

March 24, 2011

ALLIANCE CITY COUNCIL

REGULAR MEETING, THURSDAY, MARCH 24, 2011

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

The Alliance City Council met in a Regular Meeting, March 24, 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 March 17, 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 March 24, 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, City Attorney Miller 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 – MARCH 24, 2011

1. Approval: Minutes of the Regular Meeting, March 10, 2011.
2. Approval: Payroll and Employer Taxes for the period, February 19, 2011 through March 5, 2011 inclusive: \$169,438.14 and \$12,034.28 respectively.

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3. Approval: Claims against the following funds for the period March 7, 2011 through March 21, 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; \$671,253.54.
4. Approval: Update the roster of the Alliance Volunteer Fire Department by adding Joshua Carr and Mike Towne; and deleting Roger Bedient, Jason Brown, Jim Smith and Darcy Sample.
5. Approval: The issuance of a Cemetery Certificate to Paulette S. Thomas for the West One Half (W1/2) Lot Twenty-two (22), Section Nine (9), Block Twenty (20), Third Addition to the Alliance Cemetery.

The issuance of a Cemetery Certificate to Byford Avery, Jr. and Bonnie Avery the East One Half (E1/2) Lot Twenty (20), Section Nine (9), Block Twenty (20), Third Addition to the Alliance Cemetery.

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

General Contractor	Buettner Construction Fisher Roofing & Restoration
Master HVAC & Gas Fitter	Greg Sanders, dba Jack's Refrigeration Scott Diehl, dba Metal Products Co.
Journeyman HVAC	Scott Hughes, dba Snell Services, Inc.
Limited & Specialty	Van Pelt Fencing Co., Inc. Thomas R. Cozad, dba Cozy, Inc. (Creative Signs by Cozad)
Master Plumber	Lon Asselin, dba Snell Services, Inc. Ralph Burbach, dba Snell Services, Inc.
Master Plumber & Gas Fitter	Jock H. Faris, dba Faris Plumbing & Heating, Inc.
Tree Surgeon	Jonathan W. Sterkel, dba Tree Monkey
Repair & Maintenance	Brannan's Homes, LTD Day Way, dba Allways Construction Gregg Nuss, dba Weathercraft Company of Scottsbluff-Gering Rick Ridenour, dba R & A Services Betty Burton, dba B & D Rentals, Inc. Forrest Rose, dba Tri-State Roofing, Inc. Wayne Vanderschaaf, dba Vandy Const.

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Terry M. Schank, dba Twin City Roofing & Sheetmetal, Inc.
Joseph Jelinek, dba Aspen Exteriors, Inc.

Journeyman Plumber

Lucan Palomo, dba Snell Services, Inc.
Dominic Murillo, dba Snell Services, Inc.
Randy Burbach, dba Snell Services, Inc.
Thomas Murillo, dba Snell Services, Inc.
Stanley Rutkowski, dba Faris Plumbing & Heating.

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.

- A proclamation presentation for Keep America Beautiful's Great American Cleanup™ Months was the next item on Council's agenda.

Mayor Feldges read the proclamation which follows in its entirety:

PROCLAMATION

WHEREAS, Keep America Beautiful, Inc., is a national nonprofit organization dedicated to helping individuals improve their community environments, and has established the Great American Cleanup™ as its signature national effort for involving American citizens in environmental stewardship; and

WHEREAS, Keep America Beautiful's Great American Cleanup, is celebrating its 27th Anniversary in 2011, featuring over 5.7 million volunteers participating in over 33,000 events in over 33,000 communities in all 50 states and beyond; and

WHEREAS, The National Sponsors of the 2011 Great American Cleanup are: The Dow Chemical Company; The Glad Products Company; Nestlé® Pure Life® Purified Water; Pepsi-Cola Company; The Scotts Miracle-Gro Company; Solo Cup Company; Troy-Bilt® Lawn and Garden Equipment; Waste Management, Inc.; Wm. Wrigley Jr. Co.; Promotional Partners are: Get Green Racing and the Miss America Organization; and Educational Partner: Rubber Manufacturers Association; and

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WHEREAS, Box Butte County, Nebraska is proud of its natural resources, its cities, and its neighborhoods and seeks to protect and improve our county through the action of citizens, schools, government and businesses working together; and

WHEREAS, The Alliance City Council have recognized the important commitment to improve American communities through litter prevention, beautification and solid waste management initiatives, and are committed to help spread the word about the importance of volunteerism and motivate everyone in our communities to become stewards of the environment.

