

VILLAGE BOARD OF TRUSTEES
REGULAR MEETING
February 6, 2023
AGENDA

Time: 7:00pm

Roll Call for regular meeting:

Pledge of Allegiance:

Open meetings act-back wall.

Consent Agenda:

- 1) Approve agenda as submitted.
- 2) Approve minutes of regular meeting on ~~August 1, 2022~~ *Corrected to 1/9/23*
- 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
 - B) Balance of claims

Hearing: Rezoning 1350 Centennial (form Utica Care Center) from R1 to R2. To approve purposed plat.

Motion to approve agenda:

Public Comments:

Fire Dept. Report
Sheriff report
Zoning Inspector report
Chair report
Park Report
Senior Center
Maintenance report
Clerk's report

Motion to accept reports:

UNFINISHED BUSINESS:

- 1) No Parking on 4th street from north to south side?
- 2) Communication tool.

NEW BUSINESS:

- 1) Dave Ziska—Olsson Company about paving remainder of F street to Alvo Rd.
- 2) Seward County Gives
- 3) 1085 G Street sale and reassigned redevelopment agreement.
- 4) Resolution #2023-2 to join National Flood Insurance Program.
- 5) Ordinance # 789 --Ordinance introduced by the governing body creating floodplain districts defining the same and setting forth regulations thereof.
- 6) Resolution # 2023-3 Policy for Employee Call-in wages.
- 7) Landscape on 1st Street
- 8) Special Designated License-St Patrick's Pork & Polka event 2/19 and Fish Fry 3/17
- 9) Resolution # 2023-4 LB 840 loan/grant to Centennial Market Cooperative.
- 10) Ordinance # 790 To rezone 1350 Centennial from R1 to R2
- 11) Permission to use cones & barricades for Big Blue Mile check-in on 1st street on June 1
- 12) Work with Fire Department to get into compliance with state statutes.
- 13) NEMA training

Adjourn.

Next meeting March 6

****The Village Board of Trustees reserve the right to enter into 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

February 6, 2023 Regular Meeting

The Village Board of Trustees met in regular session on February 6, 2023 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, Powell, Micek, Olson and Ramsey.

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, Micek, Olson, Ramsey & Swanson. Nays: None Abstain: Micek 6A. Carried.

Motion Powell, seconded by Ramsey to approve Planning Commission 1/25/2023 minutes. RCV: Ayes: Powell, Micek, Olson, Ramsey & Swanson. Nays: None Abstain: None. Carried

Opened hearing for rezoning 1350 Centennial from R1 to R2. No public comments so hearing was closed. Motion Powell, seconded by Olson to adopt and approve Ordinance 790 Amending the zoning regulation for the Village of Utica for 1350 Centennial. RCV: Ayes: Powell, Micek, Olson, Ramsey & Swanson. Nays: None Abstain: None. Carried. Motion Powell, seconded by Ramsey to forego the 3 readings of Ordinance 790. RCV: Ayes: Powell, Micek, Olson, Ramsey & Swanson. Nays: None Abstain: None. Carried

Motion Powell, seconded by Olson to approve the Preliminary Plat for Bronco Heights. RCV: Ayes: Powell, Micek, Olson, Ramsey & Swanson. Nays: None Abstain: None. Carried

Public Comments: None

Fire Dept. Report Deremer reports 9 rescue calls and 1 fire call for January. March 19 will be their soup lunch. EMS conference is coming up. Motion Powell, seconded by Olson to accept the resignation of Ben Koski from the Fire Department. RCV: Ayes: Powell, Micek, Olson, Ramsey & Swanson. Nays: None Abstain: None. Carried

Sheriff Report: The log was examined by the board. Deputy Grantski reports that the department is stepping up ticketing parking violations. They are planning to start towing cars that do not comply.

Zoning Inspector Report: Wiemer reports receiving one application. He still has to check set backs.

Chair Report: Swanson states he has some volunteers to clean up 650 Centennial. He also stated that the Lincoln Food Bank would like to bring the "Fresh Food truck" with fresh fruit & eggs to Utica.

Motion Micek, seconded by Powell to allow the truck to come to Utica. RCV: Ayes: Powell, Micek, Olson, Ramsey & Swanson. Nays: None Abstain: None. Carried

Park Report: Powell reported that lifeguard apps need to be in by 2/23. The board has worked Centennial Concession stand to earn some extra funds.

Senior Center: Lurz reports that the meal attendance is up to 35. Michael Forsberg presentation will be 2/28/23.

