

# ALLIANCE CITY COUNCIL

REGULAR MEETING, THURSDAY, OCTOBER 2, 2008

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

The Alliance City Council met in a Regular Meeting, October 2, 2008 at 7:00 p.m., in the Board of Education Meeting Room, 1604 Sweetwater Avenue. A notice of meeting was published in the Alliance Times Herald on September 25, 2008. 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 Kusek opened the October 2, 2008 Regular Meeting of the Alliance, Nebraska City Council at 7:00 p.m. Present were Mayor Kusek, Council Members Dickenson, Benzel, Rowley, and Yeager. Also present were City Manager Caskie, City Attorney Miller and City Clerk Jines.

- Mayor Kusek read the Open Meetings Act Announcement.
- The first item on the agenda was the Consent Calendar.

Motion by Councilman Dickenson, seconded by Councilman Benzel to approve the Consent Calendar which follows in its entirety:

**CONSENT CALENDAR – OCTOBER 2, 2008**

1.    Approval:     Minutes of the Regular Meeting, September 25, 2008.
- 2..   Approval:     Payroll and Employer Taxes for the period September 6, 2008 through September 19, 2008 inclusive: \$156,039.57 and \$11,099.33 respectively.
3.    Approval:     Claims against the following funds for the period September 25, 2008 through September 29, 2008: 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; \$2460.89 (current budget); \$443,896.61 (2009 budget).

4. Approval: The *Request for Reserved or Exclusive Use of City Streets* by Lisa Mak on behalf of the Cub Scouts for Sunday, October 26, 2008 beginning at 1:00 p.m. and continuing through 4:00 p.m. They will be conducting their Cub Mobile Derby for scouts ages 7 – 13. The event is held on 14<sup>th</sup> Street between Box Butte and Niobrara Avenues. I have been in contact with Ken Hazlitt the Senior District Executive/Great Plains District of the Longs Peak Council, Inc. regarding liability insurance which he is working on; therefore approval is contingent upon the City's receipt of the required proof of insurance at least five days before the event.
5. Approval: Making a correction to the Total Authorized Strength document which was approved by City Council on September 4, 2008 with the adoption of Resolution No. 08-95. The correction necessary is within the Police Department changing the number of Sergeants from 3 to 4, and Police Officers from 12 to 11. The final totals remain the same.
6. Approval: The issuance of the following Contractor licenses:
- |                      |   |
|----------------------|---|
| General Contractor   | Bobby Pickard dba Pioneer General Contractors, Inc. |
| Repair & Maintenance | Ron Uhley dba Procircuit Construction               |

NOTE: City Manager Caskie has reviewed these expenditures and to the best of her knowledge confirms that they are within budgeted appropriations to this point in the fiscal year.

Councilman Dickenson questioned a charge for MTC Generation. City Manager Caskie explained that it is for the diesel generators in the Electric Department.

Roll call vote with the following results:

Voting Aye: Kusek, Dickenson, Benzel, Rowley, Yeager.

Voting Nay: None.

Motion carried.

- The next item for Council's review was a Conflict Claim of Mayor Dan Kusek's in the amount of \$142.80 for gasoline to attend the Nebraska League of Municipalities Annual Conference in Omaha, NE.

Motion by Councilman Dickenson, seconded by Councilman Benzel to approve Mayor Kusek's Conflict Claim in the amount of \$142.80.

Roll call vote with the following results:

Voting Aye: Dickenson, Benzel, Rowley, Yeager.

Voting Nay: None.

Abstaining: Kusek.

Motion carried.

- The next item on Council's agenda was the presentation of four proclamations.

Councilman Yeager read the proclamation for Lights on Afterschool Day which follows in its entirety:

### **LIGHTS ON AFTERSCHOOL**

WHEREAS, KIDS "ALLIANCE" stands firmly committed to quality afterschool programs and opportunities because they:

- Provide safe, challenging, and engaging learning experiences that help children develop social, emotional, physical and academic skills.
- Support working families by ensuring their children are safe and productive after the regular school day ends.
- Build stronger communities by involving students, parents, business leaders and adult volunteers in the lives of young people, thereby promoting positive relationships among youth, families and adults.
- Engage families, schools and community partners in advancing the welfare of our children.

WHEREAS, KIDS"ALLIANCE" has provided significant leadership in the area of community involvement in the education and well-being of our youth, grounded in the principle that quality afterschool programs are key to helping our children become successful adults; and

WHEREAS, Lights on Afterschool, the national celebration of afterschool programs held this year on October 16, 2008, promotes the importance of quality afterschool programs in the lives of children, families and communities; and

WHEREAS, More than 28 million children in the U.S. have parents who work outside the home, and 14.3 million children have no place to go afterschool; and

WHEREAS, Many after school programs across the country are facing funding shortfalls so severe that they are being forced to close their doors and turn off their lights.

