

MINUTES OF THE REGULAR MEETING OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PAWNEE CITY, HELD ON MONDAY, MAY 22, 2023, AT 6:00 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. 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 Charlie Hatfield; Council Members Vickie Zelenka, Donnie Fisher, Laura Poskochil and Susan Eisenhauer; Kellie Wiers, Deputy City Clerk, Tamela Curtis, City Clerk/Treasurer and Foreman Spencer Cumley. **Absent:** None.

Mayor Hatfield called the meeting to order at 6:00 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.

Mayor and City Council completed Employee Job Performance Evaluations on City Foreman Spencer Cumley and City Clerk/Treasurer Tamela Curtis: The Council Members and Mayor Hatfield completed performance evaluations on Foreman Cumley and Clerk Curtis during the open meeting. Both employees scored well.

Council Member Zelenka moved to accept the May 8, 2023, regular meeting minutes. Council Member Eisenhauer 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: **5/23/23 Payroll:** 10,013.54; **Union Bank & Trust**, FWH 2924.39; **NE Dept. of Rev**, SWH 444.12; **John Hancock**, retirement 1542.20; **Allstate**, cancer/accid 218.06; **Ameritas**, vision 86.10; **Madison National Life**, life ins 43.59; **United Health Care**, health 6213.20; **Windstream**, internet service @ City Office, phone @ swr plant, library telephone/internet 335.25; **Spectrum**, internet & phone @ shop 184.97; **BHE**, gas service 352.61; **PCDC**, March 2023 sales tax 6912.66; **Seneca Sanitation**, April 2023 garbage service @ pond 6909.64; **NPPD**, electric service 3125.45; **Pawnee True Value**, repair supplies 1822.81; **Community Insurance**, fireworks liab ins 586.00; **Ferebee Law Offices**, May 2023 city atty services; **Quill Corp.**, library supplies 33.46; **Casey's**, equip fuel 189.89; **M L'Ecuyer**, credit bal owed/refund 844.66; **American Water Works Assoc**, renew annual membership 75.00; **Core & Main**, Sensus annual tech support, 2600.00; **K Wiers** reimb pool mirrors 14.98; Council Member Eisenhauer 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.

Approve Paying Mayor (\$2000) / Council (\$1750) in June: Council Member Eisenhower moved to pay the Mayor \$2000 and each Council Member \$1750 in June 2023. Council Member Poskochil seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

DONATIONS TO ORGANIZATIONS: MARY MOSER Pawnee Gun Club (Pawnee City Trapshooting Team): Mary Moser explained six students have medaled at various meets this year and they have added students from Lewiston schools plus they also have students from HTRS. There are “Wings & Turf” fundraisers scheduled in June and this coming Fall. Ms. Moser explained she has heard parents comment when they have dropped off their kids for practices that they are stopping at the local grocery store and other businesses, so this activity has added to the local commerce. They are still waiting for the lights to be hooked up, which will hopefully, be completed this year and the lights will be tied in with the lights from the ball fields. Last year the Council donated \$650 which was used to pay for liability insurance through the NRA which has increased this year. Council Member Eisenhower moved to donate \$650 to the Pawnee Gun Club (Pawnee City Trapshooting Team) FY 2022-23. Council Member Fisher seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

DONATIONS TO ORGANIZATIONS: RJ HICKEY for Pawnee City Historical Society: (The City had previously donated \$1000 credit towards the water bill in May 2022 with a current credit balance of \$928.27) and \$5000 ARPA donation FY 2022-23). RJ Hickey explained to the Council that PCDC donated \$10,000 towards the Historical Society roofing project which has been completed. There is a country school reunion scheduled June 3rd with a potluck dinner and a living history event will be scheduled around the second week in October. He further explained that there is still a large credit on the water bill because they haven’t held as many events last year but there are more events scheduled this year plus, they plan to power wash the buildings, which will use up a lot of water, before they repaint the buildings. Council Member Eisenhower moved to donate a \$1000 credit on the Historical Society’s water bill FY 2022-2023. Council Member Zelenka seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

