

**Village Of Manley
Board of Trustees Regular Meeting
September 10, 2020**

The Regular Meeting of the Village of Manley Board of Trustees was called to order on September 10, 2020 by Chairman Denise Swenson at 7:02 PM. Roll call was taken and members present were Denise Swenson, Mickey Dalton, Tim Glas, Rebecca Goble, and Adam Zierott (via Zoom) along with Village Clerk Jolene Dalton, Streets Maintenance Supervisor Adam Goble & Village CPA Steve Rishel. 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 MDalton moved & RGoble seconded to approve the Agenda. Roll call vote: All approved. Motion carried.

Consent Agenda items approved:

*August 13, 2020 Regular & August 30, 2020 Emergency Meeting **Minutes**

*August 2020 **Correspondence** (none)

*August 2020 **Water Clerk's Report**

*August 2020 **Treasurer's Report**

*August 2020 **Village Clerk's Report** - Registered one new dog the past month; Sent August meeting minutes & Sept agenda to Betty Meyer as requested in an email from her. In my reply to her, I again requested the bulletin board key still checked out to her & possibly the 2010 Special Meeting Board minutes. She replied back that she gave the key to Leonard Stohlmann, Secretary of the Planning Commission (at the time). I emailed Leonard Stohlmann regarding the key. No reply to date; Placed notice of Ordinance 20-03 for rezoning the Vogler property and notice regarding Public Hearing next month on the 1 & 6 Yr Road Plan in the *Plattsmouth Journal*; Received NE Liquor License Renewal Request form from the state & forwarded it to Tom Sorensen/Manley HideAway Bar.

*August 2020 **Misc Monthly Reports** –

Water Specialist - Jack Faubion

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

Wastewater Specialist – Ed Blunt

8/18 & 8/31 – Checked the lagoons. Pump #1 & 2 are working in auto. Large amount of duckweed. The invention of Mickey's is working very well to keep the duckweed out of the lift station.

Water Meters – Mickey Dalton & Adam Goble - Progressing as time allows. 5 meters replaced this past month.

811 Digger Calls - Received 3 locate requests this month. One required marking.

Street Work – Mickey Dalton - Asphalt work on Sunrise Court, North Elm & cracks throughout the Village were completed the week of August 24th by Asphalt Specialists. They also laid a set of speed humps on North & South Streets. Temporary signs & yellow stripes on the humps have been installed. After an emergency Board meeting, Main Street was chip sealed by Asphalt Specialists as a test to see if the Board wants to do the rest of the asphalt streets that way.

Adam Goble repaired the black top by the Coop on Manley Lane.

Picnic Shelter – As time permits, MDalton is continuing to paint. The Board needs to decide on the paint color for the columns; DSwenson is working with James Struthers to get the sidewalk connection laid; Jessie Woolhiser Stallings has said the only cost for the murals would be the paint & a stipend of \$150.00 to pay for her gas. She would like to get volunteers from our area to help her.

New Playground – Sand from the area has been removed. Dan from Eric Crouch Recreation will help with the playground layout.

Lagoon Repair Work – Mickey Dalton – Built up the bank on Lagoon 3 with pieces of broken cement.

Street signs – Mickey Dalton - Generic speed hump signs ordered & should be arriving soon. Specific street signs are on order.

P.A. System – Adam Goble – Picked up Peavey P.A. System from Verna Evans & put it in the Community Center lower level. It will need to be cleaned up & plans developed for its storage & use.

Community Center - Mickey Dalton replaced the broken flapper valve on the boys' toilet.

