

June 7, 2012

## ALLIANCE CITY COUNCIL

REGULAR MEETING, THURSDAY, JUNE 7, 2012

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

The Alliance City Council met in a Regular Meeting, June 7, 2012 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 31, 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 June 7, 2012 Regular Meeting of the Alliance, Nebraska City Council at 7:00 p.m. Present were Mayor Feldges, Council Members Yeager, Benzel, Lewis 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 introduction of new employees: Tyler Weber, Police Officer I; Forrest Hickman, Police Officer I; and Maria Swenson, RSVP Clerk.
- The next item on Council's agenda was the Consent Calendar.

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

### CONSENT CALENDAR – JUNE 7, 2012

1. Approval: Minutes of the Regular Meeting, May 17, 2012.

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2. Approval: Payroll and Employer Taxes for the period April 28, 2012 through May 11, 2012 inclusive: \$165,607.76 and \$11,676.23 respectively; and for the period May 12, 2012 through May 25, 2012 inclusive: \$172,901.05 and \$12,286.25.
3. Approval: Claims against the following funds for the period May 10, 2012 through May 31, 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; \$1,128,306.23.
4. Approval: Memorandum of Understanding between BNSF Railway Company and the Alliance Police Department to respond and secure the fueling facility using available resources during a Level 3 or 4 Alert on Railway Alert Network.
5. Approval: The *Request for Reserved or Exclusive Use of City Streets* for The Animal Center on Saturday, June 23, 2012 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. Copies of the request and the Insurance Certificate have been made part of the Council's packet.
6. Approval: Resolution No. 12-47 which formally acknowledges that the City of Alliance will accept the duties required by the State of Nebraska to conduct the Heritage Days Parade on 3<sup>rd</sup> Street which is a designated State highway. The event will take place on July 21, 2012 beginning at 9:45 a.m. to the conclusion of the parade which will be no later than 12:00 noon. This resolution meets the requirements of LB 589 which was recently passed by the Nebraska Legislature.
7. Approval: The issuance of the following Cemetery Certificates:
 

The Southeast Quarter (SE1/4) Lot Fourteen (14), Section Five (5), Block Two (2), Original Plat to the Alliance Cemetery to Judith W. Hiles.

The West Half (W1/2) Lot Two (2), Section Five (5), Block Twenty-two (22), Fourth Addition to the Alliance Cemetery to Matthew A. Loutzenhiser, John Loutzenhiser, Ronda Morgan, and Kim Wostenberg.

The Southeast Quarter (SE1/4) Lot Ten (10), Section Three (3), Block Two (2), Original Plat to the Alliance Cemetery to Elizabeth A. Hernandez.

Acceptance of a Quitclaim Deed from Valerie Hatzenbuhler to the City of Alliance for the East Half (E1/2) Lot Thirty-seven (37), Section Seven (7), Block Twenty (20), Third Addition to the Alliance Cemetery and reconvey same to Laurie Jelinek.
8. Approval: The issuance of Repair and Maintenance Contractor Licenses to:
 

Royann Unzicker dba Brannan Homes LTD  
Michael Biltjinitis

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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, Lewis, Seiler.

Voting Nay: None.

Motion carried.

- Terri Friesen presented the Alliance City Council a \$1,000.00 from the “Green Up, Clean Up” promotion which was sponsored by KCOW-AM in cooperation with Keep Alliance Beautiful. The Council thanked both Terri Friesen and KAB Executive Director Deb Dopheide for their service and commitment to the community.

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

- Provided a brief overview of the West Plains Grain project
- Announced upcoming events: Fountain Fest, ARFF Truck & Building “Hose Uncoupling”, and the selection of Alliance as the State Fly-In hosts in 2013
- Listed our newest seasonal hires for parks, cemetery, golf course maintenance and pro shop, and swimming pool
- Provided a status report on our Service Excellence Program
- Commended the Parks employees for their exceptional work in preparing the parks and cemetery for Memorial Day
- Announced the State Highway Commission will be conducting their Annual Meeting in Alliance on June 22<sup>nd</sup>
- Publicly congratulated Alliance resident Frank Thompson on representing the United States in the 2012 Summer Olympics Men’s Skeet
- Informed Council he attended a Nebraska Department of Roads meeting this afternoon and Box Butte Development Executive Director Chelsie Herian provided an overview of the meeting to Council
- Announced work on the Laing Lake Fishing Dock will be done this Fall.

