

February 3, 2011

## **ALLIANCE CITY COUNCIL**

REGULAR MEETING, THURSDAY, FEBRUARY 3, 2011

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

The Alliance City Council met in a Regular Meeting, February 3, 2011 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 January 27, 2011. 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 Feldges opened the February 3, 2011 Regular Meeting of the Alliance, Nebraska City Council at 7:00 p.m. Present were Mayor Feldges, Council Members Yeager, Kusek, Benzel, and Gonzalez. Also present were City Manager Cox and City Clerk Jines.

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

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

### **CONSENT CALENDAR – FEBRUARY 3, 2011**

1. Approval: Minutes of the Regular Meeting, January 20, 2011.
2. Approval: Payroll and Employer Taxes for the period January 8, 2011 through January 21, 2011 inclusive: \$162,327.88 and \$11,442.12 respectively.

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3. Approval: Claims against the following funds for the period January 17, 2011 through January 31, 2011: 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; \$205,107.62.
4. Approval: Resolution No. 11-17 amending the language within the previously approved TSA Agreement. TSA has indicated the verbiage indicating the response time for law enforcement which was listed in minutes before must be changed since it may be designated as sensitive security information. The new verbiage will read “less than or equal to half the response time specified in the Airport Security Plan.”
6. Approval: The issuance of Tree Surgeon licenses to:
  - Jim Butcher dba Jim Butcher’s Tree Service
  - Heather Hauptman dba All Seasons Landscaping
  - Gordon Hoff dba Alliance Floral Co.
  - Bill Malone dba Pests Go, LLC
7. Approval: The issuance of Cemetery Certificates to:
  - Vanessa Konopnicki the South Half of the Southeast Quarter (S1/2 SE1/4) Lot Six (6), Section One (1), Block Seventeen (17), Second Addition to the Alliance Cemetery.
  - Michelle Jessop the South Half of the Southwest Quarter (S1/2 SW1/4) Lot Six (6), Section One (1), Block Seventeen (17), Second Addition to the Alliance Cemetery.
8. Approval: The following Board appointments:
 

Board of Adjustment	Greg Bruegger	Term expiring December 31, 2013
Housing Authority	Denise Clark	Term expiring December 31, 2012

NOTE: City Manager Cox 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 Gonzalez asked about board appointments appearing on the Consent Calendar. Mayor Feldges advised Council that the board appointments will now be appearing on the Consent Calendar. City Clerk Jines advised Council if there is an instance of more than one application for a board position, the board appointment will be a separate agenda item. Councilman Kusek asked if the Federal government is asking for any other changes in the TSA Agreement. City Attorney Miller explained the TSA asked for response time in percentages. Councilman Gonzalez asked about an expenditure from the Economic Development Fund. City Manager Cox explained that it is a quarterly payment to Box Butte Development Corporation for economic development.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

- The next item for Council's information was the City Manager's Report presented by J.D. Cox. His report is as follows:

### **OUR PEOPLE**

#### 1. Investing time and energy in people of our community

- Met with 99 employees (1 to go)

Lots of great feedback

I will be going through and accumulating the data in a spreadsheet to address concerns

Some of the most prevalent thoughts/concerns (not all):

1. Better communication (inside and outside the organization)
2. Enhance trust (inside and outside the organization)
3. Improve morale
4. Needing a strong sense of direction

### **FOLLOWUP**

#### 2. Goal Setting, Develop priorities and top projects

- Beginning to brainstorm
- Will bring back probably later in March

#### 3. Council Questions Followup

#### 4. Library – Opportunity Online Grant (Nebraska Library Commission)

- Will bring to future Council meeting
- Notes (for questions):
  - 4 Desktop Computers, Laptop, Projector, Printer
  - All software and security included

#### 5. Dog Park – Haven't worked on yet

- Will bring to future Council meeting
- Notes (for questions):
  - Will be putting together a meeting with appropriate persons and interested parties (Jay Weisgerber now Doug Reeh)
  - Approve use of park
  - Approve naming of park

#### 6. City/School/County Joint Meeting/Cooperation – Haven't worked on yet

- Have not yet addressed
- Notes (for questions):
  - School Interlocal Agreement – Will research

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o School Mr. Hoelsing - \$20,000 City Grant??

7. Electric: Power Blinks on Tuesday (2/2/2011)
  - Last time: Blown fuse at 16<sup>th</sup> and BelAir
  - Second meeting in a row – electric outages are on my report
  - With Cody Station down, power is be routed to other areas of network
  - Increases load on Emerson & Broadwater substations
  - Tripped breakers on Emerson Substation
  - Caused blink on most of grid
  - After receiving report, crews had repaired in 15 minutes
  
8. Cody Substation (Larry Heinrich reported):
  - Contracts are signed
  - Tracking # assigned
  - 24-week lead time
  - Plan to research finance options, and bring those and a recommendation to upcoming meeting
  
9. Museum & City Facility Fees
  - Began working on project
    - o Met with staff – Shana & Becci
    - o Meet with stakeholders
    - o Devise strategies
  - Time Frame – Late March/April
  
10. Highway 385 Project
  - Reported last time: Engineers flown to Alliance
  - State of Nebraska is starting EA
    - o Needing local help with assessing need (and others)
    - o City is collecting information on near-misses
    - o Police Chief John Kiss created an information form
    - o City is asking folks in community to report any and all near-misses
    - o Forms can be picked up at City Hall
    - o Completed forms may be mailed or delivered to City Hall
    - o Deadline to submit forms is February 18.
  
11. Audit
  - Initial onsite completed onsite on Tuesday
  - Good financial shape
  - Will be having a followup conference call
  - Future: Presentation to Council
  
12. City Council
  - Item on today's agenda to change the dates in March
  - Any interest in changing the start time to 6:00 pm?

