

September 2, 2010

ALLIANCE CITY COUNCIL

REGULAR MEETING, THURSDAY, SEPTEMBER 2, 2010

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

The Alliance City Council met in a Regular Meeting, September 2, 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 August 26, 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 September 2, 2010 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 Interim City Manager 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 – SEPTEMBER 2, 2010

1. Approval: Minutes of the Regular Meeting, August 19, 2010.
2. Approval: Payroll and Employer Taxes for the period August 7, 2010 through August 20, 2010 inclusive: \$171,938.65 and \$12,103.06 respectively.

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3. Approval: Claims against the following funds for the period August 13, 2010 through August 30, 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; \$317,095.94.
4. Approval: The issuance of a General Contractor license to Roger Osland dba Construction Plus, Inc.

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.

Councilman Kusek questioned the multiple charges for title certificates. Interim City Manager Miller advised Council that he believes title searches are being conducted to determine whether there are liens against the property by the Community Development office. Councilman Benzel inquired about electric charges at the golf course and the airport. He was advised that there are multiple meters at those locations. Councilman Feldges asked if the City was actually responsible for charges for the pedestrian crosswalk in the 600 block of East 3rd Street or if the State of Nebraska should be paying for all construction related costs. Interim City Manager Miller offered to investigate the possibility of billing the State of Nebraska for costs incurred by the City of Alliance.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

- The next item on Council's agenda was a proclamation for Resource Conservation & Development Week.

Councilman Benzel read the proclamation which follows in its entirety:

PROCLAMATION

RESOURCE CONSERVATION & DEVELOPMENT WEEK

SEPTEMBER 19-25, 2010

WHEREAS, Resource Conservation & Development Councils have contributed countless hours of community service to help people care for and protect their natural resources in a way that has improved the area's economy, environment, and living standards since 1970; and

WHEREAS, The Panhandle RC&D Council, through its providing a way for people to work together to plan and carry out activities that have made our area a better place to live;

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NOW, THEREFORE, on behalf of the Alliance City Council I hereby proclaim the week of September 19, 2010 to be:

RESOURCE CONSERVATION & DEVELOPMENT WEEK

In Alliance to recognize the fact that during this week, across the nation, Resource Conservation & Development Councils are performing community service projects to improve their communities.

AND FURTHER, I congratulate the Resource Conservation & Development Council for its continued success in brightening the future of our communities by bringing together diverse groups of local volunteers to strengthen the spirit of community service in our area, not only this week, but throughout the year.

IN WITNESS WHEREOF, I have hereunto set my hand and cause the Great Seal of the City of Alliance to be affixed this 2nd day of September in the year of our Lord, two thousand and ten.

- The next item was a Water Report Presentation given by Barney Whatley, Capacity Development Specialist for the Nebraska Rural Water Association and Scott Sprague, Capacity Development Coordinator for Health and Human Services. They indicated that a Water Rate Study will be available.
- A public hearing on the 2010 Property Tax Request was the next item on Council's agenda. Mayor Yeager declared "Now is the date, time and place to conduct a public hearing on the 2010 Property Tax Request." The public hearing opened at 7:19 p.m. There being no testimony, the public hearing closed at 7:20 p.m.

Motion by Councilman Kusek, seconded by Councilwoman Rowley to approve Resolution No. 10-105 regarding the 2010 Property Tax Request which follows in its entirety:

RESOLUTION NO. 10-105

WHEREAS, Nebraska Revised Statute 77-1601.02 provides that the property tax request for the prior year shall be the property tax request for the current year for purposes of the levy set by the County Board of Equalization unless the City of Alliance passes by a majority vote a resolution or ordinance setting the tax request at a different amount; and

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

WHEREAS, It is in the best interests of the City of Alliance that the property tax request for the current year be a different amount than the property tax request for the prior year.

