

**MINUTES OF THE REGULAR MEETING OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PAWNEE CITY, HELD ON MONDAY, AUGUST 10, 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: Vickie Zelenka, Ric Helms, Susan Eisenhauer and John Dahlgren; Tamela S. Curtis, City Clerk/Treasurer, Spencer Cumley, City Foreman & Kellie Wiers, Deputy City Clerk/Treasurer. **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 July 27, 2020 regular meeting minutes. Council Member Helms 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: **7/21/2020 PR:** 9,046.95; **UB&T**, FWH 2583.49; **NE Dept. of Rev**, SWH 361.59; **NW Mutual**, ret. 871.14; **Capital Business Systems**, Office Copier 531.00; **Constellation NewEnergy**, gas costs 7.35; **Miracle Mudjacking Co**, office sidewalk 510.00; **Pawnee Co Rural Water**, hydrants 56.81; **Binder Bros**, Swr Sup 96.94; **League of Muni**, dues 1043.00; **TR Ag Sales**, spray 190.00; **OPPD**, well elec 229.09; **Emily Sisco**, Atty fees 1000.00; **Hamilton Equip**, ratchet straps 261.52; **Matt Kuhlmann**, Aug. Zoning contract 400.00; **NPPD**, elec wells/swr plnt 3263.18; **Lincoln Winwater Works**, Swr Pipe 261.52; **MidWest Labs**, Swr Samples 199.00; **OneCall Concepts**, digger locates 18.05; **PC Thriftway**, sup 3.39; **Pawnee Republican**, publ 275.26; **Recycling Enterprises**, Pickup Recyclables 360.00; **Seneca Sanitation**, Garbage pickup 5715.25. Council Member Zelenka made a motion to approve the claims as submitted. Council Member Eisenhauer seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

**July and as of August 10<sup>th</sup> Treasurer's Report:** Council reviewed both Treasurer's Report Clerk Curtis had put together as of July 31<sup>st</sup>, and then as of August 10<sup>th</sup>, 2020 to give Council Members a little more "true picture" as to where their individual Funds they were in charge of were actually sitting.

**Sheriff Braden Lang:** Deputy Clerk Wiers stated that Sheriff Lang was not sure he would be able to make tonight's meeting. **Discuss Water Thief @ City Pond:** Deputy Clerk Wiers stated that nobody has seen the water thief out to the City Pond since he received the letter from the City. Sheriff Lang joined the meeting at this time and stated that the person who had been stealing water from the City Pond has not been seen around this area. **Discuss Dog Issues, Issuing Tickets, etc:** Deputy Clerk Wiers stated that Office Deputy Nancy Tilton had compiled a list of those that had not licensed their dogs, but were to have believed to have still had them in their possession. Sheriff Lang stated that he believed at the Animal Control Board meeting they had agreed to send out tickets for anyone who had not licensed their dog by the end of August. Council Member Eisenhauer stated that she would like to see one more reminder notice go out to each of these individuals stating they

had 10 days to license their dogs or they will be receiving a ticket. Council Member Dahlgren stated he would like to see something also put in the newspaper. Ray asked that Deputy Clerk email to him exactly what they wanted said in the paper. More discussion followed with Deputy Clerk Wiers stating she would go over the details with Ms. Tilton so that the post cards could be mailed out right away.

**Review/take action on Semi-Annual Audit from PCDC performed by Citizen**

**Advisory Board:** Council Member Dahlgren made a motion to accept the semi-annual audit from PCDC performed by the Citizen Advisory Board. Council Member Helms seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

**Open Public Hearing to Amend the FY 2019-2020 Budget:** Council Member Dahlgren made a motion to open the Public Hearing to hear public input on the City Amending the FY 2019-20 Budget at 7:10 p.m. Council Member Zelenka seconded the motion. Roll call vote indicated all present voting in favor of the motion, whereupon motion carried. **Hear**

**Public Input:** Julie D. Bauman stated the reason for the Public Hearing was to consider amending the 2019-20 Fiscal Year budget due to unforeseen major repairs to Well #2, which costs \$37,500, the amount the 2019-2020 FY Budget is being amended by. Ms. Bauman went on to state that amending the 2019-20 FY budget will not change the tax levy as the City had the funds in which to pay for those Well repairs, but had not budgeted for the extra expense as the City has a very good true operational budget. No Public Input was heard. **Close Public Hearing:** Council Member Dahlgren made a motion to close the Public Hearing. Council Member Eisenhauer seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried and public hearing was closed at 7:14 p.m. **Amend FY 2019-2020 Budget:** Council Member Eisenhauer made a motion to approve amending the 2019-2020 Fiscal Year Budget due to unforeseen major repairs to Well #2, which costs \$37,500, the amount the 2019-2020 FY Budget is being amended by. Council Member Zelenka seconded the motion. Roll call vote indicated all present voting in favor of the motion, whereupon motion carried.

