

December 13, 2011

**VILLAGE OF WATERLOO  
REGULAR MEETING MINUTES  
December 13, 2011**

The Board of Trustees of the Village of Waterloo met for a Regular Meeting on December 13, 2011 at 7:00 p.m. at the Village Office, 509 S. Front Street.

**PRESENT:** Stanley E. Benke, Jr., Chairman  
Bill Rotert, Trustee  
Jeff Barnes, Trustee  
Tom Harrie, Trustee

**ABSENT:** Garry Lee, Vice-Chairman

**ALSO PRESENT:** Nancy Hert, Village Clerk  
Ken Bunger, Attorney

**OPEN MEETING**

Chairman Benke called the meeting to order at 7:05pm and stated the location of the Open Meetings Act. Notice of the meeting was duly exercised and mailed per the bylaws. The Clerk added one agenda item-Approval of second phone line for office, after item #15.

**PUBLIC COMMENTS**

The meeting was opened for public comments but there were none.

**MOTIONS TO APPROVE**

Minutes from the Regular Meeting on November 22, 2011 and November 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) with verification of the 50 % NRD cost share with the NRD. All in favor, the following bills will be paid:

All Flags-Fire & Rescue 146.00, Barnes & Noble-Library books 363.88, Bi-State Motor-Shop supplies 121.77, Black Hills-Heat 646.18, BlueCross BlueShield-Employee health insurance 1277.34, Bunger-Attorney fees 1275.00, COX-Phones/Internet 611.56, Custom Electric-Fire & Rescue Bldg. 3410.86, D.C. West-License fees 1700.00, Danko-Fire & Rescue 287.45, Douglas County Gazette-Publications 145.52, Elkhorn Auto-Street Equipment 1399.31, Police car repairs 243.00, Elkhorn Hardware-Supplies 213.82, Entenmann-Rovin-Police badges 97.73, Erickson/Sederstrom-Attorney fees/2<sup>nd</sup> Street 167.00, Fireguard-Fire & Rescue 169.85, First State Bank-Homes at RR TIF 696.05, Flynn Heating & Air-Maintenance Bldg. 2484.00, Ford Motor-Police Car 629.72, FSH Communications-Payphone 63.90, Grass

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Pro-Fire & Rescue 143.40, JQ Office-Office Copier 92.26, JEO Consulting-Engineering 3236.00, Lincoln National-Fire & Rescue Insurance 147.90, Matthew Bender-Police Software 111.53, Menards-Misc. Supplies 482.39, MUD-Cost of Water (2 months) 19,876.22, Michael Todd-Speed Bumps 429.19, Micromarketing-Library books 279.45, Monke Brothers-Chemicals 160.00, NDEQ Fiscal Services-Water loan 13,379.94, NE Dept. of Revenue-Tax Lien 150.00, Nebraska Sweeping-Streets 1412.53, NMPP Energy-Office software licenses 4220.00, O'Reilly Auto-Supplies 245.35, OPPD-Electricity 3871.57, Orkin-Fire & Rescue Bldg. 53.50, Oyster-Petty Cash 96.62, Papillion Sanitation-Trash 102.87, Payless-Office products 155.87, PeopleService-Pump replacement 3856.90, Utility Service Contract 10,604.00, Quartermaster-Police Uniforms 302.94, Rob's Oil-Village fuel 1502.00, Schroeder-Audit 5329.00, Security Equipment-Fire & Rescue 508.26, USPS-Postage 175.00 and Verizon-Police/Maintenance cell phones 123.61.

**Total Bills: \$ 87,198.24**

**Total Payroll: \$ 24,040.19**

### **2011/2012 AUDIT**

Village C.P.A. Ed Schroeder presented the audit and said it was a good report. Motion by Benke, second by Rotert to accept the 2011/2012 Audit as prepared and presented by Village C.P.A. Ed Schroder. Voting YES: Barnes, Harrie, Benke and Rotert. Voting NO: None. Lee absent. The motion carried.

### **REPORTS**

**Utilities/PeopleService**-Report provided

**Fire & Rescue**-No report

**Police**-Report provided

**Maintenance**-Report provided

**Library**-Report provided

**Clerk's Report**-Report provided

- Discussed ideas for changes to agenda format-Benke wants to discuss again when Trustee Lee is present.
- Chris Hansen-Propose making him permanent part-time/eligible for benefits-Table until Trustee Lee is present.

### **DISCUSSION/CONSIDERATION/ACTION**

**Grant Peterson//First State Bank:** Grant discussed the revised Redevelopment Agreement. Attorney Bunger said this Agreement extends the Homes at River Road TIF; assigns it to a group of banks, and includes an engineering solution for the retention pond.

**Locates:** The Board agreed to charge SID 453 \$20.00 for locates done for West Shores. Hert will draft a resolution for approval at a future meeting.

