

MINUTES OF THE REGULAR MEETING OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PAWNEE CITY, HELD ON MONDAY, APRIL 22, 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, Susan Eisenhauer and Laura Poskochil; Foreman Spencer Cumley; Tamela Curtis, City Clerk/Treasurer and Kellie Wiers, Deputy City Clerk. **Absent:** None.

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 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 8, 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.

The Treasurer submitted the following claims for consideration: **4/23/24 Payroll:** 11,063.84; **Union Bank & Trust**, FWH 3305.04; **NE Dept. of Rev**, SWH 522.20; **John Hancock**, retirement 1748.36; **Allstate**, cancer/accid 218.06; **Ameritas**, vision 92.40; **Madison National Life**, life ins. 55.09; **United Healthcare**, health ins. 6563.70; **Windstream**, int/office, ph/swr plant 173.99; **Spectrum**, shop int/ph 184.97; **BHE**, gas service 430.51; **PCDC**, Feb. 2024 sales tax 6420.33; **Seneca Sanitation**, Mar. 2024 garb serv 6907.10; **Wilson Elec.**, elec to Emerg Siren 692.02; **Pawnee Republican**, publ 262.06; **Winnelson**, wtr parts-pool 457.47; **Cornerstone Proj Claims:** **Pawnee True Value**, sup 26.57/**Robert G. Miller**, consulting 7200.00; **Transportation Tech**, rmb Mar ReUse pymt 1291.52; **Access Systems**, total IT care 931.60; **Blue Rivers Area Agency on Aging**, 23/24 Donation 467.50; **Surnali LLC**, drug/alcohol testing 208.00; **Gyhra Const.** grading rock roads 900.00; **Paul Heath**, 2024 Mosquito Spraying 2160.00; **NPPD**, elec 3248.97; **Pawnee True Value**, toilet/batt/trowel 149.48; **Ramada by Wyndham**, Lodging-Clerk's School 576.55; **Winnelson**, wtr parts-pool 457.47; **Windstream**, Libr ph/int 138.56/Swr Plant Ph 63.65; **Amazon**, pool sup/copy paper 1532.98; **Hach Co**, Swr buffer solution 84.25; **In The Swim**, Pool chlorine 3273.60; **Iowa Pump Works**, sludge pump 8443.47; **Lincoln WinWater**, Wtr parts/sales tax 405.66; **Pawnee Co Treas**, Law Enf Agrmnt 18967.01; **NE Dept of Labor**, 1st Qtr. Unempl Tax 128.37; **Casey's Business**, equip fuel 152.92. Council Member Zelenka moved to approve the claims as submitted. Council Member Eisenhauer seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

Betsy Samuelson, City Attorney: *Discuss Updates on Nuisance Issues at 1145 G Street & 522 G Street:* City Attorney Samuelson called in to give updates on the nuisance issues at 522 G

