

**MINUTES OF THE REGULAR MEETING OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PAWNEE CITY, HELD ON MONDAY, JULY 13, 2020 AT 7:00 P.M. AT FAIRVIEW GOLF COURSE CLUBHOUSE, 1799 D 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: Vickie Zelenka, Ric Helms, Susan Eisenhauer and John Dahlgren; Tamela S. Curtis, City Clerk/Treasurer, Spencer Cumley, City Foreman & Kellie Wiers, Deputy City Clerk/Treasurer. **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 North meeting room wall accessible to the public. Council Member Dahlgren made a motion to accept the June 22, 2020 regular meeting minutes. Council Member Helms 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: **7/7/2020 PR:** 8,991.26; **UB&T**, FWH 2511.08; **NE Dept. of Rev**, SWH 330.89/Sales & Use Tax 3306.44; **NW Mutual**, ret. 865.44; **Amazon Capital Serv**, curtains, rods 68.96; **Black Hills Energy**, gas serv-pool 13.71; **Capital Business Systems**, Libr Copier 132.50/Office IT Contract 234.34; **Constellation NewEnergy**, gas costs 48.44; **Gyhra Construction**, April motor grading 2500.00; Hach Co, buffer solution 90.77; **Julie D. Bauman**, Budget Workshops 593.90; **NE Pub Health Env Labs**, wtr samples 15.00; **Pawnee Co Rural Water**, hydrants 62.62; **Stallbaumer Lumber sander** 104.99; **Susan Eisenhauer**, rmb-paint 222.51; **TR Ag Sales**, spray 22.50; **US Cellular**, tablet services 53.46; **Verizon Wireless**, emerg cell/fire jetpack 94.43; **OPPD**, well elec 205.20; **3-T Tree Service**, trail tree removal 350.00; **Architectural Glassarts**, repair stained glass window-Cornerstone Bldg 1980.00; **Diversified Drug Testing**, pre-empl drug test #1023/random drug test #605, \$203.00; **Emily Sisco**, Atty fees 1000.00; **Fairview Golf Club**, donation-City Council mtgs 240.00; **Martin Marietta**, rock-alley J&K 82.17; **Matt Kuhlmann**, July Zoning contract 400.00; **NPPD**, elec wells/swr plnt 2870.78; **PC Library Foundation**, Libr bldg res 164.00/Libr USDA Loan Pymt 8236.00; **OneCall Concepts**, digger locates 17.29; **PC Thriftway**, sup 39.83; **Pawnee Republican**, publ 538.35; **Quill**, Libr office sup 330.14; **Friedly Oil**, mower fuel 134.94; H&H Auto, sup/tools 45.86; **Lincoln Winwater Works**, water rep parts 395.75; **Lola Seitz**, rmb materials/maint sup 199.97; **Meyer Labs**, str paint sup 308.85; **MidWest Labs**, Swr sample testing 199.00; **Pawnee Co Reg of Deeds**, Wtr Lien/Release FF 20.00; **Pawnee True Value**, paint/sup 321.89; **Recycling Enterprises**, Pickup Recyclables 900.00; **Small Engine Specialists**, ExMark mower blades 116.58; **Spectrum**, internet/phone-shop office 154.97. Council Member Dahlgren discussed how disappointed he was that the new awning covers up the entire big window of the Cornerstone Building so that people will not be able to see the newly repaired stained-glass window through that covered window at all. Foreman Cumley and Council Member Helms both inquired if the window could be displayed through one of the other side windows by turning it up and down length wise? Council Member Dahlgren stated that it was designed to go the other way. Council Member Eisenhauer stated that she understood that it was designed that way, but it could actually go up and down. Council

Member Helms stated that it may have more support on the bottom of it. Council Member Dahlgren stated that it was supported the same all the way around it, but the glass was designed to be shown horizontal, not vertical. More discussion followed that it will just need to be displayed inside of the building for everyone to see when the inside of the Cornerstone Building gets finished. Council Member Eisenhauer made a motion to approve the claims as submitted. Council Member Dahlgren seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

**June Treasurer's Report:** Council reviewed the Treasurer's Report as of June 30, 2020. Council Member Dahlgren inquired if his Sewer Budget was going to be able to handle replacing part of the Sewer Main from the manhole in the alley just North of the Legion Building on West. Clerk Curtis stated she had worked on estimating the known expenses that would be coming out of the Sewer Budget yet this Fiscal Year and it looks like the Sewer Fund should have around \$14,500 left in the budget to pay for the replacement of that section of Sewer Main, replace the portion of concrete street that has to be torn up to replace that line and then have Johnson Service Company come and slip line that section of Main all along there. Clerk Curtis continued that to get to that amount left in the Sewer Fund, she had to take that fund out of paying for part of the BushHog Mower and Excavator. Foreman Cumley stated he had priced the parts to replace that portion of Sewer Main and it should cost the City under \$500 plus the cost of concrete. Council Member Helms inquired how wide and long that cut in the concrete street will need to be? Foreman Cumley stated 4' wide and approximately 14' length and with that concrete being poured in the 70's he guessed that concrete to be 6 to 8" deep. Cumley stated that the Sewer Main is only three feet deep, so it is a real shallow line. Cumley stated he is figuring somewhere around needing two yards of concrete plus 1/2" rebar for under \$500 to patch the street back. Clerk Curtis stated that as Johnson Service Company has done in the past, they are willing to take a partial payment this Fiscal Year with the remainder to be paid on October 1<sup>st</sup> at the first of the next Fiscal Year.

