

VILLAGE OF DUNCAN BOARD MEETING/PUBLIC HEARING

June 14th, 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 7:01 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, Jeff Oppliger, Josh Dahlberg and Joe Boruch. Steve Langton was absent. Also, in attendance were, Village Staff: Don Reves, Marianna Evans and Michelle Schindel. Visitors present were: Gary Schlesinger, Betty Kropatsch, John Zwingman (Advanced Consulting Engineering Services—representing Steve Lloyd). The Pledge of Allegiance was recited by all in attendance. *A motion was made to approve the minutes from last month's meeting on May 12th, 2021 by Dahlberg, second---Boruch pending typo of incorrect day of week listed in last paragraph. Vote was as follows: voting aye—Wagoner, 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. Kropatsch asked for the east microphone to be fixed as she has trouble hearing the recording during Planning & Zoning meetings. No other concerns were announced. Oppliger then continued with the scheduled agenda.

Old Business: none

New Business:

Public Hearing to Vacate New Subdivision Alley & Preliminary Plat for Lloyd Subdivision *A motion was made to open the public hearing at 7:08pm by Boruch, second—Dahlberg. Vote was as follows: voting aye—Wagoner, Oppliger, Dahlberg and Boruch. Voting nay—none. The Chairman carried the motion.* Zwingman presented to the microphone and stated his name and company and that he was representing Steve Lloyd. He gave a copy of the preliminary plat map to the board and explained that Lloyd was asking to vacate the platted alley in his new subdivision in order to gain square footage to make the affected lots of legal size. He stated that there would still be a 20-foot easement for the city and power company to reach the power poles/lines there. He stated that he had spoken with Reves and Wayne Morris from Loup Power. Loup Power told Zwingman that they had no problem with having only the 20-foot easement to the power poles and that is what they do in most of these situations. Zwingman stated that the only one that it would be problematic for would be Loup Power but they were reportedly fine with it. Evans questioned if it was just the part of the alley in the subdivision or included the alley out to Main Ave., between Scudder's and Shonka's. Reves reported that the entire alley would need to be vacated. He stated that Jeff Ray (JEO) told him that we don't vacate 'partial' alleys. Evans stated that her parents (Scudders) would be upset as they thought that the platted alley by their house would be completed with the subdivision. She stated that they were looking forward to and wanted access to that side of their property in order to get to their garden with a vehicle. Reves stated that there would still be a 20-foot easement there and Shonkas and Scudders would be able to drive on the easement. He stated that it will increase the property lines for Cyzas, Shonkas and Scudders. He stated that they would not be able to put anything permanent in that easement though. He reported that the vacated alley will give Lloyd the square footage it needs on their lots to be within zoning parameters. Reves reported that he had spoken with our engineer and with Loup Power about this. Zwingman stated that the only part that Lloyd is interested in vacating is the part inside his subdivision and that the alley between the current property owners near Main Ave. did not affect his subdivision. Reves repeated that he was advised not to vacate a partial alley. Oppliger asked the members present from the P&Z committee if they had any concerns with this. Kropatsch stated that they did not have any concerns and recommended moving forward with it. *A motion to vacate the platted alley from Laska property to Main Avenue was made by Dahlberg, second—Wagoner. Vote was as follows: voting aye—Wagoner, Oppliger, Dahlberg and Boruch. Voting nay—none.* The Chairman carried the motion. Reves pointed out to Oppliger that he did have the affidavit of the publication of the public hearing with him and noted the date it was published. Oppliger acknowledged. Oppliger continued the meeting to the proposed Preliminary Plat for the Lloyd Subdivision. Zwingman reported 6 lots could be built, facing 8th Ave., right away. He stated that they were going to develop this in two phases. The 6 lots would be the first phase and the second phase would be the additional lots after developing 10th street for phase two. He stated that he would submit plans and specs to our engineer and then get bids etc. Once that is completed, he stated that he would submit the final plat to the city for approval. Boruch asked how wide 8th Ave. would be and Zwingman state it would be a 60-foot right of way. He stated that paving would be 33 feet from curb to curb which will allow parking on both sides and through traffic. He stated that phase two would follow phase one however they want to wait to see how phase one does. He was asked if the sewer, water and streets would still go in first. Zwingman stated yes. Oppliger asked the P&Z members if they had any concerns. Kropatsch stated that they were all satisfied and recommended moving forward. Boruch clarified which lot #'s would be built in each phase. Zwingman stated that in phase one it would include lots 1, 2, 6, 7 & 8. Phase two would be lots 10, 4 & 5. He stated that they are working on a home layout to fit lot 3. He stated that the homes would be single family residential and approximately 1,000-1,100 square feet. He stated they would most likely have one car garages but that nothing is guaranteed at this point in time. Wagoner asked if it was low-income housing. Zwingman stated that they were not involved with any federal funding. Reves pointed out that the ditch would be a concern on the boulevard section of homes. He stated that it needs a concrete culvert. He reported that it would need a 24-inch poly and need one foot of dirt on top in order for there not to be a deep ditch in those front yards. He stated that he is trying to get pricing now for the cost. He stated that we need a manhole on that street anyway. Dahlberg clarified with Reves on the drainage. Reves stated he was waiting for the final bid. Oppliger stated the street layout will be submitted to us and then we can forward to JEO. *A motion to close the public hearing was made at 7:27pm by Dahlberg, second—Wagoner. Vote was as follows: voting aye—Wagoner, Oppliger, Dahlberg and Boruch. Voting nay—none.* The Chairman carried the motion. *A motion to approve the alley vacation was made by Dahlberg, second—Boruch. Vote was as follows: voting aye—Wagoner, Oppliger, Dahlberg and Boruch. Voting nay—none.* The Chairman carried the motion. *A motion to approve the preliminary plat for the Lloyd Subdivision was made by Boruch, second—Dahlberg. Vote was as follows: voting aye—Wagoner, Oppliger, Dahlberg and Boruch. Voting nay—none.* The Chairman carried the motion.

