

MINUTES OF THE REGULAR MEETING OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PAWNEE CITY, HELD ON MONDAY, JUNE 10, 2024, AT 7:00 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 being posted in four prominent places, a designated method for giving notice as shown by the Affidavit of Posting 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, Laura Poskochil and Susan Eisenhower; Tamela Curtis, City Clerk/Treasurer and Deputy Clerk Kellie Wiers. **Absent:** Foreman Spencer Cumley.

Mayor Charlie 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, next to the storage closet, accessible to the public. At this time, all those present stood to recite the Pledge of Allegiance. Council Member Zelenka moved to accept the May 28, 2024, regular 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: **6/04/24 Payroll:** \$18,297.93; **Union Bank & Trust**, FWH 5261.62; **NE Dept. of Rev**, SWH 812.94; **John Hancock**, retirement 1661.24; **Pawnee City Thriftway**, sup/pool conc 817.87; **Coral's Cleaning Service**, office cleaning 120.00; **Amazon Capital Services**, chainsaw chain/pool sup 317.26; **Access Systems Leasing**, mo. IT hardware contract 209.98; **Access Systems**, copier contract & overages, 220.93; **NPPD**, elec 2433.27; **US Cellular**, emerg cellphone 48.33; **Pawnee Co. Rural Water**, pond wtr hydrants/rmb wtr parts 390.06; **Hometown Leasing**, Libr copier contr 100.79; **Eakes Office Solutions**, Libr lease 51.74/Cornerstone tables & chairs 5620.00; **One-Call Concepts**, digger locates 54.24; **Friedly Oil**, equip fuel 721.91; **H&H Auto Parts**, rep parts/sup 112.68; **Matt Kuhlmann**, June zoning 800.00; **Midwest Labs**, swr samp tests-s/h 653.57; **Pawnee Republican**, publ 811.76; **Windstream**, int/office, pool ph, Libr ph/int 362.02; **PCMH**, pre-empl physical 200.00; **Utility Equip**, metal detector 1213.55; **Capital Business Sys**, Elevate ph 192.77; **Lincoln Winwater Works**, manhole covers 2359.40; **Core & Main**, Sensus annual tech sup 2600.00; **Binder Bros**, concrete-str rep 244.25; **Lori Gottula**, Libr materials 24.95; **Meyer Lab**, paper towel refills 45.95; **PCDC**, demo reimb-942 8th St 4000.00; **Casey's** equip fuel 335.47; **HealthFirst RX**, ice cream-pool conc 105.00. Council Member Eisenhower moved to approve the claims as submitted. Council Member Fisher seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

Review May Treasurer's Report: Council reviewed the May Treasurer's report with no questions.

Report from Sheriff Braden Lang: Sheriff Lang stated that he was sure everyone had been made aware of the fact that Chief Deputy John Samuelson will be leaving the force in early July. Deputy Samuelson is on vacation this week but wanted to let the Council know he has been hired by the Seward County Sheriff's Dept. Sheriff Lang stated that the new deputy Hans Rohrbaugh is in pre-reciprocity training, but he had laid out everything in detail as to what the hours would be when he started working for the Pawnee Co Sheriff's Dept with Deputy Samuelson leaving. There was a Pawnee County Commissioner's meeting Tuesday morning in which Sheriff Lang had invited both Richardson and Johnson Co. Sheriffs to attend and welcomed anyone from the City Council that wanted to sit in on this meeting also. Sheriff Lang continued that if Pawnee Co. ended up losing their Sheriff's Department, either Richardson or Johnson county would have to hire more deputies to be able to cover Pawnee County and when you don't have deputies that live here, you lose the familiarity of the people in addition to the costs associated, which would be way more than what his current sheriff's budget is. Sheriff Lang stated that with the shortage of deputies it always seems that when you're the only one on duty, you get multiple calls in all at once. Lang stated that unfortunately the extreme lack of sleep causes a person to make stupid decisions. Sheriff Lang had lunch with a Nebraska State Patrolman and they would come to help with emergencies and planned events like the fair. They just don't do the same as the County Sheriff's department as they mostly do road patrol and they just don't handle domestic situations in their line of work. Council Member Poskochil inquired about contacting agencies to assist with some of these mental health issues. Sheriff Lang stated that they won't go without the police there also, so it doesn't really take a lot of the pressure off of the department. Council Member Zelenka inquired if it is the salary or is it something else on why these deputies keep leaving Pawnee County? Sheriff Lang stated that yes it is mostly the wages. Lang continued that the last person they sent to the academy quit in 1.5 years. Council inquired if former Deputy Brad Willey would come back. Sheriff Lang stated no, not right now. Sheriff Lang stated that former deputy Mike Rath stated he would never come back to Pawnee County either. Rath is now in the sandhills in Grant Co, which is the same size and population as Pawnee County but they don't have the runoff of crime and drugs from surrounding counties like we do. Sheriff Lang stated he hasn't quite figured out why he also hasn't left but he doesn't want to let them win. Sheriff Lang discussed that he and Deputy Bredemeier have been rotating on 24-hour shifts, in which you are out on patrol for half of that. Lang continued that the call logs are proportionate with other counties. 99% of it is them responding to the calls with a Sheriff plus two deputies. Sheriff Lang stated that there is so much more going on than what is printed in the newspaper that they just don't have time to log everything down that they get calls on. Office Deputy Nancy Tilton has been doing the job of two deputies as the crime analyst but the Commissioner's refuse to give her the \$2/hour raise, which has been included in his budget. Last week while Hans Rohrbaugh was in her office Nancy de-escalated a suicide call. Sheriff Lang stated that the last meeting with the County Attorney went bad and that sealed it for John as they have been after this criminal for a long time. Sheriff Lang reported that Channel 10/11 is coming to do a ride along with him on Tuesday starting at 11:00 a.m.

