

MINUTES OF THE REGULAR MEETING OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PAWNEE CITY, HELD ON MONDAY, MAY 8, 2023, AT 7:00 P.M. AT THE PAWNEE CITY PUBLIC LIBRARY, 735 8TH STREET, ALL IN PAWNEE CITY, PAWNEE COUNTY, NEBRASKA.

Notice of this meeting was given in advance thereof by advertising in the Pawnee Republican, a designated method for giving notice as shown by the Affidavit of Publishing on file in the office of the City Clerk. Notice of this meeting was given to the Mayor and City Council and a copy of their acknowledgment of receipt of the notice and the Agenda are on file in the office of the City Clerk. Availability of the agenda was communicated in the advance notice and in the notice to the Mayor and Council of this meeting. All proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public.

Present: Mayor: Charlie Hatfield; Council Members Vickie Zelenka, Donnie Fisher, Laura Poskochil and Susan Eisenhower; Tamela Curtis, City Clerk/Treas.; Deputy Clerk Kellie Wiers and Foreman Spencer Cumley. **Absent:** None.

Mayor Hatfield called the meeting to order at 7:00 p.m. informing all those present of the Posters stating the Open Meeting Law Changes on the West meeting room wall accessible to the public. At this time, all those present stood to recite the Pledge of Allegiance.

Council Member Eisenhower moved to accept the April 24, 2023 regular meeting minutes. Council Member Fisher seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

The Treasurer submitted the following claims for consideration: **5/9/2023 PR:** 10,572.47; **Union Bank & Trust**, FWH 3024.39; **NE Dept. of Rev**, SWH 468.55/Sales & Use Tax 2429.88; **John Hancock**, retirement 1596.42; **M. L'Ecuyer**, overpymt/refund deposit 844.66; **Access Systems Leasing**, monthly IT hardware contract 209.98; **Access Sys**, Total IT Care Services 905.30; **NPPD**, elec @ wells/swr plant 2350.24; **Iowa Pump Works**, Swr Jet Pump @ Swr Plant 7568.37; **Pawnee Co. Rural Water**, pond wtr hydrants 76.50; **Capital Business Syst**, Libr contract 145.82; **LARM**, WC Audit 646.15; **OPPD**, elec-wells 238.18; **Matt Kuhlmann**, zoning-May 800.00; **OneCall Concepts**, digger locates 19.84; **MidWest Labs**, swr samp-s/h 51.00; **US Cellular**, emerg cellphone 47.77; **H&H Auto**, rep/sup 938.54; **Verizon**, Fire Home Connect/Jetpack 64.32; **PC Thriftway**, bleach/sup 18.82; **Quill**, office sup 109.95; **Meyer Lab**, restroom soap 136.72; **Mahoney Concrete**, Final phase 6-Bike Trail 25,122.50; **Coral's Cleaning**, office cleaning 120.00; **Froeschl Floors**, rep floor drain-girls shower room @ pool; **Binder Bros**, 2x4's 89.44; **PCDC**, Febr Sales Tax 7221.63; **Pawnee Co Treas.**, qrtly law enf agreement 17,893.41; **Seneca SA**, Mar Garb Serv/Dumpsters 7043.34; **Cornerstone Bldg Proj:** Pawnee True Value, paint 265.93. Council Member Eisenhower moved to approve the claims as submitted. Council Member Fisher seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

Review Treasurer's Report as of April 30th, 2023: Council reviewed the April 2023 Treasurer's Report.

Donations to Organizations: Terry Borchert, Fairview Golf Course (previously gave \$1000 credit on Water Bill & \$5000 in ARPA Donation in 2022): Terry Borchert, Fairview Golf Club was present to go over Fairview Golf Club's 2023 Schedule of Events and thanked the City for all of their past support. In hopes that the City continues to support the Fairview Golf Club, Mr. Borchert would appreciate the City continuing to provide a \$1000 credit towards their water bill.

Borcher continued that he wasn't sure if all Council Members were aware but there are actually two water sources at the Fairgrounds and the Golf Club has been using a lot of water these past few months trying to get the grass to grow, especially at the South meter, which is paid by the Ag Society. Mr. Borcher requested that the City possibly consider putting some money towards that South Meter account too along with the credit to the Golf Clubhouse's account. As a recap this past year was the Fairview Golf Club's centennial year, so they held big fundraising tournaments with lots of extra giveaways, which were very well attended. The Clubhouse renovations are complete with the extra \$5000 in ARPA funds from the City really helping out with that project. They intend on putting a ceiling or soffit in to cover that South deck roof and hopefully on the North side of the clubhouse put an entryway/awning to dress it up and make it more attractive. Council Member Eisenhower moved to approve a \$1000 credit on the Fairview Golf Clubhouse water account plus a \$500 credit on the Ag Society's South meter with that to be revisited again at next year's request for donations. Council Member Zelenka seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried. Terry Borcher stated to Council that with that \$1000 donation, the City is considered a Foundation Member so the City has free use of the Clubhouse when they want to use it whether it be for some City activities or to hold a meeting there. Borcher stated he always appreciates the City working with them as the current City Crew and past Crews have always been great to work with.

