**VILLAGE OF DUNCAN BOARD MEETING**

**PUBLIC HEARING**

**November 14th, 2016**

**7:00 PM – VILLAGE HALL**

**906 Eighth Street – Duncan NE**

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The regular meeting of the Village of Duncan Board of Trustees was called to order at 7**:**07 PM by Chairperson Dustin Schaefer. The Chairperson publicly stated to all in attendance that a current copy of the Nebraska Open Meetings Act was available for review and indicated the location of such copy in the room where the meeting was being held. Schaefer assured that everyone present could hear the proceedings. Board members present were Schaefer, Eugene Drozd, Chris Staroscik, Josh Dahlberg and Joe Boruch. Also in attendance were Village Staff: Don Reves, Stephanie Laska and Mari Evans. Paige Young and Gary Schlesinger were also in attendance. The Pledge of Allegiance was recited by the board. Prior meeting minutes were reviewed by the board and a motion to approve the minutes as written was made by Dahlberg, second—Drozd. Vote was as follows: voting aye-Staroscik, Drozd, Schaefer, Dahlberg and Boruch. Voting nay--none. The Chairperson declared the motion carried. The Chairperson opened the floor to any *unscheduled visitors* for questions or concerns for the board. There were no unscheduled visitor questions or concerns.

**Proposed Ordinance 16-196 (Self Storage Units as General Commercial District C-2 Conditional Use)**

A motion to open the public hearing was made by Boruch, second---Dahlberg, at 7:09pm. Schlesinger presented as the representative from the Planning & Zoning Commission. He stated that the Planning & Zoning Commission had met, discussed and agreed to recommend the Board amend Article 4, Section 4.09.03 (Conditional Uses) of Ordinance No. 09-0163 to add Storage Units to the list of conditional uses. Schaefer reported that he had the application that was submitted by Drozd, with Drozd’s signature on it and the recommendation signature by Schlesinger. Schaefer stated that this was all discussed in length at the prior meeting and asked if anyone had any questions or concerns about the amendment. Boruch asked if the amendment would mean that anyone in C-2 district would be able to put up storage sheds anytime they wanted. Schaefer explained that it only gives the option. However, they would still need to fill out a conditional use permit, give it to the Planning & Zoning Administrator and get approval there, then have it reviewed and recommended by the Planning & Zoning Commission and then approved by the Board, prior to putting up any storage sheds. Boruch stated his understanding and condoned. Schaefer stated that Drozd and Staroscik would be excused as board members, at this time, due to a conflict of interest in the matter, so that the board can discuss and pass the ordinance. He reported that the two excused, could participate in the discussion only as visitors. Not as board members. And, they cannot vote on the matter. Drozd and Staroscik stated understanding. Being no other comments from the public or the board, a motion was made to close the public hearing by Dahlberg, second—Boruch. Vote was as follows: voting aye- Schaefer, Dahlberg and Boruch. Voting nay--none. The Chairperson declared the motion carried. Schaefer reads Ordinance 16-196 Title. A motion to waive the first and second reading was made by Dahlberg, second—Boruch. Vote was as follows: voting aye- Schaefer, Dahlberg and Boruch. Voting nay--none. The Chairperson declared the motion carried. Schaefer then reads the entire Ordinance 16-196. Motion to approve Ordinance 16-196 (title read) was made by Dahlberg, second—Boruch. Vote was as follows: voting aye- Schaefer, Dahlberg and Boruch. Voting nay--none. The Chairperson declared the motion carried. Schaefer then invited Drozd and Staroscik back as board members for participation for the remainder of the meeting.

**UNFINISHED BUSINESS:**

MAINTENANCE BACK UP SALARY AND DUTIES: Evans reported that there were a few interests in the position. However, there were several questions on the exact duties and the salary. The interested party wanted to know how emergent the position would be and how often. Schaefer stated that the position would generally not be an emergency situation. The main concern would be if there was a water main break and the chances of that happening are slim. Reves reported that unless there was an alarm call, there would not be a need to run up to the treatment plant. The main concern would be that the applicant be able to attend the certification class for water operator. The board discussed the options of salary for the position. Schaefer stated that the current water operator receives $100 monthly for a retainer and then an hourly wage when he actually comes in to work. After discussion on several different options, the board decided that the starting retainer should be $50/month and an hourly wage of $15/hour. Evans will repost the new ad that will list duties and salary for the position.

