

VILLAGE BOARD OF TRUSTEES
REGULAR MEETING
OCTOBER 19, 2021

Rupe called the 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. 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: Scott Larson, Steve Anderson, Brian Roland, Dustin Gushard, Arnie Lowell and Joan Lindgren.

The Pledge of Allegiance was recited.

Eggleston moved to approve the September 21, 2021 minutes as posted. Ruble seconded. Voting Yeas: Eggleston, Ruble, Custer, Ubben and Rupe. Voting Nays: none. Motion carried.

Pastor Scott Larson with the Immanuel Lutheran Church was present to review the canvassing of the north half of Ceresco in May by eight of members regarding the Carillon Bell System. There were 75-80 households contacted, and only one wasn't in favor, but they are in the far north part of town. Other comments were not to play the system past 7 PM, but around 6 PM. Larson said they will start with just one song, and plan on putting the system in the spring of 2022. They also have plans to light the tower.

It was noted the downtown business storage in the restaurant building has been removed.

Anderson reviewed the Police Report: 1) Ordinance violation list. Letters from the Village will be sent first, and will include possible towing. 2) 117 Edwin property. 3) UTV/ATV/Golf Cart Violations. Discussion held. 4) Crimestopper meeting cancelled.

Anderson receiving an Outstanding Service Award from the Governor was mentioned.

Ubben moved to approve the Police Report. Eggleston seconded. Voting Yeas: Ubben, Eggleston, Ruble, Custer and Rupe. Nays: none. Motion carried.

Ubben moved to approve the Building Inspector Report. Custer seconded. Voting Yeas: Ubben, Custer, Ruble, Eggleston and Rupe. Nays: none. Motion carried.

The Administrative Subdivision process was discussed. The Board agreed houses built in 1990 or later that sit across two or more lots should complete the Administrative Subdivision process when a building permit is pulled, or the property is sold. The attorney will be contacted for proper procedures.

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

Roland reviewed: 1) Currently taking a backflow class at Nebraska Rural Water. He noted in the State of Nebraska sprinklers are not required to be inspected. 2) NMC Technology analysis on the backhoe, which shows a lack of maintenance. 3) Lack of maintenance on dump truck. 4) OVIVO Field Service Report. The clarifier is in great shape. There is a scraper starting to rot and needs to be sandblasted and recoated. 5) Hunter Subdivision updates. 6) Concerns of 3rd Street at Main. 7) A new urinal is needed for the park restrooms. 8) Cost of water main break repairs.

Gushard was present to review 1) Ballfield improvements. 2) Winterizing and closing the restrooms at the park. 3) A sharp drop off on the north side of highway 77 and County Road A will be filled with dirt. 4) Burning the compost site. 5) Arsen Johnson pushing up the tree pile at the compost site. 6) The new sewer inlet at 1st and Main has tire marks from being run over. Lindgren will contact Frontier.

Ubben reviewed the new compost site gate is working. At this time, the Board agreed to change the hours to 6 AM to 8 PM.

Custer reviewed that Richard Novak has asked about the pitching mound with the ballfield improvements. Gushard said a bigger portable mound will be necessary for baseball. Custer will ask Novak to contact Rupe.

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Ubben reviewed the EZ-Go will be repaired.

Ubben reviewed an app he is working on for maintenance records.