NOW, THEREFORE BE IT RESOLVED, By the Mayor and Council of the City of Alliance, Nebraska, that the Council, by a majority vote, set the 2010 tax year request at

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\$1,331,645.00 and the City Clerk is hereby authorized and directed forthwith to forward a certified copy of this resolution to the County Clerk of Box Butte County, to allow Box Butte County Board of Equalization to levy the necessary taxes on or before October 15, 2010 and set the appropriate levy.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

- The first reading of Ordinance No. 2667 allowing the City of Alliance to exceed the Allowable Growth and Basic Allowable Growth for the 2010-2011 Fiscal Year Budget by 1% was the next item for Council's consideration.

Motion by Councilman Feldges, seconded by Councilman Benzel to approve Ordinance No. 2667 on first reading. City Clerk Jines read the ordinance by title which follows in its entirety:

ORDINANCE NO. 2667

AN ORDINANCE ALLOWING FOR EXCEEDING THE ALLOWABLE GROWTH AND BASIC ALLOWABLE GROWTH LIMITS FOR THE 2010-2011 FISCAL YEAR BY ONE PERCENT OF BUDGETED RESTRICTED FUNDS, AND CORRECTING THE ADOPTED BUDGET STATEMENT AND ACCOMPANYING FORMS.

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

SECTION 1. Governmental units are authorized pursuant to State law at Chapter 13, Section 519, to exceed the Allowable Growth (§13-518(1)) and the Basic Allowable Growth (§77-3446) for budgeted restricted funds up to an additional one percent, by affirmative vote of the City Council of at least 75%.

SECTION 2. The City Council finds that such limit as provided by Section 13-519 (a) and (b) should be exceeded by one percent.

SECTION 3. An affirmative vote of at least 75% in favor of this increase is hereby cast.

SECTION 4. Section 13-511 allows correction of an adopted budget statement for clerical, mathematical, and accounting errors, which correction does not affect the total amount budgeted by more than one percent or increase the amount required from property taxes. The one percent limit increase is calculated into the current budget statement, however the unused budget authority amount is in need of modification.

SECTION 5. The "unused budget authority" in the adopted budget ordinance, is hereby amended to the amount of \$1,560,302.19.

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SECTION 6. Those portions of the existing budget ordinance for 2010-2011 are amended accordingly.

SECTION 7. The City Treasurer is authorized to make appropriate changes in the submitted forms for computation of the limit for fiscal year 2010-2011, and transmit those changes to the State Auditors office.

SECTION 8. This ordinance shall be in full force and effect from and after its approval, passage, and publication according to law.

Motion by Councilman Kusek, seconded by Councilwoman Rowley to suspend the statutory rule requiring three separate readings of Ordinance No. 2667.

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

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

Voting Nay: None.

Motion carried.

Roll call vote to approve Ordinance No. 2667 on final reading with the following results:

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

Voting Nay: None.

Motion carried.

Mayor Yeager stated, "the passage and adoption of Ordinance No. 2667 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 review was Ordinance No. 2668 adopting the Classification and Compensation Plan. This ordinance will adopt the Classification and Compensation Plans which will be incorporated in our FY2011 budget.

Motion by Councilman Kusek, seconded by Councilwoman Rowley to approve Ordinance No. 2668 on first reading. City Clerk Jines read the ordinance by title which follows in its entirety:

ORDINANCE NO. 2668

AN ORDINANCE ADOPTING REVISED CLASSIFICATION AND COMPENSATION PLANS FOR THE CITY OF ALLIANCE, NEBRASKA.

WHEREAS, Section 16-310 of R.R.S. 1943 authorizes the Mayor and Council to establish the compensation for employees and officers by stating that "The officers and

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employees in cities of the first class shall receive such compensation as the mayor and council shall fix by ordinance;" and,

WHEREAS, The Alliance City Council adopted the Fiscal Year 2010-2011 Budget which included funds for revised Classification/Compensation Plans.

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

SECTION 1. That the attached Classification Schedule for the City of Alliance dated to be effective October 2, 2010 and the attached Compensation Schedules for Exempt, Non-Exempt, Police Bargaining Unit, Communications Bargaining Unit, and Fire employees dated to be effective October 2, 2010 are hereby adopted by this reference.

SECTION 2. This Ordinance shall become effective October 2, 2010.

Motion by Councilman Kusek, seconded by Councilwoman Rowley to suspend the statutory rule requiring three separate readings of Ordinance No. 2668.