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- Needing volunteers to serve on the Economic Development Plan Citizen Advisory Review Committee

### **MISCELLANEOUS/HOUSE KEEPING**

13. Agenda-Board Appointments: On Consent Calendar this time only
14. Monthly Column for Alliance Times-Herald – starts next week
15. Semi-monthly KCOW Radio Interview - invited by Kevin Horn; following Council
16. Semi-monthly “In the Know” to employees (put together by Annora Bentley)

### **STAFFING**

17. Accounting Supervisor
  - First Review: February 1
  - Interviews: February 7-11
  - Will bring classification plans to the February 17 meeting
18. Human Resources Officer
  - Aaron Smith/Linda Jines - Begin to write job description
  - Aaron Smith – working on options for office
19. Police Officers - Saving of a Human Life
  - Involved in saving a human life Tuesday
  - Circumstances that cannot be disclosed
  - But in which their lives were in danger
  - Recognize and Thank the following Police Officers
    - Officer Dominick Petersen
    - Sgt Marty Patrick
    - Lieutenant Ken Hart
    - Detective Dusty Bryner
    - Officer Patrick Connelly
    - Officer Matt Shannon
  - Also Fire Dept Employees involved:
    - FF Samantha Gilmore
    - Lt. Jeremy Brungard
    - Captain Josh Jensen
    - Captain John Dahlberg
    - Fire Chief Troy Shoemaker
  - Hopeful the Council will join me in thanking and congratulating them

### **NEW /UPCOMING PROJECTS AND UPDATES**

20. Update on City Hall Improvements/Investment (Shari Lund)
  - Review Problems/Background with Facility
  - Budget Approved:
    - \$200,000 budgeted for 2011
    - \$36,000 carryover

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- Moving Forward:
    - Purchasing some replacement equipment
    - Consultant to advise on structural viable options
  - Shari wears many hats – she wears them very well.
21. Well Field Land Lease
- Leases have expired
  - Mike Hulquist is working on and will have for a meeting in March
22. Emergency Operations Center
- Fire Chief Troy Shoemaker & Police Chief John Kiss & Shari Lund pursuing
  - Meeting with Region 23 Emergency Operations Planner
  - Viewing potential sites and discuss funding opportunities/options
23. Essential Air Support
- Eric Lenz reported
  - Some Congressmen opposing “Essential Air Support”
  - Could threaten air operations out of Alliance Airport
  - Letter in support for Mayor to sign
24. Nebraska Transport Company
- Followup meeting on 2/3 Aaron Smith and I met with Wyatt Surber
  - Forgivable \$50,000 loan
  - But due to recession, company hasn’t been able to employ the required 10 Full Time Equivalent
  - Need to work out solution
  - Need to populate the Development Plan Citizen Advisory Review Committee
25. LinPepco
- Conference Call on Wednesday February 2 with Steve Ford
  - Goal: Have Platting complete to submit to State for Highway 385 Access
  - Working on Final Plat
    - Planning Commission
    - Council on February 17

### **FUTURE PRESENTATIONS**

- Downtown Revitalization Presentation – February 17, 2011
  - Overall Downtown Project
    1. Overview of total Project
      - Request Approval
    2. Funding Options
      - Request Approval for Application for CDBG
- Wellness Program

### **CALENDAR ITEMS**

1. Bosses Night – Feb 4 @ 6:00 at Fire Station
2. Workforce Development Breakfast (Feb 8 @ 7:00 am at BBGH)
3. Chamber Dinner (Feb 9 @ 6 pm)
4. Speaker at Rotary (Feb 21 @ noon at AYO)
5. League Conference – End of Month

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6. Employee Potluck Luncheon – April 8?

- The next item for Council's consideration was Ordinance No. 2672 which will amend the Alliance Municipal Code in order to implement the Waterfowl Management Policy. City Manager Cox provided the following information to Council:

[At the January 20, 2011 Council meeting, a presentation was made by Staff and representatives of the Nebraska Game & Parks concerning a proposed solution to the waterfowl problem at Laing Lake. The solution proposed was generally approved, with the caveat that, in addition to the approval of the plan that changes in city code would also be necessary to give authority to allow the proposed measures to be lawfully carried out.

A summary of measures approved in the plan include:

- Discontinuance of Feeding
- Hazing and Scaring
- Control of Reproduction
- Harvesting
- Habitat Modification
- Capture & Relocation

As mentioned above, in order to carryout these measures, changes in the City's Municipal Code are required and are provided for in the proposed Ordinance 2672. Those changes to City Code include the following:

- To allow for a person as designated by the City Manager to discharge a firearm in order to carryout measures of the Waterfowl Management Policy;
- To authorize the use of blank cartridge pistols or other pyrotechnics by person(s) designated and authorized to do so by the City Manager;
- To provide an exception to the "Disorderly Conduct" clause for the same individual(s) as discussed above;
- To provide an exception to the "Dogs Prohibited in Public Areas" clause for the same individual(s) as discussed above;
- To make unlawful the release of waterfowl within the Alliance City limits;
- To make unlawful to feed any waterfowl in or within two hundred fifty feet of Laing Lake;

Finally, in order to implement the proposed measures in a timely manner, Staff is recommending that the three readings of the ordinance be waived, which will require a super-majority to approve.]

Motion by Councilman Yeager, seconded by Councilman Benzel to approve Ordinance No. 2672 on first reading. City Clerk Jines read the ordinance by title.

Motion by Councilman Kusek, seconded by Councilman Benzel to amend 7-105 to read "It shall be unlawful for any person to feed any waterfowl on public property within two hundred fifty feet of Laing Lake."

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Roll call vote on the amendment with the following results:

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

Voting Nay: None.

Motion carried.

**AMENDED  
ORDINANCE NO. 2672**

AN ORDINANCE AMENDING THE ALLIANCE MUNICIPAL CODE BY AMENDING CHAPTER 6, ARTICLE 4, RELATING TO CRIMES THREATENING PUBLIC SAFETY AND WELFARE; AMENDING CHAPTER 6, ARTICLE 5 RELATING TO DOGS AND CATS; AMENDING CHAPTER 7, ARTICLE 1 RELATING TO USE OF PARKS, GOLF COURSE AND OTHER MUNICIPAL RECREATION AREAS; TO ALLOW FOR THE IMPLEMENTATION OF THE CITY OF ALLIANCE, NEBRASKA WATERFOWL MANAGEMENT POLICY AND REPEAL EXISTING PROVISIONS OF CITY CODE NOT CONSISTENT HEREWITH.

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

SECTION 1. The City of Alliance has adopted Criminal Regulations in Chapter 6 of the Alliance Municipal Code.

SECTION 2. The City of Alliance has adopted Regulations regarding dogs and cats in Chapter 6 of the Alliance Municipal Code.

SECTION 3. The City of Alliance has adopted Regulations regarding use of parks, golf course and other municipal recreation areas in Chapter 7 of the Alliance Municipal Code.

SECTION 4. The City desires to adopt the new codes as listed herein to allow for the implementation of the City of Alliance, Nebraska Waterfowl Management Policy.

SECTION 5. Alliance Municipal Code at Chapter 6, Articles 4 and 5 and Chapter 7, Article 1 shall be amended to read as follows:

6-401. DISCHARGE OF FIREARMS; ACT UNLAWFUL; EXCEPTION.

