

October 4, 2012

ALLIANCE CITY COUNCIL

REGULAR MEETING, THURSDAY, OCTOBER 4, 2012

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

The Alliance City Council met in a Regular Meeting, October 4, 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 September 27, 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 October 4, 2012 Regular Meeting of the Alliance, Nebraska City Council at 7:00 p.m. Present were Mayor Feldges, Council Members Benzel, Lewis, Yeager 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. Councilman Benzel made the motion, which was seconded by Councilman Lewis to approve the Consent Calendar which follows in its entirety:

CONSENT CALENDAR – OCTOBER 4, 2012

1. Approval: Minutes of the Regular Meeting, September 27, 2012.
2. Approval: Claims against the following funds for the period October 1, 2012 through October 1, 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; \$48,340.59.
3. Approval: The issuance of a HVAC (Journeyman) License to Jerry Ostermann dba AA Air.

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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: Benzel, Lewis, Feldges, Seiler, Yeager.

Voting Nay: None.

Motion carried.

- Mayor Feldges presented Firefighter/EMT Nic Hinman the following Proclamation declaring October 7-13, 2012 as Fire Prevention Week.

Fire Prevention Week Proclamation

WHEREAS, the City of Alliance is committed to ensuring the safety and security of all those living in and visiting our city; and

WHEREAS, fire is a serious public safety concern both locally and nationally, and homes are the locations where people are at greatest risk from fire; and

WHEREAS, home fires killed more than 2,600 people in the United States in 2010, according to the latest research from the nonprofit National Fire Protection Association (NFPA), and fire departments in the United States responded to more than 369,000 home fires; and

WHEREAS, residents who have planned and practiced a home fire escape plan are more prepared and will therefore be more likely to survive a fire; and

WHEREAS, only one-third of Americans have both developed and practiced a home fire escape plan, and

WHEREAS, almost three-quarters of Americans do have an escape plan; however, less than half have actually practiced it, and

WHEREAS, one-third of Americans households who made one and estimate they thought they would have at least 6 minutes before a fire in their home would become life threatening. The time available is often less, and

WHEREAS, working smoke alarms cut the risk of dying in reported home fires in half; and

WHEREAS, Alliance firefighters are dedicated to reducing the occurrence of home fires and home fire injuries through prevention and protection education; and

WHEREAS, Alliance residents are responsive to public education measures and are able to take personal steps to increase their safety from fire, especially in their homes; and

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WHEREAS, the 2012 Fire Prevention Week theme, “Have Two Ways Out!” effectively serves to remind us to develop and practice a home fire escape plans during Fire Prevention Week and year-round.

THEREFORE, I Fred Feldges Mayor of Alliance do hereby proclaim October 7-13, 2012, as Fire Prevention Week, and I urge all the people of Alliance to practice their home fire escape plan during Fire Prevention Week 2012, and to support the many public safety activities and efforts of Alliance’s fire and emergency services.

Councilman Seiler read the following Proclamation declaring October 8-12, 2012 as Public Power Week.

Public Power Week
October 8 – 12, 2012

City of Alliance Electric Department Helps Our Community in Powerful Ways

WHEREAS, We, the citizens of Alliance, Nebraska place high value on local control over community services and therefore have chosen to operate a community-owned, locally controlled, not-for-profit electric utility and, as consumers and owners of our electric utility, have a direct say in utility operations and policies; and

WHEREAS, The *Alliance Electric Department* provides our homes, businesses, farms, social service, and local government agencies with reliable, efficient, and cost-effective electricity employing sound business practices designed to ensure the best possible service at not-for-profit rates; and

WHEREAS, The *Alliance Electric Department* is a valuable community asset that contributes substantially to the well-being of local citizens through energy efficiency, customer service, environmental protection, economic development, and safety awareness; and

WHEREAS, The *Alliance Electric Department* is a dependable and trustworthy institution whose local operation provides many consumer protections and continues to make our community a better place in which to live and work, as well as protecting the global environment;

