

City of St. Paul Regular Meeting  
704 6<sup>th</sup> Street  
St. Paul, NE 68873

**Tuesday, February 22, 2022**

A meeting of the Mayor and City Council of the City of St. Paul, Nebraska was held at City Hall in said City on Tuesday, February 22, 2022 at 7:00 p.m. Present were Mayor Joel M. Bergman and Council members Katie Kowalski, Jerry Thompson, Chuck Schmid and Mike Feeken. Absent: None. Notice of the meeting was given in advance thereof by publication in the Phonograph Herald, a legal newspaper published in said City and County. Notice of the meeting was also posted in four (4) public places. Notice of this meeting was communicated in the advance notice. All proceeds thereafter shown were taken while the convened meeting was opened to the attendance of the public.

Mayor Bergman opened the meeting at 7:00 p.m. with the "Pledge of Allegiance" and thanking the public for attending and announcing that the City of St. Paul abides by the Open Meetings Act, which is posted on the west wall as required by Nebraska State Law §84-1407 through §84-1414. Mayor Bergman also stated that the City Council may vote to go into Closed Session on any agenda item as allowed by NE State Law §84-1410.

Individuals who have appropriate agenda items for City Council consideration should complete the "Request for Future Agenda Items" form located at the City Office. If the issue can be handled administratively without Council action, notification will be provided. If the item is scheduled for a meeting or study session, notification of the date will be given. Also, any City patrons that are requesting "Public Records" or have "Questions or Concerns" in regards to the City, they need to be submitted in writing to the City of St. Paul, so that it can be addressed appropriately. These forms are available online, in a file folder on the back wall of the Council Chambers or at the City Office.

There was an opportunity for individuals wishing to provide input on any of tonight's agenda items. Those individuals were asked to reserve time to speak; per Mayor Bergman, there will be a five (5) minute limit per person on speaking.

Ms. Judith Puncochar an area resident was present to voice concerns regarding the profane sign at 922 Kendall Street. Ms. Puncochar stated that "St. Paul is a vibrant community with shared values and appreciation for farming, education, people, and businesses. We are a vibrant community with shared values in our children who will grow up here and return to St. Paul to work and carry out our values. Collectively, we value Respect, Hard Work, Bravery, Honesty, Humility, Truth, Wisdom and Love." Ms. Puncochar urged the City Council members to start a dialogue about the influence of deliberate printed expressions of foul language in town. After Ms. Puncochar spoke, several people in attendance voiced their own points of view in favor of Council member Thompson's 2<sup>nd</sup> Amendment rights. Mayor Joel Bergman stated that he had a conversation with Council member Thompson pertaining to the removal of the offensive sign; this did not remedy the problem. Mayor Bergman also stated that the City received numerous calls and a letter from Roger and Linda Welsch (Dannebrog), regarding the sign. Two (2) City Council members gave their opinion regarding the signage. Ms. Puncochar thanked the Mayor and City Council members for hearing her concerns. Mayor Bergman thanked everyone that spoke in regards to the subject; no action was taken at this time.

Next on the agenda for discussion was the 108 Howard Avenue apartment nuisance owned by Mr. Todd Padrnos. St. Paul Chief of Police Howard stated that he is giving Mr. Padrnos another two (2) weeks to remedy the nuisance. Mr. Padrnos conveyed to Chief of Police Howard that the plan is to tear down and replace the apartment post and decking; he is also working on the financing aspect of the project. Council member Feeken had questions regarding the rusted post; Chief of Police Howard stated that any post standing will be replaced. This item will be placed on the Agenda for Monday, March 7, 2022.

Council member Schmid moved to approve Olsson's Change Order Request No. 2 regarding the City of St. Paul's 2021 Wastewater Treatment Facility (WWTF) Improvement Project; Engineers

Project No. 020-2586. This is not a cost change order; this only allows the contractor to decommission the existing south lagoon cell after substantial completion of the project. By allowing this, the potential of discharge limits not being met are kept at a minimum. Council member Kowalski seconded the motion. Council members Kowalski, Thompson, Schmid & Feeken voted aye, nays none. Motion carried 4/0.

