

VILLAGE BOARD OF TRUSTEES
REGULAR MEETING
JULY 18, 2017

Nelson called the meeting to order at 6:00 PM. Board members had been given the agenda and supporting documents. Notices were posted at the Village Office, Ceresco Post Office and CerescoBank. Nelson pointed out the Open Meeting Law Act posted on the wall of the Board Chambers. Answering roll call: Nelson, Hartshorn, Custer and Sklenar. Absent: Peterson. Also present: PJ Hass, Bill Pospichal, Kyle Sabatka, Lynn Maxson, Dave Burklund, Brian Roland, Steve Anderson and Joan Lindgren.

Hartshorn moved to approve the June 20, 2017 minutes as presented. Nelson seconded. Voting Yes: Hartshorn, Nelson, Custer and Sklenar. No: none. Motion carried.

Bill Pospichal of Outdoor Recreation Products was present with PJ Hass to review plans for the splash pad. A quotation for the individual spray equipment was presented for \$47,977.00. Costs for the underground tank and irrigation system will need to be requested. Outdoor Recreation Products will be responsible for the concrete, excavation, restoration, plumbing and electrical. Pospichal suggested a 2,500-3,000 gallon holding tank, or larger. A preprogrammed controller with a push button runs the equipment. A two inch water line will handle 60 gallons per minute. Two-thirds or even a half of the spray equipment can be used at one time to conserve water. There will be a four minute cycle running in 15 minute increments, which is activated with a push button. The time clock can be set by day of week, day of month and time of day. It is expected the pad will use 750,000-800,000 gallons of water a month. The Village as a whole can use 150,000 gallons of water a day. Village maintenance is expected to have eight to ten hours of work for the whole season. The water lines are PVC and the manifold is made of 3" black steel. A pressure reducer will not be needed and a back flow preventer will be installed. Pospichal noted the insurance should be covered under the umbrella policy for recreation facilities in the community. An engineer will be needed if there are changing characteristics of the water or sewer system, or if grant money is received from Land & Water Conservation or Game & Parks.

The Post Office alley was discussed. Kyle Sabatka was present and noted that the alley should be a street considering how much it is used. Making the alley a street will be checked in to.

Keno was discussed. The County Clerk was contacted and a Special Election will cost between \$3,000 and \$4,000. **Hartshorn moved to put the keno consideration on the ballot for the regular Primary in May 2018, unless Dan Jackson wants to pay for the cost to have it beforehand, which would be a Special Election. Custer seconded. Voting Yes: Hartshorn, Custer, Sklenar and Nelson. No: none. Motion carried.**

Bids for a shop restroom were reviewed. A lift station is needed. The Board requested an official bid from G & G Backhoe.

Employee evaluations were set for Monday, August 14th. The Budget Workshop was scheduled for Monday, August 21st. Peterson will be contacted regarding the dates.

Roland reviewed crack sealing and issues with some streets. Discussion held. An estimate from Fast Freddy's for replacing meters was reviewed. Twenty meters are needed to charge \$28.50 a meter. Roland will work on getting the needed meters and the list of twenty residents.

Hartshorn moved to enter executive session for purpose of personnel discussion with Roland. Nelson seconded. Voting Yes: Hartshorn, Nelson, Custer and Sklenar. No: none. Motion carried. The Board and Roland entered executive session at 7:22 PM for the purpose of personnel discussion.

Nelson resumed regular session at 7:39 PM.

Nelson moved to offer a position to Chase Herrick for up to 30 hours a week, and also offer Ethan Anderson an on-call status position. Custer seconded. Voting Yes: Hartshorn, Custer, Sklenar and Hartshorn. No: none. Motion carried.

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Burning in the spring along the creek at the park, instead of renting an extended arm was discussed. Roland reviewed recent quarterly sewer jetting.

Anderson shared the Police report. **Hartshorn moved to approve the Police report as presented. Nelson seconded. Voting Yes: Hartshorn, Nelson, Custer and Sklenar. No: none. Motion carried.**

Building Inspector, Dave Burklund, was present to review building permit processes. Nelson requested monthly Building Inspector Reports for meetings. Discussion held.

