

December 1, 2011

ALLIANCE CITY COUNCIL

REGULAR MEETING, THURSDAY, DECEMBER 1, 2011

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

The Alliance City Council met in a Regular Meeting, December 1, 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 November 25, 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 December 1, 2011 Regular Meeting of the Alliance, Nebraska City Council at 7:00 p.m. Present were Mayor Feldges, Council Members Yeager, Benzel, Gonzalez and Seiler. Also present were City Manager Cox, City Attorney Miller and City Clerk Jines.

- Mayor Feldges read the Open Meetings Act Announcement.
- The City Council was introduced to the following new employees:

Barbara Rau, Meter Reader
 Denny Stark, Water & Sewer Maintenance Worker
 Joshua Merrill, Cemetery Maintenance Worker
 Steven Gerth, Adult Services Librarian
 Marci Bixby, Administrative Secretary
 Police Dog Capone.

- The Consent Calendar was the first item before Council.

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

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CONSENT CALENDAR – DECEMBER 1, 2011

1. Approval: Minutes of the Regular Meeting, November 21, 2011.
2. Approval: Claims against the following funds for the period November 14, 2011 through November 23, 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; \$1,445,196.79.
3. Approval: The issuance of a Cemetery Certificate to William A. Merchant and Jean A. Merchant the West One Half (W ½) of Lot Thirteen (13), Section Two (2), Block Twenty-two, Fourth Addition to the Alliance Cemetery.

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.

City Manager Cox provided follow-up information for the questions Council asked prior to the meeting.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

- The next agenda item was the City Manager's report by J.D. Cox which follows in outline form:
 - Council will be asked at the next meeting to consider awarding employees an end of the year bonus with a value of \$25.00 to \$50.00 which requires a public hearing.
 - The Annual Awards Banquet has been split into two different events. December 16th will be the volunteer and boards dinner at the Knight Museum. The employee event will be held January 14th at the Newberry Building.
 - Recommending the formation of a "Building the Best Hometown in America" Task Force.
 - The Tourism Committee is currently regrouping to determine their role.
 - The Electric Department is putting up Holiday decorations, with new decorations being installed on the Municipal Building.
 - The new Landfill coupon program is underway with the coupons being included with the December utility bills.
 - Tourism Director Howard is currently working with the Nebraska Department of Roads on informational signage and a community-wide calendar which Alliance Public Schools has agreed to allow us to partner on theirs.

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- It was announced that \$30M in funding has been allocated for the Heartland Expressway.
- The City was awarded the Meadowood Trails grant.
- Upcoming calendar events:

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| December 3 (Sat) @ 10am | One-act Plays @ Alliance Performing Arts Center |
| December 3-10 | 16 th Annual Parade of Trees and Wreaths – KMSC |
| December 4 | Candlelight Memorial Service – KMSC 6:00 p.m. |
| December 6 | Soup Lunch – KMSC – 11:00 a.m. to 2:00 p.m. |
| December 8 | Christmas Open House – Library - 5:30 to 7:30 p.m. |
| December 15 | RSVP Trees of Love Nursing Home gifts deadline |
| December 16 @ 6pm | Volunteer Appreciation Dinner – Knight Museum |
| December 18 (Sun) 3pm | Sendoff for Miss Nebraska – Knight Museum |
| December 20 | Potluck Lunch – Utility Facility – 11:00 a.m. to 2:00 p.m. |
| January 14 (Sat) @ 6pm | Employee Appreciation Dinner – Newberry’s |

- The next item to be presented to Council was a request of the Alliance Parks Foundation. City Manager Cox provided the following background information:

[City staff is in receipt of a request from the Alliance Parks Foundation (APF) for the City to consider taking ownership of the conservatory and to forgive the remainder of the \$50,000 loan that the City provided to the Parks Foundation in 2006.

The terms of the promissory note were to repay the \$50,000, without interest, in 5 annual payments of \$10,000. In 2008, the City Council passed a resolution forgiving the first annual payment of \$10,000, thus leaving a balance of \$40,000 for Council to consider.

Sandy McCarthy will be present to formally make the request on behalf of the APF.

A legislative document has not yet been prepared as staff would like a clarification of direction from Council.]

Mrs. McCarthy was not in attendance; however the Council discussed the matter and instructed staff to prepare a legislative document to forgive the remaining \$40,000 balance for consideration at their next meeting.

