**PROCEEDINGS OF THE MAYOR AND COUNCIL**

**OF THE CITY OF WILBER, NEBRASKA**

**Tuesday, November 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 November 1, 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, City Superintendent Tim Krivohlavek, Water/WWTP Operator Jason Ripa, Craig Vyhnalek, Pam Siroky with First State Ins., Saline Co. Deputy Tyson Osborn. Ken and Gina Schmitt arrived at 8:08 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 October 10, 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, rp, 1357.32; Adkins Signs, sup, 440.00; American Family, in, 575.20; Beatrice Sand, sup, 1233.62; Ben Meyer, rb, 188.11; Black Hills, ut, 182.58; BCBS, in, 11,847.78; City of Wilber, ut, 3525.69; pr, 42,321.23; Constellation Newenergy, ut, 142.39; Crete Ace, sup, 42.62; CAMC, se, 6000.00; Crete Lumber, sup, 55.00; DCL America, sup, 2568.78; Dutton-Lainson, sup, 579.30; Dvoracek Mem. Library, tr, 10,000.00; Eakes Office, sup, 127.90; Elan Financial, eq, rp, 2761.97; Emergency Medical, sup, 545.48; Electric Pump, rp, 1600.00; F & M Bank, bond, 18,887.76; in, 1380.00; Farmers Elevator, sup, 1216.61; Firecom, sup, 215.00; First Bankcard, sup, 853.15; Gail May, rb, 290.11; HK Scholz, rp, 12,924.00; Hawkins, sup, 1176.88; Inland Truck, rp, 98.10; IRS, pr tx, 9019.10; Jason Ripa, rb, 300.00; Kelly Supply, sup, 2257.38; Leading Edge, sup, 153.94; Lori Rezny, rb, 153.18; Lowes, sup, 2515.62; Matheson Tri-Gas, sup, 348.97; Michael Todd, sup, 286.26; Miller Seed, sup, 1430.00; Midwest Labs, ex, 210.12; Mutual of Omaha, in, an, 3857.15; Ne Dpt. Of Environ., ex, 690.00; Ne Rural Water, ex, 390.00; Ne Public Health, ex, 309.00; Ne State Treas., ex, 68.32; Nifco Mechanical, sup, 310.30; Norris PP, ps, 57,692.02; Olsson, pf, 225.99; One Call, se, 5.18; Petty Cash, rb, 250.00; Quadient, ex, 819.75; Sack Lumber, rp, 259.57; Saline Co Clerk, se, 16,666.66; se, 309.17; Sargent Drilling, rp, 1200.00; Seward Co Independent, ex, 166.68; Shop Qwik, sup, 1080.19; Spring Creek Repair, rp, 142.94; State of Ne., st, 9864.91; pr tx, 2734.66; Tad Eickman, pf, 2000.00; T & R Electric, sup, 105.00; Utility Equipment, eq, 16,732.42; Walker Uniform, se, 34.18; Waste Connections, se, 18,518.85; 2077.02; WAPA, ps, 20,326.67; Windstream, ut, 661.53.

Councilmember Sasek brought forth information on the new sound system for the downtown area. The council will review the information and this item will be placed on the December meeting agenda for consideration.

Saline County Deputy Tyson Osborn presented the monthly Sheriff’s report.

Pam Siroky with First State Insurance presented the renewal for the City’s general insurance and discussed the changes to the policy. The premium increase is approximately 19% making the premium for this next year $91,268.00. This is the beginning of year 2 of a 3 year bid proposal.

Brozovsky moved and Sasek seconded to approve the liquor license manager application of Austin Seyfert for Klaafert LLC dba Hotel Wilber. Roll call vote. Yes. Brozovsky, Linhart, Lempka and Sasek. No. None. Motion carried 4-0.

Craig Vyhnalek was present to discuss several items. The offer for sale of the 1998 Freightliner fell through and Craig would like to try and secure another vendor to sell this unit. After some discussion, Sasek moved and Linhart seconded the motion to authorize Mayor Chrans to sign an agreement to secure another vendor to sell this unit with a starting selling price of $65,000 but not less than net of $45,000. Craig will make some contacts to secure another vendor and will work with Mayor Chrans and Councilmember Sasek to sell the 1998 Freightliner. Roll call vote. Yes. Linhart, Lempka, Brozovsky and Sasek. No. None. Motion carried 4-0.

Craig informed the Council that the Forestry Department truck was checked out but the motor was shot so they will not be purchasing it and it was sent back.

Sasek moved and Lempka seconded to allow the Fire & Rescue Dept. to purchase 4 new pagers at approximately $420.00 each. Roll call vote. Yes. Lempka, Brozovsky, Linhart and Sasek. No. None. Motion carried 4-0.

Craig presented a bid for two new Lifepak 15 V4 Monitor / Defibrillators to be purchased with the $49,999.00 grant awarded to them through the State of Nebraska. The cost of the defibrillators is approximately $90,375.00 with shipping less trade in of the two current Stryker defibrillators of $15,000.00 for an estimated cost of $75,375.00. After further discussion, Sasek moved and Brozovsky seconded to approve an allowance of approximately $25,400.00 for the additional cost over the grant award of $49,999.00 for the purchase of these two Monitor / Defibrillators and to authorize the Mayor to sign the purchase agreement. Roll call vote. Yes. Brozovsky, Linhart, Lempka and Sasek. No. None. Motion carried 4-0. Craig did state that if new monitors come out before this purchase is complete a change order may be requested to upgrade to the newer monitors and the cost may increase.