It is unlawful for any person, except a law enforcement officer in the performance of his duties, or a person designated by the City Manager of the City of Alliance or their designee to enact the

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Waterfowl Management Policy, to fire or discharge a revolver or pistol of any description, shotgun, rifle, air gun, gas-operated gun, spring gun or any bow made for the purpose of throwing or projecting missiles of any kind by any means whatsoever within the city limits, whether such instrument is called by any name set forth herein or by any other name; provided, however, nothing in this section shall prevent the use of any such weapon in a city-approved shooting gallery.

6-403. FIREWORKS; PROHIBITED.

It shall be unlawful for any person to manufacture, display, sell, offer for sale, give away, keep, store, use, start, discharge, set off, ignite or explode, or cause to be manufactured, displayed, sold, offered for sale, given away, kept, stored, used, started, discharged, set off or exploded, any firecracker, roman candle, squib, fire balloon, signal light, torpedo, flash light, composition, pinwheel, colored flare, firework, colored fire composition whatsoever designed or intended to produce visible or audible pyrotechnic display, blank cartridge pistol, toy cannon, or any other device for the exploding of the articles above specified, PROVIDED that nothing in this section shall apply

- (a) to sparklers, toy pistols or toy pistol caps; nor
- (b) to the possession of pyrotechnics which are in transportation to points outside the City; nor
- (c) to the possession or transportation of such pyrotechnics held by wholesale dealers for sale and shipment in unbroken packages to points or places outside the City; nor
- (d) to the sale, storage, or use of railroad track torpedoes or other signaling devices used by railroads; nor
- (e) to the sale, storage or use of flashlight compositions by photographers or dealers in photographic supplies; nor
- (f) to pyrotechnic displays on Independence Day, or on the occasion of other public celebrations or festivals, if the person conducting such pyrotechnic display shall first have applied for and have been granted by Resolution of the Mayor and Council permission to conduct such display; nor
- (g) sale and use of fireworks, as defined and permitted by State Statute, between June 24 and July 5 each year dates and during time periods authorized by State Statute as modified by Resolution of the Mayor and City Council; nor
- (h) the use of blank cartridge pistols at sporting events by authorized persons.
- (i) the use of blank cartridge pistols or other pyrotechnics by a person designated by the City Manager of the City of Alliance or their designee to implement the Waterfowl Management Policy.

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#### 6-405. DISORDERLY CONDUCT.

It shall be unlawful for any person to participate in an activity that constitutes disorderly conduct. Disorderly conduct shall mean:

- a) any activity which intentionally disturbs the peace and quiet of any person, family or neighborhood;
- b) intentionally, knowingly or recklessly causing bodily injury to another person;
- c) threatening another in a menacing manner;
- d) urinating or defecating in public or on public property;
- e) engaging in a fight entered into by mutual consent of the participants;
- f) words spoken with the intent to promote or incite a riot or fight;
- g) using or threatening to use violence, force, physical interference or obstacle to intentionally obstruct, impair or hinder the enforcement of the penal law or preservation of the peace by a peace officer acting under color of his official authority;
- h) or any other activity or conduct which any member of the general public of ordinary intelligence would consider a breach of the peace.

Provided, however, that a person designated by the City Manager of the City of Alliance or their designee, acting within the scope of their authority in the implementation of the Waterfowl Management Policy shall not be in violation of this section for actions that would violate 6-405 a or h.

If any part of this ordinance is determined to be invalid, those provisions not found invalid shall remain in full force and effect.

#### 6-511. DOGS PROHIBITED IN PUBLIC AREAS.

It shall be unlawful for the owner of any dog to permit his dog to be or remain either (a) within any portion of the City Park System or any swimming pool situated therein; (b) within any enclosed athletic field or park; (c) within the Alliance Cemetery; or (d) upon any public school grounds, unless the dog shall be kept on a stout leash, rope or chain, one end of which shall be securely attached to a collar or harness worn by the dog and the other end of which shall be securely held and controlled by a person physically capable of holding and controlling the dog. Provided, however, that a person designated by the City Manager of the City of Alliance or their designee, acting within the scope of their authority in the implementation of the Waterfowl Management Policy shall not be in violation of this section if said designated person permits a dog or dogs to be or remain in the area in and around Laing Lake while implementing the Waterfowl Management Policy.

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7-104. RELEASE OF WATERFOWL.

It shall be unlawful for any person to release any waterfowl within the Alliance City limits.

7-105. FEEDING OF WATERFOWL.

It shall be unlawful for any person to feed any waterfowl on public property in or within two hundred fifty feet of Laing Lake.

SECTION 6. That current applicable City Codes of the City of Alliance, Nebraska, and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 7. 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 Councilman Benzel to suspend the statutory rule requiring three separate readings of Ordinance No. 2672.

Roll call vote on the final reading of Ordinance No. 2672 with the following results:

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

Voting Nay: None.

Motion carried.

Mayor Feldges stated, “the passage and adoption of Ordinance No. 2672 has been concurred by a majority of all members elected to the Council, I declare it passed, adopted and order it published.”

- A Public Hearing on Resolution No. 11-18 regarding a Blighted and Substandard Designation for 3<sup>rd</sup> Street and Flack Avenue was the next item before Council. The following information was provided by City Manager Cox:

[This measure will declare an area of property in Township 25 North, Range 48, West of the 6<sup>th</sup> PM., Box Butte County as substandard and blighted pursuant to the Community Development Law for the State of Nebraska. The Alliance Planning Commission reviewed the Survey and is recommending to Council that the area be designated blighted and substandard.

Nebraska law allows a municipality to declare no more than 35% of its total area to be designated as such. With the proposed area, the entire area of the City of Alliance that will have been deemed “blighted and substandard” will total 10.8%. In addition to the proposed 3<sup>rd</sup> St and Flack Ave designation of this resolution, the following were also previously declared as such:

- West Alliance (July 2010)

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- Sheridan -- 1<sup>st</sup> & Black Hills area (Nov 2007)
- 3<sup>rd</sup> & Cody (Nov 2003)
- Box Butte (May 2003)

The steps necessary are:

1. Conduct a “blight study;”
2. Planning Commission review and recommend to the Council;
3. Authority consider and confirm that project complies with City’s plan;
4. Council conduct a public hearing;
5. Council make final determination of substandard or blighted status by resolution;

By completing this designation, the following activities will be eligible:

1. To acquire areas for the proper clearance, development or redevelopment;
2. To clear/demolish areas to place a number of public improvements;
3. To make available (sell, lease, etc) lands in affected areas for public use;
4. To dispose of all real or personal property in the area as necessary;
5. To acquire property in area to repair and rehabilitate for dwelling use;
6. To carryout a program of voluntary or compulsory repair and rehabilitation.]

