

March 17, 2020

ALLIANCE CITY COUNCIL

REGULAR MEETING, TUESDAY, MARCH 17, 2020

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

The Alliance City Council met in a Regular Meeting, March 17, 2020, at 7:00 p.m. in the Alliance Learning Center Community Meeting Rooms, 1750 Sweetwater Avenue, Alliance, Nebraska. A notice of meeting was published in the Alliance Times Herald on March 3, 2020. 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; The notice was published with the meeting location being at the Board of Education Room, 1604 Sweetwater Avenue, however a notice was posted onsite of the meeting location change. In addition, the notice 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.

Vice Mayor Mischnick opened the March 17, 2020 regular meeting of the Alliance, Nebraska City Council at 7:06 p.m. Present were Council Members Mischnick, Jones, Reynolds and Bentley. Also present were City Manager Sprock, City Attorney Hoelsing, and City Clerk Jines.

- Vice Mayor Mischnick read the Open Meetings Act Announcement.
- The first action by Council was a motion made by Councilman Jones to excuse Mayor Dafney from the meeting due to illness. The motion was seconded by Councilman Bentley.

Roll call vote with the following results:

Voting Aye: Mischnick, Jones, Reynolds, Bentley.

Voting Nay: None.

Motion carried.

- City Manager Sprock announced the hiring of Patsy Zobel – RSVP and Handyman Clerk to Council.

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- Next for Council was the presentation of a Proclamation declaring the week of April 5-11, 2020 as Nebraska Public Transit Week. Councilman Reynolds presented the following proclamation.

PROCLAMATION

WHEREAS, Public transit provides our citizens access to medical, business, employment, social, and supportive services; and

WHEREAS, Public transit allows individuals to remain independent, contributes to economic development, and improves mobility; and

WHEREAS, Over 27,500 rides were provided by public transit in Alliance during fiscal year 2019; and

WHEREAS, Alliance has numerous public transit professionals who provide service to our citizens and must maintain educational requirements and standards; and

WHEREAS, The Alliance City Council recognizes the important role that public transit professionals play, and wishes to acknowledge that role; and

WHEREAS, Public transportation in Alliance is provided by the collaborative efforts of the City of Alliance, Nebraska Department of Transportation and Federal Transit Administration to provide resources to transport individuals every day.

NOW, THEREFORE, I Mike Dafney, Mayor of Alliance, do hereby proclaim April 5-11, 2020 as

PUBLIC TRANSIT WEEK

In Alliance, and I do hereby urge all citizens to increase their understanding and awareness of their local transit systems and the many services provided.

IN WITNESS WHEREOF, I have hereunto set my hand, and cause the Great Seal of the City of Alliance to be affixed this Seventeenth day of March, in the year of our Lord Two Thousand Twenty.

- Next on Council's agenda was the Consent Calendar. A motion was made by Councilman Bentley and seconded by Councilman Reynolds to approve the Consent Calendar as follows:

CONSENT CALENDAR – MARCH 17, 2020

1. Approval: Minutes of the Regular Meeting, March 3, 2020.

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2. Approval: Payroll Costs for the period February 22, 2020 through March 6, 2020: \$294,570.27.
3. Approval: Claims against the following funds for the period of February 26, 2020 through March 11, 2020: 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; \$960,815.43.
4. Approval: Operating budget transfer in the amount of \$10,000 from Electric Substation-Maintenance Account No. 05-51-52-46-658 to Electric NRCNTSVC-Substation MTC Account No. 05-51-52-44-491. This transfer is to cover expenses for maintenance to the Emerson Substation.
5. Approval: Update to the Alliance Volunteer Fire Department by adding BreAnna Holmes and Mason Holmes.
6. For Your Information: The Annual Water Quality Report for January 1 to December 31, 2019.

NOTE: City Manager Sprock 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.

Any item listed on the Consent Calendar may, by the request of any single Council Member, be considered as a separate item in the Regular Agenda.

Roll call vote with the following results:

Voting Aye: Mischnick, Jones, Reynolds, Bentley.

Voting Nay: None.

Motion carried.

- A Public Hearing was the next matter before Council to amend the Zoning Regulations within the City of Alliance Municipal Code regarding meat markets and butcher shops. The following information was provided to Council:

[Community Development is in possession of a letter from Dan and Shelly Jordan, and Dave Bussey requesting amendments to Part II of the City of Alliance Municipal Code.

The sections proposed to be amended are 101-63 titled "B" and 101-74 titled "M" of the definitions code, and sections 109-51 titled C-2, Central Business District, 109-52 titled C-3, Heavy Commercial District, 109-53 titled M-1, Light Industrial District, and 109-54 titled M-2, Heavy Industrial District, of the zoning code.

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The proposed amendments will add the definitions of *Meat market* and *Butcher shop*, add *Meat market* as a permitted use in the C-2 and C-3 commercial zoning districts, and add *Butcher shop* as a Conditional Use in the C-3, M-1, and M-2 zoning districts.

The applicants propose the amendments in order to allow a facility that takes delivery of live animals, kills, butchers, packs, and sells fresh meat on the same site. The Code doesn't have anything that would allow this process to take place on the same property. The retail portion would be allowed in the commercial districts but the killing, butchering, and packing would not. The killing, butchering, and packing would be allowed in the industrial zoning districts but the retail would not. The applicant has also indicated they are not a full scale slaughterhouse or packing plant and expects to process no more than 30 animals per week.

Staff has prepared two new definitions and zoning code amendments that would allow the proposed land use by way of a Conditional Use Permit in the Heavy Commercial, Light Industrial, and Heavy Industrial zoning districts. The definitions created were written to limit and define the land uses. This was done in cooperation with the applicant to ensure the definition is restrictive enough to make it a suitable land use in the Heavy Commercial zoning district but not restrictive to the point where the business model would be unfeasible.

The City of Alliance Planning Commission met at their regular meeting February 11, 2020 and held a public hearing for the proposed Code amendments. The Commission came to the conclusion that the restrictive nature of the proposed definitions and the Conditional Use Permit process would give the City control and limitation of the size of the butcher shop in the C-3 Commercial District. They recommended the approval of the Code amendments.]

Vice Mayor Mischnick 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 amending the City of Alliance Municipal Code Zoning Regulations and opened the public hearing at 7:11 p.m.

Community Development Director Kusek provided an overview of the proposed changes and reported on the Alliance Planning Commission's recommendation to City Council.

Box Butte Development Corporation Executive Director Herian spoke in favor of the proposed changes to accommodate a new business within the community. The business would be a nice addition as there is not another within the immediate area.

