

CLARKS VILLAGE BOARD PROCEEDINGS
September 11, 2024

The Clarks Village Board of Trustees met in regular session, Wednesday September 11, 2024 at Village Hall. Chairman-Pro Tem Parsons convened the meeting at 7:10 p.m. referencing display of the Open Meeting Laws.

Notice of the meeting was given in advance thereof by posting in at least three public places which is the designated method for giving notice to the Village.

Advance notice of the meeting was also electronically mailed to the Chairman and each member of the Board of Trustees. A copy of the Acknowledgement of Receipt of Notice of Meeting is attached to these minutes.

Attending Board of Trustees: James Parsons, Dylan Drummond, Donn Glynn, Kelly Urkoski, and Joe Ramold. Village Representatives in attendance: Kari Podliska, Librarian Barbee Sweet, Village Attorney Drew Graham, and P & Z Administrator Judy Rieken, Jeff Gress and Corbey Grause. Guests present Dave Schultz, Dave Beck, Jerry Wruble, Kevin Urkoski with Myers Ins., Dave Carlson, and Barb Fowler from PCRPPD.

Public Hearing was not opened for the Budget Hearing at this time since the Accountant was not in attendance. Guests were not in attendance for the Budget hearing but for other agenda items.

Consent Agenda items – Approval of Meeting minutes from 08/14/24; Transfer \$1500 from Sales Tax to the Resin Reserve Fund; to approve and draw warrant upon the claims as presented:

Payroll August	\$15583.66
Payroll taxes/Sales Tax	\$4230.44
1to1 Technologies, L&G R/M, Equip	\$267.76
Bank of Clarks, G	\$1802.21
Cengage, LB	\$26.64
Chemsearch, SR/M	\$1186.95
Clarks Lumber, R/M	\$45.46
Debit Card Purchases, SWSTLG Sup, Fuel	\$715.36
Flatland Mobile Svcs, STR/M	\$519.90
HOA, W Equip	\$977.00
High Plains Community, LB	\$30.00
Kelly Urkoski, CM R/M	\$1000.00
Kids Reference, LB	\$156.68
Lincoln WinWater, WR/M	\$815.19
McInay & Co, W R/M	\$322.51
Manstedt K-Lawn, CEMR/M	\$452.30
NE Public Health Env Lab, W R/M	\$519.00
NE Life Magazine, LB	\$30.00
NE State Fire Marshall, PR/M	\$36.00
NNTC, Utilities	\$281.34
Phil Carkoski Const., ST R/M	\$66878.10
PCRPPD, GSTSWWLPPR	\$3473.14
Postmaster, G	\$84.16
Svehla Law, G	\$1350.00
Wegner Monument, ST R/M	\$240.00

Motion Urkoski, second Drummond to approve the consent agenda items as presented. RCV: Glynn, Urkoski, Parsons, Drummond. Abstain: Ramold MC 4-1

Motion to approve warrant for Kelly Urkoski by Glynn, second Ramold. RCV: Ayes – Drummond, Glynn, Ramold, Parsons. Abstain – Urkoski. MC 4-1

Agenda Item #3: Discussion for water/sewer rates will be postponed till the October meeting. Randy from NRWA was not available for the meeting tonight. The group would like to have Randy and our accountant at the next meeting.

Agenda Item #5: Kevin Urkoski with Myers Insurance was in attendance to discuss the Village Insurance policy. Changes for the new Fiscal Year are that the library will be removed from the Blanket policy. It will be on its own policy due to it will be Cash Value instead of replacement cost. The board members would like to know what it is insured for so that we have the proper coverage. Kevin will look into this and get back to the board. Buildings will now have a \$5000 deductible up from \$2500. Wind and hail deductible remained the same but it is per building now instead of per occurrence.

Agenda Item #4: Discussion about the Renewal of the Lease Agreement Contract with PCRPPD. Barb was present from PCRPPD. Dave Schultz wanted to ask questions about the electrical side of the conversation not the contract.

1. If a Transformer breaks in town, who pays for it? PCRPPD pays for it and does not charge the village. PCRPPD takes care of all maintenance and repairs.
2. Does PCRPPD do inspections of the poles? Pole inspections are done. 2017 was the last time inspections were done in Clarks.
3. Does the railroad pay the 12% and the tower at edge of town? Yes they pay if they are on this line.
4. Does the railroad own those poles? Barb has at their office who would own each pole.
5. If anything breaks, would PCRPPD charge the city to put in new poles, etc.? It would increase the depreciation value, but they do not bill the village.

The Village of Clarks does not have a service territory. PCRPPD services it. This was changed back in 2000 when a new contract was done with PCRPPD and the Village. Barb has in the agreement to re-negotiate it again in 2026. Schultz wanted to know why the outer limits couldn't be down to at least 4% because they don't get to use anything in the Village. Jerry Wruble wanted to know if there was a way to trim the budget on spraying, etc to then allow the outer limits to be off the lease agreement. Trustee Urkoski said taking this away would hurt the Pool and Library in our budget. Trustee Ramold wanted to know if they understood how much the Treatment plant costs. He understands the point of view from the public, but it was always stated that this could not happen overnight and would take time to do this.