**Sheriff Braden Lang:** Sheriff Braden Lang discussed with Council that the 4<sup>th</sup> of July was relatively quiet. Council reported a few properties that are continuing to mow grass out into the streets, which Sheriff Lang will discuss this issue with those individuals. There was also an update on the water thief at the City Pond stating that Council Member Eisenhauer saw the individual show up between 7:30-8:00 a.m. one morning last week while camping at the Pawnderosa, but the hydrant he wanted to use was locked, so he left. Sheriff Lang stated the man was from Richardson County and should not be approached by citizens, the Sheriff's Office should just be called immediately to take care of the situation. Deputy Clerk Wiers and Deputy Jayme Reed are both working on writing a letter to this individual regarding the stealing of water from the City Pond water hydrants.

**A Report and update from Foreman Cumley: *Review/Approve quotes on UTVs:*** Foreman Cumley stated he had contacted 10 different dealers for quotes on purchasing a new UTV, with only six of them turning back in quotes to him. The lowest quote came from E.T's Lawn & Leisure out of Cortland for a 2020 Polaris Ranger 570 Full Size for \$8,690.77. Discussion was had that this would be budgeted for in the next Fiscal Year to be split between five funds of \$1738 out of General, Street, Water, Sewer and Park. It was stated that the City Crew can put the weed sprayer right in the back of this Polaris Ranger to be used in all of the parks, they can pull the hose around at the Sewer Plant, they can pick up trash with it, they can spray out at the wells with it, they can use it for small jobs in town and can use it to read water meters. Council Member Helms made a motion to

approve the purchase of the 2020 Polaris Ranger 570 Full Size for \$8,690.77 to be split between the five funds. Council Member Eisenhauer seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried. **Review/ Approve Snow plow blade Estimates for new pickup and 2015 Ford:** Foreman Cumley stated that he had contacted Ty's Outdoor Power, which the City has been working with for quite a while and they gave a very good price on new 9' Snow plow blade price estimates for both the new pickup at \$6457.02 and on the 2015 Ford right at \$6700.00. This would be a budget item for the next fiscal year to be purchased all out of the Street Fund. Cumley continued that Ty's Outdoor Power would like to know right away if the City is planning to purchase both of these new Snow plow blade Packages, especially for the new pickup, so they can hold the Snow plow blade back to be put on right away in October when the pickup is scheduled to be delivered to the City as their shop will be getting extremely busy at that time. Cumley also stated that Ty's would agree to put the new Snow plow blade on the 2015 Ford Pickup now, even though they would not be paid until after October 1<sup>st</sup> as to get it done before they get too busy this Fall. Foreman Cumley stated that at a previous Council Meeting they had discussed either using the old plow off of the truck the City is getting rid of on the 2015 Ford or purchasing a whole new unit and Council Member Helms and himself thought that purchasing a whole new plow would be better and the quote was around \$200 higher than the new pickup's snow plow blade would be. Council Member Helms stated that in order to put the whole new plow set up on the 2015 Ford it was only going to be around \$3000 more vs. changing the controls and the mounting bracket on the Ford would all have to be changed out to use the old items off of the Chevy truck the City plans to sell. Council inquired what they would do with the old Snow plow blade? Foreman Cumley stated that Clerk Curtis came up with a good option that when we put the old Chevy Pickup out for bids, they give them the option of bidding for just the pickup or for the pickup and the snow plow blade. Council Member Helms stated the two new Snow plow blades will be 9' and they will plan to sell the narrowest snow plow blade, which is a 7' plow. Council Member Helms made a motion to purchase two new 9' Snow plow blade packages for the New Chevy Pickup and 2015 Ford Pickup to come out of next year's Street Budget. Council Member Dahlgren inquired how bad of shape the snow plow blade the City currently owns is in? Foreman Cumley stated he wasn't sure how you would value it as the paint is scratched up, but it still functions like any other snow plow blade, as all it is, is a pump and two hydraulic hoses. Cumley continued that they have had a little bit of electrical issues with the current plows that they have fought with every year, but it does work. The lights are starting to get brittle with the plastic on them and they changed one of them out last year to all LED light pods on it. Council Member Helms inquired how long our shortest plow was. Cumley stated 7'6" was our shortest snow plow blade the City owned. Council Member Dahlgren stated he was just asking if the City did need it or did not. Foreman Cumley stated that his thought was originally that if the City wanted to save money out of the new budget, then they would just purchase a new bracket on the Ford and use the plow the City already has because it would work, but with a 17 year old snow plow blade there may be issues starting to show up that may end up costing the City more money in the end, but he was good either way. Council Member Helms stated again he had made a motion to purchase the two new snow plow blades for the new Chevy Pickup and the 2015 Ford Pickup. Council Member Eisenhauer inquired that they were purchasing two new snow plow blades, for the \$6,457? Council Member Helms stated no. Foreman Cumley stated that the \$6457.02 price was for a new snow plow blade for the new Chevy Pickup and for a new snow plow blade for the 2015 Ford pickup it was going to be a couple hundred dollars more than that price. Mayor Hatfield stated so the total price will be a little over \$13,000 for the two new snow plow

blades. Council Member Helms stated, or the City could spend \$10,000 and just get one new snow plow blade and only new controls and mounting brackets for the 2015 Ford. Clerk Curtis inquired what the \$1821.57 quote in the packet was for? Foreman Cumley stated that quote was for everything for the 2015 Ford, except for a new plow, that would be everything to just use the city's old snow plow blade. Council Member Dahlgren stated that if we get another new snow plow blade with that it would cost an extra \$3000? Foreman Cumley stated that Ty's had not broken it down like that for him, but it would be \$1821 to get the electrical and everything on the 2015 Ford and then use our old snow plow blade that the City has on the old truck or we pay the \$6670 for everything new for the 2015 Ford including electrical, mounting and a new snow plow blade. This would make it that the new Chevy Pickup and the 2015 Pickup would have everything new for snow removal. Council Member Eisenhauer inquired to Council Member Helms if his next year's Street Budget was paying for all of this and he also had street plans for next year included in that budget? Council Member Helms stated yes he did. Council Member Eisenhauer stated that based on Council Member Helms stating that he had street repair plans included in his next year's Street Budget, she seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