Updates to Nuisance Properties: Review Follow-up Letter for continued Nuisance Issues at 112 12th Street & Discuss Asbestos Testing scheduled at 1145 G Street: Clerk Curtis reported the City Office had received another complaint so City Attorney Ferebee had sent out another letter to the property owner at 112 12th Street on his continuous nuisance issue having junk spread throughout his property. This letter states that if the property owner does not request a

hearing within 5 days of receiving the notice, the City may have the work done and assess the charges against the property or recovered in civil action. Clerk Curtis stated she had been in contact with the property owner at 1145 G Street inquiring when she was scheduled to have the asbestos testing done. The property owner was not happy with the phone call but did take the numbers again to the most used Asbestos Testing Co. She then stopped in the City Office to let Clerk Curtis know that the Asbestos Testing Company would be there the weekend of June 15th to do their asbestos testing and she would turn in the paperwork as soon as she received it.

CM Zelenka, Mike Habegger & Dave Glynn, PC Fire Dept: *Discuss larger Budget Requests; Review/Discuss email from Mike Habegger for proposed Fire Dept. larger Budget Items:* Mike Habegger with the Pawnee City Volunteer Fire Department met to discuss some larger Fire budget item requests with the City Council. Mr. Habegger had emailed the City Office and Council Member Zelenka to share some of the items that the Fire Department would like to include in their budget for this upcoming fiscal year. Council Member Zelenka had felt it best if Mr. Habegger could come to tell a little bit more about what the department is in need of to the whole Council so we are all on the same page. Mr. Habegger stated that the top item is ordering new bunker gear since about 80% of their current bunker gear was acquired 20 years ago when they received the first Federal Grant. The lifespan of bunker gear is 10 years so they're outdated. Habegger stated that one set of bunker gear costs approximately \$4,250. Clerk Curtis stated that as of right now it is estimated that there will be approximately \$27,000 left in this fiscal year's budget to spend on items needed for the Fire Dept. Clerk Curtis inquired if they ordered more sets of bunker gear could they get them at a lower price? Clerk Curtis also stated that if that were an option, they could cut a check at the end of September for a partial payment on bunker gear and then cut another check on October 1st in the new Fiscal Year to pay for the remaining balance due on the bunker gear ordered. These are just options that could be available to the fire department to get the most out of their budgeted funds. More discussion followed with Mr. Habegger stating he would look into the costs of ordering groups of bunker gear and check to make sure none of their pumps were needing to be replaced or different equipment replaced and get back to Clerk Curtis and Council Member Zelenka so they could include the needed items in the upcoming 2024-25 Fire Budget.

