

AGENDA
VALLEY CITY COUNCIL
Tuesday, December 10, 2024
City Hall
203 North Spruce
Valley, NE 68064
7:00 PM

1. **Restate Open Meetings Act is posted as referenced**
2. **Roll Call**
3. **Administer Oath of Office to Re-elected Mayor Cindy Grove**
4. **Administer Oath of Office to Newly Elected Council Member Jake Lewis**
5. **Administer Oath of Office to Newly Elected Council Member Melanie Hayden**
6. **Call to Order**
7. **Approval of Agenda**
8. **Election of Council President**
9. **Approval of Appointments**
 - **City Administrator - Cameron Gales**
 - **City Clerk - Christie Donnermeyer**
 - **City Treasurer - Lori Sorensen**
 - **Police Chief - Bobby Martinez**
 - **Public Work Superintendent - Doug Eggen**
 - **City Attorney(s) - Farnham & Griffin, PC LLO**
 - **City Street Superintendent - Gregory E. Perry, PE**
 - **City Engineer - Eagle Engineering Group, LLC**
10. **Ordinance No. 826 consideration and approval to annex and extend the corporate limits of the City of Valley to include certain real estate as described therein - Still Water Lake, LLC - SECOND READING**
11. **D C West Athletic Complex consideration and approval of alternate method to determine capital facility fees for water and wastewater**
12. **Resolution No. 2024-58 consideration and approval of Emergency Contractor List**

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.

13. **Resolution No. 2024-59** consideration and approval of a resolution regarding the establishment of a TIF Committee
14. **Douglas County School District 28** consideration and approval of rezoning from I-3 General Industrial to C-3 Highway Business
 - **Review**
 - **Open Public Hearing**
 - **Close Public Hearing**
 - **Ordinance No. 827**
15. **Conditional Use Permit Private Kennel at 602 S West Street**
 - **Review**
 - **Open Public Hearing**
 - **Close Public Hearing**
 - **Resolution No. 2024-60**
16. **Ordinance No. 828** water and wastewater rates
17. **Ordinance No. 829** Salaries of the Employees of the City of Valley
18. **PeopleService** - update
19. **City Engineer**
 - 19.A. Ginger Cove Bridge Repainting - approval to advertise for bids - January 22
 - 19.B. Information and Other/Miscellaneous Projects:
 - Val-haven (Southwest No. 2) and Ginger Woods No. 2 Lift Station Improvements
 - Water Treatment Plant Expansion
 - Valley Lakes Business Park
 - FY2025 Street Projects
20. **City Attorney**
21. **Employee Wages**
22. **Mayor's Report**
23. **Upcoming Items**
 - **Valley City Office Closed: Noon on Dec. 24 and all day Dec. 25 and Jan. 1, 2025.**

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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.

- Planning Commission: December 17, 2024
- Christmas Tree Recycling: December 26 - January 17, 2025, at the southwest corner of the dog park parking lot because of the park renovation

24. Adjourn

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.

OATH OF OFFICE

*I, **Cindy Grove** do solemnly swear that I will support and defend the Constitution of the United States and the Constitution of the State of Nebraska against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or for purpose of evasion; and that I will faithfully and impartially perform the duties of the office of Mayor of the City of Valley, Nebraska, according to law, and to the best of my ability. And I do further swear that I do not advocate, nor am I a member of any political party or organization that advocates the overthrow of the government of the United States or of this state by force or violence; and that during such time as I am in this position I will not advocate nor become a member of any political party or organization that advocates the overthrow of the government of the United States or of this state by force or violence; so help me God.*

Cindy Grove

Subscribed and sworn to before me a Notary Public in and for the State of Nebraska, this 10th day of December 2024.

Notary Public



OATH OF OFFICE

*I, **Jake Lewis**, do solemnly swear that I will support and defend the Constitution of the United States and the Constitution of the State of Nebraska against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or for purpose of evasion; and that I will faithfully and impartially perform the duties of the office of Council Member of the City of Valley, Nebraska, according to law, and to the best of my ability. And I do further swear that I do not advocate, nor am I a member of any political party or organization that advocates the overthrow of the government of the United States or of this state by force or violence; and that during such time as I am in this position I will not advocate nor become a member of any political party or organization that advocates the overthrow of the government of the United States or of this state by force or violence; so help me God.*

Jake Lewis

Subscribed and sworn to before me a Notary Public in and for the State of Nebraska, this 10th day of December 2024.

