

May 20, 2010

# ALLIANCE CITY COUNCIL

REGULAR MEETING, THURSDAY, MAY 20, 2010

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

The Alliance City Council met in a Regular Meeting, May 20, 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 May 13, 2010. 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 May 20, 2010 Regular Meeting of the Alliance, Nebraska City Council at 7:00 p.m. Present were Mayor Yeager, Council Members Kusek, Benzal, Rowley and Feldges. Also present were Interim City Manager Miller and City Clerk Jines.

- Mayor Yeager read the Open Meetings Act Announcement.
- Motion by Councilman Kusek, seconded by Councilwoman Rowley to remove Item L - Resolution No. 10-55 from the agenda.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

- The first item on Council’s agenda was the Consent Calendar.

May 20, 2010

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

**CONSENT CALENDAR – MAY 20, 2010**

1. Approval: Minutes of the Regular Meeting, May 6, 2010.
2. Approval: Payroll and Employer Taxes for the period April 17, 2010 through April 30, 2010 inclusive: \$163,491.01 and \$11,580.10 respectively.
3. Approval: Claims against the following funds for the period May 3, 2010 through May 17, 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; \$950,019.32.
4. Approval: The issuance of a Cemetery Certificate to Betty Erny for the North One Half of the Southeast Quarter (N1/2 SE1/4) of Lot Six (6), Section One (1), Block Seventeen (17), Second Addition to the Alliance Cemetery.
5. Approval: The *Request for Reserved or Exclusive Use of City Streets* of the Cattle Capital Shrine Club for the closure of 14<sup>th</sup> Street between Box Butte and Sweetwater Avenues starting at 10:00 p.m. Saturday, June 5<sup>th</sup> and ending at 8:00 a.m. Monday, June 7<sup>th</sup>. The Club will be hosting their annual circus and the street will be used to unload & load the circus and to house animals.
6. Approval: The *Request for Reserved or Exclusive Use of City Streets* of the Alliance Chamber of Commerce for Heritage Days 2010 scheduled for July 20<sup>th</sup> through the 24<sup>th</sup>. This year's requests are the same as last year with the exception of the 200 block closure which is requested to include Wednesday afternoon for local musicians to perform on a state in front of Oasis Music. A listing of all of the requests are as follows:

Use of City streets for 5k and 10k runs, along the routes shown on the attached map. No closures.

Closure of involved streets for Heritage Days Annual Parade - 600 Block of Black Hills Avenue, south to Third Street, east to Mississippi - 9 a.m. July 24, 2010 until completion of parade.

Closure of Box Butte Avenue and exclusive use of parking lot at Fourth Street and Niobrara Avenue for Carnival and Vendor area. Box Butte Avenue 300, 400, and 500 Blocks, Lots 1, 2, 3, Block 15 Original Town (the parking lot at Fourth Street and Niobrara Avenue.) Closure beginning 12:01 a.m. July 20, 2010 for all except the 300 Block of Box Butte, which will close at 3:00 p.m. on July 20, 2010. Closures to extend to undetermined time on Sunday, July 25, 2010.

May 20, 2010

Exclusive use of the East half of Block 28, Original Town (the parking lot on the West side of Box Butte Avenue between First and Second Streets), parking is allowed July 20<sup>th</sup> to 24<sup>th</sup>, 2010 for Heritage Days events.

Street use restriction, Fourth Street from Laramie Avenue to Niobrara Avenue. Use restricted to emergency and postal vehicles from 5:00 p.m. July 21, 2010 through Saturday, July 24, 2010 at 12:00 midnight. Police escorts are required for postal trucks arriving between 8:30 p.m. and 9:00 p.m.

Closure of the 200 Block of Box Butte Avenue.

Closure from Wednesday, July 21, 2010 at noon until Saturday, July 24<sup>th</sup> at midnight.

Exclusive use of Blocks 1 and 4 Box Butte Addition, east of Snake Creek Trail between Tenth and Twelfth Streets on Tuesday, July 20, 2010 between 3:30 p.m. and 9:00 p.m. for Heritage Days Family Night activities.