Sasek moved and Lempka seconded to open a Public Hearing at 8:00 p.m. for consideration of a Class C Liquor License application for LW Bowling, LLC dba WIL-BOL. Roll call vote. Yes. Linhart, Lempka, Brozovsky and Sasek. No. None. Motion carried 4-0. Discussion was held with Mr. Lopez, the applicant. The Mayor twice called for any public comment for or against the liquor license application, no comment was received. Sasek moved and Lempka seconded to close the public hearing at 8:03 p.m. Roll call vote. Yes. Lempka, Brozovsky, Linhart and Sasek. No. None. Motion carried 4-0.

Brozovsky moved and Linhart seconded to approve the liquor license application for LW Bowling, LLC dba Wil-Bol. Roll call vote. Yes. Brozovsky, Linhart, Lempka and Sasek. No. None. Motion carried 4-0.

City Attorney Tad Eickman discussed with Council a complaint of barking dogs from a citizen. After some discussion it was agreed that Tad Eickman will notify the residence of the violation of the City Codes.

City Superintendent Tim Krivohlavek presented possible specifications for a restroom at the City Park. It was agreed to look into the cost of building a restroom with two unisex rooms, one being handicap accessible. Tim will gather some costs on this and bring it back to the Council for consideration. Regarding the purchase of a used pickup, Brozovsky moved and Sasek seconded to authorize Tim Krivohlavek to purchase a pickup at his discretion at a cost not to exceed $30,000.00. Roll call vote. Yes. Linhart, Lempka, Brozovsky and Sasek. No. None. Motion carried 4-0.

Linhart moved and Lempka seconded to open a Public Hearing at 8:15 p.m. for the purpose of consideration of the adoption of a long-range plan for a one-year and six-year street improvement program for the City of Wilber, Nebraska. Notice of this hearing was published in the Wilber Republican on October 18, 2023 and posted in three places within the City on October 18, 2023. Roll call vote. Yes. Lempka, Brozovsky, Linhart and Sasek. No. None. Motion carried 4-0.

The Council reviewed the one-year and six-year street improvement plan as prepared by Olsson. The Mayor called for public comment. No public comment was received. After which Lempka moved and Linhart seconded to close the public hearing. Roll call vote. Yes. Brozovsky, Linhart, Lempka and Sasek. No. None. Motion carried 4-0. Sasek moved and Brozovsky seconded to approve Resolution 2023-06 as follows: WHEREAS, The City of Wilber, Nebraska, has conducted a public hearing in accordance with the requirements of the Board of Public Roads Classification and Standards, NOW, THEREFORE, be it resolved by the Mayor and City Council that the One and Six Year Plan for streets as presented at said public hearing has been accepted and approved. Roll call vote. Yes. Linhart, Lempka, Brozovsky and Sasek. No. None. Motion carried 4-0.

Ken & Gina Schmitt were present to discuss with Council a letter they recently received from the Nebraska Dept of Revenue regarding paying back city sales tax due to annexation of their property. Neither the County nor the City has documentation that their property was officially annexed into the Corporate limits of the City of Wilber. After further discussion Brozovsky moved and Lempka seconded to authorize the City Attorney to draft a letter for the Mayor to sign and submit to the Nebraska Dept. of Revenue informing them of the misunderstanding. Roll call vote. Yes. Lempka, Brozovsky, Linhart and Sasek. No. None. Motion carried 4-0.

City Superintendent Tim Krivohlavek presented information on the following items. The survey was done to vacate part of West Elm Street. The City will hold a public hearing during a future Council meeting regarding the partial street vacation. Information regarding running fiber for internet service to City facilities was discussed, more on this will be brought forth at future meetings. An estimated cost to hire a company to rebuild power lines, Tim is still gathering costs for supplies for such a project and an update on the Substation maintenance and chip sealing and resurfacing of streets.

Sasek moved and Brozovsky seconded the motion to approve the purchase of a dump box for the old Tanker truck at a cost of $23,350.00. Roll call vote. Yes. Sasek, Linhart, Lempka and Sasek. No. None. Motion carried 4-0.

Gail May informed the Council the Pathways to Progress grant was submitted for seeding at the Wilber Lake & Arboretum. Jason Ripa informed the Council of repairs done at Well #6. Discussion was held on wording change to Ordinance #972, Tad will make the changes as discussed and this Ordinance will be considered at a future meeting. Tim Krivohlavek reported on the testing of the generators. Brozovsky moved and Sasek seconded to go into closed session at 9:04 p.m. for the purpose of legal negotiations on land acquisition for water source and personnel position strategies. 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 and personnel position strategies. Those in attendance were Mayor Chrans, Councilmembers Sasek, Lempka, Brozovsky and Linhart, City Attorney Tad Eickman and Water/WWTP Operator Jason Ripa. At 9:14 p.m. the doors of the meeting room were opened, and Sasek moved and Brozovsky 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 9:15 p.m. Roll call vote. Yes. Linhart, Lempka, Brozovsky and Sasek. No. None. Motion carried 4-0.