

VILLAGE OF DUNCAN BOARD MEETING
July 13th, 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 Jeff Oppliger, Josh Dahlberg and Joe Boruch. Paige Young and Kayla Humlicek were absent. Also, in attendance, were Village Staff: Marianna Evans, Don Reves and Stephanie Laska. Visitors present were: Betty Kropatsch, Michelle Oppliger and Todd Paczosa. 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 June 8th, 2020 board meeting by Dahlberg second—Boruch. Vote was as follows: voting aye—Oppliger, Dahlberg and Boruch. Voting nay—none. Young and Humlicek were absent.* The Chairman carried the motion. Oppliger asked the audience if there were any non-agenda items that needed presented to the board. Paczosa presented to the microphone and stated his name and location of the property he was concerned with. He explained that the south plot of land next to his mom's house (that has since sold) is causing some controversy with a neighbor. He reported that he had plans to put storage units on the property and had been speaking with Reves (zoning administrator) for the last 6-8 months. He stated that the neighbor is making an issue of the drainage problem. Paczosa stated that he is having the area built up and that he paid to have the drainage ditch dug out in order to drain properly. He stated that he believes the neighbor is only upset due to the competition he is facing with another storage unit complex. Paczosa showed pictures to the board of the weeds around U-E Storage Units and stated that he will take care of his units and keep them clean. He stated Gene is trying to say that water is backing up into his garage that borders the property. Paczosa also reported that when his mom lived there (bordering the property), that every time it rained, she had water in her shed. He stated that this was common knowledge but that Gene is trying to now blame him for the water in his garage. He stated that he wanted the board to know what is happening because he believes Gene will be complaining to the Village. Paczosa reported that he did open up the ditch and put white rock down and will have no grassy areas and it will be kept up. He believes this issue with Gene won't end. He assured the board that his storage unit complex will be kept up and look nice. He stated that Gene had never come to talk to him about any of the issues he is claiming. Paczosa stated he has been talking to Reves and it is being worked on. Oppliger stated that the issue can't be deliberated further but that the issue was brought to his attention prior to the meeting so he felt it necessary to invite both to the meeting. He stated if the issue needs further discussion, it can be added to the next month's agenda. No further discussion was had. No other visitors present to microphone.

New Business:

Proposed Bids for Park Sidewalk Concrete Overage Oppliger stated the original budget for the park thought that this would be part of the community build. However, they realized it is more than what volunteers can do. He stated it takes skill and with this much, it needs to be done the right way. He stated that Dahlberg and Young had decided this. Dahlberg reported that Andrew (park salesman) had brought it to his attention that having professional installed was not part of the approved budget. He stated that he (Dahlberg) and Young reached out to BD-Construction and they gave a bid of \$17,300 which is \$10,000 over the budget. He stated he attempted to contact Boruch Masonry for a bid however they were occupied with another project already. He stated that he also attempted to get a bid from Gehring and they too, were too busy. He stated that those were the 3 that they thought would be good for the job. He stated it would be a 2-3 day turnaround. Oppliger stated that the timeframe will be delayed if we try to get more bids. He stated he believed it would be in the same price range. He stated that Boruch Masonry was cheaper for concrete with the street project he is doing but do we want to delay the project? Oppliger stated that these things happen with projects. Boruch asked if we can still apply for grants. Oppliger stated he knows there will be grants and donations and that Young is working with the railroad and other owners to deal with private donors. Oppliger stated he didn't think that volunteers would have the skill to complete the concrete project of the park. Boruch agreed that it would all have to be the same height. Dahlberg stated it also has to be a certain grade for draining. Boruch mentioned Peter Kewitt Foundation for grants. Oppliger stated the Buffett Foundation is another one that they will need to pursue. Oppliger asked if the Village could financially pay out the extra \$10k overage. Laska presented to the microphone and stated that Parks & Rec fund is all part of the General fund. She stated 'you have the ability and have money in savings, so yes.'. Boruch asked if the concrete needed to be completed prior to the equipment being installed. Oppliger stated that with the schedule of the volunteers and the delivery of the mulch and gravel, it will need to be completed prior to the install of the equipment. He stated otherwise we have to find new volunteers for a different date and let the mulch and gravel sit out in the street. Dahlberg stated that it is scheduled so that once the equipment is installed, the park will be ready for play that night. Oppliger stated that it is easier to have the concrete laid first. He stated that the delay would be if we had to get more bids for the concrete and had to wait longer. Boruch asked what the square footage of concrete was. Dahlberg and Oppliger did not know. Oppliger stated that if we get multiple bids, we will have to work with their timeframe as well. Boruch asked the price again. Dahlberg and Oppliger explained it will be \$10k over the budget. Dahlberg reported that it will be 600 linear feet and 5 feet wide. Boruch stated that is 3k square feet roughly. Reves reported approximately 5 inches thick as well. Boruch figured the price and stated that it wasn't 'that bad with the circles etc.'. Dahlberg stated that they decided not to do circles around the trees and to do straight lines. He also stated they decided not to do the handicap stall in the alley. He stated that when Boruch Masonry does the street on Main Ave. that the far stall will be the handicap stall. He stated the grade is correct already. So, now, the concrete for the handicap stall will not be included in this bid. Oppliger asked the board if there were any concerns or postponement needed and if not, he asked for a motion to approve. A motion was made to approve the concrete bid from BD Construction for \$17,300 by Dahlberg,

