

**MINUTES-September 20, 2021**  
REGULAR CITY COUNCIL MEETING  
COUNCIL CHAMBERS-  
1111 AVE E, WISNER, NEBRASKA 68791

The City Council of the City of Wisner, Nebraska met in regular session in the Council Chambers at the City offices in Wisner, Nebraska, on Monday, September 20, 2021, at 7:00 P.M. according to the notice published in the Wisner News Chronicle issue of September 15, 2021, a copy of proof of publication is attached to these minutes. Notice of the meeting was posted in three public places which are the Wisner Post Office, Wisner Public Library, and the Wisner City Office. Notice of the meeting and the agenda were mailed or emailed to the Mayor and all members of the City Council. A true copy of their signed acknowledgement of the receipt of the advance notice of this meeting and the agenda is filed in the office of the City Clerk/Treasurer. An agenda for the meeting was kept continuously current, and was available for public inspection at the City offices three days before the meeting date. Agenda subjects were contained at least twenty-four hours prior to the meeting. Mayor Chad Dixon presided and the City Clerk/Treasurer recorded the proceedings of this meeting. All proceedings hereafter shown were taken while the convened meeting was open to the attendance of the general public.

Mayor Chad Dixon called the meeting to order, and announced the location of the posted Open Meeting Act, pursuant to Section 84-1412(8) of the Nebraska Open Meetings Act.

Present on the roll call: Cathy Gobar, Terry Soden, Barry Meyer, Jay Meyer, and Mayor Chad Dixon. Staff present: Randy Woldt, City Administrator/Utility Superintendent, Stephanie James, City Clerk/Treasurer, Jonathan Brandow, Care Center Administrator, Doug Salmen, Chief of Police, and Tiffany McLean, Wisner Police Officer.

AGENDA ITEM NO 1 – CONSENT AGENDA – AGENDA, MINUTES OF THE SEPTEMBER 7, 2021 REGULAR MEETING, SEPTEMBER 13, 2021 SPECIAL MEETING, AND CARE CENTER, CITY, & CITY/RURAL FIRE BOARD AUGUST 2021 FINANCIAL REPORT. Moved by Gobar and seconded by Barry to approve the consent agenda as presented. Roll call: Ayes: Barry, Soden, Jay, Gobar. Nay: None. Absent: None. Motion carried. At this time Mayor Dixon took this time commend the Wisner Care Center employees for the excellent survey results they received three weeks ago. The survey came back the best it has ever been in about eleven years. Mayor Dixon continued to state that this speaks very highly of the professional, motivated, and committed employees that we have at the Care Center, especially after coming out of this terrible pandemic.

AGENDA ITEM NO. 2 – 7:05 PM – PUBLIC HEARING – CLASS “CK” LIQUOR LICENSE – BRU’S, LLC, D/B/A BRU’S PACKAGE & LOUNGE – 1002 AVE E. Mayor Dixon opened the public hearing at 7:07 PM and at this time opened up the floor to the council and the general public. After all comments from the public and council were received, Mayor Dixon closed the public hearing at 7:07 PM. Moved by Barry and seconded by Soden to recommend approval of the Class “CK” Liquor License to Bru’s, LLC, d/b/a Bru’s Package & Lounge at 1002 Ave E. Roll call: Ayes: Soden, Jay, Barry, Gobar. Nay: None. Absent: None. Motion carried.

AGENDA ITEM NO. 3 – POLICE DEPARTMENT – DISCUSSION AND POSSIBLE ACTION REGARDING HIRING OF A THIRD OFFICER. Councilman Soden stated that he put this item on the agenda, he feels we should have some discussion on this topic. Councilman Soden stated that this was approved back when he was still chief. Soden went on to saying that these

