

**MINUTES OF THE REGULAR MEETING OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PAWNEE CITY, HELD ON MONDAY, SEPTEMBER 8, 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 hereafter shown were taken while the convened meeting was open to the attendance of the public.

**Present:** Mayor Charlie Hatfield, Council Members Pat Hatfield, Donnie Fisher, Vickie Zelenka; City Clerk/Treasurer Tamela Curtis, Deputy City Clerk Kellie Wiers and Foreman Spencer Cumley. **Absent:** Council Member Susan Eisenhower.

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 the August 25, 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.

Council Member Zelenka moved to accept the August 27, 2025, show cause hearing on 1145 G Street 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: **9/9/25 Payroll:** \$11,442.43; **Union Bank & Trust**, FWH 3,263.84; **NE Dept. of Rev**, SWH 446.31; **John Hancock**, retirement 1,400.87; **Access Systems** copier contract & overages 214.33; **Windstream**, internet service @ city office 119.91, phone @ pool 65.06; **Amazon Capital Services**, office supplies 74.21; **Binder Bros., Inc.**, cement 4270.00; **NPPD**, electric service 2490.79; **HealthFirst Pharmacy**, ice cream pool concessions 280.27; **Julie D. Bauman**, budget retreat workshop 575.00; **Lincoln Winwater Works**, pot hole mix, wtr part 5217.92; **Pawnee Co. Rural Water**, pond wtr hydrants 58.50; **Pawnee Co. Sheriff Office**, service fee 18.50; **Schendel Pest Control**, pest control @ swr plant 70.00; **Matt Kuhlmann**, zoning services 800.00; **Stehlik Law Escrow**, land purchases 18,944.38; **Coral's Cleaning Services**, office cleaning 160.00; **H&H Auto Parts**, repair parts 172.08; **Hometown Leasing**, library copier 100.79; **League of Nebr. Municipalities**, 2025 annual conference 395.00; **Midwest Labs**, swr sample testing 66.00; **One Call Concepts**, digger hotline locates 24.44; **Pawnee City Thriftway**, office supplies 68.46; **Quill Corp.**, office supplies 85.98, library office supplies 149.06; **Gale—Cengage**, library books 5,323.86; **Stehlik Law**, city atty fees 1000.00; **OPPD**: electric service @ wells 442.67; 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 8/31/2025 & 9/10/2025 Treasurer's Reports:** Clerk Curtis will prepare another Treasurer's Report as of 9/23/25 for the next meeting so the Council can review the balances in all of the funds as the current budget ends 9/30/2025.

**SPECIAL HEARING TO SET FINAL YEAR TAX REQUEST:**

Council Member Zelenka moved to recess from the regular Council meeting. Council Member Fisher seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried at 7:11 p.m. Council Member Fisher moved to open the Special Hearing to Set the Final Tax Request. Council Member Zelenka seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried at 7:11 p.m. City Auditor Julie Bauman explained the Council has until Oct. 14<sup>th</sup> to set the final property tax request but best practice is to send everything to the county clerk and the State ahead of time in case there are any changes that need to be made. Changes have been made to the process to be more transparent to the taxpayers. Right now, we are anticipating \$3,964,791.08 for expenditures. There is a 3% increase in property tax requested from \$233,059.06 to \$236,127.14. The valuation for Pawnee County increased 22% but the tax request actually decreased 16% to 0.538952. Council Member Zelenka moved to close the Special Hearing. Council Member Fisher seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried at 7:15 p.m. Council Member Zelenka moved to reconvene back into the regular Council meeting. Council Member Fisher seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried at 7:15 p.m.

**Pass Resolution #15 approving the 2025-2026 Fiscal Year Budget:** Council Member Zelenka moved to approve Resolution #15 approving the 2025-2026 Fiscal Year Budget. Council Member Hatfield seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

**Pass Resolution #16, setting the 2025-2026 Property Tax Request at \$236,127.14 and Proposed 2025 Tax Rate be set at 0.538952:** Council Member Hatfield moved to pass Resolution #16, setting the 2025-2026 Property Tax Request at \$236,127.14 and the Proposed 2025 Tax Rate be set at 0.538952. Council Member Zelenka seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

