

VILLAGE BOARD OF TRUSTEES  
BUDGET HEARING, SPECIAL HEARING  
AND REGULAR MEETING  
SEPTEMBER 15, 2020

Peterson called the Public Hearing for the proposed Fiscal Year 2020-2021 budget to order at 5:45 PM in the Ceresco Community Room. Board members had been given the agenda and supporting documents. Notices were posted in the Wahoo Newspaper, Village Office, Ceresco Post Office and CerescoBank. Peterson pointed out the Open Meeting Law Act posted on the wall of the Community Room. Answering roll call: Peterson, Hartshorn and Custer. Absent: Rupe. Also present: Kent Speicher, Jim and Martha Hunter, Matthew Bergmeyer, Alexa Hazelton, Brian Ubben, Ryan Isaac and Joan Lindgren.

Peterson moved to open the Public Hearing for the proposed Fiscal Year 2020-2021 budget at 5:45 PM. Hartshorn seconded. Voting Yes: Peterson, Hartshorn and Custer. No: none. Motion carried.

Speicher recapped the Fiscal Year 2020-2021 budget.

There were no comments from the public.

Peterson moved to close the Public Hearing for the proposed Fiscal Year 2020-2021 budget at 5:57 PM. Hartshorn seconded. Voting Yes: Peterson, Hartshorn and Custer. No: none. Motion carried.

Hartshorn moved to open the Public Hearing to set the final tax request for the proposed Fiscal Year 2020-2021 budget at 5:58 PM. Custer seconded. Voting Yes: Hartshorn, Custer and Peterson. No: none. Motion carried.

Speicher reviewed the 2020-2021 Fiscal Year general fund levy is \$.249187 and the bond fund levy is \$.274108, for a total levy of \$.523295. The valuation went from \$54,636,791 to \$58,138,297.

There were no comments from the public.

Peterson moved to close the Public Hearing to set the final tax request for the proposed Fiscal Year 2020-2021 budget at 6:00 PM. Custer seconded. Voting Yes: Peterson, Custer and Hartshorn. No: none. Motion carried.

Peterson moved to adjourn at 6:00 PM. Hartshorn seconded. Voting Yes: Peterson, Hartshorn and Custer. No: none. Motion carried.

Peterson opened the Regular Meeting at 6:01 PM. Board members had been given the agenda and supporting documents. Notices were posted at the Village Office, Ceresco Post Office, and CerescoBank. Peterson pointed out the Open Meeting Law Act posted on the wall in the Community Room. Answering roll call: Peterson, Hartshorn and Custer. Rupe entered the meeting at 7:59 PM. Also present: Kent Speicher, Jim and Martha Hunter, Brian Roland, Matthew Bergmeyer, Alexa Hazelton, Brian Ubben, Dustin Gushard, Ryan Isaac, Scott Larson and Joan Lindgren.

The 1% increase was tabled to later in the meeting.

Ordinance 2020-9 was introduced by Chairman Peterson and is set forth in full as follows, to wit: AN ORDINANCE 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.

BE IT ORDAINED BY THE CHAIRPERSON AND THE VILLAGE BOARD OF THE VILLAGE OF CERESCO, NEBRASKA.

Section 1. That after complying with all procedures required by law, the budget presented and set forth in the budget statement is hereby approved as the Annual Appropriation Bill for the fiscal year beginning October 1, 2020, through September 30, 2021. All sums of money contained in the budget statement are hereby appropriated for the necessary expenses and liabilities of the Village of Ceresco, Nebraska. A copy of

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**the budget document shall be forwarded as provided by law to the Auditor of Public Accounts, State Capitol, Lincoln, Nebraska, and to the County Clerk of Saunders County, Nebraska, for use by the levying authority.**

**Section 2. This ordinance shall take effect and be in full force from and after its passage, approval, and publication or posting as required by law.**

