

MINUTES OF THE REGULAR MEETING OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PAWNEE CITY, HELD ON MONDAY, MAY 13, 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 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 and Susan Eisenhauer; Tamela Curtis, City Clerk/Treasurer and Foreman Spencer Cumley. **Absent:** Council Member Laura Poskochil.

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 Eisenhauer moved to accept the April 22, 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.

Council Member Eisenhauer moved to accept the May 8, 2024, special show cause hearing 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: **5/07/24 Payroll:** \$10,619.09; **Union Bank & Trust**, FWH 3127.58; **NE Dept. of Rev**, SWH 480.20/Sales & Use Tax 2085.69; **John Hancock**, retirement 1663.02; **Pawnee City Thriftway**, sup 16.51; **Coral's Cleaning Service**, office cleaning 120.00; **Amazon Capital Services**, plumbing wrenches 234.30; **JEO Consulting**, Phs 1-Wtr PER 10,500.00; **Capital Business Sys**, Elevate ph 192.77; **Lincoln Winwater Works**, driveway tube/wtr parts 1440.09; **NPPD**, elec. 5810.55; **T. Curtis**, rmb pool supplies 155.85; **U.S. Cellular**, emergency cell phone 48.33; **Matt Kuhlmann**, May 2024 zoning services 800.00; **Access Leasing**, IT hardware contract 364.90; **Access**, total IT care serv 931.60; **Hometown Leasing**, Libr copier 206.61; **Iowa Pump Works**, sludge pump seals 506.00; **H&H Auto Parts**, maint. supplies 517.94; **Midwest Labs**, swr sample tests 441.14; **One Call Concepts**, digger hotline locates 26.74; **Samuelson Law Office**, May 2024 atty services 1000.00; **OPPD** electric @ wells 312.69; **Windstream**, int/office, Libr ph/int 146.06; **Pawnee True Value**, keys/ batteries/plumbing parts 747.72; **Casey's Business**, equip fuel 319.32; **Pawnee Co Reg. of Deeds** filing fees-liens 30.00; **Quill**, folders 14.90; **Municipal Supply**, wtr meters 1351.55; **NeRWA**, membership renewal 300.00; **Pawnee Co RWD**, pond wtr hydrants 45.00; **Pawnee Co Court**, uncollectable court costs 6.00; **Tichy Land Survey Co**, D. North Rd Survey 450.00; **Meyer Lab**, TP/soap/paint 2068.25; **Wild Witch Cat Rescue**, Rmb TNVR/revolution/mileage 464.94; **Verizon Wireless**, fire home connect/jetpack 64.67. Council Member Zelenka 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 April Treasurer’s Report: Council reviewed the April Treasurer’s report with no questions.

Report from Sheriff Braden Lang: Sheriff Lang was unable to attend tonight's meeting so will be on the May 28th Council Meeting agenda.

Public Hearing—Application for new Class “C” Liquor License (*Beer, Wine, Distilled Spirits, On & Off Sale*) for the Little Brown Jug LLC dba The Little Brown Jug 126384:

Open Public Hearing: Council Member Eisenhauer moved to open the Public Hearing for the Application for new Class “C” Liquor License (*Beer, Wine, Distilled Spirits, On & Off Sale*) for the Little Brown Jug LLC dba The Little Brown Jug 126384. Council Member Zelenka seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried and public hearing opened at 7:15 p.m.. Jamie Kramer and Angie Hunt were present to answer any questions. Angie stated that this Class C Liquor License was the license that they meant to apply for to begin with but had applied for a Class D permit instead. Once they realized it, they tried to get it amended to a Class C license, but the Liquor Control Commission stated they would have to start the whole licensing process over again. The main reason for wanting a Class C Liquor License was so they could have their taste testing table, sell frozen “walking” margaritas and it would cover them for events and such. Council Member Eisenhauer inquired what a walking margarita was? Angie and Jamie both explained that they will have a frozen margarita machine behind the counter (so that kids cannot get into them), which they can sell to customers once they put the lid on and leave the straw partially covered with the paper that comes on the straw. Council Member Eisenhauer stated it was kind of like they started serving drinks to go when Covid hit. Angie stated that was exactly it. Ms. Hunt stated that business has been going very well. Council Member Eisenhauer had stated that she had heard a lot of good comments about their Deli. Angie stated that customer support had far exceeded what they thought it might be and they were both very appreciative of the support from the community.