**Review current Solid Waste Disposal Agreement with Seneca Sanitation: Review/Take Action on letter from Greg Olberding, Seneca Sanitation re: \$3.00 increase in rates effective November 1, 2025:** Clerk Curtis explained in the current agreement it states the City is supposed to be notified by July 1<sup>st</sup> of any changes to the contract but the City didn't receive notice until just recently. Now, the budget will have to be amended to allow for the increase in rates. Discussion was had that municipalities in Kansas have a different fiscal year which ends Dec. 31st than Nebraska which ends Sept. 30<sup>th</sup> and that is probably why there was late notice from Greg Olberding. Council Member Hatfield moved to approve the current Solid Waste Disposal Agreement with Seneca Sanitation with a \$21.00 disposal charge with a \$0.50 processing fee

effective November 1, 2025. Council Member Zelenka seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

**1 & 6 Year Street Plan Public Hearing:** Council Member Fisher moved to open the public hearing to discuss the 1 & 6 Year Street Plan. Council Member Zelenka seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried and hearing opened at 7:17 p.m. Discussion was had that the first three projects listed are through the street grant. The plan includes extending G Street to Boston Street and concrete the intersection to fix the broken-up area with 8" concrete. The City Crew plans to do this themselves. Mike Habegger recently voiced concern about the area west of 11<sup>th</sup> & J streets. It has been listed on the 1 & 6 year plan for a couple of years but not yet completed. Foreman Cumley stated the city crew worked on this area today with the skid loader to smooth it out. Council Member Zelenka moved to close the public hearing. Council Member Fisher seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried and public hearing closed at 7:21 p.m. ***Resolution #17 adopting the 1 & 6 Year Street Plan:*** Council Member Zelenka moved to pass Resolution #17 adopting the 1 & 6 Year Street Plan. Council Member Fisher seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

**Sheriff Braden Lang: *Discuss clarification on grass in the streets from mowing:*** Sheriff Lang voiced concern that sometimes there is a small amount of grass blown into the street from a lawnmower like in front of Tammy's house and sometimes there is quite a bit of grass in the street like in front of Donnie's house or there could be a ton of grass where Donahue mowed the property and blew it out into the street. Where is the limit? The ticket needs to go to the person that mowed the property. The current ordinance states there can be up to a \$500 littering fine and the person will have to appear in court then pay \$49 in court costs. He suggested using a square foot measure to measure how much grass was blown out into the street. Sometimes property owners hire someone to mow their property. Who should get the ticket? The property owner or the person mowing? Recently, Mr. Donahue mowed his property and blew grass into the street which was quite obvious. Sheriff Lang tried to write him a ticket but he couldn't find Mr. Donahue to serve the ticket. Lang stated he saw grass on the street by Clerk Curtis's yard and Council Member Fisher's yard recently. Mr. Fisher stated he tried to blow the grass back in the yard but the wind blew some of it back into the street. Sheriff Lang said he realizes grass in the street will eventually get washed into the storm drain and it plugs the sewer on curb and gutter streets but what about streets that do not have a curb and gutter? Does a person still receive a ticket for this? Emmet Gyhra owns crop land next to 14<sup>th</sup> street and he is required to mow the roadside twice each year. He blows grass into the street but this street doesn't have a curb and gutter. According to the ordinances, he should receive a ticket. Sheriff Lang suggested updating the ordinance so it reads similar to the parking ordinance with a \$15 or \$20 fine with no court appearance and then increased fine amounts for successive offenses similar to dog tickets. It would also be helpful to have a citation form for general offenses and then select which offense it is. City Atty Stehlik-Ladman suggested giving a person a warning first and then a ticket if it happens again. Lang said there would be a problem tracking that. It was suggested to put a notice on the back of the water bill and/or run an ad in the newspaper stating why blowing grass into the street is a problem but wait and do this next spring since mowing season is about over. Also, it was suggested to review the current ordinance concerning grass clippings. ***Discuss speeding***

