

ALLIANCE CITY COUNCIL

REGULAR MEETING, TUESDAY, AUGUST 18, 2015

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

The Alliance City Council met in a Regular Meeting, August 18, 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 August 11, 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 August 18, 2015 Regular Meeting of the Alliance, Nebraska City Council at 7:00 p.m. Present were Mayor Yeager, Council Members Feldges, Seiler, Jones and Korber-Gonzalez. Also present were City Manager Cox, Assistant City Manager/Finance Director Waggener, City Attorney Olsen and City Clerk Jines.

- Mayor Yeager read the Open Meetings Act Announcement.
- The first agenda item was the introduction of the City’s new Public Transit employees, Robin Hellwig, Martie Loch and Diana Forry.
- The next agenda item was the approval of the Consent Calendar.

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

CONSENT CALENDAR – AUGUST 18, 2015

1. Approval: Minutes of the Regular Meeting, August 4, 2015.
2. Approval: Payroll and Employer Taxes for the period July 18, 2015 through July 31, 2015 inclusive: \$195,188.16 and \$13,890.48 respectively.
3. Approval: Claims against all funds of the City of Alliance for the period July 28, 2015 through August 11, 2015 in the amount of \$558,390.49.

4. Approval: The following contractor licenses:

General Contractor
Repair & Maintenance

Skinner Tank Company
Weimer Construction

Adam Bolek dba Bolek-Bilt LLC

Gas Fitter
Master Plumber
Master HVAC

Joe Weber dba Weber Plumbing and Boilerworks
Joe Weber dba Weber Plumbing and Boilerworks
Adam Bolek dba Bolek-Bilt LLC

5. Approval: United Way is requesting the use of the Big Blue Bay to conduct their annual "Doggie Splash." The event will be held at 6:00 p.m. to 8:00 p.m. on August 19, 2015 and will allow area dogs to swim. This will be a fundraiser for United Way and they will be requesting donations. No admission fees will be charged. United Way will be required to provide the appropriate Certificate of Insurance naming the City of Alliance an additional insured.
6. Approval: Resolution No. 15-69 authorizes the City to write-off charges that have remained uncollected over the past year, including balances that remain uncollected by the collection agency and other amounts that have not been collected by the City as of July 31, 2015. The charge-off action removes the items from the active financials of the City but does not limit further collection efforts by the City.
7. Approval: Resolution No. 15-70 accepting a grant from BNSF Foundation in the amount of \$19,000 to go towards the purchase of a patrol cruiser.
8. Approval: Resolution No. 15-71 will approve the updated Emergency Management Region 23 Multi-Jurisdictional Hazard Mitigation Plan. The Plan has been conditionally approved by FEMA pending local adoption by each participant. Having the Plan will allow our jurisdiction to be eligible for grant funding to implement actions within this plan.

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

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

- City Manager Cox gave the City Manager's Report which follows in outline form:

1. Council Followup

- Placed on My Board Packet

2. Region 23 Homeland Security Grant
 - Pays for CodeRED for entire Panhandle; free of charge to Alliance through 6/24/2016.
3. Charter-City Broadcast Equipment - Equipment only: \$18,730 + Other Desk, Cabling, Supplies
Franchise extension
4. Big Blue Bay
 - Last Day was 8/16
 - Midnight Swim – 8/15 – Free will offering ... Proceeds to track Jason Berglund (Idea from our student staff at Pool)
 - Doggie Splash tomorrow 8/19. Registration @ 6pm; Fur Flies 6:30 – 8pm.
5. BNSF Runoff
 - In contact with Roadmaster, who is aware and working on problem
 - BNSF engineers coming to Alliance
 - Anticipate having first draft – three options – by mid-September
6. Sidewalks - Inconsistency in past creating problems now
7. Mosquito Spraying – Nebraska Mosquito & Vector Control Association
8. Recycling
 - PKG & JD met
 - Met with Kathy Worley (KAB)
 - Exploring Feasibility, Grants, Needs, etc
 - Anticipate future presentation, Grant Application & Task Force
 - Possibly 2-3 site visits & conference in Colorado