**Chairman Peterson moved that the statutory rules in regard to the passage and adoption of Ordinance 2020-9 be suspended so that said ordinance might be introduced, read by title, and then moved for final passage at the same meeting. Discussion held. Hartshorn noted the 1% increase is part of the budget and should be approved first. Speicher stated the Ordinance and 1% increase should be approved together with a three-fourths (3/4's) vote. Motion failed due to lack of second.**

**Peterson tabled Ordinance 2020-9 and Resolution 2020-8 to later in the meeting when Rupe will be in attendance.**

**Peterson offered the appointment of Brian Ubben to fill the Board Member vacancy. Custer moved to accept the appointment of Brian Ubben to fill the Board Member vacancy. Hartshorn seconded. Voting Yes: Custer, Hartshorn and Peterson. No: none. Motion carried.**

Ubben signed the Oath of Office and took his seat as Board Member.

**Hartshorn moved to approve August 18, 2020 minutes. Hartshorn withdrew his motion and noted on page three, middle paragraph that starts with Hartshorn reviewed, the last line "but without the Windows operating system" should have the word "server" added after "Windows".**

**Peterson moved to approve the August 18, 2020 minutes with the change on page 3, middle paragraph, to include the word "server" after the word "Windows". Custer seconded. Voting Yes: Peterson, Custer and Hartshorn. No: none. Abstain: Ubben. Motion carried.**

**Hartshorn moved to approve August 24, 2020 minutes as presented. Peterson seconded. Voting Yes: Hartshorn, Peterson and Custer. No: none. Abstain: Ubben. Motion carried.**

**Hartshorn moved to approve September 2, 2020 minutes as presented. Custer seconded. Voting Yes: Hartshorn, Custer and Peterson. No: none. Abstain: Ubben. Motion carried.**

**Hartshorn moved to approve September 9, 2020 minutes as presented. Custer seconded. Voting Yes: Hartshorn, Custer and Peterson. No: none. Abstain: Ubben. Motion carried.**

Peterson moved to Old Business. The Hunter Subdivision Covenants were reviewed. Lindgren noted she has not heard back from the attorney regarding the Covenants. Jim Hunter indicated the attorney had approved the Covenants. Hartshorn questioned the definition of vehicle maintenance on page 4, # 11. Hunter said this is in regards to a shade tree mechanic in the driveway. Ubben questioned if the covenants are consistent with others in the area. Hunter indicated they were. Discussion held. Hazelton called Julie Ogden, and she hasn't reviewed the Covenants, but told Hazelton the Covenants are more cosmetic, not an engineering aspect. If they are or aren't adopted tonight, this shouldn't hold up the water and sewer improvement. Ogden wants to see something about the storm retention, which should be on the property owner or homeowner's association, not the Village. The Hunter Subdivision Covenants were tabled until Ogden can review.

Hazelton reviewed the Laura Lane & Beech Street Change Order No. 1 and Payout Application No. 1. Change Order No. 1 includes the raising of the manhole to go over some existing water or sanitary sewer lines, which adds a total of \$4,800.00 to the contract price that includes a deduction of \$600 for raising 3 inlets. Two extra calendar days have been added for the time it took to approve the raising of the inlets. The contract times have been changed from 60 calendar days to 62 calendar days. The substantial completion date is now October 25, 2020, instead of October 23, 2020.

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**Hartshorn moved to approve Change Order No. 1 for the Laura Lane & Beech Street Project. Custer seconded. Voting Yes: Hartshorn, Custer and Peterson. No: none. Abstain: Ubben. Motion carried.**

Hazelton reviewed the Payout Application No. 1 includes Change Order No. 1 of \$4,800.00 that was just approved. The final project cost has increased from \$135,584.00 to \$140,384.00. Pay Application No. 1 reflects that no paving is done, for a total amount due of \$42,516.00.

**Hartshorn moved to approve Payout Application No. 1 for the Laura Lane & Beech Street Project of \$42,516.00. Peterson seconded. Voting Yes: Hartshorn, Peterson and Custer. No: none. Abstain: Ubben. Motion carried.**

Discussion was held on the second Payout Application prior to September 30<sup>th</sup>. The Board agreed to hold a Special Meeting on Wednesday, September 30<sup>th</sup> at 4:00 PM for the second Payout Application.

