

MINUTES OF THE REGULAR MEETING OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PAWNEE CITY, HELD ON MONDAY, SEPTEMBER 25, 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 Eisenhower; 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 September 11, 2023, Special Budget Hearing meeting minutes. Council Member Eisenhower seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

Council Member Zelenka moved to accept the September 11, 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.

Council Member Zelenka moved to accept the September 20, 2023, Former Fire Hall Auction Special 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: **9/26/23 Payroll:** \$10,706.91; **Union Bank & Trust**, FWH 3143.60; **NE Dept. of Rev**, SWH & waste red/recycle 500.69; **John Hancock**, retirement 1608.54; **Madison National Life**, life ins 55.09; **Allstate**, cancer/accid 218.06; **Ameritas**, cancer/accid ins. 86.10; **United Health Care**, health ins. 6563.70; **Windstream**, ph/internet @ city office 149.63; **BHE**, gas service 180.20; **PCDC**, July 2023 sales tax 10,308.36; **Seneca Sanitation**, Aug 2023 garbage service, dumpster @ pool 6992.97; **Nebr. Public Health Environmental Lab**, wtr sample tests 395.00; **Capital Bus. Syst.**, Elevate phone system 111.94; **Amazon Capital Services**, office supplies 1366.15; **Verizon Wireless**, home connect & jetpack 64.44; **Center Point Large Print**, library materials 1700.64; **Game Time**, bal Opt #1, playground equip 15,285.82; **Junior Library Guild**, library materials 2515.35; **Lincoln Winwater Works**, wtr parts stock 116.27; **NPPD**, electric service 3712.93; **One Call Concepts**, digger hotline locates 17.52; **Pawnee True Value**, repair parts 96.24; **Quill Corp.**, office supplies 123.18; **Winnelson**, swr repair parts 26.73; **Stehlik Law**, release of UCC Reuse loan 525.00; **Nebr. Dept Envir & Energy**, swr license renewal empl#988 150.00; **Brian Heinz**, clean windows @ fire hall 75.00; **Center Point Lg Print**, library materials

275.00; **Gale-Cengage Learning**, library materials 2898.00; **Nebr. Wtr Environ Assoc**, crew members wastewater training 450.00; **Pawnee Republican**, publications 290.68; **Wilson Electric**, electric work @ pool/pond 1860.00. 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 with Individual Fund Balances as of 9/26/2023: Council reviewed the Treasurer's Report with no questions.

Sheriff Braden Lang: Sheriff Lang explained he was instructed to send the letter (included in the agenda packet) to all people and organizations that had donated funds to the K-9 Unit to verify whether they wanted the balance of their donation returned or left in the County Fund. The City had already sent a letter to the County Clerk requesting the remainder of the \$5000.00 donation be returned to the City. There is \$3658.00 left. Council Member Zelenka moved to sign the submitted letter and request the balance (3658.00) of the City's \$5000.00 be returned to the City. Council Member Eisenhauer seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried. Sheriff Lang explained that no progress has been made on the Evidence Room, but he finally received an answer on his budget and there is an extra \$29,000.00 left in it so Lang plans to give his deputies raises with this money. ***Discuss Request for Stop Signs placed at the intersection of 11th & E Streets going East & West:*** Deputy Wiers explained Virginia Edwards stopped in the city office recently and requested stop signs at this intersection because many cars drive very fast on this street, and she is concerned that a child or elderly person will get hit by a car. Also, Wiers' mother used to live on the southside of Pawnee Village and crossed 11th street daily to get her mail and she was concerned about traffic. Discussion was had about installing stop signs or speed bumps and it was suggested to paint a crosswalk connecting the north and south sides of Pawnee Village on the east and west ends of the block. Sheriff Lang explained if there was a pedestrian walking through the crosswalk then cars have to stop to let pedestrians pass by. Council Member Zelenka moved to have the crew members paint crosswalks connecting the north and south sides of Pawnee Village on the east and west ends of the block. Council Member Eisenhauer seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