- The next item to be discussed by Council was Resolution No. 11-140 regarding the second phase of the Cody Substation rebuild/upgrade project. City Manager Cox provided the following background information:

[This represents the second phase of the Cody Substation rebuild/upgrade, which will replace the 1970’s-era protected aisle switchgear currently residing in the substation. This replacement of the old equipment is necessitated for many reasons, including: the age and its obsolescence (including lack of available replacement parts); not able to place on SCADA; currently not operating consistently and properly; and is contributing toward the unreliability of our system. Another very important benefit that this will add to our system is the ability to be able to carry partial loads for our system in the event that we

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lose energy coming from the outside world. In this scenario, would have the ability to run part of the City's load continuously through a technique known as "rolling blackouts." According to Larry Heinrich, there currently exists a misperception that the City already has the ability to conduct rolling blackouts, when in fact, with the current switchgear and the problems cited above, is not yet able to do this. With this proposed upgrade, will be able to do so.

Included in the package will be four sections of 14kV Metal-clad switchgear containing five vacuum circuit breakers, PTs, CTs, controls and relaying.

This bid will also include (2) 2000-amp, and (3) 1200-amp breakers.

Electric systems typically have a very long lead time and, true to form, these items carry a 16- to 26-week lead.

Three bids were received:

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| Pederson Power Products (Omaha, NE) - | \$242,339.00 |
| Powercon Corporation (Savern, MD) - | \$262,075.00 |
| Harold K Scholz (Ralston, NE) - | \$285,000.00 |

The items in this substation project are payable from the Electric Fund Capital Projects, in which we budgeted \$1,103,060 for Capital Projects, item 05-51-52-53-916.]

Motion by Councilman Gonzalez, seconded by Councilman Benzel to approve Resolution No. 11-140 which follows in its entirety:

RESOLUTION NO. 11-140

WHEREAS, The City of Alliance operates the substations and transmission lines for electrical distribution within the City of Alliance; and

WHEREAS, The City hired Olsson & Associates to engineer the 15 kV Protected Aisle Switchgear for the 3rd and Cody substation; and

WHEREAS, Olsson & Associates went out for bids to purchase and install the 15 kV Protected Aisle Switchgear for the 3rd and Cody substation; and

WHEREAS, Three bids were received and the lowest, responsive, responsible bidder is Pedersen Power Products of Omaha, Nebraska in the amount of Two Hundred Forty-two Thousand Three Hundred Thirty-nine and No/100ths Dollars (\$242,339.00) from line item 05-51-52-53-916, Substation; and

WHEREAS, Staff is recommending that Council accept the bid of Pedersen Power Products of Omaha, Nebraska.

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NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of Alliance, Nebraska, that the Mayor is authorized to enter into a contract with Pedersen Power Products of Omaha, Nebraska in the amount of Two Hundred Forty-two Thousand Three Hundred Thirty-nine and No/100ths Dollars (\$242,339.00) for the purchase and installation of the 15 kV Protected Aisle Switchgear at the 3rd and Cody substation.

BE IT FURTHER RESOLVED that the payments according to the terms of the contract, in the amount of Two Hundred Forty-two Thousand Three Hundred Thirty-nine and No/100ths Dollars (\$242,339.00) shall be paid from line item 05-51-52-53-916, Substation.

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

Electric Superintendent Heinrich and Olsson Associates Project Engineer Garrett Klein were available via telephone to answer questions of the City Council.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

- Resolution No. 11-125 awarding the bid for the Library Concrete Rehabilitation project was the next matter before Council. City Manager Cox provided the following background information:

[This matter was first considered on October 20, when Council tabled the matter pending further information regarding the heating system. At the December 1 meeting, it is anticipated that we will have a Power Point presentation, a demonstration and references.

Also as a follow up to an earlier Council meeting, bids were solicited for the replacement of the steps of the library (Alliance Learning Center). It is my understanding from that previous Council meeting, that consideration of a solution based upon a breakdown of costs was desired. The previous bid received was for a lump-sum to replace the steps and incorporate a heating system. Yet, it was unclear as to how much the heating system was adding to the total cost of the project. In an effort to clearly provide the information requested, staff went about this project to determine what it would cost if we broke apart the project and issued a request for a base bid, plus five alternates.

A total of four Invitations to Bids (ITBs) were issued, but only one formal bid was received. Therefore, incorporated below is a description of the base bid and each of the alternates, along with the bid received for each.

