

MINUTES-April 17, 2023
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, April 17, 2023, at 7:00 P.M. according to the notice published in the Wisner News Chronicle issue of April 13, 2023, 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 Soden 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 Soden 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. Mayor Soden also announced that this meeting is being recorded.

Present on the roll call: Cathy Gobar, Barry Meyer, LJ Parker, and Mayor Soden. Staff present: Randy Woldt, City Administrator/Utility Superintendent, Stephanie James, City Clerk/ Treasurer, Doug Salmen, Chief of Police, and Tiffany McLean, Police Officer.

Absent on the roll call: Jay Meyer.

AGENDA ITEM NO. 1 – CONSENT AGENDA – AGENDA, MINUTES OF THE APRIL 3, 2023 REGULAR MEETING, CARE CENTER, CITY, & CITY/RURAL FIRE BOARD MARCH 2023 FINANCIAL REPORT, & SPECIAL DESIGNATED LICENSE – BRU'S PACKAGE & LOUNGE – WISNER CITY AUDITORIUM – MAY 6, 2023 – 12:00 PM TO 11:30 PM – FUNDRAISER & BEER GARDEN. Stephanie James, City Clerk/Treasurer had a correction to the agenda. Agenda Item number 5 should have the correction of Amendment #3 instead of #4. Moved by Parker and seconded by Gobar to approve the consent agenda with the correction of Agenda Item number 5. Roll call: Ayes: Barry, Parker, Gobar. Nay: None. Absent: Jay. Motion carried.

AGENDA ITEM NO. 2 – CITY OF WISNER AUDITED FINANCIAL STATEMENTS FOR FY ENDING SEPTEMBER 30, 2022 – ALMQUIST MALTZAHN GALLOWAY & LUTH, CPA'S. Michael Hoback presented the auditor's report for fiscal year ended September 30, 2022. Mr. Hoback highlighted several areas of the report, including activity with capital assets, reduction of debt, adjustments made by auditors, and utility rates. The City is doing well with benchmark comparisons, and it has really good cash reserves in its general funds. Mr. Hoback indicated that the city has good reserves overall.

AGENDA ITEM NO. 3 – WATER TREATMENT PLANT – DISCUSSION AND POSSIBLE ACTION REGARDING THE CONTRACT – ARPA FUNDS FOR REVERSE OSMOSIS. Roger Protzman with JEO stated that we will have two contracts for this project. The first one being for

the ARPA Funds and the other for the SRF Funds. The SRF contract will be a few more months down the road. Mr. Protzman stated that the state does not have JEO's updated cost opinion. Mr. Protzman recommends to approve the contract contingent on getting the updated cost opinion in the contract. Moved by Barry and seconded by Gobar to approve the ARPA Funds contract contingent on getting the updated cost opinion in the contract. Roll call: Ayes: Parker, Barry, Gobar. Nay: None. Absent: Jay. Motion carried.

Mr. Protzman stated that our end date to get this all done is December 31, 2026. By the end of 2024 everything needs to be under contract. The ARPA Funds can not be used to pay for engineering services. The SRF Funds will be used to pay for the engineering services.

AGENDA ITEM NO. 4 – WATER TREATMENT PLANT – DISCUSSION AND POSSIBLE ACTION REGARDING PROFESSIONAL SERVICES AGREEMENT – JEO. Mr. Protzman presented to the council the agreement for professional services for the water treatment plant design. The engineering fees are included in the total but the GEO Tech services. That will be a separate contract and monies set aside for that cost. Moved by Barry and seconded by Parker to approve the professional services agreement with JEO on the water treatment plant. Roll call: Ayes: Barry, Parker, Gobar. Nay: None. Absent: Jay. Motion carried.

AGENDA ITEM NO. 5 – GRANDVIEW ADDITION – DISCUSSION AND POSSIBLE ACTION REGARDING LETTER OF AGREEMENT AMENDMENT #3 – OLSSON. Randy Woldt, City Administrator/Utility Superintendent stated that we are at the end of the contract for the sewer at the Grandview Addition. This is to extend the agreement for the sewer portion of the project for \$24,500.00. Moved by Gobar and seconded by Barry to approve the letter of agreement amendment #3 with Olsson. Roll call: Ayes: Barry, Parker, Gobar. Nay: None. Absent: Jay. Motion carried.