NOW, THEREFORE, Be it resolved that the City Council of the City of Alliance, Nebraska, does hereby proclaim March 1 through May 31, 2011 as:

Keep America Beautiful's Great American Cleanup™ Months

And calls upon our citizens to join in activities that promote responsible environmental stewardship and help us renew our commitment to building a better world today and for future generations.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the City of Alliance to be affixed on this 24th day of March in the year of the Lord Two Thousand Eleven.

The proclamation was presented to Deb Dopheide, Director of Keep Alliance Beautiful.

- A presentation by Police Chief Kiss of the Alliance Police Department regarding Community Policing was the next item on Council's agenda. City Manager Cox provided the following background information for Council's consideration:

[For the past several weeks, Chief John Kiss and I have been discussing our making extraordinary efforts to "customer friendly" with the citizens of Alliance. The goal of community policing is to put a warm, friendly face to partnering with the citizens to keep crime low and to emphasize community trust. Chief will be present to discuss plans to unveil our new philosophy in the community.]

Police Chief Kiss made a presentation to Council and highlighted the following points:

The mission of the Alliance Police Department is to provide professional and courteous services to the citizens of Alliance through Community Policing and Pro-active Law Enforcement.

It is the goal of the Alliance Police Department to be responsible for promoting good community relations and meeting the needs of the citizens of Alliance through a community based and problem oriented policing approach.

Community based policing is a philosophy not a program. It is an organizational strategy involving citizens in the process of policing themselves.

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- Work as partners
- Serve to balance quality of life with law enforcement / not an us against them policy – we live here as well
- Public and Police must join to have common goal
- Building trust
- Focus on quality of police/ citizen contacts not quantity
- Single focus, reduce crime and public fear of crime
- Solving crime causation

COPS have three main areas:

- Neighborhood Oriented Policing- calls for increased communication between officers and citizens in neighborhoods to be more aware of their fears. One example is Officers taking the time to play basketball or soccer with students at school.
- Problem Solving Policing- dealing with concepts to reducing calls for service. Officers can become responsible for analyzing the root cause and in turn solving the problem.
- Strategic Policing- keep community contacts (positive). Administration to have contacts with neighborhood through the Police Citizen Advisory Board.

Effective Community Policing Principles

- High visibility -increases public awareness of police presence, reduces fear.
- Rapport- enables a free flow of ideas and exchange in order to enhance communication.
- Being effective - police take a pro-active stance against crime, preventing crime from occurring thus making fewer arrests.
- Decentralization- allowing officers to spend time dealing with citizens on a one-on-one basis.
- All officers have the responsibility to take an active role in the community policing function. COP is a down/up function and large philosophical change from the paramilitary organizational chart from up/down.

TRUST, TRUST, TRUST!

- The next agenda item was the City Manager's report by J.D. Cox which follows in outline form:
 - Recognized Assistant to the City Manager Aaron Smith for his service to the community as his last day will be April 1, 2011.
 - Budget season is approaching and Council will be meeting at 5:00 p.m., April 11, 2011 to review the Capital Improvements Plan and to establish goals.
 - Met with D.A. Davidson regarding the financing of the Cody Electric Substation and the Downtown Streetscape Project. They are scheduled to make a presentation to Council at your April 14, 2011 meeting.
 - A Tourism Task Force has been established to brainstorm ideas and strategies for the use of the Hotel Occupation Tax revenues which will be meeting on March 28, 2011. Individuals on the Task Force are: Rachel Gonzalez, Fred Feldges, Chelsie Herian, Kevin

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Horn, Sandy McCarthy, Dixie Nelson, Kristi Corey, Peggy Sheldon, Gordon Hoff and Melissa Zapata.

