

City of Valentine
Regular Council Meeting
City Library Meeting Room
September 15, 2003

A regular meeting of the City Council of the City of Valentine, Valentine, Nebraska was held September 15, 2003 at 7:00 p.m. in the Valentine City Library Meeting Room, the same notice of meeting being published in the Valentine Midland News. All of the proceedings hereafter shown were taken while the meeting was open to the public. A Public Information Council Agenda packet was available at the public information table.

PLEDGE OF ALLEGIANCE

The Council and those in attendance recited the pledge of allegiance.

1. MEETING CALLED TO ORDER

Chairperson of the Council, Balliet presided at the meeting with the following Council members in attendance: Balliet, Neujahr, Nelsen, Rhoades, Nieuwenhuis. Also in attendance were City Manager New, Administrative Assistant Beckby and legal representative Coupland. City Clerk Hanzlicek recorded the minutes.

2. CIVIC GROUP RECOGNITION:

There was not a civic group listed on the agenda, therefore, no presentation was made.

3. CONSENT AGENDA

Councilmember Neujahr made the motion to approve of consent agenda items #4, 5, 6, 7, 8 and 9 as presented. Second by Councilmember Nelsen. Roll call vote: Aye-Balliet, Neujahr, Nelsen, Rhoades, Nieuwenhuis. Nay-none. Motion carried.

4. *REVIEW OF VARIOUS BOARD MINUTES:

- b) Cemetery Board Meeting of September 8, 2003
- c) Library Board Meeting of September 2, 2003

Councilmember Neujahr made the motion to acknowledge review of the Cemetery Board minutes and the Library Board minutes as presented. Second by Councilmember Nelsen. Roll call vote: Aye-Balliet, Neujahr, Nelsen, Rhoades, Nieuwenhuis. Nay-None. Motion carried.

5. *APPROVAL OF THE FOLLOWING CITY COUNCIL MEETING MINUTES:

- a) Regular Meeting of August 18, 2003
- b) Special Meeting of September 8, 2003

Councilmember Neujahr made the motion to approve of the City Council minutes from the regular meeting of August 18, 2003 and the special meeting of September 8, 2003 as presented. Second by Councilmember Nelsen. Roll call vote: Aye-Balliet, Neujahr, Nelsen, Rhoades, Nieuwenhuis. Nay-None. Motion carried.

6. *APPROVAL OF THE AUGUST 2003 RECEIPT REPORT

Councilmember Neujahr made the motion to approve of the August, 2003 Receipt Report in the amount of \$573,187.66 as presented. Second by Councilmember Nelsen. Roll call vote: Aye-Balliet, Neujahr, Nelsen, Rhoades, Nieuwenhuis. Nay-None. Motion carried.

7. *REVIEW OF THE JULY 2003 FINANCIAL REPORTS

Councilmember Neujahr made the motion to acknowledge review of the July 2003 financial reports. Second by Councilmember Nelsen. Roll call vote: Aye-Balliet, Neujahr, Nelsen, Rhoades, Nieuwenhuis. Nay-None. Motion carried.

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8. *REVIEW/DISCUSSION/ACTION ON RESOLUTION TO AUTHORIZE THE COUNTY TREASURER TO TRANSFER FUNDS TO THE CITY OF VALENTINE FROM THE BOND FUND ACCOUNT

Councilmember Neujahr made the motion to adopt the following Resolution:

WHEREAS, the Cherry County Treasurer has received funds from the citizens of Valentine for Special Paving Assessments; and,

WHEREAS, the Bond Issues for the Special Paving Assessments have been paid in full and/or are due and owing, therefore, the City Treasurer is requesting the excess funds in the Valentine Bond Fund Account held at the Cherry County Treasurer's office to be transferred to the City of Valentine.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Valentine, Nebraska that the excess funds in the Valentine Bond Fund Account be transferred to the City of Valentine for disposition according to law.

Second by Councilmember Nelsen. Roll call vote: Aye-Balliet, Neujahr, Nelsen, Rhoades, Nieuwenhuis. Nay-None. Motion carried.

