

VILLAGE OF DUNCAN BOARD MEETING

September 9th, 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 7:02 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. 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. Others present were: Andrew Ferguson (Frey Inc.) and Dave Henke (JEO); Matt and Will (Applied Connective were also present. Oppliger publicly asked if there was anything that visitors/staff/board members wanted to talk about that is not on the agenda. As there were no requests to speak, minutes were reviewed and *a motion to approve the minutes from 8-12-19 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. A motion to approve the minutes from 8-14-19 was made by Dahlberg, second—Boruch. Vote was as follows: voting aye—Oppliger, Dahlberg and Boruch. Humlicek and Young abstained due to being absent at that meeting. The chairman declared the motion carried.*

Oppliger requested proof of publication for the public hearing scheduled for tonight. Evans provided the affidavit from the Columbus Telegram as proof of proper notice given. Oppliger then opened the public hearing at 7:06PM. There were no comments from the public made at this time, about the One & Six year Road Plan, so Oppliger continued with the schedule meeting. *A motion to move the P&R departmental report first on the agenda was made by Dahlberg, second—Humlicek. Vote was as follows: voting aye—Humlicek, Young, Oppliger, Dahlberg and Boruch. Voting nay—none. The Chairman declared the motion carried.* Young stated the Evans had emailed the board members the proposal from JEO for engineering on this project. She reported that Ferguson highly recommended that we hire engineering. Andrew Ferguson and Dave Henke presented to the microphone and explained their roles in the Parks project. Ferguson stated that it would be imperative to have Henke as the engineer on the project due to all the need for engineering. He stated that he cannot take another step until he gets the CAD drawings from JEO on the layout of the property. Henke stated that as of right now, the scope of the suggested project only includes the Main Avenue park. Oppliger stated that he understands that the main focus is the Main Ave. park however, we want to look at the other two parks as well. He asked the board if they wanted to include the other two parks for engineering to look at. Young stated that there would be additional fees from JEO if we added those other two parks. Evans stated that we are trying to get grants and that is a good reason to include the other parks as well. The more the project costs, the more grant money you get. Rather than wait 5 years or more to start it all over again. Ferguson agreed that including the other parks will be more economical for us. The board agreed to include the other two parks for engineering and no design. Henke stated that it would be topography only to the other two parks. Young suggested that it may not be wise to put a bunch of money into the ballpark since we don't own the land. Ferguson agreed. Reves reported that we have put money into it already and will add more with all the work planning to be completed in the next year with the plumbing and fencing alone. Reves also stated that the property lines are not correctly marked on the west park and Henke can sort that out as well. Young stated that the numbers in the contract will change by including the other two parks. Henke verified that he would have to work up a new contract. Oppliger stated and the board agreed to add the other parks and put the new proposed contract on our next meeting's agenda to look at. Our next meeting will be in one week, for the budget hearing. Henke stated he would email the new proposal to Evans once completed.

Old Business:

- A. Applied Connective Proposal** Matt and Will presented to the microphone and reported they were the technical and telecommunication guys with Applied Connective. They explained that they are wanting to install two antennas on our water tower and provide the Village with internet and phone services to the office and the water treatment office as discussed previously. Matt explained that the phone system will not be hard wired like we have now. It will run from the wifi signal. After he discussed the issue of power outages with Reves, Matt stated that they will have a battery back up in case of power outages, so that we will not lose the ability to make calls or receive calls, especially from the water treatment alarm system. The board looked over their proposal numbers. Humlicek asked what the \$860 install fee was including. Will and Matt stated that included if they needed to run 300ft of cable, includes all installation of wiring, routers, phones etc. Oppliger stated that \$860 is a lot to transition to for installation. Will stated that the Village currently pays approximately \$375/month for both offices in phone and internet charges. Once switched to Applied Connective, it will be approximately \$250/month. He explained that the office has two phone numbers which are \$5/ea. Humlicek asked if there were long distant charges. Will stated there is unlimited long distance. Boruch asked what it would cost for residential services. Matt stated it would \$110 install fee and then \$55/month for internet services. Young asked what customer service would be like. He stated that we would most likely talk to him for technical problems. He stated that businesses take priority for call backs and that usually people are contacted within 24 hours of their inquiry. Oppliger stated that their equipment will be in a shed next to the water tower. Matt assured that the condensation would not bother his equipment due to it is encased in a sealed case that is weather proof. Matt also explained that customers need a line of sight view to the antennas in order to have good service. That is why it will be important for the antennas on the water tower so that they can reach the north side of town and offer services to those customers. He stated that the radius would be approximately 8 miles around the antennas for service. He stated that for residents,