- A Tourism/Economic Development trip is being planning to meet with officials of Gothenburg, South Sioux City, and the Department of Economic Development. Individuals participating in this trip will be Dan Greiss, John Corum, Mark Anderson, Mike Fell, Steve Stackenwalt, Brenda McDonald, John McGhehey, Rachel Gonzalez, Dixie Nelson, Chelsie Herian, and myself.
- I am currently working with staff members regarding a revenue plan for the Museum. That will come back before Council in late April or early May.
- There will be a meeting on the Highway 385 project which will be open to the public the first week of May.
- Both Cultural & Leisure Services Director Browne and I will be meeting with the full Golf Course membership on the evening of March 28, 2011. We accepted a donation for trash cans for the golf course.
- School Superintendent Dan Hoelsing has met with me and discussed parking facilities for the new Performance Arts Center. His proposal has been distributed to the Leadership Team for comments.
- Sales tax has a projected increase of 17%. A graph was distributed to Council.
- Keno revenues are very low due to the change in keno vendors. Staff will be working on securing additional keno sites.
- Staffing Changes: Shari Lund has been appointed the Interim Finance Supervisor and Larry Miller has been appointed the Interim Community Development Director.
- Upcoming Calendar
 - 3/28 Golf Membership Meeting
 - 3/29 Aaron Smith's Going Away Breakfast
 - 3/30 – 4/1 Larry Miller & I will be attending a Planning Conference
 - 4/05 Meeting with Great Lakes Airlines
 - 4/08 City Council hosted Potluck Luncheon
 - 4/27 – 4/28 Tourism/Economic Development Tour

- The next matter before Council was a request of Ted Hempel representing the Sallows Military Museum Foundation. City Manager Cox provided the following background information:

[Ted Hempel will be present for a two-pronged request: 1. To ask permission to acquire and install security cameras with cost reimbursement from the Sallows Military Museum Foundation Allies; and 2. To explain why the Allies have canceled the funding Agreement for the part-time coordinator and to inform us of their intent to renegotiate a new Agreement that would coincide with the City's fiscal year.]

Mr. Ted Hempel, 1311 Buchfinck Avenue, Alliance appeared before Council and requested the City purchase the outdoor surveillance camera and equipment as proposed for the Sallows Military Museum Foundation, Inc. Mr. Hempel stated this would save the Foundation from having to pay sales tax and that the Foundation would reimbursement the City the actual cost of the system.

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Councilman Benzel inquired if an additional camera could be added to their system for surveillance of the fountain. City Manager Cox stated he would have Cultural & Leisure Services Director Brown research the possibility.

Mr. Hempel then reported the Sallows Military Museum Foundation, Inc. had provided notice to the City of their intention to cancel their Agreement with the City for the expenses of part time paid staff. He indicated the Foundation would like to negotiate a new Agreement which will coincide with the City's fiscal year.

Motion by Councilman Kusek, seconded by Councilman Gonzalez to accept the outdoor surveillance camera and equipment from the Sallows Military Museum Foundation, Inc. as required by the City's Gifting Policy.

Roll call with the following results:

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

Voting nay: None.

Motion carried.

Motion by Councilman Kusek, seconded by Councilman Benzel to acknowledge receipt of the Sallows Military Museum Foundation, Inc. written notification of the cancellation of the Agreement with the City for the expenses of the part time paid staff.

Roll call with the following results:

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

Voting nay: None.

Motion carried.

- The next item for Council's consideration was Ordinance No. 2677 authorizing the sale of a parcel of land located at 16th Street and Emerson Avenue to Robert and Rita Moravek. City Manager Cox provided the following background information:

[At the last Council meeting, the Governing Body declined on the second reading and per the bidders' request, to approve the sale of land to the Foster family for their bid of \$1200. At the same time, the City received an offer of \$1500 from Robert and Rita Moravek to purchase the land. The City is in receipt of a \$100 down payment from the Moravek's. Council may wish to waive the three statutory requirements.]

Motion by Councilman Benzel, seconded by Councilman Kusek to approve Ordinance No. 2677 on first reading. City Clerk Jines read the ordinance by title as follows:

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ORDINANCE NO. 2677

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.

Motion by Councilman Kusek, seconded by Councilman Benzel to amend Ordinance No. 2677 by adding a Section 1B which states "Any permanent structures built on this property must comply with existing City set back regulations.

Roll call with the following results:

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

Voting nay: None.

Motion carried.

Amended Ordinance No. 2677 is as follows:

AMENDED ORDINANCE NO. 2677

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 Robert R. Moravek and Rita M. Moravek, husband and wife, 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 Five Hundred and No/100ths Dollars (\$1,500.00.)

SECTION 1B. Any permanent structures built on this property must comply with existing City set back regulations.

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

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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.

Motion by Councilman Kusek, seconded by Councilman Benzel to suspend the statutory rule requiring three separate readings of Ordinance No. 2677.

Roll call vote 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 amended Ordinance No. 2677 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. 2677 has been concurred by a majority of all members elected to the Council, I declare it passed, adopted and order it published."

