

February 17, 2011

ALLIANCE CITY COUNCIL

REGULAR MEETING, THURSDAY, FEBRUARY 17, 2011

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

The Alliance City Council met in a Regular Meeting, February 17, 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 February 10, 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 17, 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 18, 2011

1. Approval: Minutes of the Regular Meeting, February 3, 2011.
2. Approval: Payroll and Employer Taxes for the period January 22, 2011 through February 4, 2011 inclusive: \$162,105.45 and \$11,495.01 respectively.
3. Approval: Claims against the following funds for the period January 31, 2011 through February 14, 2011: General, General Debt Service, Trust and Agency, Street, Electric,

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Refuse Collection and Disposal, Sanitary Sewer, Water, Golf Course, Downtown Improvement Districts, R.S.V.P., Keno, and Capital Improvement; \$176,793.76.

4. Approval: Resolution No. 11-26 granting a Special Designated License to the Knights of Columbus for their annual Shamrock Shenanigans event which will be held on March 19, 2011.
5. Approval: The issuance of a Tree Surgeon's License to John Haas dba Garden Getaway.
6. Approval: Acceptance of a Quitclaim Deed from Thomas T. Holyoke, Successor Trustee of the Warren and Gladys Trank Living Trust, for the West One Half (W1/2) Lot Twenty-five (25), Section Seven (7), Block Twenty (20), Third Addition to the Alliance Cemetery. The City will be issuing a check in the amount of \$444.50 following the guidelines of the City's Buy Back Policy.

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.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

- The following proclamations were read and presented.

Councilman Yeager read the proclamation for International Women's Day which follows in its entirety:

PROCLAMATION

WHEREAS, Soroptimist International of Alliance are business and professional women who strive for human rights for all people and in particular, to advance the status of women by International goodwill and understanding, volunteer action, leadership development, fellowship and diversity, and

WHEREAS, Soroptimist is an international organization for business and professional women who work to improve the lives of women and girls, in local communities and throughout the world, and

WHEREAS, Over 100,000 Soroptimists in about 120 countries and territories contribute time and financial support to community-based and international projects that benefit women and girls, and

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WHEREAS, Soroptimist International of Alliance is one of 24 clubs in the Rocky Mountain Region and part of Soroptimist International of Americas which is a world-wide classified service organization. Locally, we presently have 19 members, who are involved in a variety of local projects, and

WHEREAS, Saluting the valuable contributions of Soroptimist International of Alliance for helping women and girls in Box Butte County by participating in Soroptimist International projects including the Soroptimist Women's Opportunity Awards, Soroptimist Club Grants for Women and Girls, the Soroptimist Workplace Campaign to End Domestic Violence, the Soroptimist Ruby Award, the Soroptimist Violet Richardson Award and Soroptimists STOP Trafficking. Soroptimist International Alliance participates in the Live Your Dream campaign, which encourages all women to live their dreams while helping others to do the same.

NOW, THEREFORE, On behalf of the Mayor and Members of the City Council of the City of Alliance, I do hereby proclaim March 8, 2011 as:

INTERNATIONAL WOMENS DAY

Mayor Feldges read the proclamation for Girl Scout Week which follows in its entirety:

PROCLAMATION

WHEREAS, March 12, 2011, marks the 98th anniversary of Girl Scouts of the USA, founded by Juliette Gordon Low in 1912 in Savannah, Georgia; and

WHEREAS, Throughout its distinguished history, Girl Scouting has inspired millions of girls and women with courage, confidence and character to make the world a better place; and

WHEREAS, Through Girl Scout Leadership Experience girls develop the skills and lessons that will serve them throughout their lives so that they may contribute to their communities; and

WHEREAS, Girl Scouting takes an active role in increasing girls' awareness of the opportunities in math, science, sports, technology, and many fields of interest that can expand their horizons; and

WHEREAS, More than three million current Girl Scout members nationwide will be celebrating this American tradition, and welcome girls from every background to join;

NOW, THEREFORE, on behalf of the Members of the City Council of the City of Alliance, Nebraska, we do hereby applaud the commitment Girl Scouts has made to America's girls and proudly proclaim the week of March 6-12, 2011 as:

GIRL SCOUT WEEK

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And hereby applaud the commitment Girl Scouting has made to support the leadership development of America's girls.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the City of Alliance to be affixed on this 17th day of February in the year of the Lord Two Thousand Eleven.

