

**MINUTES OF THE REGULAR MEETING OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PAWNEE CITY, HELD ON MONDAY, OCTOBER 25, 2010 AT 7:30 P.M. AT CITY HALL, 445 6TH 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 Duane Westing; Council Members: Roxann Buman, Deb Klein, John DeFreece and Tom Fisher; Donnie Inglis/Shop Foreman; Tamela S. Stephens/City Clerk; Zoning Administrator/Clint Johnson

**Absent:** None

**Visitors:** Andrew Synhorst, Evan Wickersham & Kevin Sasse, JEO; Randy Miller/Community Insurance Group; and Charlie Hatfield

Mayor Westing opened the meeting with a moment of silence then called the meeting to order at 7:30 p.m. informing all those present of the Posters stating the Open Meeting Law Changes on the East and North meeting room walls accessible to the public. Council Member Klein made a motion to accept the October 11<sup>th</sup>, 2010 regular meeting minutes. Council Member Buman 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: 10/26/2010 Payroll 6589.45; NW Mutual, retirement 1116.84; NE Child Sup pymt center 51.70; NE Dept of Rev, SWH 445.94; Union Bank & Trust, FWH, 3705.98; BCBS 5553.58; American Fidelity Assurance, accident ins 120.40; Allstate, cancer ins 90.89; State of NE, Dept of Labor, unemp 226.76; NE Dept of Rev, Sales & Use Tax, 2278.26; VanKirk Bros, Water Proj, pay app #14, 148,986.42; North Star Construction, Housing Rehab 9,500.00; Windstream, phone service 206.46; SENDD, reuse admin fees-981.07/reg reuse admin fees-552.43; DHHS-NE Dept of Health & Human Serv, water class 178.00; Capital Business Systems, Libr Copier Contract 376.74; Carol Glathar, reimb-flu shot 13.89; Deborah Klein, rmb-pool certifications 150.00; Farm Plan, JD mower repairs 57.76; First Concord Benefits Group, City 2<sup>nd</sup> half deductible 2197.69; Ingram, books/DVD 398.73; Martin Marietta, rock for camper pads 281.58; NDEQ, SWR renewal fee-S. Henninger 180.50; NE Public Health Environmental Labs, wtr samples 50.00; OPPD, elec-wells 368.15; Pawnee Co Treas, Law Enf. Agreement 12463.47; Seneca Sanitation, dumpsters 140.00/Sept customers 5117.00; Stehlik Law, atty fees 637.75; Sunrise Publications, publishings 315.73; Tamela Stephens, mileage-training 165.00; USPO, mail util bills 185.00; VanKirk Bros, installing 2-1" wtr services 3040.00; Verizon Wireless, emerg cell phone 46.27; Veva Brown, office cleaning 39.00; Wells Fargo, postage/shirts/waders/wtr parts 1695.46. Council Member Buman made a motion to accept the claims as presented. Council Member Klein seconded the motion. Roll call vote indicated all present voting in favor of the motion, whereupon motion carried.

**Andrew Synhorst, Evan Wickersham and Kevin Sasse, JEO, re: Present Preliminary Plans on Wastewater Treatment Facility:** Andrew Synhorst, Evan Wickersham and Kevin Sasse, JEO, met to discuss updates to the Sewer Project. Mr. Synhorst spoke on the Wastewater Treatment Facility side of the Sewer Improvement Project stating they were half way through the design and were checking over how the financials were looking at this time. Synhorst went on to give a brief overview of how things are proceeding with the Wastewater Treatment Facility, explaining the whole design process in detail to the Council. At this time the Engineer's Preliminary Opinion of Construction Cost is at \$2.3 million for the Wastewater Treatment Facility and \$422,000 for the Sanitary Sewer Slip Lining Project. Synhorst also reported that on the Slip Lining Project, they have made changes to address the manhole that is covered by the tree, near the creek in the South Park area. The manhole is inaccessible and at this point in time the

only way to fix it is to bypass that manhole so they have drawn up plans to use horizontal directional drill to build a manhole, bypass the large hill that is there and build a second manhole to tie in around that tree. The cost of this comes in at about the same estimate to slip line a portion of 12" pipe near the treatment plant that originally they had believed needed to be slip lined, but after reviewing some tapes and looking at that data, it was decided it was not worth the money to do that portion of the original project.