**Review/Discuss Legal Services Billing for City Attorney Sisco re: Court Appearances, attendance at Council Meeting:**

Council reviewed the billing statement from City Attorney Emily Sisco for dog citation court appearances. Mayor Hatfield stated he had asked for this item to be placed on the agenda so all Council Members were aware that the retainer the City is paying Ms. Sisco to be the City Attorney did not include any costs associated with court cases she has to deal with. Clerk Curtis added that she wanted Council to also be aware that she would be adding money to individual fund budgets to cover future court cases that Ms. Sisco may be involved in for the City that may be for dog tickets, parking tickets or nuisance issues and for attendance at future Council meetings.

**Crystal Dunekacke, SENDD- Fire Hall Project: *Take Action on Asbestos Inspection Bids on 1332 F Street, the property where the new Fire Hall will be built:***

Crystal Dunekacke stated that she had sent out the Request For Bids to four Asbestos Inspection Companies and the City had received two bids back from Bockmann, Inc. with costs not to exceed \$500 and DB Environmental for \$375.00. Ms. Dunekacke stated that she would make the recommendation to go with DB Environmental for the Asbestos Inspection and that would be paid for by the City as part of the City match for the demolition part of the CDBG Project. Council Member Dahlgren made a motion to approve the bid from DB

Environmental for the Asbestos Inspection of 1332 F Street for \$375.00. Council Member Zelenka seconded the motion. Roll call vote indicated all present voting in favor of the motion, whereupon motion carried. Crystal will contact the two companies that submitted asbestos inspection bids. **Review/Approve Construction Management Contract:** Ms. Dunekacke went over the Construction Management Contract between the City and SENDD for the Public Works Fire Hall Project. This portion of the project is 100% CDBG with the contract to cover up to \$10,000. Council Member Zelenka made a motion to approve the Construction Management Contract between the City and SENDD for the Public Works Fire Hall Project #19-PW-014. Council Member Eisenhauer seconded the motion. Roll call vote indicated all present voting in favor of the motion, whereupon motion carried. **Review/Approve RFQ on Architectural Firms for Fire Hall Project:** Council reviewed the Request for Qualifications (RFQ) from Engineering/Architecture Firms for the construction of a new City Fire Station. Crystal stated that even though this new Fire Station is the construction of a pre-engineered building, the City still needed to have an Engineer/Architect there to make sure that the concrete/footings, etc. are meeting all building codes. Council Member Eisenhauer made a motion to approve the RFQ from Engineer/Architecture Firms on the Pawnee City Fire Station Project. Council Member Helms seconded the motion. Roll call vote indicated all present voting in favor of the motion, whereupon motion carried. Ms. Dunekacke stated the RFQs are due back to the City by September 4<sup>th</sup>.

**Guardrail Issues at Cornerstone Building Project:** Council reviewed the emails from John Deacy with CWP Architects & Joey Lohmann with AHRS Construction regarding the guardrail issues on the Cornerstone Building with the estimate from AHRS of \$2400 to fix the problem, which AHRS has agreed to absorb the costs. Clerk Curtis shared the examples that Bob Miller had come up with that would match better with the historic look of the Cornerstone Building. It was stated that Mayor Hatfield and Clerk Curtis had both sent emails originally back to John Deacy and Joey Lohmann inquiring how something like this had happened and how it now became the City's cost to make the needed changes to the guardrail. More discussion followed with Council Member Dahlgren stating that he, as a contractor, wanted it noted on the record that he feels that it was an honest mistake that happened when AHRS had tried to level the floor to the building. Dahlgren continued that he feels that the Architect and AHRS Construction should split the cost of the new guardrail. Council Member Dahlgren inquired if the State Fire Marshall had inspected the building yet. Clerk Curtis stated she did not believe they were going to do that until the whole project was finished. Mayor Hatfield brought up matching the guardrail example that Mr. Miller had found, only making a composite of the top portion vs. using wood. Deputy Clerk Wiers stated that she had talked with Mr. Lohmann with AHRS and he had sent her his cellphone number in case the Council would want to discuss any of this with him at tonight's meeting. Mayor Hatfield asked Clerk Curtis to put a call into Joey Lohmann. Clerk Curtis then put Mr. Lohmann on speaker phone so everyone could be included in the conversation. Mayor Hatfield inquired if Joey had received a quote back from his fabricator yet? Mr. Lohmann had gotten a quote back from AHRS' fabricators but had a couple of clarification questions that he had sent back and had not gotten any answers to his questions back. Mayor Hatfield inquired to Mr. Lohmann if they could do a composite vs. the wood at the top of Mr. Miller's example as an option to the guardrail. Joey stated that they were not able to do that through his fabricator and he felt that the distance that the guardrail has to go, it would be very pricey to do that. Mr. Lohmann continued that it is going to be tough to find a composite rail but that their fabricator could do a steel top without the wood on it. Lohmann stated their fabricators can do anything

