

VILLAGE OF DUNCAN BOARD MEETING/PUBLIC HEARING

August 12th, 2021

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, Steve Langton, Jeff Oppliger, Josh Dahlberg and Joe Boruch. Also, in attendance were, Village Staff: Don Reves, Marianna Evans and Michelle Schindel. Visitors present were: Lynette Scudder; Bill & Denise Czapla; Randy Hellbusch (NRWA). The Pledge of Allegiance was recited by all in attendance. *A motion was made to approve the minutes from last month's meeting on July 12th, 2021 by Dahlberg, second--Langton. Vote was as follows: voting aye—Wagoner, Langton, Oppliger, Dahlberg and Boruch. Voting nay—none.* The Chairman carried the motion. Oppliger asked the audience if there were any non-agenda items that anyone wished to present to the board. No concerns were announced. *A motion to move Agenda item 'A' under, New Business, to the last item on the agenda's New Business (due to speaker availability) was made by Dahlberg, second—Boruch. Vote was as follows: voting aye—Wagoner, Langton, Oppliger, Dahlberg and Boruch. Voting nay—none.* The Chairman carried the motion.

Unfinished Business:

Proposed Vacate Platted Alley at Main Ave. between 9th-10th Streets (East side of Main Ave.) Evans stated that each board member should have a copy of the platted area with the alley shown. She stated she had outlined the three properties that it abuts and that she had sent out the letters, per ordinance, to all three property owners explaining the proposed vacation of the alley and invited them to the meeting to voice their concerns/questions. She stated that it appeared there are two of the three property owners in attendance. Lynette Scudder (967 Main Ave.) presented to the microphone. She reported where her property is. She stated that she has lived there for 42 years and maintained her half of the alley. She stated that she definitely does not want a strip of property that she cannot do anything with but pay more property taxes on. She requested that, for her property, to just leave it alone. She said, 'Just leave it like it is.'. She stated that she has nothing to do with the subdivision and does not want more property taxes on land that she is only expected to maintain. Oppliger appreciated Scudder's comments and thanked her. He asked if this was the same sentiment for the others. Czapla's nodded their heads in agreement. Oppliger stated they rely on the P&Z committee on decisions and understands that no one would be happy with property taxes increasing. Bill Czapla asked who pays the property taxes on the alley now. Evans stated it was Village owned. However, Reves reported that the Village does not pay any taxes. Mr. Czapla requested to just keep it that way. Czaplans and Scudder state that their property taxes have gone up every year over the last several. Oppliger stated that he would like to keep the impact low. Evans asked why only half the alley on part of the subdivision is highlighted. Reves reported that Lloyd only needed that half of the alley to meet the minimum square footage for that area of the subdivision. However, he stated that 'you can't vacate half an alley.'. Reves stated that we could leave the alley from Main Avenue to the subdivision which would be all of Scudder's property and part of Shonka's property. However, the east portion of Shonka's property and all of Czapla's property would gain 10 feet of property along their property line. Reves reminded that there still will be a 20 foot easement for utilities. Reves reported that the area increase for property taxes would be approximately 10ftX100ft, so the tax increase won't be much, maybe \$150. Oppliger stated he felt it would be fair for the property owners affected to know how much it would increase and wished he had the information. Evans asked about the 'half' alley on the map. Reves reported that our engineers said we can't vacate half an alley so if we don't vacate the whole alley, the whole subdivision will be on hold. Reves went on to explain that the reason only half the alley is shaded on this map is because that is all the Lloyd subdivision is needing to meet requirements on lot square footage. After discussion by the board and the property owners present, *a motion to vacate the platted alley ONLY within the Lloyd subdivision was made by Dahlberg, second—Wagoner. Vote was as follows: voting aye—Wagoner, Langton, Oppliger, Dahlberg and Boruch. Voting nay—none.* The Chairman carried the motion.

Proposed Speedbump at West Park (8th Street) Evans explained that this agenda item was postponed from last month's meeting due to the request from several residents in that area. She stated that there doesn't seem to be anyone in attendance at this meeting to represent for those who have requested this. She reported that she has done research on speedbumps in towns. She reported to the board that her research explained that there are many factors to consider before installing any speedbumps. She reported that on public roads, they would be speed 'humps', not 'bumps'. She stated that other factors to consider are traffic count, average speed of drivers, time of day of vehicles, where traffic would divert to if one installed, researching other option for traffic calming measures. Also considering the effects on others if installed, including affects on vehicles, affects to bicyclists, even effects on EMS response times. She stated that she read several articles of municipalities actually moving away from speedhumps due to the cost of data collections, installation, law suit and court orders to remove and the cost of doing that as well. She stated that one article of a town that installed speedhumps, had spent \$2 million putting them in and then a few years later, enough people complained that a judge forced them to remove and it cost hundreds of thousands of dollars to remove them. Evans explained that it seems to definitely not be something to just do haphazardly. There is a lot of planning and thought and data collection that needs to go into it before doing it. As well as data collection after installing, to assess the affects of the speedhumps. The board briefly discussed and agreed it does not sound like a good idea, considering that no one is here who requested it and that there are other ways to deal with the traffic. Evans stated that it seemed from the last meeting that there was really only one driver that they complained about. Oppliger dismissed the agenda item until it may be brought up at a future time.