9. *DESIGNATION OF THE FOLLOWING INSTITUTIONS AS DEPOSITORY OF CITY FUNDS:

First National Bank of Valentine
Community First Bank
Union Bank & Trust
Wells Fargo

Councilmember Neujahr made the motion to designate First National Bank of Valentine, Community First Bank, Union Bank and Trust and Wells Fargo as depositories of city funds. Second by Councilmember Nelsen. Roll call vote: Aye-Balliet, Neujahr, Nelsen, Rhoades, Nieuwenhuis. Nay-None. Motion carried.

10. REVIEW/DISCUSSION/ACTION ON AUGUST 2003 CLAIMS AND PAYROLL

The Council received and reviewed the Claims and Payroll list for August 2003 in the amount of \$600,000.30. Councilmember Nieuwenhuis made the motion to approve the August 2003 Claims and Payroll in the amount of \$600,000.30 as presented. Second by Councilmember Neujahr. Roll call vote: Aye-Balliet, Neujahr, Nelsen, Rhoades, Nieuwenhuis. Nay-none. Motion carried.

11. REVIEW/DISCUSSION/ACTION ON PAY ESTIMATE NO. 2 AND FINAL TO TECHNICAL MAINTENANCE & SERVICE CO. FOR WORK COMPLETED ON THE WASTEWATER SCADA RETROFIT IN THE AMOUNT OF \$2,414.10

The Council received and reviewed Pay Estimate No. 2 & FINAL for Technical Maintenance & Service Co. for work completed on the wastewater SCADA retrofit project. The pay estimate is \$2,414.10 and has been signed off by the engineering firm on the project. City Manager New stated that the system is working.

Councilmember Nieuwenhuis made the motion to approve this payment to Technical Maintenance & Service Co. in the amount of \$2,414.10 on pay estimate No. 2 and FINAL. Second by Councilmember Neujahr. Roll call vote: Aye-Balliet, Neujahr, Nelsen, Rhoades, Nieuwenhuis. Nay-none. Motion carried.

12. PUBLIC HEARING 7:30 P.M. PURSUANT TO ADVERTISEMENT IN THE MIDLAND NEWS AND NEBRASKA STATE STATUTES SECTIONS 13-501 TO 13-512, A PUBLIC HEARING WILL BE HELD AT 7:30 P.M. TO RECEIVE COMMENTS ON THE CITY OF VALENTINE PROPOSED 2003-2004 FISCAL YEAR BUDGET

This agenda item was opened at the same time as agenda item #13. Pursuant to notice in the Valentine Midland News, a Public hearing was opened at 7:30 p.m. to receive comments on the City of Valentine proposed 2003-2004 fiscal year budget. City Manager New stated that the tax request will be \$455,367.00. This is the same amount which was discussed at the City Council meeting of Regular Council Meeting
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September 8, 2003. At the September 8, 2003 meeting, the entire proposed budget was available for public inspection and it was reviewed and discussed then. Last year the tax request was \$453,000.00.

Dave Beman stated that he had attended the September 8, 2003 Council meeting when the budget was reviewed and has spent 3 full days analyzing the budget and it appears to him to be a sound reasonable, responsible budget and he encouraged the Council to adopt it as presented. Councilmember Neujahr stated that the Council had spent several hours on the preparation of the budget. Councilmember Nelsen stated that just because something is in the budget does not mean that it has to be spent. We need to save money down the road to make payments. Councilmember Nieuwenhuis stated that equipment requests had been cut from the budget. City Manager New stated that it will be 2 or 3 years before the funds straighten out. Hopefully there will be some valuation changes.

There were no other comments received from the public. The Public Hearing was closed at 7:37 P.M.

