

September 4, 2013

ALLIANCE CITY COUNCIL

REGULAR MEETING, WEDNESDAY, SEPTEMBER 4, 2013

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

The Alliance City Council met in a Regular Meeting, September 4, 2013 at 7:00 p.m. at the Knight Museum and Sandhills Center, 908 Yellowstone Avenue. A notice of meeting was published in the Alliance Times Herald on August 28, 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 September 4, 2013 Regular Meeting of the Alliance, Nebraska City Council at 7:04 p.m. Present were Mayor Feldges, Council Members Benzal, Lewis, and Yeager. Also present were City Manager Cox, City Attorney Olsen, and City Clerk Jines.

- Mayor Feldges read the Open Meetings Act Announcement.
- Mayor Feldges announced that Councilman Seiler was not able to attend the meeting due to a prior engagement. A motion was made by Councilman Benzal, which was seconded by Councilman Lewis to excuse the absence of Councilman Seiler.

Roll call vote with the following results:

Voting Aye: Benzal, Lewis, Feldges, Yeager.

Voting Nay: None.

- The first agenda item was the Consent Calendar. Councilman Benzal made a motion, which was seconded by Councilman Lewis to approve the Consent Calendar as follows:

CONSENT CALENDAR – SEPTEMBER 4, 2013

1. Approval: Minutes of the Regular Meeting, August 21, 2013.

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2. Approval: Payroll and Employer Taxes for the period August 3, 2013 through August 16, 2013 inclusive: \$182,839.59 and \$12,974.83 respectively.
3. Approval: Claims against the following funds for the period August 15, 2013 through August 29, 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; \$1,329,409.93.
4. Approval: Updating the roster of the Alliance Volunteer Fire Department by adding Ryan Rosin.
5. Approval: A transfer within the Electric Department from Operations Account No. 05-51-53-45-534 (Safety) to Capital Account No. 05-51-53-59-950 (Capital Outlay) in the amount of \$5,300. This is for the recently purchased 2013 Wesco Flat Bed Trailer.
6. Approval: Entering into Advertising Sign Leases with the following business for the sign located on Highway 2 and the turn off to the Airport:

Alliance Chamber of Commerce	\$ 75.00	Half panel
Sandhills Drive-in	75.00	Half panel
WESTCO	150.00	Full panel
Preferred Ag Aviation	150.00	Full panel
Heartland Aviation	150.00	Full panel
7. Approval: Resolution No. 13-86 authorizing the purchase of an Automated Electric Meter Test System from WECO of Pearl, MS in the amount of \$32,262.50, which includes the optional service plan and training. This specialized equipment is to replace the test system that failed approximately one year ago. In researching whether to repair or replace the existing system, it quickly became apparent that it was financially prudent to replace the system.
8. Approval: Issuance of a Cemetery Certificate to Linda Leisy for the Northwest Quarter (NW1/4) Lot Eight (8), Section Three (3), Block Two (2), Original Plat to the Alliance Cemetery.
9. Approval and Authorization: Issuance of the following Contractor Licenses:

General Contractor	Roger Osland dba Construction Plus, Inc. Freddie Serda dba L/S Construction
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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, Yeager.

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Voting Nay: None.

Motion carried.

- The next item on the agenda was the Autumn on the Bricks Presentation which included the approval of Resolution Nos. 13-91, 13-92, and 13-93. The following background information was provided to Council:

[This year marks the first annual Autumn on the Bricks Festival in Alliance. The holding of the October 11-12 celebration will mark the culmination of a year's worth of planning, organizing and hard work by a host of folks from throughout the community.

My wife Tonya and I are happy to serve as the Generalissimos for this new and exciting event.

Originally conceived as a way to augment and enhance the already existing homecoming event, it was thought that we could have a way to add to that experience and provide a way for even more alumni to return to their home – the Best Hometown in America – for a great weekend of fun and camaraderie with friends and family.

You will notice that extra care was taken to have a Fall event that celebrates many of the wonderful things that make Alliance special. Although AOTB honors all aspects of Alliance, each year the festival will pay special tribute to one particular area of agriculture or rail.

The potato crop was chosen for this inaugural year. Potatoes have played a tremendous role in the history of Alliance. In fact, along the way, Alliance was known as the “Potato Capitol” and was the #1 crop for many years. The school newspaper was named “The Spud.” At the very beginning, our Alliance High School football team was even known as the “Spudpickers,” before later being changed to the Bulldogs. In fact, in the history of Box Butte County, potatoes were first mentioned crop being successful in 1888. Gary Leever of Western Potato has been instrumental in our efforts with the potato industry for this year and all of his and his company's assistance is very much appreciated!

No doubt you will probably also notice that we went to great lengths to ensure that this event did not infringe upon the already very successful Heritage Days held in July. With just a couple of minor exceptions, the whole look and feel of the event is tailored toward Fall and our crops.

We wished for Autumn on the Bricks to endure and as a result, we believed it was necessary to formulate it so as to year after year invigorate the festival with new blood as well as new and creative ideas. So, instead of having honorary grand marshals, Autumn on the Bricks has Generalissimos. A generalissimo is a

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working leadership position that provides oversight of the entirety of efforts involved during the year of planning to arrive at this wonderful October event. The idea is that folks who serve on the AOTB in different capacities over the years learning and helping and eventually work their way into the role of Generalissimos and are honored then for their years of work with the festival. We could not be more pleased, than to help get this event kicked off serving as your Generalissimos for this first year.

Highlights

Friday -

- *Homecoming on the Bricks Parade*
- *Tator Tot Kiddie Pageant*
- *APS Foundation Tailgate*
- *Homecoming Football Game*
- *Post Game Party*

SATURDAY

- *All Day Entertainment on the Bricks (10 AM to Midnight) at 4th & Box Butte*
- *Beer Garden (10 AM to Midnight) by Jaycees at Lot at 4th & Box Butte*
- *Specialty Food Vendors (300 Block of Box Butte)*
- *Train & Information Station North (4th & Box Butte) and South (6th & Box Butte)*

Kids' Activities & Games (400 and 500 Block of Box Butte)

- *Inflatable/Bouncy Attractions*
- *Historic Kids Games*
- *Stick Horse Race*
- *Roping Calf*
- *Milking Cow*
- *Petting Zoo*
- *Mini Max Train*
- *Basketball on the Bricks*
- *Chalk-a-thon*
- *Flix on the Bricks (Special Alliance Theatre Showing) & possible Drive-In Movie*

Family Interests~

- *Community Breakfast (7-10 AM @ Methodist Church)*
- *5K Run/Walk*
- *Farmers' Market (Methodist Church)*
- *Fiber Arts Fair (300 Block Box Butte)*
- *Flea Market (300 Block Box Butte)*
- *Vault Tours (300 Block Box Butte)*
- *Home-based Business Show (300 Block Box Butte)*

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- Potato Peeling Contest (Jaly's Steakhouse)

Other Fun Stuff~

- Potato Gun Shoot (offsite at Western Potato property)
- Paint merchants windows
- Decorate Downtown
- Hang banners decorated by all Alliance students downtown

Requests

For the parade, the traditional route on Box Butte will be enhanced from the Alliance High School to 1st Street.

For the Saturday event, the request is to close:

- Box Butte from 3rd Street to 6th Street
- 4th Street from Laramie to Niobrara
- 5th Street from Laramie to Niobrara

* Note that regarding the 4th Street closure, we are working with the Post Office to allow for their delivery trucks to pass through the two times that they will need access on Saturday afternoon. We have also received approval from Fire Chief Troy Shoemaker regarding the closure.

Next Year

Plans are also already underway to make next year's event even bigger and more fun and entertaining!

Again, Tonya and I are honored to have been able to help get this new event started.