- Ordinance No. 2678 amending the City of Alliance Classification Plan to include an Assistant City Manager title was the next item for Council's review. City Manager Cox provided the following background information:

[With the recent announcement of the resignation of the Assistant to the City Manager, and with the current vacancies as they exist in the organization, it gave pause to rethink our current structure. With that in mind, I would propose that the current functions of the "Assistant To" position as well as the currently-vacant Community Development Director be put into one position: Assistant City Manager.

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Planning & Growth Management
 Code Enforcement
 Zoning
 Economic Development
 Downtown Revitalization & Streetscape
 Marketing/Branding
 Tourism
 Airport
 Other Projects]

Motion by Councilman Gonzalez, seconded by Councilman Benzel to approve Ordinance No. 2678 on first reading. City Clerk Jines read the ordinance by title which follows in its entirety:

ORDINANCE NO. 2678

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 is classified as follows:

Job Title	Grade
Assistant City Manager	106

SECTION 2. This Ordinance shall become effective April 1, 2011.

Motion by Councilman Kusek, seconded by Councilman Gonzalez to suspend the statutory rule requiring three separate readings of Ordinance No. 2678.

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

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

Voting Nay: None.

Motion carried.

Roll call vote to approve Ordinance No. 2678 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. 2678 has been concurred by a majority of all members elected to the Council, I declare it passed, adopted and order it published.”

- The next item to be discussed by Council was Resolution No. 11-38 authorizing a Lease with Panhandle Planning, Exercise and Training Region for the placement of three microwave dishes on the 12th Street and Toluca Avenue water tower for the Nebraska Statewide Radio System. City Manager Cox provided the following background information:

[Nan Gould Region 23 Emergency Management Director will be present to discuss the Statewide implementation of a radio system and will request Council to consider approving a resolution that will authorize the installation of equipment on our water tower to connect Alliance to the rest of the Nebraska Statewide Radio System.

The system is a joint venture of the following entities: State of Nebraska, Nebraska Public Power District (NPPD), Nebraska State Patrol, State Fire Marshall, Nebraska Game & Parks Commission, Nebraska Department of Corrections, Nebraska Emergency Management Agency, Nebraska Department of Roads and NPPD and all are expected to be initial participants.

In addition, a regional mutual aid system called **Paraclete**, is being deployed at public safety answering points (PSAP's) throughout the State. Paraclete is a system that provides the ability to communicate with the disparate radio systems on a regional and inter-regional basis. Even though the various radio systems within the region may be on different radio frequencies, Paraclete provides the mechanism to communicate as though everyone were on the same frequency.

The other advantage of the consolidated communications systems being built is the **Nebraska Regional Interoperability Network (NRIN)**. NRIN is a Statewide high-speed data network consisting of a microwave backbone located on over 200 towers across the State. This data will be brought into the public safety answering points located in counties and cities throughout the State. NRIN is a system that consists of eight regional ringed redundant networks

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that join to make up the Statewide redundant ring. The system will carry data linking all aspects of emergency communications.

The proposed resolution is similar to one in place in Scotts Bluff County. It provides a provision that should other jurisdictions begin charging a fee for this service, that Alliance would participate in a similar revenue source.

The following have also been identified as benefits to Alliance:

Law Enforcement: *NCIC/Teletype discontinue paying \$500-\$600 per month
City Services: Roads forecasting, Video networks – Arraignments, Video conferencing, Telehealth]

Motion by Mayor Feldges, seconded by Councilman Benzel to approve Resolution No. 11-38 which follows in its entirety:

RESOLUTION NO. 11-38

WHEREAS, The City of Alliance owns and operates a water tower which is generally located at Toluca Avenue and 12th Street in Alliance, Nebraska; and

WHEREAS, The Panhandle Planning, Exercise and Training Region, a Political Subdivision of the State of Nebraska desires to mount three microwave dishes on the City's water tower; two (2) - two and one-half feet (2 ½') microwave dishes and one (1) - one foot (1') microwave dish; and

WHEREAS, These microwave dishes will be used as part of the Nebraska Regional Interoperable Network used to connect all 9-1-1 centers within the State of Nebraska; and

WHEREAS, the Mayor and City Council deemed it appropriate to enter into a lease with Panhandle Planning, Exercise and Training Region for the installation of three microwave dishes; two (2) - two and one-half feet (2 ½') microwave dishes and one (1) - one foot (1') microwave dish on the City's water tower which is generally located at Toluca Avenue and 12th Street.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Alliance, that the Mayor is authorized to sign the Non Exclusive Lease Agreement between the City of Alliance and Panhandle Planning, Exercise and Training Region, a Political Subdivision of the State of Nebraska to mount three microwave dishes; two (2) - two and one-half feet (2 ½') microwave dishes and one (1) - one foot (1') microwave dish on the City's water tower which is generally located at Toluca Avenue and 12th Street in Alliance, Nebraska.

