

April 1, 2014

**ALLIANCE CITY COUNCIL**

REGULAR MEETING, TUESDAY, APRIL 1, 2014

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

The Alliance City Council met in a Regular Meeting, April 1, 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 25, 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 April 1, 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 Hoelsing and City Clerk Jines.

- Mayor Feldges read the Open Meetings Act Announcement.
- The first agenda item was the introduction of new City employees Public Safety Dispatcher Amanda Balgheim and Adult Services Librarian Patricia Jones.
- 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 – APRIL 1, 2014

1. Approval: Minutes of the Regular Meeting, March 18, 2014.
2. Approval: Payroll and Employer Taxes for the period March 1, 2014 through March 14, 2014 inclusive: \$169,956.38 and \$11,952.73 respectively.
3. Approval: Claims against the following funds for the period March 12, 2014 through March 26, 2014: General, General Debt Service, Trust and Agency, Street, Electric,

April 1, 2014

Refuse Collection and Disposal, Sanitary Sewer, Water, Golf Course, Downtown Improvement Districts, R.S.V.P., Keno, and Capital Improvement; \$221,924.66.

4. Approval: Update to the Alliance Volunteer Fire Department by adding Josh Riley and removing Terry Craig, Jordan Perkins, Gerald Sockwell, Terry Weisgerber and Sean Winters.
5. Approval: Resolution No. 14-29 authorizing the continuance of the Community Garden at its current location, adopting the fees and regulations and creating a seasonal advisory board for the 2014 growing season.
6. Acknowledgement: Maintaining a Status Quo for the Vitalix Airport Lease. A narrative has been provided outlining the issues.
7. Approval: The issuance of a Cemetery Certificate to John Davis for the South Half of the Southeast Quarter (S1/2SE1/4) of Lot Fifteen (15), Section Two (2), Block Seventeen (17), Second Addition to the Alliance Cemetery.
8. Approval: The issuance of the following contractor licenses:

General Contractor	Peltz Construction, Inc. Midwest Partitions, Inc. Corona & Sons
Repair & Maintenance	Dustin D. Graham dba Graham Home Improvement Stephen D. Steggs
Master Plumber	Joe Weber dba Weber Plumbing and Boiler Works
Journeyman Plumber	Jim Vandehoef dba Midwestern Mechanical Rapid, Inc.
Gas Fitter	Joe Weber dba Weber Plumbing and Boiler Works Jim Vandehoef dba Midwestern Mechanical Rapid, Inc.
Master HVAC	Rashid Kadir dba Tessier's Inc.
Roofing	Urbano Moreno dba Moreno Construction
Limited & Specialty	Brent Townsend dba Quality Supreme Virgil Kohler dba Kohler Underground Sprinkler

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, Seiler, Yeager, Feldges.

Voting Nay: None.

Motion carried.

April 1, 2014

- Council next presented two proclamations. The first was a proclamation declaring April 1, 2014 as National Service Recognition Day; and the second declaring the week of April 13-19, 2014 as National Public Safety Telecommunications Week.

### PROCLAMATION

WHEREAS, service to others is a hallmark of the American character, and central to how we meet our challenges; and

WHEREAS, the nation's mayors are increasingly turning to national service and volunteerism as a cost-effective strategy to meet city needs; and

WHEREAS, national service participants address the most pressing challenges facing our cities, from educating students for the jobs of the 21st century and supporting veterans and military families to providing health services and helping communities recover from natural disasters; and

WHEREAS, national service expands economic opportunity by creating more sustainable, resilient communities and providing education, career skills, and leadership abilities for those who serve; and

WHEREAS, national service participants serve in more than 60,000 locations across the country, bolstering the civic, neighborhood, and faith-based organizations that are so vital to our economic and social well-being; and

WHEREAS, national service participants increase the impact of the organizations they serve with, both through their direct service and by recruiting and managing millions of additional volunteers; and

WHEREAS, national service represents a unique public-private partnership that invests in community solutions and leverages non-federal resources to strengthen community impact and increase the return on taxpayer dollars; and

WHEREAS, national service participants demonstrate commitment, dedication, and patriotism by making an intensive commitment to service, a commitment that remains with them in their future endeavors; and

WHEREAS, the Corporation for National and Community Service shares a priority with mayors nationwide to engage citizens, improve lives, and strengthen communities; and is joining with the National League of Cities, City of Service, and mayors across the country to recognize the impact of service on the Mayors Day of Recognition for National Service on April 1, 2014.