Close Public Hearing: Council Member Eisenhauer moved to close the Public Hearing for the Application for new Class “C” Liquor License for the Little Brown Jug LLC dba The Little Brown Jug 126384. Council Member Fisher seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried and public hearing closed at 7:18 p.m. Council Member Eisenhauer moved to approve the Class C liquor license (*Beer, Wine, Distilled Spirits, On & Off Sale*) for the Little Brown Jug LLC dba The Little Brown Jug 126384. Council Member Zelenka seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

DONATIONS TO ORGANIZATIONS: RJ HICKEY for Pawnee City Historical Society:

(previously donated a \$1000 credit towards Water Bill in May 2023 with a current (\$845.53) credit balance remaining) RJ Hickey stated that they have had a good year of raising money through their yearly fundraisers. Hickey informed the Council that with all of the donations and fundraising money, they were able to get finished re-roofing all of the buildings at the Historical Society. He reported that all of the buildings are also now insured because of the new roofs as some of them hadn’t been covered since back in 2015 when a hailstorm came through. Their

next fundraiser is the Election Day Spaghetti Dinner scheduled for May 14th. Hickey stated that now all of the buildings need painted, so their next big project is to start out by painting three this summer and do another three each year until they are finished up. Council Member Eisenhauer inquired if Mr. Hickey felt that a total amount of \$1500 worth of water would be sufficient in power washing all of the buildings up there? Mr. Hickey agreed that he felt that should be enough. They will need more water this year as the bids include power washing the buildings first. Council Member Eisenhauer moved to donate a \$655 credit on the Historical Society's water bill FY 2023-2024, which should bring their total water account credit up to \$1500. Council Member Zelenka seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

DONATIONS TO ORGANIZATIONS: MARY MOSER Pawnee Gun Club (Pawnee City Trapshooting Team): Mary Moser reported that they had a total of 17 Pawnee City Trapshooting Team members this year. There were 10 from Pawnee City, four from Lewiston and three from HTRS. Mary passed out photos of the different team members and a listing of their shooting awards and records. They will again be holding their Wings and Turf Events on June 9th and September 22nd. Mrs. Moser reported that they are still working on the lighting project but they now have a trencher, so they should be able to get the wiring finished up. Ms. Moser explained she has heard parents comment when they have dropped off their kids for practices that they are stopping at the local grocery store and other businesses, so this activity has added to the local commerce. Once they get the lighting project finished up they will get the Spring and Summer Shooting Leagues going. Moser also included the cost of their liability insurance that had increased to \$760.34 this year. She also commented that they order the rock by the flat and she used to be able to purchase a whole flat of blue rock for around \$800 and it has now increased to anywhere between \$1200-1300, so they will be needing to increase their prices. Council Member Eisenhauer moved to donate \$750 to the Pawnee Gun Club (Pawnee City Trapshooting Team) FY 2024-25 to help in covering their increased liability insurance costs with the City also covering the electrical costs once the lights get hooked up. Council Member Zelenka seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

Mike & Sharon Schilling - *Application for Propane Gas Tank placement at 1335 C Street:* Council reviewed the application for propane gas tank placement at 1335 C Street. Much discussion followed on what they needed the propane gas tank placed at 1335 C Street for. If it was to heat the little shed that was left on the property once the Schillings had the house torn down or if they planned to move their motor home to that location to live in. Council requested Clerk Curtis make contact with the Schillings to see if anyone was coming to tonight's meeting and request if one of them could come to answer some questions. Mike Schilling came to answer questions the Council had. Council Member Eisenhauer inquired if this was for their motor home they have been parking out to the Winery or what this would be used for? Mike Schilling stated that yes, they had filled out a building permit application to have a concrete pad poured and had planned to hook their motor home up to the propane tank. Clerk Curtis stated that Mayor Hatfield had made contact with Zoning Administrator Matt Kuhlmann while the Council was waiting for Mr. Schilling to get to the meeting. Kuhlmann had stated that according to the City's Zoning Ordinances, a person is only allowed 14 days per year to live in a motor home. Mayor Hatfield stated that he understood that the Council had previously approved the propane permit

on the Winery property where they were living in their motor home, but honestly even though the Winery property was annexed into the City limits, it still is more “out in the country” than in town, so they had let that go. Mr. Schilling inquired if there was something he could file to get an “exception” as he would be keeping his property very well kept up and would not be a nuisance to his neighbors and such. Mr. Schilling inquired that if the City found someone living in their camper or motor home and the property was a trash hole, couldn't the City just handle that through the Nuisance Ordinances? More discussion followed with Mayor Hatfield stating he felt that Mr. Schilling needed to talk with Zoning Administrator Kuhlmann and find out if there was something he could file with the Planning Commission. More discussion followed with Clerk Curtis stating they would also need to visit with City Attorney Samuelson on what the City's options would be on this request. Mayor Hatfield stated he would recommend that the City Council postpone any action on this agenda item and table it to the May 28th Council meeting while they gather more information and options on this item.