No additional testimony was offered and the Public Hearing closed at 7:16 p.m.

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A motion was made by Councilman Jones, seconded by Councilman Bentley to approve the first reading of Ordinance No. 2901. City Clerk Jines read the ordinance by title which follows in its entirety:

ORDINANCE NO. 2901

AN ORDINANCE OF THE CITY OF ALLIANCE, NEBRASKA, AMENDING THE MUNICIPAL CODE BY MODIFYING SECTIONS 101-63, 101-74, 109-51, 109-52, 109-53, AND 109-54 TO ADD THE DEFINITION OF MEAT MARKET AND BUTCHER SHOP, ADD MEAT MARKET AS A PERMITTED USE IN THE C-2 AND C-3 COMMERCIAL ZONING DISTRICTS AND ADD BUTCHER SHOP AS A CONDITIONAL USE IN THE C-3, M-1 AND M-2 ZONING DISTRICTS, 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 101-63 shall be amended as follows:

Sec. 101.63. - B.

Banner means a sign intended to be hung either with or without a frame, possessing characters, letters, illustrations or ornamentations applied to paper, plastic, or fabric of any kind; this does not include flags, emblems, or insignia displayed for noncommercial purposes.

Barber shop means a structure, area, or shop where a barber, as licensed by the Nebraska Board of Barber Examiners, for compensation, cuts and dresses hair, shaves and trims beards, and performs related services allowed to be performed by persons licensed under the Nebraska Board of Barber Examiners.

Barn means an agricultural building used for the storage of farm products or feed, and the housing of farm animals and equipment.

Barrel means a unit of liquid measurement as that term is contemplated and used for licensing purposes under the Nebraska Liquor Control Act, R.R.S. § 53-101 et seq., as amended from time to time.

Basement means the story below the first story if the finished floor level directly above is not more than six feet above the average adjoining elevation of the finished grade, such space shall be counted as a story for height regulations if subdivided and used for dwelling purposes other than by a custodian employed on the premises.

Bed and breakfast means sleeping accommodations rented on a short term basis, where a morning meal is provided, in a building typically used as a one family dwelling.

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Bicycle pathway means that portion of a paved right-of-way, whether within a public street or an exclusive travelway, which has been designed in a prescribed manner for exclusive bicycle use.

Block means a piece or parcel of land entirely surrounded by public highways, streets, streams, railroad rights-of-way, or parks, or a combination thereof, but not alleys. In cases where the platting is incomplete or disconnected, the city manager or designee shall determine the outline of the block.

Boardinghouse means a building other than a hotel, occupied as a single-housekeeping unit, where lodging and/or meals are provided for five or more persons for compensation, pursuant to previous arrangements, but not for the public or transients.

Brewery means any industrial facility that manufactures beer in quantities greater than 20,000 barrels annually for sale off premises or in an accessory retail space, bar, or restaurant located on premises and licensed for sale on premises.

Building means an enclosed structure, anchored in a permanent manner, and having exterior or party walls and a roof, designed for the shelter of persons, animals, chattels, or property. When divided by other than common or contiguous walls, each portion or section of such building shall be regarded as a separate building except that two buildings connected by a breezeway shall be deemed one building.

Building line means the horizontal line as measured from any lot line at which a building must be or has been constructed.

Business Improvement District Act of 1979 means the applicable statute governing first class cities and is hereby adopted by reference.

Business office means any office of a recognized profession, such as doctors, lawyers, architects, engineers, real estate brokers, insurance agents, and others, who, through training and licensure, are qualified to perform services of a professional nature, and other offices used primarily for accounting, corresponding, research, editing and other administrative functions of a profit-making or nonprofit organization, but not including banks or other financial institutions.

Business services means establishments engaged in providing services to business offices on a fee or contract basis, including, but not limited to catering services and related food preparation; advertising and public relations; management and consulting services; employment services (including temporary agencies); building security and maintenance services; equipment servicing, rental/leasing and sales; computer and data processing services; communications equipment and services; mailing, photocopying, quick printing and fax services; sale of office supplies; and similar business services, but not including rental, sales or repair of vehicles or heavy equipment.

Butcher shop means a place where livestock (including poultry) are killed and butchered on site and the meat is cured, smoked, packed, or otherwise prepared on site for sale, and some or part of the meat is sold on site at retail; provided, however, that all such operations (including slaughter) shall be performed entirely indoors, live animal delivery shall take place only one day a week, all waste material including manure and renderings shall be cleared within two days of killing, such shop shall not hold live

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animals for more than 24 hours after delivery, and such shop shall be limited to killing a maximum number of 30 animal units per week (see meat market).

SECTION 2. The Alliance Municipal Code at Section 101.74 shall be amended as follows:

Sec. 101-74. - M.

Mansard means a roof projection that has an angle of more than 45 degrees and is supported by the building wall.

Manufactured home means a factory-built structure which is to be used as a place for human habitation which is not constructed or equipped with a permanent hitch or other device allowing it to be moved other than to a permanent site, which does not have permanently attached to its body or frame any wheels, chassis or axles, and which bears a label certifying that it was built in compliance with National Manufactured Home Construction and Safety Standards, 24 CFR 3280 et seq., promulgated by the United States Department of Housing and Urban Development. Manufactured home shall include modular homes but not mobile homes.

Manufacturing means the mechanical or chemical transformation of materials or substances into new products, whether finished or semi-finished, including the assembling of component parts, the creation of products, the blending of materials, usually for the wholesale market, rather than retail sale.

Marquee means a permanent roof-like structure extending from the wall of a building but not actually a part of the building itself and is generally projecting on a horizontal plane.

Meat market means a retail shop where meat is sold by a butcher or meat cutter, but where no slaughtering or killing takes place (see butcher shop).

Microbrewery means any industrial facility that manufactures beer in quantities up to 20,000 barrels annually for sale off premises or in an accessory retail space, bar, or restaurant located on premises and licensed for sale on premises. Provided, however, at no time shall the accessory use of a microbrewery include growing or harvesting barley or other grain on premises.

Microdistillery means any industrial facility that manufactures spirits in quantities up to 10,000 gallons annually for sale off premises or in an accessory retail space, bar, or restaurant located on premises and licensed for sale on premises. Provided, however, at no time shall the use or accessory use of a microdistillery include growing or harvesting grains, vegetables, or other mash product on premises.

Microwinery means any industrial facility that manufactures wine in quantities up to 30,000 gallons annually for sale off premises or in an accessory retail space, bar, or restaurant located on premises and licensed for sale on premises. Provided, however, at no time shall the use or accessory use in a microwinery include growing or harvesting grapes, fruits, or vegetables.

