

**ALLIANCE CITY COUNCIL**

REGULAR MEETING, TUESDAY, SEPTEMBER 20, 2016

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

The Alliance City Council met in a Regular Meeting, September 20, 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 September 13, 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 September 20, 2016 Regular Meeting of the Alliance, Nebraska City Council at 7:00 p.m. Present were Mayor Yeager and Council Members Feldges, Korber-Gonzalez, Seiler and Jones. Also present were Interim City Manager Kuckkahn, 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 new City employees Tammy Suit, Account Clerk, Kennedy Cyza, Library Page and Cindy Zurn, Museum Collection Clerk.
- A Proclamation for Re-Tree Nebraska Week, September 18-24, 2016 was the next agenda item.

Connie Laing with the Alliance Park and Tree Board was in attendance to accept the Proclamation as follows:

**PROCLAMATION**

WHEREAS, September 18 through September 24, 2016 is ReTree Nebraska week; and

WHEREAS, ReTree Nebraska is a program to celebrate trees and promote the value of healthy trees for a healthy community; and

- Downtown Improvement Districts, R.S.V.P., Keno, and Capital Improvement;  
\$1,305,169.37.
4. Approval: Update the roster of the Alliance Volunteer Fire Department by adding Jill Andersen and Randy Prall and removing long time member Wesley Burton due to his passing.
  5. Approval: The issuance of Master HVAC and Master Plumber licenses to Vaughn Russell dba Best Plumbing, Heating and Cooling, LLC.
  6. Approval: Resolution No. 16-112 granting a Special Designated License to JCMG Holdings, LLC dba Newberry's for a home brew tasting on October 29, 2016.
  7. Approval: A capital budget transfer in the amount of \$24,500 for the repairs to the Landfill tub grinder which was damaged due to a fire. This was covered on our insurance plan, less our \$1,000 deductible.
  8. Acknowledgement: The AVFD volunteer organization has donated the funds and made the repairs to the radiator of the 1944 LaFrance fire truck which amounted to \$1,152.50.
  9. Acknowledgement: The City is now prepared to move forward with the 2016 Alliance Overlay Project. Plan specifications have been prepared for 11 projects which have been outlined within the attached listing prepared by Jeff Wolfe of M.C. Schaff and Associates. Advertising for the project will begin in the next week or so.
  10. For Your Information: The City has received Official Notice of Updated MEAN Operational Policies & Guidelines and Issuance of Attachment B to MEAN Distribution and Renewable General Policy. Copies have been included within the packet for Council's review.
  11. Approval: *Special Events Request/Use of Public Facilities, Parks, Streets* of the Alliance Chamber of Commerce to conduct Trick or Treating in Downtown Alliance. The event will be held on October 31, 2016 between 2:30 p.m. and 5:30 p.m. They are requesting the closure of the 300 and 400 blocks of Box Butte Avenue. A Certificate of Insurance has been received naming the City as an additional insured.
  12. Approval: *Special Events Request/Use of Public Facilities, Parks, Streets* of the City of Alliance for the closure of Sweetwater Avenue between 9<sup>th</sup> and 10<sup>th</sup> Streets. The closure is requested for September 24, 2016 starting at noon and ending the evening of September 25, 2016. The closure is being requested for the placement of vendors during the PowWow being held in Central Park.

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.

Cash flow in the fund has been negative the past three years, primarily due to unusually wet summers and large debt service payments. The utility is dependent upon hot, dry summers to generate adequate cash flow.

One of the City's major users of water has reduced annual consumption by 2.125 million cubic feet over the past couple of years resulting in a negative impact to earnings of \$40,000. Other consumers also continue to implement water-saving measures.

Additional revenues of approximately \$100,000 will be required in the upcoming years in order to cover the suggested tank maintenance program. This program is in lieu of large periodic payments to maintain the City's water tanks.

Cash is reserved only in the hot and dry summers toward water infrastructure replacement that will be necessary within upcoming years. The rate consultant suggested that a \$1.2 million bond issue for main replacements would result in approximately an average increase of \$1.69 per month in order to meet bond payments.

All of these indicators point to a failure of the utility to capture in its base rate the necessary revenue to be able to adequately fund operations in the future.

Sewer. Sewer rates have only increased by the annual automatic 1% since implemented in 2012. Prior to that time a 5% increase was approved in October 2007. Over the past twenty years, the sewer rates have increased an average of .45% per year. An increase is being proposed this year for the following reasons:

While cash flow for the sewer fund was positive in four of the past five years, the annual earnings were negative in all five years due to the levels of depreciation which continues to erode the net equity in the fund.

Cash reserves remain very healthy with over 2 ½ years of reserves; however, the planned upgrades to the lift stations will most likely deplete those reserves.

Since sewer revenues are linked to water usage, the decrease in water consumption continues to adversely affect sewer revenues. For instance, the instance cited in the water narrative above decrease sewer revenues by approximately \$20,000.

