

MINUTES OF THE REGULAR MEETING OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PAWNEE CITY, HELD ON MONDAY, SEPTEMBER 13, 2021, AT 6:00 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, Bruce Haughton, Ric Helms and Susan Eisenhauer; Tamela S. Curtis, City Clerk/Treasurer; Foreman Spencer Cumley and City Auditor Julie D. Bauman. **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.

Council Member Helms moved to approve the August 23rd, 2021, regular meeting minutes. Council Member Haughton seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried. Council Member Eisenhauer moved to approve the September 8th, 2021, special interviewing committee meeting minutes. 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 Interviewing Committee: *Discuss/Approve*

Recommendation from Interviewing Committee on hiring new City Crew Member: The Interviewing Committee stated that they had interviewed two very well qualified applicants at their special meeting last week, which made it a very difficult decision on who was the best candidate to recommend to Council to fill the open City Crew Member position. Council Member Eisenhauer stated after a long discussion period by Foreman Cumley and the Interviewing Committee, they felt that Lucas Barloon was the best applicant to fill the open City Crew Member position. Council discussed at length what the starting wage would be with Council Member Eisenhauer stating she felt that the starting wage should be \$17.00/hour during the 90-day probationary period. Then raising his wage up to \$17.50/hour at that time, with the candidate able to obtain a \$.25 raise when he obtained his CDL license and another \$.25 raise when he obtained his water certification license, which should all be done within six months of his hire date. That takes his wage up to \$18.00/hour at that point forward. Council Member Haughton moved to approve the recommendation of the Interviewing Committee to offer Lucas Barloon the new City Crew Member position with a starting wage of \$17.00/hour with \$.50/hour raise available after 90-day review, a potential to gain another \$.25/hour raise each after obtaining CDL License and obtaining Water Certification License for the potential of earning \$18.00/hour from that point on. Council Member Helms seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried. At this time Clerk Curtis called Lucas Barloon to offer him the City Crew Member position. Mr. Barloon asked if he could give his final answer in the morning after discussing it with his wife. Council was all in agreement with letting Mr. Barloon converse with his wife before giving

the City his final answer. Mr. Barloon stated he would contact Clerk Curtis first thing Tuesday morning and give his answer to accepting the job or not.

The Treasurer submitted the following claims for consideration: **8/31 & 9/14/2021 Payrolls:** 17,736.69 **Union Bank & Trust**, FWH 5056.45; **NE Dept. of Rev**, SWH 731.24/Sales & Use Tax 3378.41/Waste Reduction Recycle 25.00; **John Hancock**, retirement 2479.68 **Amazon Capital Serv**, gas monitor sensor/chains/HVAC motor/screen 793.16; **Advantage Co**, Libr digitalizing 545.00; **Bruna Impl**, hyd hoses/oil 172.05; **Capital Business Syst**, elevate ph/IT serv/Copier Contract 1004.22 – Libr Copier Contr 135.50; **Centurion Tech**, Libr Lic/Maint Agrmnt 51.75; **Julie D. Bauman**, Budget Wrkshop Retreat/budget doc/presentation 2550.32; **Emily Sisco**, atty fee retainer 1000.00; **Matt Kuhlmann**, zoning-Aug 800.00; **NPPD**, elec 6702.84; **Pawnee Co Rural Water**, hydr 85.50; **Pawnee Republican**, publ 784.03; **NE Public Health Env Lab**, Wtr samp 30.00; **PC Ball Assoc**, pool concessions 426.79; **OPPD**, elec-wells 221.13; Libr Materials: **Jr. Libr Guild** 59.70/ **Gale** 2725.00; **Binder Bros.**, rock-wtr rep/well storm door/rebar 446.26; **Lincoln WinWater Works**, wtr parts 872.36; **Verizon Wireless**, Fire jetpack/home connect 63.69; **ET's Lawn & Leisure**, oil chg-UTV 37.99; **H&H Auto**, rep/sup parts 395.89; **Gottula Trenching**, Swr Backflow/rep 184.40; **Pawnee True Value**, supplies 224.42; **MidWest Labs**, swr samples 199.00; **OneCall Concepts**, digger locates 10.76; **PC Thriftway**, supplies 26.71; **Quill**, office sup 268.32; **Premier Pyrotechnics, Inc**, 2021 Fireworks 4000.00; **Stallbaumer Lumber**, Milwaukee Cordless Impact Gun 292.99; **US Cellular**, emerg cell phone 146.37; **Windstream**, libr ph/internet 121.11; **Casey's Business**, equip fuel 442.44; **NE Dept of Env & Energy**, Swr Cert renewal-Cumley 150.00; **Temple Display**, new Christmas light decorations 15,048.52.

