

## PUBLIC HEARINGS

May 12, 2020

Mayor Smith opened the hearing at 7. Present were: Mayor Smith, Council members Grove, Lewis, Stanzel, Ueckert.

Proof of Publication was on the council desk.

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 and address for the record.

### **CONDITIONAL USE PERMIT APPLICATION**

Mayor Smith opened the hearing at 7:00 p.m. for public input & comment on the conditional use permit application of Valmont Industries to install a solar farm at 7002 North 288<sup>th</sup> street, Valley, Nebraska. The Planning Commission recommended approval at the April 21 meeting.

Drew Coffey, Project manager, via zoom thanked the council for their time & stated there will be a proper fence & landscaping screen, the agreement with OPPD stating the electricity generated would stay at Valmont & not be transferred to the electric grid will be in place.

There were no additional questions or comments.

The hearing was closed and adjourned at 7:05 p.m.

Mayor Smith opened the hearing at 7:05 p.m. for public input & comment for the Preliminary Plat application of Centaur Development Corporation / L & J Subdivision, a tract of land in the W ½ , Sec 4, T15N, R10E located north of US Highway 275 & east of 252<sup>nd</sup> Street consisting of 5 lots & 2 outlots. The Planning Commission recommended approval at the April 21 meeting.

Real estate agent Jerry Heinrichs, 1609 North 121 Circle, Jerry Smith, Centaur Development & Joe Foley, engineer were present to address the application & answer questions.

Mr. Heinrichs noted the property will be elevated 1 to 1.5' above floodplain; the proposed building will be 80' x 200' with 2500 feet dedicated to office space which will be located in the lower profile. There will be an 8' fence along the frontage with the remainder of the property enclosed with chain link with fabric screening. The interior will have hard surface lanes with storage on both sides. Gordon Tool Company has been in business for nine years & will employ 2 to 17 workers.

Mr. Farnham & the gentlemen agreed there will be a subdivision agreement in place.

The hearing was closed the hearings were adjourned at 7:11 p.m.

## MINUTES

### REGULAR MEETING

May 5, 2020

Mayor Smith called the meeting to order at 7:11 p.m. Present were mayor Smith; council members Grove, Lewis, Stanzel & Ueckert, city attorney 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 & posting were 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 following proclamations were posted on the council chamber wall; International Building Safety Month - May 2020, Municipal Clerks Week – May 3-9, National Police Week – May 10-16 and Emergency Medical Services Week – May 17-23.

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

Lewis moved to approve the consent agenda. Grove seconded. All in favor, motion carried. Items on the consent agenda were to accept April 14 public hearing & meeting minutes, treasurer's report, April payroll, \$61,513.89/IRA\$970.62, April Keno receipts \$304.62, PeopleService, Inc. report, April Library statistics & April 21 Planning Commission minutes; appoint Mark Henderson to a three year term on the Tree Board & Cal Peacock to the Board of Adjustment to complete Danny Stewart's term; approve bills paid during the month & bills & additional bills presented for payment; **Supplies:**; Ace 16.52; Ace Outdoor 147.15; Amazon 643.07; Arps 1462.88; Dultmeir 52.74; Electronic Eng. 285.00, Evoqua 13810.60; Host 75.09; Iowa pump 5143.74; Kirby Auto 161.97; Lanoha Nursery 269.99; Loves 1009.49; Lowes 275.85; Menards 2486.46; Michael Todd 198.77; OfficeNet 1181.13; ODW 5761.55; Omaha Neon 351.45; Pavers 1242.00; Petty cash 40.30; Publication Prntg. 181.10; Rhomar 523.89; Robs Oil 2000.13; Repco 40.80; Two Rivers S & G 511.26; United Seed 300.00; Scantron 7525.40; Tradewell 360.00; USPS 328.03; **Services:** Aflac 661.14; A-Plus 2600.00; Black Hills 500.56; Credit Bureau 547.75; Cox 1081.04; DC Env 1079.62; DC Gazette 372.72; Everetts 363.65; FSI 80239.00; J Farnham 3086.00; FNB 5962.50; FSB 5962.50; FNB 2993.40; Fremont Util 21999.10; Green's 63.95; Gworks 2848.75; JD's 114.75; Judds Bros. 178920.00; Lanoha/Bluewater 613073.78; Mallard 506409.60; Mastercard 3684.41; Linc Finan 670.82; Matzen 799.90; Municipal Code 80.00; Menard 121262.66; NE Support 576.02; O & P 47653.33; OPPD 11723.03; PeopleService 22081.00; Pap San 242.52; Powertech 5038.64; Trek Services 2920.27; U-Fill-It 3420.00; Univar 1080.00; Verizon 272.53; West-E-Con 1780.00; Woodhouse 35.58; Window Pro 20.00; **Taxes:** Fed 14794.19; NE 2315.69; **Reimburse/Refund:** Charles Thomas Homes 500.00; Echelon 750.00; Landmark 1000.00; Ramm 750.00; Trademark Homes/ Krauel / Widhalm Homes / Klein / Mcevoy / Kukoly / Church / Wentz / Eggen 150.00 each.