Clerk Curtis & Deputy Clerk Wiers: *Discuss the TextMyGov Council Packet & Proposal (Lauren Graff with TextMyGov will be available to call with any questions):* Clerks Curtis and Wiers stated they had sat in on a couple zoom meetings with a new contact Lauren from TextMyGov, that was much better and more knowledgeable about this system than the first representative that had contacted them a couple years ago. Much discussion followed if it would really be worth the extra money to get TextMyGov to communicate with our citizens if we couldn't just text out messages and alerts from our own website. Council Member Poskochil stated the key is getting people to sign up to get these alerts from the City's website. More discussion followed with the Council stating that they would like to look further into what our own City Website is capable of before spending more money on the TextMyGov option. Clerks Curtis and Wiers stated they would communicate with Municipal Impact and see if our city Website has the capability to send out messages and report back.

Tabled from 5/13 meeting: Mike & Sharon Schilling - *Application for Propane Gas Tank Placement @ 1335 C Street:* Clerk Curtis stated that she had visited with Zoning Administrator

Matt Kuhlmann this afternoon and the Schillings have not filed for a variance with him on this agenda item nor have the Schillings made any contact with the City Office on anything since Mr. Schilling met with Mr. Kuhlmann in the City Office a couple days after that May 13th meeting. Clerk Curtis had included an example Propane Tank Ordinance from Hartington, NE. Council stated they appreciated the example ordinance from another community on how they handle propane tanks.

Discuss/Approve Wage Recommendation Options from Wage Committee: Council Member Eisenhower handed out an updated spreadsheet from what was in the agenda packet that showed Utility Billing Clerk Kimberly Johnson's wage moved up to \$18.00/hour, since that is the wage that the Council had agreed to pay the seasonal summer help. Eisenhower continued she felt this was the least that the City could do as she has a lot of responsibility in handling everything with the Utility Billing each month. Council Member Eisenhower stated that Clerk Curtis has also been working on handing over all of the Pool Items to Kimberly to take care of & is also starting to have her assist some with the Payroll process, in hopes that in the near future being able to turn the payroll process completely over to her. Council reviewed the three spreadsheets showing a 2% & 3% increase along with a straight raise based upon their performance review on their Employee Evaluations. Council Member Eisenhower stated she prefers the 3% or the performance review raises. Council Member Poskochil stated she liked the performance review raises but would also be good with the 3% raise. Council Member Zelenka agreed. More discussion followed. Council Member Eisenhower moved to approve Option #1 for the 3% wage increases effective for FY 2024/25, October 1, 2024 with the exception of Kimberly Johnson, making her wage \$18.00/hr. effective starting this next pay period. Council Member Zelenka seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried. Clerk Curtis will have this motion written into the Salary Ordinance form and read at the next three meetings, then be advertised between July 15th and August 15th.

Review Info from SENDD on 2023 Rural Community Recovery Program (RCRP), Q&A Sheet and Notice of Intent to Apply, which was submitted on due date 6/3/2024: Council reviewed the Rural Community Recovery Program (RCRP) Notice of Intent to Apply that had been submitted on June 3rd. Clerk Curtis stated that the Nebraska Department of Economic Development (DED) did not give SENDD nor any of the Communities much headway that this grant was available until around May 17th, which was just an email letting the eligible communities know that SENDD would have a Zoom presentation on May 29th, with the letter of intent to apply due on that following Monday, June 3rd. Clerk Curtis sat in on the Zoom presentation and then visited with Mayor Hatfield and Council Member Eisenhower, explaining what the Covid Grant was all about and how she felt it could possibly benefit our community. That same afternoon Clerk Curtis typed up the Notice of Intent to Apply to run past them both so she could send it to Karsyn Bredenkamp with SENDD before submitting the final draft to DED. Karsyn suggested adding a couple sentences to show how our Community receiving this grant would assist those that are still struggling since the pandemic. Clerk Curtis and Deputy Clerk Wiers also discussed the grant with Council Member Poskochil when she had called into the office. After receiving the final approval from Karsyn Monday morning, Clerk Curtis submitted the Notice of Intent to Apply to DED late morning, receiving confirmation that it had been received by 12:30 p.m. that same day. Much discussion followed on what dates Ed Raper would be in town (as previously stated in his attorney's letter to City attorney Samuelson) to approach

