

CITY OF VALLEY
PUBLIC HEARINGS
June 11, 2019

Present were: Mayor Smith, Council members Grove, Lewis, Stanzel. Council member Ueckert arrived at 7:25 p.m.

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

MAYOR SMITH OPENED THE HEARING FOR PUBLIC INPUT & COMMENT TO ADOPT SUBDIVISION REGULATIONS TO COMPLETE THE COMPREHENSIVE PLAN UPDATE AT 7:00 P.M.

MICHAEL BURNS REPORTED STAFF HAD WORKED WITH PLANNER KEITH MARVIN, CITY ENGINEERS & CITY ATTORNEY TO COMPOSE, REVIEW & REVISE THE PLAN.

The Planning Commission held a public hearing May 21, & recommended adoption of the subdivision regulations.

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

MAYOR SMITH OPENED THE HEARING FOR PUBLIC INPUT & COMMENT TO AMEND ZONING REGULATIONS 5.06 AND 5.15.03 AT 7:01 P.M..

MICHAEL BURNS REPORTED THE CHANGE IS NECESSARY TO ALLOW AN EXISTING SINGLE FAMILY DETACHED DWELLING BE ALLOWED IN C-3 ZONING. THE DWELLING MUST REMAIN IN COMPLIANCE WITH LOT COVERAGE & SETBACKS.

The Planning Commission held a public hearing May 21, & recommended approval of the zoning regulations amendments..

There being no additional comments, the hearing was closed at 7:03 p.m.

MAYOR SMITH OPENED THE HEARING FOR PUBLIC INPUT & COMMENT TO GRANT A CONDITIONAL USE PERMIT FOR PROPERTY LOCATED AT 5801 TWIN RIVERS CIRCLE AT 7:03 P.M..

MICHAEL BURNS REPORTED GRANTING THE CONDITIONAL USE PERMIT WOULD ALLOW MR. & MRS. ROSS TO REFINANCE THEIR HOME LOCATED IN C-3 ZONING IN ORDER TO BE ABLE TO TAKE ADVANTAGE OF LOWER INTEREST RATES.

The Planning Commission held a public hearing May 21, & recommended approval of the conditional use permit.

There being no additional comments, the hearing was closed & the public hearings were adjourned at 7:04 p.m.

MINUTES
REGULAR MEETING
June 11, 2019

Mayor Smith called the meeting to order at 7:04 p.m. Present were mayor Smith; council members Grove, Lewis, Stanzel, city attorney Farnham, city clerk Suhr. Council member Ueckert arrived at 7:25 p.m.

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.

Council member Stanzel led the Pledge of Allegiance.

Proof of publication/posting was on the council desk.

Visitors and Correspondence –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.

Stanzel moved to approve the agenda. Lewis seconded. Stanzel, Grove & Lewis voted YES. NO; no one, motion carried.

Stanzel moved to approve the consent agenda. Lewis seconded. Stanzel, Grove & Lewis voted YES. NO; no one, motion carried. Consent agenda items were: Accept 5/14 minutes, treasurer's report, PeopleService, Inc. report, May payroll \$62,677.95/IRA \$847.96, 5/21 Planning Commission minutes, May Library Statistics; reappoint Danny Stewart to a 3 year term Board of Adjustment, Brian Foutch to a 5 year term Board of Appeals and Donna Fintel to a 3 year term Tree Board; recommend approval of Special Designated Liquor License application of Spruce Street Tavern for a beer garden to be held July 20, 2019 from 5 to 12 p.m. at Spruce Street Tavern, parking lot, 327 North Spruce Street, Valley, Nebraska; recommend approval of Special Designated Liquor License application of Valley High School Senior Reunion Committee for an event to be held August 10, 2019 from 4 to 12 p.m. at Twin Rivers Community Center, 6100 Twin Rivers Circle, Valley, Nebraska; recommend approval of Special Designated Liquor License application of DC West Sports Organization for a beer garden & dance to be held August 10, 2019 from 4 p.m. to 11:59 p.m. at Valley City Park, 400 West Vass Street, Valley, Nebraska; approve bills paid during the month, bills & additional bills presented for payment: **Supplies:** Ace 33.99; Amazon 809.01; ARPS 896.00; Aqua Chem 556.66; Bomgaars 49.98; Core & Main 42930.53; Dick's 24.92; FastSigns 917.16; JKRJ 1764.00; Jensen Tire 660.00; Kirby Auto 465.46; Larsen 154.35; Canteen 160.98; Lindy Glass 550.00; Lou's 525.13; Lowes 355.64; Menards 536.36; Nutriens Ag 611.70; OfficeNet 117.81; Sensus 1949.94; Tractor Supply 32.97; United Rental 868.84; Wex 1995.48; Wolfcom 290.00; **Services:** Aflac 736.68; Bankers Trust 6373.75; Bellaire Nursery 200.00; BCBS 10916.89; BHE 61.90 Cather 18322.17; Cox 878.38; Denny's 62.95; DCPG 800.88; DC Env 451.57; Everetts 248.50; J Farnham 8331.78; FNB 5962.50; FSB 5962.50; Fremont Util 53617.70; Hill 150.00; Johnson Controls 475.00; LincFinc 761.94; M Matzen 776.60; Mastercard 862.75; NeCS 576.02 NDEQ 19894.85; NE Sweep 2314.53; O & P 76980.74; OPPD 12436.00; PeopleService 21733.00; Pap San 454.66; Gene Steffy's 664.95; USPS 576.76; Verizon 423.17; YMCA 2673.36; **Taxes:** FED 15923.81; NE 2331.84; Ist NE Bank 2857.30; **Reimburse/Refund:** Tuttle/Glee 500.00; Majestic 1000.00; Swahn/Kirkpatrick/Muhlbauer/Schmitz/Hill/Hove/Williams/Noce/Meier/Bochart/Penberthy 150.00; Jensen 30.14; Three Points Dev 78695.30; Menard 5242.60; Mallard Landing 71296.58; Lanoha Development/Bluewater 31499.67.

