

**MINUTES OF THE REGULAR MEETING OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PAWNEE CITY, HELD ON MONDAY, JULY 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. 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, Susan Eisenhauer, Laura Poskochil and Vickie Zelenka; Kellie Wiers, Deputy City Clerk, Tammy Curtis, City Clerk/Treasurer and 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 Eisenhauer moved to accept the June 26<sup>th</sup>, 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: **7/3/23 Payroll:** 14,215.27; **Union Bank & Trust**, FWH 3716.71; **NE Dept. of Rev**, SWH 545.82/sales & use tax, 2331.41; **John Hancock**, retirement 1585.59; **Access Systems Leasing**, monthly IT hardware contract 209.98; **Access Systems**, Total IT Serv 905.30; **Amazon Capital Services**, pool cash reg, office supplies, tools, 1017.95; **H&H Auto Parts**, rep prts/sup 37.98; **Matt Kuhlmann**, July 2023 zoning services 800.00; **NPPD**, elec. serv @ wells 2833.01; **Capital Business Systems**, Libr copier contr 143.50; **Pawnee Co. Rural Wtr**, pond wtr hydrants 220.50; **Petty Cash Fund**, sup/windows/title-fire trk 30.69; **Quill Corp.**, office sup 176.73; **U.S. Cellular**, emerg cell phone 47.77; **One Call Concepts**, digger locates 61.44; **Ferebee Law Offices**, July 2023 atty fees 1000.00; **Pawnee City Thriftway**, off/pool sup 114.99; **Coral's Cleaning Serv**, office cleaning 120.00; **Diversified Drug Testing**, emp #1035 random test 123.00; **Pawnee True Value**, rep parts/tools 428.68, **Casey's Bus.**, equip fuel 395.65; **Kellie Wiers**, rmb pool chem 9.13; **Travelers**, Gov't entity crime bond 837.00. 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 June Treasurer's Report:** Council reviewed the Treasurer's Report as of June 30, 2023.

**Does anyone have questions on the Budget Worksheets of their individual Funds before the One-on-One Budget Workshops on July 14<sup>th</sup> & 20<sup>th</sup> with Julie Bauman?** Clerk Curtis stated the One-On-One Budget Workshops with Julie Bauman, Clerk Curtis & Foreman Cumley had been changed to Friday, July 13<sup>th</sup> due to a conflict with Julie's schedule will be with Vickie (Water & Fire): 9:00-10:00; Laura (Sewer): 10:15-11:15 and Susan (Pool & Parks): 11:30-12:30.

The One-On-One Budget Workshop with Julie Bauman, Clerk Curtis & Foreman Cumley on Thursday, July 20<sup>th</sup> will be with Donnie (Streets): 1:00-2:00 with Budget Workshop Retreat with Julie Bauman at the August 14<sup>th</sup> Council Meeting @ 6:00 p.m.

**John Dahlgren, Jerry Stallbaumer & Jeff Tully: Discuss M Street:** Jerry Stallbaumer, Angie Morehead and John Dahlgren met with Council to discuss what could be done to stop M Street from washing down, especially on the one side and then where M Street meets 5<sup>th</sup> Street. Mr. Stallbaumer inquired if the City could possibly make a concrete approach to where M Street meets 5<sup>th</sup> street as it is by far the worst there. Stallbaumer continued that if the City could get the water off the street to run into the ditch instead of running down the edge of the street and then washing across at 5<sup>th</sup> & M Street that would be great. Foreman Cumley stated that he and Council Member Fisher went up there to that street today to try and come up with some solutions that could work to make the drainage situations better. Cumley continued that they felt that if they went in there and cut where that soil next to the road is quite a bit higher than the actual road. They will cut that off all the way into the ditch as close to Kody Benson's driveway and then all of that water will get off of the road and not run across where the asphalt meets the rock at 5<sup>th</sup> & M Street, so that will solve that problem. Council Member Fisher stated that should take care of that issue, except for if there is a heavy rain, but it should definitely help to get most of the water off of the road. Foreman Cumley stated that they need to fix the ditch going all the way up 5<sup>th</sup> Street, but every time they dig a hole in a ditch somewhere in town, somebody always throws a fit about it. Council Member Fisher inquired if they felt Mr. Tully would have a problem with the City Crew going in there and shaving off that dirt and cutting that ditch so it would drain. Jerry Stallbaumer stated he did not feel Jeff would have a problem with any of it but he and Angie would talk with him as they felt he would be fine with it. Mr. Dahlgren stated that those ditches are on the City ROW so the City has a right to do whatever they need to in order to get the water off of the street. Foreman Cumley agreed but stated that every time somebody comes to the City and complains about it, the City always gives them whatever they want and he is tired of fielding questions if the City doesn't actually fix the issue. Mr. Dahlgren stated that we've got to get the rain to run off the street so if the City has to go all the way up 5<sup>th</sup> street and fix the ditches where they were, making a foot to 16" deep ditch, that's what they have to do and it would work great. Dahlgren continued that the grass would grow back as he had once sprayed the weeds growing in his ditch to kill them, but he has since learned to let them grow and to just trim them back because the weeds are what is holding the ditch from washing. Council Member Fisher stated he would recommend that the City Crew take the skid loader and mini-ex up there and dig out the ditches. More discussion followed with Mr. Stallbaumer stating that it is really washed out at the edge of Jeff Tully's property so if the City could put a little more dirt in there too, that would be great. Foreman Cumley stated they could also take care of that issue. Foreman Cumley stated that there really needs to be a "T" where the West ditch coming down M Street meets the tube under M Street, as right now there is just a little hole in that tube that allows a small amount of water to go into it. When the City digs those ditches deeper, then it will be too much water for that little hole to handle but now Mr. Dahlgren has tied his ditch tube in front of his house on 5<sup>th</sup> Street to the tube under M Street, so they would all have to be torn up to fix.