***Review/Approve quotes on Flatbed for new Chevy Pickup:*** Foreman Cumley stated he had again contacted eight area dealers for quotes on a flatbed for the new Chevy Pickup, with and without storage units included and only received quotes back from two of them. Foreman Cumley stated he had printed off two pictures of the different styles of flatbeds and felt the best deal was to go with the CM Flat Bed with Storage Boxes and the fender wells as not only does it look better, there are benefits to having the fender wells on the flatbed, which stops the pickup from throwing rocks and dirt all over it. Cumley also felt the flatbed with the fender wells would keep the longevity of the pickup, and you have the storage already built in. Foreman Cumley felt the best benefit was the wheel wells because a flatbed without those tend to throw rocks and mud all over. Council Member Helms stated he did like the wheel wells over the tires to keep from slinging all of the trash on the cab of the pickup and it has a lot of storage compartments with that option. Council Member Helms inquired what the City Crew would plan on storing in those compartments? Foreman Cumley stated that for one thing if the City decides to get the mini-excavator and they have a trailer, if they'd ever leave town with it, they would need to have chains, etc. plus straps if the City is going to start hauling their own pallets of bulk salt. Cumley continued they have water parts and tools that it wouldn't take long to get them compartments all filled up. Council Member Helms inquired to Clerk Curtis if his current Street Budget could afford the \$4590 plus the \$500 installation price. Clerk Curtis stated that the Street Budget could not handle purchasing any of the flatbeds on their own out of this fiscal year's budget. Clerk Curtis reminded Council Members Helms from their discussions that morning on what the estimated amount of money he would have left in his Street Budget and that was with putting the new trailer back out of this budget since he was not able to get it for free, leaving him at \$3,830 for this year. Council Member Dahlgren inquired if Council Member Helms could pay for half of it this year and half of it out of next year's Street Budget. Clerk Curtis stated that could be a possibility, if Gary Gross would agree to that. Council Members Helms stated that he could do that, but it will just end up taking money away from what he wants to get done to the streets out of next year's budget. Clerk Curtis stated that what she would recommend is if the Council is wanting to spend the \$5090 on the Flat Bed with storage compartments and fender wells, that we pay whatever is left out of this year's Street Budget and then on October 1<sup>st</sup> the City write a check for whatever balance is left on it because unless something really strange happens, the Street Fund will not have enough money left in this year's budget to pay for it all or the

Council could split it out amongst all of the funds because this new pickup is not going to be used for just streets. Clerk Curtis stated that at the end of the Fiscal Year we may have funds left in many of the fund budgets that could be used towards the purchase of this flatbed for the new Chevy pickup. Council Member Eisenhower stated she agreed because she doesn't really know where her pool fund will be at with repairing the liner and filling the voids under the swimming pool, but if there are any funds left in the pool budget she would be happy to help pay for the flatbed purchase. Council Member Helms made a motion to purchase the CM Flatbed with storage compartments and fender wells from Gary Gross Truck Accessories for \$5,090 with the money to come from the funds that have money left in their budgets at the end of the current fiscal year 2019/20. Council Member Eisenhower seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried. ***Review/Approve quote from Nat'l Wash Authority to clean outside of Water Tower for next FY Budget of \$6800.00:*** Foreman Cumley stated that he had gotten a quote from National Wash Authority to clean the outside of the Water Tower for \$6800.00. Council Member Zelenka stated this will be included in her water budget in this next Fiscal Year. Discussion followed with Foreman Cumley stating that he felt they did a really good job the last time they were here to clean the water tower and the best part about this company is that they do "touchless cleaning", everything is with a lift so there are never any ropes or wires touching the water tower while they wash it. Council Member Dahlgren made a motion to approve the \$6800.00 quote from National Wash Authority to clean the water tower, to be paid for in the next fiscal year budget. Council Member Zelenka seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried. ***Review Notice from NeRWA re: Wastewater Training; Review/Discuss past meeting minutes re: Employee's re-taking the WW Certification Test; Discuss setting Criteria for current Employee re-taking the WW Certification Testing, etc:*** Council reviewed the notice from Nebraska Rural Water Association (NeRWA) stating that all WasteWater Certification Classes had been cancelled and will not be rescheduled in addition to there being online certification courses available for wastewater (WW) licenses. Foreman Cumley stated that there were some miscommunications from the new guy from NeRWA because when he came down and talked with Jr, he told Jr that they were still going to be doing more training in the future even though Mike Lucas had retired in March, but now they have decided that they will not be doing any further training. Since that time, he and Deputy Clerk Wiers have been doing some research on what is available for WW training and there is a company in Omaha that offers one day and three-day trainings, but he had not received a call back from them on if they are planning to continue to do any of these trainings during the COVID-19 pandemic. They had found this company off the NDEE website and there is supposed to also be some online training available through ABC, but Foreman Cumley has not had any luck finding it. Foreman Cumley stated that this brings us to the issue of getting the employee directly under him WW Certified or however many chances the City is going to give this employee to get certified. Council Member Dahlgren stated that he feels the City should only pay for an employee to take the Sewer Test twice and then it is their expense. Council reviewed the past meeting minutes of a previous City employee that the City had paid three times for him to take the WW Certification Test and then on the fourth time this City Employee had to pay for it all on their own, which he passed the test on that fourth try, but had he failed the test again, his employment would have been terminated with the City. Council Member Dahlgren stated he still felt that the City should only pay for an employee taking the WW Certification Testing twice. Deputy Clerk Wiers stated that she thought that they were still scheduling the Certification Testing, but they were not scheduling anymore training classes. Foreman Cumley stated he had called Mike

