

MINUTES OF THE REGULAR MEETING OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PAWNEE CITY, HELD ON MONDAY, JANUARY 26, 2026, 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 Donnie Fisher, Susan Eisenhower (by phone) and Vickie Zelenka; City Clerk/Treasurer Tamela Curtis, Deputy City Clerk Kellie Wiers and Foreman Spencer Cumley. **Absent:** Council Member Pat Hatfield.

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 January 12, 2026, 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: **1/13/26 Payroll:** \$11,396.26; **1/27/26:** 12,492.51; **Union Bank & Trust**, FWH 6903.13; **NE Dept. of Rev**, SWH 878.11, 2025 Lodging tax 363.36; **Nebr. Dept. Labor**, 2025 4th qtr unempl 24.23; **John Hancock**, retirement 3350.12; **Allstate**, accid ins 199.56; **Ameritas**, vis ins 92.40; **Madison Nat'l Life**, employee life ins. 66.49; **Medica**, employee health ins., 8975.29; **Windstream**, internet @ swr plant 64.45; **NPPD**, electric service 3404.51; **Access Systems Leasing**, Fortinet/Fortigate lease 303.70; **Coral's Cleaning Services**, office clean 160.00; **Dollar General**, office supplies 15.70; **InLine Construction**, debris clean up @ 522/526 G Street, \$39,370.00; **LARM**, Workers Comp audit 281.42; **Lincoln Journal Star**, library newspaper subscript 363.00; **Protex Central**, library fire alarm inspect 275.00; **Spectrum**, internet/phone @ city shop 184.99; **BHE**, gas service 875.35; **Bottom Line**, library subscript 39.00; **Eakes Office Solutions**, IT/Elevate phone service 959.23; **Pawnee Republican**, Dec 2025 publications 624.83; **Pawnee True Value**, repair supplies 244.50, library office supplies 7.99; **Verizon Wireless**, home connect/jetpack 64.99; **PCDC**, Nov 2025 sales tax 7147.83; **Seneca Sanitation**, Dec 2025 garbage service 8277.43. 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 Treasurer's Report on General Checking & NFIT Savings Acct Balances as of 1/26/2026: Council reviewed the Treasurer's Report. Clerk Curtis commented that the accounts are "setting good."

Angie Kramer/Little Brown Jug: Request for Special Designated License (SDL) for three events: (*March 7th*)—*Farmer Appreciation @ Mark Sunneberg Jr.'s Shop, 1344 H Street;* (*April 11th*)—*Community Get Together @ Little Brown Jug, 715 F Street;* (*April 25th*)—*Jiggle Butt Run @ Fairview Golf Course Clubhouse, 1800 D Street:* Angie and Jamie Kramer were present to request SDL (Special Designated Liquor License) for the events in order to serve alcohol. Also, this will be the last year for the Jiggle Butt Run but it could continue under a different name. Council Member Zelenka moved to approve special designated liquor license for the Little Brown Jug to serve alcohol at the Farmer Appreciation Event (March 7th), Community Get Together (April 11th) and the Jiggle Butt Run (April 25th). Council Member Fisher seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

Justin Morehead—progress on nuisance property 826 4th Street clean-up: Justin Morehead explained to the Council that the trash on the porch and the yard has been picked up. He talked with Dalton Kramer about "sheering" the brush in the back yard and he will be able to do this on Thursday or Friday of this week. Dalton Kramer was present to confirm this information. Justin said that Bob Smith will bring his big forklift in to move the truck out of the street (that will not start) but wants to wait until a warmer day so the equipment doesn't "gel up." DC Wiers suggested Justin keep in contact with the Sheriff's Dept. about the truck so it doesn't get towed. Justin is waiting for someone to move the freezer out of the yard and into the garage. Council Member Zelenka suggested a lock be installed on the freezer because there are many children in his neighborhood and even his own children may try to open the lid and crawl inside the freezer then be unable to get out. Mayor Hatfield said there is a box in the yard that looks like a "dog box." Justin said it is a dog box and it is full of traps that he wants to keep. Mayor Hatfield explained it would be safer to move the dog box into the garage and lock it up. Justin said Russell Weeks was coming back this weekend to help him again.

