

Village of Cortland
Minutes August 14, 2024 Meeting

The meeting of the Village of Cortland, Nebraska was held on the 14th day of August 2024 at 100 S. Sherman Ave at 7:00 p.m.

Present at the meeting: Kohout, German, Goforth, Douglass, Birkett, Clerk Moormeier, Utility Superintendent Briggs and approximately 35 public in attendance.

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 Goforth and seconded by Birkett to approve the minutes of the last meeting. Roll Call Yes: German, Goforth, Kohout, Birkett, Douglass No: None Motion carried.

Motion by Douglass seconded by Birkett to withhold the check to SENND that was printed at July meeting as Goforth had reached out to them several times and have not heard back from anyone. Roll Call Yes: German, Goforth, Kohout, Birkett, Douglass No: None Motion carried.

Motion by Douglass seconded by Birkett to void the check to Commonwealth from July meeting as it was misdirected to the Village instead of another address in Cortland. Roll Call Yes: German, Goforth, Birkett, Douglass No: None Abstain: Kohout Motion carried.

Motion by Birkett and seconded by Douglass 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 Barco Municipal Products, Inc. \$ 158.91, Black Hills Energy \$182.62, Blue Rivers Area Agency on Aging \$264.00, CJ's Diesel Repair \$ 749.00, Donald R. Prentice-\$125.00, Donelle Moormeier \$24.12, EZ STOP \$476.43, Husker Lock and Key Inc. \$496.00, John's Plumbing Inc. \$225.00, League of NE Municipalities \$1882.00, League of NE Municipalities Utility Section \$428.00, Michelle German \$198.00, Midwest Lab \$37.39, Nebraska Municipal Clerks' Association \$50.00, Nebraska Public Health Environmental Lab \$15.00, Norris Public Power \$2,535.96, One Call Concepts, Inc \$6.36, Salaries \$5492.07, Sargent Drilling \$1,284.55, Solheim Law Firm \$750.00, Tredz Central \$100.00, U.S. Bank \$1163.19, Verla Busboom \$40.00, Voice News \$41.93, Waste Connections \$4,769.24, Westlake Hardware \$159.10. Motion by Goforth and seconded by German to request an itemized bill from Sargent Drilling for service call (mileage & labor) and hold the check and to pay the other bills presented. Roll Call Yes: German, Goforth, Kohout, Birkett, Douglass No: None Motion carried.

Motion by Douglass and seconded by Birkett to approve a building permit for a fence at 105 S. Washington St owned by Noah and Courtney Klimm. Roll Call Yes: German, Goforth, Kohout, Birkett, Douglass No: None Motion carried.

Rod Rose from the Legion thanked the Board for approving new flooring for the Legion room in the Community Center. The present tile in the room is buckling and could possibly be asbestos and would need to be mitigated. Rod requested that the Village have it tested prior to laying the new flooring. Motion by Douglass and seconded by German to have Chris look into having it tested with the Fire Marshal to determine whether the tile does contain asbestos. Roll Call Yes: German, Goforth, Kohout, Birkett, Douglass No: None Motion carried.

The clerk reported that Lindsey Oelling from Paper Moon Pastries requested that 4th Street from Hwy 77 to Lincoln Avenue and Sheridan Ave South one block from 4th Street be blocked off for October 12th Once in A Blue Moon Festival. She also requested that trailers and vendors be allowed to set up on the sides of the streets on the evening of October 11th. Motion by Douglass and seconded by Goforth to allow the night before to set up and the blocking of the streets on October 12th. Roll Call Yes: German, Goforth, Kohout, Birkett, Douglass No: None Motion carried.

The clerk presented a Special Designated Liquor License for Schroeder Operations LLC for the Once in a Blue Moon Festival on October 12, 2024, from 8:00 AM to 8:00 PM between Sheridan & Lincoln Avenue on 4th Street. Motion by Birkett and seconded by Douglass to approve the SDL for Schroeder Operations for October 12, 2024. Roll Call Yes: German, Goforth, Kohout, Birkett, Douglass No: None Motion carried.

