

MINUTES OF THE REGULAR MEETING OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PAWNEE CITY, HELD ON MONDAY, JANUARY 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 and Susan Eisenhower (by phone); Kellie Wiers, Deputy City Clerk; Foreman Spencer Cumley. **Absent:** Council member Donnie Fisher.

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 Eisenhower noted there is an error on page two of the January 13, 2025, meeting minutes. After "Close Public Hearing," it should state "Council Member Zelenka moved to "close" the public hearing...Council Member Zelenka moved to accept the January 13, 2025, regular meeting minutes with noted correction. Council Member Hatfield 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: **1/28/25 Payroll:** \$13,623.63; **Union Bank & Trust**, FWH 3965.08; **NE Dept. of Rev**, SWH 580.91 & 2024 Lodging Tax 287.42; **John Hancock**, retirement 1658.99; **Allstate**, cancer/accid.184.04; **Ameritas**, vision 81.20; **Madison Nat'l Life**, life ins. 53.71; **UHC**, health ins. 7099.70; **Amazon Capital Services**, microcassettes, silicone wax 226.76; **NPPD**, electric service 3202.24; **Pawnee True Value**, repair parts & supplies 402.25; **Black Hills Energy**, gas service 851.74; **SURNALI LLC (Diversified)** empl #1035 test 107.00; **Quill**, office supplies 29.51; **Spectrum**, internet & phone @ shop 184.97; **SENECA SA**, Dec garb service 6903.92; **PCDC**, Nov sales tax 8920.28; **League of Nebr. Municipalities**, 2025 annual conference \$850.00; **Lincoln Journal Star**, libr subscription 363.00; **L. Barloon**, reimb meals for conference 24.14; **Pawnee Co. Treasurer**, 2024 real estate taxes 128.22; **Julie D. Bauman**, 2023-24 annual audit 15,700.00; **SEND**, Reuse admin fees 875.00; **Am. Legal Publish**, elect copy of model ords. 25.00; **Capital Bus. Syst.**, Elevate Phone Syst 192.77; **Verizon Wireless**, home conn & jetpack 64.79; **Pawnee Co. Treas.**, law enforce agree 20,105.03; **Nebr. Dept Envir & Energy**, wtr operator class/books 280.00; **Casey's Bus. Mastercard**, equip fuel 454.54; whereupon motion carried. 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.

Mike Wilcox—Discuss Nuisance Property at 1111 7th Street; Review Nuisance Letters sent and photos of the property: Mr. Wilcox explained he uses this house for storage and he is not ready to give it up or tear it down. So, he would like to know what specific things the Council wants him to do to the property? Council reviewed the pictures of the property in the agenda packet. Mayor Hatfield explained that everything needs to be sealed up tight and there are no broken windows, if so, they should be boarded up. Mike explained on the back of the property, the exposed wall is an exterior wall. Mayor Hatfield reiterated that everything needs to be sealed up to keep out rodents and keep kids from exploring. The Council would like to see a plan with a timeline for repairs and a coat of paint would help. The Council would like things to look nice when people are driving into town and this house is located on the highway on the east side of town. Council Member explained the Health Board would like the property to look like someone lives there and not look abandoned. Mike Wilcox was given copies of the property pictures to review. He asked who had taken the pictures and what they were doing on his property? He has “no trespassing” signs posted. Mayor Hatfield explained that Sheriff Lang had taken the pictures the night the Health Board was looking at properties and the Health Board has the right to walk around the property but cannot enter a building. Mayor Hatfield asked Mr. Wilcox to submit a written plan to the City Office in the next thirty days. Wilcox said he is more apt to seal off the windows since he doesn’t need the windows for the storage area.

Review email from Cindy Johnson re: her written plans for her property at 1038 7th Street: Ms. Johnson emailed the City a plan to fix the roof by the back porch on the house, trim trees this spring and summer and paint the house. The email stated she would update the City on progress made. Mayor Hatfield had the name of a painter to share with Ms. Johnson. Discussion was had about the chimney on the house and the caved-in garage. Tree trimming could begin anytime. DC Wiers asked Council what kind of timeline should be given since there isn’t one listed? Council agreed that progress should be checked in April 2025. Realistically, a majority of the work could be finished by the end of summer.