One-way traffic modifications:

- Niobrara Avenue: Use is restricted to north bound one-way traffic only between the hours of 3:30 p.m. and 9:00 p.m., on Tuesday, July 20, 2010, between 10<sup>th</sup> and 12<sup>th</sup> Streets.
- Sweetwater Avenue: Use is restricted to south bound one-way traffic only between the hours of 3:30 p.m. and 9:00 p.m., on Tuesday, July 20, 2010, between 10<sup>th</sup> and 14<sup>th</sup> Streets.
- 12<sup>th</sup> Street - Use is restricted to east bound one-way traffic only between the hours of 3:30 p.m. and 9:00 p.m., on Tuesday, July 20, 2010, between Niobrara and Sweetwater.

7. Approval: The *Request for Reserved or Exclusive Use of City Streets* for The Animal Center on Saturday, June 12, 2010 beginning at 10:30 a.m. The Animal Center will be conducting their annual "Doggie Dash," the event will start at the former Skateland parking lot, proceed east on Otoe Road to CR58, then north ½ mile to The Animal Center. A copy of the request and the Insurance Certificate have been made part of the Council's packet.

8. Approval: The issuance of the following Contractor Licenses:

Master Plumber:

Jon M. Aid, dba J & M Plumbing, Inc.  
 Jeff Weber, dba J & V Drain & Sewer Cleaning  
 Leo Tritle, dba Tritle Plumbing  
 Jason Tritle, dba Tritle Plumbing  
 Chuck Moenning, dba Chuck Moenning Construction

May 20, 2010

Journeyman Plumber:

Stanley Joseph Rutkowski, dba Faris Plumbing and Heating, Inc.  
John Stabnow, dba Tritle Plumbing

Limited & Specialty:

Leo Tritle, dba Tritle Plumbing  
Jason Tritle, dba Tritle Plumbing

Gas Fitter:

Leo Tritle, dba Tritle Plumbing  
Jason Tritle, dba Tritle Plumbing

Repair & Maintenance:

Urbano Moreno, dba Moreno Construction

9. FYI: Attached are the most recent dashboard graphs for your information: Utility Delinquent Accounts and Disconnects Utility Data, Water Revenue, Water Usage, Sales Tax Received, Electric Revenue, Electric Usage, Airport Deplaned Passengers, Airport Enplaned Passengers, and Hotel Occupation Tax.

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

Shannon Garwood, 1407 Black Hills addressed Council on behalf of Chamber of Commerce Heritage Days Committee. She stated the Chamber would be agreeable if the lot at 1<sup>st</sup> and Box Butte could also be used by the Jaycees for their beer garden if requested.

Councilwoman Rowley questioned a charge for painting the swimming pool. Cultural and Leisure Services Director Shana Brown advised Council the charge is exclusively for paint and that this is the first time Big Blue Bay has been painted since it opened. Councilman Kusek asked about a charge to Thompson Glass. Ms. Brown advised Council that a front window of the Museum was destroyed by vandalism.

Guy Hielscher, 6550 Otoe Road addressed Council on behalf of the Shrine Circus. He advised Council that the trucks carrying the circus supplies had difficulty maneuvering on 12<sup>th</sup> Street and asked to use 14<sup>th</sup> Street instead.

Clarification was made by the Heritage Days Committee regarding the parade route. The parade will begin on Black Hills Avenue and then proceed to Third Street.

Councilman Feldges asked about charges for EMT Training. Acting City Manager Miller indicated the charges should be for emergency medical training for volunteer firefighters. Councilman Kusek inquired as to charges to AccuStar Surveying for the cemetery. Cultural and Leisure Services Director Shana Brown explained the pins are being installed every other lot in the new section of the cemetery. Councilman Feldges asked about a charge to Layne Christensen Company. Gary Gerhardt from Olsson Associates advised Council that the charge should be the final payment on the equipment for the water treatment system.

Roll call vote with the following results:

May 20, 2010

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

Voting Nay: None.

Motion carried.

- The next agenda item was a proclamation for Foster Care Month.

