

AGENDA
VALLEY CITY COUNCIL
Tuesday, September 12, 2023
City Hall
203 North Spruce
Valley, NE 68064
7:00 PM

1. **Roll Call**
2. **Meeting Called to Order**
3. **Pledge of Allegiance**
4. **Proof of Publication**
5. **Visitors/Correspondence**

At this time, any individual may speak on any issues not on the agenda or on any agenda items that do not include public hearings. Comments are limited to three minutes for each individual. Visitors may state their comments and should not expect the Council to engage in back-and-forth dialogue regarding the comments. Unless an agenda item includes a public hearing, no visitors may speak during the business portion of the meeting.

6. **Approval of Agenda**
7. **Consent Agenda**

All agenda items on the consent agenda and will be acted on in a single motion. Consent agenda items are being forwarded to the Council Members. Any individual item may be removed by a council member for special discussion and consideration.

7.A. Accept Minutes

August 8, 2023, Meeting
August 15, 2023, Budget Workshop
August 22, 2023, Budget Workshop
August 29, 2023, Budget Workshop

7.B. Accept Treasurer's Report

7.C. Approve invoices and additional invoices presented for payment

The City Council reserves the right to enter into an executive session at any time during the meeting, in accordance with the Nebraska Open Meetings Act, even though the closed session may not be indicated on the agenda.

It is the intention of the City Council to take up the items on the agenda in sequential order. However, the City Council reserves the right to take up matters in a different order to accommodate the schedules of the City Council members, persons having items on the agenda, and the public.

- 7.D. August Payroll - \$96,472.08
August IRA - \$6,195.13
- 7.E. August KENO Receipts - \$7,243.05
- 7.F. Accept PeopleService Inc., Report
- 7.G. Accept August Cemetery Board Minutes
- 7.H. Accept August Library Statistics
- 7.I. Accept August Board of Adjustment Minutes
8. **Everett D. Lerew - 1105 S. East Street**
- **Memorial to two-year old child in park.**
 - **Water issues and budget.**
9. **Eagle Scout project**
- **Approval of Eagle Scout project to benefit the cemetery.**
10. **Council Consideration/Action - to increase the total restricted funds authority by an additional 1%.**
11. **Ordinance No. 796 - Adopt Budget Statement/Annual Appropriation Bill.**
12. **Resolution No. 2023-45 - Setting Tax Request**
13. **Resolution No. 2023-46 - Still Water Lake reimbursement.**
14. **Resolution No. 2023-47 - LB77 regarding concealed handguns in vehicles owned by the City.**
15. **Resolution No. 2023-48 - LB77 regarding concealed handguns on City owned property.**
16. **Discussion - Capital Facilities fees**
17. **Discussion - Park Board advisory committee**
18. **PeopleService - general update**
19. **Olmsted & Perry - Water Improvement Projects**
- 19.A. Water Engineer's Report
- 19.B. Council Consideration and action to approve Change Order No. 1 in the amount of \$606.84 deduction for piping changes, backwash waste recovery project.

The City Council reserves the right to enter into an executive session at any time during the meeting, in accordance with the Nebraska Open Meetings Act, even though the closed session may not be indicated on the agenda.

It is the intention of the City Council to take up the items on the agenda in sequential order. However, the City Council reserves the right to take up matters in a different order to accommodate the schedules of the City Council members, persons having items on the agenda, and the public.

- 19.C. Resolution No. 2023-49 - Council consideration and action to approve Application for Payment No. 2 from Neuvirth Construction Inc. in the amount of \$71,470.76, backwash waste recovery project.
- 19.D. Council consideration and action to approve Change Order No. 1 in the amount of \$17,842.50 deduction for unit price work changes, well project.
- 19.E. Resolution No. 2023-50 Council consideration and action to approve Application for Payment No. 4 to Layne Christensen Company in the amount of \$5,017.50, well project.
- 19.F. Council consideration and action to approve Change Order No. 2 for miscellaneous charges in the amount of \$1,827.16 increase, chemical feed project.
- 19.G. Resolution No. 2023-51 Council consideration and action to approve Application for Payment No. 2 from Neuvirth Construction, Inc. in the amount of \$130,406.01, chemical feed project.
- 19.H. Council consideration and action to approve Change Order No. 2 in the amount of \$17,096.30 increase for miscellaneous charges for work directive order for welding repairs in control column on time and material basis, filter media project.
- 19.I. Council consideration and action to approve Change Order No. 1 adjusting the start and completion times for the work on water tower repainting project.

20. City Engineer

- 20.A. The Pines subdivision concrete street repair and S. Lakewood Street and W. Waring Street concrete repair.
 - 20.A.1. Council consideration and action to approve Change Order No. 2 for an increase in the amount of \$3,717.25.
 - 20.A.2. Resolution No. 2023-52 Council consideration and action to approve Application for Payment No. 2 from Spencer Management in the amount of \$105,105.25.
- 20.B. 288th Street and State Street pavement resurfacing
 - 20.B.1. Council consideration and action to approve Change Order No. 1 for a decrease in the amount of \$8,111.25.
 - 20.B.2. Resolution No. 2023-53 Council consideration and action to approve Application for Payment No. 1 from Omni Engineering in the amount of \$277,177.25.
- 20.C. Still Water Phase 2 - Water Main, Sanitary Sewer, and Street Paving improvements.

The City Council reserves the right to enter into an executive session at any time during the meeting, in accordance with the Nebraska Open Meetings Act, even though the closed session may not be indicated on the agenda.

It is the intention of the City Council to take up the items on the agenda in sequential order. However, the City Council reserves the right to take up matters in a different order to accommodate the schedules of the City Council members, persons having items on the agenda, and the public.

20.C.1. Review of Bids received September 7, 2023.

20.C.2. Council action to consider award of contract.

20.D. Other/Miscellaneous

- Ginger Cove Lift Station No. 3 upgrades.
- Val-haven (Southwest No. 2) and Ginger Woods No. 2 Lift Station improvements.
- Ginger Cove, Fern Lake, and Spruce Street asphalt pavement preservation - September 11, 2023.
- EAA development.
- Valle View development.
- Valley Landing development.

21. City Attorney

22. Mayor's Report

23. Upcoming Items

- Planning Commission: September 19, 2023 at 4:30 p.m.
- City Council Special Meeting - September 26, 2023 at 7:00 p.m.

The City Council reserves the right to enter into an executive session at any time during the meeting, in accordance with the Nebraska Open Meetings Act, even though the closed session may not be indicated on the agenda.

It is the intention of the City Council to take up the items on the agenda in sequential order. However, the City Council reserves the right to take up matters in a different order to accommodate the schedules of the City Council members, persons having items on the agenda, and the public.

NOTICE OF MEETING
CITY OF VALLEY
Tuesday, September 12, 2023
Valley City Hall
203 N. Spruce Street, Valley, NE

Notice is hereby given that a meeting of the City Council of the City of Valley, Nebraska will be held on Tuesday, September 12, 2023, immediately following the Budget and Tax Request Hearings at Valley City Hall located at 203 N. Spruce Street in Valley, Nebraska, which will begin at 7:00 p.m. and continue until all attendee(s) testimony has concluded, which meeting is open to the public.
An agenda kept continuously current shall be available for public inspection at Valley City Hall (203 N. Spruce Street).

Cheryl K. Eckerman, City Clerk
ZNEZ

9/6

THE DAILY RECORD OF OMAHA

JASON W. HUFF, Publisher

PROOF OF PUBLICATION

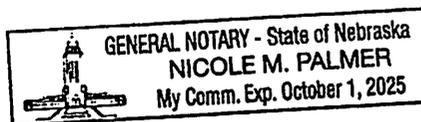
UNITED STATES OF AMERICA,
The State of Nebraska,
District of Nebraska,
County of Douglas,
City of Omaha

} ss.

JASON W. HUFF and/or JOSIE CHARRON, being duly sworn, deposes and say that they are the PUBLISHER and/or MANAGING EDITOR of THE DAILY RECORD, of Omaha, a legal newspaper, printed and published daily in the English language, having a bona fide paid circulation in Douglas County in excess of 300 copies, and a general circulation in Sarpy, Lancaster, Cass and Dodge Counties, printed in Omaha, in said County of Douglas, Nebraska for more than fifty-two weeks last past; that the printed notice here-to attached was published in THE DAILY RECORD, of Omaha, for 1 consecutive weeks on:

9/6/23

That said Newspaper during that time was regularly published and in general circulation in the County of Douglas, and State of Nebraska.



Publisher's Fee

\$30.48

Jason W Huff

Additional Copies

\$ _____

Subscribed in my presence and sworn to before me this September 6, 2023

Filing Fee

\$ _____

Total \$30.48

Nicole M Palmer
Notary Public in and for Douglas County, State of Nebraska

MINUTES
REGULAR MEETING
August 8, 2023

1. & 2. Roll Call & Call to Order - Mayor Grove called the meeting to order at 7:00 p.m. Present were Mayor Grove; council members, TenEyck, Lewis, Batcher and Ueckert. Also present: City Attorney Andrea Griffin, Christie Donnermeyer Deputy Clerk and City Clerk Cheryl K. Eckerman.

Mayor Grove noted the location of the open meetings act, and stated one copy of all reproducible written material to be discussed at this meeting is available for examination or copying.

3. Pledge of Allegiance –The Pledge of Allegiance was recited.

4. Proof of Publication was on the council desk.

5. Visitors and Correspondence – Mayor Grove stated that at this time, any individual may speak on any issues on the agenda or on any agenda items that do not include public hearings. Comments are limited to three minutes for each individual. Visitors may state their comments and should not expect the Council to engage in back and forth dialogue regarding the comments. Unless an agenda item includes a public hearing, no visitors may speak during the business portion of the meeting.

Coleen Williby, 422 S. Mayne St., Valley, NE., spoke for three minutes stating concerns regarding weeds, taxes and water billing and meters.

6. Agenda Approval – Council member Batcher moved to approve the agenda. TenEyck seconded. Batcher, TenEyck, Lewis, and Ueckert voted YES. NO; no one. Motion carried.

7. Consent Agenda – Council member Lewis moved to approve the consent agenda. Ueckert seconded. Lewis, Ueckert, Batcher, and TenEyck voted YES. NO; no one. Motion carried. Items on the consent agenda were to accept minutes from July 11, July 25 and August 1, 2023, Treasurer's Report, July Payroll \$96116.20 & IRA, 4819.43, Keno Receipts 8826.34, PeopleService Report, July 20 Cemetery Board minutes, May 25 and July 13 Library Board minutes, Library Statistics, July 18 Planning Commission minutes and the following bills: **Services/Utilities/Insurance:** AccuFund 593.75, Advanced Heating 109.00, AFLAC 712.38, BCBS 11,810.10, Black Hills Energy 351.71, Carl Jarl Locksmiths 169.25, CenturyLink 60.76, Ciaccio Roofing 77748.00, Do. Co. Env. 3810.00, Eagle Eng. 76408.20, Everett's Repair 2527.70, Farnham & Griffin 7340.42; Five Nines 3720.50, Fremont Dept. of Util. 37349.19, Great Plains Comm. 1056.90, IBTS 2430.00, JD's Car Wash 131.75, JEO Consulting 3294.00, LARM 141.85, Layne Christensen 109,511.10, Leads Online 2091.00, League of NE Mun. 25848.00, M.S. Wiekhorst 2370.00, Marking Refrigeration 275.00, M. Matzen 823.90, Municipal Code Services

100.00, MWG 1364.88, Mutual of Omaha 2831.28, NE Sweeping 3359.57, Olmsted & Perry 9171.76, OPPD 18047.84, PeopleService 32197.00, Rasmussen Welding 790.00, Spencer Management 243168.75, Daily Record 457.97, Twin Rivers YMCA 12070.33, UMB Bank 49.16, Waste Connections 265.84, Wiese Plumbing 1584.00, Window Pro 20.00, Verizon 422.75, NE Child Support Center 429.23; **Supplies/Equipment:** Amazon 62.97, Aqua Chem 3902.85, Baker & Taylor 407.88, Cappel Auto 66.52, Cornhusker State Ind. 4478.00, Crouch Recreation 1531.00, Eakes Office 466.03, Evoqua Water Tech. 18023.25, First NE Bank CC 2186.27, Fremont Winnelson 64.36, Great Plain Uniforms 750.00, Helena Agri 370.00, Host Coffee 169.30, John Deere 24.26, Kubota 4800.00, Lanoha 2779.87, Layne Christensen 1344.06, Love's 2839.76, Martin Marietta 605.43, Menards 1043.36, Midwest Tape 44.98, Petty Cash 81.09, Publication Printing 936.30, Rob's Oil 1718.33, Sid Dillon 68500.00, SiteOne Landscape 509.00, TSC 39.99, Valley Ace Hardware 18.98, USPS 773.85; **Payroll Taxes:** 19036.38; **Bond Payments:** FNB/bond 5962.50; FNB/bond 5962.50. **Reimburse/Refund:** A. Schnatz 1000.00, Archistructure 150.00, Art of A Craftsman 1000.00, Charles Thomas Homes 1150.00, J. Costanzo 150.00, K. Dohrmann 245.90, Echelon Homes 1000.00, S. Goldapp 500.00, Good Life Homes 150.00, Ideal 1150.00, K. Landgren 95.05, Landmark Performance 1200.00, Majestic Homes 1094.54, Midwest Dwellings 150.00, M. Nelson 500.00, J. Pleskac 81.87, R. Thompson 150.00, B. Zavadil 500.00; **TIF:** Bluewater 6552.56, Mallard 10526.42.

8. Waterloo-Valley Rec. Association – Rick Wiese, 20828 Parker Street, Elkhorn, NE., stated that the Waterloo Valley Rec. Association will be hosting the Dodge County Town Team Tournament on August 20, 2023 and reviewed the Special Designated License request to sell beer only during the event. Required fencing, ID/wrist bands and security will be provided.

Council member Lewis moved to approve the requested SDL as presented. Ueckert seconded. Lewis, Ueckert, TenEyck and Batcher voted YES: NO: no one. Motion carried.

9. Ordinance No. 794 – Unsafe Structures – Council member Batcher introduced Ordinance No. 794 AN ORDINANCE REPEALING CHAPTER 2, ARTICLE VI OF THE VALLEY MUNICIPAL CODE. AN ORDINANCE ADOPTING REVISED CHAPTER 2, ARTICLE VI TO AMEND THOSE PROVISIONS RELATING TO UNSAFE/DANGEROUS STRUCTURES; AN ORDINANCE REPEALING CHAPTER 2, ARTICLE VI OF THE VALLEY MUNICIPAL CODE. AN ORDINANCE ADOPTING REVISED CHAPTER 8, ARTICLE VII RELATING TO UNSAFE/DANGEROUS STRUCTURES; PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH and moved that the statutory rule requiring reading on three different days be suspended. Council member Lewis seconded the motion to suspend the rules and upon electronic vote on the motion the following council members voted YES: Batcher, Lewis, TenEyck and Ueckert. NO: no one. The motion to suspend the rules was adopted and the statutory rule was declared suspended for consideration of said ordinance.

Said Ordinance was then read by title and thereafter Council member Batcher moved for final passage of the ordinance which motion was seconded by Council member Lewis.

The Mayor then stated the question "Shall Ordinance No. 794 be passed and adopted. Upon electronic vote, the following council members voted YES: Batcher, Lewis, TenEyck and Ueckert. NO: no one. The passage and adoption of said ordinance having been concurred by a majority of all members of the council, the Mayor then declared the ordinance adopted and the Mayor in the presence of the council signed and approved the ordinance and the clerk attested the passage and approval of the same and affixed her signature thereto. A true, correct, and complete copy of said ordinance is on file at city hall.

10. Still Water Lake – Phase 2 – Lots 24-49 and Outlot C – Final Plat – Andrea Griffin, city attorney, gave a brief overview of Still Water Lake Phase 2 including the final plat, rezoning, Mixed Use Development Agreement, ILOC (Irrevocable Letter of Credit) and Subdivision Agreement. Rune van den Boogaart, Building Inspector, and Ann Post representing the developer, commented on the allowable uses, materials and architectural features within phase two.

Council member TenEyck asked that the plat and related agreements be laid over one week to the August 15, 2023 special meeting to allow adequate time to review all the details included in the agreements more thoroughly. Lewis seconded. TenEyck, Lewis and Ueckert voted YES: NO: Batcher. Motion carried.

Mayor Grove opened the public hearing on the Still Water Lake Final Plat. Coleen Williby, 422 S. Mayne Street, Valley, NE., gave testimony stating that other items such as lift stations, the water system, fire and police departments should be focused on before new developments are considered.

Mayor Grove closed the public hearing.

11. Still Water Lake Phase 2 - Rezoning – Council member TenEyck moved that the rezoning be laid over one week to the August 15, 2023 special meeting. Lewis seconded. TenEyck, Lewis and Ueckert voted YES: NO: Batcher. Motion carried.

Mayor Grove opened the public hearing on the rezoning of Still Water Lake Lots 24-49 and Outlot C.

No public testimony was given.

Mayor Grove closed the public hearing.

12. Resolution No. 2023-40 – Mixed Use Development Agreement with Still Water Lake LLC Phase 2 – Council member Lewis moved that the Mixed-Use Development Agreement be laid over one week to the August 15, 2023 special meeting. TenEyck seconded. Lewis, TenEyck and Ueckert voted YES: NO: Batcher. Motion carried.

13. Resolution No. 2023-41 – Subdivision Agreement and ILOC – Still Water Lake LLC Phase 2 – Council member Lewis moved that the Subdivision Agreement with Still Water Lake LLC Phase 2 be laid over one week to the August 15, 2023 special meeting. TenEyck seconded. Lewis, TenEyck and Ueckert voted YES: NO: Batcher. Motion carried.

14. Resolution No. 2023-42 – Still Water Lake Phase I Reimbursement – Council member TenEyck introduced, read and moved for passage of Resolution No. 2023-42 authorizing the disbursement of \$1155.00 for reimbursement to the City of Valley. Batcher seconded. TenEyck, Batcher and Ueckert voted YES: NO: Lewis. Motion carried. A true, correct and complete copy of said resolution is on file at city hall.

15. PeopleService Update – Mike Adair, 207 E. Condron St., Valley, NE., representing PeopleService, gave an update on the Water Plant projects, water complaints and restrictions, budget, water main cleaning options and replacement/repair of water meters and water meter readers.

16. Olmsted & Perry – Water Improvement Projects – Jim Olmsted, special engineer on Water Projects, gave an update on the following projects: New Well, Backwash Recovery, Chemical Feed, Filter Media and Repainting of the Water Tank.

Council member Lewis introduced, read, and moved for passage of Resolution No. 2023-43 authorizing the payment of \$109511.10 to Layne Christensen Company for the New Well 22-1. Batcher seconded. Lewis, Batcher, TenEyck and Ueckert voted YES: NO: no one. Motion carried. A true correct and complete copy of said resolution is on file at city hall.

17. CITY ENGINEER – Greg Perry reviewed the concrete repair project and recommended approval of Application for Payment No. 1 to Spencer Management.

17. A. Resolution No. 2023-44 – Council member Batcher introduced, read and moved for passage of Resolution No. 2023-44 authorizing payment of \$243168.75 to Spencer Management for concrete repair to the Pines, S. Lakewood and W. Waring Street. TenEyck seconded. Batcher, TenEyck, Lewis and Ueckert voted YES: NO: no one. Motion carried. A true correct and complete copy of said resolution is on file at city hall.

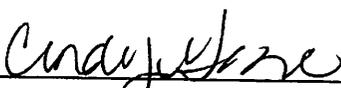
17. B. Still Water Phase 2 – Council member TenEyck moved that the Authorization to advertise for bids for Still Water Phase 2 Water Main, Sanitary Sewer, and Street Paving Improvements be laid over one week to the August 15 special meeting. Lewis seconded. TenEyck, Lewis, Batcher and Ueckert voted YES: NO: no one. Motion carried.

18. City Attorney – Andrea Griffin reviewed ongoing projects and developments.

19. Mayor's Report – The Mayor reported on auto pay and electronic statements for utility bills, meter and meter reader repairs, city hall roof replacement, Ice Cream party at the library for Elizabeth Brown's last day of work.

20. Upcoming Items – Valley Days August 10-13, Planning Commission August 15, Budget Workshop special meetings August 15, 22 and 29, and Cemetery Board August 24.

The meeting adjourned at 7:55 p.m.



Mayor Cindy Grove



City Clerk Cheryl K. Eckerman

CITY OF VALLEY
MINUTES
SPECIAL MEETING/BUDGET WORKSHOP
August 15, 2023

1. & 2. Roll Call & Call to Order - Mayor Grove called the meeting to order at 7:00 p.m. In attendance were Mayor Cindy Grove, Council members Chris TenEyck, John Batcher, Linda Lewis, and Bryon Ueckert. Also present: Cheryl Eckerman city clerk, Christie Donnermeyer deputy clerk, Rune van den Boogaart building inspector, and Jeff Farnham city attorney.

3. Pledge of Allegiance - The Pledge of Allegiance was recited.

4. Proof of Publication - Proof of Publication was provided.

5. Visitors & Correspondence – Mayor grove stated that at this time, any individual may speak on any issues on the agenda or on any agenda items that do not include public hearings. Comments are limited to three minutes for each individual. Visitors may state their comments and should not expect the Council to engage in back-and-forth dialogue regarding the comments. Unless an agenda item includes a public hearing, no visitors may speak during the business portion of the meeting.

