

January 20, 2015

ALLIANCE CITY COUNCIL

REGULAR MEETING, TUESDAY, JANUARY 20, 2015

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

The Alliance City Council met in a Regular Meeting, January 20, 2015 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 January 13, 2015. 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 Yeager opened the January 20, 2015 Regular Meeting of the Alliance, Nebraska City Council at 7:00 p.m. Present were Mayor Yeager, Council Members Feldges, Jones, Seiler, and Korber-Gonzalez. Also present were City Manager Cox, City Attorney Olsen and City Clerk Jines.

- Mayor Yeager read the Open Meetings Act Announcement.
- Council’s first item of business was the introduction of new City employees Carolyn Peralta, Public Safety Dispatcher; AnnAlyssa “Aly” Konopnicki, Police Officer; and WNCC Intern Sergio Airada.
- Council next heard a presentation from Dan Kusek and Patricia Jones regarding the statewide Chautauqua event, June 8-14, 2015 which will be held in Alliance. A formal request for use of facilities and services is in the Consent Calendar. The Council was informed it has been seven years since Chautauqua was last in Alliance. The program this year will be “Free Land” and will include six speakers with seating for 500. The event will also include a Youth Program that will involve Middle School Students.
- The Consent Calendar was the next item to be addressed by Council.

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Councilman Seiler made a motion to remove Item 8 – Plan of Operation for the Box Butte County Handyman Program from the Consent Calendar for separate consideration. The motion was seconded by Councilman Feldges.

Roll call with the following results:

Voting Aye: Jones, Korber-Gonzalez, Yeager, Seiler, Feldges.

Voting Nay: None.

Motion carried.

Councilman Seiler made a motion, which was seconded by Councilman Jones to approve the Consent Calendar as follows:

CONSENT CALENDAR – JANUARY 20, 2015

1. Approval: Minutes of the Regular Meeting, January 6, 2015.
2. Approval: Payroll and Employer Taxes for the period December 20, 2014 through January 2, 2015 inclusive: \$180,402.00 and \$12,651.36 respectively.
3. Approval: Claims against all funds of the City of Alliance for the period December 31, 2014 through January 13, 2015 in the amount of \$526,725.36.
4. Approval: The following contractor licenses:

Repair & Maintenance	Steve Yekel dba Yekel Construction
Tree Surgeon	James E. Butcher dba Jim Butcher’s Tree Service
	WJ Smith dba West Pine Tree Farm
5. Approval: The *Special Events Request for Use of Public Facilities, Parks, Streets* of Chautauqua for the use of the park area north of Sallows Military Museum and the use of the museum free of charge for the Chautauqua staff and performers only. The event is Monday, June 8th through Sunday, June 14th, 2015.
6. Approval: Budget transfer from Capital to Operating in the amount of \$50,000 for the tire amnesty disposal program. Narrative attached.
7. Approval: The 2014 Road-Street-Highway Budget & Expenditure Report to the Board of Public Roads Classifications and Standards.
- ~~8. Approval: The City of Alliance’s Detailed Plan of Operation for the Box Butte County Handyman Program for fiscal year July 1, 2015 through June 30, 2016.~~
9. Approval: The revised Schedule of Rates and Charges for Service Schedule M of the Electrical Resources Pooling Agreement (ERPA).

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

Councilman Feldges made an inquiry regarding the billing found on Page 10 to West Plains Engineering, Inc. in the amount of \$600.00 and the billing found on Page 13 to K.L. Wood & Company, LLC in the amount of \$41,926.59. City Manager Cox responded the West Plains Engineering billing was for on-going assistance with the electric system improvements and K.L. Wood & Company LLC was for the first Pay Estimate for the Golf Course Water Main Project.

Roll call vote with the following results:

Voting Aye: Feldges, Seiler, Korber-Gonzalez, Jones, Yeager.

Voting Nay: None.

Motion carried.

Item 8 which was removed from the Consent Calendar was the next matter before Council and will approve the City of Alliance's Detailed Plan of Operation for the Box Butte County Handyman Program for fiscal year July 1, 2015 through June 30, 2016 and authorize the Mayor to sign the same.

