**PROCEEDINGS OF THE MAYOR AND COUNCIL**

**OF THE CITY OF WILBER, NEBRASKA**

**Tuesday, February 20, 2024  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 January 31, 2024.  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 Sonya Smith.

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 January 9, 2024 regular meeting and claims as presented. Roll call vote. Yes. Brozovsky, Linhart, Lempka 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, 3424.88; American Family, in, 575.20; American Legal Publishing, se, 4084.00; Black Hills, ut, 638.18; Beatrice Concrete, sup, 1979.12; Benefit Plans, ex, 317.50; Blue Cross, in, 11,847.78; Border States, sup, 3278.91; City of Wilber, ut, 3396.60; pr, 51,601.75; Crete Ace Hardware, sup, 2078.60; Core & Main, sup, 4514.06; Culligan of Crete, se, 96.00; Dvoracek Mem Library, tr, 10,000.00; Emergency Medical Products, sup, 89.44; F & M, in, 11,580.00; Farmers Elevator, sup, rp, 7746.39; First Bankcard, sup, 436.25; First State Ins, in, 1843.00; Food Mesto, sup, 56.05; Gage Co Equip, eq, 478.35; Gail May, rb, 86.76; Grainer, sup, 805.05; Hawkins, sup, 1477.25; HOA Solutions, ex, 710.00; IRS, pr tx, 9076.67; K & G Body, rp, 118.34; Kelly Supply, sup, 432.56; Leading Edge, sup, 447.38; Lincoln Machine, sup, 898.07; Matheson, sup, 564.52; Mellen & Assoc, ex, 1200.00; Michael Todd, sup, 254.30; Midwest Labs, ex, 36.55; Mutual of Omaha, in, 3883.92; Mutual of Omaha, ex, 451.25; Ne Dept. of HHS, ex, 40.00; Ne Snow Equip, eq, 625.33; NDEE, ex, 150.00; Ne Public Hlth, ex, 30.00; Norris PP, ps, 92,918.64; One Call, ex, 11.12; Petty Cash, rb, 250.00; Plymouth Elec., se, 157.25; Power Plan, sup, 525.69; Quadient, ex, 819.75; Recreation Supply, sup, 311.88; Sack Lumber, sup, 1186.21; Saline Co Clerk, se, 16,666.66; Saline Co Treas., se, 309.17; Sargent Drilling, const, 40,844.41; Schuerman Welding, rp, 80.00; Seward Co Independent, ex, 332.64; Shop Qwik, sup, 1751.74; State of Nebr, st, 8147.42; wh, 1401.06; Tad Eickman, pf, 2000.00; Vyhnalek Ins, in, 4417.00; WAPA, ps, 19,307.87; Walker Uniform, se, 34.18; Waste Connections, se, 18,512.90; Wilber Chamber, ex, 150.00; Wilber Rescue, se, 695.00; Windstream, ut, 867.47.

City Attorney Eickman presented a subdivision conveyance resolution for property owned by Sonya Smith and Tonya Brown. Sonya Smith was present to explain the plans for the property. After discussion, Brozovsky moved and Linhart seconded to approve Resolution 2024-01. A Resolution providing for the approval by the Governing Body of the City of Wilber, Saline County, Nebraska, of a Subdivision Conveyance pursuant to Section 19-916 R.R.S. 1943. (A complete copy of the resolution is on file at the City Office and is available for public inspection during regular business hours). Roll call vote. Yes. Linhart, Lempka, Brozovsky and Sasek. No. None. Motion carried 4-0.

The annual Library report as prepared by Library Director Holly Baber was reviewed by Council. Sasek moved and Lempka seconded to approve the Library report as presented. Roll call vote. Yes. Lempka, Brozovsky, Linhart and Sasek. No. None. Motion carried 4-0.

Agenda items discussed and tabled without action were Fire Hall roof repairs and Downtown sound system, Randy Kozeal will look into possible grants for this project. The nuisance property at 606 W 7th Street was discussed. Council directed City Attorney Eickman to issue a citation to the property owner for nuisance violations on their property.

Lempka moved and Linhart seconded to approve the purchase of a log roll crossing net from Waterpark Excitement, Inc. at a cost of $6826.00. Roll call vote. Yes. Brozovsky, Linhart, Lempka and Sasek. No. None. Motion carried 4-0.

The City of Wilber has received notice from Norris Public Power of an increase in the sale of electric rates for 2024. After some discussion, Tim Krivohlavek stated he would look at revenue and future expenses and will bring it back to the Council for consideration. Discussion of the increase in water and sewer expenses and current rates was held and it was decided to ask Rural Water Association to do a study to determine how much of an increase is needed in water and sewer rates.

Lempka moved and Brozovsky seconded to open a Public Hearing regarding a vacation of part of W Elm Street. Roll call vote. Yes. Lempka, Brozovsky and Sasek. Abstain. Linhart. No. None. Motion carried 3-0. City Attorney Tad Eickman presented information regarding the partial vacation of W Elm Street. The abutting property owners were notified by letter of the proposed street vacation. After some discussion, Mayor Chrans called for public comment. No public comment was received. Sasek moved and Lempka seconded to close the public hearing at 8:05 p.m. and the regular meeting was resumed. Roll call vote. Yes. Lempka, Brozovsky and Sasek. Abstain. Linhart. No. None. Motion carried 3-0.