John Werner: Discuss applying for a Special Designated Liquor License (SDL) to hold a fundraiser for the Ambulance Squad: John Werner, Pawnee County Memorial Hospital Administrator and Juli Habegger PA both met with Council to discuss the Hospital Foundation holding a fundraiser to raise funds for the Ambulance Squad. Habegger stated that they had visited with the Volunteer Fire Department about possibly holding the fundraising event at the new Fire Station. The Firemen voted that they would help with the event if the City Council approved letting them use the new Fire Station building to hold the Ambulance Squad's Fundraiser event. Clerk Curtis stated that if the event will be held at the City's new Fire Station, then the City could have to check into getting event liability insurance through LARM. Mr. Werner stated the event is scheduled for August 10th from 5-9 and will include alcohol so they have looked into getting a Special Designated Liquor (SDL) License. Clerk Curtis shared some information about how non-profits go about applying for a SDL as the Nebraska Liquor Control Commission has completely changed to a new updated system. There will be a silent auction, meal and a live auction held. All Council Members present were in favor of letting the Hospital Foundation use the Pawnee City Fire Station to hold their fundraising event for the ambulance squad in August. Mr. Werner stated that they would be getting the insurance for the alcohol. Clerk Curtis stated she will be contacting LARM to check on the costs of the event insurance and will let John and Juli know what she finds out.

Review/Discuss Recommendation of Approval from ReUse Committee to grant 6-month Job Creation Extension to Pawnee Inn & Café to allow Kelly Gentrup time to finalize the details of the job creation reporting with more information shared at a later date: Council Member Eisenhauer moved to approve the recommendation from ReUse Committee to grant 6-month Job Creation Extension to Pawnee Inn & Café to allow Kelly Gentrup time to finalize the details of the job creation reporting with more information shared at a later date. Council Member Zelenka seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

Interviewing Committee to make recommendations to Council on hiring Part-time Summer Help: Council Member Eisenhauer stated that they had interviewed three very qualified individuals last week. They were then able to narrow it down to two candidates that were both tied so the interviewing committee contacted their references. The first candidate's

references both answered the committee's questions quickly and without any hesitation that he was a great worker and would hire him back and work with him again. The second candidate first reference was extremely supportive and had nothing but good things to say about him, unfortunately they never heard back from his second reference, so they had to go with the candidate that they had received the most qualified information on. Council Member Eisenhauer moved to recommend hiring Bobby Ward for the seasonal part-time summer job. Council Member Fisher seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried. Council Member Eisenhauer wanted it stated on record that the Interviewing Committee was made up of Council Member Fisher, Foreman Cumley and herself but she wanted it noted that Foreman Cumley stepped away from the table and was not involved when they called Mr. Ward's references. She wanted this noted because Bobby Ward is Foreman Cumley's brother-in-law and she did not want people thinking that he automatically got hired because of that. The final decision was a difficult one to make but based upon the information that they received from all of the references contacted, they made the best decision in hiring Mr. Ward for the part-time summer job.

A Report and update from Mayor Hatfield: *Discuss options of contracting out City Mowing for 2025 Season:* Mayor Hatfield stated he had been approached about if the City had ever thought about the option of contracting out the mowing at the City Parks in the future. Mayor Hatfield had told the individual that they were already advertising to hire part-time summer help this year, but it might be a good subject to bring up during the budget discussions. More discussion followed about mower costs and mowing schedules that would need to be followed. Mayor Hatfield stated it was just something to consider discussing further in our budget workshops. ***Cornerstone Dedication:*** Mayor Hatfield stated as a FYI the Masonic Lodge would like to do another "Cornerstone Dedication" for the Cornerstone Building, much like they did for the new Fire Station a few weeks ago. The potential date is July 27th to be held in the morning as they have another ceremony scheduled in Beatrice after lunch. The ceremony would include the City gathering documents that would show who were the Mayor and Council Members when the building was completely finished; past meeting minutes showing how the outside and inside restoration project of the Cornerstone Building came about and was handled with contractors, donations and what grant monies were involved in the whole process.

A Report and update from Foreman Cumley: *Review City Wide Clean-up Ad:* Council reviewed the City Wide Clean-up day which is scheduled for June 3rd again this year. ***Review/Discuss updates on various projects in the City:*** Foreman Cumley reported that the Pawnee City School Earth Day project was to be held today but was cancelled due to rainy weather again and he's not sure there's enough school days left that they will be able to reschedule it for this year. Council Member Eisenhauer stated that the pallets of mulch have been delivered so when she gets back from being out of town, she will be working at getting the mulch spread out throughout the parks. Any volunteer help would be greatly appreciated. Foreman Cumley reported that the sludge pump has not been put in the sewer plant yet as with the previous sludge pump the safety devices were in the control panel and now they are located inside of the pump. This means that Weber Electric is having to change a bunch of the wiring at the sewer plant in order to make this sludge pump work. Foreman Cumley stated that tomorrow they will be starting to scrub the pool and get it ready to fill it. Cumley reported that the City Crew has installed two new water taps this past week. Finks was out in the country and the