Notary Public



OATH OF OFFICE

*I, **Melanie Hayden**, do solemnly swear that I will support and defend the Constitution of the United States and the Constitution of the State of Nebraska against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or for purpose of evasion; and that I will faithfully and impartially perform the duties of the office of Council Member of the City of Valley, Nebraska, according to law, and to the best of my ability. And I do further swear that I do not advocate, nor am I a member of any political party or organization that advocates the overthrow of the government of the United States or of this state by force or violence; and that during such time as I am in this position I will not advocate nor become a member of any political party or organization that advocates the overthrow of the government of the United States or of this state by force or violence; so help me God.*

Melanie Hayden

Subscribed and sworn to before me a Notary Public in and for the State of Nebraska, this 10th day of December 2024.

Notary Public



ORDINANCE NO. 826

ORDINANCE OF THE CITY OF VALLEY, NEBRASKA, ANNEXING AND EXTENDING THE CORPORATE LIMITS OF THE CITY OF VALLEY TO INCLUDE CERTAIN REAL ESTATE GENERALLY DESCRIBED ON EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN BY THIS REFERENCE.; AND TO PROVIDE AN EFFECTIVE DATE HEREOF.

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

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

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

WHEREAS, the majority owner of said real estate, Still Water Lake, LLC, a Nebraska limited liability company, has requested that the real estate be annexed to the City of Valley pursuant to the provisions of Neb. Rev. Stat. § 18-3301 via a written Request for Annexation, a copy of which is attached hereto as Exhibit "C" and incorporated herein by this reference.; and

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

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

Section 2. The real estate which is hereby annexed and included within the corporate limits of the City of Valley, Nebraska is legally described on Exhibit "A" attached hereto.

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

Section 3. This Ordinance shall take effect and be in force after its passage and approval, as provided by law.

Section 4. If any section, clause, provision or part or portion of any section, clause or provision of this ordinance or the application thereof to any person or circumstance is held

unconstitutional, such invalidity or unconstitutionality shall not affect the validity or application of any other section, clause, provision or part or portion of this ordinance.

Section 5. All ordinances or parts thereof in conflict herewith are hereby repealed.

PASSED AND APPROVED THIS _____ DAY OF _____, 20__.

INTRODUCED BY COUNCIL MEMBER:

APPROVED BY

Cindy Grove, Mayor
City of Valley, Nebraska

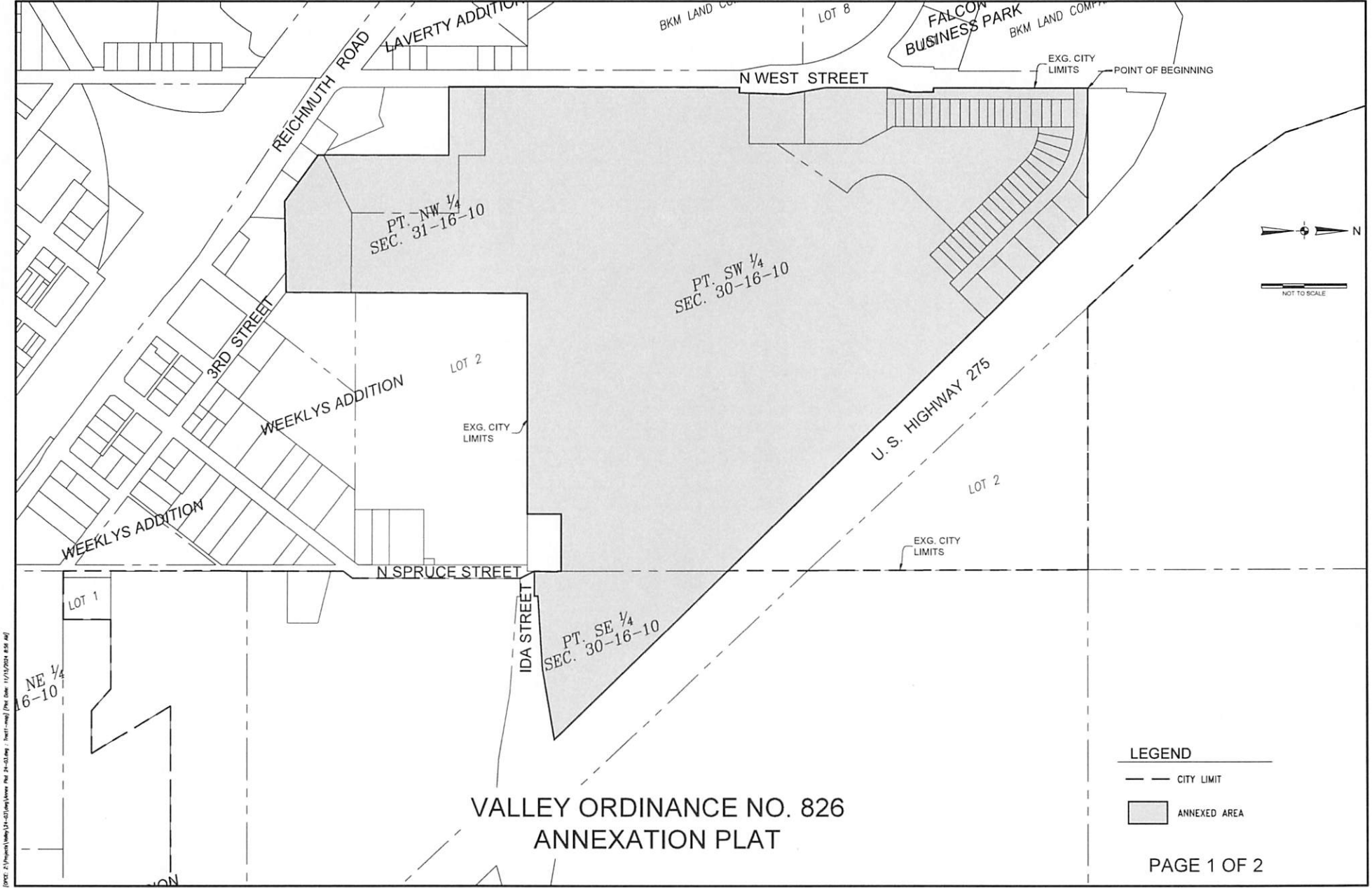
First Reading: November 12, 2024

Second Reading: _____

PASSED: _____

ATTEST:

Christie Donnermeyer, Clerk
City of Valley, Nebraska



2007 2/10/07 11:54 AM (User: [redacted]) (Job: [redacted]) (Plot: 1/10/07 11:54 AM)



EAGLE ENGINEERING GROUP

12100 West Center Road, Suite 803 Omaha, Nebraska 68144
(402) 399-0227 | www.eagleengineeringgroup.com

DATE: December 5, 2024

TO: Mayor and City Council
Cameron Gales, City Administrator
Jeroen Van Den Boogaart, Building Inspector
Jeff Farnham / Andrea Griffin, City Attorney
File

FROM: Gregory Perry, PE City Engineer

RE: DC West Athletic Complex
Sewage Processing Capital Facility Charges
Water Treatment Capital Facility Charges
Valley, Nebraska
EEG #24-03-11

The purpose of this memorandum is to document the sanitary sewer capital facility connection fees and the water capital facility connection fees associated with the new DC West Sports Complex located on 45.222 acres along 264th Street between Valley Landing and Mallard Lake.

The proposed DC West Athletic Complex includes one football field and running track, track and field discus and shot-put throwing areas, one baseball field and one softball field along with supporting parking lot, restroom and concession stand and storage buildings.

Sewage Processing Capital Facility Connection Fees Municipal Code Section 6-316 (ORD 568)

Commercial land use: \$3,600 per acre x 45.222 acres = \$162,799

Per the Municipal Code Section 6-316.5, the City may consider an alternate method of determining the water demand and impact on the City's infrastructure is not commensurate with the large land areas needed for commercial entity to function.

Alternate Method: \$3,600 per acre x 5 acres = \$18,000 (minimum) or based on the water meter size. Currently, the drawing shown a 3" dia. water service with 2-inch meter anticipated. Table A of 6-316 would be \$10,400 which is less than the minimum.

Water Treatment Capital Facility Connection Fees Municipal Code Section 6-209

Commercial land use: \$3,000 per acre x 45.222 acres = \$135,666

Per the Municipal Code Section 6-209.5, the City may consider an alternate method of determining the water demand and impact on the City's infrastructure is not commensurate with the large land areas needed for commercial entity to function.

Alternate Method: \$3,000 per acre x 5 acres = \$15,000 or based on the water meter size. Currently, the drawing shown a 3" dia. water service with 2-inch meter anticipated. Table A of 6-209 would be \$8,800 which is less than the minimum.



Analysis

City of Omaha Wastewater Collection System Design Manual would the properties commercial land use would equate to 171,630 gpd for the peak wet weather flow (PWWF).

The proposed football seating capacity is proposed to be 1,000 patrons with a projected use of 5 gallon per person per day or 5,000 gallons per day (or event).

The restroom facility includes 14 toilets and 6 sinks for the women's restroom, 3 toilets, 5 urinals and 6 sinks for the men's restroom, 3 drinking fountains, one family restroom and one official's restroom for a total of 41 fixtures. The number of fixtures equates to 26.3 gpm.

