

MINUTES OF THE REGULAR MEETING OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PAWNEE CITY, HELD ON MONDAY, APRIL 28, 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, Vickie Zelenka, Donnie Fisher and Susan Eisenhauer; Kellie Wiers, Deputy City Clerk; Tamela Curtis, City Clerk/Treasurer and Foreman Spencer Cumley (arrived @ 8:00 p.m.). 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 Eisenhauer moved to accept the April 14, 2025, regular meeting minutes with a correction on the signature to be updated with Donnie Fisher's name. 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: **4/22/25 Payroll:** \$11,370.11; **Union Bank & Trust**, FWH 3234.60; **NE Dept. of Rev**, SWH 437.11; **John Hancock**, retirement 1368.08; **Allstate**, cancer/accid.184.04; **Ameritas**, vision 81.20; **Madison Nat'l Life**, life ins. 53.71; **UHC**, health ins. 7868.46; **Amazon Capital Services**, office supplies 48.74; **Pawnee True Value**, repair parts & supplies 141.74; **Spectrum**, internet & phone @ shop 184.99; **Seneca SA**, March 2025 garb service 6779.02; **PCDC**, Febr. sales tax 5911.62; **Capital Bus. Syst**, Elevate Phone Syst 201.92; **Verizon Wireless**, home conn & jetpack 64.95; **ACCESS Systems Leasing**, IT hardware 232.14; **Binder Bros.**, concrete/supplies 2822.75; **Nebr. Public Health Environ Lab**, wtr sample test 30.00; **Windstream**, phone @ swr plant 64.28; **Black Hills Energy**, gas service 437.61; **Dollar General**, oil for equip 32.25; **Findlay HVAC** wtr heaters & install 6300.00; **Futuramic's Clean Water Ctr**, service call 156.85; **Casey's Bus. Mastercard**, equip fuel March 2025 319.96; **Hamilton Equip Co.**, ship/handle 13.20; **Iowa Pump Works**, new jet pump 9055.81; **Nebr. Rural Wtr Assn**, membership renewal 300.00; **Pawnee Co Sheriff Office**, return ARPA funds for drug dog 3658.00; **U.S. Cellular**, emergency cell phone 48.75; **Pawnee Co. Treasurer**, qtrly law enforce 80,420.12; **Robt/Betty McDaniel**, demo reimb 4000.00. Council Member Zelenka moved to approve the claims as submitted. Council Member Eisenhauer seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

Donations to organizations: Pawnee City Ball Association: Rob and Courtney Kosiski explained to the Council there are 95 kids registered to play ball this year so far but they had 98 kids last year. There are 23 games scheduled this year. There are two new groups this year with one group similar to coach-pitch except the baseball will be machine-pitched to the 6 – 8yr. olds and the other is an 8 and under softball team. Last year insurance cost \$6400 which was about twice the cost from the year before. The Ball Assn. is spending about \$94/child while registration fees are \$25 to play plus the cost of the shirt and hat. It would be hard to raise fees to try to meet the costs because they are already losing kids at the current fees due to costs and other activities during the summer. Council Member Eisenhower suggested contacting the Ministerial Assn. to see if they could help families pay for part of the costs. They have not contacted the Ministerial Assn. because in the past, they have had kids sign up and then don't pay and they have allowed those kids to play anyway or they just don't sign up. Hopefully, creating these two new groups will encourage kids to sign up. There are still people parking in the parking lot and still people walking their dogs on the property even when they have been told not to. Council Member Hatfield suggested shutting off the electric meter at the ball fields to save money but Kosiskis explained the security cameras are hooked up to electricity and they need them because vandalism is still a problem. On the last Saturday in September there will be a pizza "trifecta" fundraiser where there will be a team of four people and you get a large pizza, 12-pack of drinks and a 300 or 500 piece puzzle and your team has to complete all three to win. This event will not be held on the ball field grounds for insurance reasons. Council Member Eisenhower moved to pay the electric bill for the ball field as a donation to the PC Ball Association. Council Member Fisher seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried. Kosiskis explained they plan to continue to hold fundraisers and request funds from businesses while encouraging kids to play baseball/softball. They are down to three volunteers for the ball assn. and could use more volunteers to help maintain the grounds and buildings. The recent strong winds damaged a roof at the ball field.

