

**MINUTES OF THE REGULAR MEETING OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PAWNEE CITY, HELD ON MONDAY, APRIL 27, 2020 AT 7:00 P.M. AT FAIRVIEW GOLF COURSE CLUBHOUSE, 1799 D STREET, ALL IN PAWNEE CITY, PAWNEE COUNTY, NEBRASKA.**

Notice of this meeting was given in advance thereof by advertising in the Pawnee Republican, a designated method for giving notice as shown by the Affidavit of Publishing on file in the office of the City Clerk. Notice of this meeting was given to the Mayor and City Council and a copy of their acknowledgment of receipt of the notice and the Agenda are on file in the office of the City Clerk. Availability of the agenda was communicated in the advance notice and in the notice to the Mayor and Council of this meeting. All proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public.

**Present:** Mayor Charlie Hatfield; Council Members John Dahlgren, Vickie Zelenka, Susan Eisenhauer and Ric Helms; Kellie Wiers, Deputy City Clerk and City Foreman, Spencer Cumley. **Absent:** none.

Mayor Hatfield called the meeting to order at 7:00 p.m. informing all those present of the Posters stating the Open Meeting Law Changes on the North meeting room wall accessible to the public.

Council Member Dahlgren made a motion to accept the April 13, 2020 regular meeting minutes. Council Member Eisenhauer seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

The Treasurer submitted the following claims for consideration: **4/28/2020 Payroll:** 8195.39; **Union Bank & Trust**, FWH 2291.02; **NE Dept. of Rev**, SWH 307.33; **NW Mutual**, retirement 835.76; **Allstate**, cancer/accid. ins. 228.46; **Madison National Life**, employee life ins. 43.86; **BCBS**, health ins. 5468.71; **Ameritas**, vision ins. 116.60; **PCDC**, Feb. sales tax 5093.60; **Windstream**, phone service, swr 58.50; **Spectrum**, shop internet & phone 154.97; **Dollar General**, office supplies 18.50; **Gyhra Construction**, motor grading 1400.00; **Paul Heath**, mosquito spraying 1785.60; **In the Swim**, dive board resurface kit 263.92; **Martin Marietta**, rock for Don North road 583.86; **Quill Corp.**, office supplies 127.77; **Cap. Bus Sys.**, library license & maint agree 136.00; **Judds Bros. Const.**, SWR UV install, 1445.00; **Lola Seitz**, mileage, maint. sup., postage 169.03; **Nebr. Machine Corp.**, CAT loader maint. 913.17; **Seneca Sanitation**, dumpster @ pond 80.00; **U.S. Cellular**, monthly service for tablet 53.46; **Verizon Wireless**, emergency cell, home connect & jetpack 94.43; **Pawnee Co. Treasurer**, 1<sup>st</sup> ½ real estate taxes 2042.18. Council Member Dahlgren made a motion to approve the claims as submitted. Council Member Helms seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

**DONATIONS TO ORGANIZATIONS:** *Pawnee City Trapshooting Team;* Mary Moser, trapshooting sponsor was present by phone. Last year the Pawnee Gun Club had practices by the ball field and Wings & Turf event by working around the ball field's schedule. The gun club is growing, and Mary thinks they will be able to be active by following social distancing guidelines and open the range by appointment to bring in some revenue. Hopefully, by the end of the Summer the gun club can host more events. Last year they raised money for a shelter which was really beneficial last January when we were practicing. The Club had a nice donation to install a voice-activated thrower which will be nice especially for our Trap kids because this is what is used at competitions. We got together for one shoot this year before they were cancelled, and the