- The next item for Council’s consideration was the first reading of Ordinance No. 2707 concerning the Annexation of property owned by the Burlington Northern Santa Fe Railroad. City Manager Cox provided the following background information:

[Last week, we received a letter from BNSF Realty Department requesting annexation of the company’s railroad from the City’s current northwest boundary further north and west until reaching the West Plains Grain facility.

The receipt of this document opens the doors for the City to continue the process of annexing and TIF’ing the property.

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Steps Required:

- a) Annexation commenced
- b) County Approve Updated Interlocal Agreement
- c) City Approve Updated Interlocal Agreement
- d) City approve Redevelopment Plan (before August 1, 2012)
- e) City approve Redevelopment Agreement
- f) County (possibly) issue Bond to Pay for Road Improvements]

A motion was made by Councilman Benzel, seconded by Councilman Seiler to approve the first reading of Ordinance No. 2707. City Clerk Jines read the Ordinance by title which follows in its entirety:

ORDINANCE NO. 2707

AN ORDINANCE OF THE CITY OF ALLIANCE, NEBRASKA, ANNEXING CERTAIN PROPERTY IN SECTIONS 22 AND 27, TOWNSHIP 25 NORTH, RANGE 48 WEST OF THE 6<sup>TH</sup> P.M., BOX BUTTE COUNTY, NEBRASKA.

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

SECTION 1. BNSF Railway Company has requested that the following described real estate (the "Real Estate") be included within the corporate limits of the City:

That part of Sections 22 and 27, Township 25 North, Range 48 West of the 6<sup>th</sup> P.M., Box Butte County, Nebraska, more particularly described as follows:

Beginning at the point where the westerly right-of-way line of the BNSF Railway Company intersects with the east line of Section 27; then northwesterly along said westerly right-of-way to a point on the north line of Section 22; then easterly along the north line of Section 22 to a point on the easterly right-of-way line of the BNSF Railway Company; then southeasterly along the easterly right-of-way line of the BNSF Railway Company to a point on the east line of Section 27; then southerly along the east line of Section 27 to the point of beginning.

SECTION 2. The Real Estate is contiguous or adjacent to the existing corporate limits of the City, is urban or suburban in character, and does not constitute agricultural land which is rural in character.

SECTION 3. The Real Estate is annexed to and included within the corporate limits of the City as of the effective date of this Ordinance.

SECTION 4. The map describing the Corporate Limits as provided for in Section 1-1901 of the Alliance Municipal Code is amended to provide for the addition of the Real Estate to the corporate limits of the City.

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SECTION 5. All ordinances, parts of ordinances, resolutions, and policies of the City of Alliance in conflict with this Ordinance are repealed.

SECTION 6. This Ordinance shall be in full force and effect from and after its approval, passage, and publication according to law.

Roll call vote on Ordinance No. 2707 with the following results:

Voting Aye: Benzel, Lewis, Feldges, Seiler.

Voting Nay: Yeager.

Motion carried.

- The next item for Council's consideration was the second reading of Ordinance No. 2706 concerning the Rezoning Application of Tom & Tammy Fletcher. City Manager Cox provided the following background information:

[The last Council meeting saw the third and final reading of the Ordinance to sell City property located at Lot 2, Block 2, Grovefield Addition to Thomas and Tammy Fletcher.

Also at the last meeting, Council approved the first reading of the Ordinance to rezone the same property from residential to commercial.

The Fletcher's purchase is contingent upon the property being rezoned from residential to commercial and Planning Commission has recommended approval for the rezoning.

Council may wish to waive the 2<sup>nd</sup> reading of this measure and advance to the 3<sup>rd</sup> reading.]

Motion by Councilman Benzel, seconded by Councilman Yeager to approve the second reading of Ordinance No. 2706 City Clerk Jines read the Ordinance by title which follows in its entirety:

#### ORDINANCE NO. 2706

AN ORDINANCE OF THE CITY OF ALLIANCE, NEBRASKA, DEALING WITH ZONING, AMENDING THE DISTRICT ZONING MAP TO SHOW THAT LOT TWO (2), BLOCK TWO (2), GROVEFIELD ADDITION, TO THE CITY OF ALLIANCE, BOX BUTTE COUNTY, NEBRASKA, IS NOW INCLUDED AS A C-3 HIGHWAY COMMERCIAL DISTRICT FROM A R-3 MULTI-FAMILY RESIDENTIAL DISTRICT, AND REPEALING PRIOR SECTIONS.