Council Member Eisenhauer stated that there is one City Crew Member that is not marking down what his overtime is for on his timecard, but Foreman Cumley and the other crew member both are. Foreman Cumley stated that Clerk Curtis had emailed him earlier today to let him know that there were Council Members asking about that OT marked on the crew member's timecard, so he looked back on what they were doing on both of those days. The one day they all started the day early to walk meters and the other day was that the crew member was mowing and did not break for lunch that day. Council Member Helms inquired if this crew member had been totally released to come back to work? Foreman Cumley stated that he had been released to return to work but had a 25 lb. lifting restriction but had been completely released from physical therapy. Council Member Helms felt that until this crew member was totally released with no restrictions he should not be getting any overtime. Council Member Eisenhauer stated that neither of those activities that this crew member was performing had anything to do with his 25 lb. weight restriction, so that should be allowed. Eisenhauer went on to state that she felt they all should be taking a lunch break every day. She wasn't sure what the State guidelines were for lunch breaks, but the Federal guidelines stated that it is mandatory to take an unpaid lunch break every day. More discussion followed with the Council directing Foreman Cumley to just talk with his crew members to make sure they take a lunch break, to watch the overtime and to make sure the employees note what the overtime was for, if they earn any. Council Member Eisenhauer moved to approve the claims as submitted. Council Member Houghton seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

Sheriff Braden Lang: Sheriff Braden Lang had a conflict with attending tonight's Council meeting, so has been rescheduled to appear at the September 27th City Council meeting.

Recess from regular Council meeting: At this time Council Member Eisenhower moved to recess from the Regular Council Meeting. Council Member Haughton seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried, and regular meeting recessed at 7:26 p.m.

Open Special Hearing to Set Final Tax Request – At 7:27 p.m., Council member Eisenhower moved to open the Special Hearing to set the Final Tax Request. Council Member Fisher seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried. There was no public input at this time. Council member Helms moved to close the Special Hearing at 7:28 p.m. Council Member Fisher seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

Reconvene back into regular Council meeting: Council Member Haughton moved to reconvene back into the Regular Council Meeting. Council Member Eisenhower seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried with the regular meeting reconvening at 7:29 p.m.

Pass Resolution #11 approving 2021-2022 Fiscal Year Budget – Council Member Eisenhower moved to pass Resolution #11 approving the 2021-2022 Fiscal Year Budget. Council Member Fisher seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

Pass Resolution #12, setting 2021-2022 Property Tax Request be set at \$220,932.00 and Proposed 2021 Tax Rate be set at .723212. Council Member Helms moved to pass Resolution #12, setting 2021-2022 Property Tax Request be set at \$220,932.00 and Proposed 2021 Tax Rate be set at .723212. Council Member Haughton seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

Review Treasurer's Reports as of August 31st and September 14th, 2021: Council reviewed the Treasurer's Reports as of August 31st and September 14th, 2021, which includes the next payroll that has been taken out of each budgeted fund. Clerk Curtis stated she would be handing out another Treasurer's report as of 9/28/2021 at the September 27th Council meeting that will include the last payroll of the fiscal year. Then the Council could see what was left in their individual fund budgets as of that date.

