**PROCEEDINGS OF THE MAYOR AND COUNCIL**

**OF THE CITY OF WILBER, NEBRASKA**

**Tuesday, December 12, 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 29, 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 and Deputy Pat Meister.

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 November 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, rp, 1280.58; American Family, in, 575.20; American Legal, ex, 670.00; Big Blue Diesel, rp, 5932.91; Blackburn Tech, pf, 212.00; Black Hills Energy, ut, 314.18; Blue Cross, in, 11,847.78; Charles Hroch, se, 90.00; City of Wilber, ut, 2114.84; pr, 40,711.79; Constellation Newenergy, ut, 537.25; Cornhusker Press, sup, 88.13; Core & Main, sup, 1455.21; Crete Ace Hardware, sup, 149.98; Crete Area Medical Center, se, 1800.00; Dustin Burns, rb, 26.54; Dutton-Lainson, sup, 532.86; Dvoracek Mem Library, tr, 10,000.00; Eakes, sup, 940.89; Echo Group, sup, 1255.44; Emergency Medical, sup, 52.98; F & M Bank, pr, 1380.00; Farmers Elevator, sup, 1471.15; First Bankcard, sup, 4327.61; Firecom, sup, 29.49; First State Ins, in, 88,411.32; IRS, pr, 8900.82; K & G Body, rp, 3452.39; Lowes, sup, 390.06; Matheson, sup, 594.06; Midwest Labs, ex, 35.55; Mutual of Omaha, in, an, 352.91; an, 3508.95; Municipal Supply, sup, 206.01; Ne Rural Water Assoc., ex, 400.00; Ne Show Equip., eq, 2833.36; Ne State Fire Marshall, ex, 36.00; Nebr. Public Health, ex, 445.00; Norris Public Power, ps, 67,614.04; One Call, ex, 11.12; Quadient, ex, 697.00; Rose Equipment, rp, 2110.47; Sack Lumber Co, 57.43; Saline Co 4-H, ex, 100.00; Saline Co Clerk, se, 16,666.66; Saline Co Register of Deed, ex, 22.00; Saline Co Treas, se, 309.17; SENDD, ex, 1646.00; Seward Co Independent, ex, 147.16; Shop Qwik, sup, 1866.60; State of Nebr, st, 7705.01; wh, 1339.85; Steffes Motor, eq, 24,000.00; Tad Eickman, ps, 2000.00; Tyler Stohs, rb, 37.32; Vyhnalek Ins, in, 30,789.00; Walker Uniform, se, 68.36; Wilber Rescue Unit, se, 2640.00; Waste Connections, se, 18,482.77; WAPA, ps, 12,418.32; Windstream, ut, 736.06.

Subdivision Resolution for Gansemer was tabled at this time.

Ordinance #975 was read aloud by title. This is an amendment to Ordinance #972. Linhart introduced Ordinance #975 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 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, Brozovsky, Lempka and Sasek. No. None. Motion carried 4-0.

Brozovsky moved for passage of Ordinance #975. Publishing this ordinance in *The Wilber Republican* one time in pamphlet form, which motion was seconded by Councilmember Lempka. The Mayor then stated the question, “Shall Ordinance #975 be passed and adopted?” Upon roll call vote, the following was the vote. Roll call vote. Yes. Brozovsky, Lempka, Linhart and Sasek. No. None. Motion carried 4-0.

ORDINANCE #975

 Whereupon the Mayor 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 #975 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 Mayor called the roll, and the following was the vote. Yes. Brozovsky, Lempka, Linhart and Sasek. No. None. Motion carried 4-0.

 Deputy Pat Meister presented the monthly Sheriff’s report.

 City Clerk Lori Rezny updated the Council regarding the Mayor’s signing of the purchase agreement for two defibrillators for the Wilber Fire & Rescue, part of the purchase is covered by a grant with the State of Nebraska. Also, the Mayor signed an agreement to secure another vendor to try and sell the 1998 Freightliner.

Fire Department Insurance renewal with Vyhnalek Insurance was reviewed. This renewal includes the Fire Dept. Policy for $11,158.00, The Fire Dept. ACH, Work Comp Supplement for $3078.00 and City Workers Comp bid with Bitco for $16,553.00 for a total of $30,789.00. After some discussion, Brozovsky moved, and Sasek seconded to approve the insurance renewal with Vyhnalek Insurance as presented. (This is the start of year 2 of a 3 year bid for Fire Dept. Policy and City Workers Comp bid with Bitco but year 3 of a 3 year bid for the Fire Dept. ACH, Work Comp Supplement). Roll call vote. Yes. Lempka, Linhart, Brozovsky and Sasek. No. None. Motion carried 4-0.

Sasek moved and Brozovsky seconded to declare the Fire & Rescue Dept. old radios and pagers as surplus property in order to sell them. Roll call vote. Yes. Linhart, Brozovsky, Linhart and Sasek. No. None. Motion carried 4-0.

A bid to repair the old part of the Fire Hall flat roof was reviewed. After some discussion it was agreed that Tim Krivohlavek will contact another roofer to get a second bid. This item will be placed on the January 2024 agenda for consideration.