NOW, THEREFORE BE IT RESOLVED, That the *Alliance Electric Department* will continue to work to bring lower-cost, safe, reliable electricity to community homes and businesses just as it has since 1911, the year when the utility was created to serve all the citizens of Alliance; and

BE IT FURTHER RESOLVED, That the week of October 8 – 12, 2012, be designated the 24th Annual Public Power Week in order to honor the *Alliance Electric Department* for its contributions to the community and to make its consumer-owners, policy makers, and employees more aware of its contributions to their well-being and how it makes their lives powerful; and

BE IT FURTHER RESOLVED, That our community joins hands with more than 2,000 other public power systems in the United States in this celebration of public power and

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recognition that the *Alliance Electric Department* is good for customers, business, the community and the nation.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the City of Alliance to be affixed on this 4th day of October, 2012.

- The Council next reviewed the Request for Reserved or Exclusive Use of City Streets from the Immanuel Evangelical Lutheran Church. The church is requesting the closure of 11th Street between Box Butte and Laramie Avenues on Sunday, October 28, 2012 between 5:00 p.m. and 8:00 p.m. for their first annual Trunk or Treat event. A motion was made by Councilman Lewis, which was seconded by Councilman Benzel to approve the request.

Deb Moore, the Chairperson for the event was present to answer any questions of Council.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

- The next item for Council's approval was the Request for Reserved or Exclusive Use of City Streets from the Chamber of Commerce. The Chamber is requesting permission to close Box Butte Avenue between 3rd and 10th Streets on Saturday, November 10, 2012 from 9:00 a.m. to 12:30 p.m. to conduct the Veterans Day Parade. The event is being co-sponsored by the Veterans Service Office, American Legion, and VFW. Councilman Benzel made a motion to approve the request which was seconded by Councilman Seiler.

Veterans Service Office Peter Mortaro was present to answer questions of Council.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

- City Manager Cox provided a report which follows in outline form:
 - Reported on claim questions from last meeting (1) regarding a chair purchase for the Fire Department using the Rural Fire District's credit card and the City's reimbursement for the purchase; and (2) umbrella damage at Big Blue Bay.
 - Parks Department has begun winterizing our facilities and leaf harvest.

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- The new Airport sign has been installed on the backside of the Terminal Building for passengers to see upon their arrival to Alliance.
 - Reported he will be attending the I.C.M.A. Conference in Phoenix, AZ, leaving tomorrow and returning Wednesday evening.
 - Airport Manager Lynn Placek attended the FAA meeting recently and is working on gaining funding for the resurfacing on the entire existing runway.
 - Finance Director Waggener in finalizing the details required to provide on-line billing for our utility customers.
 - Reported the potential to realize about a \$68,000 savings with the Refunding of our Electric Bond Issue.
- The next item on Council's agenda was the first reading of Ordinance No. 2716 which will adopt the Classification and Compensation Plans that will be incorporated into the 2013 Fiscal Year Budget. City Manager Cox provided the following background information:

[This ordinance will adopt the Classification and Compensation Plans which will be incorporated in our FY 2012 budget. The Classification Plan has several adjustments which have been identified in the attached memorandum. The Compensation Plan includes five categories: Exempt, Non-Exempt, Police Bargaining Unit, Communications Bargaining Unit, and Fire Employees and they reflect a cost of living adjustment. All wage adjustments will be made effective the first full pay period following October 1, 2012. Staff is recommending the statutory required reading of this ordinance on three separate dates be waived.]

A motion was made by Councilman Lewis, seconded by Councilman Seiler to approve the first reading of Ordinance No. 2716. City Clerk Jines read the Ordinance by title which follows in its entirety:

ORDINANCE NO. 2716

AN ORDINANCE ADOPTING REVISED CLASSIFICATION AND COMPENSATION PLANS FOR THE CITY OF ALLIANCE, NEBRASKA.

WHEREAS, Section 16-310 of R.R.S. 1943 authorizes the Mayor and Council to establish the compensation for employees and officers by stating that "The officers and employees in cities of the first class shall receive such compensation as the mayor and council shall fix by ordinance;" and,

WHEREAS, The Alliance City Council adopted the Fiscal Year 2012-2013 Budget which included funds for revised Classification/Compensation Plans.

