

MINUTES OF THE REGULAR MEETING OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PAWNEE CITY, HELD ON MONDAY, JANUARY 23, 2023, AT 7:00 P.M. AT THE PAWNEE CITY PUBLIC LIBRARY, 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 Susan Eisenhower (by phone), Vickie Zelenka, Donnie Fisher and Laura Poskochil; Kellie Wiers, Deputy City Clerk and Tamela Curtis, City Clerk/Treasurer; 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 West meeting room wall accessible to the public. At this time, all those present stood to recite the Pledge of Allegiance.

Council Member Zelenka moved to accept the January 9, 2023, 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: **1/17/23 Payroll: 10435.18; Union Bank & Trust**, FWH 3121.49; **NE Dept. of Rev**, SWH 496.67; **John Hancock**, retirement 1641.92; **Allstate**, cancer/accid 218.06; **Ameritas**, vision 104.50; **Madison National Life**, life ins 66.33; **United Health Care**, health 6886.00; **ACCESS Systems**, IT contract 905.30; **NPPD**, electric service 3215.57; **Windstream**, internet service @ City Office, phone & internet @ library 277.24; **Diversified Drug Testing**, drug/alcohol test empl#680 123.00; **Leading Edge Printing**, 2022 tax forms 179.32; **Lincoln Journal Star**, library subscription 267.00; **Nebr. Dept. of Revenue**, lodging, Dec. 2022 sales & use tax 2399.71; **NMC, Inc.**, 14' snow push 11,400.00; **One Call Concepts**, Digger Hotline locates 7.50; **Pawnee Republican**, publications 132.53; **Pawnee True Value**, repair supplies 36.80; **Protex Central Inc.**, library fire inspect 555.00; **SE Area Clerks Assoc.**, 2023 annual dues 20.00; **Stallbaumer Lumber & Hardware**, leaf blowers 347.36; **Pawnee Co. Register of Deeds**, file DOT, H. Rehab 46.00; **Southeast NE Dev. Dist.**, fire hall proj DD #8 12,049.87; **Spectrum**, internet & phone @ shop 174.97; **Nebr. Dept. of Labor**, 4th qtr 2022 unempl tax 31.10; **3-D Plumbing & Hardware**, assist wtr main break 130.00; **BHE**, gas service 1310.44; **PC Fire Dept.**, 4th qtr 2022 reimb 828.69; **Zee's Backhoe Service**, camera use @ swr plant & replace wtr hydrant 243.39; **PCDC**, Nov 2022 sales tax 7852.13; **Pawnee Co Treasurer**, qtrly law enforce contract 17,893.41; **Seneca Sanitation**, Dec 2022 garbage service 6782.27. Council Member Eisenhower moved to approve the claims as submitted. Council Member Zelenka seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

Review email from Kelly Gentrup, SENDD: consider sending a Notice of Right to Cure to Pawnee Republican about loan in default and to discuss loan forgiveness on certain ReUse Loans. This item was tabled until the February 13, 2023 City Council Meeting.

Review information on Tele-Squirt Ladder Fire Truck recently purchased by the Pawnee City Fire Department: Mayor Hatfield reviewed the information and pictures included in the packet. The Fire Dept. was able to purchase a 1987 Pierce D-300 LP, 50' ladder truck with a bid of \$6400 (\$7100 after fees) It was decided to pay to have the truck shipped from Forman, North Dakota to Pawnee City, Nebraska, because of time and costs, especially since the truck needs new tires. Shipping will cost \$2800. The attic ladder and long pike shown in the pictures are not included in the purchase.

Executive Session: Discuss Employee Job Performance Issues: Council Member Zelenka moved to go into Executive Session for the purpose of discussing the Evaluation of the job performance of a person and to prevent needless injury to the reputation of a person at 7:07 p.m. Council Member Poskochil seconded the motion. Roll call vote indicated all present voting in favor of the motion, whereupon motion carried. Mayor Hatfield was not present during the Executive Session due to being related to the employee discussed in Executive Session. Mayor Hatfield explained he would not be present during executive session since he is related to the employee being discussed and does not want to influence the discussion or decisions made. Council Member Fisher moved to come out of executive session @ 8:01 p.m. Council Member Zelenka seconded the motion. Roll call vote indicated all present voting in favor of the motion, whereupon motion carried. Council Member Eisenhauer moved to hold a special council meeting on Thursday, January 26, 2023 at 7:30 pm., to discuss Employee Job Performance and Wages of City Employees. Council Member Zelenka seconded the motion. Roll call vote indicated all present voting in favor of the motion, whereupon motion carried.