1&6 Year Public Hearing: Council Member Helms moved to open the 1&6 Year Street Plan Public Hearing at 7:33 p.m. Council Member Haughton seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried. **Hear public input:** Clerk Curtis reminded everyone that the current streets listed on the 1&6 Year Street Plan, Council Member Helms and Foreman Cumley had worked together to update to a more "actual" listing of streets he plans to be working on in this next fiscal year and the six-year plan. The only addition to the plan from the last meeting was "P" Street from 5th-7th Street on the 1-year plan. Council Member Helms stated that was the street that went by the Historical Society. Council Member Eisenhower stated she would suggest adding the block of 13th Street to the "E" Street from 14th-16th Street that is located on the six-year plan as they are dead ends at both ends of those streets, so that would be a whole section of street straight through that would be asphalted. There was no public input at this time. **Close Public Hearing:** Council Member Helms moved to close the Public

Hearing at 7:37 p.m. Council Member Eisenhauer seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried. **Resolution #13 adopting the 1&6 Year Street Plan:** Council Member Helms moved to Pass Resolution #13 adopting the 1&6 Year Street Plan. Council Member Eisenhauer seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

Vickie Zelenka to report on Pawnee County Task Force Meeting, discussing a mask mandate: Vickie Zelenka reported on the Pawnee County Task Force Meeting held this past Friday through a Zoom meeting with everyone pondering what we all should be doing. Much discussion was had on what the County was doing and how the City should handle encouraging people to wear masks. After a long discussion it was decided that Clerk Curtis will check with the County on what they passed at their last Commissioner's meeting regarding masks, etc. and bring it back to Council for their consideration.

Review/Discuss items added back into Fire Station Project paid for by PC Fire Dept through fundraising efforts: Council reviewed the list of items that had been added back into the Fire Station Project including Add 14 pipe bollards \$3,200 – four (4) bollards as per plans, 10 will need to be modified to bolt to the building footings that are in place; Add painting pipe bollards (3 coats of epoxy paint), \$700, noting the painting of the bollards was deleted when all painting was deleted when “reduce building to shell only” value engineering was accepted; Add snow guards to the building roof, \$2,300; Add north parking lot concrete, \$8,520 and change from sealed concrete to epoxy flooring, \$11,000 for a total of \$25,720 to be paid for by the Pawnee City Fire Department's fundraising efforts. Clerk Curtis stated she had budgeted for these added expenses as AHRS will run all of this through the Fire Station Project with the PC Fire Department reimbursing the City for those costs. **Review/Approve Change Order #2 adding these items back into the Fire Station Project:** Council Member Eisenhauer moved to approve Change Order #2 adding these items back into the Fire Station Project for the amount of \$25,720.00. Council Member Fisher seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

Review/Approve: CDBG Fire Hall Project 19-PW-014 Expenses: Drawdown #7 for a total of \$138,631.50 with \$540.00 to JEO Consulting for Construction Admin with \$471.42 from CDBG Public Works Grant and \$68.58 from City Match; Pay App #2 to AHRS Construction for \$138,091.50 with \$120,553.87 from CDBG Public Works Grant and \$17,537.62 from City Match: Council Member Eisenhauer moved to approve the CDBG Fire Hall Project 19-PW-014 expenses on Drawdown #7 for a total of \$138,631.50 with \$540.00 to JEO Consulting for Construction Admin with \$471.42 from CDBG Public Works Grant and \$68.58 from City Match; Pay App #2 to AHRS Construction for \$138,091.50 with \$120,553.87 from CDBG Public Works Grant and \$17,537.62 from City Match. Council Member Haughton seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

FYI SchillingBridge Winery & Microbrewery business is for sale through Wood Bros. Realty: Mayor Hatfield stated that this is just a FYI that the SchillingBridge Winery and Microbrewery business is for sale through Wood Bros. Realty. There was a Council Member that brought a copy of the Shareholders Letter from Stonebridge Vineyard, Inc. and wanted everyone to be aware that this business is for sale since they currently have an active ReUse Loan with the City. Clerk Curtis had been directed to make contact with

Kelly Gentrup with SENDD so that they could give the City some direction right away. Mayor Hatfield stated that the City wants to be proactive on this and not have this turn into another situation like the City had with the Little Brown Jug's ReUse Loan. Clerk Curtis stated that Ms. Gentrup had listed out three options that the City has since SchillingBridge Winery is current on their ReUse payments and have met the job creation. Clerk Curtis stated that she will work with Ms. Gentrup to get a second public hearing set up so that we can check that off of our list to meet DED criteria on these ReUse Loans. Clerk Curtis stated that Sharon Schilling had made contact with her and since they could not be present at tonight's meeting, she emailed her a letter, which was handed out to all Council members and the Mayor before the meeting. Council Member Eisenhauer stated that they are planning for this to be a long process for the sale of their business, but it is good for the Mayor and Council to be aware of what is going on since they do still have a ReUse Loan with the City. Clerk Curtis stated no action needs to be take on this item tonight as it is strictly an FYI for all of the Mayor and Council to be aware of.

