

**VILLAGE OF ELM CREEK
BOARD OF TRUSTEES
PUBLIC HEARING MINUTES
JULY 21, 2022, 7:00 P.M.**

A Public Hearing 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 July 21, 2022. 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 public hearing to order at 7:01 p.m. by calling for the roll with the following members responding: Tanner Tool, Mike Brown, Kyle Lawrence, Davis Miner and Michael Strong. Absent: none. Tanner Tool 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.

A motion by Tanner and second by Michael Strong to open the Public Hearing to hear Public comment regarding chickens and fowl inside corporate limits. Ayes: Michael, Tanner, Mike, Davis and Kyle. Nays: none. Absent: none. The motion carried.

In attendance from the public at the Public Hearing were Abby & Chris Erickson who are interested in having at least 15 chickens and a couple ducks. Katie & Tyler Holland and kids who would like to have a flock of 10-12 chickens and ducks. James Poulson who would like to have 12 chickens and a few ducks. Luke & Lauren Ourada who would like to have 15 chickens and a few broilers. Denise Ourada who added she is still undecided but is considering having 3-6 laying hens and in the winter adding a few broilers and ducks. Jake Valentine and Eric Beavers were also present. Ethan & DeAnn TenEyck who would like to have 12 chickens for eggs and meat. Michaela Myers and kids also present at the meeting. Kelly Barnes who is not interested in having chickens but said if the board is considering the allowing of chickens and fowl in town that it needs to be monitored and not let it get out of hand. Katie and Denise put together some proposed guidelines for the board to consider. Some of what was proposed was the resident/property owner would need to make application with the village for a permit to own, keep, harbor or control over fowl on their property. That it would allow them to have no more than 20 fowl. Chickens, ducks, or other fowl weighing up to 5 lbs. No roosters. The facility and run must be in good repair, clean and sanitary. The facility and run must be completely enclosed. The facility shall provide not less than 3 square feet per occupant fowl. The facility would need to be located in the back yard of the residence and must be located at least 20 feet from any neighboring residence. Other guidelines were discussed as well as the benefits to having fowl. With no further discussion a motion by Tanner and second by Davis to close Public Hearing. Ayes: Michael, Tanner, Mike, Davis and Kyle. Nays: none. Absent: none. The motion carried and the hearing was closed at 7:36p.m.

**VILLAGE OF ELM CREEK
BOARD OF TRUSTEES
REGULAR MEETING MINUTES
JULY 21, 2022, 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 7:30p.m. on July 21, 2022. 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 7:43 p.m. by calling for the roll with the following members responding: Tanner Tool, Mike Brown, Kyle Lawrence, Davis Miner and Michael Strong. Absent: none. Tanner Tool 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 Mike Brown to approve the Consent Agenda consisting of the Claims for the month of July 2022 in the amount of \$433,966.06 and to approve the minutes to the Regular Meeting on June 23, 2022. Ayes: Michael, Tanner, Mike, Davis and Kyle. Nays: none. Absent: none. The motion carried.

SHERIFF'S REPORT:

Captain Bob Anderson briefed the board that they have 2 new deputy sheriff's attending training and will be road patrol when done. The Sheriff's Department will be doing and active shooter training at the Elm Creek Public Schools. Tanner Tool mentioned to Captain Bob about the upcoming Buffalo Stampede Events coming up the weekend of August 19th-21st.

REGULAR AGENDA

AGENDA ITEM #1: DISCUSSION/ACTION RE: Consider and direct staff to start the research and process of putting together an ordinance for chickens and fowl

During the Public Hearing the village board members listened to the public comments regarding allowing chickens and fowl in town. They agreed we would need to put some guidelines in place and said that if the vote tonight is a Yes, that it does not mean you can have chickens tomorrow. A yes vote tonight is just moving forward with researching other communities ordinances to put together an ordinance for approval at a later date. It was moved by Tanner and seconded by Mike Brown to direct staff to start the research and process of putting together an ordinance for chickens. Ayes: Mike, Davis and Kyle. Nays: Michael and Tanner. Absent: none. The motion carried.

AGENDA ITEM #2: DISCUSSION/ACTION RE: Consider and approve Rick Bauer request for EC Cruisers Car Show and street closure for Saturday, August 27, 2022

It was moved by Tanner and seconded by Davis to approve Rick Bauer request for EC Cruisers Car Show and street closure for Saturday, August 27, 2022 and the street closures of Potter Avenue from Front Street to Tyler Street and Tyler Street from Potter Avenue to Calkins Avenue from 4pm on August 26, 2022 to 8pm on August 27, 2022. Ayes: Michael, Kyle, Tanner, Davis and Mike. Nays: none. Absent: none. The motion carried.

AGENDA ITEM #3: DISCUSSION/ACTION RE: Consider and approve Invoice #22-137 from Oak Creek Engineering for \$17,200.60 for engineering services on Elm Avenue Paving Improvements

It was moved by Tanner and seconded by Michael to approve Invoice #22-137 from Oak Creek Engineering for \$17,200.60 for engineering services on Elm Avenue Paving Improvements. Ayes: Michael, Davis, Tanner, Mike, and Kyle. Nays: none. Absent: none. The motion carried.

