

**Village Of Manley**  
**Board of Trustees Regular Meeting**  
**July 9, 2020**

The Regular Meeting of the Village of Manley Board of Trustees was called to order on July 9, 2020 by Chairman Denise Swenson at 7:02 PM. Roll call was taken and members present were Denise Swenson, Mickey Dalton, Tim Glas, Rebecca Goble, and Adam Zierott along with Village Clerk Jolene Dalton, Streets Maintenance Supervisor Adam Goble & 2 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 Chairman DSwenson. Notice of this meeting was posted on the Village website and in the bulletin boards on the Fire House & Post Office.

**Agenda** TGlaser moved & RGoble seconded to approve the Agenda. Roll call vote: All approved. Motion carried.

Consent Agenda items approved:

\*June 11, 2020 **Minutes**

\*June 2020 **Water Clerk's Report**

\*June 2020 **Treasurer's Report**

\*June 2020 **Village Clerk's Report** - Submitted the update of the Village 2020 NDOT Lane Mile Report; Sent/mailed July letter to residents; Emailed article regarding the Pillage the Village cancellation to the *Cassgram*; Animal Licensing – Sent citations via certified mail to Julie Dillon and Al & Jamie Martz; Wrote letters to the Manley Postmaster & Randy Abbott requesting permission to hang bulletin board in the Post Office hallway. Both approved the request; Updated Ordinance & Resolution binders. (Started 3<sup>rd</sup> Ordinance binder.); Contacted RWD #3 regarding the Village water meter's accuracy. Found out the present meter was installed in 2012 and has a normal life span of ~20 years.

**Remaining Reports**

\*June 2020 **Misc Monthly Reports** –  
**Water Specialist** - Jack Faubion

The results of the water sample for the month of June had no violations.

**Wastewater Specialist** – Ed Blunt

6/13 & 6/27 – checked the lagoons; pump #2 seemed to be working in auto 1<sup>st</sup> time, not working 2<sup>nd</sup> time; lots of duck weed forming, skimmer is working keeping it out of wet well; fresh mowed

**Water Meters** – Mickey Dalton & Adam Goble

Progressing along. Have replaced 37 of the 72 meters.

**Kitchenette** – MDalton switched out the plugs on the stoves & installed the white stove donated by AZierott. Adam Goble got rid of the old crème colored stove.

**811 Digger Calls** - Received 3 locate requests this month. None required marking.

**Picnic Shelter** – Concrete work is in limbo, needs to be finalized. JDalton gave Jessie Woolhiser the Manley Centennial Book to help design some mural ideas for the gable ends.

**New Playground** – MDalton met with Dan at Crouch Recreation and got some very helpful information for putting the playground together. Need to set a date to start construction. Talked to Duane Hinman, Craig, NE Board Chairman, & he thought maybe this weekend (July 11-12) they would be down to get the old playground.

A couple of items in this report will be addressed later on the Agenda, so TGlaser moved & MDalton seconded to approve the Misc Monthly Reports. Roll call vote: All approved. Motion carried.

\***Claims** – Black Hills Energy for CommCtr-\$42.21 & Fire House-\$31.99; DHHS for water testing-\$15.00; OPPD for CommCtr-\$59.66, Fire House-\$72.94, Sewer-\$57.88, Water-\$33.00 & Street Lights-\$269.94; RWD #3 for water-\$1,070.00; Windstream for CommCtr-\$95.64 and Fire House-\$99.11; WireBuilt for website maint-\$50.00; Manley Hwy Acct for matching trsf from Sewer Acct-\$161.00 & Water Acct-\$161.00; JFaubion for July water wages & postage-\$126.75; EBlunt for Jun wastewater specialist-\$175.00; Ball Insurance for qtrly premium-\$1,125.00; NE Dept of Revenue for 2<sup>nd</sup> Qtr Sales Tax-\$663.25; Manley Water Acct for trsf from Sewer Account for 2<sup>nd</sup> Qtr Sales Tax-\$389.79; One Call Concepts for 2<sup>nd</sup> Qtr digger calls-\$13.45; US Treasury for 2<sup>nd</sup> Qtr P/R taxes-\$341.39; Mowen Owen for June mowing-\$420.00; Papillion Sanitation for Village

CleanUp-\$110.70; Dakota Fence & Deck for 1/3 deposit-SSwenson fence-\$525.00; Postmaster for stamps-\$55.00; M&N Investments for tractor fuel-\$28.82; Pankonin's for tractor repair-\$1,592.64; Meeske Auto Parts for mower belt-\$49.20; Meeske Hardware for water meters installation parts-\$21.30; MDalton for wood stakes for PShelter-\$38.45; JDalton for June Village Clerk-59-1/2 hr-\$683.29; JDalton for computer ink & postage-\$131.56; AGoble for flashlights/tornado shelter-\$14.97; DSwenson for zoning sign materials, flowers & mulch-\$37.12; MDalton for water meter installation parts-\$10.20; and MDalton for June lagoon mowing & spraying-\$180.00. MDalton moved & TGlas seconded to approve the Claims with the exception of the Dalton, Goble & Swenson claims. Roll call vote: All approved. Motion carried.

