

## Village of Denton Meeting Minutes

July 11, 2011

A regular meeting of the Board of Trustees of the Village of Denton, Nebraska, was held at the Denton Community Center, July 11, 2011.

Chair Edwards called the meeting to order at 6:34 p.m. All proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public.

Trustees present: Mary Kraus, Dean Witulski, Royce Schaneman and Bill Edwards. Sebastian Carnazzo was absent from the meeting.

**Approval of Minutes.** *Motioned by Kraus, seconded by Witulski to approve the June 6, 2011, meeting minutes. Motion carried.*

### 1. Reports.

- a. **Treasurer's Report.** General \$11,257.55; Streets \$15,576.42; Water \$1,892.37; Sewer \$46.46; C. Center \$241.01; Keno Checking \$281,542.31
- b. **Keno Report. May Keno Report.** Gross Proceeds \$417,156.60; Payout Percentage 78.76%; Unclaimed Wins \$385.71; Village Share \$30,629.56; Operator Share \$57,960.61

### 2. Public Hearing.

- a. **Ordinance 11-7-1 Fireworks Sales Code Recodification.** The clerk read by title. An Ordinance of the Village of Denton, Lancaster County, NE to amend and restate the municipal code pertaining to the sale of permissible fireworks at retail within the corporate limits of the Village of Denton; and amend and recodify provision pertaining to occupation taxes; to authorize the chair and appropriate department to take all actions necessary to implement this ordinance; to provide for the severability of any section, clause, provision or portion found unconstitutional or invalid; to repeal all ordinances in conflict herewith; and to provide when this ordinance shall be in full force and effect; to make this ordinance a part of the municipal code of the village.

The clerk explained that this ordinance was meant to pull together the fireworks ordinances and amendments into one ordinance. *Motioned by Kraus, seconded by Witulski to approve the first reading of Ordinance 11-7-1 Fireworks Sale Code Recodification. Carried.* The second reading will be held at the August meeting.

- b. **Ordinance 11-7-2. Water and Sewer Rate Changes.** Barney Whatley from Nebraska Rural Water Association reviewed the water rate study with the Board and public in attendance. The clerk noted that she notified water/sewer customers through the water bills that rate increases would be discussed at tonight's meeting. In order to break even on the books the average utility bill needs to be: water \$34 and sewer \$19. The sewer fund is currently losing \$14,603 per year. Discussion on changing the monthly rates to the following for Residential: Sewer Flat Rate \$17; Water Rate \$17 Base fee and \$.04 per 10 gallons of usage. Commercial: Sewer Flat Rate \$40; Water Rate \$34 Base fee and \$.04 per 10 gallons of usage. Consensus to amend the sewer rate to \$20. The clerk read the ordinance by title. *Motioned by Edwards, seconded by Kraus to approve*

*the first reading of Ordinance 11-7-1 Water/Sewer Rate Amendment. Motioned by Schaneman, seconded by Witulski to waive the state statutory requirement for three readings for passage of an ordinance. Unanimous. Vote of main motion: Unanimous.*

ORDINANCE NO. 11-7-2

AN ORDINANCE OF THE VILLAGE OF DENTON, LANCASTER COUNTY, NEBRASKA, TO SET RATES AND FEES TO BE CHARGED ALL CUSTOMERS OF THE MUNICIPAL WATER DEPARTMENT AND MUNICIPAL SEWER DEPARTMENT OF THE VILLAGE OF DENTON, NEBRASKA; TO PROVIDE FOR THE SEVERABILITY OF ANY SECTION, CLAUSE, PROVISION OR PORTION FOUND UNCONSTITUTIONAL OR INVALID; TO REPEAL ALL ORDINANCES IN CONFLICT HEREWITH; TO PROVIDE THAT THIS ORDINANCE SHALL BE PUBLISHED WITHIN THE FIRST 15 DAYS AFTER ITS PASSAGE AND APPROVAL EITHER IN PAMPHLET FORM OR BY POSTING IN THREE PUBLIC PLACES IN THE VILLAGE OF DENTON, NEBRASKA, AND SHALL BE IN FULL FORCE AND TAKE EFFECT FROM AND AFTER ITS PASSAGE, APPROVAL, AND PUBLICATION, AS PROVIDED HEREIN; AND TO PROVIDE THAT THIS ORDINANCE SHALL NOT BE MADE A PART OF THE MUNICIPAL CODE OF THE VILLAGE OF DENTON, NEBRASKA, AND THE SECTIONS OF THIS ORDINANCE MAY BE RENUMBERED TO ACCOMPLISH SUCH INTENTION.

