

VILLAGE OF DUNCAN BOARD MEETING
August 10th, 2020
7:00 PM – Village Hall 906 8th Street, Duncan, NE. 68634

The monthly board meeting of the Village of Duncan Board of Trustees was called to order at 7:00 PM by Chairperson Jeff Oppliger. 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 held in the Village Hall. Board members present were Nick Wagoner (after induction as new member), Paige Young, Jeff Oppliger, Josh Dahlberg and Joe Boruch. Also, in attendance, were Village Staff: Marianna Evans, Don Reves and Stephanie Laska. Visitors present were: Betty Kropatsch, Michelle Oppliger, Seth Gurley, Fred Liss, Bob Lloyd and Mark Manilli. Everyone was able to hear/see all members, employees and visitors present. The Pledge of Allegiance was recited by all in attendance. *A motion was made to approve the minutes from the July 13th, 2020 board meeting by Boruch second—Dahlberg. Vote was as follows: voting aye—Oppliger, Dahlberg and Boruch. Voting nay—none. Young abstained due to being absent at that meeting.* The Chairman carried the motion. *A motion was made to approve the minutes from the July 20th, 2020 special board meeting by Boruch second—Dahlberg. Vote was as follows: voting aye—Young, Oppliger, Dahlberg and Boruch. Voting nay—none.* The Chairman carried the motion. Oppliger asked the audience if there were any non-agenda items that needed presented to the board. Michelle Oppliger presented to the microphone and stated she was there on behalf of the 150th Celebration Committee. She handed each board member a paper listing the cost of things needed for the day of the celebration as well as a notation that it was only an estimate and not the total amount that they will be requesting. It stated that ‘...based on discussions at our last meeting. The committee is looking for the Village Board to approve \$40,000-\$50,000.’ It also stated that they are looking to fundraise as much as possible to help offset some costs. She reported that the committee has currently received \$2,250 from the Village. She stated that they are trying to reschedule the Trivia Night that was postponed due to COVID-19. She stated they are meeting on August 24th, where they will try to finalize the night for Trivia Night and will be taking East Central Health District recommendations into account. Young discussed billboard usage with Michelle and Jeff Oppliger invited any/all board members to attend the committee’s next meeting on August 24th at 7:00pm. No further discussion on this matter. Boruch asked to have a matter put on the next meeting’s agenda. He stated that he did not believe that the extra mulch from the new park should be given away, which has been happening. He stated ‘We paid good money for that.’ Oppliger stated that most of it will get used in the park and that they were limited in where they could store it. And since it is stored out in the open at the wood pile, that they really cannot control who comes and takes it. Boruch stated that it should not be a ‘free-for-all’ and he would still like the matter placed on the next agenda to discuss further. No other matters were brought up. Oppliger continued with the scheduled agenda.

Old Business:

Proposed Ordinance Book Update Quote Oppliger read from the email between Evans and American Legal. He stated the quote was \$1,000-\$1,400. The email explained that we won’t know an exact amount until they get into it and see how much work it will take exactly. Young asked why/if the Village needs this. Evans explained that the Ordinance book was a large 3-ring binder containing each ordinance as passed for the last several decades. 8 years ago it was codified and put into the book we have now. Which makes it a lot easier for anyone, including Evans, to look up a specific ordinance. And in the last 8 years, the board has passed several new ordinances that need to be included in the codified book. Evans asked Kropatsch (since she was chairman at the time it was codified) how often American Legal suggested it be updated. Kropatsch responded that they suggested every 5 years or sooner, depending on how many ordinances you are passing. Oppliger stated that we need to do something. *A motion to approve up to \$1,400 for Ordinance book update was made by: Dahlberg, second—Boruch. Vote was as follows: voting aye—Young, Oppliger, Dahlberg and Boruch. Voting nay—none.* The Chairman carried the motion.

Proposed Ordinance Online Web Hosting Oppliger reported that what we have now is only scanned ordinances available online and that it is not searchable. American Legal will give people access on our website with a link that will allow anyone to search our ordinances for any specific word or phrase. He stated the setup fee is \$595 and then \$450/year. They will update any new ordinances into it for a fee of \$1.50/page. Oppliger read from the quote given by American Legal that stated all ordinances will be posted within 90 days. He stated that another possibility would be to scan the updated ordinance book when finished and somehow make it a searchable pdf file. Oppliger stated his opinion was that it was a pretty good cost involved for this and that we should be able to scan and make it searchable on our website. Evans stated that not all the ordinances are on the website and that they are not searchable. She stated that she could scan all of the ordinances but that it would be a large project. She stated she is willing if that’s what the board wants. She just wanted them to know it won’t be an easy and quick project. She was not sure if the Village would receive a pdf or thumbdrive of the updated book once American Legal has completed it. Kropatsch stated that she thought they had received one from the initial codified book. Evans stated she would ask her contact about that. Young stated she didn’t think we needed to do this now. Dahlberg agreed. Oppliger stated to postpone this matter until the updated book is complete and revisit if needed.

