

MINUTES  
AUGUST 2, 2005

The Cedar Creek Board of Trustees met in regular session on August 2, 2005, at 7:00 p.m., at the Village Hall. To accommodate those attending, the meeting was moved to the adjoining fire department. Advance notice of the meeting was given by posting in three public places in the village and by publication in the Plattsmouth Journal. The meeting was called to order by Chair Bode. All board members were present.

Motion by Rydl , second by Swenson, to approve the minutes as written. All ayes.

**TREASURER'S REPORT:**

Account Balances: Checking \$34,945.60, Money Market \$29,227.19

Claims: Rural Water #3..23.50 Alltel..60.67 Plattsmouth Journal..170.27 OPPD park..16.00 OPPD building..111.00 OPPD street lights..103.13 Jefferson Pilot Financial..140.00 Eagle Services..150.00 Earnies..105.45 League of NE Municipalities..1272.00 Cass County Sheriff's Dept..1214.88 B Reinsch..335.00 Dell..567.00 Payroll..2970.71

Motion by Ford, second by Rydl, to approve the treasurer's report and pay all claims. All ayes. A date for a budget workshop was set for August 23<sup>rd</sup> at 7:00 p.m.

**POLICE REPORT:**

As reported by the Cass County Sheriff's Department, 79.71 hours of patrol were logged for Cedar Creek during the month of July. There were 15 calls for service: Welfare Check, Assist Other Agency, Traffic/Other, Traffic/Suspended Driver, Animal/Vicious Dog, Animal/Wildlife, 2 Check Suspicious, Theft/Other>\$500, 3 Medical Emergency/Illness, Alarm/False by owner, Civil Matter/Standby, Theft from a motor vehicle.

**CORRESPONDENCE:**

Nebraska Travel and Tourism request for input toward preparation of the 2006 Annual Festival Guide. Items due September 15<sup>th</sup> to be included in the publication. Chair Bode stated, no dates had been set for community events at this time. Also, a Chair is needed for the Park Board to take charge of scheduling and organizing village events. Those interested should contact the village office 234-7856.

LARM notice of vacancies on the Board of Directors.

Sarpy/Cass Department of Health and Wellness. Mini Grant application was completed and returned to the Department for \$150 assistance in controlling mosquitoes.

Nebraska Department of Roads. Information on the Nebraska Local Technical Assistance Program.

Chair Bode introduced the new Floodplain Manager, Charles Paukert, and informed those present, he and Ron Larson would be putting up the remainder of the new address signs.

#### UNFINISHED BUSINESS:

Village Attorney Bill Reinsch, reviewed and proposed ordinance to regulate the use of golf carts. The ordinance was modeled after an ordinance from another Nebraska community. The ordinance allows for safe operation of golf carts only, it does not allow for the operation of ATV's or other off road vehicles. According to the ordinance, a permit to operate would be obtained at the village office, applicant to be 18 years or older, operator 16 years or older with a valid drivers license, proof of insurance, a fee would be charged and registration numbers assigned to each cart. Cart requirements listed in the ordinance describe a regular, not modified, golf cart, must have a bicycle flag and slow moving vehicle sign, muffler, lights, and maximum speed of 10 mph, and village permit sticker. Permit would be good for one year. All rules of the road shall be followed. Comments from those in attendance included: ATV's should be included in the Ordinance; Speed limit should be more than 10 mph; Does the permit cover everyone in the household; Cost of permit; Age of drivers; Insurance companies won't insure a golf cart to be driven on public streets; Safety of golf carts vs safety of ATV's; Operation after dark; ATV's allowed if used for maintenance; Safety inspections of the carts; Operator instruction class. Chair Bode informed those present, all suggestions will be considered in writing of the ordinance however, the ordinance will require all drivers to have a valid drivers license, proof of insurance, and be registered with the Village. The deputy stated, their department has been instructed by the sheriff, until an ordinance is in place, to stop all ATV's and Golf Carts and tell the operator to take the vehicle home. Further discussion of the proposed ordinance tabled to September.

