

**MINUTES-September 18, 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, September 18, 2023, at 6:00 P.M. according to the notice published in the Wisner News Chronicle issue of September 14, 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, LJ Parker, Barry Meyer, Jay Meyer, and Mayor Soden.  
Staff present: Stephanie James, City Clerk/ Treasurer.

AGENDA ITEM NO. 1 – 6:00 PM PUBLIC HEARING – SET FINAL TAX REQUEST. Mayor Soden opened the public hearing at 6:00 PM to set the final tax request for the City of Wisner at \$345,917.93. Mayor Soden invites questions or comments from the public and council at this time. Russ Breitreutz asked when did the LB840 start for the half cent sales tax for the water project and how much revenue has been collected from that half cent sales tax. Stephanie James said that this is not part of an LB840, that it is part of the sales tax for this project. Stephanie James said that she would have to look back and see when that started and see how much revenue has been collected off of the half cent tax. Mr. Breitreutz also asked how much the water project costs. Councilman Barry stated that there are four wells in Wisner but all have nitrates in them and need the treatment plant to make them all work. Councilman Barry stated that it has been about three years ago or so when the half cent sales tax started. Mr. Breitreutz asked how much has accumulated in the budget for public safety from sales tax. Councilman Barry said that there was about \$300,000.00 to be put towards the water treatment plant. Stephanie James stated that we received ARPA funds to put towards the treatment plant. Mr. Breitreutz asked where the city was at for a location for the treatment plant. Mayor Soden stated that will be brought up at the regular meeting. Stephanie James stated that this is a public hearing regarding the property tax request. With no other questions or comments from the public or council. Mayor Soden closed the public hearing at 6:08 PM.

AGENDA ITEM NO. 2 – 6:00 PM PUBLIC HEARING – CITY GENERAL & ENTERPRISE FUNDS BUDGET FY 2023-24. Mayor Soden opened the public hearing at 6:08 PM for the General and Enterprise funds budget for fiscal year 2023-2024. Mayor Soden invites questions or comments from the public and council at this time. With no questions or comments from the council or the public, Mayor Soden closed the public hearing at 6:11 PM.

AGENDA ITEM NO. 3 – 6:00 PM PUBLIC HEARING – AMEND BUDGET FOR FY 2022-2023. Mayor Soden opened the public hearing at 6:11 PM to amend budget for FY 2022-2023. Mayor Soden invites questions or comments from the public and council at this time. Stephanie James stated that this is the current budget that the city is in. The current budget has to be amended due to the water and trails project. The projects were over what we budgeted. Mrs. James also stated that the payment for the new ambulance was made in this budget. The ambulance was paid for by a Dinklage Grant but ran all through the city and was not budgeted for. Councilman Jay asked if the water project was the treatment plant project. Mrs. James said that the water project is not the treatment plant, it is for the water mains and water tower project. Mr. Breitkreutz said that people are always interested in what we requested last year to this year. Mrs. James stated that 2022 was \$336,692.59 and this year is \$345,917.93. This is listed on the public notice. This is up 3% from last year. The tax rate is down 8% from last year. With no other questions or comments from the council or the public, Mayor Soden closed the the public hearing at 6:14 PM.

At 6:14 PM, City Council Members paused until 7:00 PM for the regular council meeting.

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, LJ Parker, Barry Meyer, Jay Meyer, and Mayor Soden. Staff present: Stephanie James, City Clerk/ Treasurer and Sammye Nyman, Wisner Care Center Administrator.

AGENDA ITEM NO. 1 – CONSENT AGENDA – AGENDA, MINUTES OF THE SEPTEMBER 5, 2023 REGULAR MEETING, CARE CENTER, CITY, & CITY/RURAL FIRE BOARD AUGUST 2023 FINANCIAL REPORT, AND WISNER FIRE & RESCUE DEPT. - APPROVAL OF MEMBERSHIP TO RESCUE – BRITTON HENRICH. Moved by Parker and seconded by Gobar to approve the consent agenda as presented. Roll call: Ayes: Barry, Parker, Jay, Gobar. Nay: None. Absent: None. Motion carried.

