

## ALLIANCE CITY COUNCIL

REGULAR MEETING, THURSDAY, MAY 16, 2013

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

The Alliance City Council met in a Regular Meeting, May 16, 2013 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 9, 2013. The notice stated the date, hour and place of the meeting, that the meeting was open to the public, and that an agenda of the meeting, kept continuously current, was available for public inspection at the office of the City Clerk in City Hall; provided the Council could modify the agenda at the meeting if it determined an emergency so required. A similar notice, together with a copy of the agenda, also had been delivered to each of the City Council Members. An agenda, kept continuously current, was available for public inspection at the office of the City Clerk during regular business hours from the publication of the notice to the time of the meeting.

Mayor Feldges opened the May 16, 2013 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 the agenda was the Consent Calendar. Councilman Benzel made a motion, which was seconded by Councilman Lewis to approve the Consent Calendar as follows:

### CONSENT CALENDAR – MAY 16, 2013

1. Approval: Minutes of the Regular Meeting, May 2, 2013.
2. Approval: Payroll and Employer Taxes for the period April 13, 2013 through April 26, 2013 inclusive: \$168,704.91 and \$11,826.41 respectively.
3. Approval: Claims against the following funds for the period April 25, 2013 through May 9, 2013: 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; \$332,962.62.
4. Approval: Capital Budget Transfer Request in the amount of \$5,000.00 from 41-31-31-59-970 (APD/SO parking lot) to 01-31-31-45-541 (office furniture/equipment). This

transfer will allow the purchase of furniture for the dispatch communication center to complete the renovation.

5. Approval: The Fraternal Order of Eagles is requesting a Special Designated Liquor License to hold a beer garden as part of the Heritage Days Celebration and will be serving beer, wine and distilled spirits. The location is 324 Box Butte Avenue which is the vacant lot owned by Rich Otto. The event will be held July 18-20, 2013. Securing the area will be accomplished with the use of cattle panels, wrist bands will be used for all adults, and no minors will be allowed within the area.
6. Approval: The Alliance Jaycees are requesting a Special Designated Liquor License to hold a beer garden as part of the Heritage Days Celebration and will be serving beer. The location is proposed for the Ken and Dale's Restaurant parking lot at 123 East 3<sup>rd</sup> Street. The event will be held Thursday, July 18-20, 2013. Securing the area will be accomplished with the use of cattle panels, wrist bands will be used for all adults, and no minors will be allowed within the area.
7. Approval: The *Request for Reserved or Exclusive Use of City Streets* of the Cattle Capital Shrine Club for the closure of 14<sup>th</sup> Street between Box Butte and Sweetwater Avenues starting at 8:00 p.m. Saturday, June 1<sup>st</sup> and ending at 8:00 a.m. Monday, June 3<sup>rd</sup>. The Club will be hosting their annual circus and the street will be used to unload & load the circus and to house animals on the south side of the street, with the north side of the street available for emergency vehicle access only. A Certificate of Insurance naming the City of Alliance additional insured has been provided.
8. Approval: The *Request for Reserved or Exclusive Use of City Streets* of the Alliance Chamber of Commerce for Heritage Days 2013 scheduled for July 16<sup>th</sup> through the 21<sup>st</sup>. This year's requests are similar to last year. The Chamber is requesting the closure of 1<sup>st</sup> Street between Box Butte and Laramie Avenues instead of BNSF. Approval of the use of the vacant lots in the 100 block of Box Butte Avenue is contingent upon the City still owning the property and the Chamber is aware of this fact. Proof of liability insurance is required as part of the authorization. A listing of all of the requests are as follows:

Use of City streets for 5k and 10k runs, along the routes shown on the attached map. No closures. Saturday, July 20, 2013.

Closure of involved streets for Heritage Days Annual Parade - 600 Block of Black Hills Avenue, south to Third Street, east to Mississippi - 9 a.m. July 20, 2013 until completion of parade. The City will be required to complete an Application for Special Event Permit with the Nebraska Department of Roads.

