

MINUTES OF THE REGULAR MEETING OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PAWNEE CITY, HELD ON MONDAY, AUGUST 28, 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. The availability of the agenda was communicated in advance 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 Eisenhauer; Kellie Wiers, Deputy City Clerk, Tamela Curtis, City Clerk/Treasurer 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 Zelenka moved to accept the August 14, 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: **8/29/23 Payroll:** \$11,964.42; **Union Bank & Trust**, FWH 3335.55; **NE Dept. of Rev**, SWH 484.25; **John Hancock**, retirement 1528.30; **Madison National Life**, life ins 67.87; **Windstream**, ph service @ swr plant 62.49; **Spectrum**, internet & phone @ shop 184.97; **BHE**, gas service 230.56; **PCDC**, June 2023 sales tax 6584.19; **Seneca Sanitation**, July 2023 garbage service, dumpster @ pond & fire hall 7362.00; **Nebr. Public Health Environmental Lab**, wtr sample tests 15.00; **Capital Bus. Syst**, Elevate phone system 111.94; **Amazon Capital Services**, office supplies 35.33; **Southeast NE Dev. District**, General & Housing Membership 1835.00; **Heather & Brandon Rose**, wtr dep return 100.00; **Access Systems**, copier contract & overages 239.48; **League of Nebr. Muni**, training city crew 260.00; **Nebr. Rural WTR Assoc.**, membership renewal 300.00; **Pawnee Co Rural WTR**, pond wtr hydrants 63.00; **Pawnee Co Sheriff Office**, service fee court appear 18.50; **Raina Barloon**, reimb cookies pool 64.49; **Schendel Pest Control**, qtrly pest control @ swr plant 70.00; **U. S. Cellular**, emergency cell phone 47.77; **Verizon Wireless**, home connect & jetpack 64.36. 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 of Fund Budgets as of 8/29/2023 & All Bank Acct. Balances as of 8/24/2023: Council reviewed the Treasurer's Report. Clerk Curtis said all funds are in good shape and the budget year ends September 30, 2023.

JULIE BAUMAN, Present Final Draft of Budget Document and Levy; Valuation; Vote on additional 1% allowable growth: Ms. Bauman explained the property valuations in town increased \$4 million and since property values increased, the City could back off a bit on the levy. The cash balances have decreased from two years ago, but the City has been building the reserve accounts. The Cash Reserve Percentage is 48%, which is good, because if it is over 50% then you are out of compliance. The budget is higher than last year because of projects coming up, which includes the street project, so the City needs to keep the cash reserves high. There are three lids and the first one on the report looks at revenue which looks at the different taxes coming in and then the State of Nebraska will look at the capital improvements. The State is also keeping levies pretty limited. This year's levy decreased 9% because the property values increased \$4 million. Council Member Eisenhower moved to approve an additional 1% allowable growth. Council Member Zelenka seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

BETSY FEREBEE, CITY ATTORNEY re: Discuss next steps on nuisance properties: City Atty Ferebee explained that the owner of 1129 G Street came forward and said he plans to remodel this property, but he promised DC Wiers that he would clean up the weeds and install a front door within a two-week period and also demolish the shed in the backyard within thirty days. The owner of 1145 G Street didn't sign for her certified letter or else didn't receive it so Atty Ferebee will verify the mailing address before the abatement process is started. It appears the owner of 738 3rd street either cleaned up the nuisance items on her property or else the neighbors have hauled them away. The owners of 112 12th Street and 738 3rd street will be pursued legally. Atty Ferebee asked the Council about the property at 522 G Street. The owner still hasn't enclosed the back of the building and kids have been exploring the property which is a safety hazard. She will take pictures of the current condition of the property and report back to the Council.