WHEREAS, KIDS"ALLIANCE" urges the citizens of Alliance to ensure that every child has access to a safe, engaging place where the lights are on after school

NOW, THEREFORE, on behalf of the Alliance City Council I hereby proclaim the October 16, 2008 to be

“Lights On Afterschool”

And that the Alliance City Council enthusiastically endorses Lights on Afterschool and is committed to innovative afterschool programs and activities that ensure that the lights stay on and the doors stay open for all children after school.

IN WITNESS WHEREOF, I have hereunto set my hand and cause the Great Seal of the City of Alliance to be affixed this 2<sup>nd</sup> day of October in the year of our Lord, Two Thousand and Eight.

The proclamation will be sent to the Alliance Public Schools.

Councilman Dickenson read the proclamation for Public Power Week which follows in its entirety:

## **Public Power Week October 5 -11, 2008**

### **City of Alliance Electric Department Helps Our Community in Powerful Ways**

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

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

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

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

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

and

BE IT FURTHER RESOLVED That the week of October 5 – 11, 2008, be designated the 22<sup>nd</sup> Annual Public Power Week in order to honor the *Alliance Electric Department* for its contributions to the community and to make its consumer-owners, policy makers, and employees more aware of its contributions to their well-being and how it makes their lives powerful; and

BE IT FURTHER RESOLVED That our community joins hands with more than 2,000 other public power systems in the United States in this celebration of public power and recognition that the *Alliance Electric Department* is good for customers, business, the community and the nation.

The proclamation was presented to Loren Gorsuch, Alliance Electric Department Lineman.

Councilman Benzel read the proclamation for Fire Prevention Week which follows in its entirety:

## Fire Prevention Week

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

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

WHEREAS, Home fires killed more than 2,500 people in the United States in 2006, according to the latest research from the nonprofit National Fire Protection Association (NFPA), and fire departments in the United States responded to nearly 400,000 home fires; and

WHEREAS, Cooking is the leading cause of home fires and home fires injuries, while heating equipment and smoking are the leading causes of home fire deaths; and

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

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

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

WHEREAS, The 2008 Fire Prevention Week theme, "It's Fire Prevention Week – Prevent Home Fires!" effectively serves to remind us all of the simple actions we can take to stay safer

from fire during Fire Prevention Week and year-round.

NOW, THEREFORE, We, The City Council of the City of Alliance do hereby proclaim the week of October 5<sup>th</sup> - 11<sup>th</sup> as

### FIRE PREVENTION WEEK

in the City of Alliance and urge all the people of Alliance to protect their homes and families by heeding the important safety messages of Fire Prevention Week 2008, and to support the many public safety activities and efforts of Alliance's fire and emergency services..

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Alliance to be affixed this, 2<sup>nd</sup> of October 2008.

The proclamation was presented to Fire Chief Troy Shoemaker, Volunteer Fire Fighters Angel Hinkley, Jacob Perkins, B.J. Taylor, and Travis Lurz.

Councilwoman Rowley read the proclamation for Domestic Violence Awareness Month which follows in its entirety:

## Proclamation

WHEREAS, Violence against women and children continues to become more prevalent as a social problem due to societal indifference, and because of the mistaken belief of batterers that they are within their rights; and

WHEREAS, The problems of domestic violence are not confined to any group or groups of people, but crossing all social, economic, racial, religious, and affectional preference strata's of society; and

WHEREAS, The crime of domestic violence violates an individual's privacy, dignity, security, and humanity, due to systematic use of physical, emotional, sexual, psychological, and economic control and/or abuse; and

WHEREAS, The impact of domestic violence is wide ranging directly affecting women and children and society as a whole; and

WHEREAS, It is battered women, themselves, who have been in the forefront of efforts to bring peace and equality to the home.

*NOW, THEREFORE*, On behalf of the Mayor and Members of the City Council of the City of Alliance, Nebraska, in recognition of the important work done by domestic violence programs and shelters, I hereby proclaim the month of October 2008, as

DOMESTIC VIOLENCE AWARENESS MONTH

In Alliance, Nebraska, and urge all citizens to actively participate in the activities and programs sponsored by Family Rescue Services to work toward the elimination of personal and institutional violence against women.

*IN WITNESS WHEREOF*, I have hereunto set my hand and caused the Great Seal of the City of Alliance to be affixed on this 2<sup>nd</sup> day of October in the year of the Lord Two Thousand Eight.

