

August 14, 2012

**VILLAGE OF WATERLOO
REGULAR MEETING MINUTES
August 14, 2012**

The Board of Trustees of the Village of Waterloo met for a Regular Meeting on August 14, 2012 at 7:00 p.m. at the Village Office, 509 S. Front Street.

PRESENT: Stanley E. Benke Jr., Chairperson
Garry Lee, Chairperson pro tempore
Jeff Barnes, Trustee
Bill Rotert, Trustee

ABSENT: Tom Harrie, Trustee

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

OPEN MEETING

Chairperson pro tempore Garry Lee called the meeting to order at 6:57 pm and stated the location of the Open Meetings Act. Notice of the meeting was duly exercised and mailed per the bylaws.

PUBLIC COMMENTS

None

MOTIONS TO APPROVE

Minutes from the July 24, 2012 Meeting and the Treasurer's Report were approved as presented.

ACCOUNTS PAYABLE

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

Barnes & Noble-Library books 381.17, Black Hills-Heat 103.46, BlueCross BlueShield-Health Insurance 2744.19, Bunger-Attorney fees 1560.00, Cox-Internet/Phones 661.28, Douglas County Gazette-Publications 621.19, Douglas County Roads-Roadway stripping 2427.00, Eagle Services-Portables 150.00, Elkhorn Hardware-Supplies 39.94, First State Bank-Redevelopment TIF 1161.96, Ford Motor-Police SUV 629.72, FSH-Payphone 63.90, Garage Door-Police Department 121.50, Grass Pro-Fire Department 354.80, JEO-Water Main/Homes at River Road Projects 4677.75, JQ Office-Copier 65.17, Jorgensen-Mileage/Retirement Party 238.83, Lasiter-Harvest Days Postage 81.00, League-Membership dues 2280.00, Liberski-Deposit refund 36.18, Lincoln National-Fire Dept. Insurance 20.40. Menards-Supplies 222.76, MUD-Cost of water 17,719.04, Michael Todd-

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Levee signs 503.40, Miller/Monroe-Liability Insurance 6524.00, Monke Brothers-Chemicals 97.51, Nebraska Dept. of Revenue-Tax Lien 150.00, Nebraska Sweeping-Street Cleaning 1469.03, O'Reilly Auto 50.06, Office Depot-Office supplies 284.18, Office Net-Library copier 188.62, OPPD-Electricity 4216.69, Omaha Tractor-Repairs 36.53, Orkin-Fire Dept. Building 163.71, Papillion Sanitation-Trash Pick-up 110.69, PeopleService-Utility Contract 10,604.00, Rob's Oil-Village vehicle fuel 2951.45, Sam's Club-Dues 42.80, Ty's Outdoor-Equipment repairs 144.11, United Electric-Library Flag Light 34.32 and Verizon-Cell Phones 94.28.

Total Bills: \$ 71,604.67

Total Payroll: \$ 25,229.71

REPORTS

Reports were provided by the following:

Utilities: Mike Goddard provided the PeopleService Report. Mike reported problems with the control valves on the water tower. This has been fixed, although water usage continued to exceed demand rate because of the hot weather.

Fire & Rescue: Jim Cooke was in attendance. Clerk Hert asked him for his opinion regarding a letter from a Riverside resident related to the safety of large-scale Fireworks' Displays. Permits for these events are issued by Waterloo Fire & Rescue. Attorney Bunger said he would handle.

Police: Donahue provided report.

Maintenance: Bednar provided report. A Salesman from Titan Machinery presented costs for a one-owner Case IH Tractor with loader at \$62,000. Lee said he would like to see a demo of the product, but the specific model for sale is in Grand Island. He said he would see what he could do to arrange a demo. A purchase decision was tabled until we hear back from the salesperson.

Bednar also provided two bids for the removal of tree stumps on N. Front Street across from the school. Motion by Rotert, second by Barnes to accept the lowest bid from Josh Anderson for \$450, to dig-up and remove the stumps on N. Front Street. All in favor, motion carried.

Library: Jorgensen, the new Library Director provided a report. She thanked the entire board for their help with the retirement party for Linda Oyster.

Clerk's Report: Hert provided report.

DISCUSSION/CONSIDERATION/ACTION

Pat Booth-Proposal for Medical Facility: Patrick Booth, CEO of the Fremont Area Medical Center presented his proposal to build a Medical Clinic in Waterloo, on land he is planning on purchasing. He presented several different options, one that included building west of

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the library, and one that would swap land with the Village to allow building on a portion of Cedar Hollow Park. His offer to swap land included rebuilding a baseball field, and possibly adding soccer fields. Pat presented his ideas to the Planning Board on August 7th and they approved the concept contingent upon the recommendations and approval of the Village Board and Village Attorney. His proposal did not require any zoning action.

Village Attorney Bunger explained to Mr. Booth that there was a process to follow that included a formal plan, a proposal, financial plans, land appraisals, etc. Pat said he thought he was following the process based on meetings with the Village Clerk, Village Zoning Administrator and Planning Board. Attorney Bunger said he needed to talk to him directly before he went any further.

