

City of St. Paul Regular Meeting
704 6th Street
St. Paul, NE 68873

Monday, May 1, 2023

A meeting of the Mayor and City Council of the City of St. Paul, Nebraska was held at City Hall in said City on Monday, May 1, 2023, at 6:30 p.m. Present were Council President Mike Feeken and Council members Katie Kowalski, Chuck Schmid and Bill Peters. Absent: Mayor Joel M. Bergman. 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.

Council President Mike Feeken opened the meeting at 6:30 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. Council President Feeken 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 regard 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 Council President Feeken, there will be a five (5) minute limit per person on speaking.

Council President Mike Feeken opened a public hearing at 6:32 p.m. regarding a new Class K Liquor License application for Seven County Spirits, LLC dba Loup River Distilling (K-125457) at 503 Howard Avenue, St. Paul, NE.

Howard Greeley Rural Public Power District (HGRPPD) General Manager Dirk Dietz was in attendance to answer questions regarding the Addendum to Wholesale Power Contract between Howard Greeley Rural Public Power District (HGRPPD) and City of St. Paul. HGRPPD has contracted for the generated output of a one (1) megawatt solar facility located on property owned by the City of St. Paul and leased to HGRPPD ("Solar Facility"). In the "Addendum" the City shall purchase twenty percent (20%) of the generated output of the Solar Facility ("St. Paul Allocation") as long as the Contract and any amendment remain in full force and effect. HGRPPD went with the 80% (HGRPPD) / 20% (City), due to the initial cost of the first bid prior to Pre-Covid; the material cost is currently 2-1/2 times the amount of the bid. The item was tabled until May 15, 2023; HGRPPD General Manager Dietz will request a City allocation of twenty-five percent (25%) at the next HGRPPD Board meeting. According to Mr. Dietz, the solar field should be energized approximately May 21 – 22, 2023.

Council member Schmid moved to approve the Electrical Department (James Summers) purchasing a new Dell Rugged Laptop from COR Managed Services in the amount of \$3,795. The laptop will be utilized for the Electrical Geographic Information System (GIS) input. Council member Peters seconded the motion. Council members Kowalski, Schmid, Feeken & Peters voted aye, nays none. Motion carried 4/0.

Jerry Thompson was in attendance to ensure that the City do an overview of the City's Municipal Code regarding nuisance procedures. At the last City Council meeting, numerous persons questioned the process. Therefore, Chief of Police Dan Howard and City Clerk Connie

Jo Beck went through the nuisance procedure steps. The City of St. Paul's Municipal Code can be accessed at www.stpaulnebraska.com under the Government tab, then the City Code.

Fiber Nebraska representative's Stuart Gilbertson and Tyler Cretacci was in attendance to discuss placing fiber optic cables in St. Paul, NE for residential and commercial. Fiber Nebraska has completed a project in Wood River, NE in July 2021; therefore, the City of St. Paul wants to mirror Wood River's legal documents with the assistance of St. Paul's City Attorney. Fiber Nebraska will work with City utilities personnel regarding the placement of the fiber optic cable. Other topics of discussion were: (1) placement of fiber optic cable on poles or underground; Electrical Commissioner James Summers was not in favor of placing fiber optic cable on City poles; and (2) Occupation tax. The item was tabled, due to Attorney White reviewing necessary "Agreements" for the project. Utilities Superintendent Helzer will check with ALLO regarding the placement of fiber optic cable in St. Paul, NE. A fee schedule was provided by Mr. Gilbertson regarding Residential and Commercial internet.

A nuisance hearing was next on the agenda regarding 1220 Farnum Street; the property is more legally described as: Lot Eight (8), Nine (9) and the West 10' feet of Lot Ten (10), Block Five (5), Military Addition, Howard County, St. Paul, NE. Pictures were provided by Chief of Police Dan Howard. There was no person in attendance to speak on the 1220 Farnum Street nuisance property. Therefore, Council member Schmid moved to approve the "Notice of Adoption of Resolution 2023-04" regarding 1220 Farnum Street. The City Council determined that the property constitutes a public nuisance. The owner will have thirty (30) days from the date of the notice to abate the nuisance. Failure to abate the nuisance shall result in the nuisance being abated by the City of St. Paul and the cost of the abatement shall be assessed upon the premise and will constitute a lien upon the premises until paid. Council member Kowalski seconded the motion. Council members Kowalski, Schmid, Feeken & Peters voted aye, nays none. Motion carried 4/0. Chief of Police Dan Howard will contact Mr. Padrnos regarding what needs to be removed from the premise.

A lengthy discussion ensued concerning the list of nuisances that were provided to the City Council this evening constituted a public nuisance. If the properties did constitute a public nuisance, then the Council may determine to proceed with a second (2nd) notice. The second (2nd) notice shall establish a DATE, TIME AND PLACE at which all interested parties may appear before the City Council and present evidence to determine whether the premises constitute a public nuisance, to be abated.