The proposal for a new sound system in the downtown area was discussed. After reviewing the proposal Sasek moved and Linhart seconded to make a motion to get an equipment list from the Wilber Chamber of Commerce for items needed for the sound system so the City can determine what equipment the City will purchase not to exceed $10,000.00. Roll call vote. Yes. Brozovsky, Lempka, Linhart and Sasek. No. None. Motion carried 4-0.

City Superintendent Tim Krivohlavek reported that the delivery of cable for Power Lines is 34-40 weeks out. After some discussion, Lempka moved and Brozovsky seconded to authorize Tim Krivohlavek to order the necessary cable. Roll call vote. Yes. Lempka, Linhart, Brozovsky and Sasek. No. None. Motion carried 4-0.

Sasek moved and Lempka seconded to appoint Justin Stark with Olsson as Wilber City Street Superintendent from January 1, 2024 thru December 31, 2024. City Superintendent’s License Number S-1534 Class A, Nebraska Engineer License E-13167. Roll call vote. Yes. Linhart, Brozovsky, Lempka and Sasek. No. None. Motion carried 4-0.

Sasek moved and Lempka seconded to approve Resolution 2023-07 Signing of the Year-End Certification of City Street Superintendent 2023 for January 1, 2023 to December 31, 2023 certifying Justin Stark with Olsson as the appointed City Street Superintendent. Roll call vote. Yes. Brozovsky, Lempka, Linhart and Sasek. No. None. Motion carried. 4-0.

Sasek moved and Linhart seconded to reappoint Randy Kozeal and Daryl Wusk to the City’s Planning Commission for a 3-year term from January 1, 2024 to December 31, 2026. Roll call vote. Yes. Lempka, Linhart, Brozovsky and Sasek. No. None. Motion carried 4-0.

Brozovsky moved and Lempka seconded to reappoint Dale Karpisek to City’s Board of Adjustment for a 3-year term from January 1, 2024 to December 31, 2026. Roll call vote. Yes. Linhart, Brozovsky, Lempka and Sasek. No. None. Motion carried 4-0.

Lempka moved and Linhart seconded to approve the Certificate of Compliance and Maintenance Agreement No. 42 with Nebraska Dept. of Transportation for the period January 1, 2024 to December 31, 2024. Roll call vote. Yes. Brozovsky, Lempka, Linhart and Sasek. No. None. Motion carried 4-0.

 Sasek moved and Linhart seconded to close West 2nd Street from Wilson to Harris Street Saturday, December 23, 2023 from 9:00 a.m. to 2:00 p.m. for a Chamber event at Hotel Wilber. Roll call vote. Yes. Linhart, Brozovsky, Lempka and Sasek. No. None. Motion carried 4-0.

 The Mayor and Council were informed to review the NDOT Project STP-103 Wilber North that was sent to them in an email and make written comments regarding the project if they wish. City reports were by Dept. Heads and the Mayor and Councilmembers.

Brozovsky moved and Lempka seconded to go into closed session at 8:25 p.m. for the purposes of legal negotiations on land acquisition for water source, personnel position strategies, employee wages and possible revisions to the employee handbook. Roll call vote. Yes. Brozovsky, Linhart, Lempka and Sasek. No. None. Motion carried 4-0. The Mayor restated the purposes of the closed session are regarding legal negotiations on land acquisition for water source, personnel position strategies, employee wages and possible revisions to the employee handbook. Those in attendance of the closed session were Mayor Chrans, Councilmembers Sasek, Lempka, Brozovsky and Linhart, City Attorney Tad Eickman, Water/WWTP Operator Jason Ripa and City Superintendent Tim Krivohlavek. Dana Peterson with Frontwater was present by phone. At 9:20 p.m. Jason Ripa and Tim Krivohlavek exited the closed session. Discussion of personnel, employee wages and possible revisions to the employee handbook were continued by the Mayor and Council. At 9:39 p.m. the doors of the meeting room were opened, and 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.

Sasek moved and Brozovsky seconded to instruct Dana Peterson with Frontwater to research cost estimates for two separate potential municipal water supply locations. Research to be completed prior to January 9, 2023. Roll call vote. Yes. Brozovsky, Linhart, Lempka and Sasek. No. None. Motion carried 4-0.

Sasek moved and Linhart seconded to accept the Mayors proposal for City employees’ wages effective January 4, 2024 as follows: Tim Krivohlavek 3% increase, Jason Ripa 3% increase, Tyler Stohs 7% increase, Dustin Burns 3.5% increase, Ben Meyer 3.5% increase, JC Slama 3.5% increase, Gail May 2% increase, Lori Rezny 2% increase, Holly Baber 3% increase. The current City Superintendent and Assistant City Superintendent will get 20 vacation days annually. Also, to increase the City Council and Mayor’s annual salary by $1000.00 effective beginning December 2024 at the beginning of their new term. Roll call vote. Yes. Linhart, Lempka, Brozovsky and Sasek. No. None. Motion carried 4-0.

Brozovsky moved and Lempka seconded to adjourn the meeting at 9:43 p.m. Roll call vote. Yes. Linhart, Lempka, Brozovsky and Sasek. No. None. Motion carried 4-0.