

MINUTES OF THE REGULAR MEETING OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PAWNEE CITY, HELD ON MONDAY, FEBRUARY 10, 2025, AT 7:00 P.M. AT THE CORNERSTONE BUILDING, 601 G 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 shown hereafter were taken while the convened meeting was open to the attendance of the public.

Present: Mayor Charlie Hatfield, Council Members Pat Hatfield, Vickie Zelenka, Donnie Fisher and Susan Eisenhauer (by phone); Kellie Wiers, Deputy City Clerk, Tamela Curtis City Clerk/Treasurer; Foreman Spencer Cumley. Absent: None.

Mayor Charlie Hatfield called the meeting to order at 7:00 p.m. informing all those present of the Poster stating the Open Meeting Law Changes on the West meeting room wall, next to the storage closet, accessible to the public. At this time, all those present stood to recite the Pledge of Allegiance.

Council Member Zelenka moved to accept January 27, 2025, 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: **2/11/25 Payroll:** \$11,312.01; **Union Bank & Trust**, FWH 3224.52; **NE Dept. of Rev**, SWH 434.45; **John Hancock**, retirement 1362.65; **Amazon Capital Services**, office supplies 138.94; **NPPD**, electric service at wells & swr plant 3250.51; **Pawnee Co. Register of Deeds** file lien 10.00; **Pawnee Republican**, Jan 2025 publications 615.91; **League Association of Risk Mgmt (LARM)**, Workman's Comp audit 343.12; **Midwest Lab**, swr sample tests 238.57; **Northern Safety Co.**, empl shirts 118.90; **One Call Concepts**, Digger Hotline Locates 17.61; **Pawnee City Fire Dept.**, 4th qtr equip repair & supplies 2199.66; **Pawnee City Thriftway**, disinfectant; 5.78; **Stehlik Law**, atty fees 1,000.00; **Omaha Public Power District**, electric @ wells 349.07; **Nebr. Dept Revenue**, Jan 2025 sales & use tax 2122.09; **Access Systems Leasing**, IT hardware 209.98; **Grainger**, oil drum funnel 295.62; **Lincoln Winwater**, manhole riser rings 1353.90; **Nebr. Rural Water Assn.**, water conference 890.00; **Pawnee Co. Rural Water**, water @ pond 45.00; **Seneca SA**, roll off dumpster & debris from old dog kennels 345.00; **U.S. Cellular**, emergency cell phone 48.74; **Windstream**, phone @ swr plant, internet & phone @ city office 197.95; **Matt Kuhlmann**, Febr. Zoning services 800.00; **Access Systems**, mobile license 497.01; **H & H Auto Parts**, oil absorb, oil filters 199.46; **Hometown Leasing**, libr photocopier lease 100.79. 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 January Treasurer's Report: Council reviewed the January 2025 Treasurer's report with no questions.

Sheriff Braden Lang: Sheriff Lang stated their department has written 29 unlicensed dog tickets and dropped them off at the City office to be mailed. Sheriff Lang stated he received a complaint today about a semi-truck parked at the old café on the west side of Van Horne Park. He found out the truck was parked there because there wasn't room to park the truck in the truck parking lot on the west side of town. There are two semi-trailers that have been parked there for at least two years so, Sheriff Lang suggested having the trailers towed away. There is question of who actually owns the trailers but evidently, the owner is not going to move them. Sheriff Lang said it would cost \$1500 to \$2000 to tow them but he will contact a company to get them taken away. The owner would have approximately 30 days to claim the trailers and if not, then the towing company could claim them for the cost of the tow. Lang stated it was suggested to enforce 72 hr. parking there but it is difficult to know when the truck was parked there. Lang suggested installing a camera or cameras. Discussion was had about installing a camera next to the truck parking lot. Also, should parking spaces be assigned to the people who park there on a regular basis but how do we enforce this? Council Member Eisenhower suggested moving one of the cameras from the park and posting it near the parking lot and post a sign that a camera is posted. The camera has a pretty wide angle and has the ability to take pictures of the area. Several locations were discussed with posting a camera on the side of the county building being the best location. Foreman Cumley stated he will talk with the County Roads Supt. Chris Rauner for permission to post a camera on the side of the county shop. Council Member Eisenhower will be responsible for taking pictures of the area.

Lola Seitz, Library Director, present the Library's 2023-2024 Annual Statistical Report: Ms. Seitz was not able to attend the meeting. Council reviewed the statistical report that was included in the agenda packet.