Closure of Box Butte Avenue and exclusive use of parking lot at 4<sup>th</sup> Street and Niobrara Avenue for Carnival and Vendor area. Box Butte Avenue 300, 400, and 500 Blocks, Lots 1, 2, 3, Block 15, Original Town (the parking lot at 4<sup>th</sup> Street and Niobrara Avenue.) Closure beginning 12:01 a.m. July 16, 2013 for all except the 300 Block of Box Butte, which will close at 3:00 p.m. on July 16, 2013. Closures extend to undetermined time on Sunday, July 21<sup>st</sup>.

Exclusive use of the East half of Block 28, Original Town (the lots on the West side of Box Butte Avenue between First and Second Streets), for YMCA sand volleyball and BNSF activities; there will also be parking of campers. The lot will be used between July 17-20, 2013. The closure of 1<sup>st</sup> Street between Box Butte and Laramie Avenues to accommodate the pedestrian traffic flow for the BNSF feed on July 19 and 20, 2013.

Street use restriction, 4<sup>th</sup> Street from Laramie Avenue to Niobrara Avenue. Use restricted to emergency and postal vehicles from 5:00 p.m. July 17, 2013 through Saturday, July 20, 2013 at 12:00 midnight. Police escorts are required for postal trucks arriving between 8:30 p.m. and 9:00 p.m.

Closure of the 200 Block of Box Butte Avenue. Closure from Wednesday, July 17, 2013 at noon until Saturday, July 20<sup>th</sup> at midnight.

Exclusive use of Blocks 1 and 4, Box Butte Addition, east of Snake Creek Trail between 10<sup>th</sup> and 12<sup>th</sup> Streets on Tuesday, July 16, 2013 between 3:00 p.m. and 9:00 p.m. for Heritage Days Family Night activities.

One-way traffic modifications:

- Niobrara Avenue: Use is restricted to north bound one-way traffic only between the hours of 3:00 p.m. and 9:00 p.m., on Tuesday, July 16, 2013, between 10<sup>th</sup> and 12<sup>th</sup> Streets.
- Sweetwater Avenue: Use is restricted to south bound one-way traffic only between the hours of 3:00 p.m. and 9:00 p.m., on Tuesday, July 16, 2013, between 10<sup>th</sup> and 14<sup>th</sup> Streets.
- 12<sup>th</sup> Street - Use is restricted to east bound one-way traffic only between the hours of 3:00 p.m. and 9:00 p.m., on Tuesday, July 16, 2013, between Niobrara and Sweetwater.

9. Approval: Resolution No. 13-53 accepting a donation from the Alliance Old Timers for a new scoreboard at Sudman Ballfield.
10. Approval: Resolution No. 13-54 accepting a donation from the Lions' Club for a new piece of playground equipment, a tire swing for the Lions' Park.
11. Approval: Resolution No. 13-55 accepting a donation for the refurbishing of the tournament scoreboard at Sky View Golf Course in memory of Dick Bauer from group of golfers.
12. Approval: Resolution No. 13-56 authorizing the hiring of Cali Cox, the daughter of City Manager J.D. Cox as a Cashier at Big Blue Bay for the 2013 summer season.
13. Approval: Resolution No. 13-57 authorizing an amendment to the Independent Contractor Agreement for Golf Course Golf Professional to change Section III. D. stating temporary employees will be hired and employed by the Golf Professional Doug Dietrich with the City of Alliance contributing \$5,000.00 towards those services.
14. Approval: The issuance of the following Cemetery Certificates:

To Linda S. Shannon the South Half (S1/2) of the Northwest Quarter (NW1/4) Lot Seven (7), Section Five (5), Block Three (3), Original Plat to the Alliance Cemetery.

To Paul and Brenda Schnell the Southwest Quarter (SW1/4) Lot Seven (7), Section Five (5), Block Three (3), Original Plat to the Alliance Cemetery.