Update from Sheriff Braden Lang: Sheriff Lang reported that the pickup has been moved off of E Street as requested. Sheriff Lang stated he wasn't sure if the unlicensed trailer had been moved yet from the City's Truck Parking Lot but Nancy had run the plates and made contact with the last known owner to have the trailer removed. Lang wasn't sure if they would receive any correspondence back from them or not. He will contact City Attorney Ferebee to inquire what the next legal steps to get the trailer removed would be. Council Member Eisenhower inquired if the young man driving the sporty little black car had been caught driving erratically around town? Sheriff Lang stated he knew who he was and he had been sited once and they will continue to site him until he loses his license because he knows the guy won't stop doing it. Sheriff Lang stated they are still at a full staff and was pleased to announce that the County Commissioners are talking about raising their pay. Council Member Eisenhower stated that she and Council Member Fisher had a meeting set up with County Commissioner Seitz on May 19th to discuss the Law Enforcement Agreement with the County that expires on June 30, 2023 so that may have influenced them to start talking about that again. Sheriff Lang stated that Pawnee City Schools are interested in possibly having a Sheriff's Deputy onsite daily for one hour at different times throughout the school week but Lewiston Schools are not interested at this time. Sheriff Lang stated that they are doing 24 hour shifts again as there is an officer gone to DUI Training right now, an officer that is out on maternity leave for a while and one that has an upcoming vacation planned.

Donations to Organizations: Courtney Kosiski, Pawnee City Ball Association (*prev. paid the Ball Association's NPPD Electric Bill in addition to a \$650 donation for FY 2021-22 & \$5000 ARPA Donation in 2022-23*): Courtney Kosiski stated there are currently 105 kids signed up right now for 10u & 12u softball, 10u, 12u & 14u baseball, t-ball and coach pitch but they usually get at least a hand full more up to the day they start t-ball and coach pitch with the ball season running from May 5th through June 29th with 50 home games scheduled over 18 nights,

plus a 3-day tournament with t-ball and coach pitch being played every Thursday night in June. By the time they pay their insurance, League fees and shirt costs, it averages out to cost the Ball Association \$53.11 per player. Registration Fees are \$25/player, \$15 t-ball/coach's pitch shirt and \$25 for a softball/baseball jersey, so they are actually losing a little bit on each player. Discussion was had that if they tried charging more per player, then they would end up losing players, so it's kind of a wash as many parents are upset with the registration costs now. They have purchased new bleachers along with doing bathroom renovations this year. Once the ball season is over, they plan to start on the concession stand renovations. Much of the work is done by board members and other volunteers. Their major fundraisers are the outfield banners, meat raffle, team photo sales, an adult slow-pitch softball tournament and concession stand proceeds. Council reviewed the billing spreadsheet on NPPD electrical charges for the past year at the Ball Field account. Foreman Cumley stated that they met with the gentleman from NPPD and he had stated that some places had changed everything over to LED lights and it had made a huge difference on their electric charge, but to change everything over to LED lighting at the Ball Fields he was estimating a cost of over \$65,000. Discussion followed that with the ballgames going on those three months each year, the KWs used would continue to exceed the limit to get the lower rate, so the costs will continue to be a minimum of approximately \$160/month when nothing was being used vs. the \$50/month the City used to be paying. It was stated that since the City was paying this account, NPPD had made it a municipal account with the City's discount added to the Ballfield account. With the added electricity costs the City did not feel they could also afford to give a monetary donation and if the Ballfield were to take on paying for their own electricity through NPPD, then it would not be considered a Municipal Account and the charges would even be higher. More discussion followed. Council Member Eisenhower moved to approve paying the Pawnee City Ball Association's NPPD Electric bill for the next year with no extra monetary donation and review it again next year. Council Member Zelenka seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

Donations to Organizations: Nanette Smith, Pawnee City Chamber of Commerce:
(previously donated \$750 towards the Fireworks along with the City continuing to mow, pay the electric at the Chamber Welcome Signs & City Crew watering hanging flowers):

Nanette Smith met to review the Chamber's 2022 project summary. Last year the City donated \$750 towards the July 4th fireworks display, mowed around and paid the electric bill at the "Welcome to Pawnee City" signs and the City Crew watered the hanging flowers M-F in the summer. Clerk Curtis discussed that Nanette had previously emailed her asking about if the City had fireworks liability insurance so Clerk Curtis contacted LARM to see if the City was covered. Tracy from LARM stated that fireworks liability is excluded from our policy but that LARM could add the coverage for \$1000. Clerk Curtis then contacted Randy Miller with Community Insurance who handles the Fire Department's Insurance coverage. When Randy looked into adding the fireworks liability insurance to their current policy he received a quote for \$853, which was still cheaper than going through LARM but would be an additional expense for the City. Nanette stated that she had inquired about the firework liability insurance because when filling out insurance paperwork for the Ag Society that was one of the questions asked. Much discussion followed with suggestions of running a flyer for the Chamber Fireworks on the back of the July 1st water bill and possibly having additional activities that day but with the 4th of July Golf Tournament going on up there during the day it just wouldn't work out. Council Member Zelenka moved to for the City to continue to mow and pay the electric around the Chamber

welcome signs, have the City Crew continue to water the hanging flowers this summer, run a Chamber Fireworks flyer on the back of the July 1st water bill and also post the flyer on the City's Website. Council Member Eisenhower seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