McBride on this and he had stated it was still a gray area as they still are holding some tests but they are only allowing up to eight people per test and the waiting list is huge. Mr. McBride had also stated to Foreman Cumley that he could just possibly come down to Pawnee City and administer the WW Certification Test, but he wasn't for sure if the State would allow him to do that or not. Council Member Dahlgren inquired if Foreman Cumley thought that the employee directly under him was ready to take the test? Foreman Cumley stated he was not for sure on that or not. Council Member Zelenka stated that if someone from the State is willing to come down here to administer the WW Certification Testing, then that employee better at least be working on the materials. Foreman Cumley has been trying to encourage this employee that he should be studying to re-take the WW test, but he is unsure if he is studying or not. Council Member Dahlgren made a motion that a City Crew Employee will get two tries to pass the Sewer Certification Test, paid for by the City and on the third time the City Crew Employee will pay for it all themselves and if they do not pass it, that employee will be terminated from their job position with the City. Council Member Eisenhauer stated that previously the City paid for three times taking the test. Council Member Dahlgren stated that the City has only had that happen once. Council Member Helms stated that was part of his discussion on if we were treating this current employee unfairly if we change our precedence from what the City did with the previous employee, is this cheating the current employee or is this something that should go this way and stay that way? Council Member Dahlgren stated that he felt that there were some members of the Council that wanted to get rid of the current employee who had failed the WW Certification Test three times, but he felt they needed something in writing so that is why they allowed him the fourth test, at his own costs or his job would be terminated and then he passed the WW Certification Test on the fourth try so he kept his job. Foreman Cumley stated there is nothing stated in the Employee Handbook that says that if you don't pass the WW Certification Test, you are terminated. Council Member Dahlgren stated that something needs to be in place and stated as such in the City Employee Handbook to set a precedence. Council Member Eisenhauer stated that she felt that a previous City Council had already set a precedence. Council Member Zelenka stated this could be added the next time the City amends the Employee Handbook. Clerk Curtis stated that this could be made into a policy that is put in the Employee Handbook. Council Member Eisenhauer stated that she felt it needed to be a policy in order to be legally upheld without showing any discrimination against any certain person. Council Member Dahlgren stated that it is in the City Employee Handbook that a City Crew Member has to become Sewer Certified. Council Member Eisenhauer stated but what you don't have in there is how many times the City is going to pay for taking the Sewer Certification Test or if their job is on the line if they don't pass it a certain number of times. Foreman Cumley inquired that if our current employee has already taken the Sewer Certification Test twice, where does the City stand? Council Member Helms stated that the employee would need to pay for the testing this third time. Clerk Curtis stated that was what Council Member Dahlgren's motion had stated. Council Member Zelenka seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried. ***Discuss broken Water Shut-off issue:*** Foreman Cumley stated that the City had planned to repair a broken shut-off at 431 F Street and when they dug it up, they discovered a lead waterline, that according to DHHS State Regulations, must be immediately replaced. They contacted Pollman's out of Fairbury to bore under F Street for a new copper line to be put in, which was right West of the Faith Baptist Church. Foreman Cumley also reported that a water leak had been found on the Fairgrounds in the creek area, but that was not on a City Main, but on the Fairground's own water line.

**A Report and update from Council Member Helms: *Discuss Coop's intentions with PC Elevator property for use as possible overflow truck parking:*** Council Member Helms had called and talked to someone from the main COOP in Dorchester who had stated they were not interested in selling any portion of the Pawnee City elevator, even though the elevator had closed, as they were working on some ideas for the use of it. ***Discuss updates on purchase of new pickup from Brinkman Bros:*** Council Member Helms stated he had gotten prices from Derek Gottula at Brinkman's on the option of adding a second battery for \$135 and the back-up alarm for \$138, bringing the total purchase price of the new Chevy pickup to \$32,773. Helms continued that this price was still lower than any other pickup bid came in at, so he went ahead and added those options onto the truck. Council Member Eisenhauer made a motion to approve the amended adjustments for a second battery and back-up alarm system for the total new truck cost of \$32,773. Council Member Zelenka seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried. ***Discuss updates on mini-excavator and 14,000# trailer:*** Council Member Helms stated that he had contacted Hamilton Equipment and they would not do the 0% interest on the Mini-Excavator, but they could offer it at 5% interest for 3 year, which added up to \$5400 in interest alone, so he felt that wasn't a very good deal. Council Member Helms also stated he had tried to get the 14,000# trailer for free, but the salesman could not do that, but did reduce the trailer price from \$4500 to \$2500. More discussion was had on what funds these items were being paid for and if they were to be paid for in this fiscal year or next. Council Member Helms stated that he feels the City really needs this 14000# trailer so the City Crew can haul all of our salt up here from Kansas in one shot instead of hiring someone to haul it, or instead of making three trips back and forth to get our six pallets of salt back to Pawnee City. Council Member Helms made a motion to purchase the Mini-Excavator for \$29,600 with \$5,920 to be paid out of General, Street, Water, Pool and Park and to purchase the 14,000# trailer for \$2500 to be paid for out of Streets from Hamilton Equipment, to all be paid out of this year's budget. Council Member Eisenhauer stated she had a question about hauling the salt and how much it costs the City to go down there and get it ourselves vs. having it delivered. Foreman Cumley stated it would be employee's wages plus 2.5 tanks of fuel. Council Member Helms stated it is an 8-hour day. Cumley stated it would be the employee's wages plus around \$160 in fuel costs but the City's current trailer can only haul two pallets and one pallet on the truck. Foreman Cumley continued that with this new truck the City is purchasing they should be able to haul at least two pallets on the truck and three to four pallets on the new trailer. Council Member Eisenhauer stated so you're looking at around \$800 for the City Crew to go down and get half the amount of salt that the City needs. Foreman Cumley stated that in 3-4 years it would pay for the price of the new 14000# trailer itself. Council Member Eisenhauer stated that was what she needed to know. After more discussions it was stated that a pallet of salt weighs 2200#, so they could put five of the pallets on that new trailer and only one on the truck. Foreman Cumley stated that in his four and a half years with the City they have never used more than five pallets of salt, but we decided that would just go ahead and get six pallets so the City was covered into the start of the next year. More discussion followed on the items that were to be paid for out of this year's budget and what was being budgeted for to be paid out of the next fiscal year's budget. Council Member Zelenka seconded the motion. Roll Call Vote: Helms, Aye; Dahlgren, Nay; Eisenhauer, Aye; Zelenka, Aye, whereupon motion carried. ***Discuss the budgeted money for nuisance properties:*** Council Member Helms inquired how much budgeted money there was to be used on nuisance properties. Clerk Curtis stated there was \$35,000 budgeted as a line item in the General Budget that can be spent on anything to do with housing including nuisance properties. The City received this money from a lady who

