

**VILLAGE OF ELM CREEK
BOARD OF TRUSTEES
REGULAR MEETING MINUTES
NOVEMBER 19, 2020, 7:30 P.M.**

A Regular 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 7:30 p.m. on November 19, 2020. Advance Notice of this meeting was given in advance thereof by posting of Notice in three public places within the Village and publication in the Beacon Observer, as shown in the Certificate of Posting affixed to these minutes. 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. Tanner Tool called the meeting to order at 7:30 p.m. by calling for the roll with the following members responding: Kyle Lawrence, Davis Miner, Tanner Tool, Cory Halliwell and Mike Brown. Absent: none. Tanner announced that in accordance with Section 84-1412 of the Nebraska Revised Statutes, a current copy of the Open Meetings Act is available for review and is posted on the east wall of the meeting room.

CONSENT AGENDA

It was moved by Tanner and seconded by Kyle to approve the Consent Agenda consisting of the Claims for the month of November 2020 in the amount of \$113,059.59 and to approve the minutes to the regular meeting on October 29, 2020. Ayes: Kyle, Davis, Cory, Tanner and Mike. Nays: none. Absent: none. The motion carried.

SHERIFF'S REPORT:

Captain Bob Anderson with the Buffalo County Sheriff's Department doesn't have anything significant to report for the month of October. It was a busy month but nothing significant.

REGULAR AGENDA

AGENDA ITEM #1: DISCUSSION/ACTION RE: Appoint Park Advisory Board

It was moved by Tanner and seconded by Kyle to appoint the following to the Park Advisory Board: Bryce Sadd, Rachel Klein and Blake Hild. Ayes: Kyle, Davis, Mike, Cory and Tanner. Nays: none. Absent: none. The motion carried.

AGENDA ITEM #2: DISCUSSION/ACTION RE: Consider approval of the bid specs for the Veteran's Memorial

Lance Harter with Oak Creek Engineering reported that they are ready to go out for bids. Bid opening set for December 15th. They did add more sidewalk on Tyler Street, the bid specs are in segments so the board could easily remove any piece they decide not to do once bids come in. They would like to see a Memorial Day completion if possible. It was moved by Tanner and seconded by Kyle to approve the bid specs for the Veteran's Memorial. Ayes: Kyle, Davis, Mike, Cory and Tanner. Nays: none. Absent: none. The motion carried.

AGENDA ITEM #3: DISCUSSION/ACTION RE: Discuss preliminary engineering scope of the water meter project

Lance Harter with Oak Creek Engineering led the discussion of the water meter project. He reported to the board that there are some communities locally that do not have water meters, Loomis and Bertrand do not

have water meters as well as several others that were mentioned. Lance reported that with water meters we could see a 40% reduction in usage of water. The board would like Tanner Hemmingsen and Suzanne Brodine pull our water usage reports over the last couple of years. Tanner Tool would also like to see reports from other local communities who have just recently added water meters to see how much their numbers changed. Lance recommended contacting Amherst. No further discussion.

AGENDA ITEM #4: DISCUSSION/ACTION RE: Approve and authorize the signing of the Year-End Certification of City Street Superintendent Form by Resolution

Tanner introduced and read in full Resolution 2020-31. It was then moved by Tanner and seconded by Cory to approve Resolution 2020-31 to approve the signing of the Year-End Certification of City Street Superintendent Form. Ayes: Kyle, Cory, Davis, Tanner and Mike. Nays: none. Absent: none. The motion carried.

AGENDA ITEM #5: DISCUSSION/ACTION RE: Resolution to approve the sale of 2017 trash truck

Tanner read in full Resolution 2020-13.

RESOLUTION 2020-13

BE IT RESOLVED BY THE CHAIRPERSON AND BOARD OF TRUSTEES OF THE VILLAGE OF ELM CREEK, NEBRASKA, that:

SECTION 1. The Village of Elm Creek shall sell the following described personal property to-wit:

- 1. Used 2017 Kenworth T370 chassis with New Way Cobra 20yd rear load body**

SECTION 2. The Village of Elm Creek will accept written bids until 12:00pm on December 4, 2020. Minimum bid of \$75,000.00. Truck will be sold to the highest bidder. In-person inspections may be scheduled for Wednesday, December 2, 2020 by appointment between 8:00 a.m. and 11:00 a.m. Public bid opening will be held at 12:00pm on December 4, 2020, on the grounds of the Elm Creek Village Center at 535 W Boyd Avenue. Terms of the sale are cash. The Village reserves the right to reject any and all bids.

