

**MINUTES OF THE REGULAR MEETING OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PAWNEE CITY, HELD ON TUESDAY, OCTOBER 10, 2023, AT 7:00 P.M. AT THE PAWNEE CITY PUBLIC LIBRARY, 735 8TH STREET, ALL IN PAWNEE CITY, PAWNEE COUNTY, NEBRASKA.**

Notice of this meeting was given in advance thereof by advertising in the Pawnee Republican, a designated method for giving notice as shown by the Affidavit of Publishing on file in the office of the City Clerk. Notice of this meeting was given to the Mayor and City Council and a copy of their acknowledgment of receipt of the notice and the Agenda are on file in the office of the City Clerk. 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 Charlie Hatfield; Council Members Vickie Zelenka, Donnie Fisher, Laura Poskochil (arriving at 7:45 pm.) and Susan Eisenhower; Kellie Wiers, Deputy City Clerk, Tamela Curtis, City Clerk/Treasurer and 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 Eisenhower moved to accept the September 25, 2023, regular meeting minutes. Council Member Fisher seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

The Treasurer submitted the following claims for consideration: **10/10/23 Payroll:** \$10,751.93; **Union Bank & Trust**, FWH 3159.76; **NE Dept. of Rev**, SWH 486.75; **John Hancock**, retirement 1635.32; **Windstream**, ph @ swr plant 62.62; **Capital Bus. Syst**, libr agree 1552.52; **Lincoln Winwater Works**, wtr parts stock 1420.40; **NPPD**, electric @ wells & swr plant 3108.25; **One Call Concepts**, digger hotline locates 16.30; **Pawnee True Value**, library repair parts 311.58; **Quill Corp.**, library office supplies 306.00; **Nebr. Dept Envir & Energy**, swr cert test empl#1035, 125.00; **Wilson Electric**, electric work @ pool/park 9336.00; **Spectrum**, internet & ph @ 445 6<sup>th</sup> ST 184.97; **BOK Financial**, swr bond pymt 84,332.50; **BOK Financial**, wtr bond pymt 140,538.75; **Nebr Dept Econ Dev**, return reuse prog inc 44,396.00; **Premier Drywall**, drywall cornerstone bldg. 20,080.00; **3-D Plumbing**, pool wtr line repair 11,000.00; **Access Systems Leasing**, monthly IT hardware 209.98; **Binder Bros.** concrete 294.50; **Coral's Cleaning**, office cleaning 120.00; **Futuramic Products**, libr materials 116.52; **LARM**, bldg. ins 5881.86; **Mahoney Concrete**, Van Horne park sidewalks 15,000.00; **Pawnee Co Rural Wtr**, pond wtr hydrants 81.00; **SENECS**, libr comp 1257.30; **Subsurface Solutions**, wtr swr mapping 20,193.15; **U.S. Cellular**, emergency cell ph 47.77; **Winnelson**, parts relace wtr line, 8243.32; **Blue Valley Public Safety**, new siren & install 32,002.90; **Gary Droge, Jr.** UHC health ins rebate 540.88; **Kay Park Rec**, park benches/tables 2100.00; **Kellie Wiers**, UHC health ins rebate 540.88; **Lucas Barloon**, UHC health ins rebate 540.88 ; **Municipal Supply**, new wtr meters 9766.38; **Spencer Cumley**, UHC health ins rebate 540.88 ; **Tamela Curtis**, UHC health ins rebate 540.86 ; **Robert Miller**, Cornerstone Bldg. consulting 4,000.00; **Table Rock Appliance**, Cornerstone Bldg HVAC 19,687.60; **Binder Bros.**, partial pymt concrete pads 4500.00; **Midlands Contracting** phs 1 & 2 sliplining 57,000.00; **Power Manager**, Power Manager IT support 1230.12; **Sargent Drilling** partial pymt test well 24,000.00; **Constructors**,

10th ST patch 8980.00; **Dave Glynn, Constr**, Cornerstone Bldg remodel 4080.00; **Premier Drywall**, Cornerstone bldg., 20,080.00; **OPPD**, electric @ wells, 197.17 ; 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 letter re: Power Manager's 2024 Value Support Plan:** Clerk Curtis received a letter from Mitch Dahl stating there is a 29% "catch up" increase this year due to inflation for the support plan but most years the increase will be 3% - 5%. Part of the cost was paid out of last year's budget as a 5% increase was budgeted for in the current year's budget.

**Review Treasurer's Report with Individual Fund Balances as of 9/30/2023, end of the Fiscal Year:** Council reviewed the Treasurer's Report with no questions.

