

PUBLIC HEARING

December 8, 2020

Present were: Mayor Smith, Council members Grove, Lewis, Stanzel & Ueckert.

Mayor Smith opened the hearing at 7 p.m., noted the location of the open meetings act & stated those wishing to address public hearing items are asked to come to the podium, state name & address for the record.

1. Amendment to Conditional Use Permit / Mallard Storage, 3605 North 270th Street

Mayor Smith stated this hearing is for public input & comment on the request of Jeff Kester to amend the original conditional use permit in order to place the fence on the property lot line & put the landscape buffer behind the fence.

The building inspector Michael Burns stated the planning commission voted to recommend denial of the request. Two neighbors were at the hearing & one was against the request & the other had no preference. The planning commission voted to deny the request.

There were no further comments. The hearing was adjourned at 7:02 p.m.

MINUTES

REGULAR MEETING

December 8, 2020

Mayor Smith called the meeting to order at 7:02 p.m. Present were mayor Smith; council members Grove, Lewis, Stanzel & Ueckert, city attorney Jeff Farnham & city clerk Suhr.

Mayor Smith noted the location of the open meetings act, & stated one copy of all reproducible written material to be discussed at this meeting is available for examination or copying.

Council member Lewis led the Pledge of Allegiance.

Proof of Publication was on the council desk.

Visitors and Correspondence –The Mayor invited anyone present who wished to address an agenda item & is not on the agenda to come forward at this time, noting they will have three minutes to speak.

Grove moved to approve the agenda. Stanzel seconded. All in favor, motion carried.

Stanzel moved to approve the consent agenda. Lewis seconded. All in favor, motion carried. Items on the consent agenda were to accept November 10 meeting minutes, treasurer's report; November payroll \$68,007.68 / IRA \$1,053.46; November Keno receipts \$5,457.24;

PeopleService, Inc. report; November Library Statistics, November 17 Planning Commission & November 19 Board of Adjustment minutes; Accept Valley Days Foundation & Valley Veterans 2020 Fireworks reports; reappoint Mike Stratman to the Board of Adjustment for a three-year term; approve bills paid during the month, bills & additional bills presented for payment.

Supplies: Ace Hardware 381.45; Amazon 1092.02; Arps 1445.00; Axon 1456.00; Bauer Built 1275.60; Host 53.03; Jones Barrel 170.00; Loves 1311.52; Lowes 216.34; Menards 315.17; Mastercard 4943.16; OfficeNet 528.16; PB Electronics 1315.00; Petty Cash 64.60; Publication Printing 118.90; Rob's Oil 2295.03; USPS 385.88; **Services:** Aflac 1219.50; Advanced Heating 475.00; Andersen Plumbing 2818.75; Aspen Equip. 1459.73; Black Hills 914.68; Critter Control 1418.00; Cox 1088.75; Civic Plus 4630.50; DC Gazette 205.51; D.C. Env. 553.99; Everett's 618.17; FNB 3009.08; J. Farnham 5275.00; Fremont Util 20363.70; Leak Investigators 550.00; Lien Termite Control 92.00; Laura Meyers 320.00; Matzen 799.90; Methodist 192.50; Mathews 1779.90; NE Support 788.32; O & P 21202.60; OPPD 11755.49; PeopleService 22213.00; Sparq Data 1708.33; Utilities Service Group 550.00; Jeff Widhelm 5020.00; Scantron 309.00; **Taxes:** Fed 16409.72; NE 2620.14; **Bond Payments:** FNB/bond 5962.50; FNB/bond 5962.50; NE Dept. of Env. & Energy 19701.93; **Reimburse/Refund:** Art of a Craftsman 750.00; Curt Hofer 250.00; Majestic Homes 1000.00; Marshall Builders 750.00; Brett Smith 2739.99; Brabec, Broz, Witte, Wasco, Mueting, Ascherl, Kalin, Sedlacek, Muhlbauer, Hudson, Nielsen, Gillespie, Waldrop, Morrison, Meschede 150.00 each; **Ins:** BCBS 10995.24; Linc Finan 1473.62; Morgan White 1291.24; **TIF:** Bluewater 15154.76

Mayor Smith read the Election Commission's official results of the November 3, 2020 election. Mayor: Steve Peoples 669 votes, Cindy Grove 1,048 votes, write-ins 10. City Council: Bryon Ueckert 828 votes, Alan Badour 522 votes, Chris TenEyck 833 votes, Elizabeth Lizzy Lowndes 624 votes, write-ins 16.