**Sheriff Braden Lang, Discuss ARPA Funds donated for K-9 Unit:** Sheriff Lang was unable to attend tonight's meeting and asked to be tabled to the July 24<sup>th</sup> Council Meeting.

**Review/Approve Salary Ordinance #1034 (First Reading):** Council Member Eisenhauer moved to approve Salary Ordinance #1034 on first reading. Council Member Fisher seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

**Approve new Library Board Member Karen Harlow:** Council Member Zelenka moved to approve Karen Harlow as a new Library Board Member. Council Member Eisenhauer seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

**LARM 2023-24 Renewal Proposal: *Review LARM 2023-24 Renewal Letter with new breakdown of renewal proposal split into what each fund will owe (with the 180 day/3-year commitment contract with 5% discount) Note Increases of 14.5% rate Adj. for Property; 4.5% rate adj. for Liability & no rate adj. for W.C.:*** Council reviewed the LARM 2023-24 Renewal Letter with new breakdown of renewal proposal split into what each fund will owe (with the 180 day/3-year commitment contract with 5% discount). Clerk Curtis inquired if anyone had any questions on the spreadsheet showing what each fund will owe? There were no questions at this time. Council reviewed the FY 2022-23 Contributions. ***Review/Approve Resolution #4 for 2023-24 LARM Insurance Renewal Policy (Previously City has went with the 180 day & 3-year commitment contract w/5% discount):*** Council Member Eisenhauer moved to approve Resolution #4 for 2023-24 LARM Insurance Renewal Policy with the 180 day & 3-year commitment contract w/5% discount. 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 Mayor Hatfield: Items for discussion are: *Discuss updates on Selling Old Fire Hall:*** Mayor Hatfield state he had visited with Clay Schardt about auctioning off the old Fire Hall. Schardt will charge the City 5% commission total but he would do the advertising for no additional costs. More discussion continued with Mayor Hatfield stating he would contact Mr. Schardt to attend the next Council meeting so the whole Council could talk with him about it.

**A Report and update from Council Member Eisenhauer: *Discuss Pool Updates:*** Council Member Eisenhauer stated that she had ordered a new vacuum, which had come in and was working well. She had shown Raina how to run it and had stated that before anyone else uses it, they would need to be trained first. Eisenhauer stated it was working at cleaning up the leaves on the bottom of the pool from all of the recent storms we had gotten. CM Eisenhauer stated that recently there was a huge family gathering at the pool and she had authorized Raina to turn on the small slide for an hour. Foreman Cumley stated that while he was there, a family member stood there and turned the water on and off at the small slide to conserve more water since the little children were not always wanting to go down the slide. CM Eisenhauer inquired what the City Council felt about allowing the water slides to be on during the midnight swims coming up? More discussion followed. Council Member Eisenhauer moved that the pool manager was authorized to operate the slides on the nights of the Midnight Swims on July 29<sup>th</sup> and tentatively on August 11<sup>th</sup>. Council Member Fisher seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried. CM Eisenhauer reported that she had made contact with Brett Wilson on when they were going to finish the electrical jobs they had

started and had requested a quote replacing the lights with LED lights in the old City office. Eisenhower also reported that over the weekend there had been an issue with the chlorine tanks with the chlorine eating through the elbow shark bites again. Foreman Cumley reported that the City Crew had replaced all of the shark bites today. **Discuss PCDC Updates:** Council Member Eisenhower stated she had reported to PCDC what nuisance letters the City had recently sent out. PCDC had received a quitclaim deed from Veronica Don, which PCDC was going to put the property up for bids with certain contingencies proving progress was being made, etc. PCDC has another property they are trying to get that will need to be demolished, but they had not gotten the quitclaim deed from the family yet. Eisenhower also wanted to report that PCDC president Mike Habegger had told her the Chase property had tested positive for asbestos, so the Fire Dept. had hired an asbestos abatement company to remove it.