**Levee Certification:**

- USACE Inspection Report: The Board reviewed the results of the recent levee inspection by the Army Corps of Engineers. There were only two deficiencies noted: 1) Power lines that are encroaching, but not threatening the integrity of the levee-if poles are ever moved, should be placed outside of the levee right-of-way; and 2) Animal Burrows-Need to continue and improve animal control plan to remove burrowing animals.
- Change Order #14: Motion by Benke, second by Barnes to approve Change Order #14 for an increase of \$577.49 for additional seeding/erosion work. All in favor, motion carried.
- Pay Application #14 and Final: Motion by Benke, second by Barnes to approve payment of Pay Application #14 and Final for \$101,779.29 for work done by M.E. Collins Contracting, with a 50% cost share with the NRD. Voting YES: Rotert, Barnes, Harrie and Benke. Voting NO: None. Motion carried.
- Acceptance of Project Construction Contract: Motion by Benke, second by Barnes to approve the "Recommendation of Acceptance" for levee construction work performed according to contract with M.E. Collins Contracting Co., Inc. Voting YES: Rotert, Barnes, Benke and Harrie. Voting NO: None. Motion carried.
- JEO Invoice #66811: Motion by Benke, second by Rotert to approve payment of JEO Consulting Invoice #66811 for \$6021.50 for Levee Construction Services, with a 50% cost share with the NRD. Voting YES: Barnes, Benke, Rotert and Harrie. Voting NO: None. Motion carried.

**Payment for emergency or seasonal work by trustees:** Hert provided documentation from the Village Municipal Code, as well as State Statutes that state that trustees may perform and receive compensation for seasonal or emergency work. This was discussed at a previous meeting as an alternative for hiring temporary employees for snow removal or other emergency work that exceeds the capacity of Village employees to complete. Board Members agreed that they should be paid no more than the current part-time maintenance employee who is paid \$10.71 an hour.

**Financing for Fire Department SUV:** The Board agreed to make four annual payments of \$6480.25 for the 2012 Ford Escape being purchased by Waterloo Fire & Rescue. The accessory package will be purchased from Jones Automotive for approximately \$4900.00.

**Second Phone-line for office:** The Board approved adding a second phone line for the office at a monthly cost of \$29.51. Incoming calls are increasing, and people are forced to leave messages, which actually creates more work for office personnel.

### **ORDINANCES/RESOLUTIONS**

**Resolution No. 12-13-11-01-Redevelopment Contract:** Chairperson Benke introduced, read and moved for approval of Resolution No. 12-13-11-01 to amend the Redevelopment Contract with Homes at River Road to allow additional time for further development; designate Lots for division of ad valorem taxes and require the Bank to hire and pay for an engineer to design a remediation to a water collection problem on an outlot. Trustee

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Barnes seconded. All in favor, motion carried. A true, correct and complete copy of resolution is on file at the Village Office.

**Resolution No. 12-13-11-02-Streetlights:** Chairperson Benke introduced, read and moved for approval of Resolution No. 12-13-11-02, approving the October 25, 2011 OPPD Street Light Proposal to install lights on the north side of the mini-park on 1<sup>st</sup> and S. Front Street. Trustee Rotert seconded the motion. All in favor, motion carried. A true, correct and complete copy of resolution is on file at the Village Office.

**Resolution No. 12-13-11-03:** Approval of the HEART/WRERA & PPA Amendments to the Village 457(b) Plan was tabled until the December 27, 2011, because additional time is needed to review the amendments.

**Resolution No. 12-13-11-04:** Chairperson Benke introduced, read and moved for approval of Resolution No. 12-13-11-04, setting the date, time, number, type and fees for issuance of fireworks' sales permits for the 2012 permitting period. Barnes seconded the motion. All in favor, motion carried. There were no changes from the current year. A true, correct and complete copy of resolution is on file at the Village Office.

**Ordinance to Disband the Planning Board:** Passage of this ordinance was tabled until the Clerk contacts Municipal Code Services to see what changes need to be made to our codebook.

#### **CORRESPONDENCE**

The following correspondence was reviewed:

- Thank you letter from Foundation First Bank
- MUD Notice-No rate increase
- MAPA "What's Happening"

#### **ANNUAL REORGANIZATION**

Motion by Rotert, second by Barnes to nominate Stanley E. Benke, Jr. to continue as Chairperson of the Board in 2012. All in favor, motion carried.

Motion by Barnes, second by Rotert to nominate Garry Lee as Vice-Chairman of the Board in 2012. All in favor, motion carried.

Chairperson Benke moved, Rotert seconded to approve the following appointive offices:

#### **Appointed Offices**

Village Attorney  
Village C.P.A.  
Administrator/Clerk/Treasurer  
Maintenance Supervisor  
Zoning Administrator  
Building/Plumbing  
Mechanical Inspector

#### **2012 Appointments**

Ken Bunger  
Ed Schroeder  
Nancy Hert  
Jamie Bednar  
Mark Ekberg  
Mark Ekberg  
Mark Ekberg

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Electrical Inspector  
Chief of Police  
Village Engineer  
Street Superintendent  
Civil Defense/Emergency Management  
Fiscal Agent  
Insurance Agent

Sam Scarpello  
Tim Donahue  
JEO Consulting  
Julie Ogden  
Troy Peterson  
Ameritas Investments  
Inspro Insurance

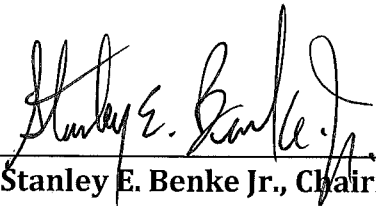
All voted in favor, motion carried.

Chairperson Benke made the following Trustee Assignments:

Garry Lee:	Vice-Chairman/Water/Sewer/Levee
Bill Rotert:	Maintenance/Streets/Parks
Jeff Barnes:	Police & Fire
Tom Harrie:	Library
Stan Benke:	Chairman/Office/Levee

#### **ADJOURNMENT**

There being no further business, the meeting was adjourned at 10:20 p.m. The next regular meeting is scheduled for December 27, 2011 at 7:00 p.m.

  
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Stanley E. Benke Jr., Chairman

  
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Nancy Hert, Village Clerk