

VILLAGE BOARD OF TRUSTEES
REGULAR MEETING AND
APRIL 19, 2022

Rupe called the Regular Meeting to order at 6:00 PM in the Ceresco Community Room. Board Members had been given the agenda and supporting documents. Notices were posted at the Village Office, Ceresco Post Office, and CerescoBank and the Wahoo Newspaper. Rupe pointed out the Open Meeting Law Act posted on the wall of the Community Room. Answering roll call: Rupe, Ubben, Ruble and Custer. Absent: Eggleston. Also present: Emarie Harris, Tyson Roubal, Nick Parsons, Julie Ogden, PJ Hass, Lynn Maxson, Brian Roland, Steve Anderson, Dave Burklund and Joan Lindgren.

The Pledge of Allegiance was recited.

Custer moved to approve the March 15, 2022 minutes. Ruble seconded. Voting Yeas: Custer, Ruble, Ubben and Rupe. Voting Nays: none. Motion carried.

Ruble moved to approve the March 31, 2022 minutes. Ubben seconded. Voting Yeas: Ruble, Ubben, Custer and Rupe. Voting Nays: none. Motion carried.

Roland reviewed: 1) Storm sewer drainage at 1st & Elm is washing out and needs to be repaired. Rip rap will be added. Rip rap will also be added at 3rd & Pine, 4th & Beech and any other needed areas. 2) The NPDES draft permit, which is applied for every 5 years. 3) Scheduled pump maintenance bid. Ubben noted the out of state service charges for overnight stays, and the need to keep an eye on those charges.

Ubben moved to accept the Scheduled Pump Maintenance Agreement bid from Iowa Pump Works on maintenance of the Village lift stations. Ruble seconded. Voting Yeas: Ubben, Ruble, Custer and Rupe. Nays: none. Motion carried.

Roland reviewed the return pump bid.

Ubben moved to accept the bid from Electric Pump on the return pump. Ruble seconded. Voting Yeas: Ubben, Ruble, Custer and Rupe. Nays: none. Motion carried.

The 2 and 10 Year Plan that Eggleston prepared was reviewed.

The sewer inlet at 704 Spruce was mentioned. M.E. Collins has been contacted for a bid.

Ubben reviewed he has been in contact with Jared Shanahan from Raymond Central regarding the drainage at 300 W Beech. Concerns are the geothermal field. The school will purchase drain tile. The Village will install the drain tile and purchase sand and gravel.

No updated bids have been received for crack sealing.

Ruble reviewed a GFI outlet would need to be installed for new lights at the batting cage, and some of the conduit needs to be replaced with expansion joints. He is still waiting for the price for LED lights. It was agreed to let the Maintenance Subcommittee review the bid for approval, so the work could be done as soon as possible.

Friendship Park was discussed. Ubben reviewed home associations are taking over park maintenance in Lincoln. The Board agreed to have the fence taken down.

Roland reviewed concerns of the splash pad water running in to the wastewater treatment plant, and what it will do to the yearly sample numbers. Custer noted the size of the splash pad has been downsized, with a lower gallons per minute (gpm). The two designs are for 56 and 57 gpm. PJ Hass noted the 57 gpm is max if the pad was running constantly. He also noted the time can be cut down from 5 minutes to 3 minutes for each feature. Custer will contact Dave Henke with JEO.

Julie Ogden was present to review the Change Order that was approved at the March 31 special meeting to add the additional deck repair. The approach is planned to be poured this week. The Change Order 1) Increased cost by \$78,000.00, 2) Allows for the calendar count to be stopped with Village Chair approval for scheduling with

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M.E. Collins. 3) Ten more calendar days were also given. Ogden recommends full approval of the Change Order.

Rupe moved to approve the Change Order for the 2022 Bridge Project. Custer seconded. Voting Yeas: Rupe, Custer, Ruble and Ubben. Nays: none. Motion carried.