with steel. Council Member Eisenhauer stated that by using the 1.5” round steel, it would tie in good together with the other railings already put up. Council Member Helms agreed. Joey stated that if the City were to do a round railing for the guardrail, it would look really good with the railing that is already in place. Lohmann stated he was confident that they can do it but wanted his clarification questions answered before he reported back to the City. The Mayor and Council thanked Mr. Lohmann for taking time out of his evening to visit with them about the guardrail issues. Council tabled this item until they hear back from AHRS with other options and prices.

**A Report and update from Foreman Cumley: *Report on National Wash Authority, LLC cleaning the outside of the Water; Discuss options for repainting the outside of tower (rust spots) & possibly the inside of the tower:*** Foreman Cumley stated that once National Wash Authority was done with cleaning the outside of the Water Tower, the rust spots really showed up. While up close, cleaning the tower, they took numerous pictures of different sections of the tower to show where the rust spots were the worst. Clerk Curtis handed the folder with the various pictures of the water tower taken by National Wash Authority. Foreman Cumley stated he had been in contact with three different companies to get price quotes on repairing the rust spots and painting the tower, inside and out, but has not gotten anything back yet. Maguire Iron, who built the City’s Water Tower, is planning to come down to look at the tower first before giving a price quote. Council Member Dahlgren inquired where the rust spots were coming from? Foreman Cumley stated they are just surface rust spots coming through the paint, mostly on the bowl of the tower due to condensation. Cumley continued that the companies are trying to decide if they need to sandblast and paint the whole tower or if they can just hand tool the rust and coat it. Discussion was had on if the tower had ever been repainted since it was put up in 1986? Foreman Cumley stated that the company that does their “inside dive inspections” had told him that most usually the exterior of a water tank will be get painted every 15 years. Foreman Cumley stated that it’s been quite a while since it’s been painted because the exterior paint is really peeling and flaking off in addition to the letters coming off. Mayor Hatfield texted former Foreman Clint Johnson who stated he was pretty sure it was repainted only once back in 2002. Foreman Cumley stated that these companies don’t really like to do total sandblast jobs anymore because EPA requires them to completely conceal the tower with a tarp structure over it while they sandblast it. Cumley continued that if the rust is not too bad, then these companies would just want to “spot grind” out the bad rust spot areas and then re-coat it. Council inquired when the inside of the tower had been inspected. Foreman Cumley stated the inside dive inspections were last done in 2017 and when they went over that report with him, they stated that the inside of the tower looked very good with the next inspection to be in the next couple of years. Foreman Cumley continued that there are some issues that would need to fixed when it comes to the water tower as of right now, if the City had to drain the water tower, we are not set up to run on pressure to run the town with the wells. Cumley stated that the City has all of the VFDs to do it now, but they are not wired into pressure transducers to the VFD’s yet. Nebraska Rural Water came down to talk with Foreman Cumley and he had stated that if they have to paint the exterior of the water tower, the City would need to drain the tower so it is not sweating. Council inquired how they painted it the last time? Cumley explained that back then, the wells were run with pressure switches vs. the transducers that are on them now. Council Member Zelenka inquired what kind of costs it would take to get the wells all set up in case the City would need to drain the water tower? Cumley stated it is really more electrical work than anything, but they also wanted to get all of the digital displays installed on all three wells for the static and pumping water levels and it all ties in

