

VILLAGE OF DUNCAN BOARD MEETING

May 13th, 2019

7:00 PM – VILLAGE HALL

906 Eighth Street – Duncan NE

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 being held. Oppliger assured that everyone present could hear the proceedings. Board members present were Oppliger, Kayla Humlicek, Paige Young, Josh Dahlberg and Joe Boruch. Also, in attendance, were Village Staff: Mari Evans, Don Reves and Stephanie Laska. Oppliger publicly asked if there was anything that visitors/staff/board members wanted to talk about that is not on the agenda. Minutes were reviewed and *a motion to approve the minutes from 4-8-19 was made by Young, second—Dahlberg. Vote was as follows: voting aye—Humlicek, Young, Oppliger, Dahlberg and Boruch. Voting nay—none. The Chairman declared the motion carried.* Minutes were reviewed and *a motion to approve the minutes from 4-30-19 was made by Dahlberg, second—Young. Vote was as follows: voting aye—Humlicek, Young, Oppliger, Dahlberg and Boruch. Voting nay—none. The Chairman declared the motion carried.*

Unfinished Business:

- A. **624 5th Street Proposed Lien Forgiveness/Future of Property** Oppliger stated that Steve Lloyd was not here yet and would still be presenting as soon as he can leave the meeting he is at currently. *A motion was made to amend the current agenda to move this subject to the bottom of the agenda by Dahlberg, second—Young. Vote was as follows: voting aye—Humlicek, Young, Oppliger, Dahlberg and Boruch. Voting nay—none. The Chairman declared the motion carried.*
- B. **NDEQ Progress (Notice of Violation on Century Drive)** Reves reported that the survey was completed and stakes were found at about 13 feet off the street in the right of way. He stated that he has attempted to call Curtis Christiansen from NDEQ several times to no avail. He has left voicemails and Evans had emailed him as well. Reves stated he would try to contact the field representative again tomorrow to find out who can help us if Christiansen is no longer working on this. Reves reported that after speaking to Obrist, instead of using a backhoe to dig down to the pipe, they will use a hydrovac. This will prevent excessive grass removal. Reves reported that he did talk to Barb Lehr to let her know that we will be digging there soon, so that she is aware of what is going on. He reported that her response was, ‘...do what you need to do...’. Young requested that Reves document all call attempts made to show that we have been trying. Reves suggested that since it is in the hands of the Attorney General now, it may take awhile to complete.
- C. **Proposed Trail-Cam/Security Camera for Burn Pile/Office** Oppliger reported that there was a couch dumped on the burn pile recently and reminds that there have been problems before with residents dumping items that are illegal. He suggested a security camera and sign stating that the area is being recorded. He stated that he had found an inexpensive trail-cam for \$35 and a sign for \$10. He suggested to place the camera on the signs themselves. It was stated that it may be hard to get a good look if the camera is only facing one way. Oppliger stated that we could get two and face them opposite directions if needed. Dahlberg suggested placing the camera on the telephone pole if possible, so that people cannot reach the camera to steal or break it. However, this will make it more difficult for us to get to it and retrieve the SD card for review. Oppliger stated we may be able to access it by Bluetooth. Reves reported that after the couch was dumped, that two tires were dumped. He stated that there was an attempt to hide them in the pile, indicating that the person who dumped them knew very well they were not supposed to dump them there. Reves reported that people have dumped painted cabinets in the past as well. All of these illegal dumps make it more difficult for Reves since he has to go in there to dig out and dispose of whatever is dumped illegally. Reves must remove these items as it is NDEQ who monitors our burn pile and the Village will get fined if there are items in there that are not supposed to be. Oppliger suggested to get two signs and one camera for now. He stated that we can relocate the camera at a later time if needed for better views. He stated that he would be able to purchase the camera and signs on Amazon for less than \$100. He stated that, for the office, there are security cameras that would only cost \$25 each and they are wifi connected with a microcard and night vision. He stated that it would be cheap security to have at the front office window facing out toward Main Avenue. He stated that if needed, we can add more cameras possibly to the back garage door area or the office itself. He reported that there can be several people able to access the camera’s view from an App on your smartphone. *A motion to approve purchasing a trail-cam and two signs for the burn pile, as well as a security camera for the office was made by Boruch, second—Young. Vote was as follows: voting aye—Humlicek, Young, Oppliger, Dahlberg and Boruch. Voting nay—none. The Chairman declared the motion carried.*