Highlights of Upcoming Council:

- Sept 1 – Fence Code Change due to unique situation

Upcoming Calendar:

9/23-25: LNM Conference

- A Public Hearing to consider an amendment to the Alliance Municipal Code revising the minimum lot width and setback requirements for R-1, Single Family Residential Districts was the next matter before Council. Ordinance No. 2781 which will approve the amendment has been prepared for Council's consideration following the public hearing. Council was provided with the following information:

[The City of Alliance Board of Adjustment has noted that many of the properties in the R-1, Single Family Residential Zoning District contain structures that were built using much smaller setbacks than those built in the R-1a Single Family Residential Zoning District. The R-1 zoning district mostly covers the older portions of the City which were developed with smaller lots sizes (typically 50' x 140') and smaller setback restrictions.

The proposed revisions to Section 115-98 of the City of Alliance Municipal Code would reduce the minimum lot width from 60' to 50', reduce the side setbacks from 5' to 3', and provide other clarifying language in the Code for the R-1, Single Family Residential Zoning District.

An inventory of nonconforming structures was taken of the east side of the 900 block of Big Horn Avenue and the west side of the 900 block of Cheyenne Avenue by staff while compiling information for the June 23rd Board of Adjustment Meeting. The inventory shows every property having at least one nonconforming structure. The average side setback was approximately 3'. Having such a large number of nonconforming structures reduces the ability of property owners to expand their homes and accessory structures without having to result to unorthodox construction techniques to meet the setbacks designed for the larger lot sizes required in the R-1a Zoning District.

The City of Alliance Planning Commission had a discussion about the proposal and the existing Code at their regular meeting on June 9th, 2015 and made recommendations to staff. They then held a public hearing at their regular meeting on July 14th, 2015 wherein they voted to recommend that the Alliance City Council approve the ordinance accepting the proposed changes to Section 115-98 of the City of Alliance Municipal Code.]

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 minimum lot width and setback requirements in the R-1, Single Family Residential District and opened the public hearing at 7:19 p.m.

Brent Kusek, Community Development Director, was in attendance and provided Council with background information.

Don Tschacher, 922 Cheyenne Avenue, was present and spoke in favor of the amendment as he has plans to build an addition onto his home.

Hearing no further testimony, the Public Hearing closed at 7:26 p.m.

A motion was made by Councilman Seiler, seconded by Councilman Feldges to approve the first reading of Ordinance No. 2781 which City Clerk Jines read by title and follows in its entirety.

ORDINANCE NO. 2781

AN ORDINANCE PERTAINING TO THE R-1, SINGLE-FAMILY RESIDENTIAL (R-1) ZONING DISTRICT AND AMENDING 115-98; PROVIDING FOR AN EFFECTIVE DATE AND REPEALING EXISTING PROVISIONS OF THE ALLIANCE CODE NOT CONSISTENT WITH THIS ORDINANCE.

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

SECTION 1. Section 115-98 of the Code of Ordinances of the City of Alliance, Nebraska is hereby amended to read as follows:

Sec. 115-98. - R-1, Single-Family Residential District.

(a) *Scope and intent.* This section applies to district R-1. The R-1, Single-Family Residential District is intended to provide a zone consisting primarily of single-family dwellings but which may have recreational, religious, and educational facilities to create a balanced neighborhood. This zone is intended to accommodate older neighborhoods in the community which were developed with smaller lot sizes.

(b) Permitted uses.

- (1) Dwellings, one-family.
- (2) Publicly owned and operated community buildings, public museums, public libraries and churches.
- (3) Public parks and playgrounds, including public recreation or service buildings within such parks, public administrative buildings, police and fire stations.
- (4) Public schools, elementary and high schools, and private schools with curriculum equivalent to that of a public elementary or high school, and institutions of higher learning, including stadiums and dormitories in conjunction, if located on campus.
- (5) Railroad rights-of-way, not including railroad yards.
- (6) Manufactured homes subject to the following standards:
 - a. The home shall have no less than an 18-foot exterior width;
 - b. The roof shall be pitched with a minimum vertical rise of 2½ inches for each 12 inches of horizontal run;
 - c. The exterior material shall be of a color, material, and scale comparable with those existing in residential site-built, single-family construction;
 - d. The home shall have a nonreflective roof material which is or simulates asphalt or wood shingles, tile, or rock; and
 - e. The home shall have wheels, axles, transport lights, and removal towing apparatus removed.