Street and 1145 G Street. Atty Betsy Samuelson stated that the Sheriff's Office was not able to get the property owner of 522 G Street served in time to have his show cause hearing. The City's nuisance ordinance has a very narrow window stating that service must be made not less than seven (7) nor more than 14 days prior to hearing to provide notice. Discussion was had that the Sheriff's office had been short staffed that week that he needed to be served. Samuelson stated she did talk with the Sheriff's Department about the importance of getting this next letter served on Mr. Raper because of the City's narrow timeframe that he must be served in so hopefully this next time around they are able to get it served pretty quickly. Clerk Curtis inquired what dates the Council and City Attorney would be available to consider setting a new show cause hearing date. The Council set Wednesday, May 8th at 7:00 p.m. at the Cornerstone Building for the new Show Cause Hearing Date on Ed Raper's nuisance property located at 522 G Street. Clerk Curtis stated that she would not post the notices around town until after the Sheriff's Office has served Mr. Raper his notice. Mrs. Samuelson stated she would need to wait until the 24th for the Sheriff's office to start trying to serve Mr. Raper as he cannot be served more than 14 days out from the hearing date. Heidi Kohake, owner of HealthFirst Pharmacy stated that she understood that this whole nuisance process takes a lot of time, but she would rather something get done sooner than later because if that building were to fall on her building and she had to close it would not only impact her business but it would tremendously impact the whole community. Kohake continued that when her customers come to town to pick up a prescription they also go to the grocery store, NAPA, Dollar General, Casey's, etc. and if she loses her customers from being temporarily closed, she's afraid those same customers might not come back and that would also impact the rest of the community. Mayor Hatfield stated that they all feel for Ms. Kohake and the situation this nuisance issue has placed on her business. Discussion was had by Council if they could possibly hold the Show Cause Hearing on 522 G Street any earlier but it was decided with the narrow window that service must be made not less than seven (7) nor more than 14 days prior to the hearing to provide notice made it impossible to set the hearing sooner, meet everyone's scheduling needs and get Mr. Raper served in the adequate window of time. Council reviewed the photos of the "For Sale By Owner" sign on the tree located at the 1145 G Street Nuisance Property and the roll-off dumpster that had been delivered to this property this past Friday. City Attorney Samuelson suggested the Clerks giving Ms. Lewis, owner of the nuisance property at 1145 G Street, a call on Tuesday to inquire if she still plans to fill out and turn in the demolition application and have the house demolished or see exactly what her plans are. Clerk Curtis inquired that if Ms. Lewis doesn't plan to tear it down, then she needs to inform her that the City will be having someone come in to test for Asbestos and the City will be proceeding with the demolition process. Atty Samuelson stated that hopefully nobody purchases the property in the meantime so we don't have to start the process all over again. Clerk Curtis inquired if Ms. Lewis could actually sell a condemned property? Atty Samuelson stated that where it's not a formal condemnation process but rather a nuisance abatement procedure she felt it would be best interest to provide notice to the new buyer but she did not think that she actually has to. Clerk Curtis stated she would keep in contact with City Attorney Samuelson on what they find out from Ms. Lewis on what her intentions are with the 1145 G Street nuisance property.

Donations to Organizations: Terry Borchert, Fairview Golf Course (*previously gave \$1000 credit on Fairview Golf Water Account & \$500 credit on the Ag Society's South Meter Account due to watering new grass in 2023*): Terry Borchert, Fairview Golf Club was present to thank the City for all of their past support. In hopes that the City continues to support the Fairview Golf Club, Mr. Borchert would appreciate the City continuing to provide a \$1000 credit

towards their water bill. The Golf Club is continuing to use the South Meter, which water is paid for by the Ag Society, to try to get the grass to grow where they moved hole three to. Council Member Eisenhauer moved to approve a \$1000 credit on the Fairview Golf Clubhouse water account plus a \$500 credit on the Ag Society's South meter with that to be revisited again at next year's request for donations. Council Member Zelenka seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

Donations to Organizations: Rob & Courtney Kosiski, Pawnee City Ball Association

(previously paid the Ball Association's NPPD Electric Bill in 2023 with no extra monetary donation due to the huge increase in their monthly electric bill): Rob & Courtney Kosiski

handed out a 2024 PCBA Report stating that there are currently 98 kids signed up right now for 10u & 12u softball, 10u & 12u baseball, t-ball and coach pitch but they usually get a few more up to the day they start t-ball and coach pitch with the ball season running from May 10th through June 30th with only 17 home games scheduled over 7 nights, plus a 3-day softball tournament with t-ball and coach pitch being played every Thursday night in June. The Kosiski's reported that last year when a tornado went through Pawnee City, it caused a lot of damage at the ball fields and their insurance carrier dropped them shortly after that. They had a difficult time finding an insurance company that wanted to insure the Ball Association and when they finally found one, their premium over doubled in costs. By the time they pay their insurance, League fees and shirt costs, it averages out to cost the Ball Association \$64.61 per player. Registration Fees are \$25/t-ball & coach's pitch player plus \$15 shirt and \$35/player for Softball & Baseball players plus \$25 for a softball/baseball jersey, so they are actually losing a little bit on each player. Discussion was had that if they tried charging more per player, then they would end up losing players, so it's a wash as many parents are upset with the registration costs now. They did check into surrounding communities and their registration prices are a lot higher. They have purchased new trash cans and were able to get batting cages and new scoreboards on two fields all donated. Much of the work is done by board members volunteering and this year the Pawnee City Schools will be working up there as part of their Earth Day Project. Their major fundraisers are the outfield banners, meat raffle, team photo sales, cornhole tournament, an adult slow-pitch softball tournament and concession stand proceeds. Discussion was had that the Ball Association's NPPD electric bill was still being billed at around \$160/month, year round, but since the KWs they had used had exceeded the limit to get a lower rate. Courtney stated that since there are only 17 home games scheduled this summer so they may not exceed their KW limit this year but would have to wait and see. Council Member Eisenhauer moved to approve continuing to pay the Pawnee City Ball Association's NPPD Electric bill for the next year with no extra monetary donation and review it again next year. Council Member Fisher seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