together. We have already budgeted to install the digital displays, so would just need to add some extra electrical work into the budget. Council Member Zelenka inquired if this could be done at the same time as installing the new generator? Cumley stated wiring in the generator is something a local electrician would be able to do. The City would need to have Sargent Drilling coming out and wire in the pressure transducers and install a pressure relief valve on the lowest fire hydrant in town. The VFDs at that point would keep the well turning, but it would slow it down and speed it up so that all of the water mains stayed at somewhere around 50 to 60 psi and if the pressure exceeded that amount, then it would blow off at that pressure relief valve at the fire hydrant so they wouldn't blow any water mains apart with excessive pressure. The VFDs would monitor the pressure transducers and keep them running at the exact psi it needs to be. Council Member Dahlgren inquired if some of this work wouldn't be taken care of when Sargent's were here to work on Well #2. Foreman Cumley stated that would not be part of re-lining Well #2. Council Member Dahlgren stated he thinks that when Sargent's are here to work on Well #2 they should do everything that needs to be done to it to get everything hooked up, so we need to make sure that is included in the budget. **Report on Sewer Main Replacement:** Foreman Cumley stated that the City Sewer Main Replacement on E Street between 6<sup>th</sup> & 7<sup>th</sup>, just North of the City Shop went very well today with no problems. **Discuss trees growing right next to a Meter Pits:** Foreman Cumley stated that there is a tree growing up right next to the meter pit at Marge Cleary's former residence, 1043 7<sup>th</sup> Street. Foreman Cumley stated that there are a couple more with pine trees by the meter pits, too so it is just a matter of time before those tree roots start causing damage to the meter pit and water lines. Council directed Foreman Cumley to just cut down any trees that are around any City Water meter pits. **Water Leak:** Foreman Cumley reported that there is another water leak behind the retaining wall at Denton Stitt's house, which the retaining wall may need to be removed as they are not exactly sure where the waterline is. The leak is right in line with the shut off for the former McClintock house across the street, so that is probably what it is, but they won't know until they start digging.

**A Report and update from Council Member Dahlgren: Discuss Tube in Driveway & City's portion to pay:** Council Member Dahlgren stated he had received a bill from Gyhra's and he didn't think he was at the meeting when Ric brought this up and the Council decided what would be paid towards the tube replacements. Council Member Helms agreed that Council Member Dahlgren was not at that Council meeting. Council Member Dahlgren continued that Ric had said the City was going to pay for the tube in the driveway but how it all started is that his tube had gotten crushed and pushed down by the contractor's backhoe, back when the new water line project was going on up 5<sup>th</sup> Street. Clint Johnson had come up and looked at it and Clint had told John that the City would replace the tube. At the time Council Member Dahlgren told Clint he was going to re-do the driveway, so he requested they just wait until he did that to replace the tube at that time. Council Member Dahlgren stated he did not know what kind of tube the City was originally going to replace it with, but it was a 24' tube that came out and Gyhra's put back in another 24' tube. Council Member Dahlgren then discussed the billing from Gyhra's that the tube was \$400. Dahlgren had asked Council Member Helms is that the labor to put that tube in and Ric had said it was approved at that one Council meeting for the City to pay for \$100 worth of rock, but Gyhra used \$345 worth of rock on that project. Randy Gyhra had told Dahlgren that it took that much rock because they had to remove all of the concrete and asphalt out of the driveway to do that, so it took that much rock. So then Dahlgren had inquired about the cost of the skid loader on the bill, because if the City had put that tube in, there is just labor costs and also the backhoe. Dahlgren continued that

