

City of Valentine
Regular Council Meeting
City Library Meeting Room
Thursday, February 8, 2018
7:00 p.m.

A regular meeting of the City Council of the City of Valentine, Nebraska was held February 8, 2018 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, Kalli Kieborz, Dave Otradovsky and Andrew Ward. Also in attendance were City Manager Shane Siewert 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 January 22, 2017 #2b) Regular Planning Commission meeting minutes of February 5, 2018; #3a) Regular City Council Meeting minutes of January 11, 2017; #4 December, 2017 Financial Reports; #5 January, 2018 Receipt Report; #6 January, 2018 Claims & Payroll. Councilmember Kieborz seconded the motion. Voting Aye: Kieborz, Wescott, Arganbright, Otradovsky. Voting no: Ward. Motion carried four to one.

Library Director Anne Quigley presented the annual library report.

7:10 p.m. Pursuant to notice in Midland News and Printing a public hearing was opened to consider: 1) repealing or amending the fence regulations within the zoning ordinance; 2) amending special use permit approving board; 3) inserting special use permit standards, conditions and safeguards; 4) inserting regulations for abandonment of exceptions and special use permits; 5) amending signs and billboard restrictions in the highway commercial district as they relate to the Cowboy Trail; 6) amending signs and billboards restrictions in the business district as they relate to the Cowboy Trail and Trailhead Park.

7:21 p.m. Public hearing to consider zoning changes was closed.

7:21 p.m. Pursuant to notice in Midland News and Printing a public hearing was opened to consider annexation of a tract of land located in all the N $\frac{1}{2}$ SW $\frac{1}{4}$ and tracts of land located in the E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ Section 29, Township 34 North, Range 27 West of the 6th PM, Cherry County, Nebraska, more fully described as follows:

Commencing at the C $\frac{1}{4}$ corner of Section 29, Township 34 North, Range 27 West; thence westerly along the E-W $\frac{1}{4}$ section line a distance of 805 feet; thence northeasterly in a straight line to a point on the N-S $\frac{1}{4}$ section line being 585 feet northerly of the C $\frac{1}{4}$ corner; thence continuing on a straight line a distance of 247 feet more or less to a point 572 feet south and 195 feet east of the north line of the SW $\frac{1}{4}$ NW $\frac{1}{4}$; thence northerly a distance of 97 feet to a point 195 feet east and 475 feet south of the north line of the SW $\frac{1}{4}$ NE $\frac{1}{4}$; thence easterly in a straight line to a point on the east line 475 feet south of the north line of the SW $\frac{1}{4}$ NE $\frac{1}{4}$; thence continuing easterly to a point 200 feet east of the west line and 495 feet south of the north line of the SE $\frac{1}{4}$ NE $\frac{1}{4}$; thence northerly and parallel to the west line to a point on the north line a distance of 200 feet east of the west line of the SE $\frac{1}{4}$ NE $\frac{1}{4}$; thence easterly along the north line of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ a distance of 495 feet to the west line of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$; thence northerly along the west line of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ to a point 200 feet south of the centerline of the Minnechaduza Creek, as measured perpendicular to and parallel with the centerline; thence easterly along a line 200 feet south of the Minnechaduza Creek, as measured perpendicular and parallel to a point 256.6 feet west of the east line of the NE $\frac{1}{4}$; thence southeasterly in a straight line to a point 180 feet west of the E $\frac{1}{4}$ corner of Section 29; thence west along the E-W $\frac{1}{4}$ section line to the CE $\frac{1}{16}$ corner; thence S 1° 07' 23" E a distance of 1,325.55 feet; thence S 87° 58' 00" W a distance of 1,303.35 feet; thence N 0° 05' 16" E a distance of 237.44 feet; thence N 75° 01' 42" E a distance of 744.12 feet; thence N 3° 25' 15" E a distance of 930.13 feet to a point on the E-W $\frac{1}{4}$ section line; thence S 88° 28' 17" W a distance of 847.16 feet; to the C $\frac{1}{4}$ corner, being the point of beginning.

7:33 p.m. Public hearing to consider annexation was closed.

Police Chief Dana Miller presented the annual police report.

No action was taken on ORDINANCE NO. 2018-2213M-A An ordinance of the City of Valentine, Nebraska amending article 18, section 18.10 of the Valentine zoning ordinance of the municipal code of the city of Valentine, Nebraska, Ordinance No. 2016-2200M, by providing for the repeal of section 18.10 fence regulations previously adopted.

Councilmember Arganbright made a motion, seconded by Kieborz, to amend Ordinance No. 2018-

2213M-B by reinserting item “g” from Ordinance No. 2018-2213M-A concerning height regulations in a residential district and to strike the words “adjacent properties and” from item “b”, concerning fence facing. Voting aye: Kieborz, Wescott, Arganbright, Otradovsky, Ward. Motion carried unanimously.