New Business:

- A. **Proposed Ribfest Liquor License** Schlesinger has requested approval for a SDL (Special Designated License) for use at the annual Ribfest for dates June 22-23, 2019. *A motion to approve a SDL for Ribfest dates of June 22-23, 2019 was made by Young, second—Boruch. Vote was as follows: voting aye—Humlicek, Young, Oppliger, Dahlberg and Boruch. Voting nay—none. The Chairman declared the motion carried.*
- B. **Proposed Ribfest Street Closure** Schlesinger has requested, in writing with a diagram, that he be allowed to close certain streets for the set up, event and tear down of the Duncan Ribfest. The street closure would be the same as every year to include “...1 ½ blocks of 8th street west of Main Ave. and 1 block south & ½ block north of 8th street on 10th Ave. on June 20-24, 2019. *A motion was made to allow closure of the streets as requested (by Schlesinger), by Humlicek, second—Young. Vote was as follows: voting aye—Humlicek, Young, Oppliger, Dahlberg and Boruch. Voting nay—none. The Chairman declared the motion carried.*
- C. **Request to Join Fire Dept.** A letter was received by the Village Office from Timothy Lacy, requesting to join the Duncan Fire Department. Oppliger read the letter aloud to the board. Lacy

reported having several certifications and being a fireman at several other departments in the past. He reported that he had moved to Duncan in October of 2018. *A motion to approve Timothy Lacy to join the Duncan Fire Dept. was made by Young, second—Humlicek. Vote was as follows: voting aye—Humlicek, Young, Oppliger, Dahlberg and Boruch. Voting nay—none. The Chairman declared the motion carried.*