City Attorney Stehlik-Ladman: discuss updating City Code 3-117: City Atty Stehlik-Ladman explained she had read the minutes from the last meeting and there is already an appeal process in the ordinance except it needs the number of days for an appeal added. Council Member Eisenhower stated she thought 15 days was long enough. Jennifer continued that the length of time a water line is considered dormant was stated as one year. Also, if the City wants the water tap moved, then the City pays for the water tap and if the property owner wants the water tap moved, then the owner pays to move the water tap. Are there any other questions or concerns? Foreman Cumley stated, in the event the City has to move the water tap, and a new water line has to be run, who will pay for this water line? If the current line is lead or galvanized, the property owner will have to replace the water line and pay for it, anyway. Cumley stated he would like to move the water tap at the Goodenkauf house because the water tap is under the sidewalk and the line has been abandoned for quite a few years so he would like to update the ordinance so that it will cover this situation. It would be more convenient to move the water tap closer to the house. In this situation, the City will pay for the new water tap and the property owner will pay for the new line because it is galvanized and has been abandoned for quite some time. Clerk Curtis asked about water customers that are gone for a year or more and coming back, will they have to replace the water line? So, you may want to increase the timeline for a water line to be considered abandoned. Discussion was had about abandoned water lines and the

time period allowed. Council agreed that the water line will be considered abandoned after it has been dormant for two years. It was also suggested to add a statement on the new water account application that if a water line has been dormant for two years and it is galvanized, then you will have to replace the water line. Foreman Cumley suggested if the City wants to move a water tap and the water line is new, then the City will pay for the water line, if the water line is galvanized or lead, then the property owner will pay to replace the water line. City Atty Stehlik-Ladman will retype the ordinance with updates and resubmit it to the Council.

Review Aaron Sawyer's PC Development Report as of 1/27/2025: Council Member Hatfield questioned Mr. Sawyer about his "Pawnee City Economic Development Report" dated 1/27/25. The end of the report talks about transparency but has the City Council listed in Step 3 for communication. The Council should be listed first about new ideas and not third in line when the ideas involve City/Council involvement as in the case of turning the winery into a community center. Hatfield also asked Mr. Sawyer if he came to the City first about applying for grants and Mr. Sawyer said that is almost always true since the City would actually be applying for the grants. Clerk Curtis explained that the Council doesn't want Aaron to spend a lot of time on grants that the City may not want, especially if there is a match involved as the City may not be able to afford and the Council doesn't want Aaron to waste his time either. ***Review email from Aaron re: CDBG Planning Grant for updating Comprehensive Plan (due to expiring August 2026) & emailed correspondence between Aaron and Brittany McCullough/SENDD: Review Clerk Curtis' info compiled on options to updating the Comp Plan & Housing Study:***

Recently, Clerk Curtis talked with Tim Keelan the Friday before this meeting about the current Comp Plan and Housing study. Mr. Keelan said he would contact Aaron & Steve about updating the plan and funding to pay for it. At the Council meeting, Aaron said he has not heard from Mr. Keelan and recommended the Council look at applying for grant funding to pay for it but the application doesn't start until Summer. Mr. Keelan had told Clerk Curtis that he was going to call Aaron and Mr. Glenn to see if Mr. Glenn would pay for the first half of the \$22,000 or at least a quarter of it and then Keelan could get started working on the plan March 1st and then the City could budget for the second half of the cost in next year's budget. Otherwise, if the City applies for a CDBG grant, Hanna/Keelan wouldn't be able to start on the plan until November. The bid of \$22,000 is actually \$2,000 less than the previous cost. The problem is that the City doesn't have money in the budget this year to pay for half of the cost up front. Otherwise, if someone donates the \$11,000 front money, then the City could budget the second half in next year's budget and Hanna/Keelan could get started right away because it is a long process. DC Wiers asked if there is enough time to wait on applying for a grant to pay for the updated plan? Clerk Curtis explained it takes about 6 to 9 months to complete a comprehensive plan. ***Review Resolution #9 requesting SENDD to apply for CDBG Grant to assist in funding updating the City's Comprehensive Plan: (Need Motion on how to proceed with best option to update the Comp Plan & Housing Study):*** Aaron said the State Bank of Table Rock turned down the proposal to have a mural on the north side of the bank stating there are too many windows. Do we have to have three murals? We can still do a mural at the swimming pool, according to Council Member Eisenhauer. Mayor Hatfield suggested there doesn't have to be three murals but see if someone comes forward requesting a mural. Mayor Hatfield had thought about asking Randy and Ted Gyhra if they would be willing to have a mural on their building by the Little Brown Jug but Hatfield is concerned who would be responsible for the upkeep of the mural if the paint would start peeling? In Sabetha, Kansas, the person who painted murals there guaranteed