**NEW BUSINESS:**

VILLAGE OFFER TO BUY 5TH STREET FROM MAIN AVENUE TO THE ALLEY: Aaron Nisula is offering to sell his portion of the street to the Village which is from the alley to the East. Jim Pavel owns the alley to the West. Reves reported that Nisula told him he no longer wanted to maintain it. Schaefer stated that generally people dedicate streets to the Village. The Village doesn’t usually buy streets from people. The board discussed how the Village would not benefit from owning that portion since Pavel owns the other half and the Village would have the new duty of maintaining it. All the board agreed that the Village would not buy the street. However, if Nisula wanted to dedicate the street to the Village, the Village would accept it from him. Evans will send a letter to Nisula explaining this.

ZONING COMMISSION APPOINTMENTS: Schlesinger and Betty Kropatsch are up for reappointment for their positions in the Planning & Zoning Commission. Schlesinger holds the Chairman position and Kropatsch holds the Secretary position. Schaefer stated we will table this to next month in order for the two candidates to think about if they want to be reappointed or not. The board agreed and the appointments will be tabled to next month.

HOLIDAY LIGHTING CONTEST APPROVAL: Evans reported that Loup Power has given their yearly offer of donating up to $75 for a lighting contest during the holidays. The top three winners win a cash prize as follows: 1st place-$75, 2nd place-$50 and 3rd place-$25. This is the same as last year and the prior years before that. Motion to approve the Holiday Lighting Contest was made by Dahlberg, second—Drozd. Vote was as follows: voting aye-Staroscik, Drozd, Schaefer, Dahlberg and Boruch. Voting nay--none. The Chairperson declared the motion carried.

**OTHER DEPARTMENTAL TOPICS:**

*UTILITIES* – Reves reported that when the railroad or any other person/company ask and get water from our hydrants for their purposes, it is putting our water system at risk. Reves stated that we could possibly be fined by the department of environmental quality as well. He stated that we need a backflow device and meter to prevent contamination and to keep track of the amount used so that billing is accurate. Reves had gotten a few quotes on the cost of the equipment. He state that one quote was for $3,000.00 for everything and the other was approximately $1986 for everything. Reves also reported that the railroad workers had lost the cap to one of the hydrants on their last usage. He stated that there was erosion happening at the hydrant as well. He requested that the railroad be charged not only for the water used, but also for the price of a new cap for the hydrant. He reported that the rate that is charged for outside user water usage has been $3/thousand gallons for awhile and that it was not increased when the residential water rate was increased this year. He suggested that the board think about increasing that rate and charging for equipment needed. Schaefer stated that the Village does not want to risk contaminating our water system and believes it is necessary to get the backflow device and the meter. Schaefer reported that in the past, the railroad has just approximated the amount of water they used and we billed for that amount. The most recent time, they have not given an amount. Reves estimated that they used approximately 100,000 gallons and so will be charged that amount. With adding a meter to the backflow device, we will know exactly how much water was used each time. Reves reported that the railroad uses water from us approximately 2-3 times per year and would eventually pay for the equipment. Schaefer stated that we will revisit the price per thousand gallons that we charge outside users, at the next month board meeting. Reves reported that the device is not on the hydrant permanently. It would be put on prior to usage and taken off after usage of water. With meter readings being taken before and after the water is disbursed. Motion to approve the purchase of the backflow device and meter for one hydrant was made by Dahlberg, second—Staroscik. Vote was as follows: voting aye-Staroscik, Drozd, Schaefer, Dahlberg and Boruch. Voting nay--none. The Chairperson declared the motion carried.