Motion by Councilman Seiler, seconded by Councilman Jones to approve the City of Alliance's Detailed Plan of Operation for the Box Butte County Handyman Program for fiscal year July 1, 2015 through June 30, 2016 and authorize the Mayor to sign the same.

Roll call vote with the following results:

Voting Aye: Feldges, Seiler, Korber-Gonzalez, Jones, Yeager.

Voting Nay: None.

Motion carried.

- The next agenda item was proclaiming the week of January 25 through January 31, 2015 as Catholic Schools Week with the following proclamation:

PROCLAMATION

WHEREAS, The Week of January 25, 2015 is National Catholic Schools Week; and

WHEREAS, The theme of which is "Catholic Schools; Communities of Faith, Knowledge and service; and

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WHEREAS, St. Agnes Academy has been part of Nebraska since September 8, 1908, and therefore, has been part of our community for over 100 years, and St. Agnes Academy has helped to make our town a loving community; and

WHEREAS, St. Agnes prepares its students not only with fine academic training, but also with spiritual values that will make them good citizens able to contribute to their community and become the leaders of the future.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Alliance, Nebraska, does hereby proclaim the week of January 25, 2015 through January 31, 2015 as:

CATHOLIC SCHOOLS WEEK

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the City of Alliance to be affixed on this 20th day of January in the year of the Lord Two Thousand Fifteen.

Councilman Korber-Gonzalez presented the proclamation to the following students of St. Agnes Academy: Megan Oligmueller, Ryley Rolls, Emerson Cyza, Charlie Otto, Lillie Otto, Kenna Fierstein, Kelsy Horton, Crayton Cyza, and Donna LeMunyun.

- City Manager Cox gave his City Manager’s Report which follows in outline form.
 1. Airline Bids
 - Earlier shared that had received 5 bids from 4 airlines
 - Great Lakes
 - Boutique Air (San Francisco)
 - Gem Air (Salmon, ID)
 - (2) Via Air (Florida)
 - All services to Denver
 - Coordinated efforts with Chadron
 - Inviting Airlines to town – meet with members of Airport Advisory Group
 2. Related note: Great Lakes adding another flight back – Starting Feb 8
 - Had only one flight per day in the afternoon.
 - Now adding morning 7:40am flight
 - Plane will overnight in Chadron starting on the 8th of February. We will still have our afternoon flight at the same time and the flight in the evening will come in at 5:55 p.m. Still no flights on Saturday and the evening flight won’t come in Friday night BUT it is a start.
 - Our schedule will roughly look like this:

○ MON-FRI	Leave AIA 7:40 a.m.	Arrive DEN 8:46 a.m. (CDR-AIA-DIA)
○ SUN-FRI	Leave DEN 1:00 p.m.	Arrive AIA 1:50 p.m.
○ SUN-FRI	Leave AIA 2:15 p.m.	Arrive DEN 3:53 p.m.
○ SUN-THUR	Leave DEN 5:00 p.m.	Arrive AIA 5:55 p.m.

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3. Currently in discussions with Keep Alliance Beautiful regarding the future of recycling
4. Email addresses – offer to have @cityofalliance.net email addresses for everyone
5. Banquet – great attendance and very positive feedback

Upcoming Council:

- 2/3: Allo License Agreement
- 2/3: Wrap up of Library

Upcoming Calendar:

- 2/6/15 @ 6pm: (FD) Bosses' Night
- 2/10/15 @ 6pm: Council Retreat at City Hall
- 2/24-25/15: LNM MidWinter Conference (information in MyBoard Packets)

- Council next conducted a public hearing of Shopko Stores Operating Co. LLC Class D Liquor License to the Nebraska Liquor Control Commission. Council was provided with the following information:

[The City is in receipt of a Class D liquor license application from Shopko Stores Operating Co, LLC dba Shopko Hometown #694, 312 Flack Avenue. The license application is included in the packet. No disqualifiers came from a background check conducted by the Alliance Police Department.