kids did very well. Moser said it is a huge benefit to have their own range and the kids that have shot for six years in our Conference has one of the best teams this year and it was going to be our year until Covid-19 changed things. The seniors will graduate but the majority of the kids this year are in sixth, seventh and eighth grades. They have lights installed at the range, but they are not hooked up yet because there is a problem with connecting to the ballfield lights, but Dave Pope is working on it. They want to have more evening events to get more families up there, get more seating and gun racks, also. With Mary Moser's new role in the County Extension, she would like to build shooting sports in Pawnee County. The donation from the City is very helpful and usually goes to pay the Gun Club's liability insurance through the NRA. They also use the money to buy more rock for target practice. This money would also help to make improvements to make it a more desirable facility. This also helps add to the ball field to make it a more complete sports complex. The Gun Club hopes to have a couple of Wings & Turf events and a "meat" shoot where people can win a "meat package" and these events will be advertised. Mrs. Moser thanked the Council for all their contributions to the Pawnee Gun Club. Council Member Eisenhower made a motion to donate \$650 to the Pawnee City Trapshooting Team FY 2020-2021. Council Member Helms seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried. The Council agreed this is a good sport because it teaches kids safety and respect for firearms.

**DONATIONS TO ORGANIZATIONS: *Fairview Golf Course;*** Bob Miller, President of Fairview Golf Club was present by phone. Mr. Miller had emailed the City Office a copy of the Club's (pre-Covid-19) 2020 Schedule of Events. The Memorial Day Scramble made \$3200 last year and has been cancelled because of Covid-19 so this will greatly impact the Club's revenue for 2020 and will be a tough year. This is their biggest fundraiser and last year this money helped the Club get a new mower. They can still have golf but they can't have over 10 people at one time so they will not be able to have this fundraiser. The golf course will be 100 years in two more years, founded in 1922 and have events planned for that. They have partnered with the Ag Society to cut down some trees and they hauled them off. The Fairview Golf Club appreciates the \$750 the City gives them towards their water bill. Last year they didn't use the full \$750 because of the rains but this year, there is already less moisture so they will be doing more watering of the grass this year and in previous years, they used more than the \$750. In the past, they have used \$100 to \$250 more than the \$750 for the water bill. ***Pawnee City Chamber of Commerce;*** Mr. Miller is also a member of the Chamber of Commerce. He had also submitted a project summary from 2019. The Chamber will meet on May 7<sup>th</sup> at the golf clubhouse. Last year the City donated \$500 towards the July 4<sup>th</sup> fireworks display and mowing around the "Welcome to Pawnee City" signs. Based upon the DHM from Gov. Ricketts, we now cannot have the fishing derby originally scheduled May 30<sup>th</sup>. On July 4<sup>th</sup> there will be a car event. Last year, the Chamber sponsored a couple swim nights at the pool, and they will try to schedule some fundraisers yet this year. The Chamber would appreciate a donation again for the fireworks display from the City. Council Member Eisenhower made a motion to give the Fairview Golf Club a \$1000 credit towards their water bill FY 2020. Council Member Dahlgren seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried. Council Member Eisenhower made a motion to donate \$500 to the Pawnee City Chamber of Commerce towards the July 4<sup>th</sup> fireworks display. Council Member Dahlgren seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

**Report & update from City Foreman Cumley: Review/Discuss letter from JEO re: second phase of updating the Hazard Mitigation Plan;** Foreman Cumley explained that he and Mayor Hatfield will be attending an online meeting on Wednesday, April 29<sup>th</sup> with Nemaha Natural Resources District to update its multi-jurisdictional Hazard Mitigation Plan for enhancing the community's resilience and preparedness for specific hazards. The UV lights have been installed and are working at the Sewer Plant. Constructors was in town recently to inspect problems with the Street Project. Council Member Eisenhauer stated that she has seen several areas around town marked for repair. Council Member Helms stated that someone from Constructors had called him and then drove around town to check areas and then talked to Council Member Helms about it. Constructors was concerned about an area by the school. He was wondering if he could close that whole block off on 9<sup>th</sup> street and that complete intersection of 9<sup>th</sup> & E and do the whole thing at one time. Foreman Cumley stated there are ¼ "to ½" cracks in the concrete by the school. This work is still under warranty. The water pump on the backhoe is leaking. Council Member Helms told Foreman Cumley to call Caterpillar to come down and fix it. The Exmark mower isn't working. Cumley took the tire off but the hub was seized on and wouldn't come off. He thinks it is the wheel bearing that needs replaced. Council Member Zelenka said there was a program where communities or organizations could get a free Exmark mower, but you have to be within 30 miles of the nearest factory. There is a water leak North of town and the crew has been waiting until the ground dries up so they can get in there to dig it up. Foreman Cumley tried turning off the shut off to see if it would dry up some but that didn't help. It's located just South of the place where HWY 50 meets HWY 4 and there used to be a house on it, but it burned down. The crew plans to work on this since the ground has dried up. On an unrelated matter, Council Member Helms asked if the campground was closed. Council Member Eisenhauer and Foreman Cumley explained the campground is open for fishing but closed for camping. The Governor had closed all parks and there is no playground at the campground. The NRD campgrounds are open. Council Member Helms explained his point is who is in charge of the road to the campground? Council Member Helms or Council Member Eisenhauer? Council Member Eisenhauer explained that she would be in charge of the camper pads but since Helms is in charge of streets, he would be in charge of the road. Council Member Helms stated "your pads look fine" but the road needs some rock and it is a well-traveled road. Council Member Helms and Foreman Cumley will meet to determine how much rock is needed for the road.