**Randy Miller, Community Insurance Group:** Randy Miller, Community Insurance Group met to go over the differences in the renewal policy deductible amounts vs. premium amounts on the replacement cost insurance estimates. Mr. Miller presented three deductible plans at \$1000 deductible for a premium of \$44,280; \$2500 deductible for a premium of \$44,024 and \$5000 deductible for a premium of \$43,869. It was discussed that this was not much of a premium savings for the difference in deductible amounts. Mr. Miller stated he would not advise going with a higher deductible, as the savings in premiums is not enough to make it worth while for the City. Randy went over the EMC Insurance Public Entity Building and Personal Property Coverage Special Form Policy with the City Council, pointing out that with this policy, everything is covered, except what they list as exclusions and limitations. Mr. Miller stated that this is the "Cadillac" of policies, there are policies below it, but nothing with better coverage than this "Special Form Policy" for the City. Council Member Buman made a motion to approve changing our current whole policy to a replacement cost policy with a \$1000 deductible with 90% replacement cost policy coverage with EMC Insurance. Council Member DeFreece seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried. Council directed Clerk Stephens to schedule Mr. Miller to come back to a council meeting during the first quarter of 2011.

**John Dahlgren, Library Building Committee – Library Project concerning rocking and raising alley and consideration of one-way:** John Dahlgren was contacted during the meeting, with Mr. Dahlgren stating they were not ready to report to Council on the agenda items listed, but would be meeting with Council at a later date.

**Clint Johnson, Zoning Administrator, report on building permits; Housing Study & Blight/Substandard Study meeting:** Clint Johnson, Zoning Administrator reported he had recently received two building permits to build decks and have had four-six projects people have approached him with. Council reviewed the progress report e-mail from Tim Keelan with Hanna:Keelan on updating the Housing Study & Blight/Substandard Study. Mr. Johnson stated that Lonnie Dickson of Hanna:Keelan presented where they were at with the Housing Study and Blight/Substandard Study to the Planning Commission. Mr. Johnson stated that when all of the changes are made, they will go to the Planning Commission for review and then the Planning Commission will send any recommended changes to the City Council for their action. Clerk Stephens reported that they are currently working on sending out a couple Housing Study Surveys throughout Pawnee City with a return deadline of November 12<sup>th</sup>. There will be drop boxes placed at both banks and City Hall for people to return their surveys to.

**Review e-mail from Nanette Hatfield, Chamber Board Member re: Christmas Lights on decorative light poles:** Council reviewed the e-mail from Nanette Hatfield, Chamber Board Member asking permission from the City to allow chamber to encourage their members to decorate all of the light poles this year. Council discussed this with all in agreement with the exception that the lights should be taken down after the holiday season is over with. Council Member DeFreece made a motion to allow the Chamber to encourage their members to decorate the decorative light poles outside of their businesses. Council Member Klein seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

**Report & Update from Foreman Inglis: Updates on Water Project:** Foreman Inglis reported that the final Water Improvement Project progress meeting was held on October 13<sup>th</sup> with Adan Chevez, VanKirk

Bros., Janice Stopak, USDA-RD and Evan Wickersham, JEO Consulting Group. Clint Johnson stated it was a very large project that included replacing 44,000 feet of 10" Main coming into town, totally revamping the three well houses and updating 40 blocks of water main in town. **Review 1 & 6 Year Street Plan:** Clerk Stephens stated that it was time to start thinking about the 1&6 Year Street Plan for 2011, as we are getting close to the holiday seasons and before you know it, it will be January and the street plan needs to be sent into the State in March. Evan Wickersham, JEO stated that the reason the City needs to turn a 1&6 Year Street plan into the state is so the City can continue to request Highway Allocation money. Mr. Wickersham also stated that as the Council is already aware, the City needs to have a local match of 25% to get the Highway Allocation money.