Preview Emailed Correspondence: Council reviewed the emailed correspondence between Clerk Curtis and City Attorney Betsy Ferebee regarding the next agenda items on the nuisance property complaint and the Sewer easement.

Chuck Rathbun-Discuss neighboring Nuisance Property at 738 3rd Street; Review his previous complaint from 4/2022: Chuck Rathbun and Megan Lempka both met with Council to discuss a neighboring nuisance property at 738 3rd Street currently owned by Kara Lee. Mr. Rathbun had turned in a written complaint and emailed pictures last April of this property after the Marsh's had vacated the property. Council discussed that Clerk Curtis had emailed our current City Attorney on what all had went on with this property with owners changing and a Trustee's Sale being held last June and included that correspondence in the packet so the Council was aware of everything also. Chuck Rathbun and Megan both stated they were at that Trustee's Sale with plans to purchase the property to have it torn down but Ms. Lee's father put up a \$32,000 bid and since they were the Trustee's the money was just coming back to them. Since Ms. Lee obtained the property back she has cleaned out a few items from the house, but no further work has been completed on it. Mr. Rathbun stated that the neighbors used to mow the property after the Marsh's left but they are not going to do that any longer and it shows as the grass is very tall. The house is currently unlivable, the chimney is in ill repair, the porch is pulling away from the house and has huge cracks in the slab. Foreman Cumley stated that when they wanted the City to turn the water back on he was inside the house and it is definitely unlivable. Cumley stated that there were so many water leaks that they couldn't keep the water service on and the previous owner (Marsh) tore out a bunch of walls and then put in a bunch of railroad ties with creosote and the kitchen ceiling collapsed from a water leak upstairs. The basement is full of junk. Rathbun stated that when the property became abandoned all of the neighbors had to contact pest control because of all of the roaches and pests leaving that property and infesting the neighboring homes. So far nobody has tried to rectify the situation as it is an abandoned property right now. Rathbun stated that they had tried to rent it out but the people who came to look at it stated it was unlivable and if you can't rent a house out in this community then there is definitely something wrong. Mayor Hatfield stated he has contacted members of the Health Board and they are planning to meet this Friday, May 12th. Hatfield stated he would keep Chuck and Megan notified on how the nuisance process was going.

Alisha Nash, Discuss Sewer Line Extension, needing City ROW Easement (See past meeting minutes from 2007 discussions on Percival-Branch Sewer Line Extension/City ROW Easement): Foreman Cumley stated that he had met and talked with Alisha Nash and the Ensors quite a few times to discuss the sewer line that they want to run from the Sewer main manhole on 13th Street along the trail just west of M Street. Ensors plan to build a shower house/restroom at the Southeast corner of their property at 13th & M Street and are needing to run a sewer line. Foreman Cumley stated our last Sewer Main Manhole is on 13th Street, which is the trail now and it's at least a full block down West from M Street. Cumley stated it is just about 10' farther West of that big tree that Mitch took down by the trail a few years ago and that is where the