guys were told that they would have three officers. He feels that it is time to follow through with this. Mayor Dixon said at no time did he say they could have three officers. Chief Salmen stated he begs to differ with that. Chief Salmen stated in his hiring process that we are going to hire a third officer. Mayor Dixon stated that he would bring on a third officer when he felt it was time to do so, and at this time he feels it is not time to bring a third officer in. Chief Salmen stated that the mayor walked a person into his office and said that this will be your third officer. Then he had back surgery and it all fell through. Mayor Dixon said if he finds the right person, which he was the right person, that person will have a dual role with the high school. The school backed out of hiring him. Councilman Soden said every town the size of Wisner has three officers and we are about the last ones that don't and it really drags down on an officer as well as trying to have a family life. There are enough competitive jobs out there we could be losing our officers that we have now. Mayor Dixon said that the chief has been told to work their normal shifts and if overtime is involved, they are to contact dispatch to let them know that the county sheriff's department will fill in when these two are not on duty.

Chief Salmen asked about their days off and the current investigations that they have going on right now. Mayor Dixon said that we are part of a three jurisdiction, the state patrol, I'm certain, will let you know what is needed of our department in these investigations. Mayor Dixon feels there is no reason we should have an officer involved in 100% of what's going on in these investigations. Officer McLean stated that the state patrol will not step in unless we ask them. The state patrol is involved but we have to be with them explained Chief Salmen. Councilman Barry asked how many towns about our size has three officers. Councilman Soden said that Hemingford, NE is 700 or so in population and has three officers and three part-time. Mayor Dixon said that Crofton has one officer and they are the same size. Councilman Soden said that they don't have Highway 275 running right through main street, Mayor Dixon said we don't have anybody on main street either, if we have an officer on main street, they are parked at the office. Mayor Dixon asked of the nine speeding stops, how many were citations. Chief Salmen said five citations were issued. Mayor Dixon said that is more in one month's time than there has been his whole time as mayor. Chief Salmen said that their calls for service keep going up and up and what time does that give them to spend time on Highway 275. Mayor Dixon said there will be days with multiple calls, but not every day is that way. Officer McLean said her last two weeks have been. Officer McLean said the other day her day started at 7:30 in the morning and she just got done with an EPC at 6:52 AM because she could not find a bed for this person. She went on to say, I am parked at the office because I'm down nine reports, which have to get filed. I am not running traffic but patrolling the neighborhoods to ensure we are not getting burglarized like we have been along with other communities. Mayor Dixon asked Officer McLean how many hours were spent not required of you, that you went above and beyond with that individual because you felt it was the right thing to do even though it wasn't required. Officer McLean said she has a requirement by state statute when it comes to mental health patients. Mayor Dixon said that Officer McLean told him by rights, you were done with him when you dropped him off. Officer McLean said no, I said that state statute says we can deliver them to the nearest mental health facility and we have not gotten to that point. McLean called all the way out to Scottsbluff with no bed available. McLean called Bill Price who is the Director of Emergency Services, there are supposed to be forty beds available for the state and there is not. Officer McLean went on to say that she left a male, who is clearly intoxicated on an illicit substance, suffering from mental health issues, and armed with a machete with his mother because I could not find a bed for him. She did her due diligence and did what the state required of her.

Officer McLean goes above and beyond on every job she does. McLean said that she would love to hear the complements that Mayor Dixon gave the Care Center for the 110 calls that two

officers went on. Mayor Dixon said that there is a time and place for everything and Office McLean asked if you were upset with us right now and Mayor Dixon said he is and that he is very upset with them. Councilman Barry asked how many police officer does West Point have. Councilman Soden stated they have five and looking for another one. Mayor Dixon said he did some quick math today on some very large places and Omaha is one officer per 530 residents, Lincoln is at one officer per 850 residents and Norfolk is one officer per 900 residents. I didn't have time to reach out to any smaller communities. Mayor Dixon's recommendation is not to add a third employee. Officer McLean asked if she could ask another question. McLean asked with the holiday hours, how will they get compensated for that because per city policy we are to receive a day off. The only way I for see us to get a day off is if I work his holiday and he works my holiday which then puts us over the hours. Mayor Dixon asked if that is where the buildup of personal days is coming from. McLean stated she does not have a buildup since she has only been here a year. Mayor Dixon said there is room to look at items that were brought up to his attention. Chief Salmen said the city employees get comp time and we don't and they also get their holiday paid and we don't. City employees get overtime and we don't. Salmen wanted to make it clear that he is not picking on city employees, they have this granted to them and the police department doesn't. Salmen's next question is, why is the police department getting discriminated against. Mayor Dixon said the police department is on salary and the city employees are hourly.