Sincerely,

J.D. & Tonya Cox
2013 Generalissimos

Requests

Jaycees request for a beer garden

Measures:

RESOLUTION – Parade Request Approval
RESOLUTION – Beer Garden Approval
RESOLUTION – Street Closures]

A motion was made by Councilman Yeager, seconded by Councilman Lewis to approve Resolution No. 13-91, which follows in its entirety:

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RESOLUTION NO. 13-91

WHEREAS, This year the City will be celebrating the first annual Autumn on the Bricks Festival in Alliance; and

WHEREAS, The Autumn on the Bricks Festival Committee and the Alliance Chamber of Commerce have requested street closures and traffic direction restrictions to facilitate Autumn on the Bricks events; and

WHEREAS, The Nebraska Legislature has passed LB 589 which requires that the City make application to the Nebraska Department of Roads and meet certain requirements including but not limited to:

- 1 The Roadway is located within the official corporate limits or zoning jurisdiction of the City of Alliance.
- 2 The City of Alliance shall have the legal duty to protect the highway property from any damage that may occur arising out of the special event and the State of Nebraska shall have no such duty during the time the City is in control of the property as specified in the notice provided as required under LB 589.
- 3 Any existing statutory or common law duty of the State to protect the public from damage, injury, or death shall become the duty of the City of Alliance while the City makes use of the state highway system for the special event and the State shall not have such statutory or common law duty during the time the City is in control of the property as specified in the notice provided as required under LB 589.
- 4 The City of Alliance to be able to use the state highway system for a special event must formally, by City Council action, acknowledge that the City accepts the duties set forth above and that if a claim is made against the State, the City shall indemnify, defend and hold harmless the State from all claims, demands, actions, damages and liability, including reasonable attorney's fees, that may arise as a result of the special event.

WHEREAS, Staff has considered the request to cross the State of Nebraska Highway System for the Autumn on the Bricks Parade and has determined that the proposed route on Box Butte Avenue from 16th to 1st Street beginning at 2:00 p.m. Friday, October 11, 2013 until completion of the parade is appropriate.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of Alliance, Nebraska, that the City of Alliance does hereby formally acknowledge and affirm that the City of Alliance has and does hereby accept the following responsibilities:

1. The City of Alliance shall have the legal duty to protect the highway property from any damage that may occur arising out of the Autumn on the Bricks Parade and the State of Nebraska shall have not such duty during the time the City is in control of the property as specified in the notice provided to the Nebraska Department of Roads as required under LB 589.
2. Any existing statutory or common law duty of the State to protect the public from

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damage, injury, or death shall be the duty of the City of Alliance while the City makes use of the State Highway 2 for the Autumn on the Bricks Parade and the State shall not have such statutory or common law duty during the time the City is in control of the property as specified in the notice provided to the Nebraska Department of Roads as required under LB 589.

BE IT FURTHER RESOLVED, The City of Alliance hereby formally acknowledges and accepts the duties set forth above and agree that if a claim is made against the State, the City shall indemnify, defend and hold harmless the State from all claims, demands, actions, damages and liability, including reasonable attorney's fees, that may arise as a result of the Autumn on the Bricks Parade to be held on Friday, October 11, 2013 beginning at 2:00 p.m. until completion of the parade is appropriate.

BE IT FURTHER RESOLVED, that staff is directed to provide the notice to the Nebraska Department of Roads regarding the use of Highway 2 for the Autumn on the Bricks Parade including that the City will assume control of State Highway 2 on Friday, October 11, 2013 beginning at 2:00 p.m. until completion of the parade.

BE IT FURTHER RESOLVED, that staff is directed to provide any additional information that may be required by the State of Nebraska.

Roll call vote for with the following results:

Voting Aye: Benzel, Lewis, Feldges, Yeager.

Voting Nay: None.

Motion carried.

A motion was made by Councilman Benzel, seconded by Councilman Yeager to approve Resolution No. 13-92, which follows in its entirety:

RESOLUTION NO. 13-92

WHEREAS, The City Clerk has received an application of the Alliance Jaycees for a special designated license pursuant to the Nebraska Liquor Control Act; and

WHEREAS, Said act requires the approval of applications by the local governing body prior to such a license being issued by the Nebraska Liquor Control Commission; and

WHEREAS, The application appears to be complete and meet the statutory requirements.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of Alliance, Nebraska, that the Application for Special Designated License of the Alliance Jaycees, for October 12, 2013 is hereby approved for the premises described in the application, and the City Clerk shall inform the Nebraska Liquor Control Commission of the approval of the application, and the Clerk shall deliver the license issued by said Commission to the permittee upon receipt of the required fees.

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Roll call vote with the following results:

Voting Aye: Benzel, Lewis, Feldges, Yeager.

Voting Nay: None.

Motion carried.

A motion was made by Councilman Lewis, seconded by Councilman Benzel to approve Resolution No. 13-93, which follows in its entirety:

RESOLUTION NO. 13-93

WHEREAS, This year the City will be celebrating the first annual Autumn on the Bricks Festival in Alliance; and

WHEREAS, The Autumn on the Bricks Festival Committee and the Alliance Chamber of Commerce have requested street closures and traffic direction restrictions to facilitate Autumn on the Bricks events; and

WHEREAS, The closing of 300 block of Box Butte Avenue is being requested starting at 2:00 p.m. on Friday, October 11, 2013 through 7:00 a.m. on Sunday, October 13, 2013; the closing of the 400 and 500 blocks of Box Butte Avenue between 7:00 a.m. Saturday, October 12, 2013 through 7:00 a.m. Sunday, October 13, 2013; and the closing of 4th and 5th Streets between Laramie and Niobrara Avenues between 7:00 a.m. and midnight on Saturday, October 12, 2013; and

WHEREAS, Staff has considered the request for street closures and find them to be appropriate.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of Alliance, Nebraska, that the City of Alliance does hereby grant approval of the following street closures:

- 300 block of Box Butte Avenue Friday, October 11, 2013 beginning at 2:00 p.m. through 7:00 a.m. Sunday, October 13, 2013
- 400 and 500 blocks of Box Butte 7:00 a.m. Saturday, October 12, 2013 through 7:00 a.m. October 13, 2013
- 4th & 5th Streets between Laramie 7:00 a.m. to midnight on Saturday, October 12, and Niobrara Avenues 2013

Roll call vote with the following results:

Voting Aye: Benzel, Lewis, Feldges, Yeager.

Voting Nay: None.

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Motion carried.

- The next items for discussion were Resolution Nos. 13-90, 13-94, and 13-95 which will authorize the City of Alliance to enter into an Interlocal Agreement with the City of Scottsbluff to provide “Responsible Charge” services for our street federal-aid projects. The following background information was provided to Council:

[The Nebraska Department of Roads requires the City have a designated and trained “Responsible Charge” for all federal-aid projects. For the past several years, this capacity was filled by former Streets Superintendent Eric Lenz. However, with Eric no longer with the organization, and with the next training not until later next year, it is necessary for us to contract with someone to fulfill that role for us.

After many conversations the past week, the City of Scottsbluff is willing to allow their Public Works Director, Mark Bohl, to serve us in this role to signoff on the projects Potash and Emerson (all the paperwork is not yet complete), as well as the upcoming 10th Street project slated for next year. It is anticipated the same resolution will be required for next year’s Streetscape Phase 2.

There are three separate resolutions – one each for the three federal-aid projects listed above.]

A motion was made by Councilman Lewis, seconded by Councilman Benzel to approve Resolution No. 13-90, Resolution No. 13-94 and Resolution No. 13-95 which follow in their entirety:

RESOLUTION NO. 13-90

WHEREAS, Assisting LPA, has a full-time public employee on staff, who is fully qualified and has time and interest in serving as “Responsible Charge” (RC); and

WHEREAS, Receiving LPA has requested to enter into a Nebraska Local Public Agency Interlocal Cooperation Act Agreement with Assisting LPA for the services of a qualified “Responsible Charge” (RC) for a Federal-Aid project in Receiving LPA; and

WHEREAS, Receiving LPA and Assisting LPA; have agreed on the terms and conditions of said Interlocal Cooperative Agreement as submitted.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Alliance, Nebraska, that Mark Bohl, Public Works Director for the City of Scottsbluff is hereby authorized to sign on behalf of LPA, the Receiving or Assisting LPA Public Entity, the Nebraska Local Public Agency Interlocal Cooperative Act Agreement for a Federal-Aid project in Receiving LPA.