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

SECTION 1. That the attached Classification Schedule for the City of Alliance dated to be effective October 13, 2012 and the attached Compensation Schedules for Exempt, Non-Exempt, Police Bargaining Unit, Communications Bargaining Unit, and Fire employees dated to be effective October 13, 2012 are hereby adopted by this reference.

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SECTION 2. This Ordinance shall become effective October 13, 2012.

A motion was made by Councilman Lewis to waive the requirement for three readings on three separate dates for Ordinance No. 2716. The motion was seconded by Councilman Benzel.

Roll call vote to waive the three readings for Ordinance No. 2716 with the following results:

Voting Aye: Benzel, Lewis, Feldges, Seiler.

Voting Nay: Yeager.

Four votes in favor of the motion have been received, that being more than three fourths of the Council present Mayor Feldges declared the motion passed.

Roll call vote on Ordinance No 2716 with the following results:

Voting Aye: Benzel, Lewis, Feldges, Seiler.

Voting Nay: Yeager.

Motion carried.

Mayor Feldges stated the passage and adoption of the ordinance was concurred by a majority of all members elected to Council, he declared it passed, adopted and ordered it published.

- Resolution No. 12-83 which provides direction to the City Manager for the hiring of City employees by adopting the Total Authorized Strength document, was the next matter before Council. City Manager Cox provided the following background information:

[This resolution provides direction to the City Manager for the hiring of City employees by adopting the Total Authorized Strength document. The document lists the number of employees by department.

The currently proposed authorized strength represents a reduction from last year's 103.85 (approved in Sept 2011), to the current 102.10 (approved in January 2012), and finally to the proposed 101.73 for the 2012-2013 budget year.]

A motion was made by Councilman Benzel, seconded by Councilman Seiler to approve Resolution No. 12-83 which follows in its entirety:

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RESOLUTION NO. 12-83

WHEREAS, The City of Alliance utilizes the Council-Manager form of government, in which the City Manager acts as the Chief Executive Officer for the City; and

WHEREAS, The City Manager, appointed by the City Council and serving at their pleasure, is responsible for planning, organizing, staffing, directing, coordinating, researching, and budgeting the operations of the City in order to implement Council policies in an efficient and effective manner; and

WHEREAS, To implement the policies of the City Council the City Manager has to be able to hire the necessary employees to fulfill the obligations of the City of Alliance to the citizens of Alliance; and

WHEREAS, The City of Alliance needs to account for, track and budget the expenditures for employees; and

WHEREAS, The budget is directly related to the number of employees that are authorized to be hired by the City of Alliance.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Alliance, Nebraska, that the City approve and adopt the "Total Authorized Strength" as follows:

General Fund			
<u>Administration</u>		<u>Fire</u>	
City Manager	1.00	Fire Chief	1.00
City Clerk	1.00	Firefighter/EMT	1.00
Executive Secretary	1.00	Temporary Wages (\$3,500)	
Administrative Secretary	0.50	Total	2.00
Total	3.50		
<u>Police Administration</u>		<u>Ambulance</u>	
Police Chief	1.00	Assistant Fire Chief	1.00
Police Lieutenant	1.00	Firefighter/EMT	1.00
Executive Secretary	1.00	Total	2.00
Total	3.00		
<u>Police Operations</u>		<u>Animal Control</u>	
Police Sergeants	4.00	Animal Control Officer	1.00
Police Officers I & II	12.00	Total	1.00
Total	16.00		
<u>Police Support Services</u>		<u>Facility Maintenance</u>	
Public Safety Dispatch Supervisor	1.00	Public Facilities Director	0.10
Public Safety Dispatchers	5.00	Facilities Maintenance Worker	1.00
Total	6.00	Total	1.10

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Code Enforcement & Nuisance Abatement

