

**MINUTES
KENESAW BOARD OF TRUSTEES MEETING AND
PUBLIC HEARINGS
October 13, 2020 AT 8:00 P.M.**

The Village of Kenesaw Board of Trustees held both a regular board meeting and a public budget hearing on October 8, 2020 at 8:00 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. Yea: None Also present: Henry Wilson, Kari Legg, Troy Legg, Judy Mignery, Ken Gizenski, Jon Denkert, Bob Aderholt, Rebecca Tockey, Virginia Crom, Tonya Jensen. Clerk: Cindy Kiefer. Maintenance: Jeff Edmondson.

1. **Call to Order:** Chairman Kroos called the meeting to order at 8:01 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 8, 2020:** Moved by Trustee Ehly, second by Trustee Uden to approve the minutes of the September 8, 2020 Roll call: Trustee Knuth-yea, Trustee Ehly-yea, Trustee Kroos-yea, Trustee Colon-yea, Trustee Uden -yea. No opposed. Motion carried.
4. **Review/Approve Expenditures of September 2020:** Moved by Trustee Uden, second by Trustee Knuth to approve the September 2020 Expenditures as presented. Roll call: Trustee Knuth-yea, Trustee Ehly-yea, Trustee Kroos-yea, Trustee Colon-yea, Trustee Uden -yea. No opposed. Motion carried.
5. **Review/Approve Treasurer's Report for September 2020:** Moved by Trustee Colon, second by Trustee Uden to approve the September 2020 Treasurer's Report as presented. Roll Call: Trustee Knuth-yea, Trustee Ehly-yea, Trustee Kroos-yea, Trustee Colon-yea, Trustee Uden -yea. No opposed. Motion carried.
6. **Review/Approve: Resolution 182-2020R** – A resolution authorizing the signing of the Municipal Annual Certification of Program Compliance Form 2020 - Jeff Palik of Olsson, provided to the board information regarding the street department state reporting. A resolution is required to approve the chairman to sign the yearly form. Motion made by Trustee Ehly and seconded by Trustee Uden to approve Resolution 182-2020R, a resolution approve the signing of the municipal annual certification of program compliance form 2020. Roll Call: Trustee Knuth-yea, Trustee Ehly-yea, Trustee Kroos-yea, Trustee Colon-yea, Trustee Uden -yea. No opposed. Motion carried.
7. **Update: Wayne Street Paving Project** – Olsson -- Jeff Palik provided an update to the board regarding the progress on the paving project on Wayne Street. He noted that all has been done except the need to do some better grading and seeding. Palik noted that Olsson has done a walk through and is addressing the final walk-thru list with Werner's.
8. **Update: KCDC Subdivision Final Walk-Thru** – Olsson—Jeff Palik provided to the board that they have done a walk through with NeDHHS with regard to the water installation – list of things was provided from NeDHHS that need to be addressed – Brian F. of Olsson is working through that and sending the needed information back to NDEE.
9. **Open Public Hearing: Chairman Kroos opened the public hearing for Rezoning Request at 8:15 pm.** Judy Mignery of Adams County Planning and Zoning read into the record the rezoning request by Jon Denkert and Mike Quackenbush for lot 47 except the north 6', Lots 48, 49, 50, 51, 52, and 53 and adjoining alley, Original Town of

Kenesaw – from R-2(Urban Residential) to C-2(Commercial District), after which Chairman Kroos opened the floor for any public comments regarding the request. There was request from residents regarding what the intended use was for the property should it be rezoned to commercial property. Jon Denkert provided that he does not intend to change from the current use as a spare car lot, for parking cars for Kenesaw Motors. Mike Quackenbush was not available to be at the meeting but was represented by Ronda Ehly who provided that Mike's intent for the property was to build a personal shop space. There was discussion with regard to residents not wanting to see any sort of self-storage be put right next to a residential property. There was also discussion about the fact that both lots are completely in the flood zone, and would require additional permitting before any buildings could be built. Judy Mignery read into the record the different types of business's that would be allowed by law should the property be rezoned as commercial. (*see attached rezoning application and ordinance*)

10. Close Public Hearing: Chairman Kroos Closed the Public hearing at 8:33 pm after calling for any final comments from the public.

11. Review/Action: Ordinance OR 535-2020 – An Ordinance of the Village of Kenesaw, Nebraska, Amending the Kenesaw Village Zoning Map to Reflect that Certain Zoning Districts be Amended- Based on the information provided by the property owners on what their intended use is for a commercial property, and those uses not being objectionable to the public, a *Motion was made by Trustee Uden and Seconded by Trustee Knuth to Approve Ordinance OR535-2020 on first reading by title only, and ORDINANCE OF THE VILLAGE OF KENESAW, NEBRASKA, AMENDING THE KENESAW VILLAGE ZONING MAP TO REFLECT THAT CERTAIN ZONING DISTRICTS BE AMENDED.* Roll Call: Trustee Knuth-yea, Trustee Ehly-abstain, Trustee Kroos-yea, Trustee Colon-yea, Trustee Uden -yea. No opposed. Motion carried.