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

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SECTION 1. Section 10-302 of the Alliance Municipal Code is amended to provide as follows:

10-302. DISTRICT MAP ADOPTED

Boundaries of the districts, as enumerated in Article 3 of these regulations, are hereby established as shown on a map prepared for that purpose, which map is hereby designated as the Zoning District Map; and said map, and all the notations, references and information shown thereon is hereby made as much a part of these regulations as if the same were set forth in full herein. The City Planning Commission shall keep on file in their offices an authentic copy of said map, and all changes, amendments, or additions thereto.

When definite distances in feet are not shown on the Zoning District Map, the district boundaries are intended to be along existing street, alley or platted lot lines, or extensions of the same, and if the exact location of such lines is not clear, it shall be determined by the Building Inspector, due consideration being given to location as indicated by the scale of the Zoning District Map.

This is to certify that the Zoning District Map described in the Alliance Municipal Code, passed this \_\_\_\_ day of \_\_\_\_\_, 2012, is now the official Zoning District Map.

SECTION 2. Previously existing Section 10-302, and 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 on Ordinance No. 2706 with the following results:

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

Voting Nay: None.

Motion carried.

- The next matter before Council is a public hearing to approve the appointment of Amanda R. Hanson as the liquor license manager for Fresh Start. City Manager Cox provided the following background information:

[Our attorney, Howard Olsen, will be present to conduct a hearing and assist Council in obtaining a level of comfort concerning this application.

Testimony will be heard (including from Police Chief John Kiss) and the following exhibits that will be provided:

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Exhibit 1 - Application of Amanda R. Hanson for Manager's License.

Exhibit 2 - City Council checklist for Section 53-132 R.R.S. (1984).

Exhibit 3 - Written statement of Police Chief.

To approve the application, it is Council's obligation to make the findings:

1. Applicant complies with the provisions of Section 53-131.01 R.R.S. (2003).
2. Applicant has met its burden with regard to the checklist that is provided by Section 53-132 R.R.S. (1984) and demonstrates a willingness and ability to properly manage the liquor license held by Fresh Start in conformance to the rules and regulations of the Nebraska Liquor Control Act.
3. Based on the above findings, the City Council recommends to the Nebraska Liquor Control Commission that the application of Amanda R. Hanson to be the manager of the liquor license held by Fresh Start.]

Mayor Feldges stated "now is the date, time and place to conduct a public hearing on the Manager's Application of Amanda Hanson for Fresh Start located at 610 East 3<sup>rd</sup> Street, Alliance, NE." Mayor Feldges opened the public hearing at 7:45 p.m. No testimony was offered and Ms. Hanson was not in attendance. The public hearing was closed at 7:46 p.m.

City Attorney Olsen entered into the record two letters which were mailed to Ms. Hanson informing her of the public hearing and requesting her attendance were dated May 8, 2012 and May 21, 2012.

A motion was made by Councilman Lewis, seconded by Councilman Seiler to recommend denial of Ms. Hanson's Manager's Application to the Nebraska Liquor Control Commission due to non attendance at our last two City Council meetings.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

- The next item to be discussed by Council was Resolution No. 12-48 regarding Teen Events at the Big Blue Bay. This allows \$1.00 night swims per participant on July 13<sup>th</sup> and 14<sup>th</sup>; July 27<sup>th</sup> and 28<sup>th</sup>; and August 10<sup>th</sup> and 11<sup>th</sup>, 2012. City Manager Cox provided the following background information:

[I am very pleased to report that a group of folks have formed a coalition in order to address summer needs of our kids here in Alliance. The mission of this coalition is to create a "Youth Center Without Walls." The idea is to give our kids choices – positive options of structured summer activities. The concept will involve many partnerships within our community – including some of the businesses.

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The original idea was hatched by our own School Resource Officer, Kirk Felker. The schools are on board, I serve on the group from the City, as do folks from KCOW, the Alliance Times-Herald, YMCA, Chamber of Commerce, Main Street, and Panhandle Health. I have pledged my personal strong support behind this worthy effort, and am hopeful that Council will as well. The cost overall for the City is small, when there are so many others stepping to the plate to assist.

