

October 4, 2023

The Trustees of the Village of Malcolm met on Wednesday, October 4, 2023, at 7:00 p.m. in open session at the Village Hall located at 137 East 2nd Street, Malcolm, NE for such business as shall come before said Trustees. Notice of the meeting was in the September 2023 "Clipper" and posted at the Village Hall and on the Malcolm Website on Monday, October 2nd, 2023.

ROLL CALL

Little, Tarr, Lemkau, Benes, Faubion

Absent: none

OPEN MEETINGS LAW is posted and located on the wall as you enter the Village Hall.

VISITORS PRESENT: Bill Rohe and girlfriend, Bruce and Marsha Widick

APPROVAL OF MINUTES: Little made a motion to accept the minutes of the September 6, 2023 – 6:30 meeting to review the revised Employee Handbook, seconded by Tarr. The Chairperson called for the vote recorded as follows: AYE: Little, Tarr, Faubion, Lemkau; NAY: None; Motion carried 4–0. Members abstain: Benes.

APPROVAL OF MINUTES: Little made a motion to accept the minutes of the September 6, 2023 – regular meeting, seconded by Faubion. The Chairperson called for the vote recorded as follows: AYE: Little, Tarr, Faubion, Lemkau; NAY: None; Motion carried 4–0. Members abstain: Benes.

APPROVAL OF MINUTES: Tarr made a motion to accept the minutes of the September 20, 2023, Budget Hearing meeting, seconded by Lemkau. The Vice Chair called for the vote recorded as follows: AYE: Tarr, Lemkau. Benes Faubion; NAY: None; Motion carried 4–0. Members absent: Little.

TREASURER REPORT – Little made a motion to accept the treasurer's report for the month of September 2023, with disbursements of \$176,140.02 and deposits of \$215,396.29. Motion seconded by Faubion. The Chairperson called for a vote recorded as follows: AYE: Little, Tarr, Lemkau, Benes, Faubion; NAY: None; Motion carried 5-0; Members absent: None.

Bruce and Marsha Widick were present to discuss their lot between Harriet Circle and West 1st Street. No decision has been made as to what they plan on doing with the lot.

Bill Rohe was present to discuss a sewer issue he had at 226 South Exeter Street. Paperwork will be submitted to Village Insurance.

VILLAGE MAINTENANCE REPORT: A report was submitted and received by the Board.

Lemkau made a motion to purchase new flow meter pumps for the wells, using what is left from the ARPA money for part of the purchase. Pumps are about \$1,040.00 apiece. Little seconded the motion. The Chairperson called for a vote recorded as follows: AYE: Little, Tarr, Lemkau, Benes, Faubion; NAY: None; Motion carried 5-0; Members absent: None.

Little made a motion to have General Excavating install 5 extension rings on the manholes in the gravel roads at \$900.00 at piece and put concrete fines around each of them. The chairperson called for a vote recorded as follows: AYE: Little, Tarr, Lemkau, Benes, Faubion; NAY: None; Motion carried 5-0; Members absent: None.

PUBLIC HEARING for the Revise Code Sections 9-103; 12-104 to set Penalty Fee's opened at 8:00 p.m. after further discussion and with no one in attendance for the public hearing, Little closed the hearing at 8:05 p.m. Lemkau seconded the motion. The Chairperson called for a vote recorded as follows: AYE: Little, Tarr, Lemkau, Benes, Faubion; NAY: None; Motion carried 5-0; Members absent: None.

ATTORNEY'S REPORT: A report was submitted and received by the Board.

VILLAGE CLERK REPORT: A report was submitted and received by the Board.

BACKGROUND: Ordinance 2023-03 – Set Penalty Fee's; Little made a motion to suspend the three-reading rule for Ordinance 2023-03. Faubion seconded the motion. The Chairperson called for the vote recorded as follows: AYE: Little, Tarr, Lemkau, Benes, Faubion: NAY: None; Motion carried 5-0.

