

**VILLAGE OF ELM CREEK
BOARD OF TRUSTEES
SPECIAL MEETING AND PUBLIC HEARING MINUTES
AUGUST 12, 2019, 7:00P.M.**

A Public Hearing and Special Meeting of the Elm Creek Village Board of Trustees was convened in open and public session at the Elm Creek Village Center, 535 W. Boyd Avenue, Elm Creek, Nebraska at 7:00 p.m. on August 12, 2019. Advance Notice was simultaneously given to the Chairman and all members of the Board of Trustees and their acknowledgment of receipt of Notice and the agenda are affixed to these minutes. Chairman Tanner Tool called the meeting to order at 7:00p.m. by calling for the roll with the following members responding: Mike Brown, Kyle Lawrence, Tanner Tool, and Davis Miner. Absent: Cory Halliwell. Tanner announced that the Open Meeting Laws were in the hallway leading to the meeting room for the public's inspection.

PUBLIC HEARING ON THE SUBSTANDARD AND BLIGHT STUDY FOR THE VILLAGE OF ELM CREEK

To hear testimony and public comments on whether CRA Area #1 should be declared Substandard and Blighted

It was moved by Tanner and seconded by Kyle to close the public hearing at 7:12PM. Ayes: Kyle, Tanner, Davis and Mike. Nays: none. The motion carried.

AGENDA ITEM #1: Discussion and recommendation on the proposed Substandard and Blight Study

It was moved by Tanner and seconded by Davis to approve Resolution 2019-21. Ayes: Kyle, Tanner, Davis and Mike. Nays: none. The motion carried.

RESOLUTION NO. 2019-21

A RESOLUTION OF THE CHAIRMAN AND BOARD OF TRUSTEES OF THE VILLAGE OF ELM CREEK, NEBRASKA, DECLARING A CERTAIN AREA OF THE VILLAGE TO BE SUBSTANDARD AND BLIGHTED AND IN NEED OF REDEVELOPMENT PURSUANT TO THE COMMUNITY DEVELOPMENT LAW

WHEREAS, it is necessary, desirable, advisable, and in the best interests of the Village of Elm Creek, Nebraska (the "Village"), for the Village to undertake and carry out redevelopment projects in certain areas of the Village that are determined to be substandard and blighted areas in need of redevelopment; and

WHEREAS, the Community Development Law, Chapter 18, Article 21, Reissue Revised Statutes of Nebraska, as amended (the "Act"), prescribes the requirements and procedures for the planning and implementation of redevelopment projects; and

WHEREAS, Section 18-2109 of the Act requires that, prior to the preparation by the Community Redevelopment Authority of the Village of a redevelopment plan for a redevelopment project, the Chairman and Board of Trustees shall, by resolution adopted after the public hearings required under said section, declare the area to be a substandard and blighted area in need of redevelopment; and

WHEREAS, the Village has received a Blight and Substandard Determination Study by Marvin Planning Consultants (hereinafter the "Study"), determining that certain real estate described in the Study (hereinafter the "Redevelopment Area"), qualify for declaration by the Village as a substandard and blighted area in need of redevelopment. A true and correct copy of the Study is attached hereto as Exhibit A; and

WHEREAS, the Village submitted to the Planning Commission of the Village (the “Planning Commission”) the question of whether the Redevelopment Area is blighted and substandard for purposes of review and recommendation pursuant to Section 18-2109 of the Act; and

WHEREAS, on the Planning Commission held a public hearing, after providing notice as required by the Act, in the Board of Trustees Chambers for the Village of Elm Creek at the Elm Creek Village Hall, Elm Creek, Nebraska, to determine whether the Redevelopment Area should be declared substandard and blighted; and

WHEREAS, the Planning Commission submitted its written recommendation to the Village that the Redevelopment Area meets the definition of substandard and blighted as set forth in the Act and should be declared a substandard and blighted area in need of redevelopment; and

WHEREAS, on August 12, 2019, at 7:00 P.M., the Chairman and Board of Trustees of the Village held a public hearing (the “Public Hearing”) in the Board of Trustees Chambers for the Village of Elm Creek at the Elm Creek Village Hall, Elm Creek, Nebraska, to determine whether the Redevelopment Area should be declared substandard and blighted as required by the Act; and

WHEREAS, notices of the Public Hearing were published and mailed pursuant to Section 18-2115.01 of the Act and contained information on where to find a map of sufficient size to show the Redevelopment Area and where to find copies of the Study, and

WHEREAS, all interested parties were afforded a reasonable opportunity at the Public Hearing to express their views respecting the proposed declaration of the Redevelopment Area as a substandard and blighted area in need of redevelopment.

WHEREAS, the Chairman and Board of Trustees reviewed and discussed the Study and the recommendations received from the Planning Commission; and

WHEREAS, the Chairman and Board of Trustees desire to determine whether the Redevelopment Area is a substandard and blighted area in need of redevelopment in accordance with the Act.

NOW THEREFORE, BE IT RESOLVED BY THE CHAIRMAN AND BOARD OF TRUSTEES OF THE VILLAGE OF ELM CREEK, NEBRASKA AS FOLLOWS:

Section 1. The Redevelopment Area is hereby declared to be a substandard area in need of redevelopment pursuant to the Act, in that conditions now exist in the Redevelopment Area meeting the criteria set forth in Section 18-2103(31) of the Act, as described and set forth in the Study.