AGENDA ITEM NO. 2 – RESOLUTION NO. 2023-9 – SET FINAL TAX REQUEST. Mayor Soden introduced Resolution No. 2023-9 entitled: Whereas, Nebraska Revised Statute 77-1632 and 77-1633 provides that the Governing Body of the City of Wisner passes by a majority vote a resolution or ordinance setting the tax request. Mayor Soden then asked for a motion to approve Resolution No. 2023-9. Moved by Barry and seconded by Jay to approve Resolution No. 2023-9. Roll call: Ayes: Parker, Jay, Barry, Gobar. Nay: None. Absent: None. Motion carried. Mayor Soden declared Resolution No. 2023-9 adopted.

AGENDA ITEM NO. 3 – ORDINANCE NO. 2023-1179 – ADOPT BUDGET AND APPROPRIATE SUMS FOR NECESSARY EXPENSES AND LIABILITIES. Councilwoman Gobar introduced Ordinance No. 2023-1179, entitled: AN ORDINANCE OF THE CITY OF WISNER, CUMING COUNTY, NEBRASKA. TO ADOPT THE BUDGET STATEMENTS FOR GENERAL, ENTERPRISE, AND CARE CENTER; TO BE ENTITLED THE ANNUAL APPROPRIATIONS BILL, TO APPROPRIATE SUMS FOR NECESSARY EXPENSES AND LIABILITIES; TO REPEAL ALL ORDINANCES IN CONFLICT HEREWITH; TO PROVIDE WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT AND PROVIDE FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM, moved by Councilman

Barry that the statutory rule requiring readings on three different days be suspended. Councilman Parker second said motion. Roll call: Ayes: Jay, Barry, Parker, Gobar. Nay: None. Absent: None. 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 2023-1179 was then read by title. Mayor Soden then stated the question: "Shall Ordinance No. 2023-1179 be passed and adopted?", and thereafter Councilman Parker moved for final passage and Councilwoman Gobar second said motion. Roll call: Ayes: Jay, Barry, Parker, Gobar. Nay: None. Absent: None. Motion carried.

The passage and adoption having been approved by the Council, the Mayor declared Ordinance No. 2023-1179 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. 4 – APPROVAL OF AMENDING THE 2022-2023 BUDGET. Moved by Gobar and seconded by Parker to approve the amending of the 2022-2023 budget. Roll call: Ayes: Barry, Parker, Jay, Gobar. Nay: None. Absent: None. Motion carried.

AGENDA ITEM NO. 5 – ORDINANCE NO. 2023-1180 – TO ESTABLISH AN HOURLY & SALARY PAY SCHEDULE OF CITY PUBLIC WORKS, OFFICE EMPLOYEES, LIBRARY, AND POLICE DEPARTMENT. Councilman Barry introduced Ordinance No. 2023-1180, entitled: AN ORDINANCE OF THE CITY OF WISNER, NEBRASKA TO ESTABLISH AN HOURLY AND SALARY PAY SCHEDULE OF CITY PUBLIC WORKS, OFFICE EMPLOYEES, LIBRARY, AND 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 Parker that the statutory rule requiring readings on three different days be suspended. Councilwoman Gobar second said motion. Roll call: Ayes: Barry, Parker, Jay, Gobar. Nay: None. Absent: None. 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 2023-1180 was then read by title. Mayor Soden then stated the question: "Shall Ordinance No. 2023-1180 be passed and adopted?", and thereafter Councilman Barry moved for final passage and Councilman Jay second said motion. Roll call: Ayes: Barry, Parker, Jay, Gobar. Nay: None. Absent: None. Motion carried.

The passage and adoption having been approved by the Council, the Mayor declared Ordinance No. 2023-1180 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. 6 – DINKLAGE GRANT – DISCUSSION AND POSSIBLE ACTION REGARDING WISNER CARE CENTER'S DINKLAGE GRANT APPLICATION. Councilman Barry looked over the grant and stated that this is a lot of items but it is everything that is needed that is getting old and out dated. Moved by Barry and seconded by Parker to approve the the Dinklage Application as submitted by the Wisner Care Center and to pass it along to the

Dinklage Foundation for final approval. These items are all the electronics of the building such as the computer system, the call light system, and the doors to get in and out. These items are twenty to twenty-five years old. Roll call: Ayes: Parker, Jay, Barry, Gobar. Nay: None. Absent: None. Motion carried.