Everett Lerew, 1105 S. East St., Valley, NE., had questions related to paving the street on the east side of the trailer park, availability of funds to maintain the water and lift stations and paying back taxes.

Colleen Williby, 422 S. Mayne St., Valley, NE., spoke regarding concerns of the Still Water Lake development, weeds, and general city upkeep.

6. Agenda Approval – Council member Batcher moved to approve the agenda. TenEyck seconded. Batcher, TenEyck, Lewis and Ueckert voted YES. NO: No one. The motion carried.

7. Resolution No. 2023-39 - Council member Batcher introduced, read, and moved for passage of Resolution No. 2023-39 approving the Final Plat of Still Water Lake Lots 24-49 and Outlot C. TenEyck seconded. Ueckert, Batcher, and TenEyck voted YES: NO: Lewis. Motion carried. A true, correct, and complete copy of said Resolution is on file at city hall.

8. Ordinance No. 795 – Council member Batcher introduced Ordinance No. 795 entitled: AN ORDINANCE AMENDING THE ZONING REGULATIONS OF VALLEY, DOUGLAS COUNTY, NEBRASKA, FINDING THE PROPOSED AMENDMENT WAS DULY SUBMITTED TO THE PLANNING BOARD OF VALLEY, DOUGLAS COUNTY, NEBRASKA, FOR ITS RECOMMENDATION AND THAT IT RECOMMENDED THE ADOPTION OF THE AMENDMENT; FINDING THAT NOTICE OF HEARING ON SUCH AMENDMENT WAS DULY GIVEN PRIOR TO THE HEARING AS PROVIDED BY LAW AND THAT SUCH PUBLIC HEARING WAS HAD THEREON; FINDING THAT THE ZONING MAP OF VALLEY, DOUGLAS COUNTY, NEBRASKA, BE AMENDED AS FOLLOWS:

Lots 24 through 43, inclusive, Still Water Lake, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska, shall be re-zoned to R-3 Lakefront Residential District.

Lots 44-49 inclusive and Outlot C, Still Water Lake, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska shall be re-zoned to CMD – Clustered/Mixed Use; said CMD to be attached to the underlying C-3-Highway Commercial District.

PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE AND PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH. and moved that the statutory rule requiring reading on three different days be suspended. Council member TenEyck seconded the motion to suspend the rules and upon vote on the motion the following council members voted YES: Ueckert, Batcher, and TenEyck. NO: Lewis. The motion to suspend the rules was adopted and the statutory rule was declared suspended for consideration of said Ordinance.

Said Ordinance was then read by title and thereafter council member Batcher moved for final passage of the Ordinance which motion was seconded by council member TenEyck. The Mayor then stated the question “Shall Ordinance No. 795 be passed and adopted. Upon vote, the following council members voted YES: Batcher, TenEyck and Ueckert. NO: Lewis. The passage and adoption of said Ordinance having been concurred in by a majority of all members of the council, the Mayor then declared the ordinance adopted and the Mayor in the presence of the council signed and approved the Ordinance and the clerk attested the passage and approval of the same and affixed her signature thereto. A true, correct, and complete copy of said Ordinance is on file at city hall.

9. Resolution No. 2023-40 - Council member TenEyck introduced, read, and moved for passage of Resolution No. 2023-40 authorizing Mayor Grove to execute the mixed used development agreement with Still Water Lake, LLC. Batcher seconded the motion. TenEyck, Batcher and Ueckert voted YES: NO; Lewis. Motion carried. A true, correct, and complete copy of said Resolution is on file at city hall.

10. Resolution No. 2023-41 - Council member Ueckert introduced, read, and moved for passage of Resolution No. 2023-41 authorizing Mayor Grove to execute the subdivision agreement and irrevocable letter of credit with Still Water Lake, LLC. Batcher seconded the motion. TenEyck, Batcher and Ueckert voted YES: NO; Lewis. Motion carried. A true, correct, and complete copy of said resolution is on file at city hall.

Following the review of the Public Works, Public Works Maintenance, Public Works Streets, Pool, and Public Works Parks proposed budgets it was noted that the next workshop is scheduled for August 22 at 7:00 p.m. and will include review of the General, Office, Building and Zoning, Library, Water, and Wastewater.

The meeting adjourned at 8:50 p.m.



Mayor Cindy Grove



Christie Donnermeyer, Deputy City Clerk

CITY OF VALLEY
MINUTES
SPECIAL MEETING/BUDGET WORKSHOP
August 15, 2023

1. & 2. Roll Call & Call to Order - Mayor Grove called the meeting to order at 7:00 p.m. In attendance were Mayor Cindy Grove, Council members Chris TenEyck, John Batcher, Linda Lewis, and Bryon Ueckert. Also present: Cheryl Eckerman city clerk, Christie Donnermeyer deputy clerk, Rune van den Boogaart building inspector, and Jeff Farnham city attorney.

3. Pledge of Allegiance - The Pledge of Allegiance was recited.

4. Proof of Publication - Proof of Publication was provided.

5. Visitors & Correspondence – Mayor grove stated that at this time, any individual may speak on any issues on the agenda or on any agenda items that do not include public hearings. Comments are limited to three minutes for each individual. Visitors may state their comments and should not expect the Council to engage in back-and-forth dialogue regarding the comments. Unless an agenda item includes a public hearing, no visitors may speak during the business portion of the meeting.

Everett Lerew, 1105 S. East St., Valley, NE., had questions related to paving the street on the east side of the trailer park, availability of funds to maintain the water and lift stations and paying back taxes.

Colleen Williby, 422 S. Mayne St., Valley, NE., spoke regarding concerns of the Still Water Lake development, weeds, and general city upkeep.

6. Agenda Approval – Council member Batcher moved to approve the agenda. TenEyck seconded. Batcher, TenEyck, Lewis and Ueckert voted YES. NO: No one. The motion carried.

7. Resolution No. 2023-39 - Council member Batcher introduced, read, and moved for passage of Resolution No. 2023-39 approving the Final Plat of Still Water Lake Lots 24-49 and Outlot C. TenEyck seconded. Ueckert, Batcher, and TenEyck voted YES: NO: Lewis. Motion carried. A true, correct, and complete copy of said Resolution is on file at city hall.

8. Ordinance No. 795 – Council member Batcher introduced Ordinance No. 795 entitled: AN ORDINANCE AMENDING THE ZONING REGULATIONS OF VALLEY, DOUGLAS COUNTY, NEBRASKA, FINDING THE PROPOSED AMENDMENT WAS DULY SUBMITTED TO THE PLANNING BOARD OF VALLEY, DOUGLAS COUNTY, NEBRASKA, FOR ITS RECOMMENDATION AND THAT IT RECOMMENDED THE ADOPTION OF THE AMENDMENT; FINDING THAT NOTICE OF HEARING ON SUCH AMENDMENT WAS DULY GIVEN PRIOR TO THE HEARING AS PROVIDED BY LAW AND THAT SUCH PUBLIC HEARING WAS HAD THEREON; FINDING THAT THE ZONING MAP OF VALLEY, DOUGLAS COUNTY, NEBRASKA, BE AMENDED AS FOLLOWS:

Lots 24 through 43, inclusive, Still Water Lake, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska, shall be re-zoned to R-3 Lakefront Residential District.

Lots 44-49 inclusive and Outlot C, Still Water Lake, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska shall be re-zoned to CMD – Clustered/Mixed Use; said CMD to be attached to the underlying C-3-Highway Commercial District.

PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE AND PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH. and moved that the statutory rule requiring reading on three different days be suspended. Council member TenEyck seconded the motion to suspend the rules and upon vote on the motion the following council members voted YES: Ueckert, Batcher, and TenEyck. NO: Lewis. The motion to suspend the rules was adopted and the statutory rule was declared suspended for consideration of said Ordinance.

Said Ordinance was then read by title and thereafter council member Batcher moved for final passage of the Ordinance which motion was seconded by council member TenEyck. The Mayor then stated the question “Shall Ordinance No. 795 be passed and adopted. Upon vote, the following council members voted YES: Batcher, TenEyck and Ueckert. NO: Lewis. The passage and adoption of said Ordinance having been concurred in by a majority of all members of the council, the Mayor then declared the ordinance adopted and the Mayor in the presence of the council signed and approved the Ordinance and the clerk attested the passage and approval of the same and affixed her signature thereto. A true, correct, and complete copy of said Ordinance is on file at city hall.

9. Resolution No. 2023-40 - Council member TenEyck introduced, read, and moved for passage of Resolution No. 2023-40 authorizing Mayor Grove to execute the mixed used development agreement with Still Water Lake, LLC. Batcher seconded the motion. TenEyck, Batcher and Ueckert voted YES: NO; Lewis. Motion carried. A true, correct, and complete copy of said Resolution is on file at city hall.

10. Resolution No. 2023-41 - Council member Ueckert introduced, read, and moved for passage of Resolution No. 2023-41 authorizing Mayor Grove to execute the subdivision agreement and irrevocable letter of credit with Still Water Lake, LLC. Batcher seconded the motion. TenEyck, Batcher and Ueckert voted YES: NO; Lewis. Motion carried. A true, correct, and complete copy of said resolution is on file at city hall.

Following the review of the Public Works, Public Works Maintenance, Public Works Streets, Pool, and Public Works Parks proposed budgets it was noted that the next workshop is scheduled for August 22 at 7:00 p.m. and will include review of the General, Office, Building and Zoning, Library, Water, and Wastewater.

The meeting adjourned at 8:50 p.m.



Mayor Cindy Grove



Christie Donnermeyer, Deputy City Clerk

CITY OF VALLEY
MINUTES
BUDGET WORKSHOP
August 29, 2023

Mayor Cindy Grove called the meeting to order at 7:00 p.m. In attendance were Mayor Cindy Grove, Council members Linda Lewis, Chris TenEyck, John Batchter and Bryon Ueckert. Also present: Cheryl Eckerman city clerk, Christie Donnermeyer deputy clerk, Jeff Farnham city attorney and Kent Speicher, Certified Public Accountant with Erickson & Brooks.

Mayor Grove stated that a copy of the Open Meetings Act is located on the north wall of the Council Chambers.

The Pledge of Allegiance was recited.

Proof of Publication was on the table.

Visitors & Correspondence – Mayor Grove stated that at this time, any individual may speak on any issue on the agenda or on any agenda items that do not include public hearings. Comments are limited to three minutes for each individual. Visitors may state their comments and should not expect the Council to engage in any back and forth dialogue regarding the comments. Unless an agenda item includes a public hearing, no visitors may speak during the business portion of the meeting.

Everett Lerew, 1105 S. East Street, Valley, NE., spoke on the park, pool and city hall improvements, fiscal responsibility and audit.

Colleen Williby, 422 S. Mayne Street, Valley, NE., spoke on water issues and taxes.

Karen Bertelsen, 28038 Sunrise Circle, Valley, NE., spoke on water issues and funding of projects/improvements.

Councilmember Batchter moved to approve the agenda. TenEyck seconded. Batchter, TenEyck, Lewis and Ueckert voted YES. NO: No one. The motion carried.

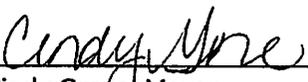
Kent Speicher reviewed the following topics related to the proposed budget numbers: allowable growth, unused budget authority, property tax allocations by department, summary of budgeted/estimated year end and actual. He also provided a summary of Long-Term Debt and Utility Debt, Bonded Indebtedness and a summary of the Bond Budget from 2005/2006 through 2035/2036.

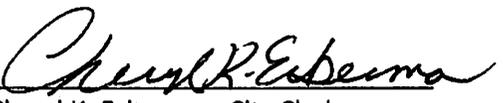
In summary Mr. Speicher noted that the General Fund levy will remain the same as last year at 0.254600 while the Bond Fund levy will go down to 0.055448. He also recommended that the council vote to take advantage of the additional one percent for allowable growth the same as they did last year.

The Budget Hearing and Tax Request Hearing will be scheduled for September 12, 2023 and the Regular Council Meeting will immediately follow the hearings.

Mayor Grove reported on the progress of the water meter repairs and the Water Tower Project.

The meeting adjourned at 8:05 p.m.


Cindy Grove, Mayor


Cheryl K. Eckerman, City Clerk

City of Valley							
Treasurer's Report							
August 2023							
		<u>Cash</u>	<u>Net Income</u>	<u>Fund 3</u>	<u>Interfund</u>	<u>Cash</u>	
General - Fund 1	<u>Dept</u>	<u>Balance</u>	<u>or (Loss)</u>	<u>Withholdings</u>	<u>Transfers</u>	<u>Balance</u>	<u>Investments</u>
		<u>7/31/2023</u>				<u>8/31/2023</u>	<u>8/31/2023</u>
		\$1,990,147.62	\$258,656.58			\$2,248,804.20	\$14,474.31
Pines Assessments		\$291,940.90	\$17,665.25			\$309,606.15	
Bond - Fund 2	021	\$357,311.98	\$64,818.75			\$422,130.73	
C D A	001	\$48,050.97	\$46.93			\$48,097.90	
		\$2,687,451.47	\$341,187.51	\$0.00	\$0.00	\$3,028,638.98	
City of Valley							
Pooled Cash							
Proprietary Funds							
		<u>Cash</u>	<u>Net Income</u>	<u>Fund 3</u>	<u>Interfund</u>	<u>Cash</u>	
Funds		<u>Balance</u>	<u>or (Loss)</u>	<u>Withholdings</u>	<u>Transfers</u>	<u>Balance</u>	<u>Investments</u>
		<u>7/31/2023</u>				<u>8/31/2023</u>	<u>8/31/2023</u>
Water/Waste - Fund	024	\$3,161,458.82	(\$677,974.96)			\$2,483,483.86	\$9,526.43
Cap. Facility Chg.	024	\$1,839,786.67	\$13,755.82			\$1,853,542.49	
		\$5,001,245.49	(\$664,219.14)	\$0.00	\$0.00	\$4,337,026.35	
		<u>Cash</u>	<u>Net Income</u>	<u>Fund 3</u>	<u>Interfund</u>	<u>Cash</u>	
	<u>Dept</u>	<u>Balance</u>	<u>or (Loss)</u>	<u>Withholdings</u>	<u>Transfers</u>	<u>Balance</u>	
		<u>7/31/2023</u>				<u>8/31/2023</u>	
Fund 4							
Nursing Home	050	\$812,846.60	\$1,101.91			\$813,948.51	
Fund 8							
Keno	056	\$227,654.82	\$7,638.48			\$235,293.30	
Fund 10							
Sales Tax	058	\$3,625,120.87	\$186,397.68			\$3,811,518.55	
ARPA							
		\$342,549.75	(\$17,699.77)			\$324,849.98	
		\$4,605,006.30	\$177,438.30	\$0.00	\$0.00	\$5,185,610.34	
Total All Funds		\$12,293,703.26	(\$145,593.33)	\$0.00	\$0.00	\$12,551,275.67	\$23,968.89

**City of Valley
Bills**

<u>Due Date</u>	<u>Vendor</u>	<u>Description</u>	<u>Amount</u>
9/15/2023	TOOLE, ALEXANDER	Water service deposit - 121 W Whittingham	82.37
9/13/2023	Amazon Business	picture frames	11.91
9/13/2023	Amazon Business	RECEIPT PRINTER WITH CASH DRAWER	250.98
9/13/2023	Amazon Business	6-PACK LABEL MAKER TAPE REPLACEMENT FOR BROTHER, LAMINATED WHITE LABEL MAKER TAPE	37.99
9/13/2023	Amazon Business	GARBAGE CAN LINER, 33 GALLON TRASH BAGS	58.48
9/13/2023	Amazon Business	CARBOARD BOXES, STORAGE BOXES, BULK BOXES	65.90
9/13/2023	Amazon Business	VOLCORO CASH REGISTER DRAWER FOR POINT SALE	190.93
9/13/2023	AFLAC	INSURANCE	712.38
9/13/2023	ACCUFUND	BUDGET MANAGEMENT, UTILITY BILLING, CREDIT ADJUSTMENT	1,660.26
9/13/2023	ACCUFUND	PROFESSIONAL SERVICES	1,375.00
9/13/2023	ASTRO BUILDING	9508 N 294TH ST DEPOSIT REFUND	1,000.00
9/13/2023	Ace Outdoor Parts	COMMERCIAL TAP HEAD	152.52
9/13/2023	Ace Outdoor Parts	COMMERCIAL TAP HEAD	44.99
9/13/2023	Ace Outdoor Parts	STRAIGHT SHAFTSTRING TRIMMER	414.98
9/13/2023	VALLEY ACE HARDWARE	TRAIL FENCE CLEANUP	824.99
9/13/2023	VALLEY ACE HARDWARE	LAWN WEEDER V NOTCH	19.99
9/13/2023	VALLEY ACE HARDWARE	WET/DRY VAC	79.99
9/13/2023	VALLEY ACE HARDWARE	EAGLE SCOUT PROJECT	38.95
9/13/2023	VALLEY ACE HARDWARE	FASTENERS	3.87
9/13/2023	VALLEY ACE HARDWARE	NOZZLE TWIST 4' BRASS	19.98
9/13/2023	VALLEY ACE HARDWARE	SUPER GLUE LIQUID	4.59
9/13/2023	MUTUAL OF OMAHA PAYMENT PROCESSING CENTER	GROUP INSURANCE	3,226.62
9/13/2023	BARNES, GENE	28272 W REICHMUTH RD PERMIT DEPOSIT REFUND	500.00
9/13/2023	Black Hills Energy		529.37
9/13/2023	Bomgaars	SAFETY GLASSES	71.88
9/13/2023	CINTAS CORP	TOILET PAPER, MATS, WET MOP, SOAP	215.89
9/13/2023	COMMUNITY FIRST NATIONAL BANK / CINDY TURNER	LEASE AGREEMENT2024 INTERNATIONAL	85,053.87
9/13/2023	CHARLES THOMAS HOMES	permit deposit refund 28542 jessie circle	1,000.00
9/13/2023	CINTAS CORP	wet mop, sig air, toilet paper, black mat,soap, white paper	222.00
9/13/2023	Ciaccio Roofing	NEW ROOF	51,832.00
9/13/2023	Core & Main		2,265.38
9/13/2023	CAPPEL AUTO SUPPLY	ARMORALL, MICROFIBER TOWELS	28.97
9/13/2023	CAPPEL AUTO SUPPLY	HDFLEET 10W30	75.96
9/13/2023	CAPPEL AUTO SUPPLY	MOTOR TUNE-UP 160	33.96
9/13/2023	CAPPEL AUTO SUPPLY	CORE DEPOSIT, 3MO WTY BAT, PREM AW 32 HYD FL 5G	256.97
9/13/2023	CAPPEL AUTO SUPPLY	SPIN-ON FLUID FILTER	12.99
9/13/2023	CAPPEL AUTO SUPPLY	FILTERS	579.39
9/13/2023	CAPPEL AUTO SUPPLY	HOSE CLAMP	112.35

9/13/2023	CAPPEL AUTO SUPPLY	HOSE CLAMP	202.23
9/13/2023	Jeffrey Bowdino Inc	PERMIT DEPOSIT REFUND 6717 FERN LAKE CIR	1,000.00
9/13/2023	DICKS VALLEY MARKET	CAMPER PADS	3.09
9/13/2023	DICKS VALLEY MARKET	EGGS	2.19
9/13/2023	Datashield Corporation	SHRED VAULT	45.00
9/13/2023	DU-RITE ELECTRIC	TROUBLE SHOOT & LOCATE TRIPPED BREAKER	150.00
9/13/2023	Eakes Office Solutions	CONTRACT BILLING CHARGE	571.56
9/13/2023	Eakes Office Solutions	LIBRARY CONTRACT BILLING CHARGE	257.76
9/13/2023	Eakes Office Solutions	PAPER, USB DRIVES,	159.06
9/13/2023	Eakes Office Solutions	PAPER	47.10
9/13/2023	Eakes Office Solutions	CRTDG,	52.89
9/13/2023	ELECTRIC PUMP	MEIGS ST RAIN WATER	998.68
9/13/2023	CINTAS CORP	LIBRARY	96.82
9/13/2023	Eagle Engineering Group LLC	288TH ST & STATE ASPHALT RESURFACING	22,929.88
9/13/2023	Eagle Engineering Group LLC	WARING ST & LAKEWOOD CONCRETE	3,475.88
9/13/2023	Eagle Engineering Group LLC	PINES SUBDIVISION CONCRETE	4,736.82
9/13/2023	Eagle Engineering Group LLC	GENERAL ENGINEERING	530.96
9/13/2023	Eagle Engineering Group LLC	GENERAL SEWER, STREETS,BUILDING ZONING,STAFF MEETING,PLANNING COMMISSION,	3,296.04
9/13/2023	Evoqua Water Technologies LLC	BIOXIDE-AQ	17,556.00
9/13/2023	Five Nines Technology Group INC		2,833.50
9/13/2023	FIRST NEBRASKA BANK	CREDIT CARD	4,275.02
9/13/2023	Farnham & Griffin, P.C., L.L.O.		6,580.00
9/13/2023	Five Nines Technology Group INC	service agreement	3,825.91
9/13/2023	Fremont Department of Utilities	monthly sewer	40,625.73
9/13/2023	Fleet Charge	international 7600	3,436.50
9/13/2023	First State Bank Nebraska	#110 nursing home bond payment	5,962.50
9/13/2023	First Nebraska Bank (Brainard)	nursing home bond #110	5,962.50
9/13/2023	Petty Cash		61.51
9/13/2023	G LEE HOMES	PERMIT REFUND 29207 MARTIN CIR	1,000.00
9/13/2023	G LEE HOMES	PERMIT REFUND 5404 N 290TH CIR	1,000.00
9/13/2023	Golden Construction LLC	PERMIT REFUND 7908 N 281ST AVE	500.00
9/13/2023	GREAT PLAINS COMMUNICATIONS		229.67
9/13/2023	GREAT PLAINS COMMUNICATIONS		679.47
9/13/2023	Host Coffee Service		197.15
9/13/2023	HGM ASSOCIATES, INC.	ENGINEERING SERVICES FOR CITY OF VALLEY OVERLAY DISTRICT COMMERCIAL DESIGN	1,346.46
9/13/2023	Helena Agri-Ent LLC		198.40
9/13/2023	JD'S CAR WASH & DETAILING LLC	POLICE CAR WASH	159.80
9/13/2023	JEO CONSULTING	VALLEY PARK MASTER PLAN	750.00
9/13/2023	JEO CONSULTING	VALLEY MUNICIPAL BUILDING STUDY	1,740.00
9/13/2023	Jones Automotive	#53 SERVICE CALL GUNLOCK TIMER	444.85
9/13/2023	IOWA PUMP WORKS	FOR BLUEWATER LAKE CORD ABS SEAL LEAK/OVER TEMP RELAY DIN RAIL MOUNTED MACHINE WORK	14,678.25
9/13/2023	KRIZ-MAW	REPLACE STARTER REPLACE BREAKERS (WASTEWATER) GINGERWOODS #2 & #3	694.90
9/13/2023	KRIZ-MAW	REPLACE STARTER LS#5 BLUEWATER	611.40