BE IT FURTHER RESOLVED that there is no remuneration for this Non Exclusive Lease Agreement.

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Nan Gould, the Region 23 Emergency Management Coordinator addressed Council stating the three microwave dishes will be mounted on the railing of the water tower and not the tank.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

- Resolution No. 11-40 authorizing Free Landfill Days was the next item to be presented to Council. City Manager Cox provided the following background information:

[Each year, the City partners with Keep Alliance Beautiful for a one-week period for waiving landfill fees to all citizens who have a City of Alliance trash service by showing proof with a City utility bill. This courtesy service does not include C&D materials, tires, or appliances. The proposed dates for this year are April 25-30.]

Motion by Councilman Kusek, seconded by Councilman Gonzalez to approve Resolution No. 11-40.

Councilman Benzel offered an amendment to include the disposal of appliances as part of the free service which died for a lack of a second.

RESOLUTION NO. 11-40

WHEREAS, The City of Alliance maintains the City of Alliance Landfill; and

WHEREAS, The City desires to encourage its residents to clean up trash and debris that may have accumulated around their property; and

WHEREAS, The City desires to waive the landfill fees and state-mandated costs to take care of the trash and debris that is collected by the landfill for a limited period of time which shall be designated as Alliance City Wide Clean Up Days; and

WHEREAS, Said expenses for the landfill and the expenses to hire people to collect trash and debris and deliver it to the landfill will need to be paid.

NOW, THEREFORE, BE IT RESOLVED By the Mayor and Council of the City of Alliance that the 25th day through the 30th day of April will be Alliance City Wide Clean Up Days.

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BE IT FURTHER RESOLVED The City of Alliance Landfill will waive all fees for the trash and debris that is delivered to it during those days by the residents of the City of Alliance, except for tires, appliances and construction and demolition materials.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

- Resolution No. 11-41 approving the Alliance Dog Park Policy was the next matter before Council. City Manager Cox provided the following background information:

[Cultural & Leisure Services Director Shana Brown and I have met with representatives of the ADOG group in an effort to tie up some loose ends. Previously, as I understand, formal approval for the use of the dog park, naming of the dog park, implementing a site plan for the park, and installing signage were never approved by Council.

Before you is a proposal that will appropriately address these issues and will put the park in a position that will be sustainable in the long-run for City crews.

It is my understanding that in previous conversations held that the volunteer group would do certain activities – such as watering. I don't believe that this is sustainable. Members of the group may come and go, and may possibly not even live in Alliance in the future. With that in mind, the plan drafted would include providing and managing (through a timer) the water for the ADOG Park much the same as it would for any of its other parks.

The resolution would also adopt and approve guidelines for the park (such as no smoking, the dog owner keeping their pet under their voice control at all times, no food or treats, etc).]

Motion by Councilman Benzel, seconded by Councilman Gonzalez to approve Resolution No. 11-41.

Wendy Henderson, 927 Dakota Avenue and Earl Jones, 808 Cheyenne Avenue addressed Council on behalf of the Alliance Dog Owners Group (ADOG) and described the improvements that have been put in place to date and the anticipated improvements in the future.

A motion to amend Resolution No. 11-41 was made by Councilman Kusek and seconded by Councilman Benzel. The amendment was to rewrite the resolution to include (1) the adoption of the Alliance Dog Park Policy; (2) accept the gifts of a small dog park area, a gazebo, park guideline signs, and a rubber mulch foundation for the agility equipment for use in the dog park as provided in the City's Gifting Policy; and (3) designate the park will be utilized as a dog park for the use of unleashed dogs.

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

Voting Aye: Feldges, Kusek, Benzel, Gonzalez.

Voting Nay: None.

Abstaining: Yeager.

Motion carried.