13. PUBLIC HEARING 7:30 P.M. PURSUANT TO ADVERTISEMENT IN THE MIDLAND NEWS AND NEBRASKA STATE STATUTES SECTION 77-1601.02, A PUBLIC HEARING WILL BE HELD AT 7:30 P.M. TO RECEIVE COMMENTS ON SETTING THE FINAL TAX REQUEST FOR FISCAL YEAR 2003-2004

This agenda item was opened at the same time as agenda item #12. Pursuant to notice in the Valentine Midland News, a Public hearing was opened at 7:30 p.m. to receive comments on setting the final tax request for fiscal year 2003-2004. City Manager New stated that the tax request will be \$455,367.00. This is the same amount which was discussed at the City Council meeting of September 8, 2003. At the September 8, 2003 meeting, the entire proposed budget was available for public inspection and it was reviewed and discussed then. Last year the tax request was \$453,000.00.

Dave Beman stated that he had attended the September 8, 2003 Council meeting when the budget was reviewed and has spent 3 full days analyzing the budget and it appears to him to be a sound reasonable, responsible budget and he encouraged the Council to adopt it as presented. Councilmember Neujahr stated that the Council had spent several hours on the preparation of the budget. Councilmember Nelsen stated that just because something is in the budget does not mean that it has to be spent. We need to save money down the road to make payments. Councilmember Nieuwenhuis stated that equipment requests had been cut from the budget. City Manager New stated that it will be 2 or 3 years before the funds straighten out. Hopefully there will be some valuation changes.

There were no other comments received from the public. The Public Hearing was closed at 7:37 P.M.

14. PASSAGE OF ORDINANCE NO. 2003-2014M, AN ORDINANCE OF THE CITY OF VALENTINE, CHERRY COUNTY, NEBRASKA, MAKING FOR AN ALL PURPOSE AND EXCLUSIVE ANNUAL LEVY AND APPROPRIATING THE SUMS OF MONIES DEEMED EXPENSES AND LIABILITIES OF THE CITY OF VALENTINE, NEBRASKA, FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2003 AND ENDING THE 30TH DAY OF SEPTEMBER, 2004

At the conclusion of the public hearings, Councilmember Rhoades introduced Ordinance No. 2003-2014M entitled: Annual Appropriations and Pay Levy. Councilmember Rhoades moved that Statutory Rule requiring reading on three different days be suspended. Second by Councilmember Nelsen. Roll call vote: Aye-Balliet, Neujahr, Nelsen, Rhoades, Nieuwenhuis. Nay-none. Motion carried.

The motion to suspend the rules was adopted by three-fourths of the Council and the statutory rule was declared suspended for consideration of said Ordinance.

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The Ordinance was read by title:

AN ORDINANCE OF THE CITY OF VALENTINE, CHERRY COUNTY, NEBRASKA MAKING AN ALL PURPOSE AND EXCLUSIVE ANNUAL LEVY AND APPROPRIATING THE SUMS OF MONEY DEEMED NECESSARY TO DEFRAY BY MEANS OF TAXATION ALL THE NECESSARY EXPENSES AND LIABILITIES OF THE CITY OF VALENTINE, NEBRASKA, FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2003 AND ENDING THE 30TH DAY OF SEPTEMBER 2004, AND SPECIFYING THE OBJECTS AND PURPOSES FOR WHICH SUCH APPROPRIATIONS ARE MADE AND THE AMOUNT ALLOCATED FOR EACH OBJECT AND PURPOSE: REAPPROPRIATING THE UNEXPENDED BALANCE IN THE VARIOUS FUNDS AT THE CLOSE OF THE FISCAL YEAR ENDING SEPTEMBER 30, 2003, PROVIDING FOR THE CERTIFICATION OF THIS ORDINANCE TO THE COUNTY CLERK OF CHERRY COUNTY, NEBRASKA, AND PRESCRIBING THE TIME THIS ORDINANCE SHALL BE IN FULL FORCE AND TAKE EFFECT.

Councilmember Nelsen moved for final passage. Second by Councilmember Nieuwenhuis. Roll call vote: Aye-Balliet, Neujahr, Nelsen, Rhoades, Nieuwenhuis. Nay-none. Motion carried. The passage and adoption of said Ordinance No. 2003-2014M having been concurred in by a majority of all members of the Council, the Mayor declared the Ordinance adopted.

