

City of Valentine
Regular Council Meeting
City Library Meeting Room
Thursday, August 9, 2012
7:00 p.m.

A regular meeting of the City Council of the City of Valentine, Valentine, Nebraska was held August 9, 2012 at 7:00 p.m. in the Valentine City Library Meeting Room, the same notice of meeting given according to law. 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 of the Open Meetings Act was provided as required by law.

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

Chairperson of the Council Kluender opened the meeting with the following Council members in attendance: Wescott, Nelsen, Kieborz, Sadi. Also in attendance were City Manager Shane Siewert, City Attorney Susan Beel and Deanna Schmit, City Clerk, recorded the minutes.

Councilmember Nelsen made the motion to approve the consent agenda items:

#2a. Regular Library Board Meeting Minutes of July 24, 2012; #2b. Regular VEDB Meeting Minutes of June 27, 2012; #3 Regular City Council Meeting Minutes of July 12, 2012 #4 June, 2012 Financial Reports; #5 July, 2012 Receipt Report; #6 July, 2012 Claims & Payroll. Councilmember Wescott seconded the motion. Voting Aye: Wescott, Kieborz, Nelsen, Kluender, Sadi. Motion carried unanimously.

Following the third reading of Ordinance No. 2012-2137M Councilmember Kluender made a motion, seconded by Wescott to adopt Ordinance No. 2012-2137M 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 NE1/4, SECTION 6, T33N, R27W OF THE 6TH P.M., CHERRY COUNTY, NEBRASKA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE C1/4 CORNER OF SAID SECTION 6; THENCE NORTH ALONG THE QUARTER SECTION LINE A DISTANCE OF 911.76 FEET TO THE POINT OF TRUE BEGINNING, SAID POINT ALSO BEING THE NORTHWEST CORNER OF TRACT 3, BORMAN'S FOURTH ADDITION TO THE CITY OF VALENTINE, NEBRASKA; THENCE EAST A DISTANCE OF 110.0 FEET; THENCE NORTH A DISTANCE OF 494.78 FEET; THENCE EAST A DISTANCE OF 241.78 FEET; THENCE N62°36'13"E A DISTANCE OF 251.23 FEET; THENCE N37°27'36"W A DISTANCE OF 396.11 FEET; THENCE S40°25'01"E A DISTANCE OF 514.82 FEET; THENCE S0°00'14"E A DISTANCE OF 171.0 FEET; THENCE SOUTH A DISTANCE OF 361.45 FEET TO THE POINT OF TRUE BEGINNING, SAID TRACT OF LAND CONTAINING 4.26 ACRES MORE OR LESS. ALL BEARINGS ARE ASSUMED 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 IN CONFLICT WITH THIS ORDINANCE; PROVIDING FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM; AND PROVIDING WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND TAKE EFFECT. Voting aye: Kieborz, Nelsen, Kluender, Sadi, Wescott. Motion carried unanimously.

Councilmember Nelsen made a motion, seconded by Wescott to to approve the request by the Rotary Club for an alcohol permit in the City Park Pavilion for the Rotary Club picnic on August 23, 2012. Voting aye: Nelsen, Kluender, Sadi, Wescott, Kieborz. Motion carried unanimously

Councilmember Kluender made a motion, seconded by Kieborz, to approve the library compensation policy as presented. Voting aye: Kluender, Sadi, Wescott, Kieborz, Nelsen. Motion carried unanimously.

Councilmember Klunder made a motion, seconded by Kieborz, to approve the City draft of the airport ground space lease with the change from ten years to twenty years and the change of the sublet language to language used in the Perrett draft. Voting aye: Sadi, Wescott, Kieborz, Nelsen, Kluender. Motion carried unanimously.

7:15 Pursuant to notice in the Valentine Midland News a public hearing was opened for the purpose of hearing comments to the proposed amendments to the zoning map mandated by Section 13-1501 of the Valentine Municipal Code from Trans Ag (TA) to Highway Commercial (CH) a tract of land located within the following legal description: a tract of land in the Northwest Quarter of Section One, Township Thirty-three North, Range Twenty-eight, West of the 6th P.M., in Cherry County, Nebraska. Commencing at a point 33 feet South of the Northeast corner of the Northwest Quarter of Section One, Township Thirty-three North, Range Twenty-eight, West of the Sixth Principal Meridian, thence Southerly on the East Line of said Northwest Quarter of Section One a distance of 660 feet, thence Westerly a distance of 660 feet, thence Northerly a distance of 660 feet to a point 660 feet West of the point of beginning, thence East 660 feet to said point of beginning. The request is being made by C.C.I. Leasing, LLC owned by Richard and Hilda Flannery and Frederick and Henry Thoene.

