

Minutes  
June 5, 2007

The Cedar Creek Board of Trustees met in regular session on 6-05-07, at 7:00 p.m., at the Village Hall. All Board members were present. Advance notice of the meeting was given by posting in three public places in the village and by publication in the Plattsmouth Journal.

Motion by Ford, second by Olson, to approve the minutes of the 5-01-07 meeting as written and published. All ayes.

Treasurer's Report:

Account Balances:

Checking \$34,952.31, Money Market \$30,263.21, Keno \$108,967.61

Claims: Rural Water #3..23.50 Windstream..99.11 Plattsmouth Journal..151.76 Eagle Services Apr..205.84 Eagle Ser May..220.00 JEO..300.00 Reinsch & Slattery Apr..325.00 Reinsch & Slattery May..312.50 OPPD pk..14.99 OPPD pump..19.00 OPPD bldg..176.00 OPPD st lgts..108.96 US Postal Ser..236.60 Jeff Pilot..140.60 Mill Creek Auto..29.35 Wiles Bros Fertilizer..90.00 Cass County Sheriff..1214.88 Asphalt & Concrete Mat..642.14 Earnies..233.41 R Duff..237.60 Holiday Inn..243.00 Plattsmouth Jrn..141.11 Payroll..3237.31

Fire Department Accounts: General Fund..\$1168.75, CD..\$5140.91, Pickle Fund..\$8999.69, BBQ Fund..\$7606.52

Motion by Swenson, second by Ford, to approve the treasurer's report and pay all claims. All ayes.

Police Report:

As reported by the Cass County Sheriff's Department, 89.26 hours of patrol were logged for Cedar Creek during the month of May. There were seven calls for service: Theft from outside, Abandoned 911, Disturbance/Loud Party, Assist Citizen KLIV, 2 Medical Emergency, Death/Natural Cause. Four warnings were issued for: Unlawful Display of Plates, Speed 1-5 mph, No Brake/Turn Signal Lights, Muffler.

Correspondence:

Legislative Bulletins.

2007 Municipal Accounting and Finance Conference.

Unfinished Business:

Ault's Store. Chair Muntz asked B. Bohuslavsky if he had completed the requested building permit application for the work on the roof. Bohuslavsky replied he had not but was planning to. C. Paukert and the village attorney recommended he contact Cass County Zoning and inform them of his plans for the building and request information on permits which are required so all work would be included in one permit. The permit would then go to the Planning Commission before consideration by the Board of Trustees. Bohuslavsky was provided copy of a 2002 letter from the DEQ to Ault stating a

change in ownership of the store would require a septic system to be installed by the new owner. B. Ford informed the owner, documentation that the fuel tanks have been removed by a licensed/certified contractor is required also. A resident of Diesel Lake replied, the tanks were considered above ground tanks and have been removed. He stated the Fire Marshal submitted a report to the Village. According to the resident the tank under the street is the same as ones located across the street at Prazan's and at the Cedar Creek Inn. After a lengthy discussion, Bohuslavsky was directed to complete the requested permit application and take it to the Planning Commission at their June 26<sup>th</sup> meeting.

No board decision was made on the design of a proposed village sign. At the request of B. Ford, keno auditors will be asked if keno money could be used toward purchase of a village sign. Table to July.

Chair Muntz spoke to Micheels Construction on doing the street grading. R. Moses informed the Board they have found all the curbs on B Street except one and the curb from Baker Street to Walnut Street is not continuous. The contractor has stated he can grade to the elevation required and resurface. The contractor recommends using limestone chips instead of gravel to build up the base. A resident of Diesel Lake requested adjustment to the grade at the intersection of Main & B Street on the northeast corner of the bridge. Chair Muntz stated he had no problem with it. Ford stated the original blueprints need to be looked at and the village engineer should be contacted, and if the work is on public row, something should be put in writing. Further discussion was held on possible drainage solutions and contacting the State Department of Roads regarding installation of a box culvert under B Street. Motion by Ford, to allow Micheels Construction to grade gutters along B Street to below curb line in accordance with original blueprints at a cost of \$5000 and resurface. Second by Olson. Vote: Moses yes, Olson yes, Swenson yes, Ford yes, Muntz yes. Chair Muntz will contact Micheels Construction.

Railroad Quiet Zone, table to July.

Ordinance 2007-01. Shipping Containers. Ordinance 3<sup>rd</sup> reading by the clerk. R. Moses inquired if Bohuslavsky had removed the second container from his property. He replied he had not. Motion by Olson to adopt Ordinance 2007-01. Chair Muntz inquired if he could second the motion. Village Attorney stated he could not second the motion. No second was made. Motion to approve Ordinance 2007-01 failed.