second—Boruch. Vote was as follows: voting aye—Oppliger, Dahlberg and Boruch. Voting nay—none. Young and Humlicek were absent.

Parks & Rec Proposed Donor Benches/Fence Pickets Oppliger stated he was working with Young, Dahlberg and Andrew to put together donations. Dahlberg stated that there are going to be 6 benches going into the park— 3 (amended to 4) for \$500 each and 3 (amended to 2) for \$600 each. He stated donors purchased them already. He reported that 3 (amended to 2) of the benches have backs and 3 (amended to 4) do not. He reported there will be a 4X6 metal plate in the bench that will be engraved with what the donor requested. Kropatsch asked the board if they were donated already? Dahlberg stated that yes, all the benches have been sold and they are now attempting to get fence pickets sold. He stated the fence pickets will go on the north and east sides of the park. They will be vinyl and engraved with 17 characters. He stated they cost \$30 each and will be sold for \$150 each. He stated if we sell them all, we will have \$1800 (amended to \$18k). He stated we can have the fence go all around the park and purchase gates so that the kids can only get in and out at the entrance sidewalk. He stated that he had spoken to No Sweat Fencing with regards to the gates. Dahlberg stated that he is looking to get the flyer out to Duncan residents which will help with the overages and not drain the P&R fund completely. Oppliger commented that it is a 'refreshing approach'. Dahlberg stated that with the sidewalks being straight now, we can sell more pickets if needed. Oppliger stated that people are excited to donate. He stated he has had families write checks to donate after hearing of the new park. He stated he would like everyone to have that opportunity. He stated there will be other areas to put other benches as well with the other parks. He stated he would like to see the Lincoln Highway highlighted, possibly, with benches as well. Dahlberg stated that the pickets are 4 inches wide and 36 inches tall and that there are 155 available but they can add more in other places if needed. Oppliger stated the pickets have been brought up before but we need a motion and vote to approve the benches and pickets flyer and information. A motion to approve the proposed donor benches/fence pickets was made by Dahlberg, second—Boruch. Vote was as follows: voting aye—Oppliger, Dahlberg and Boruch. Voting nay—none. Young and Humlicek were absent.

American Legal Publishing Ordinance Update Quote Oppliger explained that this company regulates our ordinances. Evans reported that this company originally coded our ordinances and it is time to update the book with the new ordinances added since the original. She stated that she is still awaiting a quote for this. Oppliger stated we will postpone this agenda item to the next meeting pending a quote.

American Legal Publishing Proposed Ordinance Searchable Online Hosting Evans explained that the company now offers to put entire ordinances in a searchable format on their website for a yearly fee. She stated that we can add a link to our website that anyone can click on to search our ordinances. She stated it makes it very easy for anyone to find out information on any subject they want. They can just type in for example, '4-wheelers' and any ordinance related to that will show up. She stated it would make it very easy for anyone to look up anything they wanted in our ordinances, rather than look through the index of the book and hope to find what you're looking for. She read the quote that was given by American Legal to the board. There was a one time set up fee but after that it was \$450/year to have them host this. She stated that other towns do use this feature but she did not have town names to reference. Kropatsch stated that she was Chairperson when American Legal coded the ordinances into the current book. She stated they had suggested revising it every 5 years. Evans reported that with the online searchable site, the ordinance would be updated at all times as any new ordinances could be immediately added. Oppliger agreed that it would be beneficial to have and he then postponed the vote to the next month meeting.