Stanzel moved to ratify the election results as presented. Lewis seconded. Stanzel, Lewis & Mayor Smith voted YES. NO; no one. ABSTAIN; Grove and Ueckert, motion carried.

Mayor Smith presented a plaque to outgoing council member Grove recognizing her service as a council member.

Mayor Smith's closing remarks were, "I thank God and this community for allowing me to be Mayor for the last 8 years. It's been a privilege and an honor. We've come a long way in that time, however; this is just the beginning. New housing developments and businesses will be coming full steam ahead. Listen carefully to the advice of our attorneys, our engineers and our city boards. I want to thank all departments of our city, our city council, our engineers, our attorneys and especially our city clerk Joan Suhr for the fantastic cooperation I've received over the years. Congratulations to Cindy Grove, mayor elect and Chris TenEyck, new council member elect. Once again – Thanks."

Council president Mike Stanzel presented a plaque to outgoing mayor Smith recognizing his service as mayor. Mr. Stanzel said, "On behalf of the Council and myself thank you very much for making our job easier. It has truly been a pleasure working with you."

Mayor Smith adjourned the meeting.

City attorney Jeff Farnham administered the oath of office to newly elected mayor Cindy Grove.

City attorney Jeff Farnham administered the oath of office to re-elected council member Bryon Ueckert.

Dale TenEyck administered the oath of office to his son newly elected council member Chris TenEyck. Mr. TenEyck commented roles were reversed this evening as Chris administered the oath of office to his father twenty- two years ago in 1998.

Mayor Grove called the meeting to order at 7:35 p.m. Present were mayor Grove; council members Lewis, Stanzel, TenEyck & Ueckert, city attorney Jeff Farnham & city clerk Suhr

Mayor Grove noted the location of the open meetings act, & stated one copy of all reproducible written material to be discussed at this meeting is available for examination or copying.

Mayor Grove called for nominations for council president. Lewis nominated Mike Stanzel & moved that nominations cease. Ueckert seconded. Lewis, TenEyck & Ueckert voted YES. ABSTAIN; Stanzel. NO; no one, motion carried.

There were no visitors or correspondence.

Lewis moved to approve the agenda. Stanzel seconded. All in favor, motion carried.

Stanzel moved to approve appointments as listed. Lewis seconded. All in favor, motion carried. James J. Olmsted – City Engineer/Street Superintendent, Jeffrey B. Farnham & Andrea Griffin – City attorneys, Joan Suhr – City clerk/treasurer/administrator, Brett Smith – Police chief; Ken Grimm – Public works superintendent.

Stanzel moved to increase employee wages 3%. Lewis seconded. All in favor, motion carried.

Lewis moved to donate a pool party pass to the D C West Post Prom committee. Ueckert seconded. All in favor, motion carried.

Lewis moved to concur with the planning commission recommendation to deny the request of Mallard Storage to amend the conditional use permit & to stick with the original plan as discussed in the public hearing. Stanzel seconded. All in favor, motion carried.

Council member Lewis introduced, read & moved for passage of Resolution No. 2020-53 to accept the approved emergency contractor list. Stanzel seconded. All in favor, motion carried. A true, correct & complete copy is on file at city hall.

Council member Stanzel introduced, read & moved for passage of Resolution No. 2020-54 to authorize Mayor Grove to execute the first amendment to Flatwater Lake – Phase 2 & 3 subdivision agreement. Lewis seconded. All in favor, motion carried. A true, correct & complete copy is on file at city hall.

