

VILLAGE BOARD OF TRUSTEES
December 5, 2022

REGULAR MEETING AGENDA

7:00 PM Roll call
Pledge of Allegiance
Open Meetings Act Location

Consent Agenda:

- 1) Approve agenda as submitted
- 2) Approve minutes of November 7, 2022
- 3) Approve Treasurer's report: attached and made a part hereof.
- 4) Approve Keno Report attached and made a part hereof.
- 5) Accept Sheriff's call log
- 6) Approve payment of claims
 - A) Mid-American claims & Rick Micek receipt
 - B) Balance of claims

Public Comments

OLD BUSINESS:

- 1) New liquor license hearing for Centennial Market Cooperative as published in paper.
- 2) Ordinance # 782 Fixing salaries of the elected officers of the Board of Trustees
- 3) Discussion and possible approval of the Village attorney.
- 4) Communication Tool

Fire Chief Report
Sheriff report
Zoning Inspector report
Chair report
Park Report
Maintenance report
Clerk's report: review w/s accounts
Treasurer's report
Keno Report
Review/approve payment of claims

Adjourn sine die.

REORGANIZATIONAL & REGULAR MEETING

Open Meetings Act Location
Oaths of Office: Newly elected Trustees
Roll Call

Reorganization

- 1) Elect a Chairperson and President of Board.
- 2) Approve appointments of Planning Commission, Board of Adjustment, Aging Committee, Park Board, LB 840 Committee, and Economic Development Review Committee.
- 3) Appoint Trustee representatives to each of the boards and various organizations.
- 4) Appoint other positions.

New Business:

- 1) Trailer at 310 8th-unsafe condition?
- 2) Discuss bid for additional sewer/ life station.
- 3) Do we want to rent/loan tables and chairs from the auditorium?
- 4) January Meeting date?
- 5) Discuss order of regular meeting agenda & meeting motions
- 6) Consider Resolution #2022-7 To appoint Dave Ziska, street superintendent for 2023
- 7) Consider Resolution # 2022-8 Payment of payroll prior to Board Approval.
- 8) Discuss and possible approval of Ordinance to change code 93.02 to include cats.
- 9) Discuss and possible approval of Ordinance to change zoning code 8.1 for height of accessory buildings.
- 10) Discuss and possible approval of Ordinance of Solar Energy
- 11) Discuss and possible approval of Ordinance of Non-Conforming homes.

Adjourn.

****The Village Board of Trustees reserves the right to enter executive session to prevent the harm to an individual's reputation, to protect public interests, or to discuss pending litigation*****

Utica Nebraska

Village Board of Trustees

December 5, 2022 Regular Meeting

The Village Board of Trustees met in regular session on December 5, 2022 at 7:00 pm at the Utica Auditorium. Notice of this meeting was given in advance by posting in three designated places and advance notification of the trustees by delivery. Roll call was answered by Trustees Swanson, Olson, Powell and Micek. Absent: Baack.

The Pledge of Allegiance was recited.

Chair stated that the Open Meetings Act is located on the back wall for review.

Moved by Powell, seconded by Olson to approve consent agenda. RCV: Ayes: Powell, Olson, Micek & Swanson. Nays: None Abstain: Micek 6A. Carried.

Public Comments: Raegan Hain reported that the SENDD project for water-sewer grants/SRF funds is planning a meeting in January or February 2023.

Old Business:

- 1) A hearing was held for approval on liquor license for Centennial Market Cooperative. Motion Micek, seconded by Powell to approve the license for Centennial Market Cooperative. RCV: Ayes: Powell, Olson, Micek & Swanson. Nays: None. Abstain: None. Passed
- 2) Ordinance 782 fixing the salaries of the elected officers of the Board of Trustees. Motion Powell, seconded by Micek to approve Ordinance 782. RCV: Ayes: Powell, Olson, Micek & Swanson. Nays: None. Abstain: None. Passed. Motion Powell, seconded by Micek to forego the 3 reading of Ordinance 782. RCV: Ayes: Powell, Olson, Micek & Swanson. Nays: None. Abstain: None. Passed
- 3) Motion Powell, seconded by Olson to appoint Solheim Law Firm as the Village Attorney at the hourly rate. RCV: Ayes: Powell, Olson, Micek & Swanson. Nays: None. Abstain: None. Passed
- 4) Micek explained the communication tool to the Trustees as a way to keep all Trustees informed of the happenings within the Village. She to check on various applications and report at the next meeting.

