

VILLAGE OF DUNCAN BOARD MEETING
December 13th, 2021 7:00 PM – Village Hall 906 8th Street, Duncan, NE. 68634

The monthly board meeting of the Village of Duncan Board of Trustees was called to order at 7:00 PM by Chairperson Jeff Oppliger. The Chairperson publicly stated to all in attendance that a current copy of the Nebraska Open Meetings Act was available for review and indicated the location of such copy in the room where the meeting was held in the Village Hall. Board members present were Nick Wagoner, Steve Langton, Jeff Oppliger, Josh Dahlberg and Joe Boruch. Also, in attendance were, Village Staff: Don Reves, Marianna Evans and Michelle Schindel. Visitors present were: Platte County Sheriff Wemhoff and Brian Laska (My Place Bar & Grill LLC). The Pledge of Allegiance was recited by all in attendance. *A motion was made to approve the minutes from last month's meeting on November 8th, 2021 by Boruch, second---Wagoner. Vote was as follows: voting aye—Wagoner, Langton, Oppliger, Dahlberg and Boruch. Voting nay—none. The Chairman carried the motion.* Visitors were given the opportunity to speak for 5 minutes on any non-agenda items. No items were brought to the Board's attention. Oppliger continued with the meeting.

Unfinished Business: none

New Business:

Q&A Sheriff Wemhoff Sheriff Wemhoff stated that he does not usually attend other towns' meetings. However, if he were ever asked, he would. He stated that any concerns or questions would be accepted. Oppliger stated that he would like to see Sheriff Wemhoff at our meetings at least once a year to stay in communication. Boruch reported that we have had problems with drivers speeding down Main Avenue, since the streets were resurfaced. Discussion was had on the speeding problem throughout town to include 6th and 7th streets as well. Sheriff Wemhoff stated that he would let his deputies know and that they would have more of a presence in town to dissuade speeders. Oppliger asked about the Sheriff's staffing and if it was adequate. Sheriff stated that he has 3 spots that are currently open but have prospects in training right now that will hopefully fill those spots in the next 6 months or so. Sheriff stated that just having a patrol car in view will help slow people down. He stated that you don't always need to ticket people to enforce the speed limits. Wagoner asked about noise laws due to the jake braking that trucks are doing on the highway when coming into town. Oppliger asked about the Sheriff office working with towns to enforce ordinances. Sheriff stated that they only enforce state statutes. He stated that they do not have the authority to do that and that they encourage the municipalities to do their own enforcement of their ordinances. He stated that they would serve papers if we ever requested and would write a ticket. However, after that, it would be up to the Village to follow through with the courts with our attorney. He stated that it is harder to help enforcement now, due to changing their citation system to all digital. He stated there has to be a code in the system for them to enter in order to enforce. And, their codes are all related to state statutes and not town ordinances. Evans stated that most of our ordinances are taken directly from state statutes and that it should work to call them to help enforce. She stated for example, 4-wheelers are driven on county road from Duncan Lakes to Duncan a lot and that many in town residents are driving them under age etc. Sheriff stated that if we ever call for help, to be sure and state that it is a state statute and not say ordinance. As that would get better attention due to their authority restrictions. He reported that he encourages chairmen to call the 4-wheeler owners and warn them first and if that fails, to call the Sheriff office. He provided his direct phone number, however, he stated that the dispatch should be called to report crimes as that starts the record and gets it into the system. He stated that they were in negotiations with Platte Center on helping with their enforcement for a fee of \$50/hr. However, that negotiation was not completed. Oppliger stated that he will call residents before sending a letter at times. But, that it would be great to have cooperation from the Sheriff office as well. Sheriff stated that if we ever need a deputy to stand with us to talk to a resident in person, to call and he would send one out. The issue of vehicles parked on the street during snow plowing times was discussed briefly. Sheriff stated that he would have to look the state statute up on that issue but that we could put stickers on the cars and create an ordinance against that. Evans reported that they did create a resolution last year for all vehicles/trailers to be off the streets during snow plowing times. Sheriff stated it may be good to send a reminder to residents. Evans stated that she would do that. Speeding was discussed further and Sheriff Wemhoff stated that he just ordered a speed trailer. He stated he believes they work to control speeders. Evans asked about the price and he stated that they used Covid grant money to buy it at approximately \$17k. He stated it is an upgraded one that can also be used as a communication device to the public by creating words to show on the display. He stated that he may place it on Main Avenue in Duncan for a time, at some point. Boruch asked if he would have Main Avenue patrolled more. Sheriff stated that he would let deputies know to pay more attention to Main Avenue for a time. Wagoner asked again about the jake braking. Sheriff asked if we had an ordinance on it. Evans stated that we do not. Sheriff suggested creating one. Oppliger asked if there were any more questions or concerns from the board for Sheriff Wemhoff. Nothing was stated. Sheriff Wemhoff stated that the best way to contact him is by email at EWemhoff@plattecounty.ne.gov. Wagoner asked how many staff he had. Sheriff stated he has 22 including him. There are 14 road deputies, when fully staffed. He stated to contact him anytime with any concerns or questions.