AMENDED RESOLUTION NO. 11-41

WHEREAS, Council desires to approve a policy for the use of the dog park; and

WHEREAS, Council desires to accept gifts of a small dog park area, a gazebo, park guideline signs, and a rubber mulch foundation for the agility equipment for the dog park as provided in the City's Gifting Policy; and

WHEREAS, Council designates the park will be utilized as a dog park for the use of unleashed dogs.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of Alliance, Nebraska, that the City of Alliance does hereby approve and adopt the Alliance Dog Park Policy which is included in the Council packets as the official policy of the dog park.

BE IT FURTHER RESOLVED, that the Council accepts the gifts of a small dog park area, a gazebo, park guideline signs, and a rubber mulch foundation for the agility equipment for use in the dog park as provided in the City's Gifting Policy.

BE IT FURTHER RESOLVED, that the Council designates the park will be utilized as a dog park for the use of unleashed dogs.

Roll call vote on amended Resolution No. 11-41 with the following results:

Voting Aye: Feldges, Kusek, Benzel, Gonzalez.

Voting Nay: Yeager.

Motion carried.

- Resolution No. 11-42 authorizing the modification of the existing Agreement for the maintenance of traffic signals and lighting at 10th Street and Highway 385 was the next item on Council's agenda. City Manager Cox provided the following background information:

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[The proposed Interlocal Agreement contemplates the City ownership and management of the traffic light at W 10th Street/Otoe Road and US Highway 385. The County has heretofore maintained the light, but with the recent annexation, the County has asked the City to maintain/management the street lighting. In addition, the County will retain snow removal and mowing responsibilities.]

Motion by Councilman Gonzalez, seconded by Councilman Yeager to approve Resolution No. 11-42 which follows in its entirety:

RESOLUTION NO. 11-42

WHEREAS, The City of Alliance, Box Butte County and the State of Nebraska entered into an Agreement for the operation of flashing warning beacons and intersection lighting for the intersection of what is now US Highway 385 and 10th Street;

WHEREAS, The City has been requested to enter into an Interlocal Agreement with Box Butte County to cover the electrical expenses of the operation, maintenance and repair of the warning beacons, and the intersection lighting; and

WHEREAS, The City has been requested to participate in capital improvements or major maintenance projects regarding Otoe Road that is directly in front of the property that was annexed by the City of Alliance; and,

WHEREAS, Box Butte County has unilaterally quit making all payments for the electricity provided to the warning beacons and the intersection lighting; and

WHEREAS, The City of Alliance believes that it is beneficial to continue the operation of the warning beacons and the intersection lighting for the safety of the public.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of Alliance, Nebraska, that the Mayor is authorized to sign the Interlocal Agreement with Box Butte County which will authorize the City of Alliance to accept ownership of the warning beacons and the intersection lighting and be responsible for all operation and maintenance of the warning beacons and the intersection lighting.

BE IT FURTHER RESOLVED, that the City understands that it may be responsible for some of the expense for capital improvements or major maintenance projects regarding Otoe Road that is directly in front of the property that was annexed by the City of Alliance.

BE IT FURTHER RESOLVED, that the City of Alliance, by signing the Interlocal Agreement agrees to negotiate with Box Butte County concerning future capital improvements or major maintenance projects of Otoe Road that is directly in front of the property that was annexed by the City of Alliance.

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 consideration was Resolution No. 11-43 adopting a new policy within the Police Operational Manual. City Manager Cox provided the following background information:

[The proposed resolution will update the Police Department Policy Manual with a Section 50.9, entitled "Investigating Sexual Assaults." The policy update was recommended by the International Association of Chiefs of Police and will follow Nebraska laws. A copy of the entire policy is included in your packet.]

Motion by Councilman Yeager, seconded by Councilman Kusek to approve Resolution No. 11-43 which follows in its entirety:

RESOLUTION NO. 11-43

WHEREAS, There are special needs involved in the investigation of sexual assaults; and

WHEREAS, The Alliance Police Department desires to implement a policy for the Investigation of Sexual Assaults that covers the areas of first response, investigations and prosecution; and

WHEREAS, The proposed policy has been prepared and reviewed by police staff and legal staff; and

WHEREAS, The proposed Policy provides for the establishment of a new Policy 50.9 Investigating Sexual Assaults; and

WHEREAS, City Council has reviewed the proposed Policy and finds it appropriate for the needs of law enforcement.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of Alliance, Nebraska, that the Police Department Policy as set forth herein, is hereby approved, and adopted effective April 1, 2011 as the Policy of the City of Alliance.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

March 24, 2011

- Resolution No. 11-44 authorizing the purchase of a 2010 Ford E450 Life Line Ambulance from Rocky Mountain Emergency Vehicles of Denver, CO in the amount of \$145,279.00 was the next item to be considered by Council. City Manager Cox provided the following background information:

[On March 3, Fire Chief Troy Shoemaker conducted a bid opening for the new ambulance. Four bids were received. The City of Alliance and the Alliance Rural Fire Department were both pursuing the purchase of identical ambulances to achieve maximum efficiencies. \$150,000 had been budgeted for each of the ambulances, for a total of \$300,000 for both.