New Business:

NRWA Water Rate Study Findings (Randy Hellbusch-NRWA) Hellbusch presented to the microphone and reported on the water rate study. Each board member had a copy of the study results. He stated that he used a 3 year average to get totals for expenses and receipts for the water department. He explained that our numbers are in line with what he finds in other towns of our size. He stated that it showed the expenses at an average of \$84,743/year and water sales of \$76,728/year. This gave a difference of \$8,015. It showed that the Village is losing 8k per year at our current rates.

He then showed a table with three different options for rate changes. The board reviewed and discussed briefly with Hellbusch. The board decided that the 'break even' amounts would be the best for now. That would put the new water meter charge at \$26 and \$2.25/1,000 gallons used. Boruch objected to the amount of increase at one time. Hellbusch stated that this amount of increase is not too much for residents. He stated the water rate increase would best be implemented in the winter, during non-watering times. Reves suggested starting January 1, 2022 as we had with the last increases. The board asked Hellbusch about our sewer rates. Hellbusch stated our sewer rates are fine and we can take another look at them with the water in a year or two to see how it is going. *A motion to increase the water meter rate to \$26 and water usage to \$2.25/1,000 gallons, starting January 1, 2022, was made by Langton, second—Wagoner. Vote was as follows: voting aye—Wagoner, Langton, Oppliger, Dahlberg and Boruch. Voting nay—none.* The Chairman carried the motion. Evans reported that she will have a resolution ready for approval at the next meeting.

Proposed NCG Delegate Approval Oppliger postponed this item to the next meeting in order for Dahlberg to complete more research into a delegate and what the position entails.

Proposed Street Closure for 150th Celebration Oppliger stated that the closure would be similar to Ribfest with added closure on 10th Avenue from 8th-9th streets. *A motion to approve the said street closure starting Friday, August 27th-29th was made by Wagoner, second—Langton. Vote was as follows: voting aye—Wagoner, Langton, Oppliger, Dahlberg and Boruch. Voting nay—none.* The Chairman carried the motion.

Proposed Village Hall Sign Oppliger explained that an old picture of downtown Duncan was found and given to him, that shows Duncan in its very early days. He stated there appeared to be a carriage store in what is now the Village Hall. He explained that this photo will be blown up and transposed onto a piece of aluminum approximately 5 ft X 20 ft. He stated that Schiefer Signs has capability to do that and the approximate cost would be \$1,620 for the sign and \$395 for installation. It would be placed right above the Village Office door on the darker gray colored area. He stated that it should be completed and installed prior to the 150th celebration. *A motion to approve purchasing and installation of the sign was made by Dahlberg, second—Boruch. Vote was as follows: voting aye—Wagoner, Langton, Oppliger, Dahlberg and Boruch. Voting nay—none.* The Chairman carried the motion.

1&6 Year Road Plan Proposal Each board member has a copy of the new 1&6 year road plan. Evans explained that she spoke with the street superintendent, Scott Cowles. She reported he suggested only maintenance for the 1 year and to keep the boulevard on the 6 year plan. She stated he explained that since we have completed the other streets as planned, this would be a good plan for this next year. The board discussed briefly and agreed that this would be the best plan. Evans reported that if there were any changes that need to be made, she would need to know so that she can give them to Cowles and get the plan updated, before the approval at next month's public hearing.

Proposed Use of ARP Fiscal Recovery Funds Evans stated that she has Terry Meier (JEO) on per speakerphone to answer questions for the Board. Meier began by stating that there are a lot of unknowns with this new funding. He explained that the Village would have needed to apply by July 2nd through the state treasury. Evans stated that she did complete that. Meier stated that the state will have rules and regulations. He reported that the state just put our 150 pages yesterday. He suggested applying for the funds and then just wait. He stated that it would be wise to sit back and see what other towns do and what mistakes are being made etc., to avoid making them ourselves. He reported that the funds do not need to be obligated until December 31, 2024 and don't have to be allocated until December 31, 2026. So we should just hold tight and don't use them right away. He stated they can be used for Parks, Streets and Storm water only if you can prove loss of revenue due to Covid. He encouraged that we use the funds for 'known' uses such as water, sewer or broadband. Reves asked if we could use the funds in conjunction with grant funding. Meier explained that it could not be used with other federal funding. However, he stated that we could get low interest loans and then use the fiscal funds towards that. He stated that we cannot use it for debt service payments that are scheduled to go over 2026 though. Oppliger asked Meier about the broadband option. He asked for examples from other towns. Meier stated that no one has done anything yet but, some towns have talked of going in on the cost of fiber installation in town with other telecommunication companies. One town is offering to cover the cost of burying the fiber. He stated another town is paying for a separate tower for communication as opposed to installing one on their water tower. He stated he also heard of a town bringing fiber into the town and to homes. Oppliger stated he would like to get a commercial commitment to bring fiber to homes if we pay to bring it to the town. Meier stated that if we choose to do a broadband project, he would have to refer us to a different company to help us with that, as JEO does not deal with that. He stated that JEO is helping communities with this funding due to their ability to be part of the project if it is water/sewer related. Meier stated that there is time to get information and let other towns make the mistakes. Oppliger stated he would like to reach out to broadband companies. No further questions or comments for Meier. Schindel presented to the microphone and asked the board to approve a separate account for these funds. She stated she has already received the first payment and needs to have a separate account for the funds. The board agreed and *a motion was made to approve opening a separate account for the ARP Fiscal Recovery Funds by Dahlberg, second—Wagoner. Vote was as follows: voting aye—Wagoner, Langton, Oppliger, Dahlberg and Boruch. Voting nay—none.* The Chairman carried the motion.