Ogden reviewed the bid results for the 2022 Main Street Asphalt Overlay Project. A bid did come in under the engineer's estimated cost of \$210,000.00 for both the base and alternate bid. Pavers, Inc was low with a total base and alternate bid of \$147,390.90, and \$650.00 for the alternate bid items. The start date is September 15, 2022 Constructors, Inc total base and alternate bid was \$238,671.10, and \$682.50 for the alternate bid items. The start date is September 19, 2022. Discussion held. Ogden's recommendation is to award the project base bid and alternate bid to Pavers, Inc for \$147390.90.

Rupe moved to award Paver's the Main Street Project for the total of \$147,390.90. Ruble seconded. Voting Yeas: Rupe, Ruble, Ubben and Custer. Nays: none. Motion carried.

Anderson reviewed the Police report. Anderson noted the concerns made by the Village's insurance agent regarding rocks in the right-of-way. The attorney will be contacted. Residents of a pickup on Laura Lane were contacted to have it moved. A complaint regarding jake brakes was also mentioned. The ordinance for the low-speed vehicle was reviewed and tabled. Ruble will review the updated ordinance.

The building inspector report was reviewed.

Rupe moved to approve the building inspector report as presented. Ubben seconded. Voting Yeas: Rupe, Ubben, Custer and Ruble. Nays: none. Motion carried.

Nick Parson was present to request adding a pole building addition onto his existing garage. Discussion held. The Board agreed to request the Planning Commission to review the request.

The Zoning Administrator report was reviewed.

The Treasurer's Report was reviewed. The purchase of the air packs for the Fire Department and the budget was reviewed. A portion of the BAN proceeds were transferred to a 6 month CD.

Ubben moved to accept the Treasurer's Report. Rupe seconded. Voting Yeas: Ubben, Rupe, Ruble, and Custer. Nays: none. Motion carried.

Custer moved to approve the JEO claim for \$6,640.00. Ruble seconded. Voting Yeas: Custer, Ruble, and Ubben. Nays: None. Abstain: Rupe. Motion carried.

Claims were reviewed. **Rupe moved to accept all the claims as presented. Ubben seconded. Voting Yeas: Rupe, Ubben, Custer and Ruble. Nays: none. Motion carried.** The approved claims are as follows:
A to Z Radon Solutions \$125.00/lib; AFLAC \$490.68/ins; Ameritas Life \$31.44/ins; Aqua-Chem \$131.66/wat; Bromm, Lindahl ET AL \$387.50/gen; Card Services \$291.19/wat, gen; Baker & Taylor \$176.40/lib; Barco Municipal Products \$92.00/st; Bomgaars \$65.98/sew, st, wat; Dash Medical \$155.90/sew; Delta Dental \$170.65/ins; Eakes \$241.75/gen/prk; First National Bank of Omaha \$160.74/lib/prk; Frontier Coop \$2,296.66/fuel; Husker Electric \$196.48/prk; Helena Agri-Enterprises \$207.12/prk; Klute Truck Equipment \$150.56/st; Husker Lock & Key \$119.50/st; Jackson Services \$210.06/gen, sew, wat, fire, prk, st; JC Cross \$2,178.00/sew; Karen Heusinkvelt \$75.00/gen; Lou's Sporting Goods \$128.35/prk; Matheson Tri-Gas \$47.95/st; Menards \$241.60/st, prk; Midwest Labs \$31.54/sew; Municipal Supply of Omaha \$1,567.94/wat; Nebraska Public Health Environmental Lab \$189.00/wat; NMC \$750.02/st; Office Deposit \$160.19/gen; One Call Concepts \$53.06/wat, sew; OPPD \$4,777.73/electric; S & L Trenching \$3,200.00/wat; Sam's Club \$326.13/lib; Sandy Tvrdy \$325.00/gen; Simons Home Store \$361.66/st, prk; Steve Tvrdy \$75/gen; Sunbelt Rentals \$163.12/prk; Sweet Pea Market \$35.06; Thiele Geotech Inc \$3,500.00/st; Ty's Outdoor Power \$20.18/prk; U.S. Post Office

