

VILLAGE BOARD OF TRUSTEES  
REGULAR MEETING  
MARCH 19, 2019

**Chairman Pro Tempore Hartshorn called the meeting to order at 6:00 PM. Board members had been given the agenda and supporting documents, and notices were posted at the Village Office, Ceresco Post Office, and CerescoBank. Hartshorn pointed out the Open Meeting Law Act posted on the wall in the Board Chambers. Answering roll call: Hartshorn, Custer, Rupe and Wilson. Absent: Peterson. Also present: Daianera Jeppesen, Maria Arias, Tanin Arias, Rogelio Arias, Dan Jackson, Aiden Urbom, Felicity Ramsay, Camron Guenter, Trevor Oldfield, Lynn Maxson, Justin Maxson, Steve Anderson, Brian Roland, Lynn Dittmer and Joan Lindgren.**

**Hartshorn moved to open the Public Hearing for the liquor license request from Super Taco LLC dba Garibaldi Mexican Cuisine at 6:00 PM. Custer seconded. Voting Yes: Hartshorn, Custer, Rupe and Wilson. No: none. Motion carried.**

Dan Jackson stated he hopes the Board votes for it. There were no other public comments.

**Hartshorn moved to close the Public Hearing at 6:02 PM. Rupe seconded. Voting Yes: Hartshorn, Rupe, Wilson and Custer. No: none. Motion carried.**

**Custer moved to approve the Class I-22979 liquor license for Super Taco LLC dba Garibaldi Mexican Cuisine. Wilson seconded. Voting Yes: Custer, Wilson, Rupe and Hartshorn. No: none. Motion carried.**

Hartshorn moved to the general meeting items.

**Wilson moved to approve the February 19, 2019 minutes as presented. Hartshorn seconded. Voting Yes: Wilson, Hartshorn, Custer and Rupe. No: none. Motion carried.**

**Rupe moved to approve the minutes from the March 5, 2019 meeting. Custer seconded. Hartshorn noted that on page 2 it states Chairman Hartshorn, instead of Chairman Peterson. Voting Yes: none. No: Rupe, Custer, Wilson and Hartshorn. Motion failed.**

**Custer moved to approve the minutes from the March 5, 2019 with the correction of Chairman Hartshorn to Chairman Peterson on page 2. Rupe seconded. Voting Yes: Custer, Rupe and Hartshorn. Abstain: Wilson. No: none. Motion carried.**

Lindgren reviewed that 3 applications have been received for the Owner Occupied Rehabilitation program for Saunders County. An email from Jim Warrelmann from SENDD was reviewed. Discussion held. The Board requested further clarification from SENDD and for SENDD to review the applications.

Zito Media fiber optics was mentioned. There are no updates, except what is being posted on Facebook.

Roland reviewed bids from Electric Pump for a new, and a repaired return pump for the wwtp. Roland recommended a new pump. A new pump is built specific for the plant. A bid from Iowa Pump will also be requested.

**Hartshorn moved to approve the purchase of a return pump for up to \$6,860.00 between Electric Pump and Iowa Pump depending on what Roland and the Maintenance Subcommittee deems the best option. Wilson seconded. Voting Yes: Hartshorn, Wilson, Rupe and Custer. No: none. Motion carried.**

Roland reviewed 1) Bridge maintenance concerns. The bridge on Elm Street was down to the rebar in some areas that Benes patched. The County has been contacted for an inspection. 2) Made it through the flooding with no troubles at the wwtp, but it was close. 3) D.O. Probe has had some issues and needs to be looked at. 4) An Environmental Quality Council meeting in Lincoln on April 3<sup>rd</sup> regarding NPDES permitting. Wilson will plan to attend with Roland. 5) Training at Crete will be attended by Roland and Wilson. 6) Recall on Brian's truck needs to be repaired. 7) Snow removal at 404 Beech (Jeremy Smith)

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was discussed. Lindgren reviewed that Smith had concerns of the snow being pushed back on his sidewalk after he scooped it. He is a disabled veteran. Discussion held. 8) Roland noted the snow plow was used to push snow off the sidewalk in some residential areas with the last snow, and the equipment took a beating this year. 9) Hartshorn reviewed a quote from ProSeal that keeps new asphalt like new. The Street Subcommittee is looking at this as a street project on newer poured asphalt on Main, Spruce and Beech for a total cost of \$12,257.28. 10) Clean Up day was scheduled for June 8<sup>th</sup>.

