

AGENDA  
VALLEY CITY COUNCIL  
March 9, 2021 7:00 PM

Anyone desiring to speak on any item on the Agenda is invited to do so, but will be limited to three minutes. After being recognized by the Mayor, please state your name and address for the record. Anyone desiring to speak for a longer period of time should make arrangements with the City Clerk prior to the meeting.

**--A copy of the Open Meetings Act is located on the north wall of the Council Chamber--**

The Mayor and Council reserve the right to adjourn into executive session on any agenda item per Nebraska Revised Statutes 84-1410.

One copy of all reproducible written material to be discussed at this meeting is available for examination or copying.

1. ANNEXATION - GEIS

This hearing is for input and comment on the Planning Commission recommendation for the annexation of the South Third (S 1/3) of the Southeast Quarter (SE 1/4) of the Northeast Quarter (NE 1/4) of Section 36, Township 16 North, Range 10 East, of the 6th P.M., Douglas County, Nebraska, together with the entirety of all public streets, highways, and public right-of-ways within and/or immediately adjacent to said annexed areas.

1.A. COMMENTS

1.B. CLOSE HEARING

1.C. ADJOURN HEARING

1.D. First Reading of Ordinance No. 747

2. ANNEXATION - BUTCHER

This hearing is for input and comment on the Planning Commission recommendation for the annexation of the South Third (S1/3) of the Southwest Quarter (SW 1/4) of the Northeast Quarter (NE 1/4) of Section 36, Township 16 North, Range 10 East, of the 6th P.M., Douglas County, Nebraska, together with the entirety of all public streets, highways, and public right-of-ways within and/or immediately adjacent to said annexed areas.

2.A. COMMENTS

2.B. CLOSE HEARING

2.C. ADJOURN HEARING

2.D. First Reading of Ordinance No. 748

3. ANNEXATION - WALVOORD - TAKE COVER STORAGE

This hearing is for input and comment on the Planning Commission recommendation for the annexation of Lot 2, Polly's Subdivision, as surveyed, platted and recorded in Douglas County located in Section 36, Township 16 North, Range 10 East, of the 6th P.M., Douglas County, Nebraska, together with the entirety of all public streets, highways, and public right-of-ways within and/or immediately adjacent to said annexed areas.

3.A. COMMENTS

3.B. CLOSE HEARING

3.C. ADJOURN HEARING

3.D. First Reading of Ordinance No. 749

RECEIVED  
FEB 19 2021  
BY: \_\_\_\_\_

**CITY OF VALLEY**  
**VALLEY PLANNING COMMISSION**

*Attention was directed to the open meeting act posted in the back of the chamber*

Feb. 16, 2021

Valley City Hall

4:30pm

**Members present:** Larry Bottger Chairman, Joe Lathrop, Scott Burke, Brian Foutch, Greg Sundae, Jim Tomanek, Mark Conrey

**Members absent:** Greg Kava, Duane Prorok

**Item 1: CALL TO ORDER**

**Item 2: PROOF OF PUBLICATION**

**Item 3: PUBLIC HEARINGS**

Before the public hearings City of Valley Attorney Jeff Farnam spoke to the planning board. He explained to the board that these annexations were initiated by ordinance of the city. These properties must be adjacent to the city, which they are. They also must fit a description of Urban or Suburban which they do. City of Valley Utilities are currently provided to all 3 lots and this ground will fit into Valley's future use in its current Zoning Regulations.

A) Proposed annexation of the South 1/3 of the SE Quarter of the NE Quarter (SE ¼ NE1/4) of Section 31, Township 16, Range 10 of Douglas County Nebraska.

Open Public Hearing

Public Comment: None

Closed Public Hearing

Moved by Foutch to approve the proposed annexation. Second by Lathrop

Motion Carried.

**B)** Proposed annexation of the South 1/3 of the SW ¼ NE ¼ of Section 31, Township 16, Range 10 , of Douglas County Nebraska.

Open Public Hearing

Public Comment: None

Closed Public Hearing

Moved by Conrey to approve the proposed annexation. Second by Foutch

Voting For: Bottger, Lathrop, Burke, Foutch, Tomanek, Conrey

Voting Against: Sundae

Motion Carried.