City's Sewer Main stops. Council reviewed the Grant of Easement that was given from the City to Darla Percival Branch to run her sewer line from that back in 2007 when she built her earth home just South of the Ensor property. Cumley continued that 13th Street has never been closed where the trail runs so that sewer manhole is technically in the middle of 13th Street and there is no way of knowing without having it surveyed. So, the City gave Darla an easement to run her private sewer line in the City ROW. Darla has since sold her property to Veleba's. Foreman Cumley stated he isn't exactly sure where Darla's sewer line runs and the Ensors also own the property right South of 13th Street/trail before you get to M Street. Originally Ensors wanted to run their sewer line over to their property to the South, up the hill and then diagonally across the road to the Northeast across M Street to the Ensor property where they plan to put the shower house, which could also interfere with Veleba's private sewer line. In his opinion, Foreman Cumley feels that they should just run the private sewer line straight up 13th Street across M Street and directly up to the location of the new shower house. Ensors had also mentioned to Foreman Cumley that they eventually wanted to tap into that sewer line on the property South of 13th Street and Cumley told them that they could not do that as the City does not allow any two-party sewer lines, just in case the Ensor family ever decided to sell that property. Council Member Eisenhauer and Fisher both felt that Ensors running their private sewer line straight up from the manhole on 13th Street to the shower house made the most sense instead of zigzagging around. Clerk Curtis stated that whoever the contractor that runs this sewer line is going to have to know that Darla's line is also located somewhere along 13th street, too. Foreman Cumley stated the problem is there is no way to locate a private sewer line unless they ran a tracer wire along with it. Mayor Hatfield stated that they could contact Kurt Benson because he was pretty sure that he was involved with running Darla's private sewer line at that time. Foreman Cumley stated he hadn't pulled the lid on that Sewer Manhole yet to look if they could see where Veleba's sewer line was hooked in at. Cumley stated that when you get up to M Street the line runs almost 15 feet south of the manhole so they definitely angled to the South as they ran that line. Foreman Cumley stated he guessed that his point was that when they come in to do the work, they're going to have to turn in diggers locate and by law if they hit somebody else's line then they're responsible for fixing it, it wouldn't fall on the City. Mayor Hatfield stated the question that he has is if the City would give Ensors an easement, how long does she have until the easement expires? Clerk Curtis stated it is a permanent easement. Discussion was had that Ensors fully intend on having this shower house/restroom built and functional by their big 4th of July weekend celebration as this year marks the 40th year anniversary of the gathering. City Clerk Curtis stated she really felt like they needed to call City Attorney Betsy Ferebee because she wasn't sure exactly what information she needed for this easement. At this time Clerk Curtis read the current easement between the City and Darla Percival-Branch, which is perpetual and runs with the land. Deputy Clerk Wiers inquired if this property needed surveyed? Clerk Curtis stated that the City didn't have it surveyed when they did this easement for Darla. Foreman Cumley stated that after having many conversations with Clerk Curtis, he found that they had to run a sewer line and couldn't just put in a septic tank because according to City ordinances they are mandated to hook up to the City sewer if they are located inside City Limits, so the City has to give them an easement to hook up to the City's Sewer Main. At this time Clerk Curtis phoned City Attorney Ferebee and inquired to her if there was something else that she needed from the Ensors for information to actually write up this easement? Clerk Curtis questioned how the City was supposed to make sure that when they are digging that they are not going to hit the Veleba's sewer line? Foreman Cumley inquired who would be responsible.....he still feels that it needs to

be surveyed. Cumley inquired if the City gave them an easement and stated that they had to be within a certain field of range, would the City be responsible for making Ensors get a survey or does the City have to pay for the survey? City Attorney Ferebee stated she felt that Ensors would have to be responsible for all costs and that is actually spelled out in City Code 3-225.

Discussion was had that the trail was already located along 13th street when Darla put in her sewer line but it was only rock and not concreted at that time but Clerk Curtis didn't feel that they even disturbed the trail any when they dug for that sewer line. Clerk Curtis continued the problem is if the City is giving two people the same easement to run a sewer line how do you keep it that they are not going to cause interference with that other sewer line that is already there, especially with the concreted trail right there too? Betsy asked for clarification on where this private sewer line was hooking onto. Foreman Cumley stated Ensors would be hooking onto the City's existing Sewer Main at the manhole located on 13th Street a little over a block West of M Street and then running their own private line up to their property. Betsy inquired if it would be running side by side next to Veleba's private line? Foreman Cumley stated essentially yes, but the City is not real sure exactly where Veleba's private line runs. Cumley continued that the City doesn't know the exact location of 13th Street, where the City ROW ends. Ms. Ferebee stated she felt that might be information that the City may need to know. Foreman Cumley felt that the City would probably need to state to Ensors you have to stay between this flag and that flag, as this is your easement. Council Member Eisenhower inquired if the City could give two people an easement on the same piece of land/ROW. Ms. Ferebee stated not without putting wording in it so that both can share that space. Eisenhower stated to her that felt like more of the issue that anything else. Ms. Ferebee felt that Veleba's would probably have to sign onto it, but she would have to look to be sure. Ferebee continued that the City could probably do that, just as long as the two easements weren't in any way encumbering on the other one. Foreman Cumley stated the main reason there is a 20' easement on the original one is so when you are digging the trench, you have a place to put your dirt and you're not damaging somebody else's property. Council Member Eisenhower inquired where the contractor planned to place the dirt from the trench, on top of the trail? Foreman Cumley stated he wasn't really sure. Eisenhower continued that ultimately what the City would have, is two people having an easement on the same property, so there would have to be something in there identifying that. Clerk Curtis inquired if Foreman Cumley had any idea how wide 13th Street was? Cumley wasn't sure but we should be able to look at the maps at the City Shop and see how wide it was platted but not every street has a measurement on it but he felt most of the streets in that corner measured at 60' wide. Clerk Curtis stated that she was concerned that the City wasn't going to be able to gather enough information for City Attorney Ferebee to be able to write this easement to Ensors so that we protect Veleba's sewer line when they go in to dig because they have to know there's another private line in that runs up that street also, so they need to be prepared for that. More discussion was had on whether a survey was needed on 13th street or not. Council Member Poskochil inquired if the City was saying that we don't have enough room to do two separate private sewer lines in that area? Clerk Curtis stated no, she felt that there probably is enough room, but we don't know how wide that street was platted and even if we do know that it is 60' wide, it might help if the City knew exactly where this street was supposed to be located at. Clerk Curtis continued that possibly she could call Rob Tichy, that does the City's survey work for them, and ask him if he has pinned anything up in that area that could actually go off of. Council Member Eisenhower stated she felt that because Ensors are requesting this sewer line, then she felt the costs of this survey need to be passed off to them. City Attorney Ferebee stated that in code 3-