Departmental Reports:

Utilities Reves reported that he had spoken to Platte County Road about fixing the road between the railroad tracks and highway CVA crossing. He stated that since the county is working across the highway on the road by the lagoon, they would work that in. Reves then reported that he was approached by a rep from the state board of education that wasn't aware of the Village wells on the north side of town. He questioned if they were on their property. He also had reported to Reves that the wells were not registered. Reves contacted Gilmore (previous engineering company for the Village) and they produced a county resolution (R08-41) that documented the 66 ft wide X 1,000 ft long strip of land is Duncan owned. He reported that the county vacated a road that was up there. Reves stated that he attempted to contact the rep again and left a message stating his findings and he has not heard anything back from him. Reves confirmed that our wells are, indeed, all registered with the state as well. Reves went on to report on the water/sewer. He stated that he is still waiting on John Henry to get back to him on an estimate for the water looping project however, the price is fluctuating daily with everything. Reves stated that an 8 inch main up Bumpy Rd and a 24 inch poly storm drain on the Blvd, next to Lloyd subdivision was estimated by Obrist at \$85 & \$35k respectively. He suggested that may be a good use of the ARPF fiscal recovery funds. He stated that once he gets a bid for the large project from John Henry, he will contact JEO and they will begin looking for any grants available.

Parks & Rec. Oppliger stated that the baseball field will be used for a parent activity and also during the 150 for a softball tournament. Reves reported that Nick Larsen is supposed to put up a taller chain link fence for the outfield fence. This would be to make it more difficult for the older kids to hit the ball out and protect the scoreboard. He stated that Loup Power has offered to put the poles up. It will be 6-8 feet higher than the previous fence. Oppliger stated that the Village pays the power, water and mowing however, it is an investment in the town and has brought a lot of business to town. He stated that it may help Duncan to grow with the subdivision going in and people seeing that and deciding to buy. Dahlberg stated that he will be getting cedar posts for the park kiosk. He is wanting to get an awning with a solar light to light it up. He reported that the pickets are now up on the fence in the park. Reves asked if there was anyway the park could get a picnic table. He stated he has driven by seeing people eating on the ground and has had many suggestions from residents for a picnic table. The board discussed and were in agreement and Dahlberg stated he would look into what type to get and where to place. Dahlberg stated that he has not had time to check on the 'skating rink' yet.

150th Committee Report Oppliger stated that there will be expenses for the beer garden soon and that Schlesinger would be getting this as the newly appointed 'payer' for the 150. Oppliger stated that the Duncan Wrestling Club would be running the beer/pop stand at the 150 for profit. Oppliger offered booklets of raffle tickets for the commemorative rifle to whomever would like to sell them. Evans asked for a flier to post onto the website. Oppliger stated he would send something.

Planning & Zoning Reves stated that the final plat for the Lloyd subdivision will have a public hearing on August 25th for the P&Z Committee. He stated that the Village would then have to hold a public hearing at their Sept. 13th meeting to approve the final plat.

Clerk Report Evans stated that she had received new community surveys from residents. She read the new ones aloud to the board. Reves reported that he has already replaced 6 street signs today and the last 10 will be replaced before the 150th. He stated that he also ordered street signs for the new subdivision. Evans reported that she received an email from the League that had a link to the new, upcoming, annual conference in February. She stated that she had forwarded the email to all board members to review and let her know if they want to go. Oppliger stated he went last year and he thought it was very beneficial and recommended that, especially new board members, attend.

Treasurer Report & Updates—Approval of Bills Schindel presented a copy of the monthly recap to each board member and presented to the microphone. She reported on the receipts and payments. She included that we have received the first of two payments from the ARPA funds for approximately \$32k. *A motion to approve the bills as recorded for June was made by Boruch, second—Dahlberg. Vote was as follows: voting aye—Wagoner, Langton, 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 13th, 2021 at 7:00 PM**. Being no other business, adjournment was made by Oppliger at 8:28p.m.

Minutes recorded and submitted by: Marianna Evans (Clerk)