

CITY OF VALLEY PUBLIC HEARING

May 10, 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 the city office window.

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

The purpose of the public hearing is for comment & input on applications to rezone.

From I-2 (Heavy Industrial) to I-3 (General Industrial) a parcel of land located in the Ne $\frac{1}{4}$ Sec 6, T15N, R10E, excluding land(s) situated in the SE $\frac{1}{4}$ S $\frac{1}{2}$ of the NE $\frac{1}{4}$ & land situated in the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ divided by 264th street in Sec 6, T15N, R10E of the 6th P. M. Douglas County, Nebraska consisting of 114.23 acres.

The R-3 Zoning is similar to an Industrial Park, bordered on two sides by residential & on two sides by industrial.

From 1-2 (Heavy Industrial) to R-2 (Medium-High Density Residential) a parcel of land located in the S $\frac{1}{2}$ of the NE $\frac{1}{4}$ of Sec 6, T15N, R10E of the 6th P.M., Douglas County, Nebraska consisting of 31.39 acres.

The R-2 zoning is the property owned by the Catholic Church.

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

VALLEY CITY COUNCIL

May 10, 2011

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

Stanzel 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.

Visitors & Correspondence included a thank you from Douglas County West Community Schools & a letter from the Arbor Day Foundation naming Valley as a Tree City USA community & for achieving the 2010 Growth Award.

Marshall moved to approve the agenda. Lewis seconded. All in favor. Motion carried.

Stanzel moved to approve the consent agenda. Ueckert seconded. All in favor, motion carried. Consent agenda items were: Accept minutes & treasurer's report, present bills

paid during the month, April payroll \$40,573.70/IRA\$726.20, March Keno receipts \$1,600.89, accept Planning Commission minutes of 4/19/11 & Peopleservice, Inc report. Approve bills & additional bills presented for payment. **Supplies:** Ace 107.37; Arps 373.50; Borders 205.63; Center Pt 126.42; Bomgaars 19.68; Dick's 35.87; Fastenal 12.17; Hornaday 243.00; Kirby 63.48; LaRue 72.48; Lowes 66.03; Mastercard 1389.47; Menards 147.27; NFM 399.95; OfficeNet 895.30; OWH 85.80; Petty Cash 62.90; Sherwin 280.80; Shell 616.24, 1515.96; Winnelson 117.74; Tradewell 225.00; US Post 304.97; **Services:** R Argintean 74.75; Aflac 298.35; AIG 699.24; Black Hills 675.03; Cox 406.43; Calabretto 72132.83; B Desterhouse 55.00; D Landon 4575.28; DCPG 34.62; Ervin 233.14; J Farnham 5666.05; Fremont 23892.35; IIMC 50.00; Harrington 4423.86; M Kirkwood 100.00; D Matzen 400.00; Monitronics 33.94; tl Arbor 15.00; NCS 149.76; NE Sweep 1751.26; O & P 24572.00; Omaha 46.38; OPPD 8525.99; PeopleService 11304.00; Papillion San 123.17; Qwest 110.18; RP Speed 95.00; Rasmussen 125.00; Thompson Const 13228.75; USG 675.00; wrk 697.00; WindowPro 211.00; **Taxes:** Fed 8846.03; NE 890.00, 1195.63; Unemp 3606.60; **Wages:** 40573.70; FNB 726.20; **Reimburse/Refund:** 3 Points 149508.27; Menards 9887.60; S Smith 20.00; J Suhr 22.00, J Musson 57.50, K Grimm 112.31; Choice Homes 300.00; J Lewis, K Johnson, D Shonka, N Novotny 150.00; S Jacobberger 108.96; J Anderson 85.30; Mallard Lake 32616.69.

Council member Ueckert moved to suspend the rules for consideration of Ordinance No. 622 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 PROPERTYBE REZONED FROM I-2, HEAVY INDUSTRIAL TO I-3, GENERAL INDUSTRIAL DISTRICT a parcel of land located in the NE ¼ of Sec 6, T 15N, R10E, excluding land(s) situated in the SE ¼ S ½ of the NE ¼ & land situated in the NE ¼ of the NE ¼ divided by 264th street in Sec 6, T15N, R10E of the 6th P. M. Douglas County, Nebraska consisting of 114.23 acres. Stanzel 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.

Council member Marshall moved to suspend the rules for consideration of Ordinance No.623 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 PROPERTYBE REZONED FROM I-2, HEAVY INDUSTRIAL TO R-2, MEDIUM/HIGH DENSITY RESIDENTIAL a parcel of land located in the S ½ of the NE ¼ of Sec 6, T15N, R10E of

the 6th P.M., Douglas County, Nebraska consisting of 31.39 acres. Lewis seconded. All in favor, motion carried

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

The city engineer reported work on the North Spruce Street drainage project has progressed to the main drainage ditch for farmer access. He estimated the project is on hold for two to three weeks.

2011 Sanitary Sewer Repair – The contractor was able to proceed immediately. He recommended council approval of payment to Thompson Construction.

Council member Lewis introduced, read & moved for approval of Resolution No. 2011-18, pay request #1 to Thompson Construction, \$13,228.75 for work completed to date on the Sanitary Sewer Repair project. Stanzel seconded. All in favor, motion carried. A true, correct & complete copy is on file at City Hall.

Southeast Drainage Improvements – Sawyer Construction has completed the east leg of the project. Work will begin on Maple Street very soon.

There were no miscellaneous engineering items.

Council member Stanzel introduced, read & moved for approval of Resolution No. 2011-19, pay request #5 to Calabretto Building Corporation, \$72,132.83 for work completed to date on the library renovation. Ueckert seconded. All in favor, motion carried. A true, correct & complete copy is on file at City Hall.

The mayor reported the library move is just about finished & books are being put on the shelves

Council member Marshall introduced, read & moved for approval of Resolution No. 2001-20 to authorize the mayor to extend the interlocal agreement with Douglas County for library services. Lewis seconded. All in favor, motion carried. A true, correct & complete copy is on file at City Hall.

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 at 7:40 p.m. , 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.

Stanzel seconded. All in favor, motion carried.

Mayor Caffey stated the council will go into closed session at 7:40 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 7:56 p.m.

Mayor's Report – Public Works is preparing the pool to open on Memorial Day. There will be a special meeting May 24. Clean up day went very well. Show & Shine will be June 12 from 10 to 3.

Other items - Valley Community Garage sales will be June 4 & 5.

The meeting adjourned at 8:04 p.m.

Mayor Mary Caffey

Clerk Joan Suhr