

MINUTES OF THE REGULAR MEETING OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PAWNEE CITY, HELD ON MONDAY, AUGUST 12, 2024, AT 6:00 P.M. AT THE CORNERSTONE BUILDING, 601 G 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. The availability of the agenda was communicated in advance 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 Charles Hatfield, Council Members Vickie Zelenka, Donnie Fisher, Susan Eisenhauer and Council Member Laura Poskochil (joined meeting at 7:00 p.m.); Tamela Curtis, City Clerk/Treasurer, Deputy Clerk Kellie Wiers. **Absent:** Foreman Spencer Cumley.

Mayor Charlie Hatfield called the meeting to order at 6:00 p.m. informing all those present of the Posters stating the Open Meeting Law Changes on the West meeting room wall, next to the storage closet, accessible to the public. At this time, all those present stood to recite the Pledge of Allegiance.

Budget Workshop Retreat with Julie Bauman: City Auditor Julie Bauman reviewed the first draft budget figures for Fiscal Year 2024-2025 with all those present. Ms. Bauman stated that the draft budget does not include the new valuation figure for this year, but the new valuations should be available in the next few days from the Pawnee County Assessor. Ms. Bauman stated that this year's budget really looked good with revenue coming in to support the budget numbers to really make the budget balance. Ms. Bauman went over the 2024-25 proposed budget figures on page 3 of the budget document. Julie proceeded to go over each individual page of the draft budget document, explaining where the figures came from and how they all worked together. Ms. Bauman stated that Clerk Curtis does a great job of listing out individually budgeted items that come out of a certain line item on all of the separate funds. Council followed along on each individual fund budget worksheet with Clerk Curtis going over the main points that she had listed on each one of the budget worksheets, which went into a little more detail as to why those certain amounts were being budgeted on those line items. Ms. Bauman stated that once again this year's one-on-one budget workshops were very positive, and it is always great to have the Council Members really get a feel for how the fund budgets they are in charge of actually work as the City prepares for a very good true and actual operating budget. Ms. Bauman stated she had gone ahead and budgeted for the \$300,000 in Engineering Fees on the Water Budget, even though the City is unsure if they will proceed with the new well project. Clerk Curtis stated that Randy Hellbusch with Nebraska Rural Water Association could not come to do a water and sewer rate study until next Tuesday (August 20th) so they will find out more on where he feels the City is at with their current rates and if the City can manage an additional bond payment. Ms. Bauman stated that it will be tough for the City to make an additional bond payment when their current water bond payment is around \$130,000 annually and is not scheduled to be paid off for another 11 years. That's a long time to be doubling up on water bond payments. Julie discussed that she left the Property Tax Request the same along with the Tax Request towards the Street Bond, which is the street bond interest payment. Bauman continued that the City was being conservative on the asking of the tax money. Bauman stated she appreciated the work the Council Members have put into their individual funds and feels very positive about the budget

again this year. Ms. Bauman stated she will present the final draft of the upcoming Fiscal Year 2024-2025 Budget to the City Council at the August 26th regular meeting with the actual FY 2024-25 Budget Hearing to be held on September 9th starting at 6:30 p.m.

