

ORDINANCE NO. 2010-4

AN ORDINANCE OF THE VILLAGE OF STERLING, NEBRASKA,  
AMENDING CHAPTER 10, ARTICLE 1, SECTION 118, OF THE  
MUNICIPAL CODE OF THE VILLAGE OF STERLING, NEBRASKA  
TO MODIFY HOURS WHEN RETAIL SALE OR DISPENSING OF ALCOHOLIC  
LIQUORS FOR CONSUMPTION ON THE PREMISES IS PERMITTED.

BE IT ORDAINED BY THE CHAIRMAN AND BOARD OF TRUSTEES OF THE  
VILLAGE OF STERLING, NEBRASKA, AS FOLLOWS:

1. That Chapter 10, Article 1, Section 118, of the Municipal Code of the Village of  
Sterling, Nebraska, be amended to read as follows:

Sec. 10-118. Alcoholic Beverages; Hours of Sale. It shall be unlawful for any  
licensed person or persons or their agents to sell any alcoholic beverages within  
the municipality except during the hours provided herein:

**HOURS OF SALE**

**Alcoholic Liquors (except beer and wine)**

Secular Days other than Saturdays

Off Sale	6:00 A.M. to 1:00 A.M.
On Sale	6:00 A.M. to 2:00 A.M.

Saturdays

Off Sale	6:00 A.M. to 1:00 A.M.
On Sale	6:00 A.M. to 2:00 A.M.

Sundays

Off Sale	12:00 Noon to 1:00 A.M.
On Sale	12:00 Noon to 2:00 A.M.

**Beer and Wine**

Secular Day other than Saturdays

Off Sale	6:00 A.M. to 1:00 A.M.
On Sale	6:00 A.M. to 2:00 A.M.

Saturdays

Off Sale 6:00 A.M. to 1:00 A.M.  
On Sale 6:00 A.M. to 2:00 A.M.

Sundays

Off Sale 6:00 A.M. to 1:00 A.M.  
On Sale 6:00 A.M. to 2:00 A.M.

Provided, that such limitations shall not apply after twelve (12:00) o'clock Noon on Sunday to a licensee which is a nonprofit corporation.

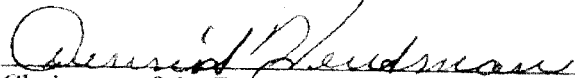
No person or persons shall consume any alcoholic beverages on licensed premises for a period of time longer than fifteen (15) minutes after the time fixed herein for stopping the sale of alcoholic beverages on the said premises. For the purposes of this Section, "on sale" shall be defined as alcoholic beverages sold by the drink for consumption on the premises on the licensed establishment; "off sale" shall be defined as alcoholic beverages sold at retail in the original container for consumption off the premises of the licensed establishment.

Nothing in this Section shall be construed to prohibit licensed premises from being open for other business on days and hours during which the sale or dispensing of alcoholic beverages is prohibited by this Section. (Ref. 53-179 RS Neb.)

2. That the original Section 10-118 and any ordinance or Section passed and approved prior to the passage, approval, and publication or posting of this ordinance and in conflict with its provision, is hereby repealed.

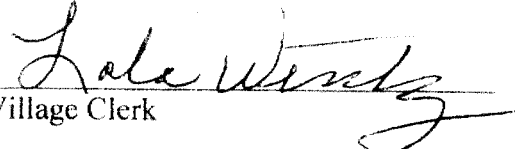
3. This ordinance shall take effect and be in full force from and after its passage, approval, and publication or posting as required by law.

Passed and approved this 12 day of October, 2010.

  
Chairman of the Board of Trustees of the  
Village of Sterling, Nebraska

Attest:

(SEAL)

  
Village Clerk

AGENDA FOR REGULAR BOARD MEETING  
VILLAGE OF STERLING, NEBRASKA  
STERLING FIRE BARN  
TUESDAY, OCTOBER 12, 2010-7:30 P.M.

1. Roll call
2. Open Meeting Act
3. Approval of minutes
4. Allowing of bills
5. Clerk's report
6. Chairman's report
7. Utility Superintendent's report
8. Fire Chief's report
9. Discuss of pending building permits
10. Building code
11. Brush site
12. Approve bid for tube removal at Main and Locust Street
13. Approve bid for Paul Conradi property cleanup located on East Locust Street
14. Review Sterling Fire Department's latest enrollees
15. Adopt Ordinance No. 2010-4 entitled, AN ORDINANCE OF THE VILLAGE OF STERLING, NEBRASKA, AMENDING CHAPTER 10, ARTICLE 1, SECTION 118 OF THE MUNICIPAL CODE OF THE VILLAGE OF STERLING, NEBRASKA TO MODIFY HOURS WHEN RETAIL SALE OR DISPENSING OF ALCOHOLIC LIQUORS FOR CONSUMPTION ON THE PREMISES IS PERMITTED"

Lola Wentz, Village Clerk

This is agenda is a continuing one and may be amended or added to at any time prior to noon of the day before the board meeting.

REGULAR MEETING OF THE VILLAGE BOARD OF TRUSTEES  
STERLING, NEBRASKA

The Chairman and Board of Trustees of the Village of Sterling met in regular session on Tuesday, October 12, 2010 at 7:34 p.m. at the Sterling Fire Barn in a publicly convened session the same being open to the public and having been preceded by advanced publicized notice. The Open Meetings Act was acknowledged along with the location. Chairman Dennis Heusman called the meeting to order. Trustees answering roll call were: Scott Buss, Vane Rengstorf, Dwight Weiss. Absent: Chuck Wingert. Others present: Steve Mercure, LeRoy Riensche, Steve Weiss, Audrey Keebler, Les Agena, Steve Eickhoff, Todd Pella.