Proposed Liquor License Request (My Place Bar & Grill LLC-Brian Laska) Evans explained that she had received the request from the LCC and that Brian Laska was the applicant. She stated the LCC has sent to us to approve after Laska provided them with their fee and documents needed to approve. Evans stated it would be the same as Hager's with a Class C license. No questions or concerns were mentioned. A motion to approve the requested Class C liquor license for My Place Bar LLC, Brian Laska was made by Wagoner, second--Langton. *Vote was as follows: voting aye—Wagoner, Langton, Oppliger, Dahlberg and Boruch. Voting nay—none.*

Proposed R21-255 Year End Certification of City Street Superintendent 2021 Evans read the resolution aloud and *a motion was made to approve R21-255 by Dahlberg, second—Wagoner. Vote was as follows: voting aye—Wagoner, Langton, Oppliger, Dahlberg and Boruch. Voting nay—none.*

Proposed USPS New Contract Lease Evans explained that the USPS rents our building and that this is a new contract that will begin in Jan., 2023. She reported that the broker has sent papers to sign and that we can negotiate if wanted. The government comes up with the rate and usually there are no negotiations on the price. Comments were made of the fear that if tried, they would just close the post office down here. The board were notified of the rate and the

percentage increase each year. The term is 5 years. The board agreed with the term and contract and *a motion was made to approve the lease for 2023 with USPS for a 5 year term by Wagoner, second—Dahlberg. Vote was as follows: voting aye—Wagoner, Langton, Oppliger, Dahlberg and Boruch. Voting nay—none.*

Appoint Village Street Superintendent Evans explained this is an annual item and that we have used Scott Cowles from JEO Engineering for quite awhile. She stated that she has had no issues with Scott. The board agreed. A motion to approve Scott Cowles of JEO, license number S-1151, Class A as our street superintendent from Jan. 1, 2022 to Dec. 31, 2022 was made by Dahlberg, second—Boruch. *Vote was as follows: voting aye—Wagoner, Langton, Oppliger, Dahlberg and Boruch. Voting nay—none.*

Appoint Village Engineer Evans explained that it was currently JEO and that they have been great to work with on every project. Oppliger stated that he knows there are other options, however, he values the relationship we have with them and would recommend. *A motion was made to appoint JEO as the Village Engineer by Dahlberg, second—Boruch. Vote was as follows: voting aye—Wagoner, Langton, Oppliger, Dahlberg and Boruch. Voting nay—none.*

Proposed R21-256 Participation in Northeast Nebraska Economic Development District (NeNEDD) Resolution was read aloud by Evans and *a motion was made to approve R21-256 by Dahlberg, second—Boruch. Vote was as follows: voting aye—Wagoner, Langton, Oppliger, Dahlberg and Boruch. Voting nay—none.*