WHEREAS, the Chairman and Board of Trustees of the Village of Denton, Nebraska, , has the authority to fix the rates to be paid by the water customers and fix the rates to be paid by the sewer customers for the use of water from the Water Department and Sewer Department, respectively, of the Village of Denton, Nebraska, and,

WHEREAS, it is necessary that the existing rates and fees charged customers of the Water Department and Sewer Department of the Village of Denton, Nebraska, be changed, and,

WHEREAS, said new rates and fees shall be effective as to all water consumed by customers of the Water Department of the Village of Denton, Nebraska, after August 1, 2011,

NOW, THEREFORE, BE IT ORDAINED BY THE CHAIRMAN AND BOARD OF TRUSTEES OF THE VILLAGE OF DENTON, NEBRASKA, AS FOLLOWS:

Section 1. That the findings herein and above made should be and are hereby made a part of this Ordinance as fully as if set out at length herein.

Section 2. That the following shall be the rates and fees to be charged to customers of the Water Department and Sewer Department of the Village of Denton, Nebraska, to wit:

<b>WATER SERVICE (Metered Customers)</b>	<b>RATE/CHARGE</b>
Residential Base fee per month	\$17.00
Residential Water usage per month	\$.04 per 10 gallons of usage
Commercial Base fee per month	\$34.00
Commercial Water usage per month	\$.04 per 10 gallons of usage
<b>SERVICE (Non-Metered Customers)</b>	
Minimum monthly charge	\$ 0.00
<b>ALL WATER CUSTOMERS</b>	

Service deposit	\$60.00
Disconnection fee	\$25.00
Reconnection Fee (during normal business hours)	\$25.00
Reconnection Fee (during normal business hours)	\$75.00
Late payment penalty charge	\$ 5.00
<b>SEWER SERVICE</b>	
Residential Service Fixed Rate	\$20.00
Commercial Service Fixed Rate	\$40.00

Section 4. That all Ordinances and parts of Ordinances passed and approved prior to the passage, approval, and publication of this Ordinance, in conflict herewith, are hereby repealed.

Section 5. That should any section, paragraph, sentence of this Ordinance hereby adopted be declared for any reason be invalid, it is the intent of the Chairman and Board of Trustees of the Village of Denton, Nebraska, that it would have passed all other portions of this Ordinance independent of the elimination here from of any such portion as may be declared invalid.

Section 6. That this Ordinance shall be published within the first 15 days after its passage and approval either in pamphlet form or by posting in three public places in the Village of Denton, Nebraska, and shall be in full force and take effect on the 15<sup>th</sup> day from and after its passage, approval, and publication, as provided herein.

Section 7. That it is the intention of the Chairman and Board of Trustees of the Village of Denton, Nebraska, and it is hereby ordained that the provisions of this Ordinance shall amend the Municipal Code of the Village of Denton, Nebraska, and the sections of this Ordinance may be renumbered to accomplish such intention.

This Ordinance passed and approved this 11 day of July, 2011.

### 3. Business.

- a. **Water Treatment Facility Discussion.** Ben Day and Craig Reinsch from Olsson Associates were at the meeting to review, recommend and discuss treatment systems. Ben Day, Dean Witulski, Bill Edwards, Craig Reinsch and Lonnie Petrzilka toured both HMO and WRT treatment facilities in Illinois. Cost estimates for treatment. WRT Ra Only \$291,600; WRT with Fe/Mn \$650,455; HMO \$718,120. Discussion on bulk water fill station. Day stated that if the board makes a decision on a treatment plan tonight we should be able to begin a pilot study in 3-4 weeks. The pilot study will take 2 months. *Motioned by Witulski, seconded by Kraus to enter into an agreement with WRT to conduct a pilot study for the treatment of Radium, Iron and Manganese. Carried. Motioned by Kraus, seconded by Schaneman to amend the motion stating that approval of the agreement with WRT is contingent upon grant information from NE Department of Environmental Quality. Carried.*
- b. **Discussion on Bobcat Skid Steer Attachments and Government Plan.** John Hersterman of Hamilton Equipment was present at the meeting to discuss the benefits of the village trading in their bobcat on the government plan. If this village were to trade in their bobcat for the same model and a new 12 month warranty the cost would be \$500. Petrzilka requested upgrading to the size larger since our current size causes tipping problems that jars Petrzilka around in the cab when moving dirt or rock. Consensus to have Petrzilka rent the 6' mower attachment to see if he likes the results. Consensus to table further discussion on trading until August meeting.
- c. **Community Center Agreement.** Building Coordinator, Angela Schaneman, reported on cleaning quotes that see received on commercial cleaning rates. Discussion. *Motioned by Kraus, seconded by Schaneman to approve Resolution 11-7 Community Center Rental. Carried.*