BETSY FEREBEE, CITY ATTORNEY: **Discuss complaint on 710 Trail that goes by Don North's house towards the winery; Review past meeting minutes from 2007 & 2008 re: that same road, Quit Claim Deed & Survey:** City Atty Ferebee was present by phone. She explained after reviewing city ordinances and state statutes it doesn't look like the City has the authority to make this a minimum maintenance road, but the County would have that authority. The City does have the authority to vacate it, or the City could ask the County to make it a minimum maintenance road or repair the road because the City would probably be liable for damages incurred on that road. Council Member Eisenhauer suggested it would be best to vacate the road and return the land to the landowners that had originally deeded the land to make this road because it would cost a lot of money to properly fix this road. Sheriff Lang stated he was concerned with the amount of traffic on the road, but Council Member Eisenhauer stated there is no traffic on that road except for the mail carriers. Clerk Curtis travelled on this road recently and stated that it is in very bad shape. She also explained there is a process that will have to be followed before the road can be vacated. A public hearing will have to be held and letters will

have to be sent to the abutting landowners. Council Member Eisenhauer moved to start the process to vacate this road to through traffic. Council Member Zelenka seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

Discussion of Sale of Former Fire Hall, 732 F Street: Mayor Hatfield explained a resolution should have been passed before the sale of the old fire hall. City Atty Ferebee explained she thought the City had a quorum on the night of the sale but there wasn't a quorum for a resolution. This process needs to be followed in order to have a good sale. The buyers seem to understand the process that must be followed and the delay it will cause for closing. The resolution will have to be passed then notice will have to be published three times and then give the public thirty days to respond. Council Member Eisenhauer asked what would happen if someone objected? They would have to file a petition with signatures from 30% of the registered voters with the county clerk. The buyers have requested access before the closing date to store some classic cars inside the building and be able to change the locks. They would maintain insurance on anything stored inside the building while the City would insure the building until after the thirty days, which would be Nov. 13th. Council Member Eisenhauer moved to approve Resolution #9 approving the sale of the old fire hall at 732 F Street in Pawnee City, Nebraska. Council Member Fisher seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried. The Council agreed to let the buyers have early access to the building and change the locks before the closing of the sale. On November 13th, Council will meet to pass the ordinance on the sale of the building. Clerk Curtis has contacted LARM about the insurance coverage.

Review/Discuss quote from Blue Valley Public Safety for removal of Fire Siren and Controls from former Fire Hall and install a new Fire Siren to be located on City ROW or City Property: Clerk Curtis explained this expense must be budgeted and the proceeds from the sale of the old Fire Hall can't be used to pay for this. She suggested paying for this expense out of this year's budget with \$1900.00 taken out of the Fire budget and the rest be taken out of the General account. Mayor Hatfield reviewed the quote submitted by Blue Valley Public Safety. It would cost \$750.00 to install a time clock to continue operating the fire siren at noon and 6:00 pm. and he suggested not continuing this service. Council agreed. Curtis further explained that traffic control will not be needed because the siren is behind the current building and item #11 on the quote will not be needed because the City will have an electrician on site, such as Wilson Electric. Jeff Edgington with Blue Valley will contact Wilson Electric. Also, it will cost an extra \$1089.00 to have Blue Valley remove the current siren. The total cost then for a new siren will be \$32,002.90. Council Member Eisenhauer moved to approve the \$32,002.90 quote from Blue Valley Public Safety to remove the old fire siren and install a new fire siren at a location yet to be determined. Council Member Zelenka seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried. Clerk Curtis explained Jeff will drive around town to look for possible locations for the new fire siren.

Review PCAL Minutes & Treasurer's Report: Council reviewed the PCAL minutes and Treasurer's report. PCAL Director Caralyn Friedly had to take \$17,000.00 out of the resident trust account to pay payroll but the money has since been deposited back into the trust account. This happened because there was an extra payroll before the monthly income was received. Clerk Curtis explained PCAL Board President, John DeFreece, will be at the next Council

meeting to discuss the \$21,107.50 that is still owed on PCAL's loan with the City. Caralyn had emailed Clerk Curtis and said PCAL had the funds to pay this off, but it wouldn't leave much money in reserve. Clerk Curtis suggested asking for an extension and making monthly payments of \$854.00 over a two-year period then they would have the loan paid off. John DeFreece will schedule a special meeting for the PCAL board and then report back to the Council at the October 10th meeting.