Remaining Reports

***Claims** – Black Hills Energy for CommCtr-\$20.11 & Fire House-\$20.11; DHHS for water testing-\$15.00; OPPD for CommCtr-\$115.17, Fire House-\$64.98, Sewer-\$43.13, Water-\$33.00 & Street Lights-\$270.01; RWD #3 for water-\$1,155.00; Windstream for CommCtr-\$96.50 and Fire House-\$99.38; WireBuilt for website maint-\$50.00; Manley Hwy Acct for matching trsf from Sewer Acct-\$161.00 & Water Acct-\$161.00; JFaubion for Sept water wages & postage-\$126.75; EBlunt for Aug wastewater specialist-\$175.00; Verna Evans for P.A. System-\$400.00; NE Municipal Clerk's Assoc for annual dues-\$20.00; Plattsmouth Journal/Lee Enterprises for budget hearing & rezoning hearing notices-\$91.90; Mowen Owen for Aug mowing-\$420.00; Rishel & Pfeifer for budget preparation-\$650.00; Asphalt Specialists for laying asphalt, crack sealing & chip sealing - \$12,000.00 deposit & \$35,500.00 balance; Plattsmouth Journal/Lee Enterprises for 1&6 Yr Street Plan public hearing notice-\$7.16; Meeske Hardware for yellow striping paint & striper-\$41.97; Todd Valley Plumbing & Heating for labor & materials to check & replace lagoon electrical system-\$1,558.71; Meeske Auto Parts for antifreeze for tractor-\$17.00; M&N Investments for tractor fuel-\$29.48; Midwest Laboratories for supplies-\$72.45; Ameritas Investment Corp for Sewer Bond principal & interest pymt-\$20,395.00; Farmers & Merchants Bank for sewer bond pymt wire fees-\$30.00; Municipal Supply for 20 remote & pit water meters and pit meter probe & adapter-\$4,950.60; MDalton for Picnic Shelter paint, rebar chairs & return-\$54.14; JDalton for Aug Village Clerk-52 hr-\$598.73; MDalton for boys' toilet repair part-\$6.55; AGoble for asphalt cold patch-\$58.85; AGoble for tractor fuel-\$21.60; MDalton for Aug lagoon mowing & spraying-\$165.00; and MDalton for lagoon weed killer concentrate-\$46.00.

AZierott moved & DSwenson seconded to approve the Claims with the exception of the Dalton & Goble Claims.

Roll call vote: DSwenson-yes, MDalton-yes, RGoble-yes, TGlas-no, AZierott-yes. Motion carried.

TGlas moved & DSwenson seconded to approve the Dalton & Goble Claims. Roll call vote: DSwenson-yes, MDalton-abstain, RGoble-abstain, TGlas-yes, AZierott-yes. Motion carried.

Public Hearing

Chairman DSwenson opened the Public Hearing at 7:04 PM.

2020/21 Budget – Steve Rischel from Rischel & Pfeifer, P.C. distributed copies of Manley's proposed Budget for 2020-21, explained & answered questions about it. After discussion, the following Resolution was presented for approval:

Resolution No. 20-05

WHEREAS, Nebraska Revised Statute 77-1601.02 provides that the Governing Body of the Village of Manley passes by a majority vote a resolution or ordinance setting the tax request; and

WHEREAS, a special public hearing was held as required by law to hear and consider comments concerning the property tax request;

NOW, THEREFORE, the Governing Body of the Village of Manley resolves that:

1. The 2020-2021 property tax request be set at \$30,540.00.
2. The total assessed value of property differs from last year's total assessed value by 6%.
3. The tax rate which would levy the same amount of property taxes as last year, when multiplied by the new total assessed value of property, would be \$.391539 per \$100 of assessed value.
4. The Village of Manley proposed to adopt a property tax request that will cause its tax rate to be \$.401315 per \$100 of assessed value.
5. Based on the proposed property tax request and changes in other revenue, the total operating budget of the Village of Manley will exceed last year's by 4%.
6. A copy of this resolution is to be certified and forwarded to the County Clerk on or before October 13, 2020.

MDalton moved & RGoble seconded to adopt Resolution 20-05 setting the property tax request as presented. Roll call vote was taken. Voting for the Resolution: MDalton, TGlaser, RGoble, DSwenson, and AZierott. Voting against the Resolution: none. Motion carried. Steve Rishel was then excused from the meeting.