Donations to organizations: Pawnee Gun Club, Pawnee County Friends of 4-H: *Pawnee Gun Club:* Mary Moser explained there are 14 kids shooting this year with two coaches and two of the kids, Lane Johnson and Amelia Strathman, won "most improved shooter" from the whole conference of several hundred kids. State Trap Shoot will be held on May 1st and run three days with close to 2000 kids participating. They still need the lights turned on at the practice field and last year the insurance increased to \$820. The group plans to hold a 4-H shoot with Johnson and Pawnee counties. Alumni trap shooters help maintain the shooting range. Council Member Eisenhower moved to donate \$750 to the Pawnee City Gun Club and pay for the electricity for the lights at the practice range when the lights are turned on. Council Member Fisher seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried. ***Friends of 4-H:*** Mary Moser explained last year, 293 youth participated in school enrichment programs led by the Pawnee County Extension staff in Pre-K through 5th grade at the Pawnee City Schools, 4th grade at Lewiston School and out of school programs such as Farm-to-Table. Kids made homemade pizza with homemade crust, sauce and cheese. Ms. Moser also explained how participating in 4-H helps youth make better choices and are more apt to give back to their community. Also, 4-H is much more than just the county fair. Council Member Eisenhower moved to donate \$500 to the Pawnee County Friends of 4-H. Council Member Zelenka seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

Donations to organizations: PC Historical Society: RJ Hickey, president of the Historical Society, explained to the Council the Society had received \$5818.45 in donations from fundraisers for 2024. Yvonne Dalluge, a very active member of the Society died this year and she will be missed. Last year, the group painted the chapel and the governor house while this year the group plans to paint the barn and a couple other buildings. Currently, there is a \$800 credit balance on the water account due to the credit from last year and haven't been using much water. The PC Historical Society is part of the "Wandering Nebraska" program through the state Historical Society Foundation where you visit approximately 200 locations and take a picture of a QR code for verification. Mr. Hickey will drop off some booklets at the City Office with more information. This year, they plan to hold a "family fun day" instead of holding a historical event. Discussion was had that the donation to the water account should be lower since the Society isn't using much water but want to make sure the water is covered. Council Member Eisenhower moved to donate \$500 credit towards the water account for the PC Historical Society for 2025. Council Member Hatfield seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

Donations to organizations: PC Chamber of Commerce: (Previously, the City paid for Fireworks Liability Insurance, mowing around the welcome signs and paid for the electricity for the signs and the City Crew watered the flowers in 2023 and 2024). Nanette Smith reviewed items listed in the agenda packet that the Chamber has accomplished in 2024 such as updating their website, holding ribbon cuttings for 3 businesses, annual Easter Egg Hunt, scholarships for graduating high school seniors, sponsoring the Jiggle Butt Run, supporting the renovation of the brick entrance to the fairgrounds, annual fireworks display and organizing the Santa Parade, etc. The Chamber has sponsored flower baskets on the decorative lamp posts around town for a few years now but needs help with watering them. In the past, the City Crew has helped water the flowers. This year the Chamber can find volunteers to water the flowers on the weekend but needs help finding people to water them during the week and would like to ask the City if the crew members could water the flowers this year. Angie Hunt from the Little Brown Jug has volunteered to water the flowers in the island on HWY 50. Council Member Eisenhower explained the City is advertising to hire a part-time Summer worker so the Summer Help could water the flowers Monday through Friday and on the days, that person is not working, Eisenhower will water the flowers. Mayor Hatfield said he can help water flowers on Mondays and Fridays. Discussion was had that in the past, the City made a \$500 cash donation until it was realized the firemen needed liability insurance for discharging the fireworks. Discussion was had about the donation to the Chamber of Commerce. Council Member Eisenhower moved to pay the \$865 liability insurance and \$500 towards the cost of fireworks for July 4th celebration. Council Member Zelenka seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried. Council Member Eisenhower moved to have the City Crew continue to mow around the Welcome signs and water the flower baskets Monday through Friday (to include city crew members and volunteers from the Council) plus a \$75.00 credit (which equals out to watering for 24 weeks at 100 gallons per week) to the Little Brown Jug's water bill for watering the flowers in the island on the highway east of the building. Council Member Zelenka seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

City Attorney Jennifer Stehlik address discrimination complaint on Housing Rehab from Dan Abbott: Mr. Abbott did not show to address his complaint. No action taken by the Council.