left \$70,000 to the City to be used on anything to do with housing. The money that was donated to the City was placed in a special Housing Demo Savings Account, that can be transferred over to the General account anytime the City spends money on anything to do with housing. **Discuss Demolition Program:** Council Member Helms stated that he's asking the Council to, well he's bringing this from PCDC (Pawnee City Development Corporation). They had a long discussion on these abandoned properties that we have here in Pawnee City, which there are so many of them. Helms continued that the City has had this Demolition Reimbursement Program for around two years and we have only had one person utilize this program in that two years. PCDC seems like they said maybe the City should up their dollar amount and maybe more people would get interested in utilizing this offer the City has. Council Member Helms continued that PCDC said they will match anything that the City offers, but they can't go above us. Council Member Helms made the motion that the City raises the amount from \$2000 to the amount of \$4,000 max reimbursement for a property they have done a demolition on. Discussion followed with the question if the citizen has to show the Council that they have already paid for the demolition. Council Member Dahlgren stating that a property owner knows about how much it is going to take to tear down a property. Council Member Helms stated that someone had come in once, before he had torn a property down and requested the demo money, so that is why the property owner has to submit receipts for the Council's review before they will allow any money to be paid out. Dahlgren continued, that is why he felt they were coming in to ask for the money first, as they didn't want to write that check for the total demolition first. Council Member Helms stated but by going from \$2000 up to \$4000 from the City and then they go to PCDC and get the same \$4000, now we're getting up there to the amount that it really costs a person to tear down that property and haul it off. Dahlgren stated but the property owner still has to pay for the costs up front first and then come to both the City and the PCDC and ask for the reimbursement back. Discussion was had on a person may need to borrow the money up front from a bank and then use the reimbursement money to pay most of it off. Council Member Helms stated that this might encourage property owners or it might encourage someone to purchase the piece of property to tear down. Clerk Curtis stated that if this motion is approved tonight, then she would put it into Resolution Form to be approved at the next meeting. Council Member Helms asked what that consisted of? Clerk Curtis stated it would be her updating the original demolition reimbursement resolution that was approved a couple years ago. Clerk Curtis stated that a Resolution is like an official policy of the City. Council Member Helms stated that all of PCDC really thought that this might encourage people to do the demo themselves. Clerk Curtis inquired to Council Member Helms if he wanted to include anything about PCDC in his motion? Council Member Helms stated PCDC will automatically, well I don't know....PCDC can only pay out what the City pays out. Mayor Hatfield stated so PCDC will match whatever the City pays out. Helms stated, exactly so if the bill is \$1000 then they wouldn't get anything from PCDC. Helms continued so whatever the City does, PCDC will do if the costs of the demolition exceeds that figure. If it's a \$7000 total demo cost, the City will pay out \$4000 and PCDC will give them \$3000. Council Member Dahlgren inquired if they had to have an asbestos inspection first? Clerk Curtis stated yes they do. Clerk Curtis then stated that Council Member Helms made a motion, do I have a second to his motion? Council Member Zelenka seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried. Deputy Clerk Wiers stated she would like to make contact with the Pride Committee to see if they would talk with these property owners first, before the Health Board gets involved, then people get very upset. More discussion followed with the Council all being in agreement with trying to have the Pride Committee try first. Deputy



Clerk Wiers stated she would make contact with Bruce Haughton and inquire if the Pride Committee will do that. ***Discuss/Review Pricing on Christmas Lights:*** Council Member Helms stated that it is his recommendation that the City Crew continue to repair the old Christmas Lights for this year and order the new Christmas lights in February when the City could get them for 40% off the regular price. Council discussed this at length stating it would be around \$13,500 to replace all of the Christmas lights with new LED Christmas Lights. Council discussed sending letters to the organizations asking for donations towards the purchase of new LED Christmas Lights. Clerk Curtis recommended talking with Bob Miller, President of the Pawnee City Community Foundation so that if someone wanted to make a personal donation towards the purchase of new LED Christmas Lights, it could be ran through the Community Foundation so they could get tax credit for their donation. All Council Members were in agreement with this.

***A Report and update from Council Member Eisenhauer: Discuss any updates on the pool issues:*** Council Member Eisenhauer stated she had not heard anything from Aaron with Premier Pools and Spas but stated that Miracle Mudjacking was planning to come do the mudjacking to fill the voids under the pool by the end of summer, so Aaron needs to come down before that happens. Council Member Eisenhauer stated that she and Foreman Cumley plan to get together to take pictures of the spots where the liner is flaking off. Council Member Eisenhauer will plan to send out another email to Premier Pools and Spas tomorrow to urge him to come down to look before the mudjacking company comes.