Councilmember Arganbright made a motion, seconded by Kieborz, to suspend the three reading rule for Ordinance No. 2018-2213M-B. Voting aye: Wescott, Arganbright, Otradovsky, Ward, Kieborz. Motion carried unanimously.

Councilmember Arganbright made a motion, seconded by Kieborz, to adopt the amended ORDINANCE NO. 2018-2213M-B AN ORDINANCE OF THE CITY OF VALENTINE, NEBRASKA AMENDING ARTICLE 18, SECTION 18.10 OF THE VALENTINE ZONING ORDINANCE OF THE MUNICIPAL CODE OF THE CITY OF VALENTINE, NEBRASKA, ORDINANCE NO. 2016-2200M. Voting aye: Arganbright, Otradovsky, Ward, Kieborz, Wescott. Motion carried unanimously.

Councilmember Ward made a motion, seconded by Arganbright, to suspend the three reading rule for Ordinance No. 2018-2214M. Voting aye: Otradovsky, Ward, Kieborz, Wescott, Arganbright. Motion carried unanimously.

Councilmember Ward made a motion, seconded by Otradovsky, to adopt ORDINANCE NO. 2018-2214M AN ORDINANCE OF THE CITY OF VALENTINE, NEBRASKA AMENDING ARTICLE 4, SECTION 4.12(b) OF THE VALENTINE ZONING ORDINANCE OF THE MUNICIPAL CODE OF THE CITY OF VALENTINE, NEBRASKA, ORDINANCE NO. 2016-2200M, BY AMENDING SECTION 4.12(b) TO PROVIDE THAT SPECIAL USE PERMITS SHALL BE SUBJECT TO APPROVAL BY THE PLANNING COMMISSION RATHER THAN THE BOARD OF ADJUSTMENT. Voting aye: Otradovsky, Arganbright, Wescott, Kieborz, Ward. Motion carried unanimously.

Councilmember Otradovsky made a motion, seconded by Wescott, to suspend the three reading rule for Ordinance No. 2018-2215M. Voting aye: Wescott, Ward, Arganbright, Kieborz, Otradovsky. Motion carried unanimously.

Councilmember Otradovsky made a motion, seconded by Wescott, to adopt ORDINANCE NO. 2018-2215M AN ORDINANCE OF THE CITY OF VALENTINE, NEBRASKA AMENDING CHAPTER 19, SECTION 19.17 OF THE VALENTINE ZONING ORDINANCE OF THE MUNICIPAL CODE OF THE CITY OF VALENTINE, NEBRASKA, ORDINANCE NO. 2016-2200M, BY ADDING SECTION 19.17 PROVIDING FOR SPECIAL USE PERMITS, THE STANDARDS, CONDITIONS AND SAFEGUARDS TO BE CONSIDERED WHEN ISSUING SPECIAL USE PERMITS AND PROVIDING FOR A NONREFUNDABLE APPLICATION FEE. Voting aye: Kieborz, Otradovsky, Wescott, Ward, Arganbright. Motion carried unanimously.

Councilmember Otradovsky made a motion, seconded by Wescott, to suspend the three reading rule for Ordinance No. 2018-2216M. Voting aye: Arganbright, Kieborz, Otradovsky, Wescott, Ward. Motion carried unanimously.

Councilmember Otradovsky made a motion, seconded by Wescott, to adopt ORDINANCE NO. 2018-2216M AN ORDINANCE OF THE CITY OF VALENTINE, NEBRASKA AMENDING CHAPTER 19, SECTION 19.18 OF THE VALENTINE ZONING ORDINANCE OF THE MUNICIPAL CODE OF THE CITY OF VALENTINE, NEBRASKA, ORDINANCE NO. 2016-2200M, BY ADDING SECTION 19.18 PROVIDING FOR CONDITIONS WHEN EXCEPTIONS AND SPECIAL USE PERMITS ARE ABANDONED. Voting aye: Ward, Kieborz, Wescott, Arganbright, Otradovsky. Motion carried unanimously.

Councilmember Otradovsky made a motion, seconded by Arganbright, to suspend the three reading rule for Ordinance No. 2018-2217M. Voting aye: Kieborz, Wescott, Arganbright, Otradovsky, Ward. Motion carried unanimously.

Councilmember Otradovsky made a motion, seconded by Arganbright, to adopt ORDINANCE NO. 2018-2217M AN ORDINANCE OF THE CITY OF VALENTINE, NEBRASKA AMENDING ARTICLE 10, SECTION 10.4 OF THE VALENTINE ZONING ORDINANCE OF THE MUNICIPAL CODE OF THE CITY OF VALENTINE, NEBRASKA, ORDINANCE NO. 2016-2200M, BY AMENDING SECTION 10.4 TO PROVIDE THAT THE SIGNS AND BILLBOARD RESTRICTIONS IN PARAGRAPHS 2 AND 3 IN THE C-1 HIGHWAY COMMERCIAL DISTRICT SHALL NOT APPLY TO THE COWBOY TRAIL. Voting aye: Wescott, Arganbright, Otradovsky, Ward, Kieborz. Motion carried unanimously.

