

MINUTES OF THE REGULAR MEETING OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PAWNEE CITY, HELD ON MONDAY, NOVEMBER 14, 2022, AT 7:00 P.M. AT CITY 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: Donnie Fisher, Ric Helms and Vickie Zelenka; Tamela S. Curtis, City Clerk/Treasurer; Kellie Wiers, Deputy Clerk; City Foreman Spencer Cumley. **Absent:** Susan Eisenhauer (present via phone). 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 Eisenhauer moved to approve the October 24th, 2022, regular meeting minutes. Council Member Zelenka 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: **11/08/2022 Payroll:** 9,243.34 **Union Bank & Trust**, FWH 2561.97; **NE Dept. of Rev**, SWH 366.21/Sales & Use Tax 2221.75; **John Hancock**, ret. 1136.68; **Access Systems**, Total IT Care Services 905.30; **Access Systems Leasing**, IT Hardware Contract 209.98; **Amazon Cap Serv** paper towels 6.68; **Binder Bros**, cement bags 239.40; **Black Hills Energy**, gas service 211.35; **Diversified Drug Testing**, 2023 membership dues 100.00; **H&H Auto**, batteries, rep parts 423.19; **Emily Sisco**, atty fee retainer 1000.00; **Matt Kuhlmann**, zoning-Nov 800.00; **NPPD**, elec 5899.54; **Pawnee Co Rural Water**, hydr 54.00; **Cap Business Sys**, Libr contract 139.50; **MidWest Labs**, Swr Samples 179.00; **OPPD**, elec-wells 265.19; **OneCall Concepts**, digger locates 8.80; **Pawnee Co Reg of Deeds**, Wtr lien 10.00; **B. Mortensen** refnd deposit 71.63; **Coral's Cleaning**, office cleaning 120.00; **HOA Solutions** Lift Station Adj 674.80; **PC Fire Dept.** 1st-3rd qtrs. Reimb 1884.08; **Pawnee Co Memorial Hospital**, pre-empl physical 99.84; **Quill**, office sup 61.29; **US Cellular** emerg cellphone 47.75; **Verizon Wireless** Fire home connect/jetpack 64.35; **Winnelson** fire dept wtr line rep 503.67; **Pawnee Gun Club** ARPA donation 5000.00; **Pawnee True Value** Libr maint sup 11.49/shop vac-rep parts 469.16; **Pollman** boring 11th St-wtr main rep 1033.00; **Premier Pyrotechnics** 2023 fireworks early pay 4000.00; **Windstream Int @ City Off** 142.91/Libr Ph-Int 141.65; **Casey's Bus** equip fuel 435.71; **Sargent Drilling** Well Generator Project 71,472.79; **Spectrum**, IT/Ph-Shop 174.97. Council Member Zelenka moved to approve the claims as submitted. Council Member Helms seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

Review Treasurer's Report as of October 31st, 2022: Council reviewed the October 2022 Treasurer's Report.

Sheriff Braden Lang: Sheriff Braden Lang and Deputy John Samuelson were both present for the Council Meeting. Sheriff Lang reported that he wanted to apologize to the City Council for how he felt they were treated during the Meet the Candidates forum held at the Library a couple weeks ago. He was sitting there that night trying to figure out how to defend the Council as he felt they were being attacked for continuing to assist the Sheriff's Department and he felt it was completely unwarranted. Sheriff Lang continued that there were good things happening with the department right now as things are looking better, but he was not able to go into any specifics at this time. Sheriff Lang reported that they still have the K-9 unit for the time being, but they had been working with the breeder on a solution. Sheriff Lang inquired if any more information had come in on the tire issue along highway 50, just north of the Little Brown Jug. Mayor Hatfield reported that the Southeastern Area State DOT Superintendent had come down to look at the tire situation and had reported to the City Office that there was nothing they could do as the tires were stacked behind the light pole, so it was past their State ROW. He suggested that they could possibly put up a fence around the tires, but Clerk Curtis stated that a fence would not be allowed by the City's zoning regulations that close to the highway. Much discussion followed between the Sheriff's Dept, City Council and Mayor about possible solutions to the problem including making the alley a one-way headed West only, putting up a sign stating no turning onto Highway 50 among other suggestions. Mayor Hatfield reported that City Attorney Sisco had also been looking into the situation but the only thing she could find was that the high stack of tires was considered a safety hazard and a vision obstruction for those coming out of that City Alley headed East onto Highway 50. Mayor Hatfield stated she was continuing to look for more State Statutes that might be used, but he hadn't checked with her for a couple weeks, so would go and talk with her again.