Mayor Yeager read the proclamation which follows in its entirety:

## **Proclamation**

*WHEREAS*, The family, serving as the primary source of love, identity, self-esteem and support, is the very foundation of our communities and our State; and

*WHEREAS*, All young people in foster care need a meaningful connection to a caring adult who becomes a supportive and lasting presence in their lives; and

*WHEREAS*, Foster, kinship and adoptive families, who open their homes and hearts and support children whose families are in crisis, play a vital role in helping children and families heal and reconnect thereby launching young people into successful adulthood; and

*WHEREAS*, Dedicated foster families frequently adopt foster children, resulting in a greater need for more foster families; and

*WHEREAS*, There are numerous individuals, public and private organizations who work to increase public awareness of the needs of children in and leaving foster care as well as the enduring and valuable contribution of foster parents, and the foster care “system” is only as good as those who choose to be part of it.

*NOW, THEREFORE*, I, Ralph Yeager, Mayor of Alliance, do hereby proclaim May as:

### FOSTER CARE MONTH

and urge all citizens to come forward and do something positive that will help *change a lifetime* for children and youth in foster care.

*IN WITNESS WHEREOF*, I have hereunto set my hand and caused the Great Seal of the City of Alliance to be affixed on this 20<sup>th</sup> day of May in the year of the Lord Two Thousand Ten.

The proclamation was presented to Maria Swensen.

- The first reading of Ordinance No. 2661 authorizing the sale of land to the Alliance Housing Authority for Phase II of the Senior Housing Complex was the next item for Council’s consideration.

May 20, 2010

Motion by Councilwoman Rowley, seconded by Councilman Kusek to approve Ordinance No. 2661 on first reading. City Clerk Jines read the ordinance by title which follows in its entirety:

**ORDINANCE NO. 2661**

AN ORDINANCE PROVIDING FOR THE SALE AND CONVEYANCE OF LOTS 22 THROUGH 30, BLOCK 10 AND LOTS 9 THROUGH 11, BLOCK 11, LAKEFIELD ADDITION, AN ADDITION TO THE CITY OF ALLIANCE, BOX BUTTE COUNTY, NEBRASKA, ACCORDING TO THE RECORDED PLAT THEREOF.

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

SECTION 1. The City of Alliance has received notice from Housing Authority of the City of Alliance, a body politic incorporate, to exercise the Option for Phase Two and purchase Lots 22 through 30 Block 10 and Lots 9 through 11, Block 11, Lakefield Addition, an Addition to the City of Alliance, Box Butte County, Nebraska, according to the recorded plat thereof, in the amount of Forty Thousand One Hundred Thirty and No/100ths Dollars (\$40,130.00).

SECTION 2. The real estate is not used in the operation of public utilities, and is not a state armory for the use of the State of Nebraska or the State Armory, as provided in §16-201 Neb. Rev. Stat.

SECTION 3. The City Clerk shall cause notice of this sale to be published as required by law. If, within the time prescribed by law, a legally sufficient remonstrance against the sale has not been filed, the Mayor and City Clerk are by this ordinance authorized to execute and deliver to the purchaser the City's quitclaim deed for the herein described property upon payment of the purchase price provided for herein and in the purchase agreement.

Remonstrance against such sale is defined as a petition signed by legal electors of Alliance, Nebraska, equal in number to thirty percent (30%) of the electors voting at the last regular municipal election. Said petition shall be filed with the governing body of the City within thirty days (30) of the passage and publication of this Ordinance. In the event a remonstrance is received which is legally sufficient, said property shall not then, nor within one year thereafter, be sold.

SECTION 4. This ordinance shall be in full force and effect from and after its passage, approval and publication according to law.

Acting City Manager Miller explained that a portion of the building permit fees were added into the purchase price. His understanding is that \$120.00 per unit was forgiven for permit fees and anything above that price will be billed to the Excel Group.

Motion by Councilman Kusek, seconded by Councilwoman Rowley to suspend the statutory rule requiring three separate readings of Ordinance No. 2661.

May 20, 2010

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

Voting Aye: Rowley, Kusek, Benzel, Feldges.

Voting Nay: Yeager.

Motion carried.

Roll call vote to approve Ordinance No. 2661 on final reading with the following results:

Voting Aye: Rowley, Kusek, Benzel, Feldges.

Voting Nay: Yeager.

Motion carried.

Mayor Yeager stated, “the passage and adoption of Ordinance No. 2661 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 to be presented to Council was Resolution No. 10-67 authorizing the acceptance of a new batting cage for Sudman Fields from the Alliance Old Timers Baseball Association.