Mobile home means a movable or portable structure constructed to be towed on its own chassis, connected to utilities, and designed with or without a permanent foundation for year-round living. It may consist of one or more units that can be telescoped when

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towed and expanded later for additional capacity, or of two or more units, separately towable but designed to be joined into one integral unit. (LB 91-1976)

Mobile home site means a plot of ground within a mobile home park designed for the accommodation of one mobile home, complete with a pad, all utility hookups, and sufficient off-street parking.

Mobile home park means any single, planned contiguous development, lot, area, piece, parcel, or plot of ground, park, or site wherein ten or more lots have been designated and improved for the purpose of residential mobile homes.

Modular home means any dwelling whose construction consists entirely of or the major portions of its construction consist of a unit or units, containing facilities for no more than one family, not fabricated on the final site for the dwelling unit, which units are movable or portable until placed on a permanent foundation and connected to utilities and contains a seal issued by the department of health and human services regulation and licensure prior to May 1, 1998, or by the public service commission on or after May 1, 1998, to be displayed on the modular housing unit as determined by the commission to evidence compliance with State standards.

Municipal building means any building or facility used by the city including, but not limited to, utility facilities, well houses, treatment plants, water towers, warehouses, storage buildings, storage garages, offices, treatment plants, auditoriums, and substations. In the name of promoting neighborhood congruity, city staff and council should use their best judgment to make any and all municipal buildings match the general character of the neighborhood in which it is being constructed.

SECTION 3. The Alliance Municipal Code at Section 109.51 shall be amended as follows:

Sec. 109.51. – C-2, Central Business District.

- (a) *Scope and intent.* The C-2, Central Business District is intended to provide a zone that accommodates low impact retail and service businesses in those areas of the community that were traditionally developed with no building setback requirements.
- (b) *Permitted uses.*
 - (1) Art gallery.
 - (2) Bakery.
 - (3) Banks and credit unions.
 - (4) Bars and saloons.
 - (5) Barber shop.
 - (6) Building supply stores with indoor display and storage only.
 - (7) Business offices.
 - (8) Café.

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- (9) Church.
- (10) Clubs and fraternal organizations.
- (11) Colleges and universities.
- (12) Confectionary store.
- (13) Convenience food stores.
- (14) Day care center.
- (15) Dry cleaners and laundries.
- (16) Dwellings above and below the ground floor.
- (17) Fire station.
- (18) Funeral home.
- (19) Hair salon.
- (20) Health, dental, and eye care offices/clinics.
- (21) Hotels, motels, and other lodging facilities.
- (22) Library.
- (23) Meat Market
- (23) Municipal buildings.
- (24) Nail salon.
- (25) Parking lots.
- (26) Pharmacy.
- (27) Police station.
- (28) Preschool.
- (29) Primary and secondary schools.
- (30) Printers and newspapers.
- (31) Public parks and recreation facilities.
- (32) Pubs.
- (33) Repair shops; indoor only and not including repair facilities which could be considered noxious or offensive by reason of vibration, noise, dust, fumes, gas, odor, or smoke.
- (34) Restaurants.
- (35) Retail sales establishments.
- (36) Spa.

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- (37) Theaters (indoor).
- (38) Wholesale establishments.

(c) *Conditional uses.*

- (1) Automobile dealer lots.
- (2) Commercial recreation establishments.
- (3) Commercial storage units.
- (4) Community garage.
- (5) Craft production facilities.
- (6) Filling station.
- (7) Hospital.
- (8) Light manufacturing or fabrication establishments which are not noxious or offensive by reason of vibration, noise, dust, fumes, gas, odor, or smoke.
- (9) Nursery.
- (10) Repair garage.
- (11) Solar energy collector incidental to the principal or accessory use of the property in accordance with chapter 111, division 21.
- (12) Towers, telecommunications facilities, and antennas as permitted in chapter 111 division 5.
- (13) Utilities. 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.

(d) *Accessory uses.*

- (1) Apartment for the custodian of a building housing a principal use.
- (2) Fences as permitted in chapter 111, division 7.
- (3) Food service and vending machines for tenants only.
- (4) Home occupations as permitted in chapter 111, division 11.
- (5) Off-street parking and loading serving a principal use in accordance with chapter 111, division 13.
- (6) One trailer, camper, motor home, or boat, incidental to and on the same lot as a principal use, 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 111-444.

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- (7) Open area devoted to decorative paving, swimming pools, tennis courts, and other similar uses, located on the same lot as the principal use.
- (8) Pavilion.
- (9) Private garage.
- (10) Signs as permitted in chapter 111, division 19.
- (11) Storage and service areas and buildings serving a principal use on the same lot.
- (12) Television, radio receiving and transmitting equipment, and satellite earth station antennas accessory to a dwelling limited to 60 feet in height.
- (13) 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.
- (14) 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.

(e) *Performance standards.*

(1) *General requirements.*

Minimum Lot Size (sq. ft.)	Minimum Lot Width (feet)	Maximum Lot Coverage (%)	Maximum Structure Height (feet)	Minimum Building Separation (feet)
0	0	0	45	0

(2) *Setback and size regulations.*

Use	Setbacks (feet)				Required Front Building Line
	Front	Rear	Side	Side Street	
Principal Building	0	a	b	0	0
Accessory Building	0	a	b	0	0

- a. No rear yard is required if adjacent to an alley, otherwise 15 feet.

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b. No side yard is required except where a side line of a lot in this district abuts upon the side line of a lot in a districts Ag to C-1 inclusive, a side yard of not less than seven feet shall be provided.

(3) See chapter 111, article II for additional height and setback regulations and exceptions.

SECTION 4. The Alliance Municipal Code at Section 109.52 shall be amended as follows:

Sec. 109-52. – C-3, Heavy Commercial District.

Sec. 109-52. - C-3, Heavy Commercial District.

(a) *Scope and intent.* The C-3, Heavy Commercial District is intended to provide a zone that accommodates more intense commercial businesses that require direct access to highways and primary transportation thoroughfares due to the volume of traffic they generate.

(b) *Permitted uses.*

- (1) Art gallery.
- (2) Auction house.
- (3) Automobile washing facilities.
- (4) Bakery.
- (5) Banks and credit unions.
- (6) Bars and saloons.
- (7) Barber shop.
- (8) Boat dealership.
- (9) Building supply stores provided any outside storage is located in the rear or side yard.
- (10) Business offices.
- (11) Café.
- (12) Church.
- (13) Clubs and fraternal organizations.
- (14) Colleges and universities.
- (15) Commercial recreation establishments.
- (16) Commercial storage units.
- (17) Community garage.
- (18) Confectionary store.

