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- (1) Barbershop.
- (2) Beauty shop.
- (3) Convenience food stores.
- (4) Day care or nursery schools.
- (5) Library.
- (6) Pharmacy.
- (7) Schools and colleges.
- (8) Health, dental and eye care offices/clinics.
- (9) Churches, places of worship and religious.

(c) *Conditional uses.*

- (1) Towers, telecommunications facilities, and antennas as permitted in chapter 109.
- (2) Buildings, structures, and premises for public utility services, or public service corporations, which buildings or uses the council, after report of the city planning commission, deems reasonably necessary for public convenience or welfare.
- (3) Other uses clearly associated with the intent of the C-1 district.
- (4) Irrigation wells and associated buildings and equipment, customarily incidental to the principal use of the property, only if approval is granted by the water superintendent.

(d) *Performance standards.*(1) *Area and bulk regulations.*

Use	Minimum Lot Size (sq. ft.)	Minimum Lot Width (feet)	Setbacks (feet)				Maximum Height (feet)	Maximum Building Separation (feet)
			Front	Rear	Side	Side Street		
Principal structure	None	None	<u>25</u>	<u>25</u>	A	A	30*	6
Accessory building	—	—	<u>25</u>	5	5	<u>20</u>		6

A. No side yard is required except that where a side line of a lot in this district abuts upon the side line of a lot in a district R-1 to C-O inclusive, a side yard of not less than seven feet shall be provided, and a side yard of 15 feet shall be provided on the street side of a corner lot.

*Or a 3.5 feet addition to required northern or eastern side yard requirements for each vertical foot above 30 feet

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(2) *Permitted accessory uses.*

- a. Food service and vending machines for tenants only, private garages for motor vehicles, apartment for maintenance personnel, low-level exterior lighting, flagpoles, cooling towers, and other similar uses.
- b. Storage of goods sold by a principal commercial activity, or used in or produced by a principal manufacturing activity engaged in by the same firm on the same lot.
- c. Television, radio receiving and transmitting equipment, and satellite dishes as permitted by chapter 109, subject to the setback provisions in section 115-170(e) and not exceeding 60 feet in height.
- d. Off-street parking and loading serving a principal use. All off-street parking shall be located on the same lot as the principal use. See section 115-173
- e. Signs as permitted in chapter 111
- f. Fences as permitted in section 115-172
- g. Temporary construction, grading, and demolition activities which are necessary and incidental to the development of facilities on the same lot, or on another of several lots being developed at the same time.
- h. Temporary conduct of a real estate sales office which is necessary and incidental to, and located on the site of, a subdivision being developed into five or more lots.
- i. Open area devoted to decorative paving, swimming pools, tennis courts, and other similar uses, located on the same lot as the principal use.
- j. Storage and service areas and buildings serving a principal use on the same lot, provided that storage buildings do not exceed 150 square feet in size, or unenclosed areas which are accessory to a principal nonresidential use not exceeding 200 square feet in area.
- k. A single trailer, camper, motor home or a boat, incidental to and on the same lot as principal residential uses, but only if the trailer, camper, motor home, or boat is not intended for habitation while it is on the lot, subject to the setback provisions in section 115-170(e).

(3) *Additional development standards.* The following standards shall not be exceeded by any use in this district.

- a. No wholesale shall be conducted.
- b. No merchandise or equipment shall be stored or displayed outside a building except as follows:
 1. Christmas trees and shrubs for sale may be displayed outside a building,
 2. At convenience food stores, gasoline or other motor vehicle fuels may be dispensed at retail to consumers outside a building.

(4) *Automatic credit card and other fuel dispensers.* All products shall be sold and all services rendered inside a building, except that motor vehicle fuels may be sold at the

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dispensing pump if automatic credit card or other automatic type fuel dispensers are in use that do not require the purchaser to enter the store building.

- (5) *No harmful noise, smoke, radiation, etc.* No noise, smoke, radiation, vibration, or concussion, heat or glare shall be produced that is perceptible outside a building and no dust, fly ash, or gas that is toxic, caustic, or obviously injurious to humans or property shall be produced.
- (6) *Alcoholic beverage sale for consumption on premises prohibited.* Alcoholic beverages shall not be sold for consumption on the premises.

Sec. 115-106. C-2, Central Business District.

- (a) *Scope and intent.* This section applies to district C-2. The C-2, Central Business District is intended to provide a zone that will accommodate low impact retail and service businesses in those areas of the community that were traditionally developed with no building setback requirements.
- (b) *Permitted uses.*
 - (1) Retail and wholesale sales establishments, not including adult bookstores.
 - (2) Medical, professional and governmental offices.
 - (3) Public libraries, utility facilities and parks.
 - (4) Eating and drinking establishments.
 - (5) Hotels, motels and other lodging facilities.
 - (6) Single and multifamily dwellings above the first floor of commercial establishments.
 - (7) Service establishments such as banks, credit unions, salons, dry cleaners and laundries.
 - (8) Theaters, not including adult theaters.
 - (9) Health facilities such as spas.
 - (10) Printers and newspapers.
 - (11) Repair shops; indoor only and not including repair facilities which could be considered noxious or offensive by reason of vibration, noise, dust, fumes, gas, odor or smoke.
 - (12) Building supply stores (indoor display and storage only).
 - (13) Lodges and fraternal orders.
 - (14) Parking lots and facilities.
 - (15) Churches, places of worship and religious.
- (c) *Conditional uses.*
 - (1) Towers, telecommunications facilities, and antennas as permitted in chapter 109.
 - (2) Automobile dealer lots and repair services.
 - (3) Commercial storage units.

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- (4) Light manufacturing or fabrication establishments which are not noxious or offensive by reason of vibration, noise, dust, fumes, gas, odor or smoke.
 - (5) Other uses clearly associated with the intent of the C-2, Central Business District.
 - (6) Irrigation wells and associated buildings and equipment, customarily incidental to the principal use of the property, only if approval is granted by the water superintendent.
- (d) *Performance standards.*

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(1) *Area and bulk regulations.*

Use	Minimum Lot Size (sq. ft.)	Minimum Lot Width (feet)	Setbacks (feet)				Maximum Height (feet)
			Front	Rear	Side	Side Street	
Principal structure	None	None	0	A	B	0	45
Accessory building	—	—	0	A	B	0	45

A. No rear yard required if adjacent to an alley

B. No side yard is required except that where a side line of a lot in this district abuts upon the side line of a lot in a districts R-1 to C-O inclusive

(2) *Permitted accessory uses.*

- a. Food service and vending machines for tenants only, private garages for motor vehicles, apartments for maintenance personnel, low-level exterior lighting, flagpoles, cooling towers, and other similar uses.
- b. Storage of goods sold by a principal commercial activity, or used in or produced by a principal manufacturing activity engaged in by the same firm on the same lot.
- c. Television, radio receiving and transmitting equipment, and satellite dishes as permitted by chapter 109, subject to the setback provisions in section 115-170(e) and not exceeding 60 feet in height.
- d. Off-street parking and loading serving a principal use. All off-street parking shall be located on the same lot as the principal use. See section 115-173
- e. Signs as permitted in chapter 111
- f. Fences as permitted in section 115-172
- g. Temporary construction, grading, and demolition activities which are necessary and incidental to the development of facilities on the same lot, or on another of several lots being developed at the same time.
- h. Temporary conduct of a real estate sales office which is necessary and incidental to, and located on the site of, a subdivision being developed into five or more lots.
- i. Open area devoted to decorative paving, swimming pools, tennis courts, and other similar uses, located on the same lot as the principal use.
- j. Storage and service areas and buildings serving a principal use on the same lot, provided that storage buildings do not exceed 150 square feet in size, or unenclosed

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areas which are accessory to a principal nonresidential use not exceeding 200 square feet in area.