City Engineer – A. Flatwater Improvements Phase 2 Rebid (Sanitary Sewer, Storm Sewer & Water Main). Greg Perry reported the lift station is completed. Omaha Public Power District needs to install power. He recommended approval of Vrba Construction pay request #6.

Council member Ueckert introduced, read & moved for passage of Resolution NO. 2020-55 to approve to developer payment of Vrba Construction pay request #6 for \$134,283.40 & Olmsted & Perry for \$ 13,610.45. Lewis seconded. All in favor, motion carried. A true, correct & complete copy is on file at city hall.

B. Flatwater Improvements Phase 3 Rebid (Sanitary Sewer, Storm Sewer & Water Main). Greg Perry reported the project is just getting started as there was a four week delay for manholes. The gravity sewer main is being installed & water main construction is scheduled to begin in January. He recommended council approve Vrba Construction pay request #1.

Council member Lewis introduced, read & moved for passage of Resolution No. 2020-56 to approve to developer payment to Vrba Construction pay request #1 for \$156,175.65 & Olmsted & Perry \$4,046.20. Stanzel seconded. All in favor, motion carried. A true, correct & complete copy is on file at city hall.

C. Flatwater Phase 2 Paving. Jim Olmsted explained the following pay request was to pay for additional engineering fees to bring the project to conclusion. He recommended council approval.

Council member TenEyck introduced, read & moved for passage of Resolution No. 2020-57 to approve to developer payment to Olmsted & Perry \$2,526.80. Lewis seconded. All in favor, motion carried. A true, correct & complete copy is on file at city hall.

D. Flatwater Lake Bridge. Jim Olmsted reported the plans & specifications meet city standards, with proposed bid opening date of January 7, 2021..

Stanzel moved to advertise for bids for the Flatwater Lake Bridge. Lewis seconded. All in favor, motion carried.

E. Sanitary Sewer Repair Project – 2019 Flood Damage. Jim Olmsted reported no bids were received on the October 8, 2020 date. The project was rebid November 19, 2020 with one bid for \$803,000 received, which was considerably higher than the engineer's estimate of \$536,000. He suggested separating the concrete from the sanitary sewer project. which will bring the project more in line cost wise.

Lewis moved to reject the bid received November 19, 2020 for \$803,000, and to accept the bids of Vrba Construction for sanitary sewer repair, \$364,000. And N. L. & L. Construction for street repair, \$302,000. Stanzel seconded. All in favor, motion carried.

F. Valmont Lift Station Repair update - Jim Olmsted reported the project is moving along. The contractor is currently bypass pumping as Smith & Loveless are replacing the pumps & valves.

G. Street Reconstruction Project update – Is in the design phase

H. Water Treatment Plant Expansion update – Is in the design phase, soil boring & surveying have been completed.

I. Other / Miscellaneous – 1. Predevelopment Meeting – December 3, Flatwater Lake North, approximately 195 acres with 235 proposed lots is in the planning stages.

2. ALD Properties LLC – Fort Circle -Michael Burns is working with the developer.

City Attorney a. Ordinance No. 738 – There was discussion centering around licensing, enforcement responsibility & personnel. Ueckert moved to table action on the ordinance pending more research. Lewis seconded. All in favor, motion carried.

b. Mr. Farnham shared the results of his research regarding the recent request to ban the use of creosote treated lumber in landscaping and for retaining walls.

c. Premier Pool has the numbers for utility extensions - extension agreements are in process. Valley Fire Department is deciding whether to build or to expand. Annexation is being reviewed.

Mayor's Report a. Face Coverings, We can pass an ordinance or stay with State Guidelines. Council consensus was to stay with State Guidelines.

b. Technology Update – The new emails are in place & easier to use. Council has received their new iPads, Planning Commission will receive iPads next week, new business cards have been ordered. The Sparq data program should be up & running in two weeks.

Other The Planning Commission meets 12/15/20 @4:30; Valley Days Committee planning meeting is 1/19/21 @6 p.m.; Christmas Tree Recycling in city park parking lot 12/26/20 through 01/10/21.

The meeting was adjourned at 7:55 p.m.

Mayor Cindy Grove

City Clerk Joan Suhr

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