Discuss request for Pawnee Co Fair Foundation’s Special Designated Liquor License: Review/ Approve Resolution #3—Pawnee Co. Fair Foundation’s request for Special Liquor License during Pawnee County Fair on July 19th – July 23rd, 2023: Council Member Eisenhower moved to approve Resolution #3—Pawnee Co. Fair Foundation’s request for Special Liquor License during the Pawnee County Fair on July 19th – July 23rd, 2023. Council Member Zelenka seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

Review/Accept Letter of Resignation from Kellie Wiers on the Animal Control Board: Council Member Eisenhower moved to accept the letter of resignation from the Animal Control Board submitted by Deputy City Clerk Kellie Wiers. Council Member Zelenka seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried. Council Member Poskochil mentioned the Animal Control Board had discussed dissolving the board at the last meeting and this item will be listed on the agenda for the next city

council meeting. Mayor Hatfield explained the Animal Control Board was created to handle animal issues so that the council meetings would not be overloaded dealing with animal issues. If it dissolved, then all of the animal ordinances will have to be updated. DC Wiers explained that she had done a lot of work behind the scenes besides attending meetings and does not have any recommendations to replace her on the board. The members of the Animal Control Board consist of Sheriff Lang, Council Member Poskochil, Keith Groeling and Nancy Tilton.

Review Letter sent to Dave Manes denying his request to purchase City Well Pasture

Ground: Clerk Curtis explained a letter was sent to Mr. Manes' Steinauer address as listed on the website for his business, Skyline Construction. Mr. Manes called the city office asking about the Council's decision on his request to purchase City Well Pasture Ground since he had not received the letter. Clerk Curtis explained to Mr. Manes the Council is not interested in selling any well pasture ground at this time plus if any of this ground was sold, it would have to be listed for sale by bids and there is no guarantee Mr. Manes would have the highest bid. Also, if the City sold some of this land and then had a problem with a well, the City would possibly have to find land to drill a new well which would be a similar situation that Table Rock is currently dealing with.

Report and update from Foreman Cumley: *Discuss Weddle/Golf Clubhouse dual party*

sewer line: Chris Gottula contacted Foreman Cumley when he was working on the Weddle sewer line to let him know that the Weddle sewer line was also connected to the sewer line for the Golf Clubhouse so Mr. Gottula separated them and now the Fairview Golf Club has their own sewer line which brought up a good point with the Ensor sewer line and if they need to have an easement to run a new sewer line. ***Discuss updates to Ensor's Sewer Line up 13th Street:*** Clerk Curtis and Foreman Cumley discussed this matter with City Atty Ferebee. If the line is out of the street, Ensors will not be required to have a survey or be required to request an easement. Chris Gottula is going to do the work for Ensors, and they told Mr. Gottula that they don't want to lose any trees, so he doesn't want to run the line down their side of 13th street. They will still have to get an easement, so Mr. Gottula is going to talk with Ensors about moving the line over and then he will only have to take out two trees. Mr. Gottula will get back with Foreman Cumley with details of the plan. City Atty Ferebee will send Ensors a letter explaining the different options and requirements.

Report and update from Council Member Poskochil: *Review/Discuss emailed*

correspondence and info gathered on Sewer Issues at 600 8th Street: Bridget Gyhra was present to discuss the \$200 plumbing bill she received from Doug Daily for a partial sewer blockage that turned out to be on the City's side of the line. Ms. Gyhra explained she had a problem with her toilets flushing so she contacted Doug Daily and he found a partial blockage between the house and garage the first time. It happened again so Mr. Daily came back and there was water backing up in the shower. Mr. Daily contacted Foreman Cumley about the issue because he could not find anything and asked if the City could "jet" the line. Foreman Cumley said the manholes were not full of water, but they did find a partial blockage in the City sewer main between the corner of the garage and the curb but the houses East of Gyhra didn't report any problems. Gyhra's house filled with sewer gas when the City jetted the sewer line because it is an older house and not properly vented according to the current building codes. Clerk Curtis explained that according to the liability insurance, since the City has a maintenance program and documents

incidents each time a line is jetted, they would not be liable for damage to a customer's property and there wasn't any damage, anyway. This sewer line will be added to the list of lines slotted for slip lining.

