

City of Valentine
Regular Council Meeting
City Library Meeting Room
Monday, May 21, 2007
7:00 p.m.

A regular meeting of the City Council of the City of Valentine, Valentine, Nebraska was held May 21, 2007 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. Notice was given of posting of the open meetings act on the back wall of the meeting room.

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

Chairperson of the Council Kluender presided at the meeting with the following Council members in attendance: Wescott, Nelsen, Neujahr, Petersen. Also in attendance were City Manager Siewert, City Attorney Beel (8:30p.m.) and Deanna Schmit, City Clerk, recorded the minutes.

Councilmember Neujahr made the motion to approve consent agenda items:
#2a. Library Board meeting minutes of May 1, 2007; #2b. Planning Commission meeting minutes of May 7, 2007; #2c. Cemetery Board Meeting minutes of May 7, 2007; #3a. Regular Council meeting minutes of April 16, 2007; #4 March, 2007 Financial Reports; #5 April, 2007 Receipt Report; #6 April, 2006 Claims & Payroll. Councilmember Nelsen seconded the motion. Voting Aye: Wescott, Petersen, Nelsen, Kluender, Neujahr. Motion carried unanimously.

Mike Burge reported on the current activities of the Valentine Cherry County Economic Development Board including presentation of a recognition award given to them by NPPD and an update on the brownfield grant recently awarded to the VCCED board.

Chief McBride reported that the city-wide cleanup was progressing nicely and offered a rundown on last months police activity.

Councilmember Nelsen made a motion, seconded by Wescott, to approve the application for a permit to consume alcoholic beverages at the park pavilion by the Rotary Club on June 21, 2007. Voting aye: Petersen, Nelsen, Kluender, Neujahr, Wescott. Motion carried unanimously.

Councilmember Neujahr made a motion, seconded by Wescott, to approve the application for a permit to consume alcoholic beverages at the park pavilion by Larry Reiser for the Class of 1957 reunion on June 29, 2007. Voting aye: Nelsen, Kluender, Neujahr, Wescott, Petersen. Motion carried unanimously.

Councilmember Nelsen made a motion, seconded by Wescott, to approve the application for a permit to consume alcoholic beverages at the park pavilion by Otto Rosfeld for a family reunion on June 17, 2007. Voting aye: Kluender, Neujahr, Wescott, Petersen, Nelsen. Motion carried unanimously.

No action was taken at this time on the request to designate a handicap parking space in front of 313 N Main street.

No action was taken at this time on the request by Stuart Schneider for permission to place a bike guard rather than a gate on the trail at the east end of the fish hatchery.

7:30 p.m. Pursuant to notice in Valentine Midland News a public hearing was opened to take public comment for and against the street improvement districts no. 109, 110 and 111. Written protests were reviewed and following some discussion the hearing was closed at 7:47 p.m.

Councilmember Nelsen made a motion, seconded by Neujahr, to take no action on the resolution introduced by Councilmember Petersen directing the Valentine Police Chief to maintain regular contact with all sex offenders as defined by the Sex Offender Registration Act within the boundaries of the City of Valentine. Councilmember Petersen withdrew the resolution from consideration prior to the vote.

Councilmember Nelsen made a motion, seconded by Kluender, that the planning commission begin a blight and substandard study and that the city manager prepare two letters of intent for Mike Jordan and Scotty Millard based on the results of the blight and substandard study and to include them in the Tax Increment Financing. Voting aye: Neujahr, Kluender, Nelsen, Petersen, Wescott. Motion carried unanimously.

Councilmember Petersen made a motion, seconded by Wescott, to re-appoint Leo Chubb to the Planning Commission for a three year term. Voting aye: Nelsen, Wescott, Kluender, Petersen, Neujahr. Motion carried unanimously.

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Councilmember Nelsen made a motion, seconded by Neujahr, to approve the conditional use permit requested by Ron Liewer to operate a bed & breakfast/guest house at 248 W 8th street as recommended by the planning commission. Voting aye: Petersen, Neujahr, Nelsen, Wescott, Kluender. Motion carried unanimously.

Councilmember Nelsen made a motion, seconded by Wescott, that the statutory rule requiring the reading of Ordinance No. 2007-2073M on three different days be suspended. Voting aye: Kluender, Petersen, Neujahr, Nelsen, Wescott. Motion carried unanimously.

Councilmember Wescott made a motion, seconded by Kluender, to adopt Ordinance No. 2007-2073M amending section 13-1007 of the Valentine municipal code to allow front and rear setbacks established by custom to apply in light industrial and highway commercial districts. Voting aye: Wescott, Petersen, Nelsen, Kluender, Neujahr. Motion carried unanimously.

Councilmember Wescott made a motion, seconded by Nelsen, that the statutory rule requiring the reading of Ordinance No. 2007-2074M on three different days be suspended. Voting aye: Nelsen, Kluender, Neujahr, Wescott. Voting no: Petersen. Motion carried four to one.

Councilmember Nelsen made a motion, seconded by Wescott, to adopt Ordinance No. 2007-2074M amending section 13-1004 of the Valentine municipal code to restrict the height regulation exception to 150 feet in any district other than the transitional agricultural district. Voting aye: Nelsen, Kluender, Neujahr, Wescott. Voting no: Petersen. Motion carried unanimously.

