

Minutes
Cedar Creek Board of Trustees
May 2, 2006

The Cedar Creek Board of Trustees met at 7:00 p.m., on 5-02-06, at the Village Hall for a Public Hearing for the purpose of considering approval or denial of a Conditional Use Permit to Theresa Metzger for the operation of a Paintball Course and Shop at 11212 Cedar Creek Road. Advance notice of the Public Hearing was given by publication in the Plattsmouth Journal and by posting in three public places in the village. All Board members were present. The application was reviewed by the Planning Commission on 4-25-06. Planning Commission recommended approval. Questions from the Board: Any injuries? One sprained ankle; Change in north line due to railroad expansion? Additional 14 feet. After discussion, motion by Muntz, second by Ford, to approve the Conditional Use Permit with the condition the northern boundary line be moved to the south 14 feet. Vote: Bode yes, Ford yes, Muntz yes, Swenson yes, Rydl yes. The Conditional Use Permit will be in effect for one year unless repealed by the Board due to any violations. Motion by Rydl to close the Public Hearing and open regular session. Second by Muntz. All ayes.

Chair Bode called the meeting to order at 7:15 p.m. All Board members were present. Advance notice of the meeting was given by publication in the Plattsmouth Journal and by posting in three public places in the village.

Motion by Muntz, second by Swenson, to approve the minutes of the April 4, 2006 meeting of the Board of Trustees as written, posted and published. All ayes.

Treasurer's Report:

Account Balances: Checking \$21,124.69, Money Market \$29,614.81, Keno \$72,510.24
Claims: Rural Water #3..23.50 Plattsmouth Journal..194.51 Alltel..92.49 OPPD building..
178.0 OPPD street lights..103.13 OPPD park..14.00 Jefferson Pilot..140.60 Eagle Services..
140.0 Wiles Bros Fertilizer..406.40 Springfield/Louisville Ins..100.00 Earnies..84.16 Reinsch
& Slattery..170.00 Cass County Sheriff..1214.88 Earnies..13.30 Payroll..2696.80
Motion by Ford, second by Muntz, to approve the treasurer's report and pay all claims. All ayes.
The Board was informed, memorials had been received in memory of Michael Gray designated for the Park Fund.

Police Report:

As reported by the Cass County Sheriff's Department, 76.77 hours of patrol were logged for Cedar Creek during the month of April. There were nineteen calls for service: Accident/Property, Traffic/Other, Check Suspicious, three Fire/Open Burning, Welfare Check, Two Assist Citizen, Trespassing, Death/Sickness, Vehicle Inspection, Theft, four Medical Emergencies/Illness, Special Services, Traffic/Reckless. Deputy was requested by the Board to ticket ATV drivers on Public Streets and on Public Property, and Golf Cart drivers that do not have a village permit attached to the cart.

Correspondence:

Legislative Bulletins reviewed by the Board.

Center for Rural Affairs with a sample resolution. Table to June.

Letter to B. Jankovich regarding a street closing request.

Reports of Officers, Boards, and Committees:

Planning Commission meeting, 4-25-06, recommendations to the Board.

Rod Little request to purchase a batting cage. Mr. Little did not attend the meeting. Item tabled.

Unfinished Business:

The Board discussed results of the Cedar Creek 2006 Community Survey. A total of 344 surveys were mailed, 178 responded. Copies of the survey are posted at the Cedar Creek Post Office, Village Hall, and Earnies, and are posted on the village web site at:

www.cedarcreeknebraska.com

Possible work on village streets was discussed. Dave Rydl will get measurements of the streets and request quotes for street repairs. Table to June.

Code violations. Two properties in the village have been in violation of village code since December 2005, four properties in the village have been in violation of village code since February 2006. There has been no response from any of the six property owners during the month of April. P. Swenson asked the Village Attorney what the process is for village action against violators. B. Reinsch responded civil proceedings or a mandatory injunction could be filed to have the violation removed, to seek a court order for the owner to clean it up, if they do not comply they would be in contempt of court. B. Ford asked how specific the Board needs to be in requesting the property owner to resolve issues. He was informed, the original letter mailed to the property owner gives specific detail of the violations and in most cases pictures of the violations are enclosed with the letter. B. Reinsch responded, the Board needs to read through the village code and decide what the nuisance is and request the property owner take care of the violation, if not taken care of within a reasonable time, then to take action. The Board needs to inspect violation complaints more thoroughly by looking at the actual violation. One additional violation discussed was dogs running at large. Board advises if a dog is aggressive to call the county sheriff. All violations tabled to June.

The size of the burn pile was discussed at length. Motion by Ford, second by Muntz, to contact the Cass County Recycle Center in regard to rental of the tub grinder. All ayes. If the grinder is used, chips will be used on village property at the corner of Platteview Drive and Cedar Drive.

At the request of the Village Board, the Cass County Building Inspector inspected the exterior of Ault's Store to determine if structurally safe. Results of the inspection showed several sections of the building to be structurally unsafe due to years of inadequate maintenance. The inspector recommended immediate action be taken to repair or remove the front porches that hang over the public sidewalk. Motion by Ford, second by Swenson, to notify the property owner of the problem and request the porch be removed and building secured within 15 days of receipt of certified letter. All ayes.

Ford withdrew his previous suggestion to rent a dumpster for one day use by the public. It is recommended, if residents have items to dispose of to contact the village contractor Waste Management. Cass County residents can also take tires and brush to the Cass County Recycling Center at 13870 12th Street (402) 296-9353.

After Board discussion on dredging of the drainage ditch along Walnut Street, it was agreed upon to have Bob Ford contact local contractors for recommendations and cost of work. Table to June.

New Business:

The Board reviewed recommendations from the LARM Loss Control Consultant, Robert Perry. The Board is agreement, all recommendations will be complied with and the Fire Department will be notified of their responsibilities.

Motion by Muntz, second by Rydl, to allow for a Special Designated Liquor License request from Maria's Lighthouse for May 27, 2006 from 5:00 p.m. to 12:00 a.m. midnight and July 1, 2006 from 5:00 p.m. to 12:00 a.m. midnight. Vote: Bode yes, Ford yes, Muntz yes, Swenson yes, Rydl yes.

Permits:

Lot #164 Garage. Approved by the Planning Commission and by the Floodplain Manager. Question from Swenson on location of propane tank. Tank setback from proposed garage would be in compliance. Motion by Muntz, second by Rydl, to approve the permit. Vote: Bode yes, Ford yes, Muntz yes, Swenson yes, Rydl yes.

Motion by Muntz, second by Ford, to approve a Miscellaneous Permit for 107 Railroad Avenue to replace a storm damaged garage using the same foundation and footings. Property not in Floodplain. All ayes.

Final Plats submitted for Prarieview Estates Subdivision and for Raven's Nest West Subdivision. At the recommendation of Bill Reinsch, Village Attorney, the Village Comprehensive Development Plan will be amended to allow subdivisions in TA Districts. Table approval of plats to June.

There being no further business to come before the Board, motion by Muntz, second by Rydl to adjourn. All ayes.

Mary C. Terry
Municipal Clerk/Treasurer

Planning Commission Meeting 5-30-06 @ 7:00 p.m. Village Hall
Board of Trustees Meeting 6-06-06 @ 7:00 p.m. Village Hall