

CITY OF VALLEY
PUBLIC HEARINGS
September 10, 2019

Present were: Mayor Carroll Smith, Council members Cindy Grove, Linda Lewis, Bryon Ueckert. Council member Stanzel was absent.

Mayor Smith noted the location of the open meetings act and stated those wishing to address public hearing items are asked to come to the podium, state name and address for the record.

2019 – 2020 BUDGET

Mayor Smith opened the hearing at 7:00 p.m. for public input and comment to consider the 2019-2020 budget.

Mayor Smith noted the City had a smaller than anticipated valuation increase, however; we were able to keep the general tax request levy the same as last year.

There were no questions or comments, the hearing was closed at 7:02 p.m.

2019 – 2020 SET FINAL TAX REQUEST

Mayor Smith opened the hearing at 7:02 for public input to set the final tax request.

There were no questions or comments, the hearing was closed at 7:03 p.m.

REZONING REQUEST

Mayor Smith opened the hearing at 7:03 for public input on the application to rezone Country Aire Section 2 from R-1 (low density residential) to R-2 (medium-high density residential)

The Planning Commission held a public hearing August 20, and recommended approval of the zoning change.

There were no questions or comments, the hearing was closed at 7:04 p.m.

CONDITIONAL USE PERMIT

Mayor Smith opened the hearing at 7:04 for public input on the application of Western Engineering for a conditional use permit to establish an asphalt plant at 30708 Rainwood Road.

Zoning Administrator Michael Burns noted the Planning Commission held a public hearing August 20 and recommended approval with the conditions that this is temporary, for one (1) year. The Company must re-apply at the end of the one year period.

There being no additional questions or comments, the hearing was closed at 7:05 p.m.

PRELIMINARY AND FINAL PLAT

Mayor Smith opened the hearing at 7:05 for public input on the preliminary and final plats of Miller

Acres – Lots 1 & 2, located in the E ½, SW ¼ , Sec 5, T15N, R10E.

Zoning Administrator Michael Burns reported this is a lot division for a family member to maintain the 3 acre minimum required for the property to remain TA (Transitional Agriculture) zoning. The Planning Commission held a public hearing August 20 and recommended approval of the plat(s).

There being no additional questions or comments, the hearing was closed at 7:06 p.m and the hearings were adjourned.

MINUTES
REGULAR MEETING
September 10, 2019

Mayor Carroll Smith called the meeting to order at 7:06 p.m. Present were mayor Carroll Smith; council members Cindy Grove, Linda Lewis, Byron Ueckert, city attorney Jeff Farnham, city clerk Joan Suhr. Council member Mike Stanzel was absent. Notice of the meeting was given in advance thereof by publication, the designated method for giving notice, a copy of the proof of publication is on file at city hall. Advance notice of the meeting was also given to the mayor and council members and a copy of their acknowledgement of receipt of such notice is on file at city hall. Availability of the agenda was communicated in the advance notice and in the notice to the mayor and council members. All proceedings hereafter shown were taken while the meeting was open to the attendance of the public.

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

The City Clerk 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 and is not on the agenda to come forward at this time, noting they will have three minutes to speak. Once Council is into the agenda and business meeting there will be no interaction from the floor. A Proclamation declaring September as Kinship Care Month was posted on the council chamber wall.

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

Council member Grove moved to approve the consent agenda. Ueckert seconded. Grove, Lewis and Ueckert voted YES. NO; no one, motion carried. Consent agenda items were: Accept July 23 and 30, August 6, 13 and 27, 2019 minutes, treasurer's report, August payroll \$94,561.68/IRA \$,1329.63, August Keno receipts \$2,742.76, PeopleService, Inc report, August Library Statistics, August 20 Planning Commission minutes; Approve D. C. West Homecoming Parade route on Friday October 4 @ 1 p.m.; recommend approval of special designated liquor license applications of the Veterans of Foreign Wars Post 9897 from 12 a.m. to 12 p.m. on January 10, February 15, March 21, April 18, May 10 and June 20, 2020 at Valley Vets Club, 111 East Front Street, Valley, Nebraska; approve bills paid during the month and bills and additional bills presented for payment; **Supplies:** Ace 738.67; ARPS 774.88 Amazon 2,480.09; Bomgaars 167.88; Core & Main 837.00; Evoqua Water Tech 14407.60; Iowa Pump Works 6599.09; Jensen Tire 668.00; John Deere Financial 1393.48; Kirby Auto 161.21; Larsen International 519.75; Canteen 270.76; Lowes 910.67; Martin Marietta 1431.98; Menards 524.54;

