

MINUTES
KENESAW BOARD OF TRUSTEES REGULAR MEETING
Tuesday, September 14, 2021 AT 8:00 PM

The Village of Kenesaw Board of Trustees held a regular board meeting on Tuesday, September 14, 2021 at 8:00 PM. in the KVFD, 115 E Maple Street, Kenesaw , Nebraska 68956, as was advertised.

1) **Call to Order/Roll Call for Quorum:**

Chairman Kroos called the meeting to order at 8:04 p.m. Attendance: Trustee Kroos, Trustee Knuth, Trustee Ehly, Trustee Uden. Trustee Colon-Absent. Others present: Janet and Gary Lytton-residents, Jeff Palik-Olsson & Assoc., Neel Keiser-ACB Group Investments, Henry Wilson, Judy Mignery-Adams Co. Planning and Zoning, Kevin Krull-Jones Group Insurance and Evan Volske.

2) **Notice of the "Open Meetings Act Literature" location:**

Chair Kroos gave notice of the location of the Open Meetings Act Literature to be on the south wall of meeting room.

3) **Review/Approve: Minutes of the Regular Meeting - August 10, 2021**

Moved by Trustee Ronda Ehly, seconded by Trustee Lawney Knuth to approve the minutes of the August 10, 2021 Board of Trustees meeting. Motion Carried.

Colon: Absent, Ehly: Yea, Knuth: Yea, Kroos: Yea, Uden: Yea
Yea: 4, Nay: 0, Absent: 1

4) **Review/Approve: Expenditures for August**

Moved by Trustee Teresa Uden, seconded by Trustee Lawney Knuth to approve the August Expenditures as presented by Clerk Dick. Motion Carried.

Colon: Absent, Ehly: Yea, Knuth: Yea, Kroos: Yea, Uden: Yea
Yea: 4, Nay: 0, Absent: 1

5) **Review/Approve: Treasurer's Report for August**

Moved by Trustee Ronda Ehly, seconded by Trustee Teresa Uden to approve the August Treasurer's Report as presented by Clerk Dick. Motion Carried.

Colon: Absent, Ehly: Yea, Knuth: Yea, Kroos: Yea, Uden: Yea
Yea: 4, Nay: 0, Absent: 1

6) **Approve/Deny: 2021-2022 Tax Levy Request by Resolution No. 189-2021R**

Moved by Trustee Ronda Ehly, seconded by Trustee Lawney Knuth to adopt Resolution No. 189-2021R on first reading by title only- A resolution setting the Kenesaw Nebraska property tax request for October 1, 2021 - September 2022 at \$218,573.00 an amount different from prior year. Motion Carried.

Colon: Absent, Ehly: Yea, Knuth: Yea, Kroos: Yea, Uden: Yea
Yea: 4, Nay: 0, Absent: 1

7) **Approve/Deny: Resolution No. 188-2021R - A Resolution to adopt the budget statement for 2021-2022**

Moved by Trustee Ronda Ehly, seconded by Trustee Teresa Uden to adopt Resolution No. 188-2021R , by title only on first reading, a resolution to adopt the budget statement to be termed the annual appropriation bill; to appropriate sums for necessary expenses and

liabilities; to provide for an effective date. Adopted 2021-2022 budget amount is \$1,793,696.74. Motion Carried.

Colon: Absent, Ehly: Yea, Knuth: Yea, Kroos: Yea, Uden: Yea

Yea: 4, Nay: 0, Absent: 1

8) **Discuss/Action: Resident Concerns (Possible Stop Signs on 42nd and Semi Truck Regulations) -- Gary Lytton**

Gary Lytton, resident of the village, expressed extreme concern for the vehicle traffic speed on 42nd St. and the safety of pedestrians that walk/run/ride on 42nd St. with no stop signs to slow traffic down. Gary suggested that stop signs be put in on N. Estey St. where it meets 42nd and on 42nd where it meets N. Wayne St. and N. Estey St. forming somewhat of a four way stop. Jeff Edmondson- Village Superintendent said that 42nd is shared with Adams County. Jeff stated that there was a traffic study done. Gary voiced that a couple stop signs is cheaper than a lawsuit. Trustee Ehly asked Jeff E. what the risk was to adding stop signs on 42nd to these problem areas. Jeff E. diverted the question to Jeff Palik-Olsson & Assoc. he is more up to date on the street laws. Jeff P. explained that there needs to be a stop sign put up on N Estey St., and an option would be put up pedestrian signs on 42nd St. Also, put on solar-powered yellow lights on the pedestrian signs to make them more visible. Trustee Ehly discussed with Gary that we have to follow the laws and regulations on what the village is able to do or not to do. Trustee Kroos expressed that it's not just the village's responsibility that it's the law enforcement responsibility also, but they cannot patrol town all day. Gary asked the board why the village didn't have its own police officer. Trustee Ehly said the village could not afford to hire one and Trustee Knuth said that hiring a police officer has liabilities that go along with it. Jeff P. voiced again the stop sign on N. Estey St., pedestrian signs with yellow flashing lights and also put something on the speed limit signs to draw the attention of drivers. He also suggested getting ahold of Adams County Sheriffs Dept and ask them to patrol this area a little more. Gary said that in the morning around school start time is the worst. Trustee Ehly made suggestions on what could be done to get awareness about this area out to the community and what needs to be done by the village.

