


## **CITY COUNCIL SPECIAL MEETING MINUTES**

### **JANUARY 5<sup>TH</sup>, 2021**

Members of the City Council of the City of Crawford, Nebraska, met in special session in the Crawford Community Building, 1005 First Street, Crawford, Nebraska on the 5<sup>th</sup> day of January, 2021, at 6:00 o'clock p.m. The following individuals were present: Mayor Connie Shell, Council Member Ed Kuhnel, Council Member Ronnie Thompson, Council Member Susan Leeling and Council Member Zac Riggs. Absent: Attorney Adam Edmund.

Notice of the meeting was given in advance thereof by posting in three public places as shown by the Certificate of Posting available at the City Clerk's office at City Hall. Availability of the agenda was communicated in the advance notice and in the notice of the Mayor and City Council of this meeting. All proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public.

The Pledge of Allegiance was recited by those in attendance wishing to do so.


 Mayor Shell called the meeting to order and declared a quorum present at 6:00 p.m. and announced to the public that a copy of the Open Meetings Act is posted on the wall at the Community Building. It is also available in pamphlet form.

Council Member Leeling made a motion to approve the minutes of the December 22, 2020 regular council meeting. The motion was seconded by Council Member Kuhnel. The following Council Members voted AYE: Leeling, Kuhnel, Thompson and Riggs. Council Members voted NAY: None. Motion carried.

Mayor Shell explained that although the City already received a Special Designated Liquor License for the Whitney Dock Club event for January 9<sup>th</sup>, they changed their minds and decided to change the date and location of the event; so, we wasted that first one and need to apply for another Special Designated Liquor License and the Whitney Dock Club would pay for the license this time. The application sent in by the 8<sup>th</sup>.

Council Member Kuhnel made a motion to approve the Special Designated Liquor License for the City of Crawford dba Legend Buttes Golf Course for the Whitney Dock Club event at the Community Building to be held on January 23, 2021. The motion was seconded by Council Member Riggs. The following Council Members voted AYE: Kuhnel, Riggs, Thompson and Leeling. Council Members voted NAY: None. Motion carried.

Council Member Thompson asked if they are going to clean up after themselves this year. The Mayor replied no – they're paying us to do it.

 Council Member Leeling made a motion to approve that the deposit for cleaning be doubled and if left in appropriate condition, the Whitney Dock Club will get it back, because it was left so messy last year. The motion was seconded by Council Member Thompson. The following Council Members voted AYE: Leeling, Thompson, Kuhnel and Riggs. Council Members voted NAY: None. Motion carried.

Discussion was held on the building permit for a carport at 127 Pine Street that was submitted by Mike Reynoldson. Mayor Shell stated that the Planning Commission did not approve it because it does not meet the setbacks according to our Ordinances. Council Member Kuhnel said it is in line with other buildings. Mayor Shell responded but it is not 5 feet back. Clerk Dailey mentioned that the other buildings it is in line with may be grandfathered. Mike Reynoldson commented that he did not want it to look like a 3-year-old built it; he wants to keep in line with the other existing building that is there; and back further north, is John Dodds to the west; Elmer Willson's building to the east; and its beyond his fence line. Council Member Leeling stated that she felt it should be granted because of uniformity, even though it is against the building code; it is already in line; it is not a nuisance; it's not hindering anybody to have it. Mike Reynoldson stated that it won't benefit anyone to be back 3 feet. Council Member Kuhnel said it looks better in line.