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

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

Voting Nay: None.

Motion carried.

Roll call vote to approve Ordinance No. 2668 on final reading with the following results:

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

Voting Nay: None.

Motion carried.

Mayor Yeager stated, "the passage and adoption of Ordinance No. 2668 has been concurred by a majority of all members elected to the Council, I declare it passed, adopted and order it published."

- The final reading of Ordinance No. 2665 regarding the budget was the next item for Council's consideration.

Motion by Councilwoman Rowley, seconded by Councilman Kusek to approve Ordinance No. 2665 on third reading. City Clerk Jines read the ordinance by title.

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ORDINANCE NO. 2665

AN ORDINANCE TERMED "THE ANNUAL APPROPRIATION BILL" TO PROVIDE REVENUE FOR MUNICIPAL PURPOSES OF THE CITY OF ALLIANCE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2010, AND ENDING SEPTEMBER 30, 2011, BY IMPOSING A TAX ON ALL PROPERTY WITHIN THE CITY, ADOPTING A BUDGET, AND ADOPTING APPROPRIATIONS.

Motion by Councilman Benzel, seconded by Councilman Kusek to amend Ordinance No. 2665 to change property tax revenues from estimated to actual based on 2010 valuations from Box Butte County.

Roll call vote on the amendment with the following results:

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

Voting Nay: None.

Motion carried.

Motion by Councilman Benzel, seconded by Councilwoman Rowley to amend Ordinance No. 2665 to remove \$2,000.00 unintentionally left in Transfer to Abatement Fund.

Roll call vote on the amendment with the following results:

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

Voting Nay: None.

Motion carried.

Motion by Councilwoman Rowley, seconded by Councilman Kusek to amend Ordinance No. 2665 to increase the electric budget for the Knight Museum and Sandhills Center to \$30,000.00.

Roll call vote on the amendment with the following results:

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

Voting Nay: None.

Motion carried.

Motion by Councilman Kusek, seconded by Councilman Benzel to amend Ordinance No. 2665 to encumber funds from last year's budget.

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Councilman Benzel voiced concern about the expense of Conversation Ads and the need for them. Water Superintendent Mike Hulquist explained the expense is tied in with Load Management and the KCOW Home Show.

Roll call vote on the amendment with the following results:

Voting Aye: Yeager, Rowley, Kusek, Feldges.

Voting Nay: Benzel.

Motion carried.

Motion by Councilman Kusek, seconded by Councilwoman Rowley to amend Ordinance No. 2665 to add monies for a Human Resources position.

Roll call vote on the amendment with the following results:

Voting Aye: Yeager, Rowley, Kusek, Benzel.

Voting Nay: Feldges.

Motion carried.

Motion by Councilwoman Rowley, seconded by Councilman Feldges to amend Ordinance No. 2665 to change the Library electricity line item to \$60,000.

Roll call vote on the amendment with the following results:

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

Voting Nay: None.

Motion carried.

Motion by Councilwoman Rowley, seconded by Councilman Kusek to amend Ordinance No. 2665 to implement a surveillance system at the Knight Museum and Sandhills Center at an estimated cost of \$8,000.

Roll call vote on the amendment with the following results:

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

Voting Nay: None.

Motion carried.

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Motion by Councilwoman Rowley, seconded by Councilman Kusek to amend Ordinance No. 2665 to replace phone systems at various City locations. MIS Director Shari Lund advised Council about telephone problems occurring at the Utility Facility. Councilman Kusek asked for a more comprehensive analysis regarding telephone replacements.

Roll call vote on the amendment with the following results:

Voting Aye: None.

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

Motion failed.

Ordinance No. 2665 as Amended:

ORDINANCE NO. 2665

AN ORDINANCE TERMED "THE ANNUAL APPROPRIATION BILL" TO PROVIDE REVENUE FOR MUNICIPAL PURPOSES OF THE CITY OF ALLIANCE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2010, AND ENDING SEPTEMBER 30, 2011, BY IMPOSING A TAX ON ALL PROPERTY WITHIN THE CITY, ADOPTING A BUDGET, AND ADOPTING APPROPRIATIONS.

