

VILLAGE BOARD OF TRUSTEES
PUBLIC HEARING/REGULAR MEETING
AUGUST 21, 2018

Chairman Nelson 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. Nelson pointed out the Open Meeting Law Act posted on the wall in the Board Chambers. Nelson also noted that each agenda item is kept to 15 minutes or less. Answering roll call: Nelson, Peterson, Custer and Sklenar. Absent: Hartshorn. Also present: Brian Roland, Steve Anderson and Joan Lindgren.

Peterson moved to approve the meeting minutes for July 17, 2018 as presented. Sklenar seconded. Voting Yes: Peterson, Sklenar, Custer and Nelson. No: none. Motion carried.

Sklenar moved to accept the minutes as read for the July 30, 2018 meeting. Peterson seconded. Voting Yes: Sklenar, Peterson, Custer and Nelson. No: none. Motion carried.

A letter from Dale Coleman regarding the parking of the Catholic Social Services trailer was reviewed. Discussion held. The Board agreed the trailer can be parked on the north side of Scout Hall.

A bid from Unite was reviewed. No action taken.

Sidewalk repairs were discussed. Ethan Anderson will be asked to walk the town and document sidewalks in need of repair.

Roland reviewed 1) Work and daily task issues. 2) SUEZ well maintenance. 3) Sewer plant. 4) Maintenance list from the office.

Anderson shared the Police Report and reviewed: 1) Police car repairs. 2) Tall grass. 3) Unlicensed and junk vehicles. 4) Rear deck lights for car. 5) Highway 77 traffic. The State Patrol will be contacted.

The building inspector report was reviewed. Discussion held regarding the request from Kay Peterson.

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

Claims were reviewed. An additional claim to Momar for wwtp degreaser in the amount of \$769.56 was presented. Peterson moved to approve the claims as presented, with the addition of Momar in the amount of \$769.56. Sklenar seconded. Voting Yes: Peterson, Sklenar, Custer and Nelson. No: None. Motion carried. The approved claims are as follows: A-Team Pest Control \$60.00/pest control; AFLAC \$432.72/insurance; Ameritas Life \$51.78/ins; Aqua-Chem \$159.45/wat; Blue Cross & Blue Shield \$2,812.09/health ins; Bobcat of Omaha \$2,800.00/st, wat, sew; Cash \$87.82/st, gen, sew, pol; Ceresco 60+ \$111.00/gen; Ceresco Days Association \$500/prk; Cummins Sales and Service \$471.53/sew; Baker & Taylor \$111.05/lib; Barnes & Noble \$60.69/lib; Bomgaars \$392.28/gen, lib, prk, st, sew; Delta Dental \$228.65/insurance; Dennis Johnson Trucking \$200.00/st; FES \$475.00/gen; First Bankcard \$66.99/lib; Frontier Coop \$873.60/fuel; GFG Agriproducts \$269.70/prk, gen, sew, wat, st; Greg's Gutter Works \$250/lib; Jackson Services \$137.01/uniforms and mats; Kriha Fluid Power \$48.84/st; League of NE Municipalities \$1974.00/gen;; Menards \$447.66/st, prk, wat; Midwest Laboratories \$183.53/sew; Municipal Supply of Nebraska \$2,347.58/wat; Municipal Supply of Omaha \$70.00/wat; Nebraska Assigned Risk Pool \$1,414.00/fire; Nebraska Public Health Environmental Lab \$756.00/wat; NMC Exchange \$97.26/st; OPPD \$5,255.29/electricity; Prague Insurance \$59.00/st; Raymond Central Public Schools \$650.00/gen; Sam's Club \$287.28/lib, compost, prk; Sandry Fire Supply \$1,490.75/fire; Sandy Tvrdy \$215.00/janitor; Saunders County Mutual Aid \$40.00/fire; Sid Dillon \$376.20/pol; Simons Home Store \$58.24/gen, st, sew; Southeast Community College \$758.40/fire; U.S. Post Office \$360.00/postage; USA Blue Book \$134.02/sew; Utility Service Co \$3,213.90/wat; Verizon \$188.67/phones; Wahoo/Waverly Adv \$181.85/gen; Wahoo Auto Parts \$131.75/pol; Wahoo Metal \$264.70/st; Waste Connections \$4,886.08/gar; Windstream \$381.14/phones; Zee Medical \$31.20/st, gen; Momar \$769.56/sew; Nebraska Dept of Revenue \$2,987.35/sales tax; Payroll Claims: American Funds Investment \$527.88; Nebraska

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Dept of Labor \$95.46; Nebraska Dept of Revenue \$864.26; United States Treasury \$6,721.04; Other Payroll Liabilities \$1,091.10; Payroll \$23,857.84

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

Nelson moved to approve the Fire Department minutes as presented. Peterson seconded. Voting Yes: Nelson, Peterson, Custer and Sklenar. No: none. Motion carried.