Abandoned Vehicles Not Moved Oppliger stated that five letters were sent out to residents for abandoned vehicles. Reves reported that everyone has since moved vehicles in some way. He stated that there is one property with two vehicles in the backyard. He reported it was a fairly positive outcome. Oppliger asked if there was a timeframe given. Evans stated that the time limit was 10 days from the notice per ordinance. The board agreed that if there is an attempt being made, that it was good. Reves suggested sending a follow up letter at some point. Oppliger stated that this would be revisited at the July 12 meeting.

Annual Review of Delinquent Accounts Evans reported that she only has one account that is quite delinquent. She reported it is a customer that was reported on last year as well. She stated that the customer carries a balance every month. She will send shut off notices and then they set up payment plan. However, they never follow through with the payments to pay the balance off. Evans reported that the customer seems to have good intentions however it may be a financial difficulty. Oppliger suggested to give them information on access to financial help from different organizations and see if that helps. Evans stated that she didn't feel that it would be appropriate to shut them off when they just paid \$100. Even though they may still have a balance. Evans stated she would send them a letter to apply for financial help if needed to get their balance paid off.

Proposed Ordinance 21-204-Occupation Tax on Liquor Licenses Evans reads the entire ordinance aloud. The board agreed that this is what they voted on previously and were in agreement with the ordinance. All liquor licenses will now pay a \$50 Occupation Tax plus cost of publication. *Dahlberg read the Ordinance title and made a motion to approve Ordinance 21-204 Occupation Tax on Liquor Licenses, second—Boruch. Vote was as follows: voting aye—Wagoner, Oppliger, Dahlberg and Boruch. Voting nay—none.* The Chairman carried the motion.

Board Goals for the Next Year Evans explained to the board that this was new a few years ago and that the idea is for each board member to put forth a few goals they see fit for the next year and then the board decide on the top three and set those for the next fiscal year. Evans suggested Reves come to the microphone and discuss what he feels is priority for the water/sewer/street departments. Reves reported that the new water line up Bumpy Road that had been talked about before would be a priority with the new subdivision going in. He stated if that was not completed, the subdivision would have the same water pressure problem that the Dahlberg addition has. He stated that it wouldn't be a big issue with phase one but definitely with phase two. He reported on the entire connecting of water lines throughout town and how if we wanted to do it all with one big project, we may be able to qualify for grant funding. However, there aren't usually grants for smaller projects. He explained that the Bumpy Road line would cost approximately what Duncan would be getting from the American Rescue Plan Act. Evans explained to the board that they really need to read through the emails she is forwarding to them on this funding. She stated that we will have to apply for it and there is going to be mandatory reporting on all of it to the treasury. She suggested they read up on it on the national treasury website or through the emails she is forwarding to them from the League of Municipalities because they will have to make the decision on what to use that money on. Reves reported that he had been in contact with Viv (JEO) about this and was told that Terry Meyer (JEO) should be contacting Evans in regards to helping with this process. Oppliger stated that a goal could be to move forward with the Blight Study process and create a game plan for us to use those grants. Dahlberg reported on the Mitigation Plan Update that he became involved with and that he would like others to show up on Friday at 2:00pm at the Fire Hall for an educational opportunity. He stated this is a big task and there was a lot of paperwork. Evans offered to help with the questions if he needed. He reported that JEO is actually being paid to help with this. He stated once the questions are done they would be sent to the government and then they will send us the plan to adopt. He stated that this way we will have a plan in place for a disaster, whereas we never have before. Kropatsch presented to the microphone and suggested to send a survey to the community to see what they see as important goals for the next year. And then bring those responses back and incorporate those into the board goals. Oppliger agreed and stated that he would postpone the board goals to the next meeting to wait for responses from the community.

