

CLARKS VILLAGE BOARD PROCEEDINGS

October 9, 2024

The Clarks Village Board of Trustees met in regular session, Wednesday, October 9, 2024 at Village Hall. Chairman-Pro Tem Parsons convened the meeting at 7:02 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, and Joe Ramold. Village Representatives in attendance: Kari Podliska, Accountant Michael Hoback, and P & Z Administrator Judy Rieken, Jeff Gress and Corbey Grause. Guests present Dave Schultz, Kevin Urkoski, Shelly Urkoski, Dave Carlson, Randy Hellbusch from NRW, Shirely Kava, Michelle Glynn and Barb Fowler from PCRPPD. Librarian Barbee Sweet in attendance at 7:45 p.m.

Consent Agenda items – Approval of Meeting minutes from 09/24/24; Transfer \$1500 from Sales Tax to the Resin Reserve Fund; transfer of \$3750 from Sales Tax to WT Fund; to approve and draw warrant upon the claims as presented:

Payroll August	\$10514.10
Payroll taxes/Sales Tax/Quarterly Reports	\$6258.02
1to1 Technologies, L&G R/M, Equip	\$267.76
AMGL, G	\$4000.00
Bank of Clarks, G	\$1770.21
Bomgaars, STSW R/M	\$79.35
Capital Bus Systems, GL E	\$192.10
Cengage, LB	\$133.20
Clarks Lumber, R/M	\$149.76
Debit Card Purchases, SWSTLG Sup, Fuel	\$355.25
Hawkins, WTR/M	\$2151.34
HOA, W Equip	\$977.00
Jeff Gress, L R/M	\$13.84
John Deere Financial, ST R/M	\$209.90
Johnson Service, SW R/M	\$1437.50
Kari Podliska, GL Sup	\$170.85
Kelly Urkoski, CM R/M	\$1000.00
Lincoln WinWater, WR/M	\$2169.02
Manstedt K-Lawn, PGPAST R/M	\$702.09
Mid-NE Disposal, R/M	\$92.70
Midwest Labs, W R/M	\$79.00
Myers Ins., Ins	\$12846.25
NNTC, Ut	\$200.41
NE Public Health Env Lab, W R/M	\$15.00
One Call Concepts, WSW	\$25.90
Overland, ST	\$173.98
PCRPPD, GSTSWWLPPR	\$2849.61
RHD Publishing, G	\$238.21
Sargent Drilling, W R/M	\$850.00
Svehla Law, G	\$2042.00
USA Blue Book, W R/M	\$1360.21

Motion Ramold, second Glynn to approve the consent agenda items as presented. RCV: Ramold, Glynn, Parsons, Drummond. MC 4-0

Agenda Item #1: Motion by Ramold, second Drummond to accept the resignation of Trustee Urkoski. RCV: Parsons, Ramold, Drummond, Glynn. MC 4-0. Thank you to Trustee Urkoski for her service and dedicated time on the board.

Agenda Item #2: Discussion with Randy Hellbusch from NRWA and our Accountant Michael Hoback on changing the Water/Sewer rates for the Village. There is an option to do a maintenance fee for Vacant properties. Motion to approve rate change from \$55 to \$65 and the usage from \$2.20/1,000 gals to \$2.65/1,000 gals by Drummond, second Ramold. RCV: Parsons, Ramold, Drummond, Glynn. MC 4-0 Recommendation to do a rate study every couple years to keep up with cost changes instead of waiting 5-10 years.

Agenda Item #3: Barb Fowler from PCRPPD discussed what her board had discussed with the purchase of the infrastructure of the fringe area. Motion to accept the offer of \$10,000 for the infrastructure area outside the municipal boundaries from PCRPPD effective January 1, 2025 by Glynn, second Ramold. RCV Ayes: Ramold, Glynn, Parsons. Naves: Drummond. MC 3-1. Barb commended the board for the willingness to talk about the issue and come to an agreement. Next month there will be a purchase agreement to sign.