7:35 Council Chairperson Kluender declared the public hearing closed.

Councilmember Nelsen made a motion, seconded by Kluender, to suspend the three reading rule for Ordinance No. 2012-2139M. Voting aye: Sadi, Kluender, Nelsen, Kieborz, Wescott. Motion carried unanimously.

Councilmember Nelsen made a motion, seconded by Wescott, to adopt Ordinance No. 2012-2139M AN ORDINANCE OF THE CITY OF VALENTINE, NEBRASKA, AMENDING THE OFFICIAL ZONING MAP OF VALENTINE, NEBRASKA, AS ADOPTED BY SECTION 77-629M OF THE MUNICIPAL CODE OF THE CITY OF VALENTINE, NEBRASKA, BY REZONING THE FOLLOWING TRACT OF LAND: A tract of land in the

Northwest Quarter of Section One, Township Thirty-three North, Range Twenty-eight, West of the 6th P.M., in Cherry County, Nebraska, Commencing at a point 33 feet South of the Northeast corner of the Northwest Quarter of Section One, Township Thirty-three, North, Range Twenty-eight, West of the Sixth Principal Meridian, thence Southerly on the East Line of said Northwest Quarter of Section One a distance of 660 feet, thence Westerly a distance of 660 feet, thence Northerly a distance of 660 feet to a point 660 feet West of the point of beginning, thence East 660 feet to said point of beginning. CHANGING THE ZONED AREA FROM TRANSITIONAL AGRICULTURAL "TA" TO HIGHWAY COMMERCIAL "HC". Voting aye: Nelsen, Wescott, Kluender, Kieborz, Sadi. Motion carried unanimously.

Councilmember Kluender made a motion, seconded by Wescott to approve the liquor license application for the change of location for Pizza Hut. Voting aye: Kieborz, Sadi, Nelsen, Wescott, Kluender. Motion carried unanimously.

Councilmember Wescott made a motion, seconded by Kluender, to adopt Resolution No. 0809121 a resolution to authorize City Council President to sign interlocal agreement with Springview to provide responsible charge services for federal aide project (safe routes). Voting aye: Kluender, Kieborz, Sadi, Nelsen, Wescott. Motion carried unanimously.

Councilmember Kluender made a motion, seconded by Nelsen, to adopt the resolution to request special paving assessment funds from the Cherry County Treasurer. Voting aye: Wescott, Kieborz, Nelsen, Kluender, Sadi. Motion carried unanimously.

Following discussion concerning ordinances allowing for restrictions on fireworks no action was taken.

Following discussion concerning ordinances requiring planning commission and the board of adjustment members to attend training the council decided to encourage members of these boards to take advantage of training and education opportunities.

Councilmember Kluender made a motion, seconded by Kieborz, to pledge \$20,000.00 of LB840 funds for five years to the economic development program for the administration of the program subject to financial participation of other community entities. Voting aye: Kieborz, Nelsen, Kluender, Sadi, Wescott. Motion carried unanimously.

Councilmember Kluender made a motion, seconded by Nelsen, to approve the recommendation of the economic development board to appoint Monty Neiffer to the loan committee of the economic development program. Voting aye: Nelsen, Kluender, Sadi, Wescott, Kieborz. Motion carried unanimously.

Councilmember Wescott made a motion, seconded by Kieborz, to authorize City Council President to sign the agreement with Maxwell Asphalt Inc for Runway 3/21 Repair and Sealcoat. Voting aye: Kluender, Sadi, Wescott, Kieborz. Voting no: Nelsen. Motion carried four to one.

There being no further business before the council, Council Chairperson Kluender declared the meeting adjourned at 8:10 p.m.

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 August 10, 2012.

Deanna Schmit
City Clerk

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