SECTION 3. Notice of the sale will be given by publication once in legal newspaper and by posting a notice thereof in three (3) public places in the Village to-wit: the Village Clerk's Office, Elm Creek Post Office and the Public Library, at least seven (7) days prior to December 4, 2020.

Passed and approved this 19th day of November, 2020.

ATTEST:

Tanner Tool, Chairperson

Village Clerk

(Seal)

It was moved by Tanner and seconded by Davis to approve Resolution 2020-13. Ayes: Kyle, Cory, Davis, Mike, and Tanner. Nays: none. Absent: none. The motion carried.

AGENDA ITEM #6: DISCUSSION/ACTION RE: Replace 2012 Ford F150 Pickup

Suzanne discussed with the board that typically in the past vehicles would be replaced every seven years. The 2012 is a little over that right now and currently has 51633 miles on it as of October 2020. Recommendation to the board would be to replace it with a minimum ¾ ton pickup and plow attachments. Tanner doesn't want a fleet of 1 tons. We have a new one, a tractor, a backhoe and the big plow truck. The rest of the board would like to see how this season is going to go regarding the snow removal and wait and revisit this discussion in May of 2021. No action taken.

AGENDA ITEM #7: DISCUSSION/ACTION RE: Approve purchase of snow plow and attachments & salt spreader

It was moved by Tanner and seconded by Mike to approve the snow plow purchase and installation from Central Hydraulic in the amount of \$7,594.50. Ayes: Kyle, Davis, Cory, Tanner and Mike. Nays: none. Absent: none. The motion carried. It was moved by Tanner and seconded by Mike to approve the purchase of a 2 cubic yard salt spreader of up to \$5,000.00. Ayes: Kyle, Davis, Cory, Tanner and Mike. Nays: none. Absent: none. The motion carried.

AGENDA ITEM #8: DISCUSSION/ACTION RE: Approve fence purchase at old shop

It was moved by Tanner and seconded by Davis to approve a contract with Schumacher Brothers Fencing for the purchase and installation of privacy fencing at the Boyd Avenue Maintenance Yard in the amount of \$9,826.90. Ayes: Kyle, Cory, Davis, Tanner and Mike. Nays: none. Absent: none. The motion carried.

AGENDA ITEM #9: DISCUSSION/ACTION RE: Approve SCEDD Invoice #1110 for general administrative services as part of the Owner Occupied Rehab project

It was moved by Tanner and seconded by Davis to approve SCEDD Invoice #1110 for general administrative services as part of the OOR project in the amount of \$2,475.00. Ayes: Kyle, Davis, Cory, Mike, and Tanner. Nays: none. Absent: none. The motion carried.

AGENDA ITEM #10: DISCUSSION/ACTION RE: Approval of Request for CDBG Funds Drawdown #7

It was moved by Tanner and seconded by Cory to approve the request for CDBG Funds Drawdown #7 in the amount of \$2,475.00 for the OOR project. Ayes: Cory, Kyle, Davis, Mike, and Tanner. Nays: none. Absent: none. The motion carried.

AGENDA ITEM #11: DISCUSSION/ACTION RE: Approve CDS Inspections Invoice #EC OOR-A05 for housing administrative services as part of the Owner Occupied Rehab Project

It was moved by Tanner and seconded by Cory to approve CDS Inspections Invoice #EC OOR-A05 for housing administrative services as part of the Owner Occupied Rehab Project in the amount of \$975.00. Ayes: Kyle, Davis, Mike, Cory, and Tanner. Nays: none. Absent: none. The motion carried.

AGENDA ITEM #12: DISCUSSION/ACTION RE: Approve CDS Inspections Invoice #EC OOR-LBP02 for lead based paint specialized services as part of the Owner Occupied Rehab Project

It was moved by Tanner and seconded by Kyle to approve CDS Inspections Invoice #EC OOR-LBP02 for lead based paint specialized services as part of the Owner Occupied Rehab Project in the amount of \$2,600.00. Ayes: Kyle, Davis, Mike, Cory and Tanner. Nays: none. Absent: none. The motion carried.