Open Sealed Bids on Cornerstone Building–Community Meeting Room Project:

Clerk Curtis stated that the City had not received any sealed bids on the Cornerstone Building Community Meeting Room Project. Mayor Hatfield stated that Clerk Curtis had contacted Ceylon Herath with SENDD to inquire what the City's next steps would be if they did not receive any bids on this project and handed out a copy of the correspondence to everyone tonight. Ms. Herath had stated that the CCCFF program has no additional procurement requirements as long as there are no previously set guidelines for procurement by the City. So as long as we don't have any set guidelines of our own, the City would be fine to extend the deadline if necessary. Ms. Herath also stated that it should be alright for the City to look into the option of purchasing the construction supplies needed to complete the project and then hire a contractor at an hourly wage on their own, but she recommended that we run that before Jenny Mason at DED before proceeding with that option, just to make certain. Much discussion continued with Council Member Eisenhauer moving to approve extending the deadline to submit bids on the Cornerstone Building Community Meeting Room Project to November 28th, 2022, at 4:30 p.m. Council Member Zelenka seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried. If the City does not receive any bids by that time, then Clerk Curtis will have verification from DED if the City can proceed with purchasing the construction supplies and hiring a contractor at an hourly rate.

Open Ex-Mark Lawn Mower Sealed Bids: Clerk Curtis stated the City had received five bids on the Ex-Mark Lawn Mower. The bids received were as follows: Dee White \$382.00; Jake Packett \$300.00; Rasty Stephens \$152.06; Rodney Schaardt \$151.05; Jeff Rhodes \$500.00. Council Member Zelenka moved to accept the highest bid in the amount of \$500.00 from Jeff Rhodes for the purchase of the Ex-Mark Lawn Mower. Council

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

A Report and update from City Foreman Cumley: *Review/Discuss Quote on the electrical portion of Well House Meter from Sargent Drilling's Electrician - 34 Electric:*

Foreman Cumley stated that OPPD had recommended that the City change the meter socket and electrical riser on Well #3. Foreman Cumley stated that this quote was from the same company that installed the generator on Well #3. Foreman Cumley had spoken with Water Commissioner Vickie Zelenka about the quote and she had state to go ahead and have them come do the work that OPPD had recommended. 34-Electric plans to come back to install the breaker on the generator in the next couple of weeks and will change the meter socket and electrical riser at this same time. ***Discuss updates to Street Patch Work in front of Post Office:*** Foreman Cumley stated that they were able to finish up the last portion of the street, which was the driveway portion in front of the Post Office on late Thursday afternoon. Foreman Cumley stated to keep the leaves out of their formed-up area, they had borrowed Mayor Hatfield's leaf blower to remove them. Discussion was had that a leaf blower would be a good item to add for discussion by the Safety Committee at their next meeting in December. Council all stated that the City Crew did a really great job on fixing those areas of the street in front of the Post Office. ***Discuss Sewer Plant updates:*** Foreman Cumley stated he had heard from WesTech and the auger for the Vertical Screen is currently stuck in Customs in a harbor and they are not sure when they will be released to be shipped here. Foreman Cumley stated the City Crew is working on decanting the storage tank at the sewer plant so they can take their two sewer samples and then will be starting to haul sludge.

A Report and update from Council Member Helms: *Review Emailed Correspondence with Kelly Gentrup/SENDD re: CDBG Grant for Street Project:*

Council reviewed the emailed correspondence between Clerk Curtis and Kelly Gentrup, SENDD Director of Development Services since Council Member Helms had been in contact with Ms. Gentrup about the City applying for CDBG grant funds for a street asphalt overlay project. The matching requirement by the City is 20%, so with the full \$400,000 the City would need a \$100,000 in matching funds to make the total project cost \$500,000. Clerk Curtis inquired if Council Member Helms felt the City would be able to get a cost estimate on this project by the February 28, 2023, second round of funding deadline? Council Member Helms stated that he and Foreman Cumley had drove around that afternoon marking down the streets that needed overlayed the most. They had spoken with Evan Wickersham with JEO and he was going to start working on a cost estimate right away on the streets they had sent to him. Council Member Eisenhauer inquired who would be responsible for doing the Environmental Review? Clerk Curtis stated she was not sure if JEO would do the Environmental Review or if SENDD would assist in doing that like they did on the Fire Station CDBG Grant Project. Foreman Cumley inquired if the project would have to have an engineer present during the overlay portion of the project since it was a project over \$30,000? Council Member Helms stated that Evan Wickersham with JEO had made up the bid sheets for the Village of Steinauer with the Village sending out the bid packets themselves. Steinauer had only received one bid from Constructors but were able to do over \$200,000 worth of asphalt overlay and the engineering only cost them \$1000. Clerk Curtis stated that is definitely something that will need to be discussed with JEO so the City knows exactly how much money they will have to go towards the asphalt overlay project. ***Review/ Discuss SENDD's Community Project Intake Form:*** Council reviewed the SENDD Community Project Intake Form that would need to be filled out if the City