NDOR Project No.: URB-6263 (1)

NDOR Control No.: CN 51347

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Project Name: South Potash, Kansas to 2nd Street

RESOLUTION NO. 13-94

WHEREAS, Assisting LPA, has a full-time public employee on staff, who is fully qualified and has time and interest in serving as “Responsible Charge” (RC); and

WHEREAS, Receiving LPA has requested to enter into a Nebraska Local Public Agency Interlocal Cooperation Act Agreement with Assisting LPA for the services of a qualified “Responsible Charge” (RC) for a Federal-Aid project in Receiving LPA; and

WHEREAS, Receiving LPA and Assisting LPA; have agreed on the terms and conditions of said Interlocal Cooperative Agreement as submitted.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Alliance, Nebraska, that Mark Bohl, Public Works Director for the City of Scottsbluff is hereby authorized to sign on behalf of LPA, the Receiving or Assisting LPA Public Entity, the Nebraska Local Public Agency Interlocal Cooperative Act Agreement for a Federal-Aid project in Receiving LPA.

NDOR Project No.: URB-6255 (3)

NDOR Control No.: CN 51450

Project Name: Emerson Avenue 18th – 25th

RESOLUTION NO. 13-95

WHEREAS, Assisting LPA, has a full-time public employee on staff, who is fully qualified and has time and interest in serving as “Responsible Charge” (RC); and

WHEREAS, Receiving LPA has requested to enter into a Nebraska Local Public Agency Interlocal Cooperation Act Agreement with Assisting LPA for the services of a qualified “Responsible Charge” (RC) for a Federal-Aid project in Receiving LPA; and

WHEREAS, Receiving LPA and Assisting LPA; have agreed on the terms and conditions of said Interlocal Cooperative Agreement as submitted.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Alliance, Nebraska, that Mark Bohl, Public Works Director for the City of Scottsbluff is hereby authorized to sign on behalf of LPA, the Receiving or Assisting LPA Public Entity, the Nebraska Local Public Agency Interlocal Cooperative Act Agreement for a Federal-Aid project in Receiving LPA.

NDOR Project No.: URB-6253 (7)

NDOR Control No.: CN 51490

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Project Name: 10th Street, Box Butte to Flack

Roll call vote with the following results:

Voting Aye: Benzel, Lewis, Feldges, Yeager.

Voting Nay: None.

Motion carried.

- City Manager J.D. Cox gave his City Manager's Report in outline form:
 1. Streetscape Update
 - A. BOW South
 - B. Radio Shack South
 - C. 2nd to North of Steph's Studio - West Side of Box Butte
 2. Health Insurance Renewal – 15% Reduction (claims down)
 3. Pasha Gonzalez – T,W,R 11am-1pm
 4. West Entryway Landscaping – Starting this week
 5. Council: Nebraska Cooperative Government Commission (KENO)
 6. BBDC/Main Street has dropped out of State Main Street Program
 7. Condemnations/Dangerous Structures/Nuisance Abatement –
 - A. Toad's condemned – Owners have through 8/31
 - B. 105 Big Horn (City Parks Building) -
 - C. Josh Ritchie Property –
 - (8/6) Board of Health finding – Appeal Denial
 - Ordered repaired, and if not,
 - Ordered City Manager to cause to have repaired
 8. Upcoming Meetings:
 - A. Cell Towers in All Zones – coming back in Ordinance format, not question?
 - B. Fireworks Discussion
 - C. Grocery Kart – 3rd Reading of Alley Vacation Ordinance
 - D. Final Reading of Budget & All Accompanying documents
 - E. Nuisances – Height of Grass Acceptable – 8"
 - F. Conversations regarding Local Historic District
- A Public Hearing and Resolution No. 13-87 was the next agenda item. The Public Hearing was for the purpose of establishing the 2013 property tax request. Resolution No. 13-87 will authorize the tax mill levy to be set at \$0.379160. The following background information was provided to Council:

[Following a hearing for public input on the proposed property tax levy, the resolution in the Council packet is scheduled to be considered. Per budget amendment action taken at the August 21st Council meeting, the City of Alliance has determined to lower the mill levy from \$0.379790 to \$0.379160. The

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corresponding tax request in the amount of \$1,481,880 and will generate an estimated \$1,398,000 in property tax revenue for the City. A formal hearing is required any time the tax request amount changes from one year to another.

Also, enclosed for Council's information is a copy of the Box Butte County Assessor's determination of taxable value which has been set at \$390,837,078 representing an increase of 3.73% over last year's valuation of \$376,786,766.

This resolution will set the mill levy and tax request amount for the 2013 property taxes based upon the County Assessor's certified values.]

Mayor Feldges stated "now is the date, time, and place to conduct a Public Hearing to hear support, oppositions, criticism, suggestions, or observations of the taxpayers relating to the approval of the 2013 property tax request and opened the public hearing at 7:35 p.m.

No testimony was offered. Mayor Feldges closed the Public Hearing at 7:36 p.m.

A motion was made by Councilman Benzel, seconded by Councilman Lewis to approve Resolution No. 13-87, which follows in its entirety:

RESOLUTION NO. 13-87

WHEREAS, Nebraska Revised Statute 77-1601.02 provides that the property tax request for the prior year shall be the property tax request for the current year for purposes of the levy set by the County Board of Equalization unless the City of Alliance passes by a majority vote a resolution or ordinance setting the tax request at a different amount; and

WHEREAS, A special public hearing was held as required by law to hear and consider comments concerning the property tax request; and

WHEREAS, It is in the best interests of the City of Alliance that the property tax request for the current year be a different amount than the property tax request for the prior year.

NOW, THEREFORE BE IT RESOLVED, By the Mayor and Council of the City of Alliance, Nebraska, that the Council, by a majority vote, set the 2013 tax year request at \$1,481,880 and the City Clerk is hereby authorized and directed forthwith to forward a certified copy of this resolution to the County Clerk of Box Butte County, to allow Box Butte County Board of Equalization to levy the necessary taxes on or before October 15, 2013 and set the appropriate levy.

Roll call vote with the following results:

Voting Aye: Benzel, Lewis, Feldges, Yeager.

Voting Nay: None.

Motion carried.

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- Council next reviewed the first reading of Ordinance No. 2738, which will allow the City of Alliance with a 75% affirmative vote by Council to exceed the Allowable Growth and Basic Allowable Growth for the 2013-2014 Fiscal Year Budget by 1%. Council was provided with the following background information:

[The attached ordinance will allow the City of Alliance (with a 75% affirmative vote by Council) to exceed the base allowable growth limitation of the restricted funds authority for the 2013-14 fiscal year budget by 1% (or \$57,213) with total restricted funds authority at \$5,875,780. This does not increase the new fiscal budget, but instead allows the City to increase the unused budget authority for use in future years.

Staff is recommending that Council waive three readings of this ordinance.]

A motion was made by Councilman Lewis, seconded by Councilman Benzel to approve the first reading of Ordinance No. 2738. City Clerk Jines read the Ordinance by title which follows in its entirety:

ORDINANCE NO. 2738

AN ORDINANCE ALLOWING FOR EXCEEDING THE ALLOWABLE GROWTH AND BASIC ALLOWABLE GROWTH LIMITS FOR THE 2013-2014 FISCAL YEAR BY ONE PERCENT OF BUDGETED RESTRICTED FUNDS, AND CORRECTING THE ADOPTED BUDGET STATEMENT AND ACCOMPANYING FORMS.

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

SECTION 1. Governmental units are authorized pursuant to State law at Chapter 13, Section 519, to exceed the Allowable Growth (§13-518(1)) and the Basic Allowable Growth (§77-3446) for budgeted restricted funds authority up to an additional one percent, by affirmative vote of the City Council of at least 75%.

SECTION 2. The City Council finds that such limit as provided by Section 13-519 (a) and (b) should be exceeded by one percent.

SECTION 3. An affirmative vote of at least 75% in favor of this increase is hereby cast.

SECTION 4. Section 13-511 allows correction of an adopted budget statement for clerical, mathematical, and accounting errors, which correction does not affect the total amount budgeted by more than one percent or increase the amount required from property taxes. The one percent limit increase is calculated into the current budget statement; however the unused budget authority amount is in need of modification.

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SECTION 5. The “total restricted funds authority” with the additional 1% is \$5,875,780 and the resulting “unused budget authority” in the adopted budget ordinance is hereby amended to the amount of \$45,801.45.