Roland reviewed the sewer plant is running great, they've patched holes with new patch mix, and safety equipment. Purchasing an air/gas monitor was discussed.

**Hartshorn moved to purchase one ALTAIR 4XR Multigas Detector for up to \$730.00. Peterson seconded. Voting Yes: Hartshorn, Peterson, Custer and Ubben. No: none. Motion carried.**

Hiring a part-time position to help Roland with water and sewer was discussed. Lindgren noted 1) Ashland is not able to assist with being a backup operator. 2) Valparaiso was contacted. They have farmers hired to assist, but they have not called back. 3) Wahoo is interested in assisting with backup operator, as they work with other towns. The Water/Wastewater/Stormwater Mutual Aid Agreement was reviewed.

**Hartshorn moved to post for a part-time position, with the Maintenance Subcommittee to do the interviews and suggest a person to hire. Custer seconded. Voting Yes: Hartshorn, Custer, Ubben and Peterson. No: none. Motion carried.**

The Water/Wastewater/Stormwater Mutual Aid Agreement was discussed. Roland will review and make a recommendation to the Board.

Quotes for a swing at Friendship Park was reviewed. Gushard reviewed a T-Swing is preferred. The protective ground covering was discussed. Further information will be obtained for the Special Meeting.

Hartshorn asked to have the culverts checked for proper drainage. He questioned the new culvert on the south side of 2<sup>nd</sup> & Pine.

Peterson questioned the street repair for the new house at 213 Main Street. Roland will inspect and Lindgren will contact Masek.

**Hartshorn moved to approve the Police Report as presented. Custer seconded. Voting Yes: Hartshorn, Custer, Ubben and Peterson. No: none. Motion carried.**

Peterson reviewed there will be a bike ride to honor the officer that died from the Lincoln Police Department, and they are asking for a Ceresco Police escort through town. The Board agreed the Police can work this request.

An email from the attorney regarding fine schedules was reviewed. Discussion held. A meeting will be scheduled with the attorney, Peterson, Hartshorn and Anderson.

Peterson moved to new business for the Immanuel Lutheran Church Carillon Bell System. Pastor Scott Larson was present to review a Facebook post regarding the old bell chimes prompted him to look into a new bell

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system. His concern is if it would be a nuisance for neighbors. The nuisance ordinances will be reviewed and checked for a decibel level. The bell system is expected to play every day for about three minutes at 6 PM. Discussion held. Larson will do a canvas of surrounding residents and report back to the Village Board.

The Building Inspector Report was reviewed.

**Hartshorn moved to approve the Building Inspector Report as presented. Peterson seconded. Voting Yes: Hartshorn, Peterson, Custer and Ubben. No: none. Motion carried.**

**Hartshorn moved to approve the Treasurer's Report as presented. Custer seconded. Voting Yes: Hartshorn, Custer, Ubben and Peterson. No: none. Motion carried.**