what he had done was he had went through the bill, and he's not arguing the \$400 cost, but the rock, he wasn't sure if Ric had talked with Randy about this, but Randy had said it took \$345 worth of rock on this to put it back. Council Member Helms stated that he knew that Gyhra's had brought in a side dump truck full of rock and that took care of both driveways. Council Member Dahlgren stated that what he looked at was that he took half the dirt cost that was \$50 and he just went down through it, like the skid loader service at half, \$85 and he just left the labor as is and split the backhoe in half at \$112.50. Clerk Curtis then asked if something had been handed out as she did not have anything in front of her to look at. Council Member Dahlgren stated he had not made enough copies for everyone, so he did not get one to the Clerk, but will bring a copy into the office. Council Member Dahlgren stated again that Clint and him had talked about it and that tube could have been put in at that time. Dahlgren inquired to Foreman Cumley how they figured how much rock it would take when replacing a tube, or if just whatever it takes, it takes. Foreman Cumley stated that is pretty much how it is because every tube replacement is different. Council Member Helms stated he had figured about 6" of rock on top of the dirt fill, which was right around \$100 of rock on each driveway, but I see where Gyhra's probably used 10 ton more rock than what he would have used. Council Member Dahlgren stated that Clint had stated he would have put the tube back in at that time. Dahlgren was responsible for putting in the second tube at that time and he had gotten Foreman Inglis in a little trouble. Inglis had been cleaning out ditches on 5<sup>th</sup> street and he had told Inglis to just dump that dirt on his tube instead of taking it all the way back to the tree dump. But someone reported the John Dahlgren was getting free dirt from the City, so he couldn't do that anymore. Council Member Eisenhauer inquired what the original motion that the City was going to pay towards these tube replacements? Clerk Curtis stated that whole portion of those minutes was in the agenda packet. Council Member Helms stated \$500 per driveway. Council Member Eisenhauer stated to correct her if she was wrong but, didn't Council Member Helms state at the time that he was doing this because it was going to help with the drainage? Council Member Helms stated that the reason I went along with putting in the new tubes was it was easier for them to connect up to the new plastic tube than it was for them to connect up to a metal tube with the pipe they were using. Helms continued that those pipes were almost 70 years old and he just assumed that they were probably rusted out enough that it was time to replace them anyway. Council Member Dahlgren stated the old tubes had holes in them. Council Member Helms stated he was willing to furnish a new tube and furnish the rock on top of the approach as he wasn't going to put concrete back in and it made the job easier for the contractor and it would make a new tube under a person's driveway, which it was Mike Korber and John Dahlgren. Council Member Eisenhauer inquired if this was the total bill from Gyhra's? Council Member Dahlgren stated it was only for his tube. Dahlgren stated he had not talked with Mike Korber, so he does not know what his bill was or if he has even gotten one yet. Council Member Helms inquired to John if he was cutting some of this billing in half? Dahlgren answered yes. Council Member Eisenhauer asked for Mr. Dahlgren to repeat himself again on which parts of the bill he was cutting in half. Mayor Hatfield inquired what Council Member Dahlgren had for a total? Dahlgren replied \$992.50 to put that tube in. Council Member Helms stated that John had not subtracted the labor costs in half. Council Member Dahlgren stated he was not arguing on the \$50 labor charge. Council Member Eisenhauer inquired if Mr. Dahlgren was asking for the difference? Dahlgren stated that he is asking that the City pay \$992.50. Helms stated instead of \$500. Dahlgren replied that the rock is the big difference on the job but he doesn't care about Mike's plan or whatever he came up with doing this all the way down and he had told Mike that he would go ahead and put that other tube in if it's going to make him happy. What Dahlgren was saying was that Clint Johnson and him

had previously talked about doing this tube a few years ago as it's irrelevant what Mike does and everybody else. Council Member Helms stated that the City was looking at \$400 sum extra dollars. Eisenhower stated almost \$500 extra dollars. Council Member Helms inquired to Clerk Curtis how much money he had left in his Street Budget. Clerk Curtis stated she had no idea as extra expenses have come up in the Street fund that nobody was really expecting, so she has been trying to funnel some of the expenses through other funds, but some of it needs to stay in the street fund. Council Member Helms stated that he can honestly say, directly this to Foreman Cumley, that it would cost the City \$1000 to do this tube project. Foreman Cumley stated he had no idea. Council Member Helms stated just roughly because we know what the price of the tube is. Foreman Cumley stated if he did it in roughly two hours and hauled the rock, it would probably be close to that but that would be counting his wages in that. Council Member Helms stated that if he went ahead and paid Dahlgren the extra \$500, then he needed to do the same thing to Mike Korber. Council Member Dahlgren stated that he disagreed because Mike would have done it no matter what. Council Member Helms then stated that Mike was going to pay for everything no matter what. Dahlgren stated that Mr. Korber was going to even pay for Mrs. Dorn's at one time, but Mrs. Dorn said no. That would have been tubed all the way down to the creek and they were not in agreement on doing that. Dahlgren stated again that Mike Korber was going to do the tube project no matter what as he had already talked with Mr. Korber and explained to him that he already had a deal with the City quite a while back and Clint was on and the City was going to replace the tube, period, so that had nothing to do with adding on or going on down from the driveway or whatever, he was just saying, the City was going to replace that tube of his. Council Member Dahlgren stated he was not going to argue with Ric about the amount of rock, as he had talked with Randy Gyhra and Randy stated to him that is the amount of rock that it took. Council Member Helms felt that the dilemma here is that he wished that Council Member Dahlgren would have brought this all forward before when they had first started talking about this tube project because he would have much rather.....he understands that Mike Korber was going to go ahead and do his tube anyway whether the City was going to pay for the tube or not, he realizes that, but he already promised Mike \$500. Council Member Helms stated to Clerk Curtis that he had come down to the office this morning to inform you that to not send a check to Gyhra's for this tube and rock, the \$1000 that we originally talked about, you send those checks, \$500 to Mike and \$500 to John because they are paying the bills from Gyhra's, that way Gyhra doesn't have to be....that leaves one person out of the middle of this. Council Member Dahlgren stated that Randy didn't want to get into this. Helms followed stating that Gyhra's is just making them both pay the whole bill between the two of them. Helms continued that he could see where Mr. Dahlgren was coming from but asked Clerk Curtis again if he had an extra \$500 in his Street Budget. Clerk Curtis stated she had already stated that she could not tell him for certain on that. Council Member Helms stated he was concerned because they had already cut these really close on his Street Budget. Clerk Curtis stated that if Council Member Helms' Street Budget goes over by \$500, then it goes over, as the total General side of the Budget will not go over, so it is not like we would need to amend the budget because the individual Street Fund went over a little. Council Member Dahlgren stated that at this time, it didn't matter to him, he could pay the whole bill so that if the City needed to budget for this expense in the next Fiscal Year's Street Fund Budget and pay him then. Clerk Curtis stated that was just another \$500 that would need to be added to the Street Fund Budget. Dahlgren stated he was just trying to avoid causing a problem now. Mayor Hatfield stated that if there is money in the whole General side of the budget, then it should not cause a problem getting this taken care of yet this year. Council Member Helms stated that he did not want anyone to think that he

