

**ALLIANCE, NEBRASKA
CITY COUNCIL MEETING
School Board Meeting Room
1604 Sweetwater Avenue
September 6, 2007 - 7:00 p.m.
AGENDA**

- **Call to Order**
 - **Roll Call**
 - **Open Meetings Act Announcement**

For the public's reference a copy of the Open Meetings Law has been posted on the north wall of this room in the audience area. This posting complies with the requirements of the Nebraska Legislature.
 - **Invocation**
- A. **Consent Calendar**
- B. **Proclamation - Resource Conservation & Development Week**
- C. **Ordinance No. 2580 - First Reading**
Preliminary Plat - Replat of Lots 2 & 3, Block 2, Terrace Addition

Ordinance No. 2580 