

CITY OF VALLEY PUBLIC HEARING

July 12, 2011

Mayor Caffey called the public hearing to order at 7:03 p.m. and 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 and posted in the city office window.

Present were mayor Mary Caffey, council members Linda Lewis, Rod Marshall, Mike Stanzel and Bryon Ueckert.

The purpose of the public hearing is for comments and input on proposed changes to subdivision and zoning regulations.

Zoning Administrator Michael Burns, 203 North Spruce Street stated that both he and the city engineer had reviewed the changes and would answer any questions.

There were no questions or comments. The hearing was adjourned at 7:05 p.m.

VALLEY CITY COUNCIL

REGULAR MEETING

July 12, 2011

A meeting of the Valley City Council of Valley, Nebraska, was convened in open and public session at 7:05 p.m., on July 12, 2011, at Valley City Hall. Present were mayor Mary Caffey; council members Linda Lewis, Rod Marshall, Mike Stanzel, Bryon Ueckert, attorney Jeff Farnham, clerk Joan Suhr. 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.

Council member Ueckert led the pledge of allegiance. Proof of publication was on the council desk and posted in the 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 and 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 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.

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

Council member Marshall moved to approve the consent agenda. Lewis seconded. Marshall, Stanzel, Ueckert and Lewis voted YES. NO; No one, motion carried. Consent agenda items were: Accept minutes of May 24, June 14 and June 28 and treasurer's report, present bills paid during the month, June payroll \$71,487.02.70/IRA\$1,090.53, May Keno receipts \$1,346.66, accept Planning Commission minutes of June 21, 2011 and PeopleService, Inc report. Approve bills and additional bills presented for payment.

Carolyn Hutchinson has requested a hearing impaired sign on South Mayne Street. She has been declared legally deaf by a licensed physician. Council member Marshall moved to approve the proper signage be erected at 400 South Mayne Street. Ueckert seconded. Marshall, Stanzel, Ueckert and Lewis voted YES. NO; No one. Motion carried.

Council member Stanzel introduced Ordinance No 624 entitled: AN ORDINANCE OF THE CITY OF VALLEY, DOUGLAS COUNTY, NEBRASKA, TO AMEND SECTIONS OF THE VALLEY SUBDIVISION REGULATIONS, 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: Stanzel, Ueckert, Lewis, Marshall. 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 the city attorney and thereafter council member Stanzel moved for final passage of the ordinance, which motion was seconded by council member Marshall. The Mayor then stated the question "Shall Ordinance No.624 be passed and adopted." Upon electronic vote, the following Council members voted YES: Stanzel, Ueckert, Lewis, Marshall. 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 Marshall introduced Ordinance No 625 entitled: AN ORDINANCE OF THE CITY OF VALLEY, DOUGLAS COUNTY, NEBRASKA, TO AMEND SECTIONS OF THE VALLEY ZONING REGULATIONS, and moved that the statutory rule requiring reading on three different days be suspended. Council member Stanzel seconded the motion to suspend the rules and upon electronic vote on the motion the following council members voted YES: Marshall, Stanzel, Ueckert, Lewis. 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 the city attorney and thereafter council member Marshall moved for final passage of the ordinance, which motion was seconded by council member Stanzel. The Mayor then stated the question "Shall Ordinance No.625 be passed and adopted." Upon electronic vote, the following Council members voted YES: Marshall, Stanzel, Ueckert, 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.

Bill Harvey, 11248 John Galt Boulevard, Big Red Keno attorney, explained Big Red would like council permission to increase the amount of the excess prize fund which would give them more flexibility to offer special games and higher prizes. The top prize will remain \$25,000. He reported that Outer Limits chose to end their keno operation on July 1.

Council member Lewis introduced and moved for approval of Resolution No. 2011-25, to approve and authorize the mayor to execute amendment No. 3 to the lottery agreement with EHPV Lottery Services LLC dba Big Red Keno to increase the maximum amount of the Excess Prize Reserve from \$25,000 to \$50,000. Ueckert seconded. Following reading by the city attorney, Lewis, Marshall, Stanzel and Ueckert voted YES. NO; No one, motion carried. A true, correct and complete copy of the resolution in on file at City Hall.

The City engineer reported The North Spruce Street Drainage Project is still in standby mode.

2011 Sanitary Sewer Repair Project - The project is complete, and the project warranty is 2 years. He recommended approval of close out documents and final pay request.

Council member Stanzel moved to approve the certificate of substantial completion for the 2011 sanitary sewer repair project phase I as presented by the city engineer. Ueckert seconded. Stanzel, Ueckert, Lewis and Marshall voted YES. NO; No one, motion carried.

Council member Ueckert introduced and moved for approval of Resolution No. 2011-24, to approve pay request #3 to Thompson Construction for \$10,424.88. Lewis seconded. Following reading by the city attorney, Ueckert, Lewis, Marshall and Stanzel voted YES. NO; No one, motion carried. A true, correct and complete copy of the resolution in on file at City Hall.

Southeast Drainage Improvements - Most of the heavy work is done, the contractor was released to perform flood assistance, culvert elevations were matched for positive drainage, there is no pay request.

Miscellaneous - The water tower has been inspected and cleaned.

Council member Marshall moved to set mileage reimbursement to 55¢ per mile. Stanzel seconded. Marshall, Stanzel, Ueckert and Lewis voted YES. NO; No one. Motion carried.

Council member Marshall introduced Ordinance No. 626 entitled: AN ORDINANCE REPEALING SECTION ~~6-208~~ OF THE VALLEY MUNICIPAL CODE. AN ORDINANCE FIXING THE WATER RATES AND CHARGES FOR RESIDENTIAL PROPERTY INSIDE THE CITY LIMITS, FOR RESIDENTIAL PROPERTY OUTSIDE THE CITY LIMITS, AND FOR COMMERCIAL AND INDUSTRIAL PROPERTY; FIXING THE MANNER IN WHICH WATER CONSUMERS SHALL BE RELIEVED OF LIABILITY FOR WATER RATES; PROVIDING FOR DELINQUENCY CHARGES ON PAST DUE WATER BILLS; DETERMINING THAT THE WATER CHARGES IN THIS ORDINANCE ARE JUST AND EQUITABLE; PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH. The city attorney

completed the first reading of the ordinance.

The city attorney advised there was no reason to adjourn in closed session.

The Mayor reported lane and turn markers have been installed on Spruce Street. The library landscaping grant work has been completed and the paperwork has been submitted. The library walk through is scheduled for July 20. The results of the leak detection survey conducted by Nebraska Rural Water were: Two hydrants in the park were leaking and have been repaired. A fire hydrant on 264th was leaking, it has been turned off and the PeopleService representative believes it is still under warranty and is checking with the manufacturer. The chlorinator room at the water treatment plant is being cleaned and painted in conjunction with the installation of new chlorine regulators, lines, fittings and injectors.

The meeting was adjourned at 8:40 p.m.

Mayor Mary Caffey

Clerk Joan Suhr