was sticking up for John just because he was a Council Member and that, but he does think that John does have a reasonable complaint and if him and the past Foreman already had a deal set up then he felt the City should honor it. Mayor Hatfield inquired if Council Member Helms was putting that in a motion. Council Member Helms made a motion that the City go ahead and give John Dahlgren \$992.50 total instead of the original \$500 on his total tube replacement project. Council Member Zelenka seconded the motion. Roll Call: Helms, Aye; Dahlgren, Abstain; Eisenhauer, Aye and Zelenka, Aye, whereupon motion carried. Council Member Dahlgren stated, as a Council Member he felt it was important that if it gets written in the paper that this was an agreement with the City in the past because he doesn't want it to sound like.....Council Member Helms stated to Ray Kappel to not create a problem with himself and the rest of the town. Clerk Curtis asked if she could speak at this time. Clerk Curtis stated that if we were to do this again, she would strongly suggest that you get with the contractor and have them bill the City separately. It does not look very good for the City to be writing a check to an individual, whether you're a Council Member or not, and she knows that John will actually pay the bill, but there is no guarantee that that person is going to pay the full bill to the Contractor and then the City is paying the individual and that is not the kind of paper trail that an Auditor wants to see. Council Member Helms stated that he thought that the Contractor was going to bill the City for those two tubes and rock. Clerk Curtis continued that was how she had understood that it was going to be handled, but apparently that is not how this particular project billing happened. Council Member Dahlgren stated that he could write a check to Gyhra's for this portion of the bill and explain to him that the City would be sending a separate check for their portion of the bill. Clerk Curtis stated that for sure if Council Member Dahlgren wrote the check for the whole amount to Gyhra's, the City would at least want a copy of that check to show why the City is reimbursing Mr. Dahlgren, as that shows a little more of a transparent paper trail than us just writing a check to an individual, but especially because John is a Council Member, it just doesn't look good. Clerk Curtis stated that it is to protect John just as much as it is to protect the City. Ray Kappel inquired what contractor had damaged Mr. Dahlgren's tube. Clerk Curtis stated it would have been Van Kirk Brothers had done the water main project. Council Member Helms stated that project was seven or eight years ago, right? Clerk Curtis stated that water main project was done back in 2007. (*Water Project was actually done in 2010*) Clerk Curtis continued that just so the Council was aware that by agreeing to this, if someone else comes forward and says, that a contractor did such and such and a former employee, Council Member or Mayor had promised them the City would take care of it, we may be placing ourselves out there for more of this. Clerk Curtis stated that if something like this does happen, the citizens should come forward, but when it happens. The City shouldn't not take care of their obligations at that time and she understood that Mr. Dahlgren had plans to redo his driveway, but it is probably more so in the best interests of the City that we say that the tube or whatever it is, needs to be replaced now or it's going to be the property owners expense. Council Member Dahlgren stated that the City could even have a deal like insurance companies do, in that you get up to three years to repair it as he has gotten into that in repair jobs and roof jobs and such. Clerk Curtis stated that there were a lot of "gentleman's agreements" that have went on in the past, but the City isn't necessarily run the same way as it was back then. Council Member Zelenka stated that she felt the City needed to cover their backs for future stuff. Council Member Helms brought up a deal that he made with Mike Habegger was probably a no, no as he put in pipe in a ditch and he had inquired to Ric if that was ok and he had given him the ok to do it. Helms stated that Mike did all of the work himself and it leveled off his property there, so he didn't see anything wrong with it. Clerk Curtis stated that Mr. Habegger wasn't asking the City for anything and it shouldn't cause the City any

