

VILLAGE OF DUNCAN BOARD MEETING

November 9th, 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 7:05 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, Paige Young, Jeff Oppliger, Josh Dahlberg and Joe Boruch. Also, in attendance, were Village Staff: Don Reves, Michelle Schindel and Marianna Evans. Visitors present were: Steve Langton, Jon Mooberry (JEO), Joe Runquist. The Pledge of Allegiance was recited by all in attendance. *A motion was made to approve the minutes from the October 12th, 2020 board meeting with typo revision (Schindle) by Boruch, second—Wagoner. Vote was as follows: voting aye—Wagoner, Young, 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. Boruch stated that he had noticed that a camper has been parked on the street in front of 755 15th Ave. for over two months and would like a letter sent to the owner to have it moved off the street. Evans noted the request. Oppliger stated that they have a new evaluation for employees starting and he was going to do one of them tonight however, he would like to put on the agenda for next month to go into executive session to discuss the evaluation with the rest of the board and then present the evaluation to the employee afterwards. He stated he would like to do the executive session after the next board meeting. Oppliger then continued with the scheduled agenda.

Old Business:

Mid State Geotechnical Engineering Study for the 2021 Asphalt Street Improvements JEO's, Jon Mooberry presented to the microphone and reported to the board that a revised proposal was sent that would eliminate the core samples on Main Avenue since the county will be doing those. He stated they would only do the core samples on the other streets that are included in the project. He explained that on page 3 of the proposal, the estimate for this work is \$3,620-\$4,020. Mooberry stated that he did not know anything new about the interlocal agreement with the county. He is awaiting a call back from the county engineer, Manilli. Boruch stated that he spoke with the county and they reported we would not see an interlocal agreement from them until they have cost estimates. Boruch also stated that he talked with the county about our 150th celebration and he was told that the street project would not interfere with that celebration based on the dates given. Boruch stated that Boruch Masonry had stated to him that a bid was sent to the Village for the dip and curb work. Evans reported not seeing it yet. Mooberry stated that JEO had made specifications on the dip per county requirements and that he will get those to him for Boruch Masonry to include in his work. Oppliger read the proposal aloud to the board. *A motion to approve the proposal with Geotechnical for up to \$4,020 towards core samples was made by Dahlberg, second—Boruch. Vote was as follows: voting aye—Wagoner, Young, Oppliger, Dahlberg and Boruch. Voting nay—none.* The Chairman carried the motion.

JEO Proposal for Design and Bidding of the 2021 Asphalt Street Improvements Mooberry stated that he took out Main Avenue from the work for JEO. He stated that this proposal includes the scope of the job from design phase through bidding for the work. The construction engineering will be separate after this phase. Mooberry stated that by taking Main Avenue off the project for JEO, it cut \$5,000 off their proposal. He stated that the total for this proposal is \$34,100. *A motion to approve the proposal of JEO design and bidding of the 2021 Asphalt Street Improvements for \$34,100 was made by Dahlberg, second—Young. Vote was as follows: voting aye—Wagoner, Young, Oppliger, Dahlberg and Boruch. Voting nay—none.* The Chairman carried the motion.

New Business:

8th Street Sewer Line Obstruction Reves presented to the microphone to explain that there was a sewer line main that backed up on 10-26-20. He reported that it had just flushed fine on 10-6-20 when he was performing the yearly flushing of the Duncan sewer lines. He was called by a homeowner that advised him there was possibly a beginning clog affecting his home sewer line. Reves stated that the owner had reported he had noticed it over the weekend. Reves immediately checked the manhole and found proof there was a minor clog. He called the Drain Surgeon plumber and requested their services to unclog the line. Reves stated it took them 2 hours to get here but they did get the line opened back up. It was not known what the clog consisted of. Reves then called NRWA and had them come out to tv the line and check for any potential problems. They did find roots in the area of the clog and so Reves requested Johnson's to come out and take care of that. Johnson's came out and sawed all the roots from that spot all the way east on 8th street. After the roots were cleaned out of the line, they foamed the line to prevent roots from re-entering. Johnson's guarantees their root foam for 3 years and if there are any roots within the next 3 years, they will come out and clear them and foam again at no charge. Reves reported that he had Evans call the insurance company to file a claim. Evans reported that she did right away and gave them all the contact info for the two homeowners affected. Reves reported that the insurance investigator has spoken with both parties and there is nothing else to report until he finishes his investigation. Reves reported that he is not getting involved any further due to the parties chastising him, yelling at him and having family members join in to yell at him. The parties are upset due to this happening before and the Village not paying for their basement damage. Reves reported that 4 years ago this same spot clogged but it was due to baby wipes and non-flushable items being flushed that clogged the line. So, our insurance did not pay out on that claim because of that. So, the parties now feel that they will not get anywhere by coming to the meeting etc. because they feel the Village won't do anything anyway. Reves stated that it is in the insurance company's hands now and is not up to the Village any longer. Reves explained that he has had a system in place and on the budget every year where he had Johnson's come out every year to do a different part of town with tv'ing lines, cutting roots and foaming where needed. He stated he is just about all the way through town. And once, he gets through the town,

