

Village of Cortland Board Meeting

April 12, 2023

The meeting of the Village of Cortland Nebraska was held the 12th day of April, 2023, at 100 S. Sherman Avenue at 7:00 pm.

Present at the meeting: Kohout, Douglass, Birkett, Goforth, German; Clerk Moormeier; Attorney Mahin. Utility Superintendent Argo and public

Motion by Douglass and seconded by Birkett to receive and place on file all notices and material having any bearing on the meeting. Roll-call yes: German, Goforth, Kohout, Birkett, Douglass no: None Motion carried.

Motion by Douglass and seconded by Birkett to approve the minutes of the last meeting as printed in the Voice. Roll-call yes: German, Goforth, Kohout, Birkett, Douglass no: None Motion carried.

Treasurer's report was presented. Motion by Goforth and seconded by Birkett to approve the Treasurer's report Roll-call yes: German, Goforth, Kohout, Birkett, Douglass no: None Motion carried.

The following bills were presented for payment: American Legal Publishing-\$399, Black Hills Energy-\$1,450.88, Brian Argo-\$2,071.67, Commonwealth Electric Company-\$25,688.30, Cornerstone Bank-\$1,287.66, Donald R. Prentice-\$108, Intuit Software-\$650, Iowa Pump Works, Inc.-\$58,512.62, Menards-\$53.39, Michelle German-\$180, Mueller Systems-\$1,898.34, Nebraska Department of Revenue-\$50, Nebraska Dept of Environment & Energy-\$115, Nebraska Landscape Solutions-\$852.72, Nebraska Public Health Environmental Lab-\$215, Nebraska Rural Water Association.-\$570, Noakes-\$214.07, Norris Public Power-\$2,261.65, Olsson-\$8,380, One Call Concepts, Inc.-\$41.52, Salaries-\$4,789.61, Sign Pro of Lincoln-\$120, Solheim Law Firm-\$1,005, Summit Fire Protection-\$302.90, Utility Service Co., Inc.-\$2,700, Verla Busboom-\$40, Voice News-\$117.40, Waste Connections of Nebraska Inc-\$4,127.96, Westlake Hardware-\$279.98, Windstream-\$179.44.

Motion by Douglass and seconded by Birkett to approve the monthly payment of bills. Roll-call yes: German, Goforth, Kohout, Birkett, Douglass no: None Motion carried.

Discussion on audit done by Blobaum and Busboom, P.C. Clerk commented that we need to have a separate sheet of approved bills for her and Chairperson to sign each month separate from the bills in the minutes. Motion by Goforth and seconded by German to approve the cash transfer noted by accountant retroactive to September 30, 2022. Roll-call yes: German, Goforth, Kohout, Birkett, Douglass no: None Motion carried. Motion by Birkett and seconded by Douglass to approve the auditor's report. Roll-call yes: German, Goforth, Kohout, Birkett, Douglass no: None Motion carried.

Motion by Goforth and seconded by Birkett to open the public hearing at 7:10 p.m. for SEC 11-6-6 S ½ SE EX RTY & 5.12 AC RD & EX TR CONTAINING 11.82 AC TO VILLAGE OF CORTLAND & EX 19.63 AC TR 40.40 AC for PK Management, LLC, requesting change of zoning from Agriculture Residential District (AG-1) to Highway Commercial District (C-2). Roll-call yes: German, Goforth, Kohout, Birkett, Douglass no: None Motion carried.

Ron Preston owner of PK Management, LLC commented that they bought the property to expand their Tredz Tire facility. Plans are over the next several months to building a 100x300 facility with a 100x400 fenced in area. There will be a showroom/warehouse/office/shop for trailer sales, installing flat beds, and tire business. Long term would like to put in streets and have other business on the whole 40 acres. Question regarding the well from the original homestead, it has not been tested. The need for water would be mainly restrooms and washing up. Traffic would mainly be cars, pickups and once in a while a load of equipment.

Douglass asked the question if they would anticipate being annexed into the Village. Preston indicated that would be an option. Teresa McHargue, property owner between Village and this 40 acres asked what kind of a buffer would be there be between residential and commercial. Birkett indicated that is one thing the Village would need to look into what other Villages and cities have done. There is also the consideration of the Village lagoons at that commercial property was probably a better fit in that area.

Barb Tegley Chairperson of the Planning & Zoning had a meeting the previous week concerning the request for change of zoning. There was a lot of discussion by the neighbor residents who attended. Pros of the zoning would be that it supports the comprehensive plan for Highway property to be Commercial zoned and it would bring in more revenue to the business that are currently in Cortland. Concerns were that there was

agriculture property located between this property and the Village and would it impact the ability to farm the ground. Township was concerned regarding heavy traffic on Ash Road because of the width and structure of the road and the additional maintenance cost. Is there danger coming off of Hwy 77 with no turn lane, mention of the current well and whether it was suitable for consumable water because of the proximity of the lagoons. Questions regarding lighting, signage, and screening of commercial property from the residential area. The P&Z committee felt there were many unknown variables and recommended to table a decision until some of the concerns could be adequately addressed. It would also need to have the Future Land Use map updated at a public hearing which would need to be done prior to the rezoning. Also consideration of annexation and how that would impact water and sewer.

