

**Village Of Manley
Board of Trustees Regular Meeting
February 13, 2020**

The Regular Meeting of the Village of Manley Board of Trustees was called to order on February 13, 2020 by Chairman Denise Swenson at 7:03 PM at the Manley Community Center. Roll call was taken and members present were Denise Swenson, Mickey Dalton, Tim Glas, and Rebecca Goble, along with Village Clerk Jolene Dalton, Winter Streets Maintenance Supervisor Adam Goble and UNL-Rural Community Prosperity Initiative representative Rex Nelson. Board member Adam Zierott will be late. A copy of the Open Meeting Act is posted in the meeting room for review. The Code of Conduct for Municipalities was read by Chairman DSwenson. Notice of this meeting was posted on the Village website and in the bulletin boards on the Fire House & Post Office.

Agenda After a request to pull the Minutes, TGlas moved & MDalton seconded to approve the amended Agenda. Roll call vote: All approved. Motion carried.

Consent Agenda items approved:

***January 2020 Treasurer's Report**

***January 2020 Village Clerk's Report** - After consulting with Carl Reichart from Cass County Tourism and the Manley Village Board, asked that the CC Tourism Committee close out our 2019 Capital Improvement Grant for the Picnic Shelter and resubmitted a 2020 Cass County Tourism Capital Improvement Grant "Intent to Apply" application for a "Manley Park Improvements" Project that includes the Picnic Shelter & Playground; Sent an email out to the NE Clerks regarding the wooden playground - \$500.00 plus they would have to come & disassemble. Two Villages replied that they are interested; Ordered the USA & NE flags that we wanted and they have since arrived; Registered 7 animals this month. THANK YOU to Jack Faubion who once again has stamped the year on all our animal tags; Submitted our "Tobacco Licensure 2020" letter & list to the DHHS Division of Behavioral Health as required; Talked with Tim Rohwer from the *Plattsmouth Journal* about the progress the Village has made this past year (VPL, bldg paid off, picnic shelter, playground). I sent him some pictures & the following week, there was a nice article in the paper entitled "Residents proud of the progress Manley has made" with two pictures.

***January 2020 Misc Monthly Reports -**

Water Specialist - Jack Faubion

The results of the water sample for the month of January had no violations.

Wastewater Specialist - Ed Blunt

1/16 & 1/30 - #2 pump still not working in auto; Cell #2 and 3 frozen over

Christmas lights & decorations were taken down on 1/12/2020 by M&J Dalton, A&R Goble. They were stored in the furnace room & basement west storage room

With the help of Mickey Dalton & Adam Goble, the Village of Palmyra picked up the Canon **copy machine** on 1/16/20.

***January 9, 2020 Minutes-** After questions were clarified regarding the minutes, TGlas moved & RGoble seconded to approve the Minutes. Roll call vote: All approved. Motion carried.

Remaining Reports

***Claims** - Black Hills Energy for CommCtr-\$167.99 & Fire House-\$105.66; DHHS for water testing-\$15.00; OPPD for CommCtr-\$89.13, Fire House-\$137.42, Sewer-\$54.08, Water-\$35.51 & Street Lights-\$270.68; RWD #3 for water-\$804.70; Windstream for CommCtr-\$95.84 and Fire House-\$98.73; WireBuilt for website maint-\$50.00; Manley Hwy Acct for matching trsf from Sewer Acct-\$161.00 & Water Acct-\$161.00; JFaubion for Feb water wages & postage-\$126.75; EBlunt for Jan wastewater specialist-\$175.00; Miracle Recreation for new playground-\$21,898.00; Keep Cass County Beautiful for 2020 Gold membership-\$100.00; Southeast Area Clerks Association for 2020 dues-\$10.00; Ball Insurance Services for Workman's Comp premium change after audit-\$1.00; Dave Ortlieb for rock & hauling-\$189.13; Meeske Auto Parts for truck spreader battery-\$104.80; Pankonin's for tractor heater-\$133.90; M&N Investments for snowplow fuel-\$94.48; JDalton for 60 hr Jan Village Clerk wages-\$689.05; JDalton for postage, prepaid postcards, USA & NE flags and anti-virus renewal-\$153.45; RGoble for storage totes for Chr decorations-\$58.24; and Adam Goble for Jan snow plowing & spreading rock-15-1/2 hr-\$232.50.

MDalton moved & TGlaser seconded to approve the Claims with the exception of the last four (4). Roll call vote: All approved. Motion carried.

RGoble moved & TGlaser seconded to approve the 2 Claims for the Daltons. Roll call vote: DSwenson-yes, MDalton-abstain, TGlaser-yes, RGoble-yes. Motion carried.