- k. A single trailer, camper, motor home or a boat, incidental to and on the same lot as principal residential uses, but only if the trailer, camper, motor home, or boat is not intended for habitation while it is on the lot, subject to the setback provisions in section 115-170(e).

Sec. 115-107. C-3, Highway Commercial District.

- (a) *Scope and intent.* This section applies to district C-3. The C-3, Highway Commercial District is intended to accommodate commercial businesses that:

- (1) Require direct access to highways and primary transportation thoroughfares due to the volume of traffic they generate.
- (2) Cater primarily to the traveling public.

- (b) *Permitted uses.*

- (1) Retail and wholesale sales establishments, not including adult bookstores.
- (2) Medical, professional and governmental offices.
- (3) Public libraries, utility facilities and parks.
- (4) Eating and drinking establishments.
- (5) Hotels, motels and other lodging facilities.
- (6) Single and multifamily dwellings above the first floor of commercial establishments.
- (7) Service establishments such as banks, credit unions, salons, dry cleaners and laundries.
- (8) Theaters, not including adult theaters.
- (9) Health facilities such as spas.
- (10) Printers and newspapers.
- (11) Repair shops, indoor only, and not including repair facilities which could be considered noxious or offensive by reason of vibration, noise, dust, fumes, gas, odor or smoke.
- (12) Building supply stores (indoor display and storage only).
- (13) Lodges and fraternal orders.
- (14) Parking lots and facilities.
- (15) Automobile dealers, implement dealers and related services.
- (16) Truck parking, truck repair services, and related services.
- (17) Commercial storage units.
- (18) Building, landscaping supplies and yards including well drillers.
- (19) Animal feeds and supply services, not including grain elevators.
- (20) Contractor yards, provided material storage is in the rear yard and screened.

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- (21) Swimming pool, commercial.
- (22) Churches, places of worship and religious.

(c) *Conditional uses.*

- (1) Amusement parks, commercial baseball or athletic fields, race tracks, circuses, carnivals or fairgrounds.
- (2) Cemeteries, mausoleums, or crematories for the disposal of the human dead.
- (3) Clubs, fraternal orders, philanthropic organizations.
- (4) Drive-in theaters.
- (5) Golf driving ranges, commercial or illuminated.
- (6) Nursery sales office, building, greenhouse, or area. (Wholesale or retail).
- (7) Towers, telecommunications facilities, and antennas as permitted in chapter 109.
- (8) Recreational vehicle camping facilities.
- (9) Riding stables and tracks.
- (10) Wind-driven electric generators with prior approval of the city electrical engineer.
- (11) Other uses clearly associated with the intent of the C-3 district.
- (12) Irrigation wells and associated buildings and equipment, customarily incidental to the principal use of the property, only if approval is granted by the water superintendent.

(d) *Performance standards.*

(1) *Area and bulk regulations.*

Use	Minimum Lot Size (square feet)	Minimum Lot Width (feet)	Setbacks (feet)				Maximum Height (feet)
			Front	Rear	Side	Side Street	
Principal structure	None	None	15	A	B	15	35
Accessory building	—	—	15	A	B	15	35

A. No rear yard required if adjacent to an alley, otherwise there shall be a 15-foot setback.

B. No side yard is required except that where a side line of a lot in this district abuts upon the side line of a lot in a districts R-1 to C-O inclusive, a side yard of not less than seven feet shall be provided, and a side yard of 15 feet shall be provided on the street side of a corner lot.

(2) *Permitted accessory uses.*

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- a. Food service and vending machines for tenants only, private garages for motor vehicles, apartment for maintenance personnel, low-level exterior lighting, flagpoles, cooling towers, and other similar uses.
- b. Storage of goods sold by a principal commercial activity, or used in or produced by a principal manufacturing activity engaged in by the same firm on the same lot.
- c. Television, radio receiving and transmitting equipment, and satellite dishes as permitted by chapter 109, subject to the setback provisions in section 115-170(e) and not exceeding 60 feet in height.
- d. Off-street parking and loading serving a principal use. All off-street parking shall be located on the same lot as the principal use. See section 115-173
- e. Signs as permitted in chapter 111
- f. Fences as permitted in section 115-172
- g. Temporary construction, grading, and demolition activities which are necessary and incidental to the development of facilities on the same lot, or on another of several lots being developed at the same time.
- h. Temporary conduct of a real estate sales office which is necessary and incidental to, and located on the site of, a subdivision being developed into five or more lots.
- i. Open area devoted to decorative paving, swimming pools, tennis courts, and other similar uses, located on the same lot as the principal use.
- j. Storage and service areas and buildings serving a principal use on the same lot, provided that storage buildings do not exceed 150 square feet in size, or unenclosed areas which are accessory to a principal nonresidential use not exceeding 200 square feet in area.
- k. A single trailer, camper, motor home or a boat, incidental to and on the same lot as principal residential uses, but only if the trailer, camper, motor home, or boat is not intended for habitation while it is on the lot, subject to the setback provisions in section 115-170(e).

Sec. 115-108. M-1, Light Industrial District.

- (a) *Scope and intent.* This section applies to district M-1. The M-1, Light Industrial District is intended to accommodate most assembly, fabricating and processing activities which would generally not be considered noxious or offensive by reason of vibration, noise, dust, fumes, gas, odor or smoke.
- (b) *Permitted uses.*
 - (1) Manufacturing, processing, fabrication, or assembling of any commodity except junk or salvage.
 - (2) Warehousing, wholesaling and storage of any commodity except junk or salvage.
 - (3) Freight terminals and parcel services.
 - (4) Offices.