Fire Dept. Report: Curt reported 12 rescue calls and 1 fire call. The department is planning on burning the old care center Dec 17-18, weather permitting. Additional pagers have been ordered. Motion Powell, seconded by Olson to accept Fire Department report. RCV: Ayes: Powell, Olson, Micek & Swanson. Nays: None. Abstain: None. Passed

Sheriff Report: Call log was examined by the board. Grantski reported being notified about some cars with expired registrations. Motion Powell, seconded by Micek to accept Sheriff report. RCV: Ayes: Powell, Olson, Micek & Swanson. Nays: None. Abstain: None. Passed

Zoning Inspector Report: None

Chair Report: Reports he discussed nuisance properties with other communities. They said what we are doing is also how they handle them, but to only work at 1 or 2 properties at a time or it becomes overwhelming. Swanson & clerk have spoken with 650 Centennial several times about cleaning up the property. Board decided to send this to the attorney as to how to proceed. Motion Powell, seconded

by Micek to accept Chair Report. RCV: Ayes: Powell, Olson, & Micek. Nays: None. Abstain: Swanson. Passed

Park Report: Attached and made a part hereof. Motion Micek, seconded by Olson to accept Park report. RCV: Ayes: Powell, Olson, Micek & Swanson. Nays: None. Abstain: None. Passed

Maintenance Report: Attached and made a part hereof. Motion Olson, seconded by Powell to accept Maintenance Report. RCV: Ayes: Powell, Olson, Micek & Swanson. Nays: None. Abstain: None. Passed.

Clerk Report: Attached and made a part hereof. Motion Powell, seconded by Olson to approve the Clerk to go to Clerk's school in March 2023. RCV: Ayes: Powell, Olson, Micek & Swanson. Nays: None. Abstain: None. Passed. Motion Powell, seconded Olson to accept the Clerk's report. RCV: Ayes: Powell, Olson, Micek & Swanson. Nays: None. Abstain: None. Passed

Treasurer's Report: Attached and made a part hereof.

Keno Report: Attached and made a part hereof.

Motion Powell, seconded by Micek to adjourn at 7:43 sine die. RCV: Ayes: Powell, Olson, Micek & Swanson. Nays: None. Abstain: None. Passed

The reorganizational meeting opened at 7:43pm.

Chair stated that the Open Meetings Act is located on the back wall for review.

Oaths of Office were taken by newly elected Trustees Powell and Ramsey.

Roll call was answered by Trustees Swanson, Olson, Powell, Ramsey and Micek.

Motion Olson, seconded by Powell to elect Swanson as Chair of the Board of Trustees. RCV: Ayes: Powell, Olson, Micek & Ramsey. Nays: None. Abstain: Swanson. Passed

Motion Olson, seconded by Micek to elect Powell as President of the Board of Trustees. RCV: Ayes: Ramsey, Olson, Micek & Swanson. Nays: None. Abstain: Powell. Passed

Trustees volunteered to be appointed to positions on Village Boards and various organizations.

Other Village appointments were made. Attached and made a part hereof. Motion Powell, seconded by Olson to approve the appointments. RCV: Ayes: Powell, Olson, Micek, Ramsey & Swanson. Nays: None. Abstain: None. Passed

The members of the Board of Adjustment, Park Board, Planning Commission, Citizen's Advisory Review Committee, and Economic Development Review were read. Attached and made a part hereof. Motion Powell, seconded by Olson to approve all members of the boards. RCV: Ayes: Powell, Olson, Micek, Ramsey & Swanson. Nays: None. Abstain: None. Passed

