

MINUTES OF THE REGULAR MEETING OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PAWNEE CITY, HELD ON TUESDAY, MAY 27, 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. **Absent:** None.

Mayor Charlie Hatfield called the meeting to order at 6:00 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 May 12, 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 Eisenhauer moved to accept the May 15, 2025, emergency special meeting minutes. Council Member Zelenka 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: **5/20/25 Payroll:** \$11,125.22; **Union Bank & Trust**, FWH 3145.67; **NE Dept. of Rev**, SWH 421.02, sales/use tax 2054.79; **John Hancock**, retirement 1324.78; **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/repair supplies 351.80, pool supplies 263.90; **Spectrum**, internet & phone @ shop 184.99; **Seneca SA**, April 2025 garb service 6850.29; **PCDC**, March sales tax 8337.30; **Capital Bus. Syst**, Elevate Phone Syst 201.92; **Verizon Wireless**, home conn & jetpack 64.95; **ACCESS Systems Leasing**, IT hardware 332.58; **Windstream**, phone @ swr plant & pool 147.76; **Black Hills Energy**, gas service 299.93; **Hamilton Equip Co.**, teeth for bucket on mini excav. 108.07; **Core & Main LP**, annual SENSUS support, 3950.00; **Friedly Oil**, equip fuel, 387.56; **Gyhra Construction**, remove/install steel culvert 10,850.00; **Lincoln Winwater Works**, curb box lock 107.50; **Miracle Mudjacking**, repair pool deck & sidewalk, 5755.00; **NPPD**, electric service, 3287.69; **Wilson Electric**, wtr tower XFR switch, 500.00; **Deb Aylor**, reimb pool operator cert. 40.00; **Eakes Office Solutions**, library photocopier agreement 56.42; **Grainger**, rumble strips, exhaust fans 1035.95; **Hometown Leasing**, photocopier lease 100.79;

Julie Bauman, prof services wtr project, 375.00; **Martin Marietta**, riprap 17th ST culvert 974.76; **NDEE** app. Swr cert test 150.00; **NeWEA**, wastewater cert train class, 550.00; **Petty Cash Fund**, pool start up cash 150.00; **Stallbaumer Lumber**, park bldg. materials 353.94; Council Member Zelenka moved to approve the claims as submitted. Council Member Hatfield seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

Approve Paying Mayor (\$2000) / Council (\$1750) in June: Council Member Eisenhauer moved to approve paying the Mayor (\$2000) and Council Members (\$1750) in June 2025. Council Member Zelenka seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

Sheriff Braden Lang: Sheriff Lang explained this afternoon there was an incident with kids throwing rocks into the pool. He talked with the kids and is pretty sure it won't happen again. Justyce will complete training with the police dog in July. The dog will stay with Justyce at his home in the Burchard/Lewiston area. The sheriff's office has received a couple deputy applicants. If one of them is hired the applicant should finish training and be ready to work by Christmas this year or the Summer of next year. Council Member Hatfield thanked Sheriff Lang for traffic control on Monday, May 19th when NPPD was repairing downed power lines after the thunderstorm/tornado. Clerk Curtis and DC Wiers brought up the abandoned truck and camper on Veronica Iverson's property. Veronica had reported the truck and camper have been abandoned and she would like to get them off her property. Sheriff Lang will look into it and get back to the City Office. Mayor Hatfield explained there is a camper sitting in the backyard at 1300 H Street and he is concerned there might be people living in it. Sheriff Lang will check out the situation. Sheriff Lang reported there is a dismantled camper in the yard at 1045 G Street. The resident, Rocky Nickel, wanted to take the camper to Smith Auto for the metal but was told all the wood had to be taken out first but then Ed Findlay told Mr. Nickel he knew of someone that would buy the camper. This information was verified by Ed Raper, who was present at this meeting. Discussion was had that Mr. Nickel needs to get the debris cleaned up and suggest he be sent a nuisance letter. DC Wiers will take pictures and send a letter.

