

CITY OF VALLEY
PUBLIC HEARING
March 10, 2015

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

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

The hearing is for public input & comment on a request for a conditional use permit by Love's Travel Stops & Country Stores for gas/diesel fuel retail services at 26120 East Meigs Street.

The Building Inspector reported on behalf of Loves representative Steve Walters. The site will be divided into three lots. The middle lot will be raised four feet for the building and will comply with floodplain requirements.

There were no additional comments & no written objections.

The hearing was closed at 7:04 p.m.

MINUTES
March 10, 2015

Mayor Smith called the meeting to order at 7:04 p.m. Present were mayor Smith; council members Lewis, Stanzel, Ueckert, city attorney Farnham, clerk Suhr. Council member Bevington was absent.

Proof of publication was on the council desk.

Council member Lewis led the Pledge of Allegiance.

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.

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.

Included with visitors & correspondence, was a thank you note from Alan Badour for allowing Valley Shores residents to voice their concerns at the February meeting.

Council member Stanzel moved to approve the agenda. Lewis seconded. Stanzel, Ueckert & Lewis voted YES. NO; No one, motion carried.

Council member Lewis moved to approve the consent agenda Ueckert seconded with clarification of the special designated use application. Lewis, Stanzel & Ueckert voted YES. NO; No one, motion carried. Consent agenda items were: Accept 2/10/15 public hearing & meeting minutes, treasurer's report, bills paid during the month, February payroll, January Keno receipts,

\$2,509.47, PeopleService, Inc. report, annual library report, February library statistical report, Planning Commission 3/17/15 minutes, Library board 11/13/14 minutes; to recommend approval of Special designated Liquor license application of DVL, LLC for a fundraiser to be held April 25, 2015 at Valley Vets Club, 111 East Front Street and on South East Street 102' x 83' Valley, Ne from 4 p.m. to 12 a.m; approval of bills & additional bills presented for payment. **Supplies:** Ace 44.79; Baker & Taylor 206.53; Butler Machinery 7176.36; Cengage 67.17; Center Point Pub. 79.07; Cabelas 39.96; Dicks 70.61; Dinkel Imp.32.88; Fastenel 9.81; Hastings 45.46; H D Supply 328.51; J D Fin. 426.31; Jones Barrel Co. 320.00; Kirby Auto Parts 52.50; Larue 53.15; Menards 238.82;375.52; OfficeNet 294.25; Petty cash 24.55; Pub Printing 96.00; USPS 320.97; Robs 971.81; Shell 446.77; 969.94; Staples 33.34; USA Blue Book 1282.93; WRK 330.00;**Services:** Aflac 465.92; BCBS 5615.61; Black Hills Energy 1735.86; Calabretto 124787.47; Continental Fire Sprinkler 170.00; Com. First Nat. Bank 42575.95; Cox 415.74; DHHS 80.00; Diesel Power Equip 511.18; D C Ele. Comm. 62.69; Gazette 112.25; D C Env. 322.33; Elite Ins. 22.00; Everetts 3092.84; J.Farnham 4479.75; FSB 4050.00; FNB 4050.00; Fremont Utilities 24251.22; Lin Pest Control 92.00; Lincoln Financial 516.59; D Matzen 710.70; Master card 665.28; Ne Dept. Health 40.00; N C S 288.01; 288.01; NMVCA 70.00; Olmsted & Perry 6172.76; OPPD 10640.59; PeopleService 12366.00; Papillion San. 72.82; Peters & Assoc. 2809.00; US Bank Fin. 74.00; Utility Ser. Group 948.96; Verizon 266.12; Wndow Pro 20.00;Windgate 179.90; Auto Sys Co. 2447.04; **Taxes:** Fed 12279.74; State 1646.34; **Wages:** 48185.90; **Reimburse/Refund;**M Burns 223.15; R Coffey 68.68; D Dunham 424.92; D Eggen 1048.47; Besch 150.00; Brown 150.00; Eggen 150.00; Malibu Homes 300.00; Timberline Homes 150.00; Hale 73.30; Mallard 16777.08; Three Points Lake Dev. 21155.66;