Chickens in Cortland registered speakers: For: Mary Jo Bean, 235 East 4th St, Tori Hurst, 825 Sheridan, Against: Todd Niemeier, 315 E First St., Cindy Chapman, 150 E 5th St, Dave McGuire, 150 N. Vermont, Resource: Brianna Bartlett, 9029 S. 54th Rd. Each speaker had 3-5 minutes to speak. It was acknowledged that there were strong feelings on both sides, people were asked to listen with an open mind. Those wanting chickens said that raising chickens in the backyard is not the same as farming. A draft of an ordinance was handed to the board members. Some of the issues would be addressed in an ordinance such as they would not be free range, there would be no roosters, there would be a permit fee, there would be a certain number of feet required for each chicken in the coop, and the number of chickens would be limited. Some kids would like to be in 4-H, and this would allow them to do so. Others would like to have chickens for the eggs. Those against having chickens indicated that there had been bad experiences with neighbors already when an ordinance for no chickens is currently in place. The biggest concern is the enforcement of the ordinance, it is a challenge to enforce any ordinance for the Village as it takes a lengthy process and time to get the Sheriff involved. There were also public health concerns, damage to neighbor property, the smell of manure, and the pests such as mice, rats, rat snakes that eat the eggs, etc. Also reiterated that there is a current Ordinance in the Village that is for emotional support chickens ONLY. This requires a yearly registration and a doctor's verification of the need of a support chicken. Brianna Bartlett spoke on a resource agenda only. She invited anyone to come to their farm which is out of town and see how they maintain their farm. She would also be a resource for those that wanted chickens in town as to what they would need to provide to follow an ordinance if it was approved to have chickens. She could provide educational packets and provide input on a successful ordinance. Douglass asked if someone was out of compliance and if such an ordinance was written would Bartlett be willing to be a sanctuary for misplaced chickens. Brianna indicated that she would be of help in such a situation. The clerk had provided the board with other ordinances from towns around the area. German had provided an ordinance from Palmyra that involved getting your neighbors okay for chickens at your property. Suggestion also as to whether we would have time to get the subject of the November ballot. Certainly, if there is an ordinance it would go through all three readings so there could be adjustments made to the ordinance. This will be on the September agenda; Jena will look at the ordinance regarding the enforcement of the current code.

Discussion regarding having a "New to Cortland" things you need to know on the website. The clerk will work on this and try to get it up soon.

The original agenda sent to the Board had a Building Permit – First State Bank. It was accidentally removed from the printed agenda. Motion by Douglass and seconded by Goforth to amend the agenda and add back the First State Bank Building Permit. Trevor Watson from Ayr & Ayr presented plans on a remodel of the First State Bank at 223 West 4th Street. A new drive through lane will be on the west side of the property which will require curb cut and eliminate 4 angle parking spots on the street. There will be 7 additional parking stalls added to the west side of the building, the drive through teller will be on the south end of the building, with the front entry on the east side of the building. A free-standing ATM will also be on the east side of the building. There will also be interior remodel of the entire building. A question from the floor was asked about the horseshoe that is in the sidewalk near the bank property and if it would be preserved as it was part of the history of Cortland. It was assured that if the horseshoe was disturbed it would be reset in the sidewalk. The plans looked good, however, since the permit had not been filled out it will be on the September meeting and appropriately approved at that meeting.

Nuisance property – Attorney Jena has had no response from the Barta property managers or the owners. Mowing has been done for a third time with pictures taken. The clerk will send the pictures and hours to Jena to

start the lien process against the property. Motion by Goforth and seconded by Birkett to charge the Barta property owners for mowing of the weeds and start the lien process against the property. Roll Call Yes: German, Goforth, Kohout, Birkett, Douglass No: None Motion carried. There are others that have grass and weeds that need attention, Birkett will get the list to Jena so that she can notify.