At this point, the coalition is putting together a calendar of special summer events for middle and high school aged kids – especially on the weekends – that will include many of the items listed below. That calendar includes our City Swim nights –

Night Swims:

July 13 – 14

July 27 – 28

Aug 10 – 11

For this resolution, the group is working on dates for which they would request Council to approve a reduced admission of \$1 for night swims.

Ideas identified thus far include:

Movie Theater

Bowling

Skating/Skateland

YMCA After Hours

School gyms

Night pool parties

Golf course

Drive In Theater

China Buffet night

Dairy Queen night

Los Cuertos night

Pizza Hut night

McDonald's night

Sam and Louie's night

Carhenge – campfire

PAC

Night on the Butte

Laing Lake/fishing

Heritage Days/Kid's dance

Night at the Museum

Municipal Building dance]

A motion was made by Councilman Seiler, seconded by Councilman Benzel to approve Resolution No. 12-48.

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An amendment to Resolution No. 12-48 was offered by Councilman Lewis, which was seconded by Councilman Yeager to waive the proposed fee for participants that already have a season pass.

Roll call on the proposed amendment as follows:

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

Voting Nay: None.

Motion carried.

#### AMENDED RESOLUTION NO. 12-48

WHEREAS, The City of Alliance owns and operates a pool facility for the benefit of its neighbors; and

WHEREAS, A coalition of folks are working toward the goal of providing more summer events for teens in order to provide our youth positive alternatives for social gatherings; and

WHEREAS, The City has been requested to provide reduced admission (\$1.00 per middle school and high school student) for certain dates during the summer for night swims at its pool facility.

NOW, THEREFORE, BE IT RESOLVED, that the City of Alliance in consideration of efforts to improve the quality of life of its neighbors and in keeping with its goal of making the City of Alliance a more safe environment for its neighbors and their families, agrees to reduce the admission to its pool facility during night swims to \$1.00 per middle school and high school student entrant. This fee will be waived for those who already have a season pass. The dates for this program will be July 13, 14, 27, 28, August 10, and 11, 2012.

Roll call vote on amended Resolution No. 12-48 with the following results:

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

Voting Nay: None.

Motion carried.

- Resolution No. 12-49 which will authorize an expenditure from the City Council Contingency Fund was the next item to be presented to Council. This resolution authorizes the expenditure of approximately \$8,000 from the City Council's Contingency Fund for repairs to the fencing around the 16<sup>th</sup> Street and Box Butte Avenue tennis courts. City Manager Cox provided the following background information:

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[As all might recall, on April 6 of this year Alliance experienced a “wind event” which caused structural damage in the community not only to private residences, but also to the Box Butte Avenue public tennis court fence. Please note the photos below showing the damage to the fence. Unfortunately, the damage was not covered by our insurance policy, leaving the bill of approximately \$8000 to settle. In reviewing our budget, we would like to ask Council to consider using Council Contingency funds to pay for these repairs. This fund currently has \$73,500 remaining of the original \$100,000 allocation.]

Motion by Councilman Lewis, seconded by Councilman Seiler to approve Resolution No. 12-49 which follows in its entirety:

RESOLUTION NO. 12-49

WHEREAS, Due to a storm, the tennis court fencing at 16<sup>th</sup> Street and Box Butte Avenue was severely damaged; and

WHEREAS, For the safety of the public the fencing needs to be repaired; and

WHEREAS, The Parks Department had not budgeted funds for the necessary repairs; and

WHEREAS, There are funds available in the City Council Contingency funds; and

WHEREAS, The Parks Department is requesting a transfer from City Council Contingency funds in the amount of Eight Thousand Dollars (\$8,000.00) to the Parks division budget for the fence repair.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Alliance, Nebraska, that Eight Thousand Dollars (\$8,000.00) shall be transferred from City Council Contingency funds to the Parks Department budget for the payment or reimbursement of the expenses for the repair of the tennis court fencing.

BE IT FURTHER RESOLVED that the Finance Director is authorized to make the transfer from City Council Contingency into the appropriate line items of the Parks Department’s budget to pay for the fence repairs.

Roll call vote on Resolution No. 12-49 with the following results:

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

Voting Nay: None.

