

CITY OF VALLEY PUBLIC HEARING

January 11, 2011

Mayor Caffey called the public hearing to order at 7:00 p.m. & stated a copy of the open meetings act is located on the north wall of the council chamber.

Proof of publication was available on the council desk & posted in city office window.

Present were mayor Caffey, council members Lewis, Marshall, Stanzel & Ueckert.

The hearing is for input on recommendations forwarded from the Planning Commission hearing held December 21, 2010 to consider an application to rezone from TA (Transitional Ag) to C-3 (Highway Business District) a portion of land located in the SE ¼ of the SE ¼ Sec 15, T 16 N, R 9, East of the 6th PM, Douglas County Nebraska consisting of one-half (1/2) acre owned by Roger & Carol Booze.

Council member Ueckert asked if there was road access for the property.

Shane Placek, 340 East Military Avenue, Fremont, the attorney representing the Booze's stated part of the road on the west side of the property has been dedicated for easement. The intent is to sell equipment & vehicles.

There were no further questions or comments.

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

VALLEY CITY COUNCIL

January 11, 2011

Mayor Caffey called the meeting to order at 7:05 p.m. Present were mayor Caffey; council members Lewis, Marshall, Stanzel, Ueckert, city attorney Farnham. clerk Suhr.

Council member Lewis led the pledge of allegiance. Proof of publication was on the council desk & posted in city office window.

Mayor Caffey stated a copy of the open meetings act is located in the frame on the north wall of the council chamber & 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.

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

Ueckert moved to approve the consent agenda. Lewis seconded. All in favor, motion carried. Items on the consent agenda were: Accept 12/14 minutes, treasurer's report, December payroll \$62,003.79IRA \$985.08, November Keno receipts \$1,675.85 PeopleService, Inc. report & 12/21/10 Planning Commission minutes. Approve bills paid during the month, bills & additional bills presented for payment. **Supplies:** American Artist 23.95; Arps 483.75; Borders 240.20; Bomgaars 67.49; Cappel 7.08; Center Pt 209.82; JP Cooke 58.20; Cntry Sampler 18.00; Cabela 119.98; Dick's 83.66; DC Purchasing 115.80; Ace 128.69; Everetts 104.95; Farm Plan 439.25; HD Supply 1412.57; FNB 76691.66; Kirby 891.08; Larue 84.22; M Todd 1395.48; Menards 161.21,

62.68; Midwest Sales 502.17; OfficeNet 371.59; Petty Cash 71.35; Shell 373.91, 1436.71; Staples 119.99; TSC 18.56; US Post 349.71; **Services:** R Argintean 138.00; Aflac 298.35; AIG 592.08; Black Max 7500.00; Cox 287.34; Calabretto 22770.00; Civic Plus 6960.00; D & D 469.00; DCPG 421.42; Ervin 233.14; J Farnham 7621.65; Fremont 13837.83; Goree 36000.00; Harrington 3802.43; IIMC 210.00; M Kirkwood 100.00; D Matzen 400.00; Monitronics 33.94; NCS 293.76; NW Elec 1442.58; NeFSMA 70.00; O & P 13938.92; OPPD 8372.18; PeopleService 11673.00; Papillion San 57.76; RP Speed 85.00; Utilities Serv Group 18933.75; **Taxes:** Fed 14067.48; NE 2105.60; Unemp 514.14; **Wages:** 62003.79; FNB 985.08; **Reimburse/Refund:** B Feddersen, G Fehlhaber, T Luthy 150.00.

The Mayor introduced Doug Eggen as the new webmaster & briefed the council on web page activity.

Mr. Eggen's demonstration included items currently on line plus future items and possibilities. The intended launch date is February 1. There was positive, enthusiastic council discussion & feedback during & following his presentation.

Council member Stanzel moved to suspend the rules for consideration of Ordinance No.616 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 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 DISTRICT. Lewis seconded. All in favor, motion carried

Council member Ueckert moved for final passage of the ordinance. Lewis seconded. All in favor, motion carried. A true, correct & complete copy of said ordinance is on file at City Hall.

Following discussion, council member Stanzel suggested leaving the mileage reimbursement at 50¢ per mile. Council members concurred.

City Engineer – North Spruce Street Drainage – The contractor has about 90% of the clearing & grubbing completed

Spruce Street/Reichmuth Road Intersection Repair – Progress continues with final close out in March or April.

