

May 19, 2011

## **ALLIANCE CITY COUNCIL**

REGULAR MEETING, THURSDAY, MAY 19, 2011

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

The Alliance City Council met in a Regular Meeting, May 19, 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 May 12, 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 May 19, 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 introduction of Tad Prella who will serve in the capacity of Parks Maintenance Worker I for the City of Alliance.
- The next matter before Council was the Consent Calendar.

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

### **CONSENT CALENDAR – MAY 19, 2011**

1. Approval: Minutes of the Regular Meeting, May 5, 2011.

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2. Approval: Payroll and Employer Taxes for the period April 16, 2011 through April 29, 2011 inclusive: \$160,868.11 and \$11,345.00 respectively.
3. Approval: Claims against the following funds for the period May 2, 2011 through May 16, 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; \$399,371.44.
4. Approval of Correction: The Alliance City Council at their regular meeting March 24, 2011 approved Resolution No. 11-42 authorizing entering into an Interlocal Agreement with Box Butte County with regard to the flashing warning beacons and intersection lighting at 10<sup>th</sup> Street and US Hwy. 385. In reviewing the Interlocal Agreement some minor corrections needed to be made to the legal description. Included in the Council packet are the highlighted changes within the legal description.
5. Approval: The *Request for Reserved or Exclusive Use of City Streets* of the Cattle Capital Shrine Club for the closure of 14<sup>th</sup> Street between Box Butte and Sweetwater Avenues starting at 5:00 p.m. Saturday, June 4<sup>th</sup> and ending at 9:00 a.m. Monday, June 6<sup>th</sup>. The Club will be hosting their annual circus and the street will be used to unload & load the circus and to house animals.
6. Approval: The *Request for Reserved or Exclusive Use of City Streets* for The Animal Center on Saturday, June 11, 2011 beginning at 10:30 a.m. The Animal Center will be conducting their annual "Doggie Dash," the event will start at the former Skateland parking lot, proceed east on Otoe Road to CR58, then north ½ mile to The Animal Center. A copy of the request and the Insurance Certificate have been made part of the Council's packet.
7. Approval: The *Request for Reserved or Exclusive Use of City Streets* from the Alliance Park Foundation for their annual Fountain Fest event. The event will be held on Thursday, June 30, 2011 between 3:00 p.m. and 9:00 p.m. The request is to close Niobrara Avenue between 10<sup>th</sup> and 12<sup>th</sup> Street.
8. Approval: The *Request for Reserved or Exclusive Use of City Streets* of the Alliance Chamber of Commerce for Heritage Days 2011 scheduled for July 19<sup>th</sup> through the 24<sup>th</sup>. This year's requests are the same as last year. A listing of all of the requests are as follows:

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

Closure of involved streets for Heritage Days Annual Parade - 600 Block of Black Hills Avenue, south to Third Street, east to Mississippi - 9 a.m. July 23, 2011 until completion of parade.

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Closure of Box Butte Avenue and exclusive use of parking lot at Fourth Street and Niobrara Avenue for Carnival and Vendor area. Box Butte Avenue 300, 400, and 500 Blocks, Lots 1, 2, 3, Block 15 Original Town (the parking lot at Fourth Street and Niobrara Avenue.)

Closure beginning 12:01 a.m. July 19, 2011 for all except the 300 Block of Box Butte, which will close at 3:00 p.m. on July 21, 2011. Closures to extend to undetermined time on Sunday, July 24, 2011.

Exclusive use of the East half of Block 28, Original Town (the parking lot on the West side of Box Butte Avenue between First and Second Streets), parking is allowed July 19<sup>th</sup> to 23<sup>th</sup> 2011 for Heritage Days events.

Street use restriction, Fourth Street from Laramie Avenue to Niobrara Avenue. Use restricted to emergency and postal vehicles from 5:00 p.m. July 20, 2011 through Saturday, July 23, 2011 at 12:00 midnight. Police escorts are required for postal trucks arriving between 8:30 p.m. and 9:00 p.m.

Closure of the 200 Block of Box Butte Avenue. Closure from Wednesday, July 20, 2011 at noon until Saturday, July 23<sup>rd</sup> at midnight.

Exclusive use of Blocks 1 and 4 Box Butte Addition, east of Snake Creek Trail between Tenth and Twelfth Streets on Tuesday, July 19, 2011 between 3:00 p.m. and 9:00 p.m. for Heritage Days Family Night activities.