Council member Schmid moved to approve Pay Request No. 1 to Rutjens Construction Inc., Tilden, NE regarding the Wastewater Treatment Facility (WWTF); Project #020-2586 in the amount of \$57,182.31 for electrical material from Schneider Electric (B & C Electric - Genoa, NE), Electrical Engineering & Equipment Co. (Columbus, NE) and Crescent Electric (Grand Island, NE). This comes with the stipulation that City Clerk Beck pays Rutjens Construction Inc. for the invoices in the amount of \$57,182.31 from the City Sewer ICS account, along with Brian Friedrichsen (Olsson) forwarding the Wastewater Treatment Facility (WWTF) invoices to the Nebraska Department of Environment and Energy (NDEE) for reimbursement to the City. Once the City receives the reimbursement funds from NDEE, they will go back into the Sewer ICS account. Council member Thompson seconded the motion. Council members Kowalski, Thompson, Schmid & Feeken voted aye, nays none. Motion carried 4/0. Council member Feeken questioned the storing of the WWTF construction products; Brian Friedrichsen answered the question.

Council member Thompson moved to approve Michael J. and Robyn R. McCann AND Jeffrey L. and Shauna L. Christensen Administrative Plat, along with Mayor Joel M. Bergman signing the plat pertaining to Lot C, Bryan's Addition regarding vacant property located south of Paul Street between 9th Street and Grant Street. The property is more particularly described as: Beginning at the Northwest Corner of said Lot C; thence on an assigned bearing of North 89°14'00" East on the northerly line of said Lot C a distance of 276.95 feet to the Northeast Corner of said Lot C and the westerly right-of-way line of 9<sup>th</sup> Street; thence South 00°18'20" West on said westerly right-of-way line and the easterly line of said Lot C a distance of 140.31 feet to the Southeast Corner of said Lot C; thence South 89°20'38" West on the southerly line of said Lot C a distance of 276.83 feet to the Southwest Corner of said Lot C and the easterly right-of-way line of Grant Street; thence North 00°15'36" East on said easterly right-of-way line and the westerly line of said Lot C a distance of 139.77 feet to the point of beginning, containing a calculated area of 38769.65 square feet or 0.89 acres, more or less. The administrative plat will be recorded at the Howard County Clerk's Office once the property taxes are paid on the property. Council member Schmid seconded the motion. Council members Kowalski, Thompson, Schmid & Feeken voted aye, nays none. Motion carried 4/0.

Next on the agenda was to review the Chief of Police nuisance list to see if the City Council intends to proceed with the next nuisance step of the St. Paul Municipal Code. In the next step, the City Council will determine to proceed by giving a second "Notice" with date, time and place for interested parties to appear before the City Council and present evidence that the property is a public nuisance and needs to be abated. Council member Schmid moved to approve sending a second "Notice of Hearing" letter to all ten (10) persons on the nuisance list. The hearing will be held on March 21, 2022 at 7:00 p.m. in the City Council Chambers to determine if the properties constitute a public nuisance. At the hearing the City Council shall hear all evidence from any interested parties pertaining to the above issue. If the premise in whole or part, are found to constitute a public nuisance, as defined by Sections 4-308 to 4-309 of the St. Paul Municipal Code and if the same are not promptly abated, the Municipal Authorities shall abate the same and the cost of abatement shall be assessed upon the premises and such costs shall constitute a lien upon such land until paid. Council member Feeken seconded the motion. Council members Kowalski, Thompson, Schmid & Feeken voted aye, nays none. Motion carried 4/0.

Council member Thompson moved to approve Consent Agenda Items: (1) Treasurer's Report for January 2022; (2) February 7, 2022 Council minutes (regular); (3) February 14, 2022 zoning permits; and (4) February 22, 2022 disbursements. Council member Feeken seconded the motion. Council members Kowalski, Thompson, Schmid & Feeken voted aye, nays none. Motion carried 4/0.

Altec Industries (supplies)	272.69
Aurora Coop (fuel)	1686.00
Barco Municipal Products (supplies)	705.15
Black Hills Energy (natural gas)	1993.06
Brehm's Drug (supplies)	37.09
City Lights (utilities)	10980.89
Consolidated Mgmt (meals)	137.12
Core & Main (supplies)	162.27
Custer County Recycling (service)	20.60
NE Dept Revenue: Sales & Use Tax (tax)	13769.21
Dick's Repair (repair)	622.14
Eakes Office Solutions (supplies)	220.76
Elmwood Cemetery (cemetery)	300.00
Filter Care (service)	35.65
Grone's Outdoor Power (supplies, repair)	47.79
Heartland Disposal (service)	6730.08
Hesselgesser Electric Motors (repair)	4453.94
Homestead Bank (ACH fees)	22.60
Howard Greeley RPPD (utilities)	152164.05
Jarecke Motors (repair)	229.58
Jim's Champlin (fuel)	1850.29
John Deere Financial (supplies)	333.86
League of NE Municipalities (conference)	1404.00
Loup Valley Supply (supplies)	6.50
Mid-Nebraska Disposal (service)	3501.50
NE Dept of Envir & Energy (permit)	40.00
NE Law Enforcement Training Cntr (fees)	175.00
NE Rural Water Assoc (conference)	900.00
One Call Concepts (service)	2.36
Petty Cash (supplies, car wash, registration)	53.19
Phonograph Herald (publish)	371.29
Quick Med Claims (service)	485.14
Rawlings, Moriah (mileage)	82.49
Rembolt Ludtke (fees)	1250.00
Schaper & White (service)	452.08
Servi-Tech (lab)	125.60
Smith Welding (repair)	12.85
Stryker Sales Corp (supplies)	395.81
TO Haas Tire (repair)	21.60
United Healthcare (insurance)	23529.89
US Post Office (postage)	634.00
United States Post Office (fee)	70.00
Vogel Auto Repair (repair)	173.70
Wesco Distribution (supplies)	554.33