9/13/2023	LAYNE CHRISTENSEN COMPANY	NEW WELL 22-1 PROJECT	5,017.50
9/13/2023	LOVE'S TRAVEL STOPS & COUNTRY STORE		521.66
9/13/2023	LOVE'S TRAVEL STOPS & COUNTRY STORE		3,616.45
9/13/2023	Lien Termite & Pest Control	PEST CONTROL	92.00
9/13/2023	LARM		25.96
9/13/2023	LIM CONSTRUCTION DBA EVOLVED STRUCTURES	WATER DEPOSIT REFUND 28569 JESSIE CIR	150.00
9/13/2023	MAXIM ENTERPRISES LLC	PERMIT REFUND 5707 N 294TH CIR	1,000.00
9/13/2023	Municipal Code Services	CODE UPDATE PARKING VIOLATION	100.00
9/13/2023	Michael Matzen	CLEANING	823.90
9/13/2023	MENARDS - ELKHORN	CONCRETE MIX	112.20
9/13/2023	MENARDS - ELKHORN	6' STDDDED T-POST	495.94
9/13/2023	MENARDS - ELKHORN	WEDGE ANCHORS	15.25
9/13/2023	MILLARD SPRINKLER INC	235 E CONDRON	5,346.59
9/13/2023	MILLARD SPRINKLER INC	235 CONDRON	1,312.20
9/13/2023	Midwest Tape LLC	DVD	26.24
9/13/2023	Midwest Tape LLC	DVD	26.24
9/13/2023	Midwest Tape LLC	DVD	35.24
9/13/2023	Midwest Tape LLC	DVD	38.98
9/13/2023	Midwest Tape LLC	DVD	53.23
9/13/2023	JOHN MOWREY	MOWING SEASON 2023 GINGER WOODS FERN LAKE	3,654.00
9/13/2023	NEUVIRTH CONSTRUCTION INC.	BACKWASH RECOVERY PROJECT	71,470.76
9/13/2023	NEUVIRTH CONSTRUCTION INC.	CHEMICAL FEED PROJECT	130,406.01
9/13/2023	NEBRASKA MUNICIPAL CLERKS ASSOCIATION	MEMBERSHIP DUES CHRIS DONNERMEYER	100.00
9/13/2023	NCD, NCD	PERMIT REFUND 29204 MARTIN CIR	750.00
9/13/2023	Olmsted & Perry Consulting Engineers Inc.	WATER TOWER REPAIR & REPAINTING	2,505.97
9/13/2023	Olmsted & Perry Consulting Engineers Inc.	2022 WELL IMPROVEMENTS	851.74
9/13/2023	Olmsted & Perry Consulting Engineers Inc.	CHEMICAL FEED EQUIPMENT REPLACEMENT	14,334.82
9/13/2023	Olmsted & Perry Consulting Engineers Inc.	FILTER MEDIA REPLACEMENT	3,763.92
9/13/2023	Olmsted & Perry Consulting Engineers Inc.	BACKWASH WASTE RECOVERY SYSTEM	7,516.00
9/13/2023	Olmsted & Perry Consulting Engineers Inc.	WATER FUNDING ADMIN SERVICES	760.00
9/13/2023	OPPD		17,357.38
9/13/2023	POWERTECH	PORTABLE UNIT LOCATED IN GARAGE	675.00
9/13/2023	PEOPLESERVICE INC	WATER/WASTEWATER	32,197.00
9/13/2023	Rasmussen Welding	ROLL OFF DUMPSTER	4,700.00
9/13/2023	Stewart, Samantha	THREE RIVERS MEETING	110.04
9/13/2023	L & L CUSTOM BUILDERS INC	PERMIT REFUND 6115 GINGER WOODS	1,000.00
9/13/2023	SANCHEZ, EFRAIN	PERMIT REFUND 28557 JESSIE CIR	1,000.00
9/13/2023	SITEONE LANDSCAPE SUPPLY	WEED BARRIER FOR NEW WELL	161.24
9/13/2023	SCHINDLER, STACY	PERMIT REFUND 8302 N 281ST AVE	500.00
9/13/2023	TWO RIVERS SAND & GRAVEL	ROAD GRAVEL	1,116.66
9/13/2023	VRBA Construction	LABOR	2,465.00
9/13/2023	VRBA Construction	MINI EXCAVATOR SKID STEER	7,007.50
9/13/2023	VRBA Construction	SKID LOADER JD 50 EX MATERIAL & LABOR	6,140.00

9/13/2023 Window Pro		20.00
9/13/2023 Window Pro		20.00
9/13/2023 TWIN RIVERS YMCA	POOL MANAGEMENT FEE FOR AUGUST	11,827.90
9/13/2023 YMCA OF GREATER OMAHA	MEMEBER SHIP	20.00
9/13/2023 WIESE PLUMBING & EXCAVATING INC	REPLACE CURB STOP 308 W WARING 805 VALLEYVIEW	3,983.00
9/13/2023 Waste Connections of Nebraska Inc		265.84
9/13/2023 WEST-E-CON	30HP VFD 1 SPARE & 1 FOR THE NEW WELL	17,762.32
9/13/2023 ES OPCO USA LLC (VESERIS)	mosquito Control/chemicals	1,338.40
9/13/2023 ES OPCO USA LLC (VESERIS)	FLUSHING SOLUTIONS	71.50
9/13/2023 COX BUSINESS		519.69
9/13/2023 OMNI ENGINEERING	288TH ST & STATE ST	276,067.25
9/13/2023 SPENCER MANAGEMENT LLC	PINES SUBDIVISION CONCRETE & S LAKEWOOD & W WARING ST	105,105.25
9/12/2023 HEMPHILL-WILSON, MISTY	Water service deposit - 05/12/2022 624 s pine	148.31
9/9/2023 ART OF A CRAFTSMAN	Water service deposit - 28443 Laurel Cir 6/282022	62.12
9/9/2023 CHARLES THOMAS HOMES	Water service deposit - 28545 Jessie Cir 9/12/2022	87.47
9/2/2023 JANECEK, MOLLY	Credit refund	78.39
9/2/2023 JANECEK, MOLLY	Credit refund	7.10
3/1/2023 Grove, Cynthia L	Reimbursement for Admin Office	100.00
		1,053,811.29

Additional Bills for Council Approval		
	9/12/2023	
TD AMERITRADE		\$5,182.53
EMC		\$1,470.00
VERIZON		\$422.75
COX		\$519.69
BLUE WATER		\$574,809.09
MALLARD LANDING		\$475,807.04
OPPD		\$13,936.79
NE CHILD SUPPORT		\$429.23
TS AMERITRADE		\$5,782.62
FIVE NINES		\$7,160.51
BCBS		\$11,810.10
MORGAN WHITE		\$1,364.88
BAMBOO		\$369.60
XPRESS		\$297.12
POST OFFICE		\$619.37
COUNTRY		\$300.00
NE CHILD SUPPORT		\$429.23
IRA		\$5,104.31
Total		\$1,105,814.86



Paid to

Commission Summary

Date 8/3/2023

City of Valley

Description	Amount
	3,856.44

7/16-7/31/2023

Amount \$3,856.44



Paid to

Commission Summary

Date 8/18/2023

City of Valley

Description	Amount
	3,386.61

8/1-8/15/2023

Amount \$3,386.61

August 2023 Keno Receipts
\$7,243.05

Date: September 7, 2023
To: City of Valley
From: Mike Adair, Nebraska Region Manager
O & M Report: August 2023

Water Operation & Maintenance

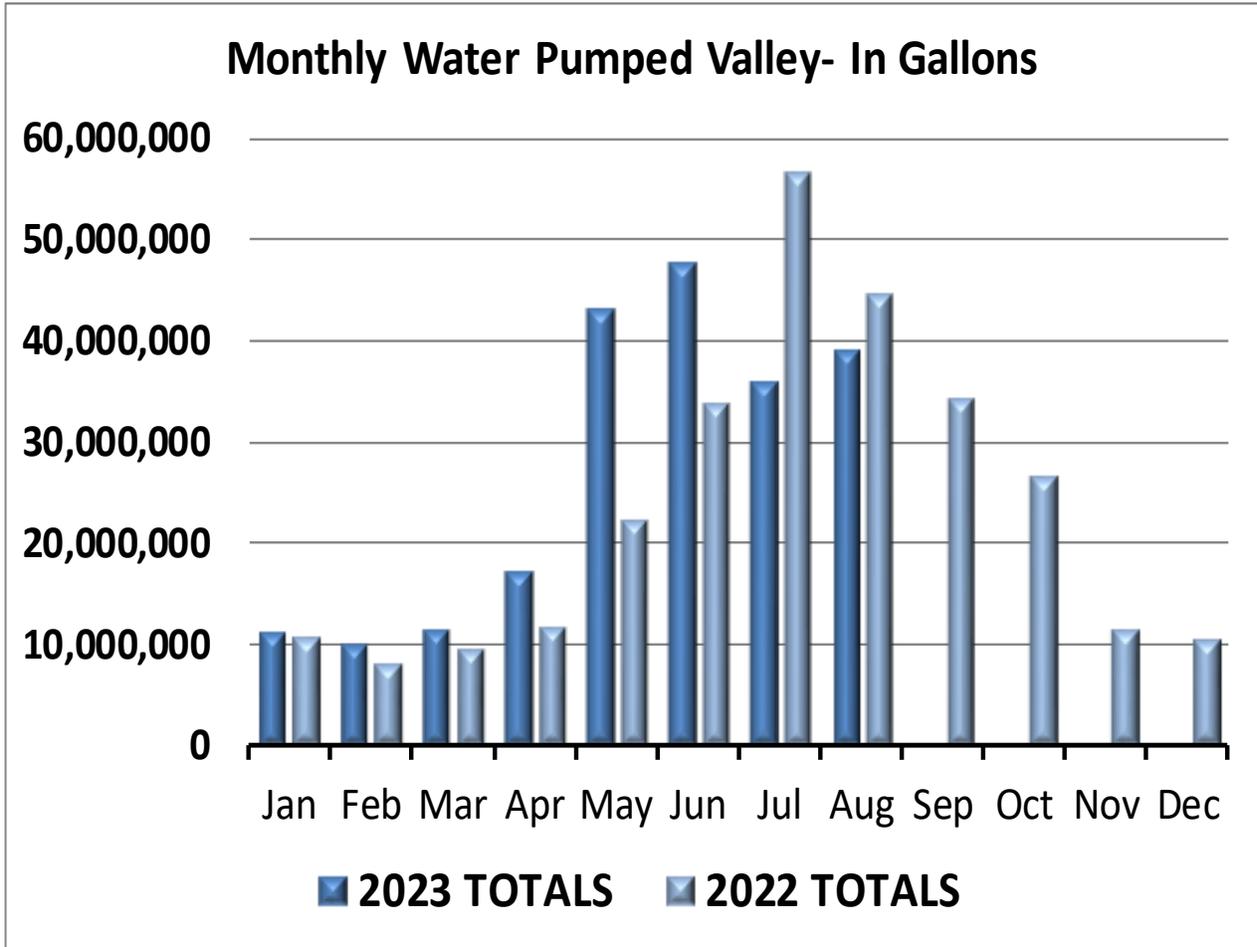
- As you may know, Jeremy Beam injured his knee when working on the filters. He has had surgery and is healing nicely. He is expected to be back soon.
- PeopleService performed 378 locates for the month.
- We had a water main leak in Ginger Cove by the fire hydrant between 63 and 64. The leak was repaired.
- On August 30, 2023 we received a report of a possible water main break on West Meigs Street. We responded to the call and discovered a 4-inch water main had broken, leaking in the middle of the street. The repair was completed, and the street was closed during the repair. This water main showed signs of possible water being the cause of the break. The Fire Department was in the area that evening having training using a fire hydrant. I have reached out to the fire chief to discuss notice when a fire hydrant is used.
- This month a lot of work was done at the water plant. Jetco came and set the new actuators in the water filter inlet valves. They also replaced the pressure transducer coming off the high service pumps. West-E-Con worked with Jetco on the actuators. West-E-Con ran more wiring to the chemical pumps and the new well is wired and a start-up needs to be done for the new well. Wesie Plumbing plumbed water to the chemical tanks. They also ran the plumbing to the chlorine analyzers. NewVert is running all the pipes from the recirculation tank to the build. That is still in process. PeopleService piped the chlorine tanks together and ran all the chemical lines from the tanks to the new pumps when we noticed the pumps for the potassium permanganate were way too small. We have talked with Jim Olmstead and bigger pumps are being ordered. We are still waiting on a new SCADA computer from Jetco which has the updated SCADA program for the water plant.
- When installing the actuators, it was discovered the valves also needed replaced. They have been ordered. The estimated delivery is about 8 weeks away.

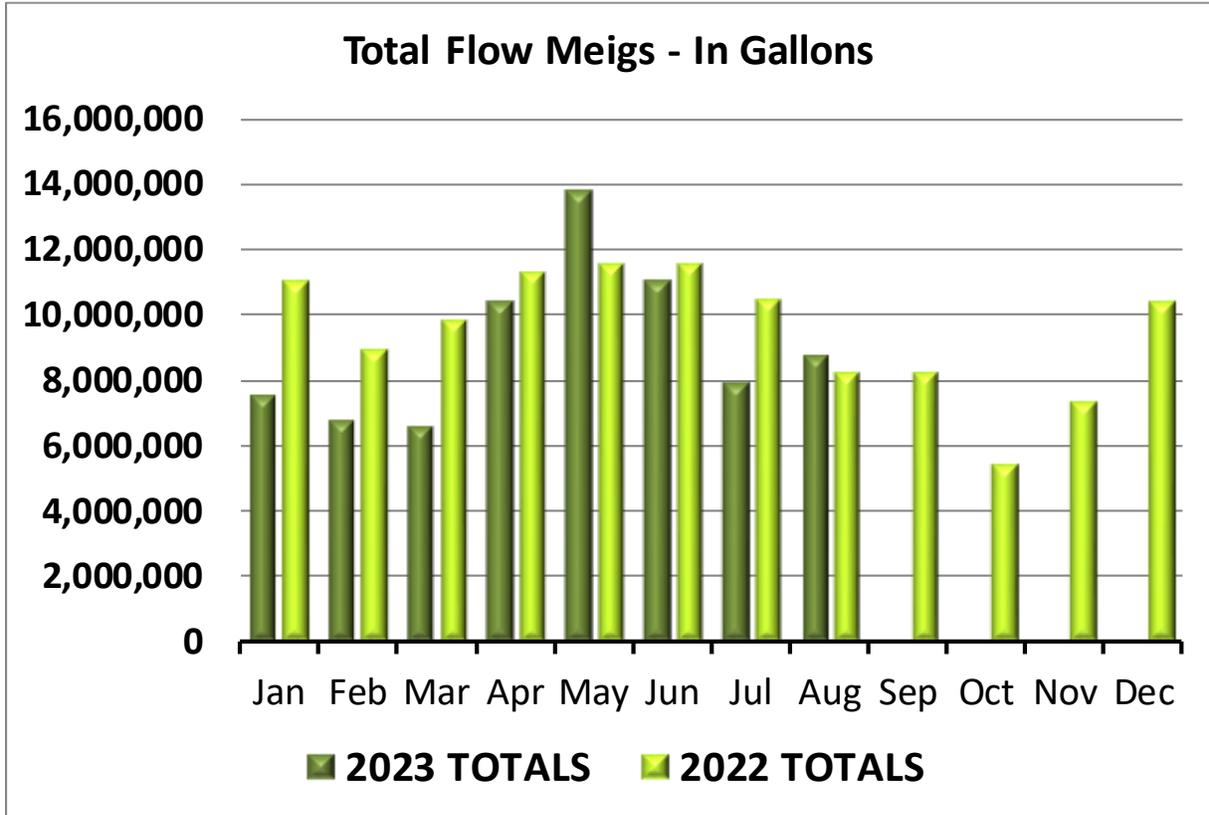
- Because of the high-water usage this month we had to postpone the water tower project. We have rescheduled it for October 1, 2023, if the usage drops.
- We handed out shutoff notices on the 25th and then shut off 3 people on the 28th. We also read meters on the 28th.
- The meter replacement project is still ongoing.

