

MINUTES OF THE REGULAR MEETING OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PAWNEE CITY, HELD ON MONDAY, APRIL 25, 2011 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: Deborah Klein, Roxann Buman, Charlie Hatfield and John DeFreece; Carol L. Glathar/Deputy City Clerk; Clint Johnson/Zoning Administrator; Betsy Ferebee/City Attorney.

Absent: Shop Foreman Inglis.

Visitors: Lucas Billesbach, JEO Engineering; Nanette Hatfield, John Dahlgren, Mike Donahue III, Cheri Dahlgren, Dorothy Willis, Dalen Beethe, Pete Gilbert, Michael J. Donahue, Lynda Stallbaumer, Linda Bowman.

Mayor Duane Westing 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 DeFreece made a motion to accept the April 11, 2011 regular meeting minutes. Council Member Hatfield 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: **04/12/2011 Payroll** 6657.22; **04/26/2011 Payroll** 6610.60; **NW Mutual**, retirement 2260.41; **Allstate**, cancer ins 109.85; **American Fidelity Assurance Co**, accident ins 154.20; **NE Dept of Revenue**, SWH 457.28; **Union Bank & Trust**, FWH 3714.85; **BCBS**, health ins 5553.57; **NE Dept of Revenue**, sales tax 2113.42; **Nebraska Child Support** 103.40; **State of NE/Dept of Labor**, unemployment ins 627.41; **SENDD**, Library Proj admin 880.95; **AHRS**, Library Proj construction 86150.92; **SENDD**, Blight-Housing Study Impl billing 572.72; **Hanna:Keelan Associates**, Blight-Housing Study 4000.00; **NE Dept of Revenue**, Sales & Use Tax 2108.99; **Casey's General Store**, equipment fuel 686.03; **Windstream**, phone service 284.01; **American Water Wks**, membership renewal 165.00; **Barco**, street signs 52.54; **Caralyn Friedly**, reimb pool certification 50.00; **Clinton Johnson**, reimb swr class donuts 11.12; **Community Ins**, recycling trailer/comp collision Chevy pkup 166.00; **HJPest**, mosquito spraying 1612.00; **In the Swim**, pool testing kit 91.94; **Keshia Ford**, reimb pool certification 50.00; **Municipal Supply, Inc**, water parts 1896.22; **NE Planning Zoning Assoc**, memberships 320.00; **NE Public Health Environmental Lab**, water samples 46.00; **NE Rural Water Assn**, locating wtr leak 100.00; **OPPD**, electric at wells 235.01; **Pawnee Co Court**, appraiser fees 404.44; **Pawnee Co Treasurer**, Law Enforcement Agreement 12463.47; **Petty Cash**, postage/misc 22.97; **Seneca Sanitation**, garbage service 4997.00; **Veva Brown**, office cleaning 42.00; **Wells Fargo**, postage/Library furniture/zoning conf lodging 670.87; **PCDC**, sales tax/January 2011 4250.33; **Smith Auto**, repair to Chevy Silverado 2651.72; **SENDD**, Reg Reuse admin fees 3459.11; **SENDD**, Reuse admin fees 1457.07. Council Member Klein made a motion to accept the claims as submitted. Council Member Buman seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

Lucas Billesbach, JEO – Approval of the Slip Lining plans/specs and submittal to State Agencies – Lucas Billesbach, JEO Consulting Group, was present to review the Slip Lining plans and specs, reviewing manholes and flush pots that would be removed and replaced. Council

member Klein moved to approve the Slip Lining plans/specs and to authorize submittal of the plans to the State Agencies. Seconded by Council member Hatfield. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried. Due to an addendum made to the Slip Lining Project, the bid opening date for the Sewer Plant Project was revised to May 17th, 2:00 p.m. at City Hall. **Designate a representative from Pawnee City to work with JEO to set a bid date** – Council member Hatfield motioned to designate Council member Roxann Buman to work with JEO Consulting Group in setting the bid date. Seconded by Council member Klein. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried. **Authorize JEO to begin advertising the Slip Lining Project** – Council member Buman moved to authorize JEO Consulting Group to begin advertising the Slip Lining Project. Seconded by Council member DeFreece. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

Review Donations to Organizations from 9/10 & 10/11 fiscal years – Council briefly reviewed the list of Donations to Organizations from the past year. No action taken.

Mike Donahue & Dalen Beethe Cemetery Association – RE: Donations to Organizations – Mike Donahue III, Michael J. Donahue, Dalen Beethe and Pete Gilbert were present representing the Cemetery Association, to request continued support from the City in the amount of \$750 per month/\$9,000 for the year. They reported that financially, the cemetery is at the same position as what they were at a year ago. “Request for donation” letters are being mailed out when deeds for lot purchases are mailed out. The Cemetery Board has been happy with their sexton and he has agreed to mow the cemetery again this year. No Council action was taken at this time.