Council Member Eisenhower moved to accept the July 22nd, 2024 regular meeting minutes. Council Member Fisher 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: **7/30/24 & 8/13/24 Payrolls:** \$34,493.65; **Union Bank & Trust**, FWH 9235.69; **NE Dept. of Rev**, SWH 1369.98/Sales & Use Tax 2099.07; **John Hancock**, retirement 3543.09; **Madison National Life**, emp life ins 53.85; **Amazon Capital Services**, concrete blades/tools, sup 893.23; **Capital Business Sys**, Elevate ph 192.77; **NPPD**, elec. 2426.60; **Samuelson Law Office**, Aug 2024 atty services 1000.00; **Pawnee Republican** publ 458.13; **Windstream**, Off/Libr PH/Int, Swr Plnt/Pool Ph 595.21; **Pawnee City Thriftway**, sup/pool conc 345.76; **Coral's Cleaning Service**, office cleaning 160.00; **Access Systems Leasing**, mo. IT hardware 209.98; **Sargent Drilling**, Well Inspections 1275.00; **US Cellular**, emerg cellphone 48.38; **Pawnee Co. Rural Water**, pond wtr hydrants 45.00; **Hometown Leasing**, Libr copier contr 100.79; **PC Fire Dept**, FY 23/24 Approp, 1200.00; **Pawnee Co Road Dept**, Str tube 810.00; **One-Call Concepts**, digger locates 39.84; **IIMC**, memb dues 210.00; **H&H Auto Parts**, parts 15.99; **Matt Kuhlmann**, Aug zoning 800.00; **Midwest Labs**, swr samp tests-s/h 432.14; **GameTime**, playgrnd install chrgs 1735.00; **Outdoor Recr Prod**, rubber mulch 6900.00; **Nebr. Public Health Envir Lab**, wtr sample tests 256.00; **Verizon Wireless**, Fire Jetpack/home connect 64.82; **USDA-RD**, Str Bond Pymt 121,880.00; **League of NE Muni**, Util Sec Dues 526.00; **Martin Marietta**, Rock-manhole rep/D. North rd 697.56; **Casey's**, equip fuel 588.53. Council Member Zelenka moved to approve the claims as submitted. Council Member Poskochil seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

Review/Accept Letter of Resignation from Council Member Poskochil (needs motion):

Mayor Hatfield stated that Council Member Poskochil had submitted a letter of resignation to the City Council effective August 12th, 2024. Council all stated that they were sad to lose her as a Council Member. After more discussions, Council Member Zelenka made the motion to regrettably accept Council Member Poskochil's resignation from the City Council effective as of August 12, 2024. Council Member Fisher seconded the motion. Roll call vote: Zelenka, Aye; Fisher, Aye; Eisenhower, Nay; Poskochil, Abstain, whereupon motion carried. The vacancy can be either published or posted in three public places. The Mayor shall within 4 weeks submit the name of a qualified elector to fill the vacancy for the balance of the unexpired term. Those interested in filing for the Council Member Vacancy are to submit it in writing to the City Clerk by August 23rd, applications can be picked up at the Clerk's office. The Council Member Vacancy item will be placed on the August 26th Council meeting agenda so the new Council Member can be a part of the Budget Hearing set for the first meeting in September. At this time Council Member Poskochil stated that she would be glad to share any information she could with the person that is appointed to take her position on Council. Ms. Poskochil thanked everyone for their support while she served and she left the meeting.

Review July Treasurer's Report: Council reviewed the Treasurer's Report as of July 31, 2024. Clerk Curtis stated she would be handing out an updated Treasurer's Report at each upcoming

Council Meeting so the Council could see what was left in their individual fund budgets as of that date.

