicles to turnaround, and also to make an amendment to Chapter 13, Article 1, Section 13-101B, Street Extension, of the City of Wilber Zoning Regulations, to provide for a turnaround to include an additional provision for a hammerhead turnaround with specific measurements for a Hammerhead T Shape turnaround to be a minimum of 120 foot in width measuring 60 feet on both sides of the center of the incoming street with a 20 foot width on each end of the T and a 28 foot radius and the entrance into the Hammerhead to match the width of the street and no parking allowed in the Hammerhead turnaround with additional language that if the street is extended past the hammerhead then the hammerhead turnaround would be vacated and the property of the hammerhead would become the adjoining property owners. Roll call vote. Yes. Brozovsky, Linhart, Lempka and Sasek. No. None. Motion carried 4-0.

Brozovsky moved and Linhart seconded to open a Public Hearing at 8:10 p.m. to discuss and receive public comment on the possible amendment of Chapter 13, Article 1, Section 13-101K, Street Surfacing, of the City of Wilber Zoning Regulations to include an additional provision that streets in a proposed subdivision may be constructed of the same surface as those streets which said subdivision streets intersect with, or are extensions of. Roll call vote. Linhart, Lempka, Brozovsky and Sasek. No. None. Motion carried 4-0.

Discussion was held regarding this matter and action by the Wilber Planning at their July 31, 2023 meeting to make recommendation to the City Council to amend Chapter 13, Article 1, Section 13-101K Street Surfacing, of the City of Wilber Zoning Regulations to read “The streets in the proposed subdivision shall be paved with Portland Cement concrete and integral curbs or any other suitable surface as recommended by the City Engineer and approved by the City Council”. The Mayor called for public comment. No public comment was received. Brozovsky moved and Sasek seconded to close the public hearing at 8:15 p.m. Roll call vote. Yes. Lempka, Brozovsky, Linhart and Sasek. No. None. Motion carried 4-0.

Brozovsky moved and Sasek seconded to approve the motion to make an amendment of Chapter 13, Article 1, Section 13-101K, Street Surfacing, of the City of Wilber Zoning Regulations to include an additional provision that streets in a proposed subdivision may be constructed of the same surface as those streets which said subdivision streets intersect with, or are extensions of. Roll call vote. Yes. Brozovsky, Linhart, Lempka and Sasek. No. None. Motion carried 4-0.

Lempka moved and Brozovsky seconded to open the Public Hearing at 8:19 p.m. to review and receive public comment on the Preliminary Plat for Olive Rock 1st Addition, of the City of Wilber, Saline County, Nebraska. Roll call vote. Yes. Linhart, Lempka, Brozovsky and Sasek. No. None. Motion carried 4-0.

Doug Oliva presented the Preliminary Plat for Olive Rock 1st Addition, of the City of Wilber, Saline County, Nebraska. Discussion and review of the preliminary plat was held with Council. The Mayor called for public comment. No public comment was received. The Wilber Planning Commission at their July 31, 2023 meeting made recommendation to the City Council to accept the preliminary plat for Olive Rock 1st Addition as presented. Brozovsky moved and Linhart seconded close the Public Hearing at 8:45 p.m. Roll call vote. Yes. Lempka, Brozovsky, Linhart and Sasek. No. None. Motion carried 4-0.

Brozovsky moved and Lempka seconded to approve the preliminary plat for Olive Rock 1st Addition, of the City of Wilber, Saline County, Nebraska with the changes as discussed including a twelve foot easement behind Lots 1, 2, 3 and 4 and a twelve foot easement from the north side of Lot 4 starting at Boulder Blvd going east to the east property line then south to the current lift station. Roll call vote. Yes. Brozovsky, Linhart, Lempka and Sasek. No. None. Motion carried 4-0.

Discussion was held on adding a new regulation to the City Code Book to require certain types of pumps for individual lift stations in residential houses.

Mayor Chrans gave a short update on the Czech Festival and possible changes in the future. Dale Fritz addressed the Council about concerns of food vendors set up in front of his business during the Czech Festival. It was suggested he approach the Nebraska Czechs of Wilber regarding his concerns.

Discussion was held regarding the downtown speaker system and the remaining costs. No action was taken on this matter. Shanon reported she is still waiting on estimates for the ballfield projects. A discussion was held regarding the vacation of part of W Elm Street west of Franklin. Councilmember Linhart removed himself as a Councilmember from the discussion on this matter since he is one of the property owners affected by this street closing. It was agreed the property owners need to locate the boundary lines before any action can be taken on this request. Note of record was made that after the July 11, 2023 meeting Gana Trucking withdrew their bid to remove the Quonset on Hwy 103 and the bid was awarded to Kreshel Excavating. The Quonset has since been demolished. Jason Ripa asked Council if Johnson Services should put a proposal together to continue with repairs to sewer lines. It was agreed that Jason should get a proposal from Johnson Services to continue with this project. Discussion was held on the need to increase water and sewer rates to keep up with expenses, more on this matter will be addressed at the Sept. meeting. City reports were given after which Sasek moved and Linhart seconded the motion to go into closed session at 9:50 p.m. for the protection of the public interest regarding legal negotiations on land acquisition for water source. Roll call vote. Yes. Linhart, Lempka, Brozovsky and Sasek. No. None. Motion carried 4-0. The Mayor restated the purpose of the closed session is regarding legal negotiations on land acquisition for water source. Those in attendance were Mayor Chrans, Councilmembers Sasek, Lempka, Brozovsky and Linhart, City Attorney Tad Eickman, Jason Ripa, Tim Krivohlavek and Shanon Meyer. At 10:04 p.m. Sasek 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. No action taken on closed session item. Lempka moved and Linhart seconded to adjourn the meeting at 10:05 pm. Roll call vote. Yes. Linhart, Lempka, Brozovsky and Sasek. No. None. Motion carried 4-0.