1 & 6 Year Road Plan

The proposed 1 & 6 Year Street Plan prepared by Steve Parr was distributed. DSwenson read proposed Resolution 20-06

WHEREAS, the Village Street Superintendent has prepared and presented a "Notification of Revision of the One and Six Year Plan for the Village of Manley, Nebraska, as attached; and
WHEREAS, the Village Board deems it to be in the best interest of the Village;
THEREFORE, be it resolved by the Village Board that the Revision as presented is hereby in all things accepted and adopted.

After discussion, TGlaser moved & RGoble seconded to adopt Resolution 20-06 as read. Voting for the Resolution: MDalton, TGlaser, RGoble, DSwenson, and AZierott. Voting against the Resolution: none. Motion carried.

TGlaser moved & MDalton seconded to close the Public Hearing at 7:40 PM. Roll call vote: All approved. Motion carried.

Municipal Annual Certification of Program Compliance

To avoid suspension of the Highway-User Revenue we receive from the state, the following resolution needed to be approved & returned to the state by October 31st:

Resolution No. 20-07

Signing of the Municipal Annual Certification of Program Compliance Form 2020

Whereas: State of Nebraska Statutes, sections 39-2115, 39-2119, 39-2120, 39-2121, and 39-2520(2), requires an annual certification of program compliance to the Nebraska Board of Public Roads Classifications and Standards; and

Whereas: State of Nebraska Statute, section 39-2120 also requires that the annual certification of program compliance by each municipality shall be signed by the Mayor or Village Board Chairperson and shall include a copy of a resolution of the governing body of the municipality authorizing the signing of the certification form;

Be it resolved that the Village Board Chairperson of Manley is hereby authorized to sign the attached Municipal Annual Certification of Program Compliance form.

TGlaser moved & MDalton seconded to adopt the above Resolution No. 20-07. A roll call vote was taken. Voting for the Resolution: MDalton, TGlaser, RGoble, DSwenson, and AZierott. Voting against the Resolution: none. Motion carried.

Unfinished Business

After discussion, TGlaser moved & MDalton seconded that the Board affirm the building permits granted by our Zoning Administrator, DSwenson, to Mickey Dalton for a patio/ pergola and to lay an asphalt driveway, Adam Goble for fencing & driveway, Jeff Gordon to replace his deck, and Trish Schliefert to move her house, build a garage and construct a breezeway between the two. Roll call vote: DSwenson-yes, MDalton-abstain, RGoble-abstain, TGlaser-yes, AZierott-yes. Motion carried.

DSwenson presented a plat of the Bailey-Johnson-Dunker Subdivision and application to change the lot line. Approval has already been received by the county. TGlaser moved & RGoble seconded to approve the request & application. Roll call vote: All approved. Motion carried.

A request from Terry Meyer was received to consider a variance from the Manley Zoning Regulations. TGlaser moved & RGoble seconded to consider the variance. Roll call vote: All approved. Motion carried. The variance requests rebuilding on an existing slab from a shed that burnt down. Since the slab is in line with the other existing structures in the alley, the variance allows construction without meeting the setbacks. TGlaser moved & RGoble seconded to grant the variance. Roll call vote: All approved. Motion carried. TGlaser moved

& RGoble seconded that the Board affirm the building permit granted by our Zoning Administrator, DSwenson, to Terry Meyer for the shed. Roll call vote: All approved. Motion carried.

Nuisance Violations – DSwenson has the necessary documents regarding 220 Main, 112 Cherry, and 106 Broadway that she will take to our Village attorney. TGlas volunteered to call the owner of 103 No. Elm regarding the grass & weeds.

Park projects –

*Picnic Shelter – (see report in Misc Monthly Reports above) JDalton will ask in the next newsletter for our artistic residents to help Jessie Woolhiser Stallings with the murals.

Phillip Tapp has volunteered to help with plans to install electrical items (plugs on the two east poles, rope lighting around the ceiling interior, couple of regular ceiling lights, and a timer). The Board gave them approval to go ahead with these electrical plans.

*Playground – Thank you to MDalton, AGoble, Scott Hess, Mikael Taylor and Asphalt Specialists for their help in removing sand from the old playground area.

