

January 7, 2010

ALLIANCE CITY COUNCIL

REGULAR MEETING, THURSDAY, JANUARY 7, 2010

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

The Alliance City Council met in a Regular Meeting, January 7, 2010 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 December 31, 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 January 7, 2010 Regular Meeting of the Alliance, Nebraska City Council at 7:00 p.m. Present were Mayor Yeager, Council Members Kusek, Benzel, and Rowley. 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 to excuse Councilman Feldges from the meeting.

Motion by Councilman Kusek, seconded by Councilman Benzel to excuse Councilman Feldges from the meeting.

Roll call vote with the following results:

Voting Aye: Yeager, Rowley, Kusek, Benzel.

Voting Nay: None.

Motion carried.

- The next item on Council's agenda was the Consent Calendar.

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

CONSENT CALENDAR – JANUARY 7, 2010

1. Approval: Minutes of the Regular Meeting, December 17, 2009.
2. Approval: Payroll and Employer Taxes for the period November 28, 2009 through December 11, 2009 inclusive: \$175,746.96 and \$12,588.89 respectively; and for the period December 12, 2009 through December 25, 2009 inclusive: \$164,285.33 and \$11,995.16 respectively.
3. Approval: Claims against the following funds for the period December 14, 2009 through January 4, 2010: 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; \$1,132,112.36.
4. Approval: The issuance of Tree Surgeon Licenses to Sterling L. Stinson dba Stinson's Services and William J. Smith dba West Pine Tree Farm.
5. Approval: Resolution No. 10-01 authorizing the submittal of the Tree City USA Application for Recertification.
6. FYI: Dashboard Reports.
 - Utility Delinquent Accounts and Disconnects
 - Utility Data
 - Water Revenue
 - Water Usage
 - Water Total Gallons
 - Sales Tax Received
 - Sales Tax Trend
 - Electric Revenue
 - Electric Usage
 - Airport Deplaned Passengers
 - Airport Enplaned Passengers
 - Hotel Occupation Tax

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 Kusek questioned a charge to Crescent Electric Supply for museum lamps and library lamps. City Manager Caskie explained they are actually replacement bulbs. He also asked about a Library System Service Agreement. He was advised by the City Manager that the charge is for the Follett Software at the library. Councilwoman Rowley asked if only one flu shot was paid for in the Electric Department. City Clerk Jines indicated that the charge was actually for mandated DOT drug testing.

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Roll call vote with the following results:

Voting Aye: Yeager, Rowley, Kusek, Benzel.

Voting Nay: None.

Motion carried.

- The next item on Council's agenda was Ordinance No. 2657 approving the Final Plat of the Replat of Lots 1, 2, 18, and 19, Block 6, Lakefield Addition.

Motion by Councilwoman Rowley, seconded by Councilman Benzel to approve Ordinance No. 2657 on first reading. City Clerk Jines read the ordinance by title which follows in its entirety:

ORDINANCE NO. 2657

AN ORDINANCE APPROVING THE FINAL PLAT OF THE SUBDIVISION OF THE REPLAT OF LOTS 1, 2, 18 AND 19, BLOCK 6, LAKEFIELD ADDITION TO THE CITY OF ALLIANCE, BOX BUTTE COUNTY, NEBRASKA.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF ALLIANCE, NEBRASKA:

SECTION 1. The City of Alliance has received the application for approval of the Final Plat of the subdivision of the Replat of Lots 1, 2, 18 and 19, Block 6, Lakefield Addition to the City of Alliance, Box Butte County, Nebraska, from Greg Olson.

SECTION 2. The Planning Commission held a public hearing on December 8, 2009, to consider the Final Plat, and after such hearing has recommended approval of the Final Plat.

SECTION 3. The City Council finds that all public improvements that are to be required at this time have been completed. No additional infrastructure or improvements are required at this time. No improvement guarantees are required.

SECTION 4. The City Council finds that the Final Plat contains the information required by Article 11-413 of the Alliance Municipal Code.

SECTION 5. The Final Plat of a the Subdivision of the Replat Lots 1, 2, 18 and 19, Block 6, Lakefield Addition to the City of Alliance, Box Butte County, Nebraska, is hereby approved by the City of Alliance and shall be filed with the County Clerk as provided by City Code and State law within 30 days of this approval. The plat map which has been prepared is a part of these proceedings and is attached hereto and is incorporated herein and made a part hereof by reference.