THEREFORE, BE IT RESOLVED that I, Fred Feldges, Mayor of Alliance, do hereby proclaim April 10, 2014, as National Service Recognition Day, and encourage residents to recognize the positive impact of national service in our city; to thank those who serve; and to find ways to give back to their communities.

April 1, 2014

PROCLAMATION

WHEREAS; Emergencies can occur at anytime that require police, fire or emergency medical services; and

WHEREAS; When an emergency occurs that prompt response of police officers, firefighters and paramedics is critical to the protection of life and preservation of property; and

WHEREAS; The safety of our police officers and fire fighters is dependant upon the quality and accuracy of information obtained from citizens who telephone the Alliance police-fire communications center; and

WHEREAS; Public Safety Telecommunicators are the first and most critical contact our citizens have with emergency services; and

WHEREAS; Public Safety Telecommunicators are the single vital link for our police officers and fire fighters by monitoring their activities by radio, providing them information and insuring their safety; and

WHEREAS; Public Safety Telecommunicators of the Alliance Police Department have contributed substantially to the apprehension of criminals, suppression of fires and treatment of patients; and

WHEREAS; Each Public Safety Telecommunicator has exhibited compassion, understanding and professionalism during the performance of their job in the past year;

NOW, THEREFORE, the City Council of Alliance, Nebraska, does announce and proclaim to all citizens the week of April 13 – 19, 2014, as

National Public Safety Telecommunications Week

and encourages all citizens to recognize the accomplishments and contributions of the Public Safety Telecommunicators whose diligence and professionalism keep our City and community safe.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the City of Alliance to be affixed on this 1<sup>st</sup> day of April in the year of the Lord Two Thousand Fourteen.

- City Manager J.D. Cox gave his City Manager's Report in outline form.
  1. Streetscape – Phase 2
    - NDOR has submitted environmental to Federal Highway Administration
  2. PILOT
    - County has exempted Alliance Housing Authority
  3. NDOR / Heartland Expressway

April 1, 2014

- Moving forward – Start Construction possible in 2016
  - Cost Share: 20%
4. Legislature-LB1092- Highway Bond Authorization (Sen Dubas) –
    - Authorizes up to \$200M
    - Uses Revenue Stream authorized in 2011 by LB84 (.25% of 1% of state sales tax)
    - Passed Rev Committee
    - Now on Select File
    - Spoke with Al Davis
      - Gov has pledged to veto
      - May be enough for an override
  5. Design/Bid/Build vs Design/Build or Construction Management at Risk Options
  6. Airport
    - Runway Rehabilitation
    - Bid Opening this Thursday (4/3)
  7. Zoning-
    - Legislature LB140 –
    - Previous zoning expanded 3 miles out; approaches zoned 10 miles out
    - For us, expands into Sheridan, Morrill and Garden Counties
    - Provides for a Joint Airport Zoning Board (Multi-county);
    - Met with our County Zoning Director (Chad Wilcox)
    - Sending out letters to counties
  8. Tourism
    - Carhenge Ramping Up
    - Jim Reinders returning to Alliance this Summer
    - August 2017 – Total Eclipse is coming to Alliance!
    - Right on the Main Line
    - Planning event at Carhenge
    - [www.eclipse2017.org](http://www.eclipse2017.org)
  9. Budget - Time Frame on MyBoardPacket – Will be looking for feedback on strategic planning
  10. Upcoming Meetings:
    - April 15
      - Height of Grass/Weeds
      - Bower Park & Shankland Field Presentation
      - Airport Runway Rehabilitation Bid Award
      - Lot sale in Meadowood Addition
      - Airport Runway Bid
  11. Upcoming Calendar:
    - April 21-24: West Airports Conference
    - May 18-2: RECON

April 1, 2014

- The next agenda item was the acceptance of a Membership Distribution check from ACE (Public Alliance for Community Energy) in the amount of \$8,002.00 and the issuance of a proclamation encouraging citizens to select ACE as their natural gas supplier.