Base Bid: Steps construction, Hand railings, and Lower Landing \$12,214.00

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| Alt #1: | Upper Landing construction | \$ 6,537.00 |
| Alt #2: | Support Columns (upper landing) | \$ 1,200.00 |
| Alt #3: | Support Columns (lower landing) | \$ 1,060.00 |
| Alt #4: | Sidewalk Construction (42 yd ²) | \$ 4,477.50 |
| Alt #5: | Heating System Installed | \$26,500.00 |
| Total | | \$51,988.50 |

As is customary, if approved, Resolution 11-125 would provide the authority to approve a change order of up to 5% (\$2,599.42), which would bring the total requested authorization to \$54,587.92. Additionally, a bid bond was furnished. Staff is very concerned about the amount of foot traffic traveling to the learning center, even during snow and other inclement weather. I refer you to a letter from Shana Brown, dated August 17, that is enclosed in your packets.

Note: Should Council wish to approve the base bid and all alternates a simple motion to approve 11-125 may be made. However, should Council to approve any other variations of alternates, a simple motion should first be approved to update the proposed resolution accordingly, then the resolution may be approved.

This item will be paid from Streets Asphalt Repair Budget Line Item # 24-41-41-44-472]

Motion by Councilman Benzel, seconded by Councilman Gonzalez to approve Resolution No. 11-125 which follows in its entirety:

RESOLUTION NO. 11-125

WHEREAS, The City of Alliance advertised for a Bid Proposal for the replacement of the steps at the Alliance Municipal Library; and

WHEREAS, Four (4) requests were issued, and one (1) response was 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 Fifty-one Thousand Nine Hundred Eighty-eight and 50/100ths Dollars (\$51,988.50) from line item 24-41-41-44-472, CNTSVC Concrete Street Repair; and

WHEREAS, Staff is concerned because the steps at the Alliance Municipal Library have deteriorated quickly in the past and therefore is recommending that Council accept the bid of K.L. Wood and Company but not authorize the work to commence until next Spring.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of Alliance, Nebraska, the contract is hereby awarded to K.L. Wood and Company of Alliance, Nebraska in the amount of Fifty-one Thousand Nine Hundred Eighty-eight and 50/100ths Dollars (\$51,988.50.)

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BE IT FURTHER RESOLVED, that the Mayor is authorized to sign the contract with K.L. Wood and Company of Alliance, Nebraska for the rehabilitation of the steps and sidewalks at the Alliance Municipal Library as described in the bid.

BE IT FURTHER RESOLVED, that Eric Lenz, Public Facilities Director shall have the authority to make in the field change orders not to exceed five percent (5%) of the contract price.

BE IT FURTHER RESOLVED that the payments according to the terms of the contract, in the amount of Fifty-one Thousand Nine Hundred Eighty-eight and 50/100ths Dollars (\$51,988.50) shall be paid from line item 24-41-41-44-472, CNTSVC Concrete Street Repair.

BE IT FURTHER RESOLVED, that City staff shall notify the successful bidder so that work can proceed in the Spring of 2012 according to the bid specifications.

Appearing before Council to give additional background information on the heating system were Jerrod Wilson of Z & S Sheet Metal who will be installing the product, Dean Wolf of Johnstone Supplies, the distributor of the product, and Ken Wood of K. L. Wood the general contractor of the total project. Cultural & Leisure Services Director Brown also provided Council will additional reference information she obtained prior to the meeting.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

- Resolution No. 11-137 regarding a Service Excellence Program was the next item for Council's review. City Manager Cox provided the following background information:

In your packet is detailed information in support of the Service Excellence initiative that was covered at the workshops held November 15 & 16 at the Knight Museum. Per our conversation during the last Council meeting, the following are updates since the previous narrative was provided:

1. Resolution 11-137 has been updated and perfected;
 - Please see enclosed document in packet
2. Letter from City Manager addressing "Sole Source Procurement"
 - Please see enclosed document in packet
3. Update of Conditions as accepted by Custom Learning Systems
 - Please see enclosed document in packet
4. Results of Purple Wave Auction
 - Airport \$ 3,600.00
 - B&Z \$ 80.00
 - Electric \$ 7,307.50