Councilman Jay asked how many hours the police department puts in on an average week. McLean stated that the first two weeks in September she had over eighty-five hours in and she took four days off plus her regular days off. Salmen added that in the last two weeks that none of them have had much of a day off and that we always have stuff to do. Salmen said he had to listen to the sheriff's office complain about backing us up and covering our calls. Mayor Dixon added in there that they heard from an employee, not the sheriff himself, because I have had a conversation with the sheriff several times on this very item. Salmen said instead of listening to the complaints it is easier to put on his uniform and just help and if you want to call it a personal choice it is fine; I am not going to leave my officer hanging ever. So if that means I have to put my uniform back on I will. Salmen wants Officer McLean or anybody that may work for him to know that he will not leave them hanging. Councilman Barry just wanted to add what he knows growing up as a child living in a cop's house; my dad was the chief of police here, there were two cops that worked for the city at that time and that times have changed and they had a lot of calls such as dog complaints and domestic calls and that it may not be as many as now but the city population hasn't changed really and that it came down. Councilman Soden stated that the diversity of the population has changed. Barry went on to say that growing up in that house his dad came home for supper, dinner, or breakfast whenever he was working, it wasn't like he was killing himself on his twelve hour shift or fourteen-hour shift, whatever he was running at the time. Barry said that don't mean you're constantly working that twelve hours and sometimes you are. McLean said if you don't expect us to physically work that full twelve-hour shift I am all for that. Barry said that is not what he said, I know when you're on shift you do go home and eat or stop at Prime Stop and do what you want that is what my dad did too. It is expected to take a lunch break, Barry added. It doesn't always mean your busting your chops and there are times you do. Councilman Soden said that traffic has increased. Barry said that once the four lane is finished it will increase more. Barry said that he has seen state patrol and county make traffic stops on Highway 275, which it is a state highway and they should make stops. Councilman Barry wants to get all the facts. He is not pro or con.

Barry stated that he read all the pages of LB51. Discussion was held on LB51 and some of the training hours are changing. McLean asked if that would be permissible to do during her work hours. Mayor Dixon said that they would expect them to get those training hours during working

hours. Mayor Dixon went on to say I don't want you doing any work at your house. When that pickup or explorer is parked at your residence, you are done doing any dealing with what is going on with your job. McLean and Salmen said that is not true. McLean said individuals call their phones. Councilwoman Gobar asked how did they get your number. McLean said it is on their business cards that they hand out when individuals want them. Gobar said she wouldn't have put cell phone numbers on the cards and that it all needs to go through dispatch. Mayor Dixon asked if they each had a city issued phone. Both McLean and Salmen stated they do. Mayor Dixon said those will not be answered when you're in your residency. Salmen asked what do we do about the people that come to our door and involve our families. Mayor Dixon said not to answer the door. Salmen said what if I'm not home and my wife answers the door and she is getting talked to about it. Mayor Dixon said a third officer is not going to fix that. Salmen said you would be amazed what that third officer would actually help. Councilman Barry said if you have someone coming to your door wanting the police, tell them to call 911 and they will get ahold of you, you don't take personal calls, you just can't get involved. Barry went on to say that if someone goes running next door to a friends they have that is a police officer, he is going to tell them to call dispatch because he can't dispatch himself; someone needs to dispatch him. Barry suggested that we put something in the paper that please don't contact the police in person and to call 911 and they will be dispatched to your need. Mayor Dixon asked about the land line phone, if it was still in place in the police office. The city office has two lines but the city office usually answers both lines.

