

City of Valentine
Regular Council Meeting
City Library Meeting Room
Thursday, October 08, 2015
7:00 p.m.

A regular meeting of the City Council of the City of Valentine, Valentine, Nebraska was held October 8, 2015 at 7:00 p.m. in the 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 Arganbright opened the meeting with the following Council members in attendance: Wescott, Ward, Kieborz, Otradosky. Also in attendance were City Manager Siewert, City Attorney Beel and Deanna Schmit, City Clerk, recorded the minutes.

Councilmember Wescott made the motion to approve the consent agenda items: #2a) Regular Library Board meeting minutes of September 28, 2015; #2b) Regular Cemetery Board meeting minutes of September 8, 2015; #2c) Regular Economic Development Board meeting minutes of August 24, 2015; #2d) Regular Valentine Golf Development Board meeting minutes of September 14, 2015
#3 a) Regular City Council Meeting of September 10, 2015; #4 August, 2015 Financial Reports; #5 September, 2015 Receipt Report; #6 September, 2015 Claims & Payroll. Councilmember Kieborz seconded the motion. Voting Aye: Ward, Kieborz, Wescott, Arganbright, Otradosky. Motion carried unanimously.

Councilmember Wescott made a motion, seconded by Kieborz, to appoint Deanne Holmes to the cemetery board. Voting aye: Kieborz, Wescott. Arganbright, Otradosky, Ward. Motion carried unanimously.

Councilmember Otradosky made a motion, seconded by Wescott, to approve Amendment No. 3 to the Alfred Benesch consultant agreement for additional required work on hangar/taxiway project. Voting aye: Wescott, Arganbright, Otradosky, Ward, Kieborz. Motion carried unanimously.

Councilmember Ward made a motion, seconded by Otradosky, to adopt the resolution granting permission and accepting responsibility for the highway for a "parade of lights" on November 28, 2015 starting at 6:00 p.m. that will run down Main Street (Highway 83) from B Street to 5th Street (Highway 12), an then down 5th Street to the elementary school sponsored by the Cherry County Ag Society, the Cherry County 4-H Council, the Bull Bash Committee, and the Old West Committee. Voting aye: Arganbright, Otradosky, Ward, Kieborz, Wescott. Motion carried unanimously.

Kevin Kruse with JEO presented options for a final storm sewer plan on phasing project.

7:10 p.m. PUBLIC HEARING: Pursuant to advertisement in the Midland News and city code 12-401 a Public Hearing was opened to receive comments for review and approval/denial on the final subdivision plat for Lots 1 and 2, D & D Subdivision of Part of Section 31, T34N, R27W of the 6th P.M., Cherry County, Nebraska. Owner of land being subdivided is D & D Cattle Company.

7:48 p.m. Public Hearing Closed

Councilmember Arganbright made a motion, seconded by Ward, to adopt the resolution approving the Preliminary Plat of Lots 1 and 2, D & D Subdivision of Part of Section 31, T34N, R27W of the 6th P.M., Cherry County, Nebraska for D & D Cattle Co. Voting aye: Otradosky, Ward, Kieborz, Wescott, Arganbright. Motion carried unanimously.

7:10 p.m. PUBLIC HEARING: Pursuant to advertisement in the Midland News and city code 12-401 a Public Hearing was opened to receive comments for review and approval/denial on the final subdivision plat for Replat of Lot 2, Borman's Third Addition to the City of Valentine, of Part of the NE1/4 of Section 6, T33N, R27W of the 6th P.M., Cherry County, Nebraska. Owner of land being subdivided is Niobrara River Lodge, LLC.

7:50 p.m. Public Hearing Closed

Councilmember Otradosky made a motion, seconded by Kieborz, to adopt the resolution approving the Preliminary Plat of a Replat of Lot 2 & Lot 3, Borman's Third Addition to the City of Valentine, of Part of the NE1/4 of Section 6, T33N, R27W of the 6th P.M., Cherry County, Nebraska for Niobrara Lodge LLC. Voting aye: Otradosky, Arganbright, Wescott, Kieborz, Ward. Motion carried unanimously.

7:20 p.m. Pursuant to notice in the Valentine Midland News and pursuant to Section 53-134 of Nebraska State Statutes a public hearing was opened for the purpose of hearing recommendations of approval or disapproval to application for a Class "D" Liquor License for Western Oil II LLC Db a Speedee Mart 2890

7:50 p.m. Public Hearing Closed

Councilmember Ward made a motion, seconded by Wescott, to approve the application for a liquor license by Western Oil II LLC Db a Speedee Mart 2890. Voting aye: Wescott, Ward, Arganbright, Kieborz, Otradosky. Motion carried uananimously.

7:25 p.m. Pursuant to notice in the Valentine Midland News and pursuant to Section 53-134 of Nebraska State Statutes a public hearing will be held for the purpose of hearing recommendations of approval or disapproval to application for a Class "L" Liquor License for Bolo Beer Company LLC Db a Bolo Beer Co.

7:50 p.m. Public Hearing Closed

Councilmember Otradosky made a motion, seconded by Kieborz, to approve the application for a liquor license for Bolo Beer Company LLC Db a Bolo Beer Co. Voting aye: Kieborz, Otradosky, Wescott, Ward. Abstain: Arganbright. Motion carried four with one abstain.

Councilmember Otradosky made a motion, seconded by Kieborz, to suspend the three reading rule for Ordinance No. 2015-2182M. Voting aye: Arganbright, Kieborz, Otradosky, Wescott. Voting no: Ward. Motion carried four to one.

Councilmember Otradosky made a motion, seconded by Kieborz to adopt Ordinance No. 2015-2182M
AN ORDINANCE OF THE CITY OF VALENTINE, NEBRASKA, APPROVING AND AUTHORIZING THE FORM OF THE INTERLOCAL COOPERATION ACT AGREEMENT CREATING THE VALENTINE COMMUNITY EDUCATION AGENCY AND PROVIDING FOR THE CONSTRUCTION, OPERATION AND USE OF A NEW PUBLIC COMMUNITY EDUCATION BUILDING AND RELATED INFRASTRUCTURE; APPOINTING THREE (3) REPRESENTATIVES OF THE CITY TO SERVE ON THE GOVERNING BOARD OF THE AGENCY; APPROVING THE ISSUANCE OF BONDS OF THE AGENCY, IN ONE OR MORE SERIES IN THE AGGREGATE STATED PRINCIPAL AMOUNT OF NOT TO EXCEED ONE MILLION DOLLARS (\$1,000,000.00) TO PAY A PORTION OF THE COSTS OF THE PROJECT; APPROVING THE FORM OF THE LEASE AGREEMENT BETWEEN THE CITY AND AGENCY RELATING TO THE PROJECT. Voting aye: Kieborz, Wescott, Arganbright, Otradosky. Voting no: Ward. Motion carried four to one.

TIF options when community development authority is developer was tabled to next meeting.

Following a presentation by David Levy concerning wholesale power options Councilmember Arganbright made a motion, seconded by Kieborz, to go into closed session to discuss strategy regarding contract negotiations and potential litigations regarding wholesale power options. The closed session is clearly necessary to protect the public interest. Voting aye Kieborz, Wescott, Arganbright, Otradosky, Ward. Motion carried unanimously.

9:36 p.m. Council entered closed session

10:00 p.m. Council exited closed session

There being no further business before the council, Council Chairperson Arganbright declared the meeting adjourned at 10:02 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 October 9, 2015.

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