Review/Discuss Health Insurance options through NACO (McInnes Group) for United Health Care (UHC) & Blue Cross Blue Shield (BCBS): *Review Health Insurance*

discussions from 2023 Council Meetings: Council discussed that Council Member Poskochil worked on comparing the options of considering health insurance prices with a Health Savings Plan but it ended up to not be any more cost effective than the mandatory plan change. Clerk Curtis stated that the City currently has UHC and the employees are pretty happy with their coverage as Mental Health/ Chiropractic Visits just cost a Dr. Office Co-pay cost (currently \$15). Discussion was had that the mandatory plan change with UHC had an increase in premiums of

8.2%, which is quite a lot. It was stated that last year's mandatory plan change only had around a 5% increase in premiums. More Discussion followed with Council Member Eisenhower stating that she really didn't want to see the City going to a higher deductible than the employees were already paying which was \$3,000/Individual and \$6,000/Family but if these higher premium increases continued, the City may not have any choice to do that or to possibly change the City/Employee percentage split from 80/20 to a 75/25 split. Council Member Eisenhower moved to approve the City going with Option B, United Health Care's mandatory plan change for the City's Health Insurance coverage. Council Member Zelenka seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

A Report and update from Foreman Cumley: *Discuss hiring part-time spring/summer help ASAP, review flyer:* Foreman Cumley stated that with all of the projects they have planned for this summer, he really needs the City to hire some extra help for this summer. Council reviewed the flyer Foreman Cumley and Clerk Curtis had set up with the wage and application deadline needing filled in. Council Member Eisenhower stated that if this person would only mow it would take at least two days each week for them to get everything mowed up and then if there was additional help needed for certain projects they could come in for that third day during the work week. Eisenhower inquired if Toke deKoning wouldn't want these hours? Foreman Cumley stated that he has asked Toke to come in several times and Toke had told him that the most he could give the City would be one day each week. More discussion followed on what kind of a wage they should offer for this temporary part-time summer job. Clerk Curtis looked through her FY 23/24 wage folder and stated that they had budgeted Mr. deKoning's wage at \$17.75 per hour. More discussion followed. Council Member Eisenhower moved to advertise for a temporary part-time summer City Crew job offering \$18/hour with applications to be turned into the City by May 9th. Council Member Fisher seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried. ***Update on using Jet Vac Trailer on potholing water lines for EPA lead/copper ruling:*** Foreman Cumley stated they had finished up potholing the water lines and the Jet Vac Trailer had been returned earlier that day. Foreman Cumley stated there are about a total of 40 lead lines in town with all of 4th Street being lead waterlines, as that is one of the first mains that went in and they found 18 lead waterlines located on G Street. Foreman Cumley stated they have 336 homes in town that the City Crew will still have to go into to verify and take a photo of the type of waterline that is coming into their homes as part of the EPA's lead and copper verification process. ***Review/Discuss Earth Day activities planned with Pawnee City Schools on May 2nd:*** Foreman Cumley stated he had been working with Council Member Eisenhower and Clerk Curtis to come up with the list of items for Pawnee City School's Earth Day project this year. Pawnee City School Earth Day Activities are planned for May 2nd, sending all students in grades 6-12 (around 120 students) at different locations around town from 12:45-3:00 p.m. Foreman Cumley stated that he will be at his son's State Trapshooting event, so if anyone is interested in helping out, please let one of the City Crew Members or Council Member Eisenhower know. These are the projects that are hoped to be completed during the School's Earth Day Activities: Painting Areas around town: Yellow in front of Thriftway and also from New City office (605 G Street) north to the alley; Red around fire hydrants: #1. @ F & 6th Street NE Corner by Secondhand Store; #2. @ 6th & G Street NE Corner by Newspaper office; #3. @ 5th & F Street SE Corner by Faith Baptist Church; Red no parking areas around courthouse: East Side where stairs come down to G Street; NE Corner & North sidewalk approx. 5' on each side; (If there is time) Red Curb along Pre-School Playground