it is a hand sized antenna that gets installed on their house. For businesses, it is a bit larger of a dish that is installed. Matt also stated that with their company, there are no contracts which means no cancellation fees if we decide we want to change to a different company. Oppliger stated that Frontier is not investing in their infrastructure and their customer service is not good. Board members agreed. Oppliger stated that by switching, the Village will be saving money on services and will have great customer service and technical support. He stated that the cancellation fees for Frontier would be approximately \$1800. However, Evans reported that the 1800 plus even the 860 for install fees would be paid back within 2 years of service, with the amount we would be saving every month on services. Matt stated that their company allows for 15Mbps as compared to Frontier's 5Mbps for internet speed. When asked if there are any mechanical issues with equipment, Matt stated that ice could be a problem on dishes however, with the new equipment he is getting, it shouldn't be a problem. Evans asked again about the 860 install fee. She asked if they could send the Village a breakdown or itemized cost of that 860. She stated that the Village should know exactly what they are paying for, with an amount like that. Will stated that he would get that to her right away. Matt stated that if approved, he could be here as soon as tomorrow to install the antennas. He stated that the phone changeover would take 2-3 weeks to complete but that we would not ever be without phone service. And, the Village can keep the same phone numbers that they've always had. Matt and Will stated that for letting them install antennas on the water tower, they will be offering the Village free internet services at the office (\$65/mo value). *A motion to close the contract with Frontier 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. A motion to approve new services with Applied Connective with installation of antennas on the water tower was made 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.* Oppliger asked Matt about what he thought of the new bill passed that had to do with Small Cell Ordinance. He stated that from what he read, he understood it as not affecting their services and that it would only pertain to Duncan if we decided to provide internet to the entire town. Young stated that she read and understood that it was to regulate what people can put up for services. Oppliger stated that he would contact the League of Municipalities to inquire about how we structure this new ordinance to our town. Evans stated that the League also gave a few names of technical people who could also help. Oppliger stated that this needs to be passed and that once we have the proper people help us, we will pass the ordinance and most likely add to our Planning & Zoning ordinances. After Reves brought the idea up, Oppliger stated that he believed it would be good to go through JEO on this as well since they help us with our Planning & Zoning ordinances.

New Business:

- A. NCG (Nebraska Cooperative Government) Delegate Appointment** Evans reported that Harry Prosocki is appointed every year and had presented to the office to request being appointed again this year. Dahlberg stated that Prosocki goes to the meetings and lobbies for Duncan with regards to Keno. He also handles the pickle cards in town as well. Dahlberg stated that we would need a delegate if we ever wanted to get Keno back in town again. *A motion to reappoint Harry Prosocki as the NCG delegate for Duncan 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 1% Increase in Restricted Funds** Oppliger stated that this is usually tied into the budget meeting but was requested by Laska to be put on this agenda. Laska presented to the microphone and stated that in order for the Village to stay below the LID, we have to have the 1% increase. The Village has added the increase every year. Laska stated that once the park project is complete, it will help with our cash problem. Laska stated that our accountant suggested doing it because it helps with inflation. And that once you don't do it, you lose it. *A motion to approve the 1% increase in restricted funds was made by Boruch, second—Dahlberg. Vote was as follows: voting aye—Humlicek, Young, Oppliger, Dahlberg and Boruch. Voting nay—none. The Chairman declared the motion carried.*
- C. Community Development Law (TIF)** Evans read part of the letter sent by the League of Municipalities about this law. She stated that the old community development plan is being replaced with this new one. She stated that it is a very thick ordinance. Reves stated again that JEO may be able to help us with this. At least to tailor it to our needs. Evans stated she has never seen this in our office before so she will have to inquire to JEO or the League to find out what we need to do. She stated the Village has not worked with TIF since she has been here. It is mainly for big projects such as tearing down several dilapidated buildings and developing a park or community center or something for the Village. She stated it may not pertain to us at all. Oppliger stated to start with JEO and go to legal if needed. Reves stated that the TIF (tax increment financing) may not be a good thing for us. He stated that if the project takes a long time, that is tying up our money for that long too. Evans stated she would talk to JEO about this.