Sheriff Braden Lang: Review/Approve Ordinance #1064 adding 5-430 Parking for Personal and Recreational Vehicles (first reading); Review 5-601 Violations, Penalty for that Chapter in the City Code Book: Clerk Curtis stated that City Attorney Samuelson had erected this Ordinance to be a part of the City Code Book and not just in the Zoning Ordinance section to cover not allowing people to live in their RVs. Clerk Curtis had included 5-601 Violations, Penalty section which states that anyone who violates any of the provisions of this chapter, shall be deemed guilty of an offense and upon conviction thereof shall be fined in any sum not exceeding \$500 with a new violation being deemed to have been committed every 24 hours of failure to comply with the provisions of this chapter. Sheriff Lang stated this should help him out a lot. Council Member Eisenhauer moved to approve Ordinance #1064 adding 5-430 Parking for Personal and Recreational Vehicles on first reading. Council Member Zelenka seconded the motion. Roll call vote indicated all in favor of the motion, whereupon motion carried. **Suspend the three readings of Ordinance #1064:** Council Member Eisenhauer moved to suspend the three readings of Ordinance #1064. Council Member Zelenka seconded the motion. Roll call vote indicated all in favor of the motion, whereupon motion carried. **Discuss updates to nuisance property clean-ups at 112 12th Street & 200 11th Street:** Sheriff Lang stated he had talked with the property owner at 112 12th Street about the City Crew coming onto his property with the mini-excavator to load up the junk at his property to load in a big roll-off dumpster. Sheriff Lang stated that Mr. Osborne was totally against that idea but had stated that if a roll-off dumpster were brought to him, he would load it himself. Sheriff Lang had informed Mr. Osborne that there would be a time limit on how long the City allowed him to take to clean up his property. Lang continued that he has no vehicle currently so that would slow him down with future trash picking activities quite a bit but he will always have the compulsion to collect junk, so it will most likely become another problem in the future. Sheriff Lang stated that at the same time City Attorney Samuelson had sent a letter out to 200 11th Street he had also emailed Mr. Burcham that he was going to need to clean up his property or the City would end up coming in with their equipment and cleaning it up for him, assessing the charges against his property. There was discussion that they felt Mr. Burcham had started moving some items off of the City ROW and moving them to the backyard but wasn't sure if he had actually gotten rid of anything. Sheriff Lang stated that he had talked with Frank's brother Howard Burcham this afternoon and he assured Sheriff Lang that they were working on it. Lang continued that unfortunately they are both getting to the physical state that they can no longer work on their own vehicles so that contributes to why they have stayed parked for so long on the City ROW. Council Member Eisenhauer stated that Sheriff Lang had visited with her to recognize his deputies for the recent activities they have been a part of. Sheriff Lang stated possibly make up some sort of a letter of accommodation for their recent activities they have performed. Clerk Curtis stated that she and Deputy Clerk Wiers would work on something for the Council to review.

Discuss Nuisance Property at 738 3rd Street: Review City Attorney Betsy Samuelson's letter to property owner dated 8/5/2024: Council reviewed the letter City Attorney Betsy Samuelson had sent to Kara Lee on August 5th. Council asked Clerk Curtis to check with City Attorney Samuelson to make sure Ms. Lee had signed for her nuisance letter. **New Complaint filed on 738 3rd Street dated 8/6/2024:** Council reviewed the new complaint that had been filed on the 738 3rd nuisance property, stating that something needed to be done about this habitual nuisance issue.

Council reviewed the email from City Atty Samuelson on the complaint filed the day after she had sent a letter out stating that the property owner of 738 3rd Street needed to keep it from being a public nuisance so by sending out the generic nuisance letter the City has already started the process.

A Report and update from Foreman Cumley: Foreman Cumley was unable to attend tonight's meeting but had visited with Clerk Curtis so she could report on the agenda items for him.

Discuss Skidster & how the City should proceed; Review option of leasing from NMC Cat:

Clerk Curtis stated that Foreman Cumley felt that the CAT Lease was the best option that the City has gotten by it being a bigger machine, which would help out more in the winter and make doing jobs much easier. Clerk Curtis stated that she had visited with Julie Bauman about it earlier and she also felt the CAT Skidster lease was a better deal to go with than trading off the City's current Skidster that only has 662 hours on it. So far the two dealers that Foreman Cumley had visited with said they would only trade our current Bobcat Skidster in for \$18,600 or \$21,000. Ms. Bauman felt that the City could get a much better price by just selling their current Bobcat Skidster outright. Council Member Fisher inquired if the attachments that the City had for our current Skidster would also fit this new CAT Skidster? Clerk Curtis stated that she was not sure but couldn't imagine that Foreman Cumley would have even considered the City leasing a new machine that wasn't compatible with our current attachments the City owns. More discussion followed with Council Member Fisher moving to approve the Lease Agreement with NMC CAT for the Cat 262D3 Skidster for \$5500 provided that the city's current attachments would fit on this new machine and also to advertise to sell the City's current Bobcat Skidster once the new Cat Skidster comes in. Council Member Eisenhauer seconded the motion. Roll call vote indicated all in favor of the motion, whereupon motion carried. ***Updates on Street Repairs by Gyhra Construction & the City Crew:*** Clerk Curtis reported that Gyhra Construction has finished the Don North Road and the bill was \$5,435 which was less than they had originally thought. Gyhra's are now working on the drainage issues up at 18th & G Street. The City Crew took care of digging out the ditch they could manage and Gyhra's dug out the rest of the ditches with the tubes set to be replaced by Gyhra's next. The City Crew has three concrete road patches to finish yet. All three are already cut with the Crew digging one of them out this morning.