(c) Conditional uses.

- (1) Golf courses and clubhouses and uses customarily accessory thereto, except miniature golf, driving ranges and other similar activities operated as a business.
- (2) Group homes: provided that facility is not within 1,200 feet of another group home or a home of any size which serves other populations, including but not limited to correctional homes which serve people recuperating from the effects of drugs or alcohol, mental illness, or physical disability.
- (3) Preschool nurseries and day care centers.
- (4) 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.
- (5) Funeral homes.

- (6) Bed and breakfasts.
 - (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) Two-family dwelling.
 - (9) Abandoned church or school property as permitted in section 115-174
- (d) Performance standards.
- (1) Area and bulk regulations.

Use	Minimum Lot Size (sq. ft.)	Minimum Lot Width (feet)	Minimum Number of Dwelling Units	Setbacks (feet)				Maximum Height (feet)	Minimum Building Separation on Same Lot (feet)
				Front	Rear	Side	Side Street		
Dwelling (single-family)	6,600	60 50	1	25	25	5 3	15	30*	6
Accessory building	—	—	—	25	5	5 3	20 c		6

*Or a 3.5 feet addition to required northern or eastern side yard requirements for each vertical foot above 25 feet.

- a. Minimum dwelling size: 800 square feet on the ground floor.
- b. Lot coverage: 40 percent of total lot area.
- c. Setback is 20 feet for parking structures with entrances off of a side street; all others 15 feet.

- (2) Permitted accessory uses.
- a. Home occupations as defined in section 115-2 and provided in section 115-171
 - b. One detached garage or other accessory off-street parking structures located in the rear or side yards. Garages and other accessory off-street parking structures located in R-1 through R-5 districts shall not be of greater height than the principal residence, and shall be constructed of

materials and colors that match the primary residence. The garage or accessory off-street parking structure and the principal residence must have the same roof pitch, matching shingles and matching siding. If either the siding or shingles of the primary residence are no longer available, then the garage shall be constructed of materials that are similar to the primary residence.

- c. Signs as permitted in chapter 111
- d. Fences as permitted in section 115-172
- e. 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
- f. 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.
- g. 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.
- h. Open area devoted to decorative paving, swimming pools, tennis courts, and other similar uses, located on the same lot as the principal use.
- i. 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.
- j. 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).
- k. Television, radio receiving and transmitting equipment, and satellite dishes subject to the setback provisions in section 115-170(e).

(Code 1986, §§ 10-305, 10-305.01, 10-305.01A, 10-305.02; Ord. No. 2422, 11-15-2001; Ord. No. 2490, 4-15-2004; Ord. No. 2581, 10-4-2007; Ord. No. 2697, § 2, 2-2-2012; Ord. No. 2697, § 2, 2-2-2012)

SECTION 2. 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 first reading of Ordinance No. 2781 with the following results:

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

Voting Nay: None.

Motion carried.

- A Public Hearing to consider an amendment to the Alliance Municipal Code regarding fence regulations was the next discussion item. Ordinance No. 2782 which will approve the amendment has been prepared for Council's consideration following the public hearing. Council was provided with the following information:

[Mr. Todd Heldenbrand, owner of Fourth Street Fencing, has proposed a change to Section 115-172 of the City of Alliance Municipal Code currently titled Fences and Vision Clearance. Mr. Heldenbrand proposed updating the Code to include fences with partial fill in the front yard, to increase maximum fence height in front yards, and to allow for modern construction materials. Upon reviewing the Code, Staff noticed that there were not any provisions for fences in Agriculture, Commercial and Industrial Zoning Districts.

The proposed Code revision would allow for a 50% fill on fences located in the front yard except within the newly defined Fence Vision Triangle at intersections. It would also allow for such fences to be 48" of height in the front yard as opposed to the 36" that split rail fences are currently limited to.