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- (5) Public utility facilities.
- (6) One residential dwelling or mobile home which shall be used exclusively by watchmen or custodians of industrially-used property in industrially-zoned districts provided that yard and other requirements of this section shall be met for the residential dwelling or mobile home as though it were on an individual R-1 zoned lot.
- (7) Private storage units as defined in section 115-2

(c) *Conditional uses.*

- (1) Amusement parks, commercial baseball or athletic fields, race tracks, circuses, carnivals or fairgrounds.
- (2) Drive-in theaters.
- (3) Golf driving ranges, commercial or illuminated.
- (4) Reservoirs, wells, towers, filter beds, or water supply plants.
- (5) Wind-driven electric generators with prior approval of the city electrical engineer.
- (6) Other uses clearly associated with the intent of the M-1, Light Industrial District.
- (7) Irrigation wells and associated buildings and equipment, customarily incidental to the principal use of the property, only if approval is granted by the water superintendent.
- (8) Towers, telecommunications facilities, and antennas as permitted in chapter 109.

(d) *Performance standards.*(1) *Area and bulk regulations.*

Use	Minimum Lot Size (square feet)	Minimum Lot Width (feet)	Setbacks (feet)				Maximum Height (feet)
			Front	Rear	Side	Side Street	
Principal structure	None	None	50	15	A	<u>20</u>	45
Accessory building	—	—	50	15	A	<u>20</u>	45

A. A side yard shall be provided on each side of a building or unit group of buildings, and no side yard shall be less than ten feet. A side yard abutting a zoned residential lot shall be not less than 20 feet.

(2) *Permitted accessory uses.*

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- a. Food service and vending machines for tenants only, private garages for motor vehicles, apartment for maintenance personnel, low-level exterior lighting, flagpoles, cooling towers, and other similar uses.
 - b. Storage of goods sold by a principal commercial activity, or used in or produced by a principal manufacturing activity engaged in by the same firm on the same lot.
 - c. Television, radio receiving and transmitting equipment, and satellite dishes as permitted by chapter 109, subject to the setback provisions in section 115-170(e) and not exceeding 60 feet in height.
 - d. Off-street parking and loading serving a principal use. All off-street parking shall be located on the same lot as the principal use. See section 115-173
 - e. Signs as permitted in chapter 111
 - f. Fences as permitted in section 115-172
 - g. Temporary construction, grading, and demolition activities which are necessary and incidental to the development of facilities on the same lot, or on another of several lots being developed at the same time.
 - h. Temporary conduct of a real estate sales office which is necessary and incidental to, and located on the site of, a subdivision being developed into five or more lots.
 - i. Open area devoted to decorative paving, swimming pools, tennis courts, and other similar uses, located on the same lot as the principal use.
 - j. Storage and service areas and buildings serving a principal use on the same lot, provided that storage buildings do not exceed 150 square feet in size, or unenclosed areas which are accessory to a principal nonresidential use not exceeding 200 square feet in area.
 - k. A single trailer, camper, motor home or a boat, incidental to and on the same lot as principal residential uses, but only if the trailer, camper, motor home, or boat is not intended for habitation while it is on the lot, subject to the setback provisions in section 115-170(e).
- (3) *Additional performance standards.*
- a. All operations shall be conducted within a fully enclosed building.
 - b. All storage of materials, products or equipment shall be within a fully enclosed building or in an open yard so screened that said materials, products or equipment are not visible at human eye level within 300 feet of the property line.
- (4) *Noise level restricted.* The noise level shall not exceed 70 dB(a) at any point along the property line, as certified by letter or affidavit from an engineer.
- (5) *Smoke or particulate matter.* Smoke or particulate matter shall not be perceptible at the property line. Dust, fly ash, radiation, gases, heat, glare or other effects which are obviously injurious to humans or property at the property line shall be prohibited.
- (6) *Prohibited use.* No use shall be permitted or so operated as to produce or emit:
- a. Vibration or concussion perceptible without instruments at the property line.

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- b. Industrial wastes shall be of such quantity and nature as not to overburden the public sewage disposal facilities, are not detrimental to normal plant operations or corrosive and damaging to sewer pipes and installations or to cause odor or unsanitary effects beyond the property line.
- c. Fire hazard. All flammable substances involved in any activity established in this district shall be handled in conformance with any additional regulations that may from time to time be adopted by the city council.
- d. Odor. The emission of odors that are generally agreed to be obnoxious to any considerable number of persons, shall be prohibited. Observations of odor shall be made at the property line of the establishment causing odor. As a guide to classification of odor it shall be deemed that strong odors of putrefaction and fermentation tend to be obnoxious.
- e. Gases. The gases sulfur dioxide and hydrogen sulfide shall not exceed five parts per million, carbon monoxide shall not exceed 25 parts per million, and nitrous fumes shall not exceed five parts per million. All measurements shall be taken at the property line.
- f. Glare and heat. All glare, such as welding arcs and open furnaces shall be shielded so that they shall not be visible from the property line. No heat from furnaces or processing equipment shall be sensed at the lot line to the extent of raising the temperature of air or materials more than five degrees Fahrenheit.

Sec. 115-109. M-2, Heavy Industrial District.

- (a) *Scope and intent.* This section applies to district M-2. The M-2, Heavy Industrial District is intended to accommodate assembly, fabricating and processing activities which could generate vibration, noise, dust, fumes, gas, odor or smoke. However, no activities that by nature of their operation would be detrimental to the general health, safety and welfare of the general public will be permitted.
- (b) *Permitted uses.*
 - (1) Manufacturing, processing, fabrication, or assembling of any commodity.
 - (2) Warehousing, wholesaling and storage of any commodity.
 - (3) Freight terminals and parcel services.
 - (4) Offices.
 - (5) Public utility facilities.
 - (6) One residential dwelling or mobile home which shall be used exclusively by watchmen or custodians of industrially-used property in industrial-zones provided that yard and other requirements of this section shall be met for the residential dwelling or mobile home as though it were on an individual R-1 zoned lot.
 - (7) Private storage units as defined in section 115-2
 - (8) Bus, truck and vehicle parking/storage lots.

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- (9) Dog pounds, kennels and animal shelters.
 (10) Warehousing and bulk commodity product storage.

(c) *Conditional uses.*

- (1) Auto salvage and junk yards, providing that no burning of waste material shall be permitted, and the entire storage or salvage yard shall be screened with a solid fence or wall not less than eight feet in height.
 (2) Gun clubs, skeet shoots or target ranges.
 (3) Mines or quarries, including the removing, screening, crushing, washing or storage of ore, sand, clay, stone, gravel or similar materials; provided, however, that no conditional use permit shall be issued until and unless the location, site plan, and method of operation, including necessary structures, have been submitted to and approved in writing by the council after report from the planning commission.
 (4) Refuse dumps.
 (5) Reservoirs, wells, towers, filter beds, or water supply plants.
 (6) Sewage, refuse, garbage disposal plants or sanitary fills.
 (7) Other uses clearly associated with the intent of the M-2 district.
 (8) Adult bookstores and theaters.
 (9) Irrigation wells and associated buildings and equipment, customarily incidental to the principal use of the property, only if approval is granted by the water superintendent.
 (10) Towers, telecommunications facilities, and antennas as permitted in chapter 109.