A Report and update from Foreman Cumley: *Discuss advertising the City's old Christmas Light Decorations; FYI the new Christmas Light Decorations have arrived:*

Foreman Cumley stated that he had taken pictures of the City's old Christmas Lights and wondered if the Council was ok with them putting them up for sale, as they could really use the extra space. The new Christmas Light Decorations have arrived, and they are really nice. The Christmas Trees are eight feet tall, but the rest are shorter, but they all are really nice decorations. Council Member Eisenhauer stated she felt that possibly there is a small town out there that would appreciate purchasing the City's old Christmas Light Decorations. More discussion was had on the size and numbers of Christmas light decorations the City had available, that some work completely, but others have a few bulb sockets that don't work at all and that the City Crew replaced a lot of burned-out bulbs in 2020. Foreman Cumley stated he would definitely recommend that the City list these Christmas Light Decorations for sale, as is. More discussion was had on if there should be a minimum bid on them and what the deadline for bids should be. It was the overall consensus of the Council that the City just needed them gone to make more room and would be happy with whatever they got for them. Council stated that bids would be accepted until noon on Monday, November 8th, with bids opened at that night's Council meeting. Clerk Curtis stated that she would write up an advertisement including the pictures that Foreman Cumley had sent to her listing out the dimensions of each decoration to be emailed to the League's website advertisement page, emailed to their Clerks of Nebraska listing, City's Website and put on Facebook that the decorations are for sale per decoration or as a group. Council Member Helms moved to sell the City's old Christmas Light Decorations with a noon November 8, 2021, deadline to submit bids. Council Member Eisenhauer seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried. ***Discuss purchasing toolboxes for a water trailer:*** Foreman Cumley stated that the pictures of the toolboxes he is wanting to purchase are in the agenda packet. They are 48x15x15 and would be put on the front of the trailer that hauls the mini excavator. Foreman Cumley stated that they will go in front of the trailer fenders, and they plan to make them removable, as they would not want to take toolboxes full of tools and water parts out of town. He feels that this will eliminate having to make so many trips back and forth to the shop to get parts and tools when repairing a water leak. Council Member Eisenhauer moved to purchase the two removable 48x15x15 toolboxes for \$230.95 each. Council Member Haughton 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: *Discuss the 2021 pool season:* Council Member Eisenhauer stated that Clerk Curtis had typed up a “2021 Pool Season Review” from compiling information gathered from Pool Manager Raina Hatfield. Council Member Eisenhauer stated that she felt for the shortened pool season this year, that even though the pool admissions dollar amount was down, they had a pretty good attendance. This year the prices of the concessions had increased considerably but they still managed to come out ahead. Eisenhauer stated that the new table and chairs that had been donated by a Pawnee City citizen had come in and were very nice. She plans to put in a City order for more pool furniture yet this Fiscal Year. She has also had Foreman Cumley get lumber to rebuild all of the stalls in both shower rooms and also to expand the storage area in the boy’s shower room, going from 8x12 to 12x12 to get things up off the floor and to get that room organized. She has also ordered a cart with rollers to move the handicapped lift chair and also a new all encompassed covered for the handicapped chair. The cart with the handicapped chair lift and the pool vacuum Max will be stored in this storage area. Listed on the Pool Season Review were a few maintenance items that the City Crew would get taken care of before next pool season. She plans to talk with Eisenbarth Plumbing about replacing the current hot water heater with an electric on demand one as the current one was purchased in 2019 and they had issues with it all season long, either being way too hot or if they tried to turn it down, the pilot light would go out. Council Member Eisenhauer stated that since the pool has been drained they have found cracks in the caulking in these areas: two areas along the upper rail outside of the pool; one hole in the return drain and one hole in the caulking of the third step down into the pool. She has sent pictures to Howard at Miracle Mudjacking to look at these problem areas to repair as necessary. ***Discuss any updates to concrete work on Rick Jackson Trail:*** council Member Eisenhauer stated that Mahoney’s have made it about half-way up the slope to M Street with concrete. She had visited with Foreman Cumley to have them slightly slope the new concreted trail to the South so that it will run off of the rock in the grass area headed up to M Street and then sloped slightly to the East on the trail along M Street headed to 14th Street. Foreman Cumley stated that Mahoney’s hoped to be finished up by the end of this week, depending on weather conditions. ***Discuss Kyle Klepper Memorial Red Maple Trees to be planted at the Pawnderosa City Pond 9/21:*** Council Member Eisenhauer stated that the Klepper family is donating two red maple trees in the “tear drop” area out to the City Pawnderosa Pond area in memory of their son Kyle Klepper. Clerk Curtis stated she thought that one of those trees that were already in the tear drop was dead. Foreman Cumley stated he had been thinking the same thing as there just has not been any leaves on it this summer. Council Member Eisenhauer stated that she would meet Foreman Cumley out to the pond area tomorrow to take a look at the dead tree and flag where the new trees would be located. Foreman Cumley stated that the City could remove that dead tree before the new ones arrive without any problem. Council Member Eisenhauer stated that the City will dig the holes for the red maple trees and have it ready for them to just be placed in the ground during their Kyle Klepper Memorial Ceremony on September 21st. Council Member Eisenhauer stated she had already ordered the 8x10 marble plaque from River Valley Memorials here in town that the Klepper family had agreed to pay for. Eisenhauer stated that this will be a very nice memorial in loving memory of their son Kyle Klepper.