15. PASSAGE OF RESOLUTION TO SET THE PROPERTY TAX REQUEST FOR FISCAL YEAR 2003-2004

Councilmember Rhoades made the motion to adopt the following Resolution:

WHEREAS, Nebraska State statutes 77-1601 and 77-1601-2 authorizes the Governing Body to set a final property tax request at an amount that differs from the prior year request.

WHEREAS, The Mayor and the City Council of Valentine, Nebraska, has conducted a public hearing as prescribed by law and heard and considered comments concerning the propriety of setting the property tax request at a different amount.

WHEREAS, The Mayor and the City Council of Valentine, Nebraska, hereby finds and determines that it is in the best interests of the City that a property tax request be set at an amount that differs from the prior year request.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF VALENTINE, NEBRASKA, that the property tax request for the fiscal year **2003-2004** is set at **\$455,367.00**.

Second by Councilmember Nelsen. Roll call vote: Aye-Balliet, Neujahr, Nelsen, Rhoades, Nieuwenhuis. Nay-none. Motion carried.

16. REVIEW/DISCUSSION/ACTION ON THE PREFERRED HAULER AGREEMENT WITH PERRETT ENVIRONMENTAL

The City Council received a proposed Preferred Hauler Agreement between the City of Valentine and Perrett Environmental. This agreement was negotiated by Councilmembers Neujahr and Balliet and City Manager New with Brian Perrett.

The fee in the contract is based on the premise that the City of Valentine will raise the customer rates by \$1 per month for the garbage service. The Resolution to actually raise the garbage rates will be presented to the Council at an upcoming meeting. This rate recommendation did come at the suggestion of Olsson Associates who did a rate review for the City. The percentage paid to Perrett Environmental will be reduced from 62% to 60%. Under this scenario, both entities should see a slight increase in revenue.

The contract was reviewed by section by the Council in open session. Brian Perrett was in attendance for his input. Certain changes were made in the proposed contract with an understanding by all involved what the content of the agreement is.

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Councilmember Nelsen made the motion to approve of the Preferred Hauler Agreement, as amended, with Perrett Environmental. Second by Councilmember Rhoades. Roll call vote: Aye-Balliet, Neujahr, Nelsen, Rhoades, Nieuwenhuis. Nay-none. Motion carried.

17. REVIEW/DISCUSSION/ACTION ON THE RESOLUTION CALLING VARIOUS PURPOSE BONDS ISSUED IN 1996 AND 2000 FOR REDEMPTION IN CONNECTION WITH STREET IMPROVEMENT DISTRICT NOS. 86, 87, 88, 90, 91, 92, 93, 94, 96, 97, 98, 99, 100, 101, 102, 103 AND 104

Paul Greiger of Kirkpatrick Pettis was in attendance to explain the process of calling in bonds previously issued in 1996 and 2000. The intention is to receive a lower interest rate, restructure the debt to lessen the annual cash flow and extend the debt by 5 years. To achieve these goals will cost the city approximately \$150,000 over the additional 5 year period. \$753,000 in new bonds will need to be issued to pay off the 1996 and 2000 bond issues. The 1996 bonds have a current maturity of 2006 and the 2000 bonds have a maturity of 2010. These two issues will now be stretched out and paid off in 2015 or sooner. This will save approximately \$50,000 over the first 4 years. The last 5 years the bonds are out is when we will have to start paying back. The net present value of the cost is \$26,000.

A resolution will need to be adopted to call the 1996 and 2000 bonds for early redemption. Then the City of Valentine will need to adopt an Ordinance to issue \$753,000 in year 2003 bonds to replace the bonds that have been called. The new bonds being issued will have a 5 year call option. If the City were to pay off the bond issue before 2010 then there would be a saving realized by the City and not a cost associated with the bond issue.

