

March 22, 2012

ALLIANCE CITY COUNCIL

REGULAR MEETING, THURSDAY, MARCH 22, 2012

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

The Alliance City Council met in a Regular Meeting, March 22 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 15, 2012. 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 22, 2012 Regular Meeting of the Alliance, Nebraska City Council at 7:02 p.m. Present were Mayor Feldges, Council Members Yeager, Benzel, Gonzalez and Seiler. Also present were City Manager Cox, City Attorney Olsen 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 Yeager to approve the Consent Calendar, which follows in its entirety:

CONSENT CALENDAR – MARCH 22, 2012

1. Approval: Minutes of the Regular Meeting, March 8, 2012.
2. Approval: Payroll and Employer Taxes for the period February 18, 2012 through March 2, 2012 inclusive: \$175,232.82 and \$12,419.16 respectively.

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3. Approval: Claims against the following funds for the period March 1, 2012 through March 15, 2012: 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; \$432,105.67.
4. Approval: The issuance of the following Contractor Licenses:

Repair & Maintenance	Dale Jeske dba Jeske Lawn Sprinklers Caesar Hernandez dba Beyond Restoration Wayne Vanderschaaf dba Vandy Construction
Journeyman Plumber	Stan Rutkowski dba Faris Plumbing & Heating, Inc.
Master Plumber	Jock Faris dba Faris Plumbing & Heating, Inc.
Gas Fitter	Jock Faris dba Faris Plumbing & Heating, Inc.

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, Benzel, Gonzalez, Seiler.

Voting Nay: None.

Motion carried.

- City Manager J.D. Cox gave his report to Council, which follows in outline form:
 - The Burnham water well is out of service due to a 6" water main break which happened on March 18th. As a result the building flooded causing damage to two circuit boards in a flow meter. Water Superintendent Hulquist will be meeting with the engineer and contractor to discuss the issue as we are in the 2nd year following construction and there was only a one year warranty. The estimated cost of damage is \$2,000.
 - The Police Department experienced mechanical problems with an additional cruiser. The new cruisers should arrive in late May or early June.
 - Staff is recommending the continuation of the Community Garden in the current location as it is too late in the year to locate an alternate site. A group of volunteers would like to provide leadership for the gardens. Staff is working on the details and will be reporting back to Council.
 - The City has received additional complaints on the skateboard park regarding litter and disrespectful language. Currently working with the schools to provide intervention.
 - Library/Learning Center step replacement is scheduled for April.
 - 250 children were registered for swimming lessons at the Home Show.
 - Laing Lake is currently being filled.
 - The Golf Course is preparing for a follow-up visit
 - Concrete and crack seal work on the streets will start on March 19th in the northwest part of Alliance
 - Work on Box Butte Avenue will begin in May

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- The staff has been working with the Nebraska Department of Roads regarding signage. NDOR declined our request for signage on I-80; however they did approve our in and around town signage program. Apparently Alliance is the first city in the State to successfully get signage approved outside our City limits.
 - Staffing vacancies were announced.
 - The ARRF Building at the Airport is nearing completion and consideration is being given to conducting a ribbon cutting.
 - An Economic Development Plan Application Review Committee meeting has been scheduled for April 2nd.
 - Service Excellence Updates:
 - 3/28 Announcement at Team Huddle by Councilman Seiler
 - 4/04 SEC Meeting & BBGH
 - 4/12 Accountability Agreements returned/launch of program with staff
 - Upcoming Events:
 - 3/24 Fire Department Installation
 - 3/24 Unveiling of the Termesphere for Carnegie Arts Center 100 Year
 - 3/28 Employee Huddle
- Terry Galloway, of Almquist, Maltzahn, Galloway & Luth, P.C. presented a review of the City of Alliance's Audit of the Financial Statements for the period October 1, 2010 through September 30, 2011 via telephone.

Motion by Councilman Gonzalez, seconded by Councilman Seiler to accept the Audit findings presented by Terry Galloway, of Almquist, Maltzah, Galloway & Luth, P.C.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

- The next item for Council's consideration was Ordinance No. 2700, amending the Alliance Municipal Code by clearly defining the process for the abatement or removal of accumulated grass, weeds and litter. City Manager Cox provided the following background information:

[At the last Council meeting, both of the proposed ordinances were approved on their first reading and advanced to the second.

We have been working with our attorneys for the adoption of a consistent and clear policy that will allow the City to enforce public nuisances and place liens, when necessary, on abated properties. The proposed two ordinances place the procedures into ordinance (rather than a policy), complies with state law, and gives notice of the procedure to our citizens.