HEARING PROCESS -

1. Mayor or council member announces agenda item.
2. Mayor opens public hearing and asks clerk what exhibits she has.
3. Clerk identifies application, checklist for 53-132, Chief's report, and other documents she may have received.
4. Mayor asks for a motion that the exhibits be received into the record, second and vote.
5. Mayor asks for those who are going to give testimony to stand and be sworn.
6. Mayor says "do you swear or affirm to tell the truth so help you God".
7. Individuals respond.
8. Those individuals should include the applicant who must prove to the council's satisfaction the elements on the top part of the checklist. They will also include individuals who may speak either in favor or against the application and police chief who will hit the high points of his report.
9. Mayor calls on applicant to make a presentation.
10. While applicant is still at the podium, the Mayor will call on the City Attorney for any questions and to council and himself for questions.
11. Mayor asks for others who wish to speak in favor of the application and follows the same process for questions.
12. Mayor the calls upon those who wish to speak against and follows the same process for questions.

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13. Mayor then calls on the police chief for his comments.
14. Mayor asks if there is any other testimony.
15. Mayor closes the public hearing and asks for comment from the City Attorney.
16. Mayor asks for comment from council and himself.
17. Mayor asks for a motion.
18. The motion is either to make a positive or negative recommendation on the application to the Liquor Control and to reference the elements on the top of the checklist and ask staff to prepare Resolution for the Mayor's signature.
19. After a second, Mayor calls for a vote.]

Mayor Yeager stated “now is the date, time, and place to conduct a Public Hearing to hear support, opposition, criticism, suggestions, or observations of the taxpayers relating to the Class D Liquor License Application of Shopko Stores Operating Co. and opened the public hearing at 7:31 p.m.

Mr. James Larson representing Shopko appeared before Council in favor of the issuance of the liquor license. Mr. Larson stated the Nebraska Liquor Control Commission has agreed to allow Shopko to have one Manager to have oversight of all of their stores in Nebraska. He further went on to describe the chain of responsibility of their Regional Manager Jim Riewe from North Platte and their Local Store Manager Jeremy Fryman.

Following Mr. Larson’s introductory statement, City Clerk Jines identified the following exhibits for Council’s acceptance:

1. Application of Shopko Hometown #694 as submitted by the Nebraska Liquor Control Commission;
2. Checklist from the Nebraska Statutes, 53-132; and
3. Police Department background statement.

Motion by Councilman Jones, seconded by Councilman Seiler to accept into the record the Exhibits as listed by City Clerk Jines.

Roll call with the following results:

Voting Aye: Jones, Korber-Gonzalez, Yeager, Seiler, Feldges.

Voting Nay: None.

Motion carried.

Mayor Yeager swore in James Larson, Jim Riewe, Jeremy Fryman, Police Chief Kiss, and Police Officer C. Busch to provide testimony regarding the Class D Liquor License Application, with an affirmation that the prior testimony of James Larson was the truth. City Attorney Howard Olsen asked Mr. Larson how often he would be in Alliance. Mr. Larson responded as needed or whenever required. Mr. Olsen asked how he would oversee the Alliance store. Mr. Larson stated he had significant training and that Shopko used a computer based

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training system for all of their staff which the local store manager would be responsible for ensuring all staff are trained. Mr. Larson further stated that the local store manager, Mr. Fryman would be conducting all ordering, inventory, securing and dispensing operations for the Alliance store. The division manager, Jim Riewe is usually at the Alliance site every three weeks to review records. City Attorney Olsen stated the Lease states that no alcohol sales can be conducted on the property. Mr. Larson state he was not aware of that condition and would forward the information to the Shopko legal department.

Councilman Feldges asked where the alcohol would be displayed within the store. Mr. Larson responded where the current paper products are located. He further stated that additional security cameras would be added which will enable store clerks to monitor the area, security devices will be placed on the liquor bottles themselves to prevent thefts, and controls will be in place to prevent sales to minors.

Councilman Korber-Gonzalez made an inquiry regarding local law enforcement training being provided to the staff of Shopko. Police Officer Busch responded that this type of training is available through Nebraska State Patrol Investigator T. Otto.

