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**ALLIANCE, NEBRASKA  
CITY COUNCIL MEETING  
School Board Meeting Room  
1604 Sweetwater Avenue  
March 3, 2015 - 7:00 p.m.  
AGENDA**

- **Call to Order**
- **Roll Call**
- **Open Meetings Act Announcement**  
For the public's reference a copy of the Open Meetings Law has been posted on the north wall of this room in the audience area. This posting complies with the requirements of the Nebraska Legislature.
- **Invocation and Pledge of Allegiance**

**A. Consent Calendar**

Approval of Minutes, Payroll and Claims  
Contractor Licenses Issuance  
Res. No. 15-14 - NDOR Maintenance Agreement No. 3 Renewal

**B. Claim of Scott Bolinger  
Resolution No. 15-15**

As a result of public complaints regarding the lack of snow removal at 715 Box Butte Avenue, and following the failure of the property owner, Larry Scott Bolinger, to properly and adequately remove snow from the sidewalks surrounding the property, and further after being notified by the Alliance Police Department, the City was forced on January 14, 2015, to pull off of other projects and responsibilities to remove the snow from Mr. Bolinger's property. The City then billed Mr. Bolinger \$135 for this service. In addition, a violation was issued which will be pursued through the Court. Although City Code provides for snow to be removed within a 24-hour period, Mr. Bolinger was actually contacted by the Alliance Police Department and given ample opportunity to remove the snow. Mr. Bolinger's failure to remove the snow within another 24 hours, then resulted in City crews having to remove the snow for him.

This matter represents only the latest in a chain of recent claims for alleged damages or losses which Mr. Bolinger has made to the City that have been determined to be without merit. The first deceptive claim received from Mr. Bolinger was when he represented that the City's taxpayers should reimburse him \$450,000 for "Loss wages 2012,2013,2014" that resulted from the City requiring him to abate nuisances on his property. The second claim was in the amount of \$8,895. Both unwarranted claims were filed with our insurance carrier and both of these claims were subsequently denied by our carrier. The carrier further stipulated in both occasions that the City of Alliance did nothing wrong. Following these denials, Mr. Bolinger has continued to harass staff for payment to the point that the City Attorney had to send a "cease and desist" letter to Mr. Bolinger. In a third event, the City also was required to abate nuisances on the 715 Box Butte Avenue property following Mr. Bolinger's failure to comply with the order of the City's Board of Health.

Following this chain of unwarranted claims, the City of Alliance is now in receipt of an invoice from Scott Bolinger dba Bolinger and Associates in the amount of \$180 for alleged damages as a result of the City removing snow from the sidewalks surrounding the property at 715 Box Butte Avenue (former Central School) and for damages at 507 Niobrara Avenue (next door to the Police Annex) as a result of piling snow. This latest claim is being recommended for denial as the City did not pile snow onto the property, and any tire tracking which may have occurred on the turf will not result in permanent damage as the turf is dormant and will correct itself with spring growth. Pictures have been included as part of this packet reflecting before and after the snow removal by the City.

Resolution 15-15 will deny the claim.

### **C. City Manager's Report**

### **D. Audit Presentation**

Terry Galloway of Almquist, Maltzahn, Galloway & Luth, P.C. will be in attendance to review the City of Alliance's Audit of the Financial Statements for the period October 1, 2013 through September 30, 2014.

### **E. Public Hearing - Zoning Change – Allowing Churches in Rural Residential Districts Ordinance No. 2768 – First Reading**

Now is the date, time and place to conduct a public hearing to consider an amendment to the Alliance Municipal Code regarding Rural Residential (RR) Zoning Districts. The amendment if approved, would allow for the inclusion of publicly owned and operated community buildings, public museums, public libraries and churches as permitted uses within the zoning classification. The Alliance Planning Commission has considered this matter and has recommended approval to the Council. An ordinance has been prepared with the amendment for your consideration.

### **F. Ordinance No. 2769 – First Reading Electric Rates**

Ordinance No. 2769 is before Council on first reading and will approve electric rate revisions. The Ordinance will incorporate the rates that were recommended by our rate consultant, Mr. Phil Euler. Mr. Euler, Manager of Engineering with Nebraska Municipal Power Pool (NMPP) will be in attendance to answer questions of Council. The proposal provides for two adjustments the first being effective May 1, 2015, the second effective April 1, 2016.

### **G. Resolution No. 15-16 – Airline Selection**

Resolution No. 15-16 will authorize the recommendation of Boutique Air to the Department of Transportation to provide Essential Air Service for Alliance. This recommendation would be contingent upon Boutique Air receiving the Transportation Security Administration (TSA) approval for sterile operations.

### **H. Resolution No. 15-18 – Police Vehicle Purchases and City Council Contingency Fund Authorization**

Resolution No. 15-18 will authorize the purchase of two police cruisers with the associated law enforcement package which includes items such as: the security cage, console and light bar/siren, camera, radar unit and docking station.

### **I. Board Vacancies and Appointments**

The City of Alliance has the following openings at this time: one vacancy on the A-1 Downtown Improvement Board, two vacancies on the Planning Commission, a Hispanic representative on the Police Advisory Board, an opening on the Senior Center Advisory Board and two openings on the Park and Tree 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](http://www.cityofalliance.net).

The City is in receipt of an application from Howard E. Jensen to serve on the Alliance Planning Commission. Mr. Jensen does reside within the City limits. Our current vacancies expire December 31, 2015 and December 31, 2017.

The City has also received applications from Miriam Bowen and James Joule to serve on the Park and Tree Board. This Board has two vacancies which are for three years and expire February 28, 2018.

### **J. Recap Actions**

#### **▪ Adjournment**

Respectfully submitted,

Linda S. Jines, City Clerk