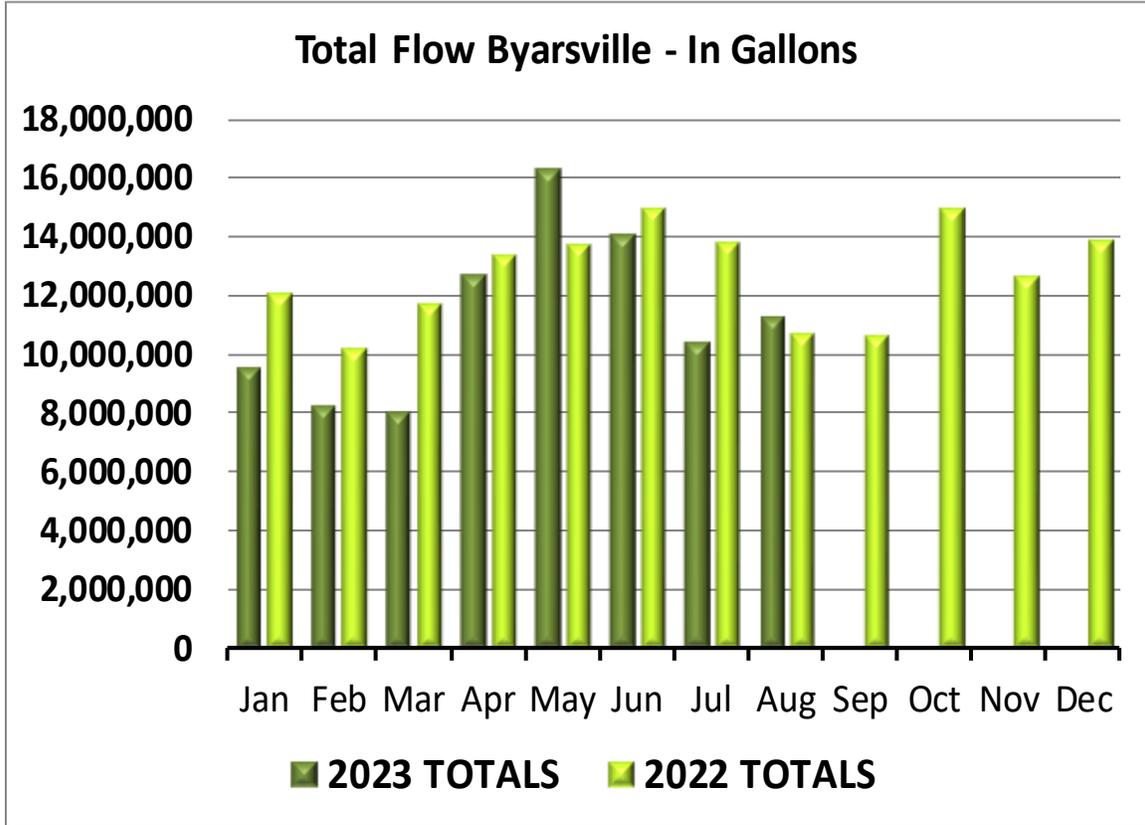
Wastewater Operation & Maintenance

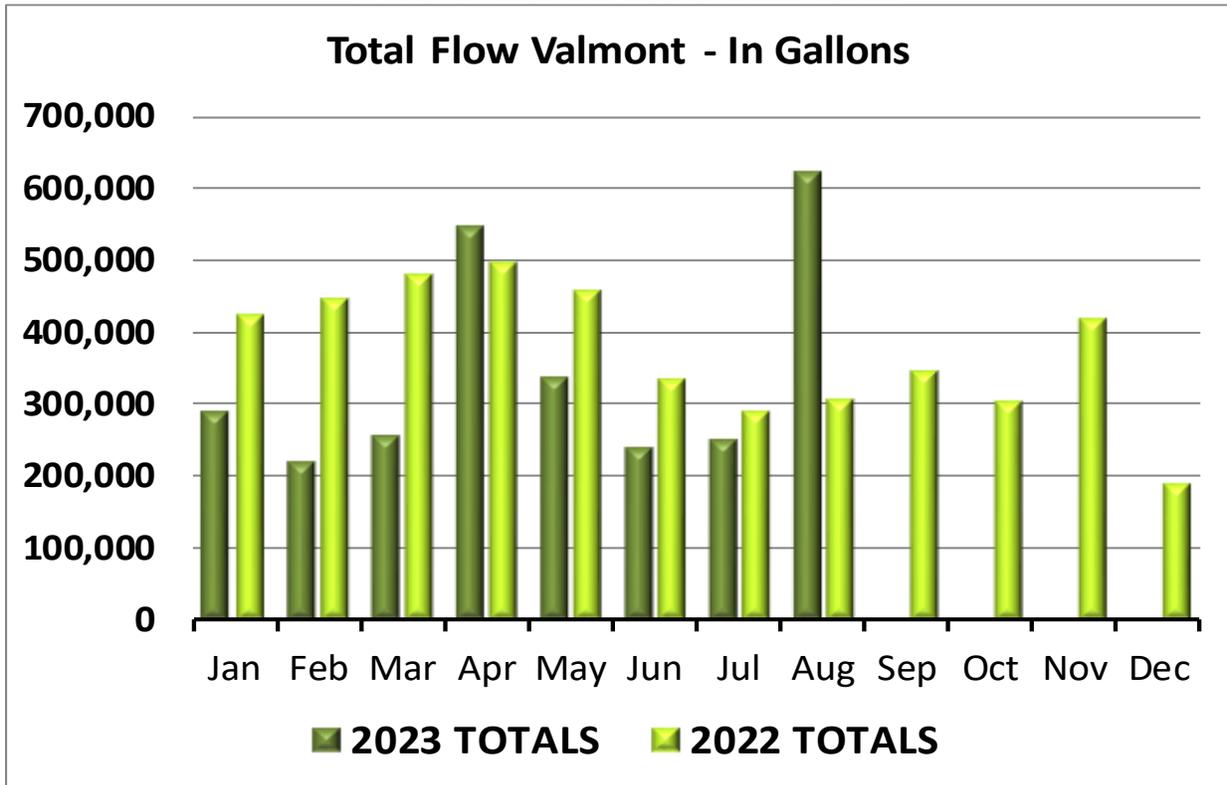
- We got a high-level alarm from Valmont lift station. We went out to investigate and found the dry pit that holds the pumps had sewage in the pit. We called Trekk to pump it down. Once the level was down, we went into the dry pit and found the sump pump had burned up and were leaking between a flange. PeopleService tightened the bolts and got the leak to stop. West-E-Con has been working to try and get us some new motors because these motors we have are not submersible pumps. If we cannot find motors we will try to have our motors baked - this will be a drying process that is done.

Water	Units	August-23	July-23	August-22
Total Monthly Pumped Valley	gallons	39,149,000	36,099,000	44,595,000
Daily Average Pumped Valley	gallons	1,196,000	1,105,000	1,438,548
Average Fluoride Residual	mg/L	0.00	0.00	1.03
Fluoride used	lbs	235.90	87.20	482.40
Average Chlorine Residual	mg/L	0.40	0.40	0.40
Chlorine used	lbs	241.00	101.10	314.80
Potassium Permanganate	lbs	1,603.00	1,357.00	1,069.00
Wastewater				
Effluent Flow				
Total Flow Meigs Street	gallons	8,799,000	7,963,000	8,229,000
Avg Daily Flow Meigs Street	gallons	314,000	256,000	265,451
Total Flow Byarsville	gallons	11,282,000	10,433,000	10,695,000
Avg Daily Flow Byarsville	gallons	402,000	336,500	345,000
Total Flow Valmont	gallons	624,960	252,000	428,780
Avg Daily Flow Valmont	gallons	20,160	8,130	13,831
Lift Station Data				
Gardiner St Rainwater Total Runtime	hours	0.00	0.00	0.00
Valhaven (#1) Total Runtime	hours	0.00	0.00	0.00
Valhaven (#2) Total Runtime	hours	0.53	16.10	6.30
Country Aire (#1) Total Runtime	hours	33.90	24.40	32.00
Legacy Valley Total Runtime	hours	73.20	57.20	31.20
Legacy Valley Avg Daily Runtime	hours	2.36	1.84	1.00
Valley Shores (1) Pump 1 Total Run	hours	0.69	17.00	27.10
Valley Shores (1) Pump 2 Total Run	hours	0.64	14.70	24.00
Valley Shores (2) Pump 1 Total Run	hours	1.58	40.00	113.80
Valley Shores (2) Pump 2 Total Run	hours	0.00	0.00	119.20
Valley Shores (3) Pump 1 Total Run	hours	0.28	7.60	6.30
Valley Shores (3) Pump 2 Total Run	hours	0.35	9.20	6.10
Regional Pump #1 Total Runtime	hours	669.10	674.60	0.00
Regional Pump #2 Total Runtime	hours	669.20	674.50	0.00
Mallard (1) Pump 1 Total Runtime	hours	13.50	10.10	12.90
Mallard (1) Pump 2 Total Runtime	hours	13.60	10.90	12.30
Mallard (2) Pump 1 Total Runtime	hours	0.00	0.00	4.60
Mallard (2) Pump 2 Total Runtime	hours	10.00	9.00	4.20
Mallard (3) Pump 1 Total Runtime	hours	0.04	28.20	22.30
Mallard (3) Pump 2 Total Runtime	hours	23.67	40.80	20.50
Mallard (4) Pump 1 Total Runtime	hours	1.07	30.20	16.00
Mallard (4) Pump 2 Total Runtime	hours	1.27	32.80	51.80
Bluewater (1) Pump 1 Total Runtime	hours	13.70	15.50	10.90
Bluewater (1) Pump 2 Total Runtime	hours	18.00	17.90	16.10
Bluewater (2) Pump 1 Total Runtime	hours	125.50	129.20	68.30
Bluewater (2) Pump 2 Total Runtime	hours	52.30	48.50	33.30
Bluewater (3) Pump 1 Total Runtime	hours	37.90	70.00	22.80
Bluewater (3) Pump 2 Total Runtime	hours	39.90	24.00	13.00
Bluewater (4) Pump 1 Total Runtime	hours	0.70	88.20	17.10
Bluewater (4) Pump 2 Total Runtime	hours	30.90	20.40	10.30
Bluewater (5) Pump 1 Total Runtime	hours	224.80	54.30	0.00
Bluewater (5) Pump 2 Total Runtime	hours	98.90	215.90	45.40
Bluewater (6) Pump 1 Total Runtime	hours	12.70	17.10	9.10
Bluewater (6) Pump 2 Total Runtime	hours	236.90	340.00	133.00
Bluewater (7) Pump 1 Total Runtime	hours	8.80	9.70	6.50
Bluewater (7) Pump 2 Total Runtime	hours	7.80	9.70	6.70
Ginger Cove (1) Pump 1 Total Runtime	hours	24.80	Comm Fail	37.41
Ginger Cove (1) Pump 2 Total Runtime	hours	26.20	Comm Fail	32.61
Ginger Cove (2) Pump 1 Total Runtime	hours	0.00	Comm Fail	27.90
Ginger Cove (2) Pump 2 Total Runtime	hours	21.00	Comm Fail	68.10
Ginger Cove (3) Pump 1 Total Runtime	hours	0.00	Comm Fail	51.40
Ginger Cove (3) Pump 2 Total Runtime	hours	0.00	Comm Fail	29.80
Ginger Woods (1) Pump 1 Total Runtime	hours	5.20	Comm Fail	2.50
Ginger Woods (1) Pump 2 Total Runtime	hours	3.70	Comm Fail	2.50
Ginger Woods (2) Pump 1 Total Runtime	hours	15.20	Comm Fail	11.19
Ginger Woods (2) Pump 2 Total Runtime	hours	0.00	Comm Fail	11.19
Ginger Woods (3) Pump 1 Total Runtime	hours	0.00	Comm Fail	48.00
Ginger Woods (3) Pump 2 Total Runtime	hours	93.00	Comm Fail	48.00
Flat Water LS (1) Pump 1 Total Runtime	hours	0.13	3.20	48.00
Flat Water LS (1) Pump 2 Total Runtime	hours	0.13	2.90	48.00
Flat Water LS (2) Pump 1 Total Runtime	hours	0.17	7.60	48.00
Flat Water LS (2) Pump 2 Total Runtime	hours	0.19	1.30	48.00
Flat Water LS (3) Pump 1 Total Runtime	hours	0.32	5.70	48.00
Flat Water LS (3) Pump 2 Total Runtime	hours	0.32	6.10	48.00
West Street LS (1) Pump 1 Total Runtime	hours	0.40	0.00	48.00
West Street LS (1) Pump 2 Total Runtime	hours	0.50	0.00	48.00
Rainwater Pump 1 Total Runtime	hours	0.00	0.00	0.00
Rainwater Pump 2 Total Runtime	hours	0.00	0.00	0.00









Contract True-Ups - Current Contract Year				
Item	Budgeted Amount	Amount Spent	% of Budget	% of Time
Maintenance Budget	\$29,736.00	\$17,808.00	60%	92%
Total	\$29,736.00	\$17,808.00	60%	100%

AUGUST WORK ORDERS COMPLETED

Date completed	Equipment	Location	Task
8/16/2023	BYERSVILLE LS EMERGENCY GENERATOR	5029 Valley, NE	LS Monthly PM
8/16/2023	COUNTRY AIRE LIFTSTATION	5029 Valley, NE	LS Monthly PM
8/16/2023	COUNTRY AIRE LIFTSTATION	5029 Valley, NE	LS Annual PM
8/17/2023	DAIRY QUEEN LIFTSTATION	5029 Valley, NE	LS Monthly PM
8/15/2023	MALLARD LANDING LIFT STATION 1	5029 Valley, NE	LS Monthly PM
8/15/2023	MALLARD LANDING LIFT STATION 2	5029 Valley, NE	LS Monthly PM
8/15/2023	MALLARD LANDING LIFT STATION 3	5029 Valley, NE	LS Monthly PM
8/15/2023	MALLARD LANDING LIFT STATION 4	5029 Valley, NE	LS Monthly PM
8/17/2023	MEIGS LS EMERGENCY GENERATOR	5029 Valley, NE	LS Monthly PM
8/17/2023	REGIOINAL LS EMERGENCY GENERATOR	5029 Valley, NE	LS Monthly PM
8/17/2023	VALHAVEN LIFTSTATION	5029 Valley, NE	LS Monthly PM
8/14/2023	BLUEWATER LIFTSTATION 1	5029 Valley, NE	LS Monthly PM
8/14/2023	BLUEWATER LIFTSTATION 2	5029 Valley, NE	LS Monthly PM
8/14/2023	BLUEWATER LIFTSTATION 3	5029 Valley, NE	LS Monthly PM
8/14/2023	BLUEWATER LIFTSTATION 4	5029 Valley, NE	LS Monthly PM
8/11/2023	BLUEWATER LIFTSTATION 5	5029 Valley, NE	LS Monthly PM
8/11/2023	BLUEWATER LIFTSTATION 6	5029 Valley, NE	LS Monthly PM
8/11/2023	BLUEWATER LIFTSTATION 7	5029 Valley, NE	LS Monthly PM
8/11/2023	GINGER COVE LIFT STATION #1	5029 Valley, NE	LS Monthly PM
8/11/2023	GINGER COVE LIFT STATION #1	5029 Valley, NE	LS Annual PM
8/7/2023	GINGER COVE LIFT STATION #2	5029 Valley, NE	LS Monthly PM
8/7/2023	GINGER COVE LIFT STATION #2	5029 Valley, NE	LS Annual PM
8/7/2023	GINGER COVE LIFT STATION #3	5029 Valley, NE	LS Monthly PM
8/7/2023	GINGER COVE LIFT STATION #3	5029 Valley, NE	LS Annual PM
8/4/2023	GINGER WOODS LIFT STATION #1	5029 Valley, NE	LS Monthly PM
8/4/2023	GINGER WOODS LIFT STATION #1	5029 Valley, NE	LS Annual PM
8/4/2023	GINGER WOODS LIFT STATION #2	5029 Valley, NE	LS Monthly PM
8/4/2023	GINGER WOODS LIFT STATION #2	5029 Valley, NE	LS Annual PM
8/4/2023	GINGER WOODS LIFT STATION #3	5029 Valley, NE	LS Monthly PM
8/4/2023	GINGER WOODS LIFT STATION #3	5029 Valley, NE	LS Annual PM
8/25/2023	INFLUENT GRINDER/BYERSVILLE LS	5029 Valley, NE	Inspection
8/25/2023	INFLUENT GRINDER/ MEIGS ST LS	5029 Valley, NE	Inspection



8/25/2023	MEIGS ST & BYERSVILLE LS PUMPS	5029 Valley, NE	Service Equipment
8/3/2023	LIFT STATION #1-VALLEY,NE SYST	5029 Valley, NE	LS Monthly PM
8/3/2023	VALLEY SHORES LIFT STATION 1	5029 Valley, NE	LS Monthly PM
8/3/2023	VALLEY SHORES LIFT STATION 2	5029 Valley, NE	LS Monthly PM
8/3/2023	VALLEY SHORES LIFT STATION 3	5029 Valley, NE	LS Monthly PM
8/3/2023	VALMONT LIFT STATION	5029 Valley, NE	LS Monthly PM
8/2/2023	AIR COMPRESSOR	6029 Valley, NE	Inspection
8/2/2023	PORTABLE GAS MONITOR	6029 Valley, NE	Calibrate Equipment
8/2/2023	FIRE EXTINGUISHERS	6029 Valley, NE	Inspection

**Valley Cemetery Board
Valley City Hall
August 24th, 2023, 6:30pm**

Meeting Minutes

Present: Members- Dean Slader, Kurt Muhle, Krista Lewis, Gerri Nordell.
Guests- Cheryl Eckerman, Dakota, Jen and Ryan.

Meeting called to order at: 6:32 pm

Dean noted the Open Meeting Act on the north wall of the meeting room.

There were no corrections to the previous minutes.

Minutes approved by: Kurt

Seconded by: Gerri

All in favor, motion carried.

OLD BUSINESS:

Linda George dedication:

The monument and lights are mounted. The city has raised a flag as well. Gerri has requested that the US Capitol flown flag be flown on the day of the dedication. She will verify dimensions.

Flyers are being distributed about the event. A program will be created.

Confirmed for event: Saturday 9/16/23 at 11am.

Roger Dill- Horn

Flag raising- scouts?

Karen King- speaker

Candy Martin- speaker

Janet Cauglin- speaker

Ted Ginger- speaker

Joanne- speak and introduce family

Rev. Barb- closing prayer

Hyvee has donated 5 dozen cookies, and there will be lemonade.

Krista to ask Chief Terry at fire department to borrow 20-30 chairs and a few tables.

Gerri will ask the family for a rain date.

Kurt suggested Gary at the Legion be contacted to loan a portable speaker with microphone.

Snide property-

Ordinance 794 passed. Cheryl confirmed that the ordinance immediately went into effect. The previous complaints on the Snide property will be addressed by the city, and new formal complaints are not necessary.

NEW BUSINESS:

Cemetery Board Budget

Cheryl Eckerman, city clerk/treasurer, asked if the cemetery has any request to increase the budget. After some discussion, Kurt made a motion to request an increase in the to \$3000. Krista seconded the motion.

Eagle Scout Project at the Cemetery

Dakota, a scout from Troop #1885, requested permission to perform cemetery preservation and improvements for her Eagle Scout project. The group expressed support, ideas were exchanged, and her mentor Ryan helped clarify the project restrictions. Krista will meet with Dakota and her mother, Jen, to tour the cemetery and plan out where her troop will clean and improve the cemetery.

As planned previously, the next meeting will be **Thursday September 7th at 6:30pm.** Dean made the motion to adjourn, Gerri seconded.

Meeting adjourned at 7:56pm.

Meeting minutes recorded by board secretary Krista Lewis.

DAILY RECORDS**August 2023**

		This month	Last month	Last year
LIBRARY VISITS:				
	Adults	681	360	349
	Children	651	779	579
Computers	Adults	44	26	44
	Children	39	63	19
Fax/Copies		49	45	24

Reference transactions (indicate nature of question)

Locating Library Materials 69, Readers' Advisory 15, Account info and renewals 37, Technology Assistance 48, Local Info 19, General Info 170.

	Total	358	627	232
--	-------	-----	-----	-----

PROGRAM ATTENDANCE:

	Adults	233	68	32
8/5 Knitting – 8; 8/10 Quasar Drive-In – 198; 8/12 – 6; 8/19 Knitting – 6;				
8/22 Community Gardening – 3; 8/26 Knitting – 5; 8/28 Book Club – 7;				
	Teens	26	10	0
8/2 D&D – 5; 8/9 D&D – 4; 8/16 D&D – 6; 8/23 D&D – 7; 8/30 D&D – 4;				
	Children	321	571	405
8/1 YMCA Visit – 25; 8/3 YMCA Visit – 16; 8/8 YMCA Visit – 20; 8/10 YMCA Visit – 16;				
8/11 Elizabeth's Farewell – 20; 8/14 DC West Open House – 213; 8/18 LEGO Club – 7;				
8/25 – LEGO Club – 4;				
	Pre-K	0	17	0
	Total	580	666	437

New patrons (indicate Valley, other Douglas Co., non-DC)

Valley 16, other DC 2, Non DC 0

Total	18	13	11
-------	----	----	----

Volunteers/hours	1/15	3/40	0/0
------------------	------	------	-----

MATERIALS CHECKED OUT:

Adult	935	1212	920
Children	1528	2619	1156
Overdrive	329	278	251

Board of Adjustments Meeting Minutes

Meeting Date: August 21st, 2023

Members present: Larry Bottger, Steve Goldmapp, Mike Stratman, Chris Ott, Cal Peacock

Members absent: Chris Poore

Larry called the meeting to order at 4:30pm.

Rune Van den Boogaart (Zoning Administrator) started the meeting with discussions on the first variance request regarding storage of vehicles not being permitted in any required yard. He advised the resident, requesting the variation, to complete an application request for the variance and the request would be discussed. As of the meeting date of 8/21/23, Rune had not received any application, so this request has no action taken at this time.

The second variance request was from Article 12, Section 05 which requires design standards for designated commercial areas. Rune advised that they are currently working with an Architect in restructuring the highway overlay regarding "intended use". The lot that the request was submitted on, should be considered as transitional agriculture and is in the process of being re-zoned. Currently the property, as zoned, would require the building to have at least 75% of the front and 50% of the sides of the building to be brick, stone, textured CMU, or other acceptable modern materials as approved by the city. If re-zoned, the property would not have to abide by the guidelines stated above. Mr. Armstrong's neighbor, Michael Burton spoke to advise the committee that he has no issues with Jeff constructing this out-building. No further discussion was had. Larry Bottger motioned to approve the request, with Steve seconding. All members present voted in favor with no opposed.

Meeting was adjourned at 4:39 by a motion by Larry with a second by Steve.



Cheryl Eckerman

From: Valley City Office
Sent: Wednesday, August 30, 2023 7:56 AM
To: Cindy Grove; Cheryl Eckerman; Tyler Cooper; Christie Donnermeyer
Subject: Council Agenda Request Everett D Lerew

Name: Everett D Lerew

Phone: 402-359-5374

Email Address: goslowmoe@gmail.com

Address: 1105 S. East Street ,Valley, NE 68064

Agenda Item Description: Park - Phase One

Requested Action: There is a memorial to a two-year old child in the area the city wants to remove. It was donated by his family that other children might be able to enjoy those things he had to miss out on as he lay dying. Asking the council to research this and ensure the memorial remains in the park or is appropriately placed somewhere pleasing to the family so his memory lives eternally.

Does this require an expenditure of funds: Unsure

[View in List](#)

Cheryl Eckerman

From: Valley City Office
Sent: Monday, August 21, 2023 10:14 AM
To: Cindy Grove; Cheryl Eckerman; Tyler Cooper; Christie Donnermeyer
Subject: Council Agenda Request Everett Lefew

Name: Everett Lefew

Phone: 402 359 5374

Email Address: goslowmoe@gmail.com

Address: 1105 S. East Street Valley, NE 68064

Agenda Item Description: Water issues and budget.

Requested Action: I have had community members from two areas of town report brown water. It is imperative that enough funds be budget so that this problem might be resolved. This should be a priority before building more lift stations and routing water to new subdivisions. I am for growth but more than that I am for building a budget based on priorities.