SECTION 6. Those portions of the existing budget ordinance for 2013-2014 are amended accordingly.

SECTION 7. The City Treasurer is authorized to make appropriate changes in the submitted forms for computation of the limit for fiscal year 2013-2014, and transmit those changes to the State Auditor’s office.

SECTION 8. 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, which was seconded by Councilman Benzel to waive the statutory requirement of reading the ordinance on three different dates.

Roll call vote to waive the three readings of Ordinance No. 2738 with the following results:

Voting Aye: Lewis, Benzel, Yeager, Feldges.

Voting Nay: None.

Motion carried.

Roll call vote for the final reading of Ordinance No. 2738 with the following results:

Voting Aye: Benzel, Lewis, Yeager, 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.

- Council next reviewed the first reading of Ordinance No. 2739, which will adopt the Classification and Compensation Plans. Council was provided with the following background information:

[The attached ordinance will adopt the Classification and Compensation Plans that will be incorporated in the 2013-14 FY 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

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Bargaining Unit, Communications Bargaining Unit, and Fire Employees. The plan includes a 1.7% cost-of-living adjustment which will be effective the first full pay period following October 1, 2013.

Staff is recommending the statutory required reading of this ordinance on three separate dates be waived.]

A motion was made by Councilman Benzel, seconded by Councilman Lewis to waive the Statutory Rule requiring the reading of an ordinance on three separate dates.

Roll call with the following results:

Voting Nay was Councilman Yeager, which required no additional voting as requirement for three fourths of the Council elected could not be met. Motion failed.

A motion was made by Councilman Benzel, seconded by Councilman Lewis to approve the first reading of Ordinance No. 2739. City Clerk Jines read the Ordinance by title which follows in its entirety:

ORDINANCE NO. 2739

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 2013-2014 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 11, 2013 and the attached Compensation Schedules for Exempt, Non-Exempt, Police Bargaining Unit, Communications Bargaining Unit, and Fire employees dated to be effective October 11, 2013 are hereby adopted by this reference.

SECTION 2. This Ordinance shall become effective October 11, 2013.

A motion was made by Councilman Lewis, which was seconded by Councilman Benzel to reconsider the motion to waive the statutory requirement of reading the ordinance on three different dates.

Roll call vote to waive three readings of Ordinance No. 2738 with the following results:

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Voting Nay was Councilman Yeager, which required no additional voting as requirement for three fourths of the Council elected could not be met. Motion failed.

Roll call vote for the first reading of Ordinance No. 2738 with the following results:

Voting Aye: Benzel, Lewis, Feldges, Yeager.

Voting Nay: None.

Motion carried.

- Resolution No. 13-88, which provides direction to the City Manager for the hiring of City employees by adopting the Total Authorized Strength document was the next agenda item. Council was provided with the following background information:

[The attached 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 for the 2013-14 fiscal year. The authorized strength will increase slightly from the current authorized strength of 101.73 to 101.95 for the upcoming year.]

A motion was made by Councilman Benzel, seconded by Councilman Lewis to approve Resolution No. 13-88, which follows in its entirety:

RESOLUTION NO. 13-88

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:

September 4, 2013

General Fund				
<u>Administration</u>			<u>Fire</u>	
City Manager	1.00	Fire Chief	1.00	
City Clerk	1.00	Firefighter/EMT	1.00	
Exec Admin Asst/Public Info Officer	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 Cont/Comm Service Officer	0.75	
Police Officers I & II	11.00	Total	0.75	
Total	15.00			
<u>Police Support Services</u>			<u>Facility Maintenance</u>	
Public Safety Dispatch Supervisor	1.00	Public Works Director	0.10	
Public Safety Dispatchers	5.00	Facilities Maintenance Worker	1.00	
Total	6.00	Total	1.10	
<u>Code Enforcement & Nuisance Abatement</u>			<u>Library</u>	
Building and Code Inspector	1.00	Cultural & Leisure Services Director	0.10	
Administrative Secretary	0.50	Administrative Secretary	0.10	
Animal Cont/Comm Service Officer	0.25	Library Director	1.00	
Total	1.75	Librarians		
<u>Community Development</u>			Children's/Youth Services	1.00
Community Develop. Administrator	0.50		Outreach/Adult Services	0.62
Administrative Secretary	0.50		Technical Services	1.00
Total	1.00		Library Clerks	1.00
<u>Cemetery</u>			Library Pages	1.00
Cultural & Leisure Services Director	0.10		Total	5.82
Administrative Secretary	0.07			
Cemetery Maintenance Worker	1.00		<u>Museums</u>	
Seasonal Wages (\$14,000)			Cultural & Leisure Services Director	0.35
Total	1.17		Administrative Secretary	0.30
<u>Swimming Pool</u>			Museum Director	1.00
			Museum Assession Clerk	0.75
			Museum Collection Clerk	0.50
			Museum Project Support Clerk	0.50

September 4, 2013

Cultural & Leisure Services Director	0.10	Cook	0.25
Administrative Secretary	0.20	Seasonal Wages (\$3,000)	
Seasonal Wages (\$55,000)		Total	<u>3.65</u>
Total	<u>0.30</u>		
		<u>Tourism</u>	
<u>Parks</u>		Visitors Bureau Director	1.00
Cultural & Leisure Services Director	0.30	Seasonal Wages (\$10,500)	
Administrative Secretary	0.25	Total	<u>1.00</u>
Parks Foreman	1.00		
Parks Maintenance Workers	4.20		
Seasonal Wages (\$28,000)			
Total	<u>5.75</u>		
		Total General Fund (Excl. Internal Services)	53.79

General Fund-Internal Services	
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<u>Finance</u>		<u>Personnel</u>	
Assistant City Mgr/Finance Director	1.00	Personnel Administrator	1.00
Account Clerk III	1.00	Administrative Secretary	0.50
Account Clerk II	2.00	Total	<u>1.50</u>
Total	<u>4.00</u>		
<u>Technology</u>			
Community Develop. Administrator	0.50		
Total	<u>0.50</u>		
		Total Internal Services	6.00
		Total General Fund and Internal Services	59.79

Enterprise Funds	
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<u>Electric Administration</u>		<u>Refuse Collection</u>	
Electric Superintendent	0.70	Public Works 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)		Landfill Supervisor	1.00
Total	<u>1.00</u>	Landfill Operator	1.00
		Landfill Baler Operator Clerk	2.00
		Total	<u>4.30</u>
<u>Electric Urban Distribution</u>			
Assistant Electric Superintendent	0.50		
Electric Line Crew Chief	0.55	<u>Sewer</u>	
Electric Service Crew Chief	0.70	Public Works Director	0.40
Electric Journey Line Worker	2.20	Water/Sewer Maintenance Worker	1.00

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Electric Line Apprentice	0.55	Total	1.40
Seasonal Wages (\$4,000)			
Total	4.50	<u>Water Distribution</u>	
<u>Electric Rural Distribution</u>		Public Works Director	0.60
Assistant Electric Superintendent	0.50	Water Foreman	1.00
Electric Line Crew Chief	0.45	Water/Sewer Maintenance Workers	3.00
Electric Service Crew Chief	0.30	Administrative Secretary	0.33
Electric Journey Line Worker	1.80	Total	4.93
Electric Line Apprentice	0.45	<u>Water Treatment</u>	
Seasonal Wages (\$5,000)		Water/Sewer Maintenance Worker	1.00
Total	3.50	Total	1.00

Total Enterprise Funds (Excl. Internal Services)	23.82
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Enterprise Fund-Internal Services
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<u>Utility Customer Service</u>		<u>Warehouse</u>	
Utilities Admin. Services Director	1.00	Inventory Purchasing Clerk	1.00
Computer Operator	1.00	Total	1.00
Customer Service Clerk II	1.00		
Customer Service Clerk I	0.63		
Total	3.63	Total Enterprise Internal Services	5.63

Meter Reading

Meter Readers	1.00
Total	1.00

Total Enterprise Funds and Enterprise Internal Services	29.45
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Other Funds

<u>Airport</u>		<u>Streets</u>	
Airport Manager	1.00	Public Works Director	0.75
Airport Maintenance Superintendent	1.00	Street Foreman	1.00
Airport Maintenance Worker I	1.00	Street Maintenance Workers	4.00
Total	3.00	Administrative Secretary	0.33
		Seasonal Wage (\$4,000)	
<u>Golf</u>		Total	6.08
Cultural & Leisure Services Director	0.05		
Administrative Secretary	0.08		
Golf Course Superintendent	1.00		
Golf Course Maintenance Worker II	1.00	Total Other Funds	12.71

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Seasonal Wages (\$12,000)		
Total	2.13	
<u>RSVP</u>		
RSVP Director	1.00	
RSVP Clerk	0.50	
Total	1.50	
<u>Grand Totals</u>		
General Fund		53.79
General Fund Internal Services		6.00
Enterprise Funds		29.45
Other Funds		12.71
Total		101.95

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 with the following results:

Voting Aye: Benzel, Lewis, Feldges, Yeager.

