

MINUTES OF THE REGULAR MEETING OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PAWNEE CITY, HELD ON MONDAY, MAY 23, 2022, 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. Availability of the agenda was communicated in the advance notice and in the notice to the Mayor and Council of this meeting. All proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public.

Present: Mayor Charlie Hatfield; Council Members Donnie Fisher, Susan Eisenhauer, Ric Helms and Bruce Haughton; Kellie Wiers, Deputy City Clerk, Tammy Curtis, City Clerk/Treasurer and City Foreman, Spencer Cumley. **Absent:** None.

Mayor Hatfield called the meeting to order at 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.

The Mayor and City Council completed Employee Job Performance Evaluations on City Foreman Spencer Cumley and City Clerk/Treasurer Tamela Curtis in open session. Nobody from the audience contested the evaluations and both employees agreed to work for the City of Pawnee City for another year. Clerk Curtis has worked for the City of Pawnee City for 20 years and Foreman Cumley has worked for the City for 7 years.

Council Member Helms moved to accept the May 9, 2022, 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: **5/24/22 Payroll: 9876.93; Union Bank & Trust, FWH 2805.65; NE Dept. of Rev, SWH, 395.97; John Hancock, retirement 1296.12; Allstate, cancer/accid. ins. 296.62; UHS Premium Billing, health ins. 7103.33; Ameritas, vision ins. 163.20; Madison National Life, employee life insurance 61.48; BHE, gas costs office, shop, fire dept., library 335.36; PCDC, March sales tax 6279.31; Windstream, ph service @ swr plant, library ph & internet 308.53; Spectrum, internet/phone @ shop 174.97; Access Systems Leasing, monthly IT hardware contract 209.98; AHRS Construction, reimb for Blue Valley Door repair 1840.05; Amazon Capital Services, office & pool supplies 546.93; Core & Main LP, 2600.00; Findlay HVAC, repair furnace @ shop 62.80; Gyhra Construction, grading City gravel streets 385.00; H&H Auto Parts, repair supplies 367.39; Matt Kuhlmann, reimb mileage 34.81; Meyer Lab, office supplies 485.05; NPPD, electric service 3065.72; Pawnee True Value, repair supplies 636.00; Stallbaumer Lumber & Hardware, window, concrete form 211.56; Westech Engineering, LLC swr vertical screen repair 2059.35; Access Systems, total IT care services 897.00; Kyle's Service Ctr, tire rim for skid loader 123.00; LARM, ins for new Fire Stations 830.36; Nebr. Dept. of Environment & Energy, ww operator retest empl# 1009 125.00; Schendel Pest Control, pest ctrl treat swr plant 150.00; SYNC/Amazon, library materials 29.98; Pawnee Co. Mem. Hospital, CPR cert for 6 lifeguards 120.00; Seneca Sanitation, April garbage service 6023.63. 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 Helms moved to approve paying the Mayor (\$2000) and City Council Members (\$1750 each) in June 2022. Council Member Haughton seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

Pat Hatfield/NPPD: Discuss request for adding light to face over Ballfield Parking Lot—should add approx. \$12/mo: Pat Hatfield explained there is an existing pole at the ballpark that has a light that shines on the batting cage areas but there is no lighting on the parking area. Another light could be installed on this pole and have it shine onto the parking area. It would probably add around \$10 - \$12/month to the bill for the ballpark. The consensus was that with the recent vandalism at the ballpark and safety concerns, it would be a good idea to add this light. The light would automatically turn on at dusk and shut off at dawn. Council Member Eisenhauer moved to approve the installation of a parking lot light at the ballpark. Council Member Fisher seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried. **Discuss timer lights at both parks;** Council Member Eisenhauer asked Pat Hatfield if it was possible to put a one-hour timer on the lights at the basketball courts at both parks so they would automatically turn off after an hour? Mayor Hatfield further explained then the lights would not stay on after the kids leave the basketball court because this bothers the neighbors. Pat Hatfield suggested contacting an electrician to install the equipment, but Foreman Cumley explained that he could not find an electrician willing to install the equipment. Pat Hatfield said he was willing to assist the City with this project. **Review/Discuss emailed request from Mike Habegger on concern of dark areas left by change in streetlights to LED;** Pat Hatfield offered to contact Mike Habegger to discuss this issue further with him to see if the State of Nebraska wants the lights changed.