Brian Vencil, 3848 South 264th Street, Waterloo, requested approximately 9 acres located directly south of Legacy Valley be disconnected from the City limits. The property is agricultural land & he is currently unable to take advantage of special valuations for tax purposes available to agricultural land, which places an increased tax burden on the property compared to neighboring agricultural lands. Lewis moved to disconnect the site & direct the city attorney to contact Mr. Vencil's attorney to work out the details. Ueckert seconded. Lewis, Stanzel & Ueckert voted YES. NO; no one, motion carried.

Council member Stanzel introduced, read & moved for passage of Resolution No. 2015-09 to issue a conditional use permit to Love's Travel Stop & Country Stores for gas/diesel fuel retail services at 26120 East Meigs Street, Valley & to authorize the Zoning Administrator to execute the agreement that when signed by the applicant & the City becomes the permit. Ueckert seconded. Stanzel, Ueckert & Lewis voted YES. NO; no one, motion carried. A true, correct & complete copy is on file at city hall.

Josh Breeden, Twin Rivers YMCA presented his recommendation for outdoor pool admission for the 2015 season. An increase in admissions as well as Child/Day Care prorated on the number of kids would help close the funding gap. Following review & discussion, Council member Stanzel moved to adopt the new rates proposed by Mr. Breeden. Lewis seconded. Stanzel, Ueckert & Lewis voted YES. NO; no one, motion carried.

Council member Lewis introduced, read & moved for approval of Resolution No. 2015-10 to authorize Mayor Smith to execute an agreement with Greater Omaha YMCA to operate the outdoor pool for the 2015 season. Stanzel seconded. Lewis, Stanzel & Ueckert voted YES. NO; no one, motion carried. A true, correct & complete copy is on file at city hall.

Shawn Isom explained the proposed updates to the employee personnel manual. Vacation, Sick Leave & Bereavement leave will be converted to paid time off. Hours will be accrued each

pay period for full time, three quarter time & scheduled part time, Temporary, seasonal or part time employees would not be eligible. Paid time off accrual will stop at 480 hours. President's Day, Veteran's Day & ½ day Christmas Eve will be added to the holidays. The personal day will be replaced by a discretionary holiday to be determined by the Mayor. Items that have been adopted since the last update will be incorporated in the revision.

Council member Lewis introduced, read & moved for passage of Resolution No. 2015-11 to adopt the revised employee personnel manual to reflect changes in law & policy. Stanzel seconded. Lewis, Stanzel & Ueckert voted YES. NO; no one, motion carried. A true, correct & complete copy is on file at city hall.

Council member Ueckert introduced, read & moved for approval of Resolution No. 2015-12, pay request No. 11, \$124,787.47 to Calabretto Building Group for Valhaven Nursing Center renovation. Stanzel seconded. Ueckert, Lewis & Stanzel voted YES. NO; no one, motion carried. A true, correct & complete copy is on file at city hall.

Council member Stanzel moved to suspend the rules for consideration of Ordinance No.671 entitled: AN ORDINANCE OF THE CITY OF VALLEY, DOUGLAS COUNTY, NEBRASKA, PROVIDING AMENDED DEFINITIONS FOR ALL-TERRAIN AND UTILITY-TYPE VEHICLES; REPEALING ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE. Ueckert seconded. Stanzel, Ueckert & Lewis voted YES. NO: no one, motion carried.

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

Council member Stanzel moved to suspend the rules for consideration of Ordinance No. 672 entitled: AN ORDINANCE OF THE CITY OF VALLEY, DOUGLAS COUNTY, NEBRASKA PROVIDING A PROCEDURE FOR THE MAYOR TO VETO PASSAGE OF ORDINANCES, RESOLUTIONS, ETC.; REPEALING ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE. Lewis seconded. Stanzel, Ueckert & Lewis voted YES. NO: no one, motion carried..

