

City of St. Paul Regular Meeting

704 6th Street
St. Paul, NE 68873

Monday, November 4, 2024

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, November 4, 2024, at 6:30 p.m. Present were Mayor Mike Feeken and Council members Katie Kowalski, Chuck Schmid, Bill Peters & Brian Sack. 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 Feeken opened the meeting at 6:30 p.m. with 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 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.

Mayor Feeken continued the meeting by announcing that 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 Mayor Feeken, there will be a five (5) minute limit per person on speaking.

Brad Slaughter, First National of NE Public Finance Managing Director was in attendance regarding the calling for partial redemption of the Street, Water, and Sewer Improvements Series 2024 Bond Anticipation Notes pertaining to the Middle Loup River Subdivision. The NE State Statute allows the City to finalize interest rates on the water and sewer portion of the subdivision financing. This is due to the City of St. Paul acquiring a "Certificate of Substantial Completion" on a portion of the project. The City will issue \$995,000 in bonds to fund the water and sewer portion of construction and engineering cost. The City will utilize the proceeds from the bond issue to pay off \$980,000 in notes. The \$15,000 will pay all financing expense, bond counsel, and DTCC, the City's paying and dissemination agent. The remaining \$1,270,000

in notes will remain outstanding until the paving portion of the Middle Loup River Subdivision project is completed, and then the City can pay off the notes with permanent paving bonds.

Council member Kowalski moved to approve Resolution 2024-23, calling for partial redemption of the Street, Water, Sewer Improvements Series 2024 Bond Anticipation Notes regarding the Middle Loup River Subdivision. This will be in the outstanding principal amount of \$2,250,000; the maturity date is November 15, 2025, with a CUSIP No. 793078QG4. The Mayor or City Clerk of the City of St. Paul is authorized, at any time on or after the date of this Resolution, to call for redemption up to \$1,000,000 (water and sewer) in principal amount of the notes, to determine the final amount of notes called and to determine the call date for notes on behalf of the City. Council member Sack seconded the motion. Council members Kowalski, Schmid, Peters & Sack voted aye, nays none. Motion carried 4/0.

Council member Peters introduced Ordinance #1055, authorizing the issuance of General Obligation Various Purpose Bonds, Series 2024, of the City of St. Paul, NE in the principal amount not to exceed One Million Dollars (\$1,000,000) to pay the cost of constructing water, sewer, and related improvements in certain improvement districts of the City; prescribing the form of said bonds; providing for a sinking fund and for the levy and collection of taxes to pay said bonds; providing for the sale of the bonds; authorizing the delivery of the bonds to the purchaser; providing for the disposition of the bond proceeds and ordering the Ordinance be published in pamphlet form. Council member Kowalski moved to waive the three (3) readings of Ordinance #1055 at three (3) different occasions. Council member Schmid seconded the motion. Council members Kowalski, Schmid, Peters & Sack voted aye, nays none. Motion carried 4/0. Council member Schmid moved for final passage of Ordinance #1055. Council member Sack seconded the motion. Council members Kowalski, Schmid, Peters & Sack voted aye, nays none. Motion carried 4/0. The approval also includes the bond to be a fifteen (15) year loan.

A discussion ensued regarding the 108 Howard Avenue (Todd Padrnos) unsafe apartment complex. In attendance regarding the topic were Jason White (City Attorney), Todd Padrnos and Attorney Stehlik (Todd Padrnos' Attorney). Mayor Feeken stated that the City is still gathering a structural engineer quote; the engineers are referencing other contacts for the project. City Attorney White affirmed that the 108 Howard Avenue apartment complex is still out of compliance per the City's Unsafe Building Enforcement Officer. City Attorney White also acknowledged that whether the City gets a structural engineer or not, there are three (3) options on the table for the City to decide: (1) the City can demolish the property at 108 Howard Avenue at the City's expense; (2) give Mr. Padrnos more time to remedy; or (3) the City can remedy the property at the City's expense. City Attorney White affirmed that the City of St. Paul has complied with Municipal Code Sections 9-403: Unsafe Buildings; Determination and Notice(s) and 9-404: Unsafe Buildings; Hearing and Appeal. Neither Attorney Stehlik nor Todd Padrnos objected to 108 Howard Avenue being out of compliance; Attorney Stehlik also acknowledged that Todd Padrnos did not appeal the ten (10) day rule. City Attorney White stated that the item is scheduled for Closed Session tonight regarding pending/imminent litigation. Any action on the item is tabled until Monday, November 18, 2024.

St. Paul Chamber of Commerce Director Jordan Robinson was in attendance to discuss updating the St. Paul downtown (outdoor) Audio Speaker System and the St. Paul Chamber of Commerce website. Council member Sack stated that the speaker system was last updated in 2009. Council member Sack moved to approve the St. Paul Chamber of Commerce utilizing the \$9,000 from the 2024-2025 budget line item for promotional and marketing items. Council member Kowalski seconded the motion. Council members Kowalski, Schmid, Peters & Sack voted aye, nays none. Motion carried 4/0.