Michael Todd 862.20; OfficeNet 426.09; Petty Cash 40.70; Power Plan 1614.27; Regal Awards 93.00; Rock Hill Sports 999.00; Rob's Oil 917.66; Tractor Supply 128.48; Wex 1813.70; **Services:** Aflac 935.82; Bauer Built 3410.65; Blue to Gold 235.00; BCBS 10320.34; Black Hills 165.96; Cox 1004.61; Chlor. Inc. 1674.70; Daily Record 74.90; Gazette 29.03; Dept. of Rev. 671.31; DC Env 464.20; Elkhorn Fence 1100.00; Everetts 89.45; Wayne George 6525.00; J Farnham 4500.00; FNB 9972.15; FSB 5962.50; Fremont Util 18503.53; Hayden Lawn Care 700.00; J.D. Car Wash 48.45; Jetters Plumbing 346.95; Iowa Library Assoc. 160.00; Jetco 42394.00; Linc Finan 1002.92; LNM 13234.00; L & L 1537.67; M Matzen 776.60; MAPA 953.00; Millard Sprinkler 5690.00; Mun. Code 80.00; NE Sweep 2314.53; NCS 864.03; NE Sheriff's Assoc. 75.00; O & P 50740.64; OPPD 16888.06; PeopleService 23521.00; Pap San 227.33; Century Link 119.75; Trekk 771.70; Twin Rivers Y 2673.36; Two Rivers Pumping 280.00; Util. Sec. 800.00; West-E-Con 3673.46; Window Pro 20.00; 3 Points Dev. 326,833.00; Mallard Landing 425820.01; Lanoha/Bluewater 188077.39; Menards Inc. 121080.85; **Taxes:** Fed 23067.27; NE 3498.42; **Reimburse/Refund:** L. Bequette 295.45; J. Suhr 67.55; USPS 491.88; John Sullivan 1000.00; Bertelsen, Bergman, Jung, Harrington, Pace, Johnson, Hazelwood, Turner, Brewer, Laverdure, Greenwood, Westin, Blossom, Desoe, Lierman, Ulrich, McDermott, Vencil, Hartman, Yin, Siedlik, Backman, Snow 150.00 each.

Council member Grove introduced Ordinance No. 724 entitled: AN ORDINANCE TO ADOPT THE BUDGET STATEMENT TO BE TERMED THE ANNUAL APPROPRIATION BILL; TO APPROPRIATE SUMS FOR NECESSARY EXPENSES AND LIABILITIES; TO PROVIDE FOR AN EFFECTIVE DATE, and moved that the statutory rule requiring reading on three different days be suspended. Council member Ueckert seconded the motion to suspend the rules and upon electronic vote on the motion the following council members voted YES: Grove, Lewis, Ueckert. The following voted NO: No one. The motion to suspend the rules was adopted and the statutory rule was declared suspended for consideration of said ordinance.

Said ordinance was then read by title and thereafter council member Ueckert moved for final passage of the ordinance, which motion was seconded by council member Lewis. The Mayor then stated the question "Shall Ordinance No. 724 be passed and adopted." Upon electronic vote, the following Council members voted YES: Ueckert, Grove, Lewis. The following voted NO: No one. The passage and adoption of said ordinance having been concurred in by a majority of all members of the council, the Mayor declared the ordinance adopted and the Mayor in the presence of the council signed and approved the ordinance and the clerk attested the passage and approval of the same and affixed her signature thereto. A true, correct and complete copy of said ordinance is on file at city hall.

Council member Lewis introduced, read and moved for passage of Resolution No. 2019-34 setting the property tax request for the current year at a different amount than the property tax request for the prior year. Grove seconded. Lewis, Ueckert and Grove voted YES. NO; no one, motion carried. A true, correct and complete copy of said resolution is on file at city hall.

