

December 3, 2009

# ALLIANCE CITY COUNCIL

REGULAR MEETING, THURSDAY, DECEMBER 3, 2009

STATE OF NEBRASKA            )  
   )  
 COUNTY OF BOX BUTTE        )§  
   )  
 CITY OF ALLIANCE             )

The Alliance City Council met in a Regular Meeting, December 3, 2009 at 7:00 p.m., in the Board of Education Meeting Room, 1604 Sweetwater Avenue. A notice of meeting was published in the Alliance Times Herald on November 25, 2009. The notice stated the date, hour and place of the meeting, that the meeting was open to the public, and that an agenda of the meeting, kept continuously current, was available for public inspection at the office of the City Clerk in City Hall; provided the Council could modify the agenda at the meeting if it determined an emergency so required. A similar notice, together with a copy of the agenda, also had been delivered to each of the City Council Members. An agenda, kept continuously current, was available for public inspection at the office of the City Clerk during regular business hours from the publication of the notice to the time of the meeting.

Mayor Yeager opened the December 3, 2009 Regular Meeting of the Alliance, Nebraska City Council at 7:00 p.m. Present were Mayor Yeager, Council Members Kusek, Benzel, Rowley and Feldges. Also present were City Manager Caskie, City Attorney Miller and City Clerk Jines.

- Mayor Yeager read the Open Meetings Act Announcement.
- The first item on Council’s agenda was the Consent Calendar.

Motion by Councilman Benzel, seconded by Councilwoman Rowley to approve the Consent Calendar which follows in its entirety:

### CONSENT CALENDAR – DECEMBER 3, 2009

1. Approval: Minutes of the Regular Meeting, November 19, 2009.
2. Approval: Payroll and Employer Taxes for the period October 31, 2009 through November 13, 2009 inclusive: \$163,197.32 and \$11,609.58 respectively.

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3. Approval: Claims against the following funds for the period November 17, 2009 through November 30, 2009: General, General Debt Service, Trust and Agency, Street, Electric, Refuse Collection and Disposal, Sanitary Sewer, Water, Golf Course, Downtown Improvement Districts, R.S.V.P., Keno, and Capital Improvement; \$732,140.80.
4. Approval: Update the roster of the Alliance Volunteer Fire Department by adding J.C. Hardy Jr., Howard J. Taylor III, Seth Vrbka, and Kevin Ylander and deleting Rachal Vinton and Gary Watkins.
5. Approval: The issuance of the following Contractor Licenses:

|  |                              |
|--|------------------------------|
| Tree Surgeon                           | Bob Malone dba Pests Go, LLC |
| Repair and Maintenance<br>Construction | Doug Fritzler dba Fritzler   |

NOTE: City Manager Caskie has reviewed these expenditures and to the best of her knowledge confirms that they are within budgeted appropriations to this point in the fiscal year.

Councilman Feldges questioned verbage within the November 19, 2009 minutes with regard to the water bonds.

Councilwoman Rowley asked about a port-a-pot at the airport. City Manager Caskie advised Council that she would investigate the charge.

Roll call vote with the following results:

Voting Aye: Yeager, Rowley, Kusek, Benzel, Feldges.

Voting Nay: None.

Motion carried.

- A proclamation for Leah J. King Day honoring her service to the City of Alliance was the next item on Council's agenda.

Mayor Yeager read the proclamation which follows in its entirety:

### PROCLAMATION

*WHEREAS*, Leah J. King has served the citizens of Alliance, Nebraska since October 9, 1978 within the Finance Department starting as a bookkeeper and completing her career as Finance Director; and

*WHEREAS*, Mrs. King performed her duties faithfully and professionally; and

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*WHEREAS*, Mrs. King has shown extraordinary dedication and commitment to the City of Alliance; and

*WHEREAS*, Leah has been a dedicated team player and supportive of all City Departments and gone well above and beyond her duties in support of the community and the City organization; and

*WHEREAS*, Leah's untiring efforts, devotion, and enthusiasm for ensuring the financial stability of our community is commendable and merits recognition and an expression of appreciation; and

*WHEREAS*, Leah has played a vital roll in providing strong leadership ability and has been instrumental in making the City of Alliance a better place to live; and

*WHEREAS*, Past and present employees of the City of Alliance regard Leah as a mentor, counselor and friend and desire to officially honor and recognize her for her commitment and service and wish her well in her retirement and future endeavors.

*NOW, THEREFORE*, the City Council of Alliance, Nebraska does hereby proclaim December 13, 2009 as

### LEAH J. KING DAY

In the City of Alliance, Nebraska, and I urge all citizens to participate in an open house to officially honor and recognize Leah for her dedicated service to the Citizens of Alliance on Sunday, December 13, 2009 between 2:00 and 4:00 p.m. at the Knight Museum and Sandhills Center.

*IN WITNESS WHEREOF*, I have hereunto set my hand and caused the Great Seal of the City of Alliance to be affixed on this 3<sup>rd</sup> day of December in the year of the Lord two thousand nine.

The proclamation was presented to Leah J. King.

- The next item on Council's agenda was the acknowledgement of retiring Police Dog Boone and his accomplishments.
- Resolution No. 09-132 regarding the Surge Protection Program Policy was the next item to be considered by Council. This resolution will authorize staff to proceed with negotiations with Hometown Connections, a part of American Public Power Association, for the purchase and installation of surge protection devises to be installed at the meter.

Motion by Councilman Feldges, seconded by Councilwoman Rowley to approve Resolution No. 09-132.

