

**MINUTES OF THE REGULAR MEETING OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PAWNEE CITY, HELD ON MONDAY, NOVEMBER 25, 2024, AT 7:00 P.M. AT CORNERSTONE COMMUNITY 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. Availability of the agenda was communicated in the advance notice and in the notice to the Mayor and Council of this meeting. All proceedings shown hereafter were taken while the convened meeting was open to the attendance of the public.

**Present:** Mayor: Charlie Hatfield; Council Members: Donnie Fisher, Vickie Zelenka, Pat Hatfield and Susan Eisenhauer; Tamela S. Curtis, City Clerk/Treasurer & Deputy City Clerk Kellie Wiers; City 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 approve the November 12<sup>th</sup>, 2024 regular meeting minutes. Council Member Eisenhauer 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 **11/19/24 Payroll:** 11,306.89; **Union Bank & Trust**, FWH 3,238.92; **NE Dept. of Rev**, SWH 492.90/Sales & Use Tax 2166.90; **John Hancock**, retirement 1457.06; **AllState**, accid/cancer ins 193.29; **Ameritas**, vision ins 81.20; **Madison Nat'l**, life ins 47.32; **UHC Ins**, health ins 6195.28; **BHE**, gas service 195.06; **Spectrum**, internet/ph @ shop 184.97; **Pawnee Co Reg of Deeds**, wtr/mowing liens 50.00; **Pawnee Republican**, publications 364.63; **Access Systems**, total IT care serv 931.60; **Amazon Cap Serv**, drain spades 115.04; **Beatrice Fire Prot**, annual fire ext inspection 426.37; **Windstream**, phone @ swr plant 64.24; **Kyle's Service Center**, Skidster tire rep 35.00; **NE Muni Clerks Assoc**, membership dues 100.00; **Capital Bus Syst**, Elevate ph syst 192.77; **Brian Heinz**, window cleaning @ fire hall; **Community Ins**, City's ½ Firemen's Life ins 744.60; **Hamilton Equip Co**, Bobcat rep parts 32.42; **MidWest Alarm Syst**, Libr fire alarm monitoring 546.84; **Nebr. Public Health Env Lab**, wtr sample test 15.00; **PC Fire Dept**, qrtly pest control/rep/sup/bunker pants 2247.95; **Travelers RMD**, City's ½ Firemen's WC ins 552.00; **Tredz Central**, Midsota dump trailer 22,550.00; **U.S. Cellular**, emergency cell phone 48.41; **Verizon Wireless**, home connect & jetpack 64.93; **NPPD**, elec 3246.09; **Eakes Office Solutions**, Libr copier agreement 51.74; **PCDC**, 50% Sept City Sales Tax 6387.34; **Seneca SA**, Oct Garbage Serv 6906.33; **Premier Pyrotechnics**, early pay Fireworks 4000.00; **Hometown Leasing**, Libr copier pymt, 100.79. 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.

**Open Bids - Hay Ground at Sewer Plant/Metal Dump:** At this time Clerk Curtis opened the only bid received for the Hay Ground at the Sewer Plant and Metal Dump. The Hay Ground Bid was received from Russ Smith bidding \$25 per bale for one-half of the hay

crop. Mr. Smith stated on his bid that when they get done baling, all bales will be removed the same day, planning to mow it early in the season then again late to keep it looking trimmed up. Council Member Eisenhauer moved to approve awarding the bid to Russ Smith for \$25 per bale for one half of the City's hay crop with said Hay Lease Agreement for a period of one (1) year. Council Member Zelenka seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