Discuss updates on 522 & 526 G Street Properties with demolished buildings: Mayor Hatfield explained he tried to keep in contact with Ed Raper while he was on vacation after Clerk Curtis and DC Wiers spoke to Mr. Raper on April 16th and handed him the purchase agreement. Mayor Hatfield communicated to Mr. Raper by text that the City wanted to move the fence and barricades off the street so people could use the parking places again. At this time, debris has pretty well been cleaned off the street and sidewalk. Clerk Curtis explained Mr. Raper was disgruntled and asked for more money than the \$10,000 listed in the agreement and to include repairs to the adjacent buildings. Mr. Raper said he was still disgruntled that he was not previously able to have water service installed in both buildings. Both buildings have since fallen down and created a pile of rubble. Mayor Hatfield sent a text message to Mr. Raper on April 22nd and he confirmed receiving the purchase agreement and gave it to his lawyer. DC Wiers contacted Health First Pharmacy owner, Heidi Kohake, before the meeting to see if she had anything to add to the discussion. Heidi said she is waiting on an engineer to inspect her building for damage. On Friday, April 25th, Mr. Raper backed into the decorative lamp post in front of the pharmacy with his skid steer and broke it off. The lamp post hit the front of the pharmacy when it fell, creating a dent under the south window. DC Wiers explained this is why she had contacted Ms. Kohake to let her know this issue was listed on tonight's agenda. Mayor Hatfield directed DC Wiers to order another lamp post to the current order for a total of three lamp posts from Tuscumbia Iron Works. DC Wiers contacted LARM about the lamp post. She was directed by Fred Wiebelhaus to give LARM an estimate to replace the lamp post plus Mr. Raper's contact information so that an insurance adjuster can contact him. Discussion was had on concern that Mr. Raper will not pay for the lamp post nor sell the properties to the City. Mr. Raper admitted to Clerk Curtis that he had broken the lamp post. City Atty, Jennifer Stehlik-Ladman was present at the meeting. She explained even though Mr. Raper signed a letter of intent, that doesn't mean he has to sell the property to the City and it is not legally binding. The City may have to look at a different location for a park for the RCRP grant. If Raper doesn't sell the property to the City, he is then responsible for clean up. Jennifer recommended the City then send Mr. Raper an abatement letter with a date to have the property cleaned up and if he doesn't comply, then the City would step in and clean up the property and file a lien against the property for the expense of clean up and hopefully, recover some of the costs when the property is sold. Mr. Raper would be better off to sell the property to the City. Mayor Hatfield explained Mr. Raper will make money on this situation and the City would like to see the property cleaned up and put a park there. The Mayor continued that he has tried to be "nice" to Mr. Raper over this situation to encourage him to comply to work with the City since the City has been working with him. Mr. Raper was given until May 30th to sell the property to the City. Clerk Curtis explained work on the park has to be completed by Sept. 30, 2026 according to the RCRP grant. Also, she recommended two men go talk to Mr. Raper in person about the purchase agreement since he didn't seem receptive to what she and DC Wiers had to say. Mayor Hatfield and Council Member Fisher stated they will speak with Mr. Raper on Friday, May 2nd and report back to the city attorney. DC Wiers is concerned Mr. Raper will not sell the property to the City and the property ends up with an empty hole that is still unsightly (as it has been for the last eight years) when it could be transformed into a beautiful park.

Review/Discuss Page 4, “Economic Development” in NPPD’s Official Community Guide for Pawnee City: Discussion was had about the accuracy of the information listed on page 4 in regards to the Pawnee City Economic Development Council (PCEDC). The PCEDC does not have any city officials or members from Pawnee City Schools. Mr. Rottinghaus has resigned and Lola Seitz is the interim president of the Chamber. Aaron Sawyer stated Jessica Colo will replace Mr. Rottinghaus on the Chamber. The organization is not funded through local sales tax nor has it leveraged grants to fund infrastructure improvements, small business support programs or workforce development projects. Aaron Sawyer stated he had talked to NPPD about information in the guide but he hasn’t seen a printed copy of the guide. Accomplishments will be changed to “primary goals are the revitalization of the downtown district, which would lead to the establishment of new retail and service businesses.....” Further discussion was had about what was printed and changes made. Clerk Curtis will contact Sara at NPPD with the updated changes.

Review/Approve CDBG Professional Service/Consultant Agreement between JEO & the City on the CDBG 24-PWI-013 Street Improvement Project: Council Member Eisenhauer moved to approve the CDBG Professional Service/Consultant Agreement between JEO & the City on the CDBG 24-PWI-013 Street Improvement Project. Council Member Fisher seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

Review/Discuss Health Insurance options through NACO (McInnes Group) for UHC & BCBS: Clerk Curtis explained she had contacted Jessica Colo to see if she could find a health insurance plan with similar or better coverage that would be cheaper than the current UHC plan which premium will increase 13.7% next year. Ms. Colo will present her findings at the May 12th city council meeting.