WHEREAS, The City Manager, in accordance with the requirements of Chapter 1, Article 2, Section 1-205, of the Municipal Code of the City of Alliance, Nebraska, has submitted to the City Council a preliminary budget. This preliminary budget being submitted to the City Council on July 6, 2010, upon which a workshop was held on July 12, 2010 and a proposed budget was produced. A public hearing will be held on said proposed budget on August 5, 2010, as required by law; and

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

SECTION 1. The budget for the fiscal year beginning October 1, 2010, submitted to and amended by the City Council, is hereby adopted.

SECTION 2. In order to provide revenue for municipal purposes, the following property tax revenues have been established for the City of Alliance:

	CITY	MFO	AIRPORT	PUBLIC SAFETY	AIRPORT SINKING	TOTAL
Budget Amount	904,624	111,106	102,761	98,179	39,599	1,256,269
				982	396	

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	9,046	1,111	1,028			12,563
1% Treasures Fee						
Delinquent Allowance (5%)	45,231	5,555	5,138	4,909	1,980	62,813
(can be up to 5%)						

Total Property Tax

Request:	958,901	117,772	108,927	104,070	41,975	1,331,645
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Using the following

tax levies:

	CITY	MFO	AIRPORT	PUBLIC SAFETY	AIRPORT SINKING	TOTAL
Proposed 2010	0.27642	0.03395	0.03140	0.03000	0.01210	0.38387

SECTION 3. In accordance with Reissue Revised Statutes Nebraska Chapter 16, Section 704, the following amounts shall be and hereby are recognized as the budget for the City of Alliance, Nebraska for the fiscal year 2011.

General Fund	5,753,886
Electric	10,308,454
Refuse	1,020,298
Sewer	360,633
Water	2,455,010
Golf Course Fund	297,865
Airport	1,253,536
Street Fund	2,302,830
RSVP	84,697
BID #1 and #2	25,600
HUD	200,000
Community Betterment (KENO)	69,300
Economic Development	70,000
LB 840 Fund	98,400
Redevelopment	6,000
Marketing	60,000
Capital Projects	558,000

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Capital Equipment	405,337
General Internal Service	1,326,542
Enterprise Internal Service	476,680
Health Support Internal Service	1,649,923
General Debt Service	96,200
<i>Gross Expenditures</i>	<u>28,879,191</u>

There is hereby included \$75,000 within the General Fund Budget [City Council Activity], \$80,000 within the Electric Fund, \$50,000 within the Water Fund, \$25,000 within the Sewer Fund, \$10,000 within the Refuse Fund, \$5,000 within the Airport Fund, \$100.00 within the Special Use Bid #1 Fund, \$100.00 within the Special Use Bid #2 Fund, \$5,000 within the Community Betterment Fund, and \$50,000 within the Streets Fund to be known as "Contingency." Expenditures from any Contingency will not be authorized without an affirmative vote of the City Council for each amount to be expended.

SECTION 4. The City has a total of Unused Restricted Funds Authority of \$1,598,747.19 for Fiscal Year 2010.

SECTION 5. The tax levied under this Ordinance shall become due and payable, shall become delinquent and shall be subject to penalties, the execution of distress warrants and sale of property levied upon as provided by law.

SECTION 6. The City Clerk is hereby authorized and directed forthwith upon the passage, approval and publication of this Ordinance to forward a certified copy thereof to the County Clerk of Box Butte County, Nebraska.

SECTION 7. This Ordinance shall become effective October 1, 2010.

Roll call vote on the final reading of Ordinance No. 2665 as amended with the following results:

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

Voting Nay: None.

Motion carried.

Mayor Yeager stated, "the passage and adoption of Ordinance No. 2665 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 on Council's agenda was Resolution No. 10-102 awarding the Alley Rehabilitation Project to K.L. Wood & Company of Alliance, NE in the amount of \$45,000.00.