Motion by Councilman Benzel, seconded by Councilwoman Rowley to approve Resolution No. 10-67 which follows in its entirety:

#### **RESOLUTION NO. 10-67**

WHEREAS, The City of Alliance has two ball diamonds at Sudman Ball Field; and

WHEREAS, The City of Alliance had a batting cage which was located between the two ball fields where, in the winter of 2009, the batting cage was damaged by heavy snow; and

WHEREAS, The Alliance Oldtimers, an organization involved in baseball, desire to replace the old structure and install a new batting cage in the same location; and

WHEREAS, Alliance Oldtimers desires to donate the batting cage to the City of Alliance;

WHEREAS, The total donation is Sixteen Thousand One Hundred and no/100th Dollars (\$16,100.00); and

WHEREAS, The City of Alliance believes it is in the best interest of the City to accept the donation.

May 20, 2010

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Alliance, Nebraska, that the batting cage is accepted from Alliance Oldtimers.

BE IT FURTHER RESOLVED that the new batting cage shall be placed in the same location as the previous batting cage.

BE IT FURTHER RESOLVED that the City Council appreciates the donation of Alliance Oldtimers to the physical and mental development of our youth.

Porkchop Mracek, 4847 310<sup>th</sup> Trail, addressed Council on behalf of Old Timers Baseball Association. He advised Council that the members built the batting cage so that it could be fully enclosed in the future. Mayor Yeager asked if the organization had been issued a building permit.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

- The next item for Council's review was Resolution No. 10-68 awarding the Sudman Tennis Court Rehabilitation Project to Simon Contractors.

Motion by Councilman Feldges, seconded by Councilman Kusek to approve Resolution No. 10-68.

Gary Gerhardt representing Olsson Associates advised Council that the General Contractor will be Simon Construction. Councilwoman Rowley asked Mr. Gerhardt who would be monitoring the quality of work. She was advised that Olsson & Associates will be acting in that capacity. She asked if there was any guarantee that the tennis courts would be right this time. Mr. Gerhardt handed out pamphlets illustrating the current condition of the courts and a possible renovation process. He advised Council not to expect perfection in asphalt, he said it will crack and will not end up with 100% perfect drainage as with concrete. He told Council there will be a product applied in low areas to help maintain the integrity of the base floor prior to the application of the finish coats. Councilman Kusek asked if there was a recommendation for the area outside the tennis courts for drainage. Mr. Gerhardt asked if the soil levels could be maintained to a level below the tennis court surface so that water does not pond near the edge of asphalt. Councilman Kusek asked if it would be beneficial to start all over with concrete courts. Mr. Gerhardt hesitated to give an estimate on the cost.

Dr. Robert Stout, 688 Newberry Avenue addressed Council indicating he has a personal tennis court that was constructed the same year as the City owned courts. Initially he had no problems because of a greater degree of slope which improved the drainage; however in the last year a large crack has developed. He advised Council a colored surface should be applied more

May 20, 2010

often to shed water and prevent pooling as well as keeping the dirt off the surface which wears it out faster. He doesn't feel the colored surface sticks as well to concrete. Both Dr. Stout and Mr. Gerhardt agreed the quality of the base is the key to the longevity of the courts as well as routine maintenance.

Motion by Councilman Kusek, seconded by Councilman Benzel to amend Resolution No. 10-68 to add changes to the financing methodology in the last paragraph.

Roll call vote on the amendment with the following results:

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

Voting Nay: None.

Motion carried.

### **AMENDED RESOLUTION NO. 10-68**

WHEREAS, The City of Alliance is responsible for maintaining City owned tennis courts; and

WHEREAS, The City of Alliance has determined that the tennis courts located at 15th Street and Box Butte Avenue are in need of repair; and

WHEREAS, An invitation to bid was issued dated February 25, 2009; and

WHEREAS, The Council did not accept either bid but decided to retain Olsson Associates to do a preliminary report regarding current conditions of the court and repair options; and

WHEREAS, Olsson Associates made the recommendations regarding conditions and repair options to the City of Alliance and invitations for bids were issued; and

WHEREAS, The one bid was received from Simon Contractors in the amount of One Hundred Fifteen Thousand One Hundred Seventy Eight and 69/100ths Dollars (\$115,178.69); and

WHEREAS, The engineers are recommending the alternates and contingencies totaling One Hundred Fifty Thousand Six Hundred Forty Four and no/100ths Dollars (\$150,644.00); and

WHEREAS, The City Council believes it is in the best interest of the City to resurface the tennis courts.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Alliance, Nebraska, that the base bid and alternate 901 be awarded to Simon Contractors in the amount of One Hundred Sixteen Thousand Six Hundred Nine and No/100ths Dollars (\$116,609.00).

