

VILLAGE BOARD OF TRUSTEES  
SPECIAL MEETING  
OCTOBER 30, 2023

Prayer by Sophia Custer.

**Rupe called the Special Meeting to order at 7:00 PM. 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, Peterson, Custer, Ruble, and Eggleston. Also present: Joan Lindgren.**

The Pledge of Allegiance was recited.

A quote from Mason Rohrich with Nebraska Generator Service for a new generator was reviewed. The quote is good for 15 days. There were concerns of not being able to return it if it isn't correct. Lindgren noted she was told by Rohrich that as long as it isn't hooked up, it can be returned. Once the generator is hooked up, it becomes used. Eggleston noted Rohrich said in an email the circuit breaker can be changed to 100 amp. Lindgren noted Jeff Sobczyk did contact Rohrich. It was mentioned this generator can be used at the fire department/community building once the new generator to run all three wells is installed with the well project. Discussion held. Ruble noted to run #6 well, per everything Sobczyk laid out, it will work.

Lindgren reviewed the emergency exception ordinance. The cost of the generator is \$38,000.00, shipping costs are \$450.00, but the Village can save that cost by picking it up. The estimated connection fee per Rohrich is around \$4,000, but typical costs are up to \$8,000 to \$10,000. The Board agreed the generator should be picked up by the Village. A concrete pad will be poured, and it needs to be the size of the new generator in the well project.

**Ordinance 2023-7 was introduced by Board Member Ruble and is set forth in full as follows, to wit: AN ORDINANCE OF THE VILLAGE OF CERESCO, SAUNDERS COUNTY, NEBRASKA, TO AUTHORIZE AN EMERGENCY PURCHASE OF A GENERATOR; 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; TO PROVIDE THAT AN EMERGENCY HAS BEEN DECLARED BY THE GOVERNING BODY AND THAT THE ORDINANCE SHALL BECOME IMMEDIATELY EFFECTIVE; AND TO PROVIDE THAT THIS ORDINANCE SHALL NOT BECOME AND BE MADE A PART OF THE MUNICIPAL CODE.**

WHEREAS, Neb. Rev. Stat. §17-568.01 provides that bidding is required for purchase of equipment for general improvements in excess of \$30,000.00, and

WHEREAS, said statute provides that in the event of a public emergency where there is an exigency or pressing necessity for immediate action or to prevent serious damage to health or property, estimates of cost and advertising of bids may be waived in an emergency ordinance authorized by Neb. Rev. State §17-613, when adopted by three-fourths vote of the governing body and entered of record, and

WHEREAS, the Board of Trustees has determined that there is a pressing necessity for immediate action to purchase a generator for the well pumps in the case of an emergency, and a generator adequate to meet such need is available immediately, and

WHEREAS, provided the Board of Trustees deems that an emergency exists, the effective date may be deemed to be immediate upon passage of this ordinance by at least three-fourths of the members of the governing body,

NOW, THEREFORE, BE IT ORDAINED BY THE CHAIR AND 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 the Board of Trustees deems that an emergency exists and waives estimates of cost and advertising of bids for a generator described as attached on *Exhibit A* hereto, and approves the purchase of the same in the amount of \$ \_\_\_\_\_ and an additional amount up to \$ \_\_\_\_\_ for shipping and up to \$ \_\_\_\_\_ for connection costs.

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 15 days after its passage and approval either in pamphlet form or by posting in three public places in the Village of Ceresco, Nebraska.

**Section 7. That the Board of Trustees has deemed that impending danger, failure of public utility or another emergency requires immediate operation of this ordinance and the ordinance shall take effect upon this proclamation by the Village Board of Trustees and the same shall be entered upon the record on minutes of the Village provided this Ordinance was passed by three-fourths or more of the Village Board of Trustees.**

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 this ordinance shall not become part of the municipal code.

**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 Eggleston 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, Eggleston, Custer, Peterson, 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 2023-7 might be read by title and then moved for final passage at the same meeting.**

**Board Member Eggleston moved that said Ordinance 2023-7 be approved and passed with the updated Section 2 and approve the purchase of the same in the amount of \$38,000.00, and an additional amount up to \$450.00 for shipping and up to \$9,000.00 for connection costs, and its title agreed to. Board Member Custer 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, Custer, Ruble, Peterson, and Rupe. Nays: none.**

**WHEREUPON, the Chair declared said Ordinance 2023-7 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**

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**affixing thereon the seal of the Village of Ceresco, Nebraska. The Chair then instructed the Clerk to publish Ordinance 2023-7 in the manner required by law, within fifteen (15) days after its passage.**

The splash pad was mentioned and will be placed on the November agenda. Cleaning the water way through town was mentioned. Peterson and Eggleston will meet with Gushard to review cleaning the water way south of Main.

**Peterson moved to adjourn the meeting at 7:18 PM Rupe seconded. Voting Yeas: Peterson, Rupe, Ruble, Eggleston, and Custer. Nays: none. Motion carried.**

Antonia Rupe, Chair  
Joan Lindgren, Clerk