Motion by Councilman Benzel, seconded by Councilwoman Rowley to approve Resolution No. 10-102 which follows in its entirety:

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RESOLUTION NO. 10-102

WHEREAS, The City of Alliance is responsible for maintenance of the streets and alleys within the City of Alliance; and

WHEREAS, Staff determined that the alley in the 300 block east and west between Cheyenne Avenue and Laramie Avenue is in need of rehabilitation; and

WHEREAS, Staff issued a Concrete Alley Rehabilitation Invitation to Bid, which included additional bid cost for the 300 block east and west between Cheyenne Avenue and Laramie Avenue; and

WHEREAS, The lowest and responsive responsible bidder was K. L. Wood & Company of Alliance, Nebraska; and

WHEREAS, Council has determined it is in the best interest of the City of Alliance to proceed with the work.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Alliance, Nebraska, that the replacement of the alley in the 300 block east and west between Cheyenne Avenue and Laramie Avenue bid shall be awarded to K. L. Wood & Company of Alliance, Nebraska in an amount not to exceed Forty Five Thousand and no/100ths Dollars (\$45,000.00).

BE IT FURTHER RESOLVED that Eric Lenz, Public Facilities Director, shall have the authority to make in the field change orders not to exceed Five Thousand and no/100ths Dollars (\$5,000.00).

BE IT FURTHER RESOLVED that staff shall notify the successful bidder so that construction can commence.

Roll call vote with the following results:

Voting Aye: Rowley, Kusek, Benzel, Feldges.

Voting Nay: Yeager.

Motion carried.

- The next item on Council's agenda was Resolution No. 10-107 adopting the Policy Statement for the Title VI Nondiscrimination Agreement with the Nebraska Department of Roads.

Motion by Councilman Feldges, seconded by Councilman Benzel to approve Resolution No. 10-107 which follows in its entirety:

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RESOLUTION NO. 10-107

WHEREAS, Certain transportation facilities, including but not limited to, roads, streets, and trails in the City of Alliance, Nebraska, have been designated as being eligible for federal funds by the Federal Highway Administration in compliance with federal laws pertaining thereto, and;

WHEREAS, The City of Alliance, Nebraska, desires to continue to participate in the Federal-Aid Transportation Construction Programs, and;

WHEREAS, The Nebraska Department of Roads as the recipient of said federal funds is charged with the oversight of the expenditures of said funds; and

WHEREAS, The City of Alliance, Nebraska, as a sub-recipient of Federal Aid Funding, is charged with the responsibility of expending said funds in accordance with the federal and state laws, the rules and regulations of the Federal Highway Administration, requirements of the local public agency (LPA) guidelines manual of the Nebraska Department of Roads and the Americans With Disabilities/Section 504 – Civil Rights Policy of the City of Alliance, Nebraska; and

WHEREAS, The City of Alliance, Nebraska, understands that failure to meet all of the requirements for federal funding could lead to a project(s) being declared ineligible for federal funds, which could result in the City of Alliance, Nebraska, being required to repay some or all of the federal funds expended for a project(s).

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Alliance, Nebraska, that the City of Alliance does hereby adopt and bind itself to comply with all federal law, including the rules and regulations of the Federal Highway Administration, all applicable state laws, rules and regulations (Nebraska Administrative Code) and the requirements of the LPA guidelines manual of the Nebraska Department of Roads and the Americans with Disabilities/Section 504 – Civil Rights Policy of the City of Alliance, Nebraska.

BE IT FURTHER RESOLVED that the City of Alliance does hereby designate the Director of Public Works as the individual responsible for the management of the American With Disabilities/Section 504 – Civil Rights Policy.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

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- The next matter before Council was Resolution No. 10-108 changing the date of the Alliance City Council meeting from Thursday, December 2, 2010 to Monday, December 6, 2010.

Motion by Councilman Kusek, seconded by Councilman Feldges to approve Resolution No. 10-108.

City Clerk Jines advised Council the meeting room at the Alliance Public Schools Administration Building is already booked for December 6, 2010 which would necessitate moving the meeting place without the ability to televise the meeting. The regular meeting room will be available on December 7, 2010 by moving the location of the Board of Adjustment meeting.

Motion by Councilman Kusek, seconded by Councilman Benzel to amend Resolution No. 10-108 to change the meeting date from December 2, 2010 to December 7, 2010.