(d) *Performance standards.*

(1) *Area and bulk regulations.*

Use	Minimum Lot Size (sq. ft.)	Minimum Lot Width (feet)	Setbacks (feet)				Maximum Height (feet)
			Front	Rear	Side	Side Street	
Principal structure	None	None	A	B	C	<u>20</u>	45
Accessory building	—	—	A	15B	C	<u>20</u>	45

A. 15 feet, except that a setback of not less than 50 feet shall be provided along all federal and state highways.

B. No rear yard required if adjacent to an alley, otherwise there shall be a 15-foot setback.

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- C. No side yard is required except that where a side line of a lot in this district abuts upon the side line of a lot in a districts R-1 to C-O inclusive, a side yard of not less than seven feet shall be provided, and a side yard of 15 feet shall be provided on the street side of a corner lot.

(2) *Permitted accessory uses.*

- a. Food service and vending machines for tenants only, private garages for motor vehicles, apartment for maintenance personnel, low-level exterior lighting, flagpoles, cooling towers, and other similar uses.
- b. Storage of goods sold by a principal commercial activity, or used in or produced by a principal manufacturing activity engaged in by the same firm on the same lot.
- c. Television, radio receiving and transmitting equipment, and satellite dishes as permitted by chapter 109, subject to the setback provisions in section 115-170(e) and not exceeding 60 feet in height.
- d. Off-street parking and loading serving a principal use. All off-street parking shall be located on the same lot as the principal use. See section 115-173
- e. Signs as permitted in chapter 111
- f. Fences as permitted in section 115-172
- g. Temporary construction, grading, and demolition activities which are necessary and incidental to the development of facilities on the same lot, or on another of several lots being developed at the same time.
- h. Temporary conduct of a real estate sales office which is necessary and incidental to, and located on the site of, a subdivision being developed into five or more lots.
- i. Open area devoted to decorative paving, swimming pools, tennis courts, and other similar uses, located on the same lot as the principal use.
- j. Storage and service areas and buildings serving a principal use on the same lot, provided that storage buildings do not exceed 150 square feet in size, or unenclosed areas which are accessory to a principal nonresidential use not exceeding 200 square feet in area.
- k. A single trailer, camper, motor home or a boat, incidental to and on the same lot as principal residential uses, but only if the trailer, camper, motor home, or boat is not intended for habitation while it is on the lot, subject to the setback provisions in section 115-170(e).

(3) *Additional performance standards.*

- a. Smoke, dust, particulate matter, odor, heat, or other effects shall not be produced which will be obviously harmful or injurious to humans or property beyond the property line and would meet minimum state department of environmental control air quality standards.
- b. Noise produced shall not exceed 80 dB(A) at the property line.
- c. When viewed from immediately abutting residentially zoned property, all storage of material, products or equipment shall be within a fully enclosed building or in an

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open yard so screened that said materials, products or equipment are not visible at human eye level within 300 feet of the property line.

- (4) *Prohibited.* No use shall be permitted or so operated as to produce or emit the following:
- a. Vibration or concussion perceptible without instruments at the property line.
 - b. Industrial wastes shall be of such quantity and nature as not to overburden the public sewage disposal facilities, are not detrimental to normal plant operations or corrosive and damaging to sewer pipes and installations or to cause odor or unsanitary effects beyond the property line.
 - c. Fire hazard. All flammable substances involved in any activity established in this district shall be handled in conformance with any additional regulations that may from time to time be adopted by the city council.
 - d. Odor. The emission of odors that are generally agreed to be obnoxious to any considerable number of persons, shall be prohibited. Observations of odor shall be made at the property line of the establishment causing odor. As a guide to classification of odor it shall be deemed that strong odors of putrefaction and fermentation tend to be obnoxious.
 - e. Gases. The gases sulfur dioxide and hydrogen sulfide shall not exceed five parts per million, carbon monoxide shall not exceed 25 parts per million, and nitrous fumes shall not exceed five parts per million. All measurements shall be taken at the property line.
 - f. Glare and heat. All glare, such as welding arcs and open furnaces shall be shielded so that they shall not be visible from the property line. No heat from furnaces or processing equipment shall be sensed at the lot line to the extent of raising the temperature of air or materials more than five degrees Fahrenheit.

Sec. 115-110. M-3, Railroad Industrial District.

- (a) *Scope and intent.* This section applies to district M-3. The intent of an M-3, Railroad Industrial District is to accommodate activities associated with the operation of the railroad industry.
- (b) *Permitted uses.*
- (1) Rail car storage and switching yards.
 - (2) Rail car and engine repair and maintenance facilities.
 - (3) Rail car loading and unloading facilities.
 - (4) Offices.
 - (5) Public utility facilities.
 - (6) One residential dwelling or mobile home which shall be used exclusively by watchmen or custodians of industrially-used property in industrially-zoned provided that yard and

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other requirements of this section shall be met for the residential dwelling or mobile home as though it were on an individual R-1 zoned lot.

- (7) Indoor and outdoor storage of associated railroad building materials such as ties, rail, etc.

(c) *Conditional uses.*

- (1) Other uses clearly associated with the intent of the M-3 district.
- (2) Irrigation wells and associated buildings and equipment, customarily incidental to the principal use of the property, only if approval is granted by the water superintendent.
- (3) Towers, telecommunications facilities, and antennas as permitted in chapter 109.

(d) *Performance standards.* Area and bulk regulations.

Use	Minimum Lot Size (sq. ft.)	Minimum Lot Width (feet)	Setbacks (feet)				Maximum Height (feet)
			Front	Rear	Side	Side Street	
Principal structure	None	None	50	<u>20</u>	A	<u>20</u>	45
Accessory building	—	—	50	<u>20</u>	A	<u>20</u>	45

A. No side yard is required except that where a side line of a lot in this district abuts upon the side line of a lot in a district R-1 to C-O inclusive, a side yard of not less than seven feet shall be provided, and a side yard of 15 feet shall be provided on the street side of a corner lot.

(e) *Additional performance standards.*

- (1) Smoke, dust, particulate matter, odor, heat, or other effects shall not be produced which will be obviously harmful or injurious to humans or property beyond the property line and would meet minimum state department of environmental control air quality standards.
- (2) Noise produced shall not exceed 80 dB(A) at the property line.
- (3) When viewed from immediately abutting residentially zoned property, all storage of material, products or equipment shall be within a fully enclosed building or in an open yard so screened that said materials, products or equipment are not visible at human eye level within 300 feet of the property line.
- (4) No use shall be permitted or so operated as to produce or emit:
 - a. Vibration or concussion perceptible without instruments at the property line.