Julie Ogden-JEO/ Street Superintendent's Report: Julie presented her recommendations for street repairs in Waterloo based on a recent review of current street conditions. She noted that her study found that most of the north/south (numbered) streets are generally in good repair, while the east/west streets would be the priority for repairs. The projects were sized such that they could be paid for with the additional sales tax revenue if approved by the voters in November. Projects could be combined or reduced if revenues change in the future. Chairperson pro tempore, Garry Lee, said he would like to see us get started with our street repairs immediately.

Julie also reviewed downtown parking (Third Street), specifically in front of Venice Antiques. They have requested handicapped parking in front of their building. Julie explained that if a handicap parking stall is provided (according to ADA requirements), there must be an accessible route for that party to access the adjacent sidewalk. This gets rather complicated and expensive. She suggested at this time that we look at marking parking stalls at this time, until traffic increases and justifies the expense.

The Board asked Julie to look at both sides of the street for handicapped access, but suggested that we could move forward with better marking.

Gary Crone of the Dog House Saloon asked the Board for permission to fix the sidewalk in front of his business. He said he had submitted a bid several months ago to do all the bricks on Third Street and never heard from the Village. Attorney Bunger said the Board would send him a letter and let him know, but Gary was insistent that he wanted to get the work done immediately. Bunger repeated that the Village would respond to him in writing.

John Trecek/Ameritas: John answered questions related to the levee bond money explaining that the bond funds can be used for any capital expenses directly related to the levee and its maintenance. When asked about the levee funds, he said we should reconcile all accounts and pay back general and any other accounts used to pay levee expenses.

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Invoice: Motion by Lee, second by Benke to pay JEO Invoice #69565 for \$7578.05 for the Bank Stabilization Project with a 50% cost share with the Papio-Missouri River NRD. Voting YES: Rotert, Barnes, Lee and Benke. Voting NO: None. Motion carried.

Budget Overview: This topic was tabled and rescheduled for a Special Meeting to be held on Tuesday, August 21, 2012 at 6:00 pm.

ORDINANCES/RESOLUTIONS

Ordinance No. 723-Chairperson pro tempore Lee introduced and read for the third and final time **Ordinance No. 723-AN ORDINANCE OF THE VILLAGE OF WATERLOO, NEBRASKA, AMENDING SECTIONS 2-101 AND 2-112 OF THE MUNICIPAL CODE IN REGARD TO THE PUBLIC LIBRARY; REPEALING ORIGINAL SECTION 2-101; AND PROVIDING AN EFFECTIVE DATE.** Trustee Rotert moved for final passage and adoption of Ordinance No. 723. Barnes seconded. Upon roll call voting YES: Lee, Benke, Rotert and Barnes. Voting NO: None. Motion carried. A true, correct and complete copy of said ordinance is on file at the Village Office.

Resolution No. 08-14-12-01: Lee introduced, read and moved for approval of Resolution No. 08-14-12-01, a resolution to appoint Linda Clark to the Library Board to fill a vacant position. Barnes seconded the motion. Upon roll call vote, voting YES: Rotert, Lee, Benke and Barnes. Voting NO: None. Motion carried. A true, complete and correct copy of said resolution is on file at the Village Office.

Resolution No. 8-14-12-02: Lee introduced, read and moved for approval of Resolution No. 8-14-12-02, a resolution approving the bid from Royal Lawns, Inc. to provide broadleaf weed spraying on the Waterloo levee twice a year, in June and September, for an annual fee of \$1200, contingent upon confirmation that this price includes the chemicals. Rotert seconded the motion. Voting YES: Barnes, Benke, Rotert and Lee. Voting NO: None. Motion carried. A true, complete and correct copy of Resolution No. 08-14-12-02 is on file at the Village Office.

Resolution No. 8-14-12-03: Motion by Rotert, second by Barnes to table Resolution No. 8-14-12-03 until further research is completed related to the purchase of mowers. Voting YES: Lee, Benke, Barnes and Rotert. Voting NO: None. Motion carried.

Resolution No. 8-14-12-04: Lee introduced, read and moved for approval of Resolution No. 8-14-12-04, a resolution authorizing the question of increasing the village sales tax from one and one-half per cent to two per cent to the qualified electors of the Village of Waterloo. Barnes seconded the motion. Upon roll call voting YES: Rotert, Benke, Lee and Barnes. Voting NO: None. Motion carried.

Employee Service Awards: A final decision on employee service awards was tabled until the next meeting.

Executive Session: Motion by Lee, second by Rotert to go into Executive Session at 9:00 p.m. to discuss potential litigation. Upon roll call voting YES: Benke, Barnes, Lee and

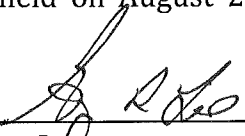
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Rotert. Voting NO: None. Motion carried. Lee restated they were going into Executive Session to discuss potential litigation. Motion by Lee, second by Barnes to return to Regular Session at 9:27 p.m. Voting YES: Rotert, Barnes, Benke and Garry. Voting NO: None. Motion carried.

CORRESPONDENCE

Correspondence was reviewed.

Meeting was adjourned at 9:32 p.m. The next Regular Meeting is scheduled for August 28, 2012 at 7:00 p.m. and a Special Budget Meeting will be held on August 21, 2012 at 6 p.m.



Garry Lee
Chairperson pro tempore



Nancy Hert, Village Clerk