

Village of Cortland
August 10, 2022, Regular Meeting

The Meeting of Village of Cortland was held the 10th day of August 2022 at 100 S. Sherman Ave at 7:05 p.m. Present at the meeting: Chairperson Kohout, Douglass, Birkett, Engelhard, Goforth. Clerk Moormeier, Utility Superintendent Topp. Absent: Attorney Hoffschneider

Motion by Kohout and seconded by Douglass to receive and place on file all notices and material having any bearing on the meeting. 5 Ayes, 0 Nays. Motion carried.

Motion by Birkett and seconded by Douglass to approve the minutes of the last meeting with amendment. 5 Ayes, 0 Nays. Motion carried.

Motion by Goforth and seconded by Douglass to approve the Treasurer's report. 5 Ayes, 0 Nays. Motion carried.

The following bills were presented for payment: Black Hills Energy \$189, Commercial Lighting \$1194.22, Cornerstone Bank \$582.55, Donald R. Prentice \$160, Donelle Moormeier \$20, Farmers Cooperative \$500.01, Hoffschneider Law ,P.C., LLO \$1557.38, John's Plumbing Inc. \$45.00, Lincoln Winwater Works \$547.77, Menards \$490.54, Michelle German \$162, Midwest Lab \$32.06, Nebraska Department of Revenue \$1016.98, Nebraska Public Health Environmental Lab \$258, NIFCO Mechanical Systems, LLC \$158.25, Noakes \$265.64, Norris Public Power \$2113.87, One Call Concepts, Inc. \$4.76, Salaries \$3912.94, Verla Busboom \$40, Waste Connections of Nebraska Inc. \$4115.96. Motion by Douglass and seconded by Birkett to pay the bills. 5 Ayes, 0 Nays. Motion carried.

Building Permits: Motion by Douglass and seconded by Engelhard to approve a fence for Jerry Vrbka at 530 W. 3rd. 5 Ayes, 0 Nays. Motion carried.

Motion by Douglass and seconded by Birkett to approve a 1200 square foot pole building garage for Jon & Angela McNabb. 5 Ayes, 0 Nays. Motion carried.

Jim Campbell, registered agenda topic speaker for #6 Building Permits, asked about the sidewalk east and west along the street in front of his house as he wanted to make his house wheel chair accessible. Ben will look at it and we will put on September agenda.

Jim Campbell, announced that they are planning to have the 2nd Annual Cortland Tailgate Party on August 27, 2022. He asked that they would be permitted to close Lincoln Avenue off from 2nd to 4th Street. Insurance liability coverage was presented to the Village. Motion to approve the 2nd Annual Cortland Tailgate Party on August 27th and allow closing of Lincoln Avenue between 2nd & 4th Street was made by Douglass and seconded by Birkett. 5 Ayes, 0 Nays. Motion carried. Goforth indicated she would get it on the Village website.

Lindsey Oelling, owner of Paper Moon, plans on having a Fall Festival on September 24, 2022 on 4th Street between Lincoln Ave and Sheridan which she would like blocked off along with blocking off Sheridan from 3rd to 5th for a car show. There will be a beer garden, street vendors, food trucks, a dog costume parade, possibly bingo, and 4 different bands. The Community Center will also be reserved for the Chili Cook off in the event of inclement weather. Motion by Douglass to approve the Fall Festival for September 24, 2022, and blocking off 4th Street between Lincoln and Sheridan and Sheridan from 3rd to 5th, with the condition that Lindsey provide proper insurance by the Board meeting on September 14th, 2022. Goforth seconded the motion, 5 Ayes, 0 Nays. Motion carried.

Schroeder Operations, LLC presented a Special Designated License to service liquor at the Fall Festival on September 24th, 2022 in the blocked off area on 4th Street between Lincoln Avenue and Sheridan Avenue. They will check ID's and wristbands will be given, liquor will

need to stay within the blocked off area Motion by Birkett to allow for the Special Designated License for Schroeder Operations, LLC on September 24, 2022, Douglass seconded. 5 Ayes, 0 Nays. Motion carried. There will be someone else doing liquor in the Community Center and they will need to be approved at the September 14th meeting.