New Business:

New Board Member Nominations & Induction/Oath of Office Oppliger asked if there were anyone that wanted to take the open board member position. Wagoner stated he would and Gurley stated that if Wagoner wanted it, he could have it. Wagoner presented to the microphone and introduced himself to the board. Oppliger asked him if he was a registered voter and lived in Duncan. He stated his address as 723 Hwy 30 in Duncan and reported that he is a registered voter in Platte County. Oppliger asked if there were any questions for Wagoner or from Wagoner. Nothing stated. Oppliger explained our monthly meeting schedule that is required of him. As well as any conferences that he may go to if available. Oppliger asked Wagoner if he worked. Wagoner stated that he is retired but does some part time work. He stated that he was approached about this position by several

people and decided that he would like to give back to the community and help out where he is able. He stated that he has lived in Duncan for 4 ½ years. He reported that he had lived in Missouri at one point and then in Columbus when he taught Automotives at the Central Community College in Columbus. He stated he works on investigations of crashes. He was previously in India and this month has to go to California to help. Oppliger then asked if there was anyone else that would be interested in the board member position. No response was heard. He reported that board members are also part of subcommittees and that Kayla Humlicek was on the water/sewer and street/grade subcommittees. He explained to Wagoner that he would be filling those positions as well. Oppliger explained to Wagoner that Humlicek's term ends this December. And if he would like to continue to be on the board, he would have to get his name on the ballot for the general election. If voted in, he would be on the board for a full 2 year term. Oppliger then verbally nominated Nick Wagoner for the open board member position. *A motion to approve Nick Wagoner to fill the open board member position was made by: Boruch, second—Dahlberg. Vote was as follows: voting aye—Young, Oppliger, Dahlberg and Boruch. Voting nay—none.* The Chairman carried the motion. Wagoner was directed to sit at the open seat with the board. Wagoner then recited the Oath of Office. Oppliger then welcomed him with the rest of the board.

NCG (Nebraska Commission of Gaming) Delegate Approval (H.Prososki) *A motion to approve Harry Prososki as Duncan's delegate to the NCG was made by: Dahlberg, second—Young. Vote was as follows: voting aye—Wagoner, Young, Oppliger, Dahlberg and Boruch. Voting nay—none.* The Chairman carried the motion.