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- Landfill \$40,000.00
 - MIS \$ 140.00
 - Park \$ 5,905.00
 - Street \$ 7,925.00
 - Water \$ 6,510.00
5. Vehicle Purchase Estimates (Parks Truck & Travel Car) – Eric & Shana
- o Truck (Ford F150) - \$22,000 to \$25,000 (new on state bid is roughly same as used)
 - o Travel Car - \$15,000 to \$18,000 (new on state bid is roughly same as used)
6. Recommendation of how expenditures to be appropriated
- In discussing this with our Finance Director, Randy Waggener, he has recommended that the funds for this year's service be utilized from Council Contingency. This may also underscore Council's commitment to our new program. Council Contingency was increased this year from \$75,000 to \$100,000. Last year, out of the \$75,000 budget, \$35,374.93 was actually spent (\$25,000 for Crushed Concrete, \$3200.08 for Heartland Expressway, and \$7174.85 to Mobius for surveillance cameras). I concur with our Finance Director's recommendation.

Below, for your convenience, is a restatement from the last meeting.

Interviews Held:

On November 15, Brian Lee of Custom Learning Systems conducted a multitude of group and individual interviews. Mr. Lee met with four of five Council members; he met with all department heads; he met with a City staff focus group of front line employees; he met with Community leader's focus group; and he met repeatedly with the City Manager.

Workshops Held:

Following the interviews on Nov 15, Mr. Lee then conducted two different workshops on Nov 16. In the morning, a "Building the Best Hometown in America" Seminar was held with thirty-five members of our City organization: department heads, council members, directors, foremen, managers, and other staff leaders.

In the afternoon, an Executive Briefing was held with Council members and Department Heads.

Employee/Council Evaluations:

As Mr. Lee pointed out, we received excellent positive responses from the survey taken of our staff and Council members.

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Workshop Conclusion:

At the end of those workshops four members of Council and ten department heads, remained to discuss the proposed initiative. After considerable discussion, it was the unanimous consensus that the City should move forward with Service Excellence. I would like to also reiterate my feeling that having all department heads and members of City Council around the same table discussing the future and direction of organization is going to be very healthy, very positive, and something which I strongly believe would be very good for us to continue to do occasionally.

Cost:

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| Base Cost: | \$49,450.00 |
| BBGH Discount | (\$4,945.00) |
| 3-Year Incentive Disc | (\$5,000.00) |
| Travel per Diem | \$ 9,250.00 |
| Total Annual Investment: | \$48,755.00 |

Note – As was discussed in the previous item, the City did net over \$70,000 with the recent PurpleWave auction. Those proceeds can be used, with designation from Council, toward the Service Excellence Initiative.

Vision:

“To Build the Best Hometown in America”

Goals:

- To Create enthusiastic, empowered, frontline leadership
- To Execute Excellence
- To Improve Customer/Citizen and employee Satisfaction
- To Create Total management Engagement and Accountability

Supporting Reasons:

- Seven Pillars:
 1. Staff Retention & Recruitment
 2. Performance Review / Eliminating the “Slugs” from the organization and giving opportunities for growth to “whiners,” “grinners,” and others.
 3. Development of an orientation and onboarding process
 4. Upgrading Awards & Recognition program (to tie-in with Service Excellence)
 5. Establishing Service Standards
 6. Creating a Service Recovery program
 7. Having Moments of Truth
- Team Work

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Services Provided:

- Leadership Training (Service Empowerment, OASIS Team leadership)
- Frontline leader Training (Service Excellence Advisor)
- Leadership/Frontline Combined Training (Workshop Pilot, Winning with Difficult People, Service Excellence Workshops)
- Department Focus & Celebration (DO IT Facilitator training; Service Summit #1, SEA celebration)
- Evaluation of the Journey (Year 1 Progress Audit)

As mentioned above, we are recommending this be paid for from Council Contingency, Budget Line Item #01-10-10-47-791.]

Motion by Councilman Seiler, seconded by Councilman Gonzalez to approve Resolution No. 11-137 which will authorize entering into a contract for Service Excellence Training.

Following City Manager Cox's presentation of the item, Council discussed the sole source aspect of the contract.

An amendment to the resolution was made by Councilman Gonzalez to change the funding sources for the first year of the contract to one half of the payment from City Council Contingency and one half from Personnel Contract Training Services. The motion was seconded by Councilman Benzel.

