

**Village Of Manley
Board of Trustees Regular Meeting
October 12, 2023**

The Regular Meeting of the Village of Manley Board of Trustees was called to order on October 12, 2023 by Board Chairman, Denise Swenson at 7:01 PM. The Pledge of Allegiance was recited and roll call was taken. Members present were Denise Swenson, Tim Glas, Patricia Gruber, and Phillip Tapp, Taylor Dunker was excused. Also present, the Village Clerk Jessica Tummons, Maintenance Supervisor Mickey Dalton and six (6) guests. A copy of the Open Meeting Act is posted in the meeting room for review. The Code of Conduct for Municipalities was read by Board Chairman Denise Swenson. Notice of this meeting was posted on the Village website and in the bulletin boards at the Fire House & Post Office.

Agenda – Motion to accept the consent agenda made by TGlas, Seconded by PTapp. Roll Call Vote: All in favor. Motion carried.

Consent Agenda items approved:

* **September 14, 2023 Meeting Minutes**

* **September 2023 Correspondence**

* **September 2023 Water Clerk's Report**

* **September 2023 Treasurer's Report**

* **September 2023 Village Clerk's Report**

* **September 2023 Maintenance Supervisor Report**

* **September 2023 Misc. Monthly Reports**

Water Specialist - Jack Faubion -

September: Total coliform absent, meets bacteriological standards. E. Coli absent

Wastewater Specialist – Ed Blunt

9/14/23 Mowed Cells

9/26/23 Tall weeds and grass on berms at all 3 cells

811 Digger Calls – MDalton

Zero (0) requests for September

Community Center Rentals – JTummons

Saturday, October 21, 2023 (Spangler)

Sunday, December 31, 2023 (Dalton)

Saturday, May 25, 2024 (Swenson)

Remaining Reports

***Claims** – Manley Highway checking to General Checking - \$15,220.95; Windstream (CC) - \$123.72; Visa (Maintenance) - \$64.37; Black Hills Energy (CC & FH) - \$77.20; Papillion Sanitation - \$25.90; OPPD (CC&FH) - \$254.11; Windstream (FH) - \$113.96; Visa (Office) - \$142.82; Wirebuilt - \$50; Mickey Dalton (Sept)- \$554.10; Jessica Tummons (Sept Clerk) - \$808.38; Adam Goble (Maint Hours) - \$120; Drop In Portables - \$102.30; United States Treasury (3rd Qtr Taxes) - \$597.39; Nebraska Municipal Clerks Association - \$50; Mowen Owen (Sept) - \$330; One Call Concepts (3rd qtr) - \$12.26; Manley Water Checking to Highway Checking - \$216.14; Nebraska DHHS (water testing) - \$30; OPPD (Water) - \$39.46; Manley Water Checking to Sewer (sales/use tax) - \$5.42; Jack Faubion (October) - \$160.80; RWD#3 - \$1,190.50; Manley Sewer Checking to Highway - \$216.14; OPPD (sewer) - \$41.62; Nebraska Dept of Revenue (3rd qtr sales/use tax) - \$447.98; Ed Blunt (Sept) - \$175; M & N Investments - \$31.39; OPPD (Street Lights) - \$309.02; Pave LLC (street maintenance) - \$44,598.29; Taylor Dunker (PTV Expenses) - \$39; Denise Swenson (PTV Expenses) - \$182.35; ANNUAL RENUMERATION – Denise Swenson - \$420; Tim Glas - \$480; Rebecca Goble - \$90; Patricia Gruber - \$420; Phillip Tapp - \$450; Taylor Dunker - \$120

Motion to accept claims made by TGlas, seconded by PTapp. Roll call vote. Voting aye: TGlas, PTapp, PGruber. DSwenson abstained. Motion carried.

Motion to move all remaining funds after November 1 from Farmers & Merchants Bank to new accounts at First Nebraska Bank made by TGlas, seconded by PGruber. Roll call vote: All in favor. Motion carried.

Regular Meeting closed at 7:09 p.m.

Public Hearing

Chairman DSwenson opened the Public Hearing at 7:10 PM.

1 & 6 Year Street Plan

Chairperson DSwenson reminded everyone that the 1 & 6 Year street plan was presented at previous meeting with no objections. Due to this there were no questions from board members or the public. DSwenson read resolution 23-05 as follows:

RESOLUTION 23-05

The following resolution was introduced by _____, who moved its adoption, seconded by _____,

“WHEREAS, the City Street Superintendent has prepared and present a One Year and Six Year Plan for Street Improvement Program for the Village, and

WHEREAS, a public meeting was held on the 12th day of October, 2023, to present this plan and there were no objections to said plan;

THEREFORE, BE IT RESOLVED BY THE Chairperson and Village Board of Trustees of Manley, Nebraska that the plans and data as furnished are hereby in all things accepted and adopted.”

DSwenson moved to adopts resolution 23-05 which was seconded by TGlas. Upon majority vote resolution was adopted and signed by all board members.

Motion to close the public hearing at 7:12PM made by DSwenson, seconded by TGlas. Roll call vote: All in favor.

Regular Board meeting reopened at 7:13 P.M.