Does this require an expenditure of funds: Unsure

[View in List](#)

Christie Donnermeyer

From: Valley City Office
Sent: Saturday, August 26, 2023 7:35 PM
To: Cindy Grove; Cheryl Eckerman; Tyler Cooper; Christie Donnermeyer
Subject: Council Agenda Request

Name:

Phone:

Email Address:

Address:

Agenda Item Description: I am a member of BSA troop 1885 based out of Omaha. I live here in Valley and I am working on my Eagle Scout project. I have already spoken to the cemetery board and they have approved my request to do my project of cleaning and servicing stones at the valley cemetery. I will purchase all materials that I will need to complete my project, or ask for donations. My project will be completed by fellow scouts, friends, family and volunteers.

Requested Action: I would like to have the city approve my Eagle Scout project to benefit the cemetery.

Does this require an expenditure of funds: No

[View in List](#)

ORDINANCE NO. 796

AN ORDINANCE TO ADOPT THE BUDGET STATEMENT TO BE TERMED THE ANNUAL APPROPRIATION BILL; TO APPROPRIATE SUMS FOR NECESSARY EXPENSES AND LIABILITIES; TO PROVIDE FOR AN EFFECTIVE DATE.

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

Section 1. That after complying with all procedures required by law, the budget presented and set forth in the budget statement is hereby approved as the Annual Appropriation Bill for the fiscal year beginning October 1, 2023, through September 30, 2024. All sums of money contained in the budget statement are hereby appropriated for the necessary expenses and liabilities of the City of Valley, Nebraska. A copy of the budget document shall be forwarded as provided by law to the Auditor of Public Accounts, State Capitol, Lincoln, Nebraska, and to the County Clerk of Douglas County, Nebraska, for use by the levying authority.

Section 2. This ordinance shall take effect and be in full force from and after its passage, approval, and publication or posting as required by law.

PASSED AND APPROVED THIS 12th DAY OF SEPTEMBER 2023.

CITY OF VALLEY, DOUGLAS COUNTY, NEBRASKA

Mayor, Cindy Grove

ATTEST:

Clerk, Cheryl K. Eckerman

RESOLUTION NO. 2023 – 45

WHEREAS, Nebraska Revised Statutes 77-1632 and 77-1633 provide that the Governing Body of the City of Valley passes by a majority vote a resolution or ordinance setting the tax request; and

WHEREAS, a special public hearing was held as required by law to hear and consider comments concerning the property tax request; and

NOW, THEREFORE, the Governing Body of the City of Valley, resolves that:

1. The 2023-2024 property tax request be set as follows:

<u>Fund</u>	<u>Request</u>	<u>Levy</u>
General Fund	\$1,773,167	\$.254600
Bond Fund	386,169	.055448

2. The total assessed value of property differs from last year's total assessed value by 27.76%.
3. The tax rate which would levy the same amount of property taxes as last year, when multiplied by the new total assessed value of property, would be \$.253845 per \$100 of assessed value.
4. The Governing Body of the City of Valley proposed to adopt a property tax request that will cause its tax rate to be \$.310048 per \$100 of assessed value.
5. Based on the proposed property tax request and changes in other revenue, the total operating budget of the City of Valley will exceed last year's total operating budget by 35.28%.
6. A copy of this resolution shall be certified and forwarded to the Douglas County Clerk on or before October 15, 2023.

PASSED AND APPROVED THIS 12th DAY OF SEPTEMBER 2023.

CITY OF VALLEY, DOUGLAS COUNTY, NEBRASKA

Mayor Cindy Grove

Council President John Batcher

Council Member Bryon Ueckert

Council Member Linda Lewis

Council Member Chris TenEyck

ATTEST:

Cheryl K. Eckerman, Clerk

RESOLUTION NO. 2023 - 46

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF VALLEY, DOUGLAS COUNTY, NEBRASKA:

WHEREAS, on or about March 17, 2023, **Still Water Lake, L.L.C.**, a Nebraska limited liability company and the **City of Valley, Nebraska** entered into an Irrevocable Letter of Credit Agreement wherein Still Water and City agree certain funds for Still Water Lake be secured by a loan obtained by the subdivider for distribution in accordance with the terms of this Agreement.

WHEREAS, the Agreement provides United Republic Bank shall disburse the funds, or such portion thereof authorized by Resolution and shall be disbursed as follows:

WHEREAS, the sum of One Thousand Eight Hundred Ninety and 00/100 dollars (\$1,890.00) is **due to the CITY OF VALLEY**, as submitted by the attached invoice from Farnham & Griffin, P.C., L.L.O., attorneys for the City of Valley; and

WHEREAS, the City Attorney, and the City Clerk have submitted a request to the City Council to authorize distributions of the above-described amount; said request is supported by invoice and backup documentation attached as Exhibits "A".

WHEREAS, the sum of Five Hundred Thirty and 96/100 dollars (\$530.96) is **due to the CITY OF VALLEY**, as submitted by the attached invoice from Eagle Engineering Group, LLC engineers for the City of Valley; and

WHEREAS, the City Engineer and the City Clerk have submitted a request to the City Council to authorize distributions of the above-described amount; said request is supported by invoice and backup documentation attached as Exhibits "B".

NOW, THEREFORE, be it resolved by the Mayor and City Council of the City of Valley, Nebraska:

1. United Republic Bank is hereby authorized and direct to disburse to **CITY OF VALLEY** the sum of One Thousand Eight Hundred Ninety and 00/100 dollars (\$1,890.00) as payment due for Still Water Lake, L.L.C./ attorney fees; and
2. United Republic Bank is hereby authorized and direct to disburse to **CITY OF VALLEY** the sum of Five Hundred Thirty and 96/100 dollars (\$530.96) as payment due for Still Water Lake, L.L.C./ engineer fees.

PASSED AND APPROVED THIS 12TH OF SEPTEMBER, 2023.

CITY OF VALLEY, DOUGLAS COUNTY, NEBRASKA

Cindy Grove, Mayor

John Batchter, Council President

Bryon Ueckert, Council Member

Linda Lewis, Council Member

Chris TenEyck, Council Member

ATTEST:

Cheryl Eckerman, City Clerk

Bill to:

City of Valley, Nebraska
 PO Box 682
 Valley, NE 68064

INVOICE

To August 31, 2023

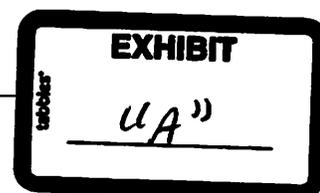
Invoice Date August 31, 2023
 Invoice Number 10933
 Due Date Due Upon Receipt

City of Valley - Still Water Lake 1750

Account Summary	
Previous Balance	\$2,642.50
Payments Received	(\$2,642.50)
Outstanding Balance	\$0.00
Current Invoice	\$1,890.00
Total Due	\$1,890.00
Pay Online Click the link or scan the code with your device to pay online. 	
https://firmcentral.westlaw.com/ pay/7A3C1K8	

Fee Detail

Date		Description	Hours	Rate	Total
7/31/2023	AMG	Emails re: numbers and exhibits for Subdivision Agreement	0.60	\$175.00/hr	\$105.00
8/1/2023	AMG	Telephone calls and emails with Greg; Draft Agreement for ILOC; Subdivision Agreement and emails re: same	3.50	\$175.00/hr	\$612.50
8/1/2023	AMG	Emails regarding updated Mixed Use Agreement	0.60	\$175.00/hr	\$105.00

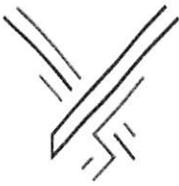


Date		Description	Hours	Rate	Total
8/2/2023	AMG	Draft Subdivision Agreement and emails re: same	2.50	\$175.00/hr	\$437.50
8/7/2023	AMG	Review and Revise Ordinance re: Rezoning	0.80	\$175.00/hr	\$140.00
8/14/2023	AMG	Emails to Ann Post and to Chris TenEyck re: Still Water Items	0.40	\$175.00/hr	\$70.00
8/15/2023	JBF	Review of Agreements and Conference with Andrea in preparation for meeting; conference with Greg Perry regarding status of Phase One construction and letting of bids for Phase Two	2.00	\$175.00/hr	\$350.00
8/31/2023	JBF	Receipt and review of revised Plat and phone calls with John Coolidge and Greg Perry re same	0.40	\$175.00/hr	\$70.00
Hours Total			10.80	Fee Total	\$1,890.00

Expense Detail

Date	Description	Quantity	Rate	Total
<i>No expenses have been charged for this invoice.</i>				
Expenses Total				\$0.00

Fees	\$1,890.00
Expense	\$0.00
Current Due	\$1,890.00
Outstanding Balance	\$0.00
Total Due	\$1,890.00



Eagle Engineering Group LLC

12100 West Center Road Suite 803
Omaha, NE 68144
Tel: 402-399-0227

Cheryl Eckerman
City of Valley, Nebraska
203 North Spruce
Valley, NE 68064

INVOICE

INVOICE DATE: 9/6/2023
INVOICE NO: 1942
BILLING THROUGH: 9/6/2023

23-03 - Valley NE General Engineering Services

Managed By: Gregory E Perry

23-03 - VALLEY NE STILLWATER PHASE 2

TITLE	HOURS	RATE	AMOUNT
Project Manager	3.00	\$170.000	\$510.00
TOTAL SERVICES		3.00	\$510.00
TOTAL (23-03-08)		3.00	\$510.00

EXPENSES

EXPENSE	DESCRIPTION	AMOUNT
Mileage:	IRS Mileage	\$20.96
TOTAL EXPENSES		\$20.96
SUBTOTAL		\$530.96
AMOUNT DUE THIS INVOICE		\$530.96

This invoice is due on 10/6/2023

Pay Now



ACH payments accepted



RESOLUTION NO. 2023-47

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

WHEREAS, during the 108th Legislative Session, the Nebraska State Legislature passed Legislative Bill 77, which amended Neb. Rev. Stat. Section 28-1202(1) to provide that a person, other than a minor or a prohibited person, may carry a concealed handgun anywhere in Nebraska, with or without a permit under the Concealed Handgun Permit Act, and

WHEREAS, Neb. Rev. Stat. Section 28-1202(7) was also amended by LB 77 to provide that an employer may prohibit employees or other persons from carrying concealed handguns in vehicles owned by the employer, and

WHEREAS, the City of Valley, Nebraska desires to provide that its employees, and other persons, are prohibited from carrying concealed handguns in vehicles owned by the City.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. Employees of the City of Valley, Nebraska, and all other people, except licensed police officers employed by the City, are prohibited from carrying a concealed handgun in vehicles owned by the City.

PASSED AND APPROVED this 12th day of September 2023.

CITY OF VALLEY, DOUGLAS COUNTY, NEBRASKA

Cindy Grove, Mayor

John Batcher, Council President

Linda Lewis, Council Member

Bryon Ueckert, Council Member

Chris TenEyck, Council Member

ATTEST:

Cheryl K. Eckerman, City Clerk

RESOLUTION NO. 2023-48

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

WHEREAS, during the 108th Legislative Session, the Nebraska State Legislature passed Legislative Bill 77, which amended Neb. Rev. Stat. Section 18-1202(1) to provide that a person, other than a minor or a prohibited person, may carry a concealed handgun anywhere in Nebraska, with or without a permit under the Concealed Handgun Permit Act, and

WHEREAS, Neb. Rev. Stat. Section 28-1202(2) was also amended by LB 77 to generally provide that a person shall not carry a concealed handgun into or onto any place or premises where the person, persons, entity, or entities in control of the place or premises or employer in control of the place or premises has prohibited the carrying of concealed handguns into or onto the place or premises, and

WHEREAS, the City of Valley, Nebraska, owns and controls certain places or premises and desires to provide that a person shall not carry a concealed handgun into or onto such premises, and

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. A person shall not carry a concealed handgun into or onto the following places or premises which are under the control of the City of Valley, Nebraska.
 - a) City Hall building and grounds at 203 N. Spruce Street, Valley, Nebraska.
 - b) Valley City Park at 300 West Vass Street, Valley Nebraska, which includes the baseball fields, dog park and camping pads.
 - c) Valley Mini-Park at 103 N Spruce Street, Valley, Nebraska.
 - d) Rogert Park, Valley, Nebraska
 - e) Joe Roberts Arboretum at 235 E. Condron Street, Valley, Nebraska.
 - f) Valley City Library building and grounds at 232 N. Spruce St., Valley, Nebraska.
 - g) Valley Water Treatment Plant building and grounds, Valley, Nebraska
2. The Public Works Department of the City of Valley, Nebraska, is hereby directed to post conspicuous Notices at all places and premises identified above that carrying a concealed handgun is prohibited in or on such places and premises. A Notice shall be posted at all entrances to each individual premise and any other location necessary to

provide reasonable notice to the public that carrying a concealed handgun is prohibited on the premises.

PASSED AND APPROVED this 12th day of September 2023.

CITY OF VALLEY, DOUGLAS COUNTY, NEBRASKA

Cindy Grove, Mayor

John Batcher, Council President

Linda Lewis, Council Member

Bryon Ueckert, Council Member

Chris TenEyck, Council Member

ATTEST:

Cheryl K. Eckerman, City Clerk

MEMORANDUM

Date: September 7, 2023

To: Cheryl -City of Valley
Greg Perry, P.E.

From: Jim Olmsted

Re: Progress Report on Water Projects

I will not be in attendance at the City Council meeting on September 12th. Therefore, please accept this written report on the status of the water projects.

A. Water Tower Repainting Project

Due to continued high water use and high temperatures, and after meeting with Mayor Grove and Operator Adair, we decided to move the painting date back again for the water tower. The Contractor has agreed to start cleaning and painting work on October 2nd. Prior to starting on October 2nd, the contractor will be moving equipment onto the job site and will be rigging equipment on the tank in preparation for the tank shutdown. The completion date for the project has been extended into November.

Change Order No. 1 will need to be approved by the Council to formalize the above. This is a no cost change order which adjusts the completion dates.

B. Backwash Waste Recovery Project

The contractor is waiting on the new backwash tank and the pump skid to arrive. All preparation work that can be done prior to the equipment arrival has been done.

Change Order No. 1 will need to be approved by the Council. This is a deduct change order in the amount of \$606.84 related to piping savings.

The Contractor's Application for Payment No. 2 will need to be approved by the Council. This is in the amount of \$71,470.76 and represents work completed to date.

C. Filter Media Replacement Project

The contractor is waiting on lower water usage to occur before finishing work. No applications for payments have been submitted this month.

Change Order No. 2 will need to be approved by the Council. This is for additional work and includes 1) 4 new cell inlet valves, 2) digital input modules and pressure transducer, and 3) a credit for the unused filter strainer nozzles. The net change is + \$17,096.30.

A Work Change Directive will need to be approved by the Council. This is for welding repairs that will be needed on the control column to stop leaking water, and will be done on a time and material basis once water usage becomes lower.

D. Chemical Feed Equipment Replacement Project

Work is nearing completion on replacing all the chemical feed equipment.

Change Order No. 2 will need to be approved by the Council. This is for the addition of a new SCADA computer to replace old equipment and for a credit for piping work performed by PeopleService on the project. The net change is + \$1,827.16.

The Contractor's Application for Payment No. 2 will need to be approved by the Council. It is in the amount of \$130,406.01 and represents work completed to date.

E. New Well Project

The new well is complete.

Change Order No. 1 will need to be approved by the Council. This change order adjusts various unit price items in the contract, and the aggregate change is a deduct in the amount of \$17,842.50.

The Contractor's Application for Payment No. 4 will need to be approved by the Council. It is in the amount of \$5,017.50 and represents work completed to date.

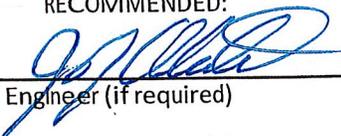
Date of Issuance: August 21, 2023 Effective Date: August 21, 2023
 Owner: CITY OF VALLEY Engineer: OLMSTED & PERRY CONSULTING ENGINEERS INC.
 Contractor: NEUVIRTH CONSTRUCTION CO. Contractor's Project No.: 1
 Project: BACKWASH WASTE RECOVERY SYSTEM
 Contract Name: _____
 Owner's Contract No.: 1 Engineer's Project No.: 23-45

The Contract is modified as follows upon execution of this Change Order:

Description:
 Delete partial piping at connection to existing backwash tank.
 Add valve at point of connection to provide flexibility of flow direction.

Attachments: *[List documents supporting change]* ATTACHMENT NO. 1 TO CHANGE ORDER NO. 1

CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIMES <i>[note changes in Milestones if applicable]</i>
Original Contract Price: <u>\$1,144,109.08</u>	Original Contract Times: Substantial Completion: <u>8/1/2023</u> Ready for Final Payment: <u>8/31/2023</u> days or dates
Increase (Decrease) from previously approved Change Orders No. - to No. - : <u>\$0.00</u>	Increase (Decrease) from previously approved Change Orders No. - to No. - : Substantial Completion: <u>0</u> Ready for Final Payment: <u>0</u> days
Contract Price prior to this Change Order: <u>\$1,144,109.08</u>	Contract Times prior to this Change Order: Substantial Completion: <u>8/1/2023</u> Ready for Final Payment: <u>8/31/2023</u> days or dates
Increase (Decrease) of this Change Order: <u>(\$606.84)</u>	Increase (Decrease) of this Change Order: Substantial Completion: <u>135</u> Ready for Final Payment: <u>122</u> days or dates
Contract Price incorporating this Change Order: <u>\$1,143,502.24</u>	Contract Times with all approved Change Orders: Substantial Completion: <u>12/14/2023</u> Ready for Final Payment: <u>12/31/2023</u> days or dates

RECOMMENDED:
 By:  By: _____
 Title: James J. Olmsted, P.E. Title: _____
 Date: 21-Aug-23 Date: _____
 Approved by Funding Agency (if applicable)
 By: _____ Date: _____
 Title: _____

ACCEPTED:
 By: _____ By: _____
 Title: Cindy Grove, Mayor Title: _____
 Date: _____ Date: _____
 EJCDC® C-941, Change Order.

ACCEPTED:
 Digitally signed by Jacob Neuvirth
 DN: C=US, E=jacob@neuvirth.com,
 O=Neuvirth Construction, CN=Jacob Neuvirth
 Date: 2023.08.22 11:18:15-05'00'
 By: Jacob Neuvirth By: _____
 Title: President Title: _____
 Date: 8/22/23 Date: _____
 Contractor (Authorized Signature)



Neuvirth Construction Inc.

7386 County Road P35
Blair, NE 68008

To: City Of Valley	Contact:
Address: 203 North Spruce Street Valley, NE 68064	Phone:
Project Name: 2022 Water System Improvements Backwash Waste Recovery System	Bid Number:
Project Location:	Bid Date:

Item #	Item Description	Estimated Quantity	Unit	Unit Price	Total Price
3	Addition Of Valve	1.00	LS	\$2,421.81	\$2,421.81
4	Deduct Of Pipe	1.00	LS	(\$3,028.65)	(\$3,028.65)
5	Time Extension To 12/14/23	1.00	LS	\$0.00	\$0.00

Total Bid Price: (\$606.84)

Notes:

- **Price Includes:**
 - Sales Tax
 - Bond
- **Price Does Not Include**
 - Permits
 - Concrete removal or replacement (other than noted above)
 - Handling of contaminated materials
 - Excavations deeper than 6' for water connections
 - Density testing
 - Dewatering (other than 2" pump)
 - Cutting, breaking or removal of limestone bedrock if encountered
 - Locating any private utilities not located by the Utility Co's
 - Removal of spoils off site
 - Importing of soils
 - Removal of unsuitable soils off site

Payment Terms:

Payment due within 30 days of date of invoice, regardless of when payment is made by Owner.

<p>ACCEPTED: The above prices, specifications and conditions are satisfactory and hereby accepted.</p> <p>Buyer: _____</p> <p>Signature: _____</p> <p>Date of Acceptance: _____</p>	<p>CONFIRMED: Neuvirth Construction</p> <p style="text-align: right;">Digitally signed by Val Wiley Date: 2023.07.31 07:44:54 -05'00'</p> <p>Authorized Signature: <u>Val Wiley</u></p> <p>Estimator: _____</p>
---	---

RESOLUTION NO. 2023-49

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF VALLEY, DOUGLAS COUNTY, NEBRASKA:

The certificate filed with the Clerk by the special engineer of the project, showing the amount of material furnished and work performed in the City under contract heretofore for **Neuvirth Construction Inc.** for Valley Backwash Recovery and the statements of the engineer and others set out below are hereby approved and the Council finds that the materials therein set out have been furnished and have been received by the City and work has been performed and claim therefor is hereby submitted as follows:

1. ORIGINAL CONTRACT PRICE	\$1,144,109.08
1.a Overage Not by Change Order	\$0.00
2. Net Change by Change Orders	\$0.00
3. CURRENT CONTACT PRICE (Line 1 + 1.a. + 2)	\$1,144,109.08
4. TOTAL COMPLETED AND STORED TO DATE (Column G+J on Progress Estimate)	\$144,411.95
5. RETAINAGE:	
a. 10% x Override Work Completed	\$7,941.20
b. 10% x Override Stored Material	\$0.00
c. Retainage (Line 5.a + Line 5.b)	\$7,941.20
d. Previous retainage	\$6,500.00
6. AMOUNT ELIGIBLE TO DATE (Line 4 - Line 5.c - Line 5.d.)	\$129,970.76
7. LESS PREVIOUS PAYMENTS (Line 6 from prior Application)	\$58,500.00
8. AMOUNT DUE THIS APPLICATION	\$71,470.76
9. BALANCE TO FINISH (Column O on Progress Estimates)	\$1,007,638.32
10. FINAL APPLICATION FOR RETAINAGE	

PAYMENT OF: **\$71,470.76**

NOW, THEREFORE, BE IT RESOLVED THAT the Valley City Council consents to and authorizes payment to:

NEUVIRTH CONSTRUCTION INC. \$71,470.76

PASSED AND APPROVED this 12th day of September, 2023.

