

## PUBLIC HEARING

March 10, 2020

Mayor Smith opened the hearing at 7 p.m.. Present were: Mayor Smith, Council members Grove, Lewis, Ueckert. Council member Stanzel was absent.

Proof of Publication was on the council table.

Mayor Smith 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.

### **APPLICATION FOR CHANGE OF ZONING**

Mayor Smith opened the hearing at 7 p.m. for public input & comment on the application of Nachreiner Properties LLC to rezone 22.3 acres located at the SW corner of Ida & Spruce Streets from R-2 (Medium to High Density Residential) to C-3 (Highway Business). The Planning Commission held a public hearing February 18 & voted to recommend denial of the application.

There was discussion about why the permit was denied, future land use designation of the property, access, purchase agreement expiration & a meeting to discuss the request between the applicant and planning commission.

The Planning Commission is working with Planner Keith Marvin to update & fine tune the future land use map.

The hearing was closed at 7:06 p.m.

### **AMENDMENTS TO ZONING REGULATIONS**

Mayor Smith opened the hearing at 7:06 p.m. for public input & comment on the Planning Commission recommendation to amend the adopted zoning regulations, sign regulations Article 8, Sections 8.02, 8.04, 8.04.02 & 8.05.05.

Michael Burns reported this will update existing sign regulations to include electronic signs. On the subject of billboards – The 2018 zoning regulations omitted billboards. Omaha & Fremont are allowing replacement billboards, however; are not allowing new billboards to be erected

Jay Egr, JD's Car Wash & Detailing, 6070 North 261<sup>st</sup> Circle presented his case for erecting a billboard at his location. He said he has the support of Valley Marine, Dairy Queen & Mr. Robbins who is building business spaces beside the Dairy Queen. He also had information from the State regarding regulation of signs along Highway 275.

Mr. Farnham suggested the city needs to take a closer look at the situation. He will investigate & pursue the request noting any changes must go through the planning commission & city council.

The hearing was closed at 7:25 p.m.

The public hearings were adjourned @7:25 p.m.

## MINUTES

March 10, 2020

Mayor Smith called the meeting to order at 7:25 p.m. Present were mayor Smith; council members Grove, Lewis, Ueckert, city attorney Farnham, city clerk Suhr. Council member Stanzel was absent.

The mayor 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 & 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.

The Mayor read a thank you for the donation to the Valley Days Foundation.

Grove moved to approve the agenda. Ueckert seconded. Grove, Lewis & Ueckert voted YES. NO; no one, motion carried.

Grove moved to approve the consent agenda. Ueckert seconded. Grove, Lewis & Ueckert voted YES. NO; no one, motion carried. Items on the consent agenda were to accept 2/11 public hearing & meeting minutes, treasurer's report, February payroll, \$61,441.86/IRA \$970.62, February keno receipts \$3,863.59, PeopleService, Inc. report, February library statistics & February 18 Planning Commission minutes. Approve transfer from Keno to Veteran's Barbecue, \$5,000., bills pad during the month & bills & additional bills presented for payment. **Supplies:**; Amazon 1392.48; Aspen 6899.32; The Cure 77.50; Dick's 20.99; Gworks 118.63; Grainger 607.84; Host 65.79; John Deere Financial 80.86; Kirby Auto 104.04; Lowes 579.73; Menards 440.23; Mastercard 40.00; Michael Todd 660.69; Midwest 265.00; OfficeNet 260.72; Petty cash 62.45; Publication Prtng 118.90; USPS 439.90; Rasmussen 9908.38; Rob's 1116.78; Staples 188.77; Vermeer 50.90; Wex 1577.12; **Services:** Andersen Plumbing 5182.25; Aflac 661.14; Black Hills 1095.36; Credit Bureau 590.58; Continental Fire 170.00; Cox 1086.67; DHHS 120.00; DC Env 655.45; DC Gazette 652.50; Dolan 195.00; Everetts 1162.62; J Farnham 2681.00; FNB 5962.50; FSB 5962.50; FNB 2022.78; Fremont Util 31056.70; Gingerich 17280.00; Glass 750.00; JD's 174.25; Jensen 668.00; Judds Bros. 86535.00;; Lien 92.00; Mastercard 40.60; Marriott 660.00; Linc Finan 767.12; Matzen 799.90; Marvin Planning 160.00; NE Planning 140.00; NE Revenue 100.00; NE Support 576.02; NE Clerk 393.00; NE Revenue 100.00; Emergency Equip 665.00; NMVCA 80.00; O & P 18227.50; OPPD 12702.16; Powertech 423.44; Omaha Neon 88.00; Omaha Trans 62.95; PeopleService 22081.00; Pap San 116.52; Steffy's 286.95; Thompson 2325.00; Vierregger 1041.00; **Taxes:** Fed 14841.75; NE 2309.84; **Reimburse/Refund:** Lanoha/Bluewater 19,978.87 Mallard Landing 54,514.32; Deemer 151.00; Dunham 324.88; Grove 90.62; Widhalm 1000.00; Ueckert 88.04; Trademark / Dana / Pamley / Johnson / Paasch / Connoly / Frost / Tesmer 150.00 each.

