

March 27, 2012

**VILLAGE OF WATERLOO
REGULAR MEETING MINUTES
March 27, 2012**

The Board of Trustees of the Village of Waterloo met for a Regular Meeting on February 28, 2012 at 7:00 p.m. at the Village Office, 509 S. Front Street.

PRESENT:

Stanley E. Benke, Jr., Chairman
Garry Lee, Vice-Chairman
Tom Harrie, Trustee
Bill Rotert, Trustee
Jeff Barnes, Trustee-arrived at 8:55pm

ALSO PRESENT:

Melissa Johnson, Clerk's Assistant
Ken Bunger, Attorney

OPEN MEETING

Chairman Benke called the meeting to order at 7:00pm and stated the location of the Open Meetings Act. Notice of the meeting was duly exercised and mailed per the bylaws.

PUBLIC COMMENTS

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

MOTIONS TO APPROVE

Minutes from the Regular Meeting on March 13, 2012 were approved as presented.

HEARING

Motion by Benke, seconded by Rotert to close the Regular Session and Open as the Board of Adjustments. All in favor motion carried.

Scott Brown approached the Board again to request a zoning change from AG-Agricultural to C-Commercial for Parcel ID#0882001501. The zoning change would result in smaller setbacks and allow for the construction of a building. Ken Walsh, a resident whose land is surrounded by the property, was concerned of the effect a building would have on the flood plain. Brown informed him that a majority of the lot would be unaffected as it is unbuildable because it is located in the flood fringe and any construction would need to be approved by the Corps and the Village engineers. Jeremy Hike, a resident on River Road Dr, was concerned of the speed limit and the creation of more traffic so close to the Levee. Brown stated that the businesses expressing interest in the land were in the service industry and traffic would be increased minimally. Trustee Lee was concerned changing the setbacks may hamper future widening of River Road Drive. Brown stated that the existing right of way is more than adequate to accommodate multiple lanes.

Chairman Benke suggested that Brown wait until there was a strong buyer, then approaching the Board for a variance to the setbacks. In doing this the Waterloo Village

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Board may have control over what type of business would be located there. Brown is open to that suggestion and will contact the Board at a later date.

Motion by Benke, seconded by Rotert to close the Public Hearing and return to the Regular Session at 7:30pm. All in favor, motion carried.

DISCUSSION/CONSIDERTION/ACTION

John Snyder approached the Board about fixing up the Cedar Hollow Baseball Field. Snyder stated that he has already made some improvements by bringing in materials around the bleachers and dragging the field. He would eventually like to fix up the concession stand so it can be used again, install permanent bases and install quick dry turf. Snyder offered to set up a website to allow for scheduling of the field. Benke asked him to write up a plan to present to the board at the next meeting. Benke also cautioned Snyder that this would not give him exclusive rights to the ball field. Benke also introduced Snyder to Todd Taylor from Syngenta and suggested that Syngenta might be able to help get things going.

Todd Taylor with Syngenta approached the Board about vacating a portion of 2nd Street and changing the truck route to include Washington Street from 1st Street to 2nd Street to allow access to a warehouse. Several residents that live on Washington between 1st and 2nd voiced concerns about the truck traffic and the lack of turning space. The Board was doubtful the streets could hold up to the truck traffic nor did they feel it was fair to the current residents to restrict street parking on Washington. Taylor stated that he would not need to continue with the request to vacate the street since the truck route would not be changed.

Benke introduced, read and moved for the approval of Resolution No. 03-27-12-09, a resolution amending the existing JEO contract for the Levee Improvement Project. Trustee Lee seconded the motion. All in favor, motion carried.

Benke asked Lalit Jha from JEO to give an update on the Bank Stabilization Project. Jha stated the NRD's expert was still reviewing the plans. He should hear from them within the next couple of weeks.

Benke introduced, read and moved for the approval of Resolution No. 03-27-12-02, a resolution to appoint Betty Brengelman to the Planning Board for a term of 3 years. Trustee Harrie seconded the motion. All in favor, motion carried.

Benke introduced, read and moved for the approval of Resolution No. 03-27-12-03, a resolution to appoint John William Clark to the Planning Board for a term of 3 years. Trustee Rotert seconded the motion. All in favor, motion carried.

Benke introduced, read and moved for the approval of Resolution No. 03-27-12-04, a resolution to appoint Justin Rossitto to the Planning Board for a term of 2 years. Trustee Rotert seconded the motion. All in favor, motion carried.

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Benke introduced, read and moved for the approval of Resolution No. 03-27-12-05, a resolution to appoint Kurt Dohn to the Planning Board for a term of 2 years. Trustee Rotert seconded the motion. All in favor, motion carried.