Councilmember Neujahr made the motion to adopt the following Resolution:

RESOLUTION CALLING VARIOUS PURPOSE BONDS, SERIES 1996, FOR REDEMPTION

BE IT RESOLVED by the Mayor and City Council of the City of Valentine, Nebraska, as follows:

Section 1. That the following bonds are hereby called for redemption at par plus accrued interest on October 17, 2003 after which date said bonds shall cease to bear interest:

Various Purpose Bonds, Series 1996, dated October 15, 1996, in the principal amount of \$145,000, numbered as shown on the records of the paying agent and registrar, becoming due on October 15 in each year from October 15, 2004, through and including October 15, 2006, issued by the City to provide funds to pay the costs of constructing improvements in Street Improvement District Nos. 81, 82, 83, 84, 85, 85-1 and 85-2, and to pay costs of issuance and underwriting associated with issuance of the Series 1996 Bonds.

Section 2. Said bonds are payable at the office of the City Treasurer, in Valentine, Nebraska, as Paying Agent and Registrar.

Section 3. A copy of this resolution shall be filed at least 30 days prior to the date of call with the City Treasurer, in Valentine, Nebraska, as Paying Agent and Registrar, and said Paying Agent and Registrar is hereby instructed to give notice of redemption in the manner provided for in the ordinance authorizing said bonds.

Second by Councilmember Rhoades. Roll call vote: Aye-Balliet, Neujahr, Nelsen, Rhoades, Nieuwenhuis. Nay-none. Motion carried.

Councilmember Nieuwenhuis made the motion to adopt the following Resolution:

RESOLUTION CALLING GENERAL OBLIGATION VARIOUS PURPOSE BONDS, SERIES 2000, FOR REDEMPTION

BE IT RESOLVED by the Mayor and City Council of the City of Valentine, Nebraska, as follows:

Section 1. That the following bonds are hereby called for redemption at par plus accrued interest on November 1, 2005 after which date said bonds shall cease to bear interest:

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General Obligation Various Purpose Bonds, Series 2000, dated November 1, 2000, in the principal amount of \$365,000, numbered as shown on the records of the paying agent and registrar, becoming due on January 15, 2010, issued by the City to provide funds to pay the costs of constructing improvements in Street Improvement District Nos. 86, 87, 88, 90, 91, 92, 93, 95, 96, 97, 98, 99, 100, 101, 102, 103 and 104, and to pay costs of issuance and underwriting associated with issuance of the Series 2000 Bonds.

Section 2. Said bonds are payable at the office of the City Treasurer, in Valentine, Nebraska, as Paying Agent and Registrar.

Section 3. A copy of this resolution shall be filed at least 30 days prior to the date of call with the City Treasurer, in Valentine, Nebraska, as Paying Agent and Registrar, and said Paying Agent and Registrar is hereby instructed to give notice of redemption in the manner provided for in the ordinance authorizing said bonds.

Second by Councilmember Neujahr. Roll call vote: Aye-Balliet, Neujahr, Nelsen, Rhoades, Nieuwenhuis. Nay-none. Motion carried.

18. REVIEW/DISCUSSION/ACTION ON THE PASSAGE OF ORDINANCE NO. 2003-2015M FOR THE ISSUANCE OF 2003 BONDS FOR STREET IMPROVEMENT DISTRICT NOS. 86, 87, 88, 90, 91, 92, 93, 94, 96, 97, 98, 99, 100, 101, 102, 103 AND 104

After the passage of Resolutions to call outstanding bonds, Councilmember Balliet introduced Ordinance No. 2003-2015M entitled: Issuance of Various Purpose Refunding Bonds Series 2003.

Councilmember Neujahr moved that Statutory rule requiring reading on three different days be suspended. Second by Councilmember Nelsen. Roll call vote: Aye-Balliet, Neujahr, Nelsen, Rhoades, Nieuwenhuis. Nay-none. Motion carried.

The motion to suspend the rules was adopted by three-fourths of the Council and the statutory rule was declared suspended for consideration of said Ordinance.