Ron Preston clarified the signage would need to be approved by the State of Nebraska because of the highway. He will be working with an engineering company to lay out a plot plan and would work on a nice transition as he wants to do it the right way. He will check into whether the well is registered.

Motion by Douglass and seconded by Goforth to close the public hearing at 7:33 p.m. Roll-call yes: German, Goforth, Kohout, Birkett, Douglass no: None Motion carried.

Motion by Goforth and seconded by German to table the request for SEC 11-6-6 S ½ SE EX RTY & 5.12 AC RD & EX TR CONTAINING 11.82 AC TO VILLAGE OF CORTLAND & EX 19.63 AC TR 40.40 AC for PK Management, LLC, requesting change of zoning from Agriculture Residential District (AG-1) to Highway Commercial District (C-2).

Douglass called for discussion that the zoning portion of this is the only thing we really are addressing at this time and that our comprehensive plan designates highway property as commercial zoning. All the other decisions would come when approving a plat at some point. Brian Schuele with Olsson's commented from an Engineer's standpoint normally you would have a preliminary plan to see the future layout of everything.

Motion on floor to table rezoning - Roll-call yes: German, Goforth, Kohout, Birkett, no: Douglass Motion carried.

Next steps to move forward would be to amend the Future Land Use map, which could be considered at next month's meeting. P&Z would get the land use map updated then zoning would be consistent with land use map. Ron would bring a preliminary plat for consideration.

Village needs to look at development fees to pay for sewer, streets, etc. to keep up with future infrastructure. Cortland is an attractive community for growth, long term how do we build that out to recover our money.

Building permits – PK Management, LLC tabled until zoning takes place.

Michael L. Mays – 320 W. Apple Road - 24 x 31 x 12 carport Motion by Birkett seconded by Douglass to approve Mays building permit. Roll-call yes: German, Goforth, Kohout, Birkett, Douglass no: None Motion carried.

Noah & Courtney Klimm – 105 S. Washington Ave - 1200 square foot project shop/garage. Motion by Birkett seconded by Douglass to approve Klimm building permit. Roll-call yes: German, Goforth, Kohout, Birkett, Douglass no: None Motion carried.

Pat Liming – 1526 E Apple Rd – 192 square feet storage shed. Motion by Douglass seconded by Birkett to approve Liming building permit. Roll-call yes: German, Goforth, Kohout, Birkett, Douglass no: None Motion carried.

Brent Reynolds – West of Hwy 77 & Ash Road 20 acres - storage shed 14 x 24 336 square feet. Motion by Douglass and seconded by Birkett to approve Reynolds building permit . Roll-call yes: German, Goforth, Kohout, Birkett, Douglass no: None Motion carried.

2023 Fireworks Application by Vinton Enterprises license to sell in Village. Motion by German and seconded by Douglass to approve Vinton Enterprise Firework application. Roll-call yes: German, Goforth, Kohout, Birkett, Douglass no: None Motion carried.

Brian Schuele from Olsson's reviewed the sewer and water summary results regarding the proposed new development north of town. Sewer mains have plenty of capacity to get to lagoons. Currently the lagoons are discharged once a year, twice if annual rainfall exceeds the historical range. Roughly 40% of the additional development flow can be accommodated with a yearly discharge, although the frequency of twice yearly discharges will be increased as the development build out progresses. German was concerned that the flow monitor may not have been capturing intakes. A flowmeter will be used to take more data and there will be a

follow up conversation. Question was asked about the need for a lift station. We would need to look at the grade of the development to determine whether it would drain or would be pumped. Brian continued regarding the water. The water pressure would require a booster pump to supply the necessary pressures for fire code into the new development. A 10" booster pump would be approximately \$150,000.

Brian Schuele recommended payment of Paver's Cortland Street Invoice for mobilization, clearing & grubbing, remove pavement, 8" concrete pavement, remove and replace sidewalk, detectable warning panel for \$85,701.96. The concrete work is 75% done. Motion by Birkett and seconded by Douglass to pay the Pavers bill of \$85,701.96. Roll-call yes: German, Goforth, Kohout, Birkett, Douglass no: None Motion carried.

Discussion regarding curb along the community center, 435 W. 3rd doesn't drain anywhere, 400 W. 2nd water seems to seep straight down. Brian will check these places out to see what can be done.