***A Report and update from Council Member Dahlgren: Discuss BNSF/McClintock property; Discuss Cathy Clune/BNSF application for City to purchase property:*** Jeff McClintock was present at the meeting to discuss where he was at with trying to purchase the BNSF land that the buildings he purchased from Schillings were located on. Mr. McClintock stated that he had been confused by what had been printed in the newspaper from a previous Council meeting concerning the City being offered both pieces of property by the BNSF Railroad. Jeff had stated that the railroad had told him that they had never offered the City the land that he has buildings on, but had offered the land east that is what the City uses. Mr. McClintock continued that BNSF will not sell him the property that his buildings are located on unless the City purchases the land that is East of his that the City currently uses to park City equipment on as they are not going to break up a “track”. Jeff stated that he has talked to several railroad people including the realtor and the attorney involved with this railroad property and he stated they all say that BNSF has never offered the property his buildings are on to the City. They had stated that they were going to be sending out another email to the City to inquire if they would purchase those East lots from the railroad so he was inquiring where the City was at with all of this. Clerk Curtis stated the City had gotten emails from this Cathy Clune with a map marked out on the lots BNSF was offering to sell to the City. Clerk Curtis stated this was the second time that Ms. Clune had contacted the City through email about these lots and both times they included the application for purchase of land. Clerk Curtis continued that the first time the City had received an email from Ms. Clune, the City did not really know what was all going on with Mr. McClintock and if he just had purchased the building site or if he also owned the land the buildings were located on. Mr. McClintock stated that he did not understand why his name had even been brought up. Clerk Curtis stated that because of how the Real Estate Transaction had appeared in the newspaper it read that you had already purchased all of the lots. Council Member Helms stated that is how he read it in the paper, too. Council Member Eisenhauer inquired if the map with the lots outlined was marked out by Clerk Curtis or if it had came like that on the email? Deputy Clerk Wiers stated that the map had

been sent from BNSF with the lots outlined, but the color that they used to outline them would not show up on the copier, so she had went over the outline again with a darker colored purple marker so the Council could see what lots BNSF were offering for sale to the City. Council Member Dahlgren inquired if the lots that BNSF was wanting the City to buy were across the street? Foreman Cumley stated that the lots that are marked out on the aerial map are what the City uses to park the snow plow blades on. Council Member Helms stated they are talking about Lots 5 & 6. Council Member Dahlgren inquired if it was those two lots they were talking about? Council Member Helms stated those are the lots that are circled on the aerial map. More discussions followed with Mayor Hatfield stating the bottom line is if the City does not purchase the lots that are outlined in purple on the aerial map, then the railroad will not sell the other lots to Jeff. Mr. McClintock stated that was correct as the railroad will not split up this track of land unless both parties apply to purchase it all. Council Member Helms inquired about the rest of the property the railroad owned because he was sure they owned where the City shop is located, that whole thing. More discussion followed with Council Member Dahlgren showing Council Member Helms on the aerial map what all lots BNSF was referring to, which are where the old elevator is located and not the City Shop building. Council Member Helms stated that he felt that the reason these lots were circled on the aerial map was because those two lots were part of what Schilling was leasing from the railroad. Council Member Eisenhauer stated so Mr. McClintock is trying to purchase everything that Mr. Schilling had been leasing from the railroad. Council Member Dahlgren stated that Jeff McClintock had made an offer to the railroad for the six lots between C & D Street. Mr. McClintock stated that was correct. Mayor Hatfield stated but the railroad won't sell those lots to Mr. McClintock unless the City purchases the other two lots that are located East of D Street. More discussion followed with Council Member Helms believing that the railroad owned all of where the City had their City Shop and Council Member Dahlgren stating that the railroad did not own lots 1, 2, 3 & 4 as the City owns that and that the railroad just owns those two lots where the City parks the snow plow blades on. City Attorney Emily Sisco stated that she was almost positive that where the City Shop building sits, the City owns all of that, but it is just lots 5 & 6 in block 13 that the BNSF railroad owns and would like the City to purchase from them. Council Member Helms stated he has asked this question many times over the past couple years and he hadn't gotten a straight answer from anyone. Council Member Dahlgren stated he was just saying what the County Assessor Jon Bailey had just told him this afternoon. Clerk Curtis stated she was positive Jon Bailey had told their office the exact same thing. Dahlgren also inquired to County Assessor Bailey what the value of those two lots would be and Mr. Bailey had stated to him that the value was \$1540 per lot, so a total of \$3080 for both lots. Council Member Eisenhauer inquired one more time if Mr. McClintock was coming to the City to see if they were interested in purchasing those two lots from the railroad. Mr. McClintock stated that is what he was requesting, so that the railroad would accept his bid on the rest of the lots in that "track", where his buildings he owns are located. Mr. McClintock went on to state that he had invested a lot of money in those buildings already and was not going to continue with any of it if he wasn't going to be able to get the land purchased from the railroad. Council Member Eisenhauer made a motion to offer BNSF Railroad the value of those two lots of \$3,080 for lots 5 & 6, Block 13. Council Member Zelenka seconded the motion. Roll call vote indicated all present voting in favor of the motion, whereupon motion carried. Council Member Helms stated that he voted aye with the understanding that the City already owns lots 1, 2, 3 & 4 in block 13. Further discussions were had on removing tracks, trains not allowed to come to the fertilizer plant any longer and that line possibly being abandoned with no further action taken by the Council.