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- b. Industrial wastes shall be of such quantity and nature as not to overburden the public sewage disposal facilities, are not detrimental to normal plant operations or corrosive and damaging to sewer pipes and installations or to cause odor or unsanitary effects beyond the property line.
 - c. Fire hazard. All flammable substances involved in any activity established in this district shall be handled in conformance with any additional regulations that may from time to time be adopted by the city council.
 - d. Odor. The emission of odors that are generally agreed to be obnoxious to any considerable number of persons, shall be prohibited. Observations of odor shall be made at the property line of the establishment causing odor. As a guide to classification of odor it shall be deemed that strong odors of putrefaction and fermentation tend to be obnoxious.
 - e. Gases. The gases sulfur dioxide and hydrogen sulfide shall not exceed five parts per million, carbon monoxide shall not exceed 25 parts per million, and nitrous fumes shall not exceed five parts per million. All measurements shall be taken at the property line.
 - f. Glare and heat. All glare, such as welding arcs and open furnaces shall be shielded so that they shall not be visible from the property line. No heat from furnaces or processing equipment shall be sensed at the lot line to the extent of raising the temperature of air or materials more than five degrees Fahrenheit.
- (f) *Permitted accessory uses.*
- (1) Food service and vending machines for tenants only, private garages for motor vehicles, apartment for maintenance personnel, low-level exterior lighting, flagpoles, cooling towers, and other similar uses.
 - (2) Storage of goods sold by a principal commercial activity, or used in or produced by a principal manufacturing activity engaged in by the same firm on the same lot.
 - (3) Television, radio receiving and transmitting equipment, and satellite dishes as permitted by chapter 109, subject to the setback provisions in section 115-170(e) and not exceeding 60 feet in height.
 - (4) Off-street parking and loading serving a principal use. All off-street parking shall be located on the same lot as the principal use. See section 115-173
 - (5) Signs as permitted in chapter 111
 - (6) Fences as permitted in section 115-172
 - (7) Temporary construction, grading, and demolition activities which are necessary and incidental to the development of facilities on the same lot, or on another of several lots being developed at the same time.
 - (8) Temporary conduct of a real estate sales office which is necessary and incidental to, and located on the site of, a subdivision being developed into five or more lots.
 - (9) Open area devoted to decorative paving, swimming pools, tennis courts, and other similar uses, located on the same lot as the principal use.

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- (10) Storage and service areas and buildings serving a principal use on the same lot, provided that storage buildings do not exceed 150 square feet in size, or unenclosed areas which are accessory to a principal nonresidential use not exceeding 200 square feet in area.
- (11) A single trailer, camper, motor home or a boat, incidental to and on the same lot as principal residential uses, but only if the trailer, camper, motor home, or boat is not intended for habitation while it is on the lot, subject to the setback provisions in section 115-170(e).

SECTION 2. 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 Benzel to amend Ordinance No. 2758 relating to insurance requirements and engineer requirements within Sections 109.26 and 109.28 which were identified within the ordinance using redline highlights and strike-outs. The motion was seconded by Councilman Lewis.

Roll call vote to amend Ordinance No. 2758 with the following results:

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

Voting Nay: None.

Motion carried.

Roll call vote to approve the second reading of Ordinance No. 2758 as amended with the following results:

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

Voting Nay: None.

Motion carried.

- Council next discussed the second reading of Ordinance No. 2763, which will amend the current water rates being charged by the City of Alliance was the next agenda item. Council was provided with the following information:

[Council was alerted to the need to adjust the base water meter service charges during their budget workshop on July 21 and again at the first budget reading on August 5. It continues to be apparent that the annual overall automatic 1% increase in rates is not sufficient for the 2014-15 fiscal year based on the following observations:

- Cash flow for the water department has continued to be negative for seven of the past thirteen months with higher summer usage revenues required to

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generate enough funding to cover the operating costs of the Water Department.

- The base service charge adjustments implemented last October along with increased water meters generated have resulted in approximately \$105,000 in additional base revenues for the twelve months ending July 31, 2014. Over the same period, water consumption is down almost 14% resulting in an almost \$185,000 decrease in usage revenues. The fiscal year net loss through July is just over \$350,000 or around \$24,000 less than the same time last year.
- Major pending upgrades on the aging infrastructure will require funding that is not presently included within the current rate structure.

Staff is proposing base rate changes for residential customers of \$1.50 per month and the automatic 1% increase in usage rates. Commercial, industrial, manufacturing and municipal rates will be adjusted by the same percentages as residential. The proposed increase would generate between approximately \$75,000 in additional base charges and \$10,000 in usage revenue.]

A motion was made by Councilman Lewis, seconded by Councilman Seiler to approve the second reading of Ordinance No. 2763 which City Clerk Jines read by title and follows in its entirety.

ORDINANCE NO. 2763

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	\$1.304 per 100 cubic feet
Block 2	\$1.473 per 100 cubic feet for the next 3500 cubic feet after the Block 1 amount.
Block 3	\$1.814 per 100 cubic feet for the next 2500 cubic feet after base usage and Blocks 1 and 2
Block 4	\$2.266 per 100 cubic feet for any amount over Blocks 1, 2, and 3

Outside the City limits - Residential Rural

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Block 1	\$1.434 per 100 cubic feet
Block 2	\$1.620 per 100 cubic feet for the next 3500 cubic feet after the Block 1 amount.
Block 3	\$1.995 per 100 cubic feet for the next 2500 cubic feet after base usage and Blocks 1 and 2
Block 4	\$2.493 per 100 cubic feet for any amount over Blocks 1, 2, and 3

Within the City limits - Commercial Urban

Block 1	\$1.304 per 100 cubic feet
Block 2	\$1.473 per 100 cubic feet for the next 3500 cubic feet after the Block 1 amount.
Block 3	\$1.814 per 100 cubic feet for the next 2500 cubic feet after base usage and Blocks 1 and 2
Block 4	\$2.266 per 100 cubic feet for any amount over Blocks 1, 2, and 3

Outside the City limits – Commercial Rural

Block 1	\$1.434 per 100 cubic feet
Block 2	\$1.620 per 100 cubic feet for the next 3500 cubic feet after the Block 1 amount.
Block 3	\$1.995 per 100 cubic feet for the next 2500 cubic feet after base usage and Blocks 1 and 2
Block 4	\$2.493 per 100 cubic feet for any amount over Blocks 1, 2, and 3

Manufacturing Rate

Manufacturing Rate is \$1.268 per 100 cubic feet.

Industrial Park Rate

The Industrial Park Rate is \$1.417 per 100 cubic feet.

Municipal Rate

The Municipal Rate is \$1.061 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 in the amount of:

<u>Meter Size</u>	<u>Service Charge</u>	<u>Meter Size</u>	<u>Service Charge</u>
5/8"	\$11.25	3"	\$80.50
3/4"	\$11.25	4"	\$103.50
1"	\$11.25	6"	\$153.00
1-1/2"	\$24.25	8"	\$218.50
2"	\$48.50		

SECTION 3. All other ordinances, resolutions, or policies of the City of Alliance not

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consistent with the amendment made herein are hereby repealed.