**From Sheriff Braden Lang re: Damage to City Property Including Alley and Yard all by the Water Tower:** There are kids that live by the water tower and they have been driving four wheelers up and down that alley and onto city property by the water tower and have torn up the grass there. Sheriff Lang has talked with the kids' parents and uncle and told them to stop doing this. The uncle is Mike McClintock and the kids' last name is Packett. Mike McClintock got rid of his car and only drives a four-wheeler. The four wheelers also need to be licensed. Foreman Cumley has previously talked with the kids and told them to stop driving four wheelers in that area. Mayor Hatfield has driven by the area and the four wheelers are now gone. Sheriff Lang has asked how much it will cost to fix the alley and re-seed the grass so that he can write a

citation for criminal mischief. Council Member Eisenhauer suggested an alternative would be to make the kids involved pick up trash around the community. It was also suggested that the kids have to help fix the area that they damaged. The Judge will have to order community service. Mayor Hatfield suggested waiving the fine or part of it if these kids complete community service. Deputy Clerk Wiers asked who would supervise these kids? Foreman Cumley stated that he did not have time to supervise the community service. Council Member Eisenhauer volunteered to supervise the kids.

**Report & updated from Council Member Eisenhauer: *Review/Discuss LARM***

***recommendation on Public Swimming Pools;*** Council Member Eisenhauer explained an email from LARM has been included in the amended packet. Dave Bos, Loss Control Manager for LARM, strongly suggests that communities keep their public swimming pools closed for this year. The point is that Covid-19 can't be spread through properly treated water but could be spread in the pool bathhouses, restrooms, on pool ladders, slides and pool lounge chairs. Council Member Eisenhauer would prefer to wait another two weeks to see what happens on the Governor's conference calls he has every week on Wednesdays to see if he changes anything on the DHMs for counties that have not had a single case identified. We cannot prevent people from surrounding counties coming to the pool if we are the only pool open. Restaurants are going to open back up with social distancing but how are you going to do that in a pool full of kids and make them stay 6 feet apart? Council Member Zelenka explained at last Friday's county task force meeting, Dr. Voigtlander stated that very few people are wearing masks and practicing social distancing out in public. Johnson county now has 4 cases. A friend of Zelenka's that works at the Nebr. Med Center told her that we have not reached our peak yet for confirmed Covid-19 cases. Pawnee County Memorial Hospital has tested 15 people and the tests have all come back negative. Council Member Dahlgren said he was disappointed that there hasn't been anything in the local newspaper about information from the Pawnee County Task Force meetings. Council Member Eisenhauer stated she was downtown this afternoon at the grocery store and flower shop and all of the employees were wearing masks and some of the customers were wearing masks. Lisel Vetrovsky explained to the Council that the Crete pool will be closed this season because of Covid-19. Syracuse and Friend will both be closed due to planned construction. Council Member Eisenhauer added the Tecumseh pool is also closed for construction. The YMCA has posted that they will not be open May 1<sup>st</sup> and they do not know when they will open. This is where most of the lifeguards get certified. Lisel has contacted Nebr. City, Falls City and DHHS for other possible places the lifeguards can get certified and nobody has any idea. We have two returning lifeguards that are certified but we cannot open the pool with only two lifeguards. They also need their first aid/CPR certification. Foreman Cumley asked if it would even be worth the lifeguards getting certified if we are only open for a month? The City of Lincoln posted they will not post anything for pool and parks until May 11<sup>th</sup>. The people we hired as lifeguards are getting other offers. Since they don't know whether they can get certified and whether the pool will even be open, they want to take these other offers. Some kids need this money to help support their parents and their families. Lisel explained she felt it was nobody's fault that we don't know but she doesn't know how long she can keep the people hired to be lifeguards. Council Member Eisenhauer's suggested if we don't have a recommendation by the Governor or the State Health Dept. by the next Council Meeting on May 11<sup>th</sup>, that we should officially close the pool for the Summer. In the meantime, we have a list of things the kids could be working on at the pool and around town at the parks at the rate of pay they were hired for the Pool. Lisel said that some of