15. Approval: To issue the following contractor licenses:

General Contractor	Javier Corona Sr. dba Corona & Sons Construction John Urwin dba Urwin Enterprises Shaun Houchin dba Clau-Chin Construction Ken Wood dba K.L. Wood & Co. Tim Overshiner dba Overshiner Roofing
Repair & Maintenance Contractor	John A. Powers dba Rhino Linings of Alliance Ryan Reynolds dba IX Design Builders Nick Hubbell dba Hubbell Masonary Travis Walker dba Walker Construction
Master Plumber	Ken Wood dba K.L. Wood & Co.
Gas Fitter	Ken Wood dba K.L. Wood & Co. Scott Diehl dba Metal Products Company
Master HVAC	Scott Diehl dba Metal Products Company
Limited & Specialty	Travis Walker dba Walker Construction Virgil Kohler dba Kohler Underground Sprinklers

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.

- The next agenda item was the City Manager's Report which follows in outline form.

1. Electric –

A. 10-minute Outage (5/15 @ approx 3:50 pm)

- Caused when reconnecting feeder at CODY
- All but one circuit reconnected
- When reconnecting last circuit – caused feeder to trip out

- B. WAPA Bypass
    - Current Year Budget: \$ 500,000
    - Received study options back:
      - Option 1: \$ 550,000
      - Option 2: \$ 675,000
      - Option 3: \$1,750,000
      - Option 4: \$2,750,000
2. Heartland Expressway Meeting on 5/15
    - A. \$30 Million Federal Set aside to be used on Heartland
    - B. NDOR (??Position??) Randy Eldorado
      - 20-Year Plan in Place
      - Four 5-Year Phases
      - First Phase: Alliance to L62A
      - Construction Scheduled: 2016-2019
      -
  3. Airport –
    - A. Working on SEAT Base
    - B. HVAC installed and operational
  4. Streets – Crack Sealing Work
  5. C&LS
    - A. Sudman Repair Turf Sod work
    - B. Wiggley Field
      - Irrigation Installed
    - C. Bower Park Task Force
      - Meetings: Staff, Parks Board, Task Force
    - D. Golf Course
      - Burying of electric line for HVAC System - Complete
    - E. Pool
      - Filling & Working
    - F. Fountain
      - Started working
      - Hoping to have up running (weather & equipment permitting) by next week
- Council heard a presentation from Phil Euler, Manager of Engineering Services for NMPP Energy regarding the results and recommendation of the Electric Rate Study. The following is a summary of the findings and recommendations made by Mr. Euler:

[The ensure costs are fairly recovered from customer classes the Council is asked to consider the following recommendations:

1. Adopt the general program of rates.

- The current one-cent PCA represents a 12.0% increase on a 12 month basis of the October, 2012 rate. The PCA will remain in effect through September 30, 2013.
  - Consider the proposed 12.2% revenue increase that incorporates the current \$0.01/kWh PCA in the base rate to be effective October 1, 2013 and a second 12.2% effective April 1, 2014.
  - The proposed rates are designed with plus or minus 5.0% change from the 12.2% system average to allow class revenues to move toward COS. This is a 12.2% increase to the base rate put in place in October, 2012 including one cent/KWh PCA added in January, 2013.
  - A summary of class by class changes in revenues and typical bill impacts for different usage levels is attached.
  - Consider establishing the proposed Street Light Rate schedule proposed to bill the customers for this service effective with the October 1, 2013 rates.
  - Consider borrowing at least \$1.0 million to bring the Cash Balance to above the “must have” cash reserves of \$2.1 million.
  - These rate adjustments will move classes closer to a more fair and equitable recovery of costs.
  - Retain a PCA clause in the Rate Ordinance such that the Council can invoke it in case of significant revenue changes that are necessary because of substantial increases in the cost of power or other fiscal emergency that is estimated to be greater than a 10% deviation in a fiscal year power cost budgeted. For example this is approximately \$743,000 in power cost deviation from 2013’s budget.
  - Consider directing staff to change the measurement of demand for irrigation accounts from horse power (HP) to kilo-Watts (kW) that is measured by the same type of meter used to measure demand for other business and industrial customers on the general service demand rates. The process of using irrigation motor HP size as proxy for kW load imposed on the utility is outmoded and inaccurate. The properly meter accounts is about and use demands for allocation of cost responsibility and billing.
2. Rate changes should be reviewed every other year and adjusted as necessary to recover higher or lower than assumed revenue, load and cost escalations. Rate adjustments for FYE 2013 and 2014 can be designed by NMPP Energy as part of a renewed four-year Cost of Service and Rate Design Study and Service Agreement. This will continue the process of bringing classes closer to their actual cost of service, maintaining net operating income of at least 4.0-9.0% of plant investment, and retaining a minimum cash reserve as determined by the Cash Reserve Policy.]
- The next matter before Council was a presentation from Western Heritage Credit Union informing Council of their plans with regard to the purchase of the City lots in the 100 block of Box Butte Avenue.