**John DeFreece, PCAL: Requesting another extension to reimburse the City the last \$20,107.50, discuss best repayment option for PCAL:** John DeFreece explained PCAL board met on Oct. 4<sup>th</sup> to discuss loan options. PCAL decided to make \$875.00 monthly payments to repay the loan to the City over a 24-month period. As funds become available, PCAL will make extra payments or pay the loan off early. Council Member Eisenhauer moved to accept the payment plan of \$875.00 per month for 22 months and then \$857.50 for the last payment. Council Member Zelenka seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

**Sheriff Braden Lang:** Sheriff Lang explained Brad Willey has given notice that he has taken another position as fire marshal for Troop H of the Nebr. State Patrol for southeast Nebraska. Brad had told Sheriff Lang that he is leaving because he is tired of waiting for a pay raise with his last day being Nov. 6th. This will leave the department shorthanded and if they hired someone today, they would still have to complete training at the academy so it would be a while before they can actually work. Lang is looking into having officers from surrounding counties help fill in shifts. The Sheriff's budget has been approved and Lang received \$29,000 more than what he requested. Lang reported he would like to use this money for pay raises for the deputies and Nancy Tilton, but the county commissioners will not let him use the money for raises. Ms. Tilton actually assists with criminal investigations and does more than just answer the phone. Sheriff Lang would like to hire a clerical person to free up Ms. Tilton to assist more with criminal investigations. Lang reported he was given more in his budget, but the commissioners can't explain how this money came about. Sheriff Lang explained Johnson Co.'s chief deputy earns \$36.00/hr. Deputy Samuelson earns \$25.00/hr. The Pawnee Co. Commissioners approved a \$2.00/hr. raise for the deputies but Ms. Tilton wasn't included in these raises. Tilton has completed criminal investigation training and helps with items besides answering the phone.

**Kevin Dugan, Black Hills Energy: Review/Discuss Ord 477 Amending the Occupation Tax on Natural Gas Distribution Companies & Proof of Publication from 1983:** Kevin Dugan explained he is an operations supervisor from the Beatrice area. **Review/Discuss Ord 711—Black Hills Energy (BHE) Franchise 25-year Agreement from 1998: Cover Letter from BGE: Approve Ordinance #1038, updating Franchise Fee on Natural Gas Companies to be printed in pamphlet form:** Council Member Eisenhauer moved to approve Ordinance #1038,

updating Franchise Fee on Natural Gas Companies to be printed in pamphlet form. Council Member Fisher seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried. **Motion to Suspend the three (3) readings of Ordinance #1038:** Council Member Eisenhauer moved to suspend the three readings of Ordinance 1038. Council Member Fisher seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried. **Approve Ordinance #1039, updating Franchise Fee on Natural Gas Companies to be printed in pamphlet form:** Council Member Eisenhauer moved to Approve Ordinance #1039, updating Franchise Fee on Natural Gas Companies to be printed in pamphlet form. Council Member Fisher seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried. **Motion to Suspend the three (3) readings of Ordinance #1038:** Council Member Eisenhauer moved to suspend the three readings of Ordinance 1039. Council Member Fisher seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

**Review/Discuss Flyer from Premier Pyrotechnics on saving an additional 15% by paying for the fireworks by December 1<sup>st</sup> (City already signed 3-year agreement & Chamber approved the City going with the 3-year proposal):** Clerk Curtis explained if the City pays by December 1<sup>st</sup>, then the Fire Dept. will receive 15% extra in merchandise. Council Member Eisenhauer moved to pay Premier Pyrotechnics by December 1<sup>st</sup> to add an additional 15% in merchandise. Council Member Fisher seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

**Review/Act on Mike & Sharon Schilling's Demolition Reimbursement Request at 1335 C Street:** Council Member Eisenhauer moved to approve Mike & Sharon Schilling's Demolition Reimbursement Request at 1335 C Street for \$4000.00. Council Member Zelenka seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

**Review/Act on Anita Lang/Donald Bent's Demolition Reimbursement Request at 521 5<sup>th</sup> Street:** Council Member Eisenhauer moved to approve Anita Lang/Donald Bent's Demolition Reimbursement Request at 521 5<sup>th</sup> Street for \$4000.00. Council Member Zelenka seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

**Review email from Steve Glenn re: Proposal to hold meeting on New Housing for Pawnee City – appoint Council Member to attend these meetings along with Mayor Hatfield and the Clerks:** Clerk Curtis explained this item was included on the agenda as a FYI to the Council. Clerk Curtis stated she recommends Council Member Eisenhauer attend these meetings since she is a member of the Pawnee City Development Corporation (PCDC) because they are also dealing with this same issue and that way Eisenhauer can keep the City updated on progress made.

