

VILLAGE BOARD OF TRUSTEES
REGULAR MEETING
OCTOBER 17, 2023

Prayer by Custer.

Peterson 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. Peterson pointed out the Open Meeting Law Act posted on the wall of the Community Room. Answering roll call: Peterson, Custer, and Eggleston. Ruble Tardy. Absent: Rupe. Also present: Brian Suhr, Toby Miller, Kim Elley, Larry Wendt, Arnie Lowell, Bailey Nesbitt, Seanna Jensen, Shaelynn Jensen, Nancy Witters, Mitch Estrada, Arsen Johnson, Dustin Gushard, Brian Roland and Joan Lindgren.

The Pledge of Allegiance was recited.

Custer moved to approve the September 26, 2023 minutes. Peterson seconded. Voting Yeas: Custer, Peterson, and Eggleston. Voting Nays: none. Motion carried.

Larry Wendt and Mitch Estrada were present to discuss their request to vacate the undeveloped street right-of-way west of 500 Archie, and narrow the street right-of-way of Archie Street. Lindgren reviewed there are no OPPD lines in the right-of-way west of 500 Archie, but there is a water line. The engineer and attorney do not recommend vacating due to an existing easement and future development. Lindgren also noted that Arnold Heyen told her they use that right-of-way for putting up hay. Wendt noted that Heyen's would still have access and said it could be abandoned with a utility easement along the water line. Estrada said he spoke with Heyen's and he is being told something different. Lindgren noted Arnold Heyen said the Village may not want to close it because of future development. Access to the Heyen property further west was mentioned. Wendt noted there is no reason to keep the right-of-way. Estrada noted concerns of the 80 foot right-of-way for Archie. Toby Miller noted Wendt hardly has any front yard.

Custer read the engineer's recommendation: It is my recommendation that vacating the Street ROW at this time is not appropriate so as not to limit access/development of the property to the north (even if not imminent). If the Village board would entertain the vacation of the street, the following will be required:

1. An easement for the water main, 15' or 20' wide centered on the main.
2. An Easement for a future sanitary sewer, centered in the ROW that is at least 20' wide
3. An easement for a future sidewalk connection to the north to meet the standards for blocks that would exceed 600 feet on the north property. This should be located so that the sidewalk is not built over top either of the water main or future sanitary line.
4. Easements for any private utilities currently in place within the ROW, if any.

Custer noted the attorney agrees with this assessment.

Discussion held.

Creating an agreement to let Wendt install a chain link fence close to the street right-of-way was discussed. The Board agreed the right-of-way shouldn't be vacated at this time. Peterson and Ruble will go look at the area tomorrow. Tabled to November.

Employee evaluations were scheduled for 5 PM on Monday, October 23rd.

Bailey Nesbitt was present for the Police Report.

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

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Roland reviewed: 1) SCADA is working. 2) Lovell Excavating refreshed the one-calls for the hydrant projects. 3) On the list for exercising water valves. 4) Hydrants were flushed and had problems shutting the one at 1st & Beech off. 5) Injury leave is being investigated by Worker's Comp prior to approval. 6) No update on roof at wwtp. 7) The generator building upgrade has not been completed yet. 8) Still in a drought.

Gushard reviewed 1) Matt Bower interested in helping with WWTP. 2) Tucker Maxson interested in part-time help for snow removal. 3) Sunken sidewalk at Laura Lane & Elm has been that way for years. 4) Culvert and ditch cleaning. 5) Waterway cleanout. 6) Playground tiles still need to be installed. 7) Fire Department/Community Building generator internal fuel tank is leaking, but the external tank is functional.

Ruble reviewed a temporary solution for the existing generator that he reviewed with the engineer. Opinion of cost is \$17,300.00. Cost proposals for renting or purchasing from Nebraska Generator were reviewed. Discussion held. Bids will be obtained. Eggleston will contact Nebraska Forestry.

Kyle Sabatka was not present regarding hydrant flushing on 3rd Street.

Eggleston confirmed with Gushard there is room for a large amount dirt from the Stream Stabilization to be placed at the compost site.

Arsen Johnson was present to review changing the Small Subdivision to an Administrative Subdivision for the Tracts in 21, 22, and 23. A meeting was held on Friday October 13th to discuss the Johnson Subdivision request with Maureen Freeman-Caddy, Julie Ogden, Arsen Johnson, Arnie Lowell, Brian Roland, Jody Anderson, and Joan Lindgren.

Arsen Johnson requested a waiver of the design standards for the street improvements on Ash Street, including curb and gutter, and sidewalk improvements. Roland reviewed there is no extension of Village utilities needed. Johnson reviewed there will be a junction box in the street right-of-way south of 4th & Ash for the lift stations to feed into. Each property owner, as a lot is purchased, would be responsible for their own personal lift station, and the sewer service would be extended through the junction box and then through an 8" conduit, which would be bored to the manhole on 4th Street. Johnson plans to deed 20 feet to the Village to create the 80 foot right-of-way for a future street. Discussion held. Sidewalk construction was discussed. The Board agreed to have an easement agreement prepared to run the private lines in the right-of-way, which will be filed at the Register of Deeds, and a Resolution and Deed for the 20 feet of land.