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- (19) Contractor offices provided any outside storage is located in the rear or side yard and screened from view.
- (20) Convenience food stores.
- (21) Craft production facility.
- (22) Day care center.
- (23) Dry cleaners and laundries.
- (24) Dwellings above and below the ground floor.
- (25) Filling station.
- (26) Fire station.
- (27) Funeral home.
- (28) Hair salon.
- (29) Health, dental, and eye care offices/clinics.
- (30) Hotels, motels, and other lodging facilities.
- (31) Kennel.
- (32) Library.
- (33) Meat Market
- (34) Municipal buildings.
- (34) Nail salon.
- (35) Parcel services.
- (36) Parking lots.
- (37) Pharmacy.
- (38) Police station.
- (39) Preschool.
- (40) Primary and secondary schools.
- (41) Printers and newspapers.
- (42) Public parks and recreation facilities.
- (43) Pubs.
- (44) Railroad right-of-way.
- (45) Repair garage.
- (46) Repair shops; indoor only and not including repair facilities which could be considered noxious or offensive by reason of vibration, noise, dust, fumes, gas, odor, or smoke.

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- (47) Restaurants.
- (48) Retail sales establishments.
- (49) Spa.
- (50) Theaters (indoor).
- (51) Used vehicle lot.
- (52) Vehicle dealership.
- (53) Veterinary clinic.
- (54) Wholesale establishments.

(c) *Conditional uses.*

- (1) Amusement parks.
- (2) Animal shelter.
- (3) Apartment hotel.
- (4) Brewery.
- (5) Butcher shop.
- (5) Cemeteries including mausoleums and crematories.
- (6) Commercial stadiums.
- (7) Distillery.
- (8) Drive-in theater.
- (9) Golf course.
- (10) Hospital.
- (11) Light manufacturing or fabrication establishments which are not noxious or offensive by reason of vibration, noise, dust, fumes, gas, odor, or smoke.
- (12) Nursery.
- (13) Recreational vehicle camping facilities.
- (14) Riding stable.
- (15) Single family dwelling serving a permitted use provided it shall be located in the rear or side of the same building as the permitted use.
- (16) Solar energy collector incidental to the principal or accessory use of the property in accordance with chapter 111, division 21.
- (17) Towers, telecommunications facilities, and antennas as permitted in chapter 111 division 5.

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- (18) Utilities. 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.
 - (19) Vehicle storage yards but not junk or salvage yards.
 - (20) Winery.
- (d) *Accessory uses.*
- (1) Apartment for the custodian of a building housing a principal use.
 - (2) Fences as permitted in chapter 111, division 7.
 - (3) Food service and vending machines for tenants only.
 - (4) Home occupations as permitted in chapter 111, division 11.
 - (5) Off-street parking and loading serving a principal use in accordance with chapter 111, division 13.
 - (6) One trailer, camper, motor home, or boat, incidental to and on the same lot as a principal use, 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 111-444.
 - (7) Open area devoted to decorative paving, swimming pools, tennis courts, and other similar uses, located on the same lot as the principal use.
 - (8) Pavilion.
 - (9) Private garage.
 - (10) Signs as permitted in chapter 111, division 19.
 - (11) Storage and service areas and buildings serving a principal use on the same lot.
 - (12) Television, radio receiving and transmitting equipment, and satellite earth station antennas accessory to a dwelling limited to 60 feet in height.
 - (13) 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.
 - (14) 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.
- (e) *Performance standards.*
- (1) *General requirements.*

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Minimum Lot Size (sq. ft.)	Minimum Lot Width (feet)	Maximum Lot Coverage (%)	Maximum Structure Height (feet)	Minimum Building Separation (feet)
-	-	-	45	0

(2) *Setback and size regulations.*

Use	Setbacks (feet)				Required Front Building Line
	Front	Rear	Side	Side Street	
Principal Building	15	a	b	15	-
Accessory Building	15	a	b	15	-

- a. No rear yard is required if adjacent to an alley, otherwise 15 feet.
 - b. No side yard is required except where a side line of a lot in this district abuts upon the side line of a lot in districts Ag to C-1 inclusive, a side yard of not less than seven feet shall be provided.
- (3) See chapter 111, article II for additional height and setback regulations and exceptions.

SECTION 5. The Alliance Municipal Code at Section 109.53 shall be amended as follows:

Sec. 109-53. – M-1, Light Industrial District.

- (a) *Scope and intent.* The M-1, Light Industrial District is intended to accommodate most assembly, fabricating, and processing activities which would generally not be considered noxious or offensive by reason of vibration, noise, dust, fumes, gas, odor or smoke, and other land uses deemed generally to be more intense than those found in commercial districts.
- (b) *Permitted uses.*
 - (1) Auction house.

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- (2) Bakery.
- (3) Building supply store.
- (4) Brewery.
- (5) Commercial storage units.
- (6) Community garage.
- (7) Craft production facilities.
- (8) Distillery.
- (9) Filling station.
- (10) Fire station.
- (11) Freight terminals.
- (12) Manufacturing, processing, fabrication, or assembling of commodities.
- (13) Municipal buildings.
- (14) Office.
- (15) Parcel services.
- (16) Parking lots.
- (17) Police station.
- (18) Printers and newspapers.
- (19) Railroad right-of-way.
- (20) Repair garage.
- (21) Repair shops; indoor only and not including repair facilities which could be considered noxious or offensive by reason of vibration, noise, dust, fumes, gas, odor, or smoke.
- (22) Vehicle washing facility.
- (23) Warehousing and storage of commodities.
- (24) Wholesale establishment.
- (25) Winery.

(c) *Conditional uses.*

- (1) Animal shelter.
- (2) Automobile storage yards but not junkyards.
- (3) Butcher Shop
- (3) Bus storage yard.

