Village of Manley
Board of Trustees Regular Meeting Minutes
Thursday, November 14, 2024

The Regular Meeting of the Village of Manley Board of Trustees was called to order on November 14, 2024, at 7:02 p.m. by Chairman, Denise Swenson. The Pledge of Allegiance was recited & roll call was taken. Members present at the time were Denise Swenson, Tim Glas, Phillip Tapp, Patricia Gruber, & Marcie LaFleur. The Village Clerk, Lindsy Cronk, was in attendance along with 10 guests. A copy of the Open Meetings Act was posted in the meeting room for review. The Code of Conduct for Municipalities was read by Chairman, Denise Swenson. Notice of the meeting was posted on the Village of Manley website & on the Fire House & Post Office bulletin boards.

Agenda:

A motion to approve the consent agenda as presented was made by Tim Glas & seconded by Patricia Gruber.

Phillip Tapp	Patricia Gruber	Marcie LaFleur	Tim Glas	Denise Swenson
Yes	**Yes**	**Yes**	**Yes**	**Yes**

Motion carried.

Consent Agenda Items Approved:

* October 10th Minutes
* Correspondence
    - Confirmation of Lead service Line Inventory (LSI) Submission 10/29/2024
    - Confirmation that public hearing notices were published in Omaha World Herald *10/29/2024*
    - Letter of Warning regarding late submission of LSI *11/06/2024*
    - Throughout October and November, the Village stayed in contact with Stephanie DeGroot regarding the Audit waiver.
* Water Clerk's Report
    - $2,499.21 Deposited to Water
    - $3,539.60 Deposited to Sewer
    - 15 delinquent Accounts noted
    - 2 Overpaid Accounts noted
* Treasurer's Report
* Village Clerk's Report
    - Caught up all Water/Sewer bills through October.
    - Sent out 10 Water/Sewer letters via email.
    - Worked with Stephanie DeGroot on Audit Waiver
    - Participated in League Conference in October.
    - Internal Audit with Tim Glas, Patricia Gruber, & Pat Klauman
    - Filed Taxes
    - Posted Public Hearing Notices in the paper
    - Worked on & submitted Lead Service Line Inventory (LSI)

* Misc. Monthly Reports
    - Water Specialist – N*o report*
    - Wastewater Specialist –*Inspections on 10/07/2024 and 10/22/2024. Lots of duckweed.*
    - 811 Digger Calls – *3 calls for October.*

Remaining Reports:

- **Claims**

* *Black Hills Energy*.....*$80.38*
* *Windstream CC (Sept. due Oct.)*.....*$166.69*
* *Windstream CC (Oct. due Nov.)* *$166.76*
* *Windstream FH (Sept. due Oct.)*.....*$155.07*
* *Windstream FH (Oct. due Nov.)*.....*$155.07*
* *OPPD CC & FH*.....*$151.47*
* *Wirebuilt*.....*$50.00*
* *Lindsy Cronk*.....*$1,390.78*
* *Cass County Refuse*.....*$57.00*
* *Denise Swenson (office supplies)*.....*$47.73*
* *Transfer to Highway from Water – Highway Allocation Match 2023-34*.....*$3,329.33*
* *Transfer to Highway from Water – Highway Allocation Transfer Oct 2024*.....*$365.70*
* *NE Public Health Lab*.....*$190.00*
* *OPPD Well*.....*$33.00*
* *Bank Correction*..... *$6.00*
* *Otoe RWD #3*.....*$1,245.50*
* *Jack Faubion (Sept, Oct, Nov.)*.....*$432.10*
* *Transfer to Highway from sewer – Highway Allocation Match 2023-24*.....*$3,329.33*
* *Transfer to Highway from Sewer – Highway Allocation Match Oct. 2024*.....*$365.70*
* *OPPD Sewer*.....*$37.44*
* Ed Blunt.....$175.00
* Mickey Dalton (lagoon buoys).....$47.98
* Premier Pest Control.....$85.00
* Denise Swenson (Christmas décor)..$531.25
* OPPD Streetlights.....$330.23

- **August Amended Claims**
    - *Check 3013 from Water account for $438.40 was voided as it was meant to come out of the sewer account (check #3012)*
    - *VISA purchase from Community Center account to Crown Awards for PTV trophies was added for $132.00*
    - *Check #1014 from Community Center account to Cheyenne Moore for PTV DJ was added for $300.00*
    - *Check #1015 from Community Center account to Chris Bryson for PTV Pickleball was added for $300.00*
    - *Check #1016 from Community Center account to Anytime Tree for tree removal was added for $2,000.00*
- **October Amended Claims**
    - *ACH Transaction from General account for $473.45 to NE Department of Revenue was meant to come out of water account.*

- Denise Swenson made a motion to accept all three of the claims reports. This was seconded by Marcie LaFleur.