problems, so that should not be an issue. Council Member Dahlgren stated that the City should probably have a policy that if a contractor does damage then they have so much time and he didn't care what number they came up with, but you only have so long that you can come back on the City to do the repairs or pay for something. Council Member Helms stated that this deal that Gyhra's did for Mike and John just made it simpler and at the time he thought the age of the tubes, 70 year old tubes, he thought at the time, they were going to need to be replaced in the near future anyway. Council Member Eisenhauer stated that was fine, but she didn't realize that there was this whole other issue with John's tube that happened previously. Council Member Dahlgren stated he would have brought it up if he had been at the meeting when this was originally discussed.

**A Report and update from Council Member Helms: *Report back on update to finding a solution to a citizen on G Street pumping water from their basement, causing problems in alley going towards F Street/Hwy 50:*** Council Member Helms stated that all drainage issues have been solved. Helms stated he wanted to thank Council Member Zelenka for talking with the property owner Jim Marteney as he started working on rectifying the water issue right after she had visited with him. Since that time, Mr. Marteney has now added more pipe in tow and the water is going into their own yard instead of washing out the alley-way. Foreman Cumley inquired about possible mowing concerns that had been brought up to him by a neighboring property, if the water were to run onto them. Council Member Helms stated he plans to keep an eye on it.

**A Report and update from Council Member Eisenhauer: *Approve Corrected Information on Mahoney's Proposal on Concrete work on the Bike Trail:*** Council Member Eisenhauer stated that she was thinking of another quote she had requested from Mahoney's for concrete work when they were discussing the trail concrete project at the last meeting. The actual quote from Mahoney's was for \$30,000 not \$18,000 as stated at the last Council meeting. Mahoney's \$30,000 concrete quote was for 1000', 6' wide, 5" deep with rebar, which will go from where the rock portion of the trail begins on 11<sup>th</sup> Street North and East to the West edge of the bridge. Foreman Cumley stated that is at \$5/foot and we had been quoted \$8 and \$9 per foot from two other Contractors. Council Member Eisenhauer stated it was still the cheapest cost out of all of them, going the furthest with concrete. Council Member Eisenhauer stated she had emailed everyone this new price as soon as she learned it was wrong after the last meeting and everyone was in agreement but Council Member Dahlgren. Council Member Dahlgren stated that he did not have a problem with spending the \$18,000 but he did have a problem with spending that much money on the trail and he had let Susan know this in the emailed correspondence. Council Member Dahlgren stated he could name one place that needed it more and that was the Pawnee City Pond as it is amazing how many people go out there and gets used. Council Member Eisenhauer stated she appreciated his in-put but it was budgeted in her Park fund to start making more of the trail concrete. Eisenhauer continued that a lot of people use this walking trail and right now where the gravel is, it is an absolute mess with lots of gullies made from downpouring rain, which is a risk to all who use it. Council Member Helms stated that he sees a tremendous amount of people using our walking trail in town as he uses that back road a lot and see them. Council Member Zelenka made a motion to approve the corrected dollar amount of \$30,000 from Mahoney Concrete to do the 1000', 6' wide, 5" deep with rebar, which will go from where the rock portion of the trail begins on 11<sup>th</sup> Street North and East to the West edge of the bridge. Council Member Helms seconded the motion. Roll Call Vote: Helms, Aye; Dahlgren, Nay; Eisenhauer, Aye and Zelenka, Aye, whereupon motion carried. ***Discuss any updates to pool issues;***

***Review/Approve Premier Pool & Spa's Quote on Pool Eco-Finish Repairs, if available:***

Council Member Eisenhower stated that she does not have any new updates on the pool issues as the owner of Premier Pools and Spas (Aaron) has Covid and cannot even talk. According to his co-workers Aaron did not get the proposals done before he became ill but Council Member Eisenhower has made a rough estimate for her pool fund budget. Council Member Dahlgren inquired if they knew where all of those voids were under the pool? Council Member Eisenhower stated that the only way to know for sure is to have an ultrasound done of the whole pool. Eisenhower stated that what should have happened was that the voids were filled when they were found originally, but she understood that the City did not have the funds at that time. Eisenhower stated that the Mudjacking Company will start filling the voids once the weather cools off a bit.