Review PCAL’s 3/26/2025 regular meeting minutes: Council reviewed the PCAL meeting minutes submitted by Caralyn Friedly.

Discuss Paul Heath’s grandson Jared Johnson carrying on HJP Pest Control and doing the Mosquito Spraying this year. Starting June 1st doing 6 sprayings @ \$375/spray = \$2250. (charged \$2160.00 total in 2024): Paul Heath recently died unexpectedly and grandson Jared Johnson will be taking over Paul’s spraying business. Council Member Eisenhauer moved to approve mosquito spraying from Jared Johnson for 2025 at \$375/spray for a total of \$2250. 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: *Take formal action on several updates to VanHorne Park:* Steve Glenn emailed Eisenhauer a revised drawing of the Van Horne Park improvements this evening. The drawing shows updated plantings plus a road to drive in from the West across the property over the creek to access the bottom of the park. Clerk Curtis left the meeting to print out copies of the drawing for the Council Members. Council Member Eisenhauer explained Steve Glenn and his family are donating \$95,000 additional improvements to Van Horne Park if approved by the Council. The goal is to have these improvements completed by Memorial Day weekend. Council Member Eisenhauer moved to

approve the updated changes to VanHorne park provided by Steve Glenn. Council Member Hatfield seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried. ***Discuss Family Season Pool Passes:*** Council Member Eisenhauer is proposing a change to the current Family Pool Pass. Currently, we don't define "family" for a family pass. There have been situations where people have included people on a family pass that don't live in the household including grandparents, babysitters, etc. to avoid having to pay. According to Eisenhauer, a "family means immediate members parents or legal guardians and children" and pass includes up to 5 members in the household. Each additional member (of the immediate family) pass is \$20.00 while a family pass is \$100.00. If you have six members in the household then that 6th person would be an additional \$20.00. You could choose not to include a parent that would not be coming to the pool. A Family season pass can include a babysitter who will be taking children to the pool. DC Wiers asked if she, as a grandparent, could purchase a family pass and include all of her grandchildren, if they don't live with her? No. She could buy the family pass and give it to the parents. The daily rate is \$8.00 for an adult and \$5.00 for a child aged five and older. Eisenhauer stated she will make a motion to change the family pool pass to read as follows: A family pass is \$100 (family means immediate members parents/legal guardians and children). A family pass includes up to 5 members. Each additional member of the immediate family is an additional \$20 per person. Council Member Fisher seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried. An individual season pass will cost \$75.00. ***Review Press Release from Atty General's Office re: Aaron Stanger of Premier Pools being sentenced to 4-8 years for three counts of Theft by Deception:*** Aaron Stanger had installed a pool liner for the City through Premier Pools with lots of problems and Mr. Stanger never resolved the issues. Mayor Hatfield commented that the City had used a different architect than JEO and the other architect recommended Aaron Stanger so that was who was hired. Stanger had told the Council that there were voids under the pool and it would collapse. Susan Eisenhauer was voted on Council after the pool update and she found a mud jacking company to come in and fix the voids and then discovered the voids weren't as bad as Stanger had stated.

Report and update from City Foreman Cumley: Review/Discuss Water Supply

Considerations email from JEO: Foreman Cumley explained he talked with Tyler from JEO. One option to save costs would be to change from, a vertical turbine well which is rated for 15-20 yrs to a submersible well which is rated for 10 yrs. The current wells have a vertical turbine well. This would save approx. \$440,000 to \$550,000. Another option would be to locate a new well 8 miles NE of the existing well field where we know there is water but this would be much more expensive. The City would have to buy the property or lease it at the new location and this would require 8 miles of extra water main pipe. The total estimated cost would be \$4.0 - \$4.75 million. Pawnee City could hook into Rural Water but it would be very expensive because they would want Pawnee City to cover all of their system improvements on top of purchasing water from them. Discussion was had about financing with USDA versus SRF if the City decided upon the more expensive option. The USDA proposal did have some grant with it but the loan would be for forty years with higher payments and the City still has ten years left on the water bond. Council Member Hatfield asked if it is possible the City could wait ten years to make a decision on a new well? Foreman Cumley explained it is possible to have another geological company to come out and do a study of the current life span of the water field but it could cost anywhere between \$20,000 to \$200,000. Council Member Hatfield commented that it doesn't seem