Jessica Colo, Your Insurance Coach: Discuss detailed Employee Health Insurance options with Medica National Network vs. McInnes Group's UHC plan change renewal: Jessica reviewed information about the two Medica plans that she found. Medica Gold has a \$5500 family deductible, 50% coinsurance and a Preventive Drug Benefit. Medica Silver has an \$8000 family deductible with 40% coinsurance and a Preventive Drug Benefit. Both plans are also age-related, meaning the premium is based upon age so it would be more expensive for two employees who are over 50 yrs. old. Ms. Colo recommended the City choose the Medica Silver plan which would be cheaper for the City (employer) to pay. Clerk Curtis asked if there are plans that are not age-related. Ms. Colo explained there are some plans not based on age but then you will be dealing with underwriting and that process takes longer and wouldn't be ready by July 1st but more like January 1st. Discussion was had about age-related policies, pre-existing conditions, coinsurance and out-of-pocket limits. Also, the current deductibles would carry over but the process would take 45 days to show under the new insurance coverage. Ms. Colo stated she can also offer dental and vision plans directly to the employees and enrollment could be completed online. Ms. Colo would work with Clerk Curtis to complete enrollment of basic health insurance

with Medica. The proposed Medica Silver plan has a coinsurance of 40% for the employees compared to the current UHC plan with a 20% coinsurance but does offer a preventive Drug Benefit. Discussion was had that a 40% coinsurance feature helps create a cheaper premium but creates more out of pocket expense for the employee. DC Wiers explained she did not want the Medica Silver plan due to an extra \$100/month in premiums plus increase in deductibles. Council Member Eisenhower asked if Ms. Colo could look for a plan that has a coinsurance closer to 80/20 with a similar deductible like the current UHC plan and report back to Council on June 9th. Clerk Curtis and DC Wiers explained they have reviewed all of the information and are trying to find the best deal for all of the employees.

City Attorney Jennifer Stehlik-Ladman: Review Abatement Letter served on Ed: Review Emails on Verbal Proposal from Ed on 522 & 526 G Street Properties given to Clerk Curtis 5/16/2025; Email re: Pharmacy; Discuss any additional information received on damage claims against Pharmacy & Union Bank : Ms. Ladman explained that Heidi Kohake from the pharmacy had stated the insurance company had satisfied her claim but they haven't approved a dollar amount because the bricks haven't been cleared by the side of the building and those need to be cleared before they can send the structural engineer out to inspect for anymore damage and what it will take to repair the building. Ms. Ladman said the bank is in the same situation because the bricks haven't been cleared from the side of their building and they can't inspect their side until the bricks have been cleared as relayed by the bank's attorney. The bank's attorney had mentioned hiring someone to clear the debris from their side and charge Mr. Raper for the cost of the cleanup. Their structural engineer is concerned about the weight of the debris on their wall and continuing damage it may cause. **Discuss partial lot in Blk 16 Orig, PC:** The bricks up against the pharmacy wall are situated on a partial lot that doesn't belong to Mr. Raper. Therefore, there is another landowner involved and that property is in violation of city ordinances too. So, that property owner probably needs a letter sent to her to clean up her property, also. The City Atty explained it is not advisable for the City to accept Mr. Raper's counteroffer because we don't know the extent of the claims from the pharmacy and the bank and if there is more damage that hasn't been discovered yet. If we had access to those claim numbers then the City would know the current amount of damage otherwise it's like writing a blank check. It's a vicious circle. The pharmacy and the bank can't tell us the amount of damage until the debris is cleaned up and the City can't clean up unless abatement is completed. The bank's atty had told Jennifer (Ms. Ladman) that they planned to clean up the bricks and debris on their property so they could determine the amount of damage and fix the broken window. Council Member Hatfield voiced concerns about the City cleaning up the debris and causing further damage to the bank and pharmacy that the city would be liable for. Jennifer confirmed his concerns. Jennifer recommended proceeding with steps towards abatement plus contact the other landowner to clean up the debris on her property. Jennifer explained there will be a cost for the asbestos testing and where and how much will it cost to dump the debris if there is asbestos in this crumbled debris? The City should find out this information before proceeding with abatement. At this point, the pharmacy is not planning to do their own clean up. Heidi is waiting on the debris to be cleaned up so that she can finalize her insurance claim. The City would need to get releases from the pharmacy's insurance company and from the bank so that they are not responsible for the current damages and future damages if the City purchases the property at 522 & 526 G street. At this time, Mayor Hatfield asked Mr. Raper if he had any comments. Mr. Raper said he received a letter from the pharmacy's insurance company that their claim is