Mayor Feldges stated, “Now is the time, date and place to conduct a Public Hearing on the Blighted and Substandard Designation of property located in the area of 3<sup>rd</sup> Street and Flack Avenue.” The Public Hearing opened at 7:47 p.m. Hearing no testimony, the Public Hearing was closed at 7:49 p.m.

Motion by Councilman Kusek, seconded by Councilman Yeager to approve Resolution No. 11-18 which follows in its entirety:

#### RESOLUTION NO. 11-18

*WHEREAS*, By Ordinance passed by the City of Alliance City Council, the City of Alliance has created a Community Development Agency pursuant to the Community Development Law of the State of Nebraska; and

*WHEREAS*, A survey was conducted at the direction of the City of Alliance by the City of Alliance entitled *Redevelopment Area Substandard/Blight Survey for the Flack Avenue and East 3<sup>rd</sup> Street Redevelopment Area*; and

*WHEREAS*, Such survey describes certain areas within the City of Alliance as qualifying for designation as substandard and blighted according to the definitions of the Community Development Law; and

*WHEREAS*, The City Council intends to consider the declaration of a certain area within the survey boundaries as substandard and blighted, that area is legally described as follows: A tract of land in Sections 30 and 31, Township 25 North, Range 47 West of the 6<sup>th</sup> Principal Meridian, and Sections 25 and 26, Township 25 North, Range 48 West of the 6<sup>th</sup> Principal Meridian, all located in Box Butte County, Nebraska, described as follows:

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Commencing at the intersection of East 12<sup>th</sup> Street and Flack Avenue; thence westerly on the centerline of East 12<sup>th</sup> Street to its intersection with the centerline of Hudson Avenue; thence southerly on the centerline of Hudson Avenue to its intersection with the centerline of East 10<sup>th</sup> Street; thence easterly on the centerline of East 10<sup>th</sup> Street to a point that is the west line of Lot 35, Belmont Addition projected north; thence southerly on the western lot lines of Lots 35, 39, 101, 108, 171, 174, 239, and 241, all in Belmont Addition, continuing southerly on the western lot line of Lot 241 to the centerline of East 7<sup>th</sup> Street; thence westerly on the centerline of East 7<sup>th</sup> Street to its intersection with the centerline of the north/south alley in Block 3, 2<sup>nd</sup> Addition to Miller Heights; thence southerly on said north/south alley in said Block 3 and the north/south alley in Block 2, 2<sup>nd</sup> Addition to Miller Heights, continuing southerly in the north/south alley in Block 2, 2<sup>nd</sup> Addition to Miller Heights and projected to the centerline of East 4<sup>th</sup> Street; thence westerly on the centerline of said East 4<sup>th</sup> Street to a point that is the centerline of the north/south alley between the west half of Block 5, Miller Heights and the Block 1, Lawrence Addition projected northerly to the centerline of East 4<sup>th</sup> Street; thence southerly on last described north/south alley to the northerly lot line of Lot 8, Block 5, Miller Heights; thence westerly on the northern lot line of said Lot 8 and projected westerly following the northern lot lines of Lot 5, Block 11, Miller Heights, Lot 8, Block 3, Fairview Addition, and Lot 5, Block 1, Fairview Addition, to a point on the centerline of the north/south alley in Block 1, Fairview Addition; thence southerly on the centerline of the last described alley and southerly across East 3<sup>rd</sup> Street and the north/south alley in Block 2, Drake's Addition to the centerline of East 2<sup>nd</sup> Street; thence easterly on the centerline of East 2<sup>nd</sup> Street to the centerline of Potash Avenue; thence southerly on the centerline of Potash Avenue to the southerly block line of Block 2, Brown's Addition; thence easterly along the southern block line of Block 2, and Block 3, Brown's Addition to the centerline of Flack Avenue; thence northerly on said centerline to a point that is the southerly lot line of Lot 6, Block 2, Smith Addition projected westerly; thence easterly on the southern lot line of said Lot 6, and Lot 16, Block 2 to the eastern block line of Block 2, Smith Addition; thence northerly on said eastern block line to the northeast corner of Lot 11, Block 2; thence easterly to the centerline of A Street; thence northerly on said centerline to the southern right-way-line of State Highway 2 (East 3<sup>rd</sup> Street); thence northwesterly across said right-of-way to the southeast corner of Lot 11, Block 1, Federal Addition; thence northerly along the eastern lot line of said Lot 11 and the east lot line projected northerly to the centerline of east/west alley in said Block 1; thence easterly on said alley centerline to the centerline of Boyd Avenue; thence northerly on said centerline to its intersection with the centerline of East 7<sup>th</sup> Street; thence westerly on the said centerline to the eastern lot line of Lot 2, Block 1, Starlight Addition projected southerly to said centerline; thence northerly on said eastern lot line to the south lot line of Lot 1, Block 1, Starlight Addition; thence easterly on said south lot line to the southeastern corner of said Lot 1; thence northerly on the eastern lot line of said Lot 1 and eastern lot line projected northerly to the centerline of East 8<sup>th</sup> Street; thence easterly on said centerline to its intersection with the centerline of Boyd Avenue; thence northerly on last described center line to the centerline of East 9<sup>th</sup> Street; thence westerly on the centerline of East 9<sup>th</sup> Street to a point that is the eastern limits of Brittan Addition; thence northerly on the eastern limits of Brittan Addition to the centerline of the east/west alley in Block 1, Brittan Addition; thence westerly on said alley centerline and projected to the centerline of Flack Avenue; thence northerly on the centerline of Flack Avenue to its intersection with the centerline of East 10<sup>th</sup> Street; thence easterly on the centerline of East 10<sup>th</sup> street to a point that is the east lot line of Lot 2, LeoRosa Addition projected to the centerline of East 10<sup>th</sup> Street; thence northerly on the projected east lot line and

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the east lot line of Lot 2, LeoRosa Addition to the northeast corner of said Lot 2; thence westerly on the northern lot line of said Lot 2 and said lot line projected west to the centerline of Flack Avenue; thence northerly on the centerline of Flack Avenue to the point of beginning; and

*WHEREAS*, The physical description of said properties is shown on a map which is included in the City Council packets; and

*WHEREAS*, Section 18-2109 of the Community Development Law requires the governing body of the City to submit the question of whether an area is substandard and blighted to the Planning Commission for its review and recommendation prior to making its declaration, and that the Planning Commission is to submit a written recommendation within thirty (30) days of the receipt of such request; and

*WHEREAS*, The Planning Commission met on November 9, 2010 and made a written recommendation that the City Council declare the area to be substandard and blighted; and

