

**MINUTES**  
**KENESAW BOARD OF TRUSTEES MEETING AND**  
**PUBLIC HEARINGS**  
**October 8, 2019 AT 7:30 P.M.**

The Village of Kenesaw Board of Trustees held both a regular board meeting and a public budget hearing on October 8, 2019 at 7:30 p.m. in the Community Room of the Kenesaw Village Office, as was advertised. Board Members present: Sarah Kroos, Ronda Ehly, Lawney Knuth, Teresa Uden and Rene Colon. Absent: None Also present: Mike Engelhardt, Connie Valentine, Joan Bockstadter, Brandon Bockstadter, Shon Lieske, Jeff Parr, Kevin Krull, Corey and Kimberly Spencer, Henry Wilson. Clerk: Cindy Kiefer. Maintenance: Jeff Edmondson.

1. **Call to Order:** Chairman Kroos called the meeting to order at 7:33 p.m.
2. **Location of the OMAL:** Chairman Kroos gave notice of the location of the Open Meetings Act Literature to be on the south wall of the meeting room.
3. **Review/Approve Minutes of the Regular Meeting September 10, 2019:** Moved by Trustee Colon, second by Trustee Uden to approve the minutes of the September 10, 2019 Roll call: Trustee Knuth-yea, Trustee Ehly-absent, Trustee Kroos-yea, Trustee Colon-yea, Trustee Uden -yea. No opposed. Motion carried.
4. **Review/Approve Expenditures of September 2019:** Moved by Trustee Uden, second by Trustee Colon to approve the September 2019 Expenditures as presented. Roll call: Trustee Knuth-yea, Trustee Ehly-absent, Trustee Kroos-yea, Trustee Colon-yea, Trustee Uden -yea. No opposed. Motion carried.
5. **Review/Approve Treasurer's Report for September 2019:** Moved by Trustee Uden, second by Trustee Knuth to approve the September 2019 Treasurer's Report as presented. Roll Call: Trustee Knuth-yea, Trustee Ehly-absent, Trustee Kroos-yea, Trustee Colon-yea, Trustee Uden -yea. No opposed. Motion carried.
6. **Open Public Hearing: Chairman Kroos opened the public hearing at 7:35 pm for S Doane Ave. Request to Deem as Abandoned:** Mike Engelhardt provided a request to deem S Doane Ave., south of 502 S Doane as abandoned. Mr. Engelhardt would like to build a garage on his property, but due to city/county zoning regulations for his property, he has been denied that permit from the county. His request is that if the road is deemed abandoned, then the zoning rule restricting his ability to build, would no longer apply. The Board of Trustees heard questions, and testimony from multiple people attending the meeting, including input from the Village legal counsel with regard to options. Testimony heard one adjacent land owner whom would be affected by a decision to abandon the road, was not 100% in favor of the closure. No other adjacent land owners were at the hearing.
7. **Close Public Hearing: Hearing for S Doane Street Abandon closed at 8:09 pm.** *No action was taken on the hearing. The board TABLED the discussion till more information for consideration could be obtained.*
8. **Chairman Kroos Opened Public Hearing for Smith Ave. Side Walk Assessments at 8:11 pm.** – Street Superintendent Jeff Palik presented to the Board of Trustee's a worksheet with all the of information on the properties on N Smith Street, in Kenesaw, NE who had side walk repairs and replacements done in Street Improvement District 2108-1, to include footage information and proposed assessment cost. There was discussion and questions presented from residents as well as, Village Superintendent and Village legal counsel. There was discussion about how the assessments were

figured, and Palik explained that sidewalk assessments should be assessed either to everyone or no one. The Village should not pick and choose who to assess, and the formula must be used the same for everyone. Legal Council agreed with Palik on this issue. There was discussion on length of assessment time options as well as the fact that the sidewalks that are being assessed are in the business district and are used by the entire town, thus the restoration was done for the community as whole.