Park & Rec Policies were discussed, including 1) Requiring shelter reservations. 2) A reservation calendar for shelter and ballfield use. 3) Refundable cleaning deposit. 4) Pet owners cleaning up after their dog.

Nelson reviewed that he met with OPPD for the addition of a new light pole for a security camera. The bid for the light pole is \$1,200, which includes overhead wiring. To bore the wires underground, which OPPD recommends, would be an additional \$1,100. Nelson will provide additional information next month.

Rewiring the Village Office was mentioned and will be addressed if problems arise.

The Clerk reviewed the office may be closed early on days that there are both a softball game and cross country meet.

The budget meeting scheduled for August 27th was changed to September 4th at 5:30 PM.

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

**Ordinance 2018-4 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 CHAPTER 7, ARTICLE 5 OF THE MUNICIPAL CODE OF THE VILLAGE OF CERESCO, NEBRASKA, AND SPECIFICALLY, SECTION 7-508: BURNING AND COMPOSTING SITE; FEE, BY MAKING AN EXCEPTION TO PERMIT RURAL WATER USERS WHO ARE NOT INHABITANTS OF THE VILLAGE TO USE THE BURNING AND COMPOSTING SITE AND SHALL BE ADDED ONTO THE STATEMENTS OF ALL VILLAGE WATER CONSUMERS, AS A SURCHARGE. FOR AN AMOUNT AS SET BY THE VILLAGE BOARD AND FILED IN THE OFFICE OF THE VILLAGE CLERK.**

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

SECTION 1: That Chapter 7, Article 5, Section 7-508 of the Municipal Code of the Village of Ceresco, Nebraska, be and hereby are amended to read as follows:

SECTION 7-508: BURNING AND COMPOSTING SITE; FEE

- A. To provide a fee for the management and operation of the site utilized by all water users ~~inhabitants~~ of the village, and rural water users of the village for the burning of brush, tree limbs, and other wood-related products and for the composting of vegetative material, there shall be added onto the statements of all village water consumers, as a surcharge, an amount as set by the Village Board and filed in the office of the village clerk. Said surcharge shall be collected pursuant to applicable ordinances of the village.
- B. The surcharge to be paid by rural water users of the village shall be 120% of the surcharge established from time to time for all water users of the village.

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BC. Pursuant to Neb. Rev. Stat. §17-540 and 17-609, the village clerk is directed to transfer said monies raised by said surcharge pursuant to this section to the general fund of the village for the maintenance and operation of said aforementioned site.

SECTION 2: All ordinances or parts of ordinances in conflict herewith be and the same are repealed.

SECTION 3: This ordinance shall be effective from and after its passage, approval and publication as required by law.

WHEREUPON, Chairman Nelson moved that said Ordinance 2018-4 be approved on its first reading and its title agreed to. Board Member Custer seconded this motion. Yeas: Nelson, Custer, Sklenar and Peterson.

Nays: none.

WHEREUPON, the Chair declared said Ordinance 2018-4 approved on its first reading and its title agreed to and that the second reading of Ordinance 2018-4 be on the next Agenda of a meeting of the Board of Trustees.