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Councilman Benzel asked if the surge protectors could be purchased outright by the homeowners. Electric Superintendent Larry Heinrich recommended against that practice.

Motion by Councilman Feldges, seconded by Councilman Benzel to amend Resolution No. 09-132 to charge \$4.95 per month for 200 amp service for 36 months and \$6.95 per month for 400 amp service for 36 months.

City Manager Caskie advised Council that the lease agreement and warranty documentation will come back to Council.

Roll call vote on the amendment with the following results:

Voting Aye: Yeager, Rowley, Kusek, Benzel, Feldges.

Voting Nay: None.

Motion carried.

Resolution No. 09-132 as amended:

#### **RESOLUTION NO. 09-132**

WHEREAS, City Council at the City Council Meeting on September 24, 2009, indicated support for a program to offer citizens of Alliance the installation of a surge protector at the electric meter; and

WHEREAS, The Electric Department has researched various devices that are available on the open market to provide surge protection at the meter; and

WHEREAS, Staff believes that the program offered by Hometown Connections, which is a part of American Public Power Association, is most appropriate for the City's needs; and

WHEREAS, Hometown Connections supplier provides a warranty that covers not only large appliances but also other electronic devices in the home which protection can be provided to the citizens of the City of Alliance; and

WHEREAS, Staff is recommending Council authorize staff to work out an agreement to purchase surge protection devices from Hometown Connections and make them available to electric utility customers of the City of Alliance; and

WHEREAS, Staff is recommending that the City charge a monthly fee for 200 amp service, or smaller, of \$4.95 per month with the minimum contract being for 36 months and charge \$6.95 per month a 400 amp service with a minimum contract of 36 months.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Alliance, Nebraska, that City of Alliance, Nebraska, that staff is authorized to negotiate with

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Hometown Connections, a part of American Public Power Association, for the purchase and installation of surge protection devices to be installed at the meter.

BE IT FURTHER RESOLVED that staff shall work out an agreement to provide the warranty from the meter surge protection to cover the white goods and other electronic devices for the City of Alliance electric customers who pay to have a surge protector installed and keep current on the monthly charge for the surge protector.

BE IT FURTHER RESOLVED that the surge protection offered by the City of Alliance will not cover any low voltage situations commonly referred to as brown-outs;

BE IT FURTHER RESOLVED that once the final documents are prepared, staff shall present them to Council for final approval.

Roll call vote on Resolution No. 09-132 as amended with the following results:

Voting Aye: Yeager, Rowley, Kusek, Benzel, Feldges.

Voting Nay: None.

Motion carried.

- The next item to be discussed by Council was Resolution No. 09-133 relating to the removal of the cemetery building. Resolution No. 09-133 declares the old cemetery building as surplus property and will authorize staff to demolish and dispose of the building. This Resolution will also authorize the building to be disposed of at the landfill and that the landfill fees of \$1.25 per ton will be charged and paid out of the general fund.

Motion by Councilman Kusek, seconded by Councilwoman Rowley to approve Resolution No. 09-133 which follows in its entirety:

**RESOLUTION NO. 09-133**

*WHEREAS*, The City of Alliance owns and maintains the City of Alliance cemetery; and

*WHEREAS*, The City of Alliance built a new building at the cemetery; and

*WHEREAS*, The metal building is no longer needed or in use by the City of Alliance; and

*WHEREAS*, On two occasions the City of Alliance has advertised for bids to purchase and remove the old cemetery building; and

*WHEREAS*, No bidders entered a bid at either bid letting; and

*WHEREAS*, Staff believes the building has no value and it is requesting the City Council determine the building to be surplus property and authorize its demolition and removal; and

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*WHEREAS*, Staff desires Council to authorize the building to be disposed of at the landfill and that the landfill fees of \$1.25 per ton be charged and paid out of the general fund.

*NOW, THEREFORE, BE IT RESOLVED* by the Mayor and City Council of the City of Alliance, Nebraska, that it is hereby determined that the old cemetery building is surplus property.

*BE IT FURTHER RESOLVED* that the building has no value based on two bid lettings resulting in no bids.

*BE IT FURTHER RESOLVED* staff is authorized to demolish and remove the building.

*BE IT FURTHER RESOLVED* that the building materials and debris from the building may be transported to the landfill and the landfill shall charge \$1.25 per ton which shall be paid out of the general fund.

Roll call vote with the following results:

Voting Aye: Yeager, Rowley, Kusek, Benzel, Feldges.

Voting Nay: None.

Motion carried.

- The last item on Council's agenda was an Executive Session to conduct a performance evaluation of City Manager Caskie.

Councilman Benzel motioned pursuant to Section 84-1410 Reissue Revised Statutes of Nebraska 1943 that the Alliance City Council hold a closed session for the purpose of conducting a performance evaluation of City Manager Caskie. The motion was seconded by Councilman Kusek.

Roll call vote with the following results:

Voting Aye: Yeager, Rowley, Kusek, Benzel, Feldges.

Voting Nay: None.

Motion carried.

- The executive session was entered into at 7:52 p.m. and adjourned at 9:15 p.m.

Council found City Manager Caskie's performance to be commendable. She and Council agreed to forego any increase in salary given the economic conditions in the community.

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- Mayor Yeager stated, “there being no further business to come before the Alliance City Council, the meeting is adjourned at 9:16 p.m.”

(SEAL)

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Ralph Yeager, Mayor

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Linda S. Jines, City Clerk