

PUBLIC HEARING  
March 13, 2012

The hearing was called to order at 7:05 p.m. Present were Mayor Caffey, Council members Marshall, Lewis, Stanzel & Ueckert.

The purpose of the hearing is for input on amendments to zoning & subdivision regulations forwarded from the planning commission.

The hearing was opened for public comment. There was no one present who wished to comment or address the subject.

The public hearing was adjourned at 7:06 p.m.

MINUTES

March 13, 2012

Mayor Caffey called the meeting to order at 7:07 p.m. Present were mayor Caffey; council members Lewis, Marshall, Stanzel, Ueckert, attorney Jeff Farnham, clerk Suhr.

Council member Lewis led the pledge of allegiance. Proof of publication was on the council desk & 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 & 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.

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

Marshall moved to approve the consent agenda. Stanzel seconded. All in favor, motion carried. Consent agenda items were: Accept 2/14/12 minutes & treasurers report, present bills paid during the month, February payroll \$43,944.20/IRA\$741.82, January Keno receipts \$1,764.58, accept PeopleService, Inc report & 2/21/12 Planning Commission minutes. Approve bills & additional bills presented for payment **Supplies:** Ace 247.52, 299.98; Barnes & Noble 117.54; Center Pt 167.76; Dick's 41.97; Fastenal 50.19; J Deere 7970.11; Kirby 243.16; Lowe's 456.70; Mastercard 95.85; M Todd 5821.70; NE Emerg Equip 70.00; OfficeNet 533.31; Petty Cash 67.78; Pub Print 149.00; Rob's Oil 740.81; Shell 789.74, 1463.22; Sirchie 93.18; US Post 334.08; **Services:** Aflac 298.35; AIG 778.14; Black Hills 1445.77; Butch Simpson Elec 2525.00; Comm 1<sup>st</sup> Ntl Bank 42575.95; Cont Fire 165.00; Cox 390.56; D & D Comm 825.00; DCPG 22.52; Ervin 233.14; Fremont 13437.02; Fricke 554.00; Harrington 4976.86; Kidwell 1072.00; D Matzen 650.00; Muni Code 300.00; NDHHS 40.00, 80.00; Methodist College 135.00; O & P 5446.50; Omaha 284.58; OPPD 8893.91; PeopleService 11734.00; Papillion San 59.40; Util Services 767.70; Wiese Plumb 200.50, WDCCC 320.00; Window Pro 20.00; **Taxes:** Fed 9749.53; NE 1347.92; **Wages:** 43944.20; FNB 741.82; **Reimburse/Refund:** 3 Points 16385.35; M Burns 110.00; M Caffey 131.17; M Kirkwood 8.40; S Smith 11.55; Malibu Homes 150.00; Choice Homes 450.00.

The city engineer presented his report. There were no action items

Council action on Resolution 2012-10 was delayed until the April 10 meeting.

Marshall introduced, read & moved for approval of Resolution No. 2012-11 authorizing Mayor Caffey to execute a permanent sewer easement with Casey's Retail Company. Stanzel seconded. All in favor, motion carried. A true, correct & complete copy is on file at city hall.

Ordinance No. 633 was advanced on the agenda with council consensus in order to tie in with Resolution 2012-11.

Council member Stanzel moved to suspend the rules for consideration of Ordinance No. 633 entitled: AN ORDINANCE VACATING THE ALLEY BISECTING THE BLOCK BOUNDED BY REICHMUTH ROAD, WEST THIRD STREET, N. LOCUST STREET AND N. WALNUT STREET AS ORIGINALLY DEDICATED LOCATED IN DOUGLAS COUNTY, NEBRASKA; PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE, PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH. Marshall seconded.. All in favor, motion carried.

Said ordinance was then read by the city attorney & thereafter council member Stanzel moved for final passage of the ordinance. Ueckert seconded. All in favor, motion carried. A true, correct & complete copy is on file at City Hall.

No action was taken on agenda item 11, Ordinance No. 630 to allow more time to review.

Action on agenda item 12, Ordinance No. 631 was postponed for language clarification.

Council member Stanzel moved to suspend the rules for consideration of Ordinance No. 632 entitled: AN ORDINANCE TO AMEND EXISTING SECTIONS OF THE CITY OF VALLEY SUBDIVISION REGULATIONS RELATING TO DRIVEWAYS; PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE, PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH,. Marshall seconded, all in favor, motion carried. .

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

Council member Marshall moved to suspend the rules for consideration of Ordinance No. 634 entitled: AN ORDINANCE REPEALING SECTION 8-602 OF THE VALLEY MUNICIPAL CODE, AN ORDINANCE RELATING TO THE IMPLEMENTATION OF THE NATIONAL ELECTRICAL CODE PUBLISHED BY THE NATIONAL FIRE PROTECTION ASSOCIATION; PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE; AND PROVIDING A SEVERABILITY CLAUSE. Lewis seconded. All in favor, motion carried.

Council member Marshall moved for final passage. Lewis seconded, all in favor, motion carried. A true, correct & complete copy is on file at City Hall.

Council member Marshall moved to suspend the rules for consideration of Ordinance No. 635 entitled: AN ORDINANCE ADOPTING THE 2009 ENERGY CONSERVATION CODE, REGULATING AND GOVERNING ENERGY EFFICIENT BUILDING

ENVELOPES AND INSTALLATION OF ENERGY EFFICIENT MECHANICAL LIGHTING AND POWER SYSTEMS IN THE CORPORATE LIMITS AND EXTRA TERRITORIAL JURISDICTION OF THE CITY OF VALLEY; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFOR; REPEALING ALL OTHER ORDINANCES AND PARTS OF THE ORDINANCES IN CONFLICT THEREWITH. Lewis seconded. All in favor, motion carried.

Council member Marshall moved for final passage. Lewis seconded. Upon electronic vote, the following Council members voted YES: Marshall and Lewis. The following voted NO: Stanzel and Ueckert. The Mayor cast a NO vote to break the tie. Ordinance No. 635 will on the April agenda.

Ueckert moved to recommend approval of an addition to premise for Class C Liquor license of Cherny/Powers Inc. DBA Outer Limits Sports Bar & Grill located at 28564 Reichmuth Road to the Nebraska Liquor Control Commission. Stanzel seconded. All in favor, motion carried.

The City Attorney reported he has been in discussions with Casey's & the police department. Attorney Simpson prosecuted dog ticket case. Mr. Farnham & Michael are reviewing temporary use permit language. Valhaven project talks are ongoing. Annexation litigation depositions will take place in April.

The Mayor reported Community Coffee & Connections was held 3/7. Congratulations to Jim Olmsted, on achieving Class "A" Street Superintendent certification. We have received notification from Douglas County Election Commission that City Hall will no longer be a polling place. She has been working on various legislative issues. The Mayor's meeting will be in Valley this Thursday. Tobacco use in city buildings & vehicles will be on the next agenda. Barbeque competition invites have been sent, the fire department is putting together a committee for a street dance, Sons of the Legion have donated \$250. prize for the People's Choice award. The one-half million dollar library project that was completed using no tax dollars, is down to \$13,000. owed. Council members were reminded to turn in reservations for the Chamber dinner & to bring code books for updates to the special meeting April 3.

Other items: Planning Commission meets 3/20. Western Douglas County Chamber annual recognition dinner is 3/27.

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

Mayor Mary Caffey

Clerk Joan Suhr