**Ordinance 2018-5 was introduced by Chairman Nelson and is set forth in full as follows, to wit:
AN ORDINANCE OF THE VILLAGE OF CERESCO, NEBRASKA, PROVIDING FOR OPERATION OF GOLF CARTS IN THE VILLAGE, REPEALING ALL PRIOR ORDINANCES OR PARTS IN CONFLICT, AND PROVIDING AN EFFECTIVE DATE.**

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

SECTION 1. That the following provisions be and hereby are enacted to allow operation of golf carts in the Village, defined as “golf car vehicles” when operated off a golf course:

GOLF CAR VEHICLES; DEFINITIONS

A. “Golf car vehicle” (GCV) means a vehicle that (1) has at least four wheels, (2) has a maximum level ground speed of less than 20 miles per hour, (3) has a maximum payload capacity of 1,200 pounds, (4) has a maximum gross vehicle weight of 2,500 pounds, (5) has a maximum passenger capacity of not more than four persons, (6) is designed and manufactured for operation on a golf course for sporting and recreational purposes, and (7) is not being operated within the boundaries of a golf course. (Neb. Rev. Stat. §60-622.01)

B. “Road” means a public way for the purposes of vehicular travel, including the entire area within the right of way. (Neb. Rev. Stat. §60-6,381)

C. “Street” means a public way for the purposes of vehicular travel in the village and includes the entire area within the right of way. (Neb. Rev. Stat. §60-6,381)

GOLF CAR VEHICLES; operation

A. A GCV may be operated on streets within the corporate limits of the village only if the operator and the vehicle comply with the provisions of this section.

The owner shall:

1. Have liability insurance coverage for the GCV as follows: \$25,000.00 because of bodily injury to or death of one person in any one accident and, subject to such limit for one person, \$50,000.00 because of bodily injury to or death of two or more persons in any one accident

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and \$25,000.00 because of injury to or destruction of property of others in any one accident.

2. Have a slow moving vehicle sign properly attached to the rear of the vehicle, or a bicycle safety flag which extends not less than 5 feet above ground attached to the rear of such vehicle. The bicycle safety flag shall be triangular in shape with an area of not less than 30 square inches and shall be Day-Glo in color.

B. Any person operating a GCV as authorized herein shall have a valid Class O operator's license. A GCV may be operated on the streets

(1) between sunrise and sunset and (2) on streets with a posted speed limit of 25 miles per hour or less. When operating a GCV as authorized under this subsection, the operator shall not operate such vehicle at a speed in excess of 20 miles per hour.

C. A GCV shall not be operated at any time on any state or federal highway, but may be operated upon such highway in order to cross a portion of the highway system which intersects a road. The crossing of a highway shall be permitted by a GCV only if:

(1) The crossing is made at an angle of approximately ninety degrees to the direction of the highway and at a place where no obstruction prevents a quick and safe crossing;

(2) The golf car vehicle is brought to a complete stop before crossing the shoulder or roadway of the highway;

(3) The operator yields the right-of-way to all oncoming traffic that constitutes an immediate potential hazard; and

(4) In crossing a divided highway, the crossing is made only at an intersection of such highway with a street or road, as applicable.

GOLF CAR VEHICLES; ACCIDENT REPORT

If an accident results in the death of any person or in the injury of any person requiring treatment by a physician, the operator of such GCV involved in the accident shall give notice of the accident in the same manner as provided in Neb. Rev. Stat. §60-699.

SECTION 2. That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3. This ordinance shall take effect and be in force from and after its passage, approval and publication according to law.

Discussion held on the speed limit on Main Street between Precinct Road and 5th Avenue.

WHEREUPON, Chairman Nelson moved that said Ordinance 2018-5 be approved on its first reading and its title agreed to. Board Member Peterson seconded this motion. Yeas: Nelson, Peterson, Custer and Sklenar. Nays: none.

WHEREUPON, the Chair declared said Ordinance 2018-5 approved on its first reading and its title agreed to and that the second reading of Ordinance 2018-5 be on the next Agenda of a meeting of the Board of Trustees.

Ordinance 2018-6 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 CHAPTER 4, VEHICLES AND TRAFFIC, AND IN PARTICULAR, ARTICLE 2 PARKING, SECTION 4-225, PROHIBITED PARKING, SUBPARAGRAPH A. BY ADDING THERETO THAT THERE SHALL BE NO VEHICULAR PARKING ON MAIN STREET, ON BOTH SIDES, FROM U. S. HIGHWAY 77 TO PRECINCT ROAD; 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

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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 MUNICIPAL CODE OF THE VILLAGE OF CERESCO, NEBRASKA.