AGENDA ITEM #13: DISCUSSION/ACTION RE: Approval of Request for CDBG Funds Drawdown #6

It was moved by Tanner and seconded by Davis to approve the request for CDBG Funds Drawdown #6 in the amount of \$4,600.00. Ayes: Kyle, Davis, Mike, Cory and Tanner. Nays: none. Absent: none. The motion carried.

AGENDA ITEM #14: DISCUSSION/ACTION RE: Consider and approve amendments to the Zoning and Subdivision Regulations

It was moved by Tanner and seconded by Kyle to adopt the following amendments to the Zoning and Subdivision Regulations as recommended by the Planning Commission:

- 1) Residential Setbacks, Section 5.09 (p.76) Keep the side setbacks at eight feet and the front and rear setbacks as the same. Revise setback definition to change from eave to be the outside of exterior wall. And that the eaves no greater than 24 inches.
- 2) Accessory Structures, Section 4.12.13 (p. 59) Revise from 200 square feet to 160 square feet and a minimum setback to three feet from any rear or side yard property line on both. Ayes: Kyle, Davis, Mike, and Tanner. Nays: none. Absent: Cory. The motion carried.

AGENDA ITEM #15: DISCUSSION/ACTION RE: Remove Cory Halliwell from all Village Accounts

It was moved by Tanner and seconded by Mike to remove Cory Halliwell from all Village Accounts. Ayes: Kyle, Davis, Mike, and Tanner. Nays: none. Abstain: Cory. The motion carried.

AGENDA ITEM #16: DISCUSSION/ACTION RE: Add new authorized signers to all Village Accounts

Tabled

DEPARTMENT REPORTS

BUILDING PERMITS- none at this time

EMPLOYEE REPORTS-Suzanne discussed the contract with GD Construction on the sidewalk project on Potter Street along Mike Mitchell's building and the completion date of November 30th. Lance and Suzanne reached out GD Construction and they didn't realize they were under contract. They would not be able to start until late March with a completion by April. Suzanne has a signed contract that was provided to the Village at the Bid Opening date. Suzanne also mentioned the Contract we have with GD Construction regarding the ADA Project here at the Village Center that should have been completed by July but has not been started yet. Another project was the street patching back in 2019 that GD Construction was to do but had not been started so the board ended up getting canceling that project. Her request to the board was if they wanted her or Lance to contact the second lowest bidder on the Sidewalk Project. The board decided this will be discussed at the December Meeting. The board set the December meeting date to December 16th at 7:30pm.

OPEN PUBLIC DISCUSSION – With several members of the public at the meeting, Tanner Tool had the open public discussion at the beginning of the meeting prior to moving along with the regular agenda. Tyler Hillmer, Fire Chief, updated the board members regarding the old Red Top. Larry Gydesen reached out to the fire department about doing a Fire Department training and have them burn down a couple of the structures. The fire department felt the house on the north side of the property was too close to a residents house to the north so they will not burn that one down. They are planning on burning down the structure on the southeast

corner of the property as a training exercise. Deb Reichert was at the meeting and she wants to know what will be done with the railroad crossing. It is very rough and she has helped a gentleman in a wheelchair multiple times when his wheelchair became stuck on the crossing. Suzanne has been in touch with the railroad and she will continue to contact them weekly. The board also recommended that the citizens themselves call the phone number on the railroad building there at the crossing. The more calls they get may prompt them to speed up their process. The railroad crossing belongs to the railroad and unfortunately the village is unable to go and do any repairs on it.

It was moved by Tanner and seconded by Davis to go into Executive Session to discuss land options at 8:38pm. Ayes: Kyle, Davis, Mike, Cory and Tanner. Nays: none. Absent: none. The motion carried. It was moved by Tanner and seconded by Cory to come out of Executive Session at 9:31pm. Ayes: Kyle, Davis, Mike, Cory and Tanner. Nays: none. Absent: none. The motion carried.

AGENDA ITEM #17: Adjournment

All agenda items having been considered, it was moved by Cory and seconded by Mike to adjourn this Regular Meeting. Ayes: Davis, Kyle, Mike, Cory and Tanner. Nays: none. Absent: none. The motion carried and the meeting was adjourned at 9:32p.m.

ATTEST:

Chairman-Elm Creek Village Board

Village Clerk

(SEAL)