Jordan Robinson was also in attendance to discuss the City of St. Paul's "mobile food" permits; the annual permit fee is currently \$100. This has become an issue for some local brick-and-mortar businesses. Topics of discussion included: (1) enforcement; (2) fees; (3) mobile food vendors locating on land owners property, as well as on City property. The item has been tabled until Monday, November 18, 2024; this is due to City Clerk Beck sending the City Officials additional information regarding the subject.

Council member Peters moved to approve Elsbury Construction, LLC Pay Request #8 (Middle Loup River Subdivision Project #023-00398) for the amount of \$463,867.40. The pay application consisted of the installation of a storm sewer, street pavement, and pavement removal on US Hwy 281. Also, approved is City Clerk Beck transferring \$463,867.40 from the City's Street, Water, and Sewer Insured Cash Sweep (ICS) accounts to deposit into the City's #100027 Street, Water and Sewer account to pay for Drawdown #8. Council member Schmid seconded the motion. Council members Kowalski, Schmid, Peters & Sack voted aye, nays none. Motion carried 4/0.

Council member Kowalski moved to approve the Consent Agenda Items: (1) Council Minutes October 21, 2024 (regular); (2) Disbursements November 4, 2024; (3) Nicholas Ryan dba Prairie Creek Vineyards Special Designated Liquor (SDL) application on Saturday, February 1, 2025, from 3:00 p.m. to 11:00 p.m. regarding a Howard County Medical Center (HCMC) fundraiser. The event will be held at the Civic Center (423 Howard Avenue); and (4) St. Paul Chamber of Commerce Special Designated Liquor application on Saturday, November 16, 2024, from 1:00 p.m. to 12:00 a.m. regarding a tailgate fundraiser. The event will be held at the Civic Center (423 Howard Avenue). Council member Schmid seconded the motion. Council members Kowalski, Schmid, Peters & Sack voted aye, nays none. Motion carried 4/0.

November 4, 2024 Disbursements

Gross Payroll - October 2024	103127.72
Amazon Capital (books, supplies)	614.67
Applied Concepts (supplies)	160.00
Blue Cross Blue Shield of NE (insurance)	19789.20
BOK Financial (bond)	111952.50
BOK Financial (bond)	65027.50
Bomgaars (supplies)	1287.36
Brehm's Drug (supplies)	101.60
Cengage Learning (books)	32.79
Charter Spectrum (service)	239.96

City Health Deductible Savings (insurance)	5082.00
City 125 Plan (insurance)	90.00
Comfort Inn - Kearney (lodging)	990.00
Custer County Recycling (service)	13.80
Dick's Repair (service)	391.90
Dinges Fire Company (supplies)	167.88
Eakes Office Solutions (service)	782.96
Elan Financial Svcs (training, supplies, meals, fuel, dues, parking)	4823.13
Elmwood Cemetery (service)	100.00
Elsbury Construction: Middle Loup River Subdivision (improvements)	463867.40
Heartland Disposal (service)	152.85
Howard Co. Register of Deeds (fee)	10.00
Ho Co. Treasurer (dispatch fee)	3334.89
Inland Truck Parts (service)	1083.31
LARM (insurance)	174.67
Madison Nat'l Life (insurance)	198.36
Menards (supplies)	398.90
Midwest Door & Hardware (supplies)	954.00
Midwest Service & Sales (service)	1780.44
Municipal Emergency Svc (service)	25.94
Mutual of Omaha (insurance)	127.08
NE Federal Surplus Property (Light Truck)	32500.00
NE Library Commission (fee)	500.00
Northland Securities (bond)	52312.50
Parts Bin (supplies)	610.56
Pioneer Door (repair)	452.03
SE Smith & Sons (supplies)	79.17
Sample, Matt (reimb)	24.00
Smith Welding (service)	48.21
State of NE Central Svcs (telephone)	4.10
Thompson, Ed (reimb)	100.00
Vogel Auto Repair (service)	418.48
Wells Plumbing (repair)	104.91
Wesco Distribution (supplies)	3397.36

Non-General

Transfer from Sales Tax M. Mkt to Sales Tax Checking (transfer) (to pay disbursements)	75000.00
Transfer from Fire Station Construction #103683 to Fire Station Construction ICS for Pledging Purposes (transfer)	500000.00
Fire Station Construction #103683 to City Light ICS #103217 (transfer) (Correct duplicate entry 10-15-24 Wesco Inv. 447025)	28699.17
Sales Tax: Street: Mtr Veh Tax: August 2024 Proceeds (Mtr Veh Tax)	6565.03