AGENDA ITEM #4: DISCUSSION/ACTION RE: Consider and approve Pay Application #2 to Nielsen Contracting for the Elm Avenue Paving Improvements, CDBG 20-PW-002

It was moved by Tanner and seconded by Michael to approve Pay Application #2 to Nielsen Contracting for the Elm Avenue Paving Improvements, CDBG 20-PW-002 in the amount of \$408,309.30. Ayes: Michael, Davis, Kyle, Tanner and Mike. Nays: none. Absent: none. The motion carried.

AGENDA ITEM #5: DISCUSSION/ACTION RE: Approval of Request for CDBG Funds Drawdown #4 for the Elm Avenue Paving Improvements, CDBG 20-PW-002

It was moved by Tanner and seconded by Davis to approve the request for CDBG Funds Drawdown #4 for the Elm Avenue Paving Improvements, CDBG 20-PW-002 in the amount of \$125,163.59. Ayes: Michael, Davis, Kyle, Tanner and Mike. Nays: none. Absent: none. The motion carried.

AGENDA ITEM #6: DISCUSSION/ACTION RE: Consider and approve Buffalo Stampede Fireworks and Special Event Insurance

It was moved by Tanner and seconded by Kyle to approve Buffalo Stampede Fireworks and Special Event Insurance with Midwest Pyrotechnics LLC in the amount of \$4,000.00 out of KENO Funds. Ayes: Michael, Davis, Kyle, Tanner and Mike. Nays: none. Absent: none. The motion carried.

AGENDA ITEM #7: DISCUSSION/ACTION RE: Consider and approve Keno funds for Buffalo Stampede Kids Games and Rides

It was moved by Tanner and seconded by Michael to approve Keno funds for Buffalo Stampede Kids Games and Rides with RockIT Event Pros in the amount of \$6,019.18. Ayes: Michael, Davis, Kyle, and Mike. Nays: none. Abstain: Tanner. The motion carried.

AGENDA ITEM #8: DISCUSSION/ACTION RE: Buffalo Stampede Discussions

It was moved by Tanner and seconded by Kyle to approve the street closure for BBQ and Kids Games on Tyler Street from south side of Anita Lane to the north side of Oak Avenue from 2PM on Friday, August 19, 2022 to 8PM on Saturday, August 20, 2022. Ayes: Michael, Kyle, Davis, Tanner and Mike. Nays: none. Absent: none. The motion carried.

It was moved by Tanner and seconded by Davis to approve the street closures for the Parade Route on Saturday, August 20, 2022 from 9:30am to 11am on McComb Street from Calkins Avenue to Potter Avenue, and Potter Avenue from McComb Street to Tyler Street and Tyler Street from Potter Avenue to Boyd Avenue. Ayes: Michael, Kyle, Davis, Tanner and Mike. Nays: none. Absent: none. The motion carried. It was moved by Tanner and seconded by Michael to approve the street closure for the Truck Show on Tyler Street from the south side of Calkins Avenue to the north side of Potter Avenue, and Potter Avenue from Tyler Street to Front Street from 8am to 5pm on Saturday, August 20, 2022. Ayes: Michael, Kyle, Davis, Tanner and Mike. Nays: none. Absent: none. The motion carried.

DEPARTMENT REPORTS

CITIZEN COMMENTS – Eric Beavers would like to see an ordinance to allow ATV/UTV in Elm Creek. Jake Valentine would like the board to consider adding some stop signs to a couple intersections in Elm Creek. The intersections of Tyler Street and Calkins Avenue. And also at Church Street and Calkins Avenue.

BUILDING PERMITS – Ag Dryer’s Permit has been approved. There is an approved fence permit for Makenzie Stephens. Logan Brodine has purchased several properties in town and is currently renovating them. On one of the properties they have applied for TIF funding to help defray the cost to renovate the home. Dusty is working with Mike Bacon, our TIF attorney on this project.

EMPLOYEE REPORTS – The board and Dusty discussed the vandalism that has been happening at the park and ballfield restrooms and with the new hoops at the tennis courts, they would like staff to look into adding up to 4 new cameras to monitor those locations so if this continues to happen we can look back at the video surveillance and prosecute the individuals that continue to destroy public property. Anaise and Brock Meier visited with Dusty this week and they are interested in applying for the Business Retention and Improvement Loan that the CDA has to offer for their renovations to the recently purchased FIT Club. Dusty also reported that the 2 generators will be here tomorrow to be installed at the lift stations. One at the South Mill Street and Clark Avenue location and the second will be located at the West Potter Avenue location. The last day for the pool will be August 7th.

AGENDA ITEM #9: Adjournment

All agenda items having been considered, it was moved by Michael Strong and seconded by Mike Brown to adjourn this Regular Meeting. Ayes: Michael, Davis, Mike, Tanner and Kyle. Nays: none. The motion carried and the meeting was adjourned at 8:57p.m.

Chairman-Elm Creek Village Board

ATTEST:

Village Clerk

(SEAL)