AGENDA ITEM NO. 6 – DINKLAGE GRANT APPLICATION – DISCUSSION AND POSSIBLE ACTION REGARDING THE WISNER PUBLIC LIBRARY'S GRANT APPLICATION. Moved by Parker and seconded by Gobar to approve the Dinklage Grant Application from the Wisner Public Library and to send it to the Dinklage Foundation for final approval. Roll call: Ayes: Barry, Parker, Gobar. Nay: None. Absent: Jay. Motion carried.

AGENDA ITEM NO. 7 – AUTHORIZE CLERK/TREASURER TO RENEW CD #1858 ARPA FUND. Moved by Barry and seconded by Gobar to move CD #1858 to Pinnacle Ban for six months at the rate of 4.56%. Roll call: Ayes: Parker, Barry, Gobar. Nay: None. Absent: Jay. Motion carried.

AGENDA ITEM NO. 8 – RESOLUTION NO. 2023-3 – AUTHORIZING THE CITY ADMINISTRATOR TO AMEND THE CURRENT 401k PLAN TO FREEZE ELIGIBILITY AND PARTICIPATION AND CONTRIBUTION AND BENEFIT ACCRUAL. Mayor Soden introduced Resolution No. 2023-3 entitled: A RESOLUTION OF THE CITY COUNCIL AUTHORIZING THE CITY ADMINISTRATOR TO AMEND THE CURRENT CITY OF WISNER 401(K) PLAN TO FREEZE ELIGIBILITY AND PARTICIPATION AND CONTRIBUTION AND BENEFIT ACCRUAL, TO MAKE A SUBMISSION TO THE INTERNAL REVENUE SERVICE VOLUNTARY CORRECTION PROGRAM REGARDING THE CITY OF WISNER 401(K) PLAN, TO ADOPT AN INTERNAL REVENUE CODE SECTION 457(B) PLAN FOR THE BENEFIT OF CITY

EMPLOYEES AND EXECUTE RELATED PLAN DOCUMENTS, AND TO TAKE ALL OTHER NECESSARY ACTIONS ON BEHALF OF THE CITY OF WISNER TO ACCOMPLISH THOSE PURPOSES. Mayor Soden then asked for a motion to approve Resolution No. 2023-3. Moved by Barry and seconded by Gobar to approve Resolution No. 2023-3. Roll call: Ayes: Barry, Parker, Gobar. Nay: None. Absent: Jay. Motion carried.

AGENDA ITEM NO. 9 – ORDINANCE NO. 2023-1175 – TO ESTABLISH A SALARY PAY SCHEDULE FOR THE POLICE DEPARTMENT. Councilwoman Gobar introduced Ordinance No. 2023-1175, entitled: AN ORDINANCE OF THE CITY OF WISNER, NEBRASKA TO ESTABLISH A SALARY PAY SCHEDULE FOR THE POLICE DEPARTMENT; REPEAL OF ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE; AND TO ESTABLISH AN EFFECTIVE DATE, moved by Councilman Barry that the statutory rule requiring readings on three different days be suspended. Councilman Parker second said motion. Roll call: Ayes: Barry, Parker, Gobar. Nay: None. Absent: Jay. Motion carried. The motion to suspend the rule was adopted by the Council and the statutory rule was declared suspended for consideration of said ordinance. Ordinance No 2023-1175 was then read by title. Mayor Soden then stated the question: "Shall Ordinance No. 2023-1175 be passed and adopted?", and thereafter Councilwoman Gobar moved for final passage and Councilman Barry second said motion. Roll call: Ayes: Barry, Parker, Gobar. Nay: None. Absent: Jay. Motion carried.

The passage and adoption having been approved by the Council, the Mayor declared Ordinance No. 2023-1175 adopted and in the presence of the Council signed and approved the Ordinance. The Clerk attested the passage and approval of the same and affixed her signature thereto. A true, correct, and complete copy of said ordinance is as follows: Copy attached hereto becomes part of these minutes.