**RESOLUTION NO. 11-7**

WHEREAS, the Village of Denton requires a damage security deposit of \$600 for renters renting the Denton Community Center and,

WHEREAS, the damage security deposit shall be used by the Village as payment of all cost incurred by the Village of repair damaged caused by Renter, on the Rental Date, or cleaning after the Rental Date, of the rental areas. Any unused portion of the security deposit shall be returned to Renter by the Village with a written itemization. The cost of extra cleaning will be charged at the rate \$35 per person per hour to the renter with a minimum of 2 hours. Any cost incurred by Owner, to repair damages incurred or in cleaning to the Rental Area(s) not covered by the security damage deposit, shall be billed to the renter by the Village and collected accordingly.

The above and foregoing resolution passed and adopted this 11 day of July 2011.

- d. **Village Grant Program Budget.** Consensus that the budget for grants shall not exceed \$30,000. The clerk will send out letters this week to last years' recipients.
- e. **Window Replacement in Community Center.** Petrzilka reported that one of the north windows is rotted and needs to be replaced. *Motioned by Kraus, seconded by Schaneman to hire Pella windows to replace that one window. Carried.* Consensus to have Petrzilka get quotes for mudjacking the Northeast corner of the building and refurbishing the exterior doors.
- f. **Nuisance Violation at 7140 SW 91st Update from the clerk.** Attempts to notify the property owners by certified mail have failed. As instructed by the village attorney the clerk posted notice on the property. According to our local ordinance the village will be able to enter the property as early as July 15th to begin mowing the tall grass and weeds. The trustees requested the health ordinance and review of other properties be placed on the next agenda.
- g. **Fireworks Display Comment.** Trustee Witulski stated the Village's fireworks show was a success. Witulski suggests that the Village hire Nick Zimmerman to do the show again next year.
- h. **Claims.** *Motioned by Schaneman, seconded by Kraus to approve the claims listed. Carried.*
  
- i. **Adjournment.** The meeting was declared adjourned at 9:31 p.m. I, the undersigned Village Clerk for the Village Denton, hereby certify that the foregoing is a true and correct copy of proceedings had and done by the Chairman and Board of Trustees on July 11, 2011 at 6:30 p.m. and that all the subjects included in the forgoing proceedings were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the office of the village clerk; that such subjects were contained in said agenda for at least twenty-four hours prior to said meeting; that at least one copy of all reproducible material discussed at the foregoing proceedings have been extracted were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body.

Charlotte Te Brink, CMC  
Village Clerk/Treasurer

Claims  
June 7-July 11, 2011

Claim List A

Charlotte TeBrink; postcard stamps	\$29.00	
Nick Zimmerman; fireworks show contractor		4,500.00
Postmaster; stamps	44.00	
Internal Revenue Service; employee tax May		1,355.20
Internal Revenue Service; employee tax June		1,407.96
NE Revenue; sales tax	125.48	
Pinnacle Bank; monthly bank charge	15.56	
June Payroll and Reimbursements	10,105.17	

Claims List B

All Roads Barricade; replacement signs		232.60
Bakers Hardware	78.11	
Constructors; paved alley service		13,933.00
Presto X	40.09	
Great Plains One Call	2.91	
Solution One; copier	111.25	
Windstream; phone line at well house		44.97
Exxon Mobil	206.66	
Lancaster County Sheriff		1,971.07
Interstate All Battery	129.89	
Ream Sprinkler	10.20	
Roggenkamp Refuse	207.00	
MARC; sewer treatment		422.28
Midwest Labs;	50.47	
Mike Novacek; fireworks stand security		180.00
Olsson Associates; water treatment		7,679.70
Norris Public Power	1,082.12	
NE HHS Labs	34.00	
Planet Earth	19.34	
Sams Club; wedding show supplies	35.56	
Charlotte Te Brink; paint and supplies		130.73
Tom Brookhouser; fireworks stand security		720.00
USA Blue Book	44.97	
Verizon	65.00	