**signs City purchased:** Sheriff Lang stated there isn't much of a problem with speeding west of town by the old Pawnee Auto Body. They usually don't ticket anyone for speeding west of town. He stated the problem with speeding east of town is because of the reduced speed downhill which is difficult to do when the speed limit changes from "60" to "45" to "35." People will be speeding because the road goes downhill and the driver cannot see the speed limit sign until the last minute. The radar signs can measure speed up to 1/8 of a mile. Lang suggested installing a radar sign next to the "45" and "35" speed limit signs but this would probably be impractical. City Atty Stehlik-Ladman suggested installing the radar sign on the gravel road by the Historical Society. Clerk Curtis reminded everyone present that these two areas are not inside city limits. Regardless, permission would have to be given by the State. Foreman Cumley stated the signs have to be installed on a wooden signpost. The radar sign and the solar panel together weigh close to 80 lbs. Sheriff Lang stated it would be helpful if the signs logged speed data. Foreman Cumley stated if the signs are connected to wi-fi, then they can log data. Sheriff Lang had an update from the speeding complaint from the Aug. 11<sup>th</sup> meeting. He said Deputy Rohrbaugh watched traffic on the north side of town and found only one speeder. Most of the vehicles were travelling under the speed limit which may make it seem like people are speeding. Lang said his office has not received any complaints about speeding on F street (HWY 50) and people need to call the office with their concerns. Law enforcement usually doesn't write tickets if people are driving 1 to 3 miles over the speed limit due to the margin of error in speedometers. Council Member Fisher suggested installing two signs for now, one on the north and one on the east sides of town then wait and see if the third sign is needed on the east side. Discussion was had on where to install the signs based upon the locations in Burchard and DuBois. Council Member Hatfield stated the radar signs cannot be installed less than 200 feet from the speed limit sign according to state policy. Would the State grant an exemption? Clerk Curtis suggested the council members travel to Burchard and DuBois to see how their signs are posted then make a decision. An application has to be completed for each sign with pictures showing the location where the sign is to be located.

**Jennifer Stehlik-Ladman, City Atty: 522 & 526 G Street properties:** Jennifer reported the deed has been signed and recorded; the releases have been signed; and the claims have been paid. Mr. Raper paid half the title insurance and the prorated 2025 real estate taxes. The title insurance company wants a copy of the minutes that the Council approved the purchase in resolution form before it issues a policy. Mayor Hatfield stated Mr. Raper still wants to be able to take items from the debris until the City is ready to clean up the rubble. Jennifer stated Mr. Raper needs to sign a release of liability for himself and anyone who he hires to sort through the debris. Once demolition starts, he needs to stay out. Mayor Hatfield stated Mr. Raper also needs to move all of his equipment when demolition starts so it isn't in the way and/or creates another nuisance. Jennifer stated recently that Sheriff Lang was unable to locate Eileen Hines to serve notice and at one time when he served her notice, Eileen refused to accept notice. She will have to be served notice on her property located next to the pharmacy but where can we locate her to serve notice? Is she in California or Hawaii? Do we have addresses for both locations? Jennifer asked the Council what they had decided on Eileen's \$6000.00 counteroffer? DC Wiers explained to the Council that the pharmacist, Heidi Kohacke, said Eileen Hines had offered the property to her for \$3000 or \$4000 before it was covered in debris. **Resolution #18:** Council Member Zelenka moved to approve Resolution #18 Confirming the Sale of 522 & 526 G Street. Council Member Fisher seconded the motion. Roll Call vote indicated all present voting in favor

of the motion, whereupon motion carried. Clerk Curtis explained the Request for Quotes to include Building Demolition & Site Clean-up plus quote forms were emailed to Gyhra Construction, Clausen & Sons Dirt Work and Inline Construction with bids due by 9/19/2025.

**Review response on 8/27/25 to Eileen Hines re: counteroffer on strip of land between the pharmacy and the collapsed buildings:** Ms. Hines responded on 9/5/25 with her final offer, as is, for \$6000. Discussion was had that the land is currently valued at \$2900 but the offer is to purchase it for \$6000. The City would still have to pay someone to clean the debris off of the property. It was also discussed that a privacy fence could be built between the 522/526 and Eileen Hines properties to block the view of the Hines property. Council Member Hatfield moved to decline Eileen Hines final offer of \$6000 for the 3,477 sq. ft. vacant lot in Pawnee City, legally described as “N 24.75’ LOT 10 & ½ WALL BLK 16 ORIG PAWNEE CITY.” Council Member Fisher seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried. Discussion was had whether Eileen would disclose her California address and whether she could be served since she refused service from Sheriff Lang at one time. Clerk Curtis said she will try to obtain the California address and share with the city attorney.

