**PROCEEDINGS OF THE MAYOR AND COUNCIL**

**OF THE CITY OF WILBER, NEBRASKA**

**Tuesday, September 12, 2023  7:30 p.m.**

Council President Sasek 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 August 30, 2023.  The following were present. 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, Jennifer Busboom with Blobaum & Busboom , P.C. Deputy Kevin Vogel arrived at 7:45 p.m. and Fire Dept. members, Scott Havel, Craig Vyhnalek, Lucas Havel and Loren Coffey arrived at 8:00 p.m. Absent was Mayor Chrans.

The Council President 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 Council President 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 August 8, 2023 meeting and claims as presented. Roll call vote. Yes. Linhart, Lempka, 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, rp, 1491.79; Addison Combs, rb, 95.00; Allen Odvody, rb, 247.85; American Family, in, 575.20; Ameritas, an, 1542.08; Ashlyn Zoubek, rb, 264.80; Aspen Oliver, rb, 335.00; Avery Houseman, rb, 364.54; Beatrice Sand, sup, 1623.93; Big Blue Diesel, rp, 1991.84; Black Hills, Ut, 306.93; Blackburn Tech, pf, 774.37; Braylon Fults, rb, 156.00; Blobaum & Busboom, P.C., pf, 3000.00; Blue Cross, in, 11,847.78; Border States, sup, 775.78; Carson Radcliff, rb, 195.00; Catlett Surveying, se, 1100.00; City of Crete, se, 566.31; City of Wilber, ut, 3824.21; pr, 60,523.96; Crete Ace Hardware, sup, 102.01; Constellation Newenergy, ut, 40.77; Drey Heller, rb, 195.00; Dutton-Lainson, sup, 389.31; Dvoracek Mem Library, tr, 10,000.00; Eakes Office, sup, 682.14; Echo Group, sup, 376.30; Ethan Inthavong, rb, 95.00; Erin Schmidt, rb, 250.00; F & M, in, 1380.00; Farmers Elevator, sup, rp, 2024.53; Ferno, sup, 699.00; First Bankcard, sup, ex, 1086.84; First State Bank, rb, 322.60; First Wireless, ex, 1464.22; Flood Comm., ex, 250.00; Food Mesto, sup, 536.24; Gail May, rb, 45.85; Gavyn Hormandl, rb, 268.76; Grant Kuhlman, rb, 268.18; Grant Petersen, se, 50.00; Grainer, sup, 3651.89; Hawkins, sup, 2073.45; IRS, pr tx, 12,172.70; Jamie Bartels, rb, 350.09; Jaylin Miller, rb, 95.00; Jera Schuerman, rb, 95.00; JR Mildward, rb, 95.00; Lauren Kuhlman, rb, 281.61; Lena Eschiti, rb, 95.00; Maddux Johnson, rb, 195.00; Madison Vogel, rb, 95.00; Mason Zimmerman, se, 50.00; Matheson, sup, 344.63; Mellen & Assoc., eq, 23,871.98; Michael Todd, sup, 121.02; Michelle Kalkwarf, rb, 235.00; Midwest labs, ex, 241.87; Municipal Supply, sup, 831.25; Mutual of Omaha, in, 490.09; Nebr Generator Serv., rp, 14,768.64; Ne State Fire Marshal, ex, 36.00; Nebr. Public Health, ex, 530.00; Norris PP, ps, 90,702.18; Olsson, pf, 639.97; One Call Concepts, ex, 44.14; Pacific Life, an, 1561.38; Petty Cash, rb, 1000.00; Quadient Finance, ex, 699.00; Roger Chrans, rb, 1048.42; Sack Lumber, sup, 705.12; Saline Co Clerk, se, 16,666.66; se, 309.17; ex, 820.26; Sargent Drilling, cons., 1466.67; Seward Co Independent, ex, 363.75; Sewer Replacement, tr, 15,931.81; Shop Qwik, sup, 1214.97; State of Nebr, st, 11,865.36; wh, 1668.65; Steve Robeson, rb, 100.00; Tad Eickman, pf, 2000.00; Taryn Jonas, rb, 195.00; TJ Sokol, ex, 200.00; Walker Uniform, se, 34.18; Waste Connections, se, 18,538.41; WAPA, ps, 26,672.08; Wilber Rescue, se, 915.00; Windstream, ut, 864.17; Zack Keller, se, 100.00;

The City’s Budget Hearing and Special Hearing relating to the setting of the final tax levy as published was previously held on September 12, 2023 at 7:00 p.m. Notice of the meeting was published in the Wilber Republican newspaper on the 6th day of September 2023. Board members present for that meeting were Councilmembers Randy Sasek, Kent Linhart, Tim Lempka and Allen Brozovsky.