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- (4) Kennel.
 - (5) Solar energy collector facilities (commercial).
 - (6) Solar energy collector incidental to the principal or accessory use of the property in accordance with chapter 111, division 21.
 - (7) Towers, telecommunications facilities, and antennas as permitted in chapter 111 division 5.
 - (8) Truck storage yard.
 - (9) Veterinary clinic.
- (d) *Accessory uses.*
- (1) Apartment for the custodian of a building housing a principal use.
 - (2) Fences as permitted in chapter 111, division 7.
 - (3) Food service and vending machines for tenants only.
 - (4) Home occupations as permitted in chapter 111, division 11.
 - (5) Off-street parking and loading serving a principal use in accordance with chapter 111, division 13.
 - (6) One trailer, camper, motor home, or boat, incidental to and on the same lot as a principal use, 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 111-444.
 - (7) One-family dwelling or mobile home which shall be used exclusively by watchmen or custodians, provided that yard and other requirements of this section shall be met for the dwelling or mobile home as though it were on an individual R-1 zoned lot.
 - (8) Open area devoted to decorative paving, swimming pools, tennis courts, and other similar uses, located on the same lot as the principal use.
 - (9) Pavilion.
 - (10) Private garage.
 - (11) Signs as permitted in chapter 111, division 19.
 - (12) Storage and service areas and buildings serving a principal use on the same lot.
 - (13) Television, radio receiving and transmitting equipment, and satellite earth station antennas accessory to a dwelling limited to 60 feet in height.
 - (14) 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.

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- (15) 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.

(e) *Performance standards.*

(1) *General requirements.*

Minimum Lot Size (sq. ft.)	Minimum Lot Width (feet)	Maximum Lot Coverage (%)	Maximum Structure Height (feet)	Minimum Building Separation (feet)
-	-	-	45	0

(2) *Setback and size regulations.*

Use	Setbacks (feet)				Required Front Building Line
	Front	Rear	Side	Side Street	
Principal Building	25	15	a	15	-
Accessory Building	25	15	a	15	-

- a. A side yard of no less than ten feet shall be provided except where a side line of a lot in this district abuts upon the side line of a lot in districts Ag to C-1 inclusive, a side yard of not less than 20 feet shall be provided.

- (3) See chapter 111, article II for additional height and setback regulations and exceptions.

(f) *Additional performance standards.*

- (1) *[Where conducted.]* All operations shall be conducted within a fully enclosed building or screened yard.
- (2) *Emissions.* Smoke or particulate matter shall not be perceptible at the property line. Dust, fly ash, radiation, gases, heat, glare or other effects which are obviously injurious to humans or property at the property line shall be prohibited.

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- (3) *Noise level.* The noise level shall not exceed 70 dB at any point along the property line.
- (4) *Storage.* All storage of materials, products, and equipment shall be within a fully enclosed building or in a yard so screened that said materials, products, or equipment are not visible at human eye level within 300 feet of the property line.
- (5) *Prohibited use.* No use shall be permitted or so operated as to produce or emit:
 - a. *[Vibration or concussion.]* Vibration or concussion perceptible without instruments at the property line.
 - b. *Waste.* Industrial wastes shall be of such quantity and nature as not to overburden the public sewage disposal facilities, are not detrimental to normal plant operations or corrosive and damaging to sewer pipes and installations or to cause odor or unsanitary effects beyond the property line.
 - c. *Fire hazard.* All flammable substances involved in any activity established in this district shall be handled in conformance with any additional regulations that may from time to time be adopted by the city council.
 - d. *Odor.* The emission of odors that are generally agreed to be obnoxious to any considerable number of persons, shall be prohibited. Observations of odor shall be made at the property line of the establishment causing odor. As a guide to classification of odor it shall be deemed that strong odors of putrefaction and fermentation tend to be obnoxious.
 - e. *Gas emissions.* The gases sulfur dioxide and hydrogen sulfide shall not exceed five parts per million, carbon monoxide shall not exceed 25 parts per million, and nitrous fumes shall not exceed five parts per million. All measurements shall be taken at the property line.
 - f. *Glare and heat.* All glare, such as welding arcs and open furnaces shall be shielded so that they shall not be visible from the property line. No heat from furnaces or processing equipment shall be sensed at the lot line to the extent of raising the temperature of air or materials more than five degrees Fahrenheit.

SECTION 6. The Alliance Municipal Code at Section 109.54 shall be amended as follows:

Sec. 109-54. – Heavy Industrial District.

- (a) *Scope and intent.* This section applies to district M-2. The M-2, Heavy Industrial District is intended to accommodate assembly, fabricating, and processing activities which could generate vibration, noise, dust, fumes, gas, odor, or smoke. However, no activities that by nature of their operation would be detrimental to the general health, safety and welfare of the general public will be permitted.

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(b) *Permitted uses.*

- (1) Animal shelter.
- (2) Auction house.
- (3) Bakery.
- (4) Building supply store.
- (5) Brewery.
- (6) Cold storage facility.
- (7) Commercial storage units.
- (8) Community garage.
- (9) Craft production facilities.
- (10) Distillery.
- (11) Dry cleaners and laundries.
- (12) Filling station.
- (13) Fire station.
- (14) Freight terminals.
- (15) Grain elevators.
- (16) Kennel.
- (17) Machine shop.
- (18) Manufacturing, processing, fabrication, or assembling of commodities.
- (19) Municipal buildings.
- (20) Offices.
- (21) Parcel services.
- (22) Parking lots.
- (23) Police station.
- (24) Printers and newspapers.
- (25) Railroad right-of-way.
- (26) Repair garage.
- (27) Repair shops; indoor only and not including repair facilities which could be considered noxious or offensive by reason of vibration, noise, dust, fumes, gas, odor, or smoke.
- (28) Vehicle washing facility.

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- (29) Vehicle storage.
- (30) Veterinary clinic.
- (31) Warehousing and storage of commodities.
- (32) Wholesale establishment.
- (33) Winery.

(c) *Conditional uses.*

- (1) Adult bookstore.
- (2) Adult theater.
- (3) Butcher Shop
- (3) Garbage disposal plant.
- (4) Gun clubs, skeet shoots, or target ranges.
- (5) Junkyards, providing that no burning of waste material shall be permitted, and the entire yard shall be screened with a closed fence or wall not less than eight feet in height.
- (6) Mines or quarries, including the removing, screening, crushing, washing or storage of ore, sand, clay, stone, gravel, or similar materials.
- (7) Packing plant.
- (8) Rendering.
- (9) Sanitary landfill.
- (10) Slaughterhouses and associated stockyards.
- (11) Solar energy collector facilities (commercial).
- (12) Towers, telecommunications facilities, and antennas as permitted in chapter 111 division 5.
- (13) Utilities. 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.

(d) *Accessory uses.*

- (1) Apartment for the custodian of a building housing a principal use.
- (2) Fences as permitted in chapter 111, division 7.
- (3) Food service and vending machines for tenants only.
- (4) Home occupations as permitted in chapter 111, division 11.