The Ordinance was read by title:

AN ORDINANCE OF THE CITY OF VALENTINE, NEBRASKA, AUTHORIZING THE ISSUANCE OF VARIOUS PURPOSE REFUNDING BONDS, SERIES 2003, OF THE CITY OF VALENTINE, IN THE PRINCIPAL AMOUNT OF SEVEN HUNDRED THIRTY FIVE THOUSAND DOLLARS (\$735,000) TO REFUNDING CERTAIN OUTSTANDING DEBT OF THE CITY OF VALENTINE; PRESCRIBING THE FORM OF SAID BONDS; PROVIDING FOR THE LEVY OF TAXES TO PAY THE SAME; PROVIDING FOR A DEPOSIT IN ESCROW WITH RESPECT TO CERTAIN OF THE REFUNDED BONDS; AND PROVIDING FOR PUBLICATION IN PAMPHLET FORM.

Councilmember Nieuwenhuis moved for final passage. Second by Councilmember Nelsen. The Mayor asked if Ordinance No. 2003-2015M is to be passed and adopted. Roll call vote: Aye-Balliet, Neujahr, Nelsen, Rhoades, Nieuwenhuis. Nay-none. Motion carried.

The passage and adoption of said Ordinance No. 2003-2015M having been concurred in by a majority of all members of the Council, the Mayor declared the Ordinance adopted.

19. REVIEW/DISCUSSION/ACTION ON REQUEST FOR NEGOTIATIONS ON A DISPATCHER AGREEMENT

City Manager New reported that there was no new information available. County Commissioner Ravenscroft did visit with her about the city budget. The County did cut out the jailer in their proposed contract amount. Concerns were raised over the future amount due on this contract since the County is requesting such a large increase this year. What will happen next year. Ms. New stated that the contract may have to be re-written.

Councilmember Nelsen visited with Mr. Ravenscroft and conveyed that the jailer amount should not be included in the agreement.

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Councilmember Neujahr stated that the city taxpayers are already paying taxes to the County for the operations of the jail and are being taxed again when the City of Valentine makes a payment for services. There needs to be a joint city/county meeting to be able to make a decision.

City Manager New referred to the existing contract whereby the County can ask for an increase in the contract amount annually but they did not do so. The contract calls for 5% increases per year, but this has never been requested until now. The City of Valentine has been making the annual payment as per contract. The County is requesting to recoup the 5% annual raise, that had not been requested, all in this next year.

Councilmember Nieuwenhuis noted that the City of Valentine makes this payment to Cherry County and the City does not have an input into the operations of the jail facility. We just give them the money, we should have some input.

It was the consensus of the Council to have a joint meeting with the County Commissioners and try to address some of the issues facing the City and the County.

Councilmember Nelsen made the motion to attempt to set up a meeting with the Cherry County Commissioners to get dispatcher agreement finalized. Second by Councilmember Balliet. Roll call vote: Aye-Balliet, Neujahr, Nelsen, Rhoades, Nieuwenhuis. Nay-none. Motion carried.

20. REVIEW/DISCUSSION/ACTION ON LOCATING A JAIL FACILITY ON BLOCK 10 OF ORIGINAL TOWN

In the previous agenda item, it was decided to have a meeting with the County Commissioners to discuss the dispatcher agreement. Councilmember Rhoades made the motion to have a joint meeting with the Cherry County Commissioners to discuss the location of a jail facility. Second by Councilmember Neujahr. Roll call vote: Aye-Balliet, Neujahr, Nelsen, Rhoades, Nieuwenhuis. Nay-none. Motion carried.

21. REVIEW/DISCUSSION/ACTION ON RESOLUTION TO AUTHORIZE OVERTIME PAYMENT TO THE OFFICERS OF THE VALENTINE POLICE DEPARTMENT

City Manager New requested that a Resolution be approved similar to the Resolution that was approved last month in regard to authorizing overtime pay for the Valentine Police Department. This authorization would be for a specific time period of September 24, 2003 to October 21, 2003.

Councilmember Rhoades made the motion to adopt a Resolution to allow overtime pay for the Valentine Police officers which is to be extended 28 days from the last date in the previous Resolution. Second by Councilmember Neujahr. Roll call vote: Aye-Balliet, Neujahr, Nelsen, Rhoades, Nieuwenhuis. Nay-none. Motion carried.