A motion to close the public hearing 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. Oppliger reads the entire Resolution R19-233. *A motion to waive the first and second reading of the resolution 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.* Young read the entire resolution R19-233. *A motion*

to approve R19-233 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 stated that the street project at the top of the hill is complete and the road is now open again. There were no complaints of the quality. He stated that we could possibly do several small projects like this every year in order to get all of our roads paved in concrete. He stated that we could do a block to 2 blocks at a time depending on how wide they are. He stated that concrete will last longer and would be important to have on the streets that there is high truck traffic on such as Main avenue and the boulevard. He stated that if each project was under \$30k, then we wouldn't have to hire engineering and would save us 15% of the total cost that is charged by engineering. Young liked the idea and stated that the residents would see that we are doing something all the time as well instead of wondering when we are going to fix this or that street. Oppliger stated that we did budget for the hill street project on the upcoming budget. Laska stated that Jill Clay (accountant) had just notified her that in order for us to stay good on our numbers, she had to add \$50k to our streets budget and \$15k to our general. Oppliger stated that this would then allow us to do more in the upcoming budget year. Evans stated that finishing Main Ave. and the boulevard would be the best start. However, Reves stated that the projects do need to be separated in order to not be considered the same project. Each different project needs to be under \$30k to avoid the bidding process and engineering. Reves continued his report by stating that he had Johnson Sewer out like every year, to complete the tv'ing and foaming of sewer pipes in town. He stated that Obrist was out and replaced the two fire hydrants that were on the budget. He stated there are 3 on for the next one. He reported that he inquired about water funds for big projects like what we need in Duncan. He stated he found out there weren't a lot of funds available. He went on to tell the board of the water projects that were recommended years ago by JEO. The board listened and agreed they need to be completed at some point. Reves stated we need to loop the Dahlberg addition around and a few other loops need made in town to help with pressure. He also stated that in putting in the new fire hydrant by the church, he found there is a 300 foot long area of 4 inch pipe. He stated we could possibly make that a project to fix. He stated that to loop the west end of town would cost approximately \$95k. He stated 2021 will be the last new fire hydrants installed. He reported that McGuire Iron is putting a proposal together for repainting the water tower. He stated that it's recommended we clean the tower every 5 years and that it was reported that ours looks great compared to other towns. When asked about the Lehr subdivision project, Reves stated that he is trying to contact Obrist and get the plans. He stated that we are waiting for their engineer to get us the plans to send to DEQ to approve before we can proceed with the work. Reves stated he's been having issues with getting them here etc and will call another guy to see what he can bid. He stated he will try to call Obrist again tomorrow.
- B. Parks & Rec** Reves stated that he priced materials for the concession stand and shed with the blue and white tin roofing from Menards. He stated it was \$1900 total and was added to the upcoming budget. Dahlberg stated that gutters are needed on the concession stand to avoid the water washing dirt all over the concrete. Reves stated he would look into it. All other work for the ballpark is on the budget for 2020. Oppliger stated that we will mostly be buying materials only because we have people to do the work.
- C. Planning & Zoning** Oppliger stated that he was asked to add Ron Stock to the agenda tonight (too late) so that he can request approval to use his water well to spray off equipment. Oppliger stated that his request was too late so that we will put him on the next monthly meeting agenda. Reves stated that Stock never installed a grease trap and has no sewer system set up. So everything he is washing off his equipment will be running into the ground water. He stated that he also hasn't registered his well with the state as far as we know. Reves stated that Todd Paczosa had inquired about putting storage sheds up on his land on the west side of town. He is unsure if he will proceed with the idea. Reves stated he thought it would be a good idea because it would get fenced in and the grass would be mowed etc. Instead of being a vacant lot. When asked how the Bob Dush drainage ditch issue is coming along, Reves stated that he was supposed to be called once Hinze and Dush got together to do the work. He hasn't heard anything from either. He stated that to avoid all of this we could run a tube underground to take the extra water down the hill and away from properties. Oppliger stated to add the drainage ditch to the next monthly meeting to stay up to date on the issue. Evans stated she would add it. Boruch asked Reves about road sealant. Reves stated that he does not have time to do it and he's not sure the machine works properly as he went through a lot of tar for only a half a block. He suggested selling our machine and hiring someone to do it. Evans asked if Saunders could and Reves stated that he could but would need another vehicle to carry the machine and he needs his truck and there is no 4-wheeler or skid loader available to use for the sealer. Reves stated that if we hired out to do the sealant, it could be done in a day.
- D. Clerk Report** no report
- E. Treasurer Report** Laska handed out the monthly recap sheet to every board member and Evans. She stated that we had a sewer bond of \$20k due however, other than that there were no out of the ordinary bills this month. She stated we got the Loup Power rebate for \$35k again. The board looked over the bills and a motion was made to approve the bills 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.

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 and public hearing will be held on **Monday, September 16, 2019 at 7:00 PM**. Being no other business, adjournment was made by Oppliger at 9:05 p.m.