Review the Orders of Foreclosure that have been granted by default judgement; Review City Attorney Stehlik-Ladman’s emailed response: Notice has been received on the Allen Horner property located on the east side of town next to the highway and the Newton property located near the County yard on the west side of town. Quite a few years ago, the City had cleaned up the Horner property and filed a lien against the property for the cost. Council would like to know the total amount of liens the City has filed against the property. Discussion was had whether the City should buy the property for taxes and then try to sell it to recoup the amount of the liens. DC Wiers will research all of this and report back to the Council at the next meeting.

Review/Approve updated PCAL—City Agreement on “Green Space/Walking—Sitting Area” across from PCAL: Council Member Eisenhauer moved to approve the Assisted Living Park Agreement for the “Green Space/Walking—Sitting Area across the street south of the facility. Council Member Hatfield seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried. **Review PCAL December Board Meeting Minutes:** Council reviewed the December 2024 PCAL Board meeting minutes.

Review/Approve Resolution #8, Proposed Conveyance of Real Estate to Nebraska Public Power District: Council Member Zelenka moved to approve Resolution #8 “Sale of Surplus

Property to NPPD.” Council Member Eisenhauer seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried.

Review/Act on email from Pawnee Republican re: being part of the 2025 Community Relation Advertising campaign (15 ads plus two free ads for area school honor rolls) for a cost of \$120 or \$225: Discussion was had whether tax money or public funds should be used to pay for “community relation advertising.” Council was in agreement city funds should not be used for this purpose. No action was taken. DC Wiers will contact the newspaper to notify them that the City will not purchase these ads.

Report and update from City Foreman Cumley: *Discuss what is considered an “abandoned water service” for a home; review current Code 3-117:* Foreman Cumley explained a situation came up recently where someone purchased a nuisance property and the water service had not been active since 2011. The property owner reported there was a leak and the line is galvanized. ORD 3-117, #10 states “If a leak is discovered on a lead or galvanized service line, said service line will need to be completely replaced from the curb stop to the first shut off on said property.” Foreman Cumley had talked with City Atty Jennifer Stehlik-Ladman about updating the ordinance to cover if a person purchases a property and plans to build on it but the water service has been disconnected for quite a while and the system is lead or galvanized, then the customer will have to install a new water line from the curb stop to the house at the customer’s expense. This would help get the lead and galvanized lines out of the system. Cumley said it needs to be determined when a water line would be considered abandoned. 5 years, 1 year? The property at 1241 F Street hasn’t had active service since 2011 and the water line is deteriorated and needs to be replaced. Cumley was trying to avoid affecting renters (and landlords waiting between renters) and “snowbirds” that leave town, shut off the water during the winter and come back in the spring then turn the water back on. The Crew spent six hours on this one water service at 1241 F Street because the system is so old and the valve wouldn’t turn at first. Discussion was had about the time period to be considered an “abandoned service.” Council agreed this time period should be “one year.” Also, at this same address, there is a problem with the meter pit because it was installed before F street became a 4-lane highway. Now, the meter pit is located under the sidewalk next to the highway so, everything the City owns is under the sidewalk and the highway. There is a new water main on the west side of the property so it would be easier for the City to re-tap the water main on the west side of the property and then the property owner would have to have a plumber install a line from the water main to the house. This situation is not covered in the current ordinance and in the past, if a property had an existing water service, we turned it on. We need something in ordinance about relocating the water tap and who has to pay for this, which could cost close to \$3200.00. Council Member Hatfield stated he feels if a water service has to be re-located, then the customer should pay for it. If the City feels the water service should be moved, then should the property owner pay for it or should the City? Another example is a property on 5th & L streets (two and a half blocks away from the water main) that had cattle on it and the water service comes all the way from 5th street. It would be more feasible to re-tap the main closer to the property and install a new service. Council Member Eisenhauer offered if the customer requests to relocate the water service, then they should pay for it but if the City requests to move it for convenience of maintenance, then the City should pay for it. Discussion was had to give the customer 30 days to appeal this decision. Regarding the property at 1241 F Street, the shut off on the City’s side hardly works and the meter pit is very old and the