9. **Chairman Kroos closed the Public Hearing for N Smith Ave. Side Walk Assessments at 8:35 pm**
10. **Approve: Resolution 162-2019R** – A resolution to set the assessment on Smith Street Side Walks as presented by Street Superintendent Palik. After more discussion on the information received from the public hearing, a motion was made by Trustee Ehly and seconded by Trustee Knuth to Approve Resolution 162-2019R with the amended changes: – a) Side walk assessment costs will be split 50/50 Land Owner/Village of Kenesaw; b) Special assessments are payable over 15 years. Roll Call: Trustee Knuth-yea, Trustee Ehly-yea, Trustee Kroos-yea, Trustee Colon-yea, Trustee Uden -yea. No opposed. Motion carried.
11. **Review/Discuss: 109 N Smith Ave. Report** – Jeff Palik provided a copy of the completed report done by Olsson with regard to the structural integrity of the building. He briefly presented part of the report with the most concern, and due to the length and depth of the report the board will continue to review over the coming month. Joe Johnson from Olsson will attend the November meeting to go through the report in more depth and discussion options for the Village. Grant fund options will be explored through options such as CCCFF.
12. **Review/Discuss: 2019-2020 Insurance Policy** – Kevin Krull of Krull insurance presented the 2019-2020 insurance policy for the Village. The board asked him to provide them some quotes for different option to review for flood insurance. Kevin also discussed with the board that the property that the Lazy K Saddle Club uses is Village property, and that there needs to a current use agreement and liability insurance coverage from the Saddle Club. Nothing else notable about the new policy.
13. **Discuss: Kenesaw Youth Sports** – Jason Wagoner – **TABLED** – (*Jason not in attendance*)
14. **Review/Approve: Kenesaw Youth Sports Agreement** – Chairman Kroos presented the Kenesaw Youth Sports agreement for the use of the Village property ball field, and equipment storage at the Village office. After review a motion was made by Trustee Ehly and seconded by Trustee Uden to approve the Kenesaw Youth Sports Agreement with the noted changes: KYS must provide a Certificate of Liability in the amount no less than \$1,000,000.00 yearly; Concession Stand general maintenance, cleaning, locking and timely notice of damage to Village. Roll Call: Trustee Knuth-yea, Trustee Ehly-yea, Trustee Kroos-yea, Trustee Colon-yea, Trustee Uden -yea. No opposed. Motion carried.
15. **Discuss/Action: Kenesaw Youth Sports Request/Wishlist** - This item had been tabled at the July meeting for further research and discussion. The Trustee's discussed the information with regard to the list of requests. A motion was made by Trustee Ehly and seconded by Trustee Uden to Approve the following Requests: Repair of picnic tables; repair of benches in dug outs; provide a barrier of some kind to keep cars from driving up on the grass behind back stop area. – Decline the following requests: Equipment list; new concession stand; reimbursement payment to Jason Wagoner for additional \$1787 for field top dressing what was purchased over the \$3000.00 the Village budgeted and approved for the top dressing in 2018-2019 budget – (*this request for reimbursement should be submitted to KYS and a formal response provided to the Village Board before any further discussion from the Village Board*). Roll Call: Trustee

Knuth-yea, Trustee Ehly-yea, Trustee Kroos-yea, Trustee Colon-yea, Trustee Uden -yea. No opposed. Motion carried.

