

VILLAGE OF CLEARWATER, NEBRASKA MINUTES OF REGULAR MEETING MAY 13, 2024

The Board of Trustees of the Village of Clearwater met for a regular meeting Monday, May 13, 2024 at 7 p.m., in the fire hall meeting room. Meeting opened at 7 p.m. Notice of meeting was given in advance by publication in *Summerland Advocate-Messenger*, was posted at US Post Office in Clearwater, Clearwater Market, and Cornerstone Bank-Clearwater and was given to board members prior to meeting. Public was informed of location of Open Meeting Act poster.

Present: Kelly Kerkman, Cody Kester, Brian King, Jeff Schlecht. Others present: clerk Angie Hupp, maintenance operator Troy Behnke, economic development director Lauren Sheridan-Simonsen, attorney Kyle Petersen, Bobbi Pettit from Five Rule Rural Planning, Dylon Lueking, Dwaine and Deb Trease, Cole and Amy Scott and Bill Thiele. Absent: Marsha Hart.

Motion by Schlecht, seconded by King, to approve minutes from the April 8, 2024 regular meeting. Voting aye: Schlecht, King, Kerkman. Voting nay: none. Absent: Hart, Kester. Kester arrived at 7:02 p.m.

Kerkman stated that he misspoke during discussion of the status of the building at 301 Second St. and that Dwaine Trease asked for the minutes to be amended. Kerkman stated he meant they asked the Village to take the brick, not pay for the demolition. Motion by Kerkman, seconded by King, to amend the March 11, 2024 minutes from “Kerkman told the board that he was approached by Dwaine Trease who stated that after the passing of Bill Gillette, the contractor hired to demolish the building at 301 Second St. increased their bid. Trease asked Kerkman if the Village would be willing to pay for demolition. Sheridan-Simonsen told the board about brownstone grants that are available but are currently only for municipally-owned properties. The board asked Petersen to send a letter asking for a status update and stating that it needs to be removed as the initial deadline for removal was October 2023,” to “Discussion held regarding demolition of 301 Second St. building. The board asked Petersen to send a letter asking for a status update and stating that it needs to be removed as the initial deadline for removal was October 2023.” Trease asked exactly what was being changed and that they wanted the part about them asking the Village for money to be removed. Clerk Angie Hupp told them it had been removed and reread the amendment. Deb Trease stated they never asked for money. Dwaine Trease said when he confronted Kerkman, he denied saying anything about the money at the meeting. Kerkman replied that he doesn’t recall the conversation and was approached by Trease at a Legion fish fry when a lot is going on, and that he can’t keep track of everything at those times. He asked that if there is something they need to address with him in future, to call him privately, not to try to speak to him when he is busy at an event. Deb Trease asked if the attorney was aware there was asbestos in the building and they were at the mercy of the contractor for timing. Kerkman stated he was. Voting aye: Kerkman, King, Schlecht, Kester. Voting nay: none. Absent: Hart.

Board interviewed Dylon Lueking for a summer help position. Lueking was the only applicant this year. He graduated from Elgin Public Schools this May and will be leaving for college at the end of July.

Motion by King, seconded by Kester, to approve hiring Dylon Lueking as summer help at a rate of \$12/hour. Voting aye: King, Kester, Kerkman, Schlecht. Voting nay: none. Absent: Hart.

Discussion held regarding building permit for Joe Funk storage unit addition at 203 Hwy. 275. The board approved the permit last year but it expired before Funks were ready to build. King asked if there was a survey because the lot is very narrow and abuts a field owned by his aunt Joy Knapp. Hupp will ask Funk for a copy of any surveys and a decision was tabled until the June meeting.

Motion by Kester, seconded by Schlecht, to approve Cole and Amy Scott building permit for a steel fence at 209 River Rd. Voting aye: Kester, Schlecht, King, Kerkman. Voting nay: none. Absent: Hart.