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\$160.00/wat, sew; Verizon \$178.53/phones; Wahoo/Waverly Advertising \$193.25/gen; Wahoo Metal Products \$50.40/st; Waste Connections of NE \$5,493.05/trash; Windstream \$389.96/phones; Nebraska Department of Revenue \$837.10/sales tax; Payroll Liabilities: Allied Benefit Systems, LLC \$6,637.036; MWG Administrators \$1297.84; American Funds Investment \$584.82; United States Treasury \$4,270.68; Payroll \$23,278.54, Nebraska Department of Revenue \$610.51; Nebraska Department of Labor \$99.44

Rupe moved to accept the Library Report as presented. Ruble seconded. Voting Yeas: Rupe, Ruble, Custer and Ubben. Nays: none. Motion carried.

Custer noted the CYRA is looking at getting a new scoreboard.

Increasing the sales tax for a new ball field was discussed. Parks and recreation facilities are not included within the purposes for which an additional half percent of sales tax may be utilized if the ballot question is voted on favorably by the voters of the Village of Ceresco. The Village cannot increase the sales tax by an additional half percent unless the Village is a party to an interlocal agreement with another public entity having jurisdiction within the Village of Ceresco. The Board would need to determine a capital project for the additional sales tax and partner with another political subdivision, such as the school.

Ruble noted the Fire Department fund raiser is April 30th. The Interlocal Agreement and Resolution 2022-4 was tabled to the May meeting. Maxson is working on the forestry grant.

Eggleston's report on the Stream Stabilization was reviewed.

Ruble reviewed pricing for signs for the Hunter Subdivision. Discussion held. The Board agreed to put up laminated signs, which will be created in the office.

Ubben reviewed a new guest Wi-Fi router for the community building has been installed, and hard drives have been removed from computers that can be recycled.

It was mentioned that the compost site gate is not working.

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

Ordinance 2022-4 was introduced by Chairperson Rupe and is set forth in full as follows, to wit: AN ORDINANCE TO AMEND THE WAGES AND SALARIES OF CERTAIN OFFICERS, APPOINTEES, AND EMPLOYEES OF THE VILLAGE OF CERESCO, NEBRASKA: TO PROVIDE FOR THE EFFECTIVE DATE HEREOF AND TO PROVIDE FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT HERewith:

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

Section 1. Pursuant to Ceresco Municipal Code Section 1-105 the following wages and salaries are hereby established to take effect February 18, 2022:

<u>POSITION</u>	<u>WAGES OR SALARY</u>
	<u>Current</u>
Clerk/Treasurer	\$ <u>24.50</u> Per Hour
Maintenance Supervisor/Water-Sewer Operator	\$ <u>25.00</u> Per Hour
Maintenance Supervisor/Streets and Parks	\$ <u>21.00</u> Per Hour
Police Chief	\$ <u>22.68</u> Per Hour

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Assistant Police Chief	\$ <u>21.23</u> Per Hour
Police Officer less than 6 months of employment	\$ <u>19.28</u> Per Hour
Police Officer more than 6 months of employment	\$ <u>20.19</u> Per Hour
Building Inspector	\$ <u>15.00</u> Per Inspection <u>130.00</u> Monthly Salary
Assistant Building Inspector	\$ <u>15.00</u> Per Inspection
Zoning Administrator	\$ <u>0.00</u> Per Month
Head Librarian	\$ <u>17.18</u> Per Hour
Assistant Librarian	\$ <u>11.66</u> Per Hour
Library Assistant	\$ <u>10.51</u> Per Hour
Office Assistant	\$ <u>14.55</u> Per Hour
Emergency Part-Time Backup Water/Wastewater Operator	\$ <u>15.00</u> Per Hour
Part-Time Mission Critical Pay (example: snow removal)	\$ <u>19.00</u> Per Hour
Part-Time Skilled Labor Pay (example: water main/sewer line break)	\$ <u>19.00</u> Per Hour
Maintenance Worker II less than 1 year of employment	\$ <u>12.25</u> Per Hour
Maintenance Worker II more than 1 year of employment	\$ <u>13.91</u> Per Hour

Section 2. Full-time qualifying personnel shall be offered Group Health insurance, Dental insurance and Vision insurance with the Village paying 100% of the employee's premium and 50% of the premium for eligible spouses and dependents.