Review/Discuss Letter of Resignation from Gary Droge Jr effective August 23rd, 2024: Council discussed Gary Droge Jr's letter of resignation and had hoped he would change his mind and stay as a member of the City Crew. Council Member Eisenhauer moved to reluctantly accept the resignation of City Crew Member Gary Droge Jr. Council Member Fisher seconded the motion. Roll call vote indicated all in favor of the motion, whereupon motion carried. ***Review/Make***

Changes to Example of City Crew Advertisement: Clerk Curtis stated that the only thing that Foreman Cumley suggested was to get rid of the line "within a 2-year apprenticeship" on becoming a certified wastewater operator as the State now allows you to take the wastewater operator testing anytime after you get hired. Council Members were all in agreement with removing that statement from the City Crew advertisement. ***Discuss the Chamber Flower***

Watering for next year: Clerk Curtis stated that Foreman Cumley stated to her that with Jr Droge leaving and the City Crew being so busy trying to get their own projects done, they would just assume not to add watering flowers to their already busy schedule. Much discussion was had on the limited amount of time that our City Crew Members have to get projects finished, with watering flowers always coming first thing in the mornings. Clerk Curtis stated the Chamber is already going to have to find a different person to water flowers on the weekends with Jr Droge

leaving town since they have paid him the past few years to water the hanging flower baskets on the decorative lights over the weekends and holidays. Council Member Eisenhauer moved to have the Clerks send a letter to the Pawnee City Chamber of Commerce letting them know that the City Crew will no longer be watering the hanging flower baskets on the decorative lights around town as it is too much of a hardship for the next season due to workload and staffing. Council Member Zelenka seconded the motion. Roll call vote indicated all in favor of the motion, whereupon motion carried.

Review/Approve Estimate from Johnson Service Company on Phase 3, 4 & 5 Slip Lining (*NOTE: The City already paid for Mobilization, Televising & Phases 1 & 2 but without a formal motion*): Council Member Eisenhauer moved to approve the whole Slip Lining project with Johnson Service Company, paying for Phases 3, 4 & 5 in the amount of \$75,210 total to be paid out of the current 2023-24 FY Budget. Council Member Zelenka seconded the motion. Roll call vote indicated all in favor of the motion, whereupon motion carried.

Review updated 1&6 Year Street Plan from changes made at last meeting: Clerk Curtis stated that Evan Wickersham had made the changes to the City's 1&6 Year Street Plan that the Council had voted to make at the last Council meeting so she wanted them to look over the updated listing before the public hearing is held at the September 9th, 2024 Council meeting.

Constructors' proposal to do road work on E Street between 11th & 12th Streets: Clerk Curtis stated that the City Council reviewed and discussed this road work at last meeting, but no motion was made to approve it being done. Council Member Fisher moved to approve the Proposal from Constructors to complete road work on E Street between 11th & 12th. Council Member Eisenhauer seconded the motion. Roll call vote indicated all in favor of the motion, whereupon motion carried.