Motion by Schlecht, seconded by King, to approve Cole and Amy Scott building permit to widen driveway, including extension of the culvert, at 209 River Rd. King asked whose responsibility it was to pay for a culvert and Kerkman said he believed it was the property owner’s. Cole Scott said they already planned on paying for the culvert. Voting aye: King, Schlecht, Kester, Kerkman. Voting nay: none. Absent: Hart.

Motion by Kerkman, seconded by Kester, to approve Cole and Amy Scott building permit for shop addition at 209 River Rd. Voting aye: Kerkman, Kester, King, Schlecht. Voting nay: none. Absent: Hart.

Discussion held with Bill Thiele regarding electronic Clearwater Cardinals sign along Hwy. 275. Thiele stated Clearwater Market may be interested in moving the sign and using it for advertising. Kerkman asked if Thiele had contacted the State to check right-of-way. He said he had not because he thought it would be on Market property. Hupp told him if it’s on private property, the State has no regulations, however, if it’s on or overhanging the right-of-way, the sign owner needs to register it with the State and follow regulations regarding what can and cannot be on the sign, how long, no flashing, etc. Thiele said he didn’t think it would be an issue. History of the sign was mentioned. The Clearwater Boosters originally purchased the sign and the school ran it. When Clearwater consolidated with Orchard and Ewing to become Summerland, the Village took over. Motion by Kester, seconded by King, to donate the sign to the Clearwater Market if their board wants it and will pay to move the sign. The upper section that has Cardinals can be donated to the historical museum, either in full or just the design slide-ins. Voting aye: Kester, King, Schlecht, Kerkman. Voting nay: none. Absent: Hart. Thiele will discuss with the Market’s board and let the Village know what is decided.

Kerkman submitted the first reading of Ordinance 2024-2 to submit to the registered voters of Village the question of whether to establish a lottery on the 2024 general election ballot. Kerkman explained that Two Bills Steakhouse and possibly The Waterhole are interested in providing Keno to their customers and the decision needs to be voted on by the residents of Clearwater. There is extra paperwork involved in having Keno but it provides money to the community for betterment projects. Second reading of the ordinance will be completed at the June meeting with third and final reading at the July meeting before being voted on by the board and being sent to the county for November 2024 ballot.

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Motion by Schlecht, seconded by Kester, to approve Resolution 2024-2 establishing an expenditure policy for Village employees. Purchases over \$250 need chairperson approval while purchases over \$500 need board approval. Quotes will be required for purchases over \$500 and anything over \$30,000 require public bids as per state statute. Voting aye: Schlecht, Kester, King, Kerkman. Voting nay: none. Absent. Hart.

Discussion held regarding two quotes for GIS hosting services. National company Esri/ArcGIS offers services for \$765/year for one user. Columbus-based company RVW quoted \$4,500 to provide set up, training and services for remainder of 2024 with an \$800 annual fee thereafter. RVW includes access to anyone with a login, local service and an offline map option. These programs will allow Troy Behnke to GPS pin all water and sewer line connections, curbstops, manhole covers, fire hydrants and more. The service is to create the maps and host them through the companies' programs. Motion by Kerkman, seconded by Kester, to approve signing contract with RVW for GIS site hosting and to pay the \$4,500 with ARPA or USDA grant funds. Voting aye: Kerkman, Kester, King, Schlecht. Voting nay: none. Absent. Hart.

Economic development report presented. The Village of Clearwater was awarded the Nebraska Affordable Trust Fund award at the Nebraska Investment Finance Authority conference for the duplex project. The award is displayed at the Clearwater ED office. Eleven Clearwater Summerland seniors received mailboxes for graduation. Lauren Sheridan-Simonsen asked the board if they would like her to cut down on the number of regular board meetings she attends. Sheridan-Simonsen stated that most of the time the Village pays her up to three hours and mileage to summarize the written report. It makes more sense to attend quarterly unless there is an item she needs to be there for. The board agreed that quarterly is sufficient.