were going to apply for the CDBG Public Works Grant for the asphalt overlay street project. **Discuss using ARPA funds for CDBG Public Works Grant Match for Street Asphalt Overlay Project:** Council Member Helms would like to see the \$100,000 City match come from the ARPA Funds. Council Member Eisenhauer inquired if any of the left-over ARPA funds had already been earmarked to go somewhere else, as they had discussed using some of those funds to assist with the federally mandated lead water line replacements. Clerk Curtis stated that there are currently \$118,091 left in the City's ARPA account after making \$25,000 in donations to area organizations. Clerk Curtis stated that the City had earmarked \$17,000 to go towards the purchase of a pumper fire truck, but the fire department has not been able to find one yet. Council Member Helms moved to earmark \$100,000 of the ARPA money to go towards the CDBG grant match for the Street Asphalt Overlay Project. Council Member Zelenka seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried. Eisenhauer stated that whatever was left in the ARPA account should just go towards the purchase of the pumper fire truck since there would only be a little over \$18,000 left after using \$100,000 as the City match on the CDBG Street project Grant.

Nuisance Properties: Council reviewed the past meeting minutes that discussed the health board meeting and nuisance property letters going out. Clerk Curtis had included those past meeting minutes as she had been told that there had not been any nuisance letters sent out by City Attorney Sisco. Council reviewed the emailed correspondence from City Attorney Sisco on her recommended updates to the nuisance properties that had previously received letters from her office. Council Member Eisenhauer moved to approve City Atty Sisco's recommendations to send a certified mailing to nuisance property #1, 2, 5 & 6 stating the abatement procedure in City ordinance 4-302 with the option of publishing in the newspaper if any of the certified mailings come back. Council Member Fisher seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

Discuss any updates from Pawnee City Pride Committee: Deputy Clerk Wiers stated that the Pawnee City Pride Committee had met on October 25th with members Deb Niss, Ric Helms and herself present. Karen Harlow was also present to see what the committee was all about before agreeing if she wanted to be on it or not. Deputy Wiers stated that Deb Niss discussed taking the wintertime to regroup, working on getting more people involved and interested in serving on the Pride Committee. They can also take this time to figure out what their main purpose of the group will be such as awarding yard of the month, assisting with nuisance properties, etc.

Chamber's 2022 Christmas Festival Flyer: Council reviewed the Chamber's 2022 Christmas Festival Flyer that is scheduled for December 8th. Clerk Curtis stated the City had received an additional flyer from Chamber on the Christmas Tree Lane which will be part of the Christmas Festival activities on the 8th. Clerk Curtis stated she thought it would be a neat idea for the City to decorate a tree for the Christmas Tree Lane with City items hanging on it. Deputy Clerk Wiers stated that we could maybe hang old dog tags on it. The Clerks will work on finding different "City items" that could be hung on a tree for the Chamber's Christmas Tree Lane.

Review letter from USDA-RD re: RD Grant #00-12 for \$28,000 and RD Grant #71262 for \$10,274.79 to be received towards the Well Generator Project: Clerk Curtis commented that these two payments would be a reimbursement to the City towards the

Well Generator Project as Sargent Drilling had been paid in full by the City. Once the funds are received, Clerk Curtis will sign off on the letter and return it to Marshall Stephens, USDA Community Program Specialist.

City Audit: Julie Bauman's office will be here all day on November 21st to do the City Fiscal Year 2021-22 City Audit.

Election Results: Council reviewed the Mayor and City Council General Election Results: Mayor: Charlie Hatfield (268); City Council: Laura Poskochil (224), Susan Eisenhauer (196) and Rickie Helms (130). Laura Poskochil & Susan Eisenhauer will fill the Council Member positions & Charlie Hatfield will remain as the Mayor, all to be sworn in at the December 12th regular City Council Meeting. Council Member Eisenhauer stated to Council Member Helms that she wanted to thank him for his years of service on the Council and for being such a good leader for the City. Mayor Hatfield stated he agreed and thanked Susan for bringing that up. Council Member Helms stated that he wasn't done helping the City and planned to continue to help where he could such as if Foreman Cumley needed to borrow his post hole digger for the skid loader, he would be more than happy to let the City use it. Council Member Helms moved to adjourn the meeting. Council Member Fisher seconded the motion. Roll call vote indicated all present voting in favor of the motion, whereupon motion carried, and meeting adjourned at 8:04 p.m.

ATTEST: Tamela S. Curtis, City Clerk

Charlie E. Hatfield, Mayor