Gregory Elbert & Janice Elbert, Request for Sub-Division of Lots to Danielle Solary: *Review Survey by Tichy Land Survey Co. on proposed sub-division map; Review/Approve Resolution #2 approving Gregory & Janice Elbert's application for the sub-division of lots to Danielle Solary:* Danielle Solary was present to answer questions about her request. There were no questions from the Council or audience. Council Member Fisher moved to approve Resolution #2 approving Gregory & Janice Elbert's application for the sub-division of lots to Danielle Solary. Council Member Eisenhauer seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

Discuss Nuisance Issues: 522/526 G Street—Updates on InLine Construction re: any explanations received on dumping items at City Tree Dump area? Mayor Hatfield explained he called Steve Blumer with InLine Construction about this issue. Steve said he will come back to Pawnee City and clean that up when his equipment has been repaired. Steve will also call Foreman Cumley to discuss this issue. Steve has also offered to come back and haul more dirt to the project site after the current dirt settles. *1038 7th Street: (C. Johnson): Updates on status of*

Dumpster from Seneca SA? City Atty Jennifer Stehlik-Ladman had talked with Ms. Johnson a couple times about the property and Ms. Johnson said she would make contact with the City Office by the end of last week. DC Wiers explained the clerks in the City Office never heard from Ms. Johnson. DC Wiers continued to explain she had called Greg Olberding with Seneca Sanitation about reserving a roll-off dumpster. Greg said he has not heard from Ms. Johnson in regard to another roll-off dumpster. Greg said he did have one available to deliver to the property and he would leave it for one to two weeks but not as long as the first one since it was never used. Also, DC Wiers contacted Jill Hahn with Juvenile Diversion and she has a high school-aged student available who needs to fulfill community service hours. Wiers also contacted Guidance Counselor, Lisa Blecha, at the Pawnee City High School. Lisa said to let her know when a clean-up date is scheduled and she will see if there are some students available to help. Council Members also offered to help clean out the house. PCDC would like to have the property signed over to them soon. Jennifer suggested contacting Cindy Johnson and ask her to come to the next council meeting so they can explain to her that PCDC wants to get the property transferred so a clean-up date needs to be set.

Discuss updates on Real Estate Tax Statements: DC Wiers explained that she had shared City Attorney Jennifer Stehlik-Ladman's email with County Assessor Stephanie Kaster. DC Wiers asked Kaster for an update and Kaster said she has been communicating with the city attorney and the "State Office" on the real estate property taxes charged to the City of Pawnee City. Kaster said there is no documentation from the City of Pawnee City in regard to the purpose of the properties and she recommended in the future that the City Office let her know when they purchase a property and its intended purpose.

Review RCRP Grant Requests for Bids on the Pool Project & Tranquility Park Project running in the newspaper January 29th & February 5th with Bid Openings on March 2, 2026: Council reviewed the Request for Bids on the swimming pool resurfacing project and the Tranquility Park Project. Council Member Eisenhauer stated she had asked for the completion date of the pool resurfacing project to be continued after the pool closed for the season but it wasn't accepted.

Report and Update from City Foreman Cumley: Review *Comp time from Handbook & Discuss Gary Jr. earning on-call time vs. comp time:* Foreman Cumley explained Gary Droge Jr. is part-time but takes a turn being on call on the weekend and during the week. Instead of being paid for overtime, Jr. would like to bank the overtime hours as Comp Time rather than earning the overtime hours so that he would have hours available that could be used in case he was sick and could not work. Discussion was had that it is stated in the Employee Handbook that an employee can earn up to 80 hours of comp time in a calendar year but cannot exceed 80 hours at any given time. Council Member Zelenka moved to approve a part-time employee can earn up to 80 comp hours but cannot exceed 80 hours at any given time. Council Member Fisher seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried. ***Discuss various City Crew Projects:*** Foreman Cumley stated the City Crew continues to work on the Percival property. Seneca Sanitation will not take the rubble so the crew members will have to haul it to the Beatrice landfill and since it had been burned, there is a 30 day wait period before it can be hauled away. Mayor Hatfield stated Janice Percival talked to him recently about who gave the firemen permission to burn the house. Mayor Hatfield

explained obtaining permission from the State Fire Marshall through the abatement process. She then thanked the Mayor for cleaning up the property. **Snow removal:** Pawnee City had around 3 inches of snow this past weekend. The City Crew cleaned the downtown and side streets Saturday evening. All of the snow equipment was checked out last month and everything was fine then. Some hydraulic hoses broke on the new snowplow which hindered the process and they need repaired. **Sewer Plant:** The new flow meter is not working yet and there seems to be a problem with the electrical system. Foreman Cumley advised DC Wiers not to pay the claim until the new flow meter is working.