Planning Commission Chairman Ralene Suchor explained some of the guidelines on estimating a person's property line, such as the power poles are generally one foot inside the alley side -on public property - that they are installed on public property. Apparently, he was told the property line is the end of the alley pavement - and that's not accurate. If the buildings are 19.9 feet apart, they are close to the property line. The Planning Commission want to pass it on to the Council - as it doesn't fit what our regulations say - we didn't approve or disapprove it - we're passing it on to the Council - or he could go for a variance. It was also stated that getting a survey is the only way to solve the problem of knowing where your property lines are. Ralene Suchor further explained that he is two feet in, instead of 5 feet. Clerk Dailey stated that the alleys are platted 20 feet wide (the alley and the right-of-way). Mr. Reynoldson said that there is a discrepancy as to where he is being told to measure. There needs to be a paper available on how to measure. Ralene Suchor explained that the right-of-way is consistent; what people drive on, what they use, is not consistent. Including the right-of-way, it's 20 feet. Planning Commissioner Skip Dean stated that he had measured between the buildings and the property line looks like it is his fence; and he agreed with Mr. Reynoldson that it would look better if it matched the other buildings. Council Member Leeling agreed. Council Member Thompson mentioned that down on the end of 2<sup>nd</sup> Street, there was a fence when we didn't know where the center line was and we okayed it. This fence has been there how many years? Mr. Reynoldson replied maybe five years. David Albrecht spoke to correct the Mayor when she previously said it was disapproved. His second to Skip's proposal was not to disapprove; nor did his motion to approve get a second; so, they were in a quandary. Ralene Suchor read Skip's motion which was that he would like to follow the regulations, but would like to forward it to the Council because of the discrepancy of where to measure. The Mayor said she stood corrected. Mr. Reynoldson had talked to two Council people and what he was told was wrong on how to determine the property line measurements. Mr. Reynoldson said that when people go in to get a building permit, they should get a paper to explain the measurements. Clerk Dailey asked him how he got the application if he didn't get the packet that comes with it - it's all prepared as a packet. The packet includes things such as the setback measurements, but you need to know where your property line is. Two Council people told him to use the end of the alley pavement to measure from. Clerk Dailey stated that right now, using the drive-up window, it's a little more complicated; but generally, we tell people that if it involves a street, it's 80-feet wide for the street and the right-of-way; so, go to the middle of the street, measure 40 feet over and that should be your property line approximately. If the situation involves an alley, it's 20 feet for the alley and the right-of-way, so best guess where the middle of the alley is and measure over 10 feet to find an approximate location of your property line. But if only 19 feet were measured between the two buildings (on both sides of the alley), where is the 5-foot setback? It's non-existent. The 5-foot setback comes in after the property line. Mr. Reynoldson asked that if a survey shows his property line is in the middle of the alley, does he close the alley off? The possibility of an easement was mentioned. Ralene Suchor stated that Annin Street is the section line and there had been a 4-foot discrepancy, but when they put the new highway in, they found the error.

Council Member Kuhnel made a motion that the building should be in line with the other buildings instead of willy-nilly, and to approve the building permit for a carport for Mike Reynoldson at 127 Pine Street. The motion was seconded by Council Member Riggs. The following Council Members voted AYE: Kuhnel, Riggs, Thompson and Leeling. Council Members voted NAY: None. Motion carried.

Ralene Suchor asked the Council if they want to change the Ordinance then. Council Member Kuhnel replied that five feet is overkill.

In addition to the current list of bills and claims for the January 5, 2021 Council meeting, Clerk Dailey pointed out that the previously approved Protex Central bill was reduced by \$45.60 after checking into the charges. With that additional notation, bills and claims were presented for approval.

Council Member Kuhnel made a motion to approve the bills and claims. The motion was seconded by Council Member Thompson. The following Council Members voted AYE: Kuhnel, Thompson, Leeling and Riggs. Council Members voted NAY: None. Motion carried.

CLAIMS 1/5/20

SE=SERVICE SU=SUPPLIES RE=REPAIRS

AFLAC	SUPP HEALTH	893.32
CAPITAL GUARDIAN	PENSION	505.38
CITY OF CRAWFORD	TRASH/UTIL DEP APPLIED/	225.72
CITY OF CRAWFORD	QURTLY XFERS/XFERS TO SVGS	130625.08
CRAWFORD CLIPPER	ADS/PUBS	400.12
ECONOSIGNS	SIGNS/POSTS	920.54
EFTPS	FED/FICA	2539.39
FLORIDA SDU	CHILD SUPP	56.77
HAWKINS	CYLINDER RENT	20
HERREN BROS	SU	66.65
MANNA	COMP MAINT	60
MOBIUS	PHONE/FAX/INT	513.57
NE DEPT OF REV	PAYROLL TAX	1100.86
NPZA	DUES	35
PALMER MONUMENT	RE HEADSTONE	250
PROTEX	CREDIT	-45.6
REGINA RANKIN	ANIMAL SHELTER	250
SARGENT DRILLING	WELL PUMP	8509.84
SKAVDAHL, EDMUND	LEGAL SE/MILE REIMB	606.05
US POST	POSTAGE	163.3
VERIZON	CELL PHONES	58.18
TOTAL		147754.17

Doug Leeling requested and was granted permission to speak. He stated that the Nazarene Church rearranged a few palettes, but the property is still a fire hazard, and houses mice. It is really a business operating out of the residential area. The consensus of the Council was to send a letter to Jim Domingo.

Council Member Kuhnel made a motion to adjourn at 6:26 p.m. The motion was seconded by Council Member Leeling. The following Council Members voted AYE: Kuhnel, Leeling, Thompson and Riggs. Council Members voted NAY: None. Motion carried.

The January 5, 2021 special meeting of the City Council adjourned at 6:26 p.m.

Minutes by: Jane Dailey  
Jane Dailey  
City Clerk/Treasurer

Approved by: Connie J. Shell  
Connie J. Shell  
Mayor