Full-time employees shall be granted the following holiday leave: New Year's Day, President's Day, Memorial Day, Independence Day, Labor Day, Columbus Day, Veteran's Day, Thanksgiving, day after Thanksgiving, four (4) hours for Christmas Eve, Christmas Day, and four (4) hours for New Year's Eve.

Full-time qualifying personnel shall be granted retirement benefits as follows: If qualified employees choose to defer a minimum of 3% of their earnings into a Simple IRA account, the Village shall contribute a maximum of 3% of the employee's earnings into that account as well.

Section 3. The Board of Trustees has the authority to award a merit pay increase to employees as they determine.

Section 4. That all Ordinances or parts of Ordinances passed and approved prior to the passage, approval, and publication of this Ordinance, and in conflict herewith, are hereby repealed.

Section 5. This Ordinance shall be in full force and effect from and after its passage, adoption, and publication as provided by law.

Chairperson Rupe moved that the statutory rules in regard to the passage and adoption of ordinances be suspended so that said ordinance might be introduced, read by title, and then moved for final passage at the same meeting. Board Member Ruble seconded said motion. The Chair put the question and

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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 to suspend the rules: Yeas: Rupe, Ruble, Custer and Ubben. Nays: none.

WHEREUPON, the motion having been carried by affirmative votes of no less than three-fourths (3/4ths) of the total members of the Board, the Chair declared the statutory rules in regard to the passage and approval of ordinances be suspended so that Ordinance 2022-4 might be read by title and then moved for final passage at the same meeting.

Chairperson Rupe moved that said Ordinance 2022-4 be approved and passed and its title agreed to. Board Member Ubben 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: Rupe, Ubben, Custer and Ruble. Nays: none.

WHEREUPON, the Chair declared said Ordinance 2022-4 of the Village of Ceresco, Saunders County, Nebraska having been read by title, the rules having been suspended, and having been duly approved and its title agreed to by the affirmative vote of no less than a majority of the members of the Board, duly passed and adopted as an Ordinance of the Village of Ceresco, Nebraska, and the Chair subscribed his name thereto, and the Clerk attested said signature of the Chair by subscribing her name thereto and affixing thereon the seal of the Village of Ceresco, Nebraska. The Chair then instructed the Clerk to publish Ordinance 2022-4 in the manner required by law, within fifteen (15) days after its passage.

Ordinance 2022-5 was introduced by Chairperson Rupe and is set forth in full as follows, to wit: AN ORDINANCE OF THE VILLAGE OF CERESCO, SAUNDERS COUNTY, NEBRASKA, TO AMEND CHAPTER 5 – BUSINESS REGULATIONS, AND IN PARTICULAR, ARTICLE 3 – OCCUPATION TAXES, SECTION 5-302 – ALCOHOLIC LIQUOR LICENSEES BY EXEMPTING THEREFROM ALL NON-PROFIT CORPORATIONS FROM THE OCCUPATION TAX OF THE VILLAGE OF CERESCO, NEBRASKA; 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 MUNICIPAL CODE OF THE VILLAGE OF CERESCO, NEBRASKA.

WHEREAS, Chapter 5 of the Municipal Code of the Village of Ceresco, Nebraska, pertains to the Business Regulations of the Village of Ceresco, Nebraska, and,

WHEREAS, Article 3 of said Municipal Code provides Occupation Taxes, and Section 5-302 of said Municipal Code places an occupation tax on all liquor licensees within the Village of Ceresco, Nebraska, and,

WHEREAS, it is the desire of the Board of Trustees of the Village of Ceresco, Nebraska, that non-profit corporations be exempt from said occupation tax, and,

WHEREAS, the Board of Trustees of the Village of Ceresco, Nebraska, deems it to be in the best interest in the citizens of the Village of Ceresco, Nebraska, that Chapter 5, Article 3, Section 5-302 of the Municipal Code of the Village of Ceresco, Nebraska, be amended to exempt non-profit corporations from the occupation tax,