After further discussion and review of Recommendation 424 from the Planning Commission and a few minor spelling changes in the existing code Little made a motion to approve Ordinance 2023-03, an Ordinance of the Village of Malcolm, Lancaster County, Nebraska, to amend section 9-103 and to add a new section 12-104 to allow the suspension and reinstatement of certain permits and to impose fees; therefore, to amend the master fee schedule; to repeal conflicting ordinances; to provide for publication; and to provide an effective date. Faubion seconded the motion. The chairperson called for a vote recorded as follows: AYE: Little, Tarr, Lemkau, Benes, Faubion; NAY: None; Motion carried 5-0; Members absent: None.

BACKGROUND: Updated Employee Handbook final copy: After further discussion, Tarr made a motion to approve the revised Employee Handbook, Lemkau seconded the motion. The chairperson called for a vote recorded as follows: AYE: Little, Tarr, Lemkau, Benes, Faubion; NAY: None; Motion carried 5-0; Members absent: None.

BACKGROUND: Interlocal Agreement between the City of Lincoln/Lancaster County Health Department and Village of Malcolm: Board is still reviewing/discussing the interlocal agreement, this item will be tabled until next meeting.

BACKGROUND: SENDD – Request for Funds for the owner-Occupied Housing Rehab Program \$27,768.58: State of NE transferred \$27,768.58 into the Village of Malcolm account for Project #21-HO-18038. After further review of the project, Little made a motion to approve the reimbursement to SENDD and MIT for the work for project #21-HO-18038. Benes seconded the motion. The chairperson called for a vote recorded as follows: AYE: Little, Tarr, Lemkau, Benes, Faubion; NAY: None; Motion carried 5-0; Members absent: None.

BACKGROUND: Bruce Widick – Variance for lot on Harriet Circle: No variance was needed at this time.

BACKGROUND: Building Permit – Synergy Homes, Inc. for Ferguson’s on NW 114th & West Bluff Road – new home: After further review of the building permit and plans, Little made a motion to approve the building permit contingent on the building inspectors review. Faubion seconded the motion. The chairperson called for a vote recorded as follows: AYE: Little, Tarr, Lemkau, Benes, Faubion; NAY: None; Motion carried 5-0; Members absent: None.

BACKGROUND: Revised Malcolm Aquifer Analysis Project grant funds: Nebraska Department of Environment and Energy (NDEE) Source Water protection Grant was awarded to the Village. The grant was submitted with a higher match number, and NDEE informed the Village that they had enough fundings for this year’s SWP grants and would be able to adjust the amounts for the Village of Malcolm’s project to reflect less money for the Village to match. After further discussion, Little made a motion to approve the new match offer, Lemkau seconded the motion. The chairperson called for a vote recorded as follows: AYE: Little, Tarr, Lemkau, Benes, Faubion; NAY: None; Motion carried 5-0; Members absent: None.

Recommendation 424 – Revise Code section 9-103 to Set Penalty Fee’s: Malcolm Planning Commission submitted minor changes to the code section that the Board reviewed and agreed to. Ordinance 2023-03 was passed earlier in the meeting.

Recommendation 425 – Building Permit – 126 E. 2nd Street – New addition; plumbing, sewer, HVAC remodel: After further review of recommendation 425, building permit and plans, Little made a motion to approve the building permit for 126 E. 2nd Street. Faubion seconded the motion. The chairperson called for a vote recorded as follows: AYE: Little, Tarr, Lemkau, Benes, Faubion; NAY: None; Motion carried 5-0; Members absent: None.

With no further business to discuss, Tarr moved to adjourn at 9:19 p.m. Lemkau seconded the motion. The Chairperson called for the vote recorded as follows: AYE: Little, Schweitzer, Tarr, Faubion, Lemkau; NYE: None; Motion carried 5-0; Members absent: None

Nadine Link, Village Clerk