

VILLAGE OF CLEARWATER, NEBRASKA MINUTES OF REGULAR MEETING AUGUST 12, 2024

The Board of Trustees of the Village of Clearwater met for a regular meeting Monday, August 12, 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, Marsha Hart, Cody Kester, Jeff Schlecht. Brian King arrived at 7:02 p.m. Others present: clerk Angie Hupp, maintenance operator Troy Behnke, attorney Kyle Petersen, engineer John Zwingman, Tina Snider and Joe Funk.

Motion by Hart, seconded by Kester, to approve minutes of the July 15 regular meeting as presented. Voting aye: Hart, Kester, Schlecht, Kerkman, King. Voting nay: none.

Motion by Kester, seconded by Schlecht, to approve minutes of the Aug. 7 budget workshop as presented. Voting aye: Kester, Schlecht, Kerkman, Hart, King. Voting nay: none.

Motion by Kerkman, seconded by Hart, to approve minutes of the Aug. 7 special meeting as presented. Voting aye: Kerkman, Hart, Kester, King, Schlecht. Voting nay: none.

Motion by Hart, seconded by Schlecht, to approve treasurer's report as presented and to place on file. Voting aye: Hart, Schlecht, Kerkman, Kester, King. Voting nay: none.

Discussion began with Tina Snider regarding purchase of some land by the park. Snider mentioned they originally told the board they were interested in just squaring up the lot they already owned but they didn't want to leave a small section of unusable land so would be willing to buy back to the village's property line. She also said the surveyor wasn't sure where to measure so he did all of it. More discussion was tabled until the engineer arrived as Snider wanted to hear about the subdivision.

Motion by Hart, seconded by Kester, to approve building permit for Aaron Parks storage shed at 508 Nebraska St. Voting aye: Hart, Kester, King, Schlecht, Kerkman. Voting nay: none.

Motion by Schlecht, seconded by Kerkman, to approve three-year contract with Antelope County for Mutual Finance Organization (MFO) funds to be used by fire department's EMS division for ambulance supplies. Voting aye: Schlecht, Kerkman, Hart, Kester, King. Voting nay: none.

Economic development report presented. Lauren Sheridan-Simonsen will be out of the office from Aug. 5-26.

Motion by Hart, seconded by King, to approve a Resolution of Support to apply as a Leadership Certified Community. Voting aye: Hart, King, Schlecht, Kerkman, Kester. Voting nay: none.

Motion by King, seconded by Kerkman, to approve appointing Theresa Schlecht as library board member. Voting aye: King, Kerkman, Hart, Kester, Schlecht. Voting nay: none.

No park or grant reports presented.

Clerk report presented. A member of the veteran's park committee asked if the village would pay for weed spraying the grassy area behind the memorial. Behnke will try to catch the company in town and ask them to spray it as the contracted area has already been selected. The board is willing to add it to next year's area. Weather permitting, Topkote will be armor coating streets in town the end of the month. Clerk Hupp spoke with Summerland School teacher Mike Odell regarding having his construction class build a shed for the lagoon. He said he was interested as long as it's a size that can be built at the school. Kerkman suggested a 12 ft. x 20 ft. steel frame shed with overhead door like Odell's class built at Clearwater School in the past.

Discussion held with Joe Funk regarding moving billboard on west side of 203 Hwy. 275 lot to east side. Funk stated he walked the area with Brian King, whose aunt owns the adjacent field. Funk will be tearing out the concrete and east side storage doors and believes that will create enough room to set the billboard without crowding the driveway into the field. Hupp will write letter for board to sign showing approval to NDOT.

Motion by Kester, seconded by King, to allow Joe Funk of LJM Enterprises, to move billboard located on west side of storage units at 203 Hwy. 275 to east side, after approval from NDOT. Voting aye: Kester, King, Schlecht, Kerkman, Hart. Voting nay: none.

Sheriff's report presented. Kerkman stated that earlier in the evening, several board members, volunteers and Sheriff Moore and a deputy, helped clean nuisance violations at 307 Montana St. The sheriff and several volunteers stayed to finish when others had to leave for the board meeting.

No unfinished business presented.

Motion by Hart, seconded by King, to approve claims and payroll. Claims: \$36,115.93; payroll: \$7,915.90. Voting aye: Hart, King, Schlecht, Kerkman, Kester. Voting nay: none.

General Checking

City of Neligh, srv, 4,446.90; Bomgaars, sup, 24.99; Miller & Associates, srv, 455.30; Bearinger Tax & Accounting, srv, 70.00; League of Neb. Municipalities, dues, 743.00; ERPPD, util, 1,341.93; Neb. Municipal Clerks Association, dues, 50.00; NNTC, util, 162.89; Precision IT, srv, 36.00; ColdType Publishing, adv, 316.50; Rueter's, rpr, 1,640.50; Western Oil II, LLC, fuel, 391.89; Black Hills Energy, util, 92.30; Jarecki Sharp Petersen, lgl, 300.00; Antelope Co. Sheriff, srv, 1,302.25; General Savings, tnfr, 2,028.26; Economic Savings, tnfr, 2,028.26; Clearwater Market, sup, 37.72; Neb. Dept. of Revenue, tx, 2,549.92; Capital One, sup, 270.98; EMC Insurance, ins, 4,646.50; Payroll, pay, 6,959.41.