Combining Funds. Council directed staff to investigate the possibility of combining the water and sewer enterprise funds given the current opposite financial needs of the two funds in regard to net income and cash flow. Various sources provided insight concerning the idea including bond counsel, bond underwriters, the City's accounting firm and the utilities "expert" at the League. Following is a synopsis of the principle points for Council's consideration:

While some villages have combined water and sewer enterprise funds, none of the sources interviewed could identify any first-class cities with combined funds.

Following are three water rate scenarios each generating approximately \$150,000 in additional revenue. Scenario 1 includes a 20% increase in all monthly service charges and a 4% increase in the consumption rate. Scenario 2 generates approximately the same increase in monthly service charges as Scenario 1; however has somewhat smaller percentage changes on the larger meters (varying from 21% down to 16%). Finally, Scenario 3 garners more monthly service charges with a 25% increase and only the 1% annual approved rate increase in the consumption rates. Staff is recommending Scenario 3 as it provides the most revenue stability during years of varying of water consumption and least amount of customer impact during times of high usage.

Users	Current Rate	Scenario 1			Scenario 2			Scenario 3			
		Proposed Rate	Rate Change	% Inc	Proposed Rate	Rate Change	% Inc	Proposed Rate	Rate Change	% Inc	
<b>Services</b>											
5/8 to 1"	3,373	11.36	13.65	2.29	20%	13.75	2.39	21%	14.20	2.84	25%
1 1/2 "	96	24.49	29.40	4.91	20%	28.75	4.26	17%	30.61	6.12	25%
2"	61	48.99	58.80	9.81	20%	57.00	8.01	16%	61.24	12.25	25%
3"	23	81.31	97.60	16.29	20%	94.50	13.19	16%	101.64	20.33	25%
4"	8	104.54	125.45	20.91	20%	121.25	16.71	16%	130.68	26.14	25%
6"	3	154.53	185.45	30.92	20%	179.00	24.47	16%	193.16	38.63	25%
8"	1	220.69	264.85	44.16	20%	255.00	34.31	16%	275.86	55.17	25%
Municipal	60	-	-	-	-	-	-	-	-	-	-
<b>Usage Blocks</b>											
<i>Residential/Commercial</i>											
600		1.317	1.370	0.053	4%	1.410	0.093	7%	1.33	0.013	1%
3,500		1.488	1.548	0.060	4%	1.593	0.105	7%	1.50	0.015	1%
2,500		1.832	1.905	0.073	4%	1.961	0.129	7%	1.85	0.018	1%
Over		2.289	2.381	0.092	4%	2.451	0.162	7%	2.31	0.023	1%
<i>Manufacturing</i>		1.281	1.332	0.051	4%	1.372	0.091	7%	1.294	0.013	1%
<i>Industrial</i>		1.431	1.488	0.057	4%	1.532	0.101	7%	1.445	0.014	1%
<i>Municipal</i>		1.072	1.115	0.043	4%	1.147	0.075	7%	1.083	0.011	1%
<b>Examples</b>											
600 R&C		19.26	21.87	2.61	14%	22.21	2.95	15%	22.18	2.92	15%
4,100 R&C		71.34	76.05	4.71	7%	77.97	6.63	9%	74.79	3.45	5%
6,600 R&C		117.14	123.68	6.54	6%	127.00	9.86	8%	121.04	3.90	3%
95,000 Man. 4"		1,321.49	1,390.85	69.36	5%	1,424.65	103.16	8%	1,359.98	38.49	3%
7,000 Municipal		75.04	78.05	3.01	4%	80.29	5.25	7%	75.81	0.77	1%

ORDINANCE NO. 2822

AN ORDINANCE AMENDING WATER RATES AND SEWER RATES REPEALING PORTIONS OF ORDINANCES OR RESOLUTIONS NOT CONSISTENT WITH THE CHANGES HEREIN.

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

SECTION 1. Staff has prepared amendments to water rates for submission to the City Council.

SECTION 2. The City Council has received and reviewed the proposed changes and finds such changes to be in the best interest of the City of Alliance and should be therefore adopted. All is hereby amended with an effective date of this ordinance, in the following particulars:

Within the City limits - Residential Urban and Commercial Urban

Block 1	\$1.330 per 100 cubic feet for the first 600 cubic feet
Block 2	\$1.503 per 100 cubic feet for the next 3500 cubic feet after the Block 1 amount
Block 3	\$1.850 per 100 cubic feet for the next 2500 cubic feet after Blocks 1 and 2
Block 4	\$2.312 per 100 cubic feet for any amount over Blocks 1, 2, and 3

Outside the City limits - Residential Rural and Commercial Rural

Block 1	\$1.448 per 100 cubic feet for the first 600 cubic feet
Block 2	\$1.636 per 100 cubic feet for the next 3500 cubic feet after the Block 1 amount.
Block 3	\$2.015 per 100 cubic feet for the next 2500 cubic feet after Blocks 1 and 2
Block 4	\$2.518 per 100 cubic feet for any amount over Blocks 1, 2, and 3

Manufacturing Rate

Manufacturing Rate is \$1.294 per 100 cubic feet.