**Report and update from City Clerks: Items for discussion are: Discuss 2023/24 Water Rate Increases not being implemented on 10/1/2023 Billing Statements:** Clerk Curtis explained UB Clerk Johnson didn't know about updating the water rates effective October 1<sup>st</sup> and so it wasn't done. Measures have been implemented to ensure the rates are updated in the following years. Clerk Curtis explained it was a loss of approximately \$1400.00. She had contacted Mitch

Mullins, IT support for the Power Manager program and city auditor, Julie Bauman to offer suggestions. They include doubling the water base fee for the November water bill and return to the correct rate on the December bill; approve implementing the new 2023-24 water rates starting with the November bill and not charge for the approximately \$2.86 lost on each water account; or update the water accounts with the 2023-24 Water Rate Increases and show the lost revenue as a balance forward on the billing statement. Council Member Zelenka moved to approve implementing all of the new 2023-24 Water Rates starting on the 11/1/23 Billing and not spend the time and money to go back and make adjustments to all Customer Billings, showing up as a Balance Forward, plus new Water Rates showing up on 11/1/23 Billing. Council Member Eisenhauer seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

**Report and update from Council Member Eisenhauer: Discuss updates to the Cornerstone Building:** Council Member Eisenhauer explained Dave Pope should be finished installing the furnace and duct work by the end of the week. Dave Glynn should be coming on Monday next week to install window trim and Marvin Hinrichsen will be installing the flooring. The light switches and plug-ins will be finished last. Then, it will be inspected by the fire marshal. So, hopefully, the Cornerstone Building will be finished soon.

**Review email from Nanette Smith re: volunteers painting Fire Hydrants:** Discussion was had about who will provide the paint for the fire hydrants and who will paint them. The hydrants will have to be painted red as they are now, and Mayor Hatfield suggested using “water born” paint because it is easy to use and very durable. **Will Cornerstone Building be done by 12/7/23 for Santa:** Council Member Eisenhauer explained as she had stated earlier, there is no specific date when the Cornerstone Building will be ready for occupancy. So, the City is not sure if it will be ready for use on 12/7/23 for Santa. Mayor Hatfield stated the Chamber could use the “porch” of the Cornerstone Building for Santa, but the weather may not cooperate. DC Wiers will reply to Nanette Smith’s email.

**Report and update from Council Member Fisher: Constructors will be here in 2024 to overlay 10<sup>th</sup> Street from E to F Street going by Palmer’s Café (this expense was paid out of the 2022-23 FY Budget):** Council Member Fisher and Foreman Cumley explained it will cost \$38,000 to patch the street and then overlay it. When the street is repaired, a ditch will have to be made on the south side of the street. There is a tube in the ground now, but it is silted in, and Angela Sholty has planted flowers on the edge of the tube and right next to the edge of the street. All these flowers will have to be dug up. Clerk Curtis suggested Council Member Fisher and Foreman Cumley meet with Ms. Sholty on Monday, Oct. 16<sup>th</sup> since there isn’t any school that day to talk to her about the street situation. DC Wiers will email Ms. Sholty and set up a meeting. It was also suggested to ask Constructors to make an entryway from the street onto the Sholty property.

**Report and update from Foreman Cumley: Discuss Well Updates:** Foreman Cumley explained the wells are still holding and no change in the aquifer level. Sargent is hoping to get to the test well soon, but no date was set but maybe more towards the end of the year, hopefully before the ground freezes. **Discuss various projects throughout town that City Crew has been working on:** Foreman Cumley explained he plans to complete a lot of concrete patches on the

streets since the weather has cooled down. The crew spent most of last week switching farm accounts to radio reads and installed new meters. The road has been cut up at the pool and ready to be torn out to replace the water line. The crew plans to paint crosswalks by the school and the new crosswalks in front of the Pawnee Village next week. Crew Member Barloon is in Norfolk completing wastewater training this week and will take the test on Thursday. The crew members have been working on the GIS map inputting data including the farm accounts. They will have to look at all the new mains, pull the valve lids and find the tracer wire and map it. Once all the data is entered, it won't have to be done again. The crew went to Burchard to work on a sewer back up and found two blockages as there was a manhole overflowing for a month. Foreman Cumley met with Jeff Edgington from Blue Valley to look at a location for the new siren. The location will be directly west of the high school football field on the City's ROW on the same side of the street as the cemetery near the NPPD transformer pole. NPPD will run the overhead wires from their pole to the fire siren pole. Wilson Electric stopped by to check what they were supposed to be doing with installing the new fire siren and they will follow up with Blue Valley. The siren will not sound at noon and 6:00 p.m. anymore. It will take 8 – 10 weeks for the new siren to be installed.

**Review Correspondence from: NPPD Solar For all Program Application – send letter from City:** Council agreed to have Clerk Curtis send a letter in support of this program. **Downtown Flower Clean-up Scheduled for Monday, October 16<sup>th</sup> @ 4:00 pm.:** If anyone is interested, please show up in front of Creative Thoughts. **Nebraska EMS Services Community Listening Sessions:** No discussion. **Review Application for Employment from Damon Portrey:** There are no job openings with the City at this time, but Foreman Cumley stated the City should hire Summer help for 2024 to have someone dedicated to keep up with mowing, trash and maintaining the restrooms at the parks and City Pond. This would really help the crew members to be able to concentrate on other responsibilities.

Council Member Eisenhower moved to adjourn the meeting. Council Member Fisher seconded the motion. Roll Call vote indicated all in favor of the motion and meeting adjourned at 8:04 pm.

ATTEST: Kellie A. Wiers, Deputy City Clerk

Charlie Hatfield, Mayor