

MINUTES OF THE SPECIAL MEETING OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PAWNEE CITY, HELD ON THURSDAY, FEBRUARY 27, 2020 AT 7:00 P.M. AT THE LIBRARY MEETING ROOM, 735 8TH STREET, ALL IN PAWNEE CITY, PAWNEE COUNTY, NEBRASKA.

Notice of this special meeting was given in advance thereof by posting in four prominent places, a designated method for giving notice as shown by the Affidavit of Posting on file in the office of the City Clerk. Notice of this special 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: Vickie Zelenka, Susan Eisenhauer, John Dahlgren & Ric Helms; Tamela S. Curtis/City Clerk. **Absent:** None.

Mayor Hatfield called the meeting to order at 7:00 p.m. informing all those present of the poster stating the Open Meeting Laws posted on the West meeting room wall accessible to the public. Mayor Hatfield stated he called this Special Meeting as he wanted to get this wage decision on Foreman Spencer Cumley settled before he left on vacation, as he will also not be present at the next regular City Council meeting. Hatfield continued that he had visited with Foreman Cumley after the Monday, February 24th City Council meeting about making a counteroffer to the \$21.00/hour the Council had voted on for the Foreman position's wages. Hatfield stated that after thinking about it, Mr. Cumley came back with the counteroffer of \$22.75 for the Foreman's hourly wage. Mayor Hatfield stated that he feels that if we don't start paying competitive wages the City will be in the same place as the County was with their Sheriff's Deputies, we spend all of the money for their training and get them certified and then they leave to go work someplace else that will pay them much better for the same job. Council Member Dahlgren stated he felt the Council should go into executive session before they discussed this matter any further. At this time, Council Member Zelenka made a motion to go into executive session for the purpose of discussing the job performance of a person in reference to prevent needless injury to the reputation of a person. Council Member Eisenhauer seconded the motion. Roll call vote indicated all present voting in favor of the motion, whereupon motion carried and the Mayor, City Council and Clerk Curtis went into executive session at 7:05 p.m. Council Member Zelenka made a motion to come out of executive session at 7:15 p.m. Council Member Helms seconded the motion. Roll call vote indicated all present voting in favor of the motion, whereupon motion carried. Council Member Zelenka made the motion that the City offer \$22.75/hour to Spencer Cumley as the City's new Foreman. Council Member Eisenhauer seconded the motion. Roll call vote indicated all present voting in favor of the motion, whereupon motion carried. At this time Clerk Curtis asked for one of the Council Members to state what City Attorney Emily Sisco's Opinion Letter on Overtime Exempt and Overtime Eligible employees had said to go on the record, so we could have some closure on the issue of trying to make the Foreman salaried in an exempt position that the City did not have to pay overtime to. Council Member Zelenka stated that in City Attorney Emily Sisco's opinion letter it states that the Foreman does not meet the criteria to qualify for the executive, management or administrative employee exemption as a salaried employee exempt from overtime. Council Member Dahlgren stated that the City just needs to do what the City Attorney we hired tells us to do. Council Member Dahlgren also asked Clerk Curtis to make sure someone from PCAL was on an upcoming Council meeting as City Auditor Julie Bauman had strongly suggested. Council Member Dahlgren made a motion to adjourn. Council Member Eisenhauer seconded the motion. Roll call vote indicated all present voting in favor of the motion, whereupon motion carried and meeting adjourned at 7:25 p.m.

Charlie Hatfield, Mayor

ATTEST: Tamela S. Curtis, City Clerk