

March 18, 2014

ALLIANCE CITY COUNCIL

REGULAR MEETING, TUESDAY, MARCH 18, 2014

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

The Alliance City Council met in a Regular Meeting, March 18, 2014 at 7:00 p.m. in the Board of Education Meeting Room, 1604 Sweetwater Avenue. A notice of meeting was published in the Alliance Times Herald on March 11, 2014. The notice stated the date, hour and place of the meeting, that the meeting was open to the public, and that an agenda of the meeting, kept continuously current, was available for public inspection at the office of the City Clerk in City Hall; provided the Council could modify the agenda at the meeting if it determined an emergency so required. A similar notice, together with a copy of the agenda, also had been delivered to each of the City Council Members. An agenda, kept continuously current, was available for public inspection at the office of the City Clerk during regular business hours from the publication of the notice to the time of the meeting.

Mayor Feldges opened the March 18, 2014 Regular Meeting of the Alliance, Nebraska City Council at 7:00 p.m. Present were Mayor Feldges, Council Members Seiler, Benzel, Lewis, and Yeager. Also present were City Manager Cox, Assistant City Manager Waggener, City Attorney Olsen and City Clerk Jines.

- Mayor Feldges read the Open Meetings Act Announcement.
- The first agenda item was the introduction of new City employees Electric Apprentice Ethan Korth and Building and Code Inspector Tim Morgan.
- The next item before Council was the Consent Calendar. Councilman Benzel made a motion, which was seconded by Councilman Lewis to approve the Consent Calendar as follows:

CONSENT CALENDAR – MARCH 18, 2014

1. Approval: Minutes of the Regular Meeting, March 4, 2014.
2. Approval: Payroll and Employer Taxes for the period February 15, 2014 through February 28, 2014 inclusive: \$173,553.83 and \$12,227.90 respectively.
3. Approval: Claims against the following funds for the period February 26, 2014 through March 11, 2014: General, General Debt Service, Trust and Agency, Street, Electric,

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- Conflict Claims, which were the travel expenses the Councilmember's accrued while attending the Nebraska League of Municipalities Mid-Winter Conference were the next items for consideration.

A motion was made by Councilman Benzel, seconded by Councilman Lewis to approve mileage reimbursement in the amount of \$448.00 to Mayor Feldges.

Roll call vote with the following results:

Voting Aye: Benzel, Lewis, Yeager, Seiler.

Voting Nay: None.

Abstaining: Feldges.

Motion carried.

A motion was made by Councilman Lewis to approve parking expenses in the amount of \$18.00 to Mayor Feldges. The motion was seconded by Councilman Benzel.

Roll call vote with the following results:

Voting Aye: Benzel, Lewis, Yeager, Seiler.

Voting Nay: None.

Abstaining: Feldges.

Motion carried.

Councilman Benzel made a motion to approve mileage reimbursement in the amount of \$448.00 to Councilman Seiler. The motion was seconded by Councilman Lewis.

Roll call vote with the following results:

Voting Aye: Lewis, Feldges, Yeager, Benzel.

Voting Nay: None.

Abstaining: Seiler.

Motion carried.

A motion was made by Councilman Lewis to approve mileage reimbursement in the amount of \$448.00 to Councilman Benzel. The motion was seconded by Councilman Seiler.

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Nebraska municipalities which reflected positively for Alliance. Mr. Galloway suggested in the future Alliance should consider performing the calculation which is required to free up some of the restricted funds for the landfill closure as a result of our positive position and to consider adding an administrative for the use of TIF and LB840 funds.

A motion was made by Councilman Benzel, seconded by Councilman Seiler to accept the City of Alliance's Audit as presented.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

- City Manager J.D. Cox gave his City Manager's Report in outline form.
- 1. Congratulated Randy Waggener and the Finance Staff for the wonderful job they do - which reflected in an excellent Audit.
- 2. Winter Patching – Already used 25,000 lbs of patch materials
- 3. E911/Combined Dispatch
 - a. Met on Monday 3/17 (Trent Benzel, Doug Hashman, Chief, Sheriff, Pete Peterson)
 - b. Pete Peterson shared consolidation experiences with group
 - c. Q&A held; several options discussed (County-owned; City-owned; Indep. Board)
 - d. Pete Peterson conducted a tour of current dispatch facility
 - e. Pete Peterson opined that current facility too small for combined dispatch
 - f. Group exploring impact on personnel
- 4. Laing Lake Filling –
 - a. Water/sewer GL already at 30% and we haven't started irrigating yet.
 - b. The early use is due to the continued filling at Laing Lake.
- 5. Charter –
 - a. Consideration of changing equipment
 - b. Renewal of franchise agreement
 - c. Hold a public meeting regarding services within the next 30-45 days
- 6. Airport – Consuming much time
 - a. Daily changes to ongoing saga
 - b. 0 flights from AIA last week due to Great Lakes cancellations
 - c. Several days canceled this week
 - d. Great Lakes discontinuing McCook
 - e. Exploring consultant to assist us with AIA package
 - f. Establishing a relationship with McCook
 - g. Enhancing our relationship with Chadron
 - i. Both Cities attending Airport Conference in Tulsa in April
 - ii. Meeting with 9-seat carriers

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The property shown in red on the map is within the City Limits. The property outlined in blue is the current EJT. The property outlined in green is the new proposed territory included in the recommended updated EJT.]