the murals for ten years. Aaron hasn't heard back from Windstream whether they would be willing to have a mural on the side of their office building. Aaron has looked into a \$99,000 forestry grant and asked if anyone was currently an arborist? One requirement would be to plant a hundred trees and then trim and take out problem trees on problem properties. Watering and care of the new trees would be built into the grant. The grant would also include training to become an arborist. Aaron suggested Foreman Cumley could complete training to become an arborist. Cumley explained it would be difficult to budget for time towards that with all of the other responsibilities the City Crew has. Foreman Cumley and Council Member Fisher explained that they would probably need a bucket truck to properly maintain the trees. Cumley said there is no problem with cleaning up trees but it depends upon where they are located. The grant would require all of the trees in town be inventoried and Aaron suggests getting a group of people together and using AI to canvass each block and log each tree. Mayor Hatfield and Clerk Curtis explained that there is a Tree Board and Aaron should contact them about completing a tree inventory before applying for any grants concerning trees. Aaron said he has contacted the owners of the nursing home building about possibly donating the building or applying for grants to repurpose the building but has not received any cooperation. Clerk Curtis explained that Tim Keelan is going to contact Steve Glenn about the nursing home building because Keelan knows a developer that has repurposed a nursing home building into apartments. Aaron suggested the City adopt a building registry on vacant buildings to encourage owners to do something with their properties instead of letting them set empty. Aaron didn't have any updates on the Blazin' Bull. Clerk Curtis suggested not to take action on the resolution until she hears back from Hanna/Keelan. If the City applies for the CDBG grant, the City will have to pay 20% of the \$22,000 (if that is what they bid).

Review Cornerstone Building Cleaning Tasks; Review Bid Proposals for Cleaning Services at the Cornerstone Building: Three bids were received from Coral's Cleaning Service for \$250.00 per time, Jamie Maloley Cleaning Service for \$135.00 per time, not to include windows and LP Cleaning \$575.00 for 2x/yr. LP Cleaning also listed they carry workman's comp and liability insurance along with a separate bid for cleaning the carpet. Discussion was had that the windows at the Cornerstone Building could be cleaned with a squeegee and an extension pole so the cleaner would not have to use a ladder and it would be safer. City Atty Stehlik-Ladman stated the person cleaning should at least have liability insurance in case they would fall. Maloley didn't include windows in her bid because she felt that she didn't have a ladder and equipment tall enough to reach the top of the windows. Council Member Eisenhauer was concerned that Maloley would not be able to clean the walls, either. Council Member Hatfield asked if Coral's Cleaning would be willing to obtain liability insurance and resubmit another bid? City Atty Stehlik-Ladman explained if the City would require the person to have insurance, then the City would need to re-advertise the job. It would also not be a bad idea if the person cleaning the city office had liability insurance. Clerk Curtis stated that if the City doesn't re-advertise, then we could ask the other two people if they would want to obtain liability insurance. Council Member Eisenhauer stated the Maloley bid doesn't include all of the requirements so her bid shouldn't be considered. The Council would like to compare the other two bids if Coral would submit another bid with liability insurance. This issue is tabled until the next meeting to give Coral time to consider obtaining liability insurance and submit another bid.

Review email from Megan Buckley/Emergency Mgr re: new MOU for the NRIN Microwave Dishes on the City Water Tower, updating item #9 reflecting the annual fee of \$1200 in lieu of rent: Council Member Eisenhauer moved to approve the MOU for the NRIN Microwave Dishes on the City Water Tower, updating item #9 reflecting the annual fee of \$1200 in lieu of rent. Council Member Fisher seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

Review Choices Treatment Center, Inc. email/letter; Pass Proclamation for Gambling Awareness Month: Council Member Zelenka moved to approve proclaiming March 2025 as National Problem Gambling Awareness Month. Council Member Fisher seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

Review request from Valerie Buckminster to re-appoint Terry Borchert to the Southeast Nebraska Housing Partnership (SNHP) Board for a term of 5 years: Council Member Zelenka moved to approve re-appointing Terry Borchert to the Southeast Nebraska Housing Partnership (SNHP) Board for a term of 5 years. Council Member Fisher seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