One-way traffic modifications:

- Niobrara Avenue: Use is restricted to north bound one-way traffic only between the hours of 3:00 p.m. and 9:00 p.m., on Tuesday, July 19, 2011, between 10<sup>th</sup> and 12<sup>th</sup> Streets.
- Sweetwater Avenue: Use is restricted to south bound one-way traffic only between the hours of 3:00 p.m. and 9:00 p.m., on Tuesday, July 19, 2011, between 10<sup>th</sup> and 14<sup>th</sup> Streets.
- 12<sup>th</sup> Street - Use is restricted to east bound one-way traffic only between the hours of 3:00 p.m. and 9:00 p.m., on Tuesday, July 19, 2011, between Niobrara and Sweetwater.

9. Approval: The issuance of the following Contractor licenses:

General Contractor	Fuller Construction Co., Inc.
Master Plumber	Jon M. Aid dba J & M Plumbing, Inc. Jeff Weber dba J & V Drain & Sewer Cleaning Joe Weber dba Weber Plumbing & Boiler Works
Repair & Maintenance	R & S Building Systems Juan Gonzalez dba J.J. Roofing Dana Daniels dba Advance Air
Limited & Specialty	Dave Tarbet dba W T Contractors, Inc. Protex Central, Inc.

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Gas Fitter

Joe Weber dba Weber Plumbing & Boiler Works

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 Benzel asked if the payment to K.L. Wood for the water treatment facilities is the final payment as he thought the final payment had already been made. Councilman Gonzalez asked about the brochures purchased from the Marketing Fund. City Manager Cox stated the brochure will be presented later in the meeting. Mayor Feldges inquired if the payment to Creative Signs for the graphics for the Fire Chief's command vehicle was the entire bill or if it was being shared with the Rural Fire District. Councilman Kusek questioned the ammunition purchase and Police Chief Kiss responded it was one year's supply for the rifles. Councilman Kusek also questioned if the City was still bidding fuel in bulk or purchasing fuel at pump prices. Councilman Kusek asked whether the purchase of the refuse containers from MWC Enterprises Inc. was our full order. City Manager Cox stated it was a partial order.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

- The next item for Council's review was a Conflict Claim of Councilman Trent Benzel. City Manager Cox provided the following background information:

[There is a Conflict Claim for Councilman Trent Benzel in the amount of \$62.99. This payment is for the replacement of a mail box which was accidentally damaged while the City was picking up refuse dumpsters.]

Motion by Councilman Kusek, seconded by Councilman Gonzalez to approve the Conflict Claim for Councilman Trent Benzel in the amount of \$62.99.

Roll call vote with the following results:

Voting Aye: Feldges, Yeager, Kusek, Gonzalez.

Voting Nay: None.

Abstaining: Benzel.

Motion carried.

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- The next item before Council was a presentation by West Plains Grain. City Manager Cox provided the following background information:

[Attorney Michael Bacon, along with either the president of West Plains Grain, or Morey Cade, will be attending the Council meeting to present their plans and make request of the City.

This resolution accomplishes the following items:

- Forwards blighted & substandard study to the Planning Commission for review and recommendation;
- Forwards proposed redevelopment agreement to the Planning Commission for review and recommendation;
- Directs City Clerk to establish date for Council public hearing re: declaring proposed property blighted and substandard;
- Directs City Clerk to establish date for Council public hearing re: approving proposed redevelopment plan

The following is an outline of the steps to be taken to continue pursuit of the TIF process: Steps for declaration of blight and substandard and adoption of redevelopment contract and plan. (This particular timing only works for a developer proposed plan)

1. West Plains files blight study and redevelopment contract and plan with city clerk
2. Council meets as Community Development Agency (CDA)-passes resolution notifying council that it intends to enter into redevelopment contract after passage of 30 days, subject to required approvals and hearings and referring redevelopment contract and plan to Planning Commission for recommendation.
3. CDA closes meeting and council convenes as city council- passes resolution referring blight and substandard study to Planning Commission; acknowledging receipt of redevelopment contract and plan; and setting hearing date and time for blight and substandard hearing and for redevelopment plan hearing and ordering publication of notice.
4. Publish first notice for blight and substandard hearing and redevelopment plan hearing (1 per week for 2 weeks- hearing at least 10 days after second publication)
5. Day following first publication –mail notice to taxing entities listed in 18-2115 (2) and include map of territory with mailed notices.
6. Seven days after first publication- 2nd publication of notice of hearings
7. Any time prior to hearings Planning Commission meet with agenda item to consider blight and substandard study and redevelopment plan.- pass one resolution

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recommending declaration of blight and substandard and one resolution recommending redevelopment plan approval.