Council member Lewis read the following into the record. "I am recommending the city council tables ordinance no. 725 until the planning board makes some final decisions on the Country Aire Subdivision. They had questions the developer was unable to answer at last month's meeting. Especially regarding the drainage and issues of adjacent and already established homeowners. Until the planning board has said yes or no, I don't think we should move forward. If they say NO then we would be stuck with the 13 plus acres that the farmer would not be able to farm.

In the beginning this project was to be funded by the developer including roads, water and sewer. Now he has decided it would be too much financially and wants to be a SIDs. The valuation of this land at last appraisal was \$194,000.00, I do think this is too high. But none the less the city gave the land to

the developer. I already feel we have been misled and therefore ask this ordinance should be tabled or voted no for now.”

Council member Grove introduced Ordinance No. 725 entitled: AN ORDINANCE AMENDING THE ZONING REGULATIONS OF VALLEY, DOUGLAS COUNTY, NEBRASKA, FINDING THE PROPOSED AMENDMENT WAS DULY SUBMITTED TO THE PLANNING BOARD OF VALLEY, DOUGLAS COUNTY, NEBRASKA FOR ITS RECOMMENDATION AND THAT SAID PLANNING BOARD RECOMMENDED THAT THE PROPOSED AMENDMENT BE ADOPTED; FINDING THE NOTICE OF HEARING ON SUCH AMENDMENT WAS DULY GIVEN PRIOR TO THE HEARING AS PROVIDED BY LAW AND THAT SUCH PUBLIC HEARING WAS HAD THEREON; FINDING THAT THE ZONING MAP OF VALLEY, DOUGLAS COUNTY, NEBRASKA, BE AMENDED AS FOLLOWS THAT THE DESCRIBED REAL PROPERTY BE REZONED FROM R-1 (LOW DENSITY RESIDENTIAL) TO R-2 (MEDIUM DENSITY RESIDENTIAL), Country Aire-Section 2 in the NE 1/4, of the NE ¼, Sec 1, T15N, R 9E, and moved that the statutory rule requiring reading on three different days be suspended. Council member Ueckert seconded the motion to suspend the rules and upon electronic vote on the motion the following council members voted YES: Grove, Ueckert. The following voted NO: Lewis. The motion to suspend the rules was adopted and the statutory rule was declared suspended for consideration of said ordinance.

Said ordinance was then read by title and thereafter council member Grove moved for final passage of the ordinance, which motion was seconded by council member Ueckert. The Mayor then stated the question “Shall Ordinance No. 725 be passed and adopted.” Upon electronic vote, the following Council members voted YES: Grove, Ueckert. The following voted NO: Lewis. The passage and adoption of said ordinance having been concurred in by a majority of all members of the council, the Mayor declared the ordinance adopted and the Mayor in the presence of the council signed and approved the ordinance and the clerk attested the passage and approval of the same and affixed her signature thereto. A true, correct and complete copy of said ordinance is on file at city hall.

Council member Ueckert introduced, read and moved for passage of Resolution No. 2019-35 to authorize building official Michael Burns to issue a conditional use permit to Western Engineering to establish an asphalt plant and material piles at 30708 Rainwood Road. Council member Grove seconded. Ueckert, Grove and Lewis voted YES. NO; no one, motion carried. A true, correct and complete copy of said resolution is on file at city hall.

Council member Grove introduced, read and moved for passage of Resolution No. 2019-36 to approve the preliminary and final plats of Miller Acres Lot 1 & 2 located in part of the East ½, of the SW ¼, Sec 6, T15N, R10E. Council member Lewis seconded. Grove, Lewis and Ueckert voted YES. NO; no one, motion carried. A true, correct and complete copy of said resolution is on file at city hall.

Bob Hassebrook, 7505 North 285th Avenue Circle speaking on behalf of the Pines Homeowners Association and 99% of the Pines homeowners, requested 25 mph speed limit signs be posted in the subdivision and that parking be limited to one side on the narrow 22’ streets with no parking allowed on Potter Street. Mr. Hassebrook added there are a lot of duplexes that have adequate parking in driveways. Council consensus was to install 25 mph speed limit signs and address the parking request.