Councilman Kusek read the proclamation for Gambling Awareness Month which follows in its entirety:

PROCLAMATION

WHEREAS, Our community is home to individuals and families adversely affected by problem gambling; and

WHEREAS, Compulsive gambling is often hidden from family members, social services and mental health professionals; and

WHEREAS, Compulsive gambling often occurs in combination with other disorders such as chemical dependency and depression; and

WHEREAS, It is important to raise awareness of the warning signs of compulsive gamblers and connect them with professional help,

NOW, THEREFORE, On behalf of the Mayor and Members of the City Council of the City of Alliance, I do hereby proclaim March 2011 as:

GAMBLING AWARENESS MONTH

and urge citizens to learn more about the consequences of problem gambling.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the City of Alliance to be affixed on this 17th day of February in the year of the Lord Two Thousand Eleven.

The proclamation was presented to Joan Yekel of CrossRoads Resources, LLC.

- The next agenda item was the City Manager's report by J.D. Cox which follows in outline form:

OUR TEAM/PEOPLE

1. Investing time and energy in people of our community
 - Met with all 100 employees
 - Overwhelming responses-
 - Better communication

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- Inter-departmental opportunities; Teamwork
 - Everyone treated fairly and with respect
 - Build morale
 - Setting up Employee Activities Committee
 - 11 volunteers
 - Setting up Wellness Committee
 - 21 volunteers
2. Tours –
- Dinklage Farms – Mick McCarthy
 - Parker-Hannifin –
 - Tom Cummings (President)
 - Mike Friese
 - Bridget Wood (HR)
 - AEP – Tom Lore
 - Western Potato (Jim Allen)
 - St. Agnes Academy (Doyle Christensen)
 - Alliance Public Schools – Rita Moravek & Kevin Wilkinson
 - Midwest Farms – Del & Lorna Penlerick
 - JKS Manufacturing – Jim Nollette
3. Employees in news-
- Lynn Placek – reappointed to Chamber Board
 - Stephanie O’Connor – appointed to Chamber Board
 - Becci Thomas – honored Chamber of Commerce Lifetime Service Award
4. Police Officers - Saving of a Human Life
- Last meeting recognized Police and Fire Officials
 - Mistakenly left out Dispatcher Jami Appleyard

FOLLOWUP

5. Council Questions Followup
- Payment to 4th Street Fence for “Install on Demand System Air” – Eric said that they purchased an “on demand” water heater to alleviate the rotten egg smell from the current system of hot water storage.
 - Payment to BNSF for a “Warehouse Lease” – Larry said per contact they lease the warehouse “where the old line department use to be housed.” He said that they use it for storage.
 - The purchase of “Animal Perch Guards” – Larry said that per state guidelines, when a raptor or state bird is killed on an electric line, they have to install a perch. He said it mainly occurs in rural areas and the amount of “bird deaths” vary from year to year.
6. Goal Setting, Develop priorities and top projects
- Beginning to brainstorm
 - Will bring back probably later in March
7. Tennis Courts
- Received warranties (2/16)
 - Released payment (2/17)

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8. Dog Park

- Shana Brown and I met with ADOG representatives (Earl Jones & Lori Reeh)
- Very good meeting
- Found members to be thoughtful/caring group
- ADOG will be coordinating activities
- Will be having events such as “Responsible Dog Owner Day”
- Agreeable to be an officially named organization
- Will be putting together a resolution:
 - Approve use of park
 - Approve naming of park
 - Approve guidelines
 - Adopt site plan – includes current and future plans:
 - Trees
 - Gazebo
 - Small Dog Park

9. Cody Sub-station (Larry Heinrich reported) - Refinancing

- Research options, and bring those and a recommendation to upcoming meeting

10. Steps at Library

- Deteriorated
- Earlier, salt was used
- Will need to be fixed/repared
- Will be getting a Cost estimate

11. Museum & City Facility Fees

- Followup meeting scheduled
- Began working on project-
 - Met with staff – Shana & Becci
 - Meet with stakeholders
 - Devise strategies
- Time Frame – Late March/April

12. Highway 385 Project

- Mayor and Chelsie Herian traveled to Lincoln to testify before a Senate committee
 - Needing local help with assessing need (and others)
 - City is collecting information on near-misses
 - Police Chief John Kiss created an information form
 - City is asking folks in community to report any and all near-misses
 - Forms can be picked up at City Hall
 - Completed forms may be mailed or delivered to City Hall
 - Deadline to submit form is tomorrow - February 18.

