

MINUTES OF THE REGULAR MEETING OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PAWNEE CITY, HELD ON MONDAY, JULY 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 and Susan Eisenhauer; Kellie Wiers, Deputy City Clerk and Tamela Curtis, City Clerk/Treasurer; Foreman Spencer Cumley. **Absent:** Laura Poskochil.

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, next to the storage closet, accessible to the public. At this time, all those present stood to recite the Pledge of Allegiance.

Council Member Eisenhauer moved to accept the July 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: **7/16/24 Payroll:** \$17,669.78; **Union Bank & Trust**, FWH 4420.95; **NE Dept. of Rev**, SWH 636.91; **John Hancock**, retirement 1671.53; **Allstate**, cancer/accid 218.06; **Ameritas**, vision 92.40; **United Health Care**, health ins. 7099.70; **Dollar General**, wall clocks 10.00; **BHE**, gas service 235.24; **Spectrum**, internet/ph @ shop 184.97; **Pawnee City Dev. Corp.**, May 2024 sales tax 11,443.64; **SA**, June 2024 garb serv, dumpster @ pool 6984.34; **Windstream**, phone & internet @ library 310.10; **NPPD**, electric service 3776.13; **Access Systems**, IT services 931.60; **Pawnee Co. Clerk**, ½ election exp city sales/use tax 592.74, **SEND** reuse admin fees 2643.75; **Stehlik Law**, reuse atty services 1207.00; **Binder Bros.**, concrete 555.00; **Brian Heinz**, clean windows @ Cornerstone 880.00; **Surnali (Diversified)**, drug/alcohol empl tests 286.00; **HealthFirst Pharmacy**, pool concessions 687.75; **Jeff Lightner**, library books 78.00; **Pawnee Republican**, publications 416.38; **Pawnee True Value**, repair supplies 834.85; **Travelers Remit Center**, govt entity crime bond 646.00; **Casey's**, equip fuel 417.31; **Mead Lumber**, post hole digger rental 165.00; **Pollman LLC**, water line repair 743 G ST 1041.00; **Pawnee Co Treasurer**, qtrly law enforce agreement 20,105.03; **State of Nebr/Dept of Labor**, 2nd qtr unempl tax 49.43, whereupon motion carried. 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.

Public Hearing to Discuss Pawnee City ReUse RLF Loan for Pawnee Inn & Café: Kelly Gentrup from SENDD was present (by phone) to answer questions; Betty Hatfield and Richard Palmer, owners of Pawnee Inn & Cafe were also present. Council Member Eisenhower moved to open the public hearing at 7:06 p.m. to discuss the Pawnee City ReUse loan for the Pawnee Inn & Café. Council Member Fisher seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried. Kelly Gentrup explained Palmer Inn & Café was awarded a \$125,000 ReUse loan. Under the agreement Pawnee Inn was supposed to create 3.57 full-time jobs for moderate to low-income people but they were able to create 3 of the 3.57 jobs. Therefore, 1 job equals \$35,000 and based upon the remaining balance on the loan, Palmer Café has met the national objective. Therefore, the ReUse Committee recommended forgiving the balance of the loan. Mayor Hatfield, a member of the ReUse Committee, stated Mr. Palmer was still making payments on the loan and even extra payments towards the principal during Covid-19 even though businesses had been granted a deferment on loan payments. Kelly Gentrup reiterated the monthly loan payment was around \$863.00 but Pawnee Inn was paying \$1000.00/month for about one and a half years and was in default for a short while. Pawnee Café has a balance of \$83,778 (which is the amount to be forgiven) and they have made \$41,222.00 in payments towards principal as of August 1st. Council Member Eisenhower moved to close the public hearing at 7:16 p.m. to discuss the Pawnee City ReUse loan for the Pawnee Inn & Café. Council Member Fisher seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

Review/Discuss/Act on Recommendation of Approval from ReUse Committee to consider forgiveness of the existing ReUse Loan to Pawnee Inn & Café who have met National Objective Requirements: Council Member Eisenhower stated she doesn't approve of forgiving the ReUse loans but the Council should stay consistent in their decisions so, Council Member Eisenhower moved to forgive the \$83,778 balance of the ReUse loan for Pawnee Inn & Café effective August 1, 2024. Council Member Fisher seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried. Kelly Gentrup stated Pawnee Inn will still have to pay the July 2024 payment. Mayor Hatfield stated there are other programs available to help businesses and they can contact Kelly Gentrup for more information.

