

ALLIANCE CITY COUNCIL

REGULAR MEETING, WEDNESDAY, FEBRUARY 2, 2016

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

The Alliance City Council met in a Regular Meeting, February 2, 2016 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 26, 2016. 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 February 2, 2016 Regular Meeting of the Alliance, Nebraska City Council at 7:00 p.m. Present were, Mayor Yeager and Council Members, Jones, Korber-Gonzalez and Seiler. Also present were City Manager Cox, City Attorney Olson and City Clerk Jines.

- Mayor Yeager read the Open Meetings Act Announcement.
- A motion was made by Councilman Seiler, which was seconded by Councilman Korber-Gonzalez to excuse the absence of Councilman Feldges as he is ill.

Roll call with the following results:

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

Voting Nay: None.

Motion carried.

- Council's first order of business was the introduction of new City of Alliance employees, Aubrie Lawrence and Gaige Tvrs, which are new Library Pages; and Cody Jones, Public Safety Dispatcher.
- Council then had a proclamation for presentation.

The following proclamation was read by Mayor Yeager to recognize March 2016 as Problem Gambling Awareness Month.

PROCLAMATION

WHEREAS, Our community is home to individuals and families adversely affected by problem gambling; and

WHEREAS, Compulsive gambling is often hidden from family members, social services and mental health professionals; and

WHEREAS, Compulsive gambling often occurs in combination with other disorders such as chemical dependency and depression; and

WHEREAS, It is important to raise awareness of the warning signs of compulsive gamblers and connect them with professional help,

NOW, THEREFORE, I, On behalf of the Mayor and Members of the City Council of the City of Alliance, I do hereby proclaim March 2016 as:

Problem Gambling Awareness Month

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the City of Alliance to be affixed on this 2nd day of February in the year of the Lord Two Thousand Sixteen.

- Council's next order of business was the Consent Calendar.

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

CONSENT CALENDAR – FEBRUARY 2, 2016

1. Approval: Minutes of the Regular Meeting, January 19, 2016.
2. Approval: Payroll and Employer Taxes for the period January 2, 2016 through January 15, 2016 inclusive: \$178,812.70 and \$12,626.14 respectively.
3. Approval: Claims against the following funds for the period January 13, 2016 through January 26, 2016: General, General Debt Service, Trust and Agency, Street,

Electric, Refuse Collection and Disposal, Sanitary Sewer, Water, Golf Course, Downtown Improvement Districts, R.S.V.P., Keno, and Capital Improvement; \$858,825.25.

4. Approval: Update the roster of the Alliance Volunteer Fire Department by removing Brandon Williams.
5. Approval: Resolution No. 16-16 authorizing the transfer of \$15,000 from the Street Contingency Fund to go towards the 2016 Asphalt Overlay Project which was awarded to Simon Contractors of Scottsbluff, NE.

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.

Council extended a special thank you to all of the Alliance Volunteer Fire Department members for the service and dedication to our community.

Roll call with the following results:

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

Voting Nay: None.

Motion carried.

- City Manager Cox gave his City Manager's Report in outline form:
 1. Snow
 - This Storm:
 - Have completed all the snow routes once and around all schools
 - Have not gone in to the residential neighborhoods
 - 10 pm back into downtown; sand intersections
 - Midnight - full crew coming in to work through all snow routes
 - Moving Forward/ Engaging Interdepartmental Solution
 - Develop written protocols
 - Streets-Parks working in tandem
 - Arrange in advance for additional staff to fill-in to run two full shifts
 - Set goals to have all Snow Routes within 24 hours
 - Working with Staff to develop better response
 2. ACE Payment: Anticipating >\$18,000
 3. LB-958: In Packets – Concern for Cities
 - Governor's Bill to decrease property tax burden, instead of State, targets municipal taxing
 - Hearing Thursday – large number of cities in opposition
 - League asking for letter - drafted letter

- The next item before Council were Resolution Nos. 16-17 and 16-18 which authorizes the appointments to the Alliance Police Retirement Committee. Council was provided with the following information:

[Recently, one of our long-standing police officers informed staff that he desires to retire soon. This police officer is part of a grandfathered retirement plan known as "Pre-84," which is a defined benefit plan and has specific rules about how it is setup and structured.