Councilmember Neujahr made a motion, seconded by Wescott, that the statutory rule requiring the reading of Ordinance No. 2007-2070CT, 2007-2071CT and 2007-2072CT on three different days be suspended. Voting aye: Kluender, Neujahr, Wescott, Petersen, Nelsen. Motion carried unanimously.

Councilmember Neujahr made a motion, seconded by Wescott, to adopt Ordinance No. 2007-2070CT providing for the repeal of Ordinance No. 2006-2053CT and Ordinance No. 2006-2046M confirming the sale of real estate, Lot 8, Block 5, City Third Addition to Donald W Hunt; to adopt Ordinance No. 2007-2071CT providing for the repeal of Ordinance No. 2006-2054CT and Ordinance No. 2006-2045M confirming the sale of real estate, Lot 5, Block 4, City Third Addition to Linda I Hunt; and to adopt Ordinance No. 2007-2072CT providing for the repeal of Ordinance No. 2006-2056CT and Ordinance No. 2006-2047M confirming the sale of real estate, Lot 3, Block 4, City Third Addition to Joel Mundorf. Voting aye: Neujahr, Wescott, Petersen, Nelsen, Kluender. Motion carried unanimously.

Councilmember Nelsen made a motion, seconded by Petersen, to adopt a resolution selling Lots 1 and 8, Block 5 and Lots 3 and 5, Block 4 of City Third Addition which reverted back to the City of Valentine. Voting aye: Neujahr, Kluender, Nelsen, Petersen, Wescott. Motion carried unanimously.

Councilmember Nelsen made a motion, seconded by Petersen, to pass a resolution adopting and approving the execution of an agency agreement with the Department of Aeronautics of the State of Nebraska for AIP Project No. 3-31-0084-05-2007 (C01) to be submitted by the Department to the federal aviation administration to obtain federal assistance for the development of the airport. Voting aye: Nelsen, Wescott, Kluender, Petersen, Neujahr. Motion carried unanimously.

Councilmember Petersen made a motion, seconded by Wescott, to pass a resolution adopting and approving the execution of a state grant agreement for Project No. SA-10 VTN, to be submitted to the Department of Aeronautics of the State of Nebraska to obtain financial aid in the development of the municipal airport. Voting aye: Petersen, Neujahr, Nelsen, Wescott, Kluender. Motion carried unanimously.

Councilmember Nelsen made a motion, seconded by Wescott, to accept the bid for the airport Project No. SA-10 VTN for the installation of PAPIs to Runway 14/32 and 3/21 from Watts Electric Company in the amount of \$104,895.00. Voting aye: Kluender, Petersen, Neujahr, Nelsen, Wescott. Motion carried unanimously.

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No action was taken on the swimming pool bids at this time.

Councilmember Neujahr made a motion, seconded by Petersen, to adopt a resolution to sell 3,576 shares of Principal Financial Group, Inc stock acquired when the company converted from a mutual company to a stock company in 2000. Voting aye: Wescott, Petersen, Nelsen, Kluender, Neujahr. Motion carried unanimously.

Councilmember Petersen made a motion, seconded by Wescott, to adopt a resolution to sell 45 shares of Duckwall-Alco Stores, Inc stock acquired as payment of utility bills as part of the company's bankruptcy proceedings several years ago. Voting aye: Petersen, Nelsen, Kluender, Neujahr, Wescott. Motion carried unanimously.

Councilmember Nelsen made a motion, seconded by Neujahr, to adopt a resolution providing for the sale of surplus personal property, consisting of two water tanks, three generators from the millpond electric plant and two diving boards. Voting aye: Nelsen, Kluender, Neujahr, Wescott, Petersen. Motion carried unanimously.

Councilmember Wescott made a motion, seconded by Petersen, to appoint Toby Miller and Morris Johnson as the City representatives to the economic development board loan committee. Voting aye: Kluender, Neujahr, Wescott, Petersen, Nelsen. Motion carried unanimously.

No action was taken on possibly moving the easement across city property originally granted to Thomas and Ellen Tavarone to a more appropriate location.

Councilmember Nelsen made a motion, seconded by Petersen, to appoint Councilmember Kluender and Councilmember Wescott to a committee to negotiate the terms of the dispatcher agreement with Cherry County. Voting aye: Kluender, Neujahr, Wescott, Petersen, Nelsen. Motion carried unanimously.

Councilmember Kluender made a motion, seconded by Nelsen, to appoint Councilmember Nelsen and Councilmember Neujahr to a committee to review solid waste ordinances, resolutions and agreements and to make recommendations for changes they find necessary. Voting aye: Neujahr, Kluender, Petersen. Abstain: Nelsen, Wescott, Motion carried three with two abstentions.

There being no further business before the council Councilmember Nelsen made a motion, seconded by Kluender, that the meeting be adjourned at 9:35 p.m. Voting aye: Nelsen, Wescott, Kluender, Petersen, Neujahr. 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 May 22, 2007.

Deanna Schmit
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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