Ordinance #977 was read aloud by title. Sasek introduced Ordinance #977 an Ordinance of the City of Wilber, Saline County, Nebraska, providing for the vacating of public ways described as a portion of Elm Street in said City; providing for the finding that no special damages will be incurred by any owners of property abutting said vacated public ways as the result of such vacation 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. Brozovsky, Lempka and Sasek. Abstain. Linhart. No. None. Motion carried 3-0.

Lempka moved for passage of Ordinance #977. Publishing this ordinance in *The Wilber Republican* one time in pamphlet form, which motion was seconded by Councilmember Brozovsky. The Mayor then stated the question, “Shall Ordinance #977 be passed and adopted?” Upon roll call vote, the following was the vote. Roll call vote. Yes. Lempka, Brozovsky and Sasek. Abstain. Linhart. No. None. Motion carried 3-0.

ORDINANCE #977

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

Whereupon it was moved by Councilmember Lempka and seconded by Councilmember Brozovsky 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 #977 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. Lempka, Brozovsky and Sasek. Abstain. Linhart No. None. Motion carried 3-0.

Tim Krivohlavek discussed the rebuilding of power lines, south of power plant with 2 circuits and north of the power plant with 2 circuits, materials will be ordered but may not be available for some time. Tim also presented a proposal for Hein Construction LLC for crack sealing on the streets. After some discussion, Linhart moved and Brozovsky seconded to have Tim Krivohlavek determine which streets should be done as test sites and to go ahead with the crack sealing not to exceed $30,000.00. Roll call vote. Yes. Lempka, Brozovsky, Linhart and Sasek. No. None. Motion carried 4-0.

The Council also directed Tim Krivohlavek to purchase and have installed a soft water system at the Power Plant at an estimated cost of $2622.50. No action was taken on the sharing

of costs for the Czech Festival ad in the SENTC Magazine since the Council at the December 2022 meeting decided that they would not continue paying for this ad.

Brozovsky moved and Sasek seconded to approve satellite internet for the Wastewater Treatment Plant through Starlink Internet at an estimated cost of $650.00 for equipment and $140.00 per month service fee. Roll call vote. Yes. Brozovsky, Linhart, Lempka and Sasek. No. None. Motion carried 4-0.

Discussion was held on putting in a walking path on the east side of the Wilber Reservoir 1 Dam. Possibly using crushed limestone. After some discussion, Lempka moved and Brozovsky seconded to approve moving forward with finding out what specs are needed to get this approved by the State. The path would not exceed 6 feet in width. Roll call vote. Yes. Linhart, Lempka, Brozovsky and Sasek. No. None. Motion carried 4-0.

City Attorney Tad Eickman will contact Miller & Associates to have them develop an updated corporate map with the new annexations and changes discussed.

Brozovsky moved and Sasek seconded incorporating the Wilber Swim Team into the City Youth Sports program. Roll call vote. Yes. Lempka, Brozovsky, Linhart and Sasek. No. None. Motion carried 4-0.

City reports were given by Dept. Heads.

Brozovsky moved and Lempka seconded to go into closed session at 8:42 p.m. for the purposes of discussions on legal negotiations on land acquisition for water source, library aide wage, and Youth Sports Director employment offer and setting of a wage for this position. Roll call vote. Yes. Brozovsky, Linhart, Lempka and Sasek. No. None. Motion carried 4-0. The Mayor restated the purposes of the closed session is for discussions on legal negotiations on land acquisition for water source, library aide wage, and Youth Sports Director employment offer and setting of a wage for this position. 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. At 9:05 p.m. Jason Ripa exited the closed session. At 9:30 Tim Krivohlavek exited the closed session. At 9:32 p.m. the doors of the meeting room were opened, and Lempka moved and Linhart seconded to come out of closed session. Roll call vote. Yes. Lempka, Linhart, Brozovsky and Sasek. No. None. Motion carried 4-0. Action on closed session items were as follows. Linhart moved and Brozovsky seconded to direct the City Attorney Tad Eickman to commence legal action for the condemnation of land, and acquisition of real estate regarding the City Water Well project. Roll call vote. Yes. Linhart, Lempka, Brozovsky and Sasek. No. None. Motion carried 4-0.

Lempka moved and Sasek seconded the motion to increase Library Aide Nancy Fulton’s wage to $14.50 per hour effective February 29, 2024. Roll call vote. Yes. Lempka, Brozovsky, Linhart and Sasek. No. None. Motion carried 4-0.

Sasek moved and Brozovsky seconded the motion to employ Caleb Filipi as Wilber City Youth Organization Administrator in a part-time capacity. Salary to be negotiated by Mayor Chrans. Roll call vote. Yes. Brozovsky, Lempka, Linhart and Sasek. No. None. Motion carried 4-0.

Lempka moved and Linhart seconded to adjourn the meeting at 9:36 p.m. Roll call vote. Yes. Lempka, Linhart, Brozovsky and Sasek. No. None. Motion carried 4-0.