TGlas moved & AZierott seconded to approve the 5 Claims for the Daltons. Roll call vote: DSwenson-yes, MDalton-abstain, TGlas-yes, RGoble-yes, AZierott-yes. Motion carried.

MDalton moved & TGlas seconded to approve the Claim for Adam Goble. Roll call vote: DSwenson-yes, MDalton-yes, TGlas-yes, RGoble- abstain, AZierott-yes. Motion carried.

MDalton moved & TGlas seconded to approve the Claim for DSwenson. Roll call vote: DSwenson- abstain, MDalton-yes, TGlas-yes, RGoble-yes, AZierott-yes. Motion carried.

### **Unfinished Business**

Village Comprehensive Plan – After discussion, DSwenson read proposed Resolution 20-03:

WHEREAS the Chairperson and Board of Trustees of the Village of Manley will continue the Comprehensive Plan “10 Year Community Vision”, and

WHEREAS Zoning and Subdivision regulations, Blight and Substandard Determination Study and the General Development Plan will continue to be adopted and set foregoing, and

WHEREAS the current Plan will stay in force as is until new updates are established,

RESOLVED FURTHER that the foregoing resolution was duly adopted by the Village of Manley Chairperson and Board of Trustees at a properly noticed public meeting held on the 9<sup>th</sup> day of July, 2020 at which a quorum was present.

AZierott moved & MDalton seconded to adopt Resolution 20-03 as read. Roll call vote: DSwenson- yes, MDalton-yes, TGlas-abstain, RGoble-yes, AZierott-yes. Motion carried.

Further discussion was held about updating the Comprehensive Plan. An updated survey of the Village's demographics may be needed to be eligible for possible future grant money. Suggestion to get bids for someone else to do the survey.

Zoning – A proposed Resolution 20-04 for Administrative Fees/Fines/Applications for any Manley Zoning &/or Subdivision changes was read by DSwenson:

WHEREAS Ordinance 20-02 of the Village of Manley, Cass County, Nebraska was passed on April 9, 2020 in open session during a Village Board meeting, and

WHEREAS the Village Board of Trustees, Village of Manley, NE has authority to set forth Administrative Fees/Fines for Zoning and/or Sub-Division Changes and applications and to adjust such fees/fines by a Resolution and public notification as required by State law, as necessary, and

WHEREAS the Village of Manley, Board of Trustees has determined that in the best interest of the Village of Manley, it should set forth and charge Administrative fees and fines for Zoning and/or Sub-Division changes and applications, and

WHEREAS the Village of Manley, Board of Trustees has determined the fees to be as follows:

Application \$25.00

Zoning Change \$200.00

Sub-Division Change \$200.00

Fine for not applying or applying for change and moving forward without approval is three times the above listed fees and could result in property being reverted back to its prior state at the cost of the applicant, and

WHEREAS the Village of Manley, Board of Trustees may adjust those fees by Resolution,

NOW, THEREFORE, by vote it is resolved by the Village of Manley Board of Trustees to set the Administrative fees and fines for the Zoning and/or Sub-Division changes and applications.

After discussion, MDalton moved & RGoble seconded to adopt Resolution 20-04 as read. Roll call vote: All approved. Motion carried.

\*After discussion, MDalton moved & RGoble seconded that the Village purchase six (6) generic zoning signs for future use. Roll call vote: All approved. Motion carried.

\*DSwenson distributed a packet of information for the Board to look over regarding the Vogler re-zoning request that will be discussed at a Special Board Meeting on July 30<sup>th</sup>.

Street work – Austin & Naylor Lovell from Asphalt Specialists joined the meeting and addressed the Board. They answered questions about the process they use. The work on Elm Street & Sunrise Court will probably last 10-15 years with regular maintenance. They would include speed humps in their price for the street work. They would paint them yellow. With the crack fills, they will come back if the patch settles. Regarding winter maintenance, salt will not affect asphalt like it does concrete. They were then excused from the meeting.

MDalton reviewed with the Board the other bids the Village received from NL Driveway Maintenance and Asphalt Maintenance. It was agreed, that when this work is done, we will need to re-evaluate our 1 & 6 Year Street Plan. TGlaser moved & AZierott seconded that we accept the bid for \$40,000.00 from Asphalt Specialists for the Elm Street & Sunrise Court project and to crack fill the entire Village. Roll call vote: All approved. Motion carried.

