

CITY OF VALLEY
PUBLIC HEARINGS
October 11,, 2016

Present were: Mayor Smith, Council members Bevington, Lewis, Stanzel & Ueckert. 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 for a change of zoning request from Medium to High Density Residential to General Commercial. Joshua Estates Lot 2 located in Section 22 Township 16N Range 9E of the 6th PM, Douglas County, Nebraska.

Zoning Administrator Michael Burns reported the reason for the request is the current owner of the property wishes to sell.

The property owner Seth Paulson, 8606 North 300, stated he has a contract to sell the property to Dick Pierson who wishes to build a commercial building on the property.

There being no questions or comments, the hearing was closed at 7:01 p.m.

Mayor Smith opened the hearing for public input & comment on a change of zoning request from Transitional Agriculture to Highway Commercial Black Horse Farms, Lot 2, Block 0 located in Section 23 Township 16N Range 9E of the 6th PM, Douglas County, Nebraska.

Zoning Administrator Michael Burns reported the owners of the property requested the zoning change in order to match zoning in place across the road.

There were no comments or questions.

The hearing was closed at 7:02 p.m.

MINUTES
October 11, 2016

Mayor Smith called the meeting to order at 7:03 p.m. Present were mayor Smith; council members Bevington, Lewis, Stanzel & Ueckert; city attorney Farnham; city clerk Suhr

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.

Correspondence was a thank you note from the family of Ted Argintean.

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

Lewis moved to approve the consent agenda. Bevington seconded. All in favor, motion carried. Items on the consent agenda were – accept 9/13 public hearing , 9/13 & 9/20 minutes, Treasurer’s report, September payroll, August Keno, \$1,679.07, PeopleService, Inc report, 9/20 Planning Commission minutes, September library statistical report; approve bills paid during the month & bills & additional bills presented for payment: **Supplies:** Ace 48.30; Badger Body 7055.00; Baker & Taylor 311.63; Cengage 25.59; Center Pt 26.06; JP Cooke 30.50; Dick’s 5.43; Embroidery Conn 13.36; M Frederick 44.00; Grafix Shop 211.05; KS Hwy Patrol 19250.00; Kirby 131.01; LaRue 84.94; Lowe’s 2217.21; Menards 162.031,400.70; Mastercard 672.00; M Todd 588.11; NE Emerg Equip 1520.00; OfficeNet 194.53; Pavers 220.18; Petty Cash 25.32; Pub Print 210.35; Shell 1400.70; K Sunblade 80.00; US Bank 74.00; USPS 371.89; United Rentals 122.80; Woodhouse 9149.00; **Services:** Aflac 589.61; Andersen Plumb 675.00; BCBS 7357.30; Black Max 14200.00; Cox 921.92; DCPG 526.81; Dgls Cnty Env 997.30; Everetts 1615.78; J Farnham 1087.50; FSB 5962.50; FNB 5962.50; Fremont Util 27396.60; K Jansen 55.00; LincFin 653.11; D Matzen 732.02; NE Clerk’s 50.00; NE Sweep 2127.71; NCS 576.02; O & P 9563.43; OPPD 14542.58; PeopleService 20768.00; Pap San 294.00; West Detail 70.00; WDCCC 160.00; J Widhelm 8850.00; **Taxes:** Fed 22600.19; State 2999.19; NE Unemp 124.13; **Wages:** 85963.87; IRA 1233.99; **Reimburse/Refund:** 3 Pt Lake 32849.21; Mallard 85332.56; M Gorman, J Heller 1100.00; F Schott, Quality 1st, D Michalski, Grace Custom, Dollar Gen, M Heller, L Kucirek, Barr Homes, R Caple, D Glass, M Millen, J McCarthy, J O’Connor, M Scherer, V Somer, C Dake, M Kirkwood, M Hurley, J Snyder, D Davies, S Heim, D Heim, D Berg, S Stormberg, B Ries, J Bekins, R Swartzbaugh, R Hansen, R Lueckenhoff, R Ford, P Barry, R Masching, P Brown, T McMahon, F Grabher, S Grampsas, C Bargstadt, J Filippi, J Peterson, R McCreary, V Lamprecht, G Elsasser, D Beaudoin, M Gnarra, R Hawlins, J Lawlor, L Nowak, D Dolejs, M Fort, T Grace, K Bird, T Harrison, T Russell, L Messer, C Dana, B Green, L Fisher, D Scott, D Critel, D Prorok, W Koile, S Knudsen, D Powell, R Nordell, D Whittle, C Kinney, JMN Const, R Timperley 150.00.

Don Lerdahl, 214 West Alexander reviewed the list of questions submitted for council consideration regarding the camper pads in city park. 1. Was a feasibility study done? No. 2. Will camping fees be assessed? Yes. 3. How long will a camper be allowed to stay? They will be registered with a drop box available for payment. 4. How will extra parking be regulated? The area will be patrolled by police department, there will be no tents. 5. Will there be restroom facilities available? There will be no showers or dump site, park facilities will be closed in the winter. 6. Will campers be allowed to set up lighting? That will need to be addressed with rules & regulations. 7. Will open fires be allowed? That will also be addressed with rules & regulations. 8. Was consideration given to the impact on adjacent property values? Council member Stanzel stated that this is a convenience for our citizens, we do not have in mind to turn it into a camping ground.

