REGULAR MEETING OF THE VILLAGE BOARD OF TRUSTEES

STERLING, NEBRASKA

The Chairman and Board of Trustees of the Village of Sterling, Nebraska, met in regular session on Tuesday, December 14, 2021 at 7:05 p.m. at the Village Office being a publicly convened meeting the same being open to the public and having been preceded by advanced publicized notice at the following locations: First Bank of Nebraska-Sterling, Sterling Public Library, and Village of Sterling Village Office. Chairman John Keizer called the meeting to order. Trustees answering roll call: Ralph Wusk, Danny Fraley, and Steve Lempka. Absent: Tom Nieveen. Others present: Spencer Pagel, John Moss, Roger Moss, Mike Harris, Todd Blome, Craig Vincent, Pat Hatfield, and Dan Alexander.

Chairman John Keizer acknowledged the Open Meetings Act and the location on the North wall.

Lempka made a motion to approve the consent agenda including the change in ordinance number for NPPD franchise agreement from 2021-5 to 2021-7 and Wusk seconded the motion. Vote: yeas: all. Motion carried.   
Wusk made a motion to approve First National Bank-Omaha bill due to having charged Laffman Hot Rod Garage and Fraley seconded the motion. Vote: yeas: Wusk, Lempka, and Fraley. Abstained: Keizer. Motion carried. Fraley made a motion to approve Wusk bill for $18.50 and Lempka seconded the motion. Vote: yeas: Keizer, Fraley, and Lempka. Abstained: Wusk. Motion carried.

These bills were approved for payment: American Legal Publishing Corp., code books-650.00; Barco, signs-920.48; Black Hills, heating-931.80; Colonial Life, ins.-206.05; Constellation, heat-115.49; First National Bank-Omaha, sup.-1550.12; First National Bank-Omaha, sup.-165.82; Hancock Lumber, LLC, sup.-77.55; IRS, taxes-607.61; Jet Stop, fuel-148.05; Kuhl Trenching & Excavating, Inc., repairs-1280.00; Municipal Supply, sup.-690.72; Municipal Pipe Services, sup.-5600.00; Nebraska Waste Reduction and Recycling, fee-55.86; NPPD, electricity-1923.51; NPHEL, samples-15.00; Olsson, fees for E. Locust St. bridge-2529.28; Payroll November, payroll-8545.27; Payroll Taxes November, taxes-2315.42; Southeast Area Clerks Assoc., dues-10.00; Samantha Gordon, insurance-500.00; Spencer Pagel, Insurance-500.00; Steve Mecure, retainer-100.00; Tecumseh Chieftain, pub.-87.30; Unico, bond-200.00; The Voice News, pub.-120.35; Waste Connections, refuse-5764.03; Windstream, telephone-343.03; Wusk Power Equip. and Repair, sup.-18.50. Total: $35,981.26.

Craig Vincent with NPPD, presented the board with a new franchise agreement since the current twenty-year term agreement has expired. Per state statute we are required to have a franchise agreement. The proposed agreement is for twenty-five years. Also, discussed the updated pro-agreement option with being able to increase the lease payment by half a percent annually up to a maximum of fourteen percent, added a retail committee, provisions on doing a renewable generation such as solar projects, and could choose to charge tax supported entities as they are currently exempt from this. Wusk introduced ordinance 2021-7, AN ORDINANCE GRANTING TO THE NEBRASKA PUBLIC POWER DISTRICT, A PUBLIC CORPORATION AND POLITICAL SUBDIVISION OF THE STATE OF NEBRASKA, ITS SUCCESSORS AND ASSIGNS, THE NON-EXCLUSIVE RIGHT AND FRANCHISE FOR A PERIOD OF TWENTY-FIVE (25) YEARS TO ERECT, OPERATE AND MAINTAIN AN ELECTRIC LIGHT AND POWER SYSTEM IN THE VILLAGE OF STERLING FOR THE PURPOSE OF FURNISHING ELECTRIC ENERGY TO SAID VILLAGE OF STERLING AND THE INHABITANTS THEREOF; LIMITING THE MAXIMUM CHARGES FOR SUCH ENERGY; PROVIDING CERTAIN REGULATIONS WITH REFERENCE THERETO; AND ALL THINGS INCIDENTAL TO THE PURPOSES THEREOF; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH; DIRECTING THE PUBLICATION OF THIS ORDINANCE AND PRESCRIBING THE TIME WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT. Wusk made a motion to waive the three-time readings on Ordinance 2021-7 and Fraley seconded the motion. Vote: yeas: all. Motion carried. Wusk made a motion to move Ordinance 2021-7 for final passage and Lempka seconded the motion. Vote: yeas: all. Motion carried.

Dan Alexander with Midwest Engineering presented the board with preliminary plans and the engineers estimate. Plans included changes to 24-foot pavement and adding guardrail. Looking to do letting in January and then start project mid-summer of 2022 depending on how things go. Lempka made a motion for Midwest Engineering to source for bids on Broadway Street bridge replacement and Wusk seconded the motion. Vote: yeas: all. Motion carried.

Todd Blome with BMG CPA’s presented the audited financials and findings. They confirmed bank balances, verified revenues and expenditures and explained capital expenditures.

Mike Harris discussed receiving a fine for illegal dumping in the amount of $250 and was not aware of the rules or knew that it was a violation to dump large amounts of garbage in the rural dumpsters being new to town. He was asking that the fee be waived since he wasn’t aware that he was doing anything wrong by using the dumpster since they are rural customers. Wusk made a motion to lower the fine to $100 since he wasn’t aware of the rules and being new to town didn’t know how things worked and Fraley seconded the motion. Vote: yeas: Fraley, Wusk, and Keizer, nays: Lempka. Motion carried.

