

MINUTES OF THE REGULAR MEETING OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PAWNEE CITY, HELD ON MONDAY, AUGUST 23, 2021, AT 7:00 P.M. AT THE PAWNEE CITY PUBLIC LIBRARY MEETING ROOM, 735 8TH 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: Ric Helms, Bruce Haughton, Susan Eisenhower, and Donnie Fisher; Tammy Curtis, City Clerk/Treasurer, Kellie Wiers, Deputy City Clerk/Treasurer, Spencer Cumley, City Foreman and City Auditor Julie Bauman. **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 West meeting room wall accessible to the public.

Council Member Eisenhower made a motion to accept the August 9, 2021, regular meeting minutes. Council Member Fisher seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

Council Member Haughton made a motion to accept the August 12, 2021, special meeting minutes. Council Member Eisenhower 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: **8/17/21 Payroll:** 13,069.66; **Union Bank & Trust**, FWH 3319.17; **NE Dept. of Rev**, SWH, 449.13; **John Hancock**, retirement 1217.57; **Allstate**, cancer/accid. ins. 283.26; **Ameritas**, vision ins. 128.50; **UHC**, health ins. 5857.72; **Madison National Life**, employee life insurance 61.48; **BHE**, gas service 168.27; **Spectrum**, internet & phone @ shop 164.97; **PCDC**, June 2021 sales tax 6420.30; **Windstream**, phone service @ swr plant & pool 139.88; **Dollar General**, pool supplies & concessions 186.79; **NPPD**, electric service 4170.84; **Pawnee City Thriftway**, office supplies & pool concessions 1036.62; **Pawnee True Value**, repair supplies 102.90; **Seneca Sanitation**, July garbage service, dumpsters @ pool & pond 6429.50; **Quill Corp.**, office supplies 122.58; **Amazon Capital Services**, lawnmower oil 66.27; **Barco Municipal Products**, paint & flags for Digger Hotline Locates 673.62; **Friedly Oil**, lawn mower fuel 400.04; **H & H Auto Parts**, repair parts 1314.39; **In the Swim**, chlorine tablets 399.98; **Nebr. Notary Assoc.**, notary renewal DC Wiers 156.18; **Sargent Drilling**, well & pump tests 600.00; **Destiny Worthey**, deposit refund 9.20; **Casey's Bus. Mastercard**, equip fuel 341.26; **General Fire & Safety**, gas monitor repair 231.00; **Immense Impact**, annual web subscription 549.45; **SYNC/Amazon**, library materials 179.21. Council Member Eisenhower moved to approve the claims as submitted. Council Member Haughton seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

JULIE BAUMAN: Present Final Draft of Budget Document and Levy; Valuation: There was a bit of an increase in valuations this year for a total of \$30,548,717.00. Total tax asking is

\$220,932.00 split into two portions \$95,000.00 for the street bond project and \$125,932.00 for general property taxes that will be used for general government operations. Cities are limited on their tax levy because of valuations and can only levy up to 45 cents. The City has been very conservative on their levy. The sewer and water bonds have both been refinanced. There was a change in the Fire budget to reflect the new fire hall project. When you develop a budget, you want to have a true picture of fiscal costs, current costs, fixed costs to see what it takes to run the City. In a budget, you cannot have more than 50 % in reserves, or you are out of compliance, but the City's cash reserve percentage is 45%. The State limits you on the revenue that you bring in and your capital outlay by proving how you are going to spend your revenue and that gives you the "unrestricted authority" that's left over. The 1% allowable growth doesn't increase the tax levy but it's increasing your authority which means if you ever need to amend the budget to include more property tax, then this is where you are limited on that, so you always want to do the 1% but it doesn't increase the levy. So, you are trying to accumulate an increase in the unused restricted funds authority so you can amend your budget to handle an unforeseen expense. The total budget adds up to \$3,358,137.00 which includes total expenditures, equipment, etc. The 2020-2021 actual/estimated budget adds up to \$2,236,203.00. Ms. Bauman will send the Notice of Budget Hearing to the newspaper. **Vote on additional 1% allowable growth:** Council Member Eisenhauer moved to approve the additional 1% allowable growth. Council Member Helms seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried. Council Member Helms moved to approve the final draft of the budget. Council Member Haughton seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

