

CITY OF VALLEY
PUBLIC HEARING
August 11, 2015

The hearing was called to order at 7 p.m. Present were Mayor Smith, Council members Bevington, Stanzel & Ueckert. Council member Lewis 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.

Mayor Smith opened the hearing for public input & comment on a request for a change of zoning of 52.72 acres located in the NE & SW corners of Quarters of Section 25, Township 16 N, Range 9 East of the 6th P.M. from Transitional Agriculture (TA) to Highway Commercial (C3).

Terry Atkins, Lamp Rynearson, 14710 West Dodge Road stated the land has been purchased by McArdle Grading who plans to move their business to the south east corner of the property. There are no definite plans for the remainder of the property at this time. He noted the future land use plan has this area designated as highway commercial. The Planning Commission recommended approval.

There were no additional comments or written objections.

The hearing was closed at 7:03 p.m.

Mayor Smith opened the hearing for comment & input on Bluewater Subdivision .Replat 2, outlots A & B.

Greg Perry, Olmsted & Perry, explained the replat is necessary to realign the Joan Avenue entrance from 288th Street because of a Corps of Engineers ruling that it must line up with an existing culvert. The Planning Commission recommended approval.

There were no comments or written objections.

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

MINUTES
August 11, 2015

Mayor Carroll Smith called the meeting to order at 7:05 p.m. Present were mayor ISmith; council members Bevington, Stanzel, Ueckert, city attorney Farnham, clerk Suhr. Council member Lewis was absent

Proof of publication was on the council desk.

Council member Bevington 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.

Paul Glidden, 302 South West Street, expressed thanks to the city staff whose work in the park and at the ball field helped make the recent American Legion tournament successful. He added there were many positive comments from teams & spectators who attended the event. Mayor Smith thanked Mr. Glidden for his comments & for his work with the Legion program.

Stanzel moved to approve the agenda. Bevington seconded. Stanzel, Ueckert & Bevington voted YES. NO; no one.

Stanzel moved to approve the consent agenda. Bevington seconded. Stanzel, Ueckert & Bevington voted YES. NO; no one. Consent agenda items were: Accept 7/14 public hearing & meeting minutes, treasurer's report, July payroll, June Keno receipts, \$1,590.31, PeopleService, Inc., report, 6/11 & 7/16 Library Board & 7/21 Planning Commission minutes & July library statistics report. Approve bills & additional bills presented for payment: **Supplies:** Arps 2969.38; Aqua Chem 435.00; Baker & Taylor 379.91; Central Point Pub 48.04; Dicks 71.80; Dultmier 86.00; J D Financial 1243.48; Kirby 165.58; Lyman-Richey 217.40; Martin Marietta 108.03; M Parrott 681.67; Marpa Group 125.00; Menards 103.80; Monke Bros 663.26; OfficeNet 732.72; P B Elect 1310.00; Petty Cash 100.67; Pub Printing 223.50; Rob's Oil 2229.00; Roehr's Machinery 41.35; Sherwin Williams 224.64; Shell Oil 1868.41; US Bank 74.00; Valley Pharmacy 17.08; USPS 485.43; WRK 7137.24; Elkhorn Fence Co 3.00; Trade Well Pallets 225.00; **Services:** Aflac 465.92; Bauer Built 997.88; Bert Gurney 40520.00; BCBS 6056.05; B H Energy 159.99; Commercial Seed 675.00; Cox 415.11; Calabretto 81604.58; DCPG 210.51; D C Treas 18100.60; D C Environmental 1284.25; Elkhorn Auto 100.00;; J Farnham 2092.50; FSB 5962.50; FNB 5962.50; First National Bank 1400.00; Fremont Util 30380.10; Lincoln Financial 568.40; Malloy Elec 6500.00; D Matzen 710.70; Midwest Radar 160.00; Marvin Planning 140.00; NE Sweep 2137.74; NCS 576.02; O'Donnell, Ficenic, Wills & Fertig 3175.00; O & P 49998.74; OPPD 14484.32, PeopleService 21202.00; Papillion San 376.82; Peters & Assoc 3170.00; Century Link 46.16; Shred It 457.95; Thompson Construction 1053.50; West Ser 90.00; Wndow Pro 20.00; YMCA 2519.75; **Taxes:** Fed 5112.75; State 11622.71; 1336.00; **Wages:** 48530.88; IRA 753.64; **Reimburse/Refund:** M Burns 149.50; S Isom 60.95; Archistrustructure, Duff, Eckerman, Johnson, VanVleet, Goldberg, Griffin, Janovsky, Mcgill, Mettlen, Ramm, RJS 150.00.

Ueckert moved to approve bills paid during the month. Stanzel seconded. Ueckert, Stanzel & Mayor Smith voted YES. NO; no one. Bevington abstained. Motion carried. Approved were: Artline Limited 2400.50; Elkhorn Valley Con. 15866.00; Invacare 22.00; J. Bosco 11288.24; J Widhelm 240.00.; Mallard Landing 205.57; NCS 288.01; NE Dept of Revenue 1336.00; Ne Fire Marshall 50.00; T Cutler 4581.51; Thompson Construction 26676.42; Three Points Lake Development 12887.85; U S P S 402.47; Valley Corp 220371.44; Valley Fire & Rescue 850.00.

Melissa Poloncic, D. C. West Superintendent provided handouts, gave an informational presentation & answered questions regarding the upcoming school bond election. She outlined facility needs to meet current safety & security requirements, the content of propositions A & B, the timeline for ballots & voting, student population growth history & projected growth.

John Trecek of Ameritas Investment reviewed the city bonds & explained that refunding the 2010 issue will result in significant interest savings.