Mayor Feldges announced that he has a conflict of interest on this item as he is the Chairman of the Supervisory Committee to Western Heritage Credit Union.

Vice Mayor Seiler provided some history regarding the bidding process for the lots owned by the City of Alliance in the 100 block of Box Butte Avenue. Council requested to seek some additional input from Western Heritage Credit Union prior to preparing a Purchase Agreement.

Rebecca Reed the President and CEO of Western Heritage Credit Union appeared before Council and informed them that credit unions are a financial cooperative and have different regulations than banks. Credit unions are not allowed to borrow funds for construction projects. Western Heritage Credit Union needs to expand the size of their Alliance facility. In March, 2013 they opened their new facility in Scottsbluff which consisted of a two story, 10,000 sq. ft. facility with a four lane drive-up. Ms. Reed stated the lots owned by the City are being purchased to begin a similar project in Alliance which she believes will be constructed in a three to five year time frame.

Steve Kloch, 1624 Emerson Avenue addressed Council and asked why they need to know the plans of Western Heritage Credit Union.

Vice Mayor Seiler thanked Ms. Reed for her presentation and restated the Council's excitement for the planned construction in the 100 block of Box Butte Avenue.

- The second reading of Ordinance No. 2725 was the next agenda item before Council. This ordinance will authorize the rezoning request of Virgil and Geraldine Blakeman to rezone a one-acre parcel on the west side of Ramblin Road several hundred feet north of East 6<sup>th</sup> Street from R-4 (Residential Mobile Home Park) to M-1 (Light Industrial). The following background information was provided to Council:

**[PROPOSAL:** Virgil & Geraldine Blakeman are requesting to rezone property to M-1 Light Industrial from R-4, Residential Mobile Home Park.

**LOCATION:** The property is a proposed one acre parcel on the west side of Ramblin Road several hundred feet north of East Sixth Street. If the rezone is approved the property would need to be subdivided from a parcel of approximately 4.7 acres in size in the NW ¼ NW ¼ of Section 35, T25N, R48W.

**ANALYSIS:** The remainder of the parcel would remain R-4 with the existing mobile home park about 200 feet to the west. Properties to the north and to the south are zoned C-3 Highway Commercial and are undeveloped. Property to the east is zoned R-1 Single Family Residential with established homes and property to the northeast is zoned M-2. The subject property is undeveloped.

The purpose of the rezone is to erect a storage building. As there is already M-2 property essentially adjacent to the property, it is reasonable to consider M District zoning. The area is already a mixture of zoning and land uses. The Comprehensive Plan does not designate future zoning within the City limits so provides limited guidance in this matter.

Access to the property would be from Ramblin Road. The bigger concern might be the requirements to subdivide. Although there is access to sewer and water by running lines across the applicants' property and creating easements, the subdivision regulations might trigger onerous infrastructure requirements unless they are waived or placed on a hold through an "Agreement" to not protest future development costs. Of particular concern in regards to the subdivision regulations is that the public right-of-way that runs along the south side of the greater parcel as a future East Sixth Street does not have a constructed road or sidewalks, etc.