Phillip Tapp	Patricia Gruber	Marcie LaFleur	Tim Glas	Denise Swenson
Yes	**Yes**	**Yes**	**Yes**	**Yes**

- Motion carried.

***At 7:11 pm, the regular meeting was closed by Denise Swenson and the Ag to Ag-Res Zoning Change Public Hearing was opened. ***

Ag to Ag-Res Zoning Change Hearing:

- It was noted that this was discussed due to the Meylar of the Zoning Change and Resolution were not available at the last meeting.
- Opportunity for discussion was present, no discussion occurred.
- A motion to accept the Planning Commission recommendation to approve the change from Agricultural to Agricultural-Residential on Tax Lot 9, an administrative subdivision in the SW1/4 of the SW1/4 of Section 14-T11N-R11E of the 6th p.m. Cass County, Nebraska was made by Tim Glas and seconded by Phillip Tapp.

Phillip Tapp	Patricia Gruber	Marcie LaFleur	Tim Glas	Denise Swenson
Yes	**Yes**	**Yes**	**Yes**	**Yes**

- Motion carried.
- Resolution 24-05 was read by Chairman Denise Swenson.
- A Motion to accept Resolution 24-05 as presented was made by Time Glas and seconded by Marcie LaFleur.

Phillip Tapp	Patricia Gruber	Marcie LaFleur	Tim Glas	Denise Swenson
Yes	**Yes**	**Yes**	**Yes**	**Yes**

Motion carried.

***At 7:21 pm, the Ag to Ag-Res Zoning Change Public Hearing was closed by Denise Swenson and regular meeting and agenda was re-opened. ***

Unfinished Business:

- **Nuisance Violations**
  - A list of violations was not yet prepared.
  - Possible nuisances were discussed.
  - The Village Clerk presented a sample letter. It will be sent to residents.

RESOLUTION
NO. 24-05

WHEREAS, The Board of Trustees for the Village of Manley, Cass County, Nebraska is authorized to make changes to the zoning within the one mile jurisdiction of the Manley Nebraska village limits.

WHEREAS, the Village of Manley Planning Commission has recommended a zoning change from AG to AG/RES on the Administrative Subdivision of the SW1/4 of the SW 1/4 of Section 14-T11N-R11E of the 6th P.M. Cass County, Nebraska;

WHEREAS, on Aug 29, 2024 after public hearing was held, the Planning Commission voted 5-0 for zoning change from AG to AG/RES;

WHEREAS, on September 12, 2024 the Planning Commission presented the recommendation to accept the zoning change;

WHEREAS, on November 14, 2024 the Village Board conducted a public hearing to vote to APPROVE proposed zoning change;

NOW, THEREFORE, BE IT RESOLVED, by the Village Board of Manley Nebraska,that the zoning to the one mile jurisdiction of the Village of Manley, Cass County, Nebraska are hereby APPROVED and adopted; and

BE IT FURTHER RESOLVED, that the property noted be changed in the zoning regulations of the Comprehensive Plan of the Village of Manley from AG to AG/RES.

DATED, this 14 day of November 2024 in Manley, Cass County, Nebraska.

Village of Manley, Cass County,Nebraska

By: Denise Swenson
Denise Swenson, Village Board Chairman

ATTEST:
Lindsey A. Crouse
Village Clerk

(SEAL)

- **Building Permits**
  - Building permit for three 20ft crosses in front of Crossroads Church was presented to the board along with a diagram. The potential height was discussed.
  - A motion to approve the Crossroads Church building permit as presented was made by Tim Glas and seconded by Marcie LaFleur.