13. Audit –

- Conference Call held February 9
- Good financial shape
- Gave us a list of items to do
- That list has been completed
- Draft by 2nd week of March

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- Future: Presentation to Council
14. Building Investments-
- Shari Lund made presentation at last Council meeting
 - Carpet is being replaced last week of February
 - While Linda, Aaron & I are at League Conference
 - City Hall remain open, but
Lobby closed on Friday, February 25 & Monday, February 28
 - Review Problems/Background with Facility
 - Budget Approved:
 - \$200,000 budgeted for 2011
 - \$36,000 carryover
 - Moving Forward:
 - Purchasing carpet, ceiling tiles and some office furniture
 - Issue RFQ for consultant to advise on structural viable options
 - Shari wears many hats – she wears them very well.
15. No Feeding –
- Signage - We are working on developing language and will soon be ordering signage to post around the lake/park area
 - Public Awareness/Education – Public Notification has begun regarding No Feeding
 - Disruption/Noise – We have scheduled offsite training for this week and onsite training for next week regarding our noise disruption strategies
 - Oiling Eggs – The Nebraska Game & Parks are scheduled to oil eggs (to eliminate hatching) for later this Spring
16. Peddler's Licenses
- Received a number of peddler's license applications
 - We have issued a heads-up to the community and a reminder to the public that anyone who peddles something at their door, must produce a valid city-issued peddler's permit.
 - Otherwise, citizens should call the police
17. City Council:
- Needing volunteers to serve on the Economic Development Plan Citizen Advisory Committee

MISCELLANEOUS/HOUSEKEEPING

STAFFING

- 18. Adult Services Librarian – Cindy Birkheimer
- 19. Library Clerk – Vacancy due to promotion of Cindy Birkheimer
- 20. Administrative Secretary – Just closed; preparing for interviews
- 21. Accounting Supervisor
 - Extending time for interviews
- 22. Community Development Director
- 23. Human Resources Officer
 - Aaron Smith/Linda Jines - Begin to write job description

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- Aaron Smith – working on options for office

NEW /UPCOMING PROJECTS AND UPDATES

24. West Plains Grain Update

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 2/17

26. Ted Hempel – Sallows Museum

- Would like a contract to coincide with City fiscal year
- Outside Surveillance Equipment –
 - Asked City to buy
 - Sallows reimburse

27. Met with Councilmember Gonzalez – Storm Water Drainage Problem

28. Keep Alliance Beautiful

- Met with Deb Dopheide & also with board
- They are planning a City-wide Cleanup week later this spring
- Will bring to future Council meeting
- Perform services for City:
 - Keep recyclables out of landfill
 - Provide efforts to keep community clean
 - Interface with residents politely and respectfully

29. Well Field Land Lease

- Mike Hulquist is working on and will have for a meeting in March

30. Emergency Operations Center

- Fire Chief Troy Shoemaker & Police Chief John Kiss pursuing
- Meeting with Region 23 Emergency Operations Planner
- Viewing potential sites and discuss funding opportunities/options

31. Social Networking – Facebook Page

32. Communication Strategies

- Cell phone Policy

33. Emergency Notification System NIXLE.com

- Notification system
 - Email
 - Text messages to cell phones
- Example notices-
 - Road Closings
 - Emergency Notices
 - Community Alerts

PROCESS IMPROVEMENTS

- Budget Process
 - Front load information

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- Capital Improvements – 1-2 hour meeting up front
- Include what Council would like to see accomplished (goals)
- Receive Council targets for operation budget
- City Manager bring a balanced budget to Council for consideration
- Rather than spending in the grass and weeds all day
- Spend time productively focusing on overall bottom lines

UPCOMING MEETINGS

Dr. Hoelsing

Principal Financial Group representatives

FUTURE TOURS FOR COUNCIL

- Would like to tour the police station?