Agenda Item #4: Discussion on the citizen proposal to the renovations of the Bathrooms at the City Park. Trustee Parsons wanted to apologize for the communication breakdown from Norm coming down to the board. He apologized to Dave Carlson for the breakdown on the day Dave was doing the work. There was a breakdown in communication from meeting with Shelly Urkoski to hold off on the project until the board had time to talk about it. The chair read a note from the Engineer about the project and he requested we discuss with our attorney on the liability that would remain if the Fire Marshall signed off on the proposed plan. Trustee Ramold wanted to know when the board was going to be informed of this project. Trustee Parsons said information was being put together so it could be brought to the board at the October meeting. It just happened that communication was mixed up and Dave Carlson started the work last month. The board's standpoint is to make sure that all ADA items are met and be compliant. The grant funds need to be spent by June. The board wants more information on how much change constitutes where you have to then make it compliant to current codes. They would like to have the Fire Marshall and Attorney at the next meeting.

Library Report: Financials presented to board. Little Spooks Parade will be Oct. 31st and Strobel's will provide the hot dog meal. There will be a Literary Pumpkin decorating contest. Friends of the Library got pumpkins for the kids to decorate. Old Fashioned Christmas will be one day this year on Nov. 30th. Central City Chamber approached Barbee about becoming a member. They are a chamber for Merrick County. They will be meeting and will come up with a cost for the Village & all organizations under it to join. Motion to spend up to \$250 for the Village of Clarks to be part of the MC Chamber and Barbee as the representative by Ramold, second Glynn. RCV: Glynn, Parsons, Drummond, Ramold. MC 4-0

Agenda Item #5: 1 to 1 Technologies recommendation for the Library is postponed until November meeting as Cody has been out of the office and not able to answer the questions the Board had.

Planning & Zoning: There was one zoning permit for 606 N Iler that met all requirements and didn't need Board approval.

Agenda Item #6: Motion to adopt Resolution 2024-1009.1 to declare properties as a nuisance with amendment of removing 406 W Amity as it has been completed. RCV: Ramold, Drummond, Glynn, Parsons. 105 E Pearl has also been completed. MC 4-0

RESOLUTION 2024-1009.1

RESOLUTION TO DECLARE A NUISANCE

The Chairperson and Board of Trustees of the Village of Clarks, Nebraska (collectively "Board"), in regular session assembled at the Village Office in Clarks, Nebraska, on this 9th day of October, 2024, hereby resolve as follows:

WHEREAS, the Village of Clarks has the power and authority to abate and remove Nuisances pursuant to Neb. Rev. Stat. §18-1720; and

WHEREAS, the Board desires to identify Nuisances pursuant to the Municipal Code of the Village of Clarks, Nebraska.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Village of Clarks, NE, that the following property located within the nuisance jurisdiction of the Village of Clarks, Nebraska, has been submitted to the Board at its regular meeting on October 9, 2024, to wit:

N Green St	County Subdivision N ½ Lots 3-4, Block 8 of Clarks, Merrick County, Nebraska
418 W Morris	Hawley's Addition Pt Lots 8-9-10, Block 1 of Clarks, Merrick County, Nebraska
306 N George	Original Town of Clarks S 66' of Lots 1-2, Block 12 of Clarks, Merrick County, Nebraska
406 W Amity	Hawley's Addition Pt Lot 1 & Pt Lot 2, Block 2 of Clarks, Merrick County, Nebraska
609 E Amity	County Subdivision, Tract 1, Lot 1, Block 15 of Clarks, Merrick County, Nebraska

107 W Millard	Original Town of Clarks, Lots 5, 6, 7, 8 of Block 20 of Clarks, Merrick County, Nebraska
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BE IT FURTHER RESOLVED that the Board found at said meeting that the following property is declared to have nuisances upon it contrary to the Village Code of Clarks, Nebraska and that said nuisance is ratified by this Resolution, to wit:

N Green St	County Subdivision N ½ Lots 3-4, Block 8 of Clarks, Merrick County, Nebraska
418 W Morris	Hawley’s Addition Pt Lots 8-9-10, Block 1 of Clarks, Merrick County, Nebraska
306 N George	Original Town of Clarks S 66’ of Lots 1-2, Block 12 of Clarks, Merrick County, Nebraska
406 W Amity	Hawley’s Addition Pt Lot 1 & Pt Lot 2, Block 2 of Clarks, Merrick County, Nebraska
609 E Amity	County Subdivision, Tract 1, Lot 1, Block 15 of Clarks, Merrick County, Nebraska
107 W Millard	Original Town of Clarks, Lots 5, 6, 7, 8 of Block 20 of Clarks, Merrick County, Nebraska

BE IT FINALLY RESOLVED, that the Board shall proceed as determined under the administrative procedure as described in the Municipal Code of the Village of Clarks, Nebraska.
Dated this 9th day of October, 2024.