- 1) A citizen had a concern about an unsafe trailer at 310 8th Street. Motion Micek, seconded by Powell to have the Village Attorney send a letter to the trailer park owner about having this trailer removed. RCV: Ayes: Powell, Olson, Micek, Ramsey & Swanson. Nays: None. Abstain: None. Passed
- 2) Board discussed need for a 2nd main sewer line. Motion Olson, seconded by Powell to proceed with getting bids and follow format for assistance from County ARPA funds for installation of a 2nd main sewer line. RCV: Ayes: Powell, Olson, Micek, Ramsey & Swanson. Nays: None. Abstain: None. Passed
- 3) Clerk was asked about renting tables and chairs from the auditorium. Motion Olson, seconded by Powell to not allow rental or loaning of tables and chairs. RCV: Ayes: Powell, Olson, Micek, Ramsey & Swanson. Nays: None. Abstain: None. Passed

- 4) Discussed next regular meeting as the first Monday will be the designated holiday for New Year's Day. Motion Olson, seconded by Powell to meet on Monday January 9, 2023. RCV: Ayes: Powell, Olson, Micek, Ramsey & Swanson. Nays: None. Abstain: None. Passed
- 5) Discussed various ways of changing the order of the Board meeting to be more convenient for board reports. The Clerk will make some changes for the next meeting to see how it works.
- 6) Motion Micek, seconded by Powell to approve Resolution 2022-7 to appoint Dave Ziska at the Village's Street Superintendent for 2023. RCV: Ayes: Powell, Olson, Micek, Ramsey & Swanson. Nays: None. Abstain: None. Passed
- 7) Discussed the resolution written by the League of Nebraska Municipalities. Motion Powell, seconded by Olson to approve Resolution 2022-8 to approve payment of payroll and associated expenses prior to approval of claims by the Board of Trustees. RCV: Ayes: Powell, Olson, Ramsey & Swanson. Nays: None. Abstain: Micek. Passed
- 8) Discussed Ordinance: Changes to code 93.02 RUNNING AT LARGE; TETHERING BOTH (A) AND (B) to include cats. Motion Olson, seconded by Powell to adopt Ordinance 782. RCV: Ayes: Olson & Swanson. Nays: Micek, Powell and Ramsey Abstain: None. Failed
- 9) Discussed Ordinance 783 which adjusts the zoning regulations (8.1) for accessory buildings to limit side walls to a height of twelve (12) feet. Motion Powell, seconded by Olson to adopt Ordinance 783. RCV: Ayes: Powell, Olson, Micek, Ramsey & Swanson. Nays: None. Abstain: None. Passed Motion Powell, seconded by Olson to forego the 3 readings of Ordinance 783. RCV: Ayes: Powell, Olson, Micek, Ramsey & Swanson. Nays: None. Abstain: None. Passed
- 10) Discussed Ordinance 784 to establish policy of on-site solar energy conversion systems and utility-scale solar energy conversion systems or "solar farms". Motion Powell, seconded by Micek at adopt Ordinance 785 after changing sections 6.742 and 6.743 from 150 feet to 500 feet and to forego the 3 readings. RCV: Ayes: Powell, Olson, Micek, Ramsey & Swanson. Nays: None. Abstain: None. Passed
- 11) Discussed Ordinance 785 setting zoning regulations for SHOUSES, BARNOMINIUMS AND ANY OTHER NON-CONFORMING HOMES. Motion Powell, seconded by Olson to table Ordinance 785 until a future meeting. RCV: Ayes: Powell, Olson, Micek, Ramsey & Swanson. Nays: None. Abstain: None. Passed
- 12) Motion Powell, seconded by Micek to approve the payment of a late bill from the Fire Department to Utica Parts and Service for \$170.46. RCV: Ayes: Powell, Olson, Micek, Ramsey & Swanson. Nays: None. Abstain: None. Passed

Motion Powell, seconded by Micek to adjourn at 9:00pm. RCV: Ayes: Powell, Olson, Micek, Ramsey & Swanson. Nays: None. Abstain: None. Passed

