

Minutes  
6-01-10

The Cedar Creek Board of Trustees met on 6-01-10, at the Village Hall for a Public Hearing, the purpose of considering renewal 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 the village. Due to storm warnings and power outage the meeting was delayed by forty five minutes. Chair Muntz called the Public Hearing to order. Board members present: Moses, Olson, McAllister, Muntz. Winkler was absent. The Cedar Creek Planning Commission recommended approval of the Conditional Use Permit. No opposition to the Conditional Use Permit was received. Motion by Moses, second by Olson, to approve the Conditional Use Permit. Vote: Moses yes, Olson yes, Winkler absent, McAllister yes, Muntz yes. The Conditional Use Permit shall be in effect for a period of one year unless repealed by the Board due to any violations. Motion by Olson, second by McAllister to close Public Hearing and open regular session. All ayes.

Chair Muntz called the regular session to order at 7:50 p.m. Board members present: Moses, Olson, McAllister, Muntz. Winkler was absent. Advance notice of the meeting was given by posting in the village and by publication in the Plattsmouth Journal. The notice stated, said meeting shall be open to the public, the agenda is available for public inspection at village hall, and the agenda is not to be enlarged later than twenty four hours prior to the scheduled meeting except for emergency items.

Motion by McAllister, second by Olson to approve the minutes of the May meeting as written and published. All ayes.

Treasurer's Report:

Account balances: Checking \$58,574.05, Money Market \$31,228.22, Keno \$81,728.45  
Claims: Rural Water #3..23.50 Plattsmouth Journal..15.44 Windstream..108.36 OPPD  
bldg..180.00 OPPD pk..17.00 OPPD st lgts..110.61 Lincoln National Life..155.40 Cass  
County Sheriff..1214.88 Earnies..112.65 Asphalt Concrete Mat..5282.12 Dons  
Johns..250.00 Wiles Bros Fertilizer..418.40 Tys Outdoor Power..81.39 Reliable Office  
Sup..155.00 Langfeldt Overhead Doors..1860.00 Payroll..2932.20 Motion by Olson,  
second by McAllister, to approve the treasurer's report and pay all claims. All ayes.  
Motion by McAllister, second by Olson, to approve payment of \$300 to C. Paukert for  
attendance at the NE Floodplain and Stormwater Managers Association Conference, July  
30, 2010, at Kearney. All ayes. Motion by Olson, second by McAllister, to approve a  
proposal for painting of the Fire Barn/Village Hall exterior and Garage exterior in the  
amount of \$1945.00 from Mike's Painting in Louisville. All ayes.

Police Report:

As reported by the Cass County Sheriff's Department, 73.15 hours of patrol were logged for Cedar Creek during the month of May. There were nine calls for service: Traffic/Other; Hazards/Obstructions; Animal/Vicious Dog; Death/Sickness; Vehicle

Inspection; Special Services; Welfare Check; Assist Citizen KLIV; Trespassing. Three citations were issued for traffic violations, nine warning violations. Trustee McAllister informed the deputy present, the Sheriff's Department was called to report ATV's tearing up the Lake 1 Park and not deputy responded to the call. Deputy will relay the complaint to the department.

Correspondence:

Results of B Street Bridge inspection, tabled to July.

Unfinished Business:

Dan Fricke of JEO, reported to the Board on the progress of the NDOR Culvert Improvement progress at B Street & Walnut Street in Cedar Creek. He spoke about cost share options, designs, and responsibilities for the NDOR culvert, interior drainage culverts, and the downstream channel. The LPSNRD will be requested to consider cost share of the project. Additional information will be provided at the July meeting.

No new developments on the Platte Riverbank Stabilization Project. Table.

Park trees along Platteview Drive were replaced by a resident. D. Muntz asked if one of the trees replaced was one destroyed by fire. Consideration of repayment tabled to July.

Miscellaneous Business:

Item one tabled due to absence of the attorney.

Hauling of the Recycling Trailer was discussed. Volunteers are needed to haul the trailer once every three weeks from Cedar Creek to the recycling center at 10330 I Street in Omaha and then to South Bend. Interested individuals contact the village office at 234-7856.

New Business:

Complaints were received on street trees and bushes blocking vision of motorists. C. Paukert and R. Moses will take a survey of all street trees. Letters will be sent to property owners in noncompliance of the regulations.

Permits:

100 East B Street. Raise roof, remove walls, and replace with new. Approved by the Planning Commission and by the Floodplain Manager. Board reviewed the permit application and survey of the property. The contractor explained the work to be done. Motion by Moses to approve the permit. Second by Olson. All ayes.

101 East B Street. 38' x 40' Addition. Planning Commission recommended to have all existing violations fixed before permit for an addition is given. A lengthy discussion was held between the Board and Contractor regarding setbacks and location of septic system and water hookup with Rural Water District #3. The Board informed the contractor, all violations determined by the building inspector are to be taken care of before construction of an addition and a new drawing is to be submitted showing all

improvements and setbacks and location of septic system. Motion by Moses, second by Olson, to approve the permit with the stipulation a new drawing be submitted and approved showing all setbacks and addressing siding, windows, doors and all other improvements. Vote: Moses yes, Olson yes, Winkler absent, McAllister no, Muntz yes. Motion by Moses, second by Olson, to approve a request for a variance on setback from the east property line from the 10 foot requirement to a requested 6 foot setback which would be in line with the existing building. Vote: Moses yes, Olson yes, Winkler absent, McAllister no, Muntz yes. The variance did not pass, as four affirmative votes are required. McAllister stated he may reconsider his vote if a current letter of approval from the neighbor were submitted, and the permit included a drawing showing all setbacks and location of septic system and water line, and the contractor were to submit a plan in writing to correct all violations. Contractor agreed with the requests and will submit a new permit application to include all requested information. Table.

Replat, Garage & Storage and size variance approved by the Planning Commission and by the Floodplain Manager. Motion by Moses, second by Olson, to approve the replat of Lot #297 and Lot #298. All ayes. Motion by Moses, second by Olson, to approve the permit with a variance in size of the building. All ayes.

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

I the undersigned Municipal Clerk/Treasurer, hereby certify the forgoing is a summary of all matters discussed at the 6-01-10 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 Nebraska Open Meeting Act is posted in the meeting room and is accessible to the public.

Mary C. Terry  
Municipal Clerk/Treasurer