Sheriff Braden Lang, Discuss Dog Issues: Sheriff Lang explained that the two dogs owned by Matt and Becky Scott have been out numerous times, but the Sheriff's office was not notified and he is surprised that they haven't been shot yet. He has shared this information with the City Attorney and they are working on a "potentially dangerous dog" designation. These dogs were out again Sunday, May 22nd, and the owners received another ticket. The owners have paid the first ticket. These dogs live a block from Mayor Hatfield, and he is concerned about the safety of his granddaughter who is currently living with him, and also concerned for his neighbors. Sheriff Lang explained that he has seen a video of what a pit bull can do when they attack a child, because they go after children, and it is very malicious. Sheriff Lang also stated that it is not against the law to shoot a dog that enters your property. Sheriff Lang stated the new deputy failed the ABE test and if he doesn't pass it the second time, he will have to be terminated. More people have failed it than passed it. They are currently talking with a State Labor Law attorney about their current working 48 hours straight since it is considered unsafe. Mayor Hatfield stated there have been more complaints about the tires being stacked up at the old lumber yard. Council Member Helms said he is concerned about mosquitoes in the standing water inside the tires this Summer. Sheriff Lang said he has been talking with the schools about a school resource officer, but this concept is still in the early stage.

Greg Olberding—Seneca Sanitation, Review current Solid Waste Disposal Agreement between the City and Seneca SA & Discuss rate increase: Greg Olberding, owner of Seneca Sanitation, explained to the Council that due to increased fuel costs, he would need to raise the monthly residential sanitation rate and discontinue the senior citizen rate. His monthly fuel costs have increased from \$8500 to \$20,000. Mr. Olberding asked to increase the monthly rate in his contract to \$18.00/month from \$17.50/month which includes \$1.00 charge for the City to collect this charge for the contractor and to reimburse the City for billing (postage, paper, City time). Commercial rates & charges will continue to be agreed upon between Seneca Sanitation and the customer. Discussion was had on the amount the City should charge customers on their utility bill and to remove the recycling clause from the contract since we no longer have recycling services in Pawnee City. It was agreed that the City will charge \$0.50 per bill for a processing fee instead of the previous \$1.00 since there is no longer costs for a recycling trailer. Seneca Sanitation will continue to offer the City one free dumpster at the City Shop. Foreman Cumley asked Mr. Olberding to replace the dumpster at the pond because it is very rusty and will not last much longer. Mayor Hatfield stated that Seneca Sanitation provides great service to Pawnee City and rising fuel prices have affected many other businesses. Council Member Eisenhower moved to renew the Solid Waste Disposal Agreement with a rate of \$18.00/month with a \$0.50/month processing fee for a total of \$18.50/month and to remove the recycling clause from the contract effective October 1, 2022. Council Member Helms seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

Review/Discuss Health Insurance options through NACO (McInnes Group) or LIGHT (League of NE Municipalities): *Decision needs to be made at tonight's meeting so deductions can be made in June Payroll for 7/1/2022 renewal date:* Council reviewed the new employee health insurance data from NACO (McInnes Group), and LIGHT (League of Nebraska Municipalities) included in the agenda packet. Council Member Eisenhower moved to approve the NACO United Healthcare COBK Gold policy with comparable deductibles and copays to the current policy with a monthly cost of \$8350.23 and the rates are not employee age related. Council Member Helms seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

Review emailed response from City Atty Sisco & additional info taken from Sex Offender website re: on pedophile & whether City has authority to have ordinances in place: Mayor Hatfield explained there was a complaint made at the school from a school activity about the behavior of a registered sex offender. The complainant said the school told them it was a City problem so City Attorney Emily Sisco was contacted. She stated that there is nothing the City can do to restrict a registered sex offender from attending school events.

Fire Station Project Expenses: Review/Approve ReUse Pymt #4 in the amount of \$2,313.50 to JEO Consulting Group for April Invoice #132668: Council Member Eisenhower moved to approve ReUse Pymt #4 in the amount of \$2,313.50 to JEO Consulting Group for April Invoice #132668. Council Member Helms seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried. Council Member Haughton stated that Dave Glynn was grading dirt at the new Fire Hall today. He had contacted Eric Gyhra to reseed the area but he is too busy so he has been talking to a company out of Tecumseh to reseed the area and they may be able to start this soon for a cost of \$1100.00. Council Member Eisenhower

suggested the corner area with the street sign be landscaped with low-growing flowers because grass will get blown out into the street no matter what direction the city crew mows that area. Clerk Curtis suggested that the grass be blown back up onto the property. Council Member Haughton said he will mention the concern to the person reseeding the ground at the new Fire Hall.

Review current Law Enforcement Agreement that is due to expire in June 2023; Law Enforcement Committee (CMs Eisenhauer & Fisher) to start working with County Commissioners:

Clerk Curtis stated she added this item to the agenda because she is working on next year's budget and the amount of the last payment (August 2023) is not stated. Clerk Curtis had allowed 5% as she needs to allow enough in the law enforcement budget. She would like the Council to think about it and let her know their thoughts. This will come out of the General Account. Council Member Helms stated that he had heard the County Commissioners had given raises to the Sheriff and all of the deputies. Clerk Curtis explained that the Sheriff's salary cannot be changed after people register to run for election. Mayor Hatfield stated that the deputies in Johnson County are actually making more than their sheriff. Council Member Haughton stated that the population of Johnson County is higher than Pawnee County.