Sales Tax: Fire Station: August 2024 Proceeds (Fire Station)	17319.52
Sales Tax: 25% Infrastructure: August 2024 Proceeds (25% Infrast)	8659.76
Library ICS Ck#32079: Transfer to Library Ckg 100027 (transfer) (McCarty Library Concrete & Downspout work)	5170.00
Fire Station Construction ICS Transfer to Fire Station (transfer)	15000.00
Construction Ckg #103683 to Pay Bierman Contracting Drawdowns	1823.04
Light ICS #103217 Transfer to Light Ckg #100027 RE: (transfer)	
Wesco Invoices #464767 \$1190.04 & #463979 \$633.00	

Council member Sack moved to approve the Olsson "Master Service Agreement (MSA) for Professional Services" Renewal of Contract for Street Superintendent and Engineering Services. The "Master Agreement for Professional Services" consists of: (1) Work Order 1: Perform on-call services only as requested by your community; and (2) Work Order 2: Perform Street Superintendent services. The work orders will extend the services to St. Paul through December 31, 2025. The Agreement appoints BRIAN FRIEDRICHSEN as the City of St. Paul Street Superintendent and Olsson as the City Engineer. Council member Schmid seconded the motion. Council members Kowalski, Schmid, Peters & Sack voted aye, nays none. Motion carried 4/0.

Council member Kowalski moved to approve ratifying all actions, including the election of the nominee to the LIGHT Board of Directors, of Connie Jo Beck, our LIGHT representative, identified in the minutes of the Annual Members' Meeting of the League Insurance Government Health Team (LIGHT) on October 4, 2024, at the Annual League of NE Municipalities Conference. Council member Peters seconded the motion. Council members Kowalski, Schmid, Peters & Sack voted aye, nays none. Motion carried 4/0.

The Nuisance Committee first (1st) of the month nuisances were comprised of: (1) 1321 Sheridan Street; (2) 1316 5th Street; and (3) 1320 5th Street. The St. Paul Police Department will begin the first (1st) step in the nuisance process regarding the City Municipal Code. Council member Schmid moved to approve beginning the nuisance process on the above list of nuisances. Council member Sack seconded the motion. Council members Kowalski, Schmid, Peters & Sack voted aye, nays none. Motion carried 4/0.

Mr. Gene Rice has asked to step down from the Nuisance Committee; Chief of Police Howard does have a replacement in mind to take Mr. Rice's place on the committee. The Mayor and Council thanked Mr. Rice for his dedicated service to the City.

Utilities Superintendent Helzer updates included: The Middle Loup River Subdivision Black Hills gas line has been moved and the Adam Street turning lane has been completed.

Chief of Police Howard reported on (1) a hit and run by Adams Street; (2) the Halloween Boo Bash was a great success; and (3) Officer Sample was having issues with the 2015 Explorer steering system; repair bids were reviewed; Jarecke Motor's will be repairing the steering with an estimated cost of \$2,000.

Mayor Feeken updates: (1) St. Paul Fire Station Progress meeting on Thursday, November 7, 2024, at 11:00 a.m. in the City Council Chambers;
(2) St. Paul Keno, LLC (Mike Nevriy) recap from August 1, 2022, to July 31, 2024;
(3) Dana F. Cole & Company will be auditing the City of St. Paul's 2023-2024 Fiscal Year records on Wednesday, November 13, 2024, and Thursday, November 14, 2024;
(4) NE Department of Economic Development (NEDED) informed the City of St. Paul regarding the approval of "Notice of Award (23-RCRP-033)" pertaining to the 2023 Rural Community Recovery Program on Thursday, October 31, 2024.

For Public Announcements, Mayor Feeken stated "get out and vote".

City of St. Paul Closed Session:

Attending the Closed Session were Mayor Feeken; Council members Kowalski, Schmid, Peters & Sack; City Clerk Beck, City Attorney Jason White; and Chief of Police Dan Howard. Council member Kowalski moved to go into Closed Session at 7:55 p.m. for pending / imminent litigation regarding the unsafe building at 108 Howard Avenue, St. Paul, NE. Council member Schmid seconded the motion. A motion has been made and seconded to go into Closed Session for pending / imminent litigation regarding the unsafe building at 108 Howard Avenue, St. Paul, NE. There was no discussion. The pending motion is to go into Closed Session for pending / imminent litigation regarding the unsafe building at 108 Howard Avenue, St. Paul, NE. Council members Kowalski, Schmid, Peters & Sack voted aye, nays none. Motion carried 4/0. Mayor Feeken adjourned the closed session at 8:29 p.m. No action was taken.

Mayor Feeken adjourned the City Council meeting at 8:30 p.m.

November 18, 2024
Date


Mike Feeken, Mayor


Connie Jo Beck, City Clerk/Deputy Treasurer