

City of Valentine  
Regular Council Meeting  
City Library Meeting Room  
Thursday, September 14, 2017  
7:00 p.m.

A regular meeting of the City Council of the City of Valentine, Nebraska was held September 14, 2017 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 Kyle Arganbright opened the meeting with the following Council members in attendance: Neil Wescott, Andrew Ward, Dave Otradovsky, Kalli Kieborz. Also in attendance were City Manager Shane Siewert and Deanna Schmit, City Clerk, recorded the minutes.

7:00 p.m. PUBLIC HEARING: Pursuant to advertisement in the Midland News and Nebraska State Statutes Sections 13-501 to 13-512, a Public Hearing was opened to receive comments on the City of Valentine proposed **2017-2018** fiscal year budget

7:00 p.m. PUBLIC HEARING: Pursuant to advertisement in the Midland News and Nebraska State Statutes Section 77-1601.02, a Public Hearing was opened to receive comments in setting the final tax request for fiscal year **2017-2018**

Councilmember Wescott made the motion to approve the consent agenda items: #2a) Regular Library Board meeting minutes of August 25, 2017; b) Airport Advisory Board meeting minutes of August 9 2017; c) Board of Adjustment meeting minutes of August 17, 2017; 3 a) Regular City Council Meeting minutes of August 10, 2017; #4 July, 2017 Financial Reports; #5 August, 2017 Receipt Report; #6 August, 2017 Claims & Payroll. Councilmember Kieborz seconded the motion. Voting Aye: Kieborz, Wescott, Arganbright, Otradovsky. Voting no: Ward Motion carried four to one.

Councilmember Wescott made a motion, seconded by Ward to approve the request by The Corner Pub, Kaleb Bacon, to close 2<sup>nd</sup> Street between Main Street and Hall Street on September 23, 2017 from 12 p.m. to 2 a.m. for street dance beer garden fund raiser. Voting aye: Kieborz, Wescott, Arganbright, Otradovsky, Ward. Motion carried unanimously.

Councilmember Wescott made a motion, seconded by Kieborz, to approve the request by The Bull Market to change liquor license to add back indoor area approx. 20' X 50'. Voting aye: Wescott, Arganbright, Otradovsky, Ward, Kieborz. Motion carried unanimously.

Councilmember Ward made a motion, seconded by Wescott, to approve the preliminary plat of survey of B.E.L.F. Subdivision, Lots 1-5 requested by Niobrara Valley Consultants and Board of Educational Lands and Funds with the suggested changes recommended by the planning commission. Voting aye: Arganbright, Otradovsky, Ward, Kieborz, Wescott. Motion carried unanimously.

Council Chairperson Arganbright recused himself from agenda item 13. Council Vice Chairperson Kieborz presented agenda item 13 for consideration.

Councilmember Wescott made a motion, seconded by Kieborz, to approve the request by BOLO Beer for change to liquor license to include a beer garden. Voting aye: Otradovsky, Ward, Kieborz, Wescott. Motion carried unanimously.

Council Chairperson Arganbright resumed charge of the meeting.

Councilmember Wescott made a motion, seconded by Kieborz, to adopt Ordinance No. 2017-2202M AN ORDINANCE GRANTING A FRANCHISE TO THREE RIVER DIGITAL, LLC TO CONSTRUCT AND MAINTAIN A CABLE COMMUNICATIONS SYSTEM IN THE CITY OF VALENTINE; SETTING FORTH CONDITIONS ACCOMPANYING THE GRANT OF THE FRANCHISE; PROVIDING FOR THE REGULATION AND USE OF THE SYSTEM; AND PRESCRIBING PENALTIES FOR THE VIOLATION OF ITS PROVISIONS for a three year term. Voting aye: Otradovsky, Arganbright, Wescott, Kieborz, Ward. Motion carried unanimously.

Councilmember Wescott made a motion, seconded by Kieborz, to adopt Resolution No. 0914173 in support of getting Nebraska television channels on the cable system and moving Valentine to the Nebraska DMA. Voting aye: Wescott, Ward, Arganbright, Kieborz, Otradovsky. Motion carried unanimously.

Councilmember Ward made a motion, seconded by Otradovsky, to adopt the amended Ordinance No. 2017-2205M AN ORDINANCE OF THE CITY OF VALENTINE, NEBRASKA, AMENDING CHAPTER 92, OF THE MUNICIPAL CODE OF THE CITY OF VALENTINE, ORDINANCE NO. 2016-2200M, BY

PROVIDING FOR THE ADDITION OF SECTION 92.26 TO THE VALENTINE MUNICIPAL CODE; PROVIDING THE FIRE CHIEF TO PROHIBIT OUTDOOR FIREPLACES, DISCHARGE OF SPECIFIC FIREWORKS WHEN A FIRE EMERGENCY; TO PROVIDE THE PROCEDURE FOR SUCH PROHIBITION. Voting aye: Kieborz, Otradovsky, Ward, Arganbright. Voting no: Wescott, Motion carried four to one.

Councilmember Ward made a motion, seconded by Arganbright to adopt Ordinance No. 2017-2206M AN ORDINANCE OF THE CITY OF VALENTINE, NEBRASKA, AMENDING CHAPTER 71, OF THE MUNICIPAL CODE OF THE CITY OF VALENTINE, ORDINANCE NO. 2016-2200M, BY PROVIDING FOR THE ADDITION OF SECTION 71.08 TO THE VALENTINE MUNICIPAL CODE; TO ALLOW THE OPERATION OF GOLF CAR VEHICLES WITHIN THE CORPORATE LIMITS UNDER CERTAIN CIRCUMSTANCES; TO IMPOSE RESTRICTIONS OF THE USE OF GOLF CAR VEHICLES; TO ESTABLISH PENALTIES FOR VIOLATION. Voting aye: Arganbright, Kieborz, Ward. Voting no: Otradovsky, Wescott,. Motion carried three to two.

