

## City Council Meeting May 17, 2023

The Wymore City Council met in open and public session on May 17, 2023, in the Council Chambers. Mayor Collin Meints called the meeting to order at 7:00 PM. Present were Council members Sue Sapp, Curt Oblinger, Neil Van Boening and Max Allen. City Attorney Andy Carothers was also in attendance. Notice of the meeting was given in advance by posting in three places: Wymore Post Office, Arbor State Pharmacy, and the City Office. Notice was given to the Mayor and Council and their acknowledgement of receipt is attached. All proceedings shown were taken while the meeting was open to the public.

Max made a motion, Neil seconded to approve the minutes from May 3, 2023. Motion carried 4-0.

Max made a motion, Sue seconded to approve claims and payroll except for checks 26786, 26862, and 26794. Motion carried 4-0.

Sue made a motion, Curt seconded to approve the checks 26786 and 26862. Motion carried 3-0 with Max abstaining.

Max made a motion, Sue seconded to approve check 26794. Motion carried 3-0 with Neil abstaining.

Neil made a motion to approve the Treasurer's Report, which was inadvertently omitted from the agenda. Neil rescinded the motion.

There was no public comment.

Eric Hagood was in attendance with concerns about heavy equipment traffic in his alley causing problems with sewers, and causing standing water, also the siren which blows four times a day is a concern. After much discussion it was decided that Tim Sedlacek will fill the holes with millings. It was also discussed to dial back the time the siren runs and maybe cut the number of times it blows per day. This matter of the siren will be placed on the next agenda. The Council asked that suggestions be placed on the agenda and a post be made to Facebook.

Employee vacation and leave policies were discussed, to bring the vacation policy in line with State Statute 48-1229. Employers can't have a use it or lose it policy in Nebraska. This only applies to our vacation time. You can limit the amount they can carry over, cannot deprive an employee of what they have earned. Lisa Munstermann from the Police Department Advisory Committee was interested to know if it could be used as a recruitment tool. City Attorney Andy Carothers presented an amended vacation policy III-9.

It is the practice of the City of Wymore to provide employees with an annual paid period for rest and relaxation. Except for emergencies, requests for vacation must be requested to the employee's supervisor at least 24 hours in advance. Based on the needs of the City, the request is within the supervisor's discretion and may or may not be granted.

Employees are eligible for vacation leave as follows:

After 1 year:	40 hours
After 2 years:	80 hours
After 10 years:	120 hours
After 20 years:	160 hours

Vacation Schedule: Vacation leave is computed as follows:

40 hours earned:	8 hour for every 73 days worked
80 hours earned:	8 hours for every 36.5 days worked
120 hours earned:	8 hours for every 24.3 days
160 hours earned:	8 hours for every 18.25 days

Formula to determine vacation leave for those in year one who work less than a full year: 365

days ÷ 12 months = 30.4 days in a month x how many months worked = how many days in time period employed ÷ those days in vacation schedule = how many days of vacation earned x 8 = number of vacation hours earned.

Vacation leave is figured from May 1<sup>st</sup> to April 30<sup>th</sup>. Employees may carry over the following vacation hours if not used:

After 2 years:	40 hours not to exceed 120 hours of combined vacation leave
After 10 years:	60 hours not to exceed 180 hours of combined vacation leave
After 20 years:	80 hours not to exceed 240 hours of combined vacation leave

To provide employees with the flexibility to manage unused vacation leave hours, they may elect to be paid on April 30<sup>th</sup> of each year for all or some unused vacation leave hours. All unpaid and unused vacation leave hours may be carried over to the next year provided that they do not exceed the limits set forth above for carryover hours.

Motion by Neil, Seconded by Sue: To approve the amended Vacation Leave Policy III-9 as recommended by Andy. Motion carried 4-0.

Motion by Sue, Seconded by Max to accept the resignation of Officer Klaus J Schachtschabel effective May 5, 2023. Motion carried 4-0.

Max had some concerns from people he had spoken to about the Fire Department fees and how they would be administered. He suggested an appendix clarifying the steps that would be taken for the Fire Department to bill insurance be added. Andy stated he could do that and make it part of the Fire Department's policies and procedures. The Fire department would need to approve it and then it would come to the Council for approval. Andy will have it done for the next fire meeting in 3-4 weeks. Tim clarified that the rent on city equipment was in the fees list for repair type purposes, like if someone hits a pole, not that the City will rent out equipment.

Motion by Max, Seconded by Sue to of Ordinance 672 Fees List.

Andy did the 3<sup>rd</sup> reading of the ordinance.

Votes; Curt Yes, Max Yes, Neil No, Sue Yes. Motion carried 3-1.

Andy asked if there was any further discussions or questions from the Council about the Settlement proposal for the lawsuit. There was none. Motion by Curt, Seconded by Neil to approve the settlement. Lisa Munstermann asked if the public could know the settlement. Andy said that once all has been settled, it will become public knowledge. Motion carried 4-0.

Judy Henrichs has requested permission to use the Community Center for Community Coffees through September. She will not need it until September. Max expressed concern about the Community Coffee using the center indefinitely. Sue asked how long he was thinking. He suggested November as an end date. Motion by Max, Seconded by Neil to approve allowing Community Coffee use of the Community Center agreement to be extended through November 1<sup>st</sup>, 2023. Motion carried 4-0.

Motion by Sue to adjourn the Council Meeting at 7:56 pm.

Respectfully Submitted

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Collin Meints, Mayor

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Janet Riensche, City Clerk