16. **Review/Discuss: Lazy K Saddle Club Property Agreement** – Kevin Krull of Krull insurance discussed with the board that the property that the Lazy K Saddle Club use is Village property, and that the property use agreement is old and expired. Kevin noted that from an insurance perspective that an agreement needs to be in place to best protect the Village and the Saddle Club. After discussion and review of the previous agreement, and input from Village legal counsel, the board requested Clerk Kiefer to draw up a new agreement, and have it reviewed by legal counsel in preparation for the November meeting. Key notes for new agreement will involve but are not limited to: Area, building, fencing, lighting etc. maintenance responsibility; Lease term; Liability insurance requirements, usage signs.
17. **Review/Approve: Resolution 165-2019R**, A resolution assigning signature approval for Municipal Annual Certification of Program Compliance. – Jeff Palik discussed with the board the changes that are being made with regard to the yearly street reports that have to be provided to the state, noting that there will be less state oversight and more responsibility on the street superintendent. This resolution to give the chairman the authority to sign the state mandated certificate. Motion was made by Trustee Ehly and seconded by Trustee Knuth to Approve Resolution 165-2019R A resolution assigning signature approval for Municipal Annual Certification of programs compliance to the board chairman. Roll Call: Trustee Knuth-yea, Trustee Ehly-yea, Trustee Kroos-yea, Trustee Colon-yea, Trustee Uden -yea. No opposed. Motion carried.
18. **Discuss: Kenesaw Development -KCDC** – Shon Lieske provided a brief update on the work he has been involved in with regard to the annexation for new KCDC development. Stating that he had been in meetings with Joe Johnson from Olsson who will be working with KCDC on their blight study. He also noted that the Ernst Property has been purchased by KCDC and that the Kimle property has a contract in place. Mike Engelhardt requested that the Village Board be willing to consider helping with the expense of the blight study. This is something that the board will discuss at a later time.
19. **Discuss: Concerned Citizen Notice** – Clerk Kiefer presented that this is the third time that a notice of concern has been submitted to the Village from regarding the same properties. She noted that notices have been mailed to all addresses of concern and that some of the properties have made some progress. One of the concerns submitted is with regard to the speed of traffic on Smith Street. Superintendent Edmondson noted that he had seen increased activity from the sheriff's department after a 3<sup>rd</sup> call to them about this concern, *(2 calls from the clerk's office and 1 from the fire department)*, but that there is still an issue with the speeding. He also noted that he had placed a two new speed signs on Smith and had even attached a flag for better visibility, and cut back any foliage that may have created a sight barrier. After discussion, the board requested the clerk to submit a formal letter to the sheriff's department with these concerns.
20. **Discuss: Kenesaw Recycling - Woodward Disposal** has given Kenesaw notice that they will be discontinuing ALL recycling here in Kenesaw. Woodward will continue to have their Hasting's recycling open, but still will not accept any glass or plastic.
21. **Discuss: Annual Financial Audit Scheduled** is for 10/31/19
22. **Discuss: CRA** – Chairman Kroos presented that the scope of the CRA as presented in the state statute is very broad, and asked if the extent of the responsibilities for CRA in Kenesaw should be condensed to narrow the scope to only immediate needs in the community. After some discussion and input from previous CRA members as well as Village legal counsel it was agreed with Mike Engelhardt that he would provide a

suggested description of duties to the board for their review before moving forward with the assignment and creation of the CRA.

23. **Discuss:** Regular Meeting Time/Night- Chairman Kroos addressed the need to review the time and night of the regular meeting to help ensure that board members are able to attend the meetings as much in full as possible. There was discussion on changing the night, but no good alternatives were available. It was noted that because the board members mostly have full time jobs outside of the being a board trustee, that making it to the meeting at 7:30 on time, is increasingly difficult. After review of the Village ordinance on set of the meeting time, the board requested Clerk Kiefer to draft an ordinance and have it reviewed by Shon Lieske with the intent to move the meeting time to 8:00 p.m. on the second Tuesday of each month.
24. **Adjourn to Executive Session at 10:29 pm** for Employment/Salary/Benefits review.
25. **Adjourn from Executive Session back to regular session at 10:49 pm.**
26. **Action from Executive Session:**
  - a) *Flood Plain Manger* – No motion made- Request from board to be provided a full job description for the position and wage grade assignment, and education plan – to be presented at the November 2019 meeting.
  - b) *Annual Salary Increase* – Motion made by Trustee Ehly and seconded by Trustee Knuth to approve the annual 3% wage increase for all full-time employees who have not received one yet this year.
27. **Adjournment:** Motion by Trustee Ehly, second by Trustee Knuth to adjourn Regular Meeting at 10:54 pm p.m. No opposed. Motion carried. Next regular board meeting is scheduled for November 12, 2019 at 7:30 p.m.

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Chairman

(SEAL)

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Clerk/Treasurer

*I, Cindy Kiefer, Clerk for the Village of Kenesaw, hereby certify that the preceding minutes are a true and correct copy of the proceedings had and done by the Chairman and the Board of Trustees of the Village of Kenesaw on October 8, 2019. These minutes were posted in three public locations in the Village of Kenesaw and the shortened version was published in the Hastings Tribune.*

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Clerk/Treasurer