

**Village Of Manley
Board of Trustees Regular Meeting
June 8, 2023**

The Regular Meeting of the Village of Manley Board of Trustees was called to order on June 8, 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, along with Village Clerk Jessica Tummons, Maintenance Supervisor, Mickey Dalton and four (4) guests. Taylor Johnson was excused. 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 T.Glas, Seconded by P.Gruber. Roll Call Vote: All in favor. Motion carried.

Consent Agenda items approved:

- * **May 2023 Meeting Minutes**
- * **May 2023 Correspondence – Letter of Non-Compliance**
- * **May 2023 Treasurer’s Report**
- * **May 2023 Village Clerk’s Report**
- * **May 2023 Maintenance Supervisor Report**
- * **May 2023 Misc. Monthly Reports**

Water Specialist - Jack Faubion -

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

Wastewater Specialist – Ed Blunt

5/18/23 Looks good. Duck Weed.

5/31/23 Looks good freshly mowed.

811 Digger Calls – MDalton

Two (2) requests for April

Community Center Rentals – JTummons

Sunday, June 25, 2023 (Sheehan)

Saturday, July 8, 2023 (Clark)

Saturday, July 29, 2023 (Dalton)

Saturday, August 5, 2023 (Goble)

Saturday, January 7, 2024 (Dalton)

Remaining Reports

***Claims** – *Black Hills Energy* - \$234.05; *OPPD* - \$139.56; *Papillion Sanitation* for June fee - \$25.90; *Windstream* for CommCtr - \$105.77 and Fire House - \$98.75; *WireBuilt* - \$50.00; *Visa* – \$63.59 for office supplies; *Mickey Dalton* for May Maintenance Supervisor-\$554.10; *Jessica Tummons* for May Village Clerk –\$678.77; *Mowen Owen* - \$825; *SEACA* - \$10; *Treerific* - \$900; *Drop In LLC* - \$117.70; *A & F Welding* - \$200. *Manley Hwy Acct for matching funds trsf* from Water Acct-\$192.00; *DHHS* (water testing) - \$30; *OPPD* (water)- \$45.89; *RWD #3* for water - \$1209.75; *Jack Faubion* for June water postage & Fees-\$129.90; *Mickey Dalton* - \$11.74 for caution tape; *Manley Hwy Acct for matching funds trsf* from Sewer Acct-\$192; *OPPD* (sewer) - \$40.12; *Ed Blunt* for May wastewater specialist-\$175.00; *Visa* - \$283.99; *Municipal Supplies* - \$8.40; *M & N Investments* - \$27.23; *OPPD* (Highway) - \$308.60; *Adam Goble* - \$60; *A & F Welding* - \$900 for park bench

Motion to pay claims as presented made by D.Swenson and seconded by P.Gruber. Roll call vote: All in favor. Motion carried.

Public Hearing - Notice of this meeting was posted on the property located at 215 Main Street, the Village of Manley website, in the bulletin boards at the Fire House & Post Office and published prior to the meeting in compliance with State Statutes.

Meeting was opened at 7:14 PM for proposed Special Use Permit at 215 Main Street, Manley, NE 68403

Motion made by TGlas to enter execution session to discuss at 7:15 was seconded by DSwenson. Roll call vote: All in favor.

DSwenson calls meeting back to Public hearing at 7:21.

-TSchmidt spoke regarding the individual that was at the May meeting inquiring about the property. The Schmidt wanted to make it clear they are not intending to sell to property.
-TGlas spoke regarding a special use permit being allowed for a duration of time to allow for the possibility of a future business being in that property. Home owners again indicated they have no intentions of selling property.

After discussion Special Use Permit was put to a vote. All Board members present and voted as follows: PTapp – against, PGruber – against, TGlas – against, DSwenson – against. Resolution 23-02 was then read by DSwenson as follows:

**RESOLUTION
NO. 23-02**

WHEREAS, an application has been made by Doug and Tanya Schmidt for a Special Use Permit under C-1, General Commercial District of the Zoning Regulations for the Village of Manley, Cass County, Nebraska.

WHEREAS, the applicants are the owners of commercial property located in the Central Business District in the Village of Manley, and desire, in the application to use their property as a single-family dwelling.