**Matt Kuhlmann, Zoning Administrator:** *Discuss what Zoning Administrator & Floodplain Manager jobs consist of:* Matt Kuhlmann, City Zoning Administrator met with Council to answer questions about his job as the Zoning Administrator and Floodplain Manager for the City. Mayor Hatfield stated he had visited with Matt about possibly administering the Micro-TIF for the City and had asked Mr. Kuhlmann to share what all the zoning and floodplains management jobs consisted of. Mr. Kuhlmann stated that the Clerks had also shared all of the Micro-TIF information that had been in the October 28<sup>th</sup> Council Agenda packet, so he had a much better understanding of what it was all about. Kuhlmann stated that with Zoning, it's mainly just dealing with the public on what you can and cannot do, which includes getting a lot of phone calls and driving over to Pawnee City to sometimes meet with a citizen wanting to build something. He also stated that there are many phone calls that he gets that don't ever even turn into a building permit. Kuhlmann continued that when someone comes in the office with a building application, the clerks scan it in and email it to him so he can start on the process of reviewing the application to the zoning ordinances. Last week he met with the SENDD builder for the two new houses that the Community Foundation is building and spent nearly two hours going over everything with him. That is when he discovered that he is now going to have to work at re-addressing one of the houses because of how the Foundation thought the houses were originally going to be facing, one of them has changed. When assigning a new address, he also has to visit with the County Assessor and Pawnee City Post Office before assigning anything to make sure that they are all in agreement as the new address is dependent upon how the front door faces the street. Mr. Kuhlmann stated that with the Floodplains, currently the Nebraska Department of Natural Resources (DNR) is re-doing the floodplains maps for many communities in Southeast Nebraska, which includes Pawnee City. Recently they scheduled a "fly-over" for the Pawnee City region to identify how floodplain areas have changed over the years, so there will be many areas in Pawnee City that will no longer be identified as being in the floodplains. Kuhlmann has been working with Chuck Chase with NDR for the last few years on re-mapping Pawnee City's Floodplains. The State has recently turned the re-identification of the floodplain region areas over to FEMA, so not only does Mr. Kuhlmann receive many emails from DNR but also from FEMA. There is lots of paperwork to take care of with both the Zoning and Floodplains Manager jobs. There are a lot of Webinars and Zoom meetings on Floodplains Management that Mr. Kuhlmann has been a part of to keep up with the continuous law changes and updates. In October Kuhlmann also attended a Hazardous Mitigation meeting in Humboldt with Mayor Hatfield and then they both worked with Clerk Curtis and Foreman Cumley to update Pawnee City's Hazardous Mitigation Plan to submit to JEO Consulting Group who is the Engineering Firm working with Nemaha Natural Resource District on getting everyone's Hazardous Mitigation Plans updated. Council Member Hatfield inquired if Matt were to guess how many hours a month he works on the Zoning and Floodplains Management, what he would estimate it to be, on average. Kuhlmann stated that as far as hours go, it really varies so much, as one month you might not have anything but a call or two and the next month you are just completely swamped. Kuhlmann stated that it is probably at least 30 hours per month and that's responding to emails, phone calls, just

everything, but that's just hours and not including mileage or anything like that. Kuhlmann stated that with all of these new houses being built it's been a lot more hours lately on just working on that. **Discuss Zoning Admin administering Micro-TIF Project Applications:** Council Member Eisenhower stated that at the last Council Meeting Alison with Cline Williams was here to explain the Micro-TIF and it sounded like it really wasn't going to take a ton of work. Eisenhower continued that is basically just making sure the Micro-TIF application is submitted at below \$350,000, which was the amount the City set as the cap, that it's located within the appropriate area, making sure that the land meets all of the requirements. Discussion was had on when each Sub-Division of the City was added, which would be valuable information to find out before the City starts receiving any Micro-TIF Project Applications. Council Member Eisenhower stated that less than 50% of the town is eligible according to the City's current Redevelopment Area Map which shows which areas are designated in the Blight/Substandard areas inside the City Limits of Pawnee City. Mr. Kuhlmann stated that he wouldn't have a problem administering Micro-TIF project applications.

**Recommendation from the Pawnee City Chamber of Commerce – Alison Janecek Borer, Partner Cline Williams, LLP to return for any further discussion on housing proposition; See changes made from last meeting's discussions in red/blue on Res. #7:** Council reviewed the updated Resolution #7 replacing the City Clerk with the Zoning Administrator to be in charge of reviewing redevelopment plans submitted to the City for Micro TIF. **Review/Approve Resolution #7 authorizing and adopting a program for the expedited review of certain Tax Increment Financing Projects.** Council Member Eisenhower moved to approve Resolution #7 authorizing and adopting a program for the expedited review of certain Tax Increment Financing Projects, not to exceed five (5) applications per year with Matt Kuhlmann, Zoning Administrator to administer the program. Council Member Zelenka seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried. Ms. Janecek Borer stated that she would be glad to help with the process of the first couple applications that come through.