A survey will be forwarded to property owners, to request input on what street repairs are needed, such as resurface, patching, dollar amount willing to spend. The board will discuss the street repairs at the September meeting.

Abandoned cable equipment left at the village park by the bankrupt cable company was discussed. A request was sent to the company attorney requesting the equipment be removed. There has been no response. Attorney Reinsch will attempt to contact the cable company attorney.

Address signs will be installed by Chuck Paukert and Ron Larson. The new addresses have been assigned by Cass County and Alltel in compliance with the Master Street Address Guide for the Emergency 911 system. The new addresses are to be the permanent physical address for that location. It is the responsibility of the homeowner to give notification of their change of address to various businesses and companies as applies.

Measurements of the proposed basketball court will be given to G. Baker and he is to give the board a proposal for the work.

A date for cleaning village buildings tabled until the weather cools down.

#### NEW BUSINESS:

Dogs running at large. Several verbal complaints have been received. The Deputy informed the board, if the Sheriff's Office is called, and the owner of the animal cannot be reached or identified, a dog catcher from another town will be contacted. Cost goes to the pet owner.

Maria's Lighthouse request closing of Olive Street from B Street North to the South edge of the East/West alley, on August 12<sup>th</sup> at 6:00 p.m. and remain closed until August 13<sup>th</sup> at 11:00 p.m. Purpose to be a Beer Garden for a Poker Run sponsored by the Werner Cycles and hosted by the Red Cross. Prior approval of the Special Designated License was given by the board. Necessary approvals were given by neighboring property owners. Motion by Ford, second by Muntz, to approve the request pending signatures from both neighboring property owners. Vote: Rydl-yes, Muntz-yes, Bode-yes, Swenson-yes, Ford-yes.

Dave Rydl will paint parking lines on the north side of B Street when able to rent the proper equipment.

Louisville Public Schools notified, bus routes will be limited and they will not travel along the SW portion of Platteview Drive due to the narrow road.

Petition received to change the name of Diesel Lake Road to Cedar Lodge Road. Attorney Reinsch will draft an ordinance. Table to September.

#### PERMITS:

Burlington Northern Santa Fe Railway, Floodplain Development Permit Application, Project #21111, construction of a second track and new bridges. Approval given by Municipal Floodplain Manager, Charles Paukert. Questions arose on construction of a second road into the lake area of the community. Chair Bode responded, the issue had been discussed before and the railroad will not permit a second crossing also the cost is not within village budget limits.

Lot #232 Garage with a setback variance of 1 ½ feet from side lot line, letters of approval from neighboring property owners provided. Approved by the Planning Commission and by the Floodplain Manager. After discussion and it was determined construction was limited because of the location of the septic system, motion by Muntz, second by Rydl, to approve the permit and to approve the requested variance due to a determined hardship. Vote: Rydl-yes, Muntz-yes, Bode-yes, Swenson-no, Ford-abstain.

Lot #316 Dwelling. Approved by the Planning Commission and the Floodplain Manager. Motion by Muntz, second by Swenson to approve the permit. All ayes.

Lot #228 Dwelling. Approved by the Planning Commission and the Floodplain Manager. Question and discussion of proposed location of the septic system and discussion on the NW corner of the house being 23 ft from the street. Construction cannot be moved farther back on the property or would be too close to the side lot line. Motion by Bode,

second by Muntz, to approve the permit with a setback variance. Vote: Rydl-yes, Muntz-yes, Bode-yes, Swenson-no, Ford-yes.

In other business, motion by Bode, second by Swenson to purchase a new sprayer for the village. All ayes.

There being no further business to come before the board, motion made by Muntz to adjourn. Second by Rydl. All ayes.

Mary C. Terry  
Municipal Clerk/Treasurer

Planning Commission Meeting 8/29/05 @7:00 p.m. Village Hall

Board of Trustees Meeting 9/06/05 @7:00 p.m. Village Hall