

City of Valentine
Regular Council Meeting
City Library Meeting Room
Thursday, April 12, 2018
7:00 p.m.

A regular meeting of the City Council of the City of Valentine, Nebraska was held April 12, 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 March 26, 2018; #2b) Regular Golf Course Board meeting minutes of March 26, 2018; #3a) Regular City Council Meeting minutes of March 8, 2018; #4 February, 2018 Financial Reports; #5 March, 2018 Receipt Report; #6 March, 2018 Claims & Payroll. Councilmember Kieborz seconded the motion. Voting Aye: Ward, Kieborz, Wescott, Arganbright, Otradovsky. Motion carried unanimously.

Councilmember Ward made a motion, seconded by Kieborz, to approve the request by Mike Battershaw with the Valentine Car Club to close 3rd Street from Main to Ray Streets on June 2nd from 7:00 a.m. to 5 p.m. for car show. Voting aye: Kieborz, Wescott, Arganbright, Otradovsky, Ward. Motion carried unanimously.

No action concerning the request by Mike Steele with MPCC to vacate Borman Street.

Councilmember Ward made a motion, seconded by Kieborz, to suspend the three reading rule for Ordinance No. 2018-2221M. Voting aye: Wescott, Arganbright, Otradovsky, Ward, Kieborz. Motion carried unanimously.

Councilmember Ward made a motion, seconded by Kieborz, to adopt Ordinance No. 2018-2221M AN ORDINANCE OF THE CITY OF VALENTINE, NEBRASKA AMENDING CHAPTER 95, SECTION 95.02 OF THE MUNICIPAL CODE OF THE CITY OF VALENTINE, NEBRASKA, ORDINANCE NO. 2016-2200M, BY AMENDING THE TYPE OF FOWL BANNED IN THE MUNICIPALITY; PROVIDING FOR THE REPEAL OF ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE; PROVIDING FOR PUBLICATION OF THIS; AND PROVIDING WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND TAKE EFFECT. Voting aye: Arganbright, Otradovsky, Ward, Kieborz, Wescott. Motion carried unanimously.

Councilmember Ward made a motion, seconded by Kieborz, to suspend the three reading rule for Ordinance No. 2018-2222M. Voting aye: Otradovsky, Ward, Kieborz, Wescott, Arganbright. Motion carried unanimously.

Councilmember Arganbright made a motion, seconded by Kieborz, to adopt Ordinance No. 2018-2222M AN ORDINANCE OF THE CITY OF VALENTINE, NEBRASKA AMENDING CHAPTER 95, SECTION 95.05 OF THE MUNICIPAL CODE OF THE CITY OF VALENTINE, NEBRASKA, ORDINANCE NO. 2016-2200M, BY ADDING SECTION 95.05 TO PROVIDE FOR HENS BEING ALLOWED WITHIN THE CITY UNDER CERTAIN CIRCUMSTANCES; PROVIDING FOR THE REPEAL OF ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE; PROVIDING FOR PUBLICATION OF THIS; AND PROVIDING WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND TAKE EFFECT. Voting aye: Otradovsky, Arganbright, Wescott, Kieborz, Ward. Motion carried unanimously.

Councilmember Ward made a motion, seconded by Kieborz, to suspend the three reading rule for Ordinance No. 2018-2223M. Voting aye: Wescott, Ward, Arganbright, Kieborz, Otradovsky. Motion carried unanimously.

Councilmember Ward made a motion, seconded by Kieborz, to adopt Ordinance No. 2018-2223M AN ORDINANCE OF THE CITY OF VALENTINE, NEBRASKA AMENDING CHAPTER 95, SECTION 95.06 OF THE MUNICIPAL CODE OF THE CITY OF VALENTINE, NEBRASKA, ORDINANCE NO. 2016-2200M, BY ADDING SECTION 95.06 TO PROVIDE FOR LIMITATIONS AND REQUIREMENTS FOR HAVING HENS WITHIN THE CITY; PROVIDING FOR THE REPEAL OF ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THIS

ORDINANCE; PROVIDING FOR PUBLICATION OF THIS; AND PROVIDING WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND TAKE EFFECT. Voting aye Kieborz, Otradovsky, Wescott, Ward, Arganbright. Motion carried unanimously.

Councilmember Ward made a motion, seconded by Kieborz, to suspend the three reading rule for Ordinance No. 2018-2224M. Voting aye: Arganbright, Kieborz, Otradovsky, Wescott, Ward. Motion carried unanimously.