Tim Young addressed the Code 130.08 that indicates not to blow grass out on the street when mowing. 130.08 WEEDS, LITTER, AND STAGNANT WATER. (C) The throwing, depositing, or accumulation of litter on any lot or piece of ground within the village is prohibited, except that grass, leaves, and worthless vegetation may be used as a ground mulch or in a compost pile. LITTER Include, but is not limited to (c) Grass, leaves, and worthless vegetation. Attorney Jena that would refer to blowing grass from the mower on the street. This is hazardous to walkers, bikers, roller skates, skateboards etc. German was asked to address it in his Cortland article.

There was discussion regarding who were administrators for the Cortland Residents page and that it was a private Facebook page.

Briggs received three bids for the concrete for the driveways that needed to be repaired. Motion by Birkett and seconded by German to take the lowest bid by Miller and Schoen provided they could start within two weeks. Roll Call Yes: German, Goforth, Kohout, Birkett, Douglass No: None Motion carried. Clerk was asked to review the S&P bids to make sure the concrete work for the driveways was not in their bid. Clerk will send the S&P bid to Attorney.

Chairperson Kohout read SIGNING OF THE MUNICIPAL ANNUAL CERTIFICATION PROGRAM COMPLIANCE 2024. Resolution # 2024-02.

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 requires 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 is hereby authorized to sign the Municipal Annual Certification of Program Compliance

Adopted this 14th day of August 2024 at Cortland, Nebraska.

Motion by Douglass seconded by Birkett to adopt Resolution 2024-02 SIGNING OF THE MUNICIPAL ANNUAL CERTIFICATION OF PROGRAM COMPLIANCE 2023. Roll call Yes: German, Goforth, Kohout, Birkett, Douglass, No: None. Motion carried.

The signed original Resolution 2024-02 and the annual certification of program compliance will be returned to the Nebraska Board of Public Roads Classifications & Standards prior to the October 31, 2024, deadline.

Clerk informed the board she had sent out requests via email for Engineers Statement of Qualifications on August 8th and they are due back on August 28th. JEO has contacted Clerk and asked to meet with a couple of the board members to inquire about future projects for the Village.

A Water and Sewer rate study was conducted by Nebraska Rural Water Association's Randy Hellbusch in July. The expenses and income were reviewed for the last three years, and Randy proposed two different rate increases. It was discussed the in-Legislation sessions now that a bill to allow Villages to not increase their rates beyond the inflation rate. Clerk was asked to put on the September agenda and to post the rate increases prior to the meeting. Attorney Jena was asked to prepare an Ordinance for the rate increase to \$43.50 per month plus \$2.75 per thousand.

Clerk reported the garbage rate has also increased in July. This is the first increase we have seen in 4 years. Clerk was asked to put on September agenda to review. She was also asked to put out a newsletter prior to the September meeting explaining the water study and the garbage costs so that residents are aware of the potential increases in services,

Motion by Douglass and seconded by Goforth to hold a Special meeting on Monday, August 26th at 6:30 for Jennifer Busboom from Blobaum & Busboom CPA's to review the valuations and the options for setting the levy for the 2024-2025 budget. Roll call Yes: German, Goforth, Kohout, Birkett, Douglass, No: None. Motion carried.

Motion by Douglass and seconded by Goforth to hold a Budget Hearing beginning at 6:30 on Wednesday, September 11th with regular meeting to beginning immediately after hearing is closed.

Clerk reported that the Museum was raising money through Big Give Gage for one-half of the siding on the museum. You can go to Big Give Gage online to give on September 12th. An intent to apply has been given to the Gage County Tourism for the other one-half of the siding. The museum was open on August 17th with the Cortland Opry entertaining in the yard from 10 am – Noon. It is open on the first Saturday of every month and will be open during the Once in a Blue Moon Fall Festival on October 12th. Work has continued in the kitchen and the Research/library room.

Clerk reported that LB304 requires that any membership dues that the Village pays, such as membership for Nebraska League of Municipalities need to be listed on the website. Clerk will send that information to Goforth.

Goforth was given the Public Water System Security Grant Application which is due September 30th. Need to have three written bids for grant, Chris indicated would like a GPS to locate all the shut off valves. She is working on the NPPD grant for the Community Center Sign.