Section 2. The Redevelopment Area is hereby further declared to be a blighted area in need of redevelopment pursuant to the Act, in that conditions now exist in the Redevelopment Area meeting the criteria set forth in the Act, including, without limitation, (a) one or more of the factors set forth in Section 18-2103(3)(a) of the Act and (b) at least one of the factors set forth in (i) through (v) of Section 18-2103(3)(b) of the Act, as described and set forth in the Study.

Section 3. The substandard and blighted conditions existing in the Redevelopment Area are beyond remedy and control solely through the regulatory process and the exercise of police power and cannot be dealt with effectively by the ordinary operations of private enterprise without the aids provided by the Act, and the elimination of the substandard and blighted conditions under the authority of the Act is hereby found to be a public purpose and declared to be in the public interest.

Section 4. The Redevelopment Area is in need of redevelopment and is an eligible site for a redevelopment project under the provisions of the Act at the time of the adoption of any redevelopment plan with respect thereto.

Section 5. This Resolution shall be published and shall take effect as provided by law.

DATED: August 12, 2019.

VILLAGE OF ELM CREEK, NEBRASKA

By: _____

Chairman

ATTEST:

By: _____

Clerk

[S E A L]

Exhibit A

[Attach Blight and Substandard Study]

AGENDA ITEM #2: Approve contract with CDS Inspection and Beyond, Inc for Lead-Based Paint Specialized Services for the Owner Occupied Rehabilitation Project

It was moved by Tanner and seconded by Mike to approve the contract with CDS Inspection and Beyond, Inc for Lead-Based Paint Specialized Services for the Owner Occupied Rehabilitation Project. Ayes: Kyle, Tanner, Davis and Mike. Nays: none. The motion carried.

AGENDA ITEM #3: Approve contract with CDS Inspection and Beyond, Inc for Housing Management Services for the Owner Occupied Rehabilitation Project

It was moved by Tanner and seconded by Davis to approve the contract with CDS Inspection and Beyond, Inc for Housing Management Services for the Owner Occupied Rehabilitation Project. Ayes: Kyle, Tanner, Davis and Mike. Nays: none. The motion carried.

AGENDA ITEM #4: Easements

It was moved by Tanner and seconded by Mike to accept the Easements from Stones and Reicherts on the Dollar General project. Ayes: Kyle, Mike, Tanner, and Davis. Nays: none. The motion carried.

AGENDA ITEM #5: Approve budget items on Library remodel

After reviewing the 3 bids: CMH Interiors \$7,766.74 for carpet, install and underlayment; Builders Warehouse \$6,131.72 for carpet, install and underlayment; Bruce Furniture \$5,236.00 for just carpet

and install. It was moved by Tanner and seconded by Kyle to accept the bid from Builders Warehouse in the amount of \$6,131.72 for underlayment, carpet and installation for the Library. Ayes: Kyle, Mike, Tanner, and Davis. Nays: none. The motion carried.

AGENDA ITEM #6: Award bid for Sunrise Street Place Water/Sewer Improvements

It was moved by Tanner and seconded by Mike to award the bid to Midlands Contracting for Sunrise Street Place Water/Sewer Improvements in the amount of \$77,085.50. Ayes: Kyle, Tanner, Davis and Mike. Nays: none. The motion carried.

AGENDA ITEM #7: Approve quote for Leak Detection Services at the Pool

It was moved by Tanner and seconded by Mike to approve the quote from Leak Investigators not to exceed \$5,000.00. Ayes: Kyle, Tanner, Davis and Mike. Nays: none. The motion carried.

AGENDA ITEM #8: Approve cost estimate from Walter's Electric for a meter box and two 220 outlets and conduit to the top of the power pole

It was moved by Kyle and seconded by Tanner to approve cost estimate from Walter's Electric for a meter box and two 220 outlets and conduit to the top of the power pole in the amount of \$1,500.00 to come out of Keno Funds. Ayes: Kyle, Tanner, Davis and Mike. Nays: none. The motion carried.

AGENDA ITEM #9: Create Ad HOC Committee for Administrator Hiring Process and to make a hiring recommendation to the Board

It was moved by Tanner and seconded by Davis to Create Ad HOC Committee for Administrator Hiring Process and to make a hiring recommendation to the Board with no more than 2 members serving on the committee at a given time. Ayes: Kyle, Tanner, Davis and Mike. Nays: none. The motion carried. It was moved by Tanner and seconded by Mike to go into Executive Session at 7:49pm to discuss personnel. Ayes: Kyle, Tanner, Davis and Mike. Nays: none. The motion carried. It was moved by Tanner and seconded by Mike to come out of Executive Session at 7:58pm. Ayes: Kyle, Tanner, Davis and Mike. Nays: none. The motion carried.

AGENDA ITEM #10: Adjournment.

All agenda items having been considered, it was moved by Mike and seconded by Kyle to adjourn this Special Meeting. Ayes: Tanner, Mike, Davis and Kyle. Nays: none. The motion carried and the meeting was adjourned at 7:59pm.

Chairman-Elm Creek Village Board

ATTEST: _____
Village Clerk

(SEAL)