**C)** Proposed annexation of lot 2 Polly's subdivision, a subdivision surveyed and platted in the N 2/3 of the SW ¼ of the NE ¼ and the North 2/3 of the SE ¼ of the NE ¼ of Section 31, T16N, R10E of the 6<sup>th</sup> P M, Douglas County, Nebraska

Open Public Hearing

Public Comment:

Gerald Walvoord owner of the above property spoke to the board. His primary concern with the annexation action would be the increase that he would have to pay in property taxes. The board discussed with Gerald ways that he could challenge the new rate increase that the annexation would trigger.

Closed Public Hearing

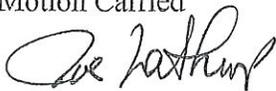
Moved by Bottger to approve the proposed annexation. Second by Lathrop

Motion Carried

**Item 4: ADJOURN MEETING**

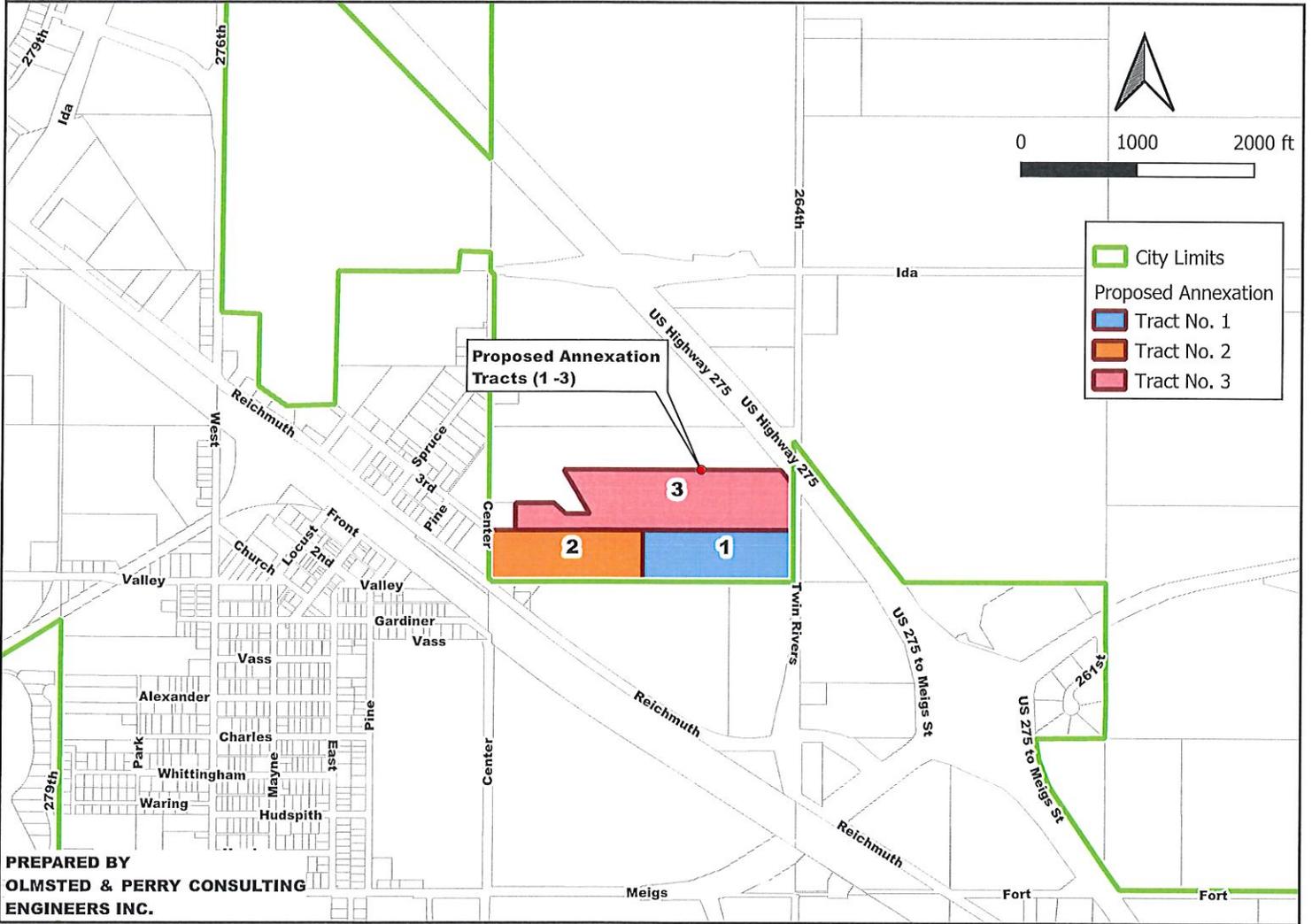
Motion by Sundae to adjourn. Second by Tomanek