FUTURE PRESENTATIONS

- Downtown Revitalization Presentation – March 10, 2011
 - CDBG Grant Concern
 - Overall Downtown Project
 1. Overview of total Project
 - Request Approval
 2. Funding Options
 - Request Approval for Application for CDBG
- Culture & Leisure Services – March 10
- Police – March 24
- Wellness Program - ???

CALENDAR ITEMS

1. Speaker at Rotary (February 21 @ noon at AYO)
2. League Conference – End of Month
3. Employee Potluck Luncheon – April 8?

- The next item for Council's review was Ordinance No. 2673 approving the Final Plat of Holsten Drive, Outlot A and Block 11 Syndicate Addition. City Manager Cox provided the following background information for Council's consideration:

[Before Council is the first reading of Ordinance No. 2673 which will approve the Final Plat of Holsten Drive, Outlot A and Block 11 Syndicate Addition. The property is located at 2471 South Highway 385. The Alliance Planning Commission will be conducting a Special Meeting on Tuesday, February 15, 2011 regarding this matter.

An expedited process has been utilized in order to have this matter before the Council on February 17. The Planning Commission agreed to have a special meeting so that the requisite approval could be in place to bring this matter before the Council.

It is critical for the timeline of the project that this plat be filed and submitted to the state next week so that future stages are not negatively impacted.

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Proposed Timeline:

2/15: Planning Commission approval

2/17: City Council approval

2/24: Final, signed plat submitted.

March: 3-day Approval by NDOR

April: Build road

Therefore, we are recommending the waiving of the statutory requirement for three readings of the ordinance.]

Mayor Feldges stated, “Now is the date, time and place to conduct a public hearing on the Final Plat of Holsten Drive, Outlot A and Block 11 Syndicate Addition submitted by Pepsi-Cola of Western Nebraska, LLC.” The public hearing opened at 7:34 p.m. Hearing no testimony, Mayor Feldges closed the public hearing at 7:35 p.m.

Motion by Councilman Kusek, seconded by Councilman Yeager to approve Ordinance No. 2673 on first reading. City Clerk Jines read the ordinance by title which follows in its entirety:

ORDINANCE NO. 2673

AN ORDINANCE APPROVING THE FINAL PLAT OF HOLSTEN DRIVE, OUTLOT A AND BLOCK 11 SYNDICATE ADDITION TO THE CITY OF ALLIANCE, BOX BUTTE COUNTY, NEBRASKA.

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

SECTION 1. The City of Alliance has received the application for approval of the final plat of Holsten Drive, Outlot A and Block 11 Syndicate Addition to the City of Alliance, Box Butte County, Nebraska, from Steve Ford, Manager of Pepsi-Cola of Western Nebraska, LLC.

SECTION 2. The Planning Commission held a public hearing on February 15, 2011, to consider the final plat, and after such hearing has recommended approval of the final plat and said plat is now submitted to the City Council for approval.

SECTION 3. The subdivision regulations of the City of Alliance contained in the City Code, require the City Council by ordinance to adopt the final plat of any proposed subdivision within the City of Alliance.

SECTION 4. The City Council finds that the final plat contains the information required by 11-413.

SECTION 5. The City approval of this plat is contingent upon the fulfillment of the requirement that an improvement guarantee and agreement for security be signed by the developer of the property, Steve Ford, Manager of Pepsi-Cola of Western Nebraska, LLC and

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have been approved by the City Engineer (Community Development Director) and the City Attorney, and all conditions required by the Planning Commission have been met.

SECTION 6. The City Council finds that the Final Plat of Holsten Drive, Outlot A and Block 11 Syndicate Addition to the City of Alliance, Box Butte County, Nebraska, has been prepared in conformity with the subdivision requirements of the City of Alliance, and is hereby conditionally approved by the City of Alliance and shall be filed with the County Clerk as provided by city code and state law within 30 days of the receipt of the improvement guarantee and agreement for security. The plat map which has been prepared is a part of these proceedings and is attached hereto and is incorporated herein and made a part hereof by reference.

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 Benzel, seconded by Councilman Gonzalez to require sidewalks on the south side of Holsten Drive and to not require the installation of sidewalks on the north side of Holsten Drive.

Roll call vote on the proposed sidewalk amendment with the following results:

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

Voting Nay: None.

Motion carried.