*WHEREAS*, The City Council published notice and held a public hearing according to Neb. Rev. Stat. Section 18-2115; and

*WHEREAS*, The City Council believes that such areas are substandard and blighted as evidenced by the survey, as shown by conditions such as, but not limited to, the following: areas where there is a predominance of buildings or improvements, whether residential or non-residential in nature, which by reason of dilapidation, deterioration, age, or obsolescence, inadequate provision for ventilation, light, air, sanitation or open spaces, or the existence of conditions which endanger life or property by fire or other causes, or any combination of such factors which is detrimental to the public health, safety, morals, or welfare; areas which by reason of the presence of a substantial number of deteriorated or deteriorating structures, existence of defective or inadequate street layout, faulty lot layout in relation to size, adequacy, accessibility, or usefulness, unsanitary or unsafe conditions, deterioration of site or other improvements, diversity of ownership, improper subdivision or obsolete planning, or the existence of conditions which endanger life or property by fire or other causes, or any combination of such factors, substantially impairs or arrests the sound growth of the community, retards the provision of housing accommodations, or constitutes an economic or social liability and is detrimental to the public health, safety, morals, or welfare in its present condition and use and in which the average age of the residential or commercial units in the area is at least 40 years; and

*WHEREAS*, The City Council believes that it is in the best interest of the City of Alliance and in the best interest of economic development for the area to be declared Substandard and Blighted according to the Community Development Law.

*NOW, THEREFORE, BE IT RESOLVED*, by the Mayor and City Council of Alliance, Nebraska, that the area within the survey boundaries which area is legally described as follows: A tract of land in Sections 30 and 31, Township 25 North, Range 47 West of the 6<sup>th</sup> Principal Meridian, and Sections 25 and 26, Township 25 North, Range 48 West of the 6<sup>th</sup> Principal Meridian, all located in Box Butte County, Nebraska, described as follows:

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Commencing at the intersection of East 12<sup>th</sup> Street and Flack Avenue; thence westerly on the centerline of East 12<sup>th</sup> Street to its intersection with the centerline of Hudson Avenue; thence southerly on the centerline of Hudson Avenue to its intersection with the centerline of East 10<sup>th</sup> Street; thence easterly on the centerline of East 10<sup>th</sup> Street to a point that is the west line of Lot 35, Belmont Addition projected north; thence southerly on the western lot lines of Lots 35, 39, 101, 108, 171, 174, 239, and 241, all in Belmont Addition, continuing southerly on the western lot line of Lot 241 to the centerline of East 7<sup>th</sup> Street; thence westerly on the centerline of East 7<sup>th</sup> Street to its intersection with the centerline of the north/south alley in Block 3, 2<sup>nd</sup> Addition to Miller Heights; thence southerly on said north/south alley in said Block 3 and the north/south alley in Block 2, 2<sup>nd</sup> Addition to Miller Heights, continuing southerly in the north/south alley in Block 2, 2<sup>nd</sup> Addition to Miller Heights and projected to the centerline of East 4<sup>th</sup> Street; thence westerly on the centerline of said East 4<sup>th</sup> Street to a point that is the centerline of the north/south alley between the west half of Block 5, Miller Heights and the Block 1, Lawrence Addition projected northerly to the centerline of East 4<sup>th</sup> Street; thence southerly on last described north/south alley to the northerly lot line of Lot 8, Block 5, Miller Heights; thence westerly on the northern lot line of said Lot 8 and projected westerly following the northern lot lines of Lot 5, Block 11, Miller Heights, Lot 8, Block 3, Fairview Addition, and Lot 5, Block 1, Fairview Addition, to a point on the centerline of the north/south alley in Block 1, Fairview Addition; thence southerly on the centerline of the last described alley and southerly across East 3<sup>rd</sup> Street and the north/south alley in Block 2, Drake's Addition to the centerline of East 2<sup>nd</sup> Street; thence easterly on the centerline of East 2<sup>nd</sup> Street to the centerline of Potash Avenue; thence southerly on the centerline of Potash Avenue to the southerly block line of Block 2, Brown's Addition; thence easterly along the southern block line of Block 2, and Block 3, Brown's Addition to the centerline of Flack Avenue; thence northerly on said centerline to a point that is the southerly lot line of Lot 6, Block 2, Smith Addition projected westerly; thence easterly on the southern lot line of said Lot 6, and Lot 16, Block 2 to the eastern block line of Block 2, Smith Addition; thence northerly on said eastern block line to the northeast corner of Lot 11, Block 2; thence easterly to the centerline of A Street; thence northerly on said centerline to the southern right-way-line of State Highway 2 (East 3<sup>rd</sup> Street); thence northwesterly across said right-of-way to the southeast corner of Lot 11, Block 1, Federal Addition; thence northerly along the eastern lot line of said Lot 11 and the east lot line projected northerly to the centerline of east/west alley in said Block 1; thence easterly on said alley centerline to the centerline of Boyd Avenue; thence northerly on said centerline to its intersection with the centerline of East 7<sup>th</sup> Street; thence westerly on the said centerline to the eastern lot line of Lot 2, Block 1, Starlight Addition projected southerly to said centerline; thence northerly on said eastern lot line to the south lot line of Lot 1, Block 1, Starlight Addition; thence easterly on said south lot line to the southeastern corner of said Lot 1; thence northerly on the eastern lot line of said Lot 1 and eastern lot line projected northerly to the centerline of East 8<sup>th</sup> Street; thence easterly on said centerline to its intersection with the centerline of Boyd Avenue; thence northerly on last described center line to the centerline of East 9<sup>th</sup> Street; thence westerly on the centerline of East 9<sup>th</sup> Street to a point that is the eastern limits of Brittan Addition; thence northerly on the eastern limits of Brittan Addition to the centerline of the east/west alley in Block 1, Brittan Addition; thence westerly on said alley centerline and projected to the centerline of Flack Avenue; thence northerly on the centerline of Flack Avenue to its intersection with the centerline of East 10<sup>th</sup> Street; thence easterly on the centerline of East 10<sup>th</sup> street to a point that is the east lot line of Lot 2, LeoRosa Addition projected to the centerline of East 10<sup>th</sup> Street; thence northerly on the projected east lot line and

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the east lot line of Lot 2, LeoRosa Addition to the northeast corner of said Lot 2; thence westerly on the northern lot line of said Lot 2 and said lot line projected west to the centerline of Flack Avenue; thence northerly on the centerline of Flack Avenue to the point of beginning is substandard and blighted pursuant to the Community Development Law for the State of Nebraska.