& Fire Hydrant @ 8th & E Street NE Corner by McAhon's house. North Park: Pick up trash, pile up sticks and re-mulch the areas around the trees again. VanHorne Park (South Park): Pick up trash and pile up sticks. Clean (sweep) the leaves and sticks off of the basketball & pickleball courts & bag them all up. Council Member Eisenhauer stated that the contractors have started working on VanHorne park again, so we may need to limit where the City allows the kids to go there. Walking Trail: Make piles of sticks along the trail and pick up trash. Roads Headed to Ballfields: The Council would also like one group of kids to walk from Hwy 50 (F St) East up to the ballpark along 14th Street and one group of kids to walk from Hwy 8 (7th St) North up to the ballpark to pick up trash in the ditches. City Pond: Pile up limbs, pick up trash and re-mulch around the trees again. Mini Park Area by the Post Office: Cut back the tall grasses that are dead; Re-Mulching ONLY under the West Trees. **Review/Discuss Don North Road – Meeting Minutes, Surveyed Information, etc. Preview area with Pink Flags placed where the City's Street ROW is located**: Foreman Cumley stated that the Rob Tichy finished surveying what is technically 10th Street, also known as the "Don North Road" that goes by his home and shop. For those who hadn't seen the area, Clerk Curtis handed out photos that Foreman Cumley had taken of where Rob Tichy, Surveyor had marked out the area the City's Street ROW was with pink flags. Foreman Cumley stated that based off of the survey they do have about 15 feet north and around 10 feet on the rest so the City is ready to have the road fixed correctly by Gyhra Construction without having to take any other property from Don North. Cumley stated that he felt that the Council needed to vote on it so he could let Gyhra Construction know the project was a go. Council Member Fisher inquired what the estimate was again he had gotten from Gyhra's? Foreman Cumley stated Gyhra's estimate was around \$5500 to \$6500 for the dirt work and if they had to haul in dirt, it would cost around \$300 per side dump so at most, another \$1000. This total cost would include rock on the road, but Derek Gyhra stated he would try to peel some of the good rock off of the top to be used again. Gyhra's plan to fix the road to be 22 ft wide with 10 ft ditches on both sides that would be sloped so that they would be mowable on both sides. Gyhra's feel the entire job should cost less than \$10,000 to finish. Rob Kosiski inquired if they were going to cut into the dirt from the North or were they planning to raise that road up. Cumley stated that in talking with Gyhra's when they move that road North, they are going to put a ditch on the South side where the edge of the road is now that goes down so it will keep all of the water there in its own ditch and then when they re-ditch the North side he was hoping they will raise the road up. Mr. Kosiski stated that right now there are areas on that road that are a foot to a foot and a half deep, so if they don't raise the road up, then the road is just going to continue to wash out. Council Member Fisher added, not to mention that on the corner by Smith Auto's and Scott Beethe's buildings the road is getting kind of close to the buildings so if they don't raise that road up and ditch it really good, the water may start to drain into their buildings, so going further North with the road is a good idea. Scott Beethe inquired if the City had talked to the Burlington Railroad yet because their RR Crossing sign is right where the City plans to move that road to. Mr. Beethe stated that where this new road is planned to be built, you're getting really close to that new box for the Fiber Optics. It's already been run over by the Railroad as they were turning in there to take those "bad ordered" railcars out. That box is over on Scott's side of the road and when the City recently had dragged out the ditch, afterwards there were rocks on top of that box, so it would appear that they might not be aware of it. Foreman Cumley stated that while he was up taking pictures of the pink flags, he also took pictures of that fiber optics box. Council Member Eisenhauer stated that maybe there needs to be barriers put up around it? Beethe stated that hopefully that box will be South of where the road is going to be