Motion by Councilman Kusek to incorporate the stipulations recommended by the Planning Commission with the approval of the Final Plat as follows:

- Storm water facilities be developed, including any drainage easement that may be required and be submitted to the Nebraska Department of Environmental Quality.
- Street lighting system be developed and installed upon completion of the project.
- Sanitary sewer be submitted to the State of Nebraska Department of Environmental Quality.
- There is a general dedication of the streets.

The motion was seconded by Councilman Benzel.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

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Motion by Councilman Gonzalez, seconded by Councilman Benzel to suspend the statutory rule requiring three separate readings of Ordinance No. 2673.

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

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

Voting Nay: None.

Motion carried.

Roll call vote to approve Ordinance No. 2673 on final reading 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. 2673 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 consideration was Ordinance No. 2674 amending the Classification Plan which places job titles/positions within the City’s established pay grid. City Manager Cox provided the following summary for Council’s information:

[Ordinance No. 2674 will amend the Classification Plan which places job titles/positions within the City’s established pay grid. The proposed amendments will add five redefined classifications; three of the positions are related to the Museum and two are for Finance.

The proposed amendments do not change the current authorized strength level as the positions have been approved; however they are being redefined. The following is a summary of the position changes/additions that are being affected:

Job Title	Grade
Museum Accession Clerk	207
Museum Collection Clerk	205
Museum Project Support Clerk	202
Account Clerk III	215
Accounting Supervisor	102

The museum jobs, responsibilities and pay grades are comparable to the Library Clerk position. However, due to the need specifically identified for grants, the titles used are “Accession Clerk,” “Collection Clerk,” and “Project Support Clerk.” The Accession and Collection Clerks both are required to have knowledge of the collections, research materials, and

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artifact preservation. The Account Clerk III position is a natural extension of the currently defined Account Clerk II (which is held at this time by Erinn Medina). Having this position allows for the natural progression of Account Clerk II and more accurately reflects the duties and responsibilities currently being performed.

Finally, at a pay grade of 102 (\$40,835.28-\$55,896.99), the Accounting Supervisor position is a new position that was in lieu of the traditional Finance Director, which was a pay grade of 106 (\$49,642.89 - \$67,928.96). We are still recommending that this position be created and authorized, although our recent advertising for this position has not been met with a large response. If we are not able to find/hire adequate candidates for the Accounting Supervisor position, then we may have to return to recruiting/hiring a Finance Director.]

Motion by Councilman Benzel, seconded by Councilman Kusek to approve Ordinance No. 2674 on first reading. City Clerk Jines read the ordinance by title which follows in its entirety:

ORDINANCE NO. 2674

AN ORDINANCE ADOPTING A REVISED CLASSIFICATION PLAN 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 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 a revised Classification Plan.

WHEREAS, The City Manager is requesting that certain positions be reclassified under the Classification Plan of the City of Alliance.

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

SECTION 1. That the Classification Schedule for the City of Alliance dated effective October 2, 2010 is hereby amended and the following stated positions are classified/reclassified as follows:

Job Title	Grade
Museum Accession Clerk	207
Museum Collection Clerk	205
Museum Project Support Clerk	202
Account Clerk III	215
Accounting Supervisor	102

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SECTION 2. This Ordinance shall become effective February 19, 2011.

Motion by Councilman Benzel, seconded by Councilman Kusek to suspend the statutory rule requiring three separate readings of Ordinance No. 2674.

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

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

Voting Nay: None.

Motion carried.

Roll call vote to approve Ordinance No. 2674 on final reading 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. 2674 has been concurred by a majority of all members elected to the Council, I declare it passed, adopted and order it published.”

- Ordinance No. 2675 authorizing the sale of a portion of Lot 12, Block 3, Johnston’s Addition was the next item for Council’s review. The following background information was provided by City Manager Cox:

[At its meeting on January 6, 2011, Council discussed the matter concerning a \$500 offer that the City had received from Robert and Rita Moravek concerning the purchase of a 50’ x 65’ piece of property that was next to their property. The approximate 50’x 65’ property is located at Lot 12, Block 3, Johnston’s Addition, which is on the southeast corner of 16th Street and Emerson Avenue. It was also reported at that meeting, that the family that owned the other adjoining property, owned by a family, which will be referred to as the Foster’s, had not indicated an interest in the property.