Report and update from Council Member Hatfield: Discuss City Employee being paid for responding to an emergency; Overtime? During Regular Work Hours only? Council Member Hatfield was ill and not able to attend tonight's meeting. City Atty Jennifer Stehlik-Ladman explained she had researched this issue under the state statutes and an employer can subtract wages from an employee's earnings for the time they spent responding to an emergency. You are not under an obligation to pay them for that time. Under the Fair Labor Standards Act (FLSA), if you do compensate an employee for those hours, then they also have to be included when calculating overtime hours. As long as the City and the volunteer fire department are separate entities and the employee is performing a different volunteer job than what he is getting paid for then that doesn't jeopardize the status of being a volunteer. Under Workman's Comp, they would be under the jurisdiction of the fire department as a fire fighter from the time they respond to a call until the time they return to regular duties. This is true even if the employee is being compensated for those hours. So, not a city liability. In summary, the employer doesn't have to compensate them, if you do, it is going to be included in calculating overtime for the pay period. Council Member Eisenhower asked if the Council approved this, could they limit it to regularly scheduled hours? If it is after hours and an employee chooses to respond to the call, does the overtime end? Jennifer said she wasn't sure if you could make that distinction. Council Member Eisenhower stated she has no problem paying regular pay but not overtime pay. DC Wiers asked if it is after regular working hours and the employee responds to a fire call, should the employee receive overtime from the City? Council Member Eisenhower stated that is what it sounds like to her and she doesn't agree with that. Jennifer clarified that it would only be during normal working hours. Council Member Eisenhower gave an example: if an employee has worked 35 hours (during a regular work week) by Friday and works 7-3:30 on Friday, he gets called out at 3:00 and doesn't leave the call until 5:00, then those hours from 3:30 to 5:00 are considered strictly volunteer? During the week, after the 40 hours, it's overtime but after the regularly scheduled hours, it is not considered overtime. Jennifer agreed that is how she reads the laws. Mayor Hatfield stated he called Lash Chaffin, Utilities Section Director, of the League of Municipalities about this issue. Lash stated to Mayor Hatfield that it was his opinion that there should be city employees on the Fire Dept. and the City should be happy to have city employees on the Fire Dept. Lash gave Mayor Hatfield an example of an instance when he was teaching a water safety class in Norfolk, Nebraska and their pager went off. Twelve guys left the class and responded to the fire call because they are all on the Fire Dept. and they got paid for being at the fire call and not at class and he was fine with it. Mayor Hatfield made reference to legislative bill AM 702 (in regard to cancer coverage) which the League has been pushing to help the firemen because this bill will put a burden on small municipalities. Mayor Hatfield asked Lash about Council Member Hatfield's concern about back pay. Lash stated to Mayor Hatfield, in his opinion, the fireman should receive any back pay that was not paid to him because the fireman

did not know that it was not covered in the Employee Handbook. Clerk Curtis asked if this was in regard to the controlled burn? Mayor Hatfield said his point was in regard to past fire calls that the employee had responded to and wrote on his timecard that he responded to a fire call but was not paid for the fire call. Also, it needs to be added to the Employee Handbook that if the employee reports to a fire call and there are 27 guys there and it was a burn barrel that caught on fire then the employee could leave the fire and report back to work. If the fire gets out of hand and the employee reports back to the fire, he should be able to do this with no questions asked. Mayor Hatfield stated Lash Chaffin told him that if anyone had any questions to give Lash a call. Mayor Hatfield told Lash that the city attorney was researching this issue and that Lash said "he was sure she will do a very good job" but this is his opinion. DC Wiers stated Council Member Hatfield was unable to attend tonight's meeting but that he had stopped in the City Office last Friday to sign claims and stated to DC Wiers that yes, in the past, things were handled a certain way but it was a different council but he did not agree to being paid back pay for responding to fire calls and he would vote against it, but he is not here. Council Member Zelenka stated that "we" need to do some research for documentation on when Lucas responded to fire calls. DC Wiers asked Lucas Barloon, who was present at this meeting, whether he documented on his timecard when he responded to fire calls. Barloon stated he documented that every time and he also had copies of the fire logs to show who responded to fire calls to verify the timecards. He then said this should be sufficient documentation to verify that he responded to calls during work hours for a set amount of time. Clerk Curtis stated she will need documentation with dates and times for the audit in order to pay "back pay." DC Wiers asked how long a time period would this cover? Lucas stated he has responded to 4 or 5 calls in the last year and that he has been a member of the fire department for less than a year but the logs will have dates and times. Council Member Zelenka stated this is great for the firemen but we have someone else that works for the court system and they could call her for an emergency to help with the removal of children from the home and this should also be incorporated. Council Member Eisenhower stated clarification is needed if there are "emergency" duties outside of employment. If the firemen are cleaning the fire hall during normal work hours, then that is not an emergency. That is something the employee can go to but they will have to use vacation time. Likewise, if Kellie attends court and it is not an emergency then she can use leave time but children being removed from the home is an emergency. Eisenhower also stated the City needs to rely on their employees to be honest to say what it is and what they did. She also stated "it's a no brainer" definitely going forward, past pay should be paid. DC Wiers asked about the recent controlled burn at 1145 G Street which city crew member Lucas Barloon participated in. Mr. Barloon stated every call he has gone to has been an emergency but the "controlled burn is a whole another gambit in itself because three city workers were standing there as far as I'm concerned." Fireman, Jamie Kramer, was present and stated, "no, it was not an emergency but, in his opinion, Lucas Barloon played two roles that day and he also worked for the City that day and gained education but maybe should not be considered overtime." Council Member Eisenhower said "exactly" and agreed Lucas played two roles. He was employed by the City and performed city duties during the burn. Jamie Kramer said yes, we are a city fire department. Clerk Curtis stated to Lucas that he had turned in sick leave which she had talked with Lucas about previously, so she will make a copy of his last time card and will add that sick time back and make notes on it. Council was in agreement that something needs to be added to the employee handbook concerning this issue. Lucas stated he had contacted Syracuse and Nebraska City for information from their employee handbooks concerning this same issue and then handed out a page from each city to the mayor and council