May 20, 2010

BE IT FURTHER RESOLVED that engineering and contingency costs for the project are an additional expense of Thirty Four Thousand Thirty-five and No/100ths Dollars (\$34,035.00); for a total project cost of One Hundred Fifty Thousand Six Hundred Forty Four and no/100ths Dollars (\$150,644.00).

BE IT FURTHER RESOLVED that this project will be funded from Capital Contingency (01-71-71-47-791) in the amount of One Hundred Thousand and No/100ths Dollars (\$100,000.00) and from Capital Outlay – Other Improvements (01-71-71-59-994) in the amount of Fifty Thousand Six Hundred Forty Four and No/100ths Dollars (\$50,644.00).

Motion by Councilman Kusek, seconded by Councilman Benzel to amend Resolution No. 10-68 to add changes to the financing methodology in the last paragraph.

Roll call vote with the following results:

Voting Aye: Rowley, Kusek, Benzel, Feldges.

Voting Nay: Yeager.

Motion carried.

- Resolution No. 10-69 declaring the City of Alliance an official entrant in the Nebraska Community Improvement Program was the next item on Council's agenda.

Motion by Councilman Kusek, seconded by Councilwoman Rowley to approve Resolution No. 10-69 which follows in its entirety:

### **RESOLUTION NO. 10-69**

WHEREAS, Local municipal and county government must provide leadership for improving community and economic development efforts; and

WHEREAS, Community and economic development needs can best be determined and solved through a cooperative effort between elected officials and the citizens they represent; and

WHEREAS, The Nebraska Community Improvement Program, administered by the Nebraska Department of Economic Development, has been reviewed and found to be a means to improve our community; and

WHEREAS, The Alliance City Council herewith pledges their full support, endorsement, and cooperation in carrying out the requirements of The Nebraska Community Improvement Program.

NOW THEREFORE BE IT RESOLVED, that the Alliance City Council urges its citizens to join this effort and hereby declares this City to be an official entrant in The Nebraska Community Improvement Program (NCIP) for the year of 2010.

May 20, 2010

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

- Resolution No. 10-70 adopting the Capital Improvement and Capital Equipment Plans for fiscal year 2010-2011 was the next item for Council's consideration.

Motion by Mayor Yeager, seconded by Councilwoman Rowley to approve Resolution No. 10-70 which follows in its entirety:

### **RESOLUTION NO. 10-70**

WHEREAS, The City of Alliance staff has completed a process of working with various City Departments, the Planning Commission, and City Council, to compose a Capital Improvements/Capital Equipment Plan for the upcoming fiscal year, 2010-2011; and

WHEREAS, The City Council has received the recommendation of the Alliance Planning Commission with regard to the current proposed Capital Improvements/Capital Equipment Plan; and

WHEREAS, The Interim City Manager has reviewed and approved the proposed schedule of capital purchases for the 2010-2011 fiscal year.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and City Council of Alliance, Nebraska, that the proposed Capital Improvements/Capital Equipment Plan, which is currently before the City Council and which has been approved and recommended by the Planning Commission, is hereby adopted as the Capital Improvements/Capital Equipment Plan for the City of Alliance, Nebraska, for the 2010-2011 fiscal year.

BE IT FURTHER RESOLVED, that City staff is authorized to proceed with preparing the specifications for the proposed purchases and obtain prices as required by law or policy.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

- The next item to be reviewed by Council was Resolution No. 10-71 awarding the Street and Sidewalk Rehabilitation Project to Peltz Construction for an additional year.