feasible to drill a new well at the current location of the other wells when we don't know if the aquifer will be able to handle the demand for more water. Clerk Curtis and Foreman Cumley still have not been able to talk with City Auditor Julie Bauman about the cost of financing a new well and would like to get her input before Council makes a decision and talk about it more at budget time. Foreman Cumley explained it would be beneficial to change out to new water meters that would be more accurate and probably generate more revenue that would help save more money for a new well. ***Discuss issues with Street Signs:*** Foreman Cumley explained that somebody keeps running over street signs on the North side of town. There have been three in the last two weeks. It might be wise to implement a sign replacement program because the signs can't be used again because the brackets are aluminum, the set screws are steel and they get seized in. The crew members tried to drill the screws out but it didn't work. Discussion was had about changing posts, brackets or screws to alleviate the situation or use something similar to NDOT. Cumley will look into new posts. Clerk Curtis will add the item into budget discussions. ***Review Benefits of being a member of the Nebraska Rural Water Association:*** Cumley explained NeRWA will come out and exercise valves. They will also help find water leaks in the main line and complete rate studies. They also offer trainings at a discount. ***Review email from Fred @ LARM re: Insuring Volunteering Council Members & Jr. Droge as an Independent Contractor:*** Fred sent an email explaining a council member volunteering to work on projects at the city is covered under liability and workman's comp. If Jr. Droge was still treated as an employee, then he would be covered by the City's liability insurance and workman's comp. If he is treated as an independent contractor then Jr. will have to provide his own liability insurance. Council Member Eisenhower moved to change Jr. Droge's status from independent contractor to on-call city employee with no benefits at the same rate of pay. Council Member Hatfield seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried. ***Review/Discuss City Wide Clean-up Ad scheduled for June 2nd:*** Clerk Curtis shared Tecumseh's citywide clean-up ad where they allow people to put items on the curb and if someone doesn't stop and pick it up, then the City will come and haul the items away the next day. There was concern over certain residents collecting items and adding to nuisance issues. She suggested adding a cutoff date for people to add their names on the list so that people are not waiting until the day of clean up to call in when the guys have already picked up the list and organized pick up. Many items have to be taken to the transfer station at DuBois and they are not open all day, every day. So, people will have to call in by 4:30 p.m. on Friday, May 30th to have their name added for pick up on Monday, June 2nd. A copy of this ad will be put on the back of the next water bill. ***Review/Discuss updates on projects in the City:*** The roof on the new restrooms at the city pond are finished and the crew will continue to work on the restrooms so hopefully, they are ready for Memorial Day weekend. Mayor Hatfield explained Metzger's donated 2" styrofoam in the ceiling of the restrooms to help keep them cooler and accumulate less moisture. The city crew plans to work on the pool the week of May 5th. The intersection of the street in front of the hospital has been completed. The new jack hammer has been delivered. The new pump has been installed at the sewer plant. All of the parks have been sprayed for weeds. The crew has trimmed trees on the trail and around town. There is a water customer that has been using water even though the water was shut off last July 2024. The meter was read and there has been water usage. The meter was checked and maybe it didn't get completely turned off so it was checked again. The meter was checked in January, February, and March and there was no usage. It was read today, and there has been 5800 gallons of usage. This has resulted in lost revenue and the customer has received free water. When the crew checked it

today, the cap was off of the shut off. It doesn't have a meter pit because it's a basement meter so it cannot be shut off at the meter pit and locked. A lien for past due water bills has already been filed against the property. It would cost around \$2000 to install a meter pit and new meter. Discussion was had about finding a way to lock it. Foreman Cumley will talk to the water parts supplier and see if there might be a device to lock the line so the customer cannot bypass the meter and use water. If not, the crew will dig up the rod and cap the shut off. Clerk Curtis suggested talking to the city attorney about the situation since this is theft of water.

Review Correspondence: Council reviewed the spreadsheet on February 2025 Total Sales Tax of \$16,980.93 with ½% Street Repairs Sales Tax totaling \$3,941.08 and \$1,216.62 being Motor Vehicle Sales Tax. Council reviewed the letter from the PC Schools Board of Education & Education Foundation requesting donated door prizes for Teacher Appreciation Week May 4th - 10th. Council Member Eisenhower moved to donate two 2025 family pool passes to the PC Schools Board of Education & Education Foundation for Teacher Appreciation Week. Council Member Zelenka seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

Council Member Zelenka moved to adjourn the meeting. Council Member Hatfield seconded the motion. Roll Call vote indicated all in favor of the motion and meeting adjourned at 9:29 p.m.

ATTEST: Kellie A. Wiers, Deputy City Clerk

Charlie Hatfield, Mayor