Report and update from Foreman Cumley: Vertical Screen: WesTech will be here Jan. 30th to work on the vertical screen at the Sewer plant. Clerk Curtis explained money had been budgeted in the Sewer Short-lived Asset account to pay back the Utility Account for up to \$50,865 to help pay for the vertical screen repair. Foreman has talked with AHRS about renting a crane to install the screen. **Updates to Pool Plumbing:** All of the pool plumbing inside the building will be replaced with pex pipe and alterations made to better access the fire hose which is used on the pool deck. The poles for the sunshades will be disassembled and marked to ease re-installment and fans will be installed. **Wastewater Training:** Crew Member Gary Droge, Jr. has taken the wastewater test twice and failed it by 2 points. He is not interested in taking it a third time because he will have to pay for it himself. A retake test will cost \$125. Foreman Cumley explained that Crew Member Droge and ex-crew member McAhon had completed two online trainings before they took their last test. Also, they don't let you know what questions a person missed so then that person doesn't know what topics they need to review. Droge studied very hard and knows a lot about the sewer plant but was not able to pass the test. Foreman Cumley would encourage Crew Member Barloon to complete this training before he takes the test. Council Member Poskochil expressed interest in taking the wastewater test to become sewer certified then possible be the back-up operator. If Crew Member Droge takes the test for the third time, he will have to earn a certificate verifying that he has completed at least six hours of wastewater training. Foreman Cumley would like to register Droge for online training but have Crew Member Barloon also study it. If Crew Member Barloon became wastewater certified then Crew Member Droge would not have to, especially if Council Member Poskochil also became certified. **PFAS Cost Recovery Program:** Foreman Cumley explained the Napoli Shkolnik Law firm is planning to file a PFAS cost recovery action against the manufacturers of the PFAS

forever compounds. The purpose is to provide an opportunity for water and wastewater systems to recover any expenses they may have, or future expenses related to testing, treatment and remediation of PFAS contamination. PFAS can show up in water and sewer systems, landfills, manufacturing, airports, etc. PFAS have been found in de-icer, nonstick cookware, food storage containers and packaging. Randy Hellbush from Nebraska Rural Water stopped in the City Office recently and he highly recommended utilities sign up for the multi-district litigation in case something happens, and cities are required to test for this and/or mitigate for the PFAS. Registration is due by January 31st and there is no cost to register. If there is a lawsuit and the City didn't register, then the City would not be eligible for any remuneration from a lawsuit. Council Member Poskochil recommended the City Attorney review the contract before the Mayor signs it. Council Member Poskochil moved to submit the registration for the PFAS cost recovery action being filed by the Napoli Shkolnik Law firm after it has been reviewed by the City Attorney and before the deadline. Council Member Fisher seconded the motion. Roll Call vote indicated all in favor of the motion, whereupon motion carried.

Report and update from Council Member Poskochil: *Discuss no-cost TA program through Environmental Finance Center, Wichita State University to conduct a study where improvements to City's overall water/wastewater systems could be made:* Council Member Poskochil was researching funding for the vertical screen repair and talked with Steven McNulty, a NDEE State Revolving Fund representative and funding for the vertical screen would not qualify since the project is already started. It may be beneficial for them to conduct a study of our water and wastewater systems to see if there may be changes made to prevent future problems based upon their recommendations. All it would require now is a phone call to learn more about the program. There are two other communities signed up for this program. Is this something the Council would be interested in? Foreman Cumley expressed interest in this program to address the inflow problem at the sewer plant. Council Member Poskochil will contact Wichita State University to set up a phone call. Council Member Poskochil found a "Midwest Assistance Program" (MAP) may be able to help the City reinstate their recycling program. She will research for more information.

Correspondence: The City Council reviewed correspondence from November 2022 total Sales Tax of \$22,801.41 with ½% Street Repairs Sales Tax totaling \$5,234.75 and \$1,862.40 being Motor Vehicle Sales Tax. Council Member Zelenka moved to approve Clerk Curtis attending the 2023 MidWinter Conference February 27th & 28th in Lincoln, Nebraska for a cost up to \$425.00. Council Member Fisher seconded the motion. Roll Call vote indicated all in favor of the motion, whereupon motion carried. Council Member Zelenka asked if there were trainings that Deputy Clerk Wiers could also attend? Mayor Hatfield suggested next year that maybe Clerk Curtis could attend one day and Deputy Clerk Wiers could attend the second day after the Utility Billing clerk has worked longer and could manage the office by herself. Council Member Zelenka 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 8:42 pm.

ATTEST: Kellie A. Wiers, Deputy City Clerk

Charlie Hatfield, Mayor