Prior to closing the public hearing, Police Chief Kiss and Police Officer Busch gave their background report. Two specific concerns were addressed (1) the ability to download their security camera data for police use and (2) the issues which were experienced in Kimball regarding the Shopko liquor license. Both issues were reported resolved by the Shopko representatives.

Mayor Yeager closed the Public Hearing at 7:52 p.m.

City Attorney Olsen stated he had a few follow-up questions he would like included for the record and Mayor Yeager reopened the public hearing at 7:54 p.m. Mr. Olsen wanted some reassurance that the local manager had the ability to appropriately oversee the sale of alcohol. Mr. Fryman reported he had five years of previous experience handling all aspects of alcohol sales with CVS in Indianapolis, MN. Councilman Korber-Gonzalez asked what is Mr. Fryman's work schedule and availability in the store. Mr. Fryman stated he normally works 7:00 a.m. to 5:00 p.m. five to six days a week and is available for emergency call back at all times. It was noted he resides in Hemingford, NE, and Mr. Fryman stated he has previously had no problems reporting to the store within twenty minutes of being called. With no additional testimony being offered the public hearing closed at 8:00 p.m.

A motion was made by Councilman Seiler, seconded by Councilman Korber-Gonzalez to approve Resolution No. 15-03 recommending the issuance of the Class D Liquor License with the following three proposed conditions for the Nebraska Liquor Control Commission's consideration: (1) relocation of the alcohol display within the store to provide better security by placing within the eye sight of staff; (2) upgrading of their camera security system; and (3) completion of the Nebraska State Patrol Alcohol Training Program by all staff.

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RESOLUTION NO. 15-03

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

On January 20, 2015 the matter of the Class D Liquor License application of Shopko Stores Operating Co, LLC dba Shopko Hometown #694, Alliance, NE, came on for consideration by the Council.

The following exhibits were offered and received:

- Exhibit 1 - Application of Shopko Stores Operating Co, LLC dba Shopko Hometown #694, 312 Flack Avenue, Alliance.
- Exhibit 2 - City Council checklist for Section 53-132 R.R.S. (1984).
- Exhibit 3 - Written statement of Police Chief dated January 13, 2015.

Witnesses were sworn and testimony was received in support of the Class D Liquor License at the public hearing on this date from James Larson, Jeremy Fryman, and Jim Riewe. Police Chief Kiss and Police Officer C. Busch testified on behalf of the City of Alliance.

Upon consideration of the evidence and the criteria to be considered by the City Council pursuant to law, the City Council finds as follows:

Applicant complies with the provisions of Section 53-131.01 R.R.S. (2003).

Applicant has met its burden with regard to the checklist that is provided by Section 53-132 R.R.S. (1984) and demonstrates a willingness and ability to properly manage the liquor license held by Shopko Stores Operating Co, LLC dba Shopko Hometown #694, in conformance to the rules and regulations of the Nebraska Liquor Control Act.

Based on the above findings, the City Council recommends to the Nebraska Liquor Control Commission that the Class D Liquor License Application of Shopko Stores Operating Co, LLC dba Shopko Hometown #694 at the premise described in the application be approved with the following conditions:

1. Relocation of the alcohol display within the store to provide better security by placing within the eye sight of staff;
2. Upgrading of their camera security system; and
3. Completion of the Nebraska State Patrol Alcohol Training Program by all staff.

City Clerk shall transmit a copy of this Resolution to the Commission.

Roll call vote with the following results:

Voting Aye: Seiler, Korber-Gonzalez, Jones, Yeager.

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Voting Nay: Feldges.

Motion carried.

- Resolution No. 15-04 approving proposal of M.C. Schaff & Associates to complete a study that will evaluate the best means of providing additional water to the Alliance Municipal Airport. Council was provided with the following information.