Council member Stanzel moved to suspend the rules for consideration of Ordinance No. 721 entitled: AN ORDINANCE OF THE CITY OF VALLEY, DOUGLAS COUNTY, NEBRASKA TO ADOPT THE SUBDIVISION REGULATIONS FOR THE CITY OF VALLEY AS PREPARED BY MARVIN PLANNING CONSULTANTS AND REVIEWED BY THE CITY ENGINEER FOR THE CITY OF VALLEY; TO PROVIDE FOR THE REPEAL OF ORDINANCES INCONSISTENT HEREWITH; TO PROVIDE WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT; AND TO PROVIDE FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM. Grove seconded. Stanzel, Grove & Lewis voted YES. NO: no one, motion carried.

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

Stanzel moved to suspend the rules for consideration of Ordinance No. 722 entitled: AN ORDINANCE OF THE CITY OF VALLEY, DOUGLAS COUNTY, NEBRASKA TO AMEND EXISTING SECTIONS OF VALLEY ZONING REGULATIONS RELATING TO EXISTING SINGLE FAMILY DETACHED DWELLINGS LOCATED IN C-3 ZONING; TO AMEND ZONING REGULATIONS SECTION 5.06 AND 5.15.03; PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE; PROVIDING FOR A SEVERABILITY CLAUSE, AND PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH. Grove seconded. Stanzel, Grove & Lewis voted YES. NO: no one, motion carried

Council member Grove moved for final passage. Stanzel seconded. Grove, Lewis & 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. 2019-19 authorizing the issuance of a Conditional Use Permit to Robert & Eugena Ross & authorizing Zoning Administrator Michael Burns to execute the permit on behalf of the city. Lewis seconded. Stanzel, Grove & Lewis voted YES. NO; no one, motion carried. A true, correct & complete copy is on file at city hall.

Scott Hill, 601 West Valley Street, reported he is glad his driveway is done even though it is 8 months later. He still has issues with water & drainage.

Council member Ueckert arrived at 7:25 p.m.

Following much discussion, The engineer will continue to work with Mr. Hill to solve the drainage issues within a reasonable time and with a break in the weather.

Justin Lewandowski, First State Insurance Agent reviewed the property & liability insurance premium showing an increase of \$4,757.00 for the upcoming year. He went through the loss history summary noting the lightning strike claim at Byarsville Lift Station cost the insurance carrier more than the premium paid last year.

There was discussion regarding use of the camper pads. The City has not been charging flood victims to stay, however; it seems that some may be taking advantage of this. Cost of electricity & length of stay were discussed. Council member Stanzel moved to begin charging flood evacuees fifty percent of regular fee which is \$5.00 per day beginning July 1. Lewis seconded. All in favor, motion carried.

City Engineer – a. 2018 Water System Improvements (Ginger Cove/Ginger Woods). All pipe is installed at Ginger Cove with two connections remaining. Pipe installation should be complete at Ginger Woods Terrace tomorrow. The engineer recommended council approval of pay request #5 for the project.

Council member Lewis introduced, read & moved for passage of Resolution No. 2019-20 action to approve Carstensen Contracting pay request #5, \$322,997.98 for work completed & materials stored on site for Ginger Cove/Ginger Woods Water Improvement project. Ueckert seconded. All in favor, motion carried. A true correct & complete copy is on file at city hall.

b. Valley Shores Pavement Resurfacing Paving District No. 2018-1 – The project is complete & came in under budget.

Stanzel moved to approve change order no. 1, a deduction of \$1,459.31. Grove seconded. All in favor, motion carried.