Sheriff Braden Lang, Discuss another complaint received from Village Apt. residents for Stop signs needed between 11th & 12th Street on E Street: Sheriff Lang stated he had looked at the intersection of 11th and E streets and then talked to Colton Schardt who lives next to that intersection about installing a stop sign at that intersection in his yard. Mr. Schardt said he would not be bothered by a stop sign in his yard. Mayor Hatfield suggested adding a flashing light to the top of the stop sign, similar to flashing light on top of the stop signs by the elementary school. Council Member Eisenhower moved to approve the installation of two Stop signs at the intersection of 11th & E streets on both sides of the intersection. Council Member Fisher seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried. Sheriff Lang said he had emailed the property owner at 200 11th street about the vehicles and auto parts in front of the house and asked him to do something about the nuisance before a letter from the city attorney had been sent. City Atty Samuelson sent this property owner a certified letter but he had not picked it up at the post office yet. Sheriff Lang said he has spoken with Foreman Cumley about cleaning up the property at 112 12th Street with law enforcement present. Foreman Cumley said he will order a roll off dumpster and make

arrangements with Sheriff Lang. Discussion was had about separating out metal from other items and taking the metal to Smith Auto for reimbursement. Sheriff Lang said Hahns Rohrbaugh and Justice Stankoski are working for the department with Deputy Rohrbaugh working on his own effective August 1st. Sheriff Lang plans to request another deputy position at the county commissioners meeting on July 23rd and talk to the commissioners again about a new evidence room. Council Member Eisenhauer said she plans to attend this meeting. Sheriff Lang verified the camper at 738 3rd street has been moved. He had heard it had been moved to Humboldt.

Mike/Sharon Schilling—Updated Propane Gas Tank Placement Application @ 1335 C

Street: Mike Schilling submitted a drawing of his plan to add a living area to the existing building at 1335 C Street, therefore requesting a propane tank. Council Member Eisenhauer moved to approve Mike and Sharon Schilling's propane application at 1335 C Street. Council Member Zelenka seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

Review/take action on Semi-Annual Audit from PCDC performed by Citizen Advisory

Board: Council Member Eisenhauer moved to approve the semi-annual audit from PCDC performed by the Citizen Advisory Board. Council Member Zelenka seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

Review/Approve Salary Ordinance #1063 (Second Reading); Need a motion to suspend the third reading so Clerk Curtis can publish it in the newspaper before August 15th deadline:

Council Member Eisenhauer moved to approve Ordinance #1063 on second reading. Council Member Zelenka seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried. Council Member Eisenhauer moved to suspend the third reading of Ordinance #1063. Council Member Fisher seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

Report and update from Foreman Cumley: Items for discussion are: *Discuss Well updates:*

Sargent Drilling installed a test well with a 6" casing and let it pump for 6 hours straight with the water level staying the same. Samples were sent off to be tested but it will take a few weeks to receive the results. The material that came out of the aquifer was coarser than they thought (which is a good thing) and this will determine what type of screen to get for the well. The water pumping out of this well will not affect the other wells. ***Review/Discuss rough estimates of proposed Water System Project from JEO:*** Clerk Curtis explained the estimate from JEO but this is not the final PER (Preliminary Engineering Report). The PER is necessary for the City to be able to apply for funding. JEO is still in the design phase but figures were needed for the budget. Clerk Curtis recommended waiting until Randy Helsbush from Nebraska Rural Water to come down and complete a rate study on our system. Otherwise, city auditor, Julie Bauman, doesn't feel the City can afford all of these projects and the engineering costs would be \$300,000 - \$350,000 but how long is the Pre-construction/engineering design good for? Ms. Bauman would like to see these projects be delayed for at least another year. In the meantime, it would be beneficial to start increasing water and sewer rates now before the projects start and it would be even better if the City waited three years while increasing rates each year. Foreman Cumley explained the City could plan to rehabilitate Well #1 and put that in the next budget. If Well #1 was inspected and the screens cleaned, it may pump more water and then the City would know if

it was because the screen was dirty or if it was because the aquifer level is low. **Discuss upcoming asphalt overlay projects:** When the milling is done on the highway, Industrial will come and do milling and then when the asphalt is completed, Constructors will come and do the asphalt. The City Crew will have to haul dirt out for Industrial for the milling project.