Construction of a sidewalk for 405 N Archie was discussed. Jerry Otto recently purchased the property. A building inspection report from June 13, 2011 notes that installation of sidewalks will not be required at this time for occupancy, but will be at a time to be determined by the Village Board of Trustees.

Burklund requested that his personal phone number not be listed on the building permits. Burklund will carry the office cell phone.

A dangerous building at 112 W Edwin was discussed. The Village's attorney will be contacted regarding the property.

Tammy Buffington was present from A Plus Brokerage to review health insurance for the employees. The current plan with Blue Cross Blue Shield is the best option, but may not be available after this year. Discussion held. **Hartshorn moved to continue with the Blue Cross Blue Shield employee health insurance plan that we currently have. Nelson seconded. Voting Yes: Hartshorn, Nelson, Custer and Sklenar. No: none. Motion carried.**

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

Claims were reviewed. **Hartshorn moved to approve the monthly claims as presented. Nelson seconded. Voting Yes: Hartshorn, Nelson, Custer and Sklenar. No: None. Motion carried.** The approved claims are as follows: A-Team Pest Control \$60.00/pest control; Al's Johns \$96.00/porta potty; Ameritas Life \$41.61/ins; Aqua-Chem \$284.70/wat; Biblionix \$900.00/lib; Blue Cross & Blue Shield \$2,112.05/health ins; Carmel Most \$19.96/lib supplies; Ceresco 60+ \$151.50/reimbursement; Cummins \$464.56/sew generator; Baker & Taylor \$77.73/lib; Bomgaars \$181.01/st, prk; Delta Dental \$194.00/ins; FES \$350.00/website; First Bankcard \$99.95/prk; Frontier Coop \$582.00/fuel; GFG Agriproducts/\$84.00/park; Iowa Pump Works \$1,679.18/sew blower; Jackson Services \$126.58/uniforms & mats; Joan Lindgren \$130.00/st supply; John Henry's Plumbing \$514.50/sew shop; Kriha Fluid Power \$42.85/st; Midwest Labs \$24.48/sew tests; One Call Concepts \$45.30/wat/sew; Otte Oil \$301.60/sew, gen; Prague Insurance \$147.00/st; Sam's Club \$446.37/lib, pol; Sandy Tvrdy \$215.00/janitor; U.S. Post Office \$185.00/postage; USA Blue Book \$90.90/sew; Verizon \$138.64/phones; Wahoo Auto Parts \$59.70/st; Wahoo Newspaper \$194.39/gen; Windstream \$378.15/phones; NDEQ \$150.00/sew; Helena Chemical \$45.00/st; Menards \$196.02/st, gen; Waste Connection \$4,437.53/gar; Raymond Central Schools \$705.00/licenses; Olsson Associates \$38.50/st; OPPD \$4,804.84/electricity; NE Dept of Revenue \$1,410.32/sales tax; Payroll Liabilities: AFLAC \$469.68; American Funds Investment \$720.50; Other Payroll Liabilities \$727.40; Payroll \$16,348.60

Lynn Maxson was present from the Tree Board to review that one of the new trees is showing declining health. Providing Emerald Ash Borer information to residents was discussed. Maxson was asked to prepare a budget request for 2017-2018.

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

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PJ Hass was present from the Fire Department to review Ceresco Days, and recent purchases of an e-tool and new tanker fire truck. **Hartshorn moved to approve the Fire Department Report as presented. Custer seconded. Voting Yes: Hartshorn, Custer, Sklenar and Nelson. No: none. Motion carried.**

Hass also reviewed the new "I am responding" app the Fire Department is using. Saunders County received a grant to cover the cost.

Nelson moved to extend the meeting 15 minutes. Hartshorn seconded. Voting Yes: Nelson, Hartshorn and Custer. No: Sklenar. Motion carried.

Hartshorn reviewed the following streets: 1) 4th & Beech, which is completed, 2) 1st & Pine and west Pine, which need to be repaired. The maintenance department will be asked to repair the streets.