CITY OF VALLEY, DOUGLAS COUNTY, NEBRASKA

Cindy Grove, Mayor

John Batcher, Council President

Linda Lewis, Council Member

Bryon Ueckert, Council Member

Chris TenEyck, Council Member

ATTEST:

Cheryl K. Eckerman, City Clerk

Contractor's Application For Payment No. 2

To (Owner):	City of Valley	Application Period:	8/1/2023
Contractor	Neuvirth Construction Inc	PROJECT NAME	8/31/2023
Address	7386 county road P35 Blair Ne. 68008	Invoice Number	1023
Project Number	1023	Via (Engineer)	2
		Engineer's Project No.:	
Valley Backwash Recovery			

Change Order Summary

Approved Change Orders	
Number	Description
1	\$ -
2	\$ -
3	\$ -
4	\$ -
5	\$ -
6	\$ -
7	\$ -
8	\$ -
9	\$ -
10	\$ -
TOTALS	\$ -
NET CHANGE BY	\$ -
CHANGE ORDERS	\$ -

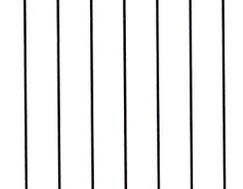
1. ORIGINAL CONTRACT PRICE	\$ \$ 1,144,109.08
1a. Overage Not by Change Order	\$ \$ -
2. Net change by Change Orders	\$ \$ 1,144,109.08
3. CURRENT CONTRACT PRICE (Line 1+1a± 2)	\$ \$ 144,411.95
4. TOTAL COMPLETED AND STORED TO DATE (Column G+J on Progress Estimate)	\$ \$ 7,941.20
5. RETAINAGE:	
a. 10% <input checked="" type="checkbox"/> Override	Work Completed
b. 10% <input checked="" type="checkbox"/> Override	Stored Materials
c. Retainage (Line 5a + Line 5b)	\$ \$ 7,941.20
d. Previous retainage	\$ \$ 6,500.00
6. AMOUNT ELIGIBLE TO DATE (Line 4 - Line 5c-Line 5d)	\$ \$ 129,970.76
7. LESS PREVIOUS PAYMENTS	\$ \$ 58,500.00
8. AMOUNT DUE THIS APPLICATION	\$ \$ 71,470.76
9. BALANCE TO FINISH	\$ \$ -
(Column O on Progress Estimate)	\$ \$ 1,007,638.32
10. FINAL APPLICATION FOR RETAINAGE	\$ \$ -

Contractor's Certification

The undersigned Contractor certifies that: (1) all previous progress payments received from Owner on account of Work done under the Contract have been applied on account to discharge Contractor's legitimate obligations incurred in connection with Work covered by prior Applications for Payment; (2) title of all Work, materials and equipment incorporated in said Work or otherwise listed in or covered by this Application for Payment will pass to Owner at time of payment free and clear of all Liens, security interests and encumbrances (except such as are covered by a Bond acceptable to Owner indemnifying Owner against any such Liens, security interest or encumbrances); and (3) all Work covered by this Application for Payment is in accordance with the Contract Documents and is not defective.



 Digitally signed by Jacob Neuvirth
 DN: C=US, E=jacob@neuvirth.com,
 O=Neuvirth Construction, CN=Jacob
 Neuvirth
 Date: 2023.08.29 14:57:13-05'00'

Payment of: **\$ 71,470.76** (Line 8 or other - attach explanation of other amount)
 is recommended by:  (Engineer) **8-31-23** (Date)
 Payment of: _____ (Date)
 is approved by: _____ (Date)
 Approved by: _____ (Date)
 Funding Agency (if applicable) _____ (Date)

Progress Estimate

Contractors Application

2

Job Name		Invoice Number		1023 2		Neuwirth Construction Inc			
Application Date		Application Period:		8/1/2023		8/31/2023			
City of Valley		Work Completed		G		H			
8/29/2023		Overrun This Period		C + E + F		I			
Unit Price		Overrun This Period		G / B		J			
Bid Quantity		From Previous Application		Materials Presently Stored		Materials Incorp. This Application			
Bid Quantity		Quantity this Period		Value this Application		Balance to Finish (B - G)			
Overrun Quantity		Bid Value		Quantity this Period					
Overrun Quantity		Unit Price		Overrun This Period					
Bid Quantity		Bid Value		Quantity this Period					
Overrun Quantity		Unit Price		Overrun This Period					
1	121	0.00	\$ 229.58	\$ 27,778.73	121.00	\$ 27,778.73	100.00%	\$ (0.00)	\$ -
2	140	0.00	\$ 202.20	\$ 28,308.66	140.00	\$ 28,308.66	100.00%	\$ (0.00)	\$ -
3	1	0.00	\$ 21,414.34	\$ 21,414.34	0.00	\$ -	0.00%	\$ 21,414.34	\$ -
4	68	0.00	\$ 210.07	\$ 14,284.65	28.00	\$ 5,881.96	41.18%	\$ 8,402.69	\$ -
5	160	0.00	\$ 124.59	\$ 19,934.28	140.00	\$ 17,442.60	87.50%	\$ 2,491.68	\$ -
6	1	0.00	\$ 537,424.36	\$ 537,424.36	0.00	\$ -	0.00%	\$ 537,424.36	\$ -
7	1	0.00	\$ 81,442.06	\$ 81,442.06	0.00	\$ -	0.00%	\$ 81,442.06	\$ -
8	1	0.00	\$ 14,823.27	\$ 14,823.27	0.00	\$ -	0.00%	\$ 14,823.27	\$ -
9	2840	0.00	\$ 28.07	\$ 79,718.80	0.00	\$ 65,000.00	81.54%	\$ 14,718.80	\$ -
10	1	0.00	\$ 318,979.92	\$ 318,979.92	0.00	\$ -	0.00%	\$ 318,979.92	\$ -
CO-1 Backwash Reclaim Skid Connection Chang		0	\$ -	\$ -	0	\$ -	0	\$ -	\$ -
Original Contract Total			\$ -	\$ 1,144,109.08		\$ 79,411.95		\$ -	\$ 999,697.13
Net Increase/Decrease Total			\$ -	\$ -		\$ 65,000.00		\$ -	\$ -
C/O Total			\$ -	\$ -		\$ -		\$ -	\$ -

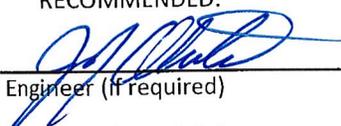
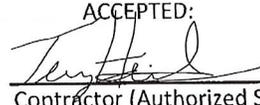
Date of Issuance: September 2, 2023 Effective Date: September 2, 2023
 Owner: CITY OF VALLEY Engineer: OLMSTED & PERRY CONSULTING ENGINEERS INC.
 Contractor: LAYNE CHRISTENSEN CO. Contractor's Project No.: 1
 Project: 2020 Water System Improvements
 Contract Name: New Well 22-1
 Owner's Contract No.: 1 Engineer's Project No.: 22-67

The Contract is modified as follows upon execution of this Change Order:

Description: Adjust Unit Price Items for Final Contract Price

Attachments: *[List documents supporting change]* ATTACHMENT NO. 1 TO CHANGE ORDER NO. 1

CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIMES <i>[note changes in Milestones if applicable]</i>
Original Contract Price: \$485,710.00	Original Contract Times: Substantial Completion: <u>8/1/2023</u> Ready for Final Payment: <u>8/31/2023</u> days or dates
Increase (Decrease) from previously approved Change Orders No. - to No. - : \$0.00	Increase (Decrease) from previously approved Change Orders No. - to No. - : Substantial Completion: <u>0</u> Ready for Final Payment: <u>0</u> days
Contract Price prior to this Change Order: \$485,710.00	Contract Times prior to this Change Order: Substantial Completion: <u>8/1/2023</u> Ready for Final Payment: <u>8/31/2023</u> days or dates
Increase (Decrease) of this Change Order: (\$17,842.50)	Increase (Decrease) of this Change Order: Substantial Completion: <u>30</u> Ready for Final Payment: <u>15</u> days or dates
Contract Price incorporating this Change Order: \$467,867.50	Contract Times with all approved Change Orders: Substantial Completion: <u>8/31/2023</u> Ready for Final Payment: <u>9/15/2023</u> days or dates

RECOMMENDED: ACCEPTED: ACCEPTED:
 By:  By: _____ By: 
 Engineer (if required) Owner (Authorized Signature) Contractor (Authorized Signature)
 Title: James J. Olmsted, P.E. Title: Cindy Grove, Mayor Title: Project Manager III
 Date: 2-Sept.-2023 Date: _____ Date: September 5, 2023
 Approved by Funding Agency (if applicable)
 By: _____ Date: _____
 Title: _____

ATTACHMENT NO. 1 TO CHANGE ORDER NO. 1

DATED SEPTEMBER 2, 2023

Adjustments to Contract Price: The following are the unit price adjustments which have determined the final contract price for the 2022 Water System Improvements, New Well No. 1, Valley, Nebraska:

<u>Item</u>	<u>Description</u>	<u>Change</u>	<u>Price Change</u>
Item 2	38" Drilling	Delete 1 V.F. @ \$135.00	\$(-) 135.00
Item 3	16" Casing	Delete 3 V.F. @ \$278.00	(-) 834.00
Item 9	Test Pumping	Delete 3 Hrs @ \$449.00	(-) 1,347.00
Item 10	Recovery	Delete 5.5Hrs @ \$225.00	(-) 1,237.50
Item 18	Access Road	Delete Item	(-) 9,770.00
Item 20	12" PVC Water	Delete 35' @ \$116.00	(-) 4,060.00
Item 22	12" Tee	Delete 2 @ \$3,713.00	(-) 7,426.00
Item 26	12x6 Reducer	Delete 1 @ \$1,205.00	(-) 1,205.00
Item 27	Sidewalk Replace	Delete 32 s.f. @ \$33.00	(-) 1,056.00
Item 32	Testing Allowance	Delete Unused Allowance	(-) 3,000.00
C.O. 1	Piping Changes at Meter Vault		(+)11,753.00
C.O. 2	Pitless Bury Depth	Add 1' of Bury Depth	(+) 475.00
		Total Change Order Price:	<u>(-) 17,842.50</u>

RESOLUTION NO. 2023-50

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF VALLEY, DOUGLAS COUNTY, NEBRASKA:

The certificate filed with the Clerk by the special engineer of the project, showing the amount of material furnished and work performed in the City under contract heretofore for **Layne Christensen Company** for new Well 22-1 and the statements of the engineer and others set out below are hereby approved and the Council finds that the materials therein set out have been furnished and have been received by the City and work has been performed and claim therefor is hereby submitted as follows:

1. ORIGINAL CONTRACT PRICE	<u>\$485,710.00</u>
2. Net change by Change Orders	<u>\$0.00</u>
3. Current Contract Price (Line 1 + 2)	<u>\$485,710.00</u>
4. TOTAL COMPLETED AND STORED TO DATE (Column F total on Progress Estimates)	<u>\$455,639.50</u>
5. RETAINAGE:	
a. 10% x \$450,064.50 Work Completed	<u>\$45,563.95</u>
b. 10% x \$0.00 Stored Material	<u>\$0.00</u>
c. Total Retainage (Line 5.a + Line 5.b)	<u>\$45,563.95</u>
6. AMOUNT ELIGIBLE TO DATE (Line 4 + Line 5.c)	<u>\$410,075.55</u>
7. LESS PREVIOUS PAYMENTS (Line 6 from prior Application)	<u>\$405,058.05</u>
8. AMOUNT DUE THIS APPLICATION	<u>\$5,017.50</u>
9. BALANCE TO FINISH, PLUS RETAINAGE (Column G total on Progress Estimates + Line 5.c above)	<u>\$75,634.45</u>

PAYMENT OF: \$5,017.50

NOW, THEREFORE, BE IT RESOLVED THAT the Valley City Council consents to and authorizes payment to:

LAYNE CHRISTENSEN COMPANY \$5,017.50

PASSED AND APPROVED this 12th day of September, 2023.

CITY OF VALLEY, DOUGLAS COUNTY, NEBRASKA

Cindy Grove, Mayor

John Batcher, Council President

Linda Lewis, Council Member

Bryon Ueckert, Council Member

Chris TenEyck, Council Member

ATTEST:

Cheryl K. Eckerman, City Clerk

Progress Estimate - Unit Price Work

Contractor's Application

For New Well 22-1 (Contract):		Application Number: 4											
Application Period: 07/31/23 - 08/25/23		Application Date: 8/25/2023											
A		B		C		D		E		F		G	
Bid Item No.	Description	Item Quantity	Unit	Unit Price	Total Value of Item (\$)	Estimated Quantity Installed	Value of Work Installed to Date	Materials Presently Stored (not in C)	Total Completed and Stored to Date (D + E)	% (F / B)	Balance to Finish (B - F)		
1	Site Preparation / Mobilization	1.00	LS	\$34,000.00	\$34,000.00	1.00	\$34,000.00		\$34,000.00	100.0%	\$0.00		
2	38-Inch Well Drilling	106.00	VF	\$135.00	\$14,310.00	105.00	\$14,175.00		\$14,175.00	99.1%	\$135.00		
3	16" Well Casing	71.00	VF	\$278.00	\$19,738.00	68.00	\$18,904.00		\$18,904.00	95.8%	\$834.00		
4	16" Well Screen	35.00	VF	\$507.00	\$17,745.00	35.00	\$17,745.00		\$17,745.00	100.0%	\$0.00		
5	Gravel Pack	1.00	LS	\$14,860.00	\$14,860.00	1.00	\$14,860.00		\$14,860.00	100.0%	\$0.00		
6	Bentonite Chip Seal	1.00	LS	\$7,460.00	\$7,460.00	1.00	\$7,460.00		\$7,460.00	100.0%	\$0.00		
7	Cement Grout Seal	1.00	LS	\$4,245.00	\$4,245.00	1.00	\$4,245.00		\$4,245.00	100.0%	\$0.00		
8	Well Development	1.00	LS	\$8,043.00	\$8,043.00	1.00	\$8,043.00		\$8,043.00	100.0%	\$0.00		
9	Test Pumping	12.00	EA	\$449.00	\$5,388.00	9.00	\$4,041.00		\$4,041.00	75.0%	\$1,347.00		
10	Recovery Monitoring	6.00	EA	\$225.00	\$1,350.00	0.50	\$112.50		\$112.50	8.3%	\$1,237.50		
11	Water Quality Analysis	1.00	LS	\$5,575.00	\$5,575.00	1.00	\$5,575.00		\$5,575.00	100.0%	\$0.00		
12	16" Pitless Unit	1.00	LS	\$34,390.00	\$34,390.00	1.00	\$34,390.00		\$34,390.00	100.0%	\$0.00		
13	Submersible Pump / Motor / Column Pipe / Disch. Pipe	1.00	LS	\$23,150.00	\$23,150.00	1.00	\$23,150.00		\$23,150.00	100.0%	\$0.00		
14	Discharge Vault / Piping / Meter / Valves / Meter	1.00	LS	\$32,570.00	\$32,570.00	1.00	\$32,570.00		\$32,570.00	100.0%	\$0.00		
15	Electrical From WTP / Disconnect / VFD / Panels / Breakers / Misc.	1.00	LS	\$82,740.00	\$82,740.00	1.00	\$82,740.00		\$82,740.00	100.0%	\$0.00		
16	Control System Modifications	1.00	LS	\$25,675.00	\$25,675.00	1.00	\$25,675.00		\$25,675.00	100.0%	\$0.00		

Contractor's Application

Progress Estimate - Unit Price Work

For New Well 22-1 (Contract):		Application Number: 4									
Application 07/31/23 - 08/25/23 Period:		Application 8/25/2023 Date:									
A				F			G				
Bid Item No.	Description	Item Quantity	Unit	Unit Price	Total Value of Item (\$)	Estimated Quantity Installed	Value of Work Installed to Date	Materials Presently Stored (not in C)	Total Completed and Stored to Date (D + E)	% (F / B)	Balance to Finish (B - F)
17	Earthwork	1.00	LS	\$9,120.00	\$9,120.00	1.00	\$9,120.00		\$9,120.00	100.0%	\$0.00
18	Access Road Work	1.00	LS	\$9,770.00	\$9,770.00	0.00	\$0.00		\$0.00		\$9,770.00
19	Chain Link Fence & Gate	1.00	LS	\$11,570.00	\$11,570.00	1.00	\$11,570.00		\$11,570.00	100.0%	\$0.00
20	12-Inch PVC Water Main	475.00	LF	\$116.00	\$55,100.00	440.00	\$51,040.00		\$51,040.00	92.6%	\$4,060.00
21	Fire Hydrant Assembly	1.00	EA	\$10,550.00	\$10,550.00	1.00	\$10,550.00		\$10,550.00	100.0%	\$0.00
22	12-Inch Tee & Block	3.00	EA	\$3,713.00	\$11,139.00	1.00	\$3,713.00		\$3,713.00	33.3%	\$7,426.00
23	12-Inch Gate Valve & Box	3.00	EA	\$6,253.00	\$18,759.00	3.00	\$18,759.00		\$18,759.00	100.0%	\$0.00
24	12-Inch Cap & Block	1.00	EA	\$1,368.00	\$1,368.00	1.00	\$1,368.00		\$1,368.00	100.0%	\$0.00
25	12-Inch 45-Degree Bend & Block	2.00	EA	\$2,345.00	\$4,690.00	2.00	\$4,690.00		\$4,690.00	100.0%	\$0.00
26	12" x 6" Reducer	1.00	EA	\$1,205.00	\$1,205.00	0.00	\$0.00		\$0.00		\$1,205.00
27	Sidewalk Removal & Replacement	64.00	SF	\$33.00	\$2,112.00	32.00	\$1,056.00		\$1,056.00	50.0%	\$1,056.00
28	Connect to Existing Main	1.00	LS	\$2,605.00	\$2,605.00	1.00	\$2,605.00		\$2,605.00	100.0%	\$0.00
29	Surface Restoration	1.00	LS	\$9,770.00	\$9,770.00	1.00	\$9,770.00		\$9,770.00	100.0%	\$0.00
30	Abandon Test Well	1.00	LS	\$713.00	\$713.00	1.00	\$713.00		\$713.00	100.0%	\$0.00
31	Staking Allowance	1.00	ALW	\$3,000.00	\$3,000.00	1.00	\$3,000.00		\$3,000.00	100.0%	\$0.00
32	Testing Allowance	1.00	ALW	\$3,000.00	\$3,000.00		\$0.00		\$0.00		\$3,000.00

Progress Estimate - Unit Price Work

Contractor's Application

For New Well 22-1 (Contract):		Application Number: 4									
Application Period: 07/31/23 - 08/25/23		Application Date: 8/25/2023									
A		F		G							
Bid Item No.	Description	Item Quantity	Unit	Unit Price	Total Value of Item (\$)	B	C	D	E	F	G
						Total Value of Item (\$)	Estimated Quantity Installed	Value of Work Installed to Date	Materials Presently Stored (not in C)	Total Completed and Stored to Date (D + E)	Balance to Finish (B - F)
33	CHANGE ORDER NO. 1	1.00	LS		\$0.00	\$0.00		\$0.00		\$0.00	\$0.00
Totals						\$485,710.00	\$455,639.50	\$0.00	\$0.00	\$455,639.50	\$30,070.50

Note: Total Schedule of Values Amount (B) should equal the current Contract Price.