Building & Code Inspector	1.00
Total	1.00

Community Development

Administrative Secretary	1.00
Total	1.00

Cemetery

Cultural & Leisure Services Dir.	0.10
Administrative Secretary	0.04
Cemetery Maintenance Worker	1.00
Seasonal Wages (\$12,000)	
Total	1.14

Swimming Pool

Cultural & Leisure Services Dir.	0.10
Administrative Secretary	0.09
Seasonal Wages (\$55,000)	
Total	0.19

Parks

Cultural & Leisure Services Dir.	0.30
Administrative Secretary	0.24
Parks Foreman	1.00
Parks Maintenance Workers	3.75
Seasonal Wages (\$25,000)	
Total	5.29

Library

Cultural & Leisure Services Dir.	0.10
Administrative Secretary	0.08
Library Director	1.00
Librarians	
Children's/Youth Services	1.00
Outreach/Adult Services	0.80
Technical Services	1.00
Library Clerk	0.80
Library Pages	1.50
Total	6.28

Museums

Cultural & Leisure Services Dir.	0.35
Administrative Secretary	0.26
Museum Director	1.00
Museum Assession Clerk	0.75
Museum Collection Clerk	0.50
Museum Project Support Clerk	0.75
Cook	0.25
Total	3.86

Marketing

Tourism Director	1.00
Total	1.00

Total General Fund (Excl. Internal Services)	54.36
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General Fund-Internal Services**Finance**

Finance Director	1.00
Account Clerk III	1.00
Account Clerk II	2.00
Total	4.00

Personnel

Personnel Administrator	1.00
Administrative Secretary	0.50
Total	1.50

Technology

GIS Analyst	1.00
Total	1.00

Total Internal Services	6.50
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		Total General Fund and Internal Services	60.86
Enterprise Funds			
<u>Electric Administration</u>		<u>Refuse Collection</u>	
Electric Superintendent	0.70	Public Facilities Director	0.15
Administrative Secretary	0.34	Refuse Collection Drivers	2.00
Total	<u>1.04</u>	Total	<u>2.15</u>
<u>Electric Transmission</u>		<u>Refuse Disposal</u>	
Scada Management	1.00	Electric Superintendent	0.30
Seasonal Wages (\$4,000)	<u>1.00</u>	Landfill Supervisor	1.00
Total	<u>1.00</u>	Landfill Operator	1.00
<u>Electric Urban Distribution</u>		Landfill Baler Operator Clerk	<u>2.00</u>
Assistant Electric Superintendent	0.50	Total	4.30
Electric Line Crew Chief	0.55	<u>Sewer</u>	
Electric Service Crew Chief	0.70	Water and Sewer Superintendent	0.40
Line Technician First Class	0.55	Water/Sewer Maintenance Worker	<u>1.00</u>
Lineman Journeyman	1.10	Total	1.40
Electric Line Apprentice	1.10	<u>Water Distribution</u>	
Seasonal Wages (\$4,000)	<u>4.50</u>	Water and Sewer Superintendent	0.60
Total	<u>4.50</u>	Water Foreman	1.00
<u>Electric Rural Distribution</u>		Water/Sewer Mtc. Workers	3.00
Assistant Electric Superintendent	0.50	Administrative Secretary	<u>0.33</u>
Electric Line Crew Chief	0.45	Total	4.93
Electric Service Crew Chief	0.30	<u>Water Treatment</u>	
Line Technician First Class	0.45	Water/Sewer Maintenance Worker	<u>1.00</u>
Lineman Journeyman	0.90	Total	1.00
Electric Line Apprentice	0.90	Total Enterprise Funds (Excl. Internal Services) 23.82	
Seasonal Wages (\$5,000)	<u>3.50</u>		
Total	<u>3.50</u>		

Enterprise Fund-Internal Services			
<u>Utility Customer Service</u>		<u>Warehouse</u>	
Utilities Admin. Services Director	1.00	Inventory Purchasing Clerk	1.00
Computer Operator	1.00	Total	<u>1.00</u>
Customer Service Clerk I	<u>1.63</u>	Total Enterprise Internal Services 5.63	
Total	4.00		
<u>Meter Reading</u>			
Meter Readers	<u>1.00</u>		