Motion Carried



Joe Lathrop

Secretary



3 - Walvoord  
2 - Butcher  
1 - Geis

1-Geis

**ORDINANCE NO. 747  
OF THE CITY OF VALLEY, NEBRASKA**

AN ORDINANCE OF THE CITY OF VALLEY, NEBRASKA, ANNEXING AND EXTENDING THE CORPORATE LIMITS OF THE CITY OF VALLEY TO INCLUDE THE REAL ESTATE WHICH IS GENERALLY DESCRIBED AS:

THE SOUTH THIRD (S 1/3) OF THE SOUTHEAST QUARTER (SE 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 36, TOWNSHIP 16 NORTH, RANGE 10 EAST, OF THE 6TH P.M., DOUGLAS COUNTY, NEBRASKA, TOGETHER WITH THE ENTIRETY OF ALL PUBLIC STREETS, HIGHWAYS, AND PUBLIC RIGHT-OF-WAYS WITHIN AND/OR IMMEDIATELY ADJACENT TO SAID ANNEXED AREAS

MORE SPECIFICALLY DESCRIBED HEREINAFTER IN THIS ORDINANCE.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF VALLEY, DOUGLAS COUNTY, NEBRASKA.

WHEREAS, it appears desirable and for the public good and the best interests of the City of Valley, that an Ordinance be passed annexing and extending the corporate limits of the City of Valley to include the real estate hereinafter described; and

WHEREAS, said real estate is contiguous or adjacent to the corporate limits of the City of Valley, and is urban or suburban in character; and

WHEREAS, said real estate will receive material benefits and advantages from annexation into the corporate limits of the City of Valley.

Section 1. That the real estate hereinafter described be, and the same is hereby annexed and included within the corporate limits of the City of Valley, Nebraska, and said real estate and the persons thereon shall hereafter be subject to all of the rules, regulations, ordinances, taxes, and all other burdens and benefits of other persons and territory included within the corporate limits of the City of Valley, Nebraska.

Section 2. The real estate which is hereby annexed and included within the corporate limits of the City of Valley, Nebraska is generally described as:

THE SOUTH THIRD (S 1/3) OF THE SOUTHEAST QUARTER (SE 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 36, TOWNSHIP 16 NORTH, RANGE 10 EAST, OF THE 6TH P.M., DOUGLAS COUNTY, NEBRASKA, TOGETHER WITH THE ENTIRETY OF ALL PUBLIC STREETS, HIGHWAYS, AND PUBLIC RIGHT-OF-WAYS WITHIN AND/OR IMMEDIATELY ADJACENT TO SAID ANNEXED AREAS

more specifically described as:

BEGINNING AT A POINT ON THE EXISTING CITY LIMITS LINE OF THE CITY OF VALLEY AS ESTABLISHED BY ORDINANCE NO. 462, SAID POINT BEING THE INTERSECTION OF THE WEST RIGHT-OF-WAY LINE OF TWIN RIVERS CIRCLE AND THE SOUTHEAST CORNER OF LOT 2, POLLY'S SUBDIVISION. THENCE S02°33'48"W 440.91 FEET WEST RIGHT-OF-WAY LINE OF TWIN RIVERS CIRCLE TO THE SOUTH SECTION LINE OF SAID SECTION 31; THENCE S87°23'58"W 1288.40 FEET ALONG SAID SOUTH SECTION LINE TO THE WEST LINE OF SAID SOUTHEAST QUARTER (SE 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SAID SECTION 31; THENCE N02°32'16"W 441.00 FEET ALONG SAID WEST SECTION LINE TO THE NORTH LINE OF SAID SOUTH THIRD (S 1/3) OF THE SOUTHEAST QUARTER (SE 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SAID SECTION 31 AND ALSO BEING THE SOUTH LINE OF LOT 2, POLLY'S SUBDIVISION, AS SURVEYED, PLATTED AND RECORDED IN DOUGLAS COUNTY; THENCE N87°24'12"E 1,288.20 FEET ALONG SAID NORTH SOUTH THIRD (S 1/3) AND SOUTH LINE OF LOT 2, POLLY'S SUBDIVISION TO THE WEST RIGHT-OF-WAY LINE OF TWIN RIVERS CIRCLE AND ALSO BEING THE EXISTING CITY LIMIT LINE; SAID POINT ALSO BEING THE POINT OF BEGINNING. SAID ANNEXED AREA CONTAINS 13.01 ACRES, MORE OR LESS.

In addition, and in accordance with State of Nebraska Statute § 18-1716.01 all County right-of-way abutting the described tracts is included in this annexation.

A map of the area is attached hereto and marked as Exhibit "A" and by this reference made a part of this Ordinance. The land to be annexed is marked thereon, but said map is for convenience and, in case of discrepancy, the description in this Ordinance shall be controlling.

Section 3. This Ordinance shall be in full force and effect fifteen (15) days from and after its passage as provided by law.

PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2021.

INTRODUCED BY COUNCIL MEMBER:

\_\_\_\_\_

APPROVED BY

\_\_\_\_\_  
Mayor Cindy Grove  
City of Valley, Nebraska

First Reading: \_\_\_\_\_

Second Reading: \_\_\_\_\_

PASSED: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Cheryl K. Eckerman, Asst. Clerk  
City of Valley, Nebraska

**RECEIVED**  
FEB 19 2021  
BY: \_\_\_\_\_

**CITY OF VALLEY**  
**VALLEY PLANNING COMMISSION**

*Attention was directed to the open meeting act posted in the back of the chamber*

Feb. 16, 2021

Valley City Hall

4:30pm

**Members present:** Larry Bottger Chairman, Joe Lathrop, Scott Burke, Brian Foutch, Greg Sundae, Jim Tomanek, Mark Conrey

**Members absent:** Greg Kava, Duane Prorok

**Item 1: CALL TO ORDER**

**Item 2: PROOF OF PUBLICATION**

**Item 3: PUBLIC HEARINGS**

Before the public hearings City of Valley Attorney Jeff Farnam spoke to the planning board. He explained to the board that these annexations were initiated by ordinance of the city. These properties must be adjacent to the city, which they are. They also must fit a description of Urban or Suburban which they do. City of Valley Utilities are currently provided to all 3 lots and this ground will fit into Valley's future use in its current Zoning Regulations.

A) Proposed annexation of the South 1/3 of the SE Quarter of the NE Quarter (SE ¼ NE1/4) of Section 31, Township 16, Range 10 of Douglas County Nebraska.

Open Public Hearing

Public Comment: None

Closed Public Hearing

Moved by Foutch to approve the proposed annexation. Second by Lathrop

Motion Carried.

**B)** Proposed annexation of the South 1/3 of the SW ¼ NE ¼ of Section 31, Township 16, Range 10 , of Douglas County Nebraska.

Open Public Hearing

Public Comment: None

Closed Public Hearing

Moved by Conrey to approve the proposed annexation. Second by Foutch

Voting For: Bottger, Lathrop, Burke, Foutch, Tomanek, Conrey

Voting Against: Sundae

Motion Carried.

**C)** Proposed annexation of lot 2 Polly's subdivision, a subdivision surveyed and platted in the N 2/3 of the SW ¼ of the NE ¼ and the North 2/3 of the SE ¼ of the NE ¼ of Section 31, T16N, R10E of the 6<sup>th</sup> P M, Douglas County, Nebraska

Open Public Hearing

Public Comment:

Gerald Walvoord owner of the above property spoke to the board. His primary concern with the annexation action would be the increase that he would have to pay in property taxes. The board discussed with Gerald ways that he could challenge the new rate increase that the annexation would trigger.