Recommendations from the engineer and attorney were reviewed.

Eggleston moved to allow a waiver of paving currently and will allow the private service lines to run in the right-of-way and placement of the conduit and junction box in the right-of-way per a signed agreement. Peterson seconded. Voting Yeas: Eggleston, Peterson, Custer, and Ruble. Nays: none. Motion carried.

Lindgren reviewed the Preliminary Plat for the second phase of Hunters was received on October 13th. Future development, including water and sewer infrastructure, and permit fees were discussed. It was noted a building permit has been requested in the Hunter Subdivision, and another is expected.

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

The drainage near 440 E Elm was reviewed.

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

Claims were reviewed, including the JEO claim. **Custer moved to approve the claims, including the JEO claim as presented. Ruble seconded. Voting Yeas: Custer, Ruble, Eggleston, and Peterson. Nays: none. Motion carried. The approved claims are as follows: Amazon Capital Services \$44.00/lib, pol; Aqua-Chem**

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\$146.75/wat; Bromm, Lindahl, ET AL \$367.50/gen, st; Card Services \$210.00/lib, gen; Ceresco Rural Fire Protection \$9,454.66/fire; Circle H Tire \$130.00/st; Baker & Taylor \$129.93/lib; Delta Dental \$158.19/ins; Domonique Harris \$57.64/lib; Erickson & Brooks \$6,475.00/budgets; Frontier Coop \$763.38/fuel; Helena \$478.60/prk; Hydro Optimization & Automation \$4,622.09/ARPA; IIMC \$185.00/gen; Mychal Lanik \$75.00/gen; Jackson Services \$154.93/gen, sew, wat, fire, prk, st; Jeans Fashion Creations \$25.00/pol; Johnson Service Co \$2,836.10/sew; Menards \$313.91/fire, sew, st; Midwest Labs \$30.55/sew; Municipal Supply of Omaha \$1,686.03/wat; Nebraska Library Commission \$500.00/lib; One Call Concepts \$41.86/wat, sew; OPPD \$4,962.30/electric; Rebecca Jacobs \$75.00/refund; Rembolt Ludtke \$1,030.00/st; Sandy Tvrdy \$325.00/gen; Shaffer Communications \$233.70/fire; U.S. Post Office \$270.00/postage; Sam's Club \$282.62/lib, pol, gen; Tvrdy Services \$356.62/wat/sew; Verizon \$193.65/phones; Wahoo-Waverly-Ashland Newspapers \$760.06/gen; Waste Connections of NE \$5,987.32/trash; Windstream \$478.21/phones; Payroll American Funds Investment \$1,238.60; Ameritas Life \$31.44/ins; Blue Cross and Blue Shield \$3,628.60/ins; Mutual of Omaha \$103.10/ins; United States Treasury \$4,769.96; Payroll \$17,793.02

The Library report was reviewed.

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

Eggleston moved to approve the fire department minutes as presented. Peterson seconded. Voting Yeas: Eggleston, Peterson, Custer, and Ruble. Nays: none. Motion carried.

Nancy Witters was present and asked if the water issues were resolved so she can get a burn permit.

A request from Steve Tvrdy to look into changing the community room lighting to LED was discussed. Bids will be obtained for review.

Eggleston reviewed a meeting he and Custer had with JEO regarding the Stream Stabilization. Updated plans and costs have been requested. Discussion held.

Eggleston reviewed a Trail Subcommittee meeting held last week. He is waiting for existing easement information to use as a trail system footprint. He is also reaching out to the State of Nebraska regarding the property along Hwy 77, and to the Nebraska Games & Parks.

It was noted the Interlocal Agreement with the Ceresco Rural Fire District was sent to their attorney for review.

Lindgren reviewed: 1) Bitdefender is being used for internet protection. 2) Problems with the online timeclock, but it has been resolved.

There was no update on the well project.

A request from Aaron Herold with Amigos Food Truck Operations to set up a food truck at the park on November 1st or 8th from 11 AM to 6:30 PM was reviewed. They are willing to donate 10% of their daily sales to a local organization like the Library.

Eggleston moved to approve the Amigos food truck request for November 1st or November 8th operating from the hours of 11 AM – 6:30 PM, with the permit fee as well as a 10% donation to the Library. Custer seconded. Voting Yeas: Eggleston, Custer, Ruble and Peterson. Nays: none. Motion carried.

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

Scott Peterson, Chair ProTempore
Joan Lindgren, Clerk