225 it states that all costs and expenses involved in the installation and connection, which a survey would be part of that, of the building sewer shall be by the owner, because the City wouldn't be having that survey done otherwise. The owner shall indemnify the City from any loss or damage that may be directly or indirectly caused by the installation of the building sewer. So, say they have to tear up a part of the trail in the process of running this private sewer line, then they would have to bear the costs of repairing the trail. Council Member Poskochil inquired if the City shouldn't have all of that explained out to the Ensor Family in a letter? Clerk Curtis inquired to City Attorney Ferebee if that was something that she could put into a letter to the Ensor family from the City? Ferebee inquired what all the Council wanted included in that letter? Ferebee stated she could get with Clerk Curtis and Foreman Cumley to discuss anything that she might be missing and need included in that letter. Ferebee stated it would probably help if she could take a look at that map so she could totally understand where they would be connecting to the City sewer at because she felt after hearing all of this, she was thinking it was something totally different but not necessarily something that was going to keep the City from providing an easement. Clerk Curtis stated that maybe Wednesday or Thursday City Attorney Ferebee could meet Foreman Cumley and herself to take a look at the City Maps and possibly go to the site if needed so we are all on the same page. Clerk Curtis continued that maybe by that time, Mayor Hatfield would have talked with Kurt Benson and know exactly where Darla's private sewer line had been run. Mayor Hatfield stated he had texted Kurt and he is aware of where that private sewer line runs. Council Member Poskochil stated she felt it might be a good idea to go ahead and do a motion that if Ensors agree to all of the City's stipulations that they could go ahead and have their contractor start the work on the private sewer line. City Attorney Ferebee yes they could make a motion tonight as long as the Ensor family is willing to bear all of the expenses that we have described. Council Member Eisenhauer stated she felt it needed to be stated that those costs would include putting back any part of the trail that may be destroyed during this process. Foreman Cumley stated that he really didn't feel like they would be messing with the trail at all but the thing that he was concerned about was that most contractors will go three feet after the manhole to tap it because it is easier to tap into the clay tile as they just drill into it and put a big rubber boot on it vs. drilling through the concrete manhole and then mortaring the pipe back in the manhole. Theoretically the easiest way would be to just go inside of the manhole and then just go perfectly straight up to their property but Cumley didn't know if the contractor they have hired has the ability to cut a hole in a concrete manhole for a line or not and if the contractor don't, then they have to dig past the manhole a little ways and tap into the side of the Sewer Main and considering the manhole is so close to the trail, it might be a little difficult. Foremen Cumley continued that he wasn't sure if they did that with Darla's line, which he did believe so, because if you look at where her clean-outs are up on her property, they are pretty much right under that fence, which is like 15-20' South of the trail. So Cumley was guessing that they ran straight down the hill, which would be right at the proposed edge of the street and tapped into the side of the main, but without pulling the manhole cover he can't be sure of that. Council Member Zelenka stated that she felt the City needed to make sure that the contractor was not a family member. Foreman Cumley stated that Alisha did tell him that the family was not going to be doing the sewer line work. Council Member Eisenhauer inquired if the City can require that the contractor is an insured and licensed contractor as that wouldn't be a bad idea to stick that in the letter because if he does mess up something, the City wants to be able to go back on that contractor. Cumley stated that the 811 law already covers that. Eisenhauer stated she would still like to have that mentioned in the letter. Clerk Curtis inquired what kind of a motion

the Council wanted to make on this because that was a lot of talking. Council Member Poskochil moved that the City approve an easement to the Ensor family pending, that the City Attorney send them a letter with all of the requirements of City code 3-225 and that they hire a contractor that is insured and licensed, then the City will approve an easement for a private sewer main to be hooked to the City Sewer Main located West of the 13th & M intersection at the manhole up to their property located past M Street. 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 that they have had past experience with this family and some of it wasn't very pleasant. Clerk Curtis stated that Alisha Nash has been very pleasant to deal with out of all of the Ensor family that they have had to deal with in the past. City Attorney Ferebee stated she would let Clerk Curtis and Foreman Cumley know when she was available later this week to meet.

Review/Discuss Example Nuisance Notice and Order to Abate Form: Clerk Curtis stated she had shared this example of a nuisance notice and order to abate form with City Attorney Ferebee who felt that this would be a good form for the City to consider using, making it our own. Since we were going to be talking about another nuisance property at tonight's Council meeting Clerk Curtis and Deputy Clerk Wiers felt this was a good time to share it with the Council. Council discussed that they like the form and felt it could possibly speed up the process dealing with nuisance property issues. Clerk Curtis stated that this example was signed by the community's police office, but City Attorney Ferebee felt that it could possibly just be used by the City Clerks as a notice but was going to look into it a little further for the City.