Closed Public Hearing

Moved by Bottger to approve the proposed annexation. Second by Lathrop

Motion Carried

#### **Item 4: ADJOURN MEETING**

Motion by Sundae to adjourn. Second by Tomanek

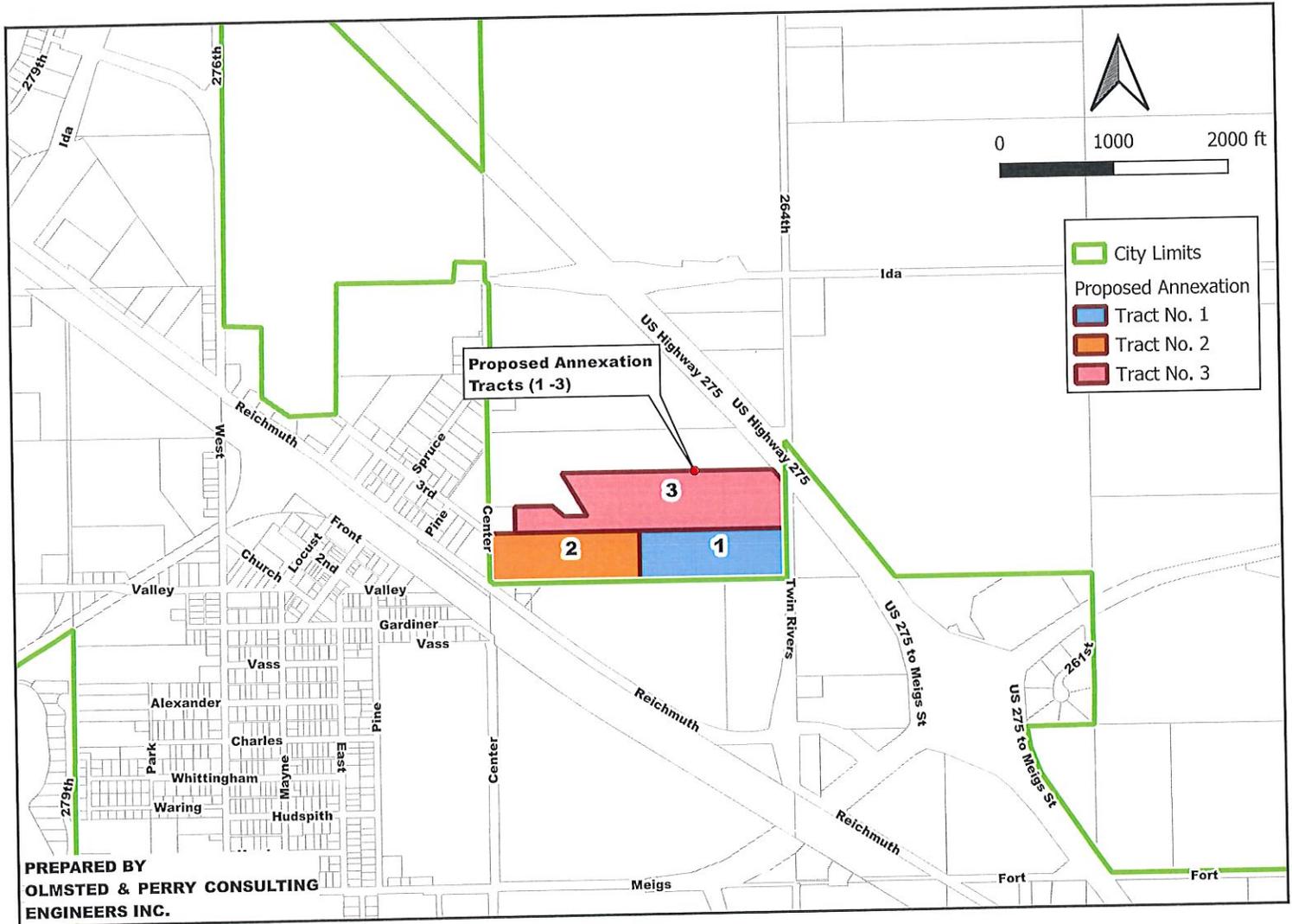
Motion Carried



Joe Lathrop

Secretary

3/



3 - Walvoord  
2 - Butcher  
1 - Geis

2- Butcher

**ORDINANCE NO. 748  
OF THE CITY OF VALLEY, NEBRASKA**

AN ORDINANCE OF THE CITY OF VALLEY, NEBRASKA, ANNEXING AND EXTENDING THE CORPORATE LIMITS OF THE CITY OF VALLEY TO INCLUDE THE REAL ESTATE WHICH IS GENERALLY DESCRIBED AS:

THE SOUTH THIRD (S 1/3) OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 36, TOWNSHIP 16 NORTH, RANGE 10 EAST, OF THE 6TH P.M., DOUGLAS COUNTY, NEBRASKA, TOGETHER WITH THE ENTIRETY OF ALL PUBLIC STREETS, HIGHWAYS, AND PUBLIC RIGHT-OF-WAYS WITHIN AND/OR IMMEDIATELY ADJACENT TO SAID ANNEXED AREAS

MORE SPECIFICALLY DESCRIBED HEREINAFTER IN THIS ORDINANCE.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF VALLEY, DOUGLAS COUNTY, NEBRASKA.

WHEREAS, it appears desirable and for the public good and the best interests of the City of Valley, that an Ordinance be passed annexing and extending the corporate limits of the City of Valley to include the real estate hereinafter described; and

WHEREAS, said real estate is contiguous or adjacent to the corporate limits of the City of Valley, and is urban or suburban in character; and

WHEREAS, said real estate will receive material benefits and advantages from annexation into the corporate limits of the City of Valley.

Section 1. That the real estate hereinafter described be, and the same is hereby annexed and included within the corporate limits of the City of Valley, Nebraska, and said real estate and the persons thereon shall hereafter be subject to all of the rules, regulations, ordinances, taxes, and all other burdens and benefits of other persons and territory included within the corporate limits of the City of Valley, Nebraska.

Section 2. The real estate which is hereby annexed and included within the corporate limits of the City of Valley, Nebraska is generally described as:

THE SOUTH THIRD (S 1/3) OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 36, TOWNSHIP 16 NORTH, RANGE 10 EAST, OF THE 6TH P.M., DOUGLAS COUNTY, NEBRASKA, TOGETHER WITH THE ENTIRETY OF ALL PUBLIC

STREETS, HIGHWAYS, AND PUBLIC RIGHT-OF-WAYS WITHIN  
AND/OR IMMEDIATELY ADJACENT TO SAID ANNEXED AREAS

more specifically described as:

BEGINNING AT A POINT ON THE EXISTING CITY LIMITS LINE OF THE CITY OF VALLEY, SAID POINT BEING THE INTERSECTION OF THE NORTH RIGHT-OF-WAY LINE OF REICHMUTH ROAD AND THE WEST LINE OF SAID SECTION 31. THENCE N00°06'11"W 411.84 FEET TO THE SOUTH THIRD (S 13) OF THE SOUTHEAST QUARTER (SE 14) OF THE NORTHEAST QUARTER (NE 14) OF SAID SECTION 31 AND THE EXTENDED SOUTH LINE OF LOT 1, POLLY'S SUBDIVISION, AS SURVEYED, PLATTED AND RECORDED IN DOUGLAS COUNTY;; THENCE N89°47'29"E 1,321.13 FEET ALONG SAID SOUTH THIRD (S 13) OF THE SOUTHEAST QUARTER (SE 14) OF THE NORTHEAST QUARTER (NE 14) OF SECTION 31 AND SOUTH LINE OF POLLY'S SUBDIVISION; THENCE S00°08'38"E 441.00 FEET TO THE SOUTH LINE OF SECTION 31 AND ALSO BEING THE EXISTING CITY LIMIT LINE; THENCE S89°47'07"W 1,283.88 FEET ALONG SAID SOUTH LINE OF SECTION 31 AND ALSO BEING THE EXISTING CITY LIMIT LINE TO THE NORTH RIGHT-OF-WAY LINE OF REICHMUTH ROAD; THENCE N52°08'23"W 47.61 FEET ALONG SAID NORTH RIGHT-OF-WAY LINE OF REICHMUTH ROAD AND ALSO BEING THE EXISTING CITY LIMIT LINE; SAID POINT ALSO BEING THE POINT OF BEGINNING. SAID ANNEXED AREA CONTAINS 13.37 ACRES, MORE OR LESS

In addition, and in accordance with State of Nebraska Statute § 18-1716.01 all County right-of-way abutting the described tracts is included in this annexation.