Unfinished Business

A. Nuisance Violations – Improvements have been made on some properties from last month’s list; New letters to be mailed out to residents without improvements

B. Building Permits – No new permits to discuss

C. Community Center Rentals – No cleaning will be necessary before next rental

D. Maintenance Supervisor – MDalton reports that the Maintenance building cleanup went smoothly. Big Thank you to Adam Goble for his assistance with this project. Restrooms were removed and all waste was removed and hauled to Sarpy county dump with the new dump trailer. MDalton also reports that a new hydrant lock as been placed on the hydrant by the Community Center to protect against unauthorized use.

E. Pillage the Village Committee – Committee had meeting prior to tonight’s board meeting. Looking for public input as to continue having Pillage the Village or discontinue. This project does take a lot of time to plan for and volunteering was at a minimum this year. Committee plans to send out surveys for public opinion on if Pillage should continue. All input on this matter is welcome and considered.

F. Community Center Small Projects – DSwenson still waiting on contractor for upstairs RR to call back.

g. Ordinance Committee – DSwenson to work with atty but more pressing matters have come prior to this.

H. 160th Street Speed bumps – DSwenson has made contacts and is waiting on a return call. Need to find out if these will need to be removed for winter months.

I. Nuisance Ordinance – DSwenson to work with atty to rewrite when time allows

J. Small Utility Dump trailer – Trailer was picked up on Friday prior to the meeting and used to the Maintenance Building project for removal of all waste product. MDalton inquired about a rental fee for residents to use trailer providing that a Village board member or employee were to deliver trailer and leave it at the property and then pick up to haul away waste. MDalton suggested a fee of \$50 plus dump fees to be paid by residents. Resident Madison Garey discussed why village residents should have to pay

a fee to the use of a product that their tax dollars has already paid for. Agreed that residents should be responsible for dump fees but why need to pay for the use again. After discussion with residents present as well as board members it was decided that the trailer could be of great use to the village residents to help keep the community clean but would need to be pulled to the property and hauled away by a person that is on the Village insurance.

TGlas made a motion to allow property owners in the Village of Manley use of the trailer being delivered and hauled away only by Village personnel per insurance needs with a deposit fee of \$100 upon delivery of which dump fees would be paid and the remainder returned. Motion was seconded by DSwenson. Roll Call Vote: All in favor.

K. Schmidt Appeal – DSwenson was served with an Amended duly verified petition complaint & Administrative Appeal. This has been delivered to the Attorney. Attorney Chebatoris has filed for a dismissal and court date has been set for October 23 at 9:30AM.

Tonya Schmidt at this time expressed her desire to settle outside of court. Tanya has asked for a settlement conference to be held with Village attorney Chebatoris as well as any board members that would be able to attend. DSwenson advised she will contact the attorney regarding this and will advise board of attorney recommendation.

New Business

A. Fire Extinguisher recheck – Reminder to MDalton that fire extinguishers need to be checked again. TGlas asked maintenance supervisor to make sure this gets done on a day that there are no rentals and not during days when homeschool coop is in session so that the extinguishers are available when people are in the building

B. Manley Newsletter – Short discussion as to costs from mailing newsletter between board and Editor Madison Garey. Madison provided info regarding what it would cost to mail newsletters as well as Clerk provided ink prices and paper prices included. After short discussion TGlas made motion for clerk to print/copy the November issue of Manley news, seconded by PGruber. Roll call vote: All in favor. Motion carried.

C. ATV/UTV Ordinance – Board is researching possibility of removing ordinance to allow ATV/UTV use due to lack registration and following the guidelines on the ordinance. This ordinance allows the use of recreational vehicles on the street and without it there is no responsibility on the Village to enforce it. However, without the Ordinance State laws will need to be followed.

D. Maintenance – DSwenson discussed at the previous meeting the possibility of making the Village Maintenance job an hourly position. She has prepared a proposal with a list of duties that need to be completed as well as asks the board to consider if there is a need to hire more than one person. Proposed wages are \$20/hour. After discussion of duties and expectations current Maintenance Supervisor asked that the village place the job out for bids to see if they could get interest at that wage. Will discuss further at next meeting.

E. Christmas Lights – Some additional decorations were purchased/fixed last year that will need to be wrapped with lights before hanging on poles. MDalton explained that there aren't very many poles within the Village that have outlets to plug in lights. Those outlets are put up by OPPD. Will need to check to see how many can be plugged in.

F. Storage Building – Discussed previously and DSwenson is reminding everyone that the Village has a need for a storage building to house the generator as well as potentially pickle ball nets and other equipment. Clerk to look into pricing of an 8' by 8' storage building.

Public Forum

Audit committee met and went over all of the bank accounts for previous 6 months. Report was given to all board members. Marcie Lefluer expressed interest in helping with the next meeting as well as being party planner for special events at the Community Center.

Resident expressed need for “Report a concern” paperwork to be replenished at Post Office. Clerk made note to deliver next business day.

Office to be closed on Thursday Oct 19th due to medical appointments.

Adjournment - TGlas moved & PGruber seconded to adjourn the meeting at 9:01 PM. Roll call vote: All in favor. Motion carried.

Jessica Tummons
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 familial status. (Not all prohibited bases apply to all programs.)