Pickle ball court – TJ Addison works for a sporting goods equipment company that has quoted \$1698.48 for two nets and 4 poles and 4 floor sockets that could be installed on the tennis court. The sockets would be flush on the ground when not using pickle ball court and using the tennis court. Motion by Douglass and seconded by Goforth to purchase the equipment from Bison, Inc. and to ask for a quote for inside equipment that could be used in the gym during the winter. Roll call Yes: German, Goforth, Kohout, Birkett, Douglass, No: None. Motion carried.

Cindy Chapman reported that there have been six cats spayed/neutered through the Village TNR program. There has been about 15-18 kittens taken off the Cortland Street and have been rehomed.

Briggs reported the Fire Department has seen a rise in COVID patients. Clerk was asked to put sealed bids for garage door openers on the September agenda.

Clerk indicated that dumpsters for first Saturday in October were not available for clean-up day. Clean-up day will be moved to Saturday, September 28th.

Briggs maintenance report: Pavers will begin asphalt next week. The north well house the surge protector/air flow are not working. Clerk was asked to pull the itemized bill of the items that Commonwealth had done previously. The 2012 well the electrical box was rewired and new motor in the exhaust fan. The water tower will be painted sometime after labor day. Suggested that we might want a darker color on the bottom, however that may cost more. The AC unit controller in the gym has been fixed. The fire hydrant at 155 Sheridan will be replaced the week of August 25th. Chris will be gone to Wastewater training on August 20, 21, 22 and to Water Certification Grade IV September 4, 5, and 6. Trees need to be taken out along the fence line at the lagoon. Finding food has been taken from the church outside "food pantry" and opened and spread on the playground and in the outside restrooms. There are cameras in the area and Chris has viewed the culprits. The Lead Copper Survey still needs to be returned to Chris. The clerk will get the form to Goforth so that we can get it on the website to remind residents to get it in since this is required by the state by October. Street sign in

front of EZ Stop has been replaced. #81 well had a gauge replaced, the charge from Sargent was \$1200. Chris will ask them for an itemized bill for the mileage and labor as the gauge was only \$70.00. The check valve is bad in this well, pricing on replacing piles if \$24,089. Need to find the shut off that goes into the ground and none are on the map. Chris reported that the Gator needs a new CV boot, new rear shocks, new seat, and fix parking brake and it will cost \$2085.00 at John Deer to fix, Chris will attempt to fix himself. Suggested that a new Polaris 570 CC – 1000 CC range from \$14,000 to \$24,000 if it has an enclosure. Possibly sell the Gator for \$3,000. New dump keys are available, the new lock will be used starting September 1. Pavers proposal for asphalt overlay was postponed from July meeting. Decision to begin with the streets that are on the bid. Motion by Birkett and seconded by Douglass to approve Paver's bid if the bid price has not changed, and it can be done yet this summer.

Kohout reported that the ball games were done for the year. Any concession stands items left will go to Spookfest. The turn out for the fireworks was not well attended.

Douglass reported that Spookfest is planned for October 26th. Motion by Douglass and seconded by Goforth to allow the maze to be constructed for Spookfest again if it was down before the gazebo Christmas lighting the beginning of December. Roll call Yes: German, Goforth, Kohout, Birkett, Douglass, No: None. Motion carried. There were 63 kids that received backpacks at the Back to School Bash. Discussion regarding fireworks and the high cost. It was suggested that we consider pausing fireworks until 2028 when it is Cortland's 145th anniversary and have a fireworks for that special occasion. The Christmas tree lighting will be held on Sunday, December 1st.

It was reported that Freeman would be picking up and dropping off students at the Fire Hall in addition to the Community Center.

Motion by Douglass and seconded by Birkett to approve the 25% highway allocation match of \$1795.00. Roll Call Yes: German, Goforth, Kohout, Birkett, Douglass No: None Motion carried.

. Motion by Goforth and seconded by German to adjourn the meeting at 9:56 p.m. Roll Call Yes: German, Goforth, Kohout, Birkett, Douglass No: None Motion carried.

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