Maintenance report presented. Troy Behnke stated that Jason Jacob (Spud) looked at the eroding creek bank by the lagoon and thought the amount of concrete laid there was sufficient. Some of the problem is now on the county's side of the bank. Spud told Behnke he can move more concrete pieces but then it's about \$600 for a side dump load to be hauled in if there's a flood and the Village needs more. Behnke also talked to Spud about grinding and reshaping Clearwater streets like he did in St. Edward. He quoted 20 cents per square foot to grind, shape and relay. Behnke measured three blocks of Nebraska St. and it came out to approximately \$6,000 plus the cost of armor coating. Spud said the Village would have to rent a roller for about \$960/week. Kerkman stated he didn't want to test it on a major street but to try Montana St. from Nebraska St. south to the tree dump entrance. Board asked Behnke to talk more with Spud and they will place it on the June agenda. Kerkman told board the town's dirt roads and some used alleys are rough and the Village doesn't have the equipment to fix them. Kester suggested asking Spud for cost estimate and contract options to hire him to grade the gravel roads and alleys once or twice a year.

Library report presented. Hupp told board she received a draft for the library remodel and Hupp and librarian Kathy Feusse held a zoom meeting with architect Patrick Moore to discuss some changes. Moore told Hupp he approached Steven Thiele about creating a cost estimate for the Village and Thiele was willing to do so. Hupp mentioned she contacted Western Roofing and Guarantee Roofing and both companies will be performing inspections free of charge on the library roof.

Park report presented. Behnke said new doors for bathrooms have arrived. He's waiting for a few parts but will install next week when summer help starts. Baseball games are beginning this week. Only baseball will be in Clearwater. T-ball and softball will be in Orchard and Ewing. Linda Hankla asking if she can plant a tree in the northwest corner of the park where the old concrete building was removed. Behnke stated there are still live water and sewer lines there. Kerkman pointed out there are also power lines above it so the board said a tree couldn't be planted there.

Motion by Kester, seconded by King, to approve Drawdown #7 to pay \$5,000 to Five Rule Rural Planning with \$3,500 in local match funds and \$1,500 in DTR grant funds. Voting aye: Kester, King, Schlecht, Kerkman. Voting nay: none. Absent. Hart.

Bobbi Pettit presented results of the Downtown Revitalization Planning survey and improvement plan. Thirty people participated in the month-long survey. Residents said they wanted to see well-maintained streets, housing, new and expanded businesses, renovation or demolition of old buildings and houses, downtown beautification, infrastructure improvements including ADA accessibility and improved storm drainage and public gathering spaces. Suggested survey options to pay for improvements included increased sales tax, bonds that increase property tax, business and individual donations and grants. Respondents stated they were supportive of grants, donations and possibly a sales tax increase, but would not support a bond or property tax increase. A DTR grant only provides up to \$400,000 with a 10 percent local match. Pettit's improvement cost estimates for Main St. from Hwy. 275 south to Nebraska St. including complete street and sidewalk restructuring and water, sewer and storm sewer improvements would be over \$4 million. Pettit stated that there is no reasonable way to pay for the necessary downtown and street repairs without a bond that would double current property taxes. If the board decides to proceed with the DTR grant for smaller improvements that won't include street, sidewalk, water, sewer or stormwater, NENEDD will need to be contacted immediately to complete the grant before deadline.

Clerk report presented. In Oct. 2022, the board approved sale of a portion of the south end of the park to Jay and Tina Snider to square their property on Montana St. The Sniders have paid for the survey and are ready to proceed with the purchase. Kyle Petersen stated the board will need to pass a resolution with the legal description at the June meeting to approve the sale. Meetings that Hupp has attended in the past month have included a tour of Columbus' new community building, beginning set-up of the new utility billing system and discussion for updating Clearwater's floodplain ordinance. Still waiting on quote for codebook updating from one of the two companies willing to provide services. Based on last year's registrations,

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approximately 18 dogs were not registered by the May 1 deadline. Board told Hupp to send owners a letter giving them until June 1 to register before sending an invoice for a \$50 late fee. Board stated it was okay for the veterans' park board to insert a flyer with utility bills asking for donations and area veterans' names. Hupp told the board about a program through Cornerstone Bank called Positive Pay that scans a list of approved checks from the Village against checks being cleared to help fight against fraudulent and washed checks. Hupp will be setting up the system this month. Hupp registered for finance conference in Lincoln in June. Is also considering conference in October to become a certified grant administrator. Hupp will contact Maria Swanson to assist with interpreting for a family who is behind on utility payments and has not registered their dogs.