Citizen request: Kristen Phillips, 5710 N 279<sup>th</sup> Circle present via zoom requested the City install a "dead end" sign at the corner of Lakewood Street & North 279<sup>th</sup> Circle. She stated there are lots of people using 279<sup>th</sup> Circle driving to the park & parking on the street, which poses a hazard to children.

Following discussion Mrs. Phillips was advised to contact Douglas County & request a "no outlet" sign be installed on 279<sup>th</sup> Circle & Meigs, off back of curb within the Timber Shores Subdivision.

Request for city to install "Caution Children Playing" signs on 281<sup>st</sup> Avenue in Valley Shores subdivision. Officer Dunham confirmed there are a lot of little kids playing in that area. Following discussion Council member Stanzel moved to direct public works to affix "children playing" signs to existing speed limit signs on 281<sup>st</sup> Avenue. Ueckert seconded. All in favor, motion carried.

Building Official Michael Burns reported everything is in order to approve the conditional use permit with the exception of the agreement between Valmont & OPPD. Drew Coffey via zoom, said he will have the agreement this week or early next week.

Council member Grove introduced, read & moved for passage of Resolution No 2020-16 to authorize building official Michael Burns to issue a conditional use permit to Valmont Industries to operate a solar farm on a portion of their property at 7002 North 288<sup>th</sup> Street. Ueckert seconded. All in favor, motion carried. A true, correct & complete copy is on file at city hall.

Council member Grove moved to approve the preliminary plat of Centaur Development Corporation / L & J Subdivision located north of the US Highway 275 & east of 252<sup>nd</sup> Street. Stanzel seconded. All in favor, motion carried.

Council member Stanzel moved to extend suspension of disconnection of water/sewer service & delinquency charges & to extend pet license registration to June 30, 2020. Grove seconded. All in favor, motion carried.

In response to a request from the Y there was discussion regarding opening the outdoor pool. Council consensus was to address the question week by week in concert with the YMCA & follow the guidelines issued by the State.

Council member Stanzel moved to suspend the rules for consideration of Ordinance No. 738 entitled: AN ORDINANCE VACATING A PORTION OF THE RIGHT OF WAY IN THE STREET KNOWN AS JEFFERSON CIRCLE. Lewis seconded. All in favor, motion carried.

Council member Lewis moved for final passage. Grove seconded. All in favor, motion carried. A true, correct & complete copy is on file at city hall.

City Engineer - Flat Water Improvements Phase 1 – Contract 1 (Utility). Greg Perry reported the lift station is done. He recommended council approve the change order, final pay request & close out documents.

Grove moved to approve Change Order #2 (Final) deduct \$2,120.53. Ueckert seconded. All in favor, motion carried.