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Total	1.00
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Total Enterprise Funds and Enterprise Internal Services	29.45
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Other Funds			
<u>Airport</u>		<u>Streets</u>	
Airport Manager	0.75	Public Facilities Director	0.75
Airport Maintenance Supt.	1.00	Street Foreman	1.00
Golf Course Maintenance Worker	0.20	Street Maintenance Workers	4.00
Total	1.95	Administrative Secretary	0.33
		Seasonal Wage (\$4,000)	
		Total	6.08
<u>Golf</u>			
Cultural & Leisure Services Dir.	0.05		
Administrative Secretary	0.04		
Golf Course Superintendent	1.00		
Golf Course Maintenance Worker	0.80		
Seasonal Wages (\$8,000)			
Pro Shop Seasonal Wages (\$14,000)			
Total	1.89		
		Total Other Funds	
		11.48	
		<u>Grand Totals</u>	
		General Fund	
		54.36	
		General Fund Internal Services	
		6.50	
		Enterprise Funds	
		29.45	
		Other Funds	
		11.42	
		Total	
		101.73	

BE IT FURTHER RESOLVED that the City Manager is authorized to hire employees for the City of Alliance as set forth in the "Total Authorized Strength."

Roll call vote for Resolution No. 12-83 with the following results:

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

Voting Nay: None.

Motion carried.

- The second reading of Ordinance No. 2715 was the next item before Council. This Ordinance will approve the Final Plat of Lots 2A and 3A, Block 1, Starlite Addition, a

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Subdivision of parts of Lots 2 and 3, Block 1, Starlite Addition to the City of Alliance, Box Butte County, Nebraska. City Manager Cox provided the following background information:

[At the 9/6 Council meeting, the Preliminary Plat was approved on third reading. At that same meeting, Council also approved the Ordinance on final reading to rezone the parcel of land that was purchased from Good Samaritan from RP3 (which is the equivalent of Single Family Residential) to C-3 Highway Commercial.

With that, the Final Plat has now been considered by Planning Commission. The Planning Commission has reviewed and is now recommending its approval. The following are the only four changes from the Preliminary to the Final Plat:

1. The easement for the sanitary sewer on the front of the lot has been continued to the west edge of the property line.
2. A 10 foot utility easement has been added to the east edge of the new property line to allow the city of Alliance to provide primary electric to the new store.
3. There has been a rededication of a portion of 7th street, 140 feet from the west property line to the east property line.
4. Dollar General has agreement to bring the front of the building and approximately 20 feet on the north and south sides.

In light of the fact that Dollar General has worked with us to accommodate our requests, and considering the relative small amount of changes from the Preliminary to the Final Plat, and finally due to the winter months quickly approaching and the company wishing to begin construction.]

A motion was made by Councilman Benzel, seconded by Councilman Lewis to approve the second reading of Ordinance No. 2715. City Clerk Jines read the Ordinance by title which follows in its entirety:

ORDINANCE NO. 2715

AN ORDINANCE APPROVING THE FINAL PLAT OF LOTS 2A AND 3A, BLOCK 1, STARLITE ADDITION, A SUBDIVISION OF PARTS OF LOTS 2 AND 3, BLOCK 1, STARLITE ADDITION TO THE CITY OF ALLIANCE, BOX BUTTE COUNTY, NEBRASKA.

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

SECTION 1. The City of Alliance has received the application for approval of the Final Plat of Lots 2A and 3A, Block 1, Starlite Addition, a Subdivision of parts of Lots 2 and 3, Block 1, Starlite Addition to the City of Alliance, Box Butte County, Nebraska from the Evangelical Lutheran Good Samaritan Society and Kenneth W. Staab.

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SECTION 2. The Planning Commission held a public hearing September 11, 2012, to consider the Final Plat, and after such hearing has recommended approval of the Final Plat.

SECTION 3. The City Council finds that all public improvements that are to be required at this time have been completed. No additional infrastructure or improvements are required at this time. No improvement guarantees are required.