**Bids for Audit:** Council Member Dahlgren stated the bids on the audit are all taken care of

with City Attorney Sisco having the letter all ready. Discussion was had that Council Member Dahlgren had not received the final copy from City Attorney Sisco yet, whom had thought she had emailed it to him already. Council Member Dahlgren stated that City Attorney Sisco had copied a lot off of it from Bellevue's bid for audit for the legal end of it. Dahlgren continued that he had went through southeast Nebraska online and in the papers and looked at companies that would be interested in bidding on audit. Council Member Dahlgren asked if there were any questions about it. He had said for them to send the bids to the City Office and then we will bring it up at the end of August. Clerk Curtis asked if that was when the audit bids were due or are you going to have it so the Council can look at it first? Ms. Sisco stated that she was certain they had it due the Thursday before and then opened that August 24<sup>th</sup> meeting. Council Member Dahlgren stated they had figured that would give them enough time that if they had questions they could call. Ms. Sisco stated that all questions are directed to Council Member Zelenka. Clerk Curtis inquired how long this needed to be ran in the newspaper? Council Member Dahlgren stated that they are not going to run them in the newspaper. City Attorney Sisco and Council Member Dahlgren had talked that by running it locally, the City was not going to get very many to bid so it was a waste of money. Council Member Zelenka inquired how many names they had come up with to send them out to? Ms. Sisco thought around 10. Council Member Helms inquired that this was not something that the City has to publicize? Council Members Dahlgren and Zelenka both stated that no it was not.

***A Report and update from Mayor Hatfield: Discuss Zoning Line Item on General Budget – Is the City considering giving Zoning Administrator Matt Kuhlmann a raise in Salary in the Next Fiscal Year-currently is being paid \$400/month (\$4800/year); Needing to budget for a laptop computer for Zoning vs. him having to “borrow” the laptop computer from the Sewer Plant, that is used to check the cameras at tree dump.***

Council Member Dahlgren stated that the Zoning job is a lot of work and he knows that firsthand from when he took over when Clint Johnson was gone and Matt has done a great job. Mayor Hatfield stated that he thought we all could agree that Matt is doing a great job being the Zoning Administrator, especially since he read through the whole City Code Book and Zoning Ordinances and found discrepancies that needed to be addressed. Clerk Curtis stated that Mr. Kuhlmann has not requested any increase, but she needed to include it in her General Budget if the Council was going to consider doing so down the road. Council Member Eisenhauer stated that offering Matt \$500/month would make it \$6000/year, but wondered what the other Council Members were thinking of setting it at? Council Member Eisenhauer inquired if the City was paying Matt any mileage? Clerk Curtis stated the City was not, it is just the \$400/month flat rate. Mayor Hatfield stated the City also needs to get a laptop computer that is just for zoning as right now he is sharing the laptop from the sewer plant that is used to review the cameras, so sometimes he has to bring it back if there has been an issue at the tree dump. Clerk Curtis stated that John with Capital Business is getting a quote for the City on both a Zoning laptop computer and a new desktop computer for Foreman Cumley. Curtis continued that there is a meeting set up next week for both Clerks and Council Member Zelenka to meet with John to go over these quotes and also our regular quarterly meeting with Capital Business as part of the contract. Council Member Helms inquired to Foreman Cumley if there was anything that Matt Kuhlmann could help him out with. Foreman Cumley stated that clearly the City does not have a backup Sewer Operator, so technically that makes the City out of compliance with the State. Council Member Eisenhauer inquired that if the State is not offering training classes or testing for Sewer Certification, how the City could be considered out of compliance. Mayor Hatfield stated because it's the State rules. Foreman Cumley stated that

for our class of sewer plant there has to be a backup operator that holds a Sewer Certification that is just below his, which is a Grade II Operator's License, to meet State requirements and Matt has the same certification as he does. Foreman Cumley continued that as of right now we do not have an "official" Sewer backup operator for the City. Council Member Dahlgren stated so when Foreman Cumley goes on vacation then the City is going to be out of compliance. Foreman Cumley stated that he is scheduled to go on vacation starting next week, just so everybody knows that he will be gone all next week. Council Member Zelenka inquired if Mr. Kuhlmann was willing to be the City's Sewer Backup Operator? Foreman Cumley stated that he had already visited with Matt about him being on vacation next week and Matt had stated he would be around if the other City Crew members had any problems with the Sewer Plant. Foreman Cumley stated he had not really said anything to Mr. Kuhlmann as he doesn't feel he has any rights to tell him what he does and doesn't have to do for the City. Clerk Curtis and Foreman Cumley both stated that they had discussed Matt assisting the City with Council Member Dahlgren when we all three met for the Sewer Budget Workshop. Council Member Dahlgren stated that he felt it would be very beneficial for the City if Mr. Kuhlmann would help us out with being the Sewer Backup Operator, especially since the Sewer Certification Classes and Testing are so uncertain right now. Dahlgren continued that if Matt would take that Sewer Backup Operator job on along with the Zoning Administrator job he would highly recommend that the City pay Matt \$9600/year, which is double what he is making now or \$800/month, which Dahlgren did not feel was unfair. Council Member Helms stated that if he's going to be our backup sewer operator, does he have to be on our actual payroll? Council Member Dahlgren stated no, it would be a contract labor position. Foreman Cumley stated that there are a lot of people that do that backup operator position for different communities. Council Member Eisenhauer stated then by doing that, it would keep Pawnee City in compliance with the State Regulations. Council Member Dahlgren stated that is if Matt would consider doing that, as we are going to have to ask him about all of this before we assume anything. Foreman Cumley stated that Matt was struggling on whether he was going to keep his Sewer Certification License current or not. Council Member Helms inquired what it costs to keep that license. Clerk Curtis stated she was pretty sure it was \$150 or possibly a little more license renewal fee every two years. Council Member Eisenhauer stated that if Matt is willing to take on this extra position of Sewer Backup Operator then the City should definitely pay that State license renewal fee for him. Mayor Hatfield stated he felt the Council should table this item until he has a chance to visit with Matt Kuhlmann about being the City's Backup Sewer Operator in addition to the Zoning Administrator for \$9600/year and then they will also have the quote on purchasing the laptop computer ready to vote on at the next meeting. Council Member Helms stated that if Foreman Cumley was going on vacation next week, then the City needs to know ASAP if Matt is willing to cover as the Sewer Operator in case the guys would have any issues while Spencer is gone. Mayor Hatfield stated he would call Mr. Kuhlmann immediately after the meeting tonight and make sure Matt would be available next week to cover and discuss what the City is willing to offer him for being the Sewer Backup Operator and Zoning Administrator and the City would pay his renewal Sewer Certification fee to the State. Council Member Eisenhauer inquired if Mr. Kuhlmann agrees to take on both responsibilities would this pay raise go into effect immediately or for the next Fiscal year? Council Member Dahlgren stated it would have to be for the next fiscal year, October 1<sup>st</sup>. Council Member Eisenhauer was concerned that Matt would already be working for the City next week, but not get any reimbursement for his services until October. Foreman Cumley stated that Matt would just be on-call in case something came up at the Sewer Plant that the other City Crew Members were not sure how to handle. Discussion was had on if he did have to be called in while the