Belding tap was in town. When the Belding water tap was done, they had to tear up part of the street in order to put the tap in. Cumley stated that Belding's and their plumber had requested to hook to that water main as it was closer to the property. At the other location, the plumber would have had to of crossed over a couple sewer lines and go through a neighbor's yard, so they chose to hookup to the main that was just across the street from the property. Foreman Cumley inquired if Belding's should be billed for the cost of concrete and rebar to replace that portion of street that had to be dug up, which would cost approximately \$180 for the concrete and \$70 for the rebar in addition to an hour of work. Council stated that since the property owner could have gone to another water main's location that would not have cost the City any extra costs, they felt the property owner (Belding) should be billed for the extra costs associated with where they requested the water tap be hooked up to the main at. Foreman Cumley reported that the City Crew is still finishing up getting the rest of the shutoffs marked on the GIS system. Foreman Cumley reported that Johnson Service Company (JSC) is done doing the camera work on the sewer mains that the City wants slip lined. Cumley continued that the old clay tile sewer main located under Highway 50 (4-lane) has collapsed in one area and the void is too big for JSC to slip line it. Cumley has called a few different boring companies, but he has not heard back from anyone yet. Cumley has also called the State a couple times and left voicemails to check on what steps the City will have to go through in order to proceed with this project but nobody has called him back on that either. Cumley will just keep trying to get ahold of all of them.

A Report and update from Council Member Eisenhauer: *Discuss Updates to Pool & Park Projects:* Council Member Eisenhauer stated that in addition to what Foreman Cumley had reported on the pool, the City Crew has also fixed the toilets and replumbed the chlorine room again. On VanHorne Park, Council Member Eisenhauer reported that Steve Glenn had talked to Wilson Electric and they guaranteed that they will have the electric ran to the stage by the end of this week. Mr. Glenn also requested that Mr. Wilson send the billing statement directly to the Community Foundation as he would be paying for all of those expenses himself and did not want the City to be billed for anything. ***Review Pool Opening Poster:*** Council reviewed the pool opening poster with the start date May 25th and the closing date tentatively scheduled for August 4th. The Pre-Season Family Pass rate had been lowered to \$90, so a 10% discount if purchased at the City Office before the pool opens. The pool will be open daily 1-7 p.m. and as far as she knows they will still be doing the water aerobics again this year. Council Member Eisenhauer plans to reach out to the aerobics ladies that all held pool manager certifications last year and make sure as to when they plan to hold the water aerobics sessions again so she can relay that information onto the Pool Managers for lifeguard scheduling. Council Member Eisenhauer stated that there was a rumor going around that the Pool had their own account with Cash-Way. She has confirmed with the Pool Manager that she has never made any such account and that the vast majority of the pool supplies are purchased locally. Council Member Eisenhauer wanted that to be stated on the record so that the rumors could be stopped right away.

Review PCAL meeting minutes & Treasurer's Report: Council reviewed the March 27th, 2024 PCAL meeting minutes and the Jan-Mar profit and loss report. Mayor Hatfield reported that they are one room empty from being full.

Review Information on Farmers Cooperative's new Grain Facility located North of Pawnee City: Clerk Curtis stated that Pawnee County Zoning Administrator Joshua Black had come into the City office to find out who all he needed to contact to let them know that Farmer's Coop was building a new grain facility North of Pawnee City. Mr. Black emailed us all of this information and has been in contact with the City Zoning Administrator Matt Kuhlmann. This new grain facility is right on the 1-mile extraterritorial line where the City zoning regulations stop, so Matt and Joshua are working together to make sure everything is handled correctly on this multi-million dollar project.

Correspondence: Council reviewed the acknowledgment of Receipt of Equipment from Emergency Manager Megan Buckley on how the equipment was divided amongst communities. The equipment that was delivered to the City Office included 40 Pre-programmed Midland Weather Radios and 20 Vulnerable Population Packs. Mayor Hatfield state that the Vulnerable Population Packs are meant for elderly/hearing impaired people who may not be able to hear the warning siren, so there is a vibrating device you place under your pillow and a strobe lite that goes off when there is stormy weather in your area. Council Member Eisenhower stated that the VanHorne Park Festivities were all listed on the flyer enclosed in the agenda packet that will be happening over Memorial Day Weekend. This is why there have been so many contractors working at completing everything in time for these festivities. Mayor Hatfield reminded everyone that we meet at 6:00 p.m. for the May 28th Council Meeting for the Clerk and Foreman Evaluations. Council Member Eisenhower moved to adjourn the meeting. Council Member Zelenka seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried and the meeting adjourned at 8:26 p.m.

Attest: Tamela S. Curtis, City Clerk

Charlie Hatfield, Mayor