- D. Proposed Street Repair at Main Ave. & 13th Street** Oppliger stated that there have been complaints on the roads. One major area of concern is Main Ave. and 13th Street (the curve at the top of the hill on Main Ave.). It was stated that an area patch will not fix the problem as it is too major. It will need to be replaced with concrete to withstand the traffic that is driven on it everyday. Oppliger stated that he had spoken to the Platte County Highway Department and that there was some patch work done here on 6th street and 280th Ave. He stated that he had asked about the issue with the road to the north and if it was their responsibility or ours. He was told it is a gray area but they are behind and very busy right now. Reves stated that he talked to Terry Micek and he had since received a bid for repair of that area. The bid was complete and the amount was \$24,050. Reves stated that to be sure we did not need to do formal bidding process on this project, he called Tyler Hevlin at JEO Consulting (engineering firm for Village) and discussed the matter with him. Reves reported that Hevlin stated per statute, that we do not need to unless the total amount is over \$30,000. Merlin Goering is going to put a bid in as well. Reves stated that he would get detour signs that will detour drivers to 10th street. Young stated that BD Construction could put in a bid as well. She stated she felt this job was too big for Micek. Oppliger suggested we get bids from Goering and BD's. He stated we could have a special meeting to approve which bid to accept if needed.
- E. NENeEDD (Northeast Nebraska Economic Development District) Membership Dues Proposal** Oppliger reported that the Village is currently member of NENeEDD and the membership dues are \$645/yr. Evans reported that they are a very useful resource when it comes to grant funding etc. *A motion was made to continue membership with NENeEDD and approve dues by Humlicek, second—Young. Vote was as follows: voting aye—Humlicek, Young, Oppliger, Dahlberg and Boruch. Voting nay—none. The Chairman declared the motion carried.*
- F. Proposed Credit/Debit Card Policy/Agreement** Oppliger explained that this policy is needed when we have members using/owing Village credit/debit cards. Evans explained that the policy consisted of a User Guide and agreement. As well as rules to follow such as how much one can spend on any transaction as well as per month. There are common rules such as not using the card for anything personal. Evans explained that the user will also have the responsibility of calling the bank/credit company if the card is ever lost or stolen. Oppliger stated that the amount per transaction needed to be voted on. *A motion to approve \$1,000/transaction and \$2,000/month for use of credit/debit cards was made by Young, second—Dahlberg. Vote was as follows: voting aye—Humlicek, Young, Oppliger, Dahlberg and Boruch. Voting nay—none. The Chairman declared the motion carried.*
- G. Proposed Gravel Additions to Bumpy Rd, 12th Ave, 5th St., 5th Ave.** Reves reported there are pot holes on 5th ave and 5th street. He will patch and smooth and add some gravel. Gravel will also be added to Bumpy Rd. and 12th Ave. Reves stated that gravel will be \$1,800-2,000 total for 11 ¼ ton at Overland Gravel. He stated that the company we usually use was out of gravel due to the flood. *A motion to approve \$2,000 for gravel was made by Young, second—Boruch. Vote was as follows: voting aye—Humlicek, Young, Oppliger, Dahlberg and Boruch. Voting nay—none. The Chairman declared the motion carried.*
- H. Proposed Duncan VFD Constitution & Bylaws Revision** Dahlberg asked to postpone this item to the next scheduled meeting due to needing to review why this, or the fireman approval is necessary by the Village. The Fire Dept. no longer has anything to do with the Village. Compared to the past where the Village ran the Fire Dept.. Dahlberg stated that he thinks that area of our ordinance may be outdated and needed to be reviewed and possibly removed from the Village ordinances.
- I. Proposed Potentially Dangerous Dog** Oppliger read the letter sent in by Tionne Massman stating that she was nearly attacked by her neighbors' dog. She reported that it came at her in her yard while she was mowing. She reported that it looked and acted in an aggressive manner toward her. She eventually got the neighbor to retrieve the dog. However, she had a problem with the same dog getting loose and biting a smaller dog in her yard previously. She reiterated her concern for others and her grandkids when they are over. She stated the owner did not know how the dog got out. Reves reported that the owner had previously put one dog down due to the same problem. Humlicek stated that she had the current, same dog in her fenced in back yard recently as well. Evans stated that when they have an issue with any dog like this, they need to call the Platte County Sheriff so that it can be on record. Young reported that Carla Dahlberg was approached by the same dog a well. Humlicek stated she would put something in writing for the Village. Evans reported that she had sent a letter to the owners with copies of the ordinances regarding dogs and letting them know that a loose dog is a violation of our ordinances. This dog, by ordinance, could be defined now, as a potentially dangerous dog.
- J. 624 5th Street Proposed Lien Forgiveness/Future of Property** Steve Lloyd presented to the microphone and introduced himself. He is currently building two duplexes on 5th street, next to the 624 5th street property. He would like to build more duplexes on that property however, the amount of the lien owed is well over what the land is worth, after he pays all the back taxes owed on it. He