The additions would also provide staff and property owners with guidance on fence construction in the Agriculture, Commercial and Industrial Zoning Districts. The existing language does not have any regulations on height restrictions, fence material, or fence location for these Districts. Staff is also proposing the removal of the Vision Clearance portion of the Code as similar regulations already exist in Section 24-171 of the Municipal Code but with conflicting measurements.

The City of Alliance Planning Commission had a discussion about the existing Code at their regular meeting on June 9th, 2015 and made recommendations to staff. They then held a public hearing at their regular meeting on July 14th, 2015 wherein they voted to recommend that the Alliance City Council approve the ordinance accepting the proposed changes to Section 115-172 of the City of Alliance Municipal Code.]

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 fence regulations and opened the public hearing at 7:30 p.m.

Brent Kusek, Community Development Director was in attendance to provide Council will background information.

Don Tschacher, 922 Cheyenne Avenue, clarified with Council that this amendment would pertain to all fence types.

Hearing no further testimony, the Public Hearing closed at 7:45 p.m.

A motion was made by Councilman Jones, seconded by Councilman Korber-Gonzalez to approve the first reading of Ordinance No. 2782 which City Clerk Jines read by title and follows in its entirety.

ORDINANCE NO. 2782

AN ORDINANCE PERTAINING TO FENCES AND VISION CLEARANCE AND AMENDING 115-172; PROVIDING FOR AN EFFECTIVE DATE AND REPEALING EXISTING PROVISIONS OF THE ALLIANCE CODE NOT CONSISTENT WITH THIS ORDINANCE.

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

SECTION 1. Section 115-172 of the Code of Ordinances of the City of Alliance, Nebraska is hereby amended to read as follows:

Sec. 115-172. - Fences

~~Upon the adoption of the ordinance from which this section is derived,~~ The erection, construction, or moving of any fence shall comply with the following regulations:

- (1) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Closed fence means fences constructed in any manner other than open.

Fence means any vertical structure, other than a building or plant material which is for the purpose of obstructing visual observation, or for the purpose of obstructing pedestrian, automotive or animal movement, or for the purpose of beautification, and which is attached to the ground or to a building, but excluding retaining walls.

Fence Vision Triangle means the triangle created at the intersection of the front property line and the side street property line. It is created by measuring 25 feet from the intersection along each property line and drawing the hypotenuse between these two points.

Open fence means split rail or one by four inch board with a maximum of three horizontal rails or boards with no vertical boards except supporting posts, or open metal fencing.

- ~~(2) General requirements; residential. In zoning districts R-1, R-1A, R-2, R-3, R-4 and R-5, and any other residential districts which may hereafter be added, no fence shall be erected constructed, or moved except for the following types:
(Moved to subsection 3)~~

- (2) *General Requirements and Restrictions:*

- a. *Permit required.* No fence shall be erected, constructed, or moved until a permit has been procured from the Community Development Department.

- b. Property owners are required to provide a site layout of the property showing the property dimensions, all existing structures, utility easements, proposed fence location with measurements from property lines, fence height, amount of closed construction, and fence material.
- c. Property owners are responsible for locating property lines prior to any permit being issued.
- d. All fences must be on the applicant's property and not extent beyond any property lines.
- e. Permit holders are responsible for calling Diggers Hotline for locates before digging.
- f. Permit holders are responsible for scheduling a final inspection.
- g. If a permit holder elects to build a fence within a utility easement, over or under any City utility mains or services, the City shall **NOT** be responsible for any repair or replacement of any removed portion of the fence during routine or emergency maintenance. Fences built in such locations shall be designed and constructed in such a way that they are easily removable by the owner when requested by the City.