- (1) For multiple dwelling units or commercial users served jointly by a single meter, the charge shall be \$2.50 (Urban) or \$2.75 (Suburban) times the number of units served by said meter or the Sewer Use Charge, whichever is greater. For mobile home courts or camps, served jointly by a single meter, the charge shall be \$2.50 (Urban) or \$2.75 (Suburban) times the number of units deemed to be the capacity of the court or the Sewer Use Charge, whichever is greater.
- (2) A dwelling unit shall, for the purposes of this schedule, be defined as a room or rooms in which kitchen facilities are provided, located in the building or structure used by a family as a home or residence of the family.

## 2. Sewer Use Charge

- a. Urban \$0.980 per 100 cubic feet of water used per month
- b. Suburban \$1.080 per 100 cubic feet of water used per month

Customers that do not have an established sewer use charge will be charged the average sewer charge of other like users.

## 3. Sanitary Sewer Tap Fee

In order to recover labor and materials for tapping of lines, a tap fee in the amount of \$200.00 shall be charged at the time the City main is tapped.

Tap fees for lines greater than 4 inches will increase at \$50.00 per inch.

## 4. Minimum Charge per Month

- a. Regardless of how little water is used, there shall be a minimum Sewer Use Charge per month to each user of A.M.S.S., determined by the cost incurred in billing each sewer user, this Minimum Charge per Month is the Customer Charge.
- b. In the case when water service cannot be disconnected by customer request because of an inoperable or broken water curb stop, the minimum Sewer Use charge will be billed to the property owner. Billings continue until repair or replacement of the curb stop is made, the Utility Customer Service Office is notified of the remedy and the disconnection of water service has been accomplished. The Superintendent is directed to provide timely notice to the property owner of the condition that will lead to the minimum billing.

## 5. Customers Not Connected to A.M.W.S.

The Sewer Use Charge per month for users connected to A.M.S.S. but not connected to A.M.W.S. shall be the average charge of other like users.

A motion was made by Councilman Korber-Gonzalez, seconded by Councilman Jones to approve the first reading of Ordinance No. 2823 which Clerk Jines read by title and follows in its entirety.

ORDINANCE NO. 2823

AN ORDINANCE OF THE CITY OF ALLIANCE, NEBRASKA, AMENDING THE MUNICIPAL CODE BY MODIFYING SECTIONS 28-263 AND 28-449 RELATING TO WATER SERVICE RATES AND SEWER SERVICE RATES, REPEALING PRIOR PROVISIONS OF THE MUNICIPAL CODE WHICH ARE INCONSISTENT WITH THIS ORDINANCE, PROVIDING FOR PUBLICATION IN PAMPHLET FORM AND PROVIDING FOR AN EFFECTIVE DATE.

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

SECTION 1. The Alliance Municipal Code at Section 28-263 shall be amended as follows:

Sec. 28-263. - Water service rates.

- (a) As a tariff or water rates based on monthly consumption of each customer from the water distribution system of the city and for services rendered, the following schedules are hereby established:
- (1) Residential, commercial, industrial park, manufacturing, urban and rural rate. Each residential, commercial, industrial park, manufacturing, urban and rural consumer connected to the city water distribution shall be liable and pay for the service charge for the meter and for all water used and consumed at:
    - a. Residential rate. The residential rate will apply to any building which is used as the primary residence and any associated or peripheral use of that primary residence.
    - b. Commercial rate. The commercial rate will apply to any for profit use that does not qualify as manufacturing and is not within the industrial park.
    - c. Manufacturing rate. The manufacturing rate will apply when more than 50 percent of the water purchased is used or directly consumed in processing or manufacturing. The term "processing" or "manufacturing" means an action or series of actions performed on tangible personal property, either by hand or machine, which results in that tangible personal property being reduced or transformed into a different state, quality, form, property or thing. The term "processing" does not include repairing property, building erection, cold storage of food products, or preparation of food for immediate consumption.
    - d. Industrial park rate. The industrial park rate will apply to those customers that are located within an industrial tract like the industrial park to the city.

charge will be billed to the property owner. Billings continue until repair or replacement of the curbstop is made, the utility customer service office is notified of the remedy and the disconnection of water service has been accomplished. The superintendent is directed to provide timely notice to the property owner of the condition that will lead to the minimum billing.

- (d) Customers not connected to AMWS. The sewer use charge per month for users connected to AMSS but not connected to AMWS shall be the average charge of other like users.
- (e) Exception to standard calculation methods.
  - (1) When customers change at a given location and AMSS determines that to compute the sewer use charge for a billing period upon the amount of water used by a customer would be inequitable to the city or the user, an average charge of other like users may be used.
  - (2) If a customer can demonstrate to AMSS that a substantial portion of water consumed does not contribute to the sanitary sewer system then that water may be excluded from the sewer use charge calculation.

