

City of Valentine
Regular Council Meeting
City Library Meeting Room
Thursday, November 13, 2014
7:00 p.m.

A regular meeting of the City Council of the City of Valentine, Valentine, Nebraska was held November 13, 2014 at 7:00 p.m. in the Valentine City Library Meeting Room, the same notice of meeting was 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 Nelsen opened the meeting with the following Council members in attendance: Arganbright, Sadi, Ward, Kieborz. Also in attendance were City Manager, Siewert, City Attorney, Beel and Deanna Schmit, City Clerk, recorded the minutes.

Councilmember Arganbright made the motion to approve the consent agenda items: #2 a) Regular Library Board meeting minutes of October 27, 2014; b) Regular Board of Adjustment meeting minutes of September 18, 2014; c) Regular Cemetery Board meeting minutes of October 6, 2014; #3 a) Regular City Council meeting minutes of October 9, 2014; #4 September, 2014 Financial Reports; #5 October, 2014 Receipt Report; #6 October, 2014 Claims & Payroll. Councilmember Kieborz seconded the motion. Voting Aye: Ward, Kieborz, Nelsen, Arganbright, Sadi. Motion carried unanimously.

Councilmember Nelsen made a motion, seconded by Ward to adopt the Resolution thanking Eagle Scout candidates for community service projects. Voting aye: Kieborz, Nelsen, Arganbright, Sadi, Ward. Motion carried unanimously.

7:05 p.m. Pursuant to notice in Valentine Midland News a public hearing was opened for the purpose of hearing public comment regarding a request to amend section 13-602 of the City of Valentine zoning regulations by adding "automobile display, sales, service and repair" to permitted uses in the Light Industrial zoning district.

7:10 p.m. Public Hearing closed

Ordinance No. 2014-2172M was tabled indefinitely for further review by the planning commission.

Councilmember Nelsen made a motion, seconded by Kieborz, to approve the request by Annette Ward and Kim Epke with Relay for Life to close Government Street, 7th Street and Bias Street around Ecology Park and to use the pool lights and bathrooms for the relay in July, 2015. Voting aye: Nelsen, Arganbright, Sadi, Ward, Kieborz. Motion carried unanimously.

Councilmember Kieborz made a motion, seconded by Ward, to adopt the Resolution acknowledging Nebraska Department of Roads requirements for the temporary use of the state highway system for special events for Bull Bash on February 14, 2015. Voting aye: Arganbright, Sadi, Ward, Kieborz, Nelsen. Motion carried unanimously.

Councilmember Nelsen made a motion, seconded by Sadi, to approve spending up to \$1,390.00 to repair the car club building roof. Voting aye: Sadi, Ward, Kieborz, Nelsen, Arganbright. Motion carried unanimously.

No action was taken concerning the Development Street sewer.

Councilmember Nelsen made a motion, seconded by Ward, to approve providing water to Cherry County Implement outside city limits. Voting aye: Sadi, Arganbright, Nelsen, Kieborz, Ward. Motion carried unanimously.

Councilmember Arganbright made a motion, seconded by Ward, to adopt Ordinance No. 2014-2171M AN ORDINANCE AMENDING CHAPTER 6, CREATING SECTION 6-342 TO ADOPT SEXUAL PREDATOR RESIDENCY RESTRICTIONS; TO PROHIBIT CERTAIN PERSONS SUBJECT TO THE SEX OFFENDER REGISTRATION ACT AND DEFINED AS SEXUAL PREDATORS FROM RESIDING IN CERTAIN AREAS WITHIN THE CITY; TO ESTABLISH PENALTIES FOR A VIOLATION. Voting aye: Nelsen, Ward, Arganbright, Kieborz, Sadi. Motion carried unanimously.

Councilmember Nelsen made a motion, seconded by Arganbright, to suspend the three reading rule for Ordinance No. 2014-2176M. Voting aye: Kieborz, Sadi, Nelsen, Ward, Arganbright. Motion carried unanimously.