the kids have said, they were hired to be a lifeguard and that is the work they want to do. Council Member Eisenhauer explained that during the interview process we asked every one of them if they would be available to get the pool house ready and they agreed. Foreman Cumley said he felt we should close the pool because if the crew cleans and fills the pool but then we don't have enough lifeguards then we have wasted our time and money on the pool. Lisel asked how we were going to enforce the social distancing restrictions? Council Member Eisenhauer explained that we don't know yet what the guidelines will be in two weeks concerning pools and parks but if we have to put a plan in place for social distancing then we will work on a plan to deal with it. Council Member Dahlgren made a motion to close the pool but failed for lack of a second. Further discussion was had about Eisenhauer's suggestion and the Council agreed to wait until the next council meeting to make a decision about opening the pool. Council Member Helms made a motion to wait until the next council meeting on May 11<sup>th</sup> to make a decision whether to open the swimming pool. Council Member Eisenhauer seconded the motion. Roll Call vote: Dahlgren: nay, Helms: aye, Eisenhauer: aye, Zelenka: aye, whereupon motion carried. ***Chamber of Commerce Fishing Derby;*** The Chamber is meeting on Thursday to discuss the Fishing Derby with a scheduled date of May 30<sup>th</sup>. Council Member Eisenhauer stated if the Chamber still wants to hold it on May 30<sup>th</sup> and restrictions haven't been completely lifted, then she recommends every participant and worker wear a mask follow the Governor's DHM and social distancing requirements. Last year there were around thirty participants plus parents. Mayor Hatfield suggested this issue be tabled until the next City Council meeting when we know for sure the scheduled date for the fishing derby.

**Corey Hatfield appointed to serve on Planning Commission:** Council Member Dahlgren made the motion to appoint Corey Hatfield to serve on the Planning Commission for a 2-yr term expiring 5/2022. Council Member Helms seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

**Employee Evaluations and Job Description Section in the Employee Handbook: *Approve Job Descriptions of all City Employees, except Library Employees;*** Council Member Helms asked Council Member Dahlgren if he had written a job description for a part-time city crew member? We've had a part-time crew member/Summer helper every Summer. Council Member Eisenhauer stated there is a job description for the part-time Utility Billing Clerk but she didn't think it was necessary to have a job description written for the part-time crew member. This position would cover Rasty Stephens who works part-time clearing snow on streets. Council Member Helms asked how we should evaluate the part-time crew member if we don't have a job description for them? The part-time crew member has never been evaluated. Lisel Vetrovsky, the pool manager evaluates the lifeguards. Council Member Zelenka suggested the part-time crew member job description and evaluation could be added at a later date if needed to the employee handbook. Council Member Eisenhauer made the motion to approve the employee job descriptions as submitted, except Library employees, and added to the employee handbook effective immediately. Council Member Zelenka seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried. ***Employee evaluations to be completed by supervisors on May 4<sup>th</sup>/5<sup>th</sup>, City Council will evaluate City Clerk and City Foreman at the May 11<sup>th</sup> City Council meeting;*** Council Member Dahlgren suggested starting the May 11<sup>th</sup> meeting at 6:00 pm. since it will include evaluating the Clerk and Foreman with the recommendation to meet at the Library if it is open. Council Member Dahlgren made the motion