The City of Omaha Wastewater Collection System Design Manual commercial land use flow is 121 gpm compared to the 26.3 gpm for the athletic complex showing the reduction on the demand of the City's infrastructure.

Recommendation

The water demand within the proposed sports complex would support the alternate method for sewer and water capital facility fees due to the sports complex being non-irrigated and only includes sanitary plumbing fixtures within a central restroom and concession stand building. The number of restrooms and concession stands would create a usage demand less than if fully developed for commercial or residential use and substantiate the statement "*not commensurate with the large land areas needed for the commercial or industrial entity to function.*"

• Sewage Processing Capital Facility Connection Fees:	\$18,000
• <u>Water Treatment Capital Facility Connection Fees:</u>	<u>\$15,000</u>
Total	\$33,000

The minimum connection fees are based upon the use of a 2-inch meter for the water supply to the complex. If a 3-inch meter is required, the connection fees should be adjusted per Section 6-209 and 6-316 accordingly.

If the proposed facility or land use of the property changes or expands, the City shall review the impact to the sewage processing system or water treatment and levy any adjustments of the Sewage Processing Capital Facility Charges or Water Treatment Capital Facility Charges that may apply.

RESOLUTION 2024-58

WHEREAS, the Valley City Council adopted the Douglas County Local Emergency Operation Plan on August 9, 2005, and subsequent updates, to provide a coordinated response to a disaster or emergency in Douglas County, and

WHEREAS, continuance and restoration of public access and essential public services for basic human needs is critical, and

WHEREAS, the Valley City Council desires to respond to a disaster or emergency in the most efficient manner possible, and

WHEREAS, the City of Valley may require additional personnel and equipment to ensure public access and services in the event of a disaster or emergency, and

WHEREAS, The City of Valley has compiled a list of contractors to provide services in the event of a disaster or emergency, and

WHEREAS, the Valley City Council in regular session on December 10, 2024 approved said Contractor List,

NOW, THEREFORE, in consideration of the foregoing recitals, the Mayor and City Council of the City of valley, Nebraska hereby adopts the following Resolution:

BE IT RESOLVED, by the Mayor and City Council of the City of Valley, Nebraska does herewith accept the Approved Contractor List, a copy of which is marked Exhibit "A" and attached hereto and made a part hereof by reference.

PASSED AND APPROVED THIS 10TH DAY OF DECEMBER 2024.

CITY OF VALLEY, NEBRASKA

Cindy Grove, Mayor

ATTEST:

Christie Donnermeyer, Deputy City Clerk

EXHIBIT A

EMERGENCY CONTRACTOR LIST:

General

Andersen Plumbing
849 N 252nd St
Waterloo, NE 68069
(W) 402-359-4976 Josh Cell 402-490-7076

JMN Construction
314 West Reichmuth Rd
Valley NE 68064
Jim - C 402-660-4839 / Todd - C 402-521-0132

Du-Rite Electrical
115 204th Street
Elkhorn NE 68062
(W) 402-289-2251 / Josh - C 402-618-1166

Valley Corporation
P O Box 589
Valley NE 68064
(W) 402-359-2578 / Al Hagemann- C 402-669-1456

West-E-Con - Lift Station Electrical
P O Box 637
Valley NE 68064
(W) 402-359-2127 / Russell - C 402-660-1885

Wiese Plumbing & Excavating
620 Marvin Ct
Fremont NE 68025
(W) 402-721-6908
Owner Brian (C) 402-720-0673

Goree Excavating
1125 Hanson Rd
Fremont NE 68025
(W) 402-721-2060 / Roger C-402-306-3061

Snow Removal Assistance

Mike Adair - C (402) 677-3781
Rune Van Den Boogart - C
WC - 402-690-0501

Hayden Lawn Care
23408 Denton St
Waterloo NE 68069
Chad - C -402-215-4445

Hamilton General Contracting
759 N 252nd St
Waterloo NE 68069
Dave - C - 402-510-8403

Widhelm Trucking
512 W. Valley St
Valley NE 68064
Jeff - C - 402-312-4052

Stanzel Mow & Snow LLC
P O Box 207
Waterloo NE 68069
Ryan - C - 402-658-3803

For Large Equipment Needs

Al Hageman - Valley Corp
402-669-1456
Dan Bailey - JMN Construction
(402) 657-0940
Jason Steinbach - Steinbach Equipment
(402)720-2871

EXHIBIT A (cont'd)

EMERGENCY CONTRACTOR LIST:

Storm/Tree Assistance

M.S. Wiekhorst Arbor Company
12 Ginger Cove Road
Valley NE 68064
Mike - (C) (402) 215-6739