Claims were reviewed. Rupe moved to approve the claims as presented. Ruble seconded. Voting Yeas: Rupe, Ruble, Eggleston, Custer and Ubben. Nays: none. Motion carried. The approved claims are as follows: AFLAC \$403.38/ins; Ameritas Life \$24.35/ins; Aqua-Chem \$110.47/wat; Arsen Trucking \$2,030.93/st; Bromm, Lindahl ET AL \$620.00/gen; Carquest \$30.94/st; Ceresco 60+ \$158.00/gen; CLIA Laboratory \$180.00/fire; Cummins Sales & Service \$450.08/sew; Baker & Taylor \$113.04/lib; Bomgaars \$205.77/st; Delta Dental \$139.23/ins; Dennis Johnson Trucking \$100.00/comp; Eakes \$54.72/gen; Erickson & Brooks \$3,060.00/budget; First Bankcard \$759.09/gen, wat; Frontier Coop \$884.20/fuel; Grainger \$352.50/st; Helena \$352.04/prk; Klute \$10,990.00/st; IIMC \$175.00/gen; Jackson Services \$138.79/uniforms & mats; Joan Lindgren \$59.67/gen; Menards \$433.13/st, wat, prk, lib; Midwest Laboratories \$243.80/sew; Municipal Supply of Omaha \$1,540.71/wat; Nebraska Public Health Environmental Lab \$49.00/wat; Nebraska Rural Water \$1,000.00/wat; NMC \$292.82/st; Office Depot \$285.93/gen; One Call Concepts \$40.37/wat, sew; OPPD \$4,630.27/electric; Orkin \$80.00/prk; Raymond Central Post Prom \$100.00/gen; Sam's Club \$284.30/lib; Sandy Tvrdy \$315.00/gen, prk; Staples \$281.51/st; USA Blue Book \$143.96/sew; U.S. Post Office \$216.00/postage; Verizon \$173.10/phones; Wahoo/Waverly Advertising \$390.77/gen, st; Wahoo Auto Parts \$89.94/st; Waste Connections of NE \$5,385.88/trash; Windstream \$400.29/phones; United States Treasury \$4,890.48; Payroll \$17,937.24.

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

Custer reviewed the CYRA is holding a Trunk or Treat on Friday, October 29th and requested 2nd Street be closed from Beech Street to Spruce Street.

Custer moved to close 2nd Street from Beech Street to Spruce Street on Friday, October 29th for Trunk or Treat. Ruble seconded. Voting Yeas: Custer, Ruble, Eggleston, Ubben and Rupe. Nays: none. Motion carried.

Eggleston moved to approve the Fire Department minutes as posted. Custer seconded. Ruble reviewed the Fire Department held elections. Voting Yeas: Eggleston, Custer, Rupe, Ubben and Ruble. Nays: none. Motion carried.

An email from the attorney regarding donated vacation time was reviewed. Discussion held. Also reviewed was comp time. The Board agreed to amend the vacation policy from 40 carry over hours to 80. Lindgren will look into the comp time process.

Ubben suggested the cracks in the asphalt be filled. Discussion held. Ubben will contact Roland and Gushard.

Lindgren reviewed she was told that Verizon has taken over the tower and Masek hopes to have papers signed by Thanksgiving. AT & T is also working with Verizon and Masek to continue to use the tower.

Lindgren reviewed a request for a Conditional Use Permit from Glen-Gery, a brick making company, to mine clay on a property within the Village's mile jurisdiction. Ubben and Lowell reviewed a meeting they attended with company representatives regarding the process. Discussion held. Ubben and Lowell may go visit the Glen-Gery Sioux City plant.

Lindgren noted the audit is scheduled for November 18th. Also reviewed were problems with 811 not being called prior to basements being dug in the Hunter Subdivision.

Ordinance 2021-5 now comes on for second reading. AN ORDINANCE OF THE VILLAGE OF CERESCO, SAUNDERS COUNTY, NEBRASKA, TO AMEND CHAPTER 6, PUBLIC WAYS AND PROPERTY, ARTICLE 1, MUNICIPAL PROPERTY, AND IN PARTICULAR, SECTION 6-109:

CUTTING CURB; PERMIT, DEPOSIT AND BOND REQUIRED OF THE MUNICIPAL CODE OF THE VILLAGE OF CERESCO, NEBRASKA, TO PROVIDE THAT THE BUILDING INSPECTOR, NOT THE VILLAGE BOARD, SHALL BE AUTHORIZED TO ISSUE THE WRITTEN CURB CUT PERMIT.

WHEREUPON, Board Member Eggleston moved that said Ordinance 2021-5 be approved upon its second reading as presented and its title agreed to. Board Member Ruble 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: Eggleston, Ruble, Custer, Ubben and Rupe. Nays: none.

WHEREUPON, the Chair declared said Ordinance 2021-5 be approved on its second reading and its title agreed to and that the third reading of Ordinance 2021-5 be on the next Agenda of a meeting of the Board of Trustees.