Council member Lewis moved for final passage of the ordinance. Stanzel seconded. Lewis, Stanzel & Ueckert voted YES. NO; no one, motion carried. A true, correct & complete copy is on file at city hall.

Council member Ueckert left the meeting at 7:45 p.m.

City Engineer – Mallard Lake – Phase 4 is virtually complete with some fine grading & restoration work remaining. Mr. Olmsted will file the Mallard administrative re-plat with Douglas County. He recommended council approval of the preliminary certificate of substantial improvement to start the warranty period.

Bluewater – The final section of sewer on the south side has passed inspection. Efforts for a wetlands permit from the Corps of Engineers are ongoing. He recommended approval of Rutjens Construction application for payment No. 6 & Luxa Construction application for payment #1.

Pines H O A Water Extension District 2014-01 - Thirty eight meters have been installed. The reimbursement request is ready to submit to the State. The EPA was here for a week, to date no report has been received. He recommended approval of change order #1 & Thompson Construction, Inc. pay request #3.

Other/Miscellaneous – Progress on the storm drain at Mallard Landing is still in the works. East Street storm drainage project will be on the April agenda.

City Attorney – The annexation mandate has not been filed. A meeting with Ginger Cove Trustees and attorney is scheduled for Wednesday afternoon. Mr. Farnham will contact Ginger Woods attorney Eric Anderson to schedule a meeting with that entity. There has been no word from Douglas County regarding their plans for the property across Reichmuth Road from Valmont.

There will be a special meeting March 31 at 7 p.m. to review water & wastewater rates.

Mayor's Report - March 24 is Valley Days Barbecue meeting & Western Douglas County Chamber of Commerce. Reservations for the Chamber dinner are required. Twin Rivers YMCA dinner & auction is Saturday March 28.

Council member Ueckert returned to the meeting at 8:05 p.m.

Council member Ueckert moved to suspend the rules for consideration of Ordinance No. 673 entitled: AN ORDINANCE OF THE CITY OF VALLEY, NEBRASKA, DELETING REFERENCE TO ADOPTION OF FUTURE OR AMENDED EDITIONS OF THE ELECTRICAL CODE; REPEALING SECTIONS IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE. Lewis seconded. Ueckert, Lewis & Stanzel voted YES. NO; no one, motion carried.

Council member Ueckert moved for final passage of the ordinance. Lewis seconded. Ueckert, Lewis & Stanzel voted YES. NO; no one, motion carried. A true, correct & complete copy is on file at city hall.

Stanzel moved to approve the Preliminary Certificate of Substantial Improvement for Mallard Lake Phase 4. Lewis seconded. Stanzel, Ueckert & Lewis voted YES. NO; no one, motion carried.

Stanzel moved to recommend to Bluewater developer for payment approval of contractor application for payment #6 from Rutjens Construction in the amount of \$614,225.70. Lewis seconded. Stanzel, Ueckert & Lewis voted YES. NO; no one, motion carried.

Stanzel moved to recommend to Bluewater developer for payment approval of contractor application for payment #1 from Luxa Construction, Inc., in the amount of \$65,342.66. Lewis seconded. Stanzel, Ueckert & Lewis voted YES. NO; no one, motion carried.

Lewis moved to approve Pines Country Club HOA Water Extension District 2014-01 change order #1 a decrease of \$23,208.88. Stanzel seconded. Lewis, Stanzel & Ueckert voted YES. NO; no one, motion carried.

Council member Stanzel introduced, read & moved for passage of Resolution No. 2015-13 to approve Thompson Construction, Inc. pay request #3, \$32,862.51. Lewis seconded. Stanzel,

Ueckert & Lewis voted YES. NO; no one, motion carried. A true, correct & complete copy is on file at city hall.

Other items discussed were locating infiltration to reduce the excessive amount of water being pumped to Fremont.

The meeting was adjourned at 8:10 p.m.

Mayor Carroll L. Smith

Clerk Joan Suhr