**Rupe left the meeting at 6:45 PM.**

Hartshorn reviewed the alley by the Legion. The Legion is asking to use the alley to have garbage picked up instead of on 1<sup>st</sup> Street. The Village does maintain the east portion of the alley next to the Village lot, but it is the responsibility of the other property owners to maintain their portion of the alley. The Legion will be sent a letter with the Board's approval to have garbage picked up in the alley again.

Anderson shared the Police Report. 1) Recall on the car will be repaired on Monday, March 25<sup>th</sup>. 2) A letter from a county resident was reviewed. Fire Chief Maxson was given a copy of the letter. 3) Municipalities will soon be required to carry a state wide radio. 4) Custer asked if the police are checking abandoned vehicles. 5) Anderson asked to send an officer to a conference in Kearney, in October. This will be added to next budget. 6) A regional fund for medical expenses is being reviewed.

There was no building inspector report, however a copy of the International Building Code 2006-2012 Significant Changes will be emailed to the Board members for review.

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

Claims were reviewed. Lindgren reviewed there were two invoices from Shaffer Communication in November and February for the same bill, so it was paid twice and the Rural Board had also paid a full invoice, instead of half. The February payment is being used for the new invoice in March. Shaffer Communication will refund the Village for the November invoice and then the Village will owe the Rural Board. **Hartshorn moved to approve the claims with the change of Shaffer Communication to \$54.00, and the additional claims presented at the meeting. Custer seconded. Voting Yes: Hartshorn, Custer and Wilson. No: None. Motion carried. The approved claims are as follows: AFLAC \$432.72/ins; Ameritas Life \$51.78/ins; Arbor Day Foundation \$25.00/prk; Blue Cross & Blue Shield \$2,812.09/health ins; Bromm, Lindahl, ET AL \$159.50/gen; Bomgaars \$23.90/st; Ceresco 60+ 58.50/reimbursement; Baker & Taylor \$175.18/lib; Barco \$137.36/st; Delta Dental \$228.65/ins; Electronic Engineering \$6.00/fire; FES \$500.00/gen; First Bankcard \$180.76/lib, st, prk; Frontier Coop \$3,321.75/fuel and propane; Iowa Pump Works \$1,799.93/sew; Jackson Services \$138.63/uniforms & mats; JEO \$893.75/wat/sew; Kliment Ag Repair \$152.95/st; Kriha Fluid Power \$112.07/st; Midwest Laboratories \$170.25/sew; Midwest Service and Sales \$390.95/st; Mt Godwin \$1,275.00/st; NMC \$608.96/st; OPPD \$5,214.02/electricity; Progressive Electric \$93.00/sew; ReTree Wahoo \$993.97/prk; Sam's Club \$209.94/lib; Sandy Tvrdy \$215.00/gen; Schwarz Paper \$178.76/gen; Shaffer Communications \$54.00/fire; Simons Home Store \$8.28/gen, sew, wat; Three Rivers Health Department \$30.00/fire; U.S. Post Office \$195.00/postage; USA Blue Book \$360.74/sew; Verizon Wireless \$202.13/phones; Wahoo/Waverly Adv \$127.17/gen; Wahoo Auto Parts \$19.79/st; Wahoo Metal Products \$51.00/st; Waste Connections \$5,217.51/trash; Windstream \$380.75/phones; J. Jones, LLC \$217.53/st; Nebraska Department of Revenue \$1,801.84/wat; Transfer from Sales Tax to General \$25,000.00; Payroll Liabilities: American Funds Investment \$538.62; Nebraska Department of Revenue \$624.99; United States Treasury \$4,439.14; Other Payroll Liabilities \$727.40; Payroll \$14,241.68**

Lynn Maxson reported for the Tree Board that 8 trees have been purchased. Delivery date is expected in May. Lowell may be able to purchase mulch at a reduced rate. A tree spade or auger will be needed to plant the trees. Fifty percent of the planting is included with the grant. Lynn Maxson asked that the Park Commissioner go to the park and review the area where the trees should be planted and also get an answer

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where the splash pad will be. Discussion held. Park Commissioner Custer will check with the Splash Pad Committee on the location they are considering. The tree north of the scout hall was discussed. Justin Maxson recommended waiting until the tree leafs out and then see if it has the Dutch elm disease.