Water/Sewer Checking

Neb. Public Health Enviro Lab, srv, 15.00; One Call Concepts, srv, 5.98; ERPPD, util, 825.42; Municipal Supply Inc., sup, 3,800.63; League of Neb. Municipalities – Utilities, dues, 378.00; Bud's Sanitary Service,

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srv, 3,442.00; US Post Office, sup, 146.00; Kane Fry, srv, 550.00; Neb. Dept. of Revenue, tx, 582.51; Capital One, srv, 66.20; Water/Sewer Savings, tnfr, 3,000.00.

Fire Checking

Neligh Auto & Machine, sup, 18.99; Orval's Auto Service, srv, 140.50; Quick Med Claims, srv, 94.61.

Library Checking

ColdType Publishing, adv, 114.00; Payroll, pay, 956.49.

Credit Card

US Post Office, srv, 66.20; Hi-Way Mart, fuel, 38.34; Amazon, sup, 232.64.

No attorney report presented.

New business discussed.

Discussion held regarding creating an ordinance allowing village board to transfer water and utility income surplus funds to general fund if needed. Kyle Petersen will create ordinance for September meeting.

Confirmed regular meeting date of Sept. 9. Time will be immediately following budget and tax request hearings.

Set budget and tax request hearings for Sept. 9 beginning at 6:45 p.m.

Discussion held regarding updating delinquent utility bill policy. Kester suggested clerk make phone call to landlord every time tenant receives a late fee. If tenant misses second month and receives disconnect notice, landlord to be notified by certified mail. Hart suggested having policy of only billing landlord and making it their responsibility to add to rent but board decided against including that in policy. Board stated if water is turned off for nonpayment the full bill plus \$25 reconnect fee must be paid in full before turned back on. Hart asked if board wanted to add disconnect fee of \$25 too but board decided to leave fees as is. Hupp stated that she has been told the village is legally required to allow payment plans for those who ask due to financial hardship. Hart asked Petersen if policy can allow payment plans but require bill paid in full before next billing date. Petersen stated he would read rules before creating an ordinance for the September meeting.

Maintenance report presented. Troy Behnke asked for board input regarding which street blocks to armor coat this year. Board suggested one block on east end of Nebraska St., the curve headed out of town on west end of Nebraska St., N. Main St. from Hwy. 275 to Frenchtown Rd. and N. Nevada St. blocks where eater leaks were repaired last year.

Behnke stated village should stop armor coating after this year and work on tearing up and fixing roads for a few years. Streets to be ground up and resurfaced could include Montana St. from Nebraska St. south to the tree dump and First St. from Automated Dairy to Main St. The road to the lagoon needs to be graded and graveled. Behnke stated JJ Bolling will grade it next time he has equipment at his house. Streets to consider paving or cementing include Nevada and Montana streets from First St. to Nebraska St. and First St. from Automated Dairy to Main St. Behnke said engineer John Zwingman suggested laying fabric under streets or using concrete to slow deterioration due to water levels, but both options are more expensive.

Hart stated she would attend Aug. 13 county commissioners' meeting and ask about paving River Rd. north of highway and Nebraska St. east of River Rd. as village has been requesting for several years. New road boss has told her he doesn't have any notes regarding that request. At past meetings where it's been discussed Kester and Hart said they remembered the county told them it wasn't in the budget last fiscal year but they could budget to cover labor and machine use if Clearwater provided materials for River Rd. and county would pave Nebraska St. because they weren't supposed to tear it up.

Discussion held regarding discovery that south end of park, including tree dump and Snider's shop, are not in village limits. Hupp suggested annexing those lots as well as a section on the west side of town that is part of another lot already. Petersen explained that board would pass resolution expressing interest in annexing, planning commission will hold hearing, then board has three readings of ordinance to annex said areas. Board asked to move forward with process so resolution will be passed at September meeting.

Board recessed at 8 p.m. until engineer John Zwingman arrived. Meeting resumed at approximately 8:10 p.m.

Discussion held with John Zwingman of Advanced Consulting Engineering Services regarding two options he designed as possible subdivisions using land on south end of park. Option 1 included two dead-end streets off Montana St. with 12 lots, land behind Snider's existing lot for their purchase if wanted, and water retention ponds to slow water drainage toward Nebraska St. in two phases. Option 2 included a U-shaped street around Snider's existing lot, with 11 lots and water retention ponds in one phase. Cost estimate for Option 1 was \$825,138 and estimate for Option 2 was \$829,842. Zwingman stated there are a million ways to design it but thought these were the most viable options. Zwingman said ground would have to be built up approximately two feet but he didn't believe a lift station would be needed for the sewer. Zwingman also stated Clearwater's comprehensive plan requires 35 ft. wide streets and he feels that's excessive. Even larger cities in the area don't have that wide of streets in residential areas. He suggested changing the requirement to 31-33 ft. wide. He also said if a couple of lots were made a little larger, townhouses could be built. Zwingman said several large grants are available. To lower costs, could make street(s) gravel at the beginning and have sale contracts state that once a percentage of subdivision is developed, owners assessed costs to pave. Kerkman stated he'd like to get public opinion and see how they feel about removing the small baseball field, giving up village-owned land and which subdivision is preferred.

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Discussion went back to Snider's interest in purchasing more land in the area subdivision could go. Snider stated she's willing to wait and see what happens with a subdivision because she'd like to see town grow and it might change what land they purchase.

Board set one- and six-year street plan hearing for Sept. 9 during the regular meeting. Hearing will be held at approximately 7:30 p.m.

Motion by King, seconded by Hart, to adjourn meeting. Voting aye: King, Hart, Kerkman, Schlecht, Kester. Voting nay: none. Meeting adjourned at 8:43 p.m.

Chairperson Kelly Kerkman

Clerk Angie Hupp