A Report and update from Clerk Curtis: *Date Change for First Meeting in October:* Clerk Curtis stated she needed to know what the first meeting date in October will be due to Columbus Day being on Monday, October 11th and the City Offices being closed. All Council were in agreement to changing the first meeting date in October to Tuesday, October 12th. ***Review Proposal from Capital Business on updating the City Office***

Copier/Printer/Scanner machine. Clerk Curtis stated that by upgrading to a new Ricoh IMC2500 copier/printer/scanner from Capital Business the City will recover all but \$1300 of the total cost of this new machine with the lower maintenance costs. Our current machine was purchased in 2014. Council Member Eisenhauer moved to approve the purchase of a new Ricoh IMC2500 copier/printer/scanner from Capital Business for \$3,824.00. Council Member Helms seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried. **T-Mobile's Hometown Grant:** Council discussed T-Mobile's Hometown Grant to possibly assist with funding the renovation of the inside of the Cornerstone Building. Clerk Curtis felt this would be a great grant to apply for but would like to wait to apply for this grant until she is finished up with the three USDA Grants she is currently working on for the Sewer Jet Trailer, Well Generator and Fire Station Project. Council Member Eisenhauer stated that the applications are accepted on a quarterly basis, so when Clerk Curtis is finished up with those USDA Grants, then she could work on applying for this T-Mobile Hometown Grant when she has some extra time.

Review Governor Rickett's Executive Order to Stop 30x30-Protect our Land & Water and various news releases by the Governor: Council reviewed Governor Rickett's Executive Order to Stop 30x30-Protect our Land & Water along with various news releases by the Governor. Clerk Curtis stated that the Council did not have to do anything with this at this time, but since the Governor has sent out several news releases then sent out this executive order to Stop 30x30 and there had been many emails coming from Nebraska Clerks inquiring if any of the City Councils out there were doing anything on this, she felt the Council needed to be made aware of it. Council Member Eisenhauer stated that Governor Ricketts had also held many Town Hall meetings on this subject. After much discussion council directed Clerk Curtis to check with the County Clerk to see if the County Commissioners had passed anything in support or against Biden's 30x30 Rule and report back at the next Council meeting.

Correspondence: Council reviewed the thank you cards received from Crystal Dunekacke and the Pawnee City Library Staff Members. Council Member Haughton moved to adjourn the meeting. Council Member Helms seconded the motion. Roll call vote indicated all present voting in favor of the motion, whereupon motion carried, and meeting adjourned at 8:41 p.m.

ATTEST: Tamela S. Curtis, City Clerk

Charlie E. Hatfield, Mayor