Meigs Street Trench Drain – The Meigs street trench drain repair is complete. The Spruce Street trench drain repair that was included in the project will be completed in the spring.

Gardiner/Mayne Sewer main repair - Bids will be opened March 8 with a March 15 start date.

Miscellaneous – The engineer recommended approval of the pay request from Utilities Service Group. The project is 95% complete with a small amount of work to complete.

Council member Marshall introduced, read & moved for approval of Resolution No. 2011-01, pay request No. 3, \$18,933.75 to Utilities Service Group for work completed to date for televised inspection of sanitary sewers. Stanzel seconded. All in favor, motion carried. A true, correct & complete copy of said resolution is on file at City Hall.

Council member Lewis introduced, read & moved for approval of Resolution No. 2011-02, pay request No. 1, \$36,000.00 to Goree Backhoe & Excavating Inc. for work completed to date for North Spruce Street drainage improvements. Ueckert seconded. All in favor, motion carried. A true, correct & complete copy of said resolution is on file at City Hall. The city engineer recommended approval of payment.

Council member Stanzel introduced, read & moved for approval of Resolution No. 2011-03, pay request No. 1, \$22,770.00 to Calabretto Building Group, Inc. for work completed to date for televising wastewater lines. Noting a wording error, council member Stanzel withdrew his motion.

Council member Marshall moved to amend & correct resolution no. 2011-03 by removing the words “televising wastewater lines” & inserting “for library renovation”. Stanzel seconded. All in favor, motion carried.

Council member Stanzel introduced, read & moved for approval of Resolution No. 2011-03, pay request No. 1, \$22,770.00 to Calabretto Building Group, Inc. for work completed to date for library renovation. Lewis seconded. All in favor, motion carried. A true, correct & complete copy of said resolution is on file at City Hall. The architect recommended approval of payment.

Jim Olmsted explained the one-and-six year plan is an annual requirement due to the State by March 1 of each year. Council members reviewed the list of recommendations submitted by Ken Grimm. The public hearing will be February 8.

Council member Ueckert moved to increase the annual employee salary package 2%, effective the first pay period of 2011. Lewis seconded. All in favor, motion carried.

Council member Marshall moved that the Valley City Council go into closed session for the purpose of having a strategy session with respect to pending litigation against the City of Valley, namely:

- (1) SID #196 of Douglas County, Nebraska v. The City of Valley, Nebraska, Docket 1113, Page 433, Douglas County District Court.
- (2) Bellino Fireworks, Inc. v. City of Valley, Nebraska, Docket 1092, Page 937, Douglas County District Court.
- (3) Ueberrhein, et al v. City of Valley, Nebraska, Docket 1096, Page 903, Douglas county District Court.

at 8:08 p.m. Council member Ueckert seconded the motion. All in favor, motion carried.

Mayor Caffey stated the council will go into closed session at 8:08 p.m. The subject matter of the closed session shall be limited to a strategy session with respect to pending litigation against the City of Valley, namely:

- (1) SID #196 of Douglas County, Nebraska v. The City of Valley, Nebraska, Docket 1113, Page 433, Douglas County District Court.
- (2) Bellino Fireworks, Inc. v. City of Valley, Nebraska, Docket 1092, Page 937, Douglas County District Court.
- (3) Ueberrhein, et al v. City of Valley, Nebraska, Docket 1096, Page 903, Douglas county District Court.

The meeting was convened in open session at 8:28 p.m.

Mayor's Report – The League of Nebraska Municipalities mid-winter conference is 2/28 – 3/1 in Lincoln The appreciation dinner hosted by Olmsted & Perry & PeopleService, Inc., is 1/14 at Farmer Brown's. A pool party pass has been donated to the D. C. Post Prom Committee. She shared pictures of early downtown Valley & developers. There were updates on snow removal & Valhaven.

Library Renovation Progress - Council member Marshall reported there is a construction meeting each Friday. The demolition is 99% complete & the building is basically gutted. Roof tear off was completed last week. The project is coming along nicely & is very clean & tidy.

The city attorney & police chief will review the UTV/ATV Ordinance for council consideration at the February meeting & the attorney's office has been reviewing & assessing fireworks ordinances & information.

The meeting was adjourned at 8:52 p.m.

Mayor Mary Caffey

Clerk Joan Suhr