TGlaser moved & MDalton seconded to approve the 2 Claims for the Gobles. Roll call vote: DSwenson-yes, MDalton-yes, TGlaser-yes, RGoble- abstain. Motion carried.

*January 2020 **Water Clerk's Report** – With one edit, the Board approved the letter that will be delivered with the new water/sewer books in March. MDalton moved & TGlaser seconded to accept the Water Clerk's Report. Roll call vote: All approved. Motion carried.

(Resident James Struthers joined the meeting.)

UNL-Rural Community Prosperity Initiative – Rex Nelson thanked the Board for the survey they filled out a couple of weeks ago to help him get a feeling for the Board's thoughts on the Village. He explained that his role with the Initiative is to help communities achieve their goals. He can tap into a lot of resources at UNL. Prior to the meeting, he was given a tour of our Village by DSwenson and M&J Dalton. He was impressed with our Village & said our community has a lot of things working well. (Board member Adam Zierott joined the meeting.) He asked what the Board was most proud of and "Pillage the Village, our Community Center & Park and the Village Board" were replies given. He asked what our future goals/projects were and "Picnic Shelter, new Playground, work on streets, water/sewer infrastructure update, and Ballfield renovation" were replies given. He recommended that taking care of vacant properties be a priority for the Village. He challenged the Board to consider what our community wants to be like. Engaging more residents in activities was discussed and he reminded the Board to celebrate those who do get involved. He said the Board can contact him at any time for further help.

(Rex Nelson was then excused from the meeting.)

Unfinished Business

Zoning – Having been sent a certified letter about the fence & no permit obtained for work at 209 Broadway, James Struthers addressed the Board. After discussion, it was agreed between the Board & Mr. Struthers that a building permit has to be obtained, his west fence line will be moved in the spring, and applicable fines can be worked off by helping with Village projects. The Board will further discuss & then put in writing the amount of the fines and what it will take to work them off.

(James Struthers was then excused from the meeting.)

Building Permit – After discussion, TGlaser moved & RGoble seconded that the Board affirm the building permit granted by our temporary Zoning Administrator, MDalton, to Steve & Denise Swenson at 214 Cherry for a handicap ramp. Roll call vote: DSwenson-abstain, MDalton-yes, TGlaser-yes, RGoble- yes, AZierott-yes. Motion carried.

Annexation Project – DSwenson was not able to talk with OPPD regarding the Board's street light questions because of a major family medical emergency. She will try to contact them this month.

Regarding the street work, the Board agreed that Sunrise Court is their first priority. Because of its condition, it cannot be chip sealed. MDalton said he has a bid for that work from NL Driveway Maintenance but will need to get a couple more bids.

Open Village Positions –

JDalton talked with our website manager, Irina Harrington, about the Website Editor duties. DSwenson will talk further with Irina on details about the position.

A good job description is needed for the Zoning Administrator. The Board will work on compiling their thoughts on the position.

There are two open positions on the Planning Commission. The Board was challenged to consider Village residents who could be approached regarding serving on the Commission.

Nuisance Violations – After discussing the current situation at 105 Locust Street, DSwenson will again call the owner to discuss how any progress can be made. The vehicles & couch at 106 Broadway were discussed & need to be addressed again.

Neglected Buildings Update – MDalton gave a report on the 2018 International Property Maintenance Code (IPMC) book and recommended the Board adopt the entire book. TGlas volunteered to draft an Ordinance to adopt the book and a Public Hearing will be called at next month’s meeting to approve the Ordinance.

Picnic Shelter – Needing to start working on ideas, DSwenson will contact the former resident who is willing to work with the Board on a mural on the gable ends and discuss it further with her. MDalton reported the concrete work will be done as soon as weather allows.

Playground – The playground has arrived. THANK YOU to Randy Abbott, MDalton, Russ Grey, and Alan Wiles who helped unload the pieces into the Maintenance Building.

JDalton received replies from two Villages that are interested in the old wooden playground. The Village of Panama was the first to reply so she will work with them on removal details. If that Village decides it will not work for them, she will work with the Village of Craig, who was the second responder. The Board decided to ask the Village of Panama to donate \$500 to our Village, sign a hold harmless document, and “give” the playground to them. TGlas volunteered to find a sample hold harmless document.

Sewer Maintenance – MDalton was not able to get down to talk to Louisville’s City Clerk about getting our lines flushed ASAP. He will get on it this month and, if they are unable, get a couple of other bids for the work.