Proposed Yard of the Month Contest Oppliger stated that this was one of Young's ideas however she is absent. Oppliger stated he believed it would be the same as our Christmas light contest. He stated that possibly businesses would donate cash towards the prize. Boruch suggested to pick one yard per month during summer. He stated that Lincoln does this and the yard gets a flag to place in their yard for recognition. Dahlberg asked who would vote and Boruch answered, the neighborhood. Kropatsch reported to Oppliger that there are lots of notes regarding this in the binder that Shifty gave him when Oppliger took over Chairman. Oppliger stated he would look into it. Boruch suggested not giving cash or a prize. He stated just being recognized would be enough. Oppliger stated he would postpone this so that he can look it up and that if there are not going to be any prizes then he won't reach out to businesses. Kropatsch suggested posting the winner on the website as well. Oppliger suggested at least free Subway or fertilizer application or something. This item is postponed to the next monthly meeting.

Proposed Grant Writers to Contract With Oppliger stated that he had talked about contracting full time with someone for this however he now thinks that JEO will be just fine for the job. He stated that he reached out to JEO about grant funding for improving the downtown to include repainting the buildings the Village owns. Oppliger stated that he found out in order to qualify for a grant the building must be older than 40 years old etc. He stated that he didn't think we need to pursue an individual to contract with for grant writing. He thinks we will be okay using JEO for grants. The board agreed.

Budget Review Reves presented to the microphone and listed his budget list aloud to the board. He stated there are 3 fire hydrants to be replaced (\$21k); decommission the unused wells (\$5k); Clean/paint water tower and bring up to safety code (\$75k). He stated they can have the Village of Duncan emblem on his pickup painted on the water tower as well. He spoke to McGuire Iron and they were ok with billing us over two budget years since it will be in September. Reves explained that the tower is actually too small for the size of the town but that we have been doing ok with it. He reported the cost of replacing the water tower is approximately \$800k. Oppliger asked if the old water tower would need decommissioned. Reves stated no it did not. Reves stated that he has learned that most towns get their tower replaced once it is absolutely necessary and they can get emergency funding to help with the cost. He stated that the last time it was painted was 2007 and it was painted inside and out. He stated this time it is only needed on the outside. He stated the budget usual of TV'ing sewer lines every year at \$4k; \$1,800 to replace a hose/valve on a well so it does not freeze up; entrance to school was on last budget and will need carried over; He stated 5th street, 5th ave crushed concrete for \$5k; \$60k for the 2nd half of the Main

Ave. concrete street project approved this year; ball diamond concession roof and fencing \$2k; stucco west side of the Hall for \$22k. He stated that included removal of old stucco, clean, prime and 3 coats. He stated we can choose our color. He suggested painting the front of the Hall building and Post Office for \$4k. He stated that MyPlace Bar had a small area that could be included as well. He stated that clerk conference for the year would be approximately \$575 and water conference would be \$1150 for he and Saunders to go. Laska reported that she wants to know of all projects taking place/planned. She stated that when she started, we were in slight trouble and now we do still have \$71k in savings. She stated she wanted to progress but to try and use grants and/or financing. Also, on the budget is the P&Z conference approval of \$1500-2000 depending on how many attend. Oppliger agreed that we need to prioritize so we have a safe cushion to next year. Laska stated that Jill (Village accountant) will be receiving the budget tonight and will then call to set up a time to meet with her and Oppliger or whomever wishes to attend. Oppliger stated he will try to get a rough idea of expenses from the 150th committee. Dahlberg asked Laska if it would be ok to have 150th budget by the August 10th meeting. Laska agreed that would be okay.

1 & 6 Year Road Plan Review Oppliger stated that the board needed to decide whether to keep it the same or update to the changes suggested by Boruch and Reves. Each board member has a copy of the old and proposed 1 & 6 Year road plan. Reves explained that the 6 year would not change. He stated that the 1 year would change to asphaltting 9th, 10th and 11th streets, finish 8th street and 2 blocks on 10th Avenue. He stated it would be 9 blocks total and would include all the rest of the roads needing resurfaced in town. He reported that the last time the street sweeper was here, he had stated that he didn't think he would be able to go over 9th street anymore due to the deterioration of the street. Reves also reported there is a guy working on getting cost-sharing to help with Main Ave. He stated it may be 50% of the cost to complete all concrete on Main Ave. He suggested all other streets would be okay to do asphalt but that Main Ave. has a lot of truck and regular traffic and would be better concrete. The board agreed. Reves explained that the 1 & 6 Year Road Plan is only a plan and that it can be changed and does not necessarily have to be followed exactly. The board agreed to change the plan to the new one.