Roll call vote on the amendment with the following results:

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

Voting Nay: None.

Motion carried.

Roll call vote on Resolution No. 10-108 as amended with the following results:

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

Voting Nay: None.

Motion carried.

RESOLUTION NO. 10-108

WHEREAS, The City Council, pursuant to Nebraska Statute and 1-101 of the Alliance Municipal Code, has the authority to establish a calendar of regular meeting dates; and

WHEREAS, The City Council has the authority, by resolution adopted not less than one week prior thereto, to change its regular time of meeting; and

WHEREAS, Due to a scheduling conflict the Council would like to change their normal meeting scheduled for December 2, 2010 at 7:00 p.m. to December 7, 2010 at 7:00 p.m.

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NOW THEREFORE BE IT RESOLVED, By the Mayor and Council of the City of Alliance, Nebraska, that the regular meeting of the Alliance City Council scheduled for December 2, 2010 at 7:00 p.m. will be rescheduled to December 7, 2010 at 7:00 p.m.

- Resolution No. 10-109 allowing the City of Alliance to pay certain expenses of the City Manager interview process following the guidelines of Section 13-2203 of the Nebraska State Statutes was the next order of business.

Motion by Mayor Yeager, seconded by Councilman Feldges to approve Resolution No. 10-109 as follows in its entirety:

RESOLUTION NO. 10-109

WHEREAS, The Alliance City Council has hired an executive search firm to seek applicants for the City Manager position; and

WHEREAS, The applicants are scheduled to be interviewed on the 9th and 10th day of September, 2010; and

WHEREAS, Nebraska law allows that public funds may be expended for payment or reimbursement of actual or necessary expenses for appointed officials, employees and volunteers at official functions, hearings or meetings if the governing body gave approval prior to participation or attendance at the event; and

WHEREAS, The current schedule is for there to be a working luncheon meeting with the prospective candidates and their spouses, the City Council and department heads, and a reception to include members of the public; and

WHEREAS, Staff is requesting that public funds be used to provide for the working noon luncheon and reception for the candidates and their spouses, members of the Council and department heads on Friday, September 10, 2010.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Alliance, Nebraska, that staff is authorized to pay the actual and necessary expenses for the elected officials, employees and candidates and the candidates spouses for the working noon luncheon on Friday, September 10, 2010.

BE IT FURTHER RESOLVED that staff is authorized to use public funds for the payment or reimbursement of actual and necessary expenses incurred by elected officials, employees or volunteers at the official function of the reception to be held on Friday, September 10, 2010.

Roll call vote with the following results:

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

Voting Nay: None.

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Motion carried.

- The next item on Council's agenda was the resignation of Karen Boysen from the Alliance Housing Authority.

Motion by Councilwoman Rowley, seconded by Councilman Benzel to accept the resignation of Karen Boysen from the Alliance Housing Authority.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

- The last item to be discussed by Council was the establishment of Special Meetings.

Motion by Councilman Benzel, seconded by Councilman Feldges to set a Special Council meeting on Thursday, September 30, 2010 at noon at the Municipal Building for the approval of bills.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

Motion by Councilman Benzel, seconded by Councilwoman Rowley to set a Special Meeting to schedule interviews for the City Manager candidates on Saturday, September 11, 2010 beginning at 8:00 a.m.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

Motion by Councilwoman Rowley, seconded by Councilman Feldges to change the regular City Council meeting from September 16, 2010 to September 30, 2010 and remove the need for the Special Meeting previously set for noon.

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Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

- By consensus, Council asked staff to advise the Mayor when the Electric System Engineering Report would be ready to present to Council. At that time, the Mayor will call a Special Meeting regarding the repair or replacement of the transformer at the Cody Substation, the updating and relocation of equipment at the substation, and the associated costs with the options. Council would prefer the meeting to be held on September 13, 14, 20 or 21, 2010. Councilman Kusek asked the City Clerk to include claims on the agenda for that meeting.
- Mayor Yeager stated, “there being no further business to come before the Alliance City Council, the meeting is adjourned at 8:50 p.m.”

Ralph Yeager, Mayor

(SEAL)

Linda S. Jines, City Clerk