Maintenance Report: The permits are done with the Railroad and Phil is getting it set to get here to finish the Millard Street side of the drainage project. He is trying to set Oct. 29th up. Johnson Service was here

and foamed the alley by Green & Pearl St. They will be back tomorrow to line the pipe that goes under the railroad tracks. Jeff was asked if there could be lines painted at the Tennis Court at the park to play Pickle Ball. The board is ok with getting lines painted on there. There is a tree at the park by the Volleyball courts that is dead and needs removed. Maintenance is going to do this project. There is also the need to trim the trees hanging over the streets again. Jeff will get with D & S to see what the cost is to do this again. There is also a tree on Barton Street that is an issue of possibly falling in the street. Jeff will talk with the homeowner about removal of the tree. Jeff did receive a quote from All Types Coating to fix the cracks by Turner Street along with other places around town that could use it. The board would like to start with Turner Street and see how this company does.

Agenda Item #7: Motion to approve the purchase of a Zero-turn lawn mower from Snider's in Aurora with the sale of the old cemetery mower by Drummond, second Ramold. RCV: Parsons, Drummond, Ramold. Abstain: Glynn. MC 3-1

Agenda Item #8: Motion to adopt Resolution 2024-0911.1 Schedule of fees for the FY 2024-2025 with the updated water and sewer rates by Drummond, second Glynn. RCV: Parsons, Ramold, Drummond, Glynn. MC 4-0. RESOLUTION NO. 2024-0911.1

A RESOLUTION OF THE CHAIRPERSON AND BOARD OF TRUSTEES OF THE VILLAGE OF CLARKS, NEBRASKA, ADOPTING THE FEES AS STATED AND HEREBY DECLARED IN THE ATTACHED "SCHEDULE OF FEES"; TO PROVIDE FOR AN EFFECTIVE DATE AND TO REPEAL ALL RESOLUTIONS OR PORTIONS THEREOF IN CONFLICT HERewith.

BE IT RESOLVED BY THE CHAIRPERSON AND BOARD OF TRUSTEES OF THE VILLAGE OF CLARKS, NEBRASKA, that the Village hereby approves the fees pursuant to the attached "Schedule of Fees".

This resolution shall be effective November 1, 2024, and repeal all resolutions or portions thereof in conflict herewith.

PASSED AND ADOPTED THIS 9th DAY OF OCTOBER, 2024.

Agenda Item #9: Motion to suspend the 3-reading rule for Ordinance 752 Salaries for Officers and employees FY 2024-2025 by Glynn, second Drummond. RCV: Parsons, Ramold, Drummond, Glynn. MC 4-0. Motion to adopt Ordinance 752 Salaries for Officers and Employees FY 2024-2025 by Drummond, second Glynn and to be posted in pamphlet form. RCV: Ramold, Glynn, Parsons, Drummond. MC 4-0

ORDINANCE NO. 752

AN ORDINANCE OF THE VILLAGE OF CLARKS, MERRICK COUNTY, NEBRASKA, SETTING WAGES AND SALARIES FOR OFFICERS AND EMPLOYEES OF THE VILLAGE FOR THE YEAR COMMENCING OCTOBER 1, 2024, AND CONTINUING TO AND THROUGH SEPTEMBER 30, 2025; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING AN EFFECTIVE DATE; AND TO PROVIDE FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM.

Clerk: Discussion of a flowerbed being placed in between the sidewalks by the Public restrooms. A citizen would donate perennial flowers for it. There is already a sprinkler there to water it. The Board would like to know a cost for mulch before proceeding with the project. Treasurer's report was presented.

Miscellaneous: Next meeting is Nov. 13th at 7 p.m. Trustee Glynn would like to see us look at doing a Movie Night/Food Truck Day in the spring and not do a City Wide Cleanup.

Citing completion of agenda items, Chairman Pro-Tem Parsons adjourned the meeting at 10:21 p.m.

I the undersigned Clerk hereby certify that the foregoing 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