Maintenance Report: Attached and made a part hereof. Motion Ramsey, seconded by Powell to approve funds to purchase a wire welder. RCV: Ayes: Powell, Micek, Olson, Ramsey & Swanson. Nays: None Abstain: None. Carried.

Motion Powell, seconded by Micek for Dylan & Rick to attend the NERWA annual conference. RCV: Ayes: Powell, Micek, Olson, Ramsey & Swanson. Nays: None Abstain: None. Carried

Clerk Report: Attached and made a part hereof. Motion Powell, seconded by Olson to approve Powell, Clerk and Ramsey to attend the Cyber Security Exercise 3/2. RCV: Ayes: Powell, Micek, Olson, Ramsey & Swanson. Nays: None Abstain: None. Carried

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

Keno Report: Attached and made a part hereof.

Motion Olson seconded by Micek to accept all of the reports. RCV: Ayes: Powell, Micek, Olson, Ramsey & Swanson. Nays: None Abstain: None. Carried

Unfinished Business:

- 1) Motion Powell, seconded by Olson to leave the no parking signs on the north side of 4th Street. RCV: Ayes: Powell, Micek, Olson, Ramsey & Swanson. Nays: None Abstain: None. Carried
- 2) Discussed using .gov or .org emails for Trustees and Village Staff for communication notices. Will discussed next meeting.

New Business:

- 1) Dave Ziska, Olsson's, gave several options for financing the last paving of F street to Alvo Road. Motion Powell, seconded by Micek to send a letter of residents along F street from Colorado to Alvo Road to see if they are interested in having it paved. RCV: Ayes: Powell, Micek, Olson, Ramsey & Swanson. Nays: None Abstain: None. Carried
- 2) Shane Baack talked about Seward County Gives coming May 1-May 5 and how groups can participate and get matching funds for their organizations.
- 3) Discussed the signing of the Redevelopment Agreement for 1085 G street by the current owner. It was assumed last month when the sale and Redevelopment Agreement were discussed, the amendments would be made to the agreement and the new owner would sign it. Motion Powell, seconded by Olson that the revised agreement should be signed by the current owner. RCV: Ayes: Powell, Olson, Ramsey & Swanson. Nays: Micek Abstain: None. Carried
- 4) Motion Olson, seconded by Powell to approve Resolution 2023-2 to join the National Flood Insurance Program. RCV: Ayes: Powell, Micek, Olson, Ramsey & Swanson. Nays: None Abstain: None. Carried
- 5) Motion Powell, seconded by Ramsey to adopt Ordinance 789 Introduced by the governing body creating floodplain districts defining the same & setting forth regulations thereof. RCV: Ayes: Powell, Micek, Olson, Ramsey & Swanson. Nays: None Abstain: None. Carried. Motion Powell, seconded by Micek to forego the 3 readings for Ordinance 789. RCV: Ayes: Powell, Micek, Olson, Ramsey & Swanson. Nays: None Abstain: None. Carried
- 6) Discussed Resolution 2023-3 Policy for employees call-in wages. Motion Powell, seconded by Micek to table until March meeting to change some of the verbiage. RCV: Ayes: Powell, Micek, Olson, Ramsey & Swanson. Nays: None Abstain: None. Carried
- 7) Discussed what to do with landscaping on 1st street as several residents have brought it to a Trustee that it was a mess last year. Clerk reported that she asked in the Spring newsletter for volunteers to take care of it. She received no replies. It was decided to put down Preen, if advisable, and more mulch. Some Centennial students are looking for Community Service projects, so maybe they can help with this project.

- 8) Motion Olson, seconded by Powell to approve Special Designation Licenses to St. Patrick's for their Pork & Polka event and the Fish Fry event. RCV: Ayes: Powell, Micek, Olson, Ramsey & Swanson. Nays: None Abstain: None. Carried
- 9) Motion Olson, seconded by Powell to approve Resolution 2023-4 for LB 840 loan and grant to Centennial Market Cooperative. RCV: Ayes: Powell, Micek, Olson, Ramsey & Swanson. Nays: None Abstain: None. Carried
- 10) Ordinance 790 done earlier with rezoning hearing.
- 11) Motion Micek, seconded by Powell to allow the use of cones & barricades for the Big Blue Mile event check-in on 1st street in June. RCV: Ayes: Powell, Micek, Olson, Ramsey & Swanson. Nays: None Abstain: None. Carried
- 12) Motion Micek, seconded by Olson to work with Fire Department and do whatever is necessary to be compliant with statutes. RCV: Ayes: Powell, Micek, Olson, Ramsey & Swanson. Nays: None Abstain: None. Carried

Motion Micek, seconded by Powell to adjourn at 8:40pm. RCV: Ayes: Powell, Micek, Olson, Ramsey & Swanson. Nays: None Abstain: None. Carried

Next meeting will be March 6, 2023, at 7:00 pm at the Utica Auditorium.