Wruble asked how come from a legal standpoint that a person who lives in the ETJ couldn't be on the board. Village Board cannot be extended to the ETJ because it is a state statute. The Village Attorney explained how the state says public power can turn around and charge the customer the lease agreement that is paid to the village. Then public power is required to pass that on to the Village. Dave Beck asked what constitutes living here? It would have to be a primary residence. Village Attorney read the municipal code on who is eligible to be a board member.

Trustee Glynn asked about the outer infrastructure when NPPD purchased it. If at some point, would it be possible to sell the outer area infrastructure back to PCRPPD? Then those customers could be off the village infrastructure and be considered rural. If it was sold would it go back to the undepreciated costs? If the Village paid for it in the past, can this be done to offset the loss to the budget if the outer area was removed. Research will be done and will be discussed at the next meeting. If we did not surrender the outer territory but took the lease agreement away, it would not change how stock wells are charged because it would still be considered municipal.

Library Report: Financials presented to board. Barbee handed out a statistical report from the Library Commission of how the library helps the community. Barbee had answers to their questions on the 1 to 1 bid. Solar cameras are cheaper, much more secure than hard wired. It is not done by SD Card so it would do a 30-day recording and erase. Then there would be capability to store video off of it. Board questioned how it gets from the camera to storage. Solar camera would work if there is a power outage. No extra charge on maintenance fee because Cody gives the Library a discount. The bank's camera catches the street so thus only looking into one camera that would point to Amity Street. She will get more answers for the board's questions. Lego Club is starting on Thursday afternoons. She talked about the 1KbooksB4K. Kids would have to log the books they read to earn rewards. Barbee would like to get kids interested in reading. It is around \$80 to purchase bookmarks, stickers, etc. The supplies should last the year. She wants to know if the board would be ok with this. She has a lot of books already to start this. She will track the progress on paper instead of any costs for online tracking. If the maintenance guys could get 125 bricks to the Library to so that they can use to put around the flower beds. Judy is getting the Friends of the Library meeting put together with the members and help with fundraising for the Library. Barbee submitted a grant with NNTC for the carpeting.

Agenda Item #8: The original bid needed to be changed after Pella came to look at the windows. Trim was not on the previous bid. Trustee Parsons created a bid sheet to put out for bids. If Pella installed them, it would be around \$230/unit or \$300/with stops. With trimming out the windows outside would be around \$400. Dave Carlson stated he would not recommend doing replacement windows. He would do new construction windows. The bid sheet will be updated before being publicized.

There is not a show cause hearing on the Nuisance abatement as no homeowner showed up.

Agenda Item #6: Code Enforcement Officer presented information on the status of the old nuisance abatements. There are no new nuisance abatements this time. 512 W Amity – Scott Pickrel will be coming to town to take care of his cars that are on that lot. The board asked what the code is on unlicensed vehicles. Village Attorney stated once the deadline passes, the Board could go take the vehicles. We are not required to give additional notice but we could give notice that the car would be picked up on certain date. We could streamline the process so that we give notice and if not completed then Village could go abate it. Motion to proceed with the process for nuisance abatement with l's dotted and t's crossed by Ramold, second Glynn. RCV: Parsons, Ramold, Glynn, Drummond, Urkoski. MC 5-0

Trustee Parsons asked Dave Carlson if he had any public comment.

Maintenance Report: East Amity Intersection is completed and would still need to set for the weekend. They will open it up on Monday. Still waiting on the railroad to get back to Contractor to finish the gravel road part. Drain is a little different and moved it 5 ft east so it doesn't go in Sal's yard. It is not a flat grade and has a dip. It did have to go into Walt's driveway to flow-down and into the grate. Pool is partially winterized. Will blow out the lines when the sprinklers are done for the season. Sargent Drilling came and did annual pump tests. Well 2 numbers are down. The report will be coming. Well 2 efficiency was low last year. The paperwork has been filled out for the burn of 109 W Barton. Right now they will postpone burn until after harvest.

Miscellaneous: Public comment from Dave Carlson about the bench. It has been moved so will no longer need board consideration. Dave also asked about the bathroom project at the City Park. Shelly Urkoski asked Norm years ago about updating the bathrooms and was told to put some information together and come back to the board. She has put in for grants and received \$20,000 to widen the doors and update