8. On hearing date council opens blight and substandard hearing; passes resolution declaring area blighted and substandard;-council recesses, with out closing meeting and convenes as CDA; CDA passes resolution recommending approval of redevelopment plan and approving cost benefit analysis; CDA closes meeting and council reconvenes to open hearing for redevelopment plan; passes resolution approving redevelopment plan and contract.

9. After 30 days from item #2 above, at city council meeting, CDA convene to pass resolution issuing TIF Indebtedness. Execute redevelopment contract.

10. Closing of TIF Indebtedness issue and filing notices of tax division with county assessor and treasurer.]

The presentation to Council was made by West Plains Grain's Attorney Michael Bacon as the president of West Plains Grain was unable to attend. Mr. Bacon presented a power point which outlined the benefits of the project to the community.

Motion by Councilman Kusek, seconded by Councilman Gonzalez to approve Resolution No. 11-65 which follows in its entirety:

#### **RESOLUTION NO. 11-65**

WHEREAS, It is desirable and in the public interest that the City of Alliance, Nebraska, a municipal corporation and City, undertake and carry out urban redevelopment projects in areas of the City which are determined to be blighted and substandard and in need of redevelopment; and

WHEREAS, Chapter 18, Article 21, *Neb. Rev. Stat.* (Reissue 2007), as amended, known as the Community Development Law, (the "Act") is the Urban Renewal and Redevelopment Law for the State of Nebraska and prescribes the requirements and procedures for the planning and implementation of urban redevelopment projects; and

WHEREAS, The City in accordance with the laws of the State of Nebraska applicable to cities has duly prepared and approved a general plan for the development of the City known as its Comprehensive Plan, all as required by Section 18-2110 of the Act; and

WHEREAS, The City has received a study by Stahr and Associates recommending that certain properties described in the study qualify for declaration by the City as a blighted and substandard area as defined in said the Act and has received a proposed Redevelopment Contract and Plan from West Plains, Co., and;

WHEREAS, Section 18-2109 of the Act, as amended, requires that, prior to approving a redevelopment plan for a redevelopment project, this Council as governing body of the City,

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should, by resolution, find and determine that the area is a blighted and substandard area as defined in the Act; and

WHEREAS, Section 18-2109 of the Act, as amended, require that, prior to the declaration of such area as a blighted and substandard, the governing body of the City shall submit the question of whether such area is blighted and substandard to the Alliance Planning Commission for its review and recommendation; and

WHEREAS, Section 18-2112 of the Act, as amended, require that, prior to approving a redevelopment plan the governing body of the City shall submit the redevelopment plan to the Alliance Planning Commission for its review and recommendation.

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

1. The City Clerk is directed to forward the study prepared by Stahr and Associates, a copy of which is attached hereto as Exhibit "A" to the Alliance Planning Commission for its recommendation and review as to whether the property described in the study should be declared blighted and substandard as defined by the Act.

2. The City Clerk is directed to forward the proposed redevelopment contract and plan prepared by West Plains, Co., a copy of which is attached hereto as Exhibit "B" to the Alliance Planning Commission for its recommendation and review as to whether the redevelopment plan is consistent with the comprehensive plan of the City.

3. The City Clerk is directed to set a date on which the Council shall hold a public hearing to determine whether the Council should declare that the real property described in the study is blighted and substandard. and in need of redevelopment pursuant to the Community Development Law, Chapter 18, Article 21, *Neb. Rev. Stat.* (Reissue 2007), as amended, and shall further set a hearing date on which the Council shall hold a public hearing to determine whether the Council should approve the proposed redevelopment plan.

4. The City Clerk is directed to publish and mail notice of such hearings pursuant to Section of 18-2115 of the Act.

Roll call vote on the with the following results:

Voting Aye: Feldges, Kusek, Benzel, Gonzalez.

Voting Nay: Yeager.

Motion carried.

The Council then considered Resolution No. 11-72 which would extend the current Memorandum of Understanding between the City and West Plains Co. from June 1, 2011 to

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August 1, 2011. The motion for approve Resolution No. 11-72 was made by Councilman Kusek, and seconded by Councilman Gonzalez.