Councilmember Ward made a motion, seconded by Kieborz, to adopt Ordinance No. 2014-2176M AN ORDINANCE OF THE CITY OF VALENTINE, NEBRASKA PROVIDING FOR THE CONFIRMATION OF THE SALE OF A TRACT OF LAND LOCATED IN PART OF THE NE1/4SE1/4 OF SECTION 30, TOWNSHIP 34 NORTH, RANGE 27 WEST OF THE 6TH P.M., CHERRY COUNTY, NEBRASKA TO DAVID M. SANDOZ AND MARCELNE K. SANOZ. Voting Aye: Arganbright, Kieborz, Sadi, Nelsen, Ward. Motion carried unanimously.

No action was taken concerning golf course financing.

No action was taken concerning amending the Valentine Livestock Auction lease agreement.

Councilmember Arganbright made a motion, seconded by Ward, to reappoint Bob Witt and appoint Neal Muirhead to the Planning Commission. Voting aye: Ward, Kieborz, Nelsen, Arganbright, Sadi. Motion carried unanimously.

Councilmember Arganbright made a motion, seconded by Nelsen, to suspend the three reading rule for Ordinance No. 2014-2173M. Voting aye: Kieborz, Nelsen, Arganbright, Sadi, Ward. Motion carried unanimously.

Councilmember Arganbright made a motion, seconded by Ward, to adopt Ordinance No. 2014-2173M AMENDING CHAPTER 5, CREATING SECTION 5-415 ENTITLED "MAXIMUM TIME LIMIT" RELATING TO THE TIME LIMIT THAT CERTAIN VEHICLES MAY BE PARKED ON THE PUBLIC STREETS with the amendment of seven days and to include vessels and vessel trailers. Voting aye: Arganbright, Sadi, Ward. Voting no: Nelsen, Kieborz. Motion carried three to two

Councilmember Nelsen made a motion, seconded by Arganbright, to suspend the three reading rule for Ordinance No. 2014-2174M. Voting aye: Arganbright, Sadi, Ward, Kieborz, Nelsen. Motion carried unanimously.

Councilmember Nelsen made a motion, seconded by Arganbright, to adopt Ordinance No. 2014-2174M AMENDING CHAPTER 5, CREATING SECTION 5-416 ENTITLED "PARKING OF BOATS AND BOAT TRAILERS" RELATING TO THE PROHIBITION OF PARKING BOATS AND BOAT TRAILERS DURING THE MONTHS OF NOVEMBER THROUGH MARCH ON THE PUBLIC STREETS with the amendment to include vessels and vessel trailers. Voting aye: Sadi, Ward, Nelsen, Arganbright. Voting no: Kieborz. Motion carried four to one.

No action was taken concerning Ordinance No. 2014-2175M concerning special exception parking.

Councilmember Nelsen made a motion, seconded by Arganbright, to approve the Economic Development Loan to Eric & Danielle Wackler for \$40,000.00. Voting aye: Sadi, Arganbright, Nelsen, Kieborz, Ward. Motion carried unanimously.

Councilmember Nelsen made a motion, seconded by Kieborz, to suspend the three reading rule for Ordinance No. 2014-2177M. Voting aye: Nelsen, Ward, Arganbright, Kieborz, Sadi. Motion carried unanimously.

Councilmember Nelsen made a motion, seconded by Arganbright, to adopt Ordinance No. 2014-2177M AN ORDINANCE OF THE CITY OF VALENTINE, NEBRASKA, AMENDING CHAPTER 3, ARTICLE 10, SECTION 3-1007 OF THE MUNICIPAL CODE OF THE CITY OF VALENTINE, NEBRASKA, ORDINANCE NO. 77-629M, BY PROVIDING FOR REVISED ELECTRIC RATES. Voting aye: Kieborz, Sadi, Nelsen, Ward, Arganbright. Motion carried unanimously.

Councilmember Nelsen made a motion, seconded by Arganbright, to approve reducing the franchise fee for the electric department from 10% to 9%. Voting Aye: Arganbright, Kieborz, Sadi, Nelsen, Ward. Motion carried unanimously.

Councilmember Nelsen made a motion, seconded by Kieborz, to approve the amendment to consultant agreement with Alfred Benesch & Company for re-bidding services for the airport hangar. Voting aye: Ward, Kieborz, Nelsen, Arganbright, Sadi. Motion carried unanimously.

There being no further business before the council, Council Chairperson Nelsen declared the meeting adjourned at 8:40 p.m.

President of 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 November 14, 2014.

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