**A Report & Update from Council Member Klein – Payment #15 & Final to Van Kirk Bros. for \$164,542.11 on Water System Improvement:** Evan Wickersham, JEO stated that this was payment #15 and Final to Van Kirk Bros. as they had finished up the last of the water project, including all of the previous seeding that needed to be re-done. Council Member DeFreece made a motion to accept Payment #15 and Final to Van Kirk Brothers Contracting for \$164,542.11 on the Water System Improvement Project. Council Member Klein seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried. Council Member Klein stated she felt that VanKirks did an excellent job on this huge water project for the City. **Review/Approve Water Project Change Order #8:** Council Member Klein made a motion to approve Water Project Change Order #8, for final quantity adjustments for materials as installed of a decrease amount of \$3,529.80. Council Member DeFreece seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried. **Review/Approve Exhibit "E" recommendation for Acceptance:** Council reviewed Exhibit "E" for the recommendation for Acceptance on the 2007 Water System Improvement Project. Council Member Buman made a motion to approve Exhibit "E" on the Recommendation of Acceptance on the 2007 Water System Improvement Project. Council Member DeFreece seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

**A Report & Update from Council Member DeFreece – Review Moser Tree Service Invoice for work done for Tree Board:** Council reviewed the invoice for \$1100 from Moser Tree Service for work done for the Tree Board including purchasing/planting three Red Oaks in the Cemetery; purchasing/planting Amur Maple in Post Office Park; remove tree from Betty Kimes yard and transplanting two Red Bud trees. Council Member Klein made a motion to approve paying Moser Tree Service \$1100 for work done for the Tree Board. Council Member DeFreece seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

**A Report & Update from Council Member Buman – Review information sheets from Randy Hellsbusch, NE Rural Water on Sewer Rate Study:** Council reviewed the Information Sheets from Randy Hellsbusch, Nebraska Rural Water on Sewer Rate Study for possible new sewer rates \$16.50 Base Fee and \$5.81 per 1000 gallons, which is an increase in the base fee from \$4.69. Clerk Stephens stated this is contingent on how the Sewer Plant Bids come in at. **Review Sewer Monitoring Ordinance examples:** Council reviewed examples of Sewer Monitoring Ordinances that Mr. Hellsbusch had provided. According to Mr. Hellsbusch it is strongly suggested for municipalities to have in force a Sewer Monitoring Ordinance, especially for those who do not have water service with the City, but have sewer services, with their sewer services being metered, at their expense. Council discussed this at length, with Council Member DeFreece also suggesting that this may be a good idea to use this same thing with CJ Foods, as they already have a metered system on their lagoons. Council Member Buman stated she would like to see the whole ordinances from Mr. Hellsbusch and what communities these are from. **Review sheets from Nebraska DHHS-Adult Protective Services:** Council Member Buman stated she had these sheets from Nebraska DHHS-Adult Protective Services brought to her from a concerned citizen on a situation on an individual the City has in town. It was stated that the health board has looked at this

gentleman's house, but as long as it is occupied, it takes a very long process to have that person removed from the premises so the Health Inspector can proceed with condemning the property. After much discussion it was decided that Mayor Westing would take this item of concern to City Attorney Stehlik for him to review as a Health Board Issue.

**Review Correspondence:** Council reviewed correspondence from: SENCA re: needing help delivering Meals on Wheels during December, 2010 and January 2011. Clerk Stephens stated that the Clerks and City Crew (if not busy pushing snow) were interested in helping the Community Action Center out with delivering Meals on Wheels during those two months. She also stated that Mary and Lola at the Library had also previously volunteered if we needed some extra help sometime. Council were all in agreement with Council Member Klein volunteering to help drive on some days if we needed her. Council Member DeFreece made a motion to adjourn the meeting. Council Member Klein seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried and meeting adjourned at 8:48 p.m.

ATTEST: Tamela S. Stephens, City Clerk

Duane Westing,

Mayor