RESOLUTION NO. 11-72

*WHEREAS*, The City of Alliance is responsible for determining the eligibility of the use of Tax Increment Financing, determining the boundaries of the City of Alliance including annexation of additional land and approving plats and subdivisions; and

*WHEREAS*, West Plains Co., and the City of Alliance entered into a Memorandum of Understanding, the terms of which included that the City would lawfully take reasonable steps to annex the Burlington Northern Sante Fe Rail Road property and the property owned or intended to be owned by West Plains Co., and the City would review and take action as required by law on an application to be filed by West Plains Co., for the maximum amount of Tax Increment Financing for the West Plains Co., project; and

*WHEREAS*, The Memorandum of Understanding, by its terms, terminated on the 1<sup>st</sup> day of June, 2011; and

*WHEREAS*, West Plains Co., has requested that the Memorandum of Understanding be extended for an additional 60 days, until August 1, 2011 to permit the completion of the terms and conditions of the agreement; and

*WHEREAS*, Council believes that it is in the best interest of the City to extend the Memorandum of Understanding until August 1, 2011.

*NOW, THEREFORE, BE IT RESOLVED* by the Mayor and Council of the City of Alliance, Nebraska, that the Mayor is authorized to enter into an extension of the Memorandum of Understanding with West Plains Co., until August 1, 2011, provided that the City reserves unto itself the obligation to follow all legal procedures and to make independent decisions as required by law, in the annexation or lands, approving plats and subdivisions and approving applications for Tax Increment Financing, notwithstanding the terms and conditions of the Memorandum of Understanding.

Roll call vote on the with the following results:

Voting Aye: Feldges, Kusek, Benzal, Gonzalez.

Voting Nay: Yeager.

Motion carried.

- The next item on Council's agenda was the City Manager's report by J.D. Cox which follows in outline form:
  - Followed up on the Danko Equipment purchase which was for 7 bunker gear helmet for the Fire Department question from last Council meeting
  - Reported on the progress of alleyway improvements
  - Discussed the Vision/Mission/Goals
  - Disclosed the final costs of the Economic Development/Tourism trip as \$3,700.63.
  - Reminded everyone of the May 24<sup>th</sup> noon Joint Meeting at the Knight Museum

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- Gave an update on the Tourism Task Force
  - Gave an update on the Box Butte Avenue Revitalization Project
  - Reported that WNCC has expressed an interest in participating in the library step repair project
  - Discussed the status of the Finance Department staffing
  - The fireworks request will be on Council's next Consent Calendar and the Alliance Jaycees are planning a July 3<sup>rd</sup> date
  - Reported on sales tax revenues
  - Discussed future tours of City facilities for Council
  - Provided an update on staff recruiting efforts and status
  - Recapped future events for calendaring
- Ordinance No. 2679 regarding a Municipal Code Amendment-Zoning Text Change was the next item for Council's consideration. Mayor Feldges declared, "Now is the date, time and place to conduct a public hearing on the proposed language change within Chapter 10 (Zoning Regulations) of the Alliance Municipal Code regarding the permitted uses of abandoned churches or school buildings within a residential zoning designation." The public hearing opened at 8:15 p.m. Hearing no testimony, the public hearing closed at 8:16 p.m. City Manager Cox provided the following background information:

[Alliance resident, Matthew Broderick, has purchased the Central School building. He wishes to operate a storage facility within the structure. Below is the current language in City Code (SS 10-2104), along with the proposed language in a new item "i," which authorizes the following uses for abandoned church or school properties:

- a. Business of Professional Offices
- b. Business Services
- c. Commercial School
- d. Community Center
- e. Conference Center
- f. Day Care Center
- g. Theater
- h. Training Center
- i. Commercial Storage Units {proposed}

To address this, Mr. Broderick presented his proposed use to City staff. As staff was not opposed to the proposed use, staff worked with Mr. Broderick to prepare the matter to be forwarded to the Planning Commission for consideration. On April 12, the Alliance Planning Commission met and addressed the proposal that a letter "i" be added with the authorized use language, "Commercial Storage Units." The Planning Commission authorized the request to be recommended to City Council for approval with the stipulation that a conditional use permit be the mechanism utilized to authorize the use.]

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Motion by Councilman Yeager, seconded by Councilman Kusek to approve Ordinance No. 2679 on first reading. City Clerk Jines read the ordinance by title which follows in its entirety:

**ORDINANCE NO. 2679**

AN ORDINANCE AMENDING THE ALLIANCE MUNICIPAL CODE AT CHAPTER 10, ARTICLE 21, SECTION 2104, REGARDING THE REGULATION OF THE USE OF AN ABANDONED CHURCH OR SCHOOL STRUCTURE IN “R” RESIDENTIAL ZONING DISTRICTS AS A CONDITIONAL USE SUBJECT TO CERTAIN EXPRESS STANDARDS AND CRITERIA, AND REPEALING 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 a zoning regulations which provide for the controlled development and use of areas within the City’s zoning jurisdiction.