Ordinance 2007-02 ATV's tabled to July. Errors to be corrected and additions made in accordance with previous discussion.

Miscellaneous Business:

Motion by Ford to pass the golf cart citation of April 5, 2007 on to Attorney Johnson for prosecution. Second by Swenson. Vote: Moses yes, Olson yes, Swenson yes, Ford yes, Muntz yes.

David Ambrose, owner of 1008 Platteview, requested the Board reconsider his previous request to connect his garage to his dwelling. A lengthy discussion followed between Mr. Ambrose, the Board, and C. Paukert Village Floodplain Manager. The issue will be decided upon at a meeting of the Board of Adjustments on June 19<sup>th</sup> at 7:00 p.m., Village Hall.

Chair Muntz announced, the Village will spray for mosquitoes Friday evening June 8<sup>th</sup>.

A complaint was received regarding poison ivy on a vacant lot at 1096 Platteview Drive and along the river bank. Motion by Swenson, to notify the property owner of the problem, and if not addressed within 10 days to instruct village maintenance to spray. Second by Ford. Vote: Moses yes, Olson yes, Swenson yes, Ford yes, Muntz yes. Village maintenance will spray the river bank.

Motion by Moses to change the July meeting date from July 3<sup>rd</sup> to July 10<sup>th</sup> due to the holiday. Second by Olson. Vote: Moses yes, Olson yes, Swenson no, Ford abstain, Muntz yes. The July meeting will be held July 10<sup>th</sup>, at 7:00 p.m., Village Hall.

New Business:

R. Moses informed the Board, culverts on Olive Street and on A Street need to be replaced. After the last storm it was noticed the culverts were not draining properly. B. Ford will contact M. McAllister for his opinion. Other area contractors will be requested to look at the situation and give an opinion before the July meeting.

Chair Muntz stated, trees along streets need to be trimmed. There should be a clearance of 14 feet between the street and any overhanging branches. Notice will be posted.

Discussion was held on walking paths at the Village Park. There presently is no Park Board however the village attorney informed the Board they could still make improvements. The Board was informed, Keno money could be used for park improvements. Item tabled.

The property owner of Lot #4 Block #6 contacted the village on the possibility of making a gift of his property to the village. Village Attorney advised the Board, a title search should be conducted. Motion by Ford, second by Moses, the village will have a title search done and consider purchasing the property for \$1. Vote: Moses yes, Olson yes, Swenson yes, Ford yes, Muntz yes.

Representatives of Bellino Fireworks requested permission to sell fireworks at 809 B Street, from June 25<sup>th</sup> thru July 4<sup>th</sup>. They will open at 8:00 or 9:00 a.m. and close at 10:00 p.m. except on weekends and on the 4<sup>th</sup> being open until midnight on those days. Required insurance and state permit presented. Motion by Ford, to permit Bellino Fireworks to sell as proposed and in compliance with all state regulations. Second by Moses. Vote: Moses yes, Olson yes, Swenson yes, Ford yes, Muntz yes. Motion by Ford, second by Olson, to deposit the \$500 donation from Bellino into the Park Fund. All ayes.

A. Steppat, representing the Lake #1 Association, requested the village consider mowing the Lake # 1 Park. After discussion, Motion by Moses, second by Olson, to allow village maintenance to mow the Lake #1 Park at a fee of \$125.00 each time mowed. All ayes. The association will request in advance for each mowing.

Permits:

205 South Main, Garage. Approved by the Planning Commission. Motion by Ford to approve. Second by Swenson. Vote: Moses abstain, 4 ayes.

2049 Sunset Drive, Addition. Approved by the Floodplain Manager and by the Planning Commission. Motion by Ford to approve. Second by Swenson. All ayes.

In other business, a resident requested the Board table be rearranged so people can hear. There being no further business to come before the board, motion by Moses to adjourn. Second by Olson. All ayes.

I the undersigned Municipal Clerk/Treasurer, hereby certify the foregoing is a summary of all matters discussed at the 6-05-07 meeting of the Board of Trustees and was available to the public within ten working days. All proceedings were contained in the agenda for at least twenty four hours prior to said meeting. A current copy of the State of Nebraska Open Meetings Act is posted in the Village Meeting Room and is accessible to the public.

Mary C. Terry  
Municipal Clerk/Treasurer

Planning Commission Meeting June 26<sup>th</sup> @7:00 p.m. Village Hall

Board of Trustees Meeting July 10<sup>th</sup> @7:00 p.m. Village Hall