Building Permits –

James Struthers (209 Broadway) has moved the fence back to where it was when they bought the property.

Nick Rockwell (212 Broadway) included the deck on his original application & work was started on it within the required time limit so another permit is not needed.

Trish Schliefert – DSwenson will discuss the Village Building Permit requirements with her.

Anthony Houchin (112 Cherry) still has not submitted an application despite several letters & personal contact. The matter will be turned over to the Village attorney.

Open Village Positions – Compensation for a Zoning Administrator was discussed. The Board will discuss further next month.

Nuisance Violations – The property at 111 Broadway was discussed. TGlaser reported that he talked with the owner & told her she needs to submit a plan by tonight's Board meeting. No further correspondence has been received. TGlaser moved & MDalton seconded that we send Meriel Crawford (111 Broadway) an Ordinance 90.5 violation notice and give her 30 days to clean it up or turn it over to the Village attorney.

After discussion, 201 Locust & 204 Main will be sent letters to clean up the yard & to keep grass clippings off the street (for safety reasons), respectively.

Welcome Committee – Final edits were made to the Welcome letter. An effort will be made to reach out to our newly annexed residents. DSwenson volunteered to head the Committee.

Park projects – \*Trash can lids – no report

\*The tennis court net still needs to get put back up. MDalton & Adam Goble will work on it.

\*Picnic Benches – Needing a plan, the Board was directed to come up with ideas for next meeting.

\*Picnic Shelter – Details regarding the concrete were discussed with James Struthers. AZierott lined up a crew to help. Remuneration of \$200.00 per worker was approved. The Village will also provide drinks & lunch. Pending weather, the pour was scheduled for Saturday, July 25<sup>th</sup> starting at 6:00 AM.

\*Playground – MDalton reported that a "crew" from Craig, NE was going to try & get down this weekend to remove the old playground. If they don't make it, our "crew" will take it down & set it aside for them on Sunday, July 19<sup>th</sup>. A work night to start assembling the new playground pieces was set for Tuesday, July 14<sup>th</sup> at 7:00 PM at the Maintenance Building.

Tornado Shelter in the Community Center – DSwenson will see if she can get a weather radio donation. Signs directing people to the furnace room &/or the storage rooms under the stairways will be made. Some chairs & bottles of water will be put in those areas.

Culvert at Manley Lane & Hwy 1 – AZierott discussed the issue with Dan Timm. Dan & Fire Chief Larry Schliefert will discuss with the VFD and get back to the Board.

Stop sign & speed humps – Denise will get more information on specifics regarding speed humps. Then the Board will need to decide where they should be put in the Village.

Village Bulletin Board in Post Office – Approval to hang a bulletin board in the P.O. hallway was received from the owner, Randy Abbott & the Post Office. A decision on where to hang it will be made.

Animal Citations – Certified Citation letters were not picked up. As specified on the Citation, the fine will now increase to \$100/animal and will be referred to the Village attorney.

### **New Business**

Per legal requirement to post, the job titles & salaries in our Village are: Village Clerk-\$12.50/hour, Board members-\$30.00/meeting, Water Specialist-\$100.00/month, Water Commissioner-\$15.00/hour, Wastewater Specialist-\$175.00/month, Snow Plowing-\$15.00/hour, and Lagoon Mowing & Spraying-\$15.00/hour. After discussion, MDalton moved & RGoble seconded that they remain the same for the 2020-21 year. Roll call vote: DSwenson- yes, MDalton-yes, TGlas-abstain, RGoble-yes, AZierott-abstain. Motion carried.

Community Center Clean Up for rentals – Clean-Up was scheduled for Friday, July 17<sup>th</sup> at 6:00 PM.

IPMC Book Fees – The Board members will pass the book around, look thru what fees need to be defined & make suggestions.

Fireworks discussion – TGlas reported that he has done some research & found that the State of NE has repealed most of the firework laws. A municipality has the right to make their own laws. He presented a proposed Ordinance to begin discussion on what regulations we might want for the Village.

### **Public Forum –**

JDalton presented an article from the NE Municipal Review publication about an available tree grant. The Board decided to pass on for now.

Betty Meyer addressed the Board regarding the zoning issue with Steve & Denise Swenson’s fence that was discussed at the May Board meeting. Betty & Denise were the only ones present on the Board when the issue occurred.

**Adjournment** MDalton moved & TGlas seconded to adjourn the meeting at 10:15 PM. Roll call vote: All approved. Motion carried.

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Jolene Dalton  
Village Clerk

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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](http://www.manleyne.com).

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