Stanzel Mow & Snow LLC
P O Box 207
Waterloo NE 68069
Ryan - (C) - (402)-658-3803

Owens Mowing
29040 Garvin Rd
Valley NE 68064
Owen - (C) - (402)-214-9403

Lawns 4 Less
28313 State St
Valley NE 68064
Alex - (C) - (402)-249-4712

RESOLUTION NO. 2024-59

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

WHEREAS the City of Valley (“City”) is growing and receives numerous requests for Tax Increment Financing (“TIF”) for commercial, residential, industrial and mixed-use developments from property owners and developers, and

WHEREAS the City has a limited staff, and it is difficult to properly process and evaluate all of such requests and advise the City Council and Community Development Agency (“CDA”) so that they may make decisions in the best interests of the City, and

WHEREAS the City desires to provide a procedure whereby information can be received by a committee from developers seeking TIF, evaluated, and distributed to City staff, the Mayor and City Council, and CDA members for the purpose of educating and informing them of the issues, financial and otherwise, related to a particular TIF application, and then submit such information along with the committee’s comments to city staff to assist them in their own evaluation and recommendation concerning the TIF request, and

WHEREAS at the organizational meeting of the City Council the Mayor may appoint members of such committees as may be necessary from time to time, which committees shall serve at the pleasure of the City Council.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The Mayor has established a TIF Committee and appointed the following individuals to be its members: City Engineer; City Zoning Administrator; two City Council members; two Planning Board members; City Administrator; City Attorneys.
2. The membership of the TIF Committee may be changed at any time by the Mayor, who shall be a member ex-officio of the committee. Each member of the TIF Committee shall serve a term of office of one year unless reappointed.
3. The general purpose of the Committee shall be to provide a procedure whereby information can be received from property owners and developers seeking TIF, evaluated, and distributed to City staff, the Mayor and City Council, and CDA members for the purpose of educating and informing them of the issues, financial and otherwise, related to a particular TIF application.

4. The Committee may request information from applicants seeking TIF benefits, meet with applicants, and obtain clarifications and details concerning their proposed development, including the financial aspects and the alleged justification for TIF.

5. Under no circumstances shall there ever be a quorum of the City Council or City Planning Commission as members of the Committee.

6. The Committee, as an advisory body, has no authority to take any action on behalf of the City, as its sole purpose is to obtain information concerning requests for TIF benefits, to disseminate that information to City staff, members of the City Council, and CDA, and to make comments to City staff concerning TIF matters.

PASSED AND APPROVED THIS 10TH DAY OF DECEMBER 2024.

CITY OF VALLEY, DOUGLAS
COUNTY, NEBRASKA

Cindy Grove, Mayor

ATTEST:

Christie Donnermeyer, City Clerk

(S E A L)

ORDINANCE NO. 827

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:

The parcel of real estate legally described on Exhibit "A" attached hereto and incorporated herein by this reference (the "DC West Parcel") shall be rezoned from General Industrial (I-3) to Highway Commercial (C-3).

PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE AND PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH.

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

Section 1. That the Mayor and City Council of the City of Valley, Douglas County, Nebraska proposed amendments to the Zoning Regulations of said City, which proposed amendments were duly submitted to the Planning Board of Valley, Douglas County, Nebraska, for its recommendation. The Planning Board recommended that the proposed amendments be adopted.

Section 2. That the notices of hearing before the Planning Board and Governing Body of such proposed amendments were duly given by posting and publication at least ten (10) days prior to the hearings as provided by law and that public hearings were had thereon.

Section 3. That the Zoning Regulations of Valley, Douglas County, Nebraska, be and hereby are amended as follows:

The DC West Parcel shall be re-zoned from General Industrial (I-3) to Highway Commercial (C-3).

Section 4. That the Zoning Map of the City of Valley, Douglas County, Nebraska, be hereby amended to reflect the herein described changes.

Section 5. That this Ordinance shall take effect and be in force after its passage and approval, as provided by law.

Section 6. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

PASSED AND APPROVED this 10th day of December, 2024.