Generally, water contributing to the sanitary sewer is metered by the customer separately from other water uses. The configuration must be approved by AMSS before installation. All meters must conform to the standard found at section 28-450 and may be tested by AMSS if deemed necessary, at the customer's cost. It shall be the customer's responsibility, or the owner's responsibility, if the owner is not also the customer, to maintain the meter in good repair and safe working order.

- (f) Inspection charge. As agreed to prior to issuance of permit.
- (g) Annual rate adjustment. Commencing October 1, 2013 and annually thereafter all sewer customer charges and sewer use rates shall be automatically increased by one percent for all customers unless increases in excess of one percent are specifically authorized by the city council.

SECTION 3. All ordinances or parts of ordinances passed and approved prior to passage, approval and publication of this ordinance in conflict herewith are now repealed.

SECTION 4. This Ordinance shall be published in pamphlet form, and shall be effective upon its passage and approval.

Roll call vote on the first reading of Ordinance No. 2823 with the following results:

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

Voting Nay: None.

## ORDINANCE NO. 2817

AN ORDINANCE OF THE CITY OF ALLIANCE, NEBRASKA, DEALING WITH ZONING, SETTING FORTH CONDITIONS FOR PASSAGE, AND AMENDING THE DISTRICT ZONING MAP TO SHOW THAT A PART OF THE SOUTHWEST QUARTER, SECTION 4, TOWNSHIP 25 NORTH, RANGE 48, WEST OF THE 6<sup>TH</sup> P.M., LANDS IN CORPORATE CITY LIMITS, PARCEL NUMBERS 167 AND 164, BOX BUTTE COUNTY, NEBRASKA, IS NOW INCLUDED AS A RR (RURAL RESIDENTIAL) DISTRICT FROM R-1A (SINGLE FAMILY RESIDENTIAL) DISTRICT, AND REPEALING PRIOR SECTIONS.

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

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

## 115-76. DISTRICT MAP ADOPTED

(a) Boundaries of the districts, as enumerated in section 115-75 are hereby established as shown on a map prepared for that purpose, which map is hereby designated as the zoning district map; and said map, and all the notations, references and information shown thereon is hereby made as much a part of these regulations as if the same were set forth in full herein. The city planning commission shall keep on file in their offices an authentic copy of said map, and all changes, amendments, or additions thereto.

(b) When definite distances in feet are not shown on the zoning district map, the district boundaries are intended to be along existing street, alley or platted lot lines, or extensions of the same, and if the exact location of such lines is not clear, it shall be determined by the building inspector, due consideration being given to location as indicated by the scale of the zoning district map.

This is to certify that the Zoning District Map described in the Alliance Municipal Code, passed this \_\_\_\_ day of \_\_\_\_\_, 2016, is now the official Zoning District Map.

SECTION 2. Previously existing Section 115-76, and all ordinances, parts of ordinances, resolutions, and policies of the City of Alliance in conflict with the revisions set forth herein are hereby repealed.

SECTION 3. This ordinance shall be in full force and effect from and after its approval, passage, and publication according to law.

Roll call vote on the second reading of Ordinance No. 2817 with the following results:

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

Voting Nay: None.

THIS ORDINANCE, PROVIDING FOR PUBLICATION IN PAMPHLET FORM AND PROVIDING FOR AN EFFECTIVE DATE.

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

SECTION 1. The Alliance Municipal Code at Section 111-14 shall be amended as follows:

Sec. 111-14. - Sign regulations, zoning district regulations.

In addition to the general provisions of these regulation signs in the following zoning districts shall be regulated as provided in this section:

- (1) *A, Agricultural District.*
  - a. Signs as provided in subsection (3) of this section.
  - b. One nonilluminated sign listing products, activities or services offered on the premises shall be permitted providing that such sign shall not be more than 50 square feet in area of each side.
  - c. Maximum height, 30 feet.
- (2) *RR, Rural Residential District.*
  - a. Signs as provided in subsection (3) of this section.
  - b. One nonilluminated sign listing products for sale which are produced on the site provided that any such sign be limited to 20 square feet in area of each side.
  - c. Maximum height, 20 feet.
- (3) *R-1, R-1A, R-2 and R-5, Residential Districts.*
  - a. One nonilluminated sign per building, not more than five square feet in area, mounted flat against the wall of the building housing a permitted home occupation.
  - b. Not more than two real estate for sale or rent signs, each not containing more than eight square feet of sign area per side.
  - c. One illuminated, or nonilluminated sign per church, school, museum, library, park, public utility facility, or funeral home not more than 50 square feet in area, on the premises, indicating the name, services or activities therein provided. Illuminated signs in these districts must be dimmed to 50% or less of the daytime intensity and must hold a message for 10 seconds before changing from the hours of 10:00 p.m. and 7:00 a.m.
  - d. One nonilluminated sign per building, not more than 32 square feet in area, showing the names of architects, engineers, builders, or contractors involved in the construction of the premises being constructed, provided such sign shall be removed within ten days after completion of the structure.
  - e. Maximum height for signs in these districts for other than face mounted signs shall be ten feet.

