

Minutes
8-04-09

The Cedar Creek Board of Trustees met at 7:00 p.m., on 8-04-09, at the Village Hall. Board members present: Muntz, Moses, Olson, Winkler, McAllister. 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 Moses, second by Winkler, to approve the 7-07-09 minutes as written and published. All ayes.

Treasurer's Report:

Account balances: Checking \$40,363.29, Money Market \$31,162.36, Keno \$84,312.25
Claims: Rural Water #3..23.50 Windstream..97.41 OPPD building..180.00 OPPD
park..20.00 OPPD street lights..118.54 Lincoln National Life Ins..155.40 Ty's Outdoor
Service..138.62 Don's Johns..200.00 Cass Co Sheriff..1214.88 A Minahan..287.50
Earnie's..111.63 Payroll..2554.28 Motion by Moses, second by McAllister, to approve
the treasurer's report and pay all claims. All ayes.

Discussion was held on purchase of a tractor or similar equipment to be used by village maintenance. Attorney advised, the Board may be required to advertise for prices to compare. Specs to be written. Table to September.

Police Report:

As reported by the Cass County Sheriff's Department, 82.62 hours of patrol were logged for Cedar Creek during the month of July. There were 23 calls for service: 2 Found Property, 4 Check Suspicious, Parking/Blocking Street, 7 Disturbances, 2 Vandalism, Missing Juvenile, 2 Assist Citizen, 2 Civil Matter, Protection Violation, Theft From Motor Vehicle. Eleven traffic citations were issued and eleven traffic warnings.

Correspondence:

Nebraska Department of Agriculture gave notice the village is required to arrange for a licensed facility to impound and hold any seized, stray, or abandoned animals. Gary Krumland of the League of Nebraska Municipalities legal department was contacted. It is his opinion the village is only required to take any animals the village picks up to a licensed facility. No action taken.

Notice received from the DED of 2008 Disaster Recovery Funds still available. Requirements will be researched.

LARM notice of contribution for FY 2009-2010 reviewed. Total contribution for property, liability, and workers compensation coverage will be \$7,425.

Reports of Officers, Boards, & Committees:

Chuck Paukert, Village Floodplain Manager, presented a Floodplain Newsletter to be distributed to the residents. The newsletter explains requirements of the National Flood Insurance Program, the Village Floodplain Ordinance, and FEMA regulations. C. Paukert stated it is important residents are aware of these regulations. Paukert also reported on construction at Lot #207. It was reported, the property owner had built beyond what was permitted and was in violation with floodplain regulations. The construction was red tagged by Cass County Zoning. Property owner stated he would remove the construction which is in violation and restore the original structure. The construction will be monitored by Cass County Zoning and C. Paukert. Motion by Moses, second by Olson, to approve the letter of non-conversion as presented and request signature of such by owner of Lot #207. All ayes.

Unfinished Business:

The Board reported the village fuel tank will be drained and removed. Also, concrete for the meeting room entry is to be poured Wednesday a.m.

Nuisance property at 2051 Sunset. It was reported the property owners have been complying with village requests. Property owner of 2049 Sunset stated 2051 Sunset have been removing items from the property and mowing but the property on the other side of his, 4028 Lakeview, looks like a junk yard and is bringing down the property values. Owner of 4028 Lakeview responded and an argument ensued. J. Winkler recommended, Chairman Muntz instruct everyone to address the chair before speaking. A resident reported a property on Highline Circle which has unlicensed boats, trailers, and trucks, weeds, and pile of railroad ties. Clerk will take pictures of the violations, property owner will be notified. Muntz stated next nuisance property is 4028 Lakeview Drive. Property owner was given notice on June 15, 2009 of the existing violations. Chair Muntz asked if the property owner was making progress with mowing or on the seawall. Owner stated he has been working on it. Pictures were taken August 3, 2009, showing no change from the previous month. After further discussion, motion made by J. Winkler to go through each nuisance property and resolve by voting on actions to take. Second by McAllister. All ayes. All property owners were previously notified of the violations.

Property #1. 2051 Sunset Drive. Motion by Winkler, second by Moses to give them 15 days to bring the property into compliance with village code. If not done, file in District Court. Vote: Moses yes, Olson yes, Winkler yes, McAllister yes, Muntz yes.

Properties #2, #3, #4, & #5 Advised by the village attorney to act on together since all four properties are owned by the same person. Motion by Winkler, to file in District Court and address in one lawsuit, violations at 4028 Lakeview Drive, 100 East B Street, 101 East B Street, 207 East B Street. Second by Moses. Vote: Moses yes, Olson yes, Winkler yes, McAllister yes, Muntz yes.

Property #6 3975 Lakeview Drive. Motion by Winkler, second by Moses to allow 15 days to bring the property into compliance. Vote: Moses yes, Olson yes, Winkler yes, McAllister yes, Muntz yes.

Discussion on poison ivy at 1096 Platteview Drive. Attorney Minahan gave notice to the property owner and requested the owners remove within 15 days. Neighbors have informed the village office, the property owner has sprayed one time but the poison ivy was still on the property. Motion by Winkler to hire a vendor to spray the poison ivy at 1096 Platteview Drive and bill the property owner for work done. Second by Moses. All ayes.

Miscellaneous Business:

JEO Drainage Study proceeding.

Riverbank Stabilization. C. Paukert has informed all necessary agencies of the village intention to stabilize the Platte River Bank. Meetings are to be scheduled.

New Business:

Waste Management has been requested to provide a copy of the agreement with Cedar Creek. Table.

Motion by Winkler, second by Moses, to allow the replat of Lot #20, Lot #28, Lot #29, Lot #30 Fuxa Addition. All ayes.

A written complaint was received on the condition of the property at 2072 Platteview. Motion by Winkler, second by Moses, to notify the property owner and allow 15 days to bring it into compliance. All ayes.

A written complaint was received on possible violations at 3015 Sunset Drive. Motion by Winkler, second by McAllister, to investigate the complaint at the advice of the village attorney. All ayes.

Permits:

2064 Sunset Garage Approved by the Planning Commission and by the Floodplain Manager. Motion by Moses, second by Winkler to approve. All ayes.

3986 Lakeview Drive Dwelling Approved by the Planning Commission. Floodplain Manager presented conditions, in writing, to be met. Motion by Moses, second by Winkler, to approve the permit contingent on all floodplain regulations being followed. All ayes.

In other business, a resident asked if a permit was required for a driveway and culvert. He was informed a permit is required. 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 8-04-09 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