he will start over. He stated it costs approximately \$4-5,000 every year to do that. He also has his sewer line tap map almost completed from doing this. The tv'ing is helping him to be able to accurately plot the sewer taps on his map. No further discussion.

15th Avenue Alley Obstruction Joe Runquist at 754 15th Ave. presented to the microphone and stated that he received a letter from the Village to remove his belongings in the 'alley' to the north of his house. He stated that he had had his stuff in that alley, which is not a through alley anyway, for 9 years. He stated he has talked to every neighbor and every renter next to him and no one seems to have a problem with it. He stated he has taken care of the alley for 9 years by himself. He reported that the Village approved his shed to go there a few years ago as well. He believes those things are better there than on the street. He stated that Loup Power has a support cable in the alleyway that supports the pole and transformer. He stated that he told his neighbors next to him that if they wanted to share the alley, to let him know and that he would move his stuff. Oppliger stated that we can nitpick areas in town where people are in violation however, we wait until we get a complaint and then we review it and send a letter. He stated that he believed the letter was clear. Wagoner asked if we received an official complaint. Oppliger and Evans stated that we did. Oppliger stated that we cannot pick and choose what to do and that the obstruction should be cleared, according to ordinance. Oppliger then asked Reves how big the alley is. Reves stated that it should be approximately 20 feet. Oppliger stated that the alley benefits two homeowners and that it is a dead-end street. He stated that the complaining party doesn't seem to be too concerned with the violation since they are not present at the meeting. He wondered if the neighbor could possibly share. Runquist declared that he would gladly share the space. He stated again that he had spoken to every renter and the owner of that house that if he ever needed to move anything to just let him know. Oppliger stated that 'not everything is black and white', and that 'sometimes there is a gray area'. Oppliger suggested to let Runquist leave the alley obstructed and Oppliger would mediate between Runquist and the owner of the property that shares the alley. He stated that he would call the owner and try to work something out. Evans asked Runquist, since the area is also a right of way for Loup Power, if they would be able to get back there to their pole and transformer if needed. Runquist stated that he would be sure to move all his stuff so that Loup Power could get where they needed to. All board members agreed with Oppliger to mediate and come to an agreement between neighbors on the use of the alley between them. Oppliger stated to postpone a follow up to the next meeting in order to have time to mediate. Runquist stated that he had already talked to Oppliger prior to the meeting and that he would gladly talk to the neighbor as well. No further discussion.

Planning & Zoning Committee Appointments Young asked if anyone talked to the appointees. No one talked to them. Oppliger stated that he assumed they were ok with being reappointed since they did not make it known that they did not want to continue on the committee. *A motion to reappoint Gary Schlesinger and Betty Kropatsch to the Planning & Zoning Committee was made by Boruch, second—Wagoner. Vote was as follows: voting aye—Wagoner, Young, Oppliger, Dahlberg and Boruch. Voting nay—none.* The Chairman carried the motion.

Departmental Reports:

A. Utilities Reves reported that the tower is now back online and the nitrate problem is solved. He stated that he copied and shared the photo of the newly painted tower that Young took and shared on Facebook to the NRWA so that they will put in their subscription magazine. Oppliger asked if there were any problems with Applied Connective and getting their cables out of the way for McGuire Iron. Reves stated that it seemed they didn't want to move the cables and that it took them 5 days without internet at the water treatment plant before they fixed it. Reves stated that McGuire Iron had to increase the height of the tower railing for legal reasons. And they added the new logo on the tower. Oppliger asked Reves a few more questions on the Applied Connective customer service and then stated that he would like to know if there are any problems with them ever.