CITY OF VALLEY,
DOUGLAS COUNTY, NEBRASKA

Cindy Grove, Mayor

ATTEST:

Christie Donnermeyer, City Clerk

EXHIBIT "A"

That Part of the Northeast Quarter of Section 6, Township 15 North, Range 10 East of the 6th P.M., Douglas County, Nebraska, described as follows:

Beginning at the Southeast corner of the Northeast Quarter of said Section 6; Thence South $89^{\circ}38'11''$ West (Assumed Bearings) for 1554.64 feet on the South line of the Northeast Quarter of said Section 6; thence North $01^{\circ}03'27''$ East for 1279.63 feet; thence North $89^{\circ}50'51''$ East for 1509.52 feet to the West Right of Way line of N 264th Street; thence on a curve to the right (having a radius of 944.88 feet and a long chord bearing South $01^{\circ}38'26''$ East for 88.36 feet) for an arc length of 88.39 feet on said West Right of Way line; thence South $01^{\circ}02'22''$ West for 251.41 feet continuing on said West Right of Way Line; thence South $88^{\circ}57'38''$ East for 39.86 feet to the East line of the Northeast Quarter of said Section 6; thence South $01^{\circ}00'14''$ West for 933.29 feet to the Point of Beginning.

RESOLUTION NO. 2024-60

WHEREAS, an Application for Conditional Use Permit has been filed by Jeanne Mauseth requesting a Conditional Use Permit allowing Jeanne Mauseth to operate a private kennel at 602 S. West Street on certain real property legally described as:

LANDS SEC-TWN-RGE 36-16-09 N 145 E 396 W 429 S ½ SE ¼ SE ¼
(the “Property”)

WHEREAS, the Property is zoned Medium-High Density Residential (R-2); and

WHEREAS, the Application for Conditional Use Permit was considered by the Valley Planning Commission on November 19, 2024, and the Planning Commission has recommended that the Conditional Use Permit should be issued, subject to certain conditions; and

WHEREAS, the City Council has reviewed the Application for Conditional Use Permit and the recommendations of the Planning Commission, and has voted to approve the Conditional Use Permit, subject to certain conditions, which are set forth in the Conditional Use Agreement attached hereto as Exhibit “A” and incorporated herein by this reference.

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

1. A Conditional Use Permit is hereby issued to Jeanne Mauseth to operate a private kennel at 602 S. West Street on certain real property legally described as:

LANDS SEC-TWN-RGE 36-16-09 N 145 E 396 W 429 S ½ SE ¼ SE ¼

subject to the terms and conditions contained in the Conditional Use Agreement attached hereto as Exhibit “A” and incorporated herein by this reference.

2. Rune van den Boogaart, Zoning Administrator, is hereby authorized and directed to execute the Conditional Use Agreement for and on behalf of the City of Valley.

PASSED AND APPROVED this 10th day of DECEMBER, 2024.

CITY OF VALLEY, NEBRASKA

Cindy Grove, Mayor

ATTEST:

Christie Donnermeyer, City Clerk

EXHIBIT “A”

CONDITIONAL USE AGREEMENT

This Conditional Use Agreement (“Agreement” is made and entered into this ____ day of December, 2024, by and between the City of Valley, Nebraska and Jeanne Mauseth, an individual.

WHEREAS, an Application for Conditional Use Permit has been filed by Jeanne Mauseth requesting a Conditional Use Permit allowing her to operate a private kennel on certain real property legally described as:

**LANDS SEC-TWN-RGE 36-16-09 N 145 E 396 W 429 S ½ SE ¼ SE ¼
(the “Property”)**

WHEREAS, the Property is zoned Medium-High Density Residential (R-2); and

WHEREAS, the Application for Conditional Use Permit was considered by the Valley Planning Commission on November 19, 2024, and the Planning Commission has recommended that the Conditional Use Permit should be issued, subject to certain conditions; and

WHEREAS, the City Council has reviewed the Application for Conditional Use Permit and the recommendations of the Planning Commission, and has voted to approve the Conditional Use Permit, subject to certain conditions set forth herein.

NOW THEREFORE, the parties agree as follows:

1. A Conditional Use Permit is hereby issued to Jeanne Mauseth to operate a private kennel at 602 S. West Street legally described as:

LANDS SEC-TWN-RGE 36-16-09 N 145 E 396 W 429 S ½ SE ¼ SE ¼

subject to the following terms and conditions:

- a. Dogs limited to seven (7);
- b. No grooming allowed;
- c. An annual inspection and fee (\$150.00) is required;
- d. Chronic verifiable complaints will void this Conditional Use Permit;
- e. The Conditional Use Permit is tied to the owner and the lot;
- f. No selling of dogs is allowed;
- g. A fence is required and shall be maintained;
- h. If exceeding 5 dogs, they are limited to 25 pounds or less;
- i. The following rules from the NE Humane Society Pet Avocation Permit are enforced: all animals owned, kept, possessed or harbored under this permit must be vaccinated against rabies. Proof of individual rabies vaccinations on each pet must be provided at the time of inspection; each animal shall, at least every 24

hours, receive food suitable for the species, physical condition and safe – sufficient to maintain adequate level of nutrition; must have clean, fresh, potable water available at all times; indoor housing shall provide adequate ventilation, lighting temperature control and construction so as to provide for the safety and comfort of the animals; each animal shall receive care and medical treatment for debilitating injuries, parasites, and disease sufficient to maintain the animal in good health and to minimize suffering; animals shall be maintained predominately indoors.