Platte County Road Dept. Plans (Mark Manilli-engineer, Bob Lloyd-supervisor, Fred Liss-supervisor) Manilli stated that they were made aware of the work scheduled to happen on Main Avenue in Duncan and thought they should explain certain things to the board before they proceeded with that project. He stated that historically and generally with an arterial road that goes through town, the county board takes responsibility for the 22 feet in the center and the Village takes responsibility for the outer sides of the road. That is done with an 'interlocal agreement' between the Village and Platte County. He stated that there are regulations to follow with the interlocal agreement, including using an engineer, bidding laws and having the project on your 1 & 6 Year Road Plan. He stated that if the Village intends to do the project they had scheduled, that is fine but the county will not be involved then. However, he wanted to let the board know that Platte County is willing to help with the center 22 feet of the entirety of Main Ave. around to 13th street to the city limits. He stated they just did a project like this in Lindsay, Humphrey, Platte Center and Monroe. He stated he wanted to make sure the Duncan board knows this is available. Evans explained to the representatives that the scheduled project was supposed to be concrete and asked what they would do. They stated that they would not do concrete. They would do a 'mill and fill' where they remove the top 1-2 inches and then bring in high stability asphalt. Evans also asked them to explain about the counter that counted vehicles travelling on Main Ave. She stated that Jane (Platte County Roads) had told her they only counted about 12% of heavy traffic on Main Ave. north of the highway. She stated that it was done in January however. Manilli stated that there would be another counter done in the near future to reassess. He explained that the new mix that they use on roads now is not the cold mix that was used in the past. The new mix stays much longer and holds up to traffic better. Liss explained that they would help from the north end city limits to the south end city limits. He did explain that since Duncan annexed in the Dahlberg Addition, that area would have to be covered entirely by Duncan. Liss stated that the ground itself is great to do this on since it is sandy. Oppliger brought up the contract we have with Boruch Masonry and wondered what we should do about that. Boruch stated that he spoke with Boruch Masonry and that he would not hold us to the contract if we wanted to change our plans. Manilli reminded the board that state statute states that any project that costs more than \$100,000, needs to have an engineer involved. He was asked about the concrete dip area. Manilli stated that Duncan could do the dip on our own and the county would just match up with it when they lay the new asphalt. He reported that in order to get more bidders they choose to make larger projects so that they can bring a plant in. They have a 5 year plan and this road would fall into that plan. Liss stated that he is prepared to add this to their 1 year plan going south as they will be doing the county road before and after Duncan's city limits. Young asked if the counter will take into account the vehicles that use 10th Avenue in order to avoid Main Avenue. Manilli stated that Lloyd would have to take that to the committee and figure that out. He stated our next step would be to get this on our 1 & 6 Year Plan. He stated that we do not need concrete. Oppliger asked if the new mix of asphalt had been used before. Manilli explained that it has been used before and that although asphalt and concrete are very different, one is not worse than the other. Oppliger stated that we wanted to do concrete in order for it to last longer as we have found the cold patch does not hold. He acknowledged that concrete is a lot more expensive as well. Manilli asked the board to think about it and let him know if we want to do the interlocal agreement with them and then he will get the testing started and get an estimate of cost. Reves asked how long for the interlocal. Manilli stated that as soon as he knows we are willing to do the agreement, he will start his assessment and plan bidding for October or November of this year for scheduling the project next year. He suggested to put a culvert in for the dip. Reves stated that a culvert will not work there due to amount of water it already has troubles holding. Manilli stated that we will need to have an engineer involved when doing the dip so that it meets their standards. He explained to the board that if we sign an interlocal agreement with them and then find out the price is too high, we can drop out of the project. However, he does need the interlocal agreement before he can begin the subgrade testing which will help figure the cost.

Main Avenue Street Project Oppliger stated that we weren't sure on the obligation of the county so he was glad they came to explain things. He stated that the Village should see a big cost savings now. Boruch agreed and stated that it would be great to get it all done at once. Reves reported there are a few curb and gutter projects before the street project gets going. Reves estimated that the Village portion of the project may be approximately \$250,000. Laska stated that Butler county did one recently and their share was \$90,000 through the entire town. Oppliger stated that we should postpone the current project and reach out to our engineer to consult and know the scope of the dip project. He stated that our engineer can then let Reves know what needs done and then we can present it to Platte County Road Dept for approval. Young stated we need to cancel our contract and need a written understanding from Boruch Masonry that we are cancelling. Boruch stated that Boruch Masonry would

send the contract back to us 'voided'. *A motion to cancel the Main Ave Street Project was made by: Young, second—Boruch. Vote was as follows: voting aye—Wagoner, Young, Oppliger, Dahlberg and Boruch. Voting nay—none.* The Chairman carried the motion.

Adopt 1 & 6 Year Road Plan Oppliger stated that we need to revise our 1 year plan to include Main Avenue and 13th Street. Young asked if we should get them to bid on the Boulevard as well. Evans pointed out that the Boulevard is on the 6 year plan and has a lot of truck traffic with CVA. She stated that the board had previously talked about speaking with CVA about cost sharing for concrete in front of their business due to the truck traffic. However, no one has spoken to them yet. Oppliger stated that the north city limits all the way to the RR tracks or highway for this addition to the 1 year. Reves reported that he had spoken to a representative from the Highway department and was told that they will be redoing the highway from Silver Creek to Columbus in the next 5 years. Reves believes that the county would have more to do with the roadway from the tracks to the highway possibly. *A motion to include 13th street from north city limits around and down Main avenue to the highway was made by: Young, second—Dahlberg. Vote was as follows: voting aye—Wagoner, Young, Oppliger, Dahlberg and Boruch. Voting nay—none.* The Chairman carried the motion. *A motion to keep 9th, 10th and 11th streets on the 1 year plan and continue with the 6 year plan as is was made by: Young, second—Dahlberg. Vote was as follows: voting aye—Wagoner, Young, Oppliger, Dahlberg and Boruch. Voting nay—none.* The Chairman carried the motion.