members concerning their policies regarding volunteer firefighters responding to fire calls. Jamie Kramer stated Lucas had shared this information with him before the meeting and suggested this information be updated to include emergency responders so they are also covered. City Atty Jennifer stated the EMS service in Pawnee City is not covered by the City of Pawnee City and the EMTs are paid by the local hospital. Also, Jennifer stated the fire department is not under the City. It is covered under the fire district and they are a separate entity. Council Member Eisenhower stated that when EMS personnel are responding to a call, they are paid by the hospital. Council Member Eisenhower moved to approve paying a volunteer firefighter and a volunteer CASA (court appointed special advocate) employee backpay from a one-year period retroactive from today's date for emergency services rendered in an emergency situation to where they are eligible to be paid during their normal working hours. DC Wiers asked Lucas Barloon if he felt this was fair to him? Lucas nodded his head and said he has been on the fire department for just under a year. Council Member Eisenhower asked DC Wiers if that seemed fair to her since she has been a CASA longer than that? DC Wiers stated she has been a CASA for 5 years but that seemed fair to her. Council Member Eisenhower said DC Wiers could mark that time on her timecard but still keep the information confidential. Council was in agreement that one year was sufficient. Clerk Curtis requested a copy of the fire dept. logs to match against Lucas's timecards. 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 Council Member Eisenhower: *Discuss/Approve donating (2) Pool Family Passes & (2) Pool Punch cards to the Pawnee City Schools Athletic Boosters Fundraiser in March:* Council Member Eisenhower explained she has been asked to donate pool passes to the Athletic Boosters fundraiser in March. Council Member Eisenhower moved to donate 2 family pool passes and 2 (10 punch) punch cards to the Pawnee City Athletic Boosters Fundraiser in March 2026. Council Member Fisher seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

Discuss Any Incident Reports: Foreman Cumley explained there hasn't been any new Incident Reports.

Review Correspondence from: Council reviewed the spreadsheet on the November 2025 Sales Tax of \$27, 273.01 with Motor Vehicle Sales Tax totaling \$8,212.13 and \$4,765.22 being ½% Street Repairs Sales Tax. Clerk Curtis reminded the council that the 2026 League Mid-Winter Conference will be held February 23rd & 24th in Lincoln, Nebraska. Mayor Hatfield said the conference is open to all council members, clerks and city employees. If anyone wants to attend, let the clerks know. The Pawnee City Chamber of Commerce is again sponsoring the Carolyn VanHorne Civic Award. Nominations are due March 1, 2026.

FILING DEADLINES: Incumbent – February 17th, 2026; Non-incumbent – March 2nd, 2026: City Positions up for Re-Election: Mayor Charlie Hatfield, Council Members Susan Eisenhower & Patrick Hatfield. Airport Authority Positions up for Re-Election: 6 Yr Term: Joe Davis & Gerald Stallbaumer.

Reminder: the SHOW CAUSE HEARING on 728 9th Street (Parker) Property is scheduled Monday, February 2, 2026 @ 7:00 p.m. at the Cornerstone Building.

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 7:55 pm.

ATTEST: Kellie A. Wiers, Deputy City Clerk

Charlie Hatfield, Mayor