PUBLIC HEARING—Application for NEW Class “D” Liquor License for the Little Brown Jug LLC (DBA) The Little Brown Jug 124415: Council Member Eisenhauer moved to open the public hearing on the application for a new Class D Liquor License for the Little Brown Jug at 7:31 pm. Council Member Haughton seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried. Scott and Carla Hanna were present with family members to hear public input of the application for a class D liquor license. There was no public input. Council Member Helms moved to close the public hearing on the application for a new Class D Liquor License for the Little Brown Jug at 7:32 pm. Council Member Haughton seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried. Council Member Eisenhauer moved to approve the application for a new Class D Liquor License for the Little Brown Jug LLC (DBA) The Little Brown Jug 124415. Council Member Fisher seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried. The Mayor will sign the paperwork after the meeting and Clerk Curtis will mail it into the Liquor Control Commission tomorrow.

PUBLIC HEARING—On a request from Mike Wilcox to narrow a portion of J Street from 11th to 14th Street, in Blocks 13, 14, 15, 18, 19 & 20, Hollinshead's Addition to Pawnee City, Pawnee County, NE to a 60' wide street; vacate the portion of 12th Street from I to J Street; Alley in block 20, Hollinshead's Addition and the portion of 13th Street from I to J Street; Alley in Block 19 in Hollinshead's Addition to Pawnee City, Pawnee County, NE, reserving to the City and utility companies an easement for maintaining all utilities: Council Member Helms moved to open the public hearing on a request from Mike Wilcox to

narrow a portion of J Street and vacate a portion of 12th Street at 7:45 pm. Council Member Fisher seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried. Mike Wilcox was present to hear any public hearing on this request. There was no public input. Council Member Haughton moved to close the public hearing on a request from Mike Wilcox to narrow a portion of J Street from 11th to 14th Street at 7:47 pm. Council Member Eisenhower seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

Review/Pass Ordinance #1016 on first reading to narrow a portion of J Street from 11th to 14th Street, in Blocks 13, 14, 15, 18, 19 & 20, Hollinshead's Addition to Pawnee City, Pawnee County, NE to a 60' wide street; vacate the portion of 12th Street from I to J Street; Alley in block 20, Hollinshead's Addition and the portion of 13th Street from I to J Street; Alley in Block 19 in Hollinshead's Addition to Pawnee City, Pawnee County, NE, reserving to the City and utility companies an easement for maintaining all utilities. Council Member Eisenhower moved to pass Ordinance #1016 on first reading to narrow a portion of J Street from 11th to 14th Street, in Blocks 13, 14, 15, 18, 19 & 20, Hollinshead's Addition to Pawnee City, Pawnee County, NE to a 60' wide street; vacate the portion of 12th Street from I to J Street; Alley in block 20, Hollinshead's Addition and the portion of 13th Street from I to J Street; Alley in Block 19 in Hollinshead's Addition to Pawnee City, Pawnee County, NE, reserving to the City and utility companies an easement for maintaining all utilities. Council Member Fisher seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried. Council Member Eisenhower moved to suspend the three readings on Ordinance #1016. Council Member Haughton seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried. Council Member Eisenhower asked Mike Wilcox if he had requested a building permit on this fence and if not, to apply for one and talk with Zoning Administrator, Matt Kuhlmann.

Review/Discuss updated 1&6 Year Street Plan—Approve Listing & Set Public Hearing for same night as Budget Hearing September 13, 2021 @ 7:30 p.m: Council Member Eisenhower asked about project M-484(150) on 5th Street. It shows that there is one block from D to E street but the length lists this as two blocks. It should be listed "D to E street" and listed as length of one block. Council Member Helms stated that he and Foreman Cumley drove the streets listed in the plan and moved some streets from the one-year plan to the six-year plan. CM Helms said if he gets elected next year, he will work on getting some of this done. Council Member Eisenhower asked if asphalt would be heavy enough to withstand semi-truck traffic because the streets surrounding the semi-truck parking lot are listed to be covered in asphalt. Council Member Helms said he knows that and if your asphalt is thick enough it will be able to withstand the traffic. The section of B street by the elevator was 10 inches of asphalt but taken out and replaced with eight inches of concrete. That asphalt would have lasted a lifetime. Council Member Helms moved to accept the updated 1&6 Year Street Plan with said change and set the public hearing for September 13, 2021. Council Member Eisenhower seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