TABLED FROM LAST MEETING: The Main US Postal Service Office has requested the outside Blue Post Office Letter Box be moved across the street to the alley, North of the Post Office: Clerk Curtis explained Post Office Manager Jessica Murphy recently emailed the City Office requesting the blue mailbox across the street be moved onto the Post Office property under the pine tree since the old Fire Hall sold and the alley is no longer a fire lane. Council Member Fisher talked with Renee Boomgaarn who owns the NAPA store next door, and she really doesn't want extra traffic in the alley behind her store. Fisher drove down the alley and there was quite a dip in the NAPA parking lot next to the alley on the south side plus when he got close to the west at the end of the alley, his car was low enough that it scraped on the cement when he turned onto the busy highway. Also, this could create a safety issue with people turning into oncoming traffic from the South from hwy #8 because of the blind spot created from the brick building on the corner next to the NAPA store. Council agreed it is safer to keep the blue mailbox across the street next to the old library because there is a lot less traffic in that alley and the street it connects to on the east side of the new library. Council Member Eisenhauer explained if a vehicle was driving west on the alley north of the post office and then tried to turn south onto hwy 50, this would create a safety hazard for traffic turning north onto hwy 50. Council Member Eisenhauer moved to deny the request from USPS to move the mailbox from the alley by the old library to the alley north of the post office based on city traffic area potentially travelling in both directions on an alley when someone is stopped to deposit mail into the box and someone else is exiting a local business going to the East and the hazard of exiting onto either hwy 8 or hwy 50 with blind corners and hills that could cause an increase in accidents. Council Member Zelenka seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

Report and update from Clerks Curtis & Wiers; Items for discussion are: Discuss the City doing the Angel Tree without SENCA's assistance: Curtis and Wiers explained to the Council that the outreach worker is only in Pawnee City one day each week and a few years ago, the Angel Tree program wouldn't have happened without the clerks' help. Currently, SENCA has set up an office in one of the apartments at Pawnee Village to provide handi-bus services and the outreach worker meets with clients there one day each week. Also, one year, SENCA didn't offer holiday meal baskets because that worker didn't have time to deal with it and the Angel Tree because of her limited time in Pawnee City. Clerk Curtis explained that Angel Tree applications were not shared with SENCA Head start last year due to miscommunication between Head Start and the worker. One of the parents came to pick up gifts for their Head Start child and there were no gifts to pick up because the application had not been forwarded to the City Office. Clerk Wiers explained that last year, SENCA, the City Office, the Library and the Hospital were all involved in the program, and it was very difficult to coordinate communication, Angel Tree ornaments and gift collection with all four entities. Council Member Eisenhauer asked if the Angel Tree program was just for Pawnee City or is it open to everyone in Pawnee County? The

Clerks explained most of the applications have been from Pawnee City with one from Table Rock and one from Lewiston. Since SENCA has limited time in Pawnee City, SENCA can offer the holiday baskets and the Council was in agreement with the City Office covering the Angel Tree. DC Wiers will contact SENCA with the City's decision.