**Pawnee City Development Corporation's (PCDC) Demolition Reimbursement**

**Program:** Council reviewed PCDC's Demolition Reimbursement Program to go along with the City's updated Resolution #11, that PCDC shall only reimburse the property owner the cost of the demo project for expenses in addition to the \$4000 reimbursement from the City of Pawnee City. Clerk Curtis stated this was for information purposes only, no action was needed on this item.

**Capital Business System's Office Elevate Telephone System:** Council reviewed the sheets from John Watkins with Capital Business on their Office Elevate Telephone System that could save the City \$50 per month if they switched from their current carrier Windstream. Council Member Zelenka stated that she and both Clerk Curtis and Deputy Clerk Wiers had sat in on a meeting with John to go over the many options available with this new telephone system and at a much cheaper rate than Windstream can give us. Council Member Dahlgren made a motion to approve dropping Windstream for the Office Telephone and replace it with Capital Business System's Elevate Phone System, effective October 1<sup>st</sup>. Council Member Eisenhower seconded the motion. Roll call vote indicated all present voting in favor of the motion, whereupon motion carried.

**Discuss meeting with State Bank of Table Rock re: Banking Services for the City; Review/ Discuss City Banking Options Between Union Bank & Trust and State Bank of Table Rock:** Clerk Curtis stated that Jeff Fink and Holly Wempe from the State Bank of Table Rock had asked to meet to discuss what their bank could do for the City. Council Members Zelenka and Eisenhower along with Clerk Curtis all met with them last week to go over their banking services, interest rates, etc. Clerk Curtis compiled the City Banking Options sheet comparing the interest rates, charges, etc between the State Bank of Table Rock and Union Bank & Trust. Council Member Dahlgren inquired where the City banked at? Clerk Curtis stated that a large portion of their ReUse money had been held in CD's and a Money Market Account, which totaled almost \$500,000, but with the Cornerstone Building Project, a large portion of that money has been cashed in and spent towards that project. The majority of the City's money is at Union Bank and Trust with the General and Utility Checking Accounts, along with all of our savings accounts and a few CDs. As of now it appears that the City is better off staying with Union Bank & Trust as their interest rates are currently higher on their sweep accounts and checking accounts. Clerk Curtis added that right now the CDs the City has at Union Bank & Trust are locked into 2.5-3.1% interest rate going into 2021, so we are lucky to have that good of a rate. Council Member Dahlgren stated that when those CDs come due he would suggest checking for the best interest rate at both State Bank of Table Rock and Union Bank & Trust. All Council Members were in agreement with this.

**Review/Discuss purchasing more “Keys to the City”:** Clerk Curtis stated that this advertisement for “Keys to the City” came through the mail so the Clerks thought we should ask Council if they were interested in purchasing more of these. Clerk Curtis went on to state that over the years when past Mayors and Council Members have retired after serving for an extended period of time, the current City Council has presented them with a “Key to the City” in gratitude for their service. Clerk Curtis stated she was also sure that the Mayor and City Council had presented both past City Foreman Donnie Inglis and past City Crew Member Stephen Henninger with “Keys to the City” for working for the City for so long. Clerk Curtis stated she thought there may be a couple “keys” left down at the old City Office. Council Member Zelenka made a motion to purchase five (5) “Keys to the City” with front only engraving of “City of Pawnee City” for \$30 each. Council Member Eisenhower seconded the motion. Roll call vote indicated all present voting in favor of the motion, whereupon motion carried.

**Correspondence:** Council reviewed the Invitation to Jessica Murphy’s Postmaster’s Oath of Office to be held this Friday, August 14<sup>th</sup> @ 11 a.m. Clerk Curtis stated that at the last Postmaster’s Oath of Office, they had requested someone from the City be there to say a few words, but she hadn’t heard anything from the PO this time. Mayor Hatfield stated he would check his work schedule and see if he couldn’t make it for this event. Council President Zelenka stated that if he could not be there, she would sure try to be there. Council reviewed the 5-part Webinar of Economic Development Consultant Janet Ady, hosted by NPPD. Council Member Dahlgren made a motion to adjourn the meeting. Council Member Helms seconded the motion. Roll call vote indicated all present voting in favor of the motion, whereupon motion carried, and meeting adjourned at 9:20 p.m.

ATTEST: Tamela S. Curtis, City Clerk

Charlie Hatfield, Mayor