Sales Tax Resolution 20-01 –

A RESOLUTION OF THE VILLAGE OF MANLEY, CASS COUNTY, NEBRASKA, PLACING A BALLOT QUESTION TO APPROVE A LOCAL OPTION MUNICIPAL SALES AND USE TAX OF ONE HALF PERCENT (1/2%) BEFORE THE VOTERS OF THE VILLAGE OF MANLEY AT THE GENERAL ELECTION, NOVEMBER 3, 2020.

Whereas, Nebraska Revised Statutes Section 77-27, 142.02 provides that any incorporated municipality is authorized to impose a local option sales and use tax of up to one and one-half percent (1 ½ %) after an election including the sales and use tax issue is held and if the said sales and use tax issue is approved by a majority of votes received; and

Whereas, a local option municipal sales and use tax would shift some of the burden of financing the Village of Manley from the real estate tax to the sales and use tax of personal property; and

Whereas, the Village of Manley, Board of Trustees are strongly committed to providing for community infrastructure of streets, roads, water and sewer improvements which would be funded by a local option sales and use tax; and

Whereas, the Village of Manley, Board of Trustees believes that the issue of changing the terms of such authorized sales and use tax should be submitted to the voters at the Nebraska General Election for consideration of increasing the sales and use tax to one half percent (1/2 %) to pay specifically for capital improvement projects including construction, lease, purchase, renovation and/or maintenance of municipal roads, utilities and infrastructure within the Village of Manley, NE.

It is hereby resolved by the Village of Manley Board of Trustees that the question of establishing a local option sales and use tax shall be placed before the voters of the Village of Manley at the State General Election to be held on November 3, 2020 and that the question will be deemed submitted by sending a certified copy of this Resolution proposing the sales and use tax to the County Clerk of Cass County, Nebraska, not later than September 1, 2020; and published in the Plattsmouth Journal and that the question to be placed upon the ballot shall be the following:

“Shall the Board of Trustees of the Village of Manley, Cass County, Nebraska impose a local option sales and use tax in the amount of one half percent (1/2 %) within the Village of Manley, Cass County, Nebraska, upon the same transactions on which the State of Nebraska is authorized to impose a tax, devoting the funds to the infrastructure of the Village of Manley, Cass County, Nebraska to include roads, streets, sewer and water improvements.

() YES (For the Sales and Use Tax)

() NO (Against the Sales and Use Tax)

The Clerk of the Village of Manley is hereby instructed to certify a copy of this Resolution containing the proposition to the County Election Commissioner on or before September 1, 2020 and the Election Commissioner is requested to submit the proposition at the State General Election on November 3, 2020 as provided by law.

The Clerk of the Village of Manley is hereby instructed to publish and give notice of the submission of the question of imposing a sales and use tax as described above not more than 30 days after the Resolution is passed, nor less than 10 days prior to the General Election by publication one time in one or more newspapers that generally circulate in the Village of Manley and shall be in addition to any other general notice required under State Law.

The Election Commissioner shall prepare, count, supervise, safeguard, certify and publish the ballots and election results of this General Election according to law.

After discussion, MDalton moved & TGlas seconded to accept Resolution 20-01 that will place a question on the Manley General Election ballot in November to approve a local option sales & use tax of ½%. Roll call vote: All approved. Motion carried.

New Business

PTV meeting – was scheduled for Wed, February 19th at 7:00 PM. JDalton will send out an email blast & post notice at the Post Office.

The Spring Spur CleanUp was scheduled for Saturday, May 2nd at 9:00 PM. JDalton will contact Linda Behrns, Keep Cass County Beautiful, for supplies.

The annual Village CleanUp was scheduled for Saturday, June 6th. JDalton will contact Papillion Sanitation to schedule.

Internet Provider – The Village Office lost internet service for about a week this past month. Windstream came & switched out the modem. Because of this problem, Future Tech was contacted & asked to bid a price for our service. Since we bundle our phone & internet with Windstream, it is less expensive to stay with Windstream, so the Board agreed that no change be made at this time.

Public Forum

JDalton reported that she already has five rentals for the Community Center this spring/summer and a couple were questioning when the Picnic Shelter would be finished and how many picnic tables it would have. The Board would like to have a promotion for people who would like to buy a picnic table with their name on it. MDalton said he could get a heavy duty 8' table made for ~\$200.00.

Adjournment TGlas moved & RGoble seconded to adjourn the meeting at 9:45 PM. Roll call vote: All approved. Motion carried.

Jolene Dalton
Village Clerk

Date of Approval

*Copies of the minutes and reports are on file at the Manley Village Office and are available for review upon request. Minutes of the meeting can also be viewed at www.manleyne.com.

*In accordance with Federal law and U.S. Department of Agriculture policy, this institution is prohibited from discriminating on the basis of race, color, national origin, sex, religion, age, disability, marital or familiar status. (Not all prohibited bases apply to all programs.)