Second reading of Ordinance 2022-04 – AN ORDINANCE TO AMEND SECTION 90.25 LICENSES TO CHANGE ANNUAL DATE FOR LICENSING AND LICENSE FEES; TO REPEAL CONFLICTING ORDINANCES; AND TO PROVIDE FOR AN EFFECTIVE DATE THERE. Discussion from the Board feels this needs a text amendment to move the date to October 15th so that Village has more time the process and plan on housing and care of the dogs. Dustin McGee, registered agenda topic speaker, asked about licensing of cats. The current code only addresses dogs, and we want to get current code up-to-date and working properly. Village will then address licensing of cats. Clerk will ask the attorney to amend the Ordinance effective date to October 15th for the third reading at September meeting. Clerk will also send the current code to all the board for review prior to next meeting. There were no changes needed to the application form.

Motion by Douglass and seconded by Goforth to approve the revised letter from Blobaum & Busboom Accountants confirming the understanding of services provided to the Village of Cortland for the September 30, 2022-2024 fiscal year. 5 Ayes, 0 Nays. Motion carried.

Motion by Goforth and seconded by Birkett to approve the letter from Blobaum & Busboom Accountants confirming the understanding of services to be provided for September 2023-2025 fiscal years. 5 Ayes, 0 Nays. Motion carried.

Motion by Goforth and seconded by Engelhard to hold special budget meeting Wednesday, August 24th at 7:00 pm to discuss levy for 2022/2023 budget. This meeting will be held on this date dependent on the availability of Jennifer Busboom. 5 Ayes, 0 Nays, motion carried. Clerk will reach out to Busboom and if she is available will publish in the Voice August 18th issue.

Motion by Douglass and seconded by Birkett to hold the 2022/20223 budget hearing on Wednesday, September 14th at 7:00 pm with the regular Board Meeting beginning after the hearing. 5 Ayes, 0 Nays, motion carried.

Chairperson Kohout read Resolution 2022-02 – SIGNING OF THE MUNICIPAL ANNUAL CERTIFICATION OF PROGRAM COMPLIANCE 2022

Whereas: State of Nebraska Statutes, sections 39-2115, 39-2119, 39-2120, 39-2121, and 39-2520(2), requires an annual certification of program compliance to the Nebraska Board of Public Roads Classifications and Standards; and

Whereas: State of Nebraska Statute, section 39-2120 also required that the annual certification of program compliance by each municipality shall be signed by the Mayor or Village Board Chairperson and shall include the resolution of the governing body of the municipality authorizing the signing of the certification

Be it resolved that the Village Board Chairperson of Cortland Nebraska is hereby authorized to sign the Municipal Annual Certification of Program Compliance.

Motion by Douglass and seconded by Goforth to adopted Resolution 2022-02 – Signing of the Municipal Annual Certification of Program Compliance 2022. Voting Yes Engelhard, Goforth, Kohout, Birkett, Douglass, Voting Nay no one. Motion carried.

Douglass indicated the NRD, Scott Svoboda, requested a letter of support for the Little Indian Creek water retention for more emergency water capacity grant application. Motion by Birkett and seconded by Douglass to send a letter of support to NRD.

Treehouse at 7th & Lincoln, attorney updated via email: "With respect to the tree house, the Village has knowledge of the public nuisance of the tree house being located in Village Right of Way. This is what would be considered an attractive nuisance and will likely attract the attention and interest of other children in the Village. As a result, it is my recommendation that the Village request the property owners to remove the tree house." The insurance company is concerned with third party injury and it could be a liability to the Village. Motion made by Engelhard and seconded by Birkett to direct Attorney Hoffschneider to send property owners of the tree house, Reike's, a letter requesting the removal of the tree house within 30 days. Voting Aye – Engelhard, Kohout, Birkett, Voting Nay – Goforth and Douglass. Motion carried 3 to 2.