Proposed Treasurer Applicants—Salary/Wages/Interview Set Up Oppliger assured that everyone on the board received the digital copies of all the applicants. He asked about one of the applicants and reported he did not receive a resume or application. Evans verified the applicant and stated that applicant did not complete her application nor did she submit a resume. Her name was dropped from the list of applicants by the board. Evans reported the application deadline was set for today (board meeting day). Evans gives hard copies of the resumes to Young and Wagoner to share. Laska was asked to review them and she provided hard copies of her top five and gave to Oppliger. Oppliger discussed each one individually with the board and they brought the number down to a top three. Evans suggested the board appoint an interview committee with Laska on it and possibly 1-2 board members. She suggested the board allow this committee to do the interviews of the top three and give power to the committee to decide which to hire. Oppliger nominated Wagoner, Laska and himself for the interview committee. The board agreed. Evans offered to schedule the interviews since she will be in the office and has already had contact with each applicant. The committee agreed. Oppliger stated that the board needs to decide on the wage to start the new hire at. Laska stated that she started with an hourly wage of \$15/hr for the 3 month probationary period. Laska stated that it was then that she could gauge how many hours she would be committing weekly and then the board decided on a salary for her. Young suggested \$12-\$16/hr based on experience. Oppliger agreed with also reviewing in 90 days to reassess. Laska stated that although she is quitting after September that she would be willing to help with quarterly reports, audit, budget etc., but not for free. She would expect an hourly wage for her time, which would need approved as well. Oppliger stated that we could reassess the new treasurer in 90 days and see if that is needed. Laska stated that Jill (Countryman—accountant) is wonderful and the new treasurer may not even need her help as long as Jill is available. *A motion to approve a wage of up to \$16/hr based on experience was made by: Young, second—Dahlberg. Vote was as follows: voting aye—Wagoner, Young, Oppliger, Dahlberg and Boruch. Voting nay—none.* The Chairman carried the motion. *A motion to approve the hiring committee of Wagoner, Oppliger and Laska was made by: Young, second—Dahlberg. Vote was as follows: voting aye—Wagoner, Young, Oppliger, Dahlberg and Boruch. Voting nay—none.* The Chairman carried the motion.

Proposed Park Internet Accessibility & Security Oppliger stated that he received an estimate from Applied Connective to extend internet access to the park. He stated the estimate was \$868.50. He stated that he liked the idea of offering this however he realizes it is costly. He stated he would like to look at alternatives. He also wants to be sure we can monitor the usage so that everyone on the block is not using our internet as their main source of internet. He stated that he could get an extender for <\$100 and would like to ask Applied Connective on how we can monitor. Oppliger stated that Dahlberg brought to his attention that we have a big investment in the new park and no security. He stated that the camera we have in the Village window also makes one that records. Wagoner asked who would be using the park internet. Oppliger stated that anyone who would be at the park could have access. He stated that cell phone signal is poor in town and this would allow those people to still be able to get on the internet. He stated that it would be an amenity that the Village would offer. Young reported that a lot of parents are working from home and they would be able to take their kids to the park and still be able to log in to work while the kids play. Wagoner asked if there would be a monthly fee for that amenity. Oppliger stated he wanted to restrict access and needs to find a way to do that. He stated that for \$800 he would hope that would include monitoring accessibility but we do not know. Oppliger stated that we will revisit this matter as he would like to offer it but does not want it abused. It is also needed for the security cameras to work. Reves reported there is no plug in on the outside of the shop. Oppliger stated we could revisit the security cameras as well. Kropatsch asked if there was a monthly fee for the security cameras. Oppliger stated there is not a monthly fee for the cameras.

Proposed Blight Study Oppliger stated he had been in contact with Jeff Ray (JEO Engineering) to look into opportunities for grant funding for the downtown revitalization. He stated that Ray thought we would be a candidate. The only way to qualify for these grants is to have a blight study completed on either the downtown area or the entire town. The quote received from Ray shows that the blight study for downtown would be \$3,500 and for the entire town would be \$5,000. Oppliger explained that Ray told him that we would not get funding for the next year because applications are due already, for the next year. So, we would have to apply by next August for the following year to do the project. Michelle Oppliger asked if we could still do something before the 150th Celebration next year. Oppliger stated we could paint and redo the Village sign possibly. Kropatsch asked if that would affect our blight study. Oppliger stated he did not know and would ask Ray. Kropatsch stated that the P&Z committee had talked about this blight study in the past and she believes that doing the entire town is worth the \$1,500 over the downtown only cost. Oppliger stated that the downtown is the main area of concern but

agreed with Kropatsch. Dahlberg stated he thought we might as well do the whole town since it won't help for the 150th anyway. *A motion to approve \$5,000 for the town Blight Study was made by: Young, second—Wagoner. Vote was as follows: voting aye—Wagoner, Young, Oppliger, Dahlberg and Boruch. Voting nay—none.* The Chairman carried the motion.