Motion carried.

- The next item to be voted on by Council was Resolution No. 12-50 the Rodeo Grounds Lease. This authorizes the City Of Alliance to enter into a Rodeo Grounds Lease Agreement for the property located at the Alliance Municipal Airport with the Alliance Chamber of Commerce. City Manager Cox provided the following background information:

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[This past year, the Cattle Capital Rodeo Club has become a “sub-committee” or activity of the Alliance Chamber of Commerce.

The proposed lease is for a one-year period and will renew automatically each year for a total period of five years. The terms provide for the exclusive use of the facility by the Chamber (assuming for rodeo purposes) in return for an annual payment by the Chamber to the City of Alliance in the amount of \$500. The Chamber will assume the risk for the use of the property. In fact, any subleasing will require Chamber Executive Board authorization.

Our attorneys and Airport Manager Lynn Placek went to great lengths to put this agreement together and are to be commended.]

Motion by Councilman Yeager, seconded by Councilman Lewis to approve Resolution No. 12-50 which follows in its entirety:

#### RESOLUTION NO. 12-50

WHEREAS, The City of Alliance owns property described as all that part of Tract (R) of the real estate existing in Section 7, Township 24 North, Range 47; and

WHEREAS, The City has agreed to lease subject property to the Alliance Chamber of Commerce, a Not For Profit Corporation; and

WHEREAS, The City of Alliance and the Alliance Chamber of Commerce have agreed to certain terms and conditions therein contained in the Rodeo Grounds Lease Agreement, which is attached.

NOW, THEREFORE, BE IT RESOLVED, that the attached Rodeo Grounds Lease Agreement be approved by the City of Alliance, Nebraska and that the Mayor is hereby authorized to sign said Lease.

Roll call vote on Resolution No. 12-50 with the following results:

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

Voting Nay: None.

Motion carried.

- The next item for Council’s discussion was Box Butte County’s request to modify the Lease Agreement regarding the Regional Law Enforcement Center. City Manager Cox provided the following background information:

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[Main Point of Conversation:

Request from County for the County's Law Enforcement Center electricity to be billed at "wholesale cost" (i.e., at the same rate in which the Municipal Energy Agency of Nebraska bills to the City of Alliance, which does not include any internal costs).

Background:

For several months, we have been meeting with County representatives to discuss and consider their request for modification of our agreement for the shared use of the Law Enforcement Center.

Outcome:

I would like to discuss this matter with Council so that staff has some direction to proceed.

Negotiation Items:

The following is a summary of all those provisions that we agreed to during our negotiations:

Agreed	To bill County full invoice and then County send invoice to City
Agreed	To modify the utility City-County utility split from 60%-40% to 70%-30% In connection with an electric study by MEAN consultant
Agreed	To establish a term of 3 years
Agreed	To share cost of system replacements in lieu of collecting rent
Agreed	To continue routine repairs as currently handled
Agreed	To cost share insurance as appropriate
Agreed	To launch a Facility Planning Committee (Sheriff, Chief, plus others) to study long range-facility planning
Declined	Request to bill County <b><u>at cost of MEAN bill</u></b> (not include internal costs) Note: Attorney John Selzer researched.

It is my humble opinion that we have bent over backwards to accommodate their several requests. In fact, of the nine items requested, we agreed to eight (including a reconfiguration of our billing). The one request was so far outside of what I considered reasonable, that we declined. Our attorney, however, did research and found that the City does in fact have the authority to provide such a rate. Authority or not, I strongly feel that it would be a poor effort by the City to provide this rate.

I was disappointed with the following three issues in the Box Butte County Commissioner's article (found on the next page) that appeared in the Alliance Times-Herald on May 22, 2012:

1. Attorney represents that his request is "reasonable"

I strongly believe the opposite – we cannot provide the energy "at cost" as it would not include any of our internal costs. Our true costs include the internal investments and staffing to maintain the electric utility. So, when "wholesale rate" is discussed, it actually means at a subsidized rate, with the net effect being the shift of more burden directly onto the rate payers of the City of Alliance.

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2. The representation that the County only had two options
  - When in fact there are several options available including:
    - a) Agree to the request to sell energy “at wholesale cost”
    - b) Decline request and agree to sell energy at the “municipal rate”
    - c) Decline request and agree to remain selling energy at current rate
    - d) Decline all other requests
3. The representation that one of the two options available included to “go with whatever City Finance Director Randy Waggener comes up with.”