Phillip Tapp	Patricia Gruber	Marcie LaFleur	Tim Glas	Denise Swenson
Yes	**Yes**	**Yes**	**Yes**	**Yes**

  - Motion carried.
  - A building permit to pour a new concrete patio in front of the house on 109 Locust was presented to the board.
  - A motion to approve the permit for 109 Locust as presented was made by Tim Glas and seconded by Marcie LaFleur.

Phillip Tapp	Patricia Gruber	Marcie LaFleur	Tim Glas	Denise Swenson
Yes	**Yes**	**Yes**	**Yes**	**Yes**

  - Motion carried.
  - Two permits were presented for 105 Locust St.
  - The first is for a complete remodel of the house as well as the addition of a vapor barrier and vinyl siding.
  - The second permit is for the addition of a small porch to the previous concrete pad.
  - Discussion on electrical and remodel details.
  - A motion to approve both permits for 105 Locust St. as presented was made by Tim Glass and seconded by Marcie LaFleur.

Phillip Tapp	Patricia Gruber	Marcie LaFleur	Tim Glas	Denise Swenson
Yes	**Yes**	**Yes**	**Yes**	**Yes**

  - Motion carried.
- **Community Center Rentals**
  - December 15, 2024, ... Dalton Baby Shower *(Downstairs Only)*
  - December 24, 2024, ... Dalton Family Christmas *(Downstairs Only)*
  - December 29, 2024, ... Dalton Family Christmas
  - It was discussed that the Village Christmas Celebration will be on December 14th from 1:00 – 3:00 pm
- **Pillage the Village Committee**
  - The last committee meeting was on October 21st. It was discussed at that meeting that more residents responded to the survey stating they do not wish to continue Pillage the Village as opposed to those who do wish to continue it.
  - Pillage the Village meetings will be held every 3rd Monday of each month at 6:30 pm in the Community Center.
- **Community Center Small Projects**
  - Two bids were presented for painting the Gingerbread on top the Community Center. A third bid is still needed.
  - There was discussion regarding the generator and the need to re-check the fire extinguishers.

- **Road Patch on Main & Locust**
  - The Village is still seeking out a third bid.
- **Christmas Lights**
  - It was discussed that the Christmas Light Committee identified 13 light poles from which to hang Christmas decorations. The committee presented potential options and prices to the board.
  - A $6,000 budget for decorations, hangers, and materials was proposed.
  - A motion to approve $6,000 for Christmas decorations, hangers, and materials from the Community Center account was made by Tim Glas. No one seconded the motion, the motion died.
  - There was discussion on which account to use for the Christmas decoration funds.
  - A motion to approve up to $6,000 with $3,000 from the Community Center account and $3,000 from the General account for Christmas decorations, hangers, and materials (including electrical) was made by Denise Swenson and seconded by Tim Glas.

Phillip Tapp	Patricia Gruber	Marcie LaFleur	Tim Glas	Denise Swenson
Yes	**Yes**	**Yes**	**Yes**	**Yes**

  - Motion carried.
- **KCCB Cleanup**
  - It was discussed whether or not to reschedule the Keep Cass County Beautiful Cleanup as, only one person showed up on the 26th.
  - It was determined that the next cleanup will not be until spring, when the weather improves.
- **Louisville Interlocal**
  - The proposed interlocal from Louisville was presented to the board.
  - It was discussed that accepting the interlocal is beneficial because it allows Manley to work with Louisville to jet out the sewer system.
  - A motion to accept the Louisville Interlocal Agreement was made by Denise Swenson and seconded by Tim Glas.

Phillip Tapp	Patricia Gruber	Marcie LaFleur	Tim Glas	Denise Swenson
Yes	**Yes**	**Yes**	**Yes**	**Yes**

  - Motion carried.
- **Snow Removal & Truck Repairs**
  - It was discussed that Patrick McAndrew and Jarod Paul will b doing this year's snow removal.
  - It was also discussed that Adam Goble has been working on the truck. He redid the brakes and picked up a new snow blade for $250.00.
  - The truck still needs a new catalytic converter and exhaust. It will cost around $400.00 from Keckler's in Weeping Water.
  - There was discussion on stakes that are to be placed to allow for the curbs to be easily identified when plowing.

New Business:

- **Planning Commission Appointments**
  - Laura Glas is resigning from the Planning Commission.
  - Denise Swenson has appointed Marshall Stander to replace Laura and Marshall has accepted.
  - A motion to approve the appointment oof Marshall Stander to the Planning Commission was made by Tim Glas and seconded by Denise Swenson.