Voting Nay: None.

Motion carried.

- The third reading of Ordinance No. 2735, which will approve the 2013-2014 Budget was the next item of discussion. Council was provided with the following background information:

[The Finance Director and City Manager are pleased to present the recommended 2013-2014 Budget. This budget is a culmination of a one-half year process that included:

- Council-City Manager-Leadership Team Retreat – March 25th @ Knight Museum
- Community Forum – June 10 @ Performing Arts Center
- Council Budget Workshop – July 24th @ Alliance Learning Center

At the Council budget workshop, the following were discussed:

Our Vision – *To Build the Best Hometown in America*

Our Goals –

1. To build excellence through warm communication and genuine alliances;
2. To create a fun place to live, work and play;
3. To construct homes and develop neighborhoods;
4. To celebrate and relax in our positive and friendly hometown;
5. To promote a strong and vibrant community;
6. Opportunities/what is going well
7. Major Challenges/what areas need improvement
8. Priorities

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The third and final reading of the budget presented this evening reflects those changes and represents the proposed plan and roadmap to achieve those priorities. Following is a recap of changes following the first reading of the ordinance:

- The capital investment for a grill in the amount of \$5,000 was deleted from the Golf budget.
- Corrections of Bower Park Upgrades and Irrigation Replacement which were accidentally previously entered in from \$20,000 and \$15,000 to \$25,000 and \$35,000.
- Added one carryover of \$11,000 from the current year in Softball Complex Upgrades budgeted, but not yet completed;
- Added \$25,000 as a precautionary to correct problems discovered with the Library Skylight (note at this point we remain hopeful that the insurance payment will cover a portion of the previous roofing and the skylight repair).
- Added \$25,000 as a carryover for Airport repair projects that contractors were unable to get to this year, including a pressing issue with a roof beam repair;
- The Carhenge revenues and expenditures were detailed to reflect specific general ledger accounts. Also, additional sales and cost of goods were added to allow for expected increase in souvenir sales.

- Sales tax transfers of \$200,000 were deleted to the Capital Projects Fund in lieu of funding potential demolition projects in the General Fund. These potential projects were added to the Council Contingency. Funding of the parks garage, if approved, would be in part by a \$250,000 loans included in the revised budget.
- Property tax revenue lines were reallocated to reflect the valuations that were released by the County Assessor. The original requested tax amount was unchanged; however, the higher valuation of \$390,837,078 resulted in a mill levy of .379155.
- Internal service transfers were revised slightly based on further review of allocation formulas.

Major Considerations Included in Proposed Budget

- Sustain General Fund and quality of life, while maintaining tax rates as low as possible
- Ensure long-term viability of public utilities with reasonable rates
- Focus on economic development activities
- Reorganize of staffing to achieve maximum efficiencies
- Strive for airport long-term success through a 5-year development plan

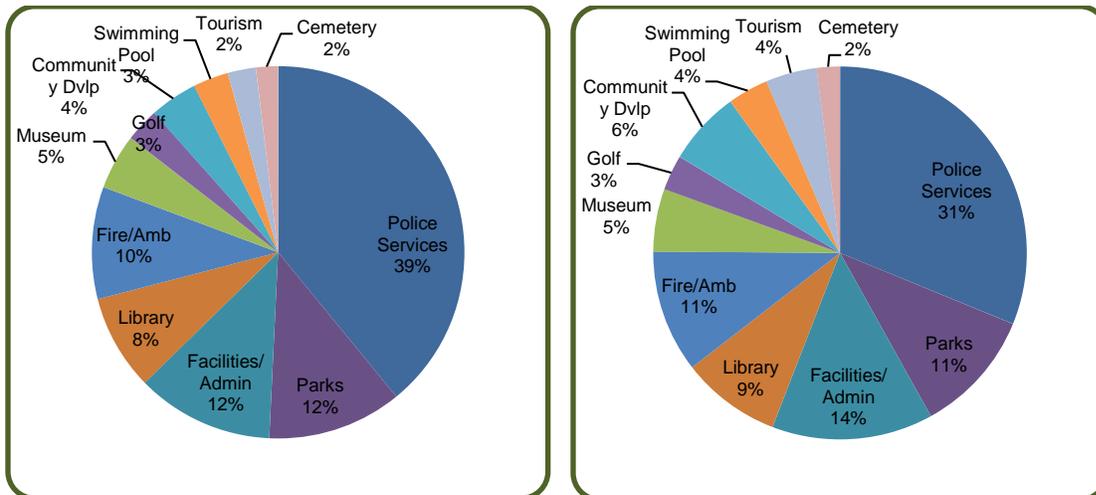
SUSTAINABILITY/QUALITY OF LIFE – GENERAL FUND

- Maintain Facilities, Parks & Programs at least at Current Level
- Strive to share resources and conduct joint projects and purchasing with Schools and County;

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- Conduct in-house Service Excellence rather than outsourcing to Custom Learning Systems;
- Reduction of police burden on General Fund
- Using last year’s budget, police services consumed almost 40% of our entire General Fund budget, representing the highest 1st Class proportion in the State of Nebraska;
- Accomplish through attrition and other scheduling formats;

BEFORE AFTER
2012-2013 2013-2014



ENSURE LONG-TERM VIABILITY OF UTILITIES WITH REASONABLE COSTS

Continue to maintain fiscal and utility responsibility with smallest rate increases possible to keep up with utility cost increases. A recent utility study indicated that some increases would be necessary effective October 1 (and again in the Spring of 2014 for electric). In addition to these, we propose to continue the automatic annual 1% increase to allow Alliance residents to more easily accommodate industry-wide costs increases that will continue to occur for some time.

ECONOMIC DEVELOPMENT FOCUS

- Maximize Return on Investment - Redirect low ROI efforts to high ROI activities
- Reallocated funds from Panhandle Area Development District (PADD) to Box Butte Development Corporation.
- BBDC moving forward with Business park development, Acquisition & Downtown business development and revitalization
- City Manager and Airport Manager (along with BBDC) recruit businesses to Airport (see Airport discussion)

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STAFFING PLAN

Please see Final Staffing Plan (Tab 10) for the roadmap that we have put together to strive for efficiencies and maximize the talents of the staff to accomplish our vision and goals.

AIRPORT 5-YEAR DEVELOPMENT PLAN

The Airport is an item that appears on two very different lists. It appears on both the “Challenges” as well as the “Opportunities” lists. The revenues of the Airport currently just barely meet the expenses of the same.

We can take solace in the fact that the Federal Aviation Administration has expressed strong support and confidence in our airport and has made and committed tens of millions of dollars of investments in the past and future. However, those tens of millions of dollars of investments require a local match.

We propose the following:

1. To establish a line of credit sufficient to cover the cash flow of the local match requirement for anticipated future large federal aid projects, such as the \$7.3 million resurfacing of Runway 12/30 that has been approved for next year;
2. To incorporate a possible loan for Year 3 cash flow; and
3. To utilize some proceeds from the initiative as a loan for cash flow;
4. For the Airport Manager and City Manager to recruit businesses for airport development & income;
5. In three years, to readdress cost-effectiveness of staffing;
6. In three years, to readdress cost-effectiveness of keeping all runways open;
7. In the future, we may need to shift some City mill levy to Airport (approx 2.5 mills);
8. To set aside funds to conduct feasibility study on the existing infrastructure and to develop construction plans for the necessary buildup of water system that will be adequate to accommodate future growth and development.