Ordinance 2021-6 now comes on for second reading. AN ORDINANCE OF THE VILLAGE OF CERESCO, SAUNDERS COUNTY, NEBRASKA, TO REPEAL CHAPTER 3 ARTICLE 2 SECTION 3-223 DANGEROUS DOG; CERTAIN BREEDS DECLARED NUISANCE, TO REPEAL CHAPTER 3 ARTICLE 5 SECTION 3-529 DANGEROUS DOG; CERTAIN BREEDS DECLARED NUISANCE, TO REPEAL CHAPTER 3 ARTICLE 5 SECTION 3-530 NUISANCE ANIMAL DOG BREEDS; OFFSPRING, AND TO AMEND CHAPTER 3 ARTICLE 5 SECTIONS 3-526, 3-527, 3-528, 3-531 AND 3-532 FROM NUISANCE DOG TO NUISANCE ANIMAL OF THE MUNICIPAL CODE OF THE VILLAGE OF CERESCO, NEBRASKA.

WHEREUPON, Chairperson Rupe moved that said Ordinance 2021-6 be approved upon its second reading as presented and its title agreed to. Board Member Eggleston 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, Eggleston, Ruble, Custer and Ubben. Nays: none

WHEREUPON, the Chair declared said Ordinance 2021-6 be approved on its second reading and its title agreed to and that the third reading of Ordinance 2021-6 be on the next Agenda of a meeting of the Board of Trustees.

Ordinance 2021-7 now comes on for second reading. AN ORDINANCE OF THE VILLAGE OF CERESCO, SAUNDERS COUNTY, NEBRASKA, TO AMEND CHAPTER 8, FIRE REGULATIONS, ARTICLE 4, EXPLOSIVES; POISONOUS AND FLAMMABLE GASSES, AND SPECIFICALLY SECTION 8-404: POISONOUS OR FLAMMABLE GASSES, OF THE MUNICIPAL CODE OF THE VILLAGE OF CERESCO, NEBRASKA, TO PROVIDE THAT THE BUILDING INSPECTOR, NOT THE VILLAGE BOARD, SHALL BE AUTHORIZED TO ISSUE THE WRITTEN PERMIT FOR THE STORAGE OF POISONOUS OR FLAMMABLE GASES WITHIN THE CORPORATE LIMITS OF THE VILLAGE OF CERESCO, NEBRASKA;

WHEREUPON, Board Member Ruble moved that said Ordinance 2021-7 be approved upon its second reading as presented and its title agreed to. Chairperson Rupe 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: Ruble, Rupe, Ubben, Custer and Eggleston. Nays: none

WHEREUPON, the Chair declared said Ordinance 2021-7 be approved on its second reading and its title agreed to and that the third reading of Ordinance 2021-7 be on the next Agenda of a meeting of the Board of Trustees.

WHEREUPON, the Chair announced that the introduction of Resolution 2021-11 was now in order and is set forth in full as follows, to wit:

WHEREAS, the Village of Ceresco, Saunders County, Nebraska has adopted a Municipal Code, as revised and amended from time to time, to provide for rules and regulations within the municipality and within its one-mile zoning jurisdiction to promote the health, safety and general well-being of its inhabitants, and,

WHEREAS, the Village of Ceresco Municipal Code Book, contain rules and regulations regarding licenses, fees and permits for various processes, procedures, and activities, and,

WHEREAS, the Trustees of the Village of Ceresco has the authority to set the amount of all fees required for issuance of the licenses, permits, and other activities pursuant to the rules and regulations set out in the Municipal Code, the Zoning and Subdivision Regulations of the Village of Ceresco, Saunders County, Nebraska in a Master Fee Schedule, and,

WHEREAS, it is the desire of the Board of Trustees of the Village of Ceresco, Nebraska, to amend the Master Fee Schedule pertaining to FEES and UTILITIES of the Village of Ceresco, Nebraska, and,

NOW, THEREFORE, BE IT RESOLVED BY the Board of Trustees of the Village of Ceresco, Nebraska, as follows:

1. That the findings here and above made should be and are hereby made a part of this Resolution as if fully set out at length herein.
2. That the Master Fee Schedule pertaining to Building Inspector Fees and Utility Costs shall be amended as follows:
 - A. The Building Inspector Fees, including inspections for curb cuts and poisonous or flammable gases, shall be \$15.00 per inspection.
 - B. UTILITIES:

TABLE OF RATES – WATER
PER MONTH

Section I

Minimum Charge Schedule – There shall be a minimum water use base charge per month to each consumer of the Village of Ceresco, Nebraska, which shall be determined by the size of the consumer's meter. Pursuant with Section 7-105, rates paid by rural users shall be 120% of the rate established for residential users. Rates shall be as follows:

Meter Size	Consumer Charge
Res ¾"	<u>\$25.50</u>
Res 1"	<u>\$27.50</u>
Res 1 ½"	<u>\$30.60</u>
Res 2"	<u>\$33.70</u>
Rural ¾"	<u>\$30.60</u>
Rural 1"	<u>\$33.00</u>
Rural 1 ½"	<u>\$36.72</u>
Rural 2"	<u>\$40.44</u>

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Comm ¾"	<u>\$25.50</u>
Comm 1"	<u>\$27.50</u>
Comm 1 ½"	<u>\$32.75</u>
Comm 2"	<u>\$36.75</u>
Comm 3"	<u>\$41.85</u>
Comm 4"	<u>\$52.00</u>

Section II

Water Rate Schedule in Excess of Resident Minimum – The following rate schedule shall apply to all Village of Ceresco, Nebraska Resident water consumers located within the corporate limits of the Village of Ceresco, Nebraska.

0-10,000.....gallons per month.....	<u>\$2.05</u> per thousand
10,001-40,000.....gallons per month.....	<u>\$2.85</u> per thousand
40,001-60,000.....gallons per month.....	<u>\$3.60</u> per thousand
Over 60,000.....gallons per month.....	<u>\$5.10</u> per thousand

Water Rate Schedule in Excess of Rural Minimum – The following rate schedule shall apply to all Village of Ceresco, Nebraska Rural water consumers located outside the corporate limits of the Village of Ceresco, Nebraska. Pursuant with Section 7-105, rates paid by rural users shall be 120% of the rate established for resident users.

0-10,000.....gallons per month.....	<u>\$2.46</u> per thousand
10,001-40,000.....gallons per month.....	<u>\$3.42</u> per thousand
40,001-60,000.....gallons per month.....	<u>\$4.32</u> per thousand
Over 60,000.....gallons per month.....	<u>\$6.12</u> per thousand

Water Rate Schedule in Excess of Commercial Minimum – The following rate schedule shall apply to all Village of Ceresco, Nebraska Commercial water consumers located within the corporate limits of the Village of Ceresco, Nebraska.

0-10,000.....gallons per month.....	<u>\$2.05</u> per thousand
10,001-40,000.....gallons per month.....	<u>\$2.85</u> per thousand
40,001-60,000.....gallons per month.....	<u>\$3.60</u> per thousand
Over 60,000.....gallons per month.....	<u>\$5.10</u> per thousand

Section III

Wholesale Service – The following shall be the rate schedule for the Wholesale Service for water not used for the Village of Ceresco's purposes:

\$20.00 minimum charge per day for first 1,000 gallons, plus \$5.10 per thousand thereafter.

Section IV

The Water Commissioner shall be responsible for determining sales and charges of bulk water from hydrants or wells.

**TABLE OF RATES – SEWER
PER MONTH**

Section I
Residential

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- A. Customer Service Base Charge: \$25.50
- B. Volume Rate Charge: \$3.85 per 1,000 gallons
of average water usage for months of
December, January, and February

Section II
Non-Residential

- A. Customer Service Base Charge: (Commercial)
1. $\frac{3}{4}$ inch water meter \$25.50
 2. 1 inch water meter \$26.65
 3. 1 $\frac{1}{2}$ inch water meter \$30.90
 4. 2 inch water meter \$36.75
 5. 3 inch water meter \$42.40
 6. 4 inch water meter or larger \$53.75
- B. Volume Rate Charge: \$3.85 per 1,000 gallons
of average water usage for months of
December, January, and February

The Building Inspector Fees will take effect on November 1, 2021. The Water and Sewer Utility Fees commenced on October 1, 2021 in accordance with the passage of Ordinance 2021-3, and takes effect on the November 5, 2021 utility bills.

WHEREUPON, Chairperson Rupe moved to approve Resolution No. 2021-11 as presented, a Resolution to amend the Master Fee Schedule. Board Member Eggleston seconded this motion.