Foreman was on vacation that the City would figure out some sort of reimbursement to pay Mr. Kuhlmann. Clerk Curtis will put this item back on the next meeting's agenda for formal action to be taken by the Council. ***Discuss/Approve updated costs to finish ramp & sidewalk in front of Cornerstone Building:*** Council reviewed the cost estimate of \$65,827 from AHRS Construction to make the sidewalk in front of the Cornerstone building handicapped accessible from the street. It was unanimously decided that there was handicap access from the street available to the West and North of the Cornerstone Building that people could use with the price being so high. ***Discuss mowing/spraying ditches on right of ways to control weeds & grass:*** Foreman Cumley stated that the sickle/bar mower has pretty much disintegrated so he had inquired to the Mayor if they should be spraying the ditches or how the City wanted to handle that. Much discussion followed with the Council stating that according to the City Code Book, it is the responsibility of the property owner to be mowing their own ditches and trimming their own trees back. Council directed Clerk Curtis to write something up on this to be put on the back of the next water bill.

**Review/Approve Salary Ordinance #989 (Final Reading):** Council Member Dahlgren made a motion to approve Salary Ordinance #989 on final reading. Council Member Eisenhauer seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

**Review/Approve Solid Waste Disposal Agreement with Seneca Sanitation:** Council reviewed the Solid Waste Disposal Agreement with Seneca Sanitation, noting that Greg Olberding had made a request on 6/22/2020 to raise their rates by \$1/month making the rates set at \$17.50 per family and \$15.50 per senior citizen as of the October 1, 2020 billing. Council Member Dahlgren made a motion to approve the Solid Waste Disposal Agreement with Seneca Sanitation with the \$1/month rate increase to go into effect 10/1/2020. Council Member Eisenhauer seconded the motion.

**Consider SENDD request for continued participation and membership dues in the Southeast Nebraska Development District (SENDDD). *Motion to Approve FY 2020 Housing Dues/\$263.00 and FY 2020 Membership Dues/\$1,575.00 (No changes in dues for the past 12 years):*** Council reviewed the information sheets that SENDDD provided on all that their organization has to offer. Council Member Dahlgren made a motion to renew the membership dues for the Southeast Nebraska Development District (SENDDD) FY 2020 Housing dues of \$263.00 and FY 2020 Membership dues of \$1575.00, which have not increased over the past 12 years. Seconded by Council Member Helms. Roll call vote indicated all present voting in favor of the motion, whereupon motion carried.

**Review/Approve Cornerstone Bldg Project Expenses on Drawdown #13:** Council Member Eisenhauer made a motion to approve Cornerstone Bldg Project Drawdown #13 for a total of \$34,385.40 with \$33,615.00 to AHRS Construction, Inc. for Gen. Cond; Concrete Work; Doors & Windows and \$770.40 to CWP Architects for Bidding/Negotiation-Architectural Services with \$27,508.32 from ReUse Grant and \$6,877.08 from City Match. Council Member Helms seconded the motion. Roll call vote indicated all present voting in favor of the motion, whereupon motion carried.

**Review Notice of Environmental Clearance/Release of Funds on the New Fire Station.** Council reviewed the Notice of Environmental Clearance/Release of Funds on the New

Fire Station on the CDBG Public Works Grant through the Nebraska Department of Economic Development. Mayor Hatfield, Council Member Zelenka and Clerk Curtis will be attending a meeting of the Fire Hall Project Committee Members on Tuesday night along with Crystal Dunekacke with SENDD to discuss what our next move is and make sure everyone is on the same page on what should happen next.

**Review letter from Nemaha NRD re: Voluntary Integrated Management Plan focusing on the management of hydrologically connected surface water and groundwater – First Webex Virtual Meeting set for 7/28 from 3:30-5:00 p.m:** Council reviewed the letter from Nemaha Natural Resource District regarding a Webex virtual meeting on July 28<sup>th</sup> to discuss the management of hydrologically connected surface water and groundwater. Council Member Zelenka and Clerk Curtis will do this first webex virtual meeting together in Clerk Curtis' office.

**Budget Retreat Workshop:** Mayor Hatfield reminded everyone that the Council would be meeting at 6:00 p.m. for the next meeting night, July 27<sup>th</sup> for the Budget Retreat Workshop with Julie Bauman. Council Member Dahlgren made a motion 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 9:20 p.m.

ATTEST: Tamela S. Curtis, City Clerk

Charlie Hatfield, Mayor