B. Parks & Rec. Young reported that she is going ahead with ordering the pickets for the park fence as well as the park sign. Boruch stated that he was surprised at the total price on the park at \$100,000. He stated he did not think it would be that much. Oppliger reminded Boruch that all the overages on the park project were approved by the board. He stated that he is disappointed with the engineering job of planning and feels they didn't come through. Oppliger stated that he is glad it is done and over. However, any big project should be better planned. He stated that 'now we know for next time'. Young stated that the donations will help. Oppliger agreed that it's important to look at the money raised as well. He stated that the public may approach him but he stated that we have had a year of public open meetings in which they did not attend. Oppliger stated that we need to be able to explain to them and get them to look at it from both sides. Young took the opportunity to again thank all who helped build the park. She stated that no one else showed up and asked where they could possibly help. Oppliger stated that the majority of the town appreciates it. Young stated that she has seen an old lady walking the sidewalk in the park as part of her exercise routine. She reported kids on bikes and trikes as well.

C. Planning & Zoning Reves reported that Steve Lloyd had his engineers out to stake out the alley, street, sewer etc. for his potential development in town. He stated that it is a long way away from starting as Lloyd has yet to submit a preliminary plan to the Planning & Zoning Committee and follow the rest of the steps to move forward. Reves wanted to let the board know that when that area gets developed, they will need to decide on a place to move the burn pile. He also reminded them that the 4 inch water line that the development would hook up to is not large enough to supply good pressure to the development. He stated that a new 8 inch line down Bumpy Road to CVA would be in the plan for Duncan to eventually lead to the loop that was planned by JEO that would lead across the highway to 6th street. He stated that the houses that were built along Bumpy Road are all hooked into the main line in different areas and it is a mess. He stated that if we did the new line that it could all be cleaned up and everyone would have good water pressure including the new development. And it would align with Duncan's plan to loop the water lines in a couple areas to allow better pressure and service. He reported that the line from Shaky's to the school is very bad and that it kept crumbling when it needed

fixed at one point. He stated that he had Obrist give him a bid once for this partial loop project on the south end and it was \$68k. He stated that would be about 1/3 of the south loop total project. He explained that this is something the board should be thinking about and that we wouldn't want to hold up a housing development. Boruch questioned if we could get a grant through NENEDD and Oppliger stated that once JEO has given us their report on the blight study they did, we can submit it to NENEDD for grant applications. Reves reported that the entire south loop would be approximately \$350k. But that we can do it one step at a time. He stated that the housing development is still a ways off though and that they will not be able to begin the development until it is approved by Planning & Zoning. Reves stated that we wouldn't have to do the line down Bumpy Road, however, if we don't, the new homes will not have much water pressure. No further discussion on this item. Dahlberg asked Reves about new building permits. Reves reported Macken's. Dahlberg stated that he noticed Bob Dush poured a cement pad by his south building and may be planning to build something there. Reves stated he would review it. No further discussion.

D. Clerk Report Young asked Evans if she ever sent an invoice to the Tribe school that won the bid for the swings. Evans stated that she would get one out right away. Evans asked the board if they would still like to approve her clerk conference every year or continue to approve it on the budget like they did this year. She stated that her and Don's conferences were listed on the budget that was approved but she did not know whether to sign up for hers yet if they still wanted to individually approve it every year. The board agreed that the conferences are a good thing and that they should continue to go. Oppliger stated that he would like to come up with some kind of incentive for more board members to attend conferences. He stated we could add as an agenda item at some point to discuss possibly paying work missed to those who attend a conference for the Village.

E. Treasurer Report & Updates—Approval of Bills Schindel reported the receipts for each account. She reported that the street bond payment is this week also. Oppliger stated that the 150th had brought in about \$800 with the Trivia Night event. The board reviewed the monthly recap. *A motion to approve the bills as recorded was made by: Young, second—Dahlberg. Vote was as follows: voting aye—Wagoner, Young, 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, December 14, 2020 at 7:00 PM**. Being no other business, adjournment was made by Oppliger at 8:20 p.m.

Minutes recorded and submitted by: Marianna Evans (Clerk)