Council member Schmid moved to approve sending the "Notice of Hearing to be Determined Existence of Public Nuisance" to the list below; the hearing will be held on Monday, May 15, 2023 at 6:30 p.m. in the City Council Chambers. The nuisance list consists of: (1) 1315 Sheridan Street; (2) 805 7th Street; (3) 517 Howard Avenue; (4) 219 4th Street; (5) 324 Custer Street; (6) 315 4th Street; (7) 523 Howard Avenue; (8) 726 Howard Avenue; (9) 204 5th Street; (10) 1518 Kendall Street; (11) 1414 Howard Avenue; and (12) 1218 Grant Street. Council member Kowalski seconded the motion. Council members Kowalski, Schmid, Feeken & Peters voted aye, nays none. Motion carried 4/0. Chief of Police Dan Howard stated that Mr. Tubbs at 726 Howard Avenue will be applying for a Fire Engine Dealer license, so that he doesn't have to license his fire trucks.

After hearing no public comments regarding the Seven County Spirits LLC, Class K Liquor application, Council President closed the public hearing at 7:24 p.m. Council member Kowalski moved to approve Seven County Spirits LLC dba Loup River Distilling (503 Howard Avenue) Class K Liquor License application (K-125457). Council member Feeken seconded the motion. Council members Kowalski, Schmid, Feeken & Peters voted aye, nays none. Motion carried 4/0.

Council member Schmid moved to approve Consent Agenda Items: (1) March 2023 Treasurer's Report; (2) April 12, 2023, minutes (special) and April 17, 2023 minutes (regular); (3) zoning permits of April 24, 2023 and (4) May 1, 2023 disbursements. Council member Peters seconded the motion. Council members Kowalski, Schmid, Feeken & Peters voted aye, nays. Motion carried 4/0.

May 1, 2023 Disbursements

Gross Wages - April	89210.54
Amazon Capital Services (books)	713.92

American Legal Publishing (publication)	649.00
Anderson Ford (repairs)	224.22
Biblionix (subscription)	2300.00
Blue Cross / Blue Shield of NE (insurance)	17210.39
Bomgaars (supplies)	378.14
Bryan Jensen Clothing (uniforms)	95.96
Cengage Learning (books)	40.77
Charter/Spectrum (service)	239.96
City Health Deductible Savings (insurance)	5445.00
City of St. Paul 125 Plan (insurance)	100.00
Consumer Deposit (Brumbaugh) (rental deposit)	250.00
Core & Main (supplies)	117.53
Custer County Recycling (Service)	42.10
Dutton Lainson (supplies)	1063.84
Elan Financial (supplies, meals, hotel, postage, parking)	1127.24
Elmwood Cemetery (service)	300.00
Galls (uniforms)	1101.35
Hawkins (chemicals)	3056.29
Hometown Market (supplies)	86.98
Howard Co. Register of Deeds (fee)	20.00
Howard Co. Treasurer (Dispatch Fee)	3122.42
IIMC (dues)	310.00
Kelly Supply Co (supplies)	278.97
LARM (insurance)	2110.03
Loup Valley Supply (supplies)	333.70
Macqueen Equipment (supplies)	859.95
Madison Nat'l Life (insurance)	187.34
Midwest Radar (service)	80.00
Olsson (engineering)	9759.64
Reams Sprinkler Supply (supplies)	741.72
S E Smith & Sons (supplies)	14.98
Snap On Tools (supplies)	253.04
St Paul Public School (supplies)	210.34
St. Paul Rural Fire (reimbursement)	29913.95
State of NE Central Svcs (telephone)	241.99
Steadfast Builders (service)	1278.00
Non-General Disbursements	
Keno: Dept of Rev. Charitable Gaming (2% Gross)	6071.00
Redlg: LARM crime coverage (insurance)	1482.00
Sales Tax: St. Paul Development Corp. Operating Budget Funding 2nd Request (operating budget)	35000.00
TIF: S. Squared Enterprises (April 2023 Tif Proceeds)	1052.80
TIF: City of St. Paul (1/2 Share MAD Dev. Proceeds)	501.01
TIF: MAD Dev. (1/2 Share Mad Dev. Proceeds)	501.00
Sales Tax: Cline Williams: Middle Loup Subdivision Redevelopment (legal)	7559.00
Street - Mtr Veh Tax (sales tax) to Street - Mtr Veh Tax	3117.80
25% Infrast (sales tax) to 25% Infrast. Account	7279.75
Sales Tax: Elan Financial Svcs: LED driver for Civ Cntr	251.20
Keno: Loup Central Landfill (spring cleanup fees)	310.85

Council member Kowalski moved to approve the League Insurance Government Health Plan (LIGHT) renewal through Blue Cross and Blue Shield of Nebraska (BCBSNE). Beginning, July 1, 2023, the LIGHT health plan will experience an overall blended premium increase of 4.04% pertaining to the City of St. Paul's Network Blue proposal. Council member Schmid seconded

the motion. Council members Kowalski, Schmid, Feeken & Peters voted aye, nays none. Motion carried 4/0.