SECTION 2. The City of Alliance currently has regulations for the use of prior church and school buildings which are located in “R” residential zoning districts.

SECTION 3. An amendment has been prepared to Chapter 10, Section 2104 of the Alliance Municipal Code to add another conditional use of a prior church or school buildings which is located in “R” residential zoning districts as a conditional use.

SECTION 4. The City Council has received and reviewed the proposed changes and finds such changes to be in the best interest of the City of Alliance and should therefore be adopted. Chapter 10, Article 21 of the Alliance Municipal Code, is hereby amended, with an effective date of this ordinance, in the following particulars:

10-2104. ABANDONED CHURCH OR SCHOOL BUILDING USE  
REGULATIONS, SUBJECT TO

The following uses may be authorized, subject to the conditional use permit process as defined in Article 20 of this Chapter.

1. The proposed re-use of the abandoned church or school property shall be limited to one (1) or more of the following uses:
  - a. Business or Professional Offices
  - b. Business Services
  - c. Commercial School
  - d. Community Center
  - e. Conference Center
  - f. Day Care Center
  - g. Theater
  - h. Training Center

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- i. Commercial Storage units
2. The above listed uses shall only be authorized in an existing church or school building. If the rehabilitation of the existing building is found to be economically infeasible and the building is proposed to be demolished, the vacant property shall not be used for the construction of a new building housing any of the above listed conditional uses. After demolition of the existing building, the vacant property shall only be used for a use authorized as a permitted use in that Zoning District.

SECTION 5. All ordinances, parts of ordinances, resolutions, and policies of the City of Alliance in conflict with the revisions set forth herein are hereby repealed.

SECTION 6. 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. 2679.

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

Voting Aye: Feldges, Kusek, Benzel, Gonzalez.

Voting Nay: Yeager.

Motion carried.

Roll call vote on the first reading of Ordinance No. 2679 with the following results:

Voting Aye: Feldges, Kusek, Benzel, Gonzalez.

Voting Nay: Yeager.

Motion carried.

Mayor Feldges stated, "the passage and adoption of Ordinance No. 2679 has been concurred by a majority of all members elected to the Council, I declare it passed, adopted and order it published."

- Resolution No. 11-66 which formally adopts a name for the dog park located at 16th Street and Box Butte Avenue was the next item for Council's review. City Manager Cox provided the following background information:

[As you recall, we invited the public to submit names for the dog park. The response from the community was overwhelming, but was also creative and often fun. In addition, several of the names submitted were duplicates.

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In light of the heavy response, during my report to Council on April 14, I asked for suggestions on how to narrow these names down. At that time, Council agreed that we ask the ADOG group to whittle the list down to fifteen and that that list of fifteen be brought to Council for the final selection. Last Friday (5/13), members of ADOG met at City Hall to review the submitted names and to select the fifteen to be sent to Council. Of the final fifteen on the list below three are duplicates. This is a great opportunity to share in a fun project and to demonstrate a little light-heartedness to the public and that not everything we deal with is heavy and serious.

Might I suggest the following process:

1. First, that full “final fifteen” list be read aloud for the sake of the public;
2. Next, Council can discuss the names;
3. Next, make a motion to include the winning name in the blank in the proposed resolution;
4. Next, approve the proposed resolution.
5. Next, I will have with me the names of the persons submitting each of the names. Once Council selects the winning name, then I will share with you whom the individual was who submitted the winning name. If it by chance is a name with a duplicate entry, Council may either flip a coin, or we may wish to award two gift certificates (whichever is Council’s pleasure).
6. Finally, a member of Council can then announce and congratulate the winning person (who will receive a gift certificate for dog grooming (\$25 value)).