WHEREAS, Section 4-225 A of the Municipal Code of the Village of Ceresco, Nebraska, sets forth the streets on which vehicular parking is prohibited, and,

WHEREAS, the Board of Trustees of the Village of Ceresco, Nebraska, desire to add Main Street, on both sides, from Precinct Road to U. S. Highway 77, to the areas listed therein, and,

WHEREAS, the Board of Trustees of the Village of Ceresco, Nebraska, deem the creation of said area for the prohibiting of parking of vehicles is in the best interest of the citizens of Ceresco, Nebraska,

NOW, THEREFORE, BE IT ORDAINED BY THE 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 Article 2 – Parking of Chapter 4 – Vehicles and Traffic, and in particular, Section 4-225: Prohibited Parking, subsection A be amended by the addition thereto of paragraph 16 to read as follow:

SECTION 4-225: PROHIBITED PARKING

A. No person shall park a motor vehicle on the traveled portion of the following streets of the village at any time, to wit:

16. The north and south sides of Main Street from U. S. Highway 77 to Precinct Road.

Section 3. 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 4. 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 5. 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 6. That this Ordinance shall be published within the first fifteen (15) days after its passage and approval either in pamphlet form or by posting in three (3) public places in the Village of Ceresco, Nebraska, and shall be in full force and take effect on the fifteenth (15th) day from and after its passage, approval, and publication, as provided herein.

Section 7. 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 Municipal Code of the Village of

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Ceresco, Nebraska, and the sections of this Ordinance may be renumbered to accomplish such intention.

Discussion held.

WHEREUPON, Chairman Nelson moved that said Ordinance 2018-6 be approved on its first reading and its title agreed to. Board Member Custer seconded this motion. Yeas: Nelson, Custer and Sklenar. Nays: Peterson.

WHEREUPON, the Chair declared said Ordinance 2018-6 approved on its first reading and its title agreed to and that the second reading of Ordinance 2018-6 be on the next Agenda of a meeting of the Board of Trustees.

Nelson moved to place the following documents on file with the Village Clerk:

- A) Resolutions and Actions of the Nebraska Cooperative Government Commission (NCGC) – Rules and Regulations of the Lottery.**
- B) Ordinance No. 1 of the Nebraska Cooperative Government (NCG), granting a lottery operator charter to Community Lottery Systems, Inc., d/b/a/ Lotto Nebraska.**
- C) Minutes of all NCGC meetings, through the most recent meeting of July, 2018.**

Peterson seconded. Voting Yes: Nelson, Peterson, Custer and Sklenar. No: none. Motion carried.

A sample scope of services for the water system from JEO was reviewed. The sanitary sewer system would be similar in scope. Proposed fee is \$5,000 each for water and sewer. Discussion held. An actual scope of services for sewer will be requested and reviewed at the September 4th budget meeting.

A request from the Planning Commission for the Village to send a natural gas questionnaire out to Ceresco residents was discussed. The cost to bring an L & G facility to Ceresco would be 2 million dollars plus another \$650,000 for the distribution system. The Board agreed natural gas is cost prohibitive for the existing town.

Propane bids from Frontier Coop and Otte Oil were reviewed. **Peterson moved to accept the Frontier Coop propane bid of \$1.099 plus one free leak test on all propane tanks for the 2018-2019 heating season. Nelson seconded. Voting Yes: Peterson, Nelson, Sklenar and Custer. No: none. Motion carried.**

A request from Robert Smith with the Naturalist School would like to use the Scout Hall during the colder months to have meetings. The group will be at the Jack Simm Memorial wet lands south of town. Discussion held. **Nelson moved to approve the Naturalist School to use the Scout Hall during the colder months to have meetings and be charged a \$25.00 cleaning deposit for each use. Custer seconded. Discussion held. Voting Yes: Nelson. No: Custer, Sklenar and Peterson. Motion failed.**

Peterson moved for the Naturalist School to use the Scout Hall at cold times with a refundable cleaning deposit of \$50.00 for each use. Sklenar seconded. Voting Yes: Peterson, Sklenar, Custer and Nelson. No: none. Motion carried.

Solid waste bids were discussed. The Clerk will contact the attorney regarding the bid length.

Employee evaluations were set for Tuesday, September 11th at 4:30 PM.

Budget worksheets were reviewed.

Peterson moved to adjourn the meeting at 9:00 PM. Sklenar seconded. Voting Yes: Peterson, Sklenar, Custer and Nelson. No: none. Motion carried.

Spencer Nelson, Chairman
Joan Lindgren, Clerk