Review/Approve Proposals from Constructors on E Street (East side of Village): The estimate to fix the road on the east side of the village came in at \$56,000, which is \$6,000 under what was left out of the budget. Constructors took out the \$6000 mobilization fee because they will be nearby to also fix the street south of Palmer Café. There is one low point in the curb by the village side. Foreman Cumley asked Constructors not to lay asphalt in the curb and gutter because it's breaking out on a location on 5th street so they will stop at the gutter. The gutter could be mud jacked at some point or re-poured but they will put 5" of asphalt on the road.

Review/Discuss 1&6 Year Street Plan—Make recommendations for changes of the current listing; If Council is in agreement, need motion to set 1&6 YR Street Plan Public Hearing for 9/09/2024 @ 7:15 p.m.: Council reviewed the draft One- and Six-Year Street plan received from JEO. Much discussion was had about the listed streets with some projects taken off the one-year plan and added to the completed projects while other projects were added to the one-year plan and the six-year plan. Foreman Cumley explained to the Council that it would be best to repair streets that are connected to each other at the same time to not be charged a \$3800 fee to move equipment around. This plan will be effective October 1, 2024. Council Member Fisher moved to approve the amended One- and Six-Year Plan. Council Member Eisenhauer seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

Report and update from Council Member Eisenhauer: Items for discussion are: Review Poster for Last Blast of Summer Fiesta Party on August 3rd with Pool closing Aug. 4th: The last midnight swim will be Saturday, Aug. 3rd and then the pool will close on Sunday, Aug. 4th. The pool manager had requested to extend the public hours from 6:00 to 9:00 for kids under 12 and then 9:00 to 12:00 for kids 12 and up. In the past, kids had to leave at 8:00. Council Member Eisenhauer moved for everyone to be welcome from 6:00 p.m. to 9:00 p.m. and then 12 and over are welcome from 9:00 p.m. to midnight at the "Last Blast of Summer Fiesta Party" on August 3rd. Council Member Zelenka seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried. **Park Updates & Discussions:** Council Member Eisenhauer stated there has been more vandalism at Van Horne Park. Someone ripped down the electrical conduit going to the center of the pavilion. Wilson Electric has already been here and repaired it. She also had them install a light with a 60-minute timer. Also, Mr. Glenn wasn't happy with all of the concrete that was planned to be poured and he doesn't want to do the additional handicapped landing spot on the east side of the amphitheater as on the west side. He also didn't want a sidewalk to run from the top of the steps all the way to the restroom. Mr. Glenn suggested pouring concrete on the entire parking area, which isn't that big, and then installing a sidewalk from the parking area all the way to the restroom. It would go between the bench and the playground on the east side next to the road. There will also be a short sidewalk between the grill and the trash can so people will not have to walk through the plantings. Council Member Eisenhauer also talked to Clint Mahoney about the changes. Council Member Eisenhauer recently walked on the Dr. Rick Jackson Trail and noticed there are many dark spots along the trail plus there are some lights not working. She talked with Pat Hatfield from NPPD