Weiss made a motion to approve the minutes of the September 14, 2010 meeting and Rengstorf seconded the motion. Vote: yeas: all. Motion carried. There was discussion on bills presented for payment. The bills were approved in motion by Buss and Weiss seconded the motion. Vote: yeas: all. Motion carried.

These bills were approved for payment: Al Wusk Electric, rep.-48.21; Beatrice Concrete, concrete-441.17; Black Hills Energy, fuel-80.86; BMG, budget prep.-344.00; Brent Heusman, ump. mask-64.19; Constellation Energy, fuel-7.50; Employees Benefit Program, Riensche ins.-200.00; First National Bank, sup.-277.77; Great Plains One Call-fee-3.12; Home & Farm Ins.-ins.-9321.00; Ivan Heusman, mileage-240.00; Jet Stop Inc., fuel-495.51; Library books-649.79; Maguire Iron, Inc., water tower cleaning and repair-40453.00; MCI, phones-19.55; Midwest Labs, fee-28.82; NE Dept. of Rev.-wh taxes-390.88; NPHEL, fees-192.00; NPPD, ele.-2365.89; Payroll - 5788.14; Payroll taxes - 1184.58; Sargent Drilling, well test-200.00; Stan Borchter Mowing, cem. Mowing-730.00; Sterling Lumber, sup.-76.40; Sterling Fire Department, ins. & helmet share-3425.00; Steve Mercure, fee-100.00; Steve Weiss, fee-111.25; Steve Weiss, pictures-49.00; Payroll-5788.14; Payroll taxes-1184.58; Voice News, pub.-98.05; Windstream, phones-226.85; Wusk Power Equipment,rep.-172.50. Total: \$67,785.12  
LeRoy Riensche, utility superintendent, report on the following: water tower painting and repairs by Maguire Iron, Inc. completed/water tower key board needs to be replaced/fire hydrant flushing to begin soon/dog problem on walking path at the park/removal of a tree at the park can be done by Richardson Tree Service for \$650.00/priming and painting concession stand and other small buildings at the park will be done/drainage on the west side of school across the street/tree dump was left unlocked/spraying for mosquitoes at the park/materials received for water line on Steve Dean's property north of Highway 41.

Fire Chief, Steve Eickhoff, reported that a program on fire prevention was held at the Sterling School last week. Liz Thomas was denied membership to the Sterling Fire Department. Rengstorf made a motion rescind the vote from last month's meeting due to the ineligibility of Thomas and Buss seconded the motion. Vote: yeas: all. Motion carried. Weiss made a motion to approve Andy Thies as a Sterling Fire Department member and Rengstorf seconded the motion. Vote: yeas: all. Motion carried. Todd Pella was present at the meeting to inquire why his claim for wiring repair was denied last month. The street tree was removed. Discussion followed. Todd Pella's claim for reimbursement for wiring due to the tree will be placed as an agenda item at the regular meeting November 9, 2010.

Weiss made a motion to survey brush site boundaries on East Locust Street and Buss seconded the motion. Vote: yeas: all. Motion carried.

Weiss made a motion to approve B.A.B., Inc. bid for removal of tube at Main Street and Locust Street for \$2920.00 and Buss seconded the motion. Vote: yeas: all. Motion carried.

Weiss made a motion to accept the bid from B.A.B., Inc. for the demolition of the Paul Conradi property for \$8700.00 and Rengstorf seconded the motion. Vote: yeas: all. Motion carried. Contractor will be responsible for all utility lines.

**Chairman Heusman introduced Ordinance No. 2010-4 entitled, "AN ORDINANCE OF THE VILLAGE OF STERLING, NEBRASKA, AMENDING CHAPTER 10, ARTICLE 1, SECTION 118, OF THE MUNICIPAL CODE OF THE VILLAGE OF STERLING, NEBRASKA, TO MODIFY HOURS WHEN RETAIL SALE OR DISPENSING OF ALCOHOLIC LIQUORS FOR CONSUMPTION ON THE PREMISES IS PERMITTED".** Rengstorf moved that the statutory rule requiring reading on three

different days be suspended and Trustee Buss seconded the motion to suspend the rules. Upon roll call vote the following voted yea: Buss, Heusman, Rengstorf, Weiss. The motion to suspend the rules was adopted by three-fourths of the Board and the statutory rule was declared suspended for the consideration of said ordinance. Said ordinance was then ready by title only and Trustee Weiss moved for final passage of the ordinance.

"Shall Ordinance 2010-4 be passed and adopted?" Upon roll call vote, the following voted yea: Buss, Heusman, Rengstorf, Weiss. The passage and adoption of said ordinance having been concurred in by a majority of all members of the Board, the Chairperson declared the ordinance adopted and the clerk attested the passage and approval of the same and affixed her signature thereto and ordered the Ordinance to be published to be posted in three public places in the Village of Sterling. A true, correct and complete copy of said ordinance was made a part of the minutes for reference. Buss made a motion to shut off water to residents who owe over \$200.00 for utilities and Weiss seconded the motion. Vote: yeas: all. Motion carried.

Meeting adjourned at 9:26 p.m.

Dennis Heusman, Board Chairman

Lola Wentz, Village Clerk