If approved, the rezone will only become effective upon the filing of an approved Plat. The approval should also limit the rezone to the one acre, plus or minus, as noted in the rezone request.

**FEEDBACK:**

The few written responses include one in support, one disinterested and one in objection due to the proximity of single-family residences and residential zoning, noting concerns about adverse effect on property values. No objections were voiced at the Planning Commission meeting. There were no concerns to the rezone request raised by City Departments.

**PLANNING COMMISSION RECOMMENDATION:**

The Planning Commission met on April 16 to conduct a public hearing and to consider the matter. After hearing the testimony, the Planning Commission voted unanimously to recommend approval of the request to rezone to M-1 Light Industrial from R-4 Residential Mobile Home Park approximately one acre of land in the northeast corner of the existing parcel located in part of the NW ¼ NW ¼ of Section 35, T25N, R48W. The rezone is contingent upon the filing of an approved Plat for said acreage and not effective until such time.

**FINDINGS OF FACT:**

1. There is M-2 Heavy Industrial zoning immediately to the northeast and C-3 Highway Commercial zoning to the north and south;
2. The area is already a mixture of land uses and zoning;
3. There are no voiced objections and only one written objection, and the objecting party is not adjacent to the portion of the parcel proposed for rezoning.]

A motion was made by Councilman Benzel, seconded by Councilman Lewis to approve the second reading of Ordinance No. 2725 which follows in its entirety:

**ORDINANCE NO. 2725**

**AN ORDINANCE OF THE CITY OF ALLIANCE, NEBRASKA, DEALING WITH ZONING, SETTING FORTH CONDITIONS FOR PASSAGE, AND AMENDING THE DISTRICT ZONING MAP TO SHOW THAT A ONE ACRE TRACT OF LAND ON THE**

WEST SIDE OF RAMBLIN ROAD, SEVERAL HUNDRED FEET NORTH OF EAST 6<sup>TH</sup> STREET WHICH IS A PART OF THE NW1/4 OF THE NW1/4 OF SECTION 35, TOWNSHIP 25 NORTH, RANGE 48 WEST OF THE 6<sup>TH</sup> P.M., BOX BUTTE COUNTY, NEBRASKA, IS NOW INCLUDED AS A M-1 – LIGHT INDUSTRIAL DISTRICT FROM A R-4 - RESIDENTIAL MOBILE HOME PARK DISTRICT, AND REPEALING PRIOR SECTIONS.

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

SECTION 1. Section 115-76 of the Alliance Municipal Code is amended to provide as follows:

#### 115-76. DISTRICT MAP ADOPTED

Boundaries of the districts, as enumerated in section 115-75 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 \_\_\_\_\_, 2013, is now the official Zoning District Map.

SECTION 2. Previously existing Section 115-76, 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; and the filing and approval of a Final Plat for said property within one year of the passage of this ordinance.

City Manager Cox asked Mr. Blakeman when he anticipated having either the Preliminary or Final Plat ready for consideration by the Planning Commission. Mr. Blakeman responded he was not aware of the process. City Manager Cox recommended to Council that the third reading of this ordinance be held in conjunction with the approval of the Final Plat for this parcel of land.

Roll call vote for the second reading of Ordinance No. 2725 with the following results:

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

Voting Nay: None.

Motion carried.

- The next agenda item was Resolution No. 13-58 authorizing staff to establish a special golf day to encourage increased membership at Sky View Golf Course. The following background information was provided for Council's consideration:

[The men's and ladies' golf associations would like the ability to plan an event at the SkyView Golf Course that would introduce potential golfers to the game. The associations are requesting that green fees be waived for one day for each of the associations during the 2012 season to allow new golfers to golf with current members. The hope is that these events will encourage additional residents to golf and thereby increase future Course usage (including new memberships and additional paid rounds).