**Aaron Sawyer: Press Release highlighting City grant funding:** Council reviewed the press release written by Mr. Sawyer highlighting Pawnee City securing over \$1 million in Grant Funding for Transformative Community Projects. **Updated Contact Info:** Council reviewed Aaron's new "Nebraska phone number" and will update their contact listing for Mr. Sawyer. **Discuss registering for NPPD's Civic Pride & Civic Apathy:** Mr. Sawyer highly suggested listening to Jeff Siegler's presentation of NPPD's Civic Pride & Civic Apathy Webinar on ways to revitalize your small town. **Updates to Business Retention & Expansion meetings:** Council reviewed the Business Retention and Expansion meetings that they had met with recently including Pawnee City Schools, Pawnee County Memorial Hospital, Sunneday, Little Brown Jug, Pawnee Republican, Alpha, Community Insurance Group and the State Bank of Table Rock. Council Member Eisenhower was able to go along for the first groups of business visits. Mr. Sawyer is planning on the next target date of January 9th to visit with these businesses: Smith Auto, SchillingBridge Winery, Lotte Lynn, Pawnee Thriftway, Palmer Café/Pawnee Inn and Second Home Child Care. Due to Council Member Eisenhower not being able to go along on the January 9<sup>th</sup> business visits, Mayor Hatfield plans to attend in her place. Mr. Sawyer stated that all of these steps are part of becoming a Leadership Certified Community, which can give 5-10% bonus points on grant applications with the State targeting roads, building rehabilitation and community

spaces. Mr. Sawyer stated that on his day to day duties, marketing houses, website updates and just getting a lot of background work done takes up a lot of his time.

**Review email from Brittany McCullough/SEND D re: CDBG Public Works Grant 24PWI012 (Street Project).** Clerk Curtis stated that Ms. McCullough had sent out another email clarifying that they need records of both of these contracts being reviewed and approved by the municipal governing body to comply with DED guidelines and recommendations. The contracts can be approved at tonight's council meeting but are not to be signed until the Release of Funds is issued, which will not happen until the Environmental Review and other Special Conditions of the grant are completed and approved. In addition, the General Administration Contract should not be signed until the DED contract has been signed. ***Review/Approve General Admin. Agreement with SEND D for 24PWI012 Street Project Grant, contingent on the City's execution of their DED Grant Agreement as well as SEND D's Board approval, to take place on 12/6/2024:*** Council Member Eisenhauer moved to approve the General Administration Agreement with SEND D for 24PWI012 Street Project Grant, contingent on the City's execution of their DED Grant Agreement as well as SEND D's Board approval, to take place on 12/6/2024. Council Member Zelenka seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried. ***Review/Approve Construction Management Agreement with SEND D for 24PWI012 Street Project Grant, contingent upon the issuance of the Release of Funds/Environmental Clearance by DED and contract execution will not take place prior to that date:*** Council Member Eisenhauer moved to approve Construction Management Agreement with SEND D for 24PWI012 Street Project Grant, contingent upon the issuance of the Release of Funds/Environmental Clearance by DED and contract execution will not take place prior to that date. Council Member Zelenka seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

**Review/Approve Ordinance #1067, amending 3-117 adding #9 (highlighted) re: lead & galvanized service lines being completely replaced if there is a leak discovered.** ***(First Reading):*** Council Member Eisenhauer moved to approve Ordinance #1067, amending 3-117 adding #9 regarding lead & galvanized service lines being completely replaced if there is a leak discovered on first reading. Council Member Zelenka seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried. **Consider suspending the three readings of Ordinance #1067:** Council Member Eisenhauer moved to suspend the three readings of Ordinance #1067. Council Member Fisher seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