Review/Act on Pawnee City Fire Department's Demolition Reimbursement Request at 1347 G Street: Mayor Hatfield explained the Fire Dept. raised money to demolish the house and clean up the property but the City actually owns the property so if the Council approved this request, the City "wouldn't be paying themselves" from the Demolition Fund. They would be reimbursing the Fire Dept. for the expenses incurred. Council Member Eisenhower moved to approve the Pawnee City Fire Department's request for a \$4000 demolition reimbursement. Council Member Zelenka seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

Review/Act on Pawnee City Bruce Roger's Demolition Reimbursement Request at 230 L Street: Council reviewed the receipts and list of expenses Mr. Rogers submitted. Mr. Rogers submitted \$7290 of allowable expenses. Council Member Eisenhower moved to approve a \$4000 demolition reimbursement to Bruce Rogers. \$4000 is the maximum allowed for demolition reimbursement. Council Member Zelenka seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

Review email & cover letter from Jennifer Peters with Black Hills Energy (BHE) & previous ordinances: Discuss any changes proposed to the renewal of Black Hills Franchise 25-year Agreement; (This line item will be back on the 10/10/2023 Council Meeting Agenda

to take action on the two proposed ordinances); Clerk Curtis explained that City Atty Betsy Ferebee is reviewing the current lease agreement which ends October 31, 2023.

Report and update from Foreman Cumley: Well Updates: Foreman Cumley explained the water level in Well #1 has gone up half a foot and the water level in Well #2 has gone up a full foot. Total water usage for the City has decreased and Foreman Cumley suggested lifting the current water restriction to make it voluntary. Discussion was had concerning making water conservation voluntary and the effect it would have on the wells and aquifer, so the Council agreed to table this discussion until the next Council meeting. **Water Tower Inspection:** Cumley explained the subcontractor for Maguire Iron was in town last Tuesday but hasn't yet returned. They wanted to drain the water tower in order to inspect it but Cumley didn't want to drain the water tower since the City has mandatory water restrictions. So, the contractor brought a ROV, remote-operated vehicle, to complete the inspection and the water tower passed. The tower is due for cleaning next year which will be covered under the City's maintenance agreement. **Discuss Jeff Fink Water Tap:** Foreman Cumley talked to Jeff Fink about the letter he was sent in regard to turning on the water when construction starts on his home. Mr. Fink accepted that decision. **Discuss wastewater training:** Cumley received a pamphlet in the mail from the Nebraska Water Environment Association offering a Wastewater Treatment Plant training scheduled for Sept. 7th in Bellevue and the cost is \$100/person. This would be an actual "hands on" training and should be very beneficial. Council agreed all three crew members should attend. By the way, the swimming pool has been drained.

Review/Take Action on Ordinance #1037, Amendment to 8-112, Placement of Driveway Tube; Tubing Ditches Ordinance, adding stipulations if property owner wants to tube their whole ditch (Second reading): Council Member Poskochil moved to approve Ordinance #1037, Amendment to 8-112 on second reading. Council Member Eisenhower seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

Review PCAL Minutes & Treasurer's Report: Council asked about the charge for a storage unit. DC Wiers explained she had suggested at the last PCAL board meeting having a garage sale during the City-Wide Garage sales on October 6th but only one person, Mike Sheldon, was able to volunteer with the sale. Mayor Hatfield explained he is the new part-time maintenance person for PCAL and he would volunteer to help with a garage sale. All four council members also volunteered to help with a garage sale for PCAL.

Correspondence: The City Council reviewed correspondence from June 2023 total Sales Tax of \$20,804.94 with ½% Street Repairs Sales Tax totaling \$4389.46 and \$3347.10 being Motor Vehicle Sales Tax. Council reviewed the email from the Pawnee City Chamber of Commerce which listed resources available from the USDA Rural Development. Council reviewed the email from NPPD explaining their wholesale rates remain among the lowest in the nation.

Council Member Zelenka moved to adjourn the meeting. Council Member Fisher seconded the motion. Roll Call vote indicated all in favor of the motion and meeting adjourned at 8:21 pm.

ATTEST: Kellie A. Wiers, Deputy City Clerk

Charlie Hatfield, Mayor