shut off is in the meter pit. The property owner's plumber is going to have to fix most of this water line from the meter pit to the house. More discussion was had about who would be responsible for payment of a new water line. Council was in agreement that if the City wants to move a water line, then the City would be responsible for payment and if the homeowner wants to move the water line, then they would be responsible for payment. Foreman Cumley explained another current situation located on F street. In this situation, Foreman Cumley recommends the meter pit be moved further away from the south side of the property to the west side but the homeowner doesn't and they would be required to pay a plumber to relocate the existing line to the house. Discussion was had that other water providers pull meters if a service is shut off or the customer still pays for base fees which would cover maintenance to the line. An abandoned line is not maintained. Foreman Cumley suggests the ordinance be updated to cover the different situations that have come up. DC Wiers stated there have been many suggested revisions to the ordinance so maybe it would be best if the City Attorney came to the next meeting and discussed the ordinance with the Council. Foreman Cumley also stated it would be beneficial for City Atty Stehlik-Ladman to come to the next meeting and discuss the suggested changes with them. Council was in agreement and also decided to omit the "30 days for appeal" since the City would pay for the cost. DC Wiers will contact the City Atty and invite her to the next meeting on February 10th. ***Discuss/Approve Foreman Cumley and City Crew Member Lucas Barloon going to Nebraska Rural Water Association (NeRWA) Winter Conference at Kearney on March 10-12, 2025:*** Foreman Cumley explained he has never attended the winter conference sponsored by NeRWA and this would be a good way to earn credit hours to maintain their water operator licenses. Each person can earn one year's worth of credits by attending this conference (15 per wastewater, 4 for water) but the cost is \$425.00/person. This will also allow the crew members to visit with vendors during the conference. Council Member Eisenhauer moved to approve Foreman Cumley and City Crew Member Lucas Barloon to attend the Nebraska Rural Water Winter Conference at Kearney on March 10 – 12, 2025. Council Member Hatfield seconded the motion. Roll Call vote indicated all present voting in favor of the motion, whereupon motion carried. Foreman Cumley informed the Council that Crew Member Holthus is scheduled for water operator training on March 25 – 27 in North Platte. ***Review/Discuss Future Street Project Information Clerk Curtis and Foreman Cumley worked up that was emailed to NDOT re: their new Grant Portal:*** Jenna Habegger and Dina Harris have been contacting the City asking for street project information as they feel Pawnee City has an excellent chance at being chosen as a recipient of a Federally Funded Grant; Jenna and Dina both plan to work on the grant application together to be submitted by March 5, 2025. Most of the streets listed on the 1- & 6-year plan were included in this plan. The street going to the truck parking lot is also included which has been an ongoing problem. ***Review/Discuss Snow Removal Checklist:*** Foreman Cumley explained that the City Crew has always had a snow route plan but the crew developed a checklist that was laminated and copies included in all of the snow removal vehicles so the crew knows what specific tasks have to be completed before the end of the day. It's a checklist he wanted to share with the Council. ***Review quote from Tuscumbia Iron Works for replacement lamp post at 601 F Street:*** Foreman Cumley explained recently a snow removal contractor had backed into the decorative lamp post at 601 F Street and broke it beyond repair. DC Wiers contacted Tuscumbia Ironworks (from Alabama) and obtained a quote to replace the lamp post for \$1800.36. An insurance adjuster, Dianna Gray, from the contractor's insurance company (Grinnell Mutual) called the City office asking questions about the lamp post and how old it was. She explained the lamp post would be depreciated and the company would pay on the