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In working with our attorneys, the following are highlights of what is accomplished with these ordinances:

1. These ordinances are revisions of only the abatement sections of our already existing ordinance scheme regarding nuisances (specifically 8-301 through 8-307 and 8-401 through 8-406);
2. The ordinances spell out the City's procedures for giving notice to the landowner and the landowners procedures for requesting a hearing in front of the Board of Health;
3. If due process as provided in the ordinance is given to a landowner, and he/she doesn't correct the problem, the City can do so. The Administration then bills the owner. If the bill remains unpaid for two months, the Administration forwards information about the costs to Council. This is the first time the Council must become involved;
4. Council then decides whether it wants to levy the cost as a Special Assessment against the lot or real estate worked upon or pursue the landowner in a civil action. These items can be decided at whatever frequency as necessary (e.g. we can hold them for an agenda item on quarterly basis, yearly, etc.; or we can make this decision after each specific instance).]

Motion by Councilman Benzel, seconded by Councilman Yeager to approve Ordinance No. 2700 on second reading. City Clerk Jines read the Ordinance by title, which follows in its entirety:

ORDINANCE NO. 2700

AN ORDINANCE OF THE CITY OF ALLIANCE, NEBRASKA, DEALING WITH ENFORCEMENT AND ABATEMENT OR REMOVAL OF ACCUMULATION OF GRASS, WEEDS, AND LITTER; ESTABLISHING PROCEDURES FOR GIVING NOTICE OF THE NUISANCE AND ALLOWING THE PROPERTY OWNER OR OCCUPANT TO REQUEST A HEARING IN FRONT OF THE CITY'S BOARD OF HEALTH; ESTABLISHING PROCEDURES FOR A HEARING IN FRONT OF THE CITY'S BOARD OF HEALTH REGARDING THE NUISANCE; ESTABLISHING THE CITY'S METHOD OF PROVIDING AN ORDER AFTER THE HEARING; ESTABLISHING THE CITY'S RIGHT TO ABATE AND REMOVE NUISANCES AT THE PROPERTY OWNER'S COSTS; ESTABLISHING THE CITY'S RIGHT TO LEVY AND ASSESS THE COSTS AND EXPENSES OF THE WORK UPON THE LOT OR PIECE OF GROUND SO BENEFITED OR RECOVER THE COSTS AND EXPENSES OF THE WORK IN A CIVIL ACTION; REPEALING EXISTING PROVISIONS OF THE CITY CODE NOT CONSISTENT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

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

SECTION 1. Section 8-305 of the Alliance Municipal Code is amended to provide as follows:

8-305. ENFORCEMENT OF ABATEMENT OR REMOVAL OF NUISANCE.

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A. Notice Required

Notice to abate and remove the nuisances described in this Article shall be given to each owner or owner's duly authorized agent and to the occupant, if any, by personal service or certified mail. If notice by personal service or certified mail is unsuccessful, notice shall be given by publication in a newspaper of general circulation in the City or by conspicuously posting the notice on the lot or ground upon which the nuisance is to be abated and removed.

The notice to abate and remove the nuisance (the "Notice") shall:

1. Describe the nuisance with enough detail to allow the owner and occupant, if any, to determine what the nuisance entails and what will effectively eliminate the nuisance;
2. Inform the owner and occupant, if any, that, within 5 days of the receipt, publication, or posting of the Notice, as applicable, the owner or occupant may request a hearing with the City's Board of Health by filing with the City Clerk a written request for a hearing;
3. State that if the owner and occupant do not request a hearing, then the owner and occupant are ordered to abate and remove the nuisance or the City may abate and remove the nuisance and the costs and expenses of any such work shall be paid by the owner; and
4. State that if the costs and expenses of the work are unpaid for two months after such work is done, the City may either (a) levy and assess the costs and expenses of the work upon the lot or piece of ground so benefited in the same manner as other special taxes for improvements are levied and assessed or (b) recover in a civil action the costs and expenses of the work upon the lot or piece of ground and the adjoining streets and alleys.

B. Hearing

Within 5 days of the receipt, publication, or posting of the Notice, as applicable, the owner or occupant may request a hearing with the City's Board of Health by filing with the City Clerk a written request for a hearing. Upon the Clerk's timely receipt of a request for a hearing, the Clerk shall notify the owner or the owner's duly authorized agent and the occupant in writing of the hearing date. At the hearing, an employee from the City department giving the Notice shall provide evidence of the nuisance to the Board of Health. Thereafter, the Board of Health shall allow all interested persons an opportunity to be heard regarding the nuisance. The Board of Health may consider any information which it deems relevant and shall make a final determination of the existence or nonexistence of the nuisance.