requested the board to forgive the lien on the property, in order for he to put the land to use and for the Village to start receiving property taxes on it. He stated that the duplexes he is building and would build on this property would be nice and that he is not a slumlord. He has put in underground sprinklers and will be sure the rent is in the range to avoid having bad renters. He stated he doesn't want that either and that the properties would be well taken care of and look nice. Reves reported that Lloyd had also talked to Don Schneider (property nearby) and he was willing to sell Lloyd his home and land as well. This would let the Village avoid having to do another abatement and lien. If Lloyd buys it, he would tear down the house and structures and build more duplexes or homes. Lloyd stated that after paying all the back taxes owed on the lien property, it is going to cost him roughly \$10,000. He stated that if he could talk the tax holder down a bit on the price, that he would gladly make a donation to the Village for being so understanding with the possible lien forgiveness. Oppliger stated that the total lien on the property is now at \$10,993.22. Oppliger stated that we will face this now or later. He suggested we deal with it now as we may not have the opportunity again of someone wanting to make use of the land. Humlicek asked Lloyd what the value of the duplex would be. Lloyd stated that in Columbus (where he has built before), it would be worth around \$165,000. He reported that lots here are approximately \$6,000 as compared to \$25,000 in Columbus. He stated that in Duncan, the duplex may be worth \$140-150,000. Young stated that if he builds these duplexes and possible homes, that the home values will increase around that area. Lloyd stated that he had been talking to the owner of the land on the opposite side of 5th street. He has plans to buy that land and build homes on it. Oppliger was worried about having a 'renters' row'. However, Lloyd stated that the fact that he wants to build nice homes right across the street, would prove he was not planning on having bad people in his duplexes, renting. He cares about his properties and his renters. Dahlberg added that the Village would also have more people paying for water and sewer with new homes. Lloyd stated that he would begin building on the property by next spring. Oppliger stated that he liked Lloyd's intentions and is in favor of forgiving the lien. Young stated that she is for forgiving the lien as well. Dahlberg agreed. Boruch stated it sounded good if he would be building in the next year or two. *A motion to forgive the lien of \$10,993.22 on 624 5th Street specifically for Steve Lloyd was made by Young, second—Dahlberg. Vote was as follows: voting aye—Humlicek, Young, Oppliger, Dahlberg and Boruch. Voting nay—none. The Chairman declared the motion carried.*

Departmental Reports:

- A. Utilities/Maintenance/Streets** Reves reported that Timothy Viergutz is interested in the Carr property (currently hold lien on abatement property). He was asked to come tonight but was unable to attend. Reves is unaware if he would like to be added to next month's agenda.
- B. Parks & Rec** Young reported that May 20th is the first baseball game scheduled where the concessions will be open. She stated there will be 5 home games and a tournament on June 1st. She stated that volunteers are need to help with concessions during some of the games. Oppliger suggested having two people for each game running the concessions. Young stated that she agreed and at least for the tournament they will need 2 people. She also reported that CSS Farms had reimbursed the Village for the scoreboard right away. She stated that signs are being designed for advertisement of donators. She reported that there are several businesses that are interested in donating. AJ's C-Store has already donated to the ball field. She reported that some of the businesses do not like the contract idea for donations. Young stated that CSS Farms sign will be bigger than the rest due to them buying our scoreboard. She stated all others will be 4'X4'. She stated there will be a Thank You sign behind home plate with the names of the sponsors. We will be able to add names to the sign as needed. Any sponsors who donate will be offered the opportunity to buy and advertisement sign to put in the outfield for a donation of \$100 or more. Oppliger stated that he didn't think that the contract donations were going to work. After discussion by the board, they agreed that \$100 minimum donation would be needed to be offered an ad sign. If a sign is offered, the sponsor will be referred to Scheffer's for the sign making. Young also reported that she had received a message tonight from the 16U Fire & Ice softball team requesting to practice on the Duncan ball field. Boruch suggested that others wanting to use the field now should donate or be charged rent. Oppliger suggested asking for a donation and making sure it does not conflict with the baseball teams use of the field, since they were given priority. Oppliger stated that Mueller Sprinklers were out all day to fix the underground sprinkler system and we have yet to receive that bill. Boruch stated that we need to put up 'No Glass' signs around the field to prevent broken glass from being all over. All agreed.
- C. Planning & Zoning** No report.
- D. Clerk Report** No report.
- E. Treasurer Report** Laska reported her usual bills and bill recap. Laska stated that the first payment of \$28,187.50 was due for the street project. The board looked over all expenses and receipts on the bill recap received by Laska, and a *motion to approve the bills was made by Young, second—Humlicek. Vote was as follows: voting aye—Humlicek, Young, Oppliger, Dahlberg and Boruch. Voting nay—none. The Chairman declared the motion carried.*
- F.** 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 scheduled meeting will be held on **Monday, June, 10, 2019 at 7:00 PM.** Being no other business, adjournment was made by Oppliger at 8:41 p.m.