May 20, 2010

Motion by Councilwoman Rowley, seconded by Councilman Kusek to approve Resolution No. 10-71 which follows in its entirety:

**RESOLUTION NO. 10-71**

WHEREAS, The City of Alliance authorized competitive quotes to obtain bids for streets, sidewalk, curb, and gutter rehabilitation pursuant to bid number 4310-08-10; and

WHEREAS, The bid of Peltz Construction, Inc., a Nebraska Corporation, of Alliance, Nebraska was the lowest, responsive, and responsible bid; and

WHEREAS, The Contract authorized the City to negotiated year or years of the contract; and

WHEREAS, Peltz Construction, Inc., a Nebraska Corporation, of Alliance, has agreed to honor their current contract item costs for a second additional contract term; and

WHEREAS, The Staff is requesting authority to renew the contract for an additional year.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of Alliance, Nebraska, the contract for alley and street rehabilitation with Peltz Construction, Inc., of Alliance, Nebraska is hereby extended for an additional one year term under the same unit prices in quoted bid, subject to variation in jobs as specified by the City.

BE IT FURTHER RESOLVED, that the Mayor is authorized to sign the contract with Peltz Construction, Inc., to extend the contract for the Street and Sidewalk Rehabilitation for another year.

BE IT FURTHER RESOLVED, that City staff shall notify the successful bidder so that work can proceed according to the bid specifications.

Councilman Kusek asked if the current contract contains a clause for automatic renewal. Public Facilities Director Lenz replied there is a clause stating that succeeding years will be negotiated or disposed of at the City's pleasure. He recommended renewal of the contract based upon Peltz Construction's commitment to honoring the same price as 2009. Mayor Yeager commented that the price of concrete has gone down, so it might not be the best deal for the City.

Roll call vote with the following results:

Voting Aye: Rowley, Kusek, Feldges.

Voting Nay: Yeager, Benzel.

Motion carried.

May 20, 2010

- Resolution No. 10-72 regarding cell phone usage and reimbursement to the City of Alliance for personal calls was the next item to be presented to Council.

Motion by Councilman Feldges, seconded by Councilman Benzel to approve Resolution No. 10-72 including a zero fee which follows in its entirety:

**RESOLUTION NO. 10-72**

WHEREAS, The City of Alliance has a number of employees who are provided cell phones as part of their employment with the City of Alliance; and

WHEREAS, On May 6, 2010, the Mayor and City Council approved an Amended Technology Policy which allows City employees to use City cell phones for personal use; and

WHEREAS, Council indicated a desire to consider what, if any, fee would be charged to the individual employees to grant them the privilege to use the City owned cell phones for personal use.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Alliance, Nebraska, that City employees who are provided a City cell phone will be charged a biweekly fee of \$0.00 for the privilege to use the cell phones for personal use, said payments to be withheld through payroll deduction.

Finance Director Shawn Benton advised Council that he receives a detailed billing for each cell phone number. Excessive personal use can be monitored by reviewing those bills.

Roll call vote with the following results:

Voting Aye: Yeager, Kusek, Benzel, Feldges.

Voting Nay: Rowley.

Motion carried.

- The next item on Council's agenda was review of the Revenue Manual as presented by Finance Director Benton.

Finance Director Benton illustrated several interesting points in the Revenue Manual. Page 10 projects Personal Property Tax growth, Page 20 illustrates revenue generated by irrigation in the Electric Fund, Page 12 provides insight into the City providing in-house ambulance billing vs. outsourcing, Page 28 illustrates a water trend analysis which shows an extremely high budget, Page 31 also shows a high budget in Property Tax, and Page 26 clearly shows a need for examination of the residential water and sewer rates. He told Council the goal of these reports is to provide transparency of our governmental processes.

May 20, 2010

- The 2<sup>nd</sup> Quarter Financial Report as presented by Finance Director Benton was the next agenda item.

Motion by Mayor Yeager, seconded by Councilman Benzel to accept the 2<sup>nd</sup> Quarter Financial Report as presented by Finance Director Benton.

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 discuss potential litigation and contract negotiations.

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 discussing potential litigation and contract negotiations. The motion was seconded by Councilman Kusek. Mayor Yeager requested the presence of Interim City Manager Miller and City Clerk Jines at the Executive Session.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

The closed session began at 9:12 p.m. and ended at 10:08 p.m.

- No action was taken following the Executive Session.
- Mayor Yeager stated, "there being no further business to come before the Alliance City Council, the meeting is adjourned at 10:08 p.m."

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Ralph Yeager, Mayor

(SEAL)

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Linda S. Jines, City Clerk