Lindgren noted that the first treatment for the moles at the park was done. There will be three treatments. Thirty days after the third treatment is when the Village can decide to continue with the monthly treatments for \$80 a month. Hartshorn asked the Maintenance Subcommittee to review the mole treatments and make a recommendation for the additional treatments.

Appointing Cody Hall to the tree board was mentioned. Lowell hasn't contacted him yet.

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

There was no Fire Department Report.

Justin Maxson said the Fire Department Building Subcommittee hasn't met yet. Discussion held. There will be a tornado drill on Wednesday, March 27<sup>th</sup>. The new siren is on the schedule for installation, but we haven't been given a date yet. Justin Maxson requested \$12,000 from the MFO account to help fund a new utility truck the Rural Board is purchasing for \$185,000.

**Hartshorn moved to approve the disbursement of \$12,000 MFO Funds for the purchase of an equipment truck. Custer seconded. Voting Yes: Hartshorn, Custer and Wilson. No: none. Motion carried.**

Lindgren reviewed it is track season and the office may need to be closed at certain times.

Ordinance 2001-1 regarding development fees was discussed.

**Ordinance 2019-1 now comes on for second reading.** AN ORDINANCE OF THE VILLAGE OF CERESCO, SAUNDERS COUNTY, NEBRASKA, TO REPEAL ORDINANCE NO. 2001-1 PERTAINING TO DEVELOPMENT FEES TO BE ASSESSED NEW SUBDIVISION LOTS AND/OR EXISTING UNDEVELOPED LOTS FOR WHICH ONE OR MORE INFRASTRUCTURE OF THE VILLAGE OF CERESCO, NEBRASKA, IS NOT PRESENTLY SERVICING SAID LOTS; TO PROVIDE THAT THE CHAIR OF THE BOARD OF TRUSTEES AND THE APPROPRIATE DEPARTMENT, WHETHER ONE OR MORE, OF THE VILLAGE OF CERESCO, NEBRASKA, ARE AUTHORIZED AND DIRECTED 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; TO PROVIDE THAT THIS ORDINANCE SHALL BE PUBLISHED WITHIN THE FIRST FIFTEEN DAYS AFTER ITS PASSAGE AND APPROVAL EITHER IN PAMPHLET FORM OR BY POSTING IN THREE PUBLIC PLACES IN THE VILLAGE OF CERESCO, NEBRASKA, AND SHALL BE IN FULL FORCE AND TAKE EFFECT FROM AND AFTER ITS PASSAGE, APPROVAL AS PROVIDED BY LAW AND AS PROVIDED HEREIN; AND TO PROVIDE THAT THE PROVISIONS OF THIS ORDINANCE SHALL BE MADE A PART OF THE SUBDIVISION REGULATIONS OF THE VILLAGE OF CERESCO, NEBRASKA, IF NECESSARY.

**WHEREUPON, Board Member Wilson moved that said Ordinance 2019-1 be approved upon its second reading and its title agreed to. Board Member Custer seconded this motion.**

**The Chair Pro Tempore 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: Wilson, Custer and Hartshorn. Nays: none.**

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**WHEREUPON, the Chair Pro Tempore declared said Ordinance 2019-1 be approved on its second reading and its title agreed to and that the third reading of Ordinance 2019-1 be on the next Agenda of a meeting of the Board of Trustees.**

Jay Spearman with Ameritas was present to review the 2014 bonds, which come callable June 24, 2019. He gave Lindgren a disclosure document that states he is giving information as an underwriter, which is standard language and doesn't obligate the Village to do anything. The Village has the option to refinance. Spearman suggests refinancing the 2023 through 2028 bonds, which as of today, would save the Village \$22,143.25 or 2.549%. If the Board does the refinancing before June 24<sup>th</sup>, there will need to be a trustee to hold the money for less than 30 days at a fee of \$250-\$500. If the Board waits past the call date, they'll have to expect interest rates to go down in order to achieve additional savings. Every 1/10<sup>th</sup> of a percent of movement in the market equals \$5,800. So if the market goes down 1/10<sup>th</sup> of a percent there will be an additional \$5,800 in savings. If the market goes up 1/10<sup>th</sup> of a percent there will be \$5,800 less in savings. If the Board decides to move forward, May 15<sup>th</sup> would be the expected close date. Spearman would put the paper work together and prepare a Parameter Resolution/Ordinance for the refinancing of the bonds. The Board can set the amount of savings, and once the amount of savings can be met, the refinancing can move forward.