**Nuisance Properties: City Attorney Samuelson's Correspondence, Excel Spreadsheet and Next Steps on Nuisance Property Abatement Letters:** Council reviewed the emailed correspondence between the City Clerks and City Attorney Samuelson & the excel spreadsheet on where the City is at with letters being sent out. Council Member Eisenhauer stated she felt that those abatement letters should have already been sent out by City Attorney Samuelson as the Pawnee City Development Corporation (PCDC) is wanting to send out follow-up letters to certain property owners after those abatement letters from the City are sent out. Clerk Curtis stated that in City Attorney Samuelson's email she had a little concern with the City sending out abatement letters on so many houses, inquiring how the City would be able to afford tearing down 18 houses along with the Osborne and Raper issues that have already gone through abatement. Deputy Clerk Wiers stated that

there is only a little over \$8000 left in the Housing Demo Fund with Clerk Curtis adding that more funds could be transferred to that account if needed but the City does not have enough funds to afford to tear down 18 houses at a cost of \$8,000-\$9,000 plus per house. Clerk Curtis stated that is where the City had issues before with nuisance properties. The City had the abatement letters sent out but when the property owner ignored them, the City didn't always follow through. Clerk Curtis stated that if the Council wants to send out all 18 letters of abatement, then they have to be prepared to act on each one of them, otherwise it is just a false threat. Clerk Curtis inquired to Council Member Eisenhauer if she knew which properties that PCDC was interested in sending follow-up letters to as those would be the first ones that the City pushes forward in sending letters of abatement to. Council Member Eisenhauer stated she would go over the spreadsheet list of nuisance properties with Mike Habegger, PCDC President and report back at the next Council meeting. More discussion followed with Council Member Hatfield inquiring how long the City had to take action once these abatement letters were sent out and there was no request for an appeal? Clerk Curtis read from City Code 4-304 Nuisances; Abatement Procedure, which only stated that the owner of the property had to request a hearing with the municipality within five (5) days of receipt of the abatement notice and if the property owner did not request a hearing or fails to comply with the order to abate and remove the nuisance, the municipality may have such work done. More discussion followed with Council Member Hatfield stating he really felt the City needed to know how quickly they needed to take action if the property owner does not comply with the abatement order or remove the nuisance issue. At this time Mayor Hatfield tried making a call to City Attorney Samuelson, but she could not be reached. Mayor Hatfield stated he would make contact with City Attorney Samuelson to ask if she could attend the December 6<sup>th</sup> City Council meeting to discuss the questions the Council has about the letters of abatement.

**Review/Act on Scott Hanna's Demolition Reimbursement Request at 1315 B Street:** Council Member Zelenka moved to approve Scott Hanna's Demolition Reimbursement Request at 1315 B Street for \$4000. Council Member Fisher seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

**Review/Approve quote from Access Systems on replacing Clerk Curtis' computer system: Council reviewed the quote from Access Systems for \$1592.52 to replace Clerk Curtis' computer system:** Clerk Curtis stated she is having issues with her computer running extremely slow and freezing up or "not responding" when she's in certain programs or tries to have both screens up at once. Clerk Curtis also stated that it sometimes won't print unless she exits out of the other screen. Clerk Curtis and Deputy Clerk Wiers both stated their disappointment with Access Systems, not giving them an annual report on items that will need to be replaced and budgeted for in upcoming fiscal years. Council Member Eisenhauer stated that she felt this new computer system needed a camera being added to it. Clerk Curtis stated that a microphone also needed to be added to the quote in order to communicate better on any Zoom, Microsoft Teams meeting and/or webinars without having to telephone in. Council Member Eisenhauer moved to approve purchasing a new computer system for Clerk Curtis from Access Systems with the addition of a camera and microphone. Council Member Fisher seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

**A Report and update from Mayor Hatfield:** Discuss Animal Control Board: Mayor Hatfield stated that there have been some issues come up with Animal Control Board (ACB) lately with minutes not being written from a recent "potentially dangerous dog