Lempka made a motion to keep committees as assigned with replacing Andy’s positions to Dan Fraley’s and Fraley seconded the motion. Vote: yeas: all. Motion carried.

Becky Barney, librarian, received three grants in the last month and will be opening a new account, will be getting a new catalog program, customized shelving in the closet for maker space, and installation of a flat screen tv. Will be doing art/music/tech classes, also working on yearly survey with increased number of patrons visiting the library has increased from 332 to 1488 people this year. Had an inquiry about donating money towards digitizing year books and old newspapers, was told that the old newspapers are already available with microfilm. Friends group will start in January with a group of approximately ten people and homework help is growing. Wusk made a motion to approve a new library account and Lempka seconded the motion. Vote: yeas: all. Motion carried.

Spencer Pagel, utility superintendent, discussed taking down the fence around the rural dumpsters after they are removed and placing in storage until needed, truck is going to Nebraska Snow Equipment on Monday to get the salt spreader bearings fixed, got new tire chains for dump truck, handicap sign was put up yesterday, Doug Schmidt is going to make a post to bolt to sidewalk for a second handicap parking spot in front of Scott’s, and discussed a few street repairs needing attention.

Samantha Gordon, Village Clerk, discussed water needs survey being due in mid-January, approved a special designated license to SCA for the pitch tournament new years eve, and owner-occupied rehabilitation program funds have been released and Chairman Keizer needs to sign the housing management contract.

John Keizer, Chairman of the board, discussed attending the hazard mitigation webinar this morning, resubmitting the ARPA application due to denial with estimates on water repairs, battery collection going on behind Scott’s that ends Saturday, and will be on vacation from December 20th to January 4th so Ralph will be in charge. Also, Omer Kuhlmann received an update on the Post Office being that the building is not inhabitable and that they will be looking into another facility or piece of property but will be having a town hall meeting prior to making these decisions later.

Samantha Gordon, zoning administrator, discussed having an open position on the zoning board with Kirstin McAuliffe’s resignation effective December 31st, and presented board with Dean Young’s lot split application. Lempka made a motion to accept Kirstin McAuliffe’s resignation from the zoning board and Fraley seconded the motion. Vote: yeas: all. Motion carried. Wusk made a motion to approve lot split application from Dean Young for property with legal description Sterling-OT lot 12 Blk 11 and Fraley seconded the motion. Vote: yeas: all. Motion carried.

Vacant properties were discussed and list for second round of fees getting turned in to Mecure. No updates from FEMA, waiting on money to come in from quarterly report. Keizer had talked to Adrian Allen, Sterling Public Schools superintendent, and he was going to look and see what other surrounding schools had for an agreement for football field use if not on school property.

Keizer discussed Lisa Martin wanting to start music lessons toward the end of January and was looking for a facility to do so and asked about the library. Fraley made a motion to charge $10/hour for renting the library out for music lessons and Lempka seconded the motion. Vote: yeas: all. Motion carried. Quotes for cameras were discussed with the options of getting two more 1080P cameras or upgrading to 4K resolution and moving one of the downtown cameras as well. Lempka made a motion to approve purchase of two 1080P cameras and labor totaling $1477.72 and then swapping these two cameras with 4K ones when they arrive and Wusk seconded the motion. Vote: yeas: all. Motion carried. Downtown sidewalk repairs and replacement were discussed with deciding to invite property owners to our January meeting to discuss. Lempka introduced Ordinance 2021-5, AN ORDINANCE OF THE BOARD OF TRUSTEES FO THE VILLAGE OF STERLING, NEBRASKA, AMENDING THE ZONING ORDINANCE OF THE VILLAGE OF STERLING, NEBRASKA, TO PROVIDE FOR CAR WASHES TO BE A PERMITTED USE IN DOWNTOWN COMMERCIAL DISTRICT. Wusk made a motion to wave the three-time readings on ordinance 2021-5 and Fraley seconded the motion. Vote: yeas: all. Motion carried. Lempka made a motion to move Ordinance 2021-5 for final passage and Wusk seconded this motion. Vote: yeas: all. Motion carried. Wusk introduced Ordinance 2021-6, AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE VILLAGE OF STERLING, NEBRASKA, AMENDING THE ZONING ORDINANCE OF THE VILLAGE OF STERLING, NEBRASKA, TO PROVIDE THAT ALL FEES CHARGED BY THE VILLAGE FOR ANY ZONING OR SUBDIVISION RELATED ACTION MAY BE CHARGED, SET, MODIFIED, OR ESTABLISHED BY RESOLUTION. Lempka made a motion to waive the three-time readings on Ordinance 2021-6 and Fraley seconded this motion. Vote: yeas: all. Motion carried. Wusk made a motion to move Ordinance 2021-6 for final passage and Fraley seconded the motion. Vote: yeas: all. Motion carried. Lempka made a motion to pay VanKirk Brothers $34,029.17 for pay app 5 for the East Locust Street bridge and Wusk seconded the motion. Vote: yeas: all. Motion carried. Fraley made a motion to approve resolution 2021-6 year-end certification of city street superintendent 2021 and Wusk seconded the motion. Vote: yeas: all. Motion carried. Wusk made a motion to approve year-end certification of city street superintendent for determining incentive payment January 1, 2021 to December 31, 2021 and Fraley seconded the motion. Vote: yeas: all. Motion carried. Lempka made a motion to approve recognition dinner for elected and appointed officials and employees with a maximum cost of $25 per person and spouse or significant other paying for their own and Wusk seconded the motion. Vote: yeas: all. Motion carried.

Lempka made a motion to adjourn the meeting at 9:02 p.m. and Wusk seconded the motion. Vote: yeas: all. Motion carried.

John Keizer, Chairman of the Board Samantha Gordon, Village Clerk