

VILLAGE BOARD OF TRUSTEES
PUBLIC HEARING/SPECIAL MEETING
JULY 1, 2021

Rupe called the Public Hearing to order at 7:46 AM in the Ceresco Community Room. Board Members had been given the agenda and supporting documents. Notices were posted in the Lincoln Journal Star, Village Office, Ceresco Post Office and CerescoBank. Rupe pointed out the Open Meeting Law Act posted on the wall of the Community Room. Answering roll call: Rupe, Ubben, Custer, Ruble and Eggleston. Also present: Jeffrey Skinner, Terri Dolezal, Mark Masek, Dave Burklund, Keith Urbom and Joan Lindgren.

The Pledge of Allegiance was recited.

Rupe opened the Public Hearing to review a Conditional Use Permit requested by Verizon Wireless for a temporary tower to be placed at or near 1050 S 2nd Street, Parcel ID 001700500, Section 32, Township 13, Range 7E, Ceresco, Nebraska.

Lindgren reviewed there is no signed contract between Mark Masek and American Tower Company. Verizon, if need be, will set up the temporary tower at the compost site, instead of the wwtp, due to set back requirements.

An email from Planning Commission member Ed Warholoski, with responses from the Village's attorney, was reviewed. Rupe noted concerns of the price offered. Ubben was in favor of adding the word "temporary" to the agreement. Eggleston felt Verizon is trying to do the right thing for their customers. Verizon subletting to another company was mentioned. Discussion held.

Mark Masek was asked to share information regarding the agreement situation. Mark Masek noted last Tuesday American Tower's attorney contacted Masek's attorney and said they are ready to get it done and sent back the redlined copy exactly the way it was originally, instead of with the updates. American Tower is using very vague language. Masek said he really doesn't know where they are at since American Tower says they have a deal, but the agreement always comes back marked up with changes to the original agreement. Masek noted that Verizon has been out of compliance for five years on the site. American Tower wants a non-compete on 104 acres. It was noted that Masek can have the power shut down to the tower. Discussion held.

The Village's insurance agent will be contacted regarding the construction of the temporary tower.

There will be a chain link fence surrounding the tower. Adding barbed wire was discussed.

Eggleston suggested negotiating the numbers.

Ubben noted Verizon would need to bring in power to the compost site to construct the temporary tower, and will clear the fire equipment.

Ruble moved to close the Public Hearing at 8:11 AM. Ubben seconded. Voting Yes: Ruble, Ubben, Eggleston, Custer and Rupe. No: none. Motion carried.

Rupe reviewed the Planning Commission's recommendation was to approve the conditional use permit and site, with the concerns in the email. Ubben recommended adding the word "temporary" to the agreement. Eggleston suggested increasing the monthly fee from \$1,000 to \$1,500.00, and doubling the signing bonus from \$1,000 to \$2,000. Subleasing will be subject to negotiations.

Skinner noted that before a sublease can be issued, a structural analysis will need to be completed by a licensed engineer to determine what it could hold, and suggested any applicant would need to be referred back to the Village.

Ruble moved to approve the Conditional Use Permit requested by Verizon Wireless for a temporary tower to be placed at or near 1050 S 2nd Street, Parcel ID 001700500, Section 32, Township 13, Range 7E, Ceresco, Nebraska. Eggleston seconded. Voting Yes: Ruble, Eggleston, Custer, Ubben and Rupe. No: none. Motion carried.

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Ruble moved to make the appropriate changes to the agreement per our conversation by adding the word “temporary”, and changing the amounts from \$1,000.00 to \$1,500.00 a month, and from a \$1,000.00 signing bonus to a \$2,000.00 signing bonus. Custer seconded. Voting Yes: Ruble, Custer, Eggleston, Ubben and Rupe. No: none. Motion carried.

Ubben moved to adjourn the meeting at 8:21 AM. Ruble seconded. Voting Yes: Ubben, Ruble, Eggleston, Custer and Rupe. No: none. Motion carried.

Antonia Rupe, Chair
Joan Lindgren, Clerk