Claims were reviewed. **Hartshorn moved to approve the claims and the additional claims as presented. Peterson seconded. Voting Yes: Hartshorn, Peterson, Custer and Ubben. No: None. Motion carried.** The approved claims are as follows: JEO \$2,657.50/gen/st; Advantage Computer \$890.00/wat, sew; AFLAC \$268.92/ins; Ameritas \$24.35/ins; Aqua-Chem \$106.30/wat; Carmel Most \$10.00/lib; Baker & Taylor \$166.49/lib; Barco Municipal Products \$134.15; Demco \$129.73/lib; FES \$500.00/gen; Helena \$453.00/prk; Kiner Supply \$30.00/prk; League of NE Municipalities Utilities \$513.00/wat, sew; Mumm Heating \$166.35/gen; Municipal Supply \$2,748.00/wat; Nebraska Public Health Environmental Lab \$263.00/wat; Sandy Tvrdy \$365.00/gen/prk; Small Engine Specialists \$84.14/prk; U.S. Post Office \$195.00/postage; Verizon Wireless \$180.89/phones; Wahoo/Waverly Adv \$144.76/gen; Waste Connections of NE \$5,264.51/gar; 3801 Harney, LLC \$600.00/st ref; AED Superstore \$2,116.20/pol; Card Services \$766.08/gen, prk, comp, pol; Carquest Auto Parts \$24.15/st; First Bankcard \$126.90/lib, gen; Frontier Coop \$753.16/fuel; Interstate All Battery Center \$164.99/pol; Jackson Services \$129.37/uniforms & mats; Menards \$243.06/wat, gen, st; Municipal Supply of Omaha \$921.55/wat; Nebraska Department of Agriculture \$175.00/gen; Nebraska Department of Revenue \$25.00/comp; Office Depot \$286.33/gen; OPPD \$4,662.41/electricity; Personnel Concepts \$17.01/gen; Raymond Central Public Schools \$970.00/gen; Sam's Club \$97.72/lib, gen; Sandry Fire Supply \$2,397.50/fire; Windstream \$391.49/phones; Payroll Liabilities: American Funds Investment \$519.82; Nebraska Department of Revenue \$594.05; United States Treasury \$4,458.16; Payroll \$16,241.38

**Custer moved to approve the Library Report. Hartshorn seconded. Voting Yes: Custer, Hartshorn, Ubben and Peterson. No: none. Motion carried.**

**Peterson appointed a new Library Board Member of Kevin Kennedy. Voting Yes to accept the appointment of a new library Board Member of Kevin Kennedy was Hartshorn, Custer, Ubben and Peterson. No: none. Motion carried.**

Bids, and the insurance claim for the Library roof repair were reviewed. The adjuster will be contacted regarding 1) Why not all the gutters are being replaced. 2) Why the ice and water shield is not included. Rezac had told Lindgren this was an improvement. The code will be checked. 3) Difference in price list. Ceresco supply pricing is supposed to be based off of Omaha, not Lincoln.

Lindgren noted the deductible is \$2,500.00 per incident. The insurance company doesn't discount for high impact shingles. The roof bids were tabled to the September 30<sup>th</sup> meeting.

Custer reviewed the grant for the splash pad has been submitted. Custer notified the splash pad committee that if the grant is awarded, one of the requirements is to go out for bids.

**Hartshorn moved to approve the Fire Department Report as presented. Peterson seconded. Voting Yes: Hartshorn, Peterson, Custer and Ubben. No: none. Motion carried.**

It was noted that Governor Ricketts moved the State into stage 4, which will allow 75% capacity for rental of the community building.

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Board Member information needed for Ubben was reviewed and will be provided to him.

Rupe entered the meeting at 7:59 PM.

Engineering contracts from Olsson and JEO for Street Superintendent services were reviewed. Discussion held. Hartshorn and Peterson, who oversee streets, both recommended JEO.

**Custer moved to accept the JEO Street Superintendent Agreement. Peterson seconded. Voting Yes: Custer, Peterson, Hartshorn and Ubben. No: none. Abstain: Rupe. Motion carried.**

**Peterson returned to the 2020-2021 Fiscal Year budget agenda items.**

**Peterson moved to approve the 1% allowable increase for the 2020-2021 Fiscal Year budget. Rupe seconded. Voting Yes: Peterson, Rupe, Custer and Ubben. No: Hartshorn. Motion carried with a three-fourths (3/4s) vote.**

**Ordinance 2020-9 was introduced by Chairman Peterson and is set forth in full as follows, to wit: AN ORDINANCE 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.**