[M. C. Schaff & Associates submitted a proposal to complete a study that will evaluate three alternatives for supplying and distributing safe, potable water for the Alliance Municipal Airport. In addition to incorporating future development needs at the Airport, it will also analyze the feasibility of incorporating the Alliance Golf Course and Nebraska Veteran's Cemetery into the proposed new system.

M.C. Schaff & Associates have reviewed the two studies completed for the City as directed by Council at their August 20, 2014 meeting. The first study was by Baker & Associates in January 1992 when there was a possibility of a prison being located on Airport property. The study evaluated the existing potable and golf course water systems and the sanitary sewer system. The second study by Olsson and Associates in August 2007 evaluated the entire water supply of the City of Alliance and the Airport. The study considered placing well fields at the Airport as the water source for the City of Alliance. Pertinent information on the history and operation of the water system at the City and Airport from these studies will be incorporated into the analysis of the current water needs and future expansion of the infrastructure necessary for commercial development at the Airport.

The adequacy of water supply at the Airport is a major concern that limits further development. The current water supply is at capacity and the addition of any activities or businesses requiring water would jeopardize water pressure delivered to the current places of business. Water supply for fire suppression at the Airport is also inadequate necessitating the purchase of a larger ARFF truck and the fire station to house the truck. The ARFF building required that a tank be buried for the sprinkler system. If there were a significant fire situation in the Airport area, the fire department and/or the SEAT base operations would be required to shuttle water from several miles away.

The cost to the City for this study will be \$29,937 with adequate spending authority included in Professional Engineering Services (GL #22-41-43-43-331). These funds were continued into the current budget in response to airport committee suggestions, public forum feedback and Council and department manager retreat.

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Further study and enhancement of water supplies at the Airport are a must in order to remain viable and safe. This is the first step for the City of Alliance in moving towards that goal and ensuring further commercial development.]

A motion was made by Councilman Feldges, seconded by Councilman Seiler to approve Resolution No. 15-04, which follows in its entirety:

RESOLUTION NO. 15-04

WHEREAS, The City of Alliance is responsible for maintaining the water system at the Airport and within the City; and

WHEREAS, The adequacy of water supply at the airport is a current concern and a limitation on further development as it is at capacity and any new activity or business would decrease water pressure to the existing users; and

WHEREAS, M.C. Schaff & Associates has submitted a proposal to complete a study that will evaluate tying the Alliance Municipal Airport to the City of Alliance's water system and will include incorporating existing businesses, residents and/or golf course and cemetery; and

WHEREAS, The cost of the study will be \$29,937 and adequate funding has been budgeted within the Airport's Professional Engineering Services account; and

WHEREAS, The City Council believes it is in the best interest of the City of Alliance to have a Water Study completed.

NOW, THEREFORE BE IT RESOLVED by the Mayor and City Council of Alliance, Nebraska, that the Mayor is authorized to execute the Agreement between the City of Alliance and M.C. Schaff & Associates for the completion of a Water Study which will be paid from Account No. 22-41-43-43-331.

Mr. Jeff Wolfe and Mr. Clayton Neilsen representatives of M.C. Schaff & Associates were present to answer questions of Council. Councilman Korber-Gonzalez asked what the current development plans were for the Alliance Municipal Airport. City Manager Cox responded at the present time there are general in nature based on expansion without a great amount of detail at this point in time. Councilman Korber-Gonzalez expressed a desire on her part to ensure that fire suppression was addressed immediately; but that a revised proposal to provide more detail on viable options with a recommendation where a proposed project may be able to be addressed in the future with a proposed timeline. She felt that by having the proposal modified in this fashion there could be potential cost savings for the production of the study.

Airport Manager Lynn Placek reiterated the need to Council to have a plan in place in order to recruit future businesses to locate at the airport with an emphasis on those that address aeronautic support services. Without a plan indicating the approximate cost of acquiring water and timeline when water would be available these types of businesses are not willing to look at

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Alliance at this time. Mr. Clayton stated that if water service to the airport was not connected to the City system a treatment system would be required as the arsenic level is above the acceptable level. Some options in addition to the cost of connecting to the City's water system would be water storage and reverse osmosis systems.