I believe is a complete mischaracterization of what we discussed. As we all know, our Finance Director Randy Waggener goes to great lengths to ensure fairness, cost savings and compliance with our local ordinance. The options provided to the attorney included all of these.

*The Box Butte County Commissioners examined the agreement between the County and City regarding the Regional Law Enforcement Center during their regular meeting Monday. Attorney Terry Curtiss reported on the agreement. Curtiss explained, “We have a new draft and I guess I wanted to visit with you only because ... the City is reluctant to approach the power cost the way I suggested. That is simply to define it as wholesale power cost. When we met there was some concern on whether it was proper or not, and according to their attorney, you got the memo, he thinks it could be one legal option we could explore.” Curtiss sought direction from the Commissioners. He continued, “I want you to tell me to press for that or not or not worry about it ... Personally I think the proposal we’ve made is reasonable and truest to its original agreement from 1978.” Curtiss believes this agreement doesn’t have any of the issues going with it tying it with whatever rate structure they come up with simply since it is subject to change. The other option that Curtiss gave the Board was that they could wait and go with whatever City Finance Director Randy Waggener comes up with “if you’re not in the mood to make an issue of it.” County Commissioner Casper Brixius expressed his concerns, “You made a good point at the meeting ... it didn’t seem they were very interested in changing it. ... It seems, you know, they are using a lot of our stuff over there. Why would we pay (more)?” Curtiss said, “What troubles me more than anything Cap is we have had this discussion four times and I have yet to figure out what it is they charge for power?”*

*“With that being said, this is why we need to get it clear, and fair, I would go for that, because Tammy has gone through this way too much and she should have to worry about what being charged... ” Commissioner Sandy McCarthy said. Commissioner Susan Lore expressed concerned concern about the cost. The board decided they want Curtiss to continue on with the idea of the wholesale cost, and reviewing every three years.*

Following is an excerpt from the Alliance Times Herald regarding discussion held at a County Commissioner’s meeting:

*Attorney Terry Curtiss presented a memorandum regarding the Law Enforcement Center. County Clerk Judy Messersmith was contacted by City Finance Director Randy Waggener stating the County has a \$6,000 credit and on the bills that had BOE on them was explained that it meant the specific bill was for the County Courthouse meter. Curtiss said, “That just reinforced that we need to get to something that we understand as far as a bill. I have invited them to schedule a meeting, and would it be ok if I meet*

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*initially and then have a joint meeting. Are you ok to do it at their regular meeting?" There was then mention of setting up a special meeting for April to discuss the matter with the City. Curtiss will consult the City regarding a meeting. Sheriff Tammy Mowry agreed with Curtiss on going ahead and having a preliminary meeting with the City and getting a schedule of when it can be discussed.*

Final Thought -

While we fervently desire to work with Box Butte County, that doesn't mean that we must do so to the detriment of the City of Alliance rate payers. Cooperative efforts should be a win-win, and I do not believe that agreeing to this request would be such.

In the end, of course we will go with whatever direction that Council wishes and prepare legislative documents accordingly. I look forward to hearing your thoughts.]

The Alliance City Council by consensus directed City Manager Cox to inform Box Butte County that the City of Alliance will not consider using the rates charged by MEAN to the City for the electric usage of the Regional Law Enforcement Facility.

- The last item on Council's agenda were board appointments.

Motion by Councilman Seiler, seconded by Councilman Lewis to appoint Carrie Ransom to the Alliance Library Board for a term ending June 30, 2016.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

Motion by Councilman Seiler, seconded by Councilman Lewis to appoint Melba Dickenson to the Alliance Library Board for a term ending June 30, 2016.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

Motion by Councilman Seiler, seconded by Councilman Benzel to appoint Rhiannon Minich as the youth representative and ex-officio member of the Alliance Library Board for a term ending June 30, 2015.

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Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

Motion by Councilman Seiler, seconded by Councilman Lewis to appoint Jim Dickenson to the Temporary Community Garden Committee.

Roll call vote with the following results:

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

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 8:45 p.m.”

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Fred Feldges, Mayor

(SEAL)

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Linda S. Jines, City Clerk