State Statute, and as reflected by City Ordinance, calls for a Retirement Committee of six individuals (four members selected by active, paid police force and two members appointed by Council). The rules further stipulate that the four police officers are selected by the police officers themselves via election by secret ballot. Once that is completed, the City Clerk certifies those four to Council for formal appointment. The other two appointments can be anyone desired. It would be preferable to have those be individuals with financial and/or retirement background and can include any City staff or Council members.

To help with the selection, both Assistant City Manager/Finance Director Randy Waggener as well as Councilmember Wally Seiler (who has extensive financial and investment experience from his former role as a bank trust officer) are agreeable to serve those two roles, yet Council may select anyone whom they wish. (If Council would like to appoint someone else, simply make a motion to change those names.)

Those elected by the police officers are: Joe Digmann, Kirk Felker, Jake Henion and Tim Peterson.]

A motion was made by Councilman Jones, seconded by Councilman Seiler to approve Resolution No. 16-17 which follows in its entirety:

RESOLUTION NO. 16-17

WHEREAS, The City of Alliance has established a pension system for the police officers of our City pursuant to R.R.S. 1943, §16-1002 through 16-1019; and

WHEREAS, The City of Alliance needs to make appointments to the Police Department Retirement Committee; and

WHEREAS, The Committee is to consist of six members, of which, four members shall be selected by active, paid police officers; and

WHEREAS, Alliance City Clerk Linda S. Jines conducted an election by secret ballot and has certified that the following officers have been selected to serve on the Police Department Retirement Committee: Joseph Digmann, Timothy Peterson, Kirk Felker and Jacob Henion.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Alliance, Nebraska, that Joseph Digmann, Timothy Peterson, Kirk Felker and Jacob Henion have

been elected by the active, paid police officers of the City of Alliance and are hereby appointed to serve four year terms on the Alliance Police Department Retirement Committee.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

A motion was made by Jones, seconded by Councilman Korber-Gonzalez to approve Resolution No. 16-18 which follows in its entirety:

RESOLUTION NO. 16-18

WHEREAS, The City of Alliance has established a pension system for the police officers of our City pursuant to R.R.S. 1943, §16-1002 through 16-1019; and

WHEREAS, The City of Alliance needs to make appointments to the Police Department Retirement Committee; and

WHEREAS, The Committee is to consist of six members, of which, two members shall be selected by City Council and have a general knowledge of retirement plans; and

WHEREAS, Council has appointed four police officers to the Police Department Retirement Committee which were elected by secret ballot conducted by Alliance City Clerk Linda S. Jines; and

WHEREAS, Councilman Wally Seiler and Assistant City Manager/Finance Director Randy Waggener are being recommended to serve on the Alliance Police Department Retirement Committee as Council's representatives and they possess a general knowledge of retirement plans.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Alliance, Nebraska, that Councilman Wally Seiler and Assistant City Manager/Finance Director Randy Waggener are hereby appointed to serve four year terms on the Alliance Police Department Retirement Committee as the Council's representatives.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

- Resolution No. 16-19 which accepts the Preliminary Plans, Specifications and Estimates Package for the Alliance Box Butte Historic Lighting Project was the next agenda item.

Brett Meier, an Engineer with Baker & Associates, was present to discuss the Preliminary Plans with Council and offer explanation of any concerns or questions.