Chief Brett Smith reported the police department has no way to enforce the rules for the five camper pads in the park because the rules were adopted by resolution. He stated the council needs to pass an ordinance with a penalty clause for violations of the camper pad rules. Mr. Farnham will follow up with this request.

Council member Lewis introduced, read and moved for passage of Resolution No. 2019-37 to amend resolution 2019-30 to show that the city council consents to the execution of a subdivision agreement with NLH Enterprises, LLC reflecting a name change from Groundscapes, Inc. Council member Grove seconded. Lewis, Ueckert and Grove voted YES. NO: no one, motion carried. A true, correct and complete copy of said resolution is on file at city hall.

Mr. Farnham gave an overview of the Valley Shores paving project which began with a town hall meeting to do an asphaltic overlay on the streets. An agreement to split the costs between the City and Valley Shores was executed. The project is complete and has been finalized, the total project cost is \$551,601.56. A title search will be completed, notice will be published and property owners will receive a letter notifying them of the amount of their assessment and the date of the hearing. Fifty lots have paid a partial assessment which will be paid to the City. The city engineer passed out copies of the assessment numbers. The council will schedule a hearing and sit as a board of adjustment, following which property owners will have 50 days to pay the assessments in full before they become part of the property tax equasion with Douglas County. A five-year payout as opposed to ten-years wa discussed. The assessment numbers are based on 139 residential and 4 commercial lots with 90% charged to residential and 10% charged to commercial. Each of the 139 residential properties will be assessed \$1,786.06, Lot 141 \$8,541.46, Lot 142 \$9,358.42, Lot 143 \$3,750.66 and Lot 144 \$5,888.53.

Council member Grove introduced, read and moved for passage of Resolution No. 2019-38 to set October 8 at 7 p.m. as the date to conduct a hearing and meet to consider objections, if any, to the proposed special assessments for Paving Improvement District 2018-1. Council member Lewis seconded. Grove, Lewis and Ueckert voted YES. NO; no one, motion carried. A true, correct and complete copy of said resolution is on file at city hall.

City Engineer – 2018 Water system improvements (Ginger Cove/Ginger Woods). Greg Perry reported the crossover date is September 19.

Flat Water – Phase 1. Wayne George has completed the curb and gutter along West Valley Street. Work will begin tomorrow to connect the flume to the drain. Timber Shores is meeting next week to advertise for bids to improve drainage. Flatwater has begun dynamiting to improve bank stability.

Jim Olmsted reported on 2019 Flood Recovery, Sewer CCTV – Bids for the project will be opened October 8.

2019 Flood Recovery, Gardiner Street Stormwater pumping station – Working on plans and specifications.

2019 Flood Recovery Valmont Lift Station Rehab – Working on plans and specifications.

2019 Flood Recovery, Ballfield restoration – Will meet with Mr. Hansen to review damage and compile a cost estimate.

2019 Flood Recovery, Pines Culvert and Intersection replacement/Front Street – compiling cost estimates.

FEMA 2019 Flood Recovery - Agreement for engineering services and authorizarion to proceed with recovery work will be on the September 24 meeting agenda.

Other-Miscellaneous, Country Aire Section 2 is moving forward.

Flatwater Phase 2 & 3 – plans are in progress and Flatwater is installing silt fence.

FEMA documentation and cost estimates are being completd. An on-site visit is scheduled for the first week in October.

City Attorney – Met with Carstensen Construction to review and discuss change order requests for the Ginger Cove/Ginger Woods water extension project. His office has been working with Valley Shores assessments.

Mayor's Report – There is a FEMA meeting tomorrow at 9 a.m.

D C West First Grade is touring city hall Thursday morning at 9 – there are 4 classes with 20 students each.

FCC Rural Tour Consumer Education Forum is meeting September 18 from 2 to 3 p.m., at Valley Public Library – An invitation has been issued to public officials to attend the session at Keene Memorial Library in Fremont from 9:30 to 11:30 that day

Received a reminder from Valmont with an offer to help regarding drainage ditch along Valmont property north side of Ida Street, we have no easement from Lyman-Richey.

Andersen Plumbing has installed 276 MXU's PeopleService has programmed 126.

Public Works has acquired the materials (rip-rap) for bridge repair at 252nd & Fort Street.