Councilmember Ward made a motion, seconded by Kieborz, to adopt Ordinance No. 2018-2224M AN ORDINANCE OF THE CITY OF VALENTINE, NEBRASKA AMENDING CHAPTER 95, SECTION 95.07 OF THE MUNICIPAL CODE OF THE CITY OF VALENTINE, NEBRASKA, ORDINANCE NO. 20162200M, BY ADDING SECTION 95.07 TO PROVIDE FOR FAILURE TO COMPLY WITH HEN PROVISIONS SHALL CONSTITUTE A PUBLIC NUISANCE; PROVIDING FOR THE REPEAL OF ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE; PROVIDING FOR PUBLICATION OF THIS; AND PROVIDING WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND TAKE EFFECT. Voting Aye: Ward, Kieborz, Wescott, Arganbright, Otradovsky. Motion carried unanimously.

Councilmember Otradovsky made a motion, seconded by Wescott, to adopt 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 CE $\frac{1}{16}$ corner; thence S 1 $^{\circ}$ 07' 23" E a distance of 1,325.55 feet; thence S 87 $^{\circ}$ 58' 00" W a distance of 1,303.35 feet; thence N0 $^{\circ}$ 05' 16" E a distance of 237.44 feet; thence N 75 $^{\circ}$ 01' 42" E a distance of 744.12 feet; thence N 3 $^{\circ}$ 25' 15" E a distance of 930.13 feet to a point on the E-W $\frac{1}{4}$ section line; thence S88 $^{\circ}$ 28' 17 W a distance of 847.16 feet; to the C $\frac{1}{4}$ corner , being the point of beginning. Voting aye: Kieborz, Wescott, Arganbright, Otradovsky, Ward. Motion carried unanimously.

Councilmember Ward made a motion to amend ORDINANCE NO. 2018-2220M AN ORDINANCE OF THE CITY OF VALENTINE, NEBRASKA, PROVIDING FOR THE RENAMING OF GOVERNMENT STREET FROM HIGHWAY 20 TO THE NORTH SIDE OF FIRST STREET TO "SALE BARN ROAD" to say FROM THE SOUTH SIDE OF "C" STREET TO HIGHWAY 20. The motion died for lack of a second.

Councilmember Ward made a motion, seconded by Wescott, to adopt ORDINANCE NO. 2018-2220M AN ORDINANCE OF THE CITY OF VALENTINE, NEBRASKA, PROVIDING FOR THE RENAMING OF GOVERNMENT STREET FROM HIGHWAY 20 TO THE NORTH SIDE OF FIRST STREET TO "SALE BARN ROAD". Voting aye: Ward, Wescott. Voting no: Arganbright, Otradovsky, Kieborz. Motion failed.

Councilmember Wescott made a motion, seconded by Ward, to reappoint Regina Osburn to the golf course board. Voting aye: Otradovsky, Ward, Kieborz, Wescott, Arganbright. Motion carried unanimously.

Councilmember Wescott made a motion, seconded by Kieborz, to appoint Eric Wackler to the golf course board. Voting aye: Otradovsky, Arganbright, Wescott, Kieborz, Ward. Motion carried unanimously.

Councilmember Wescott made a motion, seconded by Arganbright, to appoint Dave Sandoz and Bruce Beebout to the cemetery board. Voting aye: Wescott, Ward, Arganbright, Kieborz, Otradovsky. Motion carried unanimously.

Terry Galloway with Almquist, Maltzahn, Galloway & Luth presented the 2016-2017 audit report via go to meeting.

Councilmember Ward made a motion, seconded by Wescott, to approve Sta-bilt Construction Company's armor coat bid of \$1.363 per square yard. Voting aye Kieborz, Otradovsky, Wescott, Ward, Arganbright. Motion carried unanimously.

Councilmember Ward made a motion, seconded by Arganbright, to send letters of Intent to withdraw from LARM. Voting aye: Arganbright, Kieborz, Otradovsky, Wescott, Ward. Motion carried unanimously.

Pursuant to notice sealed cemetery mowing bids were opened and reviewed.

Councilmember Arganbright made a motion, seconded by Otradovsky, to award the cemetery mowing bid to the sole bidder, NK Waste, for two years at \$19,500.00 per year. Voting Aye: Ward, Kieborz, Arganbright, Otradovsky. Abstain: Wescott. Motion carried unanimously with one abstention.

There being no further business before the council, Council Chairperson Arganbright declared the meeting adjourned at 8:06 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 April 13, 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