A map of the area is attached hereto and marked as Exhibit "A" and by this reference made a part of this Ordinance. The land to be annexed is marked thereon, but said map is for convenience and, in case of discrepancy, the description in this Ordinance shall be controlling.

Section 3. This Ordinance shall be in full force and effect fifteen (15) days from and after its passage as provided by law.

PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2021.

INTRODUCED BY COUNCIL MEMBER:

\_\_\_\_\_

APPROVED BY

\_\_\_\_\_  
Mayor Cindy Grove  
City of Valley, Nebraska

First Reading: \_\_\_\_\_

Second Reading: \_\_\_\_\_

PASSED: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Cheryl K. Eckerman, Asst. Clerk  
City of Valley, Nebraska

RECEIVED  
FEB 19 2021  
BY:

**CITY OF VALLEY**  
**VALLEY PLANNING COMMISSION**

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Feb. 16, 2021

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A) Proposed annexation of the South 1/3 of the SE Quarter of the NE Quarter (SE ¼ NE1/4) of Section 31, Township 16, Range 10 of Douglas County Nebraska.

Open Public Hearing

Public Comment: None

Closed Public Hearing

Moved by Foutch to approve the proposed annexation. Second by Lathrop

Motion Carried.

**B)** Proposed annexation of the South 1/3 of the SW ¼ NE ¼ of Section 31, Township 16, Range 10 , of Douglas County Nebraska.

Open Public Hearing

Public Comment: None

Closed Public Hearing

Moved by Conrey to approve the proposed annexation. Second by Foutch

Voting For: Bottger, Lathrop, Burke, Foutch, Tomanek, Conrey

Voting Against: Sundae

Motion Carried.

**C)** Proposed annexation of lot 2 Polly's subdivision, a subdivision surveyed and platted in the N 2/3 of the SW ¼ of the NE ¼ and the North 2/3 of the SE ¼ of the NE ¼ of Section 31, T16N, R10E of the 6<sup>th</sup> P M, Douglas County, Nebraska

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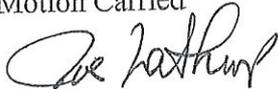
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Motion Carried

**Item 4: ADJOURN MEETING**

Motion by Sundae to adjourn. Second by Tomanek

Motion Carried



Joe Lathrop

Secretary



3- Walvoord

**ORDINANCE NO. 749  
OF THE CITY OF VALLEY, NEBRASKA**

AN ORDINANCE OF THE CITY OF VALLEY, NEBRASKA, ANNEXING AND EXTENDING THE CORPORATE LIMITS OF THE CITY OF VALLEY TO INCLUDE THE REAL ESTATE WHICH IS GENERALLY DESCRIBED AS:

LOT 2, POLLY'S SUBDIVISION, AS SURVEYED, PLATTED AND RECORDED IN DOUGLAS COUNTY LOCATED IN SECTION 36, TOWNSHIP 16 NORTH, RANGE 10 EAST, OF THE 6TH P.M., DOUGLAS COUNTY, NEBRASKA, TOGETHER WITH THE ENTIRETY OF ALL PUBLIC STREETS, HIGHWAYS, AND PUBLIC RIGHT-OF-WAYS WITHIN AND/OR IMMEDIATELY ADJACENT TO SAID ANNEXED AREAS

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In addition, and in accordance with State of Nebraska Statute § 18-1716.01 all County right-of-way abutting the described tracts is included in this annexation.

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PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2021.

INTRODUCED BY COUNCIL MEMBER:

\_\_\_\_\_

APPROVED BY

\_\_\_\_\_  
Mayor Cindy Grove  
City of Valley, Nebraska

First Reading: \_\_\_\_\_

Second Reading: \_\_\_\_\_

PASSED: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Cheryl K. Eckerman, Asst. Clerk  
City of Valley, Nebraska