Departmental Reports:

A. Utilities Reves reported that Johnson's came and did the sewer clean and jet in town today at 5th Street and 5th Avenue. He stated that the sewer line is flowing however it is holding a lot of grit and sand. He stated it was 1/3-1/2 full of grit and sand. He stated they have flushed it before but have never jetted it. So now it has been. He stated that with Johnson's on schedule to come every year and get through the entire town eventually, we are at about 2/3 the way through the entire town. No questions or further discussion for Reves.

B. Parks & Rec. Young reported that they are waiting for the park benches to arrive. She stated they should be here and installed within the next 1-2 weeks. She stated she found out that the company that does the pickets for the fence, also does a kind of 'community board' where community members can post things. She stated that we can have it made however we want. She stated she would need to get a bid on it. Dahlberg stated that we could put business sponsors on it as well. Young stated she will look into it. Oppliger stated that it would be great if it were a digital sign. Young reported that they have made \$2,850 from picket sales so far. She stated she heard that Duncan High School was having a reunion soon and she would like to send flyers to those people. She would like to send flyers to those with no Facebook as well. Oppliger asked if they were waiting to sell a certain number of pickets before installing a section. Young reported that she was talking with No Sweat Fencing about that. Boruch stated that a community member asked him why there was no more picnic table at the park. Young stated that once the benches are installed, they could be used in that way if wanted. She stated that 4 of them do not have backs and will be able to sit on and set food on. She reported that if they continue to receive complaints after the benches are installed, she will look into it. Oppliger suggested a circular table with a shelter above it. Young stated that Andrew had brought an idea to her attention. She stated that Ivan Micek is donating a tree to the park and that we could possibly get a Dermatology grant to cover the cost of shade structure to go over the train zone. Oppliger stated that grants and donations will be great once we have the park installed. He stated that we will have a lot of support. Young requested that anyone hearing complaints from community member to let her know so that she can address it and explain to them why they did what they did. Young stated that the community build was a great turnout with 33 people attending. Boruch wanted to acknowledge Young and Dahlberg for their hard work on the park. He stated they did a fantastic job. Oppliger agreed and thanked them as well.

C. Planning & Zoning Kropatsch stated that the committee has gotten through the Comprehensive Plan and made deletions and additions. She stated that it shouldn't be a great expense to redo. She stated it has been 11 years since it was written. The plan looks at the community as a whole. She stated that she thinks the Blight study could go hand in hand with the plan. She reported that there are some areas in town that need attention. She stated they are moving ahead with the new plan and that they meet next, on October 26th. She reported that when there is more information on that, she will bring it to the board. She stated that the committee will be recommending the board approve the update of the plan as well as the maps

D. Clerk Report No report.

E. Treasurer Report & Updates—Approval of Bills Laska stated that she, Oppliger, Dahlberg and Jill (Countryman Auditor) will schedule a meeting to go over and finalize the budget. She stated she will add the blight study. She requested the board list out what is needed for the 150th as well as for the streets. She stated the street budget will help get us under the lid. Oppliger asked Evans to let Manilli know to start the interlocal agreement so that we can get the estimate for the street project faster to include it on the budget next month. Laska reported on the monthly bills (monthly recap handed to each board member). She stated there is \$27,659 left in the P&R account. She stated the only thing that was paid for out of that account, for the park, was the equipment for \$44k. She stated she still needs to pay Fry \$6,345, BD \$17k, Mulch \$4,500, No Sweat \$8,191 and Johnson Sand/Concrete. She is asking the board how much they would like left in the P&R account in order to continue concessions next spring. The board discussed and decided to transfer all but \$2,500 into the general account. *A motion to move \$25k from P&R account to the General account was made by: Young, second—Dahlberg. Vote was as follows: voting aye—Wagoner, Young, Oppliger, Dahlberg and Boruch. Voting nay—none.* The Chairman carried the motion. Laska stated that the sewer bond will be paid off next month. No other questions/concerns were brought up regarding the monthly recap. *A motion to approve the bills as recorded was made by: Young, second—Wagoner. Vote was as follows: voting aye—Wagoner, Young, Oppliger, Dahlberg and Boruch. Voting nay—none.* The Chairman carried the motion.

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, Post Office, AJ's C-Store and the Village website on the Thursday prior to the meeting. The next monthly meeting will be on **Monday, September 14th, 2020 at 7:00 PM.** Being no other business, adjournment was made by Oppliger at 9:01 p.m.

Minutes recorded and submitted by: Marianna Evans (Clerk)