Councilman Benzel asked if property can be removed from the designation. Community Development Director Rick Houck explained that the legal description in the resolution would need to be amended. He also advised Council that the term could be changed to Economic Revitalization or Redevelopment Area as long as the Blighted and Substandard criteria is met. City Attorney Miller expressed a concern that somewhere in the resolution the term Blighted and Substandard is included. Mr. Houck advised Council that the Comprehensive Plan references the need for public improvements and eligibility of the use of tax increment financing (TIF) funds. Councilman Gonzalez asked if a study had been conducted statewide of people being able to sell their property after it has been declared Blighted and Substandard. Mr. Houck told her he is not aware of any study. He also said that the terminology comes down to the age of the structure and whether it is over 40 years old and it provides an opportunity for zoning benefits for new business.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

- The next item to be discussed by Council was a Public Hearing on Resolution No. 11-19 the One & Six Year Street Improvement Plan. The One Year Plan includes three projects, engineering and construction for the concrete/asphalt overlay for Potash Avenue, Second Street to Kansas Avenue; engineering and construction for the asphalt of Emerson Avenue, 18th to 31st Streets; and construction of Holsten Drive off of Highway 385. Included in the Six Year Plan are five projects: those listed above; and the reconstruction for the concrete of 10th Street, Box Butte to Flack Avenues; and the concrete/asphalt of 3rd Street - Black Hills Avenue to Howard Avenue. Resolution No. 11-19 will grant approval of the Plan and authorize submittal to the State of Nebraska Board of Public Roads, Classifications and Standards. The Alliance Planning Commission reviewed the plans at their regular meeting, January 11, 2011 and found that the One and Six Year Plan is in compliance with the City's Comprehensive Plan.

Mayor Feldges stated "Now is the time, date and place to conduct a Public Hearing on the City of Alliance Street Improvement One and Six Year Plan." The Public Hearing opened at 7:56 p.m. Hearing no testimony, the Public Hearing was closed at 7:57 p.m.

Motion by Councilman Feldges, seconded by Councilman Kusek to approve Resolution No. 11-19 which follows in its entirety:

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**RESOLUTION NO. 11-19**

*WHEREAS*, The Nebraska law requires that the City of Alliance develop and file with the Board of Public Roads Classifications and Standards, a long range six year plan of highway, road and street improvements; and

*WHEREAS*, Such plan must be extended annually on or before the anniversary date; and

*WHEREAS*, City staff has prepared a One and Six Year Plan to meet these legal requirements; and

*WHEREAS*, The City published and held a public hearing on February 3, 2011; and

*WHEREAS*, The plan was submitted to Council and examined by the City Council at a regular meeting conducted on February 3, 2011; and

*WHEREAS*, Council believes the plan is appropriate and should be approved.

*NOW, THEREFORE, BE IT RESOLVED*, by the Mayor and City Council of Alliance, Nebraska, that the One and Six Year City Street Improvement Plan prepared by the City of Alliance Department of Public Facilities is hereby approved and the City staff is authorized to forward the Plan to the Board of Public Roads Classifications and Standards.

Public Facilities Director Eric Lenz advised Council that engineering will begin for Emerson Avenue and South Potash Avenue projects. Holsten Drive is waiting for approval of the Final Plat. He advised Council the City will be forced to participate in the underpass program. The project is currently on hold until the railroad decides to move forward. He told Council that next year he is planning to be more aggressive in putting programs forward to obtain as much money as possible. The Emerson Avenue project should be done this summer. While it is being constructed, the design and engineering will begin on the Potash Avenue project which hinges on an environmental assessment conducted by the State of Nebraska. Councilman Benzel asked about the inclusion of Sweetwater Avenue 18<sup>th</sup> to 25<sup>th</sup> Street. Councilman Kusek said that the County Commissioners need to address the issue first. Councilman Benzel also said that Box Butte County is questioning what the City of Alliance will do for Madison Road. Councilman Yeager asked what is being done with the fines from the concrete crushing project. Mr. Lenz informed Council the fines will be used to cap the cells at the landfill. Councilman Yeager asked staff to look into selling the fines.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

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- Resolution No. 11-20 authorizing a partial payment to Simon Contractors for the rehabilitation of the tennis courts was the next item to be presented to Council. City Manager Cox provided the following background information:

[Resolution No. 11-20 will authorize a partial payment in the amount of \$39,889.16 to Simon Contractors for the rehabilitation of the tennis courts. The City of Alliance is retaining \$11,682.13 for future repairs which have been identified from the final payment.

In addition, the City is retaining \$5,250 in liquidated damages as previously discussed.

Note: Previously, the number we believed that the City had paid a total of \$66,609.00, and therefore owed a total \$33,067.56. However, upon further and closer inspection, we actually had only paid a total of \$60,000. Therefore, as shown below, the amount that we are recommending be released for payment is: \$39,889.16.

Total project installed cost	\$116,821.29	(Pay estimates 1 & 2)
Total paid to date	<u>\$ 60,000.00</u>	
Balance	\$ 56,821.29	
Liquidated Damages	\$ 5,250.00	
Retainage (10%)	\$ 11,682.13	
Additional Not Paid	\$ 39,889.16]	

Motion by Councilman Gonzalez, seconded by Councilman Benzel to approve Resolution No. 11-20.

Councilman Kusek asked if the warranties have been received. City Manager Cox advised Council they have not.

Motion by Councilman Kusek, seconded by Councilman Gonzalez to amend Resolution No. 11-20 in the Now, Therefore Be It Resolved paragraph to read \$39,889.16 upon receipt of the written warranties as requested in the letter dated January 26, 2011 identified in the specifications as Section 3.6 A&B.

Roll call vote on the amendment with the following results:

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

Voting Nay: None.

Motion carried.

**AMENDED  
RESOLUTION NO. 11-20**

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*WHEREAS*, The City of Alliance owns the Sudman Tennis Courts; and

*WHEREAS*, The City of Alliance entered into a contract with Olsson Associates to provide the engineering services for the rehabilitation of the Sudman Tennis Courts; and

*WHEREAS*, The City of Alliance entered into a contract with Simon Contractors for the rehabilitation of the tennis courts; and

*WHEREAS*, Olsson Associates has presented a pay request for payment to Simon Contractors requesting a total amount of One Hundred Sixteen Thousand Eight Hundred Twenty-One Dollars and 29/100ths (\$116,821.29) less the retainage of ten percent and less of liquidated damages of Five Thousand Two Hundred Fifty Dollars and No/100ths (\$5,250.00) for a total payment of Ninety-Nine Thousand Eight Hundred Eighty-Nine Dollars and 16/100ths (\$99,889.16); and

*WHEREAS*, The City of Alliance had previously paid Sixty Thousand and No/100ths Dollars (\$60,000.00) to Simon Contractors; and

*WHEREAS*, Olsson Associates is recommending that the City of Alliance make payment to Simon Contractors for the work completed to date.