The property in question was originally carved out of the Foster land. Therefore, it was decided that it would be appropriate for the City to have a followup conversation with the Foster family. Whereupon, after further reflection, Mrs. Ardis Foster, along with her children, have now tendered a \$1200 offer.

The City Attorney, upon receipt of this \$1200 offer from the Foster’s, and in accordance with the previous Council discussion, issued a letter to the Moravek’s letting them know that an offer greater than theirs was received by the City from the remainder interest party and that the City would accept the Foster offer. Therefore, we are recommending that the \$1200 Foster offer be accepted and the property be rejoined to its originating property. Additionally, there are no

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pressing matters concerning this, so we are not recommending the three readings be waived, although that is certainly Council's prerogative.]

Motion by Councilman Yeager, seconded by Councilman Kusek to approve Ordinance No. 2675 on first reading. City Clerk Jines read the ordinance by title which follows in its entirety:

ORDINANCE NO. 2675

AN ORDINANCE PROVIDING FOR THE SALE AND CONVEYANCE OF ALL OF LOT 12, EXCEPT THE EAST 100 FEET, BLOCK 3, JOHNSTON'S ADDITION, AN ADDITION TO THE CITY OF ALLIANCE, BOX BUTTE COUNTY, NEBRASKA, ACCORDING TO THE RECORDED PLAT THEREOF.

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

SECTION 1. The City of Alliance has received an offer from Ardis C. Foster, Anna M. Sutton, Susan I. Hill, Karyn E. Jacox, Robert D. Foster, Charles L. Foster and Kevin L. Foster, to purchase All of Lot 12 except the East 110 feet, Block 3, Johnston's Addition, an Addition to the City of Alliance, Box Butte County, Nebraska, under a written offer in the amount of One Thousand Two Hundred and NO/100ths Dollars (\$1,200.00.)

SECTION 2. The real estate is not used in the operation of public utilities, and is not a state armory for the use of the State of Nebraska or the State Armory, as provided in §16-201 R.R.S. Neb. 1943.

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

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

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

Roll call vote to approve Ordinance No. 2675 on final reading with the following results:

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

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Voting Nay: None.

Motion carried.

- The next item to be discussed by Council was Resolution No. 11-27 approving the Liquor License Manager's Application of Chris Obershaw for Safeway, 500 East 3rd Street, Alliance, NE.

Motion by Councilman Kusek, seconded by Councilman Benzel to approve Resolution No. 11-27 which follows in its entirety:

RESOLUTION NO. 11-27

WHEREAS, The City of Alliance has received a notice and copy of a Manager Application for Safeway of Western Nebraska, Inc. 500 East 3rd Street, Alliance, NE, submitted by Christopher P. Obershaw; and

WHEREAS, City staff has reviewed the application and finds no reason why the proposed manager, Christopher P. Obershaw, would be disqualified from serving as manager; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the City of Alliance, Nebraska, that the Manager's Application of Christopher P. Obershaw for Safeway of Western Nebraska, Inc. 500 East 3rd Street, Alliance, NE is hereby approved.

BE IT FURTHER RESOLVED, that the City Clerk shall notify the Nebraska Liquor Control Commission of this Council decision.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

- Resolution No. 11-28 authorizing the purchase of a 2011 Ford Crown Victoria police cruiser from Cover-Jones Motor Company of Alliance, NE in the amount of \$22,300.00 was the next item to be presented to Council. City Manager Cox provided the following background information:

[Resolution No. 11-28 will approve the purchase of a 2011 Ford Crown Victoria police cruiser from Cover-Jones Motor Company of Alliance in the amount of \$22,300, which is \$700 below the state bid. It will also approve \$4,168.10 for the purchase and installation of required additional emergency equipment. The new purchase will replace a 2006 Ford Crown Victoria

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which will have in excess of 125,000 miles at the time of replacement. This purchase is within the \$28,000 budget authority previously granted by Council.

Resolution 11-28 will further authorize the City Manager to enter into a contract to purchase the vehicle, and will authorize the Police Chief to enter into a contract to purchase the additional emergency equipment.

Upon further reflection with the Police Chief and in light of Ford ceasing the production of the Crown Victoria models, and replacing them with the more economic and higher efficiency Ford Taurus, Chief and I are recommending this item be tabled until later in the year.]