A motion was made by Councilman Benzel, seconded by Councilman Lewis to approve the first reading of Ordinance No. 2752 which is read by title by City Clerk Jines.

ORDINANCE NO. 2752

AN ORDINANCE OF THE CITY OF ALLIANCE, NEBRASKA, DEALING WITH ZONING, AMENDING THE DISTRICT ZONING MAP TO SHOW THE AREA OUTSIDE THE CITY'S CORPORATE BOUNDARY WHICH IS WITHIN THE TWO-MILE AREA OF PLANNING AND ZONING JURISDICTION, AND REPEALING ORDINANCE NO. 1985 AND EXISTING PROVISIONS OF CITY CODE NOT CONSISTENT HEREWITH.

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

(a) 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.

(b) 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 _____, 2014, 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.

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The City Council passed Resolution 11-123 on October 20, 2011 formally adopting our plan and requesting Federal approval. Region 23 Emergency Management approved Resolution 2012-01 on May 17, 2012 formally adopting the City of Alliance annex to their plan and requesting Federal approval.

It is now time to update Region 23's Multi-Jurisdiction All-Hazard Plan and the City of Alliance is in receipt of the Hazard Mitigation Planning Grant Agreement that breaks down each individual jurisdiction financial obligation toward the plan update and requests appointment of a City of Alliance representative to the planning team. Staff recommends that the Fire Chief be the City Manager's appointee and that the City Manager be named as the alternate.

Based on the accompanying agreement the City of Alliance's financial obligation toward the plan update is \$3,590 which has been budgeted in the emergency management budget general ledger account 01-37-35-44-479.]

A motion was made by Councilman Yeager, seconded by Councilman Lewis to approve Resolution No. 14- 28 which follows in its entirety:

RESOLUTION NO. 14-28

WHEREAS, The City of Alliance has considered an Interlocal Agreement pursuant to the authority of the Inter-Local Cooperation Act, RRS §13-801 et seq.; and

WHEREAS, The Agreement is between the City of Alliance and Region 23 Emergency Management Agency, Box Butte County, Hemingford, Dawes County, Chadron, Crawford, Chadron State College, Sheridan County, Gordon, Hay Springs, Rushville, Sioux County, and Harrison; and

WHEREAS, The purpose of the Agreement is to establish the best manner to provide services in mitigating the effects of hazards to reduce or eliminate long-term risk to life and property; and

WHEREAS, A grant is being applied for to assist in the funding for the creation of a Multi-Jurisdictional Hazard Mitigation Plan.

NOW, THEREFORE, BE IT RESOLVED, that the Interlocal Agreement for the Multi-Jurisdictional Hazard Mitigation Plan is adopted and approved by the City Council of the City of Alliance, Nebraska.

BE IT FURTHER RESOLVED that the City of Alliance's representative to the Planners created by said Agreement shall be Troy Shoemaker as the City Manager's appointee, and the City Manager J.D. Cox be named as the alternate.

Roll call vote with the following results:

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

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

Voting Nay: None.

Motion carried.

Councilman Seiler announced that the City of Alliance continues to have vacancies on the A-1 Downtown Improvement Board, A-2 Downtown Improvement Board, Economic Development Plan Citizens Advisory Board, Planning Commission, Golf Advisory Board and homemaker representative on the Police Advisory Board. 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.

- The final item for Council's review was a request from the Fraternal Order of Police Lodge 51 to consider merging their two contracts.

Tim Petersen, Chairperson of the Fraternal Order of Police was present and stated that Lodges 51A and 51B were already one Lodge, but they are requesting the contracts for the 51A and 51B become merged rather than have two separate contracts for each entity.

Councilman Lewis moved pursuant to Section 84-1410 Reissue Revised Statutes of Nebraska 1943, that the Alliance City Council hold a closed session for the purpose of conducting a strategy session to respond to the request of the Fraternal Order of Police Lodge 51 (of which there are two: 51A – Alliance Police Officer's Association and 51B – Alliance Communications Officer's Association) as this is a matter of collective bargaining. The motion was seconded by Councilman Seiler.

Mayor Feldges stated "it has been moved and seconded that the City Council hold a closed session for the purpose of conducting a strategy session to respond to the request of the Fraternal Order of Police Lodge 51 (of which there are two: 51A – Alliance Police Officer's Association and 51B – Alliance Communications Officer's Association) as this is a matter of collective bargaining. Is there any discussion?"

There being no further discussion. The Clerk called the vote.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

Mayor Feldges stated "the motion having passed by an affirmative vote of the members of the City Council, the Council shall hold a closed session for the purpose of, and only for the