A motion was made by Councilman Lewis, seconded by Councilman Benzel to approve the third reading of Ordinance No. 2735 as amended. City Clerk Jines read the Ordinance by title which follows in its entirety:

ORDINANCE NO. 2735

AN ORDINANCE TERMED "THE ANNUAL APPROPRIATION BILL" TO PROVIDE REVENUE FOR MUNICIPAL PURPOSES OF THE CITY OF ALLIANCE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2013, AND ENDING SEPTEMBER 30, 2014, BY IMPOSING A TAX ON ALL PROPERTY WITHIN THE CITY, ADOPTING A BUDGET, AND ADOPTING APPROPRIATIONS.

September 4, 2013

WHEREAS, The City Manager, in accordance with the requirements of Chapter 1, Article 2, Section 1-205, of the Municipal Code of the City of Alliance, Nebraska, has submitted to the City Council a preliminary budget. This preliminary budget being submitted to the City Council at a workshop which was held on July 24, 2013 and a proposed budget was produced. A public hearing will be held on said proposed budget on August 21, 2013, as required by law; and

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

SECTION 1. The budget for the fiscal year beginning October 1, 2013, submitted to and amended by the City Council, is hereby adopted.

SECTION 2. In order to provide revenue for municipal purposes, the following property tax revenues have been established for the City of Alliance.

	<u>CITY</u>	<u>MFO</u>	<u>AIRPORT</u>	<u>PUBLIC SAFETY</u>	<u>AIRPORT RESERVES</u>	<u>TOTAL</u>
Approved Budget Amount	1,003,293	125,178	136,792	110,614	22,123	1,398,000
County Treasurer's Fee (1%)	10,033	1,252	1,368	1,106	221	13,980
Delinquent Allowance (5%)	50,164	6,259	6,840	5,531	1,106	69,900
Total Property Tax Request	<u>1,063,490</u>	<u>132,689</u>	<u>145,000</u>	<u>117,251</u>	<u>23,450</u>	<u>1,481,880</u>
Using the following tax levies:	.272106	.03395	.03710	.030000	.006000	
Approved Mill Levy for 2014	.379155					
Based on Assessed Valuation	390,837,078					

SECTION 3. In accordance with Reissue Revised Statutes Nebraska Chapter 16, Section 704, the following amounts shall be and hereby are recognized as the budget for the City of Alliance, Nebraska for the fiscal year 2014.

General	6,637,800
Electric	15,608,500
Refuse	1,648,700
Sewer	685,400
Water	1,954,300
Golf Course	378,000
Airport Operations	8,230,900
Streets	3,183,500
RSVP	98,100
Museum Exhibit	28,000
BID #1 and #2	16,100
Nuisance Cleanup	6,600

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HUD/CDBG	150,000
Community Betterment (KENO)	38,200
Economic Development	85,000
LB 840 Fund	303,500
Redevelopment (TIF)	200,000
Sales Tax Fund	1,950,300
Tourism & Promotion	227,500
Capital Projects	465,000
Public Safety Tax	90,000
State 911 Funds	90,000
General Internal Service	1,128,300
Enterprise Internal Service	483,100
Health Support Internal Service	1,755,000
General Debt Service	43,600
Airport Capital Reserve	550,800
<i>Gross Expenditures</i>	46,036,200

There is hereby included \$390,000 within the General Fund Budget [City Council Activity], \$10,000 within the General Fund Budget [Police Grant] \$285,000 within the Electric Fund, \$50,000 within the Water Fund, \$25,000 within the Sewer Fund, \$290,000 within the Refuse Fund, \$5,000 within the Airport Fund, \$50,000 within the Streets Fund; and \$20,000 within the Community Betterment Fund; to be known as "Contingency." Expenditures from any Contingency will not be authorized without an affirmative vote of the City Council for each amount to be expended.

SECTION 4. The City has a total of Unused Restricted Funds Authority of \$ 45,801.45 for Fiscal Year 2014.

SECTION 5. The tax levied under this Ordinance shall become due and payable, shall become delinquent and shall be subject to penalties, the execution of distress warrants and sale of property levied upon as provided by law.

SECTION 6. The City Clerk is hereby authorized and directed forthwith upon the passage, approval and publication of this Ordinance to forward a certified copy thereof to the County Clerk of Box Butte County, Nebraska.

SECTION 7. This Ordinance shall become effective October 1, 2013.

Roll call vote for the third reading of amended Ordinance No. 2735 with the following results:

Voting Aye: Benzal, Lewis, Yeager, Feldges.

Voting Nay: None.

Motion carried.

September 4, 2013

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 next agenda item was the first reading of Ordinance No. 2740, which will amend the Alliance Municipal Code with regard to water rate revisions. Council was provided with the following background information:

Council participated in a discussion at the August 21 Council meeting regarding water rates. It is evident that the annual overall automatic 1% increase in rates is not sufficient for the 2013-14 fiscal year based on the following observations:

1. Cash flow for the water department has been negative for eight of the past thirteen months with the higher summer revenues required to generate the overall profit. Simply stated, the department presently reliant on high summer demand and the conservation rates in order to generate sufficient revenue to break even on operations.
2. Large increases in scheduled electric costs necessary for pumping water for the City most likely will more than consume the additional revenue from the scheduled automatic 1% increase in rates.
3. Major pending infrastructure upgrades will require funding that is not presently included within the current rate structure.

Three different scenarios (details attached) for service charge rate adjustments have been prepared for Council that should generate between \$90,000 and \$95,000. The scenarios have a different allocation between on the meter size with a slightly different impact to consumer groups.

Scenario 1 – This is the original scenario discussed at the Council meeting on August 21 with changes varying from 7% to 28% or \$2.17 to \$14.40 per month.

Scenario 2 – This scenario ensures a 25% to 27% increase on the service charge rate for all consumers without respect to maintaining the proportionate increases between meter sizes. Actual rate increases range from \$1.97 to \$40.01 per month.

Scenario 3 – The final scenario has a greater variance in the percentage increases (22% - 35%); however, maintains more consistency in the proportionate increases between meter sizes. This scenario also establishes a separate base for the one-inch meter which was included in the same pricing as those meters less than one inch. Actual rate increases range from \$1.72 to \$30.01 per month.

The ordinance as prepared is based on Scenario 3. As a side note, the 1% increase on consumption rates will generate an additional \$10,000 to \$15,000.]

A motion was made by Councilman Lewis, seconded by Mayor Feldges to approve the first reading of Ordinance No. 2740. City Clerk Jines read the Ordinance by title.

September 4, 2013

Councilman Benzel made a motion to amend the Ordinance to include the proposed rates in Scenario 2 instead of Scenario 3. The motion was seconded by Councilman Yeager.

Roll call vote on the proposed amendment.

Voting Aye: Benzel, Lewis, Feldges, Yeager.

Voting Nay: None.

Motion carried.

Below is Ordinance No. 2740 utilizing the rates presented in Scenario 2.

ORDINANCE NO. 2740

AN ORDINANCE AMENDING WATER RATES AND REPEALING PORTIONS OF ORDINANCES OR RESOLUTIONS NOT CONSISTENT WITH THE CHANGES HEREIN.

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

SECTION 1. Staff from the City's Water and Finance Departments has prepared amendments to water rates for submission to the City Council.

SECTION 2. The City Council has received and reviewed the proposed changes and finds such changes to be in the best interest of the City of Alliance and should be therefore adopted. All is hereby amended with an effective date of this ordinance, in the following particulars:

Within the City limits - Residential Urban

Block 1	\$1.291 per 100 cubic feet
Block 2	\$1.458 per 100 cubic feet for the next 3500 cubic feet after the Block 1 amount.
Block 3	\$1.796 per 100 cubic feet for the next 2500 cubic feet after base usage and Blocks 1 and 2
Block 4	\$2.244 per 100 cubic feet for any amount over Blocks 1, 2, and 3

Outside the City limits - Residential Rural

Block 1	\$1.420 per 100 cubic feet
Block 2	\$1.604 per 100 cubic feet for the next 3500 cubic feet after the Block 1 amount.