Claims: Mid-American Research, supplies 1145.25; Centennial Public School, fees 60; Kopchos, 135; Nebraska State Treasury, fees 64.66; CNA Surety, bond 100; Verizon, services 170; JR's Bobcat Service, services 512.45; Metallum Custom Egress, repairs 75; Solheim Law Firm, services 375; Mierau & Co, services 110; Advanced Office Automation, services 50.19; Quadient Finance, postage 250; Central Valley Ag, fuel 357; Viking Industrial Painting, services 20600; TNT, meals 1514.50; Grainger, tools 338.37; Walmart, supplies 358.25; Amazon, supplies 17.51; Utica Parts & Service, repair 140.62, supplies 167.17; Fehlhafers Inc, services 100; Nebraska Public Health, services 296; Minicipal Supply Inc, supplies 747.93; Lincoln Winwater Works, 1898.30; Seward County Sheriff, services 504; Trash Panda Refuse, services 30; Centennial Market, supplies 49.49; Seward County Independent, publishing 127.69; Windstream, services 1025.64; Great Plains Pest, services 220; Black Hills Energy, services 1620.95; Volzke Corp, supplies 6.11; AMGL, services 8000; Verizon, services 165; Beaver Hardware, supplies 144.46; wages 15244.86; benefits 3056.06; employee taxes 6137.28.

Submitted by

Rita Maier

Clerk/Treasurer

RESOLUTION # 2023-2 FOR
JOINING THE NATIONAL FLOOD INSURANCE PROGRAM

WHEREAS, certain areas of Utica are subject to periodic flooding from lakes, streams and rivers, causing serious damages to properties within these areas; and

WHEREAS, relief is available in the form of federally subsidized flood insurance as authorized by the National Flood Insurance Act of 1968; and

WHEREAS, it is the intent of this board to require the recognition and evaluation of flood hazards in all official actions relating to land use in the special flood hazard areas; and

WHEREAS, this body has the legal authority to adopt floodplain management control measures to reduce future flood losses pursuant to Neb. RS. 15-902 and 13-1001 to 31-1022, RRS., 1943

NOW, THEREFORE, BE IT RESOLVED, that the Village Board of Trustees of Utica Nebraska hereby:

1. Assures the Federal Insurance Administration that it will recommend enactment for those areas having flood hazards, as delineated by the Flood Insurance Rate Map issued by the NFIP dated June 1, 2020 and any published revision to this map, adequate land use and control measures with effective enforcement provisions consistent with the criteria set forth in Section 60 of the NFIP regulations; and
2. Vests the Chairperson, Clerk, or other duly authorized municipal officer with the responsibility, authority and means to:
 - (A) Delineation of the limits of the area having special flood hazards.
 - (B) Provide such information concerning present uses and occupancy of the floodplain areas.
 - (C) Cooperate with federal, state and local agencies and private firms which undertake to study, survey, map, and identify floodplain areas and cooperate with neighboring municipalities with respect to management of adjoining floodplain areas in order to prevent aggravation of existing hazards.
 - (D) Complete and submit those reports, if requested, on the progress made within the community in the development and implementation of floodplain management measures.
 - (E) Upon occurrence, notify the Nebraska Department of Natural Resources in writing whenever the boundaries of the community have been modified or the

community has otherwise assumed or no longer has the authority to adopt and enforce floodplain management regulations for a particular area. Include with such notification a copy of a map of the community suitable for reproduction, clearly delineating the new corporate limits or area which the community has assumed or relinquished authority.

3. Appoints the Utica Village Clerk to maintain for public inspection and to furnish upon request, areas identified on a Flood Insurance Rate Map, any permits, certification of floodproofing, and information on the elevation of the lowest habitable floor (including basement if habitable) of all new or substantially improved structures, and include whether or not such structures contain a basement, and if the structure has been floodproofed, the elevation to which it was floodproofed.
4. Agrees to take such other official action as may be reasonably necessary and legally appropriate to carry out the objectives of the program.