AMENDED RESOLUTION NO. 11-137

WHEREAS, The City Council has adopted a Community Vision, Community Mission and Nineteen Community Goals for the City of Alliance; and

WHEREAS, The City Manager arranged for a consultant to come to Alliance and review the City's Vision, Mission and Goals as they relate to customer service and employee morale; and

WHEREAS, The Consultant Custom Learning Center gave a presentation of their program entitled Service Excellence Initiative to representatives of the City of Alliance including City Council and members of City Staff; and

WHEREAS, The City Manager has determined that Custom Learning Systems is a sole source provider and is recommending that the City of Alliance retain Custom Learning Systems to develop, train and implement the Service Excellence Initiative in the City of Alliance for a period of two years with an option for a third year for a fee of Ninety-seven Thousand Five Hundred Ten and No/100ths Dollars (\$97,510.00) for the first two years, which shall be divided into two annual payments of Forty-eight Thousand Seven Hundred Fifty-five and No/100ths Dollars (\$48,755.00); and

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WHEREAS, The City is being offered a discount on the first annual payment if made in one lump sum and the Council believes it is in the best interest of the City to take advantage of the discount in any year that it is offered; and

WHEREAS, City Council believes that the Service Excellence Initiative will be in the best interest of the citizens and employees of Alliance.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of Alliance, Nebraska, that the Mayor is authorized to execute a two year contract with an option for a third year with Custom Learning Center to develop, train and implement the Service Excellence Initiative in the City of Alliance according to the letter dated November 16, 2011 including the attachments and amendments thereto.

BE IT FURTHER RESOLVED that staff is authorized to make one payment for the first annual payment in the amount of Forty-seven Thousand Five Hundred Sixty-nine and 85/100ths Dollars (\$47,569.85.)

BE IT FURTHER RESOLVED that the first annual payment in the amount of Forty-seven Thousand Five Hundred Sixty-nine and 85/100ths Dollars (\$47,569.85) shall be paid from the following: \$25,000 from City Council Contingency, line item 01-10-10-47-791; and \$25,000 from Internal Service Personnel Contract Training Services, line item 51-13-13-43-391.

Roll call vote on amending Resolution No. 11-137 with the following results:

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

Voting Nay: None.

Motion carried.

Roll call vote on Resolution No. 11-137 as amended with the following results:

Voting Aye: Feldges, Benzel, Gonzalez, Seiler.

Voting Nay: Yeager.

Motion carried.

- Resolution No. 11-141, designating depositories for the City of Alliance was the next item to be presented to Council. City Manager Cox provided the following background information:

[The proposed resolution will reestablish the following banks as authorized depositories for the City of Alliance for 2012, as well as establish State Farm Bank as an authorized depository with limits:

- First National Bank-North Platte

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- Bank of the West
- Great Western Bank
- Wells Fargo
- State Farm Bank (limited to \$250,000)]

Motion by Councilman Yeager, seconded by Councilman Benzel to approve Resolution No. 11-141 which follows in its entirety:

RESOLUTION NO. 11-141

WHEREAS, Nebraska Revised Statute §16-712 through §16-716 list the specific requirements for the Deposit of City Funds, and;

WHEREAS, The law requires a resolution of the Mayor and City Council authorizing the City Treasurer to purchase Certificates of Deposit from and make time deposits in banks selected as depositories of the City Funds, and;

WHEREAS, Bank of the West, First National Bank, Great Western Bank, State Farm Bank and Wells Fargo Bank; of Alliance, Nebraska have proposed security arrangements for deposited City Funds in accordance with Nebraska law.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of Alliance, Nebraska, that the City Treasurer, acting on behalf of the City of Alliance, Nebraska, is hereby authorized to make purchases of Certificates of Deposit from and to make time deposits in the Bank of the West, First National Bank, Great Western Bank, State Farm Bank and Wells Fargo Bank in accordance with their proposals and the appropriate Nebraska Statutes in effect at the time of this Resolution.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

- The next item to be presented to Council was the Fourth Quarter (Unaudited) Financial report.

A motion was made by Councilman Benzel, seconded by Councilman Seiler to approve the Fourth Quarter (Unaudited) Financial Report as presented by Finance Director Waggener.

Roll call vote with the following results:

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

Voting Nay: None.

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Motion carried.

- Mayor Feldges stated, “there being no further business to come before the Alliance City Council, the meeting is adjourned at 9:27 p.m.”

Fred Feldges, Mayor

(SEAL)

Linda S. Jines, City Clerk