claim depending on the age of the lamp post and not the replacement cost. So, DC Wiers contacted Fred Wiebelhaus from LARM and Fred will contact the insurance adjuster. Discussion was had that the contractor should pay the difference between the depreciated value of the lamp post and the replacement cost. Also, Foreman Cumley suggested ordering two lamp posts so they would have a spare lamp post since there has been an incident with a lamp post being damaged about every year for the past few years. Council asked DC Wiers to contact Tusculumbia for a quote on two lamp posts for a possible discount and report back to the Council at the next meeting. The lamp post will be replaced regardless of what the insurance pays. **General Discussion on things going on in the City:** Foreman Cumley explained the Crew had jetted four blocks of the City sewer main twice today due to a report from Doug Daily that a household sewer was draining slowly and then he received reports of other houses on the same line were having problems.

Review AARON SAWYER'S Economic Development Reports as of January 10th & 17th, 2025—Discuss line in 1/17 PC ED Report re: CDBG Application—who is applying for this?

Aaron had looked into applying for a CDBG grant to replace the HVAC at the courthouse and repairs at the school but neither entity qualifies for a CDBG grant. He is also looking into funds for business store fronts, trying to get the Blazin' Bull sold and looking into a CDBG grant to turn the winery into a community center. Council Member Eisenhauer stated the owners of the winery were having an auction to sell the contents of the building. A CDBG grant would work to turn the winery into a community center because it would have community access. DC Wiers asked Aaron Sawyer where he came up with the idea of turning the winery into a community center because the idea didn't come from the City Office or the Council. Aaron said Sharon Schilling had suggested it. Council Member Hatfield stated he thinks of a community center where kids can go after school and play games. Aaron said he was looking at a location that could serve the community such as a place to have weddings and receptions or a common area for the community. Mayor Hatfield explained that with two current projects of street repairs and the RCRP grant, the City Office doesn't have time to manage another project. DC Wiers explained the City would have to come up with another match which isn't included in this year's budget. Mr. Sawyer suggested another match could come from a nonprofit group or a CCCFF grant. DC Wiers suggested using the old Senior Center building by the grocery store and remodel that into a community center. It is a historical building and it would make the downtown look better if it was remodeled. Council Member Eisenhauer explained it isn't for sale and the grocery store is still planning to use that building to expand the deli. Aaron stated he needs a contact to talk to about painting a mural on the side of the Windstream office. DC Wiers will try to find a contact phone number. Council Member Eisenhauer suggested painting a mural on the side of the pool house. Aaron had thought about something close to the assisted living since he is applying for an AARP grant that would like to target people over the age of 50. It would be nice if there was an area in the park that has a bench and is wheelchair accessible with a shade tree so that people could sit and view the mural. The other locations for murals include the side of the State Bank of Table Rock and the old VFW building. Aaron will contact Jeff Fink with the bank and DC Wiers will find contact information for Chuck Rathbun. Mayor Hatfield suggested one of the murals depict the history of Pawnee City with settlers and native Americans. **Emails re: Pawnee City BOLD:** Aaron stated over 20 people signed up in the first month. **Housing:** Aaron said he has started talking with SENDD about the Glenn properties and SENDD has another organization, "SENAC" that has their own funds so he has been talking to them about building

two apartment townhouses. Foreman Cumley commented that SENDD needs to haul off some of that dirt that was taken to the sewer plant from the construction site because there is too much dirt piled up at the sewer plant.

Review Correspondence: Council reviewed the email from Nanette Smith re: Building Bridges: Nebraska's Community University Engagement. Council reviewed the spreadsheet on November 2024 Total Sales Tax of \$23,995.60 with ½% Street Repairs Sales Tax totaling \$5,946.86 and \$208.18 being Motor Vehicle Sales Tax. The 2025 League Mid-Winter Conference is scheduled February 24th & 25th. Please let Tammy know if anyone is interested in attending. Council reviewed Black Hills Energy's Franchise Fee payment of \$2629.00 to the City.

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 8:30 p.m.

ATTEST: Kellie A. Wiers, Deputy City Clerk

Charlie Hatfield, Mayor