

The Village of Shickley board of trustees met in regular session on Thursday, May 10, 2012 in the village office as posted. The trustees were notified in advance of the meeting and the agenda was posted in three public places as follows: Clerk's office, Geneva State Bank-Shickley Branch and Shickley Post Office.

Board members present were Chairman Walter, Don Swartzendruber, Wes Hochstetler, Steve Swartzendruber and Ed Goesch. Others present were Clerk-Roxie Schlegel, Dave Deepe, Bill Erb, Merle Erb and Charles Grote.

Chairman Walter called the meeting of the board of trustees to order at 7:30 p.m. Roll call was taken and recorded by the clerk. Chairman Walter made notice that the Open Meetings Act is posted in the meeting room and is accessible to members of the public.

The minutes were approved as they were presented in board packets with one correction as follows: "Roger Meeks" should read "Roger Mock". The treasurer's report was filed for audit as it was presented.

Don Swartzendruber made a motion, seconded by Wes Hochstetler, to pay all claims as they were presented to the board with the exception of the estimate for Oswald Inc. for a crushed rock. This is an estimate only and will be decided on in the future. Roll call vote – 5 years. Motion passed.

### **OLD BUSINESS**

- Perennial Public Power will be here the week of May 21<sup>st</sup> to set a pole and hook up electricity for the metal building on S. Railroad Street for Erb Plumbing.
- Dave brought in a list of abandoned vehicles in town that the clerk needs to send a letter for removal of said vehicle.
- D. Swartzendruber has talked to the Fillmore County Roads Superintendent about maintaining the gravel road on S. Railroad Street. He related that rock would be better to put on this street instead of gravel.
- Chairman Walter reported on Real Estate activity in town:
  1. The Bulin property hearing was May 8. Walter had placed a bid of \$100 on the property with the stipulation that all liens be removed before the sale is final. The mortgage company threw this bid out. Ted Rabenberg, a house inspector from Fairmont, was hired to inspect the property and wrote up a report to condemn the property as uninhabitable. A copy of the report was e-mailed to the attorney for the mortgage company in Omaha. They never showed up for the hearing on the 8<sup>th</sup> and have failed to reply to the Village of Shickley attorney. The judge vacated the order to throw the sale out. Another hearing will be held on May 29 to finalize things.
  2. Geneva State Bank held a trustee sale for the 407 W. Kline St. property which was sold to Jessica Coffman.
  3. York State Bank is the owner of the property at 211 S. Pear St. The yard was mowed last Friday.
  4. A legal notice has been received for the Jean LeGere property on W. Murray Street. There will be a sheriff's sale on May 29.
- The Safety Committee still needs to meet.
- The Nebraska Rural Water Association was on site to camera the sewer line at 410 N Pear St. Pictures are available in board packets. There is an obvious blockage of tree roots in the property owners line.
- Sewer plant lighting report will be given with Bill Erb's report.

### **DELINQUENT UTILITIES**

Clerk reported that there is one delinquent utility customer. Partial payment has been made and clerk is working with them on the remainder of the payment.

### **SEWER REPORT**

Bill Erb reported on the sewer system:

- Erb reported that things are going good.
- Erb, S. Swartzendruber and W. Hochstetler met with Lewis Hyatt, who works for a company out of Kearney, Nebraska that helps to maintain sewer systems. He stated that there is a minimum cost of \$1,900.00 for them to come and clean out 5 blocks of sewer main. This includes to clean, vacuum, jet and camera the lines, give a written report and a dvd of the line. These do not need to be continuous lines. Erb would like to pick out 5 blocks of our worst problem areas around town and have them done first. This would give us a baseline to start working with. This company is very busy, but will be in the area in June & July of this year. Erb stated, "We have been babysitting these lines a long time now." Erb also stated that 90% of this company's work is maintenance rather than emergency.

Chairman Walter stated that it would be best to put this in the budget and have them come this fall to do their work. We will budget \$3,000 in case they find some problems and have to do some extra work.

### **WATER REPORT**

Merle Erb reported on the water system:

- Things are going good.
- He has been metering the wells to measure output. This has shown that we are not wasting a lot of water.
- A leaky water main leak was fixed this week on the 200 block of S. Pear St.

## **MAINTENANCE REPORT**

- There are 3 intersections in town where tree limbs are covering stop signs and are a problem. There are also areas where tree branches are hanging low in the street and rub the top of trucks and snow plows. Chairman Walter gave Deepe the “go ahead” to take care of these branches.
- Walter stated that we have received a request from Conley Frieden to get the manual and paperwork for the new siren from Schmader Electric, where the siren was purchased from.
- The old siren is not working properly. Work is being done to get it operating.