Nelson reviewed the need for a sidewalk across the ballfield driveway. Nelson will review the sidewalk construction with the maintenance department.

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

Ordinance 2017-3 was introduced by Chairman Nelson and is set forth in full as follows, to wit:

AN ORDINANCE OF THE VILLAGE OF CERESCO, SAUNDERS COUNTY, NEBRASKA, TO AMEND ORDINANCE NO. 2001-12, KNOWN, REFERRED TO, AND CITED AS THE SUBDIVISION REGULATIONS OF CERESCO, NEBRASKA, BY AMENDING SECTION 3.09 ADMINISTRATIVE SUBDIVISIONS AND ALL SUBSECTIONS AND SUBPARAGRAPHS THEREOF, IN THEIR ENTIRETY; TO PROVIDE THAT THE CHAIR AND THE APPROPRIATE DEPARTMENT, WHETHER ONE OR MORE, OF THE VILLAGE OF CERESCO, NEBRASKA, ARE HEREBY 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 15 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, AND PUBLICATION, AS PROVIDED HEREIN; AND TO PROVIDE THAT THIS ORDINANCE SHALL BECOME AND BE MADE A PART OF THE MUNICIPAL CODE OF THE VILLAGE OF CERESCO, NEBRASKA, AND THE SECTIONS OF THIS ORDINANCE MAY BE RENUMBERED TO ACCOMPLISH SUCH INTENTION, AND TO PROVIDE THAT THIS ORDINANCE SHALL BECOME AND BE MADE A PART OF THE SUBDIVISION REGULATIONS OF THE VILLAGE OF CERESCO, NEBRASKA AND THE SECTIONS OF THIS ORDINANCE MAY BE RENUMBERED TO ACCOMPLISH SUCH INTENTION.

WHEREAS, Ordinance No. 2001-12 is known, referred to, and cited as The Subdivision Regulations of Ceresco, Nebraska, and,

WHEREAS, the Chair and Board of Trustees of the Village of Ceresco, Nebraska, deem it in the best interests of the citizens of the Village of Ceresco, Nebraska, that Section 3.09 thereof, known as Administrative Subdivisions, be amended, and,

WHEREAS, the Planning Commission of the Village of Ceresco, Nebraska, has held a public hearing upon said Amendment and has made a recommendation to the Chair and Board of Trustees of the Village of Ceresco, Nebraska,

NOW, THEREFORE, BE IT ORDAINED BY THE CHAIR AND BOARD OF TRUSTEES OF THE VILLAGE OF CERESCO, NEBRASKA, AS FOLLOWS:

Section 1. That the findings herein and above made should be and are hereby made a part of this Ordinance as fully as if set out at length herein.

Section 2. That Section 3.09 Administrative Subdivisions of the Subdivision Regulations of the Village of Ceresco, Nebraska, be amended.

Section 3. That Ordinance No. 2001-12, known, referred to, and cited as the Subdivision Regulations of the Village of Ceresco, Nebraska, be further amended by amending Section 3.09, and subsections thereof, known as Administrative Subdivisions, said Section 3.09 to read as follows:

Section 3.09 Administrative Subdivisions

3.09.01 General: The Administrative Subdivision procedure may be used to:

- a. adjust an interior lot line (Administrative Lot Line Adjustment);
- b. combine two or more lots without replatting said lot (Administrative Platting or Lot Consolidation);
- c. divide a farmstead from the remaining farm real estate (Farmstead Subdivision);
or
- d. create a new lot or lots in an unplatted area (Small Subdivision);

upon meeting the following conditions:

1. In the case of an Administrative Lot Line Adjustment:
 - a. The lots involved must be designated within the same zoning district and the proposed adjustment will not create or result in a violation of the zoning ordinance.
 - b. The lots involved must be existing platted lots.
 - c. The adjustment alters lot lines of no more than four lots without creating additional lots.
 - d. The lots involved in the Administrative Lot Line Adjustment procedure shall not again be adjusted pursuant to this Administrative Subdivisions Procedure.
2. In the case of an Administrative Platting or Lot Consolidation:
 - a. The lots involved must be designated within the same zoning district and the proposed platting or lot consolidation will not create or result in a violation of the zoning ordinance.
 - b. The lots involved must be existing platted lots.
 - c. The lots must be under unified ownership.
 - d. The proposed platting creates no more than four lots, or the proposed consolidation consolidates no more than four lots into a lesser number of lots.