Public Works Director Ron Perry also addressed Council stating having the updated study which addresses all options would be a benefit.

Roll call vote with the following results:

Voting Aye: Feldges, Seiler, Jones.

Voting Nay: Korber-Gonzalez, Yeager.

Motion carried.

- Resolution No. 15-05 authorizing the Mayor to sign the Project Agreement with the Nebraska Department of Roads for the resurfacing of County Road 57 was the next item before Council. Council was provided with the following information:

[The City of Alliance was approached by Box Butte County regarding desired repairs to County Road 57 over a year ago. This project has been one of the topics of discussion at numerous joint meetings between the County and City. County Road 57 is the road connecting to Highway 2 that leads to the Veteran's Cemetery, Skyview Golf Course and the Alliance Municipal Airport. This project has been designated by the Nebraska Game and Parks Commission as being eligible for state recreation roads funding since the Veteran's Cemetery is located on this road.

The proposed project will remove and replace existing surfacing on County Road 57 for approximately 1.25 miles. The County will participate in the first mile and the City will participate in the next .25 miles. The estimate for this project is \$546,000 with the state participating at 60% and the City of Alliance and Box Butte County providing the 40% portion of each of their respective sections. The estimated cost for the City would be \$43,614 which the Airport has included \$60,000 in its current capital budget for this project. The Airport will have asphalt millings from their runway project that will be completed this summer to sell in order to fund the road project.

The City's portion of County Road 57 that will be resurfaced is from the top of the hill (by the turn into the Skyview Golf Course) to just past the turn into the Veteran's Cemetery. That portion of the road is in better condition than the rest of the road to Highway 2. The portion of County Road 57 from the top of the hill all the way to the airport terminal would be eligible for funding by the FAA and has been on the Airport's capital improvement plan more than once. It has been scheduled from anywhere from 2019 to 2025 to resurface the access road and the

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terminal parking lot. That project will remain on the Airport's capital improvement plan with the FAA; however, it will only be done after all necessary airfield projects are completed.

The Nebraska Department of Roads (NDOR) will manage the project and has indicated that the completion of the project may be delayed to 2016 in order to allow it to be aligned with other road projects in the area (including Third Street and the Heartland Expressway). The project agreement authorizes NDOR to manage the project on behalf of the City and County, as the timing is appropriate.

Staff recommends that the City take advantage of the opportunity to resurface this small section of road with funds provided to us through the Nebraska State Recreation Department. Submission of the project agreement is the first of several steps in making the resurfacing a reality.]

A motion was made by Councilman Seiler, seconded by Councilman Feldges to approve Resolution No. 15-05, which follows in its entirety:

RESOLUTION NO. 15-05

WHEREAS, It has been determined that the City of Alliance is responsible for maintenance of one-quarter mile of the one and one-quarter mile of road connecting State Highway No. 2 to the Veteran's Cemetery; and

WHEREAS, The State of Nebraska has set aside funds for improvement of the Veteran's Cemetery Road from the State Recreation Road allocations; and

WHEREAS, The City of Alliance, Box Butte County and Nebraska Department of Roads (NDOR) wish to enter into a new Project Program Agreement setting out the various duties and funding responsibilities for the Recreation Road Project; and

WHEREAS, The City of Alliance is committed to providing local funds for the project as required by the Project Program Agreement.

NOW, THEREFORE BE IT RESOLVED by the Mayor and City Council of Alliance, Nebraska, that the Mayor is authorized to sign the attached Project Program Agreement between the City of Alliance, Box Butte County and the Nebraska Department of Roads (NDOR).

NDOR Project Number: SRR-1185(1)

NDOR Control Number: 51562

Project Name: Veteran's Cemetery Road Alliance.

Roll call vote with the following results:

Voting Aye: Feldges, Seiler, Korber-Gonzalez, Yeager, Jones.

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Voting Nay: None.

Motion carried.