BOARD OF TRUSTEES VILLAGE OF UTICA, NEBRASKA

Chairperson

President

Date Passed:

Attest:

(Sign)

(Print)

(Seal)

RESOLUTION 2023-4

The Village Board of Trustees did resolve at a regular meeting to approve the Economic Development Loan Fund application-LB 840 from Centennial Market Cooperative.

The following terms were approved:

\$40,000 to be paid to Centennial Market Cooperative. Of this amount, \$20,000 will be a grant and \$20,000 will be a loan payable to the Village of Utica by Centennial Market Cooperative with a rate of 2% APR, payable monthly for a term of 5 years.

Adopted and passed this _____ day of _____, 2023

Chairperson

Attest:

Village Clerk

ORDINANCE 790

AN ORDINANCE AMENDING THE ZONING REGULATIONS FOR THE VILLAGE OF UTICA, NEBRASKA; SHALL READ AS FOLLOWS:

Section 1. The following tract of real estate described as

A part of Tax Lot Thirty (30), located in the Southwest Quarter of the Southwest Quarter (SW1/4SW1/4) of Section Twenty-Nine (29), Township Eleven (11) North, Range One (1) East of the 6th P.M., Seward County, Nebraska, more particularly described by metes and bounds as follows: Referring to the Southwest corner of Section Twenty-Nine (29), Township Eleven (11) North, Range One (1) East of the 6th P.M., Seward County, Nebraska; thence in a Northerly direction on the West line of the Southwest Quarter of the Southwest Quarter (SW1/4SW/11/4) of said Section Twenty-Nine (29), a distance of 657.30 feet; thence in an Easterly direction on an assumed bearing of North 89 degrees 06 minutes 30 seconds East a distance of 45.0 feet to the point of beginning. Thence in a Northerly direction on a bearing of North 0 degrees 00 minutes 00 seconds East on a line 45.0 feet East of and parallel to the West line of the Southwest Quarter of the Southwest Quarter (SW1/4SW/1/4) of said Section Twenty-Nine (29), a distance of 322.47 feet; thence in an Easterly direction on a bearing of North 89 degrees 06 minutes 13 seconds East a distance of 392.47 feet; thence in a Southerly direction on a bearing of South 0 degrees 30 minutes 23 seconds East a distance of 322.45 feet; thence in a Westerly direction on a bearing of South 89 degrees 06 minutes 30 seconds West a distance of 395.32 feet to the point of beginning.

Shall be changed from R1, Residential Low Density District, to R2, Residential High Density District.

Section 2. This ordinance shall take effect and be in full force from and after its passage, approval, and publication in pamphlet form as required by law.

Section 3. All provisions of the zoning ordinance which references said tract of real estate in Section 1 which were in existence prior to the date of the passage of this ordinance or which are otherwise in conflict with the provisions of this ordinance is hereby repealed.

Passed this 6th day of February, 2023.

Chairperson

Attest:

Village Clerk

February 6, 2022 Board Meeting Maintenance Report

- We have been working with NERWA on an ordinance for chemigation, they are doing some checking for us.
- Sewer jetting and cameraing is taking place in problem spots in the collection system when the weather has allowed.
- We are working on the old sand spreader to utilize for this year until we figure out what we would like to do going forward.
- Another water service curbstop was dug up this month and repaired to be functional.
- Extra water service parts were ordered for new homes and for repairs. Water meters were ordered as well, as they are several months out.
- Heater at the water treatment plant went down, we are waiting on parts. Will keep up with one for time being.
- Discuss sand/salt spreader moving forward
- Discuss shop equipment
- Discuss attending NERWA annual Conference

Action Items:

-

CLERK'S REPORT

February 6, 2023

19 disconnect letters sent. 14 Owners & 5 renters.
6 Door hangers

- 1) Centennial Community Service Day April 14 for 3 hours in the morning.
Any ideas for projects?
- 2) Southern 7 meeting Feb. 16 in McCool Junction.
- 3) March 2 Cyber Security Exercise in Lincoln.

Complaints and Concerns

- 1) A resident complained about sidewalks not scooped after snow on D street. Three letters sent.
- 2) A resident has an electric fence up inside chain link fence in yard.
Letter sent.