A brief discussion ensued regarding S. Squared Enterprises, LLC (Steve Shoemaker) gifting Outlot A of Prairie Falls Subdivision property to the City of St. Paul. The Council considered utilizing it as green space; placing park equipment on it; or the planting of trees. Then the discussion turned to the up-keep and insuring the property, along with the City pays taxes on it if the City does not utilize it properly for government use. The item was tabled to a future meeting.

Council member Schmid moved to approve Trevor Dugan as a City seasonal hire for the Electrical Dept.; Mr. Dugan's hourly wage will be \$15.50. Council member Kowalski seconded the motion. Council members Kowalski, Schmid, Feeken & Peters voted aye, nays none. Motion carried 4/0.

A lengthy discussion ensued on allowing the City of St. Paul Police Officers taking Police cruisers home that is out of City limits when their shift is over. The League Association of Risk Management (LARM) sent an email stating the liability issue if the Police Officer isn't clocked in when going to work or coming home from work. Council member Peters moved that it's required that the Police Officer is clocked in once he's steps in to his police cruiser for work and clocks out when he's gets home from his shift. Council member Schmid seconded the motion. Council members Kowalski, Schmid, Feeken & Peters voted aye, nays none. Motion carried 4/0.

The next item for discussion was regarding the City of St. Paul Police Department staffing. Council member Peters had questioned why our Police Officers are leaving the City of St. Paul. Chief of Police Dan Howard stated that the hourly wage could be a concern; the Police Department hourly wage will be reviewed during our 2023-2024 Budget Workshop.

Council member Schmid moved to approve the City of St. Paul advertising for a full-time Police Officer effective immediately. Council member Kowalski seconded the motion. Council members Kowalski, Schmid, Feeken & Peters voted aye, nays none. Motion carried 4/0.

Chief of Police Dan Howard stated that the Valley County Sheriff's Office will be buying out Police Officer Stethem's contract, along with carrier vest for a total amount of \$16,419.99.

Council member Kowalski moved to approve the City of St. Paul promoting Police Officer Jon Howard to Police Sergeant effective immediately. Sergeant Howard will receive a \$2.00 an hour increase effective immediately, then another \$2.00 an hour increase after his probationary period has ended in June 2023. Council member Schmid seconded the motion. Council members Kowalski, Schmid, Feeken & Peters voted aye, nays none. Motion carried 4/0. Sergeant Jon Howard will be acquiring more administrative duties at the St. Paul Police Dept.

The St. Paul Police Dept. and the Howard County Sheriff's Office will both be responsible for answering calls for service regarding the St. Paul Public School Resource Officer (SRO).

Utilities Superintendent Helzer updates: (1) City Wide Clean-up results from April 24 - 25, 2023; twelve (12) trips went to the Loup Central Landfill; six (6) loads of iron and six (6) loads of trees. This resulted in 18,420 lbs; the Loup Central Landfill fees were \$311 and fuel cost were \$362; (2) Per the Utilities Superintendent, City Clerk Beck will be advertising for a City of St. Paul Electrical Lineman position in (1) the Nebraska Municipal Review and (2) the Nebraska Municipal Power Pool (NMPP) Essent; and (3) the Wastewater Treatment Facility (WWTF) valves have been postponed again; valves may arrive by the middle or end of June 2023;

Council President Mike Feeken updates included: (1) Jen Mitteis paid her sons skate park damages in full; damages were \$270.11; (2) Letter to the League of Risk Management from the Department of Insurance (DOI) approving the City of St. Paul's withdrawal from the LARM Pool if so chooses; (3) Brad Slaughter at Piper Jaffray submitted two (2) Middle Loup Subdivision amortization schedules; the schedules include a fifteen (15) year and a twenty (20) year regarding the \$2.5 million public improvement amount; (4) City of St. Paul's insurance was revisited by the City Deputy Clerk Berthelsen, Utilities Superintendent Helzer and LARM; this is due to the City going out for insurance bids. The changes include: (1) vehicles were re-valued; any vehicles valued over \$5,000 has full coverage and any vehicles under \$5,000 has only liability coverage; (2) all comprehensive and collision carries a \$1,000 deductible; (3) City

buildings and equipment were re-evaluated by LARM; several building premiums went up; several went down; deductibles are at \$1,000; (4) Fire Dept. Self Contained Breathing Apparatus SCBA/Tanks/Air-packs were added in the amount of \$148,000; (5) two (2) welcome signs were added to insurance; and (6) the street electronic sign and warning light trailer was also added to insurance; (5) COR Managed Services (Doug Cramer) has completed documentation regarding a "Cybersecurity" grant; the grant is currently in the waiting stage; and (6) the American Rescue Plan (ARPA) second (2nd) reporting has been completed by City Clerk Beck.

Council President Mike Feeken adjourned the City Council meeting at 8:13 p.m.

Date May 15, 2023

Mike Feeken, Council President

Connie Jo Beck, City Clerk/Deputy Treasurer