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- (5) Off-street parking and loading serving a principal use in accordance with chapter 111, division 13.
- (6) One trailer, camper, motor home, or boat, incidental to and on the same lot as a principal use, 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 111-444.
- (7) One-family dwelling or mobile home which shall be used exclusively by watchmen or custodians, provided that yard and other requirements of this section shall be met for the dwelling or mobile home as though it were on an individual R-1 zoned lot.
- (8) Open area devoted to decorative paving, swimming pools, tennis courts, and other similar uses, located on the same lot as the principal use.
- (9) Pavilion.
- (10) Private garage.
- (11) Signs as permitted in chapter 111, division 19.
- (12) Solar energy collector incidental to the principal or accessory use of the property in accordance with chapter 111, division 21.
- (13) Storage and service areas and buildings serving a principal use on the same lot.
- (14) Television, radio receiving and transmitting equipment, and satellite earth station antennas accessory to a dwelling limited to 60 feet in height.
- (15) 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.
- (16) 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.

(e) *Performance standards.*

(1) *General requirements.*

Minimum Lot Size (sq. ft.)	Minimum Lot Width (feet)	Maximum Lot Coverage (%)	Maximum Structure Height (feet)	Minimum Building Separation (feet)
-	-	-	45	0

(2) *Setback and size regulations.*

Use	Setbacks (feet)				Required Front Building Line
	Front	Rear	Side	Side Street	
Principal Building	a	b	c	15	-
Accessory Building	a	b	c	15	-

- a. There shall be a 15 foot setback; however, a setback of no less than 50 feet shall be required along all federal and state highways.
- b. No rear yard is required if the rear of the property is adjacent to an alley or rail right-of-way, otherwise there shall be a 15 foot setback.
- c. A side yard of no less than ten feet shall be provided except where a side line of a lot in this district abuts upon the side line of a lot in districts Ag to C-1 inclusive, a side yard of not less than 20 feet shall be provided.

(3) See chapter 111, article II for additional height and setback regulations and exceptions.

(f) *Additional performance standards.*

- (1) *Emissions.* Smoke, dust, particulate matter, odor, heat, or other effects shall not be produced which will be obviously harmful or injurious to humans or property beyond the property line and shall meet minimum state department of environmental control air quality standards.
- (2) *Noise level.* The noise level shall not exceed 80 dB at any point along the property line.
- (3) *Storage.* All storage of material, products, and equipment shall be within a fully enclosed building or in a yard so screened that said materials, products, or equipment are not visible at human eye level within 300 feet of the property line.
- (4) *Prohibited use.* No use shall be permitted or so operated as to produce or emit:

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- a. *[Vibration or concussion.]* Vibration or concussion perceptible without instruments at the property line.
- b. *Waste.* Industrial wastes shall be of such quantity and nature as not to overburden the public sewage disposal facilities, are not detrimental to normal plant operations or corrosive and damaging to sewer pipes and installations or to cause odor or unsanitary effects beyond the property line.
- c. *Fire hazard.* All flammable substances involved in any activity established in this district shall be handled in conformance with any additional regulations that may from time to time be adopted by the city council.
- d. *Odor.* The emission of odors that are generally agreed to be obnoxious to any considerable number of persons, shall be prohibited. Observations of odor shall be made at the property line of the establishment causing odor. As a guide to classification of odor it shall be deemed that strong odors of putrefaction and fermentation tend to be obnoxious.
- e. *Gas emissions.* The gases sulfur dioxide and hydrogen sulfide shall not exceed five parts per million, carbon monoxide shall not exceed 25 parts per million, and nitrous fumes shall not exceed five parts per million. All measurements shall be taken at the property line.
- f. *Glare and heat.* All glare, such as welding arcs and open furnaces shall be shielded so that they shall not be visible from the property line. No heat from furnaces or processing equipment shall be sensed at the lot line to the extent of raising the temperature of air or materials more than five degrees Fahrenheit.

SECTION 7. 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 8. This Ordinance shall be published in pamphlet form, and shall be effective upon its passage and approval.

Roll call vote with the following results:

Voting Aye: Mischnick, Jones, Reynolds, Bentley.

Voting Nay: None.

Motion carried.

- Resolution No. 20-28 was now before Council which covers the Interconnection Policy (Net Metering). The following information was provided:

[The Electric Department is requesting City Council adopt an updated Interconnection Policy. An Interconnection Policy will outline the metering

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requirements for customer-owned renewable generation such as solar, wind, hydro, and biomass. The policy is necessary to cover issues which arise when the renewable energy produced exceeds the customer load needs and the excess energy is sent to our system. The current policy is outdated and does not meet State of Nebraska requirements and safety concerns. The proposed policy is provided from NMPP Energy and is used by a number of other communities.

Electric Superintendent Bridge has reviewed the proposed policy and believes it will meet all of the requirements needed.]

A motion was made by Councilman Jones, seconded by Councilman Bentley to approve Resolution No. 20-28 which follows in its entirety:

RESOLUTION NO. 20-28

WHEREAS, The State of Nebraska has enacted legislation that requires electric local distribution utilities to interconnect with a customer-generator and provide for net metering; and

WHEREAS, The City of Alliance is an electric local distribution utility as defined by Neb. Rev. Stat. §70-2003; and

WHEREAS, The City of Alliance adopted a Net Metering Policy at their March 18, 2010 meeting which needs updating; and

WHEREAS, City Council believes that it is in the best interest of the City of Alliance to adopt an updated policy for the appropriate regulation of net metering with customer-generators including who qualifies for net metering and the requirements for interconnection to the City of Alliance Electric System.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Alliance, that the Interconnection Policy which is attached hereto and incorporated herein by this reference is adopted as the official policy for the interconnection of all customer-generators within the City of Alliance.

Mr. Rich Andrysik of NMPP Energy reviewed a PowerPoint presentation which described net metering and the associated requirements and charges which are involved to connect to our utility. The presentation was made via telephone. Electric Superintendent Bridge also answered questions of Council.

Roll call with the following results:

Voting Aye: Mischnick, Jones, Reynolds, Bentley.

Voting Nay: None.

Motion carried.

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- The next matter before Council was Resolution No. 20-29 which will authorize the City to enter into a contract with CenCon, LLC of Gering, NE for horizontal boring services for the Electric Department. The following information was provided:

[The City of Alliance is recommending entering into a contract for horizontal boring. The boring is required to update/upgrade the electric underground infrastructure in the Lakefield and Park Knoll areas. The company will horizontal bore empty conduits into these areas and then the Electric Department will install new wire and associated equipment. These areas are closed easement so trenching is not an option.

The Electric Department has contacted three local boring companies and received two quotes for the projects. CenCon LLC, from Gering, has provided the lower cost per foot on these quotes. Previous work performed by CenCon has been very efficient and thorough. This rebuild project was included in the budget for 2019-2020 within the Urban- System Rebuild Maintenance fund, Account No. 05-51-53-53-948.]