**CITY ATTY—DISCUSS NUISANCE PROPERTIES: 1129 G Street (Mora-Herra):**

Discussion was had that Ramon has mowed since he attended the Aug. 11<sup>th</sup> hearing but he hasn’t replaced the roof on the house nor hauled the debris away from the collapsed shed behind the house. City Atty Stehlik-Ladman asked the Council what they want to do next with this property? Set a hearing and have notice served by personal service? Get an estimate from Gyhra’s to demolish the property? Council Member Hatfield stated there are a lot worse properties they are dealing with. It was decided to contact Ramon Mora-Herra to remind him that no progress has been made on the property and he has until September 22, 2025, to do something or the Council will set an abatement hearing on that date. DC Wiers will contact Ramon and relay the message. **1120 5<sup>th</sup> & 728 9<sup>th</sup> Streets (Parker):** City Atty Stehlik-Ladman tried to call Parkers but no answer. She will have them served abatement documents by law enforcement. Clerks Curtis & Wiers had verified their address with the city atty. **1145 G Street (Percival):** Janice has to be served Resolution #14 (which states that the property at 1145 G Street in Pawnee City, Nebraska is in violation of the City municipal codes and to proceed with clean-up and potential demolition of the property) then the City waits 30 days before taking action in case Janice starts clean-up. **112 12<sup>th</sup> & 200 11<sup>th</sup> Streets:** Letters were mailed today. **1038 7<sup>th</sup> Street:** Jennifer will talk to her about her property tomorrow. This is a nice corner lot so maybe she will donate the property to PCDC.

**Report and update from Foreman Cumley: Discuss Water Tower needing inspected inside:**

Foreman Cumley explained it has been 5 years since the last inspection so the water tower has to be drained. After it is drained, it will be inspected and the inside surface will be painted. In the meantime, Water service is coming straight from the wells so he is asking customers to conserve water. After the tower is refilled, it will be tested for bacteria and hopefully, back online soon.

**Discuss emailed request to fix area west of 11<sup>th</sup> & J Street intersection where culvert was replaced:**

Cumley explained the asphalt is coming off the street next to the parking area by the Habegger apartments. Foreman Cumley looked at the street with Mr. Habegger when the tube was replaced. The north driving lane needs new concrete to help with water drainage since there

is no crown in the road. There are other streets that are in worse shape. If there is money left over in next year's budget from the street project, it is possible that this section of street could be repaired sooner than later. ***Discuss updates to various projects going on around town:*** The water taps for the new homes being built by SENDD have been completed. The sewer line issue with the new home being built at 1601 H Street has been resolved. The new SENDD homes will have septic tanks and lift pumps instead of being hooked up to the sewer line because the sewer line is 5 ft deep but the basements are 8ft deep. Also, the city crew had to change out quite a few meters when they did the monthly meter read recently. The Crew cleaned up the City Shop last week. Mayor Hatfield said recently a City Crew Member called him because a mower had bounced and hit the side of the fire hall building. He instructed the crew member to call his supervisor and the fire chief to report the incident. Mike Habegger took a look at it and will let the city know the damages. Recently, someone made a picture of a body part out of rocks on the stage at Van Horne Park. The rocks have been removed. Mayor Hatfield stated Steve Glenn bought the building from Premier Estates and asked Charlie Hatfield to look over the blueprints to turn the building into apartments.

**Report and update from Council Member Eisenhower: *Request support for Pawnee City's FSA Office remaining open 5 days/week:*** Council Member Eisenhower was unable to attend tonight's meeting so Clerk Curtis explained it is important to send as many letters as possible to government officials to keep the local FSA office open and fully staffed. There is no official closing date yet but there is talk the office will close due to recent resignations and there is a hiring freeze in place. The office may be open only 1 day each week. This will affect local business traffic and revenue. The City has land in the CRP program and would have to drive to another town to ask questions. The Clerk will write a letter for the Mayor's and Council signatures.

**Review Pawnee City Assisted Living (PCAL's) July Meeting Minutes & August Agenda:** Council reviewed the meeting minutes. Caralyn still hasn't submitted invoices for reimbursement of \$6000 spent on equipment. Luann from USDA had sent a reminder. The Clerks will reach out to Luann for an update. Discussion was had about one board member's request for the City to help with the PCAL park but the President of the Board didn't know anything about it.

**Review Correspondence:** Council reviewed the email from Emergency Manager Megan Buckley about the technical issues with the outdoor warning sirens. They will test them again on Wednesday, Sept. 12<sup>th</sup> for Pawnee County. Council agreed to hold the council meeting on Tuesday, Oct. 14<sup>th</sup> since Columbus Day is Monday, Oct. 13<sup>th</sup>. 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 8:41 pm.

ATTEST: Kellie A. Wiers, Deputy City Clerk

Charlie Hatfield, Mayor