Brian Schuele recommended we approve Paver's Change Order #1 for additional work on sidewalk and reinforced concrete sanitary lids. Motion by Birkett and seconded by Douglass to approve Paver's Change Order #1 in the amount of \$2,414.00. Roll-call yes: German, Goforth, Kohout, Birkett, Douglass no: None Motion carried.

Discussion regarding the repair of the street light and interruption of service on NW corner of 4th & Sheridan. The wire was cut, the concrete was poured and now the street lights are not working. Brian will look into the problem.

Master Agreement Work Order dated April 10, 2023 regarding Street Improvement Construction Services was reviewed. Motion by Birkett and seconded by Douglass to approve the Master Agreement Work Order dated April 10, 2023. Roll-call yes: German, Goforth, Kohout, Birkett, Douglass no: None Motion carried.

Table discussion moving forward on vacant property ordinance. Nuisance properties will be discussed at the May meeting. Clerk will send out flyer reminding everyone of cleanup day on May 6th and that the dumpsters will be on the North side of the Community Center.

Fee Schedule – We need to change the building permit fees. Clerk asked to update as per Adams fees and have ready for May meeting. Birkett will work on Inspection fees.

Museum asked about having two possible sheds in addition to the current garage on the property. Attorney was asked to look over the zoning, property lines, square footage limit and give her opinion.

Still in process of getting a new Village credit card, in the meantime Brian has been using his personal card and being reimbursed when necessary.

The last broadband meeting was attended by the Haiglers and discussion was primarily on the rural area not the Villages.

One of the recycling bins does not have lids so wind is blowing it all over. Can we get keys or cards for just Cortland residents. Clerk asked to check into what would make more sense with Waste Connections. This will be on agenda for May. We have an old recycle bin that was acquired by a grant, attorney will look into how we can dispose of it.

Tree trimming bids Tri Point Tree & Landscaping \$10,760 and Arbor-Tech Tree Service \$4,320. Motion by Birkett and seconded by Douglass to use Arbor-Tech Tree Service. Roll-call yes: German, Goforth, Kohout, Birkett, Douglass no: None Motion carried.

JK Electric has not gotten back with a bid for the lights outside at the Community Center, the timer for tennis court, sensor for community center, and timer for concession stand.

Light poles on Hwy 77 NPPD is working on cost.

Lift station was done today. Want to thank Randy Thimm for storing and use of his tractor and Jeff DeBoer for letting the drive through his field when replacing. There will be a bill for concrete and we need to look at contract prior to paying the bill.

Insulation behind the backboards in the community center is falling down, we need to replace. ADA compliance for the Community Center also needs to have a bid.

Nate DeVries asked if he and his neighbor shared the expense at 250 Lincoln Avenue if they could rock the alley. Motion by Douglass and seconded by German to encourage Nate DeVries and his neighbor rock their alley at their expense. Roll-call yes: German, Goforth, Kohout, Birkett, Douglass no: None Motion carried.

Nathan Murray emailed about sidewalk and steps that need repaired at the Cortland United Church. Sidewalk and steps would be at the property owner's expense, they will not need a building permit, will need to do locate for utilities.

Ball park has ball starting already. The first tournament was held and Lisa had not been contacted so there was cleaning up of the bathrooms as the water had not been turned yet. Norris Titan Softball and Norris Titan Baseball did a clean-up day at the concession stand. The fence to the smaller field is done. We want to thank all the volunteers that helped with the fence project. A chalker and padding for the small field backstop still need to be purchased. There is two popcorn machines that need to be sold or donated. Refrigerator may need to be replaced.

Garage sales will be June 2nd & 3rd, June 24th fireworks, CIA obtained a grant for 6 more flower wick barrels. Jim Campbell has donated health related equipment such as wheel chair, walker to Senior Diners. Contact Karen Ostlund if you need those types of items. Douglass requested \$200 for flowers for the new barrels that have been purchased by the grant money. Motion by Goforth and seconded by Birkett to approve the \$200 for flowers for CIA. Roll-call yes: German, Goforth, Kohout, Birkett, Douglass no: None Motion carried.

Motion by Douglass and seconded by Birkett to approve the 25% Highway Allocation Match of \$1938.00 Roll-call yes: German, Goforth, Kohout, Birkett, Douglass no: None Motion carried.

Correspondence – Meeting on May 17th for the Little Indian Creek WFPO Watershed Plan, Douglass will attend the meeting.

Clerk indicated she will be on vacation June 12th and 14th and would not be at the June 14th meeting. Someone will need to take minutes.

Motion by Goforth and seconded by Douglass to adjourn the meeting at 9:52 p.m. Roll-call yes: German, Goforth, Kohout, Birkett, Douglass no: None Motion carried.

I, Donelle Moormeier, Village Clerk do hereby certify that the foregoing is a true and correct copy of the proceedings of the Village Board of Cortland, NE to the best of my knowledge.