The Chairman instructed the Clerk to call the roll and the following was the vote on this motion. Yeas: Rupe, Eggleston, Ruble, Custer and Ubben. Nays: none. Motion carried.

WHEREUPON, the Chairman declared that the Motion having been approved by a majority of the votes cast, said Resolution 2021-11 is approved and adopted.

WHEREUPON, the Chair announced that the introduction of Resolution 2021-12 was now in order and is set forth in full as follows, to wit:

WHEREAS, the Village of Ceresco, Saunders County, Nebraska, is the owner of the following described personal property, to wit:

1. 2006 Ford Crown Victoria Police Interceptor – VIN #2FAHP71W56X154701 to be sold as is.
2. 2000 Fastline Flat Bed 16' Trailer - VIN #1FAFS1627YM171547 to be sold “as is”.
3. 1939 Ford 9N Tractor – Serial # C316095.
4. SE-6 19411 Shredder.
5. Box Earth Scraper.

and,

WHEREAS, the Village of Ceresco, Nebraska, does not have a present need to retain ownership of said items of personal property, and

WHEREAS, the Board of Trustees of the Village of Ceresco, Nebraska, have determined that the fair market value of each of the above described personal property is not greater than \$5,000.00, and,

WHEREAS, the Board of Trustees of the Village of Ceresco, Nebraska, have determined to sell the above described personal property pursuant to terms and conditions as set forth herein,

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

- 1. That the findings here and above made should be, and are hereby made a part of this Resolution as fully as if set out at length herein.**
- 2. That the method and terms of sale shall be:**
 - A. Sale through independent online auction service to be sold online.**
 - B. Date of sale and name and online address of auction service, after established with auction service, shall be posted in three places in Village; posted on the Village Website and published in the legal newspaper one time at least 7 days before sale.**
 - C. The Village Clerk and Village Board Chair shall have authority to facilitate this transaction and the Village Board Chair sign any documents required to engage the services of the online auction service and to transfer ownership documents upon final sale.**

BE IT FURTHER RESOLVED that the Clerk of the Village of Ceresco, Nebraska, shall publish notice of the proposed sale of the above described items of personal property, and the terms thereof, by the posting of a notice of said sale, in three prominent places within the Village of Ceresco, Nebraska, for a period of not less than seven (7) days prior to the sale of said items of personal property, after the passage of this Resolution. Notice of the proposed sale shall also be posted on the Village of Ceresco website and published one time in the legal newspaper of the Village at least seven days prior to sale.

WHEREUPON, Chairperson Rupe moved to approve Resolution No. 2021-12 as presented, a Resolution to sell personal property of the Village of Ceresco. Ruble suggested Purple Wave as the online auction company. Discussion held. Board Member Ubben seconded this motion.

The Chairman instructed the Clerk to call the roll and the following was the vote on this motion. Yeas: Rupe, Ubben, Custer, Ruble and Eggleston. Nays: none. Motion carried.

WHEREUPON, the Chairman declared that the Motion having been approved by a majority of the votes cast, said Resolution 2021-12 is approved and adopted.

The Electronic Device Policy was reviewed.

Rupe moved to approve the Electronic Device Policy as presented. Ruble seconded. Voting Yeas: Rupe, Ruble, Eggleston, Custer and Ubben. Nays: none. Motion carried.

A request from Sandy Tvrdy for an increase in cleaning fees was reviewed and tabled to the November meeting. Rupe asked to have the old TV and treadmills removed. Lindgren will speak with the Seniors.

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The Delta Dental of Nebraska insurance increase was reviewed. The Village portion increased \$1.99 a month.

Eggleston moved to approve the Delta Dental of Nebraska rate increase as presented. Ruble seconded. Voting Yeas: Eggleston, Ruble, Custer, Ubben and Rupe. Nays: none. Motion carried.

Eggleston noted he will be absent for the next meeting.

Guest Wi-Fi for the community building was mentioned. Hartshorn will be contacted.

Rupe moved to adjourn the meeting at 8:21 PM. Eggleston seconded. Voting Yeas: Rupe, Eggleston, Ruble, Custer and Ubben. Nays: none. Motion carried.

Antonia Rupe, Chair
Joan Lindgren, Clerk