Of the four bids received, the two low bids were relatively close, while the other two were well above and outside of the \$150,000 budgeted for each. Of the two low bids, one was received in the amount of \$143,603 from Ed M. Feld, while \$146,279 was bid by Rocky Montains Emergency Vehicle (RMEV) Lifeline.

Chief Shoemaker is recommending that the bid from RMEV be approved as the other did not meet all specifications and also as the Lifeline purchase is consistent with the purchase already approved by the Rural Fire Department.]

Motion by Mayor Feldges, seconded by Councilman Benzel to approve Resolution No. 11-44 which follows in its entirety:

RESOLUTION NO. 11-44

WHEREAS, The City of Alliance Fire Department had on their capital improvements for the Second quarter of 2011, the purchase of one ambulance; and

WHEREAS, The Alliance Rural Fire Protection District had also scheduled the replacement of one ambulance at this time; and

WHEREAS, The City of Alliance and the Alliance Rural Fire Protection District let bids for the ambulances and requested that the ambulances be set-up identical to each other for ease of operation and training for department members; and

WHEREAS, The City of Alliance Fire Department bid required that the solicitation be binding on the bidder for a minimum of sixty (60) days, and that a bid which specifies a shorter acceptance period may be rejected; and

WHEREAS, The Alliance Rural Fire Protection District awarded the bid for their new ambulance to Rocky Mountain Emergency Vehicles; and

WHEREAS, Staff requests that the bid of Ed M. Feld be rejected as a result of making clarifications to the bid, limiting the bid to thirty (30) days and failure to specify whether stripping and graphics purchase and installation were included in the bid; and

March 24, 2011

WHEREAS, Staff is requesting that Council accept the bid of Rocky Mountain Emergency Vehicle for the purchase of a Lifeline Ambulance pursuant to the bidding documents for the total purchase price of One Hundred Forty Six Thousand Two Hundred Seventy Nine and No/100ths Dollars (\$145,279.00).

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of Alliance, Nebraska, that Rocky Mountain Emergency Vehicles of Denver, Colorado is the lowest, responsive, responsible bidder.

BE IT FURTHER RESOLVED, City Manager J.D. Cox be and hereby is authorized to enter into a contract for the purchase of one 2010 Lifeline Ambulance from Rocky Mountain Emergency Vehicles of Denver, Colorado for the purchase price of One Hundred Forty Six Thousand Two Hundred Seventy Nine and No/100ths Dollars (\$145,279.00).

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 discussion was Resolution No. 11-45 authorizing the City to enter into a Preliminary Engineering and Final Design Agreement with M.C. Schaff and Associates for street improvement and repair engineering services for Emerson Avenue, 18th to 25th Streets. City Manager Cox provided the following background information:

[In continuation of our Emerson Avenue Project, this resolution would approve the Consultant Preliminary Engineering and Final Design Services Agreement between the City and MC Schaff and Associates. It also approves funding in the amount of \$39,605.49.]

Motion by Councilman Benzel, seconded by Councilman Kusek to approve Resolution No. 11-45 which follows in its entirety:

RESOLUTION NO. 11-45

WHEREAS, The City of Alliance as a Local Public Agency (LPA) is developing a transportation project for Emerson Avenue and the City intends to obtain Federal funds for the project; and

WHEREAS, The City of Alliance as a sub-recipient of Federal-Aid funding is charged with the responsibility of expending said funds in accordance with Federal, State and local laws, rules, regulations, policies and guidelines applicable to the funding of the Federal-aid project; and

WHEREAS, The City of Alliance and M.C. Schaff and Associates, Inc., desire to enter into an Engineering Services Agreement to provide Preliminary Engineering and Final Design Services for the Federal-aid project.

March 24, 2011

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of Alliance, Nebraska, that the Mayor is hereby authorized to sign the attached LPA – Consultant Preliminary Engineering Agreement between the City of Alliance and M.C. Schaff and Associates, Inc., for Project No. URB-6255(3), Control No. 51450.