AGENDA ITEM NO. 7 – MONTHLY POLICE REPORT – D. SALMEN. Doug Salmen, Chief of Police, made available the monthly police activities report to the mayor and council. Councilman Barry said that he knows that they have had lots of discussions regarding the police department with pay scale and other items the last three or four years but the speed is slowing down and there are going to be some that you can't catch. Councilman Barry went on to say that it has slowed down considerably. Councilman Barry would like to thank the Wisner Police Department for stopping people and getting this process going. They are doing a very good job.

AGENDA ITEM NO. 8 - BUILDING PERMITS. Stephanie James, City Clerk/Treasurer, stated that there are no permits at this time that have been approved due to Randy Woldt being on vacation.

AGENDA ITEM NO. 9 - COMMUNICATIONS, REPORTS, COMMENTS BY COUNCIL, CITY OFFICIALS AND GENERAL PUBLIC.

- A. Councilman Jay asked if there are any ideas where the water treatment plant will go. Mayor Soden said that he will be bringing this up.
- B. Stephanie James, City Clerk/Treasurer stated that the Cuming County Planning and Zoning is putting together a seminar on Wednesday, November 8<sup>th</sup> from 8 AM to 4 PM at the Nielsen Community Center in West Point, Nebraska. If you would like to attend, please let me know by October 20<sup>th</sup> so that I have time to make a public notice that there maybe a possible quorum for the seminar and also let the county know how many will be attending.
- C. Councilman Barry asked Sammye Nyman, Wisner Care Center Administrator if the engineer will be coming on Thursday at 8 AM. Mrs. Nyman said that he will be and she also stated that a retirement investor will be at the Wisner Care Center tomorrow to talk about updating the Care Center's pension plan. Stephanie James would like to check into the plan to make sure that the plan is a legal plan for the Care Center to be in.
- D. Mayor Soden said that he met with Roger Protzman, JEO and Randy Woldt to discuss the water treatment plant. They looked at two sites. One is the well house by Barry Meyer's house and the other one is the well house by Jill Rathke's house. The engineers prefer the well house by Rathke's. There is a lot less pipelines and there is a storm ditch that water can run into by Rathke's. There would be a lot of design and construction to make the land by Meyer's house work. Mayor Soden said that the well by Rathke's would be a better spot and acquiring a little more land would be best. Mayor Soden talked to Bodwell's to see if that is something that they would be interested in doing. Mr. Bodwell had a few questions and said that he would need to talk this over with his wife. Councilwoman Gobar asked what ground the city is looking into. Mrs. James showed a GIS map of the lot that Bodwell's own just come straight down from the city's lot and connect by Richard Schult's lot. The construction crew can store supplies and materials up the street at the city's lot on top of Eighteenth Street while constructing the treatment plant. Mayor Soden explained that another draw back from using the well house by Meyer's was that the membranes that need to be changed out every ten years or so, have to be pulled out of the plant and new ones brought in and there is not enough room there for that to happen. The new plant would need a generator and the well house by Rathke's

already has a generator there. A permanent site needs to be finalized soon. Councilman Jay asked if the treatment plant could be built on the hill. Mayor Soden said that there is not enough room and that a lot would have to be purchased. It would all depend how much Bodwell would sell the lot for. The city would make the building look nice. Mayor Soden stated that by purchasing a lot on the hill would take away tax dollars for the city. Councilman Barry said that we should get this decided in the next month or so.

AGENDA ITEM NO. 10 - MOTION TO ADJOURN TO MEET IN REGULAR SESSION ON MONDAY, OCTOBER 2, 2023, AT 7:00 PM. At 7:23 PM moved by Barry and seconded by Gobar that the City Council adjourn to meet in regular session on October 2, 2023 at 7:00 PM, in the Council Chambers at the City Office. Roll call: Ayes: Jay, Barry, Parker, Gobar. Nay: None. Absent: None. Motion carried.

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Mayor

Attest:

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City Clerk/Treasurer