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SECTION 6. This ordinance shall be in full force and effect from and after its approval, passage, and publication according to law.

Motion by Councilman Benzel, seconded by Councilman Kusek to suspend the statutory rule requiring three separate readings of Ordinance No. 2657.

Roll call vote to waive the statutory reading with the following results:

Voting Aye: Yeager, Rowley, Kusek, Benzel.

Voting Nay: None.

Motion carried.

Roll call vote to approve Ordinance No. 2657 on final reading with the following results:

Voting Aye: Yeager, Rowley, Kusek, Benzel.

Voting Nay: None.

Motion carried.

Mayor Yeager stated, "the passage and adoption of Ordinance No. 2657 has been concurred by a majority of all members elected to the Council, I declare it passed, adopted and order it published."

- The next item for Council's discussion was Resolution No. 10-02 approving Bank of the West, First National Bank and Wells Fargo Bank to serve as depositories for the City of Alliance.

Motion by Councilman Benzel, seconded by Councilwoman Rowley to approve Resolution No. 10-02 which follows in its entirety:

RESOLUTION NO. 10-02

WHEREAS, Nebraska Statutes R.R.S. 1943 of Section 16-712 through 16-716 specify requirements for the Deposit of City Funds; and

WHEREAS, Those statutes require a resolution of the Mayor and City Council authorizing the City Treasurer to purchase Certificates of Deposit from and make time deposits in banks selected as depositories of City Funds; and

WHEREAS, Bank of the West, First National Bank, and Wells Fargo Bank; Alliance, NE have proposed security arrangements for deposited City Funds in accordance with State Statutes.

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NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the City of Alliance, Nebraska, that the City Treasurer, acting on behalf on the City of Alliance, Nebraska, is hereby authorized to make purchases of Certificates of Deposit from and to make time deposits in Bank of the West, First National Bank, and Wells Fargo Bank; Alliance, NE; in accordance with their proposals and the appropriate Nebraska Statutes in effect at the time of this Resolution.

Roll call vote with the following results:

Voting Aye: Yeager, Rowley, Kusek, Benzel.

Voting Nay: None.

Motion carried.

- The next item to be presented to Council was Resolution No. 10-03 authorizing the submittal of a grant application to the Nebraska Department of Economic Development in the amount of \$30,000.

Motion by Mayor Yeager, seconded by Councilwoman Rowley to approve Resolution No. 10-03 which follows in its entirety:

RESOLUTION NO. 10-03

WHEREAS, The City of Alliance recognizes the need for the development of improvements for downtown Alliance to promote economic development in the City; and

WHEREAS, The State of Nebraska Department of Economic Development is accepting applications for funding under the Nebraska Department of Economic Development Community Development Block Grant Downtown Revitalization Grant; and

WHEREAS, The City of Alliance appears to meet the requirements for assistance in the development of planning and investigation of possible façade improvements to the buildings along Box Butte Avenue in downtown Alliance; and

WHEREAS, The City of Alliance is interested in examining the potential of planning and investigating possible improvements to the façade of the buildings along Box Butte Avenue, in downtown Alliance.

WHEREAS, The City of Alliance has the funds necessary to meet the twenty five percent (25%) match in the amount of Seven Thousand Five Hundred and No/100ths Dollars (\$7,500.00.)

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Alliance, Nebraska, that staff is hereby authorized and directed to make an application in the amount of Thirty Thousand and No/100ths Dollars (\$30,000.00) for the Nebraska Department of

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Economic Development Community Development Block Grant Downtown Revitalization Planning Grant for and on behalf of the City of Alliance.

Roll call vote with the following results:

Voting Aye: Yeager, Rowley, Kusek, Benzel.

Voting Nay: None.

Motion carried.

- The last item on Council's agenda was an Executive Session to discuss a personnel matter.

Councilwoman Rowley 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 discussing a personnel matter. The motion was seconded by Councilman Kusek. The presence of City Manager Caskie, City Clerk Jines and City Attorney Miller was requested at the Executive Session with a staff member potentially to be called to the meeting.

Roll call vote with the following results:

Voting Aye: Yeager, Kusek, Benzel, Rowley.

Voting Nay: None.

Motion carried.

The closed session began at 7:22 p.m. and ended at 7:32 p.m.

- Mayor Yeager stated, "there being no further business to come before the Alliance City Council, the meeting is adjourned at 7:32 p.m."

Ralph Yeager, Mayor

(SEAL)

Linda S. Jines, City Clerk