SECTION 4. This ordinance shall go into effect on billings rendered October 1, 2014 and thereafter.

Roll call vote to approve the second reading of Ordinance No. 2763 with the following results:

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

Voting Nay: None.

Motion carried.

- The final reading of Ordinance No. 2757 which will authorize the rezoning request of the City of Alliance to change the zoning designation of Carhenge from A (Agriculture) to R-R (Rural Residential) was the next agenda item. Council was provided with the following information:

[City staff has initiated the rezone for part of the South ½ of the South ½ of the West ½ of the West ½ of the Northwest ¼ of Section 18, Township 25N, Range 47 West of the 6th Principal Meridian, addressed 2151 County Road 59, otherwise known as Carhenge, from A-Agriculture to R-R Rural Residential. The property is located on the east side of County Road 59/Nebraska State Highway 87, approximately 2.5 miles north of the intersection of East 10th Street and Flack Avenue.

With the passing of Ordinance 2752, the City expanded its two mile Extraterritorial Jurisdiction bringing Carhenge into the City's Zoning Jurisdiction. Parks are not Permitted Uses within Agriculture zoning and as such, any expansion of Carhenge or any accessory structures on the property would not be allowed without a variance or a future rezone. City Staff recommends rezoning Carhenge to bring the zoning into alignment with the current land use to allow for any renovations or expansion that may be planned for the site in the future.

Nonconforming uses are not allowed to be expanded without a variance from the Board of Adjustment or without bringing the land use into conformance with its current zoning. The nonconforming use is allowed to continue until it is stopped for a period of one year or if 90% of the assessed value of the structure is destroyed. In such an occurrence, the property must be brought in to conformance with its zoning.

Notification Petitions were sent to property owners within a 300' radius of the subject property. The City mailed six petitions and as of July 3rd, the City had received only one response. The petition was not in favor of the rezone as they thought the City was rezoning their property. Staff reached out to the land owner

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and explained the situation at which time they indicated they were in favor of the rezone.

At the July 8, 2014 Planning Commission meeting, the Commissioners voted to recommend that the Alliance City Council approve the rezone of 2151 County Road 59 from A, Agriculture, to R-R, Rural Residential.]

A motion was made by Councilman Seiler, seconded by Councilman Lewis to approve the final reading of Ordinance No. 2757 which City Clerk Jines read by title and follows in its entirety.

ORDINANCE NO. 2757

AN ORDINANCE OF THE CITY OF ALLIANCE, NEBRASKA, DEALING WITH ZONING, AMENDING THE DISTRICT ZONING MAP TO SHOW THAT PART OF THE SOUTH HALF OF THE SOUTH HALF OF THE WEST HALF OF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 18, TOWNSHIP 25 NORTH, RANGE 47 WEST OF THE 6TH PRINCIPAL MERIDIAN, BOX BUTTE COUNTY, NEBRASKA, IS NOW INCLUDED AS A RR (RURAL RESIDENTIAL) DISTRICT FROM AN A (AGRICULTURE) DISTRICT, AND REPEALING PRIOR SECTIONS.

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

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

115-76. DISTRICT MAP ADOPTED

(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 5th day of August, 2014, is now the official Zoning District Map.

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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.

Roll call vote to approve the final reading of Ordinance No. 2757 with the following results:

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

Voting Nay: None.

Motion carried.

Mayor Feldges stated, "the passage and adoption of Ordinance No. 2757 has been concurred by a majority of all members elected to the Council, I declare it passed, adopted and order it published."

- The third reading of Ordinance No. 2760 which will approve the 2014-2015 Proposed Budget was the next discussion item.

A motion was made by Councilman Benzel, seconded by Councilman Lewis to approve the third reading of Ordinance No. 2760 which City Clerk Jines read by title.

ORDINANCE NO. 2760

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, 2014, AND ENDING SEPTEMBER 30, 2015, BY IMPOSING A TAX ON ALL PROPERTY WITHIN THE CITY, ADOPTING A BUDGET, AND ADOPTING APPROPRIATIONS.

Jonnie Kusek, Director of Public Transit, 623 East 3rd Street appeared before Council and requested Council reconsider funding in the amount of \$20,000 for the Public Transit Program. Ms. Kusek stated she has previously made the request for funding which identified how the program related to twelve of the City's seventeen goals. Public Transit provided 30,000 transports this year, and are anticipating 36,000 transports in the coming year. The program brings additional tax dollars into the community. Ms. Kusek stated that due to budget constraints the funding from Box Butte County, the sponsoring agency is proposed to be reduced. The proposed reduction in funding puts the local funding grant match requirement in jeopardy. Council made several inquiries to other funding sources and the financial statements of Public Transit.

Maurine Roller, an employee of Good Samaritan Village, 704 Yellowstone Avenue addressed Council in support of funding the Public Transit Program. Ms. Roller stated how

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important the program has been to wheelchair bound residents. She also stated that the assisted living facilities have contracts with the Handi-bus service, which is one of the best things that had happened for our community. Ms. Roller read a letter from Eunice Barnes, E-19 Meadows Trailer Court a user of Public Transit stating her appreciation for the service.

Dixie Nelson, 2423 Rainbow Acres, is an employee of Public Transit and stated that relocating Public Transit to their new location was a safety improvement. The former location of the Senior Center was congested with the use of the parking lot and made backing difficult.

A motion was made by Councilman Seiler, and seconded by Councilman Lewis to amend the budget ordinance to increase Account No. 22-41-43-59-915 Airport Capital Outlay-Buildings \$30,000 for a total of \$490,000.

Roll call vote on the amendment with the following results:

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

Voting Nay: None.

Motion carried.

Roll call vote to approve the final reading of Ordinance No. 2760 with the following results:

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

Voting Nay: None.

Motion carried.

ORDINANCE NO. 2760

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, 2014, AND ENDING SEPTEMBER 30, 2015, BY IMPOSING A TAX ON ALL PROPERTY WITHIN THE CITY, ADOPTING A BUDGET, AND ADOPTING APPROPRIATIONS.

WHEREAS, The City Manager, in accordance with the requirements of the Nebraska R.R.S. 1943, §19-646, 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 21, 2014 and a proposed budget was produced. A public hearing will be held on said proposed budget on August 19, 2014, as required by law; and

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

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SECTION 1. The budget for the fiscal year beginning October 1, 2014, 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:

	City	MFO	Public Safety	Airport	Airport Reserves	Total
Approved Budget Amount	1,053,800	131,500	116,200	120,000	46,900	1,468,400
County Treasurer's Fee (1%)	10,538	1,315	1,162	1,200	469	14,684
Delinquent Allowance (5%)	52,704	6,556	5,794	6,061	2,304	73,420
Total Property Tax Request	<u>1,117,042</u>	<u>139,371</u>	<u>123,156</u>	<u>127,261</u>	<u>49,673</u>	<u>1,556,504</u>
Using the following levies	0.272104	0.033950	0.030000	0.031000	0.012100	0.379154
Approved Mill Levy for 2015	0.379154					
Based on Assessed Valuation	410,520,41 2					

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 2015.