AGENDA ITEM NO. 10 – POLICE DEPARTMENT – DISCUSSION REGARDING THE WORK SCHEDULE. Councilman Barry stated that the discussion for a third officer has been going on now for three years and would like to put this up or put this to bed. Councilman Barry stated that he would like to put a survey out in the next utility bills with three questions. They are as follows: 1. Do you think that Wisner needs a third police officer, 2. Where do you think the police should be patrolling? Residential or Highway? What Percentage, and 3. Do you have any suggestions for the police department in Wisner? This would give insight of what the people want. Councilman Barry said another thing he would like to see for six weeks is a week on and a week off. Councilman Barry said to at least patrol eight hours a day out of twenty-four, still use your part-time officers one or days a week, and the rest of the hours would be on call time. Chief Salman stated that they are perfectly fine with the Pitman two-two-three schedule. Councilman Barry asked Officer McLean if she is fine with the schedule they have now. Officer McLean is fine with the current schedule. Officer McLean stated she gets every other weekend off and not committed to seven days straight which means no leaving town and responsible for the town for seven days. Councilman Barry stated if you go a week on and a week off you would have the whole next week off. Chief Salman stated with the part-time officers, they need to be scheduled a month in advance. Chief Salman said if he wants to take a weeks' vacation and can't get anyone to cover it, who is expected to cover it? Councilman Barry said that we went eleven months with out an officer. Chief Salman said he would like to know when that

happened. Mayor Soden stated that did not happen. Officer Davies was always here and covered the town. Chief Salman said that when Officer Davie was let go, he covered the town until Officer McLean was hired. Chief Salman said with the Pitman schedule, we understand that we get every other weekend off and one of us only has to work two days, but the next week one of us works five days. Officer McLean said that the Pitman schedule looks very similar to the schedule Councilman Barry is proposing but it gives us a little bit of a reprieve. Councilman Barry said that he is not trying to make anyone mad just trying to make it easier. Councilman Barry went on to say that if you don't want the schedule changed, he is fine with that.

Councilwoman Gobar asked why a third officer is so important. Chief Salmen said that would give the town eighteen hours of coverage during the twenty-four-hour day. Mayor Soden showed the council a schedule with two officers and then a schedule with three officers. It is important to have an officer on at night. Officer Davie saved three peoples life when their house caught fire. With three officers you can cover every day and night. Councilwoman Gobar asked if this town can afford three officers. Councilwoman Gobar stated that she has talked to about ninety to hundred people about a third officer and their response is that why do we need a third officer when the two we have don't do anything. Councilman Parker said that is stuff we talked about in a committee meeting. Councilman Gobar said that these people said that is because they are not in need of a police officer. Councilman Parker stated with a third officer, Chief Salmen would be day shift and Officer McLean and the third officer would cover the night shifts. If a third officer is hired the city would start out around \$54,000.00. Russ Breitreutz talked about the city sales tax and that so much has been allocated to public safety. Councilman Barry said he would like to see the surveys and see what the public has to say.

AGENDA ITEM NO. 11 – ARBOR DAY PROCLAMATION. Mayor Soden read the proclamation for Arbor Day to set April 28, 2023 as Arbor Day in Wisner.

AGENDA ITEM NO. 12 – MONTHLY POLICE REPORT – D. SALMEN. Doug Salmen, Chief of Police, made available the monthly police activities report to the mayor and council.

AGENDA ITEM NO. 13 - BUILDING PERMITS. Randy Woldt, City Administrator/Utility Superintendent, stated he has no building permits at this time.

AGENDA ITEM NO. 14 - COMMUNICATIONS, REPORTS, COMMENTS BY COUNCIL, CITY OFFICIALS AND GENERAL PUBLIC.

- A. Randy Woldt said with the water tower inspection from the state, it needed to be drained, fix the vent, flush with chlorine, and refilled and refill with pure water and take another sample. That has not been done. Councilman Barry said that we need to get something done with this and completed. Either Randy needs to call or get the city attorney involved. The sewer project at the Grandview addition is moving along.
- B. Chief Salman asked about the SDL at the City Auditorium. Chief Salmen asked if he needs to hire an officer to cover the event as stated in the policy. Council agreed to follow policy. An officer will be hired to cover the event.
- C. Mayor Soden asked the students to introduce themselves and thanked them for coming to the meeting.

AGENDA ITEM NO. 15 - MOTION TO ADJOURN TO MEET IN REGULAR SESSION ON MONDAY, MAY 1, 2023, AT 7:00 PM. At 8:07 PM moved by Barry and seconded by Gobar that

the City Council adjourn to meet in regular session on May 1, 2023 at 7:00 PM, in the Council Chambers at the City Office. Roll call: Ayes: Barry, Parker, Gobar. Nay: None. Absent: Jay. Motion carried.

Mayor

Attest:

City Clerk/Treasurer