The top 15 Names recommended by the committee (in no particular order):

- Field of Dogs
- Wiggley Field
- The C Spot Run
- Paw Prints Park
- Happy Dog Playground
- Happy Dogs Park
- Happy Tails Dog Park
- Hound Haven
- No Cats Allowed Dog Park
- Alliance Canine Campus
- Canine Corner
- Pooch Park
- Dog Butte Park
- Canine Haven
- Dog’s Den]

Motion by Councilman Kusek, seconded by Councilman Gonzalez to approve Resolution No. 11-66 which follows in its entirety with the name of “Wiggley Field”:

**RESOLUTION NO. 11-66**

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*WHEREAS*, Alliance Dog Owners Group, (A.D.O.G) has worked diligently to establish a dog park within the City of Alliance; and

*WHEREAS*, Alliance Dog Owners Group and the City of Alliance desired to give the dog park a proper name; and

*WHEREAS*, The City requested citizens to enter a contest to name the dog park; and

*WHEREAS*, The City received almost one hundred entries for the name of the dog park; and

*WHEREAS*, Alliance Dog Owners Group considered the applications and have presented their top fifteen choices to Council for its consideration; and

*WHEREAS*, The City Council desires to express its appreciation to all those who have been involved in the establishing and naming of the dog park.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of Alliance, Nebraska, that the City of Alliance does hereby formally adopt “Wiggley Field” as the official name of the dog park that is located in the City of Alliance.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

Shannon Allurd submitted the winning entry and will receive a \$25.00 gift certificate to Murphy’s Grooming.

- The next item to be discussed by Council was Resolution No. 11-67 allowing the continuation of free admission to the Knight Museum and Sandhills Center. City Manager Cox provided the following background information:

[Since my arrival, and amongst our other ongoing projects, Shana Brown, Becci Thomas and I have been working on the matter of the museum admission fees. The three of us will be present to make a report to Council along with a recommendation on addressing the matter.]

Motion by Councilman Gonzalez, seconded by Councilman Yeager to approve Resolution No. 11-67 which follows in its entirety:

RESOLUTION NO. 11-67

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

*WHEREAS*, The City has concerns about the cost of operation of the Knight Museum and Sandhills Center; and

*WHEREAS*, The City desired to acknowledge all of the public support and the people who have selflessly given to see the completion of the museum; and

*WHEREAS*, The City determined that for the first year of operation, as a gift to the citizens of Alliance and Box Butte County, as well as visitors for all areas of the world, that the City would waive all admission fees for the first year; and

*WHEREAS*, The City decided to review the issue of admission fees based on the contributions to the museum and the museum foundation at the end of the first year; and

*WHEREAS*, The Council has considered the cost of operation of the Knight Museum and Sandhills Center, the revenues generated from the operation of the Museum and the contributions that have been given to the continued operation of the Knight Museum and Sandhills Center.

*NOW, THEREFORE, BE IT RESOLVED* by the Mayor and Council of the City of Alliance, Nebraska, that the City of Alliance hereby waives all admissions fees to the Knight Museum and Sandhills Center until further action of the Alliance City Council.

*BE IT FURTHER RESOLVED* that City Council will review the operational expenses, as well as the revenues, that support the operation of the Knight Museum and Sandhills Center to determine whether an admission fee will be charged in future years.

Roll call vote with the following results:

Voting Aye: Feldges, Yeager, Benzel, Gonzalez.

Voting Nay: Kusek.

Motion carried.

- Resolution No. 11-68 authorizing the expenditure of public funds for meals at joint meetings with other governmental bodies and one recognition dinner each year for elected and appointed officials, employees, or volunteers was the next item to be presented to Council. City Manager Cox provided the following background information:

[After research and discussing the matter with other cities, and with the League, we are recommending that this resolution be approved. The Nebraska Legislature has specifically authorized meals to be provided for in the event there are joint meetings between the governing bodies of taxing entities.

The proposed resolution expressly follows State legislative language to provide this authorization. The good news is that once this authorization is approved, we will not have to come back and ask for further authorization.]

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Motion by Councilman Benzel, seconded by Councilman Kusek to approve Resolution No. 11-68 which follows in its entirety:

**RESOLUTION NO. 11-68**

WHEREAS, The City of Alliance City Council desires to cooperate with other governing bodies to more efficiently provide services to the public; and

WHEREAS, The City of Alliance is anticipating holding joint public meetings with one or more governing bodies to discuss concerns and areas of cooperation; and

WHEREAS, Nebraska law authorizes the City to expend public funds for meals, of paid members of a governing body while such members are attending a joint public meeting with one or more other governing bodies; and

WHEREAS, The Council has determined that it is in the best interest of the City to hold joint public meetings with other governing bodies to serve their constituents more efficiently; and

WHEREAS, The City desires to continue to hold an annual recognition dinner for elected and appointed officials, employees, or volunteers of the local government; and

WHEREAS, Nebraska law authorizes the City to expend public funds for meals at one recognition dinner each year held for elected and appointed officials, employees, or volunteers of the local government, provided that the maximum cost per person for such dinner shall be established by formal action and shall not exceed the amount established in Neb. Rev. Stat. §13-2203 which is currently Twenty Five and No/100ths Dollars (\$25.00) per person; and

WHEREAS, The Council has determined that it is in the best interest of the City to hold an annual recognition dinner to build cooperation and demonstrate appreciation to the elected and appointed officials, employees, or volunteers of the City of Alliance.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Alliance, Nebraska, that the expenditure of public funds to pay for the meals of paid members of the Alliance City Council when Council members are attending a joint public meeting with one or more other governing bodies is hereby authorized.