and he will fix these lights and other lights will be added. She also noticed along the creek, there are some volunteer trees that are blocking the light and Mr. Hatfield will trim these trees but the city crew will have to pick them up and haul them away. The bridge by the library has a lot of tree coverage which has created a dark spot and a light will be added there, right at the bridge and it will be placed and angled so that it will shine only on the bridge so it shouldn't bother the neighbors. The total cost for the electricity for these added lights should be no more than \$54.00/month for four brand new lights but will make it a safer place. Council Member Zelenka moved to approve the installation of additional lighting on the Dr. Rick Jackson Trail. Council Member Fisher seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried. Council Member Eisenhower drew a diagram of all the expansion joints in the pool for Mid-America Pool Company so they could give us an estimate on a new pool coating. The pool is actually 105'x 50.'" The other company Expert Pools are concerned their product may not adhere to the Eco Finish currently on the pool. This company is researching Eco Finish and is having difficulty finding information as had Council Member Eisenhower. The concrete is showing on the floor on the shallow end of the pool because the coating has worn off. Clerk Curtis included pictures of this with a current grant application. The finish was supposed to last 10 years but didn't last even 1 year. Foreman Cumley expressed concern that a pipe under the pool may be broken and Clerk Curtis suggested Johnson Service slip-line this pipe to stop it from leaking. Mayor Hatfield informed the Council that people are defecating behind the closed restroom and behind campers out at the pond so, he mentioned ordering a port-a-potty to stop people from doing this. Someone mentioned the sheriff should have been contacted when this happened. Council Member Eisenhower shared a drawing she made of two possible designs for a new restroom at the pond made from cement blocks with possible showers and handicapped accessible. Council Member Eisenhower moved to purchase two portable toilets for the Pawnderosa until such time a new restroom is installed. Council Member Fisher seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried. Council Member Eisenhower suggested installing two types of cameras; one being a game camera that could be attached to trees, posts, etc. and one being more of a traditional solar-powered camera. One of these cameras would be installed at the Pawnderosa and one at Van Horne Park as a test to see which works better. The traditional camera costs around \$100 and the game camera costs \$300 - \$400 but something has to be done because of all the vandalism. This is cheaper than rebuilding the restroom. Council Member Eisenhower will purchase these out of this year's budget. Cameras would be directed at the restroom; the shelter and the pond so as not to invade the privacy of campers. Also, recently, someone in a black SUV dumped lily pads onto the pond as reported by another person at the pond. The City Crew has been working at removing the lily pads.

Review/Discuss the email from Karsyn Bredenkamp/SENDD & the draft narratives for the City's RCRP Grant Application—*Review Clerk Curtis' changes/additions she sent to Karsyn Friday evening:* Clerk Curtis received confirmation that the changes had been accepted on Amplifund. ***Review/Approve Memorandum of Understanding for Administrative Services with SENDD to handle the RCRP Grant Admin, if approved:*** Council Member Eisenhower moved to approve the Memorandum of Understanding (MOU) for Administrative Services with SENDD to handle the RCRP grant administration, if grant is approved. Council Member Zelenka seconded the motion. Roll Call vote indicated all present voting in favor of the motion,

whereupon motion carried. ***Review Signed Letter of Intent to sell 522 G & 526 G Street Building to the City:*** Council reviewed the letter.

Review City Attorney's Nuisance letter to resident at 200 11th Street: Discussion was had about the increase in the number of vehicles and auto parts in his front yard. There is also a mattress sitting next to a tree on the west side of the property. Mayor Hatfield stated that at one time, the owner of this property told a previous council member, Bruce Haughton, that he was willing to sell everything considered a nuisance. This property covers approximately $\frac{3}{4}$ block. Sheriff Lang had previously emailed the property owner about the nuisance issue but no improvements were made.

Review Correspondence from: Council reviewed the spreadsheet on May 2024 Sales tax of \$32,524.07 with $\frac{1}{2}$ % Street Repairs Sales Tax totaling \$7,629.09 and \$2,007.71 being Motor Vehicle Sales Tax. Council reviewed emails that League Executive Board strongly opposes cap of "0% or CPI, whichever is greater" with limited exceptions. Council Member Eisenhower moved to approve sending a letter to Senator Julie Slama asking her to not support Governor Pillen's "0% or CPI" tax relief plan." Council Member Fisher seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried. The Nebraska Department of Transportation sent a news release urging drivers to use safe driving practices to improve the safety of our roadways. NPPD sent an invite to a free workshop, "Civic Pride & Civic Apathy," they are sponsoring. Pawnee City Chamber of Commerce shared an email about how the Nebraska Community Foundation can help communities with fundraising. Reminder to the Council, Julie Bauman will be here at 6:00 p.m. for a Budget Retreat Workshop on Monday Aug. 12th before the regular council meeting at 7:00 p.m.

Council Member Zelenka 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 9:00 p.m.

ATTEST: Kellie A. Wiers, Deputy City Clerk

Charlie Hatfield, Mayor