Tabled From Last Meeting for CM Poskochil to research HSA Health Ins Plans vs. what City currently has; Review/Discuss Health Insurance options through NACO (McInnes Group) for UHC & BCBS; Review how BCBS still covers Mental Health/Chiropractic Visits by deductible, coinsurance & out-of-pocket vs. what City currently has UHC and employees are happy with their coverage as Mental Health/ Chiropractic Visits still just cost a Dr. Office Co-pay cost (currently \$15): Council Member Poskochil handed out a spreadsheet she had prepared comparing the City's United Health Care (UHC) mandatory plan change vs. a UHC Health Savings Account (HAS) with Premium Rewards Choice Plus Plan. Council Member Poskochil stated that in comparing the two plans' premiums the HSA plan would be an increase of approximately \$720/month vs. the City's current UHC mandatory plan change increase in premium only being approximately \$280/month. Council thanked Council Member Poskochil for looking into these options for the City. Council Member Eisenhauer moved to approve the City going with Option B, United Health Care's mandatory plan change for the City's Health Insurance coverage. Council Member Fisher seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

Tabled from Last Meeting for CM Poskochil to make contact with Tribal Council on the idea of flying a Pawnee Flag downtown & Mayor Hatfield to make contact with Chuck Rathbun regarding temporarily flying it at his building at the Hwy 8/50 intersection: Council Member Poskochil stated that she had been in contact with the Tribal Government and they were alright with the City putting up a Pawnee Flag but they would like for the City to purchase the flag from them rather than on Amazon. Council Member Poskochil stated she talked to the Chief and he said he would be happy to come and be present for the raising of the flag and talk to the students if the City was interested in doing something like that. The Chief had

inquired when this would happen and with school getting out for the summer later this week, she felt that was a little soon but thought they could make it work in the fall. The Chief had stated if the City would choose a few fall dates as options, then he would try working with his schedule to be sure to come up to the Flag raising. Council agreed that they felt it would be really nice to include the Pawnee City School students. Council Member Eisenhower stated that the City could go ahead and get the flag and put it up now and then when school starts, pull the flag down and wait for the date that the Chief and the students are present to raise the Pawnee Flag back up again. Mayor Hatfield stated that it was the students and Mrs. Bloss that brought this to us, so it would be really nice to include all of them. Council Member Zelenka stated that if the Community knew what the City was doing with the raising of the Pawnee Flag, then people might be interested in coming to the ceremony, too. Council Member Eisenhower stated that she felt the City should also purchase that sign that explains what each part of the flag means, then maybe that could be displayed also. Council Member Poskochil also stated that the Chief had told her that someone in the past had visited with their Cultural Department and they had been interested in becoming a sister city. Council stated that they should let Mrs. Bloss know what we found out and that the Chief would be interested in coming up to visit with the students at a Flag Raising Ceremony this fall and get her thoughts on the matter. Mayor Hatfield stated that the nice thing about this is that it was her 11th grade English class students that were interested in doing this, so next fall they will be seniors and still in school. Mayor Hatfield stated that he had talked with Chuck Rathbun about using the flagpole at the former VFW Club and Mr. Rathbun said that was okay but that the City would need to look over the flagpole before using it. Council Member Poskochil will get the flag ordered from the tribal government and also ask them about a laminated copy of the information explaining what each part of the flag stands for in addition to making contact with Mrs. Bloss about setting up a Flag Raising Ceremony for next fall.

A Report and update from Foreman Cumley: *Discuss M Street Grading & Drainage Issues:*

Foreman Cumley stated that after the four (4)” rain Pawnee City received a few weeks ago the City Office kept getting calls from the property owner that lived at the end of M Street off of 5th Street that the rain had left trenches going down their gravel road. Foreman Cumley called Rasty Stephens to bring Gyhra’s grader to town and grade both M and L gravel Streets. Cumley stated he personally felt that Rasty did an excellent job, especially considering that both of those streets are so narrow. More discussion continued with Council Member Fisher stating that he drove on M Street in his little car tonight before the meeting and he thought it was pretty good right up until the end of the street where M & 5th Street met, as that area was a little rough. Foreman Cumley stated that he agreed that it was probably a little rough right there where Rasty had to pick up his blade. The City Crew will try to get over there in the next couple days to smooth out that rough area right at the end of the street. Foreman Cumley stated that what really needs to happen is there needs to be ditches dug out on both sides of M Street so the water will drain off of the road. Cumley stated that former Council Member Dahlgren explained to him that the City narrowed the road when Foreman Inglis was here so Dahlgren could build his garage and he thought it was 35 feet as Donnie felt they needed so much for the road and so much for ditches on each side. Foreman Cumley stated that there aren’t any ditches there, but even if the City puts ditches on the sides of the road, there is still no place for the water to go out of the ditch because where it intersects with 5th street, the tube goes under there but there’s not like a “T” or any place for the water to go into that tube so it just shoots onto 5th Street. So that just adds to the complaints about all of the dirt and gravel that ends up on 5th street. Dahlgren is mad because he

is afraid it is going to flood his garage if he doesn't have a ditch there on his side of the property. Mayor Hatfield went on to state that the reason that the City narrowed 5th Street was because Mr. Dahlgren failed to get a building permit before he built his new garage and it wasn't meeting any of the zoning setbacks, so the City Attorney at that time, suggested instead of having him tear the garage down, the City allow the narrowing the street so that Mr. Dahlgren could meet the zoning regulations. More discussion followed with Foreman Cumley stating they would get M Street smoothed out. ***Review City Wide Clean-up Ad scheduled for June 5th***: Foreman Cumley stated that the ad is the same as last year except that we added a statement that says, "ALL must be placed by the curb!" as a lot of people will just leave items beside their garage or around the back of their house and expect that the City Crew should just know that. Council was in agreement with adding that statement. Clerk Curtis will get the ad run in an upcoming edition of the paper.

A Report and update from Council Member Eisenhauer: *Discuss Updates to Pool & Park Projects*: Council Member Eisenhauer stated that she wanted to share with the Council everything that had been going on at the Pool and Parks recently. Updates to the pool include Howard with Miracle Mudjacking came to repair the section of grout in the deep end of the pool that had come out. Unfortunately, when the City Crew was cleaning the pool today another section came out in the steps at the shallow end of the pool. Council Member Eisenhauer left a message with Howard to possibly just give them the name of the product they were using so he wouldn't need to come back each time a little of the grout came out and then the City could do the work themselves. On the Handicapped Extended Reach Lift Chair, Council Member Eisenhauer reported that last year they had issues that the chair wouldn't go side to side and Foreman Cumley was able to get that fixed but now this year the chair won't go up and down. Foreman Cumley was able to test out a couple pieces that they felt might be the issue and the actuator is the problem. The cheapest price that Council Member Eisenhauer found was \$1109.28 for that piece. Council Member Eisenhauer also reported that the two batteries that go to the Lift Chair are supposed to stay at 40 degrees or above and be continuously plugged in but they did not get taken back to the office at the City Shop after last year's pool season ended and now they won't hold more than a 50% charge. Council Member Eisenhauer priced a new battery and it is \$296.00. The next issue on the Lift Chair is the skirting around the bottom is cracked and crumbling all the way around it. Clerk Curtis stated that when the City purchased the Handicapped Lift Chair back in 2012 there was damage to the skirting but the company the City ordered from would not replace it. Council Member Eisenhauer stated she felt since they were having to replace these other items, they might as well replace the skirting too which is estimated to cost around \$160.00. To repair all three items totals approximately \$1568.34 plus shipping and handling. Council Member Zelenka moved to approve the purchase of an actuator, the battery and the collar/skirting for the Handicapped Extended Reach Lift Chair. Council Member Poskochil seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried. Council Member Fisher inquired how much the lift chair was actually used at the pool. Mayor Hatfield stated back in 2012, the Obama administration mandated that all pools open to the public were mandated that they must have a handicapped lift chair onsite or they could be fined up to \$50,000. The problem was so many of them were ordered at the same time that they were backordered for months and the City didn't receive their handicapped lift chair until just a week before the pool closed for the season. Council Member Eisenhauer then updated everyone on the new pool employee wages for this season as follows: Manager, \$15.00;

Asst. Manager, \$13.00; (1) 3-year returning lifeguard \$10.25, who was also our head lifeguard last year; the (4) second year returning lifeguards, \$9.75 and the (2) first year lifeguards, \$9.50. Any of the lifeguards/managers that are swim lesson trained will receive an additional \$.50 per hour increase if they participate during swim lessons. Council Member Eisenhower stated the updates to the Parks include that Mahoney Concrete was able to finish concreting the trail on 14th street all the way up to the ballfields. Council Member Poskochil inquired if they planned to put any garbage cans in along the trail as she walked her dog a couple weeks ago and had to carry his waste the whole rest of the way up and back. Council Member Eisenhower stated that they are planning to purchase more of those newer trash cans but they were more expensive than what they had planned so were waiting until this next fiscal year to purchase anymore. Council Member Poskochil stated in addition to the trash cans maybe you could budget for purchasing a plastic dog waste bag dispenser along the trail because if they were made available then maybe people would use them and clean up their pets' messes on the trail. Council Member Eisenhower also reported that there will be a new bench that is being donated to be placed up close to the ball parks and should be here by mid-summer. Council Member Eisenhower also reported that she and Clerk Curtis have been working on new playground equipment for the 12 mo-4-year-old age group at the North park. Council Member Eisenhower stated she knows that's where the majority of the playground equipment is but it's mainly for the 4 and up age group, not the younger children. Ideally this playground equipment will be placed either to the north or east of the south shelter, so it will be very useful for the daycare that is just down the street southwest of the park. Eisenhower continued that the representative from GameTime, Terri Sue, is working on where we would be able to fit this playground equipment best. The representative is working up three different proposals on the playground equipment and ground type, whether it be the plastic mat, rubber mulch or wood mulch on 11x17 paper so we can really visualize what it would look like. Council Member Eisenhower has presented it to two different organizations now and has already received \$15,000 in donations. She has another organization in town that she is planning to meet with that she feels will donate to this playground equipment project as well. Eisenhower would also like to submit a Nebraska Game & Parks grant and if we wait until Fall, GameTime also has a grant that could assist with this playground project. Council Member Zelenka stated she would really recommend going with that rubber mulch because they have it at the Lewiston, Pawnee City and HTRS Schools and it is really nice for the kids, but it needs to be "refreshed" every couple years by adding more rubber mulch to it. Council Member Eisenhower stated she told Terri Sue that she wants to keep it as close to \$50,000 for a total budget as possible because she doesn't know what else the City will get for grants and she doesn't have a lot of money in her park budget. Eisenhower continued that she may be able to use two budget years of her park budget to make it work, if needed. Terri Sue had suggested that the City have a "Site Manager" come down, which adds a little cost to the project, to provide guidance to the volunteers in putting the playground equipment together. Clerk Curtis stated that once the City decided on the proposal that they were going to go with on a larger sheet of paper that we could have laminated, it would be great to have that up to the pool asking for donations because there may be former Pawnee City patrons that come back and want to donate to a great cause like playground equipment. Once Terri Sue gets the three different proposals done, adding a couple different additional options to choose from, Council Member Eisenhower will share those with the City Council. Wilson Electric should be here to do the electrical work at the pool and parks soon. Council Member Eisenhower also wanted to let the rest of the Council Members know that she

and Council Member Fisher are meeting with County Commissioner Ron Seitz on May 19th at the Courthouse to work on the Law Enforcement Agreement that expires June 30th, 2023.

Review/approve Three-Year Engagement with Julie Bauman for City Auditing Process \$12,495 for 2023; \$12,850 for 2024 & \$13,225 for 2025: Council Member Poskochil moved to approve the Three-Year Engagement with Julie Bauman for the City Auditing Process at \$12,495 for 2023; \$12,850 for 2024 & \$13,225 for 2025. Council Member Zelenka seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

Discuss dates that Julie Bauman is available for One-On-One Budget Workshops: June 5th (1-5 p.m.); June 6th (All day &/or Evening); June 23rd (all-day); July 13th (All Day) and July 20th (1-5 p.m.): Council discussed the dates that Julie Bauman had available for the One-on-One Budget Workshops. Clerk Curtis stated that Foreman Cumley is scheduled to be gone during the first two dates and the only date that Council Member Fisher isn't scheduled to work was the last date in July. Clerk Curtis continued that she would recommend, if it worked with all of the other Council Members, that all three of them meet with Julie one-on-one on July 13th and then that following week Council Member Fisher could meet with Julie on July 20th. That would give Clerk Curtis time to work on typing up the other Council Members budget worksheets from the July 13th workshops before Julie came back to meet with Council Member Fisher on July 20th. All Council Members were in agreement with this proposal with the proposed schedule as follows: July 13th Workshop with Julie Bauman: 9:00 a.m. CM Zelenka; 10:00 a.m. CM Poskochil and 11:00 a.m. CM Eisenhauer with Council Member Fisher's Workshop to be at 1:00 p.m. on July 20th with Julie. Clerk Curtis will send this information to Ms. Bauman and let the Council know at the next meeting if the proposed schedule worked. ***Budget Retreat Workshop:*** Julie plans to hold the Budget Retreat Workshop with all Council Members to be held at the August 14th Council Meeting at 6:00. Council Member Eisenhauer stated she would be calling in for that meeting as they will be out of town.

Review/Act on Library's request for donation of pool passes for Summer Reading Program: Discussion was had on if the donated pool passes were family or single and how many to donate. Council Member Eisenhauer moved to approve donating two (2) Family Season Pool Passes for the Library's Summer Reading Program. Council Member Zelenka seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

Review Correspondence: NPPD Email – Invitation to tour Cooper Nuclear Station: Council reviewed the email from NPPD with an invitation to tour the Cooper Nuclear Station on June 21st. Clerk Curtis asked if anyone was interested in going on this tour to just get that form back to her ASAP so she could get it turned in. Clerk Curtis stated as a reminder to everyone that Mayor and City Council will meet at **6:00 p.m. at the May 22nd Council Meeting** to do the Clerk/Foreman Evaluations. Council Member Zelenka moved to adjourn the meeting. Council Member Poskochil seconded the motion. Roll Call vote indicated all in favor of the motion, whereupon motion carried and meeting adjourned at 9:35 pm.

ATTEST: Tamela S. Curtis, City Clerk/Treas.

Charlie Hatfield, Mayor