- b. Signs in the C-3 district shall be subject to the street intersection vision triangle setback, as defined in section 111-1, for all signs not located a minimum of eight feet above the sidewalk or grade level. Sign supports in this triangle area shall be reviewed by the city manager or designee and may be approved or disapproved on the basis of traffic safety. In the C-2 district it is highly desirable to retain clear vision in the intersection vision triangle for the safety of pedestrians and motorists.
  - c. Signs in the central business district may extend over the property line as long as the sign is a minimum of eight feet above sidewalk level and meets the limitations for sign overhang contained in the general provisions section of these regulations. Placement of A-frame or sandwich signs as may be otherwise allowed pursuant to subsection (7) of this section or elsewhere, is not prohibited by this section.
  - d. Signs in these districts shall be limited to a total surface area of 300 square feet of each sign face.
- (9) *M-1, M-2 and M-3, Industrial Districts.*
- a. In these districts signs of all types are permitted subject to compliance with the height regulations for the district.
  - b. Signs in these districts shall provide a corner vision setback or clearance as prescribed in the general commercial zone.
  - c. Signs in these districts shall be limited to 300 square feet in total surface area of each sign face.
- (10) *Regulatory signs.* Regulatory signs of a public safety nature, such as traffic and directional signs installed and maintained by a governmental agency, shall be permitted in any district.

SECTION 2. All ordinances or parts of ordinances passed and approved prior to passage, approval and publication of this ordinance in conflict herewith are now repealed.

SECTION 3. This Ordinance shall be published in pamphlet form, and shall be effective upon its passage and approval.

Roll call vote on the first reading of Ordinance No. 2818 with the following results:

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

Voting Nay: None.

Motion carried.

- The next agenda item was the second reading of Ordinance No. 2819, which will amend the Alliance Municipal Code to allow one of the five members of the Senior Center Advisory Board to be non-resident of the City residing within Box Butte County. Council was provided with the following background information:

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

Voting Nay: None.

Motion carried.

- The second reading of Ordinance No. 2820 which will adopt the Classification and Compensation Plans to be incorporated in the 2016-17 Fiscal Year Budget was the next item before Council. The following background information was provided:

[The attached ordinance will adopt the Classification and Compensation Plans that will be incorporated as a part of the 2016-17 FY budget. The Compensation Plan includes three categories: Exempt, Non-Exempt and Fire Employees.

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

- The position of Utilities Administrative Service Director is removed.
- The position of Public Works Director is being added as an additional department and management supervision option.
- The pay grade for Animal Control/Community Services Officer increases from 211 to 213 based on wage survey.
- The pay grade of Administrative Secretary – Community Development is moved from 212 to 214 consistent with modification of the job description that increases responsibilities, knowledge and certification necessary to perform the position.
- The position and pay grade of Administrative Secretary – Administration is removed and reclassified as Deputy City Clerk at pay grade 216. This change is consistent with a new job description with increased responsibilities, knowledge and certification necessary to perform the position.
- The position of Community Services Director is added at pay grade 217 to allow for the reclassification of the RSVP/Handyman Director position (pay grade 214) to include public transit oversight.
- The pay grade for Firefighter EMT increases from 517 to 519 and Assistant Fire Chief from 521 to 523 based on wage survey.]

A motion was made by Councilman Feldges, seconded by Councilman Jones to approve the second reading of Ordinance No. 2820 which Clerk Jines read by title and follows in its entirety.

#### ORDINANCE NO. 2820

AN ORDINANCE ADOPTING REVISED CLASSIFICATION AND COMPENSATION PLANS FOR THE CITY OF ALLIANCE, NEBRASKA.

A motion was made by Councilman Korber-Gonzalez, seconded by Councilman Jones to approve the third reading of Ordinance No. 2815 which Clerk Jines read by title and follows in its entirety.

#### ORDINANCE NO. 2815

AN ORDINANCE OF THE CITY OF ALLIANCE, NEBRASKA, AMENDING THE ALLIANCE ECONOMIC DEVELOPMENT PLAN TO PROVIDE FOR A WORKFORCE HOUSING PLAN, PROVIDING FOR PUBLICATION IN PAMPHLET FORM AND PROVIDING FOR AN EFFECTIVE DATE.

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

SECTION 1. The City Council, has by Ordinance, adopted an Economic Development Plan (the "Plan"), which was effective as of April 1, 2012.

SECTION 2. The Citizen Advisory Committee has recommended an amendment to the Plan as provided for in this Ordinance, and the City Council has held a public hearing on the recommended amendment.

SECTION 3. Section III.B. of the Plan is amended to add the following eligible economic activity:

11) Grants or loans for the construction or rehabilitation for sale or lease of housing as part of a Workforce Housing Plan, as provided for below.