Claims: Kopchos, services 135; Lincoln Winwater Works, supplies 7962.12; Quadient Financial, postage 345.97; John Deere Financial, loan payment 280.05; Advanced Office Automation, services 24.47; Great Plains Pest Management, services 295; Verizon, services 165.70; Centennial Public School, fees 871; St Paul Lutheran, services 1482; Black Hills Energy, service 4381.42; Toyne, repairs 2255.85; NE Dept of Revenue, taxes 603.33; First Bank of Utica, fees 9; Humanities Nebraska, activities 100; Walmart, supplies 199.22; Menards, supplies 32.24; Amazon, supplies 88.36; USPS, postage 4.32; Hobby Lobby, supplies 13.33; Seward County Independent, services 97.39; Utica Parts & Service, repairs 194.73; Gierhan Concrete, repairs 4250; TNT, meals 221; Beaver Hardware, supplies 149.97; Centennial Market, supplies 57.52; Windstream, services 1028.97; Central Valley Ag, fuel 180.01, Seward County Sheriff, services 504; JR's Bobcat Service, services 3201.30; NE Urethane, Inc, services 20046.28; Metallum

Custom, services 3320; NE Dept of Environment, loan payment 78334.69; NE Generator, services 1143.65; Mierau & Co, services 110; Overhead Door, services 676.21; Bell Bank, loan payment 5836.18, Lichti's, repairs 69.95; NE Public Health Environment, services 33; Municipal Supply, supplies 168.66; R. Micek, supplies 34.30; Mid-American Research, supplies 1869; Wages 18811.6; Benefits 1561.04; Taxes, 6383.53.

Submitted by

Rita Maier

Clerk/Treasurer

| Position | 2022-2023 |
|------------------------------------------------------------------|----------------------------------|
| Chairperson | Swanson |
| | |
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| | |
| President | Powell |
| | |
| | |
| Trustees | Ramsey |
| | Micek |
| | Olson |
| | |
| Public Works: With Dylan & Rick about streets & utilities | Swanson-Olson |
| Business & Fanance | Powell-Micek |
| Emergency Management | |
| Hazard Mitigation | Powell-Ramsey |
| FEMA | Powell-Ramsey |
| ADA Coordinator | Senior Ctr Mgr- Swanson-Olson |
| Seward Co Chamber & Development Partner | Swanson-Olson |
| Senior Center | Swanson-Olson |
| Board of Adjustment | Ramsey |
| Planning Commisssion | Olson |
| Park Board | Powell |
| | |
| Economic Develop. Review Committee | Powell |
| Citizens Advisory Review Committee (LB 840) | Micek |
| Board of Health/Safety | Chair: Swanson |
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LB 840

Citizens Advisory Loan Review Committee
(LB 840 Loan Review—they review all loan applications)

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|----------------------------|----------------------------|
| Collen Classen | 1425 E. Street |
| Tony Conelli | PO Box 432 |
| Angel Dale | PO Box 125 |
| Dave Donahue | 155 D Street |
| Ann Kosek | 101 3 rd Street |
| Board Rep: Don Olson | drolson@windstream.net |
| Rita Maier-office 534-4237 | uticanebraska1@gmail.com |

Economic Development Review
(LB 840 loan Committee—they review all financial activity)

Ewald Fehlhafer

Donald Olson

Village Treasurer: Rita Maier w-534-4237

Board Rep.: Sharon Powell

Park Board
FY 2022-2023

3-year term. Term starts with reorganization meeting in December

Colette Stelling appointed Dec 2021 Term expires Dec. 2023

Danae Soliz appointed Dec 2021 Term expires Dec. 2023

Kenna Kucera Appointed Jan 2022 Term expires Dec 2024

Tori Gierhan Appointed Jan 2022 Term expires Dec 2024

Autumn Walford Term expires Dec. 2025

Desi Perry Term expires Dec 2025

Megan Outhet Term expires Dec. 2025

Advisory Volunteer (non-resident): Diana Tomes
Stephanie Cradick

Board Representative: Sharon Powell

Village of Utica Parks & Pool Board
Regular Meeting - *minutes*
November 20th, 2022 @ Village Auditorium @ 6:30pm

6:30 Roll call

Autumn Walford
Colette Stelling
Desi Perry
Megan Outhet
Tori Gierhan
Diana Tomes
Stephine Cradick
Danae Soliz
Kenna Kucera

Sharon Powell

Approve Agenda - approved by Colette second by Kenna
Approve minutes from October 9th, 2022- approved by Autumn second by Diana
Public Comments

UNFINISHED BUSINESS:

Any questions regarding the meeting with Mr. and Mrs. Cast

NEW BUSINESS:

1. Re-elect Autumn Walford, Desi Perry and Colette Stelling for new term - all excepted for another two-year term
2. Share our plans with Utica Foundation and UBO Boards
3. Sharron will share information regarding the CCCFF Grant as well as current and future lift station as it applies to our plan
4. Discuss
5. Discuss a date for a Public Village meeting with the UBO and Foundation in attendance to present our plan to the community

Next meeting is **December 11th @ 6:30pm** at the Village auditorium.