*Park Benches – no update at this time

*Trash can lids – no update at this time

*Tennis court net - no update at this time

Tornado Shelter in the Community Center – DSwenson is still checking on a weather radio donation. JDalton will make signs for the bulletin board as you enter the Community Center and for the Furnace Room.

An emergency supply of one (1) bottle of water/Village resident (~200) needs to be purchased & stored at the Community Center to fulfill the requirement laid out in the DHHS Contingency/Emergency Response Plan for the Village.

Culvert at Manley Lane & Hwy 1 – Fire Chief Larry Schliefert has not gotten back to the Board yet.

Animal Citations – (see report in Nuisance Violations above)

IPMC Book Fees – no update at this time

Vacant Property Registration Ordinance – no update at this time

Fireworks Ordinance – TGlas distributed an edited Ordinance. The Board was directed to look at it for discussion at next month's meeting.

Renumbering Ordinances – After discussion, JDalton will work up a Table of Contents to be considered by the Board with the Ordinances numbered by the years. An Ordinance will need to be approved to officially renumber them. A later project for the Board will be to make a listing of the Ordinances by subject.

New Business

“Report A Concern” form – JDalton distributed a form that she received from a neighboring clerk for residents to fill out & submit when they have a complaint about something they would like the Board to address. JDalton was directed to work up a sample for the Board to consider at their next meeting. Suggestions were to have the form available on the website & in the Post Office.

Planning & Zoning Virtual Training - Fri, October 2nd – DSwenson sent information about the training session to the Village Board & Planning Commission. After discussion, TGlas moved & MDalton seconded that the Village pay the \$20/person fee for any of our Board & Planning Commission members who would like to attend and purchase a recording of the training, if available. Roll call vote: All approved. Motion carried.

Village Clerk Evaluation – JDalton left the meeting while the Board held her annual evaluation. After discussion, she was called back into the meeting. The Board expressed their appreciation for the work she has done organizing the Office, keeping the Board up to date on all necessary items, and taking care of all the Village’s legal requirements & deadlines. RGoble moved & TGlaser seconded that the Village Clerk be given a \$1.00/hour raise (to \$13.50/hour) effective October 1, 2020. Roll call vote: DSwenson-yes, MDalton-abstain, RGoble-yes, TGlaser-yes, AZierott-yes. Motion carried.

Community Center Rentals – With the use of the new picnic shelter, driving & parking on the grass needs to be addressed. After discussion, it was agreed that driving up to the picnic shelter for loading & unloading only, weather permitting, would be allowed. No parking will be allowed on the grass, though. This directive will be added to the rental contract.

UTV/ATV discussion – There has been a noticeable increase in UTV/ATVs on the Village streets with some speeding & causing safety concerns for pedestrians & children. JDalton distributed sample Ordinances from other NE municipalities that were on file & DSwenson distributed the state statute addressing this issue. The Board was to look over these documents & discuss further next month.

Sales Tax Ballot Issue – The question of approving a Manley ½% sales tax will be on the November ballot so the residents need to be educated on why the Board is proposing this. JDalton will put the information in the residents’ newsletter again.

Public Forum –

After discussion, the 2021 PTV was tentatively set for August 28th.

P.A. System – (see report in Misc. Monthly Reports above). A little repair work & cleaning needs to be done on it. When that is done, it will be stored in the lower level west storage room.

There are numerous plastic chairs in one of the storage rooms upstairs that could be gotten rid of for space. JDalton will send a note out to the clerks & put it in our newsletter and DSwenson will put them out on social media (in addition to the odd-shaped tables) that they are available for free.

Copy Machine – JDalton reported that the Village phone was out earlier this week. Windstream came to fix it and found that a squirrel had chewed on the wires outside & the fax card in the copy machine/printer was bad. Since parts of the copy machine/printer have not been working for quite a while it was suggested that a new copy machine/printer be purchased. TGlaser volunteered to check on prices this month.

Street Lights – MDalton reported that OPPD has marked posts on 160th Street & Sunrise Court for street lights to be installed.

Adjournment TGlaser moved & RGoble seconded to adjourn the meeting at 9:12 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.)