BE IT FURTHER RESOLVED that staff is authorized to expend public funds for meals at one recognition dinner each year held for elected and appointed officials, employees, or volunteers of the local government, provided that the maximum cost per person for such dinner shall be the maximum amount as is currently permitted by Neb. Rev. Stat. §13-2203 currently Twenty Five and No/100ths Dollars (\$25.00) per person or as said section is subsequently amended.

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 before Council was Resolution No. 11-69 accepting the Homeland Security Grant to purchase a new computer systems for the Alliance Police Department. City Manager Cox provided the following background information:

[As was reported at the last Council meeting, we were thrilled to have been awarded a grant from the Department of Homeland Security in the amount of \$193,450. The proposed resolution will authorize receipt of the grant as well as for us to expend the monies and submit a request to the Federal government for reimbursement. This is a 100% grant! The monies will be used to purchase a new computer system – including software, server, laptops for vehicles, allow us to enhance and move toward Computer Aided Dispatch. Note: This does not actually upgrade our telephone system, but a proposal to do so was included in the recommended capital outlay for the 2011-2012 fiscal year budget. I would like to formally recognize and commend the folks that were instrumental in obtaining this grant: Chief John Kiss, and Secretary Tacy Liptack. In addition, MIS Director Shari Lund played a large role in assisting the process.]

Motion by Councilman Kusek, seconded by Councilman Benzel to approve Resolution No. 11-69 which follows in its entirety:

#### **RESOLUTION NO. 11-69**

WHEREAS, The City on behalf of the Alliance Police Department filed an application for the Homeland Security Grant; and

WHEREAS, The City of Alliance has received notification that Alliance qualified for a grant in the amount of One Hundred Ninety Three Thousand Four Hundred Fifty and No/100ths Dollars (\$193,450.00); and

WHEREAS, Staff is requesting authority to complete any and all documentation to accept the grant on behalf of the City; and

WHEREAS, The Grant is designated for the purchase of a new computer system which will include a server, laptops for vehicles and software which will allow the City to commence the implementation of computer assisted dispatch; and

WHEREAS, The Homeland Security Grant does not require a match by the City of Alliance; and

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WHEREAS, Council has determined that it is in the best interest of the City and the Police Department to accept the Homeland Security Grant.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Alliance, Nebraska, that the Mayor is hereby authorized and directed to accept the Homeland Security Grant in the amount of One Hundred Ninety Three Thousand Four Hundred Fifty and No/100ths Dollars (\$193,450.00).

BE IT FURTHER RESOLVED that the City Treasurer is authorized and directed to sign any and all necessary documents to furnish any assurances to the State of Nebraska as may be required by law or regulation and to receive payment on behalf of the City of Alliance.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

- Resolution No. 11-70 authorizing the change of City Council meeting dates for June was the next item on Council's agenda. City Manager Cox provided the following background information:

[As a follow up to the last Council meeting and subsequent conversations/messages exchanged with, I believe, everyone, the proposed resolution will set next month's meeting dates for June 9 and June 21.

The reasons for the change of dates were two-fold:

1. June 9: We actually have an "extra" week in June as there are five Thursdays (which would have resulted in an extra week off at the end of the month. The week of the regularly scheduled first meeting in June, is also the week of Memorial Day (5/30), thus making the turn-around time for this meeting very short. Plus, I will be returning to Kansas to pack up the family and house the proceeding Wednesday (5/25), so that week would no doubt be very hectic.
2. June 21: In addition to the above, there is a City Managers' conference on 6/22-24. I believe it is important for me to network with city managers and also to be able to obtain as much education regarding Nebraska as possible. I have spoken with several (although not yet all Council members) and everyone to this point did not have a problem with meeting on Tuesday, June 21.

Note: Council meetings are your meetings and you may schedule them at your pleasure. If you do approve this measure, please know that I sincerely appreciate your accommodating my schedule.]