Councilmember Wescott made a motion, seconded by Otradovsky, to suspend the three reading rule for Ordinance No. 2018-2218M. Voting aye: Arganbright, Otradovsky, Ward, Kieborz, Wescott. Motion carried unanimously.

Councilmember Wescott made a motion, seconded by Otradovsky, to adopt ORDINANCE NO. 2018-2218M AN ORDINANCE OF THE CITY OF VALENTINE, NEBRASKA AMENDING ARTICLE 11, SECTION 11.4 OF THE VALENTINE ZONING ORDINANCE OF THE MUNICIPAL CODE OF THE CITY OF VALENTINE, NEBRASKA, ORDINANCE NO. 2016-2200M, BY AMENDING SECTION 11.4 TO PROVIDE THAT THE SIGNS AND BILLBOARD RESTRICTIONS IN PARAGRAPHS 4 AND 5 IN

THE C-2 BUSINESS DISTRICT SHALL NOT APPLY TO THE COWBOY TRAIL AND TRAILHEAD PARK. Voting aye: Otradovsky, Ward, Kieborz, Wescott, Arganbright. Motion carried unanimously.

First reading of ORDINANCE NO. 2018-2219M: AN ORDINANCE OF THE CITY OF VALENTINE, NEBRASKA, ANNEXING TO, AND INCLUDING WITHIN, THE CORPORATE LIMITS OF THE CITY OF VALENTINE, NEBRASKA THE FOLLOWING DESCRIBED REAL ESTATE: All of the N $\frac{1}{2}$ SW $\frac{1}{4}$ and tracts of land located in the E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ Section 29, Township 34 North, Range 27 West of the 6th PM, Cherry County, Nebraska, more fully described as follows: Commencing at the C $\frac{1}{4}$ corner of Section 29, Township 34 North, Range 27 West; thence westerly along the E-W $\frac{1}{4}$ section line a distance of 805 feet; thence northeasterly in a straight line to a point on the N-S $\frac{1}{4}$ section line being 585 feet northerly of the C $\frac{1}{4}$ corner; thence continuing on a straight line a distance of 247 feet more or less to a point 572 feet south and 195 feet east of the north line of the SW $\frac{1}{4}$ NW $\frac{1}{4}$; thence northerly a distance of 97 feet to a point 195 feet east and 475 feet south of the north line of the SW $\frac{1}{4}$ NE $\frac{1}{4}$; thence easterly in a straight line to a point on the east line 475 feet south of the north line of the SW $\frac{1}{4}$ NE $\frac{1}{4}$; thence continuing easterly to a point 200 feet east of the west line and 495 feet south of the north line of the SE $\frac{1}{4}$ NE $\frac{1}{4}$; thence northerly and parallel to the west line to a point on the north line a distance of 200 feet east of the west line of the SE $\frac{1}{4}$ NE $\frac{1}{4}$; thence easterly along the north line of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ a distance of 495 feet to the west line of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$; thence northerly along the west line of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ to a point 200 feet south of the centerline of the Minnechaduza Creek, as measured perpendicular to and parallel with the centerline; thence easterly along a line 200 feet south of the Minnechaduza Creek, as measured perpendicular and parallel to a point 256.6 feet west of the east line of the NE $\frac{1}{4}$; thence southeasterly in a straight line to a point 180 feet west of the E $\frac{1}{4}$ corner of Section 29; thence west along the E-W $\frac{1}{4}$ section line to the CE1/16 corner; thence S 1° 07' 23" E a distance of 1,325.55 feet; thence S 87° 58' 00" W a distance of 1,303.35 feet; thence N0° 05' 16" E a distance of 237.44 feet; thence N 75° 01' 42" E a distance of 744.12 feet; thence N 3° 25' 15" E a distance of 930.13 feet to a point on the E-W $\frac{1}{4}$ section line; thence S88°28' 17 W a distance of 847.16 feet; to the C $\frac{1}{4}$ corner , being the point of beginning.

No action taken concerning the bid for city hall HVAC.

Councilmember Otradovsky made a motion, seconded by Kieborz, to approve the application for planning grant from Community and Civic Center Financing Fund for feasibility study for gymnasium improvements from the Civic and Community Center Financing Fund. Voting aye: Otradovsky, Arganbright, Wescott, Kieborz. Voting no: Ward. Motion carried four to one.

No action was taken concerning reconnect fees.

There being no further business before the council, Council Chairperson Arganbright declared the meeting adjourned at 9:07 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 February 9, 2018.

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