Stanzel introduced, read & moved for passage of Resolution 2015-30 to refund Refunding Bonds, Series 2010, in the outstanding principal amount of \$450,000. Bevington seconded.

Stanzel, Ueckert & Bevington 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.677 entitled: AN ORDINANCE AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION REFUNDING BONDS, SERIES 2015, OF THE CITY OF VALLEY NEBRASKA, IN THE PRINCIPAL AMOUNT OF FOUR HUNDRED SIXTY THOUSAND DOLLARS (\$460,000) TO REFUND CERTAIN OUTSTANDING BONDS OF THE CITY; PRESCRIBING THE FORM OF SAID BONDS, PROVIDING FOR A SINKING FUND AND FOR THE LEVY AND COLLECTION OF TAXES TO PAY SAID BONDS; PROVIDING FOR THE SALE OF THE BONDS; AUTHORIZING THE DELIVERY OF THE BONDS TO PURCHASER; PROVIDING FOR THE DISPOSITION OF THE BOND PROCEEDS AND ORDERING THE ORDINANCE PUBLISHED IN PAMPHLET FORM. Ueckert seconded. Stanzel, Ueckert & Bevington voted YES. NO: no one, motion carried.

Council member Stanzel moved for final passage. Ueckert seconded Stanzel, Ueckert, & Bevington voted YES. NO: no one, motion carried. A true, correct and complete copy is on file at City Hall.

Council member Bevington introduced, read & moved for passage of Resolution 2015-31, approval of Outlots A & B, Bluewater Replat 2, a replatting of outlots E & F together with Joan Avenue right of way lying east of 289th Circle & west of 288th Street. Ueckert seconded. Bevington, Stanzel & Ueckert 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. 678 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 IT'S RECOMMENDATION AND THAT IT RECOMMENDED THE ADOPTION OF THE AMENDMENT FINDING THAT 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 52.72 ACRES LOCATED IN THE NE AND SW CORNERS OF QUARTERS OF SECTION 25, TOWNSHIP 16N, RANGE 9 BE REZONED FROM TA TRANSITIONAL AGRICULTURE TO C-3, HIGHWAY BUSINESS. Bevington seconded. Stanzel, Ueckert & Bevington voted YES. NO: no one, motion carried. .

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

Council member Stanzel introduced, read & moved for passage of Resolution No. 2015-32 to approve pay request #15 \$81,604.58 to Calabretto Building Group for Valhaven renovation project as recommended by the architect. Ueckert seconded. Stanzel, Ueckert & Bevington voted YES. NO; no one, motion carried. A true, correct & complete copy is on file at city hall.

City Engineer – Item a -- progress report on Bluewater – Greg Perry reported the paving is nearing completion & recommended approval of Luxa pay request.

Bevington moved to recommend to Bluewater developer payment of Luxa Construction Inc., pay request #6, \$618,439.95. Ueckert seconded. Bevington, Stanzel & Ueckert voted YES. NO; no one.

Item b – Mallard Lake Phase 4 – The developer has several items left to complete. The engineer recommended approval of change order #5, pay request #8 & substantial completion of contract # I to Kersten Construction

Bevington moved to approve change order #5 to Kersten Construction, for a time extension. Stanzel seconded. Bevington, Stanzel & Ueckert voted YES. NO; no one.

Bevington moved to recommend to Mallard developer payment of Kersten Construction pay request #8, \$24,893.53 & engineer's recommendation for approval of substantial completion of Contract #1 to Kersten Construction. Stanzel seconded. Bevington, Stanzel & Ueckert voted YES. NO; no one.

Item c – Pines HOA Water Extension District No. 2014-1 – The Environmental Protection Agency has completed the second round of their investigation.

Council member Ueckert introduced, read & moved for passage of Resolution No. 2015-33, approval of Commercial Seeding Invoice # 15455, \$675. for surface restoration for five new water services installed at the Pines. Stanzel seconded. Ueckert, Bevington & Stanzel voted YES. NO; no one. A true, correct & complete copy is on file at city hall.

Jim Olmsted presented the statement of final costs for the project. He is in the final stages of preparing the assessment schedule. Jeff Farnham & Jim Olmsted are meeting to set the hearing date for final assessments. Following a title search, notices will be sent to property owners & an assessment hearing will be held. Having a member of the homeowners board give a background of the project at the hearing was discussed.

Item d – The State Department of Roads conducted a traffic study in response to the city's request to lower the speed limit on Highway 64. Their letter stated State findings could not justify lowering the speed limit at this time.

Council member Stanzel moved to direct the city engineer to advertise for bids on the Gardiner Street Sanitary Sewer Project #2015-1 & East Street Storm Sewer District Project #2015-1. Bevington seconded. Stanzel, Ueckert & Bevington voted YES. NO; no one.

Item g – Ginger Woods emergency sewer repair is complete.

Item h – West & Gardiner sewer & street repair is completeThe bills have been submitted to plumber's insurance carrier.

Council member Stanzel moved to file an audit waiver request for SID #196 with Nebraska Auditor of Public Accounts. Bevington seconded. Stanzel, Ueckert & Bevington voted YES. NO; no one, motion carried.

Stanzel moved to file an audit waiver request for SID #254 with Nebraska Auditor of Public Accounts. Bevington seconded. Stanzel, Ueckert & Bevington voted YES. NO; no one, motion carried.

City Attorney – He put forth thoughts on ways to capture sales tax on Bluewater.

Ginger Wood Road purchase is complete with one remaining step, to dedicate the Road as a public road.

He is checking an assessment that was refunded to a private investor by Douglas County Treasurer.

Mayor's report – D.C. West school begins August 13. Budget meeting with CPA is September 1 at 7 p.m. Budget hearing is September 8 at 6:45 p.m.

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

Mayor Carroll L. Smith

Clerk Joan Suhr