Dustin McGee, registered agenda topic speaker, had a question related to assuming the Village has liability for the treehouse, then that assumes they have liability for the tree. Do they need to look at all trees on the Village right-of-way? If a tree was damaged in a storm and fell would it then be the Village's liability for damage? It was discussed where there was a court case where in a city park a child hit a tree sledding and the Village/Town was liable.

Steve Parker, 825 Sheridan Avenue, requested five minutes to speak under written complaints, however because the attorney was not present requested to speak at the September meeting.

Miscellaneous – Update on purchasing the museum. Owner is willing to let the Board come look at the museum at any time. Kohout will be looking at it on Thursday evening. If anyone else wants to look at it they can get the phone number from the Clerk.

Birkett is getting quotes on radar speed signs. Has looked at two different companies and should have pricing by September meeting.

Birkett suggested that the Village should not be waiting until monthly board meeting to address nuisance properties. Kohout spoke to the attorney and when these properties are reported to the clerk a letter may be sent out giving them 30 days' notice, if not taken care of then a certified letter would be sent.

Olsson Update via email: S&P will start ditch work in next couple of weeks. Pavers will start asphalt work in mid-October and concrete work over winter if we have nice weather, finish up in spring. Pulled data from the lagoon flow monitors, will have report within next week. Waiting on attorney regarding contract with O'Grady.

Update on voting venue, Dawn Hill has not been out to look at the Village meeting room yet to see if it will work.

Kohout reports that the ball park still has some things that need fixing and they have around \$15,000. Would like to put a permanent wooden fence on the little field. Sink still needs to be put in concession stand. Candy from concession stand will be donated to Spookfest trunk or treat. Ben can remove banners. Repairs all need to be done before winter as season starts in March. Restrooms should not be winterized before the Goldenride on September 24-25 as they will be using. Birkett commented that the Hickman administrator praised our ball park. Grants might be able to be gotten through Major League Baseball and the Kansas City Royals for projects like lighting etc. Possibly SENDD or Main Street for grants also. Playground equipment needs to be shored up, Ben will check on bidding for playground equipment.

Maintenance Report – Topp – Will drain the water tower for inside cleaning on August 18th. He has tried to get in contact about the outside cleaning and his calls have not been returned. Suggested that any emails he sends he also include Clerk so we have record in the office. Thanks goes out to Michelle German and the Explorers for painting the picnic tables at the park. Sewer jetting is almost completed, has several manholes that need to be dug out. Roll offs have been ordered for October 1st clean up day. Brush pile will wait until winter to haul. Topp suggested we have a lock on the burn pile as we are getting other communities dumping. Problem with getting Norris Public Power to fix street lights.

Clerk was asked to put out a flyer in the mail week of August 22nd about upcoming events: Tail gate, Fall Festival, Golden Ride, Town Clean Up, Spookfest, Santa Claus, Voting Venue, Dump reminder.

Motion by Douglass and seconded by Engelhard to approve the 25% highway allocation match in the amount of \$1631. 5 Ayes, 0 Nays. Motion carried.

CIA report – Back to School bash had 42 back packs, received good support from the businesses in Cortland. September 24-25 Golden Ride will be coming through Cortland going from Lincoln to Beatrice and back. Will host at 8 am on September 24th and at 1 pm on September 25 at Joe Vinton property beside trail. Lincoln to Beatrice on Saturday and go back on Sunday.

Motion by Goforth and seconded by Birkett to go into closed session at 8:48 pm for performance evaluation for Topp. Returned from closed session at 9:34 pm no decisions were made.

Motion by Douglass and seconded by Goforth to go into closed session at 9:36 for performance evaluation for Moormeier. Returned from closed session at 10:00 pm no decisions were made.

Discussion regarding having a podium for speakers at meeting, also recording meetings.

Motion by Engelhard and seconded by Goforth to adjourn meeting at 10:05 p.m. 5 Ayes, 0 Nays. 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.