Utica Keno
December, 2022

Gross Sales	<u>100.00%</u>	<u>\$5,751.26</u>
Prizes (Payouts)	<u>62.8560%</u>	<u>\$3,615.01</u>
Operator Commission	<u>14.0000%</u>	<u>\$805.18</u>
Add'l Amt. owed oper....		\$0.00
City Share	<u>22.8658%</u>	<u>\$1,315.07</u>
Uncollected Winnings	<u>0.2782%</u>	<u>\$16.00</u>
State+Uncoll.+City Total to city		<u>\$1,331.07</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
 January 2023

	Jan 23
Ordinary Income/Expense	
Income	
Piper-Sandler loan	1,788,590.09
General Income	
Compost Sales	399.50
Bank Interest	1,058.80
County Treasurer	13,062.71
Franchise payments	2,746.47
Insurance Claim	106,800.75
Keno Proceeds	1,331.07
Licenses- Liquor, tobacco & dog	301.00
Miscellaneous Income	2,232.00
Sales Tax Collection Fee	20.81
Sales Tax revenue	11,742.93
Traffic Tickets	75.00
Zoning Permits	25.00
Total General Income	139,796.04
Park Income	
Donation	1,424.17
Total Park Income	1,424.17
Pool Income	
County Treasurer-Bond	3,608.73
Total Pool Income	3,608.73
Senior Center Income	
Fundraising - donations	790.00
Interest Earned-CD	19.21
Meal Contributions	1,713.50
Memorials	250.00
Rental fees	300.00
Total Senior Center Income	3,072.71
Sewer Income	
Late Fee	170.00
Sewer Sales	8,534.00
Total Sewer Income	8,704.00
Water Income	
Late Fee	170.00
Start up	20.00
Water-Commercial	1,304.92
Water Sales	16,570.79
Total Water Income	18,065.71
Streets Income	
County Motor Vehicle tax	2,092.30
Sales Tax revenue	2,425.28
State Highway Allocation	11,658.61
Total Streets Income	16,176.19
Total Income	1,979,437.64
Gross Profit	1,979,437.64
Expense	
General	
Dues & Fees	100.00
Law Enforcement	504.00
Bank & CC fees	12.00
Centennial Public Pass-through	55.00
Insurance Expense	3,409.12

Village of Utica
 Profit & Loss
 January 2023

	Jan 23
Keno Tax	380.00
Office Supplies	342.46
Postage	94.79
Professional Services	143.00
Publishing / Printing	769.61
Utilities	317.40
Auditorium	
Repairs and Maintenance	126.89
Supplies	29.67
Utilities	140.25
Total Auditorium	296.81
Library	
Repairs & Maintenance	3,120.00
Utilities	170.18
Total Library	3,290.18
Senior Center-City paid	
Payroll	870.05
Payroll taxes	579.24
Profession Services	98.00
Repairs & Maint.	45.06
Utilities	477.27
Total Senior Center-City paid	2,069.62
Total General	11,783.99
Payroll	
Employee Benefits	1,945.17
Payroll Taxes	5,541.30
Payroll Wages	13,481.74
Total Payroll	20,968.21
City Fire Dept	
Professional Services	33.00
Utilities	911.64
Total City Fire Dept	944.64
Park	
Improvements & Equipment	210.00
Mower Loan Payment	560.10
Professional Services	33.00
Supplies	125.20
Utilities	186.00
Total Park	1,114.30
Pool	
Supplies	0.00
Utilities	70.51
Total Pool	70.51
Senior Center	
Activities	12.10
General Supplies/Printing	146.76
Meals purchased	3,039.50
Payroll Wages	101.01
Payroll Tax	16.74
Supplies/Kitchen	86.03
Raw Food	66.78
Repairs and maintenance	0.00
Total Senior Center	3,468.92

Village of Utica
Profit & Loss
January 2023

	Jan 23
Sewer Dept	
Chemicals	1,222.00
Postage	189.60
Professional Services	1,006.50
Utilities	344.28
Work by others	1,102.37
Total Sewer Dept	3,864.75
Street Dept	
Automobile Expense	872.07
Fuel	347.01
Office Supplies	19.29
Professional Services	258.86
Repairs and Maintenance	10,476.67
Small Tools	338.37
Supplies & Parts	120.00
Uniform-Dylan	0.00
Uniform-Rick	0.00
Utilities	1,660.73
Total Street Dept	14,093.00
Water Dept	
Loan Payment	1,784,723.20
Interest paid on loan	-23,913.40
Admin Fee on loan	1,338.54
Postage	189.60
Professional Services	1,072.50
Supplies & parts	0.00
Utilities	2,910.44
Work done by others	21,702.38
Total Water Dept	1,788,023.26
Total Expense	1,844,331.58
Net Ordinary Income	135,106.06
Net Income	135,106.06