## **ORDINANCE 222B – ADOPTING PROVISIONS FOR THE SALE AND CONVEYANCE OF REAL PROPERTY BY THE VILLAGE**

Chairman Walter read the minutes of meeting for Ordinance 222B and the following actions were taken:

Trustee Wes Hochstetler made a motion, seconded by trustee Don Swartzendruber, to suspend the rules requiring the reading of Ordinance No. 222B on three different days. Roll call vote – 5 yeas. Motion passed.

Steve Swartzendruber made a motion for final passage of Ordinance #222B, entitled “An Ordinance adopting provisions for the sale and conveyance of real property by the village; Repealing conflicting ordinances and parts of ordinances; and providing an effective date.” Wes Hochstetler seconded the motion. Roll call vote – 5 yeas. Motion passed.

A copy of the ordinance is being posted in three different locations in town and is available in its entirety in the office of the village clerk.

## **ORDINANCE 225B - AMENDING ARTICLE II OF CHAPTER III OF THE SHICKLEY MUNICIPAL CODE REGARDING ABANDONED VEHICLES**

Chairman Walter read the minutes of meeting for Ordinance 225B and the following actions were taken:

Trustee Don Swartzendruber made a motion, seconded by trustee Ed Goesch, to suspend the rules requiring the reading of Ordinance No. 225B on three different days. Roll call vote – 5 yeas. Motion passed.

Ed Goesch made a motion for final passage of Ordinance #225B entitled “An ordinance amending Article II of Chapter III of the Shickley Municipal code regarding abandoned vehicles: repealing original Article II of Chapter III; and providing an effective date.” Goesch seconded the motion. Roll call vote – 5 yeas. Motion passed.

A copy of the ordinance is being posted in three different locations in town and is available in its entirety in the office of the village clerk.

## **RESOLUTION 2012-04 – TO PAY PRINCIPAL AND INTEREST MONEY FOR 2002 STREET IMPROVEMENT BONDS**

Don Swartzendruber made a motion, seconded by Wes Hochstetler, to pay interest in the amount of \$3,657.50 and principal in the amount of \$60,000.00 to Depository Trust Company by 2:30 p.m. on May 15, 2012 for payments that are due for the 2002 Street Improvement Bonds for the Village of Shickley. Roll call vote – 5 yeas. Motion passed.

## **FIRE CHIEF RESIGNATION**

Don Swartzendruber has turned in his written resignation as the Shickley Volunteer Fire Dept. fire chief. Mike Oswald will resume all duties as the new fire chief for the department.

Goesch made a motion, seconded by S. Swartzendruber, to accept the resignation of Don Swartzendruber as the fire chief for the Shickley Volunteer Fire Department effective as of April 23, 2012. Roll call vote – Yeas: S. Swartzendruber, R. Walter, W. Hochstetler, E. Goesch. Nays – none. D. Swartzendruber abstained from voting. Motion passed.

The board thanked D. Swartzendruber for his years as acting fire chief. He will continue to check the trucks to make sure they are in working order.

## **GRASS CLIPPINGS ON STREETS**

The board discussed property owners and caretakers mowing their lawns and blowing the grass clippings onto the streets. This causes the streets to become very messy. It is the desire of the board to not to allow this to happen. The board will make it a policy to talk to property owners when they see this occurring. Clerk will put a notice in the Greensheet.

## **COMMUNITY WIDE CLEAN UP DAY**

The board discussed having a designated day as a “Community Clean up Day”. It was decided that this would be a good idea to try once and see how it goes over. Some things that were discussed included:

- Have Burton Enterprises bring a roll off to be available for community residents to use for free.
- Offer pick up service.
- We would need to let everyone know what things are NOT accepted, such as tires, chemicals, paint, etc...

- Clerk was directed to contact City of Geneva to see how they operate their “Clean up” day and see what things they limit their collection to.
- Fall would be a good time to do this since it is already a little late for this spring.

#### **BULIN PROPERTY CLEAN UP**

Trustees discussed a process for cleaning up the Bulin Property if the Village does in fact, purchase it at the Sheriff’s sale. We would need to determine what things are of value and sell it to offset some of the costs that are incurred. First we may need to determine if the things in the house and buildings belong to the buyers of the property. Chairman Walter will contact our attorney concerning this. The fire dept. is willing to go through the house and buildings and determine what is of worth. Sales for any of the possessions would be negotiated through the village. D. Swartzendruber will bring this up at the next fire dept. meeting.

It was noted by the general public audience that caution should be used to protect the trees on the Bulin property if a burn is done to the house. There are a lot of nice trees on the property. The board agreed that this would be important.

Other discussion included liability issues for minors doing work for the town. This will be put on the agenda for the June meeting.

Chairman Walter asked if there was any further business to discuss. As there was none, Walter adjourned the meeting at 8:50 p.m. The next meeting of the board of trustees will be Thursday, June 6, 2012 at 7:30 p.m. with bill review at 7:00 p.m.