A motion was made by Linhart and seconded by Lempka to increase the 2023-2024 total restricted funds authority by an additional 1%. Roll call vote. Yes. Linhart, Lempka, Brozovsky and Sasek. No. None. Motion carried 4-0.

A motion was made by Lempka and seconded by Brozovsky to adopt the City of Wilber’s 2023-2024 proposed budget as published and presented. Roll call vote. Yes. Linhart, Lempka, Brozovsky and Sasek. No. None. Motion carried 4-0.

Resolution 2023-04 setting the property tax request was read aloud by Jennifer Busboom with Blobaum & Busboom P.C. A motion was made by Brozovsky and seconded by Linhart to adopt the resolution as presented. Roll call vote. Yes. Linhart, Lempka, Brozovsky and Sasek. No. None. Motion carried 4-0. (a complete copy of the resolution is on file at the City Office and is available for public inspection during regular business hours).

Ordinance #970 was read aloud by title. Lempka introduced Ordinance #970 an Ordinance of the City of Wilber, Saline County, Nebraska, relating to zoning; to provide for a definition of a Hammerhead Turnaround; to provide for the addition of subparagraph numbered 224 to Chapter 1, Article 1-406, definitions, to the Zoning Regulations of the City of Wilber and moved that the statutory rule requiring reading on three days be suspended. Councilmember Brozovsky 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, Brozovsky and Sasek. No. None. Motion carried 4-0.

Lempka moved for passage of Ordinance #970. Publishing this ordinance in *The Wilber Republican* one time in pamphlet form, which motion was seconded by Councilmember Linhart. The Council President then stated the question, “Shall Ordinance #970 be passed and adopted?” Upon roll call vote, the following was the vote. Roll call vote. Yes. Linhart, Lempka, Brozovsky and Sasek. No. None. Motion carried 4-0.

ORDINANCE #970

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

Whereupon it was moved by Councilmember Lempka and seconded by Councilmember Linhart that the minutes of the proceedings of the City Council of the City of Wilber, Saline County, Nebraska in the matter of passing and approving Ordinance #970 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 Council President called the roll and the following was the vote. Yes. Linhart, Lempka, Brozovsky and Sasek. No. None. Motion carried 4-0.

Ordinance #971 was read aloud by title. Brozovsky introduced Ordinance #971 an Ordinance of the City of Wilber, Saline County, Nebraska, relating to zoning; to provide for the amendment of Chapter 13, Article 1, Section 13-101B, Street Extension of the City of Wilber Zoning Regulations 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, Brozovsky and Sasek. No. None. Motion carried 4-0.

Brozovsky moved for passage of Ordinance #971. Publishing this ordinance in *The Wilber Republican* one time in pamphlet form, which motion was seconded by Councilmember Lempka. The Council President then stated the question, “Shall Ordinance #971 be passed and adopted?” Upon roll call vote, the following was the vote. Roll call vote. Yes. Linhart, Lempka, Brozovsky and Sasek. No. None. Motion carried 4-0.

ORDINANCE #971

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

Whereupon it was moved by Councilmember Brozovsky and seconded by Councilmember Lempka that the minutes of the proceedings of the City Council of the City of Wilber, Saline County, Nebraska in the matter of passing and approving Ordinance #971 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 Council President called the roll and the following was the vote. Yes. Linhart, Lempka, Brozovsky and Sasek. No. None. Motion carried 4-0.

Ordinance #972 was read aloud by title. Lempka introduced Ordinance #972 an Ordinance of the City of Wilber, Saline County, Nebraska, relating to zoning; to provide for the amendment of Chapter 13, Article 1, Section 13-101K, Street Surfacing, of the City of Wilber Zoning Regulations and moved that the statutory rule requiring reading on three days be suspended. Councilmember Brozovsky 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, Brozovsky and Sasek. No. None. Motion carried 4-0.

Linhart moved for passage of Ordinance #972. Publishing this ordinance in *The Wilber Republican* one time in pamphlet form, which motion was seconded by Councilmember Lempka. The Council President then stated the question, “Shall Ordinance #972 be passed and adopted?” Upon roll call vote, the following was the vote. Roll call vote. Yes. Linhart, Lempka, Brozovsky and Sasek. No. None. Motion carried 4-0.

ORDINANCE #972

Whereupon the Council President 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 City Council of the City of Wilber, Saline County, Nebraska in the matter of passing and approving Ordinance #972 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 Council President called the roll and the following was the vote. Yes. Linhart, Lempka, Brozovsky and Sasek. No. None. Motion carried 4-0.

Linhart moved and Lempka seconded to pay the rent for the SOKOL Hall for the Czech Dignitary event on August 24, 2023 in the amount of $200.00. Roll call vote. Yes. Linhart, Lempka, Brozovsky and Sasek. No. None. Motion carried 4-0.