Open Sealed Bids on – 2000 John Deere F725 Front Mower; 1996 John Deere F725 Front Mower; Stihl limb saw; wooden posts; woven & barbed wire fencing and 12’ cattle gate – Council member DeFreece moved to open sealed bids on the 2000 John Deere F725 Mower, 1996 John Deere F725 Front Mower, Stihl limb saw, wooden posts, woven/barbed wire fencing and 12’ cattle gate. Seconded by Council member Hatfield. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

2000 John Deere F725 Front Mower –
Brent Mueting, \$685.25 / Rasty Stephens, \$702.00 / Rich Little, \$813.00
1996 John Deere F725 Front Mower –
Allen William, \$485.15 / Rasty Stephens, \$702.00 / Rich Little, \$738.00
Stihl Limb Saw –
Roger Glathar, \$27.55 / Allan Brown, \$75.00
Wooden Posts (x40) –
Jeff Spier, \$60.00 / Allan Brown, \$8.00 each x 40 = \$320.00
Woven Wire Fencing –
Stephen Henninger, \$65.00
Barbed Wire Fencing –
Allan Brown, \$17.50
12’ Cattle Gate –
Clint Johnson, \$60.00 / Jeff Spier, \$51.00 / Allen Brown, \$35.00

Council member DeFreece moved to accept the highest bid on each item – 2000 JD Mower / Rich Little, \$813.00, 1996 JD Mower / Rich Little, \$738.00, Stihl Limb Saw / Allan Brown, \$75.00, Wooden Posts / Allan Brown, \$8.00 each x 40 = \$320.00, Woven Wire Fencing / Stephen Henninger, \$65.00, Barbed Wire Fencing / Allan Brown, \$17.50, 12’ Cattle Gate / Clint Johnson,

\$60.00. Seconded by Council member Buman. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

Nanette Hatfield, Chamber of Commerce – RE: Donations to Organizations – Nanette Hatfield was present representing the Pawnee City Chamber of Commerce. The Chamber is requesting the same financial assistance as last year - \$500 donation toward the Fireworks, \$100 toward the Chamber’s movie night and for the City Crew to continue mowing around the “Welcome to Pawnee City” signs. No action taken at this time.

John Dahlgren & Dorothy Willis, Library Foundation / Cheryl Dahlgren & Linda Bowman, Library Board - Answer questions from last meeting – John Dahlgren and Dorothy Willis were present representing the Pawnee City Library Foundation and Cheryl Dahlgren and Linda Bowman were present representing the Pawnee City Library Board. ***Would the PC Library Foundation be able to help fund extra hours for Asst. Librarian to work during Head Librarian sick leave and during the move?*** John Dahlgren stated that the Library Foundation would not be able to help fund extra hours for the Assistant Librarian Lola Seitz, to work during the Head Librarians sick leave absence nor during the move to the new Library. As Dahlgren stated in the April 11th City Council meeting, that when they ask for donations from people, those people want to know what they are contributing to and when they find out it is labor, they automatically say no. ***Consultation with Library Board on upcoming move.*** Cheryl Dahlgren, Library Board President, stated that the Library Board is requesting sixteen (16) more work hours per week for Assistant Librarian Lola Seitz, until after the move is complete. Discussion continued with concern from the Council asking why vacation time was granted during this busy time. Cheryl Dahlgren stated that the Library Board did not realize that management of the Librarians time was their responsibility but that she has since found out that the Board is responsible for the management of the Librarians. John Dahlgren stated that after the new Library is up and running, the Library can operate with one (1) Full-time and one (1) Part-time Librarian. Linda Bowman stated that approximately 700-1400 people use the Library per month. Council member Klein moved to give Assistant Librarian Seitz up to 40 hours a week for two (2) weeks prior to the new Library opening, with that time decided by the Library Board. Motion died for lack of a second. No action was taken.

City Attorney Betsy Ferebee – Discuss Health Board’s Report on Nuisance properties and where Building Inspector is at with said properties – City Attorney Betsy Ferebee shared a list of Nuisance properties that the Health Board is working on and where the Building inspector was/is at with the inspection of the properties. Ferebee stated that she is having some difficulty getting in contact with the new Building Inspector Dennis Mitchell. Council discussion followed.

Earth Day Recycling Bin Project with USDA was a huge success with a lot of Community & School Support. The Earth Day “Recycling Bin Project” Ribbon Cutting Ceremony was a huge success with a lot of Community and School Support.

