

October 11, 2011

**VILLAGE OF WATERLOO
REGULAR MEETING MINUTES
October 11, 2011**

The Board of Trustees of the Village of Waterloo met for a Regular Meeting on October 11, 2011 at 7:00 p.m. at the Village Office, 509 S. Front Street.

PRESENT:

Stanley E. Benke, Jr., Chairman
Garry Lee, Vice-Chairman (Late)
Bill Rotert, Trustee
Tom Harrie, Trustee

ABSENT:

Jeff Barnes, Trustee

ALSO PRESENT:

Nancy Hert, Village Clerk
Ken Bunger, Attorney

OPEN MEETING

Chairman Benke called the meeting to order at 7:02 p.m. and stated the location of the Open Meetings Act. Notice of the meeting was duly exercised and mailed per the bylaws. Clerk Hert reported that there was one addition to the agenda, after #14, "Retention Pond at Homes at River Road".

PUBLIC COMMENTS

No public comments were heard.

MOTIONS TO APPROVE

Minutes from the September 27, 2011 Regular Meeting and the September financials were approved as presented.

Accounts Payable: Motion by Benke, second by Rotert to pay the bills including the bills presented at the meeting. (Listed below) All in favor, the following bills will be paid:

Bi-State Motor-Parts 173.43, Black Hills-Heat 109.59, Bunger-Attorney fees 1275.00, Cox-Internet/Phones 591.78, Gazette-Publications 220.84, Renewal 25.00, Elkhorn Hardware-Supplies 197.53, Erickson Sederstrom, P.C.-Lamprecht suit 63.62, Everly Plumbing-Library maintenance 269.60, Ford Motor-Police car payment 629.72, FSH Communications-Payphone 63.90, Hannish-Deposit refund 35.12, JQ Office-Office copier 63.11, Johnson-Batteries 35.81, Kelcey's Store-Drinks for Hamel fire volunteers 218.74, Kirby-Shop supplies 46.97, Linden-Deposit refund 43.63, Marking Refrigeration-Fire & Rescue Bldg. 217.10, Office Depot-Supplies 169.45, Papillion Sanitation-Trash pick-up 102.87, Rob's Oil-Fuel/mowers 2654.68,

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Servo-Library books 65.95, Standard Htg.-Fire & Rescue Bldg. 2280.14, Three Rivers' Clerks Ass.-Dues 20.00, Upstart-Library books 34.41 and Verizon 88.56.

Total Bills: \$ 9696.55

Total Payroll: \$ 24,603.01

REPORTS

Fire & Rescue-Nothing to report

Police-Chief Donahue provided a report. Motion by Rotert, second by Benke to approve hiring Brian Bonifas as a part-time Police Officer to replace Matt Gartner. All in favor, the motion carried.

Water/Sewer-Mike Goddard from PeopleService provided the monthly report. He said the Village was awarded a Water Security Subgrant for up to \$3600.00 to improve the safety of the public water system. The Village must match the grant dollars by 10%. Motion by Benke, second by Rotert to accept the Grant Award from Nebraska Health & Human Services for \$3600.00 and provide the 10% matching funds to purchase an "Alarm Dialer" for the water tower. All in favor, motion carried.

Motion by Rotert, second by Benke to accept the bid from West-E-Con for \$4400.55 to furnish and install the "Alarm Dialer" on the Village water tower. All in favor, motion carried.

Benke asked Hert to get additional information from PeopleService related to their costs for doing locates. Lee asked Hert if we couldn't reconcile budget utility accounts and send checks to those with a credit and request payments from those who owe. Hert will talk to Utility Clerk Johnson, but she thought Lee's request could be done.

Maintenance-Bednar provided a report. A discussion took place again on the issue of the maintenance of the ditches on 240th Street. This has been an ongoing discussion, as the Village and the County have differing opinions on whose responsibility it is. Bednar will contact the County and report back to the board. Attorney Bunger said the Village may need an interlocal agreement with the County to document responsibilities

Planning Board-Hert reported that no one responded to her emails requesting information about the last meeting.

Library-Report provided. The Library wants to develop their own web site. Attorney Bunger said they can't use the Village's logo. This development will be at minimal costs, with the librarians doing most of the work.

Clerk's Report-Hert reported that Jerry Hain from Olsson Associates would like to get on the agenda sometime to present an overview of Olsson's services. Benke said he wanted to wait until the levee is certified, which could be a couple of months.

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Motion by Benke, second by Rotert to approve the clerks' attendance at the NMPP Annual Software Refresher Course in Lincoln on October 19th & 20th. Johnson would attend one day and Hert would attend the second day. All in favor, motion carried.

DISCUSSION/CONSIDERTION/ACTION

Fence Issue:

The Embreys were present to get an update on their complaint about their neighbor's fence which they think was installed on their property. Benke reported that a letter was sent to the owner of the fence telling him he needed a permit and a survey. He got his permit, but did not supply the survey saying he would show it to our building inspector when he calls for an inspection.