The proclamation was presented to Maria Swensen, representative of Family Rescue Services.

- Ordinance No. 2622 amending the Alliance Municipal Code with regard to the designation of Emergency Snow Routes was the next item for Council's discussion.

Motion by Councilwoman Rowley, seconded by Councilman Dickenson to approve Ordinance No. 2622 on third reading. City Clerk Jines read the ordinance by title which follows in its entirety:

**ORDINANCE NO. 2622**

AN ORDINANCE AMENDING THE ALLIANCE MUNICIPAL CODE BY AMENDING SECTION 701, ARTICLE 7 AT CHAPTER 3, RELATING TO ESTABLISHMENT OF SNOW EMERGENCY ROUTES; AND REPEALING EXISTING PROVISIONS OF CITY CODE NOT CONSISTENT HEREWITH.

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

SECTION 1. The City of Alliance has established Snow Emergency Routes to facilitate travel during and after a snow storm to provide for public safety and welfare.

SECTION 2. The City of Alliance to make the emergency routes more efficient desires to make changes to the establishment of certain snow routes.

SECTION 3. The Alliance Municipal Code at Chapter 3, shall be amended at Article 7, Section 3-701 as follows:

3-701. ESTABLISHMENT OF SNOW EMERGENCY ROUTES.

The following streets are declared to be snow emergency routes within the City. The City Manager (or someone designated by the City Manager, but always referred to herein as the City Manager) shall, at his discretion, place appropriate signs or other traffic control devices indicating the

existence of snow emergency routes. A designation of any street, avenue, road, or highway, or portion thereof as a snow emergency route shall in no way affect any previous designation of that street, avenue, road, or highway for any other purposes but shall be in addition thereto. The following streets or highways are designated as emergency snow arterial streets:

1. U. S. Highway Nos. 385 and 2 within the corporate limits;
2. Cody Avenue from Third Street to Kansas Street;
3. Emerson Avenue from the northern corporate limits to Third Street;
4. Box Butte Avenue from Twenty-fifth Street to First Street;
5. Mississippi Avenue from Tenth Street to Third Street;
6. Potash Avenue from Third Street to Kansas Street;
7. East Third Street from Flack Avenue to the corporate limits;
8. All of Tenth Street included within the corporate limits;
9. Sixteenth Street from Buchfinck Avenue to Box Butte Avenue;
10. Twenty-fifth Street from Emerson Avenue to Sweetwater Avenue;
11. Kansas Street from Highway 2 to Highway 385;
12. Buchfinck Avenue from Tenth Street to Sixteenth Street.
13. Black Hills Avenue from Third Street to Tenth Street.
14. Sixth Street from Mississippi Avenue to Grand Avenue.
15. Grand Avenue from Sixth Street to Seventh Street.
16. Seventh Street from Grand Avenue to Mississippi Avenue.

SECTION 4. That current applicable City Codes of the City of Alliance, Nebraska, and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

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

Roll call vote with the following results:

Voting Aye: Kusek, Dickenson, Benzel, Rowley, Yeager.

Voting Nay: None.

Motion carried.

Mayor Kusek stated, “the passage and adoption of Ordinance No. 2622 has been concurred by a majority of all members elected to the Council, I declare it passed, adopted and order it published.”

- Resolution No. 08-100 authorizing the renewals of the City’s health insurance programs as well as a life insurance program was the next item for Council’s consideration.

Motion by Councilman Benzel, seconded by Councilman Yeager to approve Resolution No. 08-100 which follows in its entirety:

**RESOLUTION NO. 08-100**

*WHEREAS*, The City of Alliance has engaged in a process of evaluating its current healthcare benefit plans offered to employees; and

*WHEREAS*, Various options and proposals have been considered by staff and the City’s Third-Party Administrator, and staff has recommended the options contained herein; and

*WHEREAS*, The City of Alliance has received a proposal to renew its contract with the Third-Party Administrator, Regional Care Incorporated, as set forth herein; and

*WHEREAS*, The City of Alliance has received a proposal to contract with the reinsurance carrier, Perico Life Insurance Company, as set forth herein; and

*WHEREAS*, The proposals provide for three options from which benefit eligible employees may choose, labeled Option A, Option B, and Option C, which have varying deductibles and out-of-pocket expenses.

*NOW, THEREFORE, BE IT RESOLVED*, by the Mayor and City Council of Alliance, Nebraska, that the contract proposal with Regional Care Incorporated for Third-Party Administrator is hereby approved.