~~(3) — Permit required. No fence shall be erected, constructed, or moved until a building permit shall have been procured from the building inspector. Application for a fence building permit shall include a sketch of the lot, the location of any buildings on the lot, the proposed fence and sufficient dimensions to accurately locate these features. The fence building permit shall be based on the adopted building permit fee schedule. (Incorporated into subsection 2)~~

(3) *Residential and Light Commercial Requirements.* In C-0, C-1, and in all Residential Zoning Districts, no fence shall be erected, constructed, or moved except those which follow these guidelines:

- ~~a. — Along the front property line. An open fence not exceeding 36 inches if constructed of wood or 48 inches if of metal fencing.~~
- a. Facing the front property line within 25' of the front property line on an interior lot: An Open Fence or a Closed Fence with no more than 50% closed construction, not exceeding 48 inches in height. The portion of the fence that sits between the front building line of a nonconforming principal structure built into the front yard setback, excluding any porches, patios, or enclosed entryways and the 25' front yard setback may be built using the criteria in 3(e).
- ~~b. — Along the side yard common to the side street on a corner lot. Any fence constructed within 40 feet of the front property line must be an open fence meeting specifications of subsection (2)a of this section.~~
- b. Facing the front property line within 25' of the front property line of a corner lot: Any fence constructed within the Fence Vision Triangle must

be an open fence not exceeding 48 inches in height. Fences outside the Fence Vision Triangle may follow the guideline (3)a.

~~e. On a side lot common to two lots. An open or closed fence within 25 feet of the front property line. Such fence shall not exceed height requirements of subsection (2)a of this section.~~

c. Facing the side yard property line adjacent to the side street on a corner lot: Any fence constructed within the Fence Vision Triangle must be an open fence not exceeding 48 inches in height. Fences outside the Fence Vision Triangle may follow the guideline (3)e.

~~d. Fences along all other property lines. May be open or closed and shall not exceed six feet in height. Such fences may turn in at the rear building line on the street side of a corner lot and at the front building line on a side lot common to two lots.~~

d. Facing the interior side yard property line within 25' of the front property line: Any Open or Closed Fence not exceeding 48 inches in height. The portion of the fence that sits between the front building line of a nonconforming principal structure built into the front yard setback, excluding any porches, patios, or enclosed entryways and the 25' front yard setback may be built using the criteria in 3(e).

~~e. All fences shall be constructed of wood, metal, fiberglass or masonry materials, shall be structurally sound, shall have a neat and finished appearance and shall be straight and true. No fence shall use barbed wire or electrically charged fence material in its construction.~~

e. Fences along all other property lines: May be open or closed. They shall be limited to 84" in height provided that any portion above 72" in height shall not exceed more than 50% closed construction.

f. All fences shall be constructed of one of the following materials*:

1. Wood not exceeding 12" in width
2. Polyvinyl Chloride (PVC)
3. Fiberglass
4. Wrought Iron
5. Galvanized or Vinyl covered Chain Link
6. Masonry

* Chicken wire, barbed wire, kennel type fencing, and electrically charged fences are not permitted except in the rear and side yards in RR zoning.

(f g). Fences must be maintained in good repair. The Building Official may order any dilapidated, dangerous, or nonconforming fence to be repaired or removed.

(4) Vision clearance.

- a. ~~No shrubs, trees, bushes, or other plant material shall be planted, maintained, allowed to grow and no structure shall be erected so as to hinder vision in the vicinity of an intersection of two streets, within a sight distance triangle bounded by the edges of the roadway or the curb on the two sides and a line diagonally across the corner lot meeting the edges of the roadway or the curb 40 feet from their intersection at the corner.~~
- b. ~~The term "to hinder vision" shall be taken to mean that said plant material has leaves, needles, branches, or other foliage during any period of the year, and structures of any type as defined in this chapter exist, between levels two feet and eight feet above the crown of the street adjacent. Structures in zoning district C-2 shall be exempt. (This code already exists in section 24-171 **Planting Distance and vision clearance** with conflicting values; deleting these paragraphs eliminates the duplication and conflicting values)~~

(4) *Heavy Commercial, Industrial, and Ag Fence Requirements:* In C-2, C-3, A, and all Industrial Zoning Districts, no fence shall be erected, constructed, or moved except those that meet the following guidelines:

- a. Fences may not be greater than 96" in height provided any portion of the fence above 72" shall not exceed more than 50% closed construction.
- b. A Closed Fence shall not be allowed within the Fence Vision Triangle (Fences in C-2 are exempt from the Fence Vision Triangle requirements).
- c. In all districts except C-2, barbed wire or similar material may be allowed to construct the portion of the fence greater than 84" in height as long as such wire does not protrude into a public right of way or into the neighboring property. In C-3 districts, the portion of the fence containing barbed wire must be located in the rear or side yard
- d. All fences shall be constructed of one of the following materials:
 - 1. Wood not exceeding 12" in width
 - 2. Polyvinyl Chloride (PVC)
 - 3. Fiberglass
 - 4. Wrought Iron
 - 5. Galvanized or Vinyl covered Chain Link
 - 6. Masonry

* Chicken wire, barbed wire, kennel type fencing, and electrically charged fences are not permitted except in the A Agriculture Zoning District or as allowed in the above code.

SECTION 2. 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 first reading of Ordinance No. 2782 with the following results:

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

Voting Nay: None.

Motion carried.

- A Public Hearing on the proposed 2015-2016 Budget for the City of Alliance was the next agenda item. Ordinance No. 2779 which will approve the budget has been prepared for Council’s consideration following the public hearing.

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 2015-2016 proposed budget and opened the public hearing at 7:47 p.m.

Hearing no further testimony, the Public Hearing closed at 7:48 p.m.

Randy Waggener, Assistant City Manager/Finance Director, reviewed the amendments which have been proposed for Council’s consideration.

A motion was made by Councilman Feldges, seconded by Councilman Jones to approve the second reading of Ordinance No. 2779 with the following amendments:

**City of Alliance
Council Budget Amendments
2015-16 Fiscal Year**

Fund	Full Account No	Account Title	Original	Change	Adjusted	Comments	Reading
01	01-37-37-33-344	MFO Distribution	51,000	8,400	59,400	Confirmed Increase	2
Totals			45,569,100	8,400	45,577,500		
Fund	Full Account No	Account Title	Original	Change	Adjusted	Comments	Reading
01	01-71-72-44-483	NRCNTSVS - Bldg Public Works	2,500	5,000	7,500	Senior Corner Roof Seal	2
01	01-71-76-41-111	Regular Employee Salaries	131,200	5,500	136,700	Adjust Museum Staffing	2
01	01-71-76-41-121	Temporary Employee Salaries	3,000	2,000	5,000	Adjust Museum Staffing	2
01	01-71-76-42-211	FICA	9,000	400	9,400	Adjust Museum Staffing	2
01	01-71-76-42-212	Medicare	2,000	100	2,100	Adjust Museum Staffing	2
06	06-51-55-59-950	Capital Outlay - Mach, Equip	-	70,000	70,000	Carryforward Boiler Refurbish	2
08	08-52-51-47-791	System Contingency	40,000	150,000	190,000	Increase for Potential Water Tower Painting	2
22	22-41-43-44-482	NRCNTSVS - Vehicle Repair	10,000	12,000	22,000	Carryforward Snow Blower Repair	2
Totals			49,724,400	245,000	49,969,400		
Net Cash Flow			(4,155,300)	(236,600)	(4,391,900)		

City Clerk Jines read the Ordinance by title which follows in its entirety with the proposed amendments.

ORDINANCE NO. 2779

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, 2015, AND ENDING SEPTEMBER 30, 2016, 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 28, 2015 and a proposed budget was produced. A public hearing will be held on said proposed budget on August 18, 2015, as required by law; and

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

SECTION 1. The budget for the fiscal year beginning October 1, 2015, 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	1,070,700	133,600	118,000	122,000	47,600	1,491,900
County Treasurer's Fee (1%)	10,707	1,336	1,180	1,220	476	14,919
Delinquent Allowance (5%)	53,507	6,665	5,947	6,078	2,392	74,589
Total Property Tax Request	1,134,914	141,601	125,127	129,298	50,468	1,581,408
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

417,088,739

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 2016.