A bridal shower sponsored by Friends of the Library for Library Director Sami Voshell is September 25 from 2:30 to 4:30 p.m.. The wedding date is October 5.

Council member Ueckert moved to go into executive session at 8:00 p.m. regarding change request proposals submitted by Carstensen Contracting, Inc. Grove seconded. Ueckert, Grove and Lewis voted YES. NO; no one, motion carried.

Mayor Smith stated Valley City Council will adjourn in executive session regarding change request proposals submitted by Carstensen Contracting, Inc.

Council member Grove moved to reconvene in open session at 8:25 p.m. Lewis seconded. Grove, Lewis and Ueckert voted YES. NO; no one, motion carried.

Other - Twin Rivers YMCA 9th annual Freedom Run is September 15.

D C West Homecoming Parade is October 4, 1 p.m.

MAPA annual dinner meeting is October 9, 6 p.m., Blair Marina.

End of Fiscal Year meeting is September 24, 7 p.m.

The meeting was adjourned at 8:26 p.m.

Mayor Carroll L. Smith

City Clerk Joan Suhr

VALLEY CITY COUNCIL
SPECIAL MEETING
September 24, 2019

Mayor Smith called the meeting to order at 7:00 p.m. Present were Mayor Carroll Smith; Council members Cindy Grove, Linda Lewis and Bryon Ueckert. Council member Mike Stanzel was absent.

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

Council member Ueckert led the Pledge of Allegiance.

There were no visitors or correspondence.

Proof of publication was on the council table.

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

Council member Lewis moved to approve payment of end of fiscal year bills. Grove seconded. Lewis, Ueckert and Grove voted YES. NO; no one, motion carried.

Council member Grove introduced, read and moved for passage of Resolution No. 2019-39 authorizing Mayor Smith to execute a professional services agreement with Olmsted and Perry Consulting Engineers for the 2019 flood event related to FEMA funding. Lewis seconded. Grove, Lewis and Ueckert voted YES. NO; no one, motion carried. A true, correct and complete copy of said resolution is on file at city hall.

Mayor's report – FEMA is meeting with Kenny Grimm this Thursday.

FEMA site inspections are scheduled for Thursday October 10 with Jim Olmsted, Kenny Grimm, Nate Taylor and Keith Hansen participating.

Ginger Cove / Ginger Woods water service transition went smoothly.

He attended the FCC presentation at the library on robo and scam calls September 18.

D C West Homecoming Parade is Friday October 4 @12:45 p.m.

A **Surprise** birthday party invitation is at your place.

Reminders: Friends of the Library are having a bridal shower for Library Director Sami Voshell tomorrow. Wedding date is October 5.

We need MAPA annual dinner reservations tonight. October 9 at 6 p.m. Blair Marina.

Other – There was a question regarding filling a rural swimming pool with city water.

The meeting was adjourned at 7:09 p.m.

Mayor Carroll L. Smith

Clerk Joan Suhr

AGENDA
VALLEY CITY COUNCIL
September 24, 2019

A Copy of the Open Meetings Act is located on the north wall of the Council Chamber

Any agenda item may be moved at any time at the discretion of the Mayor

The Mayor and Council reserve the right to adjourn into executive session on any agenda item per Nebraska Revised Statutes 84-1410.

One copy of all reproducible written material to be discussed at this meeting is available for examination or copying.

1. ROLL CALL
2. CALL TO ORDER
3. PLEDGE OF ALLEGIANCE
4. VISITORS & CORRESPONDENCE
5. PROOF OF PUBLICATION
6. APPROVAL OF AGENDA
7. APPROVE PAYMENT OF END OF FISCAL YEAR BILLS/ **A Complete listing of claims processed through Monday, September 23, 2019 is on file in the office of the City Clerk.**
8. RESOLUTION NO 2019-39/Council consideration to authorize Mayor Smith to execute professional services agreement with Olmsted and Perry, Consulting Engineers for the 2019 flood event related to FEMA funding.
9. MAYOR'S REPORT

**D C WEST HOMECOMING PARADE
FRIDAY OCTOBER 4 – 1:00 p.m.**

**MAPA ANNUAL MEETING
WEDNESDAY OCTOBER 9 @ 6 p.m.
Blair Marina**