Councilwoman Gobar asked Randy Woldt, when he gets a utility call in the middle of the night, do they call your cell phone or do they go through dispatch. Mr. Woldt said it varies. Gobar just assumed that if you have a problem and need the police no matter if you know the police you call 911. You need to go through the correct proceedings. Barry said that the calls need to be documented. Salmen stated that as soon as they go out they let dispatch know where they are going and what is going on. McLean said that she is pretty sure that Soden can attest to how many calls they get that don't go through dispatch or 911. Soden said it happens in a small town. Gobar said when you have a day off, you shouldn't have to look at your phone that we have issued you, it is your day off. Mr. Woldt said some people don't care about that though. You can go to any function and be talking to someone, another person will come up and say oh by the way while you're here let's talk about this. Gobar said that I am at a function and not at the city council chambers right now. Barry said it is worth looking into, I will keep an open mind, but until I have more knowledge I can't go one way and just don't see the need right now. Mayor Dixon asked if there is any action. Mayor Dixon said that he does appreciate the job the both of you are doing; you're doing a fantastic job; I am a little bit pissed off by being blind-sided about this at 4:59 on Friday afternoon as this was the first I have heard of this. McLean said she doesn't know why you're angry with us though, Mayor Dixon said he is angry with the whole operation and that he should have been informed that this was going to be on the agenda which would have allowed me time to contact some other towns, contact the lawyer, and do some things. When this happens at 4:59, I still have a full time job that is a little more important than this job happens to be. I am upset and I do get over things very easily. There are no repercussions; I want to work with the department to make sure you guys have a quality of life and some of these things that have been bothering you addressed and improved so that the things that drag on you are taken off your plate.

Councilwoman Gobar said do you think you need an assistant in the office since there is so much paperwork that needs to be typed up. McLean said that she has to testify to her reports in court and doesn't want someone else typing her reports and I probably won't be coming back into the office to type any of the reports anyway. Anybody that knows me knows that I don't like coming into the office anyway. Gobar said she doesn't know the legality of it. There really is no

other way than an extra officer to help you. McLean said I held some reports because I don't like going into the office and typed out thirty-eight pages and haven't typed out the shooting. Salmen added that he has three reports to do but mine are not massive like hers because all the main stuff has happened on her shift and I have been coming out to back her up because of the stuff I have heard coming out of Cuming County. I heard the same stuff when they had to cover calls with the previous officer's ordeal hearing the same thing from the deputies. It got old to hear because then we have to start wondering in our minds because we are out here playing this game, the rest of the civilians don't know that; hey all of a sudden when you call for back up and back up doesn't show up because they are fed up having to help you with your calls for service we have both lived this. Mayor Dixon asked why are they always here when there is a call. Salmen said that they are not always here. Mayor Dixon said I have seen them at more things than I don't. Salmen said that he will give another example, I can recall Officer McLean being called down to the city park for an out of control teen, we had a deputy sheriff that was present and his wife was present with their grandson because the grandson wanted to see what grandpa did for a living. I saw her body camera, she took this kid down by herself, her body camera flew off of her body and an individual picked it up to film it and not one time did that deputy step into assist her. Now a week later that young man was in court, it took four deputies to take him down at the courthouse, she did it by herself. Councilman Barry said he would like to know who that deputy is that didn't step into help her. Mayor Dixon asked if they contacted the sheriff about this. Salmen stated it probably would not have done any good. Salmen said it is just easier to put the uniform on and go out. McLean said that if I am fighting someone and he is in town and I am waiting for a deputy to come from West Point, Gobar said you would want him there. McLean said we just had a shooting in Wisner, it is not the same as it was, I'm sorry when your dad was a cop. Salmen added that this world is not the same. Councilman Soden said that a lot of things have evolved with change with paperwork, the state and federal government watching over us and the paperwork that needs to be done for them and records kept. It has changed a lot. Discussion was held if a third officer came on board what would the car situation would be like. Barry said that this has been a good meeting and the mayor have conversations with the officers and I don't think we are ready to make a decision tonight. I am going to keep collecting information and talking to other departments.