A motion was made by Councilman Korber-Gonzalez, seconded by Councilman Seiler to approve Resolution No. 16-19 which follows in its entirety:

RESOLUTION NO. 16-19
APPROVAL OF PRELIMINARY PLANS, SPECIFICATIONS
AND ESTIMATES (PS&E)

WHEREAS: The City of Alliance (City) and the State of Nebraska (State) entered into an LPA Program Agreement for State to assist City in the development and construction of an LPA Federal-aid transportation project; and

WHEREAS: The State or the design consultant has developed the project plans to the point where they are ready to submit to the State's PS & E Section for final edits for a bid letting; and

WHEREAS: The LPA Program Agreement requires the City to review the preliminary PS & E package and either request modification or approve them as acceptable at this stage; and

WHEREAS: The City wishes to approve the preliminary PS & E package as prepared.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Alliance that the Mayor, Ralph Yeager, is hereby authorized to sign the bottom of this resolution and submit it to the State signifying the City's approval of the preliminary PS & E package.

NDOR Project Number: ENH-6257(2)

NDOR Control Number: 51453

NDOR Project Description: Box Butte Avenue Historic Lighting

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

- Council next conducted a general discussion regarding the transfer of a city owned residential lot to Habitat for Humanity. Council was provided the following background information:

[At the January 5 Council meeting, Habitat for Humanity (HfH) representative Harold Roller submitted a request for the City to consider “gifting” or “discounting” a City lot to the organization for the construction of a home as part of their program to help those in need of housing. Subsequently, staff met with Mr. Roller and requested that he submit a list of acceptable properties from the City’s inventory. To that request, Mr. Roller submitted one property as follows.

Lot 2, Subdivision of Lot 10, Block 2, Hammond Addition.

Lot 2, Subdivision of Lot 10, Block 2, Hammond Addition where records show sewer and water taps to the property. The sewer is on the west side of the street and water is on the east side (the fire hydrant next to the entrance of KCOW was stubbed across the street for some unknown reason). Electric is overhead with three-phase in the platted alley along the rear or three-phase along the front.

Approx Size: 10,966

*Authorized Price: \$6,000.00 + \$741.50= \$6,741.50

**Estimated Bldg Permit Fees: \$382.00 to \$587.00

**Per Resolution 07-23, this lot is priced at \$6,000 for the first 8,000 square feet, plus \$0.25 per square foot for the remaining 2,966 square feet; AND, for a \$2,000 refund should a house be constructed on the property within two years.*

*** Building Permit Fees estimated for \$50,000 construction: \$382.00; \$100,000 construction: \$587.00.*

Previous Council actions as was reported during discussion on January 5:

- *Sept 1, 2005: Approved donation of City Lot (Tract C & D, Lot 2, Block 1, Grovefield Addition*
- *Oct 5, 2006: Approved waiving building permit fees on same property*
- *Nov 17, 2007: Approved waiving building permit fees on HfH project at 651 E 8th*
- *July 16, 2009: Approved waiving building permit fees on HfH project at 1407 Big Horn*

OPTIONS

Sell lot per current City policy

Pro’s: Maintains consistency

Con’s: City lots are not moving; does not further encourage development

Impact: No cash impact on City

Waive building permit fees

Pro’s: Provides token negotiation

Con’s: Inconsistent. What do we tell the next “good cause?”

Impact: Small impact on City (\$382-\$587 estimated)

Waive Refund Upfront

Pro's: Could be helpful to low cash project

Con's: Does not incentivize completion; inconsistent with other sales

Impact: No net cash impact on City

Increase Refund on Single Property

Pro's: Could be helpful to low cash project

Con's: Inconsistent with other sales; what do we tell the next "good cause?"

Impact: Small to moderate impact on City

Increase Refund on Remaining Hammond Properties

Pro's: Consistent; could be helpful to low cash project

Con's: Reduction of funds to City

Impact: Moderate impact on City

Increase Refund on all Remaining City Lots

Pro's: Consistent; could be helpful to low cash project; could incentive further development in City

Con's: Reduction of funds to City

Impact: Large cash impact on City

Donate land

Pro's: Could be helpful to low cash project

Con's: Inconsistent with other sales; what do we tell the next "good cause?"