C. Post Hearing Order

If, after a hearing, the Board of Health determines that a nuisance exists, the Board of Health

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shall, by resolution, order the City Manager to provide the owner and occupant with a letter stating:

1. That a nuisance exists;
2. That the owner or occupant is ordered to abate and remove the nuisance within 5 days of the receipt of the letter;
3. That if the owner or occupant fails to abate and remove the nuisance, the City may abate and remove the nuisance and the costs and expenses of any such work shall be paid by the owner; and
4. That if the costs and expenses of the work are unpaid for two months after such work is done, the City may either (a) levy and assess the costs and expenses of the work upon the lot or piece of ground so benefited in the same manner as other special taxes for improvements are levied and assessed or (b) recover in a civil action the costs and expenses of the work upon the lot or piece of ground and the adjoining streets and alleys.

D. Abatement

If the owner or occupant does not timely request a hearing as provided for in this section and fails to abate the nuisance as set forth in the Notice, or, if a hearing is requested and the owner and occupant fail to comply with the City's order, given by the Board of Health, to abate and remove the nuisance after the hearing, then the City may have such work done. The costs and expenses of any such work shall be paid by the owner. If unpaid for two months after such work is done, the City may either (a) levy and assess the costs and expenses of the work upon the lot or piece of ground so benefited in the same manner as other special taxes for improvements are levied and assessed or (b) recover in a civil action the costs and expenses of the work upon the lot or piece of ground and the adjoining streets and alleys.

SECTION 2. 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 3. This ordinance shall be in full force and effect from and after its approval, passage, and publication according to law.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

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- Ordinance No. 2701 amending the Municipal Code at Chapter 8, Article 4 to define the procedure for the abatement of general public nuisances was the next item for Council's review.

Motion by Councilman Gonzalez, seconded by Councilman Benzel to approve Ordinance No. 2701 on second reading. The Ordinance title was read by City Clerk Jines which follows in its entirety:

ORDINANCE NO. 2701

AN ORDINANCE OF THE CITY OF ALLIANCE, NEBRASKA, DEALING WITH ENFORCEMENT AND ABATEMENT OR REMOVAL OF GENERAL PUBLIC NUISANCES; ESTABLISHING PROCEDURES FOR GIVING NOTICE OF THE NUISANCE AND ALLOWING THE PROPERTY OWNER, OCCUPANT, LESSEE, OR MORTGAGEE TO REQUEST A HEARING IN FRONT OF THE CITY'S BOARD OF HEALTH; ESTABLISHING PROCEDURES FOR A HEARING IN FRONT OF THE CITY'S BOARD OF HEALTH REGARDING THE NUISANCE; ESTABLISHING THE CITY'S METHOD OF PROVIDING AN ORDER AFTER THE HEARING; ESTABLISHING THE CITY'S RIGHT TO ABATE AND REMOVE NUISANCES AT THE PROPERTY OWNER'S COSTS; ESTABLISHING THE CITY'S RIGHT TO LEVY AND ASSESS THE COSTS AND EXPENSES OF THE WORK UPON THE LOT OR REAL ESTATE WORKED UPON OR RECOVER THE COSTS AND EXPENSES OF THE WORK IN A CIVIL ACTION; REPEALING EXISTING PROVISIONS OF THE CITY CODE NOT CONSISTENT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

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

SECTION 1. Section 8-405 of the Alliance Municipal Code is amended to provide as follows:

8-405. GENERAL PUBLIC NUISANCES; ABATEMENT PROCEDURE.

A. Notice Required

It shall be the duty of every owner, occupant, lessee, or mortgagee of real estate in the municipality to keep their real estate free of general public nuisances under this Article. Notice to abate and remove the nuisances described in this Article shall be given to each owner, occupant, lessee, or mortgagee of the real estate by personal service or certified mail. If notice by personal service or certified mail is unsuccessful, notice shall be given by publication in a newspaper of general circulation in the City or by conspicuously posting the notice on the lot or real estate upon which the nuisance is to be abated and removed.