**BE IT ORDAINED BY THE CHAIRPERSON AND THE VILLAGE BOARD OF THE VILLAGE OF CERESCO, NEBRASKA.**

**Section 1. That after complying with all procedures required by law, the budget presented and set forth in the budget statement is hereby approved as the Annual Appropriation Bill for the fiscal year beginning October 1, 2020, through September 30, 2021. All sums of money contained in the budget statement are hereby appropriated for the necessary expenses and liabilities of the Village of Ceresco, Nebraska. A copy of the budget document shall be forwarded as provided by law to the Auditor of Public Accounts, State Capitol, Lincoln, Nebraska, and to the County Clerk of Saunders County, Nebraska, for use by the levying authority.**

**Section 2. This ordinance shall take effect and be in full force from and after its passage, approval, and publication or posting as required by law.**

**Chairman Peterson moved that the statutory rules in regard to the passage and adoption of Ordinance 2020-9 be suspended so that said ordinance might be introduced, read by title, and then moved for final passage at the same meeting. Board Member Rupe seconded said motion. The Chair put the question and instructed the Clerk to call the roll for the vote thereon. The Clerk called the roll and the following was the vote on this motion to suspend the rules for Ordinance 2020-9. Yeas: Peterson, Rupe, Custer, Hartshorn and Ubben. Nays: none. Motion carried.**

**WHEREUPON, the motion having been carried by affirmative votes of no less than three-fourths (3/4ths) of the total members of the Board, the Chair declared the statutory rules in regard to the passage and approval of Ordinance 2020-9 be suspended so that Ordinance No. 2020-9 might be read by title and then moved for final passage at the same meeting.**

**Board Member Custer moved to adopt Ordinance 2020-9 to approve the Annual Appropriation Bill for the fiscal year beginning October 1, 2020 through September 30, 2021. Board Member Rupe seconded said motion. The Chair instructed the Clerk to call the roll for the vote thereon. The Clerk called the roll and the following was the vote on this motion. Yeas: Custer, Rupe, Hartshorn, Ubben and Peterson. Nays: none.**

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WHEREUPON, the Chair declared said Ordinance 2020-9 of the Village of Ceresco, Saunders County, Nebraska having been read by title, the rules having been suspended, and having been duly approved and its title agreed to by the affirmative vote of no less than a majority of the members of the Board, duly passed and adopted as an Ordinance of the Village of Ceresco, Nebraska.

WHEREUPON, the Chair announced that the introduction of Resolution 2020-8 was now in order.

Resolution 2020-8 was introduced by Chairman Peterson and is set forth in full as follows, to wit:

WHEREAS, Nebraska Revised Statute 77-1601.02 provides that Governing Body of the Village of Ceresco passes by a majority vote a resolution or ordinance setting the tax request; and

WHEREAS, a special public hearing was held as required by law to hear and consider comments concerning the property tax request; and

NOW, THEREFORE, the Governing Body of the Village of Ceresco, resolves that:

1. The 2020-2021 property tax request be set as follows:

<u>Fund</u>	<u>Request</u>	<u>Levy</u>
General	\$144,873	\$.249187
Bond	<u>159,362</u>	<u>.274108</u>
Total	\$304,235	\$.523295

2. The total assessed value of property differs from last year's total assessed value by 6.409%.
3. The tax rate which would levy the same amount of property taxes as last year, when multiplied by the new total assessed value of property, would be \$.501103 per \$100 of assessed value.
4. The Governing Body of the Village of Ceresco proposed to adopt a property tax request that will cause its tax rate to be \$.523295 per \$100 of assessed value.
5. Based on the proposed property tax request and changes in other revenue, the total operating budget of the Village of Ceresco will exceed last year's total operating budget by 3.159%.
6. A copy of this resolution be certified and forwarded to the County Clerk on or before October 13, 2020.

WHEREUPON, Board Member Rupe moved to adopt said Resolution 2020-8 to set the tax levy and approve the FY 2020-2021 Budget at \$.523295. Chairman Peterson seconded this motion. No further discussion was required.

The Chair instructed the Clerk to call the roll and the following was the vote on this motion. Yeas: Rupe, Peterson, Hartshorn, Custer and Ubben. Nays: none. Motion carried.

WHEREUPON, the Chair declared that the motion having been approved by a majority of the votes cast, said Resolution 2020-8 is approved and adopted.

Hartshorn moved to approve the Annual Certification of Program Compliance to Nebraska Board of Public Roads Classifications and Standards. Rupe seconded. Voting Yes: Hartshorn, Rupe, Custer, Ubben and Peterson. No: none. Motion carried.

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**Ordinance 2020-8 now comes on for third reading:**

**AN ORDINANCE TO AMEND THE WAGES AND SALARIES OF CERTAIN OFFICERS, APPOINTEES, AND EMPLOYEES OF THE VILLAGE OF CERESCO, NEBRASKA:**

**WHEREUPON**, Board Member Rupe moved that said Ordinance 2020-8 be approved by its third reading and its title agreed to. Board Member Custer seconded this motion.

The Chair instructed the Clerk to call the roll for the vote thereon. The Clerk called the roll and the following was the vote on this motion. Yeas: Rupe, Custer, Hartshorn, Ubben and Peterson. Nays: none.

**WHEREUPON**, the Chair declared that a majority of the members of the Board having voted in the affirmative for the passage and approval of said Ordinance No. 2020-8, the Chair declared Ordinance No. 2020-8 to have been duly passed and adopted as an Ordinance of the Village of Ceresco, Saunders County, Nebraska, and the Chair subscribed his name thereto, and the Clerk attested said signature of the Chair by subscribing his name thereto and affixing thereon the seal of the Village of Ceresco, Nebraska. The Chair then instructed the Clerk to publish Ordinance No. 2020-8 in the manner required by law, within fifteen (15) days after passage.

**WHEREUPON**, the Chair announced that the introduction of Resolution 2020-9 was now in order.

Resolution 2020-9 was introduced by Board Member Hartshorn and is set forth in full as follows, to wit:

**Whereas:** 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; and

**Whereas:** State of Nebraska Statute, section 39-2120 also requires that the annual certification of program compliance by each municipality shall be signed by the Mayor or Village Board Chairperson and shall include a copy of a resolution of the governing body of the municipality authorizing the signing of the certification form.

**WHEREUPON**, Board Member Hartshorn moved that said Resolution 2020-9 be approved. Board Member Rupe seconded this motion. No further discussion was required.

The Chair instructed the Clerk to call the roll and the following was the vote on this motion. Yeas: Hartshorn, Rupe, Ubben, Custer and Peterson. Nays: none.

**WHEREUPON**, the Chair declared that the Motion having been approved by a majority of the votes cast, said Resolution 2020-9 is approved and adopted.

Retirement plan benefits were reviewed. Current enrollment is annually in November. Gushard started work in April, and is not eligible to enroll this November. Discussion held.

**Rupe moved to override the retirement plan policy waiting period and allow Gushard to enroll in the Simple IRA in November. Ubben seconded. Voting Yes: Rupe, Ubben, Custer and Peterson. No: none. Abstain: Hartshorn. Motion carried.**

Solid waste bid criteria for the expiring contract in December was discussed. Lindgren reviewed the attorney said the current Board can approve the solid waste bids as old business at the December meeting. The Board agreed to request bids for two (2) year and four (4) year contracts, including recycling,

The alley closing request for Swanson is no longer needed, as the lots in question will now be sold separately.

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The dental premium increase was reviewed.

**Custer moved to approve the Delta Dental new rates for November 1, 2020 through October 31, 2021. Peterson seconded. Voting Yes: Custer, Peterson, Ubben, Rupe and Hartshorn. No: none. Motion carried.**

Hartshorn and Peterson reviewed the open meeting law, subcommittees, maintenance subcommittee, and compost site weekend coverage.

**Peterson moved to adjourn at 8:33 PM. Hartshorn seconded. Voting Yes: Peterson, Hartshorn, Rupe, Custer and Ubben. No: none. Motion carried.**

Scott Peterson, Chairman  
Joan Lindgren, Clerk