Lewis moved to reimburse council member Grove for Mid-Winter Conference expenses. Ueckert seconded. Lewis, Ueckert & Mayor Smith voted YES. NO; no one, motion carried.

Lewis moved to reimburse council member Ueckert for Mid-Winter Conference expenses. Grove seconded. Lewis, Grove & Mayor Smith voted YES. NO; no one, motion carried.

Ueckert moved to approve Keith Hansen's request to close Pine Street from Front Street to the alley south of the Vet's Club from 4:30 to 8:30 p.m., Saturday March 28 for Legion baseball & Youth Sports fundraiser. Lewis seconded. Ueckert, Grove & Lewis voted YES. NO; no one, motion carried.

Tristan Nelson, 2505 Campanile Road gave an update on the marathon to be held April 25. Entered are 342 marathoners representing 27 states. He distributed copies of the route, noting Spruce Street will be closed from 6 to 11:30 a.m.

Council consensus was to gather more information regarding the rezoning request discussed in the public hearing before making a decision. Council member Grove moved to bring the matter back at the April meeting. Lewis seconded. Grove, Lewis & Ueckert voted YES. NO; no one, motion carried

Council member Ueckert moved to suspend the rules for consideration of Ordinance No.735 entitled: AN ORDINANCE OF THE CITY OF VALLEY, DOUGLAS COUNTY, NEBRASKA TO AMEND SECTIONS OF THE VALLEY ZONING REGULATIONS RELATING TO SIGN REGULATIONS; PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE; PROVIDING A SEVERABILITY CLAUSE, AND PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITHN. Lewis seconded.: Ueckert, Grove & Lewis voted YES. NO: No one, motion carried.

Council member Ueckert moved for final passage. Grove seconded. Ueckert, Grove & Lewis voted YES. NO: no one, notion carried. A true, correct & complete copy is on file at city hall.

Grove moved to address the proposed false alarm ordinance at the April meeting when Chief Smith is present to provide information. Lewis seconded. Grove, Lewis & Ueckert voted YES. NO; No one, motion carried.

Council member Grove introduced, read & moved for passage of Resolution No. 2020-10 to authorize Mayor Smith to execute an agreement to participate in the Multi-Jurisdictional Hazard Mitigation Plan 2021 Update. Lewis seconded. Grove, Lewis & Ueckert voted YES. NO; no one, motion carried. A true, correct & complete copy is on file at city hall.

City Engineer – a. Flatwater Phase I update – Greg Perry reported the coating is being applied in the manhole making the completion date closer.

b. Flatwater Phase 2 – Mr. Perry reported two bids for Flatwater infrastructure improvement rebid were received, council reviewed same.

c. 2019 Flood Recovery Gardiner Street Stormwater Pumping Station – Mr. Perry reported plans are to pour the base on Thursday & begin stacking rings next Monday. Dewatering will continue for approximately two weeks in order to complete the wet well & set the second manhole. He recommended approval of Judds Brothers pay request #2.