Clint Johnson, Zoning Administrator – Discuss Planning Commission’s Public Hearing on Blight/Substandard Changes held 4/12 – Clint Johnson, Zoning Administrator, reported that the Planning Commission’s Public Hearing set for April 12, 2011 went on as planned. The Public Hearing addressed Blight/Substandard changes being made. There was no public input. Decision on a TIF attorney was postponed until the committee has an opportunity to review attorney fees for the two TIF attorneys recommended by Tim Keelan. ***Building Permits*** – Clint Johnson reported that several building permits had been picked up but none returned this month. ***Letter from FCC re: Regulating City change to narrowband*** – Johnson reported that the City received correspondence from the Federal Communications Commission (FCC) regarding compliance

with the January 1, 2013 Narrowbanding Deadline. Johnson stated that the City will be required to convert the City's mobile radio system to a "narrowband" operation at the wells, the office and in the City vehicles. He stated that doing this may require the purchase and update of vehicle radios. Al Haug is aware of this requirement and will assist the City in the narrowbanding process.

Johnson reported that Lee Rogge has been in contact with the City several times regarding a sewer smell that he believes is coming from his property. Johnson stated that he has walked the entire property and does not see leaking sewage... only horse manure. Johnson reassured Mr. Rogge that the slip-lining project will be running up through this area and that may correct the odor he smells. Mr. Rogge has told Johnson that he plans to obtain samples and will be sending them to the state for testing.

Council member DeFreece – Discuss Snow Removal Policy – Council member DeFreece reported that he would have a map prepared for the first meeting in July, outlining streets that he would like to see "No Parking" signs placed to help in the snow removal process. He feels that this would give the entire Council enough time to review, discuss and change the map before holding a Public Hearing where the community can voice their opinion/concerns. **Discuss Chip & Seal Project** – Council member DeFreece stated that he has to meet with Shop Foreman Inglis regarding the Chip & Seal Project and how to proceed with repair/maintenance on the streets. Discussion was had regarding the Chip & Seal process and whether or not it is doing any good. **Discuss Street Sweeping with Vac-A-Lot for \$85/hr plus mileage, scheduled for 1st week of May** – Council member DeFreece moved to approve Street Sweeping services with Vac-A-Lot for \$85 an hour plus mileage, not to exceed \$2,000.00, for the 1st week of May 2011. Seconded by Council member Buman. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

Review/Accept Billing from Moser Tree Service for his portion of Tree Trimming - \$2,378.10. Council member DeFreece moved to approve the billing from Moser Tree Service in the amount of \$2,378.10 for his portion of the Tree Trimming project. Seconded by Council member Buman. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

Council Member Hatfield – Pool Manager Caralyn Friedly & Asst. Managers, Cindy Myers, Keshia Ford & Mary Moser – Council member Hatfield reported that he had hired Caralyn Friedly as the 2011 Pool Manager, with Assistant Managers being Cindy Myers, Keshia Ford and Mary Moser. All managers/assistant managers have been certified. Council member Klein, Linda Hodges and Gayle Lang have been certified as well and will be the ones responsible during the hours of water aerobics class. City crew Clint Johnson is certified for Pool Manager. Council member Hatfield will speak with another City crew member to obtain Pool Manager Certification as well. Hatfield has ordered a new Stormband Radio and clock for the pool. **Lifeguard meeting set up for April 27th at 6 p.m.** – A lifeguard meeting has been set up for April 27th at 6 p.m.

Council Member Klein – Update on Dog from Dog Biting Incident – Council member Klein updated Council on a couple dog biting incidents. One dog involved, has been taken to the Capital Humane Society. The other dog biting incident involved a German Shepherd going through a screen door and biting a child. The Animal Control Board will be meeting the first Thursday in May and will discuss labeling this dog as "Potentially Dangerous". **Review letter/bill written to Robert Antholz on illegal dumping in tree dump** – A certified letter/bill has been written and mailed to Robert Antholz on illegal dumping at the tree dump. As of date, the

letter/bill has not been signed for. *Discuss riding Golf Carts to get mail* – Lynda Stallbaumer was present to request permission for her father, Ab Christensen, to drive a golf cart in the City to pick up his mail and a few groceries. Sheriff Jayme Reed provided State Statutes regarding the driving of off-road vehicles on City streets. Lynda Stallbaumer provided an article taken from the Beatrice newspaper referring to Nebraska Bill LB289 and if this bill would open roads to low-speed, electric vehicles onto certain streets. Council tabled this item so that they can have time to research and look into the matter further.

Council reviewed report on the January 2011 Sales Tax \$9,661.01 with \$1,160.55 being Motor Vehicle Sales Tax and a letter from Patrick Pope, the new President/Chief Executive Officer for NPPD.

Council Member Buman 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 9:24 p.m.

Duane Westing, Mayor

ATTEST: _____
Carol L. Glathar, Deputy City Clerk