Report and update from Council Member Eisenhauer: Review/Discuss Date Inquiries for Amphitheater Events: Council Member Eisenhauer reviewed a list of events included in the packet. The first events are scheduled Memorial Day weekend with the band, Taxi Driver, scheduled for Saturday, and ice cream social with the Southeast Nebraska Community Band on Sunday of that weekend. June 1st is the backup date for the community band in case of rain but there is no rain date for Taxi Driver. The following weekend on June 7th, the Varsity Jazz Band is scheduled that evening with a pickleball tournament during the day and possible BBQ that evening. No rain date for these events. The Southeast Community Band would like to use the amphitheater on July 5th. There is electricity at the amphitheater now. An outdoor family movie night could be scheduled May 31st but it could be a little cool that evening. Council Member Eisenhauer suggested approving these events so that someone else will not schedule events at the Van Horne Park at the same time. Also, it might be a good idea to start a reservation book for the Van Horne Park. Council Member Eisenhauer moved to approve the listed events at the Van Horne Park and for the amphitheater. 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 Deputy Clerk Wiers: Discuss updated quote from Tuscumbia for two decorative lights: DC Wiers explained Tuscumbia did not offer a discount to order two decorative lamp posts but there would be a discount on the shipping. It would cost an additional \$241.12 to the freight instead of another \$591.36 to ship the second lamp post. DC Wiers explained it would take at least 3 months to receive the lamp posts once they are ordered. Council Member Zelenka moved to approve ordering two decorative lamp posts from Tuscumbia Iron Works. Council Member Eisenhauer seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried. Council asked if the office had heard anything back from the insurance adjuster or Fred from LARM. DC Wiers explained she hasn't heard anything but she will contact both of them tomorrow for an update. **Review liens on Horner Property adding up to \$14,591.10; discuss tax sale:** DC Wiers explained when she contacted the Register of Deeds office, Rachel King told her the City had a total of \$14,591.10 in

liens filed against the Horner property and Rachel printed out copies of the liens which are included in the agenda packet. City Atty Jennifer Stehlik-Ladman explained that the County is the holder of the tax sale and they put the property up for sale. They foreclosed on this property to enforce the tax lien. Once the County gets that foreclosure order, they wait 20 days and they put it up for sale. Anybody can bid on the property but the County could ask for a minimum bid to cover all of the costs they have incurred but it may not sell for that amount. If nobody bids more than that amount, then the County owns that property. In the past, the County has let a property go for the highest bid just to get it back on the tax roll and the proceeds may not cover the costs incurred so the foreclosure wipes all of that out. So, the proceeds are used to pay off the total liens. Tax liens are paid first followed by child support, etc. The City could still try to collect against the original property owner even though the lien is wiped off because of the foreclosure process. The City Atty would start that process but you probably won't get your money back unless that person has other property or wages to garnish. Clerk Curtis explained that most liens will be paid off when a property is sold. The Horner case is a special situation. City Atty Stehlik-Ladman explained that you don't have to wait for property to be sold to capture the liens. A property owner could be taken to court to recover the lien costs but there will be court costs involved, title search, notice to parties, etc. on a side note, Jennifer did take a look at the covenant on the RCRP grant that was shared with her earlier today. She doesn't have a problem with it but there is an error with the legal description but she will email her corrections to DED.

Report and update from City Foreman Cumley: *Review Bill of Sale on 1995 Ford Dump Truck--\$8,900 less 8% commission = \$8,188:* The City Office received a check for \$8,188.00 from Easter & Associates for the sale of the Ford dump truck. Foreman Cumley explained the buyer needs to pick up the truck but he has been snowed in. ***General Discussion on things going on in the City:*** Foreman Cumley was gone last week but the City Crew had to deal with a water leak on their own. They also repaired a manhole lid that was damaged during snow removal. Yesterday, there was a water main break on 3rd & I streets. Clerk Curtis discovered it when she returned home Saturday night. She was unable to contact anyone on the on-call phone but was able to get ahold of crew member Holthus who then contacted Foreman Cumley. The crew was able to repair it by 11:30 Sunday morning. Update on a customer water leak north of town: there are two people working on it and they are waiting for state permits to bore under the highway. Today, the crew was able to accurately locate the water line coming out of the old nursing home building. They plan to start digging on it by the end of the week. They, hopefully, have located the shut off, otherwise, they will have to cut the line and install a shut off. Currently, the water is still on. Even though the building is empty, they are still using 50,000 gal/month but nobody can find a leak. There is a shut off in the basement but it is still on. Council expressed concern about the water still being on and there is water usage, which is wasting water, plus there are questions if the company will pay the bill. It was suggested to shut off every toilet in the building.

Review Correspondence: LARM completed the 2023-24 Workman's Comp audit and the City owes \$343.12. Council reviewed a news article about the NioCorp mining project near Elk Creek. The Pawnee City Chamber of Commerce shared the "2024 Carolyn VanHorne Civic Award Nomination Form" with the Council. Nominations are due March 1, 2025.

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 8:46 p.m.

ATTEST: Kellie A. Wiers, Deputy City Clerk

Charlie Hatfield, Mayor