

City of Valentine
Regular Council Meeting
City Library Meeting Room
Friday, March 24, 2006
7:00 p.m.

A regular meeting of the City Council of the City of Valentine, Valentine, Nebraska was held March 24, 2006 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.

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

Chairperson of the Council Wescott presided at the meeting with the following Council members in attendance: Kluender, Nelsen, Petersen and Neujahr. Also in attendance was interim City Manager Siewert, City Attorney, Susan Neujahr-Beel and Deanna Schmit, City Clerk, recorded the minutes.

Councilmember Petersen requested that consent agenda item number 6 be pulled from the consent agenda.

Councilmember Nelsen made the motion to approve consent agenda item:
#2 a. Library Board meeting minutes of March 7, 2006; #2 b. Planning Commission meeting minutes of March 6, 2006; #2 c. Cemetery Board meeting minutes of March 6, 2006; d. Special Cemetery Board meeting minutes of March 13, 2006 #3 a. Regular Council meeting minutes of February 20, 2006; b. Special Council meeting minutes of February 27, 2006 #4 January, 2006 Financial Reports; #5 February, 2006 Receipt Report.

Councilmember Neujahr seconded the motion. Voting Aye: Wescott, Petersen, Nelsen, Kluender, Neujahr. Motion carried unanimously.

Councilmember Nelsen made a motion, seconded by Kluender, to approve consent agenda item #6 February, 2006 Claims and Payroll. Voting aye: Nelsen, Kluender, Neujahr, Wescott. Voting no: Petersen. Motion carried four to one.

The following reports were presented:

- a.) Chief of Police Report
- b.) McDermott & Miller 2004-2005 City of Valentine Financial Report
- c.) The Insurance Center Insurance Policies Renewal Report

Councilmember Neujahr made a motion, seconded by Kluender, to accept the 2004-2005 audit report as presented by Mary Kalb of McDermott and Miller. Voting aye: Nelsen, Kluender, Neujahr, Wescott, Petersen. Motion carried unanimously.

7:30 p.m. Pursuant to notice in the Valentine Midland News a public hearing was opened for the purpose of hearing public comment on the planning commission recommendation for a zoning change request by Shirley Ohlmann.

Pursuant to notice in the Valentine Midland News a public hearing was opened for the purpose of hearing public comment on the application for a class "B" liquor license by Casey's General Store #2731.

7:35 p.m. The public hearing concerning the zoning change request by Shirley Ohlmann was closed with no public comments offered.

7:40 p.m. The public hearing concerning the liquor license application by Casey's General Store was closed with no public comments offered.

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Councilmember Nelsen made a motion, seconded by Kluender, to pay the balance of \$885.00 to Ohlmann Building Center to complete the purchase of the concession stand building located at the ballfields. Voting aye: Kluender, Neujahr, Wescott, Petersen, Nelsen. Motion carried unanimously.

8:00 Pursuant to notice in the Valentine Midland News a public hearing was opened for the purpose of hearing public comment on Valentine Cherry County Economic Development Plan and Valentine City Sales Tax

Amid much discussion concerning economic development and city sales tax Councilmember Nelsen made a motion, seconded by Wescott, to take a seven minute break. Voting aye: Neujahr, Wescott, Petersen, Nelsen, Kluender. Motion carried unanimously.

9:40 p.m. The public hearing concerning Valentine Cherry County Economic Development Plan and Valentine City sales tax was closed.

Councilmember Nelsen made a motion, seconded by Neujahr, to accept Resolution No. 1, a resolution authorizing and directing that a ballot issue be placed on a special election on July 11, 2006 for consideration by the electors of this municipality to consider the adoption of the Valentine Economic Development Program as presented pursuant to the local options municipal economic development act. Voting aye: Neujahr, Kluender, Nelsen, Petersen, Wescott. Motion carried unanimously.

Councilmember Nelsen made a motion, seconded by Kluender, to accept Compromise No. 1 Resolution directing that a ballot issue be placed on a special election on July 11, 2006, for the electors of the City of Valentine to consider the imposition of a one and one-half percent (1 ½%) city sales tax with 1/4 of a percent going to fund the Valentine economic development program, ¾ of a percent going to fund bond payments, to relieve the property tax burden and to fund city infrastructure and equipment, and 1/2 of a percent going to fund a swimming pool and recreation facilities. Voting aye: Nelsen, Wescott, Kluender, Petersen, Neujahr. Motion carried unanimously.