Councilmember Otradovsky made a motion, seconded by Kieborz to suspend the three reading rule for Ordinance No. 2017-2208M. Voting aye: Ward, Kieborz, Wescott, Arganbright, Otradovsky. Motion carried unanimously.

Councilmember Arganbright made a motion, seconded by Kieborz, to adopt Ordinance No. 2017-2208M AN ORDINANCE OF THE CITY OF VALENTINE, NEBRASKA AMENDING CHAPTER 152, SECTION 152.024 OF THE MUNICIPAL CODE OF THE CITY OF VALENTINE, NEBRASKA, ORDINANCE NO. 2016-2200M, BY ADDING SECTION 152.024 TO PROVIDE FOR CONCURRENT PLATS FOR MINOR SUBDIVISIONS UNDER CERTAIN CIRCUMSTANCES. Voting aye: Kieborz, Wescott, Arganbright, Otradovsky, Ward. Motion carried unanimously.

Councilmember Ward made a motion, seconded by Arganbright, to suspend the three reading rule for Ordinance No. 2017-2209M Voting aye: Wescott, Arganbright, Otradovsky, Ward, Kieborz. Motion carried unanimously.

Councilmember Arganbright made a motion, seconded by Ward to adopt Ordinance No. 2017-2209M AN ORDINANCE OF THE CITY OF VALENTINE, NEBRASKA AMENDING CHAPTER 152, SECTION 152.023 OF THE MUNICIPAL CODE OF THE CITY OF VALENTINE, NEBRASKA, ORDINANCE NO. 2016-2200M, BY AMENDING SECTION 152.023 TO PROVIDE FOR ADMINISTRATIVE PLATS UNDER CERTAIN CIRCUMSTANCES; PROVIDING FOR PROCEDURE FOR DOING THE SAME; PROVIDING WHEN A SURVEY IS NECESSARY; PROVIDING FOR APPROVAL OR DENIAL BY THE CITY MANAGER; PROVIDING FOR PAYMENT OF FEES. Voting aye: Arganbright, Otradovsky, Ward, Kieborz, Wescott.. Motion carried unanimously.

Councilmember Otradovsky made a motion, seconded by Arganbright to suspend the three reading rule for Ordinance No. 2017-2210M. Voting aye: Otradovsky, Arganbright. Voting no:Ward, Kieborz, Wescott,. Motion failed.

No action was taken concerning Ordinance No. 2017-2210M AN ORDINANCE OF THE CITY OF VALENTINE, NEBRASKA AMENDING CHAPTER 130, SECTION 130.09 OF THE MUNICIPAL CODE OF THE CITY OF VALENTINE, NEBRASKA, ORDINANCE NO. 2016-2200M, BY ADDING SECTION 130.09 TO PROVIDE FOR BAN OF ANIMALS AT FREDERICK PEAK GOLF CLUB.

No action was taken concerning Ordinance No. 2017-2211M AN ORDINANCE OF THE CITY OF VALENTINE, NEBRASKA AMENDING CHAPTER 130, SECTION 130.10 OF THE MUNICIPAL CODE OF THE CITY OF VALENTINE, NEBRASKA, ORDINANCE NO. 2016-2200M, BY ADDING SECTION 130.10 TO PROVIDE FOR BAN OF CERTAIN VEHICLES AT FREDERICK PEAK GOLF CLUB.

Councilmember Otradovsky made a motion, seconded by Ward to reappoint Greg Gass, Wally Balliet and Delbert Kudrna to the Board of Adjustment for a three year term. Voting aye: Otradovsky, Arganbright, Wescott, Kieborz, Ward. Motion carried unanimously.

Councilmember Ward made a motion, seconded by Wescott, to approve the fire department roster. Voting aye: Wescott, Ward, Arganbright, Kieborz, Otradovsky. Motion carried unanimously.

Councilmember Arganbright made a motion, seconded by Wescott, to approve the work write-ups for two housing rehabilitation grant recipients. Voting aye: Kieborz, Otradovsky, Wescott, Arganbright. Voting no: Ward. Motion carried four to one.

7:45 p.m. Public Hearing for proposed 2016-2017 fiscal year budget closed.  
7:45 p.m. Public Hearing for final tax request closed

Councilmember Otradovsky made a motion, seconded by Kieborz, to adopt Ordinance No. 2017-2207M, an Ordinance of the City of Valentine, Cherry County, Nebraska, to adopt the budget statement to be termed the Annual Appropriation Bill for the fiscal year beginning October 1, 2017 through September 30, 2018. Voting aye: Arganbright, Kieborz, Otradovsky, Wescott. Voting no: Ward. Motion carried four to one.

Councilmember Otradovsky made a motion, seconded by Kieborz, to adopt Resolution No. 0914171 setting the property tax request for fiscal year 2017-2018 in the amount of \$433,319.84. Voting Aye: Kieborz, Wescott, Arganbright, Otradovsky. Voting no: Ward Motion carried four to one.

Councilmember Wescott made a motion, seconded by Kieborz, to adopt Resolution No. 0914172 increasing the budgeted restricted funds for Fiscal Year 2017-2018 by an additional one percent (1%) as provided by Neb. Rev. Stat 13-519. Voting aye: Kieborz, Wescott, Arganbright, Otradovsky. Voting no: Ward. Motion carried four to one.

There being no further business before the council, Council Chairperson Arganbright declared the meeting adjourned at 7:51 p.m.

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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 September 15, 2017.

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Deanna Schmit, City Clerk

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City Clerk