**VILLAGE OF DUNCAN BOARD MEETING**

**June 11th, 2018**

**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**:**00 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, Chris Staroscik and Josh Dahlberg. Paige Young and Joe Boruch were absent. Also, in attendance, were Village Staff: Don Reves, Stephanie Laska and Mari Evans. Visitors included: Jeff Oppliger and Bruce Lefler (Ameritas). *A motion to approve the May minutes was made by Dahlberg, second—Staroscik. Vote was as follows: voting aye-Staroscik, Schaefer and Dahlberg. Voting nay--none. The Chairperson declared the motion carried.* Schaefer publicly asked if there was anything that visitors/staff/board members wanted to talk about that is not on the agenda. No requests were made and the Chairman proceeded with the agenda.

**Unfinished Business:**

1. **803 6th Street (Request to Forgive Lien)** Schaefer reminded the board that the Humliceks were at the last meeting and requested the lien for this property be forgiven or lessened so that they could afford to buy the property to enlarge their property that connects to it. Schaefer asked the board their thoughts again stating that he does have a conflict of interest in this matter due to his work contract with the Village on that property and would not be able to discuss or vote on the matter. Evans reported that Boruch conveyed to her that he was okay with lessening the lien however, he was not in favor of forgiving the entire lien. Schaefer did not think that the board could vote on the issue with only 2 board members voting and one by proxy. Evans reported she tried to research the subject and found that it may be okay to have Boruch on speakerphone during the discussion and voting. Since no one is sure, Schaefer suggested waiting until next meeting to vote. Dahlberg asked if the office had heard from the Humliceks on whether or not they had any luck getting the bank to lower the lien they have on the property. Evans reported that she had not heard anything from the Humliceks since they appeared at the last meeting and they are not present tonight. Schaefer postponed this agenda item to the July 9th meeting.
2. **624 5th Street Abatement Plan** Schaefer reported that he had not talked to either of the attorneys (Rising City or Emerson). He stated that Young had sent an email stating that she has had little communication with Charles Grafton/Tina Fernau. The email stated that Grafton had told her he was going to come board the house up and post an eviction notice but he had failed to do either of those things. It was noted that the previous renters were there today however, there is no progress on cleaning the property up. Schaefer reported that he had driven by there tonight before the meeting and noticed all the windows broken out and the cardboard that was up to protect them were blown out from the storm. Schaefer stated that we should initiate the abatement process now. He read the abatement ordinance aloud to the room. Schaefer stated that Chris Hayes would be doing a demolition on 6th street next week and could possibly do this one as well. However, that is not enough time to do the abatement notices and give time for requests for a hearing. Schaefer reported that Chris Hayes would be willing to do the demo and the estimate would only depend on where the garbage all needed to go and the cost of that. Dahlberg and Staroscik both agree that the house is uninhabitable and that according to ordinance and state statute, the board works as the Village’s department of health and the board has decided that the property/structures are uninhabitable. Schaefer wanted to be sure that we are specific on the condition of the property/house and what we are doing to the property/house in the notice. Evans reassured him that she would be specific in the notice. Reves reported that Jenni (contact for Schrant) was trying to find the deed but had been unable to. Grafton had the deed. Schaefer stated the notice should be sent to anyone who is tied to the property to include: Schrant, Grafton/Fernau and Hawkins. Reves reported that the Sheriff Deputy that was in there (recently) stated to him that it was uninhabitable. It appeared to be abandoned. Schaefer reiterated to follow our ordinance and send out the notices, being as specific as we can. *Motion to abate 624 5th Street was made by Dahlberg, second—Staroscik.* *Vote was as follows: voting aye-Staroscik, Schaefer and Dahlberg. Voting nay--none. The Chairperson declared the motion carried.*