Phillip Tapp	Patricia Gruber	Marcie LaFleur	Tim Glas	Denise Swenson
Yes	**Yes**	**Yes**	**Yes**	**Yes**

  - Motion carried.
- **Zoning Text Amendment Planning Commission Recommendation**
  - David Erhart was present from the Planning Commission and presented their recommendation to not change the wording in the zoning regulations and Comprehensive Plan.
  - A motion to receive the Planning Commission recommendation as presented was made by Tim Glas and seconded by Patricia Gruber.

Phillip Tapp	Patricia Gruber	Marcie LaFleur	Tim Glas	Denise Swenson
Yes	**Yes**	**Yes**	**Yes**	**Yes**

  - Motion carried.

***At 8:23 pm, the regular meeting was closed by Denise Swenson and the Zoning Text Amendment Public Hearing was opened. ***

Zoning Text Amendment Hearing:

- Opportunity for public comment was presented. It was emphasized that the Planning Commission did not recommend making the proposed zoning text amendment.
- Opportunity for discussion was presented. The board emphasized the goal to preserve commercial property within the Village.
- It was mentioned that the board may want to revisit the current Comprehensive Plan before making a final decision.
- A motion to close the public hearing without voting on the proposed zoning amendment was made by Tim Glas and seconded by Denise Swenson.

Phillip Tapp	Patricia Gruber	Marcie LaFleur	Tim Glas	Denise Swenson
Yes	**Yes**	**Yes**	**Yes**	**Yes**

  - Motion carried.

***At 9:00 pm, the Zoning Text Amendment Public Hearing was closed by Denise Swenson and regular meeting and agenda was re-opened at 9:01 pm. ***

- **Internal Audit Results**
  - The results of the internal audit were discussed.
  - The audit required two meetings with Tim Glas, Lindsy Cronk, Patricia Gruber, and Pat Klauman.
  - It was found that there was no money missing.
  - The Audit Committee will be updated in December.
- **Highway Allocation Transfers**
  - It was discussed that no Highway Allocation match transfers were made in 2024. Therefore, a transfer of $3,329.33 was made from the Water account to the Highway account and likewise from the Sewer account to the Highway account on October 29th
  - In December the Village will have to sign a letter explaining the situation and submit it with the audit waiver information to continue receiving Highway Allocation funding.
- **Certification *(2024)* & Appointment *(2025)* of City Street Superintendent**
  - Resolution 24-06 was read by Denise Swenson.
  - A motion to approve the year-end resolution 24-06 to certify Steve Parr served as the 2024 Street Superintendent for the purpose of the 2024 calendar year Highway incentive payment, to be issued to the Village, by the Nebraska Department of Transportation, in February 2025 authorizing Denise Swenson to sign for the Village. As well as to appoint Steve Parr (Class A License No. S-859) as the 2025 Street Superintendent for the purpose of the 2025 calendar year Highway Incentive Payment to be issued by the Nebraska Department of Transportation in February 2026was made by Tim Glas and seconded by Denise Swenson.

Phillip Tapp	Patricia Gruber	Marcie LaFleur	Tim Glas	Denise Swenson
Yes	**Yes**	**Yes**	**Yes**	**Yes**

  - Motion carried.
- **Appointment of Village Engineer 2025**
  - JEO's request to be appointed as the 2025 Village Engineer was presented to the board.
  - A motion to appoint JEO as 2025 Village Engineer was made by Tim Glas and seconded by Patricia Gruber.

Phillip Tapp	Patricia Gruber	Marcie LaFleur	Tim Glas	Denise Swenson
Yes	**Yes**	**Yes**	**Yes**	**Yes**

  - Motion carried.
- **2020 Recovery Fund**
  - There was discussion on what to do with the 2020 recovery funds which total to $30,000. A project(s) must be identified by 2024 year-end and spent by 2025 year end, or the funds will have to be returned.