Gary then asked what the rules and regulations are for semi's on our streets. Trustee Kroos stated that they can drive on them but not park and Jeff E. said there is a weight limit. Jeff E. explained that the semi can be parked on the street for eight hours if not loaded, but the village only has ordinances to rely on and that law enforcement would have to do something more about it. Gary just stated the he is concerned about semi's driving on the new concrete on N Wayne Ave., as the residents on N Wayne Ave paid for that street to get paved.

Trustee Ehly thanked Gary for bringing this concern to the board. She also reiterated the things that the village will get done to make this more safe for everyone.

9) **Review/Approve: Resolution 190-2021R - A Resolution authorizing the signing of the municipal annual certification of program compliance 2021 - Jeff Palik, Olsson**

Moved by Trustee Ronda Ehly, seconded by Trustee Lawney Knuth to approve Resolution No. 190-2021R of the signing of the Municipal Annual Certification of Program Compliance 2021. 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. Motion Carried.

Colon: Absent, Ehly: Yea, Knuth: Yea, Kroos: Yea, Uden: Yea

Yea: 4, Nay: 0, Absent: 1

10) **Review/Discuss: 2022 Insurance Policy - Kevin Krull, Jones Group Ins.**

Kevin Krull with Jones Group presented the review of the coming year's insurance policy.

- 11) **Review/Approve: Resolution No. 191-2021R for the purpose of deeming personal property of the Village of Kenesaw as surplus and providing for the sale of said property**

Moved by Trustee Ronda Ehly, seconded by Trustee Lawney Knuth to approve Resolution No. 191-2021R for the purpose of deeming personal property of the Village of Kenesaw as surplus and providing for sale of said property. Motion Carried.

Colon: Absent, Ehly: Yea, Knuth: Yea, Kroos: Yea, Uden: Yea
Yea: 4, Nay: 0, Absent: 1

- 12) **Review/Approve: AMGL Audit Contract**

Moved by Trustee Ronda Ehly, seconded by Trustee Teresa Uden to approve the accounting firm AMGL to perform the 2020-2021 Village Audit. Motion Carried.

Colon: Absent, Ehly: Yea, Knuth: Yea, Kroos: Yea, Uden: Yea
Yea: 4, Nay: 0, Absent: 1

- 13) **Update: LB 26 amends the Nebraska Revenue Act of 1967 to exempt from sales and use taxes the gross receipts from the sale, lease, or rental of and the storage, use, or other consumption in this State of residential water service effective October 1, 2021.**

Clerk Dick informed the Board of Trustees that Residential Water Service in Nebraska will no longer be taxed starting October 1, 2021 due to the bill **LB26** passed May 20, 2021. The **LB26** bill exempts the gross receipts received from the sale, lease or rental of and storage, use or consumption of residential water services.

- 14) **Approve/Deny: Application for Permit to House and Keep Chickens at 116 S Denison**

Moved by Trustee Teresa Uden, seconded by Trustee Lawney Knuth to approve Chicken Coop application as long as all Village Ordinances, passed for this application, are followed. Motion Carried.

Colon: Absent, Ehly: Yea, Knuth: Yea, Kroos: Yea, Uden: Yea
Yea: 4, Nay: 0, Absent: 1

- 15) **Discuss: Reserved Parking Stall for Cupreme Owner**

Clerk Dick informed the Board of Trustees that she was asked by an employee of Cuprum if they could install a reserved parking sign in front of their business for the business owner. The board discussed that it would need a breakaway post installed with the sign and that all costs for putting the reserved parking sign in front of their business would be at their own expense.