A Report and update from Council Member Eisenhauer: Parks, Concrete Camper Pads: Council Member Eisenhauer stated that she has visited with Clint Mahoney and he assured her that his crew could be here to pour the concrete camper pads out to the Pawnderosa Campsite by the end of September, with work to be paid for in the new 24/25 Fiscal Year. More discussion followed. Council Member Eisenhauer moved to approve Mahoney Concrete pouring eight (8) 20x4 concrete camper pads at the Pawnderosa City Pond and Campground. Council Member Zelenka seconded the motion. Roll call vote indicated all in favor of the motion, whereupon motion carried. **Cameras:** Council Member Eisenhauer stated that she had purchased two game cameras herself to try out and see how they worked. The City Crew placed one at the Pawnderosa Campgrounds towards the restroom area and one at VanHorne Park towards the restroom and shelter area. The cameras were both set to High Definition, which records 30 seconds at a time. Currently both cameras are on a free trial period. Eisenhauer continued that the costs per camera for data will be \$6/mo. for 30 MB of storage or a six (6) month basic package would be \$80/mo. for 6 G storage. As a donation, Council Member Eisenhauer plans to pay the \$12/mo. for both cameras through October. Eisenhauer also wants to look into the option of a smaller system Jetpack for WIFI and will report back what she finds. **Community Service:** Council Member Eisenhauer stated that she is done doing community service work at this time as she had worked with a few kids that were going through the diversion program and needed community service work with two of the individuals finishing their community service hours

they needed to get done. Eisenhower stated that she had one of them that was a wonderful worker but it was a struggle to get the others to show up and work. Pool Updates: Council Member Eisenhower reported that the Pool closed for the season on August 4th and the City Crew has started draining it. Eisenhower reported that there were several bags of ice that needed removed from the Pool Deep Freeze so that she could get it unplugged and wiped out. Discussion was had on the City being able to possibly use some of the bags at the Sewer Plant, City Shop, Cornerstone Building and City Office with what was left donated to whomever has room and could use it. Council Member Eisenhower stated that the City Crew had taken the pool cash register back to the old city office, but she wasn't sure if they had also grabbed the power packs for the handicapped chair, so she would be checking with Foreman Cumley in the next few days. Eisenhower also stated that the City is done with the dumpster at the Pool, so Seneca Sanitation can come pick it up at any time.

A Report and update from Council Member Zelenka: *Review/Discuss Quote from Feld Fire for Bunk Gear:* Council Member Zelenka stated that she had been in contact with Asst. Fire Chief Mike Habegger about getting quotes on Bunker Gear with Mike emailing her and Clerk Curtis a copy of the quote he had received from Ed Feld at a cost of \$2,877 per Bunker Gear. Clerk Curtis stated that there is currently around \$25,000 left in the current FY 2023/24 Fire Budget & they budgeted for \$21,000 in the next FY 2024/25 Fire Budget for the purchase of new Bunker Gear, which should allow them to purchase a total of 16 new Bunker Gear. Council Member Zelenka moved to have Asst. Fire Chief Mike Habegger order a total of 16 new Bunker Gear for the Pawnee City Volunteer Firemen to be paid for out of the FY 2023/24 and 2024/25 Fire Budgets. Council Member Eisenhower seconded the motion. Roll call vote indicated all in favor of the motion, whereupon motion carried.

Review/Take Action on Letter requesting support of \$467.50 for Blue Rivers Area Agency on Aging services for Pawnee City for the 2024/2025 Fiscal Year: Council Member Eisenhower moved to approve Blue Rivers Area Agency on Aging's request for support of \$467.50 in the upcoming 2024/25 Fiscal Year. Council Member Fisher seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

Pawnee City Assisted Living (PCAL's) July Meeting Minutes: Council reviewed PCAL's July meeting minutes.

Correspondence: Council reviewed the email from NPPD on their Retail 2025 Rate that includes an overall 2% increase & load communication email. This rate increase is NPPD's first rate increase in 11 years. Mayor Hatfield stated to let Clerk Curtis know if anyone is interested in joining JEO for a Husker Football Tailgate on September 7th, 2024. Council Member Fisher moved to adjourn the meeting. Council Member Eisenhower seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried and the meeting adjourned at 8:53 p.m.

Attest: Tamela S. Curtis, City Clerk

Charlie Hatfield, Mayor