Benke says he's not satisfied with this response and wants a second letter sent, informing the owner he must provide a survey immediately or remove the fence. The Embrey' are not happy with the Village's response to their complaints, but will wait and see.

Fireworks' Application:

Motion by Benke, second by Lee to approve the Fireworks' Sales' Application from Polak, representing United Methodist Church, for fireworks' sales December 29-31. All in favor, motion carried.

Levee Project:

Motion by Benke, second by Harrie to approve Change Order No. 11 for a net increase of \$39,113.69 for additional costs of the Levee Project. Roll call voting YES: Lee, Rotert, Benke and Harrie. Voting NO: None. Motion carried.

JEO Representative Claycomb also presented Change Order No. 12 for an increase of \$42,900.00 and Pay Application No. 11 for \$56,454.79 for work done through October 7, 2011. The Board questioned some of the numbers and the final work being done, and decided to table these two approvals until after the inspection of the levee that is scheduled for Wednesday morning.

Motion by Benke, second by Lee to approve Terracon Invoices #T244573 for \$13,056.25 and #T246457 for \$3587.50 for services through 9/17/2011 with a 50% cost share with Papiio-Missouri River NRD. All in favor, motion carried.

Wetlands Construction-The Board did not approve the proposal from Collins Contracting Co. for the excavation & construction of the wetlands on the east side of the levee. They thought some of the numbers were overstated and they were unable to quantify some of the items. Claycomb will work with Collins to resolve.

Financial Audit/M.E. Collins-This item was tabled until we have the final dollars and issues fully defined.

Pump Proposals-Motion by Benke, second by Rotert to purchase two 6" Engine-Driven Trash Pumps and hoses from DJ Gongol & Associates at a cost of around \$9000.00 each,

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with a 50% cost share with the NRD. All in favor, motion carried. This equipment is required by FEMA as part of our levee operations and maintenance, and will be paid for with levee bond money.

Motion by Rotert, second by Harrie to upgrade the Village Bobcat to a T650 Bobcat Track Loader for levee maintenance, at a cost of \$12,750.00 with a 50% cost share with the NRD. All in favor, motion carried.

Retention Pond:

Village Attorney Bunger is working with the Dial Attorney on the retention pond issue.

ORDINANCES/RESOLUTIONS

Ordinance #716 to increase water rates 5%

Benke made a motion to suspend the rules requiring a third reading and moved for final passage of Ordinance #716 entitled: AN ORDINANCE AMENDING ORDINANCE NO. 706 TO CHANGE THE MONTHLY METER CHARGES AND MONTHLY WATER RATES FOR USE OF THE WATER DISTRIBUTION SYSTEM AND THE PURCHASE OF WATER FROM THE VILLAGE OF WATERLOO, NEBRASKA. Rotert seconded the motion and upon roll call voting YES: Harrie, Lee, Rotert and Benke. Voting NO: None. Motion carried. A true, correct and complete copy of said ordinance is on file at the Village Office.

Ordinance #717 to approve a 3% salary increase for Village employees

Benke made a motion to suspend the rules requiring a third reading and moved for final passage of Ordinance #717 entitled: AN ORDINANCE RELATING TO THE SALARY OF THE OFFICERS & EMPLOYEES OF THE VILLAGE OF WATERLOO, DOUGLAS COUNTY, NEBRASKA. Harrie seconded the motion and upon roll call voting YES: Lee, Harrie, Benke & Rotert. Voting NO: None. The motion carried. A true, correct & complete copy of said ordinance is on file at the Village Office.

Resolution #10-11-11-01 to approve changes to the Personnel Manual

Benke introduced, read and moved for approval of Resolution No. 10-11-11-01 adopting the revised Personnel Policies Manual. Rotert seconded. All in favor, motion carried. A true, correct & complete copy of said resolution is on file at the Village Office.

Speed Bumps

Motion by Lee, second by Rotert to purchase two 6' rubber speed bumps from Michael Todd & Company at a cost of \$178.15 each. All in favor, motion carried.

CHAIRMAN'S TOPICS;

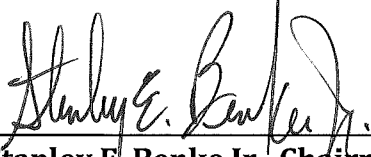
Chairman Benke asked the Clerk to contact the Douglas County Health Department to report that he has seen rodents around a foreclosed home.

The Board discussed how nuisances should be handled and Attorney Bunger reminded the clerk to follow the ordinances governing nuisances and there shouldn't be a problem.

ADJOURNMENT

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There being no further business, the meeting was adjourned at 10:40 p.m. The next Regular Meeting is scheduled for October 25, 2011.



Stanley E. Benke Jr., Chairperson



Nancy Hert, Village Clerk