Motion by Councilman Kusek, seconded by Councilman Yeager to approve Resolution No. 11-28 which follows in its entirety:

RESOLUTION NO. 11-28

WHEREAS, The City of Alliance Police Department had on their capital improvements for the Second quarter of 2011, the purchase of one marked police vehicle; and

WHEREAS, The State of Nebraska has let bids for patrol vehicles and the lowest responsible bidder was Tinch Ford Mercury of Plattsmouth, Nebraska in the amount of Twenty Three Thousand and No/100ths Dollars (\$23,000.00); and

WHEREAS, The City of Alliance contacted the local vendor and the local vendor bid the same vehicle for Twenty Two Thousand Three Hundred and No/100ths Dollars (\$22,300.00); and

WHEREAS, Staff is recommending that Cover-Jones Motor Company of Alliance, Nebraska is the lowest responsive, responsible bidder; and

WHEREAS, The new patrol vehicle will need to have emergency lights, switches, video camera and prisoner partition installed: and

WHEREAS, FirstWireless, Inc., in Gering, Nebraska does all of the radio installation and maintenance for the Alliance Police Department and FirstWireless, Inc., has provided a quotation of Four Thousand One Hundred Sixty-Eight and 10/100^{ths} Dollars (\$4,168.10) for the purchase of necessary emergency equipment and installation of the necessary emergency equipment that is being purchased and is being reused; and

WHEREAS, The Alliance Police Department has the funds in its budget and requests that Council approves the purchased of one 2011 Ford Crown Victoria marked police vehicle and the purchase and installation of the necessary emergency equipment.

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 Crown Victoria marked police vehicle from Cover-Jones Motor Company of Alliance, Nebraska in the amount of Twenty Two Thousand Three Hundred and No/100ths Dollars (\$22,300.00).

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BE IT FURTHER RESOLVED, that the Police Chief John Kiss is authorized to enter into a contract with FirstWireless, Inc., for the purchase and installation of the emergency equipment as set forth in their bid in the amount of Four Thousand One Hundred Sixty-Eight and 10/100^{ths} Dollars (\$4,168.10).

Roll call vote with the following results:

Voting Aye: None.

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

Motion failed.

- The next item to be voted on by Council was Resolution No. 11-29 renewing the Lease Agreement with the Alliance Motocross Association. City Manager Cox provided the following information for Council's consideration:

[The City Attorney has been in contact with Mark Nelson, President of the Alliance Motocross Association regarding the renewal of the existing lease that the City has with the group. The agreement, which was last approved in 2006, renews annually for a period of up to five years, with 2010 marking the fifth year, thus requiring Council action to renew.

The Agreement once again automatically will renew for a period of up to five years, unless either party gives notice of termination by April 1st of each year. The Agreement also keeps the payment at the previous level of \$178.00 per year for 35.6 acres, to be paid in two equal payments.]

Motion by Councilman Benzel, seconded by Councilman Kusek to approve Resolution No. 11-29 which follows in its entirety:

RESOLUTION NO. 11-29

WHEREAS, Alliance Motocross Association, Inc., a Nebraska Non-profit corporation, has previously leased lands and improvements from the City of Alliance which are located at the Municipal Airport; and

WHEREAS, Alliance Motocross Association, Inc. has requested that the lease be renewed; and

WHEREAS, City staff has reviewed the request, examined the property and proposed uses, and has recommended approval of the lease; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of Alliance, Nebraska, that the lease of Alliance Motocross Association, Inc. of land in the NW¼ of Section

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12, Township 24, North Range 48, West of the 6th P.M., Box Butte County, Nebraska is approved to include the property described in the lease document.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

- The last item on Council's agenda was a board appointment.

Motion by Mayor Feldges, seconded by Councilman Benzel to appoint Vern Lubash to the Golf Course Advisory Board for a term ending December 31, 2013.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

- Mayor Feldges advised the public there are vacancies on the following boards: Board of Adjustment, A-1 Downtown Improvement Board, A-2 Downtown Improvement Board, Economic Development Plan Citizen Advisory Board, Park and Tree Board and Planning Commission.

- Mayor Feldges stated, "there being no further business to come before the Alliance City Council, the meeting is adjourned at 8:33 p.m."

Fred Feldges, Mayor

(SEAL)

Linda S. Jines, City Clerk