Stanzel moved to approve the Acceptance of Substantial Completion & recommendation of Notice of Acceptability of Work & close out the project. Lewis seconded. All in favor, motion carried

Council member Stanzel introduced, read & moved for passage of Resolution No. 2019-21, action to approve Cather & Sons Construction, Inc. pay request #2 (final) for \$183,844.35, for Valley Shores Pavement Resurfacing Paving District 2018-1. Lewis seconded. All in favor, motion carried. A true correct & complete copy is on file at city hall.

c. FlatWater Phase 1 – The engineer recommended council approval for the Mayor to execute the pre-development cost agreement for payment of engineering fees for Flatwater Phases 1 and 3.

Council member Grove introduced, read & moved for passage of Resolution No. 2019-22 to authorize Mayor Smith to execute Flatwater Phase 2 & 3 Pre-development agreement. Stanzel seconded. All in favor, motion carried. A true, correct & complete copy is on file at city hall.

Council member Lewis stated she is against Flatwater continuing until the drainage issues are solved & will be voting no until that time. Council member Stanzel added it's not fair & not ethical.

d. 2019 Flood Assistance – We are still waiting for word from FEMA.

e. Other / Miscellaneous. 1. West Street manhole installation will be done very soon.

2. Country Aire – In the initial stages with surveying being completed.

3. Groundscapes water/sewer extensions – No information.

4. Sewer flows to Fremont are still extremely high, reminder the three-year agreement with the Department of Health & Human Services, Drinking Water Division is due for renewal in August.

City Attorney – a. The notice to be removed from receivership has been filed & notices have been sent to Golden Living & Skyline terminating the existing leases. He has been working with Klassmeyer's attorney to complete the new lease agreement. The initial term of the lease is 10 years with 2 – 5 year renewal options. The effective date of the lease will be July 1.

Council member Grove introduced, read & moved for passage of Resolution No. 2019-23, council consideration & action to authorize Mayor Smith to execute Valhaven Nursing Home lease with Arbor Care Center-Valhaven. Lewis seconded. All in favor, motion carried. A true, correct & complete copy is on file at city hall.

b. Council member Stanzel moved to take a 15 minute recess at 8:30 p.m. to consider engineering qualification statements that have been received to assist the City in connection with repair / or rebuilding City of Valley public infrastructure which was damaged during the flooding event of March 2019. Lewis seconded. All in favor, motion carried.

Council member Grove moved to reconvene the council meeting at 8:43 p.m. Lewis seconded. All in favor, motion carried.

Council member Stanzel moved that responses to the request for qualifications were received from JEO Consulting Engineers, Olmsted & Perry Consulting Engineers and Schemmer and that City Councilmembers received the proposals, reviewed and ranked the responses. Following careful consideration, Olmsted and Perry Consulting Engineers met the criteria to provide engineering services to assist the city with flood damage repair. Ueckert seconded. All in favor, motion carried.

Council discussed the placement of street signs & took no action, as the signs in question were installed & removed with no official council action.

Douglas County Assessor's Office is conducting a Town Hall meeting on Saturday June 22 to talk about LB 512 which provides property value reductions for property that has been significantly damaged by natural disaster. Council member Grove volunteered to host the meeting at the United Faith Flood Relief Campus at 9 a.m.

Mayor's Report – Valley Dog Park Official opening is Saturday, June 15 at 10 a.m. Valley Days Planning Committee meets June 15 at 6 p.m. Pool passed inspection May 22 – Opened June 5. Received final insurance payment for June 2018 lightning loss claim at Byarsville Total received was \$82,533.64

Requests were sent to 3 local lawn care companies to mow & trim the cemetery this summer only to ease the load on Public Works Hayden's Lawn Care & Landscaping was the successful bidder. "Safe Walks" Grant sidewalk construction set to begin June 10, has been delayed to June 24. MAPA – Received notice that three applicants have been selected for the housing rehabilitation grant and work has begun on one. Commissioner Mary Ann Borgeson will host a town hall meeting at City Hall July 8 from 6:00 to 7:30 p.m. Wells Fargo Omaha Neighborhood LIFT (Let's Invest for Tomorrow) program flyer in your packets. Andersen Plumbing has installed 218 meter readers. PeopleService has programmed 58 to date. The City received \$9,595.28 from Big Red Keno to close out the prize fund. Barbeque was a successful event - the weather cooperated this year. We have a Workers Comp Claim in progress. We received a call about sewage bubbling up in County Road 300. Upon checking, PeopleService discovered and repaired a rusted control valve.

Other items – Council member Ueckert reported that Valley Shores Homeowners Association will close a portion of 279th Street from 9:30 to 11:30 p.m. for their annual fireworks display on June 29.

The meeting was adjourned at 9:05 p.m.

Mayor Carroll L. Smith

City Clerk Joan Suhr

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