Proposed New Router for Water Treatment Reves explained to the board that since switching the internet provider to Applied Connective, their equipment doesn't allow him to remote in to the system. He stated he has contacted HOA and they have been in continuous contact with Applied Connective but they were unable to get anywhere. HOA has reported to Reves that in order for his system to work properly, they will have to replace the Applied Connective router with a new one that will communicate with Applied Connective. Reves reads HOA letter aloud to the board. He stated that the quote given has a Firewall router—Netgear 3100 for \$550 or a E1 Cozy for \$840. The more expensive one has higher security but the cheaper has 'good' security. Boruch asked Reves if the remote in was working prior to switching to Applied Connective. Reves stated yes. Boruch suggested that Applied Connective should pay for the new equipment needed to work with theirs. He stated that they guaranteed their service. Reves stated it took 4 calls to get a return call and to get them in touch with HOA. Oppliger asked Reves if he would be okay with him getting involved with Applied Connective to figure this out. Reves agreed. Reves also explained to the board that he has had continuous phone issues at the water treatment office until they changed the radio out in the Hall. He stated it has been pretty good now. He stated that the treatment office is on a separate frequency. Reves explained to the board how important it is that this phone line works. He stated that is what the alarm system is hooked into and calls him to let him know an alarm is sounding. If the phone line isn't working, he won't get the alarm call. He stated that when he is out of town and a false alarm sounds, he can remote in from his phone and silence or reset the alarm. But the phone line must be working properly. Oppliger stated he just had a few questions for Applied Connective and that if it has been an issue from the start, it should be dealt with. Reves explained that he does not trust Applied Connective and would never recommend to anyone. He stated they changed all their equipment out and had moisture problems in their sealed box. Oppliger asked if there were any issue at the office. Evans stated just a few internet issues but they respond quickly and resolve it usually. Oppliger postponed the router approval to the next meeting so that he can speak with Applied Connective first.

Departmental Reports:

- A. Utilities** Reves reported that he will be gone this Thursday for an oral surgeon appointment for tooth extraction. He stated he will be back in town in the afternoon but he is not sure. He stated that he will be gone next week on July 23, 24, 25 and 26. He stated he will be in Wisconsin for a nephew's graduation. Oppliger made sure that Saunders is aware of these dates and Reves responded yes. Reves then reported that after farming, the ditch by Paczosa's storage units should be dug wider. He stated it may not drain faster, but there will be more room for water to sit instead of on land. He stated it will be more of a holding area. Reves also stated that the home there also has several evergreen trees that are hanging in the drainage ditch blocking flow. He stated they need removed and are on the Village Right of Way. He stated there is an ordinance stating that is the homeowner's responsibility and would like to ask them to take them down. He stated that if he trimmed them up, there would be only half trees standing and they would not survive anyway. The board agreed.
- B. Parks & Rec.** Dahlberg reminded that the park install is on July 25th and stated that there are volunteers still needed. However, he stated they want a minimum number of people due to the COVID-19 outbreak. He stated they will have port-a-potty's and Andrew will have a few guys with him.
- C. Planning & Zoning** No report. Dahlberg asked Reves if he could have Evans email the board a list of all zoning permits given. Reves responded stating that there are a lot that he doesn't even think about and most people are good about getting their permits. Boruch asked Reves if Paczosa's storage units is zoned properly. Reves stated that it is zoned industrial which is appropriate. He stated that the other lot is for sale for a home build. He stated it is 2 and ½ lots but will need built up for a home.

D. Clerk Report No report.

E. Treasurer Report & Updates—Approval of Bills Laska reported on the monthly bills (monthly recap handed to each board member). She did not report any abnormal bills this month. Laska stated that she has several donation checks for the benches but she is waiting for the board vote to deposit them. She asked if she should now pay for the park equipment since it is here. The board stated yes. *A motion to approve the bills was made by Dahlberg second—Boruch. Vote was as follows: voting aye—Oppliger, Dahlberg and Boruch. Voting nay—none. Humlicek and Young were absent. The Chairman carried the motion.* Laska then reported on the balances of the loans: Street Bond \$205k; Sewer Bond \$20k done Sept. 2020; Water Bond \$265k done June 2032; NDEQ Bond \$192,820 guesstimate. Laska then presented the board with an informal resignation of her position as Village Treasurer. She stated she will make it formal at the next meeting. She reported she would stay on to train the next person and get through the budget. She stated it has been a crazy year for her at her new job as Butler County Clerk. Boruch thanked her for her service. Oppliger stated he understood.

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, August 10^h, 2020 at 7:00 PM.** Being no other business, adjournment was made by Oppliger at 8:29 p.m.

Minutes recorded and submitted by: Marianna Evans (Clerk)