*NOW, THEREFORE, BE IT RESOLVED*, by the Mayor and City Council of Alliance, Nebraska that staff is authorized to pay Simon Contractors the amount of Thirty-Nine Thousand Eight Hundred Eighty-Nine Dollars and 16/100ths (\$39,889.16) upon receipt of the written warranties as requested in the engineer's letter dated January 26, 2011 identified in the specifications as Section 3.6 A and B.

*BE IT FURTHER RESOLVED*, That the Eleven Thousand Six Hundred Eighty-Two Dollars and 13/100ths (\$11,682.13) will be retained until the court resurfacing repairs have been completed.

Roll call vote on Resolution No. 11-20 as amended with the following results:

Voting Aye: Feldges, Benzel, Gonzalez.

Voting Nay: Yeager, Kusek.

Motion carried.

- The next item to be voted on by Council was Resolution No. 11-21 authorizing the Transportation Security Administration permission to make alterations at the Alliance Municipal Airport terminal facility. This resolution will authorize the Transportation Security Administration permission to make alterations at the Alliance Municipal Airport terminal facility. The alterations are required to accommodate for the installation of new security screening machines which are too large to fit through any of the current building openings. The alterations will be the sole expense of the Transportation Security Administration. The engineering plans have been made part of the Council packet for your review.

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To accommodate this very large device, the alterations proposed include:

- Installation of new exterior door on south side of the facility;
- Removal of some brickwork at kneewall to accommodate the new, wider doors;
- Replacing and reworking of brickwork at same kneewall;
- Patching and repairing of flooring in the affected area;

Motion by Councilman Benzel, seconded by Councilman Kusek to approve Resolution No. 11-21 which follows in its entirety:

**RESOLUTION NO. 11-21**

*WHEREAS*, The City of Alliance owns and operates the City of Alliance Municipal Airport; and

*WHEREAS*, The City of Alliance is a party to the Law Enforcement Reimbursement Agreement with the Transportation Security Administration; and

*WHEREAS*, The Transportation Security Administration has requested permission to install a exterior double door in the Alliance Municipal Airport Terminal Building; and

*WHEREAS*, The Transportation Security Administration requires the exterior double door so new security screening machines can be installed in the Alliance Municipal Airport Terminal Building as the new security screening machines are too large to fit through any of the current building openings; and

*WHEREAS*, The Transportation Security Administration has agreed to be solely responsible for all of the associated costs of this project.

*NOW, THEREFORE, BE IT RESOLVED*, by the Mayor and City Council of Alliance, Nebraska, that the City of Alliance authorizes the Transportation Security Administration entirely at its cost and expense to install a new exterior double door at the Alliance Municipal Airport Terminal as designated on the engineering plans which are made a part of Council's packet.

Cara Aguallo, TSA Security Manager addressed Council advising them the equipment will provide a significant increase to detail and sophistication of x-ray images in dual screen view instead of a single screen which is currently used. The machines are programmable and upgradable.

Roll call vote with the following results:

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

Voting Nay: None.

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Motion carried.

- Resolution No. 11- 22 authorizing the purchase of a 2011 Ford SSV Expedition for the Alliance Fire Department for use as a command vehicle was the next item on Council's agenda. The vehicle purchase will be from Cover Jones Motor Company of Alliance in the amount of \$30,369.00 and is being done from the State of Nebraska bid. The resolution also authorizes the purchase of the auxiliary equipment necessary for a total of \$36,313.00 which has been budgeted. The Alliance Rural Fire Department will be reimbursing the City of Alliance fifty percent of the total cost. The bid price accepted below is a match from the State of Nebraska bid price as negotiated by Fire Chief Troy Shoemaker.

2011 Ford SSV Expedition:	\$30,369.00
Command Cabinet	\$ 2,800.00
Vehicle Graphics	\$ 500.00
Radio/Light/Console Installation	\$ 2,644.00
Total	\$36,313.00
Reimbursement by Rural Fire	<u>\$18,156.50</u>
Net City Amount:	\$18,156.50

Motion by Mayor Feldges, seconded by Councilman Benzel to approve Resolution No. 11-22 which follows in its entirety:

#### **RESOLUTION NO. 11-22**

*WHEREAS*, The City of Alliance Fire Department had on their capital improvements for the second quarter of 2011, the purchase of a special service vehicle to use as a command vehicle; and

*WHEREAS*, The State of Nebraska has let bids for special service vehicles and the lowest responsible bidder is Anderson Auto Group of Lincoln, Nebraska under contract number 12879-OC in the amount of Thirty Thousand Three Hundred Sixty Nine and No/100ths Dollars (\$30,369.00); and

*WHEREAS*, The City of Alliance contacted the local vendor Cover-Jones Motor Company of Alliance, Nebraska and Cover-Jones Motor Company was able to match the State bid price; and

*WHEREAS*, The City of Alliance Fire Department needs to purchase a Command Cabinet and the graphics for the Command vehicle; and

*WHEREAS*, The new command vehicle will need to have emergency lights, switches, radio, console, command cabinet and vehicle graphics installed; and

*WHEREAS*, First Wireless in Gering, Nebraska does all of the radio installation and maintenance for the Alliance Fire Department, Chief Shoemaker has obtained a quotation from First Wireless of Two Thousand Six Hundred Forty-Four and No/100<sup>th</sup>s Dollars (\$2,644.00) for the installation of the radio, lights and console; and

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*WHEREAS*, The City of Alliance Fire Department was unable to obtain more than one bid for the Command Cabinet for a Ford Expedition and therefore determined that Danko, of Snyder, Nebraska was a sole source bidder with a bid of Two Thousand Eight Hundred and No/100<sup>ths</sup> Dollars (\$2,800.00); and

*WHEREAS*, The City of Alliance Fire Department obtained a quotation from Cozad Signs of Gering, Nebraska and determined that they were the lowest, responsive, responsible bidder at Five Hundred and No/100ths Dollars (\$500.00) for the purchase and installation of the vehicle graphics; and

*WHEREAS*, The Alliance Fire Department has the funds in its budget and requests that Council approves the purchased of one 2011 Ford SSV Expedition command vehicle and the purchase and installation of the necessary emergency equipment and graphics; and

*WHEREAS*, The Alliance Rural Fire Protection District has agreed to reimburse the City for one half of the total project cost of the special service vehicle which will be used as a command vehicle.