Council member Grove introduced, read & moved for passage of RESOLUTION NO. 2020-17 to approve to Developer Compass Utility application for payment #7, (Final) \$48,892.01 & payment to Olmsted & Perry for engineering services, Flatwater Lakes Phase 1, \$8,418.98. Ueckert seconded. All in favor, motion carried. A true, correct & complete copy is on file at city hall.

Grove moved to approve Acceptance of Substantial Completion & recommendation of Notice of Acceptability of work & close out the project. Ueckert seconded. All in favor, motion carried.

Flat Water Improvements Phase 1 – Contract 2 (Paving). Greg Perry recommended council approval of the change order, the final pay request & the close out documents.

Grove moved to approve Change Order #2 (Final) deduct \$6,788.67. Stanzel seconded. All in favor, motion carried.

Council member Ueckert introduced, read & moved for passage of RESOLUTION NO. 2020-18 to approve to Developer Compass Utility application for payment #4, final \$8,142.18 & payment to Olmsted and Perry for engineering services, Flatwater Lakes Phase 1, \$1,151.00. Lewis seconded. All in favor, motion carried. A true, correct & complete copy is on file at city hall.

Ueckert moved to approve Acceptance of Substantial Completion & recommendation of Notice of Acceptability of work & close out the project. Grove seconded. All in favor, motion carried.

Flat Water Improvements Phase 2 Rebid (Sanitary Sewer, Storm Sewer & Water Main) - Mr. Perry reported work on the project is scheduled to begin June 1.

2019 Flood Recovery Gardiner Street Stormwater Pumping Station. Jim Olmsted reported the project is at 80% with electrical controls, seeding & site restoration left to complete. He recommended council approve Judds Brothers pay request No. 4.

Council member Lewis introduced, read & moved for passage of RESOLUTION NO 2020-19 to approve Judds Brothers Construction Company Application for Payment No. 4 \$178,920.00 for work completed to date. Grove seconded. All in favor, motion carried. A true, correct & complete copy is on file at city hall.

OTHER UPDATES / MISCELLANEOUS / 2018 Water System Improvements (Ginger Cove / Ginger Woods). Mr. Perry reported the grass seed has not germinated. Carlstrom Construction completed remedial work ten days ago.

2019 Flood Recovery Valmont Lift Station Rehab.- Jim Olmsted is preparing the plans & is working with Nate Taylor to find cost savings.

Front Street Paving Reconstruction – Work will begin next week.

2019 Flood Recovery Ball Field Restoration Project – Work is progressing - very close to completion.

2019 Flood Recovery CCTV Project – Working with Cheryl & FEMA on a plan to repair 14 areas.

Country Aire 2 – Greg Perry reported the utility pre-construction conference is tomorrow at 2 p.m., with a May 18 start date.

Water Treatment Plant Study & Street Asphalt Overlay – There will be a special meeting / study session June 23 to discuss & plan.

City Attorney – Mr. Farnham shared a letter dated May 8 regarding a rezoning request from Nachreiner Properties.

Mayor's Report – Planning Commission Zoom/Call In meeting May 19 4:30 p.m. Valley Days Zoom/Call In meeting May 19 at 6 p.m. A black walnut tree was planted in the arboretum April 24 for Arbor Day. The event was live streamed on facebook & the Douglas County Post Gazette featured an article with pictures. The City has received \$40,030.71 from F E M A for The Pines culvert replacement. Clean up Day – Was very busy. Having a police officer on site to direct people worked extremely well & people were good about following directions. U- Fill -It ran out of dumpsters. All Metals had a unit on site. Public Works could not keep up chipping at

the arboretum. A proposal for a drive through Barbeque Fundraiser for Valley Vets, Valley Fire Protection District & Waterloo Fire & Rescue June 5 & 6 was shared with council members, who wholeheartedly approved the idea.

The meeting was adjourned at 8:04 p.m.

Mayor Carroll L. Smith

City Clerk Joan Suhr