Adjourn.

December 5, 2022 Board Meeting Maintenance Report

- Concrete work was completed on street repairs, there are a few more that will need to be done in the spring when weather allows.
- New Christmas pole decorations were put up. Several of the new light poles on 1st street needed repairs the outlets and also needed the base tightened up.
- Work on new concrete ramp at the library was completed, railing is being fabricated and will be installed soon.
- We had a water main break on a 4' CI line. In order to isolate it, we had to put in a line stop valve to make necessary repairs.
- Compost (Grass and Leaf) pile was hauled out and spread on field.
- Sewer checks are taking place throughout the collection system.
- Monthly reports were filled out and turned in.
- Discuss water and sewer tap fees and who can do the work.
- Discuss vac truck repair
- Discuss spring demo of street sweeper

Action Items:

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CLERK'S REPORT

December 5, 2022

22 disconnect letters sent. 15 Owners & 7 renters.
13 Door hangers 0 disconnects

- 1) Clerk's School at Kearney March 13-17 \$393.00
- 2) Trustee consent form.
- 3) Thank you received.
 - A) County Commissioners for operation Green Light .
 - B) GFWC for participating in Christmas Tree exhibit.

Utica Keno
October, 2022

| | | |
|-------------------------------------|-----------------|-------------------|
| Gross Sales | <u>100.00%</u> | <u>\$7,075.50</u> |
| Prizes (Payouts) | <u>69.1314%</u> | <u>\$4,891.39</u> |
| Operator Commission | <u>14.0000%</u> | <u>\$990.57</u> |
| Add'l Amt. owed oper.... | | \$0.00 |
| City Share | <u>16.7414%</u> | <u>\$1,184.54</u> |
| Uncollected Winnings | <u>0.1272%</u> | <u>\$9.00</u> |
| State+Uncoll.+City Total to city | | <u>\$1,193.54</u> |
| To RESERVE FUND> | <u>\$0.00</u> | |
| Amount avail in reserve... | \$0.00 | |
| Amt. prev owed oper.. | \$0.00 | |
| amt.paid back this month... | <u>\$0.00</u> | |
| Amt. now owed operator.... | \$0.00 | |

Village of Utica
Profit & Loss
 November 2022

| | Nov 22 |
|----------------------------------|-----------|
| Ordinary Income/Expense | |
| Income | |
| General Income | |
| Compost Sales | 385.85 |
| Bank Interest | 975.48 |
| County Treasurer | 1,633.03 |
| Keno Proceeds | 1,193.54 |
| Licenses- Liquor, tobacco & dog | 600.00 |
| Miscellaneous Income | 3,149.75 |
| Sales Tax revenue | 11,764.51 |
| Traffic Tickets | 40.00 |
| Zoning Permits | 25.00 |
| Auditorium Income | |
| Rent | 225.00 |
| Total Auditorium Income | 225.00 |
| Total General Income | 19,992.16 |
| Rural Fire District Income | |
| Miscellaneous | 2,255.85 |
| Total Rural Fire District Income | 2,255.85 |
| Park Income | |
| RV camp fee | 125.00 |
| Total Park Income | 125.00 |
| Pool Income | |
| County Treasurer-Bond | 451.12 |
| Total Pool Income | 451.12 |
| Senior Center Income | |
| Interest Earned-CD | 47.69 |
| Meal Contributions | 1,695.50 |
| Meals on Wheels | 150.00 |
| Rental fees | 300.00 |
| USDA reimbursement | 284.90 |
| Total Senior Center Income | 2,478.09 |
| Sewer Income | |
| Late Fee | 220.00 |
| Sewer Sales | 8,179.00 |
| Total Sewer Income | 8,399.00 |
| Water Income | |
| Late Fee | 220.00 |
| Shut off | 31.99 |
| Start up | 60.00 |
| Water-Commercial | 1,080.25 |
| Water Sales | 19,627.45 |
| Total Water Income | 21,019.69 |
| Streets Income | |
| County Motor Vehicle tax | 2,268.71 |
| Sales Tax revenue | 6,259.87 |
| State Highway Allocation | 10,415.20 |
| Total Streets Income | 18,943.78 |
| Total Income | 73,664.69 |
| Gross Profit | 73,664.69 |
| Expense | |
| General | |