General	6,851,000
Electric	14,420,700
Refuse	1,296,100
Sewer	446,300
Water	1,862,900
Golf Course	377,200
Airport Operations	8,024,100
Streets	2,738,900
Handyman Services	56,200
RSVP	80,300
Museum Exhibit	28,100

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BID #1 and #2	16,100
Nuisance Cleanup	6,600
HUD/CDBG	150,000
Community Betterment (KENO)	38,200
Economic Development	85,000
LB 840 Fund	303,500
Redevelopment (TIF)	255,700
Sales Tax Fund	1,850,000
Lodging Occupation Tax	203,700
Capital Projects	600,000
Public Safety Tax	90,000
State 911 Funds	50,000
General Internal Service	1,229,200
Enterprise Internal Service	572,300
Health Support Internal Service	1,811,100
General Debt Service	43,600
Airport Capital Reserve	525,000
<i>Gross Expenditures</i>	<u>\$44,011,800</u>

There is hereby included \$161,000 within the General Fund Budget [City Council Activity], \$10,000 within the General Fund Budget [Police Grant] \$60,000 within the Electric Fund, \$50,000 within the Water Fund, \$25,000 within the Sewer Fund, \$15,000 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 Unused Restricted Funds Authority of \$90,110.80 for Fiscal Year 2015.

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, 2014.

Mayor Feldges stated, "the passage and adoption of Ordinance No. 2760 has been concurred by a majority of all members elected to the Council, I declare it passed, adopted and order it published."

- The next agenda item was the final reading of Ordinance No. 2761, which will authorize the City to exceed the Allowable Growth and Basic Allowable Growth for the 2014-2015 Fiscal Year Budget by 1%. Council was provided with the following background information:

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[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 2014-15 fiscal year budget by 1% (or \$59,216) with total restricted funds authority at \$6,128,837. This does not increase the new fiscal budget, but rather allows the City to increase the unused budget authority for use in future years.]

A motion was made by Councilman Lewis, seconded by Councilman Seiler to approve the third reading of Ordinance No. 2761 which City Clerk Jines read by title and follows in its entirety.

ORDINANCE NO. 2761

AN ORDINANCE ALLOWING FOR EXCEEDING THE ALLOWABLE GROWTH AND BASIC ALLOWABLE GROWTH LIMITS FOR THE 2014-2015 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.

SECTION 5. The “total restricted funds authority” with the additional 1% is \$59,216 and the resulting “unused budget authority” in the adopted budget ordinance is hereby amended to the amount of \$6,128,837.

SECTION 6. Those portions of the existing budget ordinance for 2014-2015 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 2014-2015, and transmit those

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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.

Roll call vote to approve the second reading of Ordinance No. 2761 with the following results:

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

Voting Nay: None.

Motion carried.

Mayor Feldges stated, "the passage and adoption of Ordinance No. 2761 has been concurred by a majority of all members elected to the Council, I declare it passed, adopted and order it published."

- The second reading of Ordinance No. 2762 which will adopt the Classification and Compensation Plans to be incorporated in the City's 2015 budget was the next matter for Council consideration. Council was provided with the following information:

The attached ordinance will adopt the Classification and Compensation Plans that will be incorporated as a part of the 2014-15 FY budget. The Compensation Plan includes five categories: Exempt, Non-Exempt, Police Bargaining Unit, Communications Bargaining Unit, and Fire Employees.

The Classification Plan has only three changes from the most recent version approved by Council:

- The positions of Assistant Electric Superintendent and Electric Service Crew Chief are being removed to eliminate duplication of management positions.
- The pay grade for the Electric Superintendent is being reduced from 111 to 108 to more closely align internally with other department managers, as well as externally with 1st Class cities in our array.

The plan includes a 1.5% cost-of-living adjustment which will be effective the first full pay period following October 1, 2014.

A motion was made by Councilman Yeager, seconded by Councilman Seiler to approve the second reading of Ordinance No. 2762 which City Clerk Jines read by title and follows in its entirety.

ORDINANCE NO. 2762

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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 2014-2015 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, 2014 and the attached Compensation Schedules for Exempt, Non-Exempt, Police Bargaining Unit, Communications Bargaining Unit, and Fire employees dated to be effective October 11, 2014 are hereby adopted by this reference.

SECTION 2. This Ordinance shall become effective October 11, 2014.

Roll call vote to approve the second reading of Ordinance No. 2762 with the following results:

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

Voting Nay: None.

Motion carried.

- The next agenda item was Resolution No. 14-101 which provides direction to the City Manager for the hiring of City employees. Council was provided with the following 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 2014-15 fiscal year. The authorized strength will decrease 4.62 FTEs from the current authorized strength of 101.95 to 97.33 for the upcoming year. The total authorized seasonal budget is \$148,500 which is increased by \$5,500 from the prior budget.]

A motion was made by Councilman Benzel, seconded by Councilman Lewis to approve Resolution No. 14-101 which follows in its entirety:

RESOLUTION NO. 14-101

WHEREAS, The City of Alliance utilizes the Council-Manager form of government, in

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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:

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 (\$1,000)	
Administrative Secretary	0.50	Total	2.00
Total	3.50		
		<u>Ambulance</u>	
<u>Police Administration</u>		Assistant Fire Chief	1.00
Police Chief	1.00	Firefighter/EMT	1.00
Police Lieutenant	1.00	Total	2.00
Executive Secretary	1.00		
Total	3.00	<u>Animal Control</u>	
		Animal Cont/Comm Service Officer	0.75
		Total	0.75
<u>Police Operations</u>		<u>Facility Maintenance</u>	
Police Sergeants	4.00	Public Works Director	0.05
Police Officers I & II	10.00	Facilities Maintenance Worker	1.00
Total	14.00	Total	1.05
<u>Police Support Services</u>			
Public Safety Dispatch Supervisor	1.00		
Public Safety Dispatchers	5.00		
Total	6.00		

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Code Enforcement & Nuisance Abatement

Building and Code Inspector	1.00
Administrative Secretary	0.50
Animal Cont/Comm Service Officer	0.25
Total	<u>1.75</u>

Community Development

Community Development Director	0.50
Administrative Secretary	0.50
Total	<u>1.00</u>

Cemetery

Cultural & Leisure Services Director	0.10
Administrative Secretary	0.07
Cemetery Maintenance Worker	1.00
Seasonal Wages (\$14,500)	
Total	<u>1.17</u>

Swimming Pool

Cultural & Leisure Services Director	0.10
Administrative Secretary	0.20
Seasonal Wages (\$55,000)	
Total	<u>0.30</u>