*NOW, THEREFORE, BE IT RESOLVED*, by the Mayor and City Council of Alliance, Nebraska, that City Manager J.D. Cox be and hereby is authorized to enter into a contract for the purchase of one 2011 Ford SSV Expedition command vehicle from Cover-Jones Motor Company of Alliance, Nebraska for the same price as it could be purchased under the State of Nebraska contract number 12879-OC in the amount of Thirty Thousand Three Hundred Sixty Nine and No/100ths Dollars (\$30,369.00).

*BE IT FURTHER RESOLVED*, that the Fire Chief Troy Shoemaker is authorized to enter into a contract with First Wireless in Gering, Nebraska for the installation of the radio, lights and console in the amount of Two Thousand Six Hundred Forty-Four and No/100<sup>ths</sup> Dollars (\$2,644.00)

*BE IT FURTHER RESOLVED*, that the Fire Chief Troy Shoemaker is authorized to enter into a contract with Danko of Snyder, Nebraska for the purchase of a Command Cabinet for a 2011 Ford Expedition in the amount of Two Thousand Eight Hundred and No/100<sup>ths</sup> Dollars (\$2,800.00).

*BE IT FURTHER RESOLVED*, that the Fire Chief Troy Shoemaker is authorized to enter into a contract with Cozad Signs of Gering, Nebraska to provide and install the graphics for the Command Vehicle.

Fire Chief Troy Shoemaker addressed Council advising them the current Command Vehicle is a 1999 GMC Suburban is owned by the Rural Fire Department. The partnership with the Rural Fire Department dates back to 1949. The purchase of a new Command Vehicle will be a shared burden between the City and the Rural Fire Department Board. A command cabinet will be installed in the back of the vehicle to help facilitate tactical decisions. Mayor Feldges asked if it would be possible to command a city fire and a county fire at the same time. Fire Chief Shoemaker indicated that it would be possible. Councilman Benzel asked if there is any equipment that can be salvaged from the old command vehicle. Fire Chief Shoemaker responded yes there is equipment that can be utilized.

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Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

- The next item for Council's consideration was Resolution No. 11-23 authorizing the purchase of additional surveillance cameras to monitor the exterior of the Knight Museum & Sandhills Center. Staff contacted the successful vendor for the interior surveillance system which is Mobius Communications and they are able to provide the equipment at an additional cost of \$7,174.85. This additional equipment was not budgeted and is being proposed to be purchased using City Council Contingency Funds. There is currently \$50,000 remaining in this fund.

Motion by Councilman Yeager, seconded by Councilman Kusek to approve Resolution No. 11-23 which follows in its entirety:

#### **RESOLUTION NO. 11-23**

*WHEREAS*, The City of Alliance owns and operates the Knight Museum and Sandhills Center; and

*WHEREAS*, There was an incident where an individual entered or remained in the Museum and stole Museum property; and

*WHEREAS*, The City Council directed that the Culture and Leisure Services Director request Mobius Communication to extend their bid to include surveillance cameras for the exterior of the Museum; and

*WHEREAS*, The Museum did not budget funds for the purchase and installation of the external surveillance system; and

*WHEREAS*, There are funds available in the City Council Contingency funds; and

*WHEREAS*, Staff is requesting funds from City Council Contingency in the amount of Seven Thousand One Hundred Seventy Four and 84/100ths Dollars (\$7,174.85) to pay for the purchase and installation of the exterior surveillance system for the Knight Museum and Sandhills Center; and

*WHEREAS*, The City Council agrees that it is in the best interest of the City to purchase and install the exterior surveillance system and that City Council Contingency funds be used to pay for these fees and expenses.

*NOW, THEREFORE, BE IT RESOLVED* by the Mayor and Council of the City of Alliance, Nebraska, that funds from City Council Contingency in the amount of Seven Thousand One Hundred Seventy Four and 84/100ths Dollars (\$7,174.85) shall be used to pay for the

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purchase and installation of the exterior surveillance system for the Knight Museum and Sandhills Center.

*BE IT FURTHER RESOLVED* that the City Manager J.D. Cox is authorized to execute a contract with Mobius Communication for the purchase and installation of the exterior surveillance system for the Knight Museum and Sandhills Center.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

- Resolution No. 11-24 naming various Council members as representatives on governing and advisory boards for organizations related to City government was the next item to be voted on by Council.

Motion by Councilman Kusek, seconded by Councilman Gonzalez to approve Resolution No. 11-24 which follows in its entirety:

#### **RESOLUTION NO. 11-24**

*WHEREAS*, The City Council of Alliance, Nebraska has membership on governing and advisory boards for organizations related to city government; and

*WHEREAS*, City Council has recently reorganized, and appointments to certain boards are in need of being filled;

*NOW, THEREFORE BE IT RESOLVED*, That appointments of members of Alliance City Council to boards are hereby made as follows:

E-911 Board	-	Trent Benzel
Panhandle Area Development District	-	Fred Feldges
Panhandle Rural Conservation and Development	-	Trent Benzel
Alternate	-	Ralph Yeager
R.&S.V.P. Advisory Board	-	Rachel Gonzalez

Roll call vote with the following results:

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

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Voting Nay: None.

Motion carried.

- The last item for Council's discussion was Resolution No. 11-25 which will change the March 3rd meeting to the 10th, and the March 17th meeting to the 24th. Since March has five Thursdays the proposed change will allow us to maintain a schedule which allows two weeks between meetings.

Motion by Councilman Gonzalez, seconded by Councilman Yeager to approve Resolution No. 11-25 which follows in its entirety:

**RESOLUTION NO. 11-25**

*WHEREAS*, The City Council, pursuant to Nebraska Statute and Section 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 date; and

*WHEREAS*, Due to a scheduling conflict the Council desires to change the dates for their normal meetings on the 3<sup>rd</sup> of March to the 10<sup>th</sup> of March and from the 17<sup>th</sup> of March to the 24<sup>th</sup> of March, 2011 both meetings to commence at 7:00 p.m.

*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 March 3, 2011 is rescheduled to March 10, 2011 and the meeting will commence at 7:00 p.m.

*BE IT FURTHER RESOLVED*, that the regular meeting of the Alliance City Council scheduled for March 17, 2011 is rescheduled to March 24, 2011 and the meeting will commence at 7:00 p.m.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

- Mayor Feldges stated, "there being no further business to come before the Alliance City Council, the meeting is adjourned at 8:44 p.m."

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Fred Feldges, Mayor

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(SEAL)

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Linda S. Jines, City Clerk