SECTION 4. Section IV.A.9) of the Plan describing qualifying businesses is amended by deleting the existing language and substituting the following:

9) Construction and/or rehabilitation of housing.

SECTION 5. The following new Section V. is added to the Plan:

5. Workforce Housing Plan:

“Workforce Housing Plan” means a program to construct or rehabilitate single-family housing or market rate multi-family housing which is designed to address a housing shortage that impairs the ability of the City to attract new businesses or impairs the ability of existing businesses to recruit new employees. In connection with the Workforce Housing Plan:

In November 2014, Hanna:Keelan Associates, P.C. completed for the City a Community Housing Study with Strategies for Affordable Housing (the “Housing Study”). The Housing Study found that the current housing stock in the City, including both single-family and market rate multi-family housing, was deficient with a need for larger, more affordable housing units to

Addition outside of a City easement. Terry and Yvette Peltz, the new owners of the property where the electric lines are located are working with the City to correct the matter, and have agreed to transfer a new easement for the portion of right of way being vacated.

Following the passage of Ordinance No. 2816 another ordinance has been prepared which will now allow the transfer of the vacated property to the Peltz's. Legal Counsel is requesting that Ordinance No. 2821 be waived to third reading in order to proceed with the transfer of property as soon as possible, as there has been three readings on the accompanying ordinance, there will be a public hearing on the easement, and there will also be a thirty day remonstrance period prior to finalizing the transfer, during which the second ordinance will be published three times.

To complete this process the Council will also need to conduct a Public Hearing on the acquisition by the City of Alliance of an easement. Compensation for the easement will be the transfer of property in the vacated right of way to the Peltz's.]

A motion was made by Mayor Yeager to approve the third reading of Ordinance No. 2816. The motion was seconded by Councilman Jones. City Clerk Jines read the ordinance by title which follows in its entirety.

#### ORDINANCE NO. 2816

AN ORDINANCE OF THE CITY OF ALLIANCE, NEBRASKA, VACATING THAT PORTION OF AGATE STREET RIGHT-OF-WAY LOCATED IN BLOCK 1, TURMAN ADDITION TO THE CITY OF ALLIANCE, BOX BUTTE COUNTY, NEBRASKA, COMPRISING A STRIP OF LAND APPROXIMATELY 50' BY 60' BY 100' BY 66', AND RESERVING TO THE CITY OF ALLIANCE, NEBRASKA TITLE TO THE REAL ESTATE AFTER THE RIGHT-OF-WAY IS VACATED.

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

SECTION 1. The City of Alliance, Nebraska (the "City"), has entered into an Easement Transfer Agreement (the "Agreement") with Terry J. Peltz and Yvette M. Peltz ("Peltz"). In the Agreement, the City promises to convey to Peltz, for valuable consideration, the following described real property currently owned by the City as a portion of the right-of-way for Agate Street (the "Real Estate"):

Beginning at the southeast corner of Lot 1, Block 12, Lakefield Addition to the City of Alliance, Box Butte County, Nebraska, as platted, thence on the south line of said Lot 1, along a 190.00 foot radius curve to the right, supporting a central angle of 15°27'00", Chord being South 48°23'05" West for 51.08 feet, and Arc Distance of 51.23 feet to a point on the northerly extension of the east line of Lot

A motion was made by Councilman Jones to approve the first reading of Ordinance No. 2821. The motion was seconded by Councilman Seiler. City Clerk Jines read the ordinance by title which follows in its entirety.

#### ORDINANCE NO. 2821

AN ORDINANCE AUTHORIZING THE SALE OF A TRACT OF REAL ESTATE FORMERLY IN A DEDICATED RIGHT OF WAY ON BLOCK 1, TURMAN ADDITION TO THE CITY OF ALLIANCE, BOX BUTTE COUNTY, NEBRASKA.

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

SECTION 1. The City of Alliance, Nebraska ("City") owns the following described real estate (the "Real Estate"):

Beginning at the southeast corner of Lot 1, Block 12, Lakefield Addition to the City of Alliance, Box Butte County, Nebraska, as platted, thence on the south line of said Lot 1, along a 190.00 foot radius curve to the right, supporting a central angle of 15°27'00", Chord being South 48°23'05" West for 51.08 feet, an Arc Distance of 51.23 feet to a point on the northerly extension of the east line of Lot 2, Block 13, said Lakefield Addition; thence South 34°00'14" East on said northerly extension to the Northeast Corner of said Lot 2, being a distance of 60.00 feet; thence on the north line of Block 1, Turman Addition to the City of Alliance, Box Butte County, Nebraska, along a 250.00 foot radius curve to the left, supporting a central angle of 23°07'01", an arc distance of 100.87 feet, to the north corner of said Block 1; thence North 79°20'33" West a distance of 66.70 feet to the southeast corner of said Lot 1 and the Point of Beginning.