Village of Utica
Profit & Loss
 November 2022

| | <u>Nov 22</u> |
|--------------------------------------|------------------|
| Law Enforcement | 504.00 |
| Bank & CC fees | 18.00 |
| Education | 58.75 |
| Office Supplies | 221.18 |
| Postage | 50.00 |
| Professional Services | 695.50 |
| Publishing / Printing | 27.16 |
| Utilities | 301.62 |
| Auditorium | |
| Utilities | 47.46 |
| Total Auditorium | 47.46 |
| Library | |
| Repairs & Maintenance | 34.97 |
| Utilities | 98.82 |
| Total Library | 133.79 |
| Senior Center-City paid | |
| Payroll | 1,012.77 |
| Payroll taxes | 914.18 |
| Profession Services | 128.00 |
| Repairs & Maint. | 324.49 |
| Utilities | 316.55 |
| Total Senior Center-City paid | 2,695.99 |
| Total General | 4,753.45 |
| Payroll | |
| Employee Benefits | 1,943.73 |
| Payroll Taxes | 8,880.81 |
| Payroll Wages | 14,049.61 |
| Total Payroll | 24,874.15 |
| City Fire Dept | |
| Professional Services | 48.00 |
| Repairs & Maintenance | 32.87 |
| Utilities | 565.54 |
| Total City Fire Dept | 646.41 |
| Rural Fire District | |
| Repair and Maintenance | 2,255.85 |
| Total Rural Fire District | 2,255.85 |
| Park | |
| Mower Loan Payment | 280.05 |
| Professional Services | 48.00 |
| Repairs and Maintenance | 127.23 |
| Utilities | 339.00 |
| Total Park | 794.28 |
| Pool | |
| Supplies | 0.00 |
| Repairs & Maintenance | 21.00 |
| Utilities | 72.50 |
| Total Pool | 93.50 |
| Senior Center | |
| Activities | 117.19 |
| General Supplies/Printing | 97.68 |
| Meals purchased | 1,278.00 |
| Payroll Wages | 95.24 |
| Payroll Tax | 19.12 |

Village of Utica
Profit & Loss
November 2022

| | <u>Nov 22</u> |
|----------------------------|------------------|
| Postage | 2.40 |
| Supplies/Kitchen | 45.64 |
| Raw Food | 583.92 |
| Repairs and maintenance | 25.00 |
| Utilities | 60.00 |
| Total Senior Center | 2,324.19 |
| Sewer Dept | |
| Postage | 100.00 |
| Professional Services | 1,964.00 |
| Repairs and Maintenance | 19.99 |
| Utilities | 255.17 |
| Total Sewer Dept | 2,339.16 |
| Street Dept | |
| Automobile Expense | 80.44 |
| Equipment repair | 1,697.64 |
| Fuel | 272.51 |
| Miscellaneous | 5,285.22 |
| Office Supplies | 0.00 |
| Professional Services | 48.00 |
| Supplies & Parts | 262.53 |
| Uniform-Dylan | 32.24 |
| Uniform-Rick | 0.00 |
| Utilities | 1,393.40 |
| Total Street Dept | 9,071.98 |
| Water Dept | |
| Chemicals | 521.30 |
| Postage | 100.00 |
| Professional Services | 81.00 |
| Repairs - Maint. | 929.11 |
| Supplies & parts | 23.52 |
| Utilities | 3,668.05 |
| Total Water Dept | 5,322.98 |
| Total Expense | 52,475.95 |
| Net Ordinary Income | 21,188.74 |
| Net Income | 21,188.74 |