*PARKS & REC* – An estimate will be given to the Village for professional fertilization of the parks, as requested by Dahlberg and Reves. Schaefer stated that the fertilizer could be bought very cheap at the Husker Co-op and would save the Village money as opposed to having it done professionally. Dahlberg reported that his yard is done very cheap and thought that an estimate would be informational for the Village. No further discussion on this topic

*PLANNING & ZONING—* no report

*CLERK’S REPORT* – Evans stated to the Board that each member has been provided with a copy of the NENSWC (northeast Nebraska sewer water coalition) annual report.

Schaefer reported that Kirkham Michael Engineering had sent a letter to the Village offering their services. He stated that we do not know what they charge or anything but might be worth asking. Schaefer reported that the Village has a good relationship with JEO. He read the highlights of the letter received and stated that it may have been better had we gotten the offer sooner since the reappointment of our engineer is next month. The board discuss and agree that it wouldn’t hurt anything to find out a little more about Kirkham Michael. Evans reported that she would reply to their email and ask what they charge and what towns comparable to Duncan and around this area do they work for.

Evans reported that she received a letter from the NRWA with regards to a new bill that would pass over the water quality department to the NDEQ from DHHS. It was reported that it would be a major mistake for that to happen and requested people write letters to senators etc. notifying that we are against it. Evans wrote a letter to Governor Ricketts and Senator. Governor Ricketts called Evans once they received the letter and explained that they were unaware of the bill and would be investigating the issue further. Ricketts reported to Evans during the call, that they were very concerned about it and would do what they could to prevent it from happening.

Schaefer reported that Janice Hamilton (Cornerstone) was contacted about possibly shopping around for municipality insurance. We currently have EMC and have had no problems. However, it may be beneficial to check other companies and rates. Schaefer stated that Hamilton reported to him that EMC is known to be a good company. The board discussed and decided that we should shop around to compare rates, coverages and services.

*TREASURER’S REPORT*—Laska reported that there were no surprise bills this month and that the new monthly bill recap form should be ready and used at next month’s meeting. She stated it should be easier for the board to read. Schaefer reported to the board that the total charge for the Storage Shed issue has been large. Evans requested and received itemized bills from JEO with regards to the ordinance amendment and violation. Schaefer went over each of the bills and itemization of each. There were a few discrepancies that Evans will refer to JEO about. Schaefer stated that this was a learning experience for the Village and hopefully never has to happen again. Schaefer also reported that he had spoken to the Chairman of the Bellwood Board and was told that they will fine anyone without a permit to build something as well as deconstruct anything that had been put up. He said that after fining a few peopoel in that way set a precedence for the entire town. Schaefer stated that he thinks our board is being very lenient and we need to change things and start fining people when they are in violation of ordinances, so that people learn a lesson. Laska reported the total charge from Laska Technical for the install and transfer of the new office computer. It was invoiced in two different invoices. She put the smaller invoice on this month’s bills and will put the larger one on the next month’s bills for approval. There were several complaints about the services of Laska Technical. It took a really long time to get it started and completed. There were several issues during the set up and transfer and it caused delays in launching the new website as well as billing. The office was left a disaster and it was never cleaned up. However, there was a quick response when there was a billing issue. Schaefer reported that with Evans and Laska in the office, there shouldn’t be much, if any, need for calling on tech support, since they are both rather computer savvy. The Village will limit the amount of times that Laska Technical is called to come in for services. After the board reviewed and discussed the bills, a motion was made to approve the bills by Boruch, second—Dahlberg. Vote was as follows: voting aye-Staroscik, Drozd, Schaefer, Dahlberg and Boruch. Voting nay--none. The Chairperson declared the motion carried.

All meetings are open to the public and a current agenda for said meetings will be posted and available for public inspection at the office of the village clerk on the Thursday prior to the meeting. The next regular meeting of the Village Board of Trustees will be on **Monday, December 12, 2016 at 7:00 PM.**

Being no other business, adjournment was made by Schaefer at 8:30p.m.

Minutes recorded and submitted by: Mari Evans (Clerk)