SECTION 4. The City Council finds that the Final Plat contains the information required by Article 11-413 of the Alliance Municipal Code.

SECTION 5. The Final Plat of Lots 2A and 3A, Block 1, Starlite Addition, a Subdivision of parts of Lots 2 and 3, Block 1, Starlite Addition to the City of Alliance, Box Butte County, Nebraska, is hereby approved by the City of Alliance and shall be filed with the County Clerk as provided by city code and state law within 30 days of this approval. The plat map which has been prepared is a part of these proceedings and is attached hereto and is incorporated herein and made a part hereof by reference.

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

A motion was made by Councilman Lewis to waive the requirement for three readings on three separate dates for Ordinance No. 2716. The motion was seconded by Councilman Benzel.

Roll call vote to waive the three readings for Ordinance No. 2715 with the following results:

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

Voting Nay: None.

Five votes in favor of the motion have been received, that being more than three fourths of the Council present Mayor Feldges declared the motion passed.

Roll call vote on Ordinance No. 2715 with the following results:

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

Voting Nay: None.

Motion carried.

Mayor Feldges stated the passage and adoption of the ordinance was concurred by a majority of all members elected to Council, he declared it passed, adopted and ordered it published.

- The final reading of Ordinance No. 2713 was the next matter for Council's consideration. This ordinance will allow the City of Alliance to increase the City's sewer rates an additional 1%

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and provide for an automatic 1% annual adjustment. City Manager Cox provided the following background information:

[Last year, Council approved a provision for an annual 1% increase for Water, Solid Waste and Electric utilities. This year during our budget workshops, the matter of the 1% was addressed concerning Sewer Utility. Per those conversations, the proposed FY2012-2013 budget includes this 1% increase in the projected revenues.

Following is a summary of the current rates and the first year's 1% increase:

Urban (inside City limits) Customer Charge	\$3.25 per month	\$3.28 per month
Suburban (outside City limits) Customer Charge	\$3.58 per month	\$3.62 per month
Sewer Use Charge – Urban (per 100 ft ³ water)	\$0.924	\$0.933
Sewer Use Charge – Suburban (per 100 ft ³ water)	\$1.017	\$1.027

The measure puts into place effective October 1, 2013, an automatic 1% increase in Sewer Customer Charges and Sewer Use Charges.

For the aforementioned reasons, this Ordinance is submitted for consideration.]

A motion was made by Councilman Lewis, seconded by Councilman Seiler to approve the final reading of Ordinance No. 2713. City Clerk Jines read the Ordinance by title which follows in its entirety:

ORDINANCE NO. 2713

AN ORDINANCE OF THE CITY OF ALLIANCE, NEBRASKA AMENDING THE ALLIANCE MUNICIPAL CODE AT SECTION 4-504 REGARDING SEWER USE RATES, 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 owns and operates a municipal sanitary sewer system.

SECTION 2. The City Code provides that for the use of the A.M.S.S. (Alliance Municipal Sewer System) each user shall pay a monthly charge which shall be computed and based upon the users contribution of sewage to A.M.S.S., as set by the City Council.

SECTION 3. Sewer use rates were most recently increased in 2007.

SECTION 4. City Staff recommends an increase of customer charge and sewer use charge rates.

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SECTION 5. The Alliance Municipal Code, Chapter 4, Section 504, is hereby amended to provide as follows:

4-504. RATE SCHEDULE

The total sewer use charges shall consist of two (2) components: a Customer Charge and the Sewer Use Charge; whichever is greater:

1. Customer Charge
 - a. Urban \$3.28 per month
Each residential, commercial and industrial user connected to the sewer system within the corporate limits of the City of Alliance, Nebraska.
 - b. Suburban \$3.62 per month
Each residential, commercial and industrial user connected to the sewer system outside of the corporate limits of the City of Alliance, Nebraska.
 - c. Multiple Dwelling Units, Commercial Users, and Mobile Home Courts or Camps
 - (1) For multiple dwelling units or commercial users served jointly by a single meter, the charge shall be \$3.28 (Urban) or \$3.62 (Suburban) times the number of units served by said meter or the Sewer Use Charge, whichever is greater. For mobile home courts or camps, served jointly by a single meter, the charge shall be \$3.28 (Urban) or \$3.62 (Suburban) times the number of units deemed to be the capacity of the court or the Sewer Use Charge, whichever is greater.
 - (2) A dwelling unit shall, for the purposes of this schedule, be defined as a room or rooms in which kitchen facilities are provided, located in the building or structure used by a family as a home or residence of the family.
2. Sewer Use Charge
 - a. Urban \$0.933 per 100 cubic feet of water used per month
 - b. Suburban \$1.027 per 100 cubic feet of water used per month

Customers that do not have an established sewer use charge will be charged the average sewer charge of other like users.
3. Sanitary Sewer Tap Fee

In order to recover labor and materials for tapping of lines, a tap fee in the amount of \$200.00 shall be charged at the time the City main is tapped.

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Tap fees for lines greater than 4 inches will increase at \$50.00 per inch.

4. Minimum Charge per Month

- a. Regardless of how little water is used, there shall be a minimum Sewer Use Charge per month to each user of A.M.S.S., determined by the cost incurred in billing each sewer user, this Minimum Charge per Month is the Customer Charge.
- b. In the case when water service cannot be disconnected by customer request because of an inoperable or broken water curb stop, the minimum Sewer Use charge will be billed to the property owner. Billings continue until repair or replacement of the curb stop is made, the Utility Customer Service Office is notified of the remedy and the disconnection of water service has been accomplished. The Superintendent is directed to provide timely notice to the property owner of the condition that will lead to the minimum billing.

5. Customers Not Connected to A.M.W.S.

The Sewer Use Charge per month for users connected to A.M.S.S. but not connected to A.M.W.S. shall be the average charge of other like users.

6. Exception to Standard Calculation Methods.

- a. When customers change at a given location and A.M.S.S. determines that to compute the Sewer Use Charge for a billing period upon the amount of water used by a customer would be inequitable to the City or the user, an average charge of other like users may be used.
- b. If a customer can demonstrate to A.M.S.S. that a substantial portion of water consumed does not contribute to the sanitary sewer system then that water may be excluded from the Sewer Use Charge Calculation.

Generally, water contributing to the sanitary sewer is metered by the customer separately from other water uses. The configuration must be approved by A.M.S.S. before installation.

All meters must conform to the standard found at 4-505 of the City Code, and may be tested by A.M.S.S. if deemed necessary, at the customer's cost. It shall be the customer's responsibility, or the owner's responsibility, if the owner is not also the customer, to maintain the meter in good repair and safe working order.

7. Inspection Charge

As agreed to prior to issuance of permit.

8. Annual Rate Adjustment

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Commencing October 1, 2013 and annually thereafter all sewer customer charges and sewer use rates shall be automatically increased by one percent (1%) for all customers.

SECTION 6. The new rates shall become effective at the next billing cycle following the effective date of this ordinance.

SECTION 7. That current applicable City Codes of the City of Alliance, Nebraska, and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 8. 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. 2713 on final reading with the following results:

Voting Aye: Seiler, Yeager, Lewis, Feldges.

Voting Nay: Benzel.

Motion carried.

Mayor Feldges stated the passage and adoption of the ordinance was concurred by a majority of all members elected to Council, he declared it passed, adopted and ordered it published.

- A Board appointment and resignation were the final items for Council's consideration.

Motion by Councilman Seiler, seconded by Councilman Benzel to approve the appointment of Richard Otto to the A-1 Downtown Improvement Board for a term expiring October 31, 2013.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

Motion by Councilman Seiler, seconded by Councilman Benzel to accept the resignation of Dan Carlson from the Police Advisory Board.

Roll call vote with the following results:

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

October 4, 2012

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 8:07 p.m.”

(SEAL)

Fred Feldges, Mayor

Linda S. Jines, City Clerk