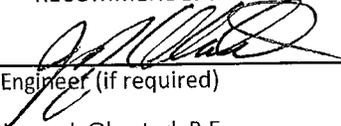
Date of Issuance: September 7, 2023 Effective Date: September 7, 2023
 Owner: CITY OF VALLEY Engineer: OLMSTED & PERRY CONSULTING ENGINEERS INC.
 Contractor: NEUVIRTH CONSTRUCTION CO. Contractor's Project No.: 1
 Project: 2022 Water System Improvements
 Contract Name: Chemical Feed System Replacements
 Owner's Contract No.: 1 Engineer's Project No.: 23-41

The Contract is modified as follows upon execution of this Change Order:

Description:
 Credit for Chemical Piping Changes by Owner: \$(-) 7,179.11
 Add New SCADA Computer for System Controls: \$(+) 9,006.27

Attachments: *[List documents supporting change]* ATTACHMENT NO. 1 TO CHANGE ORDER NO. 2

CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIMES <i>[note changes in Milestones if applicable]</i>
Original Contract Price: \$247,000.00	Original Contract Times: Substantial Completion: <u>8/1/2023</u> Ready for Final Payment: <u>8/31/2023</u> days or dates
Increase (Decrease) from previously approved Change Orders No. - to No. 1 : \$14,895.57	Increase (Decrease) from previously approved Change Orders No. - to No. 1 : Substantial Completion: <u>0</u> Ready for Final Payment: <u>0</u> days
Contract Price prior to this Change Order: \$261,895.57	Contract Times prior to this Change Order: Substantial Completion: <u>8/1/2023</u> Ready for Final Payment: <u>8/31/2023</u> days or dates
Increase (Decrease) of this Change Order: \$1,827.16	Increase (Decrease) of this Change Order: Substantial Completion: <u>92</u> Ready for Final Payment: <u>76</u> days or dates
Contract Price incorporating this Change Order: \$263,722.73	Contract Times with all approved Change Orders: Substantial Completion: <u>11/1/2023</u> Ready for Final Payment: <u>11/15/2023</u> days or dates

RECOMMENDED:
 By:  By: _____
 Engineer (if required) Owner (Authorized Signature)

Title: James J. Olmsted, P.E. Title: Cindy Grove, Mayor Title: _____

Date: 7-Sep-23 Date: _____ Date: 9/7/23

Approved by Funding Agency (if applicable)

By: _____ Date: _____

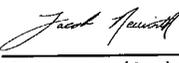
Title: _____

ACCEPTED:
 By: _____ By: _____
 Owner (Authorized Signature) Contractor (Authorized Signature)

Title: _____ Title: _____

Date: _____ Date: _____

Date: 9/7/23

ACCEPTED:
 Digitally signed by Jacob Neuvirth
 DN: C=US, E=jacob@neuvirth.com,
 O=Neuvirth Construction, CN=Jacob
 Neuvirth
 Date: 2023.09.07 14:04:15 -0500
 By: 
 Contractor (Authorized Signature)
 President

Date: 9/7/23



Neuvirth Construction Inc.

7386 County Road P35
Blair, NE 68008

To: City Of Valley	Contact:
Address: 203 North Spruce Street Valley, NE 68064	Phone:
	Fax:
Project Name: 2022 WTP Chemical Feed Equip Replacement Valley	Bid Number:
Project Location:	Bid Date:

Item #	Item Description	Estimated Quantity	Unit	Unit Price	Total Price
1	Plumbing/Demolition Deduct	1.00	LS	\$7,179.11	\$7,179.11

Total Bid Price: \$7,179.11

Notes:

- **Price Includes:**
 - Sales Tax
 - Bond
 - Deduct of ALL plumbing related items for the transfer pump, potassium permanganate, fluoride, and chlorine systems
 - Demolition of any piping or other appurtenances
- **Price Does Not Include**

Payment Terms:

Payment due within 30 days of date of invoice, regardless of when payment is made by Owner.

<p>ACCEPTED: The above prices, specifications and conditions are satisfactory and hereby accepted.</p> <p>Buyer: _____</p> <p>Signature: _____</p> <p>Date of Acceptance: _____</p>	<p>CONFIRMED: Neuvirth Construction</p> <p>Authorized Signature: _____</p> <p>Estimator: _____</p>
---	--



Neuvirth Construction Inc.

7386 County Road P35
Blair, NE 68008

To: City Of Valley	Contact:
Address: 203 North Spruce Street Valley, NE 68064	Phone:
	Fax:
Project Name: 2022 WTP Chemical Feed Equip Replacement Valley	Bid Number:
Project Location:	Bid Date:

Item #	Item Description	Estimated Quantity	Unit	Unit Price	Total Price
1	New SCADA PC	1.00	LS	\$8,917.10	\$8,917.10
2	Time Extension To 10/15/2023	1.00	LS	\$0.00	\$0.00
3	Bond	1.00	LS	\$89.17	\$89.17

Total Bid Price: \$9,006.27

Notes:

- **Price Includes:**
- Bond
- **Price Does Not Include**

Payment Terms:

Payment due within 30 days of date of invoice, regardless of when payment is made by Owner.

<p>ACCEPTED: The above prices, specifications and conditions are satisfactory and hereby accepted.</p> <p>Buyer: _____</p> <p>Signature: _____</p> <p>Date of Acceptance: _____</p>	<p>CONFIRMED: Neuvirth Construction</p> <p>Authorized Signature: _____</p> <p>Estimator: _____</p>
---	--

RESOLUTION NO. 2023-51

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF VALLEY, DOUGLAS COUNTY, NEBRASKA:

The certificate filed with the Clerk by the special engineer of the project, showing the amount of material furnished and work performed in the City under contract heretofore for **Neuvirth Construction Inc.** for Valley Chemical Feed and the statements of the engineer and others set out below are hereby approved and the Council finds that the materials therein set out have been furnished and have been received by the City and work has been performed and claim therefor is hereby submitted as follows:

1. ORIGINAL CONTRACT PRICE	<u>\$247,000.00</u>
1.a Overage Not by Change Order	<u>\$0.00</u>
2. Net Change by Change Orders	<u>\$14,895.57</u>
3. CURRENT CONTACT PRICE (Line 1 + 1.a. + 2)	<u>\$261,895.57</u>
4. TOTAL COMPLETED AND STORED TO DATE (Column G+J on Progress Estimate)	<u>\$201,895.57</u>
5. RETAINAGE:	
a. 10% x Override Work Completed	<u>\$14,489.56</u>
b. 10% x Override Stored Material	<u>\$0.00</u>
c. Retainage (Line 5.a + Line 5.b)	<u>\$14,489.56</u>
d. Previous retainage	<u>\$5,700.00</u>
6. AMOUNT ELIGIBLE TO DATE (Line 4 - Line 5.c - Line 5.d.)	<u>\$181,706.01</u>
7. LESS PREVIOUS PAYMENTS (Line 6 from prior Application)	<u>\$51,300.00</u>
8. AMOUNT DUE THIS APPLICATION	<u>\$130,406.01</u>
9. BALANCE TO FINISH (Column O on Progress Estimates)	<u>\$74,489.56</u>
10. FINAL APPLICATION FOR RETAINAGE	<u> </u>
	<u> </u>
PAYMENT OF:	<u>\$130,406.01</u>

NOW, THEREFORE, BE IT RESOLVED THAT the Valley City Council consents to and authorizes payment to:

NEUVIRTH CONSTRUCTION INC. \$130,406.01

PASSED AND APPROVED this 12th day of September, 2023.

CITY OF VALLEY, DOUGLAS COUNTY, NEBRASKA

Cindy Grove, Mayor

John Batcher, Council President

Linda Lewis, Council Member

Bryon Ueckert, Council Member

Chris TenEyck, Council Member

ATTEST:

Cheryl K. Eckerman, City Clerk

Contractor's Application For Payment No. 2

To (Owner):	City of Valley	Application Period:	8/1/2023	Application Date:	8/29/2023
Contractor	Neuvirth Construction Inc	PROJECT NAME			
Address	7386 county road P35 Blair Ne. 68008	Valley Chemical Feed			
Project Number	0723	Invoice Number			
		Via (Engineer)			
		Engineer's Project No.:			

Change Order Summary

Approved Change Orders	
Number	Description
1	CO-1
2	
3	
4	
5	
6	
7	
8	
9	
10	
TOTALS	
NET CHANGE BY	\$ -
CHANGE ORDERS	\$ -

1. ORIGINAL CONTRACT PRICE	\$ \$ 247,000.00
1a. Overage Not by Change Order	
2. Net change by Change Orders	\$ \$ 14,895.57
3. CURRENT CONTRACT PRICE (Line 1±1a± 2)	\$ \$ 261,895.57
4. TOTAL COMPLETED AND STORED TO DATE (Column G±J on Progress Estimate)	\$ \$ 201,895.57
5. RETAINAGE:	
a. 10% <input checked="" type="checkbox"/> Override	\$ \$ 14,489.56
b. 10% <input checked="" type="checkbox"/> Override	\$ \$ -
c. Retainage (Line 5a + Line 5b)	\$ \$ 14,489.56
d. Previous retainage	\$ \$ 5,700.00
6. AMOUNT ELIGIBLE TO DATE (Line 4 - Line 5c-Line 5d)	\$ \$ 181,706.01
7. LESS PREVIOUS PAYMENTS	\$ \$ 51,300.00
8. AMOUNT DUE THIS APPLICATION	\$ \$ 130,406.01
9. BALANCE TO FINISH (Column O on Progress Estimate)	\$ \$ 74,489.56
10. FINAL APPLICATION FOR RETAINAGE	\$ \$ -

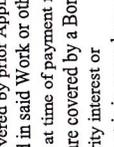
Contractor's Certification

The undersigned Contractor certifies that: (1) all previous progress payments received from Owner on account of Work done under the Contract have been applied on account to discharge Contractor's legitimate obligations incurred in connection with Work covered by prior Applications for Payment; (2) title of all Work, materials and equipment incorporated in said Work or otherwise listed in or covered by this Application for Payment will pass to Owner at time of payment free and clear of all Liens, security interests and encumbrances (except such as are covered by a Bond acceptable to Owner indemnifying Owner against any such Liens, security interest or encumbrances); and (3) all Work covered by this Application for Payment is in accordance with the Contract Documents and is not defective.

Digitally signed by Jacob Neuvirth
DN: C=US, E=jacob@neuvirth.com,
O=Neuvirth Construction, CN=Jacob
Neuvirth
Date: 2023.08.29 13:01:10-05'00'

By:  Date: _____

Payment of: \$ 130,406.01 (Line 8 or other - attach explanation of other amount)

is recommended by:  (Engineer) 8-31-23 (Date)

Payment of: _____ (Line 8 or other - attach explanation of other amount)

is approved by: _____ (Owner)

Approved by: _____ Funding Agency (if applicable)

Work Change Directive No.

Date of Issuance
August 31, 2023

Effective Date:
August 31, 2023

Owner: ~CITY OF VALLEY

Owner's
Contract No.:1

Contractor: NEUVIRTH CONSTRUCTION CO.

Contractor's
Project No.:1

Engineer: OLMSTED & PERRY
CONSULTING ENGINEERS INC.

Engineer's
Project
No.:23-42

Project: FILTER MEDIA REPLACEMENT
IMPROVEMENTS

Contract Name: FILTER MEDIA REPLACEMENT
IMPROVEMENTS

Contractor is directed to proceed promptly with the following change(s):

Description: REPAIR LEAKS IN THE EXISTING FILTER CONTROL PANEL. Work shall be done on a time and material cost basis once the peak summer water demands are reduced and the filter system can be shut down for performance of the work.

REPLACE the 4 filter inlet valves in the control panel.

Attachments: See Attachment No. 1 for Hourly Rates[List documents supporting change]

Purpose for Work Change Directive:

Directive to proceed promptly with the Work described herein, prior to agreeing to changes on Contract Price and Contract Time, is issued due to: [check one or both of the following]

- Non-agreement on pricing of proposed change.
- Necessity to proceed for schedule or other Project reasons.

Estimated Change in Contract Price and Contract Times (non-binding, preliminary):

Contract Price
Unknown at this time \$ [increase] [decrease].

Contract Time
Unknown at this time days [increase] [decrease].

Basis of estimated change in Contract Price:

- Lump Sum
- Unit Price
- Cost of the Work
- Other

RECOMMENDED:

AUTHORIZED BY:

RECEIVED:

By: 
Engineer (Authorized Signature)

By: _____
Owner (Authorized Signature)

By: _____
Contractor (Authorized Signature)

Title: James J. Olmsted, P.e.

Title: Cindy Grove, Mayor

Title:

Date: August 31, 2023

Date:

Date:

Neuvirth Construction Inc.

3400 Old Mormon Bridge Road - Cescent, IA 51526 - 402 / 455-2255

CONTRACT MODIFICATION COST SUMMARY

 Change Of Scope
 Additional Work

Project: _____

Date: _____

Request Made By: _____

Job No.: _____

Equipment Rental

		Hours	Rate		
Excavator	per hour	0	200.00	\$	-
Skidsteer	per hour	0	100.00	\$	-
Air Compressor / Hammer	per hour	0	40.00	\$	-
Dump Truck	per hour	0	140.00	\$	-
Pick-up	per day	0	75.00	\$	-
Semi / Lowboy	per hour	0	250.00	\$	-
Welder	per hour	0	30.00	\$	-
Fuel Surcharge		0	12.00	\$	-
Small Tools		0	75.00	\$	-
Grading Tractor		0	75.00	\$	-
Sub-Total Equipment Rental				\$	-

Labor & Burden

		Hours	Rate		
Project Manager		0	100.00	\$	-
Superintendent		0	100.00	\$	-
Operator		0	70.00	\$	-
Foreman		0	85.00	\$	-
Carpenter		0	65.00	\$	-
Ironworker		0	65.00	\$	-
Cement Finisher		0	65.00	\$	-
Pipefitter		0	70.00	\$	-
Laborer		0	55.00	\$	-
Sub-Total Direct Labor				\$	-

Sub-Total Page 1 Of 3

Date of Issuance: September 1, 2023 Effective Date: September 1, 2023

Owner: CITY OF VALLEY Engineer: OLMSTED & PERRY CONSULTING ENGINEERS INC.

Contractor: ONYX BLASTING & COATING LLC Contractor's Project No.: 1

Project: 2022 Water System Improvements

Contract Name: Cleaning, Repair, and Repainting of Water Tower

Owner's Contract No.: 1 Engineer's Project No.: 22-68

The Contract is modified as follows upon execution of this Change Order:

Description:

Change Contract Times for the Work

Contractor shall not take tank out of operation until October 2, 2023

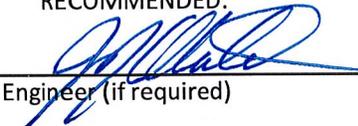
Attachments: *[List documents supporting change]*

CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIMES <i>[note changes in Milestones if applicable]</i>
Original Contract Price: <u>\$667,440.00</u>	Original Contract Times: Substantial Completion: <u>6/30/2023</u> Ready for Final Payment: <u>7/31/2023</u> days or dates
Increase (Decrease) from previously approved Change Orders No. - to No. - : <u>\$0.00</u>	Increase (Decrease) from previously approved Change Orders No. - to No. - : Substantial Completion: <u>0</u> Ready for Final Payment: <u>0</u> days
Contract Price prior to this Change Order: <u>\$667,440.00</u>	Contract Times prior to this Change Order: Substantial Completion: <u>6/30/2023</u> Ready for Final Payment: <u>7/31/2023</u> days or dates
Increase (Decrease) of this Change Order: <u>\$0.00</u>	Increase (Decrease) of this Change Order: Substantial Completion: <u>124</u> Ready for Final Payment: <u>107</u> days or dates
Contract Price incorporating this Change Order: <u>\$667,440.00</u>	Contract Times with all approved Change Orders: Substantial Completion: <u>11/1/2023</u> Ready for Final Payment: <u>11/15/2023</u> days or dates

RECOMMENDED:

ACCEPTED:

ACCEPTED:

By:  By: _____
Engineer (if required) Owner (Authorized Signature)

Title: James J. Olmsted, P.E. Title: Cindy Grove, Mayor Title: _____

Date: 1-Sep-23 Date: _____ Date: _____

Approved by Funding Agency (if applicable)

By: _____ Date: _____

Title: _____

EJCDC® C-941, Change Order.

Change Order No. 2

Owner:	<u>City of Valley</u>	Owner's Project No.:	<u>n/a</u>
Engineer:	<u>EAGLE ENGINEERING GROUP</u>	Engineer's Project No.:	<u>22-75</u>
Contractor:	<u>Spencer Management, LLC</u>	Contractor's Project No.:	<u>n/a</u>
Project:	<u>The Pines Subdivision Concrete Street Repair and S. Lakewood Street and W. Waring Street Concrete Repair</u>		
Contract Name:	<u>The Pines Subdivision Concrete Street Repair and S. Lakewood Street and W. Waring Street Concrete Repair</u>		
Date Issued:	<u>September 6, 2023</u>	Effective Date of Change order:	<u>September 12, 2023</u>

The Contract is modified as follows upon execution of this Change Order:

Description:

Adjust project quantities for as constructed conditions.

Attachments: *[List documents supporting change]*

Attachment No. 1 To Change Order No. 2

Change in Contract Times
[State Contract Times as either a specific date or a number of days]

Change in Contract Price

Original Contract Price: \$ <u> \$281,611.25</u>	Original Contract Times: Substantial Completion: <u> August 15, 2023</u> Ready for Final Payment: <u> August 31, 2023</u>
Increase (Decrease) from previously approved Change Orders No. - to No. 1 : \$ <u> \$0.00</u>	Increase (Decrease) from previously approved Change Orders No. - to No. 1 : Substantial Completion: <u> 0</u> Ready for Final Payment: <u> 0</u>
Contract Price prior to this Change Order: \$ <u> \$281,611.25</u>	Contract Times prior to this Change Order: Substantial Completion: <u> August 15, 2023</u> Ready for Final Payment: <u> August 31, 2023</u>
Increase (Decrease) of this Change Order: \$ <u> (\$3,717.25)</u>	Increase (Decrease) this Change Order: Substantial Completion: <u> 0</u> Ready for Final Payment: <u> 12</u>
Contract Price incorporating this Change Order: \$ <u> \$277,894.00</u>	Contract Times with all approved Change Orders: Substantial Completion: <u> August 15, 2023</u> Ready for Final Payment: <u> September 12, 2023</u>

Recommended by Engineer (if required)

Accepted By Contractor

By: _____
 Title: Project Manager
 Date: 9/7/2023

By: _____
 Title: _____
 Date: _____

Authorized by Owner

Approved by Funding Agency (if applicable)

By: _____
 Title: Mayor
 Date: 9/12/2023

By: _____
 Title: _____
 Date: _____

Attachment No. 1 to Change Order No.: 2

Project: **The Pines Subdivision Concrete Street Repair and S. Lakewood Street and W.**

Dated: **September 6, 2023**

Project No. **22-75**

ITEM NO.	DESCRIPTION OF WORK	UNIT PRICE	UNITS	CONTRACT QUANTITY	ACTUAL CONSTRUCTED QUANTITY	QUANTITY CHANGE	CHANGE IN CONTRACT PRICE	
5	BITUMINOUS JOINT SEALING	\$1.50	LF	900	0.0	-900.0	-\$1,350.00	
6	REMOVE & REPLACE 4-INCH CONCRETE SIDEWALK	\$4.50	SF	282	435.0	153.0	\$688.50	
7	REMOVE & REPLACE 6-INCH CONCRETE SIDEWALK RAMP	\$5.75	SF	269	210.0	-59.0	-\$339.25	
8	DETECTABLE WARNING PANELS	\$30.00	SF	56	64.0	8.0	\$240.00	
9	REMOVE & REPLACE UNSUITABLE SUBGRADE	\$18.00	CY	200	0.0	-200.0	-\$3,600.00	
11	TESTING ALLOWANCE	\$2,000.00	ALW	1	0.0	-1.0	-\$2,000.00	
21	TESTING ALLOWANCE	\$2,000.00	ALW	1	0.5	-0.5	-\$934.00	
24	REMOVE AND REPLACE INTEGRAL CURB & GUTTER	\$45.00	LF	0	79.5	79.5	\$3,577.50	
TOTAL								-\$3,717.25

RESOLUTION NO. 2023-52

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF VALLEY, DOUGLAS COUNTY, NEBRASKA:

The certificate filed with the Clerk by the special engineer of the project, showing the amount of material furnished and work performed in the City under contract heretofore for **Spencer Management** for The Pines Subdivision Concrete Street Repair and S. Lakewood Street and W. Waring Street Concrete Repair and the statements of the engineer and others set out below are hereby approved and the Council finds that the materials therein set out have been furnished and have been received by the City and work has been performed and claim therefor is hereby submitted as follows:

1. ORIGINAL CONTRACT PRICE	<u>\$281,611.25</u>
2. Net change by Change Orders	<u>\$66,662.75</u>
3. Current Contract Price (Line 1 + 2)	<u>\$348,274.00</u>
4. TOTAL COMPLETED AND STORED TO DATE (Column F total on Progress Estimates)	<u>\$348,274.00</u>
5. RETAINAGE:	
a. 0% x \$348,274.00 Work Completed	<u>\$0.00</u>
b. 0% x \$0.00 Stored Material	<u>\$0.00</u>
c. Total Retainage (Line 5.a + Line 5.b)	<u>\$0.00</u>
6. AMOUNT ELIGIBLE TO DATE (Line 4 + Line 5.c)	<u>\$348,274.00</u>
7. LESS PREVIOUS PAYMENTS (Line 6 from prior Application)	<u>\$243,168.75</u>
8. AMOUNT DUE THIS APPLICATION	<u>\$105,105.25</u>
9. BALANCE TO FINISH, PLUS RETAINAGE (Line 3 – Line 4)	<u>\$0.00</u>

PAYMENT OF: \$105,105.25

NOW, THEREFORE, BE IT RESOLVED THAT the Valley City Council consents to and authorizes payment to:

SPENCER MANAGEMENT

\$105,105.25

PASSED AND APPROVED this 12th day of September, 2023.