- The next item before Council was Resolution No. 15-06 which will change the hours of operation at the Alliance Landfill for Saturdays. Council was provided with the following information:

[Until recently the City of Alliance Landfill has been operated by one person on Saturdays. It has been determined that operational policy within the NDEQ permitting requires two employees as a safety measure. Staffing changes have already been implemented for the required Saturday staffing which will double the labor costs to operate the landfill. Also the City costs to operate the landfill during the winter are high when compared to the minimal revenue generated because of limited facility usage.

In an attempt to control costs and yet maintain reasonable operating hours at the landfill, the Public Works Director has proposed that the landfill facility be closed on Saturdays from December through March. Saturday ticket counts in 2014 during the proposed closing months ranged from 3 to 22 which do not justify staffing and facility costs. The proposal also includes a reduction in public hours from 7½ to 4½ hours on Saturdays during the summer months. Longer hours would be authorized by the City Manager and advertised for select Saturdays to accommodate special events such as during the Green-up, Clean-up initiative. Also, Staff would be authorized to set the specific summer opening and closing dates based on weather and other factors. The actual public hours on Saturday in the summer would be 8:30 am to 1:00 pm with 1:00 pm to 1:30 pm for end-of-day facility clean-up by employees. This action increases the Saturday staffing to two while reducing regularly-scheduled Saturday hours from 416 to 350.]

Following a discussion regarding other options to maintain weekend landfill hours, a motion was made by Councilman Feldges to establish winter hours for the landfill December through March as 8:30 a.m. to 12:30 p.m. for customer availability with closing at 1:00 p.m. The motion was seconded by Councilman Jones.

Roll call vote on the proposed amendment with the following results:

Voting Aye: Feldges, Seiler, Korber-Gonzalez, Yeager, Jones.

Voting Nay: None.

Motion carried.

AMENDED RESOLUTION NO. 15-06

WHEREAS, The City of Alliance owns and operates the Alliance Landfill; and

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WHEREAS, Due to changes to the Operational Policy within the Nebraska Department of Environmental Quality regarding staffing levels of the landfill, it is being proposed to change the hours of operation; and

WHEREAS, In order to provide efficient and economically feasible services to the rate payers of the facility, staff is proposing changes to the hours of operation to reduce Saturday operations December through March, to 8:30 a.m. to 12:30 p.m. for patrons and allowing an additional half hour for staff closing operations; and

WHEREAS, It is also being proposed to authorize the City Manager to extend these hours to accommodate special events should the need arise.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Alliance, Nebraska, that the Landfill hours of operation will be changed to reduce Saturday operations December through March, to 8:30 a.m. to 12:30 p.m. for patrons and allowing an additional half hour for staff closing operations and the City Manager is authorized to extend these hours to accommodate special events should the need arise.

Roll call vote with the following results:

Voting Aye: Feldges, Seiler, Korber-Gonzalez, Yeager, Jones.

Voting Nay: None.

Motion carried.

- Resolution No. 15-07 was the next agenda item. This resolution will authorize the assistants of City Officers to remain at the Council Table during a Council Meeting, even in the presence of the designated City Officers.

A motion was made by Councilman Jones, seconded by Councilman Seiler to approve Resolution No. 15-07, which follows in its entirety:

RESOLUTION NO. 15-07

WHEREAS, The City of Alliance passed Ordinance No. 2723 on April 18, 2013, amending the Alliance Municipal Code at Chapter 1, Article II, Section 2-47, Order of Business; and

WHEREAS, A question has arisen as to the intent of the Ordinance, specifically whether the assistants of the City Officers may sit at the Council table along with the City Officers they assist if there are stations available or whether those assistants may only sit at the Council table in the absence of the City Officer they assist; and

WHEREAS, The City Council wants to make clear the intent of the Ordinance.

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NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Alliance, Nebraska, that the intent of Ordinance No. 2723 does not exclude the City Officers and their assistants sitting at the Council table at the same time if there are stations available.

This item was placed on the agenda at the request of Councilman Seiler.

City Attorney Olsen had provided the following written guidance:

[“...the members of the city council, city clerk, city attorney, and city manager OR their assistants shall take their regular stations in the city council chambers...”. Emphasis supplied.]