\$14,000. Ed said he plans to hire someone to pull the debris away from both buildings so that they can be inspected for damage. Jennifer explained Ed cannot enter the bank's property or the pharmacy's property to clean up debris without their consent. She also explained that Ed's attorney will have to make contact with the bank's atty about this issue because the bank's atty cannot talk with Ed directly since Ed is represented by an atty but he can talk directly with the pharmacy. Ed continued that he was going to hire someone to clean the debris away from the buildings and Heidi wouldn't talk to him until recently. Jennifer reminded Ed that he needs to contact Heidi and Eileen Hines to find out where the property line is between them before he started cleaning up the debris. Council Member Hatfield asked if the pharmacy's claim is \$14,000 and they find out there is more structural damage, can the pharmacy come back for more money against Ed? Jennifer replied, "of course they can." Jennifer explained the bank could also find more damage other than the window but obviously, their wall is not unstable or they wouldn't have people in their building. There could be more damage to the wall that they cannot see at this point because of the debris lying against the wall. Jennifer will reach out to Ed's attorney and the bank's attorney to make sure they have contact information and let Ed's attorney know that Mr. Raper attended tonight's meeting. Ed said someone had told him that Heidi didn't want to talk to him and that she called him some names but since then, Heidi has reached out to him. Jennifer explained this is kind of a difficult situation now in regards to abatement and purchasing the property plus the claims from the pharmacy and the bank. Jennifer explained the next step would be to send Ed a second abatement letter with information on what it will cost to clean up the property and when it would happen and that a lien would be filed against the property. She advised the City could still keep the option open to purchase the property. Even if the City purchased the property, the City will still have to pay for the clean up. Council Member Eisenhauer moved to begin the abatement process on the Eileen Hines property located in the partial lot in Blk 16, Orig, PC between the Health First Pharmacy and the property at 526 G street. Council Member Hatfield seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried. Mayor Hatfield stated he contacted DHHS and will talk with a Doug Gillespie to check about asbestos testing on the debris at 522 & 526 G street. Once a building is down, it is difficult to test for asbestos and separate it to remove. Mayor Hatfield explained there could be asbestos in the putty in the windows. Sometimes if the debris is sprayed with water to cut down on dust, then it may be possible to dump the debris. Mr. Raper stated he doesn't think the debris has asbestos in it. Foreman Cumley talked with two different contractors the bank had contacted to haul off the debris next to their building and the landfills will not take this brick without an asbestos report. Mayor Hatfield will get more information from DHHS and report back to Council. ***Other Nuisance Properties:*** Jennifer updated the Council on other nuisance properties considered by the Health Board. Those abatement letters on the eight properties will go out in the mail in the next couple days to incorporate updated information from the Health Board. Mayor Hatfield explained he talked with the person that completed the asbestos testing on 1145 G Street and the contractor will check with Janice to see if the asbestos has been removed. The clerks are working with Veronica Iverson to get the camper removed from her backyard. Sheriff Lang has been contacted. The hearing on Kara Lee's property has been rescheduled for June.

Report and update from City Foreman Cumley: Updates on Pond Restroom: The pond restrooms are done but the door handles need to be keyed alike and door stoppers will be added so the doors will stay shut. The electricity will be fixed in the East restroom. Council Member