BE IT FURTHER RESOLVED, that the amount of funds due under this agreement without any modifications is Thirty Nine Thousand Six Hundred Five and 49/100ths Dollars (\$39,605.49.)

Public Facilities Director Eric Lenz and Don Dye of M.C. Schaff were available to Council to answer questions.

Roll call vote with the following results:

Voting Aye: Feldges, Kusek, Benzel, Gonzalez.

Voting Nay: Yeager.

Motion carried.

- The next item for Council's discussion was Resolution No. 11-46 authorizing the City to enter into a Preliminary Engineering and Final Design Agreement with M.C. Schaff and Associates for street improvement and repair engineering services for South Potash Avenue, Kansas Avenue to 2nd Street. City Manager Cox provided the following background information:

[In continuation of our Potash Avenue Project, this resolution would approve the Consultant Preliminary Engineering and Final Design Services Agreement between the City and MC Schaff and Associates. It also approves funding in the amount of \$41,957.42.]

Motion by Councilman Kusek, seconded by Councilman Gonzalez to approve Resolution No. 11-46 which follows in its entirety:

RESOLUTION NO. 11-46

WHEREAS, The City of Alliance as a Local Public Agency (LPA) is developing a transportation project for South Potash Avenue and the City intends to obtain Federal funds for the project; and

WHEREAS, The City of Alliance as a sub-recipient of Federal-Aid funding is charged with the responsibility of expending said funds in accordance with Federal, State and local laws, rules, regulations, policies and guidelines applicable to the funding of the Federal-aid project; and

WHEREAS, The City of Alliance and M.C. Schaff and Associates, Inc., desire to enter into an Engineering Services Agreement to provide Preliminary Engineering and Final Design Services for the Federal-aid project.

March 24, 2011

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of Alliance, Nebraska, that the Mayor is hereby authorized to sign the attached LPA – Consultant Preliminary Engineering Agreement between the City of Alliance and M.C. Schaff and Associates, Inc., for Project No. URB-6263(1), Control No. 51347.

BE IT RESOLVED, that the amount of funds due under this agreement without any modifications is Forty One Thousand Nine Hundred Fifty Seven and 42/100ths Dollars (\$41,957.42.)

Public Facilities Director Eric Lenz and Don Dye of M.C. Schaff were available to Council to answer questions.

Roll call vote with the following results:

Voting Aye: Feldges, Kusek, Benzel, Gonzalez.

Voting Nay: Yeager.

Motion carried.

- The next item for Council's discussion was Resolution No. 11-47 authorizing the purchase of a new warning siren as listed in the Third Quarter CIP/CEP. City Manager Cox provided the following background information:

[This resolution would approve the third quarter CIP/CEP authorizing the purchase of Emergency Management Warning Siren totaling \$20,400. This is the only item considered for this quarter.]

Motion by Councilman Kusek, seconded by Councilman Benzel to approve Resolution No. 11-47 which follows in its entirety:

RESOLUTION NO. 11-47

WHEREAS, The City of Alliance annually adopts a Capital Improvements Plan to aid in budgeting and organizing purchasing; and

WHEREAS, The City staff has submitted for City Council review a proposed schedule of capital improvement purchases to be initiated, and in some cases completed, in the third quarter of the 2010-2011 fiscal year; and

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

NOW, THEREFORE, BE IT RESOLVED, By the Mayor and City Council of Alliance, Nebraska, that the schedule of capital purchases for the third quarter of the 2010-2011 fiscal year, totaling Twenty Thousand Four Hundred and No/100ths Dollars (\$20,400.00) is hereby approved.

March 24, 2011

BE IT FURTHER RESOLVED, That City staff is authorized to proceed with the purchase of the item listed:

Emergency Management	Cap. Outlay –Mach Equip. Warning Siren	\$20,400.00
	Total	\$20,400.00

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

- The last item on the agenda was the 4th Quarter Financial Report which City Manager Cox has requested be removed.
- Mayor Feldges requested staff to look into the condition of the tennis courts. City Manager Cox stated staff had met with the engineers for the project and will be reporting back to Council.
- Mayor Feldges stated, “there being no further business to come before the Alliance City Council, the meeting is adjourned at 9:39 p.m.”

Fred Feldges, Mayor

(SEAL)

Linda S. Jines, City Clerk