As a condition of allowing waived fees, both associations will be asked to provide follow-up reports regarding the number of waived rounds and the new memberships and additional rounds as a direct result of these planned events. City staff is in support of these events in an effort to increase future play at the City golf course.]

A motion was made by Councilman Lewis, seconded by Councilman Seiler to approve Resolution No. 13-58.

Councilman Benzel made a motion which was seconded by Councilman Lewis to amend the last paragraph of Resolution No. 13-58 to read as follows: "*NOW, THEREFORE, BE IT RESOLVED* by the Mayor and City Council of the City of Alliance, Nebraska, that the Panhandle Men's Club and the Ladies' Association are granted permission to establish one special golf day per year where a member of the respective groups can invite one guest and the green fees for that guest will be waived."

Roll call vote to amend Resolution No. 13-58 with the following results:

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

Voting Nay: None.

Motion carried.

#### AMENDED RESOLUTION NO. 13-58

*WHEREAS*, The City of Alliance owns the Alliance Municipal Golf Course; and

*WHEREAS*, The Panhandle Men's Club and the Ladies' Association have requested permission to establish a special golf day where a member of the respective groups can invite

one guest and the green fees for that guest will be waived on the designated dates for each group; and

*WHEREAS*, The desire is to find ways to encourage increased membership at the golf course and to better utilize the golf course; and

*WHEREAS*, The City Council finds that encouraging membership in the Alliance Municipal Golf Course is beneficial to the City of Alliance.

*NOW, THEREFORE, BE IT RESOLVED* by the Mayor and City Council of the City of Alliance, Nebraska, that the Panhandle Men's Club and the Ladies' Association are granted permission to establish one special golf day per year where a member of the respective groups can invite one guest and the green fees for that guest will be waived.

Roll call vote on amended Resolution No. 13-58 with the following results:

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

Voting Nay: None.

Motion carried.

- Resolution No. 13-59 authorizing Council to adjust date and/or time of future City Council meetings due to potential conflict was the next matter before Council.

Council members were provided with a blank resolution in order for Council to make meeting date and/or time adjustments if desired.

A motion was made by Councilman Lewis, seconded by Councilman Benzel to approve Resolution No. 13-59 which follows in its entirety:

#### RESOLUTION NO. 13-59

*WHEREAS*, The City Council, pursuant to Nebraska Statute and Section 2-25 of the Alliance Municipal Code, has the authority to establish a calendar of regular meeting dates; and

*WHEREAS*, The City Council has the authority, by resolution adopted not less than one week prior thereto, to change its regular date; and

*WHEREAS*, Due to scheduling conflicts the Council desires to change the date and/or time for their normal meeting(s) on June 6, 20, July 25, August 8 and 22, 2013.

*NOW THEREFORE BE IT RESOLVED*, By the Mayor and Council of the City of Alliance, Nebraska, that the regular meeting(s) of the Alliance City Council are rescheduled as follows:

June 6, 2013 at 7:00 p.m.	to	June 13, 2013 at 8:00 a.m.
June 20, 2013 at 7:00 p.m.	to	June 24, 2013 at 7:00 p.m.

July 25, 2013 at 7:00 p.m.	to	July 25, 2013 at 8:00 a.m.
August 8, 2013 at 7:00 p.m.	to	August 6, 2013 at 7:00 p.m.
August 22, 2013 at 7:00 p.m.	to	August 21, 2013 at 7:00 a.m.

Roll call vote on Resolution No. 13-59 with the following results:

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

Voting Nay: None.

Motion carried.

- The next agenda item was the request of staff that Council select a date to conduct a Community Forum for Strategic Planning.