Review/Take Action on Semi-Annual Audit from PCDC performed by Citizen Advisory Board: There was no public input. Council Member Helms moved to approve the semi-annual audit from PCDC performed by the Citizen Advisory Board. Council Member Haughton

seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

Discuss Applicants for Full-Time City Crew Member to replace Sheraud Warren: Clerk Curtis asked the Council if they wanted to go into Executive Session to discuss the applicants? Mayor Hatfield stated that the Council couldn't discuss the names of the applicants unless they went into Executive Session. Council Member Eisenhauer suggested numbering the applicants based upon the order they are listed in the agenda packet. Council members reviewed the applications for a new City Crew Member and discussed each applicant by assigning numbers to each application and identified each applicant by their first and last initials of their names since it was an open meeting. Much discussion was had on each application and the Council decided to interview #1 (L.B). and #3 (J.H.). Council Members Susan Eisenhauer, Donnie Fisher and Bruce Haughton volunteered to interview the applicants along with Foreman Cumley. An interviewing committee was formed with Council Members Susan Eisenhauer, Bruce Haughton, and Donnie Fisher along with Foreman Cumley. It was decided to hold a special meeting for the interviews on September 8, 2021, at 7:00 p.m. at the Library and then make a recommendation to the Council at the regular meeting on September 13, 2021. Council Member Haughton suggested that once an applicant is selected and hired, a background check should be completed. Deputy Clerk Wiers will contact the applicants to schedule the interviews. Foreman Cumley will review the standard interview questions before the meeting.

Report and update from Foreman Cumley: *Discuss Sargent Drilling's 2021 Well & Pump Results;* The well tests were very good, and the aquifer is good. Well #2 wasn't tested because the liner will be replaced soon, and the well was rebuilt last year. ***Discuss water main repairs on G Street;*** There was another leak on G street and the leak came from a lead service line again. All the service lines are probably lead on G Street. When the new EPA lead and copper rule goes into effect this year, we will have three years to replace all lead and copper service lines. We will be required to replace a certain percent every year. Should the main be replaced? Council Member Helms stated that it would be cheaper to replace that water main now since that section of G street will eventually be replaced. ***Discuss two-party water line on G Street;*** The house at 1145 G Street and the house directly South of it share a water line and you can't shut off the water at one house without shutting off the water at the other house. Since someone is living at 1145 G Street, the water is still on at the other house which was owned by Maxwell Construction even though it is empty. So, one of these two property owners could receive free water service without opening an account because there is only one water shut off. The City could install two shut offs but one or the other property owner is going to have to install a new service water line. Foreman Cumley said he had heard that Winfield McClintock bought the Maxwell house and Amber Lewis lives in the corner house at 1145 G Street. Foreman Cumley asked how this situation should be handled and if the Council would need to talk with the city attorney. Council Member Eisenhauer asked if the cost of a new water line could be split between the two properties? This would benefit both. Council Member Eisenhauer asked Foreman Cumley what it would cost to put in two separate lines? Cumley stated it would probably cost the property owner \$600 to \$800 to put in the water line to a new shut off and it would cost the City around \$500 in parts for the new shut off. The repair on G street was located near this spot but was on the City's side.

Correspondence: The City Council reviewed correspondence from June 2021 total Sales Tax of \$20,598.03 with ½% Street Repairs Sales Tax totaling \$4,280.20 and \$3,477.24 being Motor Vehicle Sales Tax. Clerk Curtis explained the letter from LARM was just an update to the City's insurance policy.

Report and update from Clerk Curtis: Review Documents from USDA-RD on approval of a \$28,000 grant towards the Well Generator: The City had received approval from USDA on the grant of \$28,000 plus the City received a \$10,000 grant from DHHS last year to purchase a new well generator.

Council Member Helms moved to adjourn the meeting. Council Member Fisher seconded the motion. Roll Call vote indicated all in favor of the motion and meeting adjourned at 8:10 p.m.

ATTEST: Kellie A. Wiers, Deputy City Clerk

Charlie Hatfield, Mayor