him about possibly selling his downtown nuisance buildings to the City so that part of the grant funds could go towards the costs of demolishing the buildings and turning that area into a peaceful community green/flower garden space. Mayor Hatfield pulled the attorney letter up on his phone and stated that Mr. Raper was scheduled to be out of town June 6-18 and June 27-July 5th. More discussion followed on who would be the best person to talk to him about this. Clerk Curtis stated that it was probably her husband Lynn and herself that got along with Ed the best. Council Member Fisher stated he would be glad to also be there when they met with Mr. Raper. Clerk Curtis stated that the deadline for submitting the final application for this grant is July 22nd, so there isn't much time to waste as the City would need a letter of intent from Mr. Raper if he is in agreement with selling these nuisance buildings over to the City, contingent upon the City being awarded the grant. After more discussion it was decided that Clerk Curtis, her husband Lynn and Council Member Fisher would try to set up a meeting for Saturday, June 22nd with Mr. Raper to discuss all of this with him and report back to Council at the June 24th meeting. ***Review/Discuss email from Karsyn/SENDD & the RCRP Checklist of items needed by 7/1 & 7/15:*** Council reviewed the RCRP Checklist of items that are needing to be completed and sent into SENDD by July 1st and 15th Council Members Poskochil and Eisenhauer stated they would assist Clerks Curtis and Wiers in preparing the checklist of items needed to complete the final application. Council Member Poskochil moved to approve submitting a final application for the RCRP Grant due 7/22/2024. Council Member Eisenhauer seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

Review/Act on Mark Sunneberg Jr's Demolition Reimbursement Request at partial Lot 8, irreg. tracts NE ¼ 26-2-11 (East of L Street): Council reviewed the billing from Gyhra Construction and felt that some of that pertained to more than just the demolition of the trailer house and concrete that was on that property as there were a lot of trees and a fence also removed. Council Member Eisenhauer stated that she felt they could approve the \$4000 in demo reimbursement as they were over that in costs associated with the demolition of the trailer house and removal of the concrete. Council Member Eisenhauer suggested that when Clerk Curtis emails the demolition documents onto the Pawnee City Development Corporation for their group to take action on their demolition program, she should also include a note that PCDC may have to make contact with Mr. Sunneberg to ask Gyhra Construction to separate that billing statement out from trailer/concrete demo vs. tree and fence removal, so PCDC knows exactly what allowable expenses are within their demolition program. Council Member Eisenhauer moved to approve Mark Sunneberg Jr's request for a \$4000 demolition reimbursement at partial Lot 8, irreg. tracts NE ¼ 26-2-11, East of L Street. Council Member Fisher seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

Review/Discuss Notice of Valuation Changes on Cornerstone Building & New Fire Station Parking Area (formerly Chase property, last year's prop valuation protest is included): Council Member Eisenhauer stated that when she met with the Commissioners last year to protect the Chase property, located right East of the new Fire Station, it was noted that once the buildings were torn down, Co. Assessor Vickie Wiers would be grouping that property together with the new fire station, making it all tax exempt. Council discussed if the Cornerstone Community Building could possibly be exempt if they didn't charge to rent the space out. More discussion followed on if the City didn't charge a flat fee to rent the Cornerstone Community Building out, could they just accept donations to go towards upkeep on the building. Council

Member Eisenhauer stated she would visit with the County Assessor and find out if she needed to fill out another protest on the Chase property and also try to get answers to the questions about the Cornerstone Community Building.

Discuss official name for Cornerstone Building or Cornerstone Community Building:

Mayor Hatfield stated this was asked because the Masonic Lodge needs to know the official name of the building for the plaque they will present the City when they perform the Cornerstone Mason Service on July 27th. Council Member Eisenhauer stated it is a community building, so she felt it should be officially called the Cornerstone Community Building. All Council Members were in agreement with this suggestion.

Review/Discuss emailed correspondence with Kelly Gentrup/SEND D re: Pawnee Inn & Cafe ReUse Loan:

Council reviewed the emailed correspondence from Kelly Gentrup with SEND D on the Pawnee Inn & Café's ReUse Loan. Clerk Curtis stated that Betty's daughter Amanda has been working with Kelly Gentrup and getting all of the items sent in that Kelly had been requesting. **Set Public Hearing:** Council Member Eisenhauer moved to set a public hearing on Pawnee Inn & Café's ReUse Loan for the July 22nd, 2024 Council meeting at 7:05 p.m. Council Member Poskochil seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

A Report and update from Council Member Eisenhauer: Pool Updates:

Council Member Eisenhauer stated that they could not get the little pool vacuum to work that they purchased after their big vacuum quit working last season, so she found another industrial strength pool vacuum to order and it came in late this afternoon. Last year's little vacuum would still suck, but it would not move around. Council Member Eisenhauer also stated she had been still checking on ordering the parts needed to fix last year's larger pool vacuum, but everything kept stating "items unavailable" on every site she had looked at. So that is why she decided to go ahead and just purchase a new commercial pool vacuum. The Water Aerobics have started meeting M-F at 11 a.m. and in the evenings on Tu, Wed & Thurs at 7:00 p.m. So far there have been between 7-9 people attending the morning water aerobics sessions, but she had not attended any of the evening water aerobics sessions yet. Eisenhauer continued that she will be sending out an email to the Water Aerobics people stating that since they insist on not starting the evening session until the pool closes at 7:00 p.m., she will not be allowing any of them to take showers at the pool after the water aerobics is over as the lifeguard that has had to stay late has been there for many hours working in the heat, is tired and ready to go home. If they don't like this new rule, then they will need to move their evening water aerobics session up to an earlier time. This year pool manager Terra Blecha has worked out a deal with Heidi Kohake, HealthFirst Pharmacy to purchase small dishes of their "Scoops" ice cream to sell at the pool, which they have already started on their second batch of 100 dishes. The first Midnight Swim by the City is planned for June 22nd with a pirate theme. Council Member Eisenhauer had visited with Brett, Wilson Electric again about moving the electric at the North Park's North shelter underground and changing the lights out at the pool, but not sure when they will be here to do the work. **Review Swimming Lessons & Midnight Swim Posters:** Council reviewed the poster on Swimming Lessons scheduled for June 24th-28th and July 1st-5th. Council Member Eisenhauer stated that they are already getting a lot of kids signed up for these swimming lessons. Clerk Curtis stated that Pool Manager Terra Blecha had spoken with Brian Rottinghaus and the Chamber wants to

match whatever Midnight Swim entry fees the Pool brings in, in addition to also providing the \$300 for food and supplies. That is why the pool is only charging \$5 entry fee for this Midnight Swim. Everyone is welcome from 6-8 p.m. and from ages 12 and up, entering the 7th grade can stay until midnight.

A Report and update from Foreman Cumley: Foreman Cumley was unable to attend tonight's Council meeting. ***Report on City-Wide Clean-up held June 3rd:*** Deputy Clerk Wiers reported that the City had at least 15 people sign up for the City Crew to pick up various items during the June 3rd City-Wide Clean Up and the crew felt it went very well. Mayor Hatfield stated he had gotten a text from an older lady that she appreciated the City Crew helping to remove a large limb off the edge of her yard. Clerk Curtis stated that she had also received a call from Patty Rice stating they really appreciate what an excellent job the City Crew does in picking up items for the City Wide Clean up and for everything the City does for their citizens. ***Report on Public Water System Routine Sanitary Survey with the State on 6/4/2024.*** ***Review/Discuss State's suggested amendment to City Code 3-117, adding a section re: Water Service when Building on Lots (#6 was added to 3-117) Review Ordinance #1062, Amendment to 3-117, Water Tapping/Service Line Maintenance Ordinance:*** These items were all tabled until Foreman Cumley can explain them at the June 24th regular Council meeting.

Council Member Poskochil stated the last few meetings have been really long, so wondered about meeting earlier or more often. More discussion followed that since Council Member Fisher does not get off work until 6:00 p.m. it would not work to meet earlier and the Clerks were not interested in preparing another agenda nor typing up more meeting minutes. It was decided to just keep meeting at 7:00 p.m. the second and fourth Mondays of each month. Clerk Curtis had handed out the rest of the Individual Fund Budget Worksheets to the Council Members that had not picked them up at the office, stating if they had any questions to just give her a call or stop by her office. Clerk Curtis then reminded everyone about One-on-One Budget Workshops with Julie Bauman that are scheduled June 28th with the Budget Workshop Retreat scheduled for August 12th @ 6:00 p.m. Council Member Zelenka moved to adjourn the meeting. Council Member Eisenhower seconded the motion. Roll Call vote indicated all in favor of the motion and meeting adjourned at 9:03 pm.

Attest: Tamela S. Curtis, City Clerk

Charlie Hatfield, Mayor