The word or emphasized above can be disjunctive (inclusive) or conjunctive (exclusive) which means the word or in the context used could mean the city manager and his(her) assistants, or the city manager and in his(her) absence, his or her assistants. My suggestion is that the ordinance be put on the agenda for the council to discuss clarification of the intent.]

As this matter was to determine the desire of the majority of Council each Councilmember expressed their thoughts on how to best interpret our Municipal Code language. After opinions had been shared and discussed, Councilman Seiler called for the vote.

Roll call vote with the following results:

Voting Aye: Feldges, Seiler, Jones.

Voting Nay: Korber-Gonzalez, Yeager.

Motion carried.

- The next agenda item was a board appointment and board vacancy announcements.

A motion was made by Councilman Seiler, seconded by Councilman Feldges to re-appoint Alan Cornish to the Golf Course Advisory Board with a term to expire December 31, 2017.

Roll call vote with the following results:

Voting Aye: Feldges, Jones, Yeager, Seiler, Korber-Gonzalez.

Voting Nay: None.

Motion carried.

Councilman Jones announced that the City of Alliance has the following current openings: two vacancies on the A-1 Downtown Improvement Board, one vacancy on the A-2

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Downtown Improvement Committee, two vacancies on the Planning Commission and a Hispanic Representative on the Police Advisory Board. There are also two youth ex-officio positions on the Library Board. Anyone interested in serving on these Boards should contact the City Clerk's Office. Information on all of the City Boards is also available on our web site, www.cityofalliance.net.

- The final item before Council was the extended leave request of an employee.

Councilman Feldges moved pursuant to Section 84-1410 Reissue Revised Statutes of Nebraska 1943, that the Alliance City Council hold a closed session for the purpose of an extended leave request of a City employee and that the Council finds the closed session is necessary to prevent needless injury to the reputation of the employee. The motion was seconded by Councilman Jones.

Roll call vote with the following results:

Voting Aye: Feldges, Seiler, Yeager, Jones, Korber-Gonzalez.

Voting Nay: None.

Motion carried.

Mayor Yeager stated five votes have been made in favor of entering into a closed session pursuant to Section 84-1410 Reissue Revised Statutes of Nebraska 1943, for the purpose of an extended leave request of a City employee and that the Council finds the closed session is necessary to prevent needless injury to the reputation of the employee. The closed session will consist of Council, City Manager, City Attorney and City Clerk and will begin at 9:30 p.m. The closed session concluded at 9:45 p.m. with a motion by Councilman Jones, which was seconded by Councilman Seiler.

Roll call vote with the following results:

Voting Aye: Feldges, Seiler, Yeager, Jones, Korber-Gonzalez.

Voting Nay: None.

Motion carried.

A motion was made by Councilman Jones, seconded by Councilman Korber-Gonzalez to approve Resolution No. 15-08 which follows in its entirety:

RESOLUTION NO. 15-08

WHEREAS, The City of Alliance through its Personnel Manual dated September 24, 2009 has adopted Section 7.4 Extended Leave; and

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WHEREAS, Section 7.4 provides in part for a process whereby the City Council may authorize the City Manager to grant an employee leave without pay for a specified time up to and not to exceed 60 working days (12 weeks); and

WHEREAS, The City Manager has advised Council that a City Employee has had a significant medical condition that merits the additional leave not to exceed 60 working days (12 weeks) for surgery and continued recovery; and

WHEREAS, The City Council desires to authorize the City Manager's recommendation.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Alliance, Nebraska, that it authorizes the City Manager to grant additional leave not to exceed 60 working days (12 weeks) of unpaid leave for a City Employee that recently had a significant medical issue and which employee will have surgery and continued recovery.

Roll call vote with the following results:

Voting Aye: Feldges, Seiler, Yeager, Jones, Korber-Gonzalez.

Voting Nay: None.

Motion carried.

- Mayor Yeager stated, "there being no further business to come before the Alliance City Council, the meeting is adjourned at 9:47 p.m."

(SEAL)



Ralph Yeager, Mayor



Linda S. Jines, City Clerk

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