2. The undersigned applicant, in consideration of the issuance of the Conditional Use Permit to operate a private kennel on the Property, agrees to comply with the terms and conditions of such permit and agrees that if there is a material breach of any condition, the Governing Body of Valley, Douglas County, Nebraska, is authorized to revoke such permit.

IN WITNESS WHEREOF, the undersigned hereby execute this Agreement on the date first above written.

CITY OF VALLEY,

Rune van den Boogaart
Building and Zoning Administrator

ATTEST:

Christie Donnermeyer, City Clerk

Jeanne Mauseth

ATTEST:

Witness
Printed Name: _____

Upon execution by all parties this document becomes the permit.

ORDINANCE NO. 828

AN ORDINANCE REPEALING SECTION 6-208 OF THE VALLEY MUNICIPAL CODE. AN ORDINANCE ADOPTING REVISED SECTION 6-208, INCLUDING SETTING NEW WATER USAGE RATES SERVICES FOR CUSTOMERS OF THE CITY WATER DEPARTMENT BOTH INSIDE AND OUTSIDE THE CITY LIMITS; AN ORDINANCE REPEALING SECTION 6-312 OF THE VALLEY MUNICIPAL CODE; AN ORDINANCE ADOPTING REVISED SECTION 6-312, INCLUDING SETTING NEW RATES FOR THE USE OF SEWER SERVICES FOR CUSTOMERS OF THE MUNICIPAL SEWER DEPARTMENT BOTH INSIDE AND OUTSIDE THE CITY LIMITS; PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH.

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

Section 1. Section 6-208 of the Valley Municipal Code is hereby repealed.

Section 2. Section 6-208 of the Valley Municipal Code shall hereafter be as follows:

6-208 WATER USAGE RATES

1. All water consumers shall be liable for the monthly base charge and the monthly usage charge set forth below unless and until the consumer shall, by written order, direct the City to shut off the water at the stop box, in which case the consumer shall not be liable thereafter for water service until the water service is re-established.

Residential Property Inside City Limits:

Monthly Base Charge	\$22.50
Monthly Usage Charge (per 1,000 gallons)	\$2.50

Residential Users Outside City Limits:

Monthly Base Charge	\$33.75
Monthly Usage Charge (per 1,000 gallons)	\$3.00

Commercial and Industrial Users Inside or Outside of City Limits:

Monthly Base Charge	\$29.50
Monthly Usage Charge (per 1,000 gallons)	\$3.00

2. The rates fixed by this Section shall be reviewed periodically by the City Council and shall be adjusted for the purpose of providing for the payment of expenses of maintenance, operation, repair and replacement of the components of the water system.
3. Bills for water charges shall be rendered following each month's usage and shall become delinquent after the 15th of each month. A delinquency fee of Ten Dollars (\$10.00) shall be added to any delinquent bill to cover the additional expenses incurred by the City.
4. The mayor and City Council members hereby find and determine that the charges established by this section are just and equitable rates and charges to be paid to the City by each consumer using the system.

Section 3. Section 6-312 of the Valley Municipal Code is hereby repealed.

Section 4. Section 6-312 of the Valley Municipal Code shall hereafter be as follows:

6-312 RATE SETTING; CHARGES; REVIEW OF RATES; APPEALS.

1. Customers (as defined in Section 6-311 herein) of the Sewer Department shall be charged the following monthly base charge and the monthly usage charge for the use of sewer services:

Residential and Small Business

Monthly Base Charge	\$42.25
Monthly Usage Charge (per 1,000 gallons)	\$6.50

Institutional and Commercial

Monthly Base Charge	\$86.75
Monthly Usage Charge (per 1,000 gallons)	\$6.50

Industrial

Monthly Base Charge	\$173.25
Monthly Usage Charge (per 1,000 gallons)	\$6.50

2. For residential and small business customers inside and outside the city limits, the monthly charge for the 12-month period beginning with the March 31st invoice each year shall be computed from average water consumption during the preceding months of December, January and February for that property based on water meter readings. Until consumptive history is properly established, the pre-charge shall be based on a predetermined monthly average residential and small business water usage of similar type.
3. Institutional and commercial users shall have their monthly sewer charges based on actual water consumption for each month, based on water meter readings. Industrial users shall have their monthly sewer charges based on metered readings.
4. The rates fixed by this Section shall be reviewed periodically by the City Council and shall be adjusted for the purpose of providing for the payment of expenses of maintenance, operation and repair of the sewer system.
5. A water metered customer who has had a water leak, causing heavy usage during the rate setting months, may with proper documentation, appeal to the city administrator for a rate adjustment within 60 days after the April billing. The city administrator, utility billing clerk and an appointed council member will meet with the customer and review the customer usage history to determine if a rate adjustment is warranted. A rate adjustment would defer to the prior year's rate, or the rate of the average customer/household of the customer's size whichever is lower. The customer will be informed of the decision in writing. The new rate will become effective with the next month's billing. A listing of rate adjustments will be provided to the Mayor and City Council periodically.
6. Bills for sewer charges shall be rendered following each month's usage and shall become delinquent after the 15th of each month. A delinquency fee of Ten Dollars (\$10.00) shall be added to any delinquent bill to cover the additional expenses incurred by the City.

Section 5. This ordinance shall be in full force and effect from and after its passage, approval and publication or posting as provided by law.

Section 6. If any section, clause, provision or part or portion of any section, clause or provision of this ordinance or the application thereof to any person or circumstance is held unconstitutional, such invalidity or unconstitutionality shall not affect the validity or application of any other section, clause, provision or part or portion of this ordinance.

Section 7. All ordinances or parts thereof in conflict herewith are hereby repealed.

PASSED AND APPROVED THIS 10TH DAY OF DECEMBER, 2024.

CITY OF VALLEY, DOUGLAS COUNTY, NEBRASKA

Cindy Grove, Mayor

ATTEST:

Christie Donnermeyer, City Clerk

ORDINANCE NO. 829

AN ORDINANCE OF THE CITY OF VALLEY, NEBRASKA, TO AMEND ORDINANCE NO. 799 RELATING TO THE SALARIES OF THE EMPLOYEES OF THE CITY OF VALLEY, NEBRASKA; PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH.

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

SECTION 1. Salaries. The salaries or hourly wages of the officers and employees of the City of Valley, Nebraska, shall be as follows.

<u>OFFICER OR EMPLOYEE</u>	<u>SALARY</u>
Mayor	\$1,125.00 per quarter \$75.00 per special meeting
Council Members	\$750.00 per quarter \$60.00 per special meeting
City Administrator	\$80,000.00 – 120,000.00 annually
City Clerk	\$60,000.00 – 120,000.00 annually
City Treasurer	\$41,600.00 – 70,720.00 annually
Office Staff	\$15.00 – 27.00 per hour
Zoning Administrator/Building Inspector	\$60,000.00 – 100,000.00 annually
Police Chief	\$60,000.00 – 100,000.00 annually
Police, Sergeant or certified	\$25.00 – 45.00 per hour
Police Offer, Part-time	\$25.00 – 35.00 per hour
Public Works Superintendent	\$60,000.00 – 100,000.00 annually
Public Works Foreman	\$20.00 – 34.00 per hour
Public Works / Maintenance	\$15.00 – 27.00 per hour
Seasonal / Temporary	\$15.00 – 20.00 per hour
Library Director	\$60,000.00 – 100,000.00 annually
Library Staff	\$15.00 – 20.00 per hour

SECTION 2. Pension. An IRA of up to 6% of gross wages, for all qualifying employees as defined in the personnel manual. IRA contribution percentage for the subsequent year shall be chosen by each employee by December 31. Employees agree to match City's percentage of IRA contribution up to a maximum of 6%.

SECTION 3. Insurance. Health and Accident, Term Life, Vision, and Dental Insurance for all qualifying employees, as defined in the personnel manual.

SECTION 4. Employee Compensation. Following one (1) full year of service, the first pay period in October becomes the anniversary date for pay increases, (if any) based on the Consumer Price Index for All Urban Consumers, (CPI-U) and/or employee performance.

SECTION 5. This Ordinance shall take effect after its passage and approval, as provided by law.

SECTION 6. If any section, clause, provision, or part or portion of any section, clause, or provision of this Ordinance or the application thereof to any person or circumstance is held unconstitutional, such invalidity or unconstitutionality shall not affect the validity or application of any other section, clause, provision or part or portion of this Ordinance.

SECTION 7. All ordinances or parts hereof in conflict herewith are hereby repealed.

PASSED AND APPROVED THIS 10TH DAY OF DECEMBER 2024.

CITY OF VALLEY, NEBRASKA

Cindy Grove, Mayor

ATTEST:

Christie Donnermeyer, City Clerk