The notice to abate and remove the nuisance (the "Notice") shall:

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1. Describe the nuisance with enough detail to allow the owner, occupant, lessee, or mortgagee to determine what the nuisance entails and what will effectively eliminate the nuisance; and
2. Inform the person, that, within 5 days of the of the receipt, publication, or posting of the Notice, as applicable, the person may request a hearing with the City's Board of Health by filing with the City Clerk a written request for a hearing.
3. State that if the person receiving the Notice does not request a hearing, then that person is ordered to abate and remove the nuisance or the City may abate and remove the nuisance and the costs and expenses of any such work shall be paid by the owner; and
4. State that if the costs and expenses of any such work is not paid by the owner, the City may either (a) levy the cost as a special assessment against the lot or real estate worked upon; such special assessment shall be a lien on the real estate and shall be collected in the manner provided for special assessments; or (b) collect the cost from the owner of the lot or real estate and enforce the collection by civil action in any court of competent jurisdiction

B. Hearing

Within 5 days of the receipt, publication, or posting of the Notice, as applicable, the owner, occupant, lessee, or mortgagee may request a hearing with the City's Board of Health by filing with the City Clerk a written request for a hearing. Upon the Clerk's timely receipt of a request for a hearing, the Clerk shall notify the owner, occupant, lessee, or mortgagee in writing of the hearing date. At the hearing, an employee from the City department giving the Notice shall provide evidence of the nuisance to the Board of Health. Thereafter, the Board of Health shall allow all interested persons an opportunity to be heard regarding the nuisance. The Board of Health may consider any information which it deems relevant and shall make a final determination of the existence or nonexistence of the nuisance.

C. Post Hearing Order

If, after a hearing, the Board of Health determines that a nuisance exists, the Board of Health shall, by resolution, order the City Manager to provide the owner, occupant, lessee, or mortgagee, or agent thereof with a letter stating:

1. That a nuisance exists;
2. That the owner or occupant is ordered to immediately abate and remove the nuisance;
3. That if the owner or occupant fails to abate and remove the nuisance, the City may abate and remove the nuisance and the costs and expenses of any such work shall be paid by the owner; and

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4. That the City may either (a) levy the cost as a special assessment against the lot or real estate worked upon; such special assessment shall be a lien on the real estate and shall be collected in the manner provided for special assessments; or (b) collect the cost from the owner of the lot or real estate and enforce the collection by civil action in any court of competent jurisdiction.

D. Abatement

If the owner, occupant, lessee, or mortgagee fails abate the nuisance as set forth in the City's order given by the Board of Health, the City may proceed with the work specified in the order. A statement of the costs of such work shall be transmitted to the City Council. The City may either (a) levy the cost as a special assessment against the lot or real estate worked upon; such special assessment shall be a lien on the real estate and shall be collected in the manner provided for special assessments; or (b) collect the cost from the owner of the lot or real estate and enforce the collection by civil action in any court of competent jurisdiction.

SECTION 2. 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 3. This ordinance shall be in full force and effect from and after its approval, passage, and publication according to law.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

- The next item to be discussed by Council was Resolution No. 12-22, awarding the purchase of a mower with a hard cab and snow broom attachments to 21st Century Equipment of Alliance, Nebraska, in the amount of \$24,000. City Manager Cox provided the following background information:

[In this year's approved capital budget, we have monies earmarked for the purchase replacement of our front deck mower with a hard cab for the cemetery at \$25,000, along snow attachments at \$12,000, for a total of \$37,000.

By purchasing in this way, we are able to maximize the use of our equipment – as a mower in the summer, and for snow removal in the winter.

Bids were solicited as a total package. I am pleased to pass along, that Shana was successful in bringing in bids well under the budgeted amount. For the mower, the low responsible bid was from 21st Century in the amount of \$24,000 as compared to the total budget mentioned above at \$37,000.

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If approved, the expected delivery would be 30 days after the order is placed.]

Motion by Councilman Seiler, seconded by Councilman Gonzalez to approve Resolution No. 12-22, which follows in its entirety:

RESOLUTION NO. 12-22

WHEREAS, The City of Alliance Cemetery and Parks Divisions had on their capital improvements for this fiscal year, the purchase of a mower with a hard cab and snow attachments; and

WHEREAS, The City of Alliance sent out four Invitations to Bid and received bids from three vendors for various sized units, which provided the City with five options; and

WHEREAS, The lowest, reasonable, responsive bidder was 21st Century Equipment of Alliance, Nebraska for a 2012 John Deere, Model 1435 62" Deck Mower with the requested attachments for the cost of Twenty Four Thousand and no/100ths Dollars (\$24,000.00); and

WHEREAS, The Alliance Cemetery and Parks Divisions have the funds in its budget and Council believes that it is in the best interest of the City to approve this purchase.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of Alliance, Nebraska, that the Mayor be and hereby is authorized to enter into a contract for the purchase of a 2012 John Deere, Model 1435 62" Deck Mower with the requested attachments for the cost of Twenty Four Thousand and no/100ths Dollars (\$24,000.00) from 21st Century Equipment of Alliance, Nebraska.