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

Tim Krivohlavek reported on estimates received for leveling of the infields and outfields of the three ball fields. He feels the city crew can do the leveling and reseeding of the outfields for less costs.

Shanon Meyer presented the bid for installation of a sprinkler system for Field #2 & Field #3 at the City ballfields in the Legion Park. Brozovsky moved and Lempka seconded to approve the bid with Jindra Irrigation L.L.C. for installation of a sprinkler system on Field #2 and Field #3 in the amount of $28,014.00. Roll call vote. Yes. Linhart, Lempka, Brozovsky and Sasek. No. None. Motion carried 4-0.

Shanon is still working with Kinetic to get internet service for security cameras at several city facilities. Shanon presented information on TextMyGov for communication with citizens through texting. After some discussion, Brozovsky moved and Lempka seconded to approve to enter into an agreement with TextMyGov at an initial cost of $5000.00 for the first year and $3500.00 per year after the initial first year. Roll call vote. Yes. Linhart, Lempka, Brozovsky and Sasek. No. None. Motion carried 4-0.

Fire Dept. members presented information to the Council on acquiring a 4 door, 350, 4x4 Crew Cab Pickup from the Nebraska Forestry Service. Craig Vyhnalek stated the truck is either a 2008 or 2009. The truck needs some repairs, and they are asking for a commitment of around $5000 before they take the truck in for repairs.  If the City agrees to the $5000 cost, they will begin repairs.  Once repairs are completed, if the total cost is under $5000 the Fire Dept. will acquire the truck, if they are over $5000 the City can back out if so desired or accept with the higher cost. This truck would be used as a utility vehicle and would have options as a grass rig if needed. After some discussion, Linhart moved and Lempka seconded to commit the $5000.00 towards the repairs of this F350, 4 x 4 Crew Cab Pickup from the Nebraska Forestry Service. Roll call vote. Yes. Linhart, Lempka, Brozovsky and Sasek. No. None. Motion carried 4-0. A short recess was taken for the Council and others present to go outside and look at the Tanker Truck that was modified by the Fire Dept. from an old Ladder Truck.

Lempka moved and Brozovsky seconded to approve the ordering of the fusing and GOAB Switch from H.K. Scholz Co. for repairs to the Substation at a cost of $32,200.00. Roll call vote. Yes. Linhart, Lempka, Brozovsky and Sasek. No. None. Motion carried 4-0.

Brozovsky moved and Linhart seconded to approve the proposal from Sunbelt Soloman for preventative maintenance on the Substation at an estimated cost of $11,800.00. Roll call vote. Yes. Linhart, Lempka, Brozovsky and Sasek. No. None. Motion carried 4-0.

Sasek moved and Brozovsky seconded to approve the purchase of a 2024 Grasshopper mower at a cost of $27,595.60 less trade-in value of $11,000.00 for the 2020 Grasshopper and bid assist of $4415.30 for a final cost of $12,180.30. Roll call vote. Yes. Linhart, Lempka, Brozovsky and Sasek. No. None. Motion carried 4-0.

After discussion and review of the water and sewer rates in comparison to other area communities and increased costs in both departments Lempka moved and Brozovsky seconded to approve a 15% increase in both water and sewer rates. The Ordinances for the increase will be adopted at the October 10, 2023 meeting. Roll call vote. Yes. Linhart, Lempka, Brozovsky and Sasek. No. None. Motion carried 4-0.

The SENDD Membership was tabled until the October meeting agenda.

Brozovsky moved and Linhart seconded to adopt Resolution 2023-05 authorizing the Mayor’s signing of the State of Nebraska Dept. of Transportation’s Municipal Annual Certification of Program Compliance 2023 and approval of the Municipal Annual Certification of Program Compliance to Nebraska Board of Public Roads Classifications and Standards 2023. Roll call vote. Yes. Linhart, Lempka, Brozovsky and Sasek. No. None. Motion carried 4-0.

Reports were given by Dept. Heads. Sasek moved and Brozovsky seconded to authorize the City Treasurer to transfer $25,000.00 from the Electric Fund to the Electric Sinking Fund. Roll call vote. Yes. Linhart, Lempka, Brozovsky and Sasek. No. None. Motion carried 4-0.

A special meeting was set for Tuesday, September 19, 2023 at 5:00 p.m. for the purposes of discussion / action on future water resource strategy / negotiations and personnel strategies.

Lempka moved and Brozovsky seconded to adjourn the meeting at 8:50 p.m. Roll call vote. Yes. Linhart, Lempka, Brozovsky and Sasek. No. None. Motion carried 4-0.