to start the May 11<sup>th</sup> city council meeting at 6:00 pm. in order to evaluate the City Clerk and City Foreman. Council Member Eisenhauer seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried. The Wage Committee members and supervisors will evaluate their employees on May 4<sup>th</sup> or 5<sup>th</sup>. Under the Evaluation section, Clerk Curtis had written two questions for the Council: Are we only doing evaluations for wages—so employee evaluations done in April/May only? Will there be a different evaluation in November to determine the Performance Bonus—are we doing a Performance Bonus? Council Member Helms stated he thought evaluations for bonuses was going to be eliminated? Mayor Hatfield stated this has been discussed before and eliminated. If we give a bonus, it should be a holiday bonus, and everyone should get the same amount of bonus. He suggested a \$50 gift card from the grocery store for every employee. Council Member Zelenka explained that she has an employment background with the state of Nebraska and Council Member Eisenhauer has a federal employment background. Evaluations were completed yearly with the State of Nebraska. You weren't given a holiday bonus and your evaluation wasn't tied to your wage or possible raise. If you wanted to have a Christmas party, you paid for it yourself. Council Member Eisenhauer stated there should be a performance bonus based upon how you did your job. Council Member Eisenhauer explained that at the Federal level, you were evaluated twice a year. You had your preliminary evaluation in April and your final evaluation was completed in October. The October evaluation determined how you were rated in each category in your job description. If you performed at an exceptional level, then you were given a bonus. Council Member Zelenka stated the evaluations should be completed before we set up our budget to allow for wage increases which should be done in the Spring anyway. Zelenka has mixed emotions on the performance bonus. Council Member Helms made a motion to make the bonus as a holiday bonus in the form of a \$50.00 Pawnee Chamber bucks gift card to each employee except for part-time Summer help. Council Member Eisenhauer seconded the motion. Roll Call vote: Dahlgren: nay, Helms: aye, Eisenhauer: aye, Zelenka: aye; whereupon motion carried. Therefore, we will only complete evaluations for wages which will be held in April or May of each year. There will not be a different evaluation in November to determine a performance bonus.

**Review/Approve Excel Employee Timecard Sheets:** A copy of this new timecard will be installed on Foreman Cumley's computer for himself and all of his crew members and will also be installed on Clerk Curtis', Dep. Clerk Wiers and the Utility Billing Clerk's computer. Council Member Eisenhauer added that there will also be a copy of this timecard installed on a laptop for the Pool. Everyone will have their own file with their name and employee number to enter their hours. An employee can "clock in" on the computer when they come to work and "clock out" when they leave at the end of the day and this timecard file covers a two-week period for payroll. If an employee gets called out after hours, then they will enter their time and the file will automatically calculate the overtime charge. There is space at the right of the sheet to document what the overtime was for such as a water leak or training. At the bottom of the sheet there is a place for the employee's signature, supervisor's signature and initials for the Mayor or Council President. This will help with accountability and check for errors. This is not a time clock system where employees will have to "punch in" and "punch out" when they report to work, leave for lunch, etc. Council Member Eisenhauer explained to install an actual time clock system would be more costly and this new system will cost nothing more than what we are already doing. Foreman Cumley explained that Clerk Curtis will have to manually correct the time sheets when

overtime occurs on a holiday because that is considered straight pay. Council Member stated that any changes made on a timecard has to be initialed. Council Member Zelenka made the motion to approve the Excel Employee Timecard. Council Member Eisenhauer seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