Report and update from Foreman Cumley: *Discuss Well Updates:* Foreman Cumley explained the wells are maintaining and the water level is the same as it was last month. Usage has remained at around 117,000 gallons per day. Cumley hasn't heard any update about the test well, so he plans to contact them. ***Discuss how the Camping Sign reads at the Pawnderosa & possible price change:*** Recently, there was a camper at the Pawnderosa who claimed she wasn't using any electricity and shouldn't have to pay \$12.00/night even though she had an RV parked on a camping pad. The sign reads "\$6.00 per day without electric—includes tents & campers." The camper finally left without paying for the weekend. Cumley suggested updating the sign to make it clear that if someone is parked on a camping pad, then they should have to pay the full price for camping. Council Member Fisher added that if you are tent camping but have the tent set up on a camper pad and blocking the use of water and electricity, then you should have to pay the full price. Council Member Eisenhower suggested raising the rates for camping since many other campsites charge more than Pawnee City. Council Member Eisenhower moved to update the camping sign to state "Daily Camping \$15.00 per day with electricity and water on camper pad; \$8.00 per day primitive camping; all camping is limited to 14 consecutive days unless granted an exception; effective Oct. 1, 2023." Council Member Fisher seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried. There are two people that already have reservations for October, and they will be "grandfathered in" at the old rate. Council Member Eisenhower stated that Kim Barrs Dagget will not be able to camp again at the Pawnderosa until she pays for the camping charges owed. ***Review/Discuss Water Rationing Stages; Currently the City is on Stage 2: Water Rationing:*** Council agreed that the City should be left on water rationing. ***Discuss GIS Mapping System for Water and Sewer Mains:*** Foreman Cumley has been looking into some GIS mapping systems which is a network computer system where all the water mains and sewer mains are inputted and mapped, and you pay a subscription for the service. Cumley has been communicating with Subsurface Solutions from Omaha. Information is held in the system and when the crew replaces a shutoff or a service line that information would be updated. For instance, if the crew would have to dig up a main, you can then bring up the map and update when the pipe was replaced and with what type of material, so you would easily be able to find this information without digging up ground to find where it is connected and how long it has been in the ground. This would also help with identifying lead service lines and this system can be used for water and sewer. It includes a GPS locating device which is more accurate and is compatible with the mapping system. Subsurface Solutions has a reader which will map the water mains for the whole town and then this information can be downloaded into the system which will accurately locate the water mains and automatically drop this information, which includes depth and size of pipe, into the system. Subsurface Solutions sent two quotes and the first quote of \$4075.00 is for the materials which includes a GPS geode for pinpointing shut offs, fire hydrants, etc and an online map and subscription service. This would be in a digital format which would replace our current system which is on maps and paper. This information can also be accessed on the city cell phone. The cost for Subsurface Solutions to map out the town would be \$16,100.00 which is a onetime cost and covers the whole town. You can't locate sewer mains because they are made of clay tile, but

the sewer mains can be mapped on the system so that information can also be included and then Cumley can access the system and draw in the lines from manhole to manhole. So, it can be documented when a sewer line has been jetted and that information would be readily available instead of looking through records to find that information. Also, Subsurface Solutions includes unlimited free tech support and a three-year warranty on equipment. You can also download photos onto the system to track the make and model of fire hydrants, water mains and sewer mains. Cumley also talked with 120 Water, but their quote was higher, and they work mostly with large cities and lead service line inventories. Discussion was had on which funds should pay for the costs since most of it would be for water mains but can also include sewer mains. Council Member Zelenka moved to approve the quotes from Subsurface Solutions for the GIS mapping system for the water and sewer mains with the \$16,100.00 quote to be paid out of Water and the \$4075.00 quote to be paid out of Sewer for a total of \$20,175.00. Council Member Eisenhauer seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried. Foreman Cumley has talked with Bret Melson from Johnson Service Co. about more slip lining for a total cost of \$118,000 (seven linear blocks) to pay part of it this year and the rest out of next year's budget. All the trunk mains have been done but now they are working on the lineals.

Report and update from Council Member Eisenhauer: Items for discussion are: *Discuss allowing a Special Youth Halloween Project on the Bike Walk Path from 14th & M Street to 11th & J Street:* This event has been cancelled. No discussion. *Discuss Pickleball/Basketball Court at Van Horne Park:* There are some spots on the court that have peeled off. Council Member Eisenhauer sent pictures to Chan who said the one-year warranty is over, but he will come down and repair the spots. Council Member Fisher stated he thought it looked like someone had lit fireworks on the court and that might be why the finish came off. Council Member Eisenhauer contacted Wilson Electric for a quote to install electric service on the amphitheater. That way if electricity is needed for an event, they would not have to run extension cords for power which could also be a safety hazard.

Correspondence: The City Council reviewed correspondence from July 2023 total Sales Tax of \$29,442.81 with ½% Street Repairs Sales Tax totaling \$6,872.24 and \$1,953.85 being Motor Vehicle Sales Tax.

Council Member Zelenka moved to adjourn the meeting. Council Member Poskochil seconded the motion. Roll Call vote indicated all in favor of the motion and meeting adjourned at 8:36 pm.

ATTEST: Kellie A. Wiers, Deputy City Clerk

Charlie Hatfield, Mayor