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Block 3	\$1.975 per 100 cubic feet for the next 2500 cubic feet after base usage and Blocks 1 and 2
Block 4	\$2.468 per 100 cubic feet for any amount over Blocks 1, 2, and 3

Within the City limits - Commercial Urban

Block 1	\$1.291 per 100 cubic feet
Block 2	\$1.458 per 100 cubic feet for the next 3500 cubic feet after the Block 1 amount.
Block 3	\$1.796 per 100 cubic feet for the next 2500 cubic feet after base usage and Blocks 1 and 2
Block 4	\$2.244 per 100 cubic feet for any amount over Blocks 1, 2, and 3

Outside the City limits – Commercial Rural

Block 1	\$1.420 per 100 cubic feet
Block 2	\$1.604 per 100 cubic feet for the next 3500 cubic feet after the Block 1 amount.
Block 3	\$1.975 per 100 cubic feet for the next 2500 cubic feet after base usage and Blocks 1 and 2
Block 4	\$2.468 per 100 cubic feet for any amount over Blocks 1, 2, and 3

Manufacturing Rate

Manufacturing Rate is \$1.255 per 100 cubic feet.

Industrial Park Rate

The Industrial Park Rate is \$1.403 per 100 cubic feet.

Municipal Rate

The Municipal Rate is \$1.050 per 100 cubic feet, and will not incur a monthly service charge for each account.

Service Charge

There shall be a monthly service charge for each account serviced by Alliance Municipal Water System of.

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<u>Meter Size</u>	<u>Service Charge</u>	<u>Meter Size</u>	<u>Service Charge</u>
5/8"	\$9.75	3"	\$70.00
3/4"	\$9.75	4"	\$90.00
1"	\$9.75	6"	\$133.00
1-1/2"	\$21.00	8"	\$190.00
2"	\$42.00		

SECTION 3. All other ordinances, resolutions, or policies of the City of Alliance not consistent with the amendment made herein are hereby repealed.

SECTION 4. This ordinance shall go into effect on billings rendered October 1, 2013 and thereafter.

Roll call vote for the first reading of Ordinance No. 2735 with the following results:

Voting Aye: Benzel, Lewis, Yeager, Feldges.

Voting Nay: None.

Motion carried.

- Council next discussed the second reading of Ordinance No. 2736, which will amend the Alliance Municipal Code in regard to electric rate revisions. Council was provided with the following background information:

[Council heard a presentation at their May 16, 2013 meeting regarding an electric rate study that was completed by Mr. Phil Euler (Manager of Engineering with Nebraska Municipal Power Pool, known as NMPP). The recommendation as a result of the study was to increase rates on average by 12.2% in October 2013 (which is approximately the equivalent of the one-cent PCA which has been in effect for most of 2013) with an additional 12.2% average increase in April 2014.

The proposal calls for the highest increases in October 2013 of 17.2% for irrigation and security lighting. The increases in the largest revenue-producing categories are 8.2% for residential and 7.3% for large power consumers. April 2014 increases range from the high of 17.2% and 17.3% for the irrigation and security lighting, respectively, to a low of 10.4% for the rural general service demand with a 12.2% increase set for urban residential customers.

The detailed executive summary is attached. These recommendations are under a four-year contract and will be reviewed by NMPP again in two years.]

A motion was made by Councilman Lewis, seconded by Councilman Feldges to approve the second reading of Ordinance No. 2736 as amended. City Clerk Jines read the Ordinance by title which follows in its entirety:

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ORDINANCE NO. 2736

AN ORDINANCE AMENDING ALL RATE SCHEDULE CLASSIFICATIONS OF ELECTRIC ENERGY RATES AND REPEALING PORTIONS OF ORDINANCES OR RESOLUTIONS NOT CONSISTENT WITH THE CHANGES HEREIN.

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

SECTION 1. Staff from the City's Electric and Finance Departments has prepared amendments to all rate schedule classifications of electric energy rates resulting from the findings of the Cost of Service and Rate Design Study conducted by the Nebraska Municipal Power Pool for submission to the City Council.

SECTION 2. The City Council has received and reviewed the proposed changes and finds such changes to be in the best interest of the City of Alliance and should be therefore adopted. All is hereby amended with an effective date of this ordinance, in the following particulars:

RULES AND REGULATIONS GOVERNING SERVICE ON RESIDENTIAL RATE SCHEDULE (CLASS 1)

1. Urban Residential Rates: (within corporate limits)

Monthly Customer Charge	<u>October 15, 2013</u>	<u>April 1 2014</u>
	\$12.00	\$14.00
<u>Summer</u>		
First 600 kWh @	\$.0958 per kWh	\$.1065 per kWh
Excess kWh @	\$.0958 per kWh	\$.1065 per kWh
<u>Winter</u>		
First 600 kWh @	\$.0858 per kWh	\$.0965 per kWh
Excess kWh @	\$.0683 per kWh	\$.0750 per kWh

2. Rural Residential Rates: (outside corporate limits)

Monthly Customer Charge	<u>October 15, 2013</u>	<u>April 1, 2014</u>
	\$16.25	\$19.25
<u>Summer</u>		
First 600 kWh @	\$.0958 per kWh	\$.1065 per kWh
Excess kWh @	\$.0958 per kWh	\$.1065 per kWh

Winter

September 4, 2013

First 600 kWh @	\$.0858 per kWh	\$.0965 per kWh
Excess kWh @	\$.0683 per kWh	\$.0750 per kWh

RULES AND REGULATIONS GOVERNING SERVICE ON GENERAL SERVICE
RATE SCHEDULE (CLASS 2)

1. General Service Urban Rates Single Phase: (inside corporate limits)

	<u>October 15, 2013</u>	<u>April 1, 2014</u>
Monthly Customer Charge	\$17.15	\$20.00
<u>Summer</u>		
All use	\$.09100 per kWh	\$.09985 per kWh
<u>Winter</u>		
All use	\$.08600 per kWh	\$.09485 per kWh

2. General Service Urban Rates Three Phase: (inside corporate limits)

	<u>October 15, 2013</u>	<u>April 1, 2014</u>
Monthly Customer Charge	\$35.65	\$42.15
<u>Summer</u>		
All use	\$.0910 per kWh	\$.09985 per kWh
<u>Winter</u>		
All use	\$.0860 per kWh	\$.09485 per kWh

3. General Service Rural Rates Single Phase: (inside corporate limits)

	<u>October 15, 2013</u>	<u>April 1, 2014</u>
Monthly Customer Charge	\$19.35	\$22.15
<u>Summer</u>		
All use	\$.09555 per kWh	\$.10484 per kWh
<u>Winter</u>		
All use	\$.09030 per kWh	\$.09959 per kWh

4. General Service Rural Rates Three Phase: (inside corporate limits)

	<u>October 15, 2013</u>	<u>April 1, 2014</u>
Monthly Customer Charge	\$30.25	\$37.15
<u>Summer</u>		
All use	\$.09555 per kWh	\$.10484 per kWh
<u>Winter</u>		

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Customer charge per month	\$50.00	\$51.00
Energy	\$.06260 per kWh	\$.08089 per kWh
Annual Horsepower charges [#]		
No Load Control	\$73.00	\$75.00
Full Load Control	\$12.00	\$12.30

[#] The following annual horsepower charges will be made available at the discretion of the City:

No Load Control	\$73.00	\$75.00
One (1) Day per Week Control	\$61.50	\$63.00
Two (2) Day per Week Control	\$49.00	\$50.25
Three (3) Day per Week Control	\$37.20	\$38.00
Four (4) Day per Week Control	\$24.50	\$25.00
Full Load Control	\$12.00	\$12.30

RULES AND REGULATIONS GOVERNING MUNICIPAL SERVICE RATE (CLASS 6)

Municipal Rates will be charged on the applicable General Service Rates:

SECURITY LIGHT (CLASS 7)

1. Security Light Rates:

<u>Rates - Urban:</u>	<u>October 15, 2013</u>	<u>April 1, 2014</u>
150 W HPS/175 W MV	\$9.38 per month	\$11.00 per month
250 W HPS/MV	\$12.60 per month	\$14.85 per month
400 W	\$19.44 per month	\$22.75 per month

<u>Rates – Rural:</u>		
150 W HPS/175 W MV	\$10.36 per month	\$12.15 per month
250 W HPS/MV	\$13.64 per month	\$16.00 per month
400 W	\$20.57 per month	\$24.00 per month

STREET LIGHTING (CLASS 8)

1. Street Lighting Rates:

<u>Rates :</u>	<u>October 15, 2013</u>	<u>April 1, 2014</u>
All KWh	\$0.0177 per KWh	\$0.1986 per KWh

SECTION 3. All other ordinances, resolutions, or policies of the City of Alliance not consistent with the amendment made herein are hereby repealed.