**Review/Accept 2-wk notice dated 4/16/20 submitted by PT Utility Billing Clerk Kristin Blecha to Clerk Curtis:** Council Member Dahlgren made the motion to accept letter of resignation submitted by part-time Utility Billing Clerk Kris Blecha dated 4/16/20. Council Member Eisenhauer seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried. There was no discussion on this motion. **Review previous ad for Part-time Utility Billing Clerk's Position;** The Council reviewed the ad and decided to run the ad with no changes. Council Members discussed the wage for this position. Council Member Eisenhauer said the wage will be discussed during the hiring process. Mayor Hatfield said that this had already been set before when Ms. Blecha was hired. The ad states "salary negotiable based upon experience." **Olivia Weinman fill in/assist in training a new Utility Billing clerk when hired;** Council Member Eisenhauer stated "if she is willing then you bet ya" because the other two clerks have enough other things to do. Council Member Zelenka made the motion to approve Olivia Weinman to fill in/assist in training a new utility billing clerk when hired. Council Member Eisenhauer seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

**Review Pawnee City Assisted Living (PCAL's) Profit & Loss and Reconciliation Summary Sheets:** Council Member Dahlgren asked what is the annual payment that PCAL has to make? The PCAL loan payments had been discussed at an earlier City Council meeting. After studying the submitted reports, Council Member Dahlgren summarized that the Assisted Living is not making enough money to pay their loan payments to USDA and pay back the City. They can't keep going at this rate. Council Member Dahlgren brought up again about whether the City is responsible for the PCAL loan payments if PCAL is unable to afford the payments. Much discussion was had on this subject and Council Member Eisenhauer asked to listen to the audio tape from the original meeting with Janice Stopak to hear what was actually said. It was understood that the City would not be liable for these payments, but they would use the City name to be able to get the funds. Council Member Dahlgren suggested asking the City Attorney's opinion. Council Member Zelenka stated she remembered someone from PCAL stating they had to be half full to break even and now they are at thirteen residents out of a possible twenty-six residents. Council Member Dahlgren said he felt a member of the PCAL board should be present to present the financial reports to the Council and be able to answer questions. The Council was in agreement with this request in order to protect PCAL and the City.

**Review/Approve Recommendation from Housing Advisory Committee on Housing Rehab Project Applicant #001 to award contract to MIT Contracting for \$13,995.00 and Yost Construction for \$11,004.00:** Council Member Dahlgren made the motion to approve the recommendation from Housing Advisory Committee on Housing Rehab Project Applicant #001 to award contract to MIT Contracting for \$13,995.00 and Yost Construction for \$11,004.00. Council Member Eisenhauer seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

**Discuss using City Equipment on Contract Labor Projects:** Mayor Hatfield explained to the Council that he had received phone calls from people asking if it was okay with the City if employees, council members, mayor or anyone involved with the City to use City equipment for something besides their own personal use. It was reported that someone had seen Council Member Dahlgren at the house by the hospital using City equipment on a job. Council Member Dahlgren stated he was only getting dirt from the worksite to take to his personal property. Mayor Hatfield reminded everyone to be careful about using City equipment and to stay on their own property with it and do it for themselves only. This way when someone reads it in the newspaper, they know the Mayor brought it to the attention of the City Council.

The City Council reviewed correspondence from the February 2020 Sales Tax of \$14,687.43 with ½% Street Repairs Sales Tax totaling \$3,395.73 and \$1,104.51 being Motor Vehicle Sales Tax. Mayor Hatfield said it was nice of the County Commissioners to ask the County Employees to park on the South and East sides of the Courthouse. Foreman Cumley will take care of the parking spaces that had been eliminated and paint lines for parking on the North side of the courthouse. John Watkins from Capital Business Services will be making changes to our computers and computer back up on the evening of 4/28 to social distance himself from the clerks. Foreman Cumley explained that Premier Estates had contacted him to request people from the City participate in a parade on Friday, May 1<sup>st</sup> at 11:00 am. for the residents there and at the assisted living. Council Member Zelenka asked the Council on behalf of the Pawnee County Task Force per Braden Lang to figure out some kind of activity for “mental health.” Zelenka and Clerk Curtis had thought of a cruise night where people could drive around for the families to see.

Council Member Dahlgren made the motion to adjourn the meeting. Council Member Zelenka seconded the motion. Roll Call vote indicated all in favor of the motion and meeting adjourned at 8:45 pm.

ATTEST: Kellie A. Wiers, Deputy City Clerk

Charlie Hatfield, Mayor