Impact: Large cash impact on City

Hybrid – Mix of Discounting Price and Increasing Refund

Pro's: Maintains consistency

Con's: Discounting one lot provides inconsistency

Impact: No cash impact on City

Other Options:

GROVEFIELD ADDITION

Grovefield Addition tracts show water and sewer taps to the property. The sewer is on the west side of the street and water is on the east side. Electric is overhead along Buchfinck Avenue. The properties along Grove Avenue have underground secondary's through an easement located along the east/west property line of each tract.

LAKEFIELD ADDITION

Lakefield Addition lots show water and sewer taps to the property. If they are not able to find them, sewer is on the west side of the street and water is on the east. Electric is under-ground in an easement on the rear of the property.

HOMESTEAD ADDITION

Block 4 of Homestead Addition (Ken Hart's Block) shows water and sewer taps. The sewer is in the platted alley and the water main is on the north sides of all east/west streets. Electric is overhead in the platted alley.

Block 5 of Homestead Addition shows water and sewer taps. If they are not able to find them, sewer is in the alley and easement and the water main is on the east side of Aksarben Avenue and the north side of Sandhills Street. There is not an electric primary.

Lots 13 and 18 on Homestead Avenue do not show water or sewer taps but both mains are present. Lot 18 shows electric along the south side of the property.

The Hammond lots and Lots 13 and 18 on Homestead Avenue are the only ones mentioned above that don't have gas mains according to the map SourceGas provides us.]

Following the discussion Council instructed staff to prepare legislative documents for their consideration to transfer one residential lot to Habitat for Humanity.

- Council was next presented with the First Quarter Financial Report by Finance Director Waggener.

Finance Director Waggener provided an overview and highlighted issues that were key financial components and extraordinary items impacting the financial statement within the first quarter. He also compared items to the current budget and previous year budget.

A motion was made by Councilman Jones, seconded by Councilman Korber-Gonzalez to accept the First Quarter Financial Report as presented.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

- The final agenda item were board appointments and board vacancy announcements.

A motion was made by Councilman Seiler, seconded by Councilman Korber-Gonzalez to appoint the following individuals to the Community Redevelopment Agency:

Chris Mischnick with a term expiring January 31, 2017
 Ellen Lierk with a term expiring January 31, 2018
 Lori Mazanec with a term expiring January 31, 2019
 Kurtis Schmidt with a term expiring January 31, 2020
 James Girard with a term expiring January 31, 2021.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

A motion was made by Councilman Seiler, seconded by Councilman Jones to appoint Edison Red Nest III to the Police Advisory Board as the Native American Representative with a term expiring December 31, 2018.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

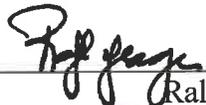
The City has the following openings at this time: two vacancies on the Board of Adjustment; one vacancy on the A-2 Downtown Improvement Board; one vacancy on the Economic Development Plan Citizen Advisory Board, one vacancy on the Alliance Housing Authority, two youth ex-officio positions on the Library Board, one vacancy on the Planning Commission, and an Hispanic representative on the Police Advisory Board.

There are also two terms expiring on both the Park and Tree Board and the Senior Facility Advisory Board at the end of February.

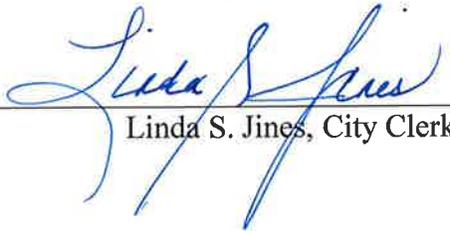
Anyone interested in serving on these Boards should contact the City Clerk's Office. Information on all of the City Boards is also available on our web site, www.cityofalliance.net.

- Mayor Yeager stated, “there being no further business to come before the Alliance City Council, the meeting is adjourned at 8:02 p.m.”

(SEAL)



Ralph Yeager, Mayor



Linda S. Jines, City Clerk