- 16) **Discuss/Action: Denied Fence Permit at 409 N Denison**

Judy Mignery with Adams Co. Planning and Zoning was asked by the Board of Trustees why a resident put up a fence on a denied building permit. Judy stated that she had spoken to the resident a month ago about an easement she wanted to be filed with Adams Co. Register of Deeds because the residents fence will be on another resident's property. Judy stated she would write the resident a letter to give him 30 days to get the easement done and registered.

- 17) **Discuss: Kenesaw Heritage Museum (Request List)**

The Board of Trustees decided to only loan the Heritage Museum certain items and if they wanted more items than they would have to do a sealed bid on those items during the auction.

- 18) **Review: Village of Kenesaw Planning and Zoning Rep Stipend**

Clerk Dick presented to the Board of Trustees an ordinance that stated a member of Area Planning and Zoning Committee shall be compensated by the village for its serves to the Board at the rate of \$15 per month. Judy with Adams Co. Planning & Zoning expressed that there was a statute passed that this position was paid by Adams Co. Planing & Zoning and it surpasses our ordinance.

OLD BUSINESS:

- 19) **Discuss/Action: Youth Funds Application and Investment with Edward Jones**
Neel Keiser- ACB Group Investments expressed that he would like to give the Board of Trustees an investment plan for the Youth Fund money. Chair Kroos asked Neel to bring his proposal to the October Board of Trustees meeting.

Moved by Trustee Teresa Uden, seconded by Trustee Lawney Knuth to approve the application for Youth Trust Funds. Motion Carried.

Colon: Absent, Ehly: Yea, Knuth: Yea, Kroos: Yea, Uden: Yea

Yea: 4, Nay: 0, Absent: 1

- 20) **Discuss/Action: Village Office (current, new and security system for mobile office)**

Clerk Dick presented the Board of Trustees a security system for the mobile office. The board asked her to get a few more quotes for a bigger system that can be moved over to new office building.

- 21) **Adjourn to Executive Session: Annual Wages/Benefits Review (note time)**

at 10:30 p.m. for Human Resources discussions.

- 22) **Adjourn to Regular Session (note time)**

Adjourn from Executive Session at 11:21 p.m. -

a) **Motion made by Trustee Knuth and seconded by Trustee Uden after the annual wage and benefit review, to approve an annual 3% cost of living wage increase to Shelley Dick-Clerk/Treasurer 2021 wages, Glen Kuehn-Assistant Village Superintendent 2021 wages, Audra Kasl-Deputy Clerk 2021 wages and an annual 4.5% cost of living wage increase to Jeff Edmondson- Village Superintendent 2021 wages.** Roll Call: Trustee Colon-absent, Trustee-Kroos-yea, Trustee Ehley-yea, Trustee Uden-yea, Trustee Knuth-yea. No opposed. Motion Carried.

b) **Seasonal employees: annual cost of living wage increase** was tabled until February 2022.

c) **Village employee job descriptions were reviewed:** Discussion regarding the need for 28 hours for Deputy Clerk relative to the fact that the village now has a full-time clerk/treasurer. No decision was made. The Board will continue to review.

d) **Motion made by Trustee Ehly and seconded by Trustee Knuth to approve the PTO Overpayment Agreement between Audra Kasl-Deputy Clerk and the Village of Kenesaw after she fills in monthly payment.** Roll Call: Trustee Colon-absent, Trustee Kroos-yea, Trustee Ehley-yea, Trustee Uden-yea, Trustee Knuth-yea. No opposed. Motion Carried.

e) **Motion made by Trustee Ehly and seconded by Trustee Uden to approve recommended revisions to the Village of Kenesaw employee handbook. The employee PTO ratio was revised and will now include holiday pay. New PTO ratios: 0-6 years .0730 and carryover 300 hours, 7-14 years .092 and carryover 350**

hours, 15+ .1040 and carryover 400 hours. Employee(s) will use PTO hours accrued to get paid for a holiday starting October 1, 2021. Roll Call: Trustee Colon-absent, Trustee-Kroos-yea, Trustee Ehly-yea, Trustee Uden-yea, Trustee Knuth-yea. No opposed. Motion Carried.

23) Adjournment: Next Meeting: October 12, 2021

Moved by Trustee Teresa Uden, seconded by Trustee Lawney Knuth to adjourn Regular Meeting at 11:22 p.m. Motion Carried.

Colon: Absent, Ehly: Yea, Knuth: Yea, Kroos: Yea, Uden: Yea
Yea: 4, Nay: 0, Absent: 1

Chairman

(SEAL)

Clerk/Treasurer

I, Shelley Dick, 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 Tuesday, September 14, 2021. 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