Mr. Lerdahl asked are parents going to feel safe to let kids play in the park. He suggested putting up a privacy fence, doing a feasibility study & sharing the survey results.

Ron King, 208 West Alexander remarked that area is a swamp & the campers may well be surrounded by water as there is an underground river in that area.

There were letters stating opposition to placing camper pads in the park from Marianne Nielson, 126 West Charles & John & JoAnn Sullivan, 110 West Charles.

The Mayor appointed Mike Stanzel, Bryon Ueckert & Don Lerdahl to a committee to conduct a study & collect information in order to set rules & regulations for the camping area.

Council member Bevington moved to designate First Nebraska Bank as depository for the City of Valley. Ueckert seconded. All in favor, motion carried.

Council member Stanzel moved to suspend the rules for consideration of Ordinance No .695 entitled: AN ORDINANCE AMENDING THE ZONING REGULATIONS OF VALLEY, DOUGLAS COUNTY, NEBRASKA, FINDING THE PROPOSED AMENDMENTS WERE DULY SUBMITTED TO THE PLANNING BOARD OF VALLEY, DOUGLAS COUNTY, NEBRASKA FOR ITS 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 THE DESCRIBED REAL PROPERTY BE REZONED FROM R-2, MEDIUM-HIGH DENSITY RESIDENTIAL TO C-1 GENERAL COMMERCIAL, AS FOLLOWS: Joshua Estates Lot 2 located in Section 22 Township 16N Range 9E of the 6th PM, Douglas County, Nebraska. Lewis seconded. All in favor, motion carried

Council member Bevington moved for final passage. Lewis seconded. All in favor, 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. 696 entitled: AN ORDINANCE AMENDING THE ZONING REGULATIONS OF VALLEY, DOUGLAS COUNTY, NEBRASKA, FINDING THE PROPOSED AMENDMENTS WERE DULY SUBMITTED TO THE PLANNING BOARD OF VALLEY, DOUGLAS COUNTY, NEBRASKA FOR ITS 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 THE DESCRIBED REAL PROPERTY BE REZONED FROM TA, TRANSITIONAL AGRICULTURE TO C-3 HIGHWAY BUSINESS Black Horse Farms, Lot 2, Block 0 located in Section 23 Township 16N Range 9E of the 6th PM, Douglas County, Nebraska. Ueckert seconded. All in favor, motion carried.

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

City Engineer – a. Sanitary Sewer District project #2015-1. Engineer Greg Perry reported the project is still in progress, the rain has delayed seed & restoration. It will be ready for close out next month.

b. Bluewater – Luxa will be on site in a couple of days to complete the street. Culvert flares will be installed at the entrance. No formal action has been taken to remove the sidewalks & trail surface from the contract. We are still waiting for handicap ramps on all intersections. Lewis stated, “They need to honor the terms of the agreement, sidewalks need to be installed”.

c. FY17 Sanitary Sewer Rehabilitation CCP Project – Four good bids were received. Following review of the bid sheet, council member Lewis moved to accept the bids & take action to award the contract to Hydro-Klean, Inc. Stanzel seconded. All in favor, motion carried.

Council member Stanzel introduced, read & moved for approval of Resolution No. 2016-34 to authorize Mayor Smith to enter into a contract with Hydro-Klean LLC for FY17 Sanitary Sewer Rehabilitation Cured in Place Pipe project. Lewis seconded. All in favor, motion carried. A true, correct & complete copy is on file at city hall.

d. Other/Miscellaneous – The covered bridge repair is progressing nicely & the annual street report is due soon.

City Attorney – Mr. Farnham reported time has been spent on Valhaven & he has had no response from Douglas County. He submitted the claims from four farmers for crop loss to the insurance company to investigate.

Chief Brett Smith spoke in opposition to the proposed ordinance relating to golf cart vehicles. He referred to his October 3 letter, stating there are seven areas to be considered, there are 62 carts at the Pines which does not allow personal carts on the course. He outlined the scenario of having to ticket a cart, towing to impound, the owner having to rent a trailer to remove the cart from impound. He & his officers are responding with a blanket “no”.

Council member Ueckert moved to change the proposed ordinance to match the ATV ordinance that is in place. The motion died for lack of a second.

Council member Lewis introduced, read & moved to approve Resolution No. 2016-35 to authorize Mayor Smith, subject to certain conditions, to execute a consent to the assignment of the existing lease for Valhaven Care Center dated April 8, 2014, as amended, from the present tenant, Beverly Enterprises-Nebraska, Inc., to the new tenant, Valhaven Care and Rehabilitation Center, LLC. Ueckert seconded. All in favor, motion carried. A true, correct & complete copy is on file at city hall.

Mayor’s Report – Valmont Appreciation dinner is 10/19 from 7 to 8:30 p.m. 10/ 16 – 22 is Friends of the Library Week. Care-A-Van fundraiser is 10/15 from 10 to 2. Fire Department Pancake Breakfast is 10/23 from 7 a.m. to noon.

MAPA representatives have contacted the City to see if there is interest in participating in a housing rehabilitation program. A special meeting will be scheduled to hear the MAPA presentation.

Michael Hanus of Spirit of Peace Church approached council with information & was advised to complete an agenda request in order to present the services offered.

The meeting was adjourned at 8:14 p.m.

Mayor Carroll L. Smith

Clerk Joan Suhr