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- e. Each lot resulting from the Administrative Platting or Lot Consolidation Procedure will conform fully to all requirements of the zoning district in which said lots are located and each lot shall be developable according to the site development regulations of the zoning ordinance.
 - f. The lot or lots involved with the Administrative Platting or Lot Consolidation Procedure shall not again be adjusted pursuant to this Administrative Subdivisions procedure.
3. In the case of a Farmstead Subdivision:
- a. The farmstead parcel created must not be less than 2 acres in area excluding any adjacent road right-of-way;
 - b. That there shall be located on the Farmstead parcel an existing residential structure;
 - c. Prior to approval, the Farmstead parcel shall be rezoned to a residential zoning district;
 - d. The resulting Farmstead Subdivision is served by existing utilities and does not require the extension of streets, utilities, or public improvements.
 - e. The Farmstead parcel in the Farmstead Subdivision Procedure shall not again be adjusted pursuant to this Administrative Subdivisions Procedure.
4. In the case of a Small Subdivision:
- a. All of the unplatted area must be within the same zoning district.
 - b. The proposed platting will not create or result in a violation of the zoning ordinance.
 - c. The lots must be under unified ownership;
 - d. The proposed platting creates no more than four lots;
 - e. The resulting subdivision is served by existing utilities and does not require the extension of streets, utilities, or public improvements.
 - f. The Small Subdivision procedure shall not again be adjusted pursuant to this Administrative Subdivisions Procedure.

3.09.02 Application: the owner of the land shall make Requests for Administrative Subdivision approval to the Village Clerk. Two copies of a scale drawing with a required minimum scale of 1 inch=100 feet of the area involved and the locations of any structures thereon prepared by a Licensed Surveyor or registered Professional Engineer shall accompany the application. The application documents must include the following information: name and address of the owner and the applicant; name, signature, license number, seal and address of engineer, land surveyor, architect, planner, and/or landscape architect, as applicable, involved in the preparation of the plat; title block, denoting type of application, tax map sheet, legal description, and general location; key map, showing location with reference to surrounding property, streets with current street names, city limits, and other features within a ¼ mile of the subdivision boundary; north arrow, date, and graphic scale; proof that taxes are current; signature block for Administrative Official; appropriate certification blocks; monumentation; acreage of tract; date of original and all revisions; location, dimensions and names of existing streets; all proposed lot lines, lot dimensions, and lot area in square feet; existing and proposed easements or land reserved for or dedicated for public use; all existing water courses, floodplains, wetlands, habitat areas within 200 feet; existing ROW's and easements within 200 feet; existing site drainage system; and new block and lot numbers. The application shall be accompanied by a list of the names and addresses of all persons who own property within 300 feet of the property to be subdivided. Written notices shall be given to all such owners by the subdivider. Such owners shall have ten days from the date of notification to notify the Village Clerk of any protests they might have concerning the subdivision. The ten-day waiting period may be waived upon submission in writing of statements from those notified that

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they have no objection to the proposed subdivision. The fee set by the governing body shall accompany the application.