SECTION 2. An offer has been made by Terry J. Peltz and Yvette M. Peltz, husband and wife (the "Buyer"), to purchase the Real Estate. The City is willing to accept this offer and has executed an Agreement to convey the same.

SECTION 3. The Mayor and City Clerk are authorized to sign a Warranty Deed to convey the Real Estate to the Buyer, as husband and wife as joint tenants and not as tenants in common, on the following terms:

a. In exchange for the Real Estate, the Buyer shall convey to the City an Easement on and over an approximately 10' strip of land located on the following described property:

A tract of land in the SW ¼ of Section 24, Township 25 North, Range 48 West of the 6<sup>th</sup> Principal Meridian, Box Butte County, Nebraska, described as follows: Referring to the Southeasterly corner of Lot 1, Block 12, Lakefield Addition to the City of Alliance, Box Butte County, Nebraska as the Point of Beginning; thence North 50°22'15" West, for 66.82 feet; thence North 19°39'16" West, for 120.40 feet, thence North 17°34'03" West, for 66.57 feet; thence North 72°23'00"

Warranty Deed conveying the Real Estate. The City shall pay the costs of filing and recording any easement. Each party shall pay their own attorney's fees or surveyor's fees in drafting, reviewing, editing, and executing the conveyance Agreement and all other documents contemplated by this Ordinance. The City shall pay any documentary stamp tax assessed against the recording of the Warranty Deed. The City shall pay all other closing costs or fees assessed by a closing agent or company.

SECTION 4. The City Clerk shall, immediately after the passage and publication of this Ordinance, publish notice of the sale and its terms for three consecutive weeks in the Alliance Times-Herald.

SECTION 5. This Ordinance shall become effective upon its passage, approval and publication shall be in pamphlet form.

Roll call vote to approve Ordinance No. 2821 on final reading with the following results:

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

Voting Nay: None.

Motion carried.

Mayor Yeager stated, "the passage and adoption of Ordinance No. 2821 has been concurred by a majority of all members elected to the Council, I declare it passed, adopted and order it published."

Council next conducted a Public Hearing on the Acquisition of Property for an Easement for the location and placement of utilities and lines beneficial to the City of Alliance and its residents.

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 Acquisition of Property for an Easement and opened the public hearing at 7:30 p.m.

Brent Kusek, Community Development Director, provided his staff report and explained the necessity for the acquisition of the property to secure an easement for an existing electric line which was installed when the electric service was updated to the Lakefield Addition. He further stated he had been working with the property owner and an agreement has been entered into to trade property of a vacated right-of-way for the easement.

No additional testimony was offered and the Public Hearing closed at 7:32 p.m.

- The next item before Council was Resolution No. 16-113 which will award the installation of a new Laing Lake Supply Well to Downey Drilling, Inc. Council was provided with the following background information:

Cultural and Leisure Services Director Brown addressed Council and informed them this would be a low volume well to maintain the water level of the lake. The initial refill of the lake will be completed using the Nelson Well.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

- Resolution No. 16-114 will authorize the transfer and use of \$51,000 from the Water System Contingency Fund. Council was provided with the following background information:

[Well #5 in the City of Alliance well field experienced a reduction in water production this year. On April 7, 2016, the Water Department in conjunction with the City Manager accepted bids for work on this well. After the bid opening, the work was awarded to Downey Drilling, Inc. The pump was pulled and reinstalled. The motor and all related hardware was inspected, repaired as necessary and replaced. This well was sonar-jetted and given a chlorination treatment. A VFD (Variable Frequency Drive) was added to this well to allow for more efficient pumping and protection of the well. The total bill for this project was \$32,797.55.

Well #7 in the City of Alliance well field began having problems and experienced a reduction in water production this summer. On July 8, 2016, the City of Alliance Water Department in conjunction with the City Manager accepted bids for repair work for Well #7. After opening the bids, work was awarded to Sargent Drilling Co. The pump was removed and re-installed. Column, bearings and bowl shaft were replaced. The well was inspected with a camera and given a chlorine treatment. This well has a VFD integrated already and has been re-installed in a more efficient configuration. The total bill for this project was \$18,438.25.

This type of failure is not predictable and the repair for these wells was therefore not a budgeted item. Repairing Wells #5 and #7 had a total cost of \$51,235.80 and staff is requesting approval of Water Contingency Funds in the amount of \$51,000 to cover the cost of the repairs. Budget authority would be transferred from the Water Treatment Contingency (GL# 08-52-51-47-791) to Contracted Services – Other (GL# 08-52-51-44-479).]

Councilman Feldges made a motion to approve Resolution No. 16-114, which was seconded by Councilman Korber-Gonzalez. The resolution follows in its entirety:

with the FAA participating at the current funding levels of 90% and the City of Alliance providing the 10% match.

This is the first step in proceeding with the project with an application for a grant and the Agency Agreement with the Nebraska Department of Aeronautics to follow at a later date. The City Council approved the Airport Engineer selection on October 20, 2015 and this is the Consultant Agreement for this specific project.]