built. Eisenhauer continued that the City does have some of those cement blocks that they took out of the trail retaining wall that they could put around it, just to draw some extra attention to it. Foreman Cumley stated that they will be building the road away from that area, so it should be fine. Cumley continued that he had already talked to Derek and once they get the go-ahead, Amy was going to call the whole area into 811 for locates before they go up there to do any work, so it should be marked well. Council Member Eisenhauer moved to approve having Gyhra Construction complete moving the “Don North Road” further to the North and establishing a ditch on the South side so that the water runoff goes down toward the creek instead of towards the buildings or onto itself. Council Member Fisher seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried. **General Discussion on things going on in the City:** Foreman Cumley reported that hopefully the new gasket that came in today will be the right one to fit the sewer pump. Constructor’s Construction has called and they are planning to be here within a month with their crushing & patching crew to start working on 10th Street between E & F Streets that is on the South side of Palmer’s Café. Foreman Cumley stated that the City should call the two homeowners that live right along that 1-block area to let them know when Constructors are planning to start working on that street. Council Member Fisher stated that they are aware as he and Foreman Cumley had talked to them last fall, but it’s good to give them a heads up that this is going to be happening within the next month.

A Report and update from Council Member Eisenhauer: Discuss Pool Items: Council Member Eisenhauer stated that she had talked with Foreman Cumley and Doug Daily this morning in that she wants the water line project to the pool completely done by May 6th. This allows the City Crew time to clean the pool area and have it ready to be filled with water by the week of May 13th. **Lifeguards hired:** Council Member Eisenhauer stated that 15 applied this year to be lifeguards and after interviewing everyone, they actually hired all 15 of them. Out of the 15 lifeguards there are three of them that will not be able to work full-time because they already have other commitments, so they will be considered substitute “fill-ins”. This year the Pool Managers plan to enforce a “point system” that has been available in the back of the pool manual, which includes losing a point for not showing up to work on time, having their timecards filled out and signed and just pulling their weight at working at the pool. They can lose a total of five points before being suspended or possibly even terminated but they can also rectify the situation by earning points back by showing that they are doing a better job, showing up on time, pulling their weight, etc. **Returning Lifeguards Hired:** Mallory Branek, Madison Fender, Jett Farwell, Preston Rumery, Abby Dietrich and Larkyn Vlcek. **New Lifeguards Hired:** Taelyn Blecha, Neveah Blecha, Kinsley Benson, Madelyn Osborne, Anna Koster, Layla Fetherkile, Cael Johnson, Atreyu Kling and Aiden Tozer.

A Report and update from Clerk Curtis: Clerk’s School Session Assessments: Council reviewed the Session Assessments that Clerk Curtis had written up on all of the sessions she had attended at the Clerk Institute and Academy for a week this past March in Columbus. By turning in these assessments, she met her mandatory Treasurer’s hours and gained points towards meeting the criteria to becoming a Certified Municipal Clerk.

Correspondence: Council reviewed the Spreadsheet on February, 2024 Sales tax of \$18,725.46 with ½% Street Repairs Sales Tax totaling \$4,280.22 and \$1,604.58 being Motor Vehicle Sales Tax and the Fairview Golf's Memorial Day Golf Scramble Flyer. Mayor Hatfield reminded everyone that they will be meeting at 6:00 p.m. for the Tuesday, May 28th Council Meeting to perform the Clerk and Foreman Evaluations. Council Member Eisenhower moved to adjourn the meeting. Council Member Zelenka seconded the motion. Roll Call vote indicated all in favor of the motion and meeting adjourned at 8:06 p.m..

ATTEST: Tamela S. Curtis, City Clerk

Charlie Hatfield, Mayor