hearing” in addition to some members not showing up for meetings, etc. and wanted to get the Council’s opinion on if they felt that the Animal Control Board should just be disbanded and everything come directly to the City Council. Council Member Zelenka stated that she had no idea that when she agreed to serve on this Board that she would be the one in charge of it all but she managed it at the appeal hearing that was held last week. Mayor Hatfield stated that he felt that the ACB meetings really need to be recorded and all meetings have minutes written up on them. Council Member Zelenka stated that at the last ACB meeting Laura Poskochil had inquired if she could still serve on the board since she is now living in Table Rock but then Nancy Tilton stated that she lives outside the City limits and has served on the board for years. More discussion followed with Council Member Zelenka stating that Deputy Clerk Wiers had made copies of what a few other towns had for ACB ordinances, which she handed out to each board member to review. Zelenka continued that the ACB is planning to meet in January and go over the City’s current ACB ordinances and make some suggested changes that will come before the City Council for approval. Mayor Hatfield stated that it sounded like Council Member Zelenka was trying to get the ACB back on track again as he hated seeing all of the dog complaints and issues have to come directly back to the City Council again as that previously really made their meetings drawn out. Clerk Curtis stated that if someone from the Animal Control Board would let the Clerks know when they are meeting, one of them can get the recorder all set up in the Cornerstone Building before they meet.

**A Report and update from City Foreman Cumley: *Discuss Water - any updates to the Wells & Lead/Galvanized Letters:*** Foreman Cumley stated that the City Wells are all maintaining good at this time. Council reviewed the proposed letter that Foreman Cumley typed up to be sent out to the 150 residents that have been identified as having galvanized lead water lines. The letter requests to fill out the bottom portion of the letter if those customers are interested in being a part of a 50/50 Cost Replacement Program with the City. Foreman Cumley stated that in talking with Doug Daily of 3-D Plumbing, he estimated the galvanized lead line replacements would cost between \$900-\$1200 for each line. Council felt this was a good first step in trying to work with Customers to get these galvanized lead water lines replaced. ***Discuss Various City Crew Projects:*** Foreman Cumley stated that he was out sick most of last week so while he was out of the office, the City Crew worked on filling potholes and were able to get both the City Dump truck and Bobcat Skidster detailed and ready for Auction Time to come take photos to list both of those items for sale. Foreman Cumley stated they pulled the motor back off of the Vertical Screen at the Sewer Plant today. Cumley stated that either something burnt up in the control panel or there’s a problem with the wiring because it still isn’t working. Since the new motor has been down on the vertical screen the City Crew has been manually cleaning the screen once to twice a week. Foreman Cumley has called Wilson Electric a couple times, but nobody has showed up yet to look at the issues with the vertical screen. Cumley stated that he really doesn’t want to have to contact WesTech to come look at the vertical screen unless he absolutely has to because it’s around \$1800/day plus travel expenses just to get them here. Foreman Cumley reported that Wilson Electric had delivered the two new generators to go at the Water Tower and the City Shop for the Water Tower Controls. More discussion followed with Council Member Hatfield stating that he needed to visit with Wilson Electric about a different item so he will call Wilson’s to talk with them about coming to look at the Vertical Screen motor and will also visit with them about the generators.

**Pawnee City Assisted Living (PCAL):** Council reviewed the October PCAL meeting minutes. Council Member Eisenhower stated that she had visited with Mayor Hatfield about the lease agreement between PCAL and the City for the PCAL park area across from the PCAL facility. Eisenhower had sent photos of the PCAL park area to Clerk Curtis who forwarded them onto the City's Insurance carrier LARM. Clerk Curtis stated she then visited with Clint Simmons with LARM and since it is in the City's name it is covered by LARM but he did strongly suggest putting a sign up for "minimum maintenance" during winter months, like the trail has on it. Council Member Eisenhower stated that while in Joe's office they made several changes to the agreement, which should be prepared in time to be voted upon by the PCAL Board at their December 18<sup>th</sup> meeting, then the agreement can be reviewed and approved at the December 23<sup>rd</sup> City Council meeting.

**Correspondence:** Council reviewed the September, 2024 total Sales Tax Spreadsheet of \$17,648.48 with ½% Street Repairs Sales Tax totaling \$4,258.23 and \$615.57 being Motor Vehicle Sales Tax; the Official Election Results for Council Members: Fisher, 309 & Zelenka, 268 and the email from the League on if the Mayor or any Council Members wanted to be a part of a small group of elected officials to serve on the "Idea of America Fellowship". Clerk Curtis stated to let her know if anyone was interested in being a part of this. Council Member Zelenka 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 8:29 p.m.

ATTEST: Tamela S. Curtis, City Clerk

Charlie Hatfield, Mayor