Review email—first half of CCCFF Grant Funds were deposited into City's Cornerstone Building Acct. on 5/19:

Clerk Curtis explained she had spoken with Liz Cody from SENDD today about the Cornerstone Project. Since an architect signed the drawings, the City will not need an architect to sign off on other items and there are no Davis Bacon standards to meet on this project. The Council needs to look back and see how the outside was advertised for bids and decide how they want to bid the project as one entire project or separate jobs.

Report and update from Council Member Eisenhauer--Items for discussion are: Discuss quotes on tennis court restoration:

At the last meeting there was a question on the type of warranty included on the adjustable basketball hoop from Tennis Courts Unlimited. It would be a limited lifetime warranty that would cover normal wear and tear or a defect in the product but not deliberate damage. The adjustable basketball hoop would cost \$4250 while the fixed hoop would cost \$3100 for a \$1100 difference. Foreman Cumley suggested installing one smaller basketball hoop instead of an adjustable hoop since there is concern that an adjustable hoop will be damaged from people adjusting it. The quote from Tennis Courts Unlimited was much cheaper than Pro Track & Tennis, Inc. plus Howard from Miracle Mud jacking recommended Tennis Courts Unlimited out of Nebraska City and has never heard any complaints about them. Council Member Eisenhauer moved to approve the bid from Tennis Courts Unlimited to complete the restoration of the VanHorne Park tennis court renovation to include two pickle ball courts, two four-square courts and a fixed basketball system with all of the striping that is required of that for a cost of \$13,600 plus \$3150 for each basketball hoop for a total of \$16,900 and using 50% from City funds and 50% from the donation for the Van Horne Park Project. Council Member Fisher seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried. Chan Laurent told Council Member Eisenhauer that he could start work on the project sometime this Summer. Three kids worked over three days to help clean up the Van Horne Park as part of their community service requirements. **Discuss tree removal quotes at VanHorne Park by tennis court;** There is a huge Cottonwood tree on the southwest corner of the park that needs removed very soon before it falls on the fence. Moser

Tree Service submitted a bid of \$3400 and 3-T Tree Service gave a verbal quote for \$1000. Both bids included cutting down the tree without removing the fence. Council Member Eisenhauer moved to accept the tree removal bid of \$1000 from 3-T Tree Service. Council Member Fisher seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried. **Discuss training for Swimming Lesson Instructors:** The YMCA in Beatrice is offering this training on June 1st. It will be an indoor training and will cost \$60 - \$100 per student. Council Member Eisenhauer recommended to Pool Manager Raina Barloon to select four lifeguards and the two managers to complete this training. The cost of this training will be reimbursed to the City from fees collected from kids signing up to complete the swimming lessons which will be \$20. Council Member Eisenhauer moved to approve six pool employees to receive the swim instructor training on June 1st. Council Member Haughton seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried. These swimming lessons will not be Red Cross certified since the training is not provided through Red Cross. **Discuss Fence, Pool Opening, etc.:** The fence is up, and the pool is being filled so the pool will open May 28th.

Review Pawnee City Assisted Living (PCAL's) Profit & Loss, Treasurer's Report & April Meeting Minutes: Mayor Hatfield commented the Assisted Living is doing well. Council Member Haughton stated PCAL is still negotiating a food arrangement with the daycare, and they are still negotiating a physical therapy contract with the hospital. Clerk Curtis stated that PCAL now has the funds to get caught up on their reserve accounts which are a USDA loan requirement.

Clerk Curtis stated the Department of the Treasury recommended using ARPA funds for wages. Council Member Eisenhauer commented funds can be used to promote public safety which would include the police force. Foreman Cumley recommended building a tornado shelter/bathroom at the campground. Council Member Eisenhauer stated that if ARPA funds are used as raises then it becomes the standard after this money is used up but maybe this money could be used for retention bonuses instead. The City Council reviewed correspondence from the March 2022 Sales Tax of \$20,174.61 with ½% Street Repairs Sales Tax totaling \$4,186.21 and \$3,429.79 being Motor Vehicle Sales Tax. Foreman Cumley addressed the Council about repainting the four-lane highway to include a turning lane in the middle. If this is done, who is responsible for cleaning snow off the outside two lanes. This is a question to ask Tom Goodbarn from NDOT who is coming to meet with the Council in July.

Council Member Helms made the motion to adjourn the meeting. Council Member Haughton seconded the motion. Roll Call vote indicated all in favor of the motion and meeting adjourned at 8:18 pm.

ATTEST: Kellie A. Wiers, Deputy City Clerk

Charlie Hatfield, Mayor