Councilmember Neujahr made a motion, seconded by Wescott, that in view of the vote on the division of the one and one-half percent city sales tax the wording on page eleven of the economic development plan be changed from ½% to ¼%. Voting aye: Petersen, Neujahr, Nelsen, Wescott, Kluender. Motion carried unanimously.

The meeting was turned over to vice-chairman Kluender for the next two agenda items.

Councilmember Petersen made a motion, seconded by Nelsen, to accept the bid in the amount of \$4,400.00 from Gary Gallino for mowing services at ecology park. Voting aye: Kluender, Petersen, Neujahr, Nelsen. Abstain: Wescott. Motion carried four with one abstention.

Councilmember Kluender made a motion, seconded by Nelsen, to accept the bid for the ballfield concession stand in the amount of \$75.00 from J & B Catering. Voting aye: Petersen, Nelsen, Kluender, Neujahr. Abstain: Wescott. Motion carried four with one abstention.

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Councilmember Nelsen made a motion, seconded by Neujahr, to approve the recommendation of the cemetery board accepting the bid in the amount of \$16,800.00 from Gary Gallino for mowing services at Mt. Hope Cemetery. Voting aye: Petersen, Nelsen, Kluender, Neujahr. Abstain: Wescott. Motion carried four with one abstention.

The meeting was turned back over to Chairman Wescott.
Councilmember Nelsen made a motion, seconded by Wescott, to accept the bid for concrete for 2005-2006 street maintenance from Charles Ward, The Cement Plant, for \$76.40/yd. Voting aye: Nelsen, Kluender, Neujahr, Wescott, Petersen. Motion carried unanimously.

Councilmember Nelsen made a motion, seconded by Wescott, to accept the bid for labor for 2005-2006 street maintenance from Rod Daugherty, Daugherty Construction. Voting aye: Kluender, Neujahr, Wescott, Petersen, Nelsen. Motion carried unanimously.

Councilmember Kluender made a motion, seconded by Wescott, to accept the planning commission recommendation for zoning change requested by Shirley Ohlmann. Voting aye: Neujahr, Wescott, Petersen, Nelsen, Kluender. Motion carried unanimously.

Councilmember Wescott made a motion, seconded by Nelsen, to approve the application for class "B" liquor license by Casey's General Store #2731. Voting aye: Neujahr, Kluender, Nelsen, Petersen, Wescott. Motion carried unanimously.

Councilmember Petersen made a motion, seconded by Neujahr, to allow Valentine recreational trails coalition to finish and clean up Big Pine Loop trail and flag and GPS Prairie and Pine and Nature Park trails and to work on Minnechaduza trail. Voting aye: Nelsen, Wescott, Kluender, Petersen, Neujahr. Motion carried unanimously.

Councilmember Kluender made a motion, seconded by Nelsen, to accept pool design concept 4A from JEO Consultants. Voting aye: Petersen, Neujahr, Nelsen, Wescott, Kluender. Motion carried unanimously.

Councilmember Petersen made a motion, seconded by Wescott, to decline at this time the Federal Section 319 Grant for the Mill Pond. Voting aye: Kluender, Petersen, Neujahr, Nelsen, Wescott. Motion carried unanimously.

Councilmember Wescott made a motion, seconded by Nelsen, to approve a resolution authorizing the sale of surplus personal property consisting of millings and concrete. Voting aye: Wescott, Petersen, Nelsen, Kluender, Neujahr. Motion carried unanimously.

Councilmember Nelsen made a motion, seconded by Petersen, to approve a resolution to increase the selling price of cemetery spaces to \$325.00 per space as recommended by the cemetery board. Voting aye: Petersen, Nelsen, Kluender, Neujahr, Wescott. Motion carried unanimously.

Councilmember Neujahr made a motion, seconded by Nelsen, to waive the statutory requirement for reading of Ordinance No. 2006-2050M on three different days. Voting aye: Nelsen, Kluender, Neujahr, Wescott, Petersen. Motion carried unanimously.