Lindgren questioned the bond process for potential development. Spearman noted bonds for water projects can be bonded on engineer estimates. For streets and sewer, interim financing is required until you have substantial completion, and then it goes to permanent financing. It could be 18-36 months for the permanent financing of a development. Permanent financing can be added to a new bond during refinancing.

Spearman noted there are no expenses to the Village unless the bonds are actually issued. Spearman recommends a savings of at least \$20,000 to \$25,000 to refinance. The Parameter Resolution/Ordinance will be good for 6 months. Arnie Lowell will be contacted for his opinion on the refinancing.

A letter from the Lower Platte South NRD regarding Hazard Mitigation was reviewed. Dan Feuerbach with JEO would like to have a separate meeting with the chairman, street commissioner, fire chief, streets worker, clerk/zoning administrator and police chief. Discussion held. Lynn Dittmer noted the plan assessment is required for FEMA funding. Hartshorn requested a special meeting with the whole board.

**Hartshorn moved to open the public hearing to adopt the 2018 Ceresco Zoning Ordinances and Subdivision Regulations and the 2018 Ceresco Zoning Map at 8:01 PM. Wilson seconded. Voting Yes: Hartshorn, Wilson and Custer. No: none. Motion carried.**

Lynn Dittmer of JEO noted the Zoning Ordinances, Subdivision Regulations and Zoning Map are being updated for issues that are being seen in the region and specific issues in the Village.

Changes from Marcia Kinning, Jim Hunter's engineer, were reviewed and confirmed they were all made.

Fence regulations and permits were discussed. Jeff Ray will be contacted for his recommendation.

Accessory buildings, portable structures and outdoor storage was discussed. Jeff Ray will be contacted for his recommendation.

The zoning map was reviewed. Permitting farm land in R-2 was discussed.

Landscaping for new development was discussed.

Language for unlicensed and inoperable vehicles and equipment (7.12.01) was discussed.

There were no public comments.

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**Hartshorn moved to close the Public Hearing at 8:45 PM. Wilson seconded. Voting Yes: Hartshorn, Wilson and Custer. No: none. Motion carried.**

No action was taken on the Ordinances.

**Custer moved to approve the street closing on Elm Street from 1<sup>st</sup> to 109 Elm on Friday, July 12<sup>th</sup> from 3:00 PM to 1:00 AM, and Saturday, July 13<sup>th</sup> from noon to 1:00 AM for the beer garden and street dance. Wilson seconded. Hartshorn asked if the street should be closed until 2 AM. Discussion held. Voting Yes: none. No: Custer, Wilson and Hartshorn. Motion failed.**

**Hartshorn moved to close the streets for Ceresco Days on Elm from 1<sup>st</sup> through 109 Elm on Friday, July 12<sup>th</sup> from 3:00 PM through 2:00 AM, and Saturday, July 13<sup>th</sup> from noon through 2:00 AM. Custer seconded. Voting Yes: Hartshorn, Custer and Wilson. No: none. Motion carried.**

Consideration for an engineer to handle development and/or special projects was discussed. Lindgren reviewed the attorney suggests since the Village doesn't have an engineer on a retainer, the Village needs to look at hiring an engineer for development and/or special projects. The Board agreed to get several bids for development from Olsson Associates, JEO, and Kirkham Michael.

A Special Meeting will be scheduled for the master fee schedule.

**Wilson moved to adjourn at 8:58 PM. Custer seconded. Voting Yes: Wilson, Custer and Hartshorn. No: none. Motion carried.**

Tim Hartshorn, Chairman Pro Tempore  
Joan Lindgren, Clerk