bathroom fixtures. Trustee Parsons and the Clerk met with Shelly on Sept 5th and stated they would discuss with the Engineer if anything is done to the building, would it have to become compliant with ADA guidelines. She had already discussed with plumber and contractor to do the work. She asked if the Chair could approve the project. She was told it had to be a majority decision by the board. The engineer looked it over and measured the bathrooms. Dave Carlson said you don't need to involve the engineer to make it ADA compliant. Dave found out before the meeting that a miscommunication happened and to wait until approval. Dave went to the park today and started the project not knowing it wasn't approved. The Village Attorney told him that it should have went through the board to get approval which the board is now told it should be brought to ADA compliancy. If now that it is started and it is over \$20,000 the Village would be on the hook for the remainder. Dave said it will be compliant because he talked with the Fire Marshall. The Attorney said it was started without a contract through the Village for work on the Village property. A door was put in since a door was taken out. Trustee Glynn wants to know how to proceed. Village Attorney said that person who got the funds needs to come to the Village and do a 3-party agreement with the village that the money is used specifically for this project, it will include what happens if the project goes over the amount received. Process is whoever secured funds, brings the project forward to the board and hire a contractor (could be a preferred contractor) but ultimately needs approval by the Board. Dave wanted to know why Shelly was told it was going to work. The engineer thought it was going to work but after putting the numbers in the system, it was recommended to do a one stall bathroom to meet the radius. Trustee Glynn wanted to know if there is any liability if the Fire Marshall signs off on this. There was miscommunication that the Contractor was not told to hold off on the work. Trustee Parsons will contact the Fire Marshall and the Engineer to see if what is planned will meet compliancy if the Fire Marshall does the inspection.

Agenda Item #10: Discussion on purchasing a zero-turn lawnmower for the maintenance department. Trustee Glynn came across a mower that would be a good deal and could cut some time on mowing. This is a John Deere mower that costs \$4000, possibly a 2017 or 2018 model with 2500 hours but redone and has 200 hours on it. It would have a bagger attachment and 54" deck but no warranty. The board would like to see if they would let us demo it for a week.

Planning & Zoning: There was permits for 416 W Morris fence and 417 W Amity storage shed. These met all requirements and was approved by P & Z. No village approval needed. The verbiage on the Zoning Permit about fences needing to have a lot surveyed was removed and a proposed language to show it is recommended to know lot lines. Judy will show it to the P & Z board. The Regs state to not build outside the lot line. If a person puts it over the line after it is approved, that does not come back to the Village. It would be a matter between those homeowners.

Agenda Item #11: Resolution 2024-0911.1 Schedule of Fees was postponed until the Water/Sewer rates were set.

Agenda Item #12: Discussion to set wages for rehiring personnel for FY 2024-2025. The Accountant has allowed up to a 5% raise in the budget. The Board wants to get an Employee Handbook created for future. The employees put together their job duties they do. Motion to approve the wages to be increased by 5% by Glynn, second Urkoski. RCV: Ramold, Glynn, Parsons, Drummond, Urkoski. MC 5-0.

Clerk: TCF awarded the Village \$1300 to help with funding of Christmas decorations. Board members need to be at the school for photos before the football game on Sept. 13th. Oct. 9th is the rescheduled date for the Civic Pride training that was scheduled in August. Presentation of the Treasurer's report.

Citing completion of agenda items, Chairman Pro-Tem Parsons adjourned the meeting at 10:18 p.m.

Special Budget Meeting

The Clarks Village Board of Trustees met in special session, Wednesday September 11, 2024 at Village Hall. Chairman-Pro Tem Parsons convened the meeting at 10:18 p.m. referencing display of the Open Meeting Laws.

Notice of the meeting was given in advance thereof by posting in at least three public places which is the designated method for giving notice to the Village.

Advance notice of the meeting was also electronically mailed to the Chairman and each member of the Board of Trustees. A copy of the Acknowledgement of Receipt of Notice of Meeting is attached to these minutes.

Attending Board of Trustees: James Parsons, Dylan Drummond, Donn Glynn, Kelly Urkoski, and Joe Ramold. Village Representatives in attendance: Kari Podliska, Jeff Gress, Corbey Grause.

Public Hearing for the FY 2024-2025 Budget was opened at 10:18 p.m. No public comment about the budget.

Public Hearing was closed at 10:19 p.m.

Citing completion of agenda items, Chairman Pro-Tem Parsons adjourned the meeting at 10:19 p.m.

Regular Meeting

The Clarks Village Board of Trustees met in regular session, Wednesday September 11, 2024 at Village Hall. Chairman-Pro Tem Parsons convened the meeting at 10:20 p.m. referencing display of the Open Meeting Laws.

Agenda Item #1: Motion to approve the FY 2024-2025 Budget as presented by Drummond. Motion failed for lack of second. The board members would like to have the accountant at a special meeting to walk board members through the budget paperwork.

Agenda Item #2: Motion to approve Resolution 2024-0911.2 Setting the Property Tax Request by Glynn, second Urkoski. RCV: Ramold, Glynn, Parsons, Drummond, Urkoski. MC 5-0

Citing completion of agenda items, Chairman Pro-Tem Parsons adjourned the meeting at 10:30 p.m.

I the undersigned Clerk hereby certify that the forgoing is a true and correct copy of the proceedings by the Mayor and Council; that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and available for public inspection at the office of the Clerk; that such subjects were contained in said agenda for at least twenty-four hours prior to said meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the said minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification concerning meetings of said body were provided advanced notification of the time place and of said meeting and the subjects to be discussed at said meeting.

APPROVED:

James Parsons, Chairman Pro-Tem

Kari Podliska
Clerk/Treasurer