#### PROCLAMATION

WHEREAS, ACE, the Public Alliance for Community Energy is a community-owned and not-for-profit natural gas supplier made up of 72 Nebraska member communities including the City of Alliance; and

WHEREAS, ACE was formed in 1998 to provide competition in the Choice Gas program in helping natural gas customers get the lowest price possible and keeping money in Nebraska; and

WHEREAS, The mission of ACE is to offer competitive rates and work to keep the cost of natural gas as low as possible for all consumers; and

WHEREAS, The City of Alliance received \$8,002.00 in revenue return from ACE during March of 2014 with total revenue returns to the City of \$85,906 since the inception of ACE; and

WHEREAS, The City Manager has recommended these funds be utilized to enhance the quality of life for our seniors by financing improvements to the Senior Center based upon input from the community.

NOW, THEREFORE, the City Council of Alliance, Nebraska, encourages the Citizens of Alliance to consider selecting ACE as their natural gas supplier during the Choice Gas selection period which begins April 11<sup>th</sup> and runs through April 24<sup>th</sup>, 2014.

*IN WITNESS WHEREOF*, I have hereunto set my hand and caused the Great Seal of the City of Alliance to be affixed on this 1st day of April in the year of the Lord Two Thousand Fourteen.

- The next item discussed by Council was the second reading of Ordinance No. 2752 which will establish the City's two-mile area of planning and zoning jurisdiction outside our corporate boundary. Council was provided with the following background information:

[The City of Alliance enforces Building and Zoning codes within a two-mile radius around the Corporate City Limits. This area is called the Extra-Jurisdictional Territory (EJT). The EJT allows the City to protect its interests by imposing the same Building and Zoning regulations required within the City Limits on the areas directly surrounding the City.

In the past, the City found it in its best interest to exclude the NW ¼ of Section 18, Township 25 North, Range 47, West of the 6<sup>th</sup> Principal Meridian. The reasoning was to exclude the Carhenge property from City Zoning and Building codes making it easier to develop the site. Since the City of Alliance has taken

April 1, 2014

possession of Carhenge, City Staff believes it is now in the best interest of the City to repeal the prior ordinance (1985) which excludes the Carhenge property from the EJT. This would allow the City to protect Carhenge from potentially unwanted land uses near the site. A map of the new EJT which includes Carhenge and the land surrounding recently annexed property into the City Limits is included in the packet.

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.

Several questions regarding implementation of the changes were raised during the March 18, 2014 Council meeting. The questions have been assigned to Staff for research and response, as appropriate.]

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

#### 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.

April 1, 2014

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.

Brent Kusek, City of Alliance Community Development Administrator, was present to explain the Extra-Jurisdictional Territory statutory requirements and answer questions of the Council and public.

Chad Wilcox, Box Butte County Zoning Administrator, was present to oppose the map presented with Ordinance No. 2752 and discussed the concerns of the Box Butte County Zoning Commission. Mr. Wilcox further stated that the County does not have the gps equipment to identify the boundary if it is not created using section lines.

Mike Johnson, Chairman of the Box Butte County Zoning Commission discussed his concerns with the updated City of Alliance District Zoning Map as noted that there was a provision with the adoption of LB1126 which allows comprise between the City and County in regards to "ownership" of land and property.

Roll call vote on the second reading of Ordinance No. 2752 with the following results:

Voting Aye: Lewis, Seiler, Yeager, Feldges.

Voting Nay: Benzel.

Motion carried.

- Council next reviewed the third reading of Ordinance No. 2749 which will approve the Preliminary and Final Plat of Maverik, Inc. The following background information was provided to Council:

[The City of Alliance is in receipt of application for replat from Maverik Inc. of North Salt Lake, UT. The replat request includes five lots presently owned by Clifford Coleman, Miller Brothers Automotive, Inc. and Lynn Douglas Anderson. The request is to replat five lots into one for the purpose of developing a convenience store/gas station on the site. The lots are currently under contract for purchase by Maverik Inc. conditional on the approval of the Preliminary and Final Plats.