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

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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 Chapter 5 – Business Regulations, Article 3 – Occupation Taxes, Section 5-302: Alcoholic Liquor Licensees of the Municipal Code of the Village of Ceresco, Nebraska, shall be amended by its deletion in its entirety and the substitution of a new Section 5-302: Alcoholic Liquor

Licensees to read as follows:

SECTION 5-302: ALCOHOLIC LIQUOR LICENSEES

An occupation tax is hereby levied on all alcoholic liquor licensees, except as provided herein. Said occupation tax shall be 50% of the annual license fees set forth in Neb. Rev. Stat. §53-124.01 of the Revised Statutes of the State of Nebraska pursuant to the Nebraska Liquor Control Act. Said occupation tax shall be paid by the licensee at the same time that the licensee pays his or her respective license fee to the Nebraska Liquor Control Commission of the State of Nebraska. Said occupation tax of the village shall not apply to special designated liquor licenses issued by the State of Nebraska or to any non-profit corporation of the State of Nebraska maintaining its principal place of business within the corporate limits of the village.

Section 4. That the effective date of this Ordinance shall be April 19, 2022.

Section 5. That the Chair of the Board of Trustees and the appropriate Department, whether one or more, of the Village of Ceresco, Nebraska, are hereby authorized and directed to implement this Ordinance.

Section 6. 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 7. That should any section, paragraph, sentence of this Ordinance hereby adopted be declared for any reason be invalid, it is the intent of the 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 8. 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 or the effective date as set forth in Section 4 above, which ever occurs first.

Section 9. That it is the intention of the 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 Ceresco, Nebraska, and the sections of this Ordinance may be renumbered to accomplish such intention.

Board Member Ruble moved that the statutory rules in regard to the passage and adoption of ordinances be suspended so that said ordinance might be introduced, read by title, and then moved for final passage at the same meeting. Board Member Ubben seconded said motion. The Chair put the question and 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 to suspend the rules: Yeas: Ruble, Ubben, Custer and Rupe. Nays: none.

WHEREUPON, the motion having been carried by affirmative votes of no less than three-fourths (3/4ths) of the total members of the Board, the Chair declared the statutory rules in regard to the passage and approval of ordinances be suspended so that Ordinance 2022-5 might be read by title and then moved for final passage at the same meeting.

Chairperson Rupe moved that said Ordinance 2022-5 be approved and passed and its title agreed to. Board Member Custer seconded this motion.

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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: Rupe, Custer, Ruble and Ubben. Nays: none.

WHEREUPON, the Chair declared said Ordinance 2022-5 of the Village of Ceresco, Saunders County, Nebraska having been read by title, the rules having been suspended, and having been duly approved and its title agreed to by the affirmative vote of no less than a majority of the members of the Board, duly passed and adopted as an Ordinance of the Village of Ceresco, Nebraska, and the Chair subscribed his name thereto, and the Clerk attested said signature of the Chair by subscribing her name thereto and affixing thereon the seal of the Village of Ceresco, Nebraska. The Chair then instructed the Clerk to publish Ordinance 2022-5 in the manner required by law, within fifteen (15) days after its passage.

Ubben moved to table Ordinance 2022-6 until after the attorney's review. Rupe seconded. Voting Yeas: Ubben, Rupe, Custer and Ruble. Nays: none. Motion carried.

Lindgren reviewed she is looking into the League of Nebraska Municipalities Health Insurance plan.

Custer reviewed Ceresco Days insurance and the 501c3. Mark Rezac will review further at the May meeting.

Ubben reviewed a request from Lynn Maxson for Veterans to use the scout hall occasionally. The Veterans would like to remove the middle partition wall. The Park Subcommittee will review.

Rupe moved to adjourn the meeting at 7:48 PM. Ruble seconded. Voting Yeas: Rupe, Ruble, Custer and Ubben. Nays: none. Motion carried.

Antonia Rupe, Chair
Joan Lindgren, Clerk