CITY OF VALLEY, DOUGLAS COUNTY, NEBRASKA

Cindy Grove, Mayor

John Batcher, Council President

Linda Lewis, Council Member

Bryon Ueckert, Council Member

Chris TenEyck, Council Member

ATTEST:

Cheryl K. Eckerman, City Clerk

Contractor's Application for Payment

Owner: <u>City of Valley</u>	Owner's Project No.: _____
Engineer: <u>EAGLE ENGINEERING GROUP</u>	Engineer's Project No.: <u>22-75</u>
Contractor: <u>Spencer Management</u>	Contractor's Project No.: _____
Project: <u>The Pines Subdivision Concrete Street Repair and S. Lakewood Street and W. Waring Street C</u>	
Contract: <u>The Pines Subdivision Concrete Street Repair and S. Lakewood Street and W. Waring Street C</u>	
Application No.: <u>2</u>	Application Date: _____
Application Period: From <u>8/1/2023</u> to <u>9/8/2023</u>	

1. Original Contract Price	\$	281,611.25
2. Net change by Change Orders	\$	66,662.75
3. Current Contract Price (Line 1 + Line 2)	\$	348,274.00
4. Total Work completed and materials stored to date (Sum of Column G Lump Sum Total and Column J Unit Price Total)	\$	348,274.00
5. Retainage		
a. <u>0%</u> X <u>\$ 348,274.00</u> Work Completed	\$	-
b. <u>0%</u> X <u>\$ -</u> Stored Materials	\$	-
c. Total Retainage (Line 5.a + Line 5.b)	\$	-
6. Amount eligible to date (Line 4 - Line 5.c)	\$	348,274.00
7. Less previous payments (Line 6 from prior application)	\$	243,168.75
8. Amount due this application	\$	105,105.25
9. Balance to finish, including retainage (Line 3 - Line 4)	\$	-

Contractor's Certification

The undersigned Contractor certifies, to the best of its knowledge, the following:

(1) All previous progress payments received from Owner on account of Work done under the Contract have been applied on account to discharge Contractor's legitimate obligations incurred in connection with the Work covered by prior Applications for Payment;

(2) Title to all Work, materials and equipment incorporated in said Work, or otherwise listed in or covered by this Application for Payment, will pass to Owner at time of payment free and clear of all liens, security interests, and encumbrances (except such as are covered by a bond acceptable to Owner indemnifying Owner against any such liens, security interest, or encumbrances); and

(3) All the Work covered by this Application for Payment is in accordance with the Contract Documents and is not defective.

Contractor: Spencer Management

Signature: _____ **Date:** _____

Recommended by Engineer	Approved by Owner
By: _____	By: _____
Title: <u>Project Manager</u>	Title: <u>Mayor</u>
Date: _____	Date: _____
Approved by Funding Agency	
By: _____	By: _____
Title: _____	Title: _____
Date: _____	Date: _____

Progress Estimate - Unit Price Work

Contractor's Application for Payment

Owner:	City of Valley	Owner's Project No.:	
Engineer:	EAGLE ENGINEERING GROUP	Engineer's Project No.:	22-75
Contractor:	Spencer Management	Contractor's Project No.:	
Project:	The Pines Subdivision Concrete Street Repair and S. Lakewood Street and W. Waring Street Concrete Repair		
Contract:	The Pines Subdivision Concrete Street Repair and S. Lakewood Street and W. Waring Street Concrete Repair		

Application No.: 2 **Application Period:** From 08/01/23 to 09/08/23 **Application Date:** 09/12/23

A	B	C	D	E	F	G	H	I	J	K	L
Bid Item No.	Description	Contract Information				Work Completed		Materials Currently Stored (not in G) (\$)	Work Completed and Materials Stored to Date (H + I) (\$)	% of Value of Item (J / F) (%)	Balance to Finish (F - J) (\$)
		Item Quantity	Units	Unit Price (\$)	Value of Bid Item (C X E) (\$)	Estimated Quantity Incorporated in the Work	Value of Work Completed to Date (E X G) (\$)				
Original Contract											
1	SITE PREPARATION / MOBILIZATION	1.00	LS	5,000.00	5,000.00	1.00	5,000.00	-	5,000.00	100%	-
2	TRAFFIC CONTROL / BARRICADES / WARNING SIGNS	1.00	LS	3,500.00	3,500.00	1.00	3,500.00	-	3,500.00	100%	-
3	REMOVE & CONSTRUCT 7-INCH CONCRETE PAVEMENT -	2,597.00	SY	75.50	196,073.50	2,597.00	196,073.50	-	196,073.50	100%	-
4	BITUMINOUS CRACK SEALING	5,225.00	LF	2.50	13,062.50	5,225.00	13,062.50	-	13,062.50	100%	-
5	BITUMINOUS JOINT SEALING	900.00	LF	1.50	1,350.00	-	-	-	-	0%	1,350.00
6	REMOVE & REPLACE 4-INCH CONCRETE SIDEWALK	282.00	SF	4.50	1,269.00	435.00	1,957.50	-	1,957.50	154%	(688.50)
7	REMOVE & REPLACE 6-INCH CONCRETE SIDEWALK RAMP	269.00	SF	5.75	1,546.75	210.00	1,207.50	-	1,207.50	78%	339.25
8	DETECTABLE WARNING PANELS	56.00	SF	30.00	1,680.00	64.00	1,920.00	-	1,920.00	114%	(240.00)
9	REMOVE & REPLACE UNSUITABLE SUBGRADE	200.00	CY	18.00	3,600.00	-	-	-	-	0%	3,600.00
10	SURFACE RESTORATION	1.00	LS	5,000.00	5,000.00	1.00	5,000.00	-	5,000.00	100%	-
11	TESTING ALLOWANCE	1.00	ALW	2,000.00	2,000.00	-	-	-	-	0%	2,000.00
12	SITE PREPARATION / MOBILIZATION	1.00	LS	2,000.00	2,000.00	1.00	2,000.00	-	2,000.00	100%	-
13	TRAFFIC CONTROL / BARRICADES / WARNING SIGNS	1.00	LS	575.00	575.00	1.00	575.00	-	575.00	100%	-
14	REMOVE AND CONSTRUCT 7-INCH CONCRETE PAVEMENT -	479.00	SY	75.50	36,164.50	479.00	36,164.50	-	36,164.50	100%	-
15	REMOVE AND REPLACE 6-INCH CONCRETE SIDEWALK	120.00	SF	5.75	690.00	120.00	690.00	-	690.00	100%	-
16	DETECTABLE WARNING PANELS	16.00	SF	30.00	480.00	16.00	480.00	-	480.00	100%	-
17	ADJUST VALVE BOX & COVER TO GRADE	2.00	EA	100.00	200.00	2.00	200.00	-	200.00	100%	-
18	ADJUST MANHOLE FRAME & COVER TO GRADE	1.00	EA	150.00	150.00	1.00	150.00	-	150.00	100%	-
19	SURFACE RESTORATION	1.00	LS	900.00	900.00	1.00	900.00	-	900.00	100%	-
20	STAKING ALLOWANCE	1.00	ALW	950.00	950.00	1.00	950.00	-	950.00	100%	-
21	TESTING ALLOWANCE	1.00	ALW	2,000.00	2,000.00	0.53	1,066.00	-	1,066.00	53%	934.00
22	REMOVE & CONSTRUCT 7-INCH CONCRETE PAVEMENT -	38.00	SY	90.00	3,420.00	38.00	3,420.00	-	3,420.00	100%	-
Original Contract Totals					\$ 281,611.25		\$ 274,316.50	\$ -	\$ 274,316.50	97%	\$ 7,294.75

Progress Estimate - Unit Price Work

Contractor's Application for Payment

Owner: City of Valley	Owner's Project No.: _____
Engineer: EAGLE ENGINEERING GROUP	Engineer's Project No.: 22-75
Contractor: Spencer Management	Contractor's Project No.: _____
Project: The Pines Subdivision Concrete Street Repair and S. Lakewood Street and W. Waring Street Concrete Repair	
Contract: The Pines Subdivision Concrete Street Repair and S. Lakewood Street and W. Waring Street Concrete Repair	

Application No.: 2 Application Period: From 08/01/23 to 09/08/23 Application Date: 09/12/23

A	B	C	D	E	F	G	H	I	J	K	L
Bid Item No.	Description	Contract Information				Work Completed		Materials Currently Stored (not in G) (\$)	Work Completed and Materials Stored to Date (H + I) (\$)	% of Value of Item (J / F) (%)	Balance to Finish (F - J) (\$)
		Item Quantity	Units	Unit Price (\$)	Value of Bid Item (C X E) (\$)	Estimated Quantity Incorporated in the Work	Value of Work Completed to Date (E X G) (\$)				
Change Orders											
26	REMOVE & CONSTRUCT 7-INCH CONCRETE PAVEMENT -	828.00	SY	85.00	70,380.00	828.00	70,380.00	-	70,380.00	100%	-
27	REMOVE AND REPLACE INTEGRAL CURB & GUTTER	-	LF	45.00	-	79.50	3,577.50	-	3,577.50		(3,577.50)
28	CHANGE ORDER NO. 2	(1.00)	LS	3,717.25	(3,717.25)		-	-	-	0%	(3,717.25)
Change Order Totals					\$ 66,662.75		\$ 73,957.50	\$ -	\$ 73,957.50	111%	\$ (7,294.75)
Original Contract and Change Orders											
Project Totals					\$ 348,274.00		\$ 348,274.00	\$ -	\$ 348,274.00	100%	\$ -

Change Order No. 1

Owner:	<u>City of Valley</u>	Owner's Project No.:	<u>n/a</u>
Engineer:	<u>EAGLE ENGINEERING GROUP</u>	Engineer's Project No.:	<u>22-79</u>
Contractor:	<u>Oldcastle Materials Midwest Co. DBA Omni Engineering</u>	Contractor's Project No.:	<u>n/a</u>
Project:	<u>288th Street & State Street Pavement Resurfacing</u>		
Contract Name:	<u>288th Street & State Street Pavement Resurfacing</u>		
Date Issued:	<u>September 7, 2023</u>	Effective Date of Change order:	<u>September 7, 2023</u>

The Contract is modified as follows upon execution of this Change Order:

Description:
Adjust project quantities for as built conditions

Attachments: *[List documents supporting change]*
Attachment No. 1 To Change Order No. 1

Change in Contract Times
[State Contract Times as either a specific date or a number of days]

Change in Contract Price	Change in Contract Times
Original Contract Price: \$ <u>284,178.50</u>	Original Contract Times: Substantial Completion: <u>August 17, 2023</u> Ready for Final Payment: <u>August 31, 2023</u>
Increase (Decrease) from previously approved Change Orders No. - to No. - : \$ <u>\$0.00</u>	Increase (Decrease) from previously approved Change Orders No. - to No. - : Substantial Completion: <u>0</u> Ready for Final Payment: <u>0</u>
Contract Price prior to this Change Order: \$ <u>\$284,178.50</u>	Contract Times prior to this Change Order: Substantial Completion: <u>August 17, 2023</u> Ready for Final Payment: <u>August 31, 2023</u>
Increase (Decrease) of this Change Order: \$ <u>(\$7,001.25)</u>	Increase (Decrease) this Change Order: Substantial Completion: <u>0</u> Ready for Final Payment: <u>0</u>
Contract Price incorporating this Change Order: \$ <u>\$277,177.25</u>	Contract Times with all approved Change Orders: Substantial Completion: <u>August 17, 2023</u> Ready for Final Payment: <u>August 31, 2023</u>

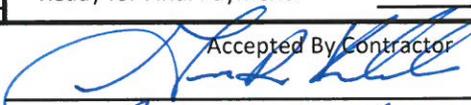
Recommended by Engineer (if required)

By: _____
Title: Project Manager
Date: 9/7/2023

Authorized by Owner

By: _____
Title: Mayor
Date: 9/12/2023

Accepted By Contractor

By: 
Title: ASSISTANT SECRETARY
Date: SEPT 11, 2023

Approved by Funding Agency (if applicable)

By: _____
Title: _____
Date: _____

Attachment No. 1 to Change Order No.: 1

Project: **288th Street & State Street Pavement Resurfacing**

Dated: **September 7, 2023**

Project No: **22-79**

ITEM NO.	DESCRIPTION OF WORK	UNIT PRICE	UNITS	CONTRACT QUANTITY	ACTUAL CONSTRUCTED QUANTITY	QUANTITY CHANGE	CHANGE IN CONTRACT PRICE
3	COLD MILLING	2.50	SY	12,583.00	13,027.0	444.0	\$1,110.00
4	SURFACE OVERLAY, HMA SLX PG 58V-34	130.00	TON	1,654.00	1,703.0	49.0	\$6,370.00
5	JOINT REPAIR, PARTIAL DEPTH, HMA SPH 58V-34	4.25	LF	1,973.00	365.0	-1,608.0	-\$6,834.00
6	MILLINGS FOR SHOULDERING	45.25	TON	169.00	0.0	-169.0	-\$7,647.25
TOTAL							-\$7,001.25

RESOLUTION NO. 2023-53

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF VALLEY, DOUGLAS COUNTY, NEBRASKA:

The certificate filed with the Clerk by the special engineer of the project, showing the amount of material furnished and work performed in the City under contract heretofore for **Oldcastle Materials Midwest Co. d/b/a Omni Engineering** for 288th Street and State Street pavement resurfacing and the statements of the engineer and others set out below are hereby approved and the Council finds that the materials therein set out have been furnished and have been received by the City and work has been performed and claim therefor is hereby submitted as follows:

1. ORIGINAL CONTRACT PRICE	<u>\$284,178.50</u>
2. Net change by Change Orders	<u>(\$7,001.25)</u>
3. Current Contract Price (Line 1 + 2)	<u>\$277,177.25</u>
4. TOTAL COMPLETED AND STORED TO DATE (Column F total on Progress Estimates)	<u>\$277,177.25</u>
5. RETAINAGE:	
a. 0% x \$276,067.25 Work Completed	<u>\$0.00</u>
b. 10% x \$0.00 Stored Material	<u>\$0.00</u>
c. Total Retainage (Line 5.a + Line 5.b)	<u>\$0.00</u>
6. AMOUNT ELIGIBLE TO DATE (Line 4 + Line 5.c)	<u>\$277,177.25</u>
7. LESS PREVIOUS PAYMENTS (Line 6 from prior Application)	<u>\$0.00</u>
8. AMOUNT DUE THIS APPLICATION	<u>\$277,177.25</u>
9. BALANCE TO FINISH, PLUS RETAINAGE (Line 3 – Line 4)	<u>\$0.00</u>

PAYMENT OF: **\$277,177.25**

NOW, THEREFORE, BE IT RESOLVED THAT the Valley City Council consents to and authorizes payment to:

OMNI ENGINEERING \$277,177.25

PASSED AND APPROVED this 12th day of September, 2023.

CITY OF VALLEY, DOUGLAS COUNTY, NEBRASKA

Cindy Grove, Mayor

John Batcher, Council President

Linda Lewis, Council Member

Bryon Ueckert, Council Member

Chris TenEyck, Council Member

ATTEST:

Cheryl K. Eckerman, City Clerk

Contractor's Application for Payment

Owner: <u>City of Valley</u>	Owner's Project No.: _____
Engineer: <u>EAGLE ENGINEERING GROUP</u>	Engineer's Project No.: <u>22-79</u>
Contractor: <u>Oldcastle Materials Midwest Co. DBA Omi</u>	Contractor's Project No.: _____
Project: <u>288th Street and State Street Pavement Resurfacing</u>	
Contract: <u>288th Street and State Street Pavement Resurfacing, Valley, NE</u>	
Application No.: <u>1</u>	Application Date: <u>9/12/2023</u>
Application Period: From <u>8/22/2023</u> to <u>8/31/2023</u>	

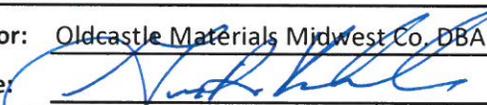
1. Original Contract Price	\$ 284,178.50
2. Net change by Change Orders	\$ (7,001.25)
3. Current Contract Price (Line 1 + Line 2)	\$ 277,177.25
4. Total Work completed and materials stored to date (Sum of Column G Lump Sum Total and Column J Unit Price Total)	\$ 277,177.25
5. Retainage	
a. <u>0%</u> X \$ 277,177.25 Work Completed	\$ -
b. <u>0%</u> X \$ - Stored Materials	\$ -
c. Total Retainage (Line 5.a + Line 5.b)	\$ -
6. Amount eligible to date (Line 4 - Line 5.c)	\$ 277,177.25
7. Less previous payments (Line 6 from prior application)	\$ -
8. Amount due this application	\$ 277,177.25
9. Balance to finish, including retainage (Line 3 - Line 4)	\$ -

Contractor's Certification

The undersigned Contractor certifies, to the best of its knowledge, the following:

- (1) All previous progress payments received from Owner on account of Work done under the Contract have been applied on account to discharge Contractor's legitimate obligations incurred in connection with the Work covered by prior Applications for Payment;
- (2) Title to all Work, materials and equipment incorporated in said Work, or otherwise listed in or covered by this Application for Payment, will pass to Owner at time of payment free and clear of all liens, security interests, and encumbrances (except such as are covered by a bond acceptable to Owner indemnifying Owner against any such liens, security interest, or encumbrances); and
- (3) All the Work covered by this Application for Payment is in accordance with the Contract Documents and is not defective.

Contractor: Oldcastle Materials Midwest Co. DBA Omni Engineering

Signature:  **Date:** 9/12/2023

Recommended by Engineer	Approved by Owner
By: _____	By: _____
Title: <u>Project Manager</u>	Title: <u>Mayor</u>
Date: <u>9/7/2023</u>	Date: <u>9/12/2023</u>
Approved by Funding Agency	
By: _____	By: _____
Title: _____	Title: _____
Date: _____	Date: _____

Progress Estimate - Unit Price Work

Contractor's Application for Payment

Owner: City of Valley	Owner's Project No.: _____
Engineer: EAGLE ENGINEERING GROUP	Engineer's Project No.: 22-79
Contractor: Oldcastle Materials Midwest Co. DBA Omni Engineering	Contractor's Project No.: _____
Project: 288th Street and State Street Pavement Resurfacing	
Contract: 288th Street and State Street Pavement Resurfacing, Valley, NE	

Application No.: 1		Application Period: From 08/22/23 to 08/31/23				Application Date: 09/12/23					
A	B	C	D	E	F	G	H	I	J	K	L
Bid Item No.	Description	Contract Information				Work Completed		Materials Currently Stored (not in G) (\$)	Work Completed and Materials Stored to Date (H + I) (\$)	% of Value of Item (J / F) (%)	Balance to Finish (F - J) (\$)
		Item Quantity	Units	Unit Price (\$)	Value of Bid Item (C X E) (\$)	Estimated Quantity Incorporated in the Work	Value of Work Completed to Date (E X G) (\$)				
Original Contract											
1	SITE PREPARATION / MOBILIZATION	1.00	LS	11,507.00	11,507.00	1.00	11,507.00	-	11,507.00	100%	-
2	TRAFFIC CONTROL / BARRICADES / WARNING SIGNS /	1.00	LS	4,400.00	4,400.00	1.00	4,400.00	-	4,400.00	100%	-
3	COLD MILLING	12,583.00	SY	2.50	31,457.50	13,027.00	32,567.50	-	32,567.50	104%	(1,110.00)
4	SURFACE OVERLAY, HMA SLX PG 58V-34	1,654.00	TON	130.00	215,020.00	1,703.00	221,390.00	-	221,390.00	103%	(6,370.00)
5	JOINT REPAIR, PARTIAL DEPTH, HMA SPH PG 58V-34	1,973.00	LF	4.25	8,385.25	365.00	1,551.25	-	1,551.25	18%	6,834.00
6	MILLINGS FOR SHOULDERING	169.00	TON	45.25	7,647.25	-	-	-	-	0%	7,647.25
7	INSTALL PERMANENT PAINT MARKING - 4" WHITE	9,589.00	LF	0.30	2,876.70	9,589.00	2,876.70	-	2,876.70	100%	-
8	INSTALL PERMANENT PAINT MARKING - 4" YELLOW	9,616.00	LF	0.30	2,884.80	9,616.00	2,884.80	-	2,884.80	100%	-
Original Contract Totals					\$ 284,178.50		\$ 277,177.25	\$ -	\$ 277,177.25	98%	\$ 7,001.25



BID TABULATION

Project Stillwater Phase 2 Water, Sanitary, Storm, and Paving	Project No. 23-38 & 23-39
Owner City of Valley	Bid Date: September 7, 2023
Address 203 North Spruce Street Valley, NE 68064	Time: 10:00 AM

BIDDER	CONTRACT NO. 1	CONTRACT NO. 2	COMMENT
CEDAR CONSTRUCTION COMPANY	NO BID	NO BID	
NL&L CONCRETE	\$526,626.00	\$324,214.50	
STEVE HARRIS CONSTRUCTION, INC.	\$394,789.85	\$352,252.93	
THOMPSON CONSTRUCTION INC	\$378,881.00	NO BID	
VALLEY CORP.	NO BID	NO BID	
VRBA CONSTRUCTION	\$479,623.25	NO BID	
YOUNG CONSTRUCTION	\$387,296.40	\$484,166.00	

BIDDING NOTES

Engineer's Opinion of Probable Construction Costs: \$545,000 (CONTRACT NO. 1) / \$368,000 (CONTRACT NO. 2)