Council member Lewis introduced, read & moved for passage of Resolution No. 2020-11 to approve Judds Brothers Construction Company pay application #2, \$86,535.00 for work completed to date. Grove seconded. Lewis, Ueckert & Grove voted YES. NO; no one, motion carried. A true, correct & complete copy is on file at city hall.

d. 2019 Flood Recovery Ball Field Restoration – Jim Olmsted reported one bid was received from Odeys Field Experts for \$69,015.90 & recommended council award the bid to Odey's.

Lewis moved to award the bid to Odey' s Field Experts. Ueckert seconded. Lewis, Ueckert & Grove voted YES. NO; no one, motion carried.

e. 2019 Flood Recovery Valmont Lift Station Rehab – Greg Perry distributed copies of the bid that was received which was very high.

f. Other Updates / Miscellaneous – 1. Front Street Pavement reconstruction work is scheduled to begin in the spring. Note; to avoid the marathon date.

2. Timber Shores SID Drainage Project – work continues

3. Country Aire 2 – Utility work will begin mid to late April

4. Elkhorn Athletic Association Preliminary Plat Review - The Town Hall Informational meeting is scheduled for March 15 at 3 p.m. at Twin Rivers YMCA. The Planning Commission will consider the preliminary plat March 17 @4:30.

5. Quasar Drive In Theater – The sewer service agreement is ready to go. There has been no word from the owner.

6. Highway 64 Ditch Cleanout Phase 2 is scheduled for a spring start.

Other – Mr. Olmsted & Cheryl are meeting with FEMA representative at 10 a.m. Friday.

City Attorney – He is meeting with Joe Zadina, Elkhorn Recreation Association on Friday. The preliminary plat will be considered at the Planning Commission meeting next week.

Flatwater funding is in place, the project is still on hold with ongoing revisions to agreements being completed.

A ticket has been issued & April 14 is the court date for the clean- up ordinance violation.

a. The proposed ordinance to amend Section 2-104, Control of excessive noise, was discussed at length. Council member Lewis suggested setting the regulating hours from 8 p.m. to 8 a.m.

Council member Grove moved to set the regulating hours from 8 p.m. to 7 a.m. The motion died for lack of a second.

Council member Grove moved to set the regulating hours from 7 p.m. to 7 a.m. Ueckert seconded. Grove, Ueckert & Mayor Smith voted YES. NO; Lewis, motion carried.

Mayor's Report - Valley Shores Assessments – Received \$5,303.00 with February property taxes – leaving a balance of \$58,719. FEMA payment of \$75,500.44 was received for MXU replacement. Water main breaks on Third Street & Walnut Street March 5 were repaired which caused stress on leaking valve at Reichmuth Road & Spruce Street. The valve was replaced March 6. Pre-pool meeting is March 12. Met with Whitney Shipley, Douglas County Emergency Management Agency to review & update Valley's portion of the Douglas County Emergency Operations Plan. There will be no Valley Primary in May as 2 candidates have filed for Mayor & 4 candidates have filed for Council. Reminder – Public Information Meeting – Elkhorn Recreation Association – Twin Rivers YMCA – Sunday March 15 @ 3 p.m. Planning Commission meets March 17, 4:30 p.m. Valley Days meeting is March 17, 6:30 p.m. West Omaha Chamber of Commerce Awards banquet is March 24, 5:30 p.m. at the Relevant. Twin Rivers YMCA dinner and auction is Saturday April 18, 5 p.m.

A special meeting is scheduled for March 24, 5 p.m.

Council member Grove announced that Nate Taylor was named "Water Operator of the Year" at the annual Nebraska Rural Water Association Conference this week.

The meeting was adjourned at 8:30 p.m.

Mayor Carroll L. Smith

City Clerk Joan Suhr