**New Business:**

1. **Proposed Ordinance 18-197 (Street Project Highway Allocation Funds Pledge Bonds)** Schaefer asked Lefler (Ameritas) if we needed 4 board members in order to vote this through. Lefler reported that it is suggested to have ¾ of the board to vote however, we can get by with 3/5 for tonight and come back next month and revisit it and revote on it with the entire board if necessary. Lefler then went over the funding again with the board with a total financing of $255k being funded through highway allocation fund pledge bonds that mature in 10 years. He stated the average interest rate right now is 2.5%. He reported that the bonds will be callable by the Village after 5 years. Schaefer read the title of Ordinance 18-197(‘An ordinance authorizing the issuance of highway allocation fund pledge bonds, series 2018, of the Village of Duncan, Nebraska, in the principal amount of not to exceed two hundred sixty thousand dollars to pay for certain road improvements within the Village, prescribing the form of said bonds, providing for a sinking fund and for the levy and collection of taxes to pay said bonds to the extent not paid from other sources, authorizing the officers of the Village to establish the final terms of the bonds within certain parameters; providing for the sale of the bonds and authorizing the Village to enter into a bond purchase agreement, authorizing the delivery of the bonds to the purchaser; providing for the disposition of the bond proceeds and ordering the ordinance published in pamphlet form’).  *A motion to suspend reading on 3 days was made by Dahlberg, second—Staroscik.* *Vote was as follows: voting aye-Staroscik, Schaefer and Dahlberg. Voting nay--none. The Chairperson declared the motion carried*.Schaefer read the title of ordinance 18-197 again. *A motion to pass Ordinance 18-197 was made by Dahlberg, second—Staroscik. Vote was as follows: voting aye-Staroscik, Schaefer and Dahlberg. Voting nay--none. The Chairperson declared the motion carried.* Lefler stated that he would gather any other documents that we need and bring them to our next meeting when we finalize everything.

**Departmental Reports:**

1. **Utilities/Maintenance/Streets** Reves reported that he had a complaint from a customer stating his neighbor’s wildflowers were spreading onto his side of the alley. The alley separates the two and the one had planted wild flowers on the outside of her fence, facing the alley. The neighbor showed Reves where the flowers/weeds were growing in his lawn. Reves reported spraying them for the customer and asking the board how they would like to deal with this matter since these two neighbors are constantly complaining on each other and it is going to have to be decided by the board on what will happen. Reves asked the board if those wildflowers could legally be planted next to an alley. The Village owns the alley and the Right of Way. Reves thought that people were not supposed to put anything on the alleys or rights of way. He stated that once the weeds/flowers get so tall, they will fall over into the alley. Evans reported that it could be considered a nuisance since it affects the one neighbor’s ‘enjoyment of life’. Reves stated that if that were the case, you could complain when someone has dandelions in their yard. Reves also stated that he had an agronomist look at the weeds and they stated that they didn’t think any of them were knoxious weeds. However, he would have to take more time to study them to be sure. Reves reported that these two neighbors have been fighting about these flowers for 2 years. Schaefer stated to add this issue to the next month’s agenda so the board can vote on what to do. Schaefer suggested getting clarification on where the alley and the Right of Way actually are and then the board could act accordingly.

Dahlberg asked Reves where the shut off valve for the fire station is at. Reves stated that it was ordered and on its way. Dahlberg stated that the fire chief was asking him about it. Reves stated that he had spoken to the fire chief as well. Reves stated he would bring it over once he received it.

1. **Parks & Recreation** Dahlberg stated that he still needs shifts filled for the Duncan Ribfest pop stand. He stated that Saturday hours are 2.5 hour shifts and th he would be doing the closing on both days. Evans reported that she would add this request to the Duncan website and Village Facebook page.
2. **Planning & Zoning**  Reves stated that the house just west of the west park has been gutted and the Kendall Perry had bought it and is moving it to Shelby. Once the house and garage are out, he plans to build two new homes, since there is actually 2 lots there.
3. **Clerk** Evans reported that she had just finished the first billing using the new software. She stated it was hard but once all the bugs get worked out and she gets used to it, it will be way faster and accurate. She stated that the bills are postcard type bills and so it takes her a long time to separate them because they come 2 to a page and have a type of frame around them that needs removed as well. She stated she would ask Mail Prep if this was something they could do. But, we are using only postcard stamps which are cheaper than the forever stamps. This will get us closer to the radio read as well as customers paying online, by credit/debit card and ACH transaction.
4. **Treasurer Report** Laska reported the monthly bills. She reported that the $20k payment was for the water treatment plant payment. The NDEQ lagoon payment was $10,994. She reported that these two are paid every June and September. She stated that she keeps getting bills from JEO on the street project but she keeps paying them as advised and will pay our accounts back after we receive the financing. She will also use some of those funds to pay off the current street loan of approximately $24k. After the board reviewed all the bills and there were no questions or concerns, *a motion was made to approve the bills to be paid by Dahblerg, second—Staroscik*. *Vote was as follows: voting aye-Staroscik, Schaefer and Dahlberg. 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, post office, AJ’s C-Store and the Village website on the Thursday prior to the meeting. The next regular meeting of the Village Board of Trustees will be on **Monday, July 9, 2018 at 7:00 PM.**  Being no other business, adjournment was made by Schaefer at 7:50p.m.

Minutes recorded and submitted by: Mari Evans (Clerk)