A motion was made by Mayor Feldges, which was seconded by Councilman Lewis to set the date for the Community Forum for Strategic Planning as June 10, 2013 at 6:00 p.m. The Community Forum will be held at the Performing Arts Center.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

- A discussion on a number of topics relating to the Community Development Department's current practices was conducted by Council. City Manager Cox provided the following background information:

[The Community Development Department has identified a number of discussion topics relating to current practices regarding the interpretation and enforcement of the Municipal Codes. Following are the topics presented in detail in the attachments to this narrative:

- Establish limits for owner construction and improvements including sidewalks and patios; sheds, garages and carports; plumbing and electrical; and additions or complete construction.
- Standards for garages, storage sheds and pole or metal buildings located lots within the City.
- Desired action for noncompliance with permit fee payment and contractor licensing.
- Clarification of the requirements by State statute for professional design services and reasonable implementation.
- Appropriate number of inspections for small projects and roofing jobs.

The Planning Commission will act at future meetings upon the suggestions provided by the Council.]

Jack Baker of Baker and Associates, the City's contracted company to provide building inspections and oversight ran through the items to be discussed with Council which included: small project inspections and roof inspections; enforcement of non-compliance of permit fees and additional fees; enforcement of non-compliance of contractor licensing; storage sheds; police building and metal buildings; increased engineering and architectural requirements; allowing homeowners to construct their own home or complete major improvements; and what requires a building permit. Following Mr. Baker's overview the following individuals addressed Council.

Shelbi Matthews, Administrative Secretary for the Community Development Department provided details regarding the procedure for contractor licensing testing.

Josh Carr, 312 Margaret Drive addressed Council as a former Planning Commission Member and addressed garage issues.

Sam Rodriguez, 1243 Toluca Avenue informed Council there are currently three types of garages in his neighborhood and he believes he is now being held to a higher standard.

Art Crawford, 1419 Cheyenne Avenue stated he should have choices available to him for the construction of a garage. He lives by the high school and there are several metal garage structures in the vicinity.

Willy Smith, 623 East 3<sup>rd</sup> Street questioned Council regarding the enforcement practices which are currently being utilized by staff. He stated his belief that they are heavy handed.

Jonnie Kusek, 623 East 3<sup>rd</sup> Street also addressed Council on enforcement practices.

Following the discussion, City Manager Cox reviewed the items discussed and the actions, if any which will be taken.

- Small project inspections and roofing inspections – continue the current practice.
- Enforcement of non-compliance of permit fees and additional fees – continue the current practice and be consistent.
- Enforcement of non-compliance of contractor licensing – continue the current practice and be consistent.
- Storage sheds – continue current practice; however have the Planning Commission review the number of sheds allowed and possibly require Zoning Permits for those less than 150 sq. ft.

- Pole buildings and metal buildings – continue current practice, and consider exemptions for animals or storage uses.
  - Increased engineering and architectural requirements – no additional action is necessary.
  - Allowing homeowners to construct their own home or complete major improvements
    - a. staff was requested to do more research and bring this item back to Council for consideration;
    - b. consider requiring owner to sign acknowledgement prior to issuing building permit.
  - What requires a building permit – continue the current practice and promote the distribution of the handout which was prepared for the Contractor’s Open House.
  - Garages and carports
    - a. review the changes which were recently made by Council and ensure they are correct within the Municipal Code. (Ordinance Nos. 2697 and 2695)
    - b. address attached garages and carports
    - c. metal carports, intent remains to not allow – continue current practice
    - d. should there be different standards for neighborhoods with other non-conforming garages and carports – no, continue current practice.
  - Other action – upload new Municipal Code onto website.
- The final agenda item before Council was Board vacancy announcements.

Councilman Seiler announced the City still has vacancies on the Board of Adjustment, Economic Development Plan Application Review and Citizen Advisory Boards, Community Garden Board, and Planning Commission. Anyone interested in serving on these Boards should contact the City Clerk’s Office. Information on all of the City Boards is also available on our web site, [www.cityofalliance.net](http://www.cityofalliance.net).

- Mayor Feldges stated, “there being no further business to come before the Alliance City Council, the meeting is adjourned at 10:28 p.m.”

(SEAL)

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Fred Feldges, Mayor

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Linda Jines, City Clerk