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Councilmember Nelsen made a motion, seconded by Petersen, to adopt Ordinance No. 2006-2050M amending chapter 3, article 8, section 3-812 of the municipal code of the City of Valentine, Ordinance No. 77-629M, by providing for an increase in fees for opening and closing of graves etc., providing for the repeal of all ordinances or parts of ordinances in conflict with this ordinance; providing for publication of this; and providing when this ordinance shall be in full force and take effect. Voting aye: Kluender, Neujahr, Wescott, Petersen, Nelsen. Motion carried unanimously.

Councilmember Wescott made a motion, seconded by Neujahr, to adopt resolution setting meeting of the City Council as Board of Equalization and Assessment to equalize and levy special assessments for Water Service District No. 27 on April 17, 2006 at 7:30 p.m. Voting aye: Neujahr, Wescott, Petersen, Nelsen, Kluender. Motion carried unanimously.

City Attorney Beel presented the second reading of Ordinance No. 2006-2049M providing for an increase of occupation tax on retailer's liquor licenses.

Councilmember Wescott made a motion, seconded by Kluender, to let the City Park Manager contract expire as of May 5, 2006. Voting aye: Neujahr, Kluender, Nelsen, Petersen, Wescott. Motion carried unanimously.

Councilmember Wescott made a motion, seconded by Neujahr, to go into executive session for discussion of interim city manager, Shane Siewert, personnel issues at 11:17 p.m. Voting aye: Nelsen, Wescott, Kluender, Petersen, Neujahr. Motion carried unanimously.

Chairman Wescott declared the executive session ended at 11:19 p.m.

Councilmember Neujahr made a motion, seconded by Kluender, to hire Shane Siewert as City Manager with a salary increase to \$42,000.00/yr as of April 1, 2006 with a review in three months. Voting aye: Petersen, Neujahr, Nelsen, Wescott, Kluender. Motion carried unanimously.

There being no further business before the council Councilmember Nelsen made a motion, seconded by Wescott, that the meeting be adjourned at 11:28 p.m. Voting aye: Kluender, Petersen, Neujahr, Nelsen, Wescott. Motion carried unanimously.

President of the Council

I, the undersigned City Clerk 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 March 27, 2006.

Deanna Schmit
City Clerk

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There being no further business before the council Councilmember Nelsen made a motion, seconded by Wescott, that the meeting be adjourned at 11:28 p.m. Motion carried unanimously.

There being no further business before the council Councilmember Nelsen made a motion, seconded by Kluender, that the meeting be adjourned at 10:38 p.m. Motion carried unanimously. A complete version of the minutes may be viewed at the office of the City Clerk, 323 N Main Street, Valentine, Nebraska during normal business hours.

Deanna Schmit
City Clerk

other items

- x. Roof on pool
- x. Sale Barn Land??
- X. Update on financing and bond issues
- . Review/discussion/action on Resolution for the placement of a traffic "Dead End" sign to be placed at the west end of Development Street at South Hall Street

x. Review/discussion/action on Queen Moon Dowden Jackson Trust Fund

x. *Review/discussion/action on passage of Resolution for the placement of STOP signs within Valentine **FOR JULY MEETING**

18. Report on the status of the City of Valentine offices relocating into the old fire hall building

x. liquor license file review for park shelter

x **MOVE TO MAY**. Review/discussion/action on Resolution banning illegal dumping of construction waste and setting up policy/procedure and fine (not only construction waste but out of town resident dumping also)

x. Airport Bond Anticipation Notes.

x Review/discussion/action on Airport FBO/Manager Agreement.

x Review/discussion on formation of a Humane Society in Valentine.

x Review/discussion/action on the request for authorization to advertise for bids on the following:
a) concession stand lease
b) cemetery lawn mowing services **January 2005**
c) Ecology Park lawn mowing services

x. Handicap lift for pool.

PUBLIC HEARING 7:00 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 7:00 P.M. to receive comments on the City of Valentine proposed 2003-2004 fiscal year budget

PUBLIC HEARING 7:00 P.M. Pursuant to advertisement in the Midland News and Nebraska State Statutes Section 77-1601.02, a Public Hearing will be held at 7:00 P.M. to receive comments in setting the final tax request for fiscal year 2003-2004

Passage of Ordinance No. 2003-2014M, an Ordinance of the City of Valentine, Cherry County, Nebraska, making 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, 2004 and ending the 30th day of September 2005

Passage of Resolution to set the property tax request for fiscal year 2004-2005

Part of the N1/2SW1/4 of Section 30, T34N, R27W, of the 6th P.M., Cherry County, Nebraska