BE IT FURTHER RESOLVED, that the purchase will be funded \$16,968.00 from Cemetery Account No. 01-71-74-59-950 (Commercial Mower and Rear Discharge Deck) and \$7,032.00 from Parks Account No. 01-71-71-59-950 (Hard Cab and Snow Attachments.)

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

- Resolution No. 12-23, engaging the services of Baker & Associates, Inc. to provide general engineering support to the City of Alliance for miscellaneous items, was the next item to be presented to Council. City Manager Cox provided the following background information:

[As a followup to my earlier City Manager reports during Council meetings, the proposed resolution will engage Baker & Associates, Inc to provide our City with much needed general engineering support for miscellaneous items and projects as they arise.

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The City has a history of having a City Engineer, and with our size, we do have many things come up that require engineering opinions. We successfully used this type of miscellaneous engineering agreement in my former City, and it worked very well. Our decisions were better as a result. Items concerning such items as steps, drainage, concrete, paving, etc., are all areas that we benefitted from having expert opinion and guidance. In light of the fact that we no longer have a full-time engineer, I believe it to be imperative that we have an official relationship with a firm that we can call upon on an as-needed basis. Also, important is response time – as we have an expectation that we will receive fast and accurate service with fairly short notice provided.

RFPs were not required with these engineering services and also I feel comfortable with this recommendation as there is a reasonable cap of \$20,000 on the arrangement. Finally, I am very pleased to share the best news of this proposal: Baker & Associates are opening an office in Alliance!! They will be moving into the north part of the building that is directly north of Posh, a business owned by Pasha Gonzalez.]

Motion by Councilman Yeager, seconded by Councilman Gonzalez to approve Resolution No. 12-23, which follows in its entirety:

RESOLUTION NO. 12-23

WHEREAS, The City of Alliance desires to obtain the services of an engineering firm to provide engineering and professional services on an as needed basis; and

WHEREAS, Baker & Associates, Inc., of Scottsbluff, Nebraska has prepared an Engineering Services Agreement to provide engineering and professional services as needed for miscellaneous projects within the City organization; and

WHEREAS, The firm of Baker & Associates, Inc. will be opening an Alliance office in the very near future; and

WHEREAS, The Mayor and City Council deem it expedient and beneficial to contract engineering and professional services on an as needed basis for various miscellaneous projects throughout the organization.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of Alliance, Nebraska, that the Mayor is authorized to sign an agreement between Baker & Associates, Inc., and the City of Alliance to provide for engineering and professional services as needed for miscellaneous projects within the City organization.

BE IT FURTHER RESOLVED, the contract price shall not exceed \$20,000.00 within any given year based on rates established within the Engineering Services Agreement unless with further Council approval.

Jack Baker of Baker & Associates, Inc. addressed Council and thanked them for the opportunity to serve Alliance.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

- The next item to be voted on by Council was Resolution No. 12-24, granting permission to the Region 23 Emergency Management Agency to locate microwave equipment on the City's Toluca water tower. City Manager Cox provided the following background information:

[This proposed resolution will approve the Mayor to sign an MOU that grants permission to the Region 23 Emergency Management Agency to locate microwave equipment on the City's Toluca water tower.

The City did earlier approve a lease agreement regarding this matter; however, Region 23 believes that we were mistakenly given the wrong entity Panhandle PET (Planning, Exercise, and Training) into which to enter the agreement. As such, the newly proposed MOU very simply sets forth that the City grants permission directly to NEMA Region 23.

We wish to work with and be cooperative with Region 23 and anticipate applying to the Agency for future grants.]

Motion by Councilman Benzel, seconded by Councilman Gonzalez to approve Resolution No. 12-24, which follows in its entirety:

RESOLUTION NO. 12-24

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 Region 23 Emergency Management Agency, 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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Alliance, that the Mayor is authorized to sign the Memorandum of Understanding between the City of Alliance and Region 23 Emergency Management Agency, 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.

Roll call vote with the following results:

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

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Voting Nay: None.

Motion carried.

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

Motion by Councilman Yeager, seconded by Councilman Benzel to appoint Serena Bremer to the Alliance Planning Commission for a term ending June 30, 2014.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

- Mayor Feldges stated, "there being no further business to come before the Alliance City Council, the meeting is adjourned at 8:08 p.m."

Fred Feldges, Mayor

(SEAL)

Linda S. Jines, City Clerk