Eisenhauer commented that people kept opening the middle door between the restrooms since they are not marked. Foreman Cumley explained as soon as the locks are keyed alike, the middle door will be kept locked. **Discuss 10th Street Culvert Repairs (North of Discus Throw Ring):** Half of the tube washed out from the storm on May 19th due to water run-off. Gyhra's fixed it right away with steel I-beams and chained down the tube plus cleaned up the creek. The gushing water eroded away about 10 ft of the tube. Hopefully, this holds, if not, Gyhra's will come back and install a concrete header wall, sheet piling or concrete the culvert. The culvert on 17th street is finished. **Review email from Tyler with JEO re: Water Project:** Foreman Culey hasn't been able to talk with Tyler yet. Discussion was had about replacing meters and how much that project will cost. Clerk Curtis explained the project would have to be put out for bids and City Auditor Julie Bauman feels the City could handle that project. Foreman Cumley will talk to Tyler and see what funding is available for a water meter replacement project. **Review/Discuss updates on various projects in the City:** There are no big projects planned for the Summer. Items on the list include installing water taps for the two new houses, more concrete street patches and valve repairs on water mains so the manhole covers will have to be cut out and concrete replaced. Council Member Eisenhauer to have 5th & I streets added to the list for concrete patches. Cumley will give Clerk Curtis a list of Valve Repairs so she will know which budgets to take the cost out of. Three manhole covers were damaged during snow removal and there is a hole in the street by the courthouse.

Report and update from Council Member Eisenhauer: *Discuss donations made to the pool and pond bathrooms:* Mark Sunneberg Jr. donated two retractable hose reels for the main room at the pool bath house and one for the center utility room at the new restrooms at the pond to aid in hosing down and cleaning the restrooms. ***Discuss the Pool's Opening Weekend:*** It was cold and wet so there wasn't a big turn out and they closed early. Allison has passed her pool operator test. Maddie hasn't taken it yet. Council Member Eisenhauer is very close to finishing hers. Eisenhauer will be available as a fill in person. If Maddie doesn't pass the test, Preston would take the test. You have to have a certified pool operator on site whenever anyone is at the pool. ***Discuss/Review Email on updates made at Van Horne Park & the Weekend events held:*** They have built structures on the side of the stage but they weren't supposed to be structures with the large limestone blocks and now half the sledding hill is blocked. So, Susan sent an email to Steve Glenn about the changes that weren't approved but the park still needs a sledding hill. She suggested installing tubes in the creek north of the stage and have the sledding hill come off 4th street. This would create more parking available on 4th street and this would create a path to come into the park near the amphitheater. They have decided not to install limestone blocks on the sides of the culvert that was added but it was preferred that stones would be added along the bridge because it would create a border for safety purposes. Council Member Eisenhauer didn't receive a response from her email to Steve Glenn. Susan did thank Mr. Glenn for the updates to the park. There will be a lot of upkeep now to the park including watering all of the new plants. The electrical work has not been finished yet. Council Member Zelenka asked if the City Crew could clean out the creek next to Van Horne Park since it is full of brush and small trees. Foreman Cumley said they could clean it out again. ***Discuss Martin Marietta wanting to do more Community Service Work:*** Alpha wants to make more donations to the City for improvements according to Council Member Eisenhauer. Mayor Hatfield explained Martin Marietta wants to do something for the City. Mayor Hatfield asked Martin Marietta if they would make more holes for the Avenue of Flags display and they are willing to do this. Ric Helms will

contact them for details. Clerk Curtis suggested Mayor Hatfield thank Fire Chief Russ Smith for contacting the firemen to help set up flags for Memorial Day weekend. There were 40 people who helped.

Review PCAL April 2025 board meeting minutes: Council reviewed the PCAL Board minutes submitted from Caralyn Friedly. Mayor Hatfield remarked that there was a large turnout at the recent resident meeting to discuss problems with the meals.

Review Correspondence: Council reviewed the spreadsheet on March 2025 Total Sales Tax of \$27,169.64 with ½% Street Repairs Sales Tax totaling \$5,558.20 and \$4,936.83 being Motor Vehicle Sales Tax. Julie Bauman will be here for One-on-One Budget Workshops on Friday, June 27th. Council Member Eisenhower explained PCDC has appointed her as liaison between PCDC and the City for communication in regard to dilapidated properties. Mayor Hatfield explained the property at 1043 M Street will be demolished because there is too much termite damage to salvage the house.

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 8:27 p.m.

ATTEST: Kellie A. Wiers, Deputy City Clerk

Charlie Hatfield, Mayor