Benke introduced, read and moved for the approval of Resolution No. 03-27-12-06, a resolution to approve an amendment to the interlocal agreement with the Papio-Missouri Natural Resource District for the Construction of Levee Improvements. Trustee Rotert seconded the motion. All in favor, motion carried.

Benke introduced, read and moved for the approval of Resolution No. 03-27-12-07, a resolution directing the sale of the old Library. Trustee Rotert seconded the motion. All in favor, motion carried.

Trustee Rotert wants the board to prioritize necessary street repairs, get costs for each area and get as many repairs done as allowed by the budget. Chairman Benke volunteered to drive around with Rotert to help prioritize.

Trustee Harrie now has all the job descriptions he needs. He will compile assessment forms within the next month for the Board to use for performance appraisals.

Benke introduced, read and moved for the approval of Resolution No. 03-27-12-08, a resolution to approve the Union Pacific agreement for repair to water main on Third Street. Trustee Rotert seconded the motion. All in favor, motion carried.

Clerk's Assistant Johnson presented a Frequently Asked Questions sheet from a program provided by FEMA for National Incident Management System (NIMS) Training Program. The program provides a guideline for steps to take in the event of a natural emergency. Johnson stated that a clerk she met at the Clerk's Institute whose community was affected by the Missouri River Floods last year suggested becoming certified. The Board agreed to review the online material as a group within the next month.

The Board discussed some complaints received regarding personal use of Village equipment by Fire Department members. Chief Cooke and Deputy Chief Harlow stated members have been allowed, in the past, to use Fire Department equipment. Chairman Benke explained that under state statute, anybody covered by Worker's Compensation Insurance is considered an employee and because the Village pays Worker's Comp for the Fire Department members they are required to follow policies outlined in the Employee Handbook, including the use of Village equipment for personal use. Benke went onto explain that the Village insurance does follow the vehicle but the insurance company suggests limiting personal use of equipment. Village Attorney Bunger stressed that personal use of village vehicles &/or village equipment is prohibited by state statutes, as well. Cooke and Harlow stated that if the Village begins imposing rules on the Fire Department the volunteers would all leave. Benke stated that he hoped the fire and rescue volunteers are serving their community for reasons other than this. To clear up any past misunderstandings, Benke stated that all Village employees, including fire department

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personnel must comply with state laws and follow the policies in the Waterloo Employee Handbook.

Benke also asked Cooke if he was planning on marking the new command vehicle. Cooke said not this year, maybe next year if it's in the budget. He stated that he would rather not have it marked because some other communities don't mark theirs. Benke stated that since it is a Village-owned vehicle, it should be marked. Trustee Lee stated once it's marked it may be more easily perceived to be used for unofficial business rather than leaving it unmarked. Trustee Harrie said what is really wrong with that if it is being used for official business. Benke asked if there was a log to monitor the use of the command vehicle. Cooke informed him that the only monitoring was being done by him and that there was less than 500 miles on the vehicle and it's on its second tank of gas. Attorney Bunger asked Cooke to bring a list of the communities that don't mark their vehicles to the next meeting. Benke stated that this is the property of the Village of Waterloo and what other communities do does not necessarily concern us.

Motion by Benke, second by Rotert to go into Executive Session at 9:11pm to discuss Fire Department personnel issues regarding complaints. Upon roll call vote, voting YES: Harrie, Rotert, Lee, Benke and Barnes. Voting NO: none, motion carried. Chairman Benke restated that they were going into Executive Session to discuss Fire Department personnel issues regarding complaints. Motion by Benke, second by Rotert to go out of Executive Session at 9:28pm. All in favor, motion carried

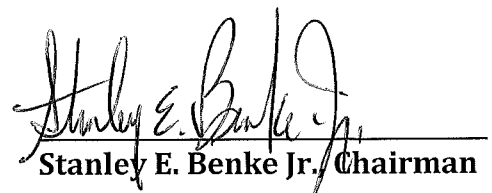
Benke stated that all Village employees will follow the current policies in the Employee Handbook, Trustee Barnes and himself will meet with Fire Chief Cooke and Deputy Chief Harlow to discuss other Fire Department issues and Jim Cooke will provide bids to the Board for markings on the new command vehicle at the next meeting.

TRUSTEE TOPICS

Rotert stated Omaha Tractor brought the 4-wheel drive mower. The mower did not perform as hoped and they are looking into other options.

ADJOURNMENT

There being no further business, the meeting was adjourned at 9:53pm. The next regular meeting is scheduled for April 10, 2012 at 7:00 p.m.


Stanley E. Benke Jr., Chairman



Melissa Johnson, Clerk's Assistant