**Non-General Disbursements**

Police ICS #103292 to Police Checking RE: Holiday Pay	8650.00
Sales Tax: Copy Cat Printing: Chamber Brochures	1883.65
TIF: St Paul Development Corp. (BedHead TIF Proceeds)	3944.10
TIF: S Squared Enterprises (Prairie Falls #8668 TIF Proceeds)	760.00
Bldg ICS: HOA Solutions (antenna repair)	1132.20

City Water Operator Jeremy Gorecki gave a presentation regarding the City of St. Paul Wellfield pasture management and to see if the Council desired to move forward with a new pasture lease agreement. Mr. Gorecki stated that the (1) Nebraska Game and Parks (Mike Herman); (2) Natural Resource Conservation Service (NRCS – Grant Gydesen & Trent Findley); and (3) Pheasants Forever (Cody Baker) made a visit to the pasture to see if it was ready for a

controlled burn. All the organizations were in agreement stating that the pasture was not anywhere close to a controlled burn, along with the pasture not being over grazed. The City could perform mechanical removal of the cedar trees at this time; the cost share would be approximately \$290 an acre. Other items discussed included: (1) the sumac; (2) the removal of the Elm trees; (3) burning the cedar trees in phases; and (4) the financial assistance in removing the trees. There will be more discussion on the topic in future years.

Council member Thompson moved to approve the City of St. Paul advertising in the Phonograph Herald regarding the Wellfield Pasture Lease "Request for Bids" for a three (3) year term. The wellfield pasture description is more described as: The East half of Section Six (6), Township Fourteen (14) North, Range Nine (9), West of the 6<sup>th</sup> P.M., Howard County, St. Paul, Nebraska. The advertising will be for three (3) consecutive weeks, which include Wednesday, March 2, 2022; Wednesday, March 9, 2022; and Wednesday, March 16, 2022. Sealed bids must be received by Friday, March 18, 2022 at 3:00 p.m.; the bid award will be approved by the City Council at its regular meeting on Monday, March 21, 2022 at 7:00 p.m. The pasture seasons will begin on May 15, 2022 and continue until October 15 of each year. The successful bidder shall pasture no more than 28 cow/calf pairs or 45 head of cattle and two (2) bulls. Council member Feeken seconded the motion. Council members Kowalski, Thompson, Schmid & Feeken voted aye, nays none. Motion carried 4/0.

Utility Superintendent Helzer reported on replacing the St. Paul Swimming Pool rope above the logs; it will be custom made, with the cost being under \$10,000.

Chief of Police Howard updates included: (1) nuisances; (2) there is a Police Officer position opening; received one (1) employment application; and (3) was a busy last week for the St. Paul Police Department.

Council member Thompson wanted to know the outcome of the Police Officer "holiday pay"; it was stated that the Police Officers received all of their "holiday pay" by the payroll process.

Mayor Bergman updates included: (1) Council member Schmid filed for the Mayor position; (2) the City received \$1,580 from the Public Alliance for Community Energy (ACE); ACE has returned \$37,895 back to the St. Paul community; (3) CodeRED is on the Howard County government page for weather, emergency (Shelter in Place Order) and general notice; and (4) the League Association of Risk Management (LARM) Annual Report can be reviewed at the City Office.

For Public Announcements: Mayor Bergman announced that four (4) City representatives will be attending the Mid-Winter Conference on Monday, February 28, 2022 and Tuesday, March 1, 2022.

Mayor Bergman adjourned the City Council meeting at 8:08 p.m.

March 17, 2022  
Date

Joel M. Bergman, Mayor

Connie Jo Beck, City Clerk/Deputy Treasurer