A motion was made by Councilman Mischnick, seconded by Councilman Jones to approve Resolution No. 20-29 which follows in its entirety:

RESOLUTION NO. 20-29

WHEREAS, The City of Alliance Electric Department is desiring to secure directional boring services to upgrade underground electric service lines; and

WHEREAS, Staff requested quotes from three service provides and two responded; and

WHEREAS, CenCon LLC of Gering, NE was the lowest quote on a per foot basis; and

WHEREAS, Staff is recommending the contract be awarded to CenCon LLC in an amount not to exceed One Hundred Thousand Dollars and no/100th (\$100,000.00); and

WHEREAS, Budget authority is available for this purchase from the Urban System Rebuild Maintenance Fund, Account No. 05-51-53-53-948.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Alliance, Nebraska, that the Mayor be and hereby is authorized to enter into a contract with CenCon LLC in an amount not to exceed One Hundred Thousand Dollars and no/100th (\$100,000.00) for directional boring services.

BE IT FURTHER RESOLVED authorization of the Construction Contract is contingent and conditional upon a contract, satisfactory to the City of Alliance, for the directional boring services for the electric system between the City of Alliance and CenCon LLC.

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Roll call with the following results:

Voting Aye: Mischnick, Jones, Reynolds, Bentley.

Voting Nay: None.

Motion carried.

- Resolution No. 20-30 which will create regulations for the presence of civilians in the Communication Center was now before Council. The following information was provided:

[The Police Department is adding an additional policy for visitors to the Communication Center. In order to maintain compliance with State and Federal regulations when it comes to the authorized presence of civilians not employed with the Police Department within the Communications Center.

Visitors may come to the Communications Center if accompanied by an authorized person at all times. For this policy, a “visitor” is defined as any civilian that does not have a level three (3), or higher, security clearance with CJIS. This policy also defines a visit as an authorized presence within the Communications Center that enables the visitor to view, hear, or experience any operations or occurrences of the Communications Center, regardless of detail.

The policy identifies how to schedule visits and necessary information for civilians that are making those visits. A visitors log will be kept in the Communication Center with the required information. The on-duty dispatcher will run a NCIC query on the visitor prior to the visit to ensure that there are no-outstanding warrants, gang relation, or cautionary warnings. In the event of an outstanding warrant, regardless of extradition and entering agency, or gang relation or cautions, the visitor will be denied access.

Juveniles may have access as long as they are accompanied by a parent, guardian, or chaperone that passes the authorization procedure.]

A motion was made by Councilman Reynolds, seconded by Councilman Bentley to approve Resolution No. 20-30 which follows in its entirety:

RESOLUTION NO. 20-30

WHEREAS, The City of Alliance Police Department maintains a Policy and Procedure Manual which has been adopted by the Alliance City Council; and

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WHEREAS, The Alliance Police Department desires to add Policy No. 55.09 “Authorized Visits to the Communications Center” to their policy manual; and

WHEREAS, The City Council believes it is in the best interest of the City of Alliance to add Policy 55.09 as recommended by the Police Chief.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of Alliance, Nebraska, that the City of Alliance Police Department Policy 55.09 – Authorized Visits to Communications Center is hereby added as recommended by the Police Chief and will be effective March 18, 2020.

Roll call with the following results:

Voting Aye: Mischnick, Jones, Reynolds, Bentley.

Voting Nay: None.

Motion carried.

- Resolution No. 20-31 which will authorize staff to pursue the renewal of our Retired and Senior Volunteer Program (RSVP) grant which serves over 250 volunteer members was next on the agenda. The following information was provided:

[RSVP is requesting permission to accept continuing grant funding for the Retired and Senior Volunteer Program (RSVP). Funding for the program is through the Corporation for National and Community Service. In 2020 the City of Alliance is eligible for \$47,500.00 in Federal funding for the continued operation of the RSVP program in our community. The total operating budget for the RSVP program in 2020/21 is \$75,214.00.

Federal funds will be used for salaries, benefits, office operating expenses, and program supplies. The RSVP program serves over 250 volunteer members by placing them in volunteer positions and has provided over 29,000 volunteer hours within our community.]

A motion was made by Councilman Bentley, seconded by Councilman Reynolds to approve Resolution No. 20-31 which follows in its entirety:

RESOLUTION NO. 20-31

WHEREAS, The City of Alliance operates the Retired and Senior Volunteer Program (RSVP); and

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WHEREAS, Staff is requesting permission to submit a grant application to continue Federal funding for the Retired and Senior Volunteer Program through the Corporation for National and Community Service; and

WHEREAS, The City of Alliance will be requesting Federal funding in the amount of Forty-seven Thousand Five Hundred Dollars and no/100ths (\$47,500) per year; and

WHEREAS, This is a three year funding request beginning July 1, 2020 and ending June 30, 2023; and

WHEREAS, The City finds it is in the City's best interest to pursue and accept a grant for the continued operation of the Retired and Senior Volunteer Program.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Alliance, Nebraska, that the City of Alliance shall submit a grant application to continue the operation of the Retired and Senior Volunteer Program through the Corporation for National and Community Service for a three year period beginning July 1, 2020 and ending June 30, 2023. The amount of the request will be \$47,500 annually.

BE IT FURTHER RESOLVED that the Mayor is authorized to accept the grant on behalf of the City of Alliance and sign the related documentation.

Roll call with the following results:

Voting Aye: Mischnick, Jones, Reynolds, Bentley.

Voting Nay: None.

Motion carried.

- The next matter before Council was Resolution No. 20-32 which will designate Meeting Room C within the Alliance Learning Center as the new meeting location for City Council and other City boards. The following information was provided:

[City Council directed staff to purchase furniture and equipment for a new Council Chamber on City property. The City has \$50,000 dollars budgeted in Account No. 01-11-11-59-940 for Council Chamber furnishings.

Staff recommends using the Alliance Learning Center Meeting Room C to permanently house the chamber furniture and equipment. This location provides appropriate space, contains existing features for meetings (e.g., sound system, outlets, lighting), and is ADA accessible. Meeting Room B would be set up for audiences, and Room A could be utilized for large meetings (See attached mockup). It is important to understand that Meeting

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Room C would be permanently restricted to City meetings (e.g., Council, Planning Commission, and Board of Adjustment).