Sheridan-Simonsen asked about board's thought on increasing sales tax. Clearwater currently has 1.5 percent sales tax and can increase to 2 percent with a vote from the public. The extra half percent would be set aside for infrastructure improvements. Will be discussed at June meeting with possible resolution to place on November ballot at July meeting.

No sheriff's report presented.

Unfinished business presented. Motion by Kester, seconded by Kerkman, to approve appointing Kala Kruger as new CORE board member to replace Dave Timm. Voting aye: Kester, Kerkman, King, Schlecht. Voting nay: none. Absent: Hart.

No new information regarding possible subdivision on south end of park.

New business presented. June 10 confirmed as next regular meeting date.

No attorney report presented.

Motion by Schlecht, seconded by King, to approve claims and payroll. Claims: \$85,553.69; wages: \$7,831.53. Voting aye: Schlecht, King, Kester, Kerkman. Voting nay: none. Absent: Hart.

General Checking

NENEDD, dues, 670.00; Bob Kester, srv, 53.50; Bomgaars, sup, 35.97; City of Neligh, srv, 4,405.66; Beringer Tax & Accounting, srv, 70.00; Dinkel Implement, sup, 144.46; ERPPD, util, 1,202.19; Clearwater Market, sup, 26.23; Precision IT, srv, 36.00; AKRS Equipment, sup, 895.84; League of Neb. Municipalities, sch, 565.00; Western Oil II, LLC, fuel, 238.51; ColdType Publishing, adv, 252.70; Cornerstone Bank, srv, 35.00; NNTC, util, 158.82; Lengemann & Associates, srv, 17,000.00; Black Hills Energy, util, 282.28; Jarecki Sharp Petersen, lgl, 592.50; Antelope Co. Sheriff, srv, 1,302.25; General Savings, tnfr, 1,842.60; Economic Savings, tnfr, 1,842.60; Neb. Dept. of Revenue, tx, 2,202.29; Capital One, sup, 464.56; EMC Insurance, ins, 9,376.27; Payroll, pay, 6,647.48.

Water/Sewer Checking

Municipal Supply Inc., sup, 106.37; Blackburn Mfg., sup, 184.00; Neb. Public Health Enviro Lab, srv, 730.00; Barco Municipal Products, sup, 356.00; ERPPD, util, 823.88; One Call Concepts, srv, 3.20; US Post Office, sup, 136.00; Bud's Sanitary Service, srv, 3,442.00; Neb. Dept. of Revenue, tx, 576.73; Capital One, srv, 77.75; Water/Sewer Savings, tnfr, 3,000.00.

Economic Checking

Holt Co. Economic Development, sup, 167.75.

Fire Checking

Antelope Memorial Hospital, sup, 3.04; Quick Med Claims, srv, 486.16; Auto Glass Solutions, rpr, 280.00; Stryker Sales, sup, 23,958.39.

Library Checking

Eakes Office Solutions, sup, 2,200.00; US Post Office, sup, 68.00; Capital One, sup, 219.72; Payroll, pay, 1,184.05.

Grant Checking

Five Rule Rural Planning, srv, 5,000.00.

Credit Card

US Post Office, srv, 77.75; Amazon, sup, 76.72; Libib, sub, 74.25; Walmart, sup, 66.88; Dollar Tree, sup, 25.41; Hobby Lobby, sup, 11.97; Intuit QuickBooks, sup, 429.05.

Motion by Kerkman, seconded by Kester, to approve adjourning meeting. Voting aye: Kerkman, Kester, King, Schlecht. Voting nay: none. Absent: Hart. Meeting adjourned at 8:56 p.m.

Chairperson Kelly Kerkman

Clerk Angie Hupp