Do not recreate or revise this document. Revisions and recreations will not be accepted. **Failure to complete and return the necessary documents per instructions will result in your municipality not receiving an Incentive Payment for Calendar Year 2024.** Documents include the **original** Signing Resolution, Year-End Certification(s), and a copy of documentation of the appointment(s) of the City Street Superintendent(s). These must be received at the NDOT **by December 31, 2024.** **RECORD KEEPING**: NDOT recommends that the municipality keep a copy of everything you send to NDOT *(the forms and meeting minutes)* in a separate file for future reference.

RESOLUTION

SIGNING OF THE YEAR-END CERTIFICATION OF CITY STREET SUPERINTENDENT 2024

Resolution No. 24-06

Whereas: State of Nebraska Statutes, sections 39-2302, and 39-2511 through 39-2515 details the requirements that must be met in order for a municipality to qualify for an annual Incentive Payment, and

Whereas: The State of Nebraska Department of Transportation (NDOT) requires that each incorporated municipality must annually certify (by December 31st of each year) the appointment(s) of the City Street Superintendent(s) to the NDOT using the Year-End Certification of City Street Superintendent form; and

Whereas: The NDOT requires that each certification shall also include a copy of the documentation of the city street superintendent's appointment, i.e., meeting minutes, showing the appointment of the City Street Superintendent by their name as it appears on their License (if applicable), their License Number (if applicable), and Class of License (if applicable), and type of appointment, i.e., employed, contract (consultant, or interlocal agreement with another incorporated municipality and/or county), and the beginning date of the appointment; and

Whereas: The NDOT also requires that such Year-End Certification of City Street Superintendent form shall be signed by the Mayor or Village Board Chairperson and shall include a copy a resolution of the governing body authorizing the signing of the Year-End Certification of City Street Superintendent form by the Mayor or Village Board Chairperson.

Be it resolved that the Mayor ☐ Village Board Chairperson ☒ of Manley is hereby authorized to sign the attached Year-End Certification of City Street Superintendent completed form(s).

Adopted this 14 day of November, 2024 at Manley, Nebraska.

City Council/Village Board Members

Denise Swenson

Tim Glass

Marcie Lasher

Patricia Fowler

Phillip Epp

City Council/Village Board Member Tim Glass Moved the adoption of said resolution

Member Denise Swenson Seconded the Motion

Roll Call 5 Yes ____ No ____ Abstained ____ Absent

Resolution adopted, signed, and billed as adopted.

Attest: Lindsay A. Cronk

(Signature of Clerk)

- **SEACA Clerk Institute & Academy & NMCA Membership Dues**
  - The 2025 Clerk Institute was discussed. It is a conference held in March in Columbus, NE. The 2024 conference agenda was presented as well as information about the conference and its benefits.
  - A scholarship for the conference was discussed.
  - It was also noted that the NMCA Membership Dues must be paid in order to attend the conference.
  - This item will be voted on in December.

***At 9:23, the regular meeting was closed by Denise Swenson and Vacancy Ordinance 24-03 Public Hearing was opened. ***

Vacancy Ordinance 24-03 Hearing:

- Opportunity for public comment was presented.
- It was again mentioned that the board may want to revisit the current Comprehensive Plan before making a decision.
- There was opportunity for further discussion.
- A motion to close the public hearing and table the vote until there is discussion with the Village attorney was made by Tim Glas and seconded by Denise Swenson.

Phillip Tapp	Patricia Gruber	Marcie LaFleur	Tim Glas	Denise Swenson
Yes	**Yes**	**Yes**	**Yes**	**Yes**

- Motion carried.

***At 9:55 pm, the Vacancy Ordinance 24-03 Public Hearing was closed by Denise Swenson and regular meeting and agenda was re-opened. ***

Public Forum:

- It was suggested that the Village consider looking into a new audio and video system for meetings.
- No further discussion.

Adjournment:

A motion to adjourn the meeting was made by Tim Glas at 10:02 p.m. and seconded by Denise Swenson.

Phillip Tapp	Patricia Gruber	Marcie LaFleur	Tim Glas	Denise Swenson
Yes	**Yes**	**Yes**	**Yes**	**Yes**

Lindsy A. Cronk

Lindsy Cronk,
Clerk

12/12/2024

Date of Approval

*Copies of the minutes & reports are on file at the Manley Village Office & are available for review upon request. Minutes of the meeting can also be viewed at www.manleyne.com

*In accordance with Federal law & 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 familial status.
(Not all prohibited bases apply to all programs.)