Report and update from Council Member Eisenhauer: *Discuss Updates to Pool:* Council Member Eisenhauer reported Raina Barloon decided not to paint the interior of the pool house this year so this will probably be done next year. The ceiling fans have been installed and the electrical updated. Doors/gates have been installed on the pump room which will help ensure young children do not enter this room. ***Review Pool Opening Poster:*** The poster is on display at the pool with the new rates. The new "pool rules" signs have been hung up. Swimming lessons have been scheduled for June 5th – 9th and 12th – 16th and Clerk Curtis has sent the notice to the newspaper. Ms. Barloon will post the notice on the Facebook page. The donated bench for along the trail was received today.

Report and update from Mayor Hatfield: *Discuss any Updates from Health Board/City Atty Ferebee on Nuisance Properties:* Mayor Hatfield and Council Member Fisher met at the Lee property on Friday, May 12th (right before the tornado came to town) but nobody else showed up, understandably. DC Wiers had asked Mayor Hatfield if mowing letters should be sent out to the owners of the properties on the Health Board list. Hatfield talked with City Atty Ferebee and she advised that as long as the person was the owner when the property was condemned by the Health Board, then a letter should be sent to them unless the property was sold from that date. City Atty would like to meet with the members of the Health Board on June 6th to discuss the next steps.

Report and update from Law Enforcement Committee: *Discuss Updates from meeting regarding current Law Enforcement Agreement that is due to expire in June 2023:* Council Members Eisenhauer and Fisher met with County Commissioner Ron Seitz. In the past, the City typically gave a 3% increase each year for the four-year agreement. In the recent past, the Sheriff's office has struggled with several different issues such as wages, staffing and budget. They proposed for the first two years of the four-year agreement, the City would look at a 6% increase each year and the second two years would be a 3% increase. So, for August 2023, the payment would be \$75,868.00. Last year, it was \$71,573.00. In August of 2024, it would be \$80,420.00. In August of 2025, with the 3% increase, it would be \$82,833.00 and August 2026, it would be \$85,318.00. That makes the four-year commitment \$324,439.00 for an increase of \$50,411.00 from the last contract. Mr. Seitz seemed pleased with that proposal, but he will have to take it back to the commissioners and discuss it at their next meeting. Fisher and Eisenhauer suggested to Seitz to use the 6% increase for the first two years towards staff salaries. The sheriff is salaried and does not receive overtime, but the deputies do receive overtime. Seitz feels the staff are paid enough and would like to see the overtime decrease as they are currently fully staffed. The service terms are the same, which is 40 hrs/week coverage that includes 20 daytime hours and 20 evening hours. If the increase is not used for salaries, then it was suggested to use that money to improve or find a new storage area for evidence because currently, the refrigerator/freezer is packed and taped shut because it will not close all of the way which also has to be defrosted manually and then that water has to be taken somewhere to be dumped because there isn't a drain in this area. It is basically just a closet. It was also suggested to use part of the area in the current commissioner meeting room to create a storage area for law

enforcement to store guns in a gun safe, have a better freezer and overall make a more secure area to store evidence, guns and ammunition. Mayor Hatfield suggested moving the commissioner meeting room to the third floor and then moving the Sheriff's office to the current meeting room in the basement. The Council agreed to the terms of the new agreement but will vote on it after it comes back from the commissioners.

Review PCAL meeting minutes: Caralyn Friedly emailed the latest financial report to the city office this afternoon, so DC Wiers was able to share this information with the Council at tonight's meeting. No questions.

Correspondence: The City Council reviewed correspondence from March 2023 total Sales Tax of \$23,599.07 with ½% Street Repairs Sales Tax totaling \$4,608.44 and \$5,165.31 being Motor Vehicle Sales Tax. Council reviewed the email from SENDD in regard to the Auburn Event for Businesses scheduled for May 26th.

Council Member Zelenka moved to adjourn the meeting. Council Member Fisher seconded the motion. Roll Call vote indicated all in favor of the motion and meeting adjourned at 8:06 pm.

ATTEST: Kellie A. Wiers, Deputy City Clerk

Charlie Hatfield, Mayor