Councilman Korber-Gonzalez made a motion to approve Resolution No. 16-115, which was seconded by Councilman Seidler. The resolution follows in its entirety:

#### RESOLUTION NO. 16-115

*WHEREAS*, The City of Alliance operates the Alliance Municipal Airport; and

*WHEREAS*, The City has a project to rehabilitate Runway 8/26 at the Alliance Municipal Airport in fiscal year 2018; and

*WHEREAS*, The Federal Aviation Administration has requested a Preliminary Pavement Evaluation be completed of the existing surface and scope of work for the rehabilitation of Runway 8/26; and

*WHEREAS*, M.C. Schaff & Associates, Inc., of Scottsbluff, Nebraska has prepared a Consultant Agreement to complete the Preliminary Pavement Evaluation; and

*WHEREAS*, The Mayor and City Council deem it expedient to employ an engineer to complete the Preliminary Pavement Evaluation for the Rehabilitation of Runway 8/26 at the Alliance Municipal Airport.

*NOW, THEREFORE, BE IT RESOLVED*, by the Mayor and City Council of Alliance, Nebraska, that the Mayor is authorized to sign a Consultant Agreement between M.C. Schaff & Associates, Inc., and the City of Alliance to complete the required Preliminary Pavement Evaluation for the Rehabilitation of Runway 8/26 at the Alliance Municipal Airport.

*BE IT FURTHER RESOLVED*, that staff is authorized to expend the funds as set forth above in accordance with the contract to pay for the engineering services provided by M.C. Schaff & Associates, Inc., of Scottsbluff, Nebraska in the amount of Twelve Thousand Five Hundred Five Dollars and 12/100<sup>th</sup> (\$12,505.12).

Roll call vote with the following results:

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

Voting Nay: Yeager.

*BE IT FUTHER RESOLVED* payment is authorized from Firefighting Capital Outlay-Machine, Equipment Account No. 01-37-37-59-960 where there are sufficient funds for the additional expense of refurbishment.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

- The next agenda item was Resolution No. 16-117 which will authorize the 2017 health plan premiums and deductibles for the City of Alliance. Council was provided with the following background information:

[The City has negotiated a renewal of the City's self-funded health insurance program administered through Regional Care Inc. (RCI). East Coast Underwriters was selected to continue as our reinsurance carrier. Council previously approved renewal rates that reflected a 16% increase in premiums (fixed expenses) and an 8% decrease in the cost to cover the claim fund for actual medical claims (anticipated expenses). The previous plan modifications continue help control expenses. Through these methods, the City is able to continue to provide the same level of coverage to all employees.

Staff is recommending an increase of the cost share of medical, dental and vision coverage from an average of 4.35% to 4.76% of the total premium. There will be no changes to deductibles or co-pays. Comparability of array communities confirms our monthly premiums exceed other communities and, at the same time, the employee's shared cost remains below comparison. Also, the City continues to combine premium rates for dental and vision coverage in the medical premium.

It is staff's belief that the premium increase reflects an appropriate share in the increasing costs of health care. Further, these changes are consistent and within comparability.]

A motion was made by Mayor Yeager, seconded by Councilman Korber-Gonzalez to approved Resolution No. 16-117 which follows in its entirety:

RESOLUTION NO. 16-117

*WHEREAS*, The City of Alliance has evaluated its current health care benefit plans offered to employees; and

*WHEREAS*, Various options and proposals had been considered by staff and the City's Third-Party Administrator, and Council has previously approved recommendations; and

*WHEREAS*, The proposal continues to provide for one plan with four tier options from which benefit eligible employees may choose: Tier 1 – employee, Tier 2 – employee/child, Tier 3 – employee/spouse, and Tier 4 - family, which have varying deductibles and out-of-pocket expenses.

*NOW THEREFORE BE IT RESOLVED*, by the Mayor and Council that the following monthly employee contribution levels are hereby established effective January 1, 2017:

	Tier 1	Tier 2	Tier 3	Tier 4
	<u>Employee</u>	<u>Employee/Child</u>	<u>Employee/Spouse</u>	<u>Family</u>
Monthly Health Premium	\$60.00	\$105.00	\$115.00	\$170.00
Health Deductible (Annual) in network	\$2,600.00	\$5,200.00	\$5,200.00	\$5,200.00
Health Out of Pocket (10%) in network	\$750.00	\$1,500.00	\$1,500.00	\$1,500.00
HSA Contribution from City to employee's account	\$50.00	\$50.00	\$50.00	\$50.00

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

position on the Library Board, one vacancy on the Alliance Planning Commission for an alternate member and a Youth 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](http://www.cityofalliance.net).

- Mayor Yeager stated, "there being no further business to come before the Alliance City Council, the meeting is adjourned at 7:54 p.m."

(SEAL)

  
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Ralph Yeager, Mayor

  
\_\_\_\_\_  
Linda S. Jines, City Clerk