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Motion by Councilman Yeager, seconded by Councilman Kusek to approve Resolution No. 11-70 which follows in its entirety:

**RESOLUTION NO. 11-70**

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

*WHEREAS*, Due to a scheduling conflict the Council desires to change the dates for their normal meetings on June 2<sup>nd</sup> and June 16<sup>th</sup>, 2011 to June 9<sup>th</sup> and 21<sup>st</sup>, 2011 with said 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 June 2<sup>nd</sup>, 2011 is rescheduled to June 9<sup>th</sup>, 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 June 16<sup>th</sup>, 2011 is rescheduled to June 21<sup>st</sup>, 2011 and the meeting will commence at 7:00 p.m.

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. 11-71 awarding the Concrete Rehabilitation Project to K.L. Wood and Company of Alliance, NE. City Manager Cox provided the following background information:

[The proposed resolution will award the City's concrete bid award to the low bidder, K.L. Wood and Company.

We received three bids for the project based on unit quotes from K. L. Wood & Company, Peltz Construction, and R & J Industries Plus, Inc. We are recommending the low bidder, K. L. Wood & Company in an amount not to exceed \$237,000, be awarded.

The estimated breakdown of expenditures is:

\$170,000	Concrete Street Repair
5,000	ADA Sidewalks

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15,000 Sidewalk Rehabilitation  
47,000 Downtown Alley Replacement]

Motion by Councilman Gonzalez, seconded by Councilman Benzel to approve Resolution No. 11-71 which follows in its entirety:

**RESOLUTION NO. 11-71**

WHEREAS, The City of Alliance has authorized competitive quotes to obtain bids for concrete rehabilitation pursuant to Bid Number 2441-11-01; and

WHEREAS, Six (6) Invitations were issued, and three (3) responses were received; and

WHEREAS, The bid of K.L. Wood and Company of Alliance, Nebraska appears to be the lowest, responsive, and responsible bid in the amount of \$100,000.00, which is based on the estimates used in Invitation To Bid; and

WHEREAS, The actual amount of the value of the contract will be based on the amount of work completed at the unit prices depicted in the bid of K.L. Wood and Company and will exceed the total amount of the bid based on unit prices; and

WHEREAS, Staff estimates that the total amount of concrete rehabilitation to streets, alleys, curb and gutter, and sidewalks under this contract will not exceed Two Hundred Thirty Seven Thousand and No 100ths Dollars (\$237,000.00) for the current year.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of Alliance, Nebraska, the contract for Bid Number 2441-11-01 is hereby awarded to K.L. Wood and Company of Alliance, Nebraska in an amount not to exceed Two Hundred Thirty Seven Thousand and No 100ths Dollars (\$237,000.00), subject to variation in jobs as specified by the City, which will be charged at the unit prices as quoted in the bid.

BE IT FURTHER RESOLVED, that the Mayor is authorized to sign the contract with K.L. Wood and Company of Alliance, Nebraska for the concrete rehabilitation to streets, alleys, curb and gutter, and sidewalks as determined by the work completed at the unit prices quoted in the bid.

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

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

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- A presentation regarding Airport Operations by Public Facilities Director Eric Lenz was the next agenda item.

- The last item on Council's agenda were board appointments. The City of Alliance is in receipt of a Letter of Interest from Monte J. Weisgerber to serve on the Alliance Park and Tree Board. The City currently has two vacancies on this Board with a terms expiring February 28, 2013 and February 28, 2014. The City has also received three Letters of Interest for two vacancies on the Museum Board. Museum Board appointments are made by the Mayor and must be approved by the Council. The two vacancies are for five year terms expiring May 31, 2016. The applicants are Tom Price, Ellen Christensen, and Heather Hauptman.

Motion by Councilman Benzel, seconded by Councilman Gonzalez to appoint Monte J. Weisgerber to the Park and Tree Board for a term ending February 28, 2014.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

Motion by Councilman Benzel, seconded by Councilman Gonzalez to appoint Ellen Christensen and Heather Hauptman to the Museum Board for terms ending February 28, 2016.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

- Prior to adjournment, City Manager Cox reviewed action items requested by Council.

- Consent Calendar follow-up questions for Creative Designs and Westco
- Follow-up report from Mike Bacon on the cost benefit and road improvement for the West Plains Grain Project
- Research on the possibility of reheating asphalt surfacing
- Provide Council with the street improvement priority listing

- Mayor Feldges stated, "there being no further business to come before the Alliance City Council, the meeting is adjourned at 9:38 p.m."

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Fred Feldges, Mayor

(SEAL)

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Linda S. Jines, City Clerk