22. REVIEW/DISCUSSION/ACTION ON THE FOLLOWING REQUEST FOR DUES/ MEMBERSHIP:

- a) Central Nebraska Economic Development District
- b) Northeast Nebraska Agency on Aging

This item was on the agenda of the previous month and was tabled to this month. At this time, there was not any new information to present to the Council regarding this agenda item. Councilmember Nelsen made the motion to table this agenda item until the next regular meeting. Second by Councilmember Balliet. Roll call vote: Aye-Balliet, Neujahr, Nelsen, Rhoades, Nieuwenhuis. Nay-none. Motion carried.

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23. REVIEW/DISCUSSION/ACTION ON THE SECOND READING OF ORDINANCE NO. 2003-2012M, REFERENCE ANNEXATION OF THE FOLLOWING:

A tract of land being part of NE1/4 Section 6, T33N, R27W of the 6th P.M. to the City of Valentine, NE known as the Tradewinds Lodge area

The second reading of the Ordinance was done by title by the City Attorney:

AN ORDINANCE OF THE CITY OF VALENTINE, NEBRASKA, ANNEXING TO, AND INCLUDING WITHIN, THE CORPORATE LIMITS OF THE CITY OF VALENTINE, NEBRASKA, A TRACT OF LAND LOCATED IN THE NORTHEAST QUARTER, SECTION SIX, TOWNSHIP THIRTY-THREE NORTH, RANGE TWENTY-SEVEN, WEST OF THE SIXTH PRINCIPAL MERIDIAN, CHERRY COUNTY, NEBRASKA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE EAST QUARTER CORNER OF SECTION 6; THENCE N89°10'00"W ALONG THE EAST-WEST QUARTER SECTION LINE A DISTANCE OF 1,251.3

FEET, THENCE N1415'00"W A DISTANCE OF 97.7 FEET TO THE POINT OF TRUE BEGINNING; THENCE N8942'00"E A DISTANCE OF 108.19 FEET; THENCE N1415'00"W A DISTANCE OF 859.19 FEET TO THE SOUTH LINE OF DOUG STREET AS PLATTED; THENCE S7541'00"W ALONG THE SOUTH LINE OF SAID DOUG STREET A DISTANCE OF 513.10 FEET; THENCE S1411'04"E A DISTANCE OF 731.60 FEET; THENCE N8942'00"E A DISTANCE OF 421.40 FEET TO THE POINT OF TRUE BEGINNING, SAID TRACT OF LAND CONTAINING 9.38 ACRES MORE OR LESS WHICH IS CONTIGUOUS TO THE PRESENT CORPORATE LIMITS OF THE CITY OF VALENTINE; PROVIDING THAT THE INHABITANTS OF SUCH AREA SHALL BE SUBJECT TO THE ORDINANCES AND REGULATIONS OF THE CITY OF VALENTINE; PROVIDING FOR THE FURNISHING OF BENEFITS TO THE INHABITANTS OF SAID TERRITORY; PROVIDING FOR THE REPEAL OF ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE; PROVIDING FOR PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM; AND PROVIDING WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND TAKE EFFECT.

24. REVIEW/DISCUSSION/ACTION ON APPOINTMENT OF CITY CLERK/TREASURER

The Council was advised that 2 applicants for the City Clerk/Treasurer position have been interviewed with another interview being scheduled for 1 more applicant. No decisions have been made at this time but a recommendation will be made to the Council by the interview committee at a special Council meeting which may be called for Monday, September 22, 2003.

25. NEW BUSINESS:

No items were listed on the agenda under "New Business", therefore, no discussion was held.

26. MEETING ADJOURNED

With no further business before the Council, Councilmember Nelsen made the motion to adjourn. Second by Councilmember Nieuwenhuis. Roll call vote: Aye-Balliet, Neujahr, Nelsen, Rhoades, Nieuwenhuis. Nay-none. Motion carried.

President of Council

I, the undersigned City Clerk of the City of Valentine, Nebraska, hereby certify that all of the subjects including the foregoing proceedings were contained in the agenda for the meeting; kept continually current and available for public inspection in the office of the City Clerk; that such subjects were published in the Midland Newspaper; that said minutes were made available September 19, 2003.

John Hanzlicek
City Clerk