WHEREAS, The Planning Commission for the Village of Manley has met and considered the applicants' request. A public hearing was held on March 6, 2023 in the Village of Manley, on the application for a Special Use Permit.

WHEREAS, the Planning Commission for the Village of Manley has given its recommendation to the Village Board that the Special Use Permit should not be granted to the applicant.

THEREFORE, IT BE RESOLVED, by the Village Board Chairman and Village Board of the Village of Manley, Cass County, Nebraska that the application for the Special Use Permit has been considered by the Village Board, and the Village Board finds that the proposed use of the property is not compatible with or similar to the use permitted in the district.

IT IS FURTHER RESOLVED, that the use of the property as a single-family dwelling would not be compatible with the stated intended use of the district and would change the character of the district and would not be in accordance with the Comprehensive Plan of the Village of Manley.

IT IS FURTHER RESOLVED, that if the permitted special use was granted, sixty percent (60%) of the usable commercial property that now exists in the Village of Manley would

disappear or vanish, which is not acceptable to the Village.

BE IT FURTHER RESOLVED, for the reasons stated above, the Special Use Permit applied for by the applicants is hereby denied.

PASSED AND APPROVED, this 8th day of June, 2023.

Motion to accept resolution 23-02 as written and close public hearing made by TGlas and seconded by PTapp. Roll call vote: All in favor. Motion accepted.

Close Public hearing –Public Hearing closed at 7:34PM

Unfinished Business

***Nuisance Violations** – Clerk sent reminder letter to all residents regarding Ordinance in May right before Clean Up Day.

***Building Permits** – Two new applications

Tim & Laura Glas – Application to remove trailer.

Motion to approve building permit made by PGruber, seconded by PTapp. Roll call vote: TGlas abstained and all others voted Yes. Motion approved.

Marcie & Steve Lefluer – 6ft fence partially around property.

Motion to approve building permit made by TGlas, seconded by DSwenson. Roll call vote: All in favor. Motion approved.

***Community Center Rentals** – Next rental is June 25th. Cleaning scheduled for June 22nd at 6PM.

***Maintenance Supervisor** – MDalton reports that Louisville if coming to jet out Lagoon that is plugged. Mowing at the lagoon as begun on a biweekly basis and he is almost finished with tree removal from fence line.

***Pillage the Village Committee** – No meeting was held. DSwenson provided some Vendor updates.

***Community Center Small projects** – One bid has been started for RR and need to find another interested company to provide bid.

***Ordinance Committee** – DSwenson reports needs to check with city attorney but he has been out of office. Will report late.

***Asphalt Repair/160th Street Speed bumps** – Village board discussed which roads are most in need of repair and what best options are. Motion made by TGlas for a work session and seconded by DSwenson in order to assess streets as a group. Roll call vote: All in favor. Motion approved. Work session to be held on Friday June 9th, 2023 at 7PM.

***Community Center for Homeschool** – Contract presented to Village board members for Homeschool.

Motion to approve contract as presented by TGlas and seconded by PTapp. Roll call vote: All in favor. Motion approved.

New Business

***Miss Manley** – Guest Lizzie Pedroza introduced herself as a person who is interested in representing Manley. She is willing to help boost the Community and have a community service project as well as help when available with village events. Motion to accept LPedroza as Miss Manley made by PGruber and seconded by TGlas. Roll Call Vote: All in favor. Motion carried.

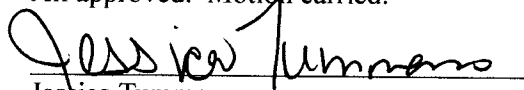
***Water & Electrical line** – DMonahan is helping to run a water line by the Community Center for a hydrant. While everything is dug up also decided to run electrical line to other pavilion. PTapp will be helping with the Electrical Line.

***CC Grounds** – Needs mulch around flower beds. DSwenson to look into purchasing.

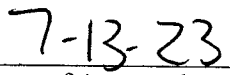
Public Forum

*DSwenson reports there is a daycare in the beginning stages of planning at the crossroad bible church. There will be a Building Permit to come.

Adjournment - T Glas moved & P Gruber seconded to adjourn the meeting at 9:09 PM. Roll call vote: All approved. 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 familiar status. (Not all prohibited bases apply to all programs.)