Proposed Request for Approval of Temporary Office Help Evans sent board members a copy of the list of jobs that she needs to catch up on in the Village. She stated that it is impossible to do all these things and continue to prioritize her other duties. She requested help mainly for reorganizing files and office. The board discussed and *a motion was made to approve temporary help for Evans in the office for one month at \$12/hr during Evans’ office hours only, and to authorize Evans to do the interviewing and hiring, by Boruch, second—Dahlberg. Vote was as follows: voting aye—Wagoner, Langton, Oppliger, Dahlberg and Boruch. Voting nay—none.*

Proposed Approval of Use of ARPA Funds for New Water Line Bumpy Rd. Evans stated that it was recommended by Reves that this get approval soon so that he is able to get the quotes and bids for the project before the subdivision goes in. He stated that the water pressure would not be very sufficient to the new subdivision if the project is not completed beforehand. The board discussed and *a motion to approve the use of the ARPA funds for installing an 8 inch water main down Bumpy Rd. was made by Boruch, second—Dahlberg. Vote was as follows: voting aye—Wagoner, Langton, Oppliger, Dahlberg and Boruch. Voting nay—none.*

A motion to move into Closed Session due to evaluation of job performance of a person. Since the person has not requested a public meeting, was made at 8:21pm by Wagoner, second—Langton. Vote was as follows: voting aye—Wagoner, Langton, Oppliger, Dahlberg and Boruch. Voting nay—none. The board returned and open session began again at 8:50.

Appoint Clerk *A motion to appoint Evans as the clerk was made by Wagoner, second—Boruch. Vote was as follows: voting aye—Wagoner, Langton, Oppliger, Dahlberg and Boruch. Voting nay—none.*

Appoint Treasurer *A motion to appoint Schindel as the treasurer was made by Dahlber, second—Wagoner. Vote was as follows: voting aye—Wagoner, Langton, Oppliger, Dahlberg and Boruch. Voting nay—none.*

Appoint Chiarman *A motion was made to appoint Oppliger Chairman by Dahlberg, second—Wagoner. Vote was as follows: voting aye—Wagoner, Langton, Oppliger, Dahlberg and Boruch. Voting nay—none.*

Departmental Reports:

Utilities Reves reported that a resident sewer line is being replaced on 10th Ave. Oppliger asked about the street cleaner. Reves stated that the machine broke a hydraulic line at the end and left a trail. Oppliger stated that someone to a boxscraper to 5th street and 5th ave and they are much better now. Reves stated that if it continues to be that problematic, we may just have to have it paved. He stated that he will have crushed concrete to put on Bumpy Rd. next spring. No further report.

Parks & Rec. No report.

Planning & Zoning Reves stated that Lloyed had got a permit for a new home build on the lot next to the subdivision..

Clerk Report Evans presented Schlesingers with a plaque for their efforts toward the community and all their hard work at saving the community money with grants for the 150th celebration. Gary and Joan Schlesinger accepted the plaque and a picture was taken of them with the board members. No further report.

Treasurer Report & Updates—Approval of Bills Schindel handed each board member the monthly recap. The board reviewed the recap and *a motion to approve the bills was made by Boruch , second—Dahlberg. Vote was as follows: voting aye—Wagoner, Langton, Oppliger, Dahlberg and Boruch. Voting nay—none. The Chairman carried the motion.*

All meetings are open to the public and a current agenda for said meetings will be posted and available for public inspection at the office of the Village Clerk, Post Office, T-Bone 2 and the Village website on the Thursday prior to the meeting. The next meeting will be on **January 10, 2021 at 7:00 PM**. Being no other business, adjournment was made by Oppliger at 9:20p.m.

Minutes recorded and submitted by: Marianna Evans (Clerk)