SECTION 4. This ordinance shall go into effect on meter billings rendered October 15, 2013 and thereafter.

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Roll call vote for the second reading of Ordinance No. 2736 as amended with the following results:

Voting Aye: Benzel, Lewis, Feldges.

Voting Nay: Yeager.

Motion carried.

- Council next reviewed the second reading of Ordinance No. 2737, which will amend the Alliance Municipal Code with regard to refuse rate revisions. Council was provided with the following background information:

[The Council heard a presentation at their July 11, 2013 meeting regarding a refuse rate study that was completed by Mr. Phil Euler (Manager of Engineering with Nebraska Municipal Power Pool, known as NMPP). The recommendation as a result of the study was to continue with the previously Council approved annual 1% increase for collection rates and to increase disposal rates at the landfill by an average of 5.9% for each of the next two years.

The automatic 1% increase will result in residential collection rates of \$16.84 per month for the upcoming fiscal year and a rate of \$17.00 beginning in October 2014. Commercial collection rates will be \$83.65 for the 2013-14 fiscal year and \$84.50 the following year.

The landfill disposal rates will increase on average 5.9% with varying rate changes based on the type of materials. For the upcoming year, percentage changes range from increases at the highest of 8.1% and 8.3% for construction and demolition materials and shingles, respectively, to small decreases of 1% or less in passenger tires, appliances and metal. October 2014 increases range from 3.2% for brush to 8.9% for fill. The majority of landfill revenue is generated through the municipal solid waste category which will increase 5.7% in each of the next two years.

The detailed executive summary is attached. These recommendations are under a four-year contract and will be reviewed by NMPP again in two years.]

A motion was made by Councilman Yeager, seconded by Councilman Benzel to approve the second reading of Ordinance No. 2737. City Clerk Jines read the Ordinance by title which follows in its entirety:

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ORDINANCE NO. 2737

AN ORDINANCE AMENDING DISPOSAL RATES FOR SOLID WASTE AND REPEALING PORTIONS OF ORDINANCES OR RESOLUTIONS NOT CONSISTENT WITH THE CHANGES HEREIN.

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

SECTION 1. Staff from the City's Refuse and Finance Departments has prepared amendments to disposal rates for solid waste resulting from the findings of the Cost of Service and Rate Design Study conducted by the Nebraska Municipal Power Pool for submission to the City Council.

SECTION 2. The City Council has received and reviewed the proposed changes and finds such changes to be in the best interest of the City of Alliance and should be therefore adopted. All is hereby amended with an effective date of this ordinance, in the following particulars:

		October 1, 2013	October 1, 2014
Rate Class	Existing Rate	Rates	Rates
Residential – City	\$16.67	\$16.84	\$17.00
Commercial – City	82.82	83.65	84.50
Disposal Fee Types			
Ashes	45.45	48.10	51.00
Brush	15.15	15.50	16.00
Construction and Demolition	45.45	48.75	52.70
Contaminated Soil	75.75	80.50	86.00
Fill	12.12	12.85	14.00
Grass	-	-	-
Leaves	-	-	-
Metal	18.18	18.00	19.00
Municipal Solid Waste	47.98	50.38	53.25
Non-baleable MSW	75.75	80.50	86.00
Pallet	18.18	19.25	20.60
Shingles	45.45	48.75	52.70
Soil	-	-	-
Tire – Truck and Tractor	15.15	16.00	16.85
Tire – Amnesty	-	-	-
Tire – Over 16”	8.08	8.00	8.50
Tire – Passenger	5.05	5.00	5.25
Weeds	-	-	-
White Goods	10.10	10.00	10.50

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White Goods w/Freon	25.25	25.00	26.50
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SECTION 3. All other ordinances, resolutions, or policies of the City of Alliance not consistent with the amendment made herein are hereby repealed.

SECTION 4. This ordinance shall go into effect on billings rendered October 1, 2013 and thereafter.

Roll call vote for the first reading of Ordinance No. 2737 with the following results:

Voting Aye: Benzel, Lewis, Yeager, Feldges.

Voting Nay: None.

Motion carried.

- The next matter before Council was Resolution No. 13-89, which authorizes the renewal of the Golf Administrator Contract with Doug Dietrich. Council was provided with the following background information:

[The City of Alliance contracted with Doug Dietrich to manage the daily operations of the Alliance Municipal Golf Course for the 2013 season with a 7-month contract beginning April 4, 2013 and ending November 30, 2013. Although the contract had an automatic renewal feature, a revised contract is being presented for approval because of the number of changes and clarifications being considered.

Primary changes in the proposed contract include:

- Using the terminology “golf administrator” in lieu of “golf professional”. Staff along with the Golf Advisory Board, have concluded that a golf professional designation is not necessary for the Alliance operations as that is only critical if a PGA-sanctioned tournament is actually hosted. The City can contract with a PGA professional if such a tournament occurs.
- Base compensation begins in December 2013 at the level of \$18,360 per year; however, an automatic 2% annual increase will be added for each subsequent year. The \$5,000 per year staffing allowance for the pro shop, which was added by amendment earlier in the year, will move in December 2013 to \$5,100 and will also increase by 2% in each subsequent year.
- The target goals to qualify for an annual bonus were lowered to a more reasonable level of 12,500 paid rounds, down from the original contracted target of 16,000 rounds, with an added two months of time be allowed in the first year to meet the same goal as we move toward having future

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contracts continue through November 30, instead of the previous September 30.

- The contract includes the provision that the City be reimbursed for its remaining investment in inventory costs.
- The contract also includes the provision that the golf administrator is responsible for acquiring carts for the golf course with a provision that the City assume the contract if the administrator would exit during the middle of a term.]

A motion was made by Councilman Lewis, seconded by Councilman Benzel to approve Resolution No. 13-89, which follows in its entirety:

RESOLUTION NO. 13-89

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

WHEREAS, The City of Alliance has entered into an Independent Contractor Agreement for Golf Course Golf Professional with Doug Dietrich; and

WHEREAS, Both the City of Alliance and Doug Dietrich desire to amend and renew the current Agreement; and

WHEREAS, The Mayor and City Council believe that it is in the best interest of the City of Alliance to amend the terms and conditions of the approved Independent Contractor Agreement for Golf Course Administrator between Doug Dietrich and the City of Alliance.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of Alliance, Nebraska, that the Mayor is authorized to sign an amendment to the Independent Contractor Agreement for Golf Course Administrator between Doug Dietrich and the City of Alliance.

Roll call vote on with the following results:

Voting Aye: Benzel, Lewis, Yeager, Feldges.

Voting Nay: None.

Motion carried.

- The final agenda item before Council were board vacancies.

A motion was made by Mayor Feldges, which was seconded by Councilman Lewis to appoint Terri Friesen to serve on the Economic Development Plan Citizen Advisory Board for a term expiring December 31, 2016.

Roll call vote with the following results:

Voting Aye: Yeager, Lewis, Feldges, Benzel.

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Voting Nay: None.

Motion carried.

A motion was made by Mayor Feldges, which was seconded by Councilman Benzel to appoint Lori Mazanec to serve on the Economic Development Plan Citizen Advisory Board for a term expiring December 31, 2016.

Roll call vote with the following results:

Voting Aye: Yeager, Lewis, Feldges, Benzel.

Voting Nay: None.

Motion carried.

Mayor Feldges announced that the City of Alliance continues to have vacancies on the Board of Adjustment, Community Garden Advisory Board, Economic Development Plan Application Review and Citizen Advisory Boards. 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.

- Mayor Feldges stated, "there being no further business to come before the Alliance City Council, the meeting is adjourned at 9:06 p.m."

(SEAL)

Fred Feldges, Mayor

Linda Jines, City Clerk