3.09.03 Approval Procedure: Following submission, the Zoning Administrator shall review each application based on the following guidelines to determine approval or disapproval:

1. Consistency with the Comprehensive Plan of the Village of Ceresco.
2. Potential adverse environmental effects or effects on neighboring properties.
3. No Administrative Plat shall be approved if:
 - a. A new street or alley is needed or proposed.
 - b. Vacations of streets, alleys, setback lines, access control or easements are required or proposed.
 - c. If such action will result in significant increases in service requirements, e.g., utilities, schools, traffic control, streets, etc.; or will interfere with maintaining existing service levels, e.g., additional curb cuts, repaving, etc.
 - d. There is less street right of way than required by these regulations or the comprehensive plan unless such dedication can be made by separate instrument.
 - e. All easement requirements have not been satisfied.
 - f. If such plat will result in a tract without direct access to a street.
 - g. A substandard size lot or parcel will be created.
 - h. If any of the lots have been previously platted in accordance with these regulations.

3.09.04 No administrative subdivisions shall be approved unless all required public improvements have been installed, no new dedication of public right of way or easements is involved, and such subdivision complies with ordinance requirements concerning minimum areas and dimensions of such lots.

3.09.05 The Zoning Administrator may make recommendations as deemed necessary to carry out the intent and purpose of existing land development regulations and retains the right to disapprove or not act on the Administrative Subdivision Application. In the event of such action, the application may proceed through the replat/small tract subdivision or preliminary and final plat process.

3.09.06 The Zoning Administrator shall, in writing, either approve, with or without conditions, or disapprove the Administrative Plat within thirty days of the application. The Zoning Administrator shall sign and furnish a certificate of approval to be affixed to the Administrative Plat. The subdivider must file the plat and certificate of approval with the Register of Deeds. If the property owner does not file the approved Plat within 90 days of approval, such approval shall be null and void. The Zoning Administrator shall keep a complete and accurate record of all administrative subdivision approvals.

Section 4. That the Chair and the appropriate Department, whether one or more, of the Village of Ceresco, Nebraska, are hereby authorized and directed to implement this Ordinance.

Section 5. That all Ordinances and parts of Ordinances passed and approved prior to the passage, approval, and publication of this Ordinance, in conflict herewith, are hereby repealed.

Section 6. That should any section, paragraph, sentence of this Ordinance hereby adopted be declared for any reason be invalid, it is the intent of the Chair and Board of Trustees of the Village of Ceresco, Nebraska, that it would have passed all other portions of this Ordinance independent of the elimination here from of any such portion as may be declared invalid.

Section 7. That this Ordinance shall be published within the first 15 days after its passage and

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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 on the 15th day from and after its passage, approval, and publication, as provided herein.

Section 8. That it is the intention of the Chair and Board of Trustees of the Village of Ceresco, Nebraska, and it is hereby ordained that the provisions of this Ordinance shall amend the Subdivision Regulations of the Village of Ceresco, Nebraska, and the sections of this Ordinance may be renumbered to accomplish such intention.

WHEREUPON, Board Member Hartshorn moved that said Ordinance 2017-3 be approved on its first reading and its title agreed to. Board Member Sklenar seconded this motion. Yeas: Hartshorn, Sklenar, Custer and Nelson. Nays: none.

WHEREUPON, the Chair declared said Ordinance 2017-3 be approved on its first reading and its title agreed to and that the second reading of Ordinance 2017-3 be on the next Agenda of a meeting of the Board of Trustees.

The Downtown Parking Permit for Sid Dillon was reviewed. **Nelson moved to approve the dealership parking permit for Sid Dillon. Custer seconded. Voting Yes: Nelson, Custer, Sklenar and Hartshorn. No: none. Motion carried.**

Hartshorn moved to approve the proposal by Erickson & Brooks for the 2017-2018 budget. Nelson seconded. Voting Yes: Hartshorn, Nelson, Custer and Sklenar. No: none. Motion carried.

MAPA was mentioned and no action taken.

Nelson moved to extend the meeting by 3 minutes. Custer seconded. Voting Yes: Nelson, Custer and Sklenar. No: Hartshorn. Motion carried.

Nelson reviewed options for the compost site, applying for a grant for a wood chipper, or hiring a company to chip.

Hartshorn moved to adjourn at 9:21 PM. Nelson seconded. Voting Yes: Hartshorn, Nelson, Custer and Sklenar. No: none. Motion carried.

Spencer Nelson, Chairman
Joan Lindgren, Clerk