12. OLD BUSINESS:

a) **Village Office Building** - Chairman Kroos introduced to the public that the Board of Trustees is actively looking for property to acquire for the purpose of a new village office and community room building sight. Chairman Kroos and Superintendent Edmondson provided information regarding the current condition of the building at 109 N Smith Ave., as well as providing a quote from Summit Masonry LLC that totaled \$415,000.00 just to fix the South basement wall of the Building. Chairman Kroos noted that the board is sensitive to the issue of having a possibly abandoned building in town however, a change does have to be made. Chairman Kroos opened the floor for residents to speak with regard to possible property options. Three residents provided details on the property they own that could be available for purchase by the Village for Village office building: One on Elm, one on Perkins and one on Smith Ave. Each property owner discussed what they would like to see happen with the property and what the requirements would be for a sale. There was much discussion between the board and the residents regarding the pros and cons of each property location. All property owners felt that the property on Smith Ave. would be the best location for a Village office and Community room, but noted that should that property not be able to be acquired, then they would be willing to consider an offer from the Village Board. This feeling was echoed by all those in attendance at the meeting at that time. Chairman Kroos requested that all interested property owners provide to the Village Clerk their requested terms for the sale of the property being discussed, for the board to review. All of the board members expressed their great appreciation to all those who provided input into the discussion of the property options.

13. **Review:** Gals Final Walk-Thru – Clerk Kiefer shared that GALS has completely vacated the premises as of the end of September. Chairman Kroos noted that she and Trustee Knuth had done a walk through with Clerk Kiefer, where Clerk Kiefer pointed out to them that the south wall of the building was falling in. She noted that it appears that the file cabinets and storage boxes were basically holding up that lower part of the wall, and that after those were removed, the wall began to give way. She also noted the pictures of 4 file cabinets which have been rusted through by the apparent moisture on that wall. After some discussion *a Motion was made by Trustee Colon and Seconded by Trustee Knuth to Refund the September final rent check to GALS in lieu of cabinet damage.* Roll Call: Trustee Knuth-yea, Trustee Ehly-yea, Trustee Kroos-yea, Trustee Colon-yea, Trustee Uden -yea. No opposed. Motion carried.
14. **Review/Action: Dog Exception Request** – Due to the nature of the request, Chairman Kroos moved this item to the end of the agenda to discuss in executive session.
15. **Review:** Methodist Church Conditional Use Permit – Clerk Kiefer provided information that she had received from the Kenesaw Child Care Coalition noting that they had filed for a conditional use permit with the County. Clerk Kiefer noted that at the time of the agenda, she had been of the understanding that this was from the Methodist Church, but have since been corrected. At this point this is merely informational in nature as all Conditional Use Permits must go through the Adams County Planning and Zoning public hearing process prior to any decisions from the local board. KCCC was merely wanting the board to be aware of the fact that they are trying to find a location to place a child care facility in the Village of Kenesaw, so that the board members were not blindsided by any information that comes in over this next month. Bob Aderholt spoke on behalf of the Methodist Church and confirmed that there are still steps to be taken at the church level prior to a public hearing regarding a child care facility.
16. **Review/Action: KVFD Yearly Roster Review** - Clerk Kiefer provided to the board the updated roster provided by KVFD for the board review. It was noted during the review that the roster has 37 members on it, and our ordinance is written to allow 25. After discussion *A motion was made by Trustee Ehly and Seconded by Trustee Knuth to the requesting Clerk Kiefer to bring an amended ordinance increasing the number of volunteers allowed, to the November regular Board of Trustee meeting to be reviewed and action taken on. As well as an amended ordinance regarding the Life Insurance amount corrected to \$20,000 per person.* Roll Call: Trustee Knuth-yea, Trustee Ehly-yea, Trustee Kroos-yea, Trustee Colon-yea, Trustee Uden -yea. No opposed. Motion carried.
17. **Adjourn to Executive Session at 9:35 pm.** For discussion on Employee Life Insurance and Dog Exception Request.
18. **Adjourn from Executive back to Regular session at 9:48 pm**
19. **Action after Executive Session:**
- a) **Employee Life Insurance:** Motion made by Trustee Ehly and seconded by Trustee Knuth to amend the employee benefits, under "Life Insurance" to remove the wording 'Eligible Full-Time permanent employees' to be replaced with 'Eligible Full-Time and Part-Time permanent, non-seasonal employees.' Roll Call: Trustee Knuth-yea, Trustee Ehly-yea, Trustee Kroos-yea, Trustee Colon-yea, Trustee Uden -yea. No opposed. Motion carried.
 - b) **Dog Exception Request:** Based on the information provided in the request for exception to Kenesaw Municipal Code 6-116 99(a) (Ord No. 162, 5/3/88) (Am. by Ord No. 323, 6/6/00), there is not a conflict between the municipal code and the information provided in the request. Therefore, *a Motion was made by Trustee Uden and Seconded by Trustee Ehly, to deny the request for an exception to Municipal Code 6-116 (a) (Ord No. 162, 5/3/88) (Am. by Ord No. 323, 6/6/00).* Roll Call: Trustee

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

20. Adjournment: Motion by Trustee Knuth, second by Trustee Uden to adjourn Regular Meeting at 9:50 p.m. No opposed. Motion carried. Next regular board meeting is scheduled for November 10, 2020 at 8:00 p.m.

Chairman

(SEAL)

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 13, 2020. These minutes were posted in three public locations in the Village of Kenesaw and the shortened version was published in the Hastings Tribune.

Clerk/Treasurer