**A Report and update from Foreman Cumley: Discuss Meeting with JEO re: needing a new Well:** Foreman Cumley stated that Council Member Zelenka, Clerk Curtis and he had met with JEO Consulting to discuss digging a new Well. Evan Wickersham with JEO brought the other two gentlemen from JEO, that specialize in Wells, up to speed on the previous Water Project the City had done back in 2010. There were three stages to that Water Project including replacing the 9 miles of transmission main to town and updating many water mains in town to 8" lines, upgrading each one of the Wellhouses and then the third one was a new Wellsite. Unfortunately, they were only able to accomplish one and two and not the new wellsite. Wickersham had quite a bit of data on the City's Water System from the Preliminary Engineering Report (PER) that JEO had put together for the City back in 2007 when they first started planning that water project. Cumley continued that Michael from JEO gave the City a couple options to consider. JEO could oversee some of the first steps of finding a new wellsite but they would need to charge an hourly rate or the City could do it on their own, working with NRD to get the aquifer depth maps that they recently updated and Sargent Drilling, who are one of the companies that JEO has worked a lot with to figure out the best location for a new wellsite. Clerk Curtis stated that JEO projected that drilling a test well will cost approximately \$30,000 plus the costs of water quality testing, which can run anywhere from \$7-8,000 up to \$13,000. The second step is a two-step process, funding whether you fund the project yourself or find grant funding somewhere, on top of getting permission from property owners, if the new wellsite is not located on the pasture ground the City already owns. Foreman Cumley stated that sadly in looking at the aquifer map from 2007, it looked like the water is only deeper the farther North and West that you go from the City's current ground they own. Cumley continued that the transmission line could be run over to our existing stuff. Depending on the size, it could come into Wellhouse #3, which is the closest and tie into that line that goes from there into the transmission main or they could also just tie in straight over to the 10" transmission main. Foreman Cumley stated the first step would be to get a hold of NRD and get a current aquifer map so we have an accurate picture of where the best place might be to start looking at drilling for a new wellsite. Cumley stated that a lot of that work could be done by the City themselves without involving JEO at this time. Once we find an adequate location for a new wellsite, then the City would bring JEO on board to update the Water PER, work up the plans and specs, then bid out the project. JEO had stated that since they are just updating the Water PER it wouldn't be the full \$30,000 cost but instead just a portion of that cost. The funding that is available would include the USDA-RD, Public Works Grant through DED/SENDD or the State Revolving Loan Fund, although JEO felt the SLRF funds were already earmarked more towards if a community were needing water treatments vs. finding

a new wellsite. Council Member Zelenka stated it was nice to hear that the City does at least have some good funding options. Foreman Cumley stated he plans to start with the NRD and find out where the closest, best locations for a new wellsite would be. More discussion continued with it decided that it would be best to keep the updates to wells line item on each meeting agenda to keep the Council up to date on where the City was at with the new well process.

***Discuss adding an ordinance on property owners tubing their whole ditch.*** Foreman Cumley stated that he feels the City should either add an ordinance or amend one of their current ordinances to included that if a property owner wants to tube their whole ditch, they need to have an engineered site plan for curb/gutter and storm sewer at the recommendation of City's Street Superintendent Evan Wickersham with JEO. More discussion followed with Council Member Eisenhower stating she felt that this should just be added to the City's existing ordinance on driveway tubes. Foreman Cumley stated he would recommend that the statement about the property owner being responsible for all costs also be added to that portion of the ordinance. Clerk Curtis will work on this with City Attorney Ferebee and bring it back before Council for their approval.

**Review/Discuss making changes to City Code 3-122: Water Drought/Emergency:** Council discussed surrounding communities having different time schedules included in their water stage restriction ordinances. After much discussion it was decided to add time restrictions to Stage 2 Water Rationing stating "No person shall use water to sprinkle a lawn or use water through a hose to water any garden, tree or shrub, except as follows: sprinkling shall be permitted before 8:00 A.M. or after 8:00 P.M. on even-numbered days at residences and businesses North of 7th Street and on odd-numbered days at residences and businesses South of 7th Street. Clerk Curtis will amend the ordinance for approval at the next City Council meeting.

**Review Correspondence from: *Utility Section Newsletter*:** Council reviewed the Legislative Bills passed that will be affecting Utility/Public Works Departments. Council Member Fisher moved to adjourn the meeting. Council Member Eisenhower seconded the motion. Roll Call vote indicated all in favor of the motion and meeting adjourned at 7:59 p.m.

Attest: Tamela S. Curtis, City Clerk/Treasurer

Charlie Hatfield, Mayor