Parks

Cultural & Leisure Services Director	0.30
Administrative Secretary	0.25
Parks Foreman	1.00
Parks Maintenance Workers	3.20
Seasonal Wages (\$28,000)	
Total	<u>4.75</u>

Library

Cultural & Leisure Services Director	0.10
Administrative Secretary	0.10
Library Director	1.00
Librarians	
Children's/Youth Services	1.00
Outreach/Adult Services	0.63
Technical Services	1.00
Library Clerks	1.00
Library Pages	1.00
Total	<u>5.83</u>

Museums

Cultural & Leisure Services Director	0.35
Administrative Secretary	0.30
Museum Director	1.00
Museum Assession Clerk	0.75
Museum Collection Clerk	0.50
Museum Project Support Clerk	0.50
Cook	0.25
Seasonal Wages (\$3,000)	
Total	<u>3.65</u>

Tourism and Carhenge

Visitors Bureau Director	1.00
Seasonal Wages (\$11,000)	
Total	<u>1.00</u>

Total General Fund (Excl. Internal Services)	51.75
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General Fund-Internal Services**Finance**

Assistant City Mgr/Finance Director	1.00
Account Clerk II	2.00
Customer Service Clerk I	0.37
Total	<u>3.37</u>

Personnel

Human Resource Director	1.00
Administrative Secretary	0.50
Total	<u>1.50</u>

Technology

Community Development Director	0.50
Total	<u>0.50</u>

Total Internal Services	5.37
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Total General Fund and Internal Services	57.12
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Enterprise Funds			
<u>Electric Administration</u>			Public Works Director
Electric Superintendent	1.00		Refuse Collection Drivers
Administrative Secretary	0.33		Total
Total	1.33		2.10
<u>Electric Transmission</u>			<u>Refuse Disposal</u>
Scada Management	1.00		Public Works Director
Seasonal Wages (\$4,000)			Landfill Supervisor
Total	1.00		Landfill Operator
			Landfill Baler Operator Clerk
			Seasonal Wages (\$4,000)
			Total
<u>Electric Urban Distribution</u>			4.15
Electric Line Crew Chief	0.55		<u>Water Distribution</u>
Electric Journey Line Worker	2.20		Public Works Director
Electric Line Apprentice	1.10		Water/Sewer Maintenance Workers
Total	3.85		Administrative Secretary
			Seasonal Wages (\$4,000)
<u>Electric Rural Distribution</u>			Total
Electric Line Crew Chief	0.45		3.67
Electric Journey Line Worker	1.80		<u>Water Treatment</u>
Electric Line Apprentice	0.90		Water Foreman
Total	3.15		Water/Sewer Maintenance Worker
			Total
<u>Sewer</u>			1.25
Public Works Director	0.20		
Sewer Foreman	0.50		
Water/Sewer Maintenance Worker	1.00		
Administrative Secretary	0.17		
Seasonal Wages (\$4,000)			
Total	1.87		
			Total Enterprise Funds (Excl. Internal Services)
			22.37
			Total

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

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Meter Reading

Meter Readers	1.00
Total	<u>1.00</u>

Other Funds**Airport**

Airport Manager	1.00	Public Works Director	
Airport Maintenance Superintendent	1.00	Street Foreman	0.25
Airport Maintenance Worker I	1.00	Street Maintenance Workers	1.00
Total	<u>3.00</u>	Administrative Secretary	4.00
		Seasonal Wage (\$8,000)	0.33

Total

5.58**Golf**

Cultural & Leisure Services Director	0.05
Administrative Secretary	0.08
Golf Course Superintendent	1.00
Golf Course Maintenance Worker II	1.00
Seasonal Wages (\$12,000)	
Total	<u>2.13</u>

Total Other Funds**12.21****RSVP**

RSVP Director	0.77
RSVP Clerk	0.25
Total	<u>1.02</u>

General Fund**General Fund Internal Services 51.75****Enterprise Funds 5.37****Other Funds 28.00****Total 12.21****97.33****Handyman**

RSVP Director	0.23
RSVP Clerk	0.25
Total	<u>0.48</u>

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: Feldges, Benzal, Lewis, Yeager, Seiler.

Voting Nay: None.

Motion carried.

- The Manager's Application of Tina Woods for the Eagles Fraternal Order No.136 was the next matter to come before the Council. Council was provided with the following background information:

September 2, 2014

[The City of Alliance is in receipt of the Manager Application of Tina Woods for the Eagles Fraternal Order No. 136, 1520 West 3rd Street, Alliance, Nebraska. The Alliance Police Department has conducted their standard background check and finds no reason to deny the application. Ms. Woods has been requested to be in attendance to answer any additional questions Council may have.]

A motion was made by Councilman Lewis, seconded by Councilman Benzel to approve Resolution No. 14-100 which follows in its entirety:

RESOLUTION NO. 14-100

WHEREAS, The City of Alliance has received a notice and copy of a Manager Application for the Eagles Fraternal Order No. 136, 1520 West 3rd Street, Alliance, Nebraska submitted by Tina Woods; and

WHEREAS, City staff has reviewed the application and finds no reason why the proposed manager, Tina Woods, would be disqualified from serving as manager.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the City of Alliance, Nebraska, that the Manager's Application of Tina Woods for the Eagles Fraternal Order No. 136, 1520 West 3rd Street, Alliance, Nebraska is hereby approved.

BE IT FURTHER RESOLVED, that the City Clerk shall notify the Nebraska Liquor Control Commission of this Council decision.

City Attorney Olsen questioned Ms. Woods regarding her ability to serve alcohol responsibly. Ms. Woods responded that she has worked for the Eagles as a bartender for the past three years and will be taking the training course offered by the Nebraska State Patrol through Officer Otto. All employees working under Ms. Wood will also be taking the course in the future.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

- The next agenda item was a Board appointment.

A motion was made by Councilman Lewis, seconded by Councilman Seiler to affirm the appointment of Gail McMurtrey by Mayor Feldges to the Museum Board with a term to expire May 31, 2019.

Roll call with the following results:

September 2, 2014

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

Voting Nay: None.

Motion carried.

A motion was made by Councilman Seiler, seconded by Councilman Lewis to appoint Ian Devereaux to the A-2 Downtown Improvement District Board with a term to expire October 31, 2017.

Roll call with the following results:

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

Voting Nay: None.

Motion carried.

A motion was made by Councilman Seiler, seconded by Councilman Lewis to appoint Brian Gould as the Youth Representative for the Police/Citizen Advisory Board with a term to expire July 31, 2015.

Roll call with the following results:

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

Voting Nay: None.

Motion carried.

- Mayor Feldges stated, "there being no further business to come before the Alliance City Council, the meeting is adjourned at 8:39 p.m."



Fred Feldges, Mayor

(SEAL)



Linda S. Jines, City Clerk