Budget Needs Reves reported that this would depend on the stimulus money we get. However, if there is room on the budget, he would like to loop the Dahlberg addition water line or the west side of town. He reported that all fire hydrants are replaced now. He stated that the loops will increase water pressure for all residents in the affected areas as well as get rid of any dead ends of water lines. He stated that the dead ends have the opportunity and risk of stagnate water and possible bacteria growth. Oppliger asked if we are testing the water. Reves stated that the water is tested frequently per law and there has not been a problem with any contamination. Wagoner asked Reves if he was in need of any new equipment. Reves stated that he would like a pull chainsaw (\$500-700) to get extra reach to trim trees safely and easier. He stated that the pick-up would most likely need new tires soon. He also reported that it would be good to look at armor coating the roads on the west side of town to keep them sealed well.

Departmental Reports:

Utilities Reves reported that there are 15 street signs that need replaced due to being faded. He stated he ordered them and they should be here sometime after Ribfest. He reported they were supposed to arrive June 1st. However, they should all be replaced by the 150th. Dahlberg stated that on Tuesday July 27th at 6:30pm, he would like Reves to attend a Traffic Incident Management Class. He reported it will be 3 hours long and they will provide pizza. He stated that if Reves attended, they could receive 15 cones, signs, vest and that the Fire Dept. would appreciate it. Reves stated that he would attend. It was reported that a dog was loose in town over the weekend and was taken to Paws & Claws. It was possible Beagle breed. It is going to be adopted.

Parks & Rec. Oppliger stated that there will be a baseball tournament on June 21-25 with 16 games. Dahlberg stated that the pop and water tent for the 150 is ready. He stated the sign and pickets for the park are supposed to ship on June 25th. Reves reminded the board that he will be gone over the Ribfest weekend due to a death in the family.

150th Committee Report Oppliger stated that they sent flyers out and are selling the commemorative rifles for \$509 each and will raffle the 1st production model. Tickets will be \$10 each. He stated they need to sell 10 for minimum however, he stated that what he has presold already and any tickets sold will more than pay for the rifle for raffle. Reves reported that the Farmer's Market had 5 tables ranging from eggs, baked goods, jams etc. He stated they all sold out. Daniels didn't come and Schlesinger came and set up his stereo for music. He stated

that next time he will set it up behind the trees in order for the tables to be more in the shade. He stated it ended at about 7:30pm and heard many positive comments.

Planning & Zoning Reves stated that the subdivision will do its final plat next and would need approved by ordinance by the board. He reported no new zoning permits. Dahlberg discussed a driveway curb cut out that was requested with Reves.

Clerk Report No report

Treasurer Report & Updates—Approval of Bills While Schindel prepared for her presentation, Evans reported to the board of the ACH fees. She reported that she had noticed the monthly bill to the Village for allowing ACH transactions to customers was different and seemed to be costing the Village a lot more than the \$1 they charge customers for offering it. She stated that Schindel was advised of this and would talk with the bank about what the actual cost is for us to offer this payment option to customers. She stated she did not think it was fair that ACH customers pay \$1 when others who pay online have to pay a percentage of their bill for a fee. She stated they would look into it more and get more information on the exact cost. Schindel handed each board member a monthly recap of the bills. She stated that we received the Loup rebate of \$20k. Schindel clarified a few bills that Boruch asked about. *A motion to approve the bills as recorded for April was made by: Boruch, second—Wagoner. Vote was as follows: voting aye—Wagoner, 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, July 12, 2021 at 7:00 PM**. Being no other business, adjournment was made by Oppliger at 8:32p.m.

Minutes recorded and submitted by: Marianna Evans (Clerk)