Mayor Dixon asked if there was a motion. With no other discussion, this dies for lack of a motion. I do appreciate the work that you are doing and we will continue to have open dialog and get some of the things straighten out that you are facing day to day and we will continue to look at a third employee and that right now is the only guarantee I can give you. Mayor Dixon went on to say he does appreciate your time tonight and thank you for being here. No action taken at this time.

**AGENDA ITEM NO. 4 – EMPLOYEE UPDATE – DISCUSSION AND POSSIBLE ACTION REGARDING EMPLOYEE STATUS AND APPROVAL TO ADVERTISE FOR UTILITY WORKER (PURSUANT TO STATE STATUTES, THE COUNCIL MAY ENTER INTO EXECUTIVE SESSION FOR THE PREVENTION OF NEEDLESS INJURY TO THE REPUTATION OF AN INDIVIDUAL.)** Barry moved to go into executive session for the purpose of discussing the employment status of a person and to prevent needless injury to the reputation of that person and was seconded by Soden. Roll call: Barry, Soden, Jay, Gobar. Nay: None. Absent: None. Motion carried. The City Council went into executive session at 7:51 PM. At 8:00 PM the City Council came out of executive session. Moved by Gobar and seconded by Jay to advertise for a full time utility worker for the City of Wisner. Roll call: Barry, Soden, Jay, Gobar. Nay: None. Absent: None. Motion carried.

AGENDA ITEM NO. 5 – MONTHLY POLICE REPORT – D. SALMEN. Doug Salmen, Chief of Police, presented the monthly police activities report to the mayor and council.

AGENDA ITEM NO. 6 - BUILDING PERMITS. Randy Woldt, City Administrator/Utility Superintendent, stated he had two building permits at this time. The first one is at 916 12 St. to add onto the existing driveway and to put up a storage shed and the last one is at 701 River Road Lot 1 at Pelican Landing to build a storage shed.

AGENDA ITEM NO. 7 - COMMUNICATIONS, REPORTS, COMMENTS BY COUNCIL, CITY OFFICIALS AND GENERAL PUBLIC.

A. Councilman Meyer inquired if the plat for the Grandview addition will be on the next agenda since they made some changes. Mr. Woldt stated that the map should be in the office by meeting time on September 22<sup>nd</sup> for the Planning Commission meeting at 5:00 PM. The city council will see the map at their next regular meeting on October 4<sup>th</sup>. Mr. Woldt stated that Michael Sands would like to meet with council and Olsson to go over the contract. If the TIF agreement is signed on October 4<sup>th</sup> then the bid can be approved for the grading. The city has 60 days to approve a bid for the grading.

B. Mr. Woldt gave an update on the water tower and trails projects. The construction crew has moved equipment in for the water tower. Olsson has been in town and has started staking for the trails. The trails contractor is trying to finish up a different project first and will then get started on our trails project. It will take them about thirty days to complete the project. Mr. Woldt also heard from the DOT regarding the meeting we had with them a while ago regarding traffic issues through town. Mr. Woldt said that a round-about in town is a no go due to not having enough listed accidents at the intersection of Twenty-first Street and Highway 275 to deserve a round-about. The state said that they would be doing a traffic study, but no counters or equipment have been seen yet. All of the other inquiries will depend on the traffic study.

C. Councilwoman Gobar reminded everyone of the Leadership on the Green meeting at Lantz's Steakhouse on Wednesday the 22<sup>nd</sup> at 7:30 AM. Michael Sands will be there to go over TIF.

AGENDA ITEM NO. 8 - MOTION TO ADJOURN TO MEET IN REGULAR SESSION ON MONDAY, OCTOBER 4, 2021, AT 7:00 PM. At 8:00 PM moved by Barry and seconded by Gobar that the City Council adjourn to meet in regular session on October 4, 2021 at 7:00 PM, in the Council Chambers at the City Office. Roll call: Ayes: Barry, Soden, Jay, Gobar. Nay: None. Absent: None. Motion carried.

---

Mayor

Attest:

---

City Clerk/Treasurer