*BE IT FURTHER RESOLVED*, that the Mayor and Council of the City of Alliance, Nebraska hereby approve the proposed contract with Perico Life Insurance Company, a reinsurance carrier.

*BE IT FURTHER RESOLVED*, that the Schedules of Benefits packages to be offered to employees will be Option A, Option B, and Option C.

*BE IT FURTHER RESOLVED*, the following monthly employee contribution levels are established effective January 1, 2009:

Plan A Single \$ 60.00  
Family \$180.00

Plan B Single \$ 14.00

Family \$ 40.00

Plan C Single No Contribution; \$50.00/month paid to an Employee Health Savings Account  
Family No Contribution; \$50.00/month paid to an Employee Health Savings Account

*BE IT FURTHER RESOLVED*, Monthly premium payments per employee for reinsurance provided by Perico Life Insurance effective October 1, 2008, shall be as follows:

Specific Single Premium	\$ 73.82
Specific Family Premium	\$151.78
Aggregate Premium	\$ 11.85

Transplant Coverage	
Single	\$ 5.83
Family	\$ 13.39

*BE IT FURTHER RESOLVED*, administrative service fees to Regional Care, Incorporated, shall be \$21.85 monthly per covered employee, effective October 1, 2008.

*BE IT FURTHER RESOLVED*, the City of Alliance shall make monthly payments into its Health Support Fund, effective October 1, 2008 for a wellness program as follows:

per single employee	\$21.00
per family employee	\$42.00

*BE IT FURTHER RESOLVED*, the City of Alliance shall make monthly payments into its Health Support Fund, effective October 1, 2007 as follows:

per single employee	\$ 624.09
per family employee	\$1,513.06

City Manager Caskie advised Council there has been approximately a 15% increase in overall premiums and the City has maintained a 93% contribution at the high end with the employees paying 7%. She indicated there has been a raise of \$20.00 per month for the family plan and \$10.00 per month for single coverage. Councilman Benzel commented on possible savings after the implementation of a Wellness Program. Mayor Kusek advised Council that the Executive Board of the Nebraska League of Municipalities met to discuss rising health care costs and an attempt to create an Interlocal Agreement among cities who are self-funded.

Roll call vote with the following results:

Voting Aye: Kusek, Dickenson, Benzel, Rowley, Yeager.

Voting Nay: None.

Motion carried.

- The next item to be brought before Council was Resolution No. 08-102. This resolution will approve the Reconstruction Application of Safeway for a liquor license with the Nebraska Liquor Control Commission.

Motion by Councilman Dickenson, seconded by Councilwoman Rowley to approve Resolution No. 08-102 which follows in its entirety:

**RESOLUTION NO. 08-102**

*WHEREAS*, The City Clerk has received a notice for a Reconstruction Application for Safeway of Western Nebraska, Inc, 500 East 3<sup>rd</sup> Street, pursuant to the Nebraska Liquor Control Act; and

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

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

*NOW, THEREFORE, BE IT RESOLVED* by the Mayor and City Council of the City of Alliance, Nebraska, that the application for reconstruction to Safeway of Western Nebraska, Inc. 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 amended license issued by said Commission to the permittee.

Roll call vote with the following results:

Voting Aye: Kusek, Dickenson, Benzel, Rowley, Yeager.

Voting Nay: None.

Motion carried.

- The last item on Council's agenda was an Executive Session for negotiations and to conduct a performance evaluation of City Clerk Jines.

Mayor Kusek motioned pursuant to Section 84-1410 Reissue Revised Statutes of Nebraska 1943 that the Alliance City Council hold a closed session for the purpose of negotiations and to conduct a performance evaluation of City Clerk Jines. The motion was seconded by Councilman Dickenson. Mayor Kusek requested the presence of City Clerk Jines and City Attorney Miller at the Executive Session.

Roll call vote with the following results:

Voting Aye: Kusek, Dickenson, Benzel, Rowley, Yeager.

Voting Nay: None.

Motion carried.

- Mayor Kusek invited the public to attend the Groundbreaking Ceremony for the State Veteran’s Cemetery on October 10, 2008 at 11:00 a.m. at the site.

- The executive session was entered into at 7:30 p.m and adjourned at 8:25 p.m.

Motion by Councilman Dickenson, seconded by Councilwoman Rowley to provide a \$1000.00 merit bonus to City Clerk Jines.

Aye: Kusek, Dickenson, Benzel, Yeager, Rowley.

Nay: None

Motion carried.

- Mayor Kusek stated, “there being no further business to come before the Alliance City Council, the meeting is adjourned at 8:26 p.m.”

(SEAL)

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 Dan Kusek, Mayor

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 Linda S. Jines, City Clerk