Three of the lots were previously platted as part of the Eagles Addition to the City of Alliance and the other two are nonplatted lands within the Corporate City

April 1, 2014

Limits. The legal description is Lots 2 through 5, Eagles Addition to the City of Alliance, Part of the Southwest Quarter of the Northwest Quarter of Section 35, Township 25 North, Range 48, West of the 6<sup>th</sup> Principal Meridian, Parcel Number 405, and Part of the Southwest Quarter of the Northwest Quarter of Section 35, Township 25 North, Range 48, West of the 6<sup>th</sup> Principal Meridian, Parcel Number 390. The property to be platted is located north of Nebraska State Highway 2, east of U.S. Highway 385, west of 1520 West 3<sup>rd</sup> Street otherwise known as The Fraternal Order of Eagles, and south of a parcel of nonplatted land addressed 2435 Nebraska Highway 2.

The land is currently zoned C-3 Highway Commercial. The land is bordered to the north, east, and south by C-3 zoning and to the west by Agriculture zoning. The current zoning would not change. There were no issues identified in regard to land use, lot size, structures or setbacks. The plat will create a 10' utility easement around the perimeter of the property and leave the 20' utility easement currently platted in the Eagles Addition. Electric, water and sewer service are readily available and no new streets are included in the proposal. Sidewalk installation would be required as well as a drainage plan at the time the property is developed. A new water main would require an assessment fee of \$14.44 per front linear footage plus the tap fee based on service; however, the owner would be able to reuse one of the existing water services and avoid the fees. Details regarding the zoning and public works elements are included in the attached document that was provided to the Planning Commission.

The City mailed eight Notification Petitions and as of January 14, 2014 had received two of them back with both in favor of the approval of the replat.

Staff has determined that the Preliminary and Final Plats meet the requirements of the City of Alliance Zoning and Subdivision regulations. The Planning Commission at its January 14, 2014 meeting voted to recommend to the City Council the approval of the Preliminary and Final Plat of Maverik Addition to the City of Alliance.]

A motion was made by Councilman Yeager, seconded by Councilman Seiler to approve the third reading of Ordinance No. 2749 which City Clerk Jines read by title.

#### ORDINANCE NO. 2749

AN ORDINANCE APPROVING THE PRELIMINARY AND FINAL PLATS OF MAVERIK ADDITION TO THE CITY OF ALLIANCE, BOX BUTTE COUNTY, NEBRASKA.

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

April 1, 2014

SECTION 1. The City of Alliance has received the application for approval of the Preliminary Plat and Final Plat of Maverik Addition to the City of Alliance, Box Butte County, Nebraska from Maverik, Inc. of North Salt Lake, Utah.

SECTION 2. The Planning Commission held a public hearing January 14, 2014, and has recommended the approval of the Preliminary Plat.

SECTION 3. The Planning Commission on January 14, 2014 also conducted a Public Hearing on the Final Plat of Maverik Addition to the City of Alliance, Box Butte County, Nebraska.

SECTION 4. The Preliminary Plat and the Final Plat of Maverik Addition to the City of Alliance, Box Butte County, Nebraska are hereby approved by the City of Alliance and shall be filed with the County Clerk as provided by City Code and State law within 30 days of this approval. The plat map which has been prepared is a part of these proceedings and is attached hereto and is incorporated herein and made a part hereof by reference.

SECTION 5. This ordinance shall be in full force and effect from and after its approval, passage, and publication according to law.

Roll call on the final reading of Ordinance No. 2749 vote with the following results:

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

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.

- Resolution No. 14-30 awarding two demolition projects to K.L. Wood and Company, LLC in the amount of \$75,696.30 and authorizing the use of the City Council Contingency Fund for nuisance abatement to cover the demolition projects was the next agenda item. Council was provided with the following background information:

[The City of Alliance prepared an Invitation to Bid for the demolition and removal of 123 Box Butte Avenue (the former Toad's Building). The Invitation also included two additional properties, (1) 100 Big Horn Avenue and (2) 105 Big Horn Avenue as options to the project. The City distributed seven invitations and received five sets of bids for the projects which were opened on Tuesday, March 11, 2014. K.L. Wood & Co., LLC was the lowest, responsive and responsible bidder on the 123 Box Butte Avenue property and one of the optional properties. A copy of the Bid Tabulation has been included in the Council packet.

April 1, 2014

When the City prepared the Invitation to Bid, landfill disposal fees were intentionally excluded in the bid package. This was done since the landfill fees are set and the Staff did not want to have any potential additional fees added to the contracts to cover this unknown component. All waste from the site, with the exception of recyclable concrete, will be weighed and disposed of at the Alliance Landfill. Staff is estimating the 123 Box Butte Avenue disposal fees to be in the \$40,000 range. As a result of this unknown factor, Staff is recommending awarding the 123 Box Butte Avenue property and one optional property (105 Big Horn Avenue) at this time to K.L. Wood & Co. This will allow the City to monitor the disposal costs and determine if enough funds remain in the current fiscal year budget authority to demolish the third property. If it is determined sufficient funds remain, the second optional property may be awarded to a different bidder who had the lowest bid on that property.

Upon Council approval, K.L. Wood & Co. plans to demolish the 123 Box Butte Avenue property starting in late April with an anticipated three-week completion timeframe. The second property demolition will be completed yet within this fiscal year with a start date yet to be determined.

Budget authority for the demolition costs are included within Council Contingency (01-10-10-47-791) which included up to \$200,000 of designated authority.]

A motion was made by Councilman Lewis, seconded by Councilman Benzel to approve Resolution No. 14-30 which follows in its entirety:

#### RESOLUTION NO. 14-30

*WHEREAS*, The Alliance City Council allocated \$200,000 within the City Council's Contingency Fund for nuisance abatement for fiscal year 2013-14; and

*WHEREAS*, The City of Alliance prepared an Invitation to Bid for the demolition of a declared nuisance property located at 123 Box Butte Avenue along with two additional properties as options which are located at 100 Big Horn Avenue and 105 Big Horn Avenue; and

*WHEREAS*, The lowest, responsive and responsible bidder for the 123 Box Butte Avenue property was K.L. Wood & Company, LLC of Alliance, Nebraska in the amount of \$29,437.00; and

*WHEREAS*, K. L. Wood & Company, LLC was also the lowest, responsive and responsible bidder on the optional property located at 105 Big Horn Avenue in the amount of \$46,259.30; and

*WHEREAS*, Landfill fees for the demolition of the buildings were intentionally not included in the Invitation to Bid and will be paid directly to the Refuse Disposal Fund by the City.

April 1, 2014

*NOW, THEREFORE, BE IT RESOLVED* by the Mayor and Council of the City of Alliance, Nebraska, that a contract be awarded to K.L. Wood & Company, LLC in the amount of \$75,696.30 for the demolition of 123 Box Butte Avenue and 105 Big Horn Avenue.

*BE IT FUTHER RESOLVED* that the use of City Council's Contingency Funds (01-10-10-47-791) for the Demolition Contract with K.L. Wood & Company, LLC in the amount of \$75,696.30 and the actual landfill expenses associated with the removal of 123 Box Butte Avenue and the 105 Big Horn Avenue properties is hereby authorized from the \$200,000 which was allocated for nuisance abatement.

*BE IT FURTHER RESOLVED* that the actual landfill expenses associated with both demolition properties will be recorded and reported back to Council.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

- Resolution No. 14-31 awarding the Concrete Removal and Replacement Contract to K.L. Wood and Company, LLC in the amount of \$382,436.50 was the next item for review. The following background information was provided to Council:

[The City of Alliance prepared and advertised an Invitation for Bid and received four bids for its annual street concrete removal and replacement projects. The areas included were those identified as some of those most in need of repair and others may be added as allowed within the budget. Bids were checked for accuracy and verified as correct by Baker & Associates. The lowest, responsive and responsible bidder was K.L. Wood & Co., LLC in the amount of \$382,436.50. There is \$440,000.00 remaining in the current fiscal year Street Fund budget for this street work.]

The contract includes a 120-day completion requirement with damages assessed at \$300.00 per day. Weather days are allowed and are to be agreed upon by the City and the Contractor. The goal is for construction to begin in mid-May with completion by the end of summer. It is recommended that the City's project manager be given authority to approve change orders in the field not to exceed 5%.

It is recommended that the City retain Baker & Associates for an estimated amount of \$6,000 to \$9,000 (depending on trips and inspections) to allow additional administration needed for change orders and additions to unit work performed. It is imperative that the City have administrative services and pay submittal review for compliance and accuracy with the potential vacancy of the Public Works position for a portion of the contract period.]

April 1, 2014

A motion was made by Councilman Yeager, seconded by Councilman Benzel to approve Resolution No. 14-31 which follows in its entirety:

RESOLUTION NO. 14-31

*WHEREAS*, The City of has issued an Invitation to Bid for Concrete Removal and Replacement pursuant to Bid Number 2441-14-01; and

*WHEREAS*, Four (4) responses were received to the Invitation; and

*WHEREAS*, K.L. Wood and Company, LLC of Alliance, Nebraska appears to be the lowest, responsive, and responsible bid in the amount of \$382,436.50, which is based on the areas listed in the Invitation to Bid.

*NOW, THEREFORE, BE IT RESOLVED*, by the Mayor and City Council of Alliance, Nebraska, that the Mayor is authorized to sign the contract for Bid Number 2441-14-01 awarding to K.L. Wood and Company, LLC of Alliance, Nebraska in an amount of Three Hundred Eighty-two Thousand Four Hundred Thirty-six and 50/100ths (382,436.50) to be paid from Account No. 24-41-41-44-472.

*BE IT FURTHERED RESOLVED*, that there be an additional allowance to the contract of up to five percent (5%) for change orders in the field should they be necessary.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

- The next item for discussion was Resolution No. 14-32, granting Lucas Peterson and Aerial Spraying Lease at the Alliance Municipal Airport. Council was provided with the following background information:

[Lucas (Luke) Peterson has requested a lease with the City of Alliance Municipal Airport that will provide access for an aerial spraying operation. The proposed agreement stipulates that Luke Peterson pay the City \$800.00 annually for rent. In return, the City agrees to provide a 120' X 60' area out of which Mr. Peterson will conduct aerial spraying operations. The designated area will be located at the north west corner of the apron between the FBO house and the east hanger. The lease will begin on April 1, 2014 and will automatically renew annually.

The Peterson lease would increase the number of commercial operations at the airport along with additional fuel sales.]

April 1, 2014

A motion was made by Councilman Benzel, seconded by Councilman Lewis to approve Resolution No. 14-32 which follows in its entirety:

RESOLUTION NO. 14-32

*WHEREAS*, The City of Alliance has facilities at the Airport for servicing aerial spray airplanes; and

*WHEREAS*, Lucas Peterson has requested a lease for non-exclusive use of the aerial applicator's loadout facility; and

*WHEREAS*, The City Council finds that the non-exclusive lease should be granted for a one year period which will be automatically renewable.

*NOW, THEREFORE, BE IT RESOLVED*, by the Mayor and City Council of Alliance, Nebraska, that the Lease Agreement between the City of Alliance, Nebraska and Lucas Peterson is hereby granted.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

- The next agenda item was Resolution No. 14-33 granting an Airport Lease to TriRotor Crop Services for aerial spraying operations and office space. The following background information was provided to Council:

[This resolution will approve a lease for aerial spraying and office space between TriRotor Crop Services and the City of Alliance Municipal Airport. TriRotor is the company that has merged with Preferred Ag who previously leased the same office space and land area. The agreement provides that TriRotor will pay the City an amount of \$115.00 per month for office space in the terminal. They will also pay the City an annual amount of \$1,753.50 for the land area. In return, the City agrees to provide a 150' X 167' area out of which TriRotor will conduct aerial spraying operations. The designated area is located east of the airport terminal between the airport fire station and the SEAT base.]

A motion was made by Councilman Lewis, seconded by Councilman Benzel to approve Resolution No. 14-33 which follows in its entirety:

RESOLUTION NO. 14-33

April 1, 2014

*WHEREAS*, The City of Alliance has facilities at the Airport for servicing aerial spray airplanes and office space in our Terminal Building; and

*WHEREAS*, TriRotor Crop Services has requested a lease for non-exclusive use of the aerial applicator's loadout facility and office space; and

*WHEREAS*, The City Council finds that the non-exclusive lease should be granted for a one year period which will be automatically renewable.

*NOW, THEREFORE, BE IT RESOLVED*, by the Mayor and City Council of Alliance, Nebraska, that the Lease Agreement between the City of Alliance, Nebraska and TriRotor Crop Services is hereby granted.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

- Council next discussed Resolution No. 14-34 authorizing the initiation of the "Pianos on the Plains" Program which will provide pianos throughout our park system. Council was provided with the following information:

[The City of Alliance is in receipt of a request from Annette Wood to introduce "Pianos on the Plains – Play On" in our community. The request is for permission to place pianos throughout our parks system. The pianos will be painted in original themes by local artists. Annette is a long-time resident of Alliance and is excited about serving our community by bringing both art and music to our public spaces through this community program.

Annette has submitted photos of where she would like to place pianos. The locations are in strategic areas of the community providing widespread accessibility. The locations identified include:

- 3<sup>rd</sup> and Box Butte Mini Park
- South of the Conservatory on the concrete patio
- Birdhouse in Central Park or West side of Knight Museum and Sandhills Center
- Laing Lake
- North side of Big Blue Bay

According to the information submitted, Annette and several other volunteers will be responsible for all activities and costs associated with the implementation of this program. If approved, she will arrange for the donated pianos to be painted and placed at each site, and will maintain them throughout the summer. Pianos

April 1, 2014

and benches would be anchored in a tasteful manner and tarps included as protective covering in case of inclement weather. If a piano is damaged or otherwise needs to be removed, she has agreed to be responsible for its removal and replacement. Each piano will have a sign posted on it with contact information for Annette so that if problems arise, she can take necessary action to address the concern.

Staff has no objections to the implementation of this program within the City's park system. Cultural and Leisure Director Shana Brown would work with Annette to ensure pianos are placed appropriately and secured in an acceptable manner.]

A motion was made by Councilman Lewis, seconded by Councilman Benzel to approve Resolution No. 14-34 which follows in its entirety:

RESOLUTION NO. 14-34

*WHEREAS*, The City of Alliance has received a request from Annette Wood to provide "Pianos on the Plains – Play On" in our community; and

*WHEREAS*, The Program will provide for the placement of pianos throughout our parks system; and

*WHEREAS*, Ms. Wood will be responsible for all activities and costs associated with the program, which will include the maintenance, removal and replacement of pianos; and

*WHEREAS*, Our Cultural and Leisure Services Director has agreed to assist in the placement and securing the pianos, in an acceptable manner.

*NOW, THEREFORE, BE IT RESOLVED* by the Mayor and Council of the City of Alliance, Nebraska, that Ms. Wood be allowed to provide "Pianos on the Plains – Play On" within the City's park system as outlined in the proposal.

Annette Wood, 2660 CR 60 Alliance, NE, was present to speak on behalf of "Pianos on the Plains" and answer questions of Council and the public.

Council discussed the possibility of placing a review date or ending date to the program to assess the use and continued feasibility. No action was taken on this issue.

Roll call vote with the following results:

Voting Aye: Feldges, Lewis, Benzel, Yeager.

Voting Nay: Seiler.

Motion carried.

- The final agenda item was Board Vacancies.

April 1, 2014

A motion was made by Councilman Seiler, seconded by Councilman Benzel to accept the recognition from Dr. Patrick Jones as the School Representative on the Police Advisory Board.

Roll call vote with the following results:

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

Voting Nay: None.

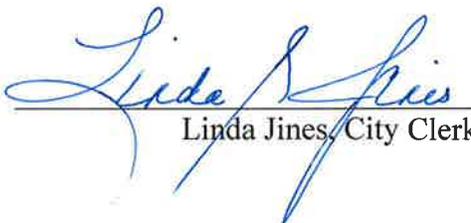
Motion carried

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 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](http://www.cityofalliance.net).

- Mayor Feldges stated, "there being no further business to come before the Alliance City Council, the meeting is adjourned at 8:55 p.m."

(SEAL)

  
Fred Feldges, Mayor

  
Linda Jines, City Clerk

April 1, 2014

18

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