General	7,617,000
Electric	15,595,600
Refuse	1,428,600
Sewer	871,000
Water	2,082,200
Golf Course	369,700
Airport Operations	8,980,800
Public Transit	350,000
Streets	3,071,600
Handyman Services	62,200
RSVP	80,500
Museum Exhibit	28,200
BID #1 and #2	13,600
Nuisance Cleanup	6,600
HUD/CDBG	150,000
Community Betterment (KENO)	18,200
Economic Development	110,000
LB 840 Fund	303,500
Redevelopment (TIF)	250,000
Sales Tax Fund	1,975,000
Lodging Occupation Tax	227,600
Capital Projects	1,030,000
Public Safety Tax	275,000
State 911 Funds	55,000
General Internal Service	1,338,100
Enterprise Internal Service	679,500
Health Support Internal Service	2,406,300
General Debt Service	43,600
Airport Capital Reserve	550,000
<i>Gross Expenditures</i>	<u>49,969,400</u>

There is hereby included \$125,000 within the General Fund Budget [City Council Activity], \$10,000 within the General Fund Budget [Police Grant] \$60,000 within the Electric Fund, \$340,000 within the Water Fund, \$25,000 within the Sewer Fund, \$15,000 within the Refuse Fund, \$5,000 within the Airport Fund, \$50,000 and within the Streets 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 \$91,518.09 for Fiscal Year 2016.

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, 2015

Roll call vote to approve the second reading of amended Ordinance No. 2779 with the following results:

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

Voting Nay: None.

Motion carried.

- The next agenda item was the second reading of Ordinance No. 2780, which will authorize the City to exceed the Allowable Growth and Basic Allowable Growth for the 2015-2016 Fiscal Year Budget by 1%. Council was provided with the following background information:

[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 2015-16 fiscal year budget by 1% (or \$61,288) with total restricted funds authority at \$6,343,346. This does not increase the new fiscal budget, but rather allows the City to increase the unused budget authority for use in future years. The first reading of the ordinance passed at the August 4th Council meeting.]

A motion was made by Jones, seconded by Councilman Seiler to approve the second reading of Ordinance No. 2780 which City Clerk Jines read by title and follows in its entirety.

ORDINANCE NO. 2780

AN ORDINANCE ALLOWING FOR EXCEEDING THE ALLOWABLE GROWTH AND BASIC ALLOWABLE GROWTH LIMITS FOR THE 2015-2016 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 \$61,288 and the resulting “unused budget authority” in the adopted budget ordinance is hereby amended to the amount of \$6,343,346.

SECTION 6. Those portions of the existing budget ordinance for 2015-2016 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 2015-2016, and transmit those 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 on the second reading of Ordinance No. 2780 with the following results:

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

Voting Nay: None.

Motion carried.

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

Mayor Yeager announced that the City of Alliance has the following openings at this time: two vacancies on the Board of Adjustment, one vacancy on the A-1 Downtown Improvement Board, two youth ex-officio positions on the Library Board and a Hispanic representative on the Police Advisory Board. Anyone interested in serving on these Boards should contact the City Clerk’s Office. Information on all of the City Boards is also available on our web site, www.cityofalliance.net.

A motion was made by Councilman Korber-Gonzalez, seconded by Councilman Feldges to appoint Anthony Hare to the Police Citizen Advisory Board as the Youth Representative with a term expiring July 31, 2016.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

Council was also made aware of a vacancy on the Board of Adjustment for a term which expires December 31, 2016 due to the relocation of Mr. Greg Bruegger. A motion was made by Councilman Korber-Gonzales, seconded by Councilman Feldges to accept the resignation.

Roll call vote with the following results:

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

Voting Nay: None.

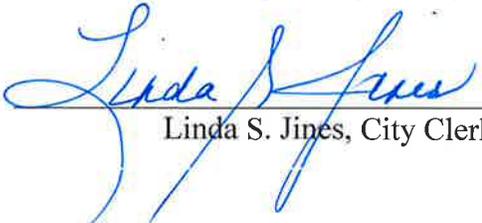
Motion carried.

- Mayor Yeager stated, "there being no further business to come before the Alliance City Council, the meeting is adjourned at 8:01 p.m."

(SEAL)



Ralph Yeager, Mayor



Linda S. Jines, City Clerk