The staff has worked with Cornhusker State Industries to design a council desk for Room C. The proposed desk is 9' x 16' in a U shape. The desk would accommodate 9 people for Council Meetings (5 Council members on the long side and 2 support staff on each side) and eleven people for Planning Commission Meetings. The plans also include a podium and a custom base cabinet. Additionally, staff proposes installing two large TVs (70-90 inch) for presentations, microphones that would connect to the existing sound system, and purchasing eleven office chairs to use around the council desk. The expectation is this project will come in under budget. Please see the furniture and chair quotes attached to the narrative.]

A motion was made by Councilman Jones, seconded by Councilman Bentley to table this item. The motion was withdrawn to allow for discussion.

Councilman Jones motioned to approve Resolution No. 20-32. Councilman Reynolds seconded the motion. Resolution No. 20-32 follows in its entirety:

RESOLUTION NO. 20-32

WHEREAS, The Alliance City Council desires to create a space within a City owned facility for conducting City Council meetings and other City boards and commissions meetings; and

WHEREAS, Staff has identified space within the Alliance Learning Center for this purpose; and

WHEREAS, Staff is proposing designating Meeting Room C for this sole purpose and the use of the adjoining meeting rooms only when a meeting is in session; and

WHEREAS, Council has provided funding in the amount of \$50,000 to develop a Council chamber within Account No. 01-11-11-59-940; and

WHEREAS, Staff has been working with Cornhusker State Industries and Nebraska Total Office on furnishing the facility within budget authority.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Alliance, Nebraska, that Meeting Room C of the Alliance Learning Center will be designated as the new City Council Chamber.

BE IT FURTHER RESOLVED the major furnishings for this facility will be purchase through Cornhusker State Industries and Nebraska Total Office not to exceed the previously authorized budget authority.

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Council stated they were comfortable with relocating to the Library/Learning Center facility; however, the Council table layout proposed is not desired. Council would prefer to have a horseshoe design which will allow Councilmembers to visually see each other when speaking. Staff will revisit the table layout with Cornhusker Industries and bring back additional options for Council's approval.

Roll call with the following results:

Voting Aye: Mischnick, Jones, Reynolds, Bentley.

Voting Nay: None.

Motion carried.

- Board appointments and announcements were the next items on the agenda.

A motion was made by Councilman Bentley, seconded by Councilman Reynolds to appoint Donna McEowen to the Senior Facility Advisory Board for a term expiring February 28, 2023.

Roll call with the following results:

Voting Aye: Mischnick, Jones, Reynolds, Bentley.

Voting Nay: None.

Motion carried.

Currently there are vacancies on the Board of Adjustment, A-1 and A-2 Downtown Improvement Boards, Economic Development Plan Citizen Advisory Board, youth representatives on the Library Board, Museum Board, Planning Commission and Police Citizen Advisory Board (Senior/Retired and School representatives). There are also upcoming vacancies on the Park and Tree Board and Senior Facility 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.

- The last item on the agenda for Council was a discussion on the Covid-19 Leave Issues that may affect the City employees. The following background information was provided for Council's review and consideration:

[Council Discussion Regarding Employee Leave Options

Current Leave Situation:

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Employees who are gone for a “virus” related absence (personal illness, required quarantine, illness of a family member, or childcare issues due to school or daycare closures) can use available paid leave and then go unpaid. This presents a number of concerns as employees may not have sufficient paid leave. When unpaid, it could affect benefit status (including retirement contributions and accrual of additional leave). Also, it will likely create a hardship for employees who go unpaid for an extended period and lead to their exit from our organization.

New One-time Leave Option:

- In response to this unprecedented pandemic, Alliance City Council is taking action to protect the physical and financial health of our employees;
- As the current situation is dynamic, this step is a precaution should employees of the City be unable to perform service to the community;
- As a response to potential disease containment, employees who are required to stay home in the event of voluntary or in-voluntary isolation, quarantine, or to care for themselves or an immediate family member or as a result of social distancing and/or location closure will be afforded fourteen (14) days of paid leave.
- This award can be revisited as circumstances develop.

Limits:

“NOTE TO ALL EMPLOYEES: The City strongly discourages any travel that has not already begun. Employees who have upcoming travel planned – either domestic or international – should be aware that, depending upon the public health guidance at the time, you may be required to self-isolate upon your return – for a period of 14 days or longer. Because this can be reasonably foreseen prior to your departure, you will be traveling at your own risk. If isolation or quarantine is required upon your return, the City will not provide paid leave for that period of time. You may use paid leave from your accrued balances, if you have it. If you do not have enough leave for the time of your travel plus the required isolation or quarantine period, you will go unpaid for the duration of the period you are away from the office.”

Additional Option: “If you have a COVID-19 related absence (personal illness, required quarantine, illness of a family member, or childcare issues due to school or daycare closures) accrued sick time should be used. If you run out of accrued sick time, the City will advance paid sick time for up to 80 hours for regular full time employees (pro-rated for part-time status). In this case, you will be required to reimburse the City from future final check. This adjustment in normal policy applies to the current COVID-19 situation and is available to employees that earn sick leave under normal circumstances.”

Council reviewed the proposals regarding the use of leave related to the COVID-19 situation. Concerns were expressed regarding granting additional leave at this time, as it was unclear what actions the Federal government would be taking in the next few

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weeks. Council did want to reassure employees they were desiring to provide financial security in some form.

A motion was made by Councilman Jones, seconded by Councilman Bentley to allow the use of up to 80 hours of sick leave for regular full time employees (pro-rated for part-time status) for COVID-19 related absences. Should employees lack sufficient sick leave it may be advanced. The motion also included the following notice regarding personal travel: "NOTE TO ALL EMPLOYEES: The City strongly discourages any travel that has not already begun. Employees who have upcoming travel planned – either domestic or international – should be aware that, depending upon the public health guidance at the time, you may be required to self-isolate upon your return – for a period of 14 days or longer. Because this can be reasonably foreseen prior to your departure, you will be traveling at your own risk. If isolation or quarantine is required upon your return, the City will not provide paid leave for that period of time. You may use paid leave from your accrued balances, if you have it. If you do not have enough leave for the time of your travel plus the required isolation or quarantine period, you will go unpaid for the duration of the period you are away from the office."

Roll call with the following results:

Voting Aye: Mischnick, Jones, Reynolds, Bentley.

Voting Nay: None.

Motion carried.

There being no further business before Council, Vice Mayor Mischnick adjourned the meeting at 8:09 p.m.



Brian Mischnick, Vice Mayor

(SEAL)



Linda S. Jines, City Clerk

Complete minutes of the Alliance City Council may be viewed by the public during regular work hours at the City Clerk's Office, 324 Laramie Avenue, Alliance, Nebraska.