

VILLAGE BOARD OF TRUSTEES  
SPECIAL MEETING  
SEPTEMBER 24, 2019

Peterson called the Special Meeting to order at 5:00 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 Board Chambers. Answering roll call: Peterson, Hartshorn and Custer. Absent: Rupe and Wilson.

Year-end claims were reviewed. Hartshorn moved to approve the claims with the addition of Wahoo Concrete for \$4,280.00. Peterson seconded. Voting Yes: Hartshorn, Peterson and Custer. No: none. Motion carried. The approved claims are as follows: Blue Valley Public Safety \$24,500.00/new siren; Bond Custom Siding \$768.00/water; Ceresco Rural Fire Dist #5 \$12,000.00/new truck; Municipal Supply \$2,748.00; Nebraska Public Health Environmental Lab \$632.00/wat; Sam's Club \$203.68/gen/wat/st; Wahoo Concrete \$4,815.00/st

A bid from HOA Solutions for an analyzer at the waste water treatment plant was reviewed. It was questioned if installation costs were included. Roland was contacted for further information. Tabled to later in the meeting.

Hartshorn moved to go in to executive session to discuss a contract with Mullen Coughlin LLC, with the Clerk being present. Peterson seconded. Voting Yes: Hartshorn, Peterson and Custer. No: None. Motion carried.

Chairman Peterson announced the purpose of the closed session is to discuss a contract with Mullen Coughlin LLC, with the Clerk being present and commenced at 5:08 PM.

Chairman Peterson resumed Regular Session at 5:25 PM from the closed session to discuss a contract with Mullen Coughlin LLC.

Hartshorn moved to enter into a contract with Mullen Coughlin LLC as presented, to retain Mullen Coughlin LLC as Village attorneys. Peterson seconded. Voting Yes: Hartshorn, Peterson and Custer. No: None. Motion Carried.

Discussion on the analyzer for the waste water treatment plant continued. Roland replied back that the analyzer connects the D.O. probe and the mixed liquor suspended solids probe to the SCADA. It controls the blowers. The plant can't run correctly without it. The current one is 12 years old.

Hartshorn moved to approve the purchase of the HOA Solutions dual analyzer and dual compressor assembly for \$4,042.00 plus installation to be determined. Peterson seconded. Voting Yes: Hartshorn, Peterson and Custer. No: None. Motion Carried. Payment will be made in the 2019-2020 budget.

Part-time help was reviewed. One application was received from Ed Vitek. Peterson and Custer will plan to interview Vitek on Thursday, September 26<sup>th</sup>. Peterson asked that part-time be posted again.

Hartshorn reviewed the following areas of the Subdivision Regulations:

1. pg iii – Change Ashland to Ceresco and change Cass County to Saunders County.
2. Adding Lancaster County will be reviewed with JEO.
3. pg 2, 1.04.08 – Building inspector needs to be changed to zoning administrator.
4. pg 6, 1-04.66 – Change City of Ashland to Village of Ceresco.
5. pg 8, 2.10 – Concerns of the Variance procedure being removed was voiced. JEO will be contacted.
6. pgs 17-19, Article 4 – Was questioned whether the design standards are just for “new” Subdivisions, since culverts shouldn't be allowed for new Subdivisions, just curb and gutter. JEO will be contacted.
7. pg 19, 4.02.05 – Last paragraph regarding the alternate materials for street paving being approved by the Village Board was discussed. Hartshorn suggested only allowing concrete for all new streets and removing the option to be without curb and gutter. JEO will be contacted.
8. pg 21, 4.13 – Cul-de-sac streets and the 20 acre requirement was discussed.

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9. pg. 21, 4.16 – Clarification of why alleys are being avoided was requested. Hartshorn suggested removing it and letting it be the subdivider's decision to have alleys or not. Also clarification of the following sentence is requested, "Alleys should be avoided in residential areas except where an alley of an adjoining subdivision would not intersect two streets because no alleys were provided in the subdivision under consideration."
10. pg 22, 4.19 vs. pg 30, 5.13 – The requirements in 5.13.02 and 5.13.03 are not included in 4.19, and should there be different sizes.
11. pg 31, 6.03 – Fees for a park/open spaces for residential subdividers was reviewed. A fee will need to be created. Further clarification is needed.
12. pg 36, 7.15 – Who should release the performance bond. Should Village be Village Board?
13. pg 43, B.09 and B.10 – Cass County is listed and needs to be changed to Saunders.

Hartshorn reviewed the following areas of the Zoning Ordinances:

1. pg 7 – Definition of Bar, and pg 43 – definition of Tavern and it relation to permitted uses in commercial districts should just say "Bar" and not "Tavern". Also on pages 65, 67 and 68
2. pg 8 – Definitions of Brew-on Premise Store; Brew Pub; Brewery; Brewery, Craft; and Brewery, Micro; are listed, but are not listed anywhere else in the Ordinances.
3. pg 10 – Definition of Carport, does it need to say it's attached to the ground. What does the permanent roofed structure actually mean?
4. pg 19 – Definition of Garage, Private lists carports. Also, why does it state occupants of the dwelling?
5. pg 51, 4.13.06.4 – "one 91)" should be "one (1)".
6. pg 59, 5.06.05 – Questioned was the rear yard setbacks shall be the lesser of 25 feet or 20% of the lot depth. Why can you have an accessory building that is a 10' rear yard setback? Max lot coverage is 40% for a single-family dwelling and max height on accessory buildings was discussed. Should accessory buildings included carports and garages? Hartshorn suggested the height of the garage should be set by height of the house. Garage sidewalls, peak and slope of roof were discussed. Hartshorn would like to see the square footage and max height changed. Also the side yard setback of 25' for other permitted uses and accessory buildings was questioned. The other residential sections will need to be reviewed for changes.
7. pg 60, 5.07.04 – Should other temporary buildings be addressed? Carports?
8. pg 61, 5.07.05 – The rear yard, front yard, side yard setbacks, and max height needs to be reviewed. Why are they different? Why limit the square footage of the garage when the buildings cannot exceed 50% of the lot area? The following sections also need to be reviewed: 5.08.05,
9. pg 70, 5.12.03.13 – Was questioned if it needs to be in the Zoning Ordinances.
10. pg 78, 5.14.04 – There is a gap between the words "mobile" and "homes".
11. pg 51, 4.13.05 – The sentence "The height of said building shall not exceed 15' in height" is missing the wording "the midpoint of the roof." The following language was also questioned "Shall be constructed of materials customarily used in residential construction." Hartshorn asked if steel framing can be used on the inside of a garage.
12. pg 50, 4.08 and 4.09.03 – Reviewed. Obstruction of vision, corner lots and front yard setbacks were discussed.

WHEREUPON, the Chair announced that the introduction of ordinances was now in order.

**Ordinance 2019-5 was tabled.**

**Ordinance 2019-7 now comes on for second reading. AN ORDINANCE OF THE VILLAGE OF CERESCO, SAUNDERS COUNTY, NEBRASKA, TO ANNEX THE FOLLOWING DESCRIBED REAL ESTATE, TO WIT: A PORTION OF TRACT A OF TRACT 4 LOCATED IN THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP 13 NORTH, RANGE 7 EAST OF THE 6TH P.M., SAUNDERS COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF THE**

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SOUTHEAST QUARTER OF SAID SECTION 29; THENCE IN AN EASTERLY DIRECTION, ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 29, ON AN ASSUMED BEARING OF N87°59'27"E, FOR A DISTANCE OF 705.55 FEET; THENCE ON THE EAST LINE OF TRACT A OF TRACT 8, ALSO THE WEST LINE OF LOTS 1 THROUGH 6, TRUED BROS. FIRST ADDITION, N02°03'50"W, A DISTANCE OF 335.94 FEET TO THE NORTHWEST CORNER OF LOT 6, TRUED BROS. FIRST ADDITION, ALSO THE POINT OF BEGINNING;

THENCE CONTINUING N02°03'50"W, A DISTANCE OF 70.00 FEET;

THENCE N67°03'20"W, A DISTANCE OF 129.26 FEET;

THENCE N37°57'02"W, A DISTANCE OF 118.99 FEET;

THENCE N16°14'40"W, A DISTANCE OF 119.08 FEET;

THENCE N02°02'04"W, A DISTANCE OF 522.89 FEET;

THENCE N87°57'56"E, A DISTANCE OF 35.82 FEET;

THENCE N02°02'04"W, A DISTANCE OF 130.00 FEET TO A POINT ON THE NORTH LINE OF SAID TRACT A OF TRACT 4;

THENCE ON THE NORTH LINE OF SAID TRACT A OF TRACT 4, N87°57'56"E, A DISTANCE OF 332.67 FEET TO THE NORTHEAST CORNER OF SAID TRACT A OF TRACT 4;

THENCE ON THE COMMON LINE OF SAID TRACT A OF TRACT 4 AND TRACT B OF TRACT 4 IN THE SOUTHEAST QUARTER OF SAID SECTION 29, S01°45'05"E, A DISTANCE OF 552.94 FEET TO A POINT ON THE NORTH LINE OF CAMERON STREET AS PLATTED IN THE VILLAGE OF CERESCO;

THENCE ON THE NORTH LINE OF CAMERON STREET, S87°15'06"W, A DISTANCE OF 19.81 FEET TO A POINT ON THE WEST LINE OF THIRD STREET AS PLATTED IN THE VILLAGE OF CERESCO;

THENCE ON THE WEST LINE OF THIRD STREET, S02°03'04"E, A DISTANCE OF 436.12 FEET TO THE NORTHEAST CORNER OF LOT 6, TRUED BROS. FIRST ADDITION TO CERESCO;

THENCE ON THE NORTH LINE OF SAID LOT 6, S87°58'26"W, A DISTANCE OF 129.83 FEET TO THE POINT OF BEGINNING AND CONTAINING A CALCULATED AREA OF 317,711.14 SQUARE FEET OR 7.29 ACRES.

WHEREUPON, Board Member Hartshorn moved that said Ordinance 2019-7 be approved upon its second reading and its title agreed to. Chairman Peterson 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: Hartshorn, Peterson and Custer. Nays: none

WHEREUPON, the Chair declared said Ordinance 2019-7 be approved on its second reading and its title agreed to and that the third reading of Ordinance 2019-7 be on the next Agenda of a meeting of the Board of Trustees.

A Special Meeting was scheduled for October 1<sup>st</sup> at 5:00 PM.

Custer moved to create a Zoning Ordinance Subcommittee of Hartshorn and Peterson in case a Special Meeting is not held on October 1<sup>st</sup>. Hartshorn seconded. Voting Yes: Custer, Hartshorn and Peterson. No: none. Motion carried.

Peterson moved to adjourn the meeting at 7:37 PM. Custer seconded. Voting Yes: Peterson, Custer and Hartshorn. No: none. Motion carried.

Scott Peterson, Chairman  
Joan Lindgren, Clerk