

MINUTES OF THE REGULAR MEETING OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PAWNEE CITY, HELD ON TUESDAY, OCTOBER 15, 2024, AT 7:00 P.M. AT CORNERSTONE COMMUNITY 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. Availability of the agenda was communicated in the advance notice and in the notice to the Mayor and Council of this meeting. All proceedings shown hereafter were taken while the convened meeting was open to the attendance of the public.

Present: Mayor: Charlie Hatfield; Council Members: Donnie Fisher, Vickie Zelenka, Pat Hatfield and Susan Eisenhower (joined by phone for the first half of the meeting); Tamela S. Curtis, City Clerk/Treasurer; 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 Zelenka moved to approve the September 23rd, 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 **9/27/24 Payroll (UHC Rebate):** 3,147.91; **10/8/24 Payroll:** 11,157.20; **Union Bank & Trust**, FWH 3,721.78; **NE Dept. of Rev**, SWH 526.38/Sales & Use Tax 3519.80; **John Hancock**, retirement 1455.76; **BOK Financial**, Swr Bond Pymt 84,172.50/Wtr Bond Pymt 140,213.75; **Midland Contracting**, Phase 3, 4 & 5 Slip lining Projects 75,210.00; **Samuelson Law Offices**, atty fee retainer 1000.00; **Matt Kuhlmann**, zoning-Oct 800.00; **NPPD**, elec 5779.84; **Uribe Refuse**, porta potty @ pond 200.00; **Constructors**, Phase 1, 2, 3, & 4 \$94,245.40; **US Cellular**, emerg cell phone 48.38; **Binder Bros.** Str patches 4089.75; **OPPD**, elec-wells 341.73; **Hometown Leasing**, Libr copier pymt, 100.79; **PC Thriftway**, sup 12.58; **OneCall Concepts**, digger locates 31.00; **Quill**, office/libr sup 453.47; **H&H Auto**, sup/rep parts 231.34; **Access Systems**, IT hardware 209.98; **NE Pub Health Env Lab**, wtr sample testing 15.00; **Pawnee True Value**, rep parts/sub/libr sup 358.59; **Pawnee Gun Club**, FY 24-25 donation 750.00; **Pawnee Co Rural Water Dist.**, Pond wtr hydrants 45.00; **Stallbaumer Lumber**, lumber/materials-dog kennels 1649.24; **Verizon Wireless**, fire home conn/jetpack 64.85; **Gale-Cengage Learning**, libr books 2015.00; **Schaardt Lawn Care**, libr lawncare 1960.00; **Advantage Co**, libr digitalizing 2400.00; **Amazon Cap Serv**, rep parts/sup 181.03; **Windstream**, ph/int/pool ph 223.40; **Coral's Cleaning**, office cleaning 120.00; **Center Point Lg Print**, 2nd ½ order 2081.55; **Demco**, libr sup 163.15; **Lincoln WinWater**, wtr parts 342.90; **MidWest Alarm**, libr comm updates 1073.64; **Cummins Sales & Serv**, swr plant generator yrly maint 1146.09; **Industrial Chem Labs**, root killer 82.25; **Subsurface Solutions GPS Serv** annual sub 360.00; **Blue Rivers Area Agency on Aging**, FY 24-25 donations 467.50; **LARM**, WC/bldg/liab ins 127,003.00; **Maguire**, wtr tower maint program 14,440.00; **NMC-CAT**, CAT Skidster lease 5500.00; **Casey's Business**, equip fuel 178.91; **Surnali**, drug/alc testing 123.00; **MidWest Labs**, swr samp testing 496.64; **PCMH**, pre-emp physical 157.00; **Pawnee Republican**,

publications 142.51. 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.

Review Treasurer's Report as of 9/30/2024, end of the 2023-24 Fiscal Year: Council reviewed the Treasurer's Report as of 9/30/2024, end of the 2023-24 Fiscal Year.

Sheriff Braden Lang: Sheriff Braden Lang met with Council to discuss nuisance properties and where the City was at with getting another dumpster delivered to 112 12th Street. Clerk Curtis stated they would call Seneca Sanitation again to see when another roll-off dumpster would be available to get delivered. Mayor Hatfield stated he had worked with Clerk Curtis to come up with a nuisance property listing as Hatfield had contacted the Health Board members to go look at properties Wednesday night. Council Member Hatfield inquired about how the City handles nuisance properties. Mayor Hatfield explained that the Health Board goes and looks at properties where complaints have been turned in and gives their recommendations to the City Attorney for her to send letters to the property owners to get the property up to code or start the abatement procedure to have them condemned so they can be demolished. Sheriff Lang reported that his department was "skunked" on a search warrant as the occupant had just moved out but they had made several other arrests in the past few weeks. Council stated they appreciated everything that the Sheriff's department was doing and keeping up the good work.

MGG Enterprises, Inc. Application for Sub-Division of Lots: Review Survey Jeff Boden's "Glenn's Addition" proposed sub-division map: Council reviewed the Survey that Jeff Boden did on the proposed sub-division map of the "Glenn Addition". Much discussion followed as Council Members had real concerns over subdividing that property into three different tracts for homes to be built on because of the potential narrowing space between each home. Mayor Hatfield and Clerk Curtis both stated that these tracts all met the City's Zoning setbacks so the Council could voice their concerns but really had no legal grounds so as to not approve the sub-division into the three tracts. **Review/Approve Resolution #1 approving MGG Enterprise's application for sub-division of lots:** Council Member Eisenhauer moved to approve Resolution #1 approving MGG Enterprise's application for sub-division of "Glenn's Addition" into three tracts with concerns that the City Council feels that the width of the lots is too small to fit three houses on them. Council Member Fisher seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

Review/Approve Resolution #2 (2024-25) authorizing the Mayor to sign the Municipal Annual Certification of Program Compliance Form 2024: Clerk Curtis stated that we keep the Street Report, 1&6 Year Street Plan, etc. on file here so that if we are ever audited on this certification process by the State then we have everything in order as this is what determines the City receiving Highway Allocation funds or not. Council Member Zelenka moved to approve Resolution #2 (2024-25) authorizing the Mayor to sign the Municipal Annual Certification of Program Compliance Form 2024. Council Member Fisher seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

Review Emailed Correspondence from Aaron Sawyer, Chamber's Economic Development Director regarding various items: Council reviewed items that included: A.) Review Emails from Kelly G/SENDD, Tammy & Aaron re: his request to SENDD for

them to share grant applications the City has submitted; B.) Emails from Rick Nelsen, NPPD/ Aaron re: Business Retention & Expansion (BR&E) plan; Invitation to appoint City Rep. for meetings to establish a Business Retention & Expansion (BR&E) plan; C.) Review emailed correspondence 9/23-10/8 on Leadership Certified Community (LCC) Review Info on LCC & the LCC Checklist & Certification Review Form; Review Resolution #3 in support of applying to become a Leadership Certified Community; D.) Review emailed correspondence w/Aaron 10/8 on Certified Creative District (CCD); Review Info on Creative Districts; Review Info from Sherri Smith/President-PCCF on her thoughts before we start the process & the email from Rachel Morgan, Program Specialist/Nebr Arts Council; Review Resolution #4 in support of applying to become a Certified Creative District. After much discussion Council Member Eisenhauer moved that it was best to postpone taking action on any of these items until Mr. Sawyer plans to be present at the October 28th City Council meeting to explain everything in detail. Council Member Hatfield seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

Review/Approve Resolution #5 setting up a Water Meter Reserve Account capturing \$1.33 per water customer effective 10/1/2024 and \$1.34 per water customer effective 10/1/2025 to be transferred into the Water Meter Reserve Account: Council Member Zelenka moved to approve Resolution #5 setting up a Water Meter Reserve Account capturing \$1.33 per water customer effective 10/1/2024 and \$1.34 per water customer effective 10/1/2025 to be transferred into the Water Meter Reserve Account. Council Member Fisher seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

Pawnee City's Community Needs Survey – 2024: Council reviewed the Community Needs Survey that had been compiled by SENDD for the City. Much of this data will be especially useful when applying for future grants. Discussion was had that the data graphs on pages 3-5 was hard to understand since there wasn't a "legend key" on what the graphs were actually representing until page 5. Clerk Curtis stated that she would see if she could cut and paste a legend key on the bottom of pages 3 and 4, so the graphs on each of those pages made more sense, too.

Appoint new Tree Board Member: Mayor Hatfield stated that he needed a City Representative to replace former Council Member Laura Poskochil to serve on the Tree Board. Council Member Hatfield stated he would volunteer to serve. Council Member Zelenka moved to approve the appointment of Council Member Pat Hatfield to serve as a member of the Tree Board Committee. Council Member Fisher seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

Review/Approve CDBG Self-Evaluation Section 504 ADA Accessibility Compliance Form: Clerk Curtis stated that this was one of the items that the Nebraska Department of Economic Development requested the City adopt when monitoring the CDBG Public Works grant for the Fire Station Project. Curtis continued that the City had adopted a Section 504 document years ago when Kevin Burnison was still working for SENDD, but an actual copy of that document could not be located, so Clerk Curtis worked with Brittany McCullough with SENDD to make a new Section 504 ADA Accessibility Compliance Form for the City. Council Member Zelenka moved to approve the CDBG Self-Evaluation Section 504 ADA Accessibility Compliance Form. Council Member Fisher seconded the

motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

Review/Approve Assisted Living Park Lease Agreement: Clerk Curtis handed out an updated copy of the Park Lease Agreement with PCAL. Council Member Eisenhauer had visited with Clerk Curtis about her concerns with the lease on Monday. Clerk Curtis had stated to Eisenhauer that Mayor Hatfield and she had those same concerns. Council Member Eisenhauer met with PCAL's attorney Joe Stehlik earlier today to discuss the issues they all thought should be changed in the lease agreement including making it a 20-year Lease Agreement and changing the start date to October 1, 2024 with the stop date being September 30, 2044 with proof of liability insurance to be provided to the City by PCAL annually. Council Member Zelenka moved to approve the 20-year Assisted Living Park Lease Agreement with the City of Pawnee City effective October 1, 2024. Council Member Fisher seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

Pawnee City Assisted Living (PCAL) August Board Meeting Minutes & September Board Meeting Notes from Caralyn: Council reviewed PCAL's 8/28/24 Board Meeting Minutes & Caralyn's Notes for the 9/25/24 Board Meeting. Mayor Hatfield stated he had resigned from being the PCAL maintenance worker due to having some knee issues.

A Report and update from Foreman Cumley: *Proposed Well Site Application:* Council reviewed the Proposed Well Site Application that Tyler Keenan with JEO had sent into DHHS. Clerk Curtis also stated that Terry Meier with JEO had submitted our completed WWAC Application for funding options on the City's Water System. ***Drought Conditions:*** Foreman Cumley reported that the wells are not looking so good again as it continues to be so dry. Foreman Cumley stated that Well #1 has apparently been sucking air again, even though he hasn't heard anything about there being air in the lines from any water customers. Cumley stated the top of the screen in Well #1 is at 8.5' and the pump has been drawing down to 13', which puts it 3' below the screen. Well #2 is actually doing better than any of the wells and the water level is at 4' above the screen. Well #3's water level usually sits at 5-7' above the screen and right now the water level is sitting at only 3' above the screen, so it's even getting low. Clerk Curtis had brought copies of the stages of water restrictions for the Council to review. Council Member Zelenka stated that she felt the City should at least implement Stage 1-Voluntary Water Restrictions because if this area doesn't get any snow this winter we are going to be in a world of hurt for water. Council Member Zelenka moved to enter into Stage 1 Voluntary Water Restrictions due to low aquifer levels at this time. Council Member Hatfield seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried. Clerk Curtis stated she would have flyers taken around to all of the businesses around town. Foreman Cumley stated he would be checking on the Wells at least once a week. ***Tankless Water Heaters:*** Council reviewed Findlay HVAC's costs for tankless water heaters at the Pool and Cornerstone Building of \$6300. Foreman Cumley stated that due to there not being enough room in the electrical panel box at the pool to run 220, Findlay stated that the gas tankless water heaters would work out well without all of the past issues they have had up there. Foreman Cumley stated he would be contacting Wilson Electric to run a new outlet to it for the City. ***Discuss various projects throughout town that City Crew has been working on: Dog Kennels:*** Foreman Cumley reported that they should get the new dog kennels at the Sewer Plant completely finished this week. Clerk Curtis stated that the City had received a check from Alpha for \$1200 on Monday with Council Member

Eisenhauer accepting it from two Alpha employees with a story to be in this next week's newspaper. City Crew members have been finishing up filling potholes last week and will again this week. **Vertical Screen:** Foreman Cumley stated that the Crew was able to install both new Hemi motors in the vertical screen today at the sewer plant. Cumley will have to get a hold of Wilson Electric as one of the motors is not working. He called Hemi to discuss the issues they were having and Foreman Cumley believes it is more of a control wire issue because it is throwing an overload fault alarm and there may be more burnt up contacts in the control box. If Wilson Electric cannot figure out the issue then they will have to have HOA or WesTech come out to address these issues, which would cost the City a lot more. **Water Taps:** The City Crew put in another two water taps for Eric Gyhra on L Street and for Hofmann/Wissler/Hodges on G Street. **Sewer Manhole Cover issues on Hwy 50:** Foreman Cumley stated a couple of weeks ago there was a sewer manhole cover on Highway 50 that kept popping off, then the ring around it completely broke, which with all of the truck traffic caused the concrete on both sides of the manhole to crumble. Cumley went directly to Dave Klepper, local NDOT Supervisor to see who he needed to contact as it needed to be repaired right away and the City could not wait for more than a month to hear back from the State on getting a permit. Supervisor Klepper stated that he would let Lincoln know that this area of highway needed repaired right away and they were able to jackhammer out the area and get it all poured back a couple of days later with the State workers' assistance. **This week's projects:** This week's projects, if there are no emergencies that pop up, include finishing the dog kennel project and finishing backfilling on 10th Street and E Street where Constructors completed the street repair projects a few weeks ago.

Correspondence: Council reviewed the email from Steve Glenn re: Talking points for meeting with community groups (*PCCF, Chamber & PCDC*); Chamber to visit Alpha this Wednesday in observance of "Manufacturing Month"; the AmeriCorps Email on seeking project partners for 2025 and the NPPD Email on Funding Opportunity Compliance Requirements. Council Member Zelenka moved to adjourn the meeting. Council Member Fisher seconded the motion. Roll call vote indicated all present voting in favor of the motion, whereupon motion carried, and meeting adjourned at 8:21 p.m.

ATTEST: Tamela S. Curtis, City Clerk

Charlie Hatfield, Mayor