**PROCEEDINGS OF THE MAYOR AND COUNCIL**

**OF THE CITY OF WILBER, NEBRASKA**

**Tuesday, October 8, 2024  7:00 p.m.**

 Mayor Chrans called the regular meeting to order at the Cultural Center at 110 W Third Street in Wilber, Nebraska at 7:00 p.m.  The meeting notice was published in the Wilber Republican on September 25, 2024. The following were present. Mayor Roger Chrans, Council members Allen Brozovsky, Tim Lempka, Kent Linhart and Randy Sasek. City Attorney Tad Eickman, City Clerk Lori Rezny, City Treasurer Melissa Beeman, Water/WWTP Operator Jason Ripa, City Superintendent Tim Krivohlavek and Deputy Matt Baumann. Arriving at 7:45 was Shayne Huxoll with Olsson.

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 September 10, 2024 budget hearing, September 10, 2024 regular meeting and September 17, 2024 special 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, rp, 307.04; Ascensus, an, 3104.58; American Family, in, 601.00; Beatrice Sand & Gravel, sup, 2897.66; Black Hills Energy, ut, 157.11; BCBS, in, 12,188.01; Bound Tree, sup, 253.72; City of Wilber, ut, 3230.04; pr, 48,510.91; Constellation Newenergy, ut, 32.98; CAMC, se, 1500.00; Culligan, sup, 18.25; Dutton-Lainson, sup, 10,710.13; Dvoracek Mem. Library, tr, 20,000.00; Eakes, Office, sup, 830.56; Echo, sup, 726.84; F & M Bank/Nebr Title, land purchase, 201,479.74; F & M Bank, bond, 100,000.00; hsa, 1680.00; Farmers Coop, sup, 718.25; First Bankcard, sup, 961.17; Food Mesto, sup, 75.55; IRS, pr tx, 10,206.74; Hach Co, sup, 65.70; Hamilton Equipment, sup, 73.73; Hawkins, sup, 5031.57; Irrigation Plus, rp, 107.00; Karson Inderlied, rb, 72.53; Kirbybuilt Sales, sup, 2358.88; Lowes, sup, 97.32; Matheson, sup, 342.59; Midwest Labs, se, 259.62; Miller Seed, sup, 230.00; Mutual of Omaha, in, 334.71; Municipal Supply, sup, 1418.68; Ne HHS, rb, 1838.02; Nebr Generator, eq, 44,305.91; Ne Public Hlth, ex, 503.00; NIFCO Mech Systems, sup, 310.30; Norris PP, ps, 68,191.54; One Call, se, 19.46; Card Services, sup, 130.95; Petty Cash, ex, 69.13; Quadient, ex, 699.00; Rivers metal, eq, 3686.29; Roger Chrans, rb, 1018.40; 846.61; Rose Equipment, rp, 2075.56; Sack Lumber, rp, sup, 1480.62; Saline Co Clerk, se, 16,666.66; Saline Co Reg of Deed, ex, 52.00; Saline Co Treasurer, se, 309.17; Schuerman Welding, rp, 388.20; Sewer Replacement MM, tr, 17,699.77; Shop Qwik, sup, 775.51; Stryker Sales, eq, 33.80; State of Nebr, st, 11,030.82; ex, 25.00; wh, 1463.19; Tad Eickman, pf, 2000.00; Verizon Wireless, se, 129.27; Walker Uniform, se, 34.98; Waste Connections, se, 23,693.09; WAPA, ps, 23,146.04; Wilber Plumbing, rp, 3287.35; Wilber Republican, ex, 650.23; Windstream, ut, 918.29; Youth Football Refs, se, 550.00.

Sheriff’s Deputy Matt Baumann presented the monthly Sheriff’s report.

Sasek moved and Linhart seconded to adopt Resolution 2024-08 authorizing the Mayor’s signing of the State of Nebraska Dept. of Transportation’s Municipal Annual Certification of Program Compliance 2024 and approval of the Municipal Annual Certification of Program Compliance to Nebraska Board of Public Roads Classifications and Standards 2024. Roll call vote. Yes. Lempka, Linhart, Brozovsky and Sasek. No. None. Motion carried 4-0.

Lempka moved and Brozovsky seconded to appoint Gary Wooten to the Wilber Housing Authority Board for the term October 24, 2024 – October 24, 2029. Roll call vote. Yes. Linhart, Brozovsky, Lempka and Sasek. No. None. Motion carried. 4-0.

A question on property easement at 701 N Shimerda was discussed. Sasek moved and Linhart seconded to have City Attorney Tad Eickman do more research on this issue and if there is any doubt of where the property line is then the City will have a survey done to determine the property line. Roll call vote. Yes. Brozovsky, Lempka, Linhart and Sasek. No. None. Motion carried 4-0.

Nuisance property updates were reviewed. The property at 324 S Railroad continues to make progress in the partial demo of the building and cleanup around the property. The property at 606 W 7th has not made much progress since the last time this was discussed. Council agreed to continue monitoring these properties for future action.

A draft agreement for ownership and maintenance of sound system was presented by Tad Eickman regarding the co-maintenance of a new sound system between the City of Wilber, the Wilber Chamber of Commerce and Nebraska Czechs of Wilber. The draft agreement will be presented to the Wilber Chamber of Commerce and Nebraska Czechs of Wilber for review and approval before approval by the City Council.

Sasek moved and Lempka seconded to approve the final cost of the Ambulance remount at $223,670.00. Roll call vote. Yes. Lempka, Linhart, Brozovsky and Sasek. No. None. Motion carried 4-0.

Discussion was held on getting test holes and test wells dug at the new well site property. After some discussion it was agreed to have Dana Peterson with Front Water Engineering draw up specifications and advertise for bids to be opened and awarded at a special meeting on October 24, 2024 at 5:00 p.m.

Johnson Services presented a change order for sewer lining. The change order adds five runs to the project. The additional cost would be $77,780.00 for a total cost of $298,214.50 for the sewer lining project. Sasek moved and Linhart seconded to approve the change order in the amount of $77,780.00. Roll call vote. Yes. Linhart, Brozovsky, Lempka and Sasek. No. None. Motion carried 4-0.

Sasek moved and Linhart seconded to approve the Ambulance bill write-offs for 2023-2024 fiscal year in the amount of $35,986.67. Roll call vote. Yes. Brozovsky, Lempka, Linhart and Sasek. No. None. Motion carried 4-0.

Discussion was held regarding the collapsed sewer at the Wilber Bakery property. Kirk Weber, owner of the property received a registered return receipt letter mailed on August 17, 2023 regarding this issue and did not repair the sewer. A second certified return receipt letter was mailed to the property owner at his last known mailing address on March 21, 2024, however, Mr. Weber did not sign for this certified return receipt letter, the registered letter was returned to the City on April 19, 2024. City Superintendent Tim Krivohlavek has spoken with Kirk Weber, the owner of the property several times regarding getting the sewer repaired. The property owner still has not had the repairs done. After the second certified letter was returned to the City, Tim Krivohlavek informed Kirk Weber that the City will hire a contractor to repair the sewer, and the costs will be assessed to the property. Sasek moved Brozovsky seconded to approve having the City contact a contractor to get the sewer repaired and access the cost to the property. Roll call vote. Yes. Lempka, Linhart, Brozovsky and Sasek. No. None. Motion carried 4-0.

City reports were given by Dept. Heads after which a recess was taken from 8:00 p.m. – 8:15 p.m. At 8:15 p.m. a Public Hearing was opened 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 September 18, 2024 and posted in three places within the City on September 18, 2024. Shayne Huxoll with Olsson presented the One & Six Year Street Plan as prepared by Olsson. Discussion was held with the Council, the Mayor called for public comment three times, no public comment was received. Brozovsky moved and Lempka seconded to close the public hearing at 8:26 p.m. Roll call vote. Yes. Linhart, Brozovsky, Lempka and Sasek. No. None. Motion carried 4-0.

Lempka moved and Linhart seconded to approve Resolution 2024-07 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. Brozovsky, Lempka, Linhart and Sasek. No. None. Motion carried 4-0.

Sasek moved and Brozovsky seconded to go into closed session for the purpose of the protection of the reputation of persons regarding personnel matters. Roll call vote. Yes. Lempka, Linhart, Brozovsky and Sasek. No. None. Motion carried 4-0. The Mayor restated the purpose of the closed session is for the protection of the reputation of persons regarding personnel matters. The Mayor and Council went into closed session at 8:29 p.m. Those attending the closed session were.  Mayor Chrans, Councilmembers Linhart, Lempka, Brozovsky and Sasek. City Clerk Lori Rezny, City Attorney Tad Eickman. City Treasurer Melissa Beeman, Tim Krivohlavek and Jason Ripa. The doors of the meeting room were opened at 8:46 p.m. at which time Sasek moved and Linhart seconded to come out of closed session.  Roll call vote. Yes. Linhart, Brozovsky, Lempka and Sasek. No. None. Motion carried 4-0.

Brozovsky moved and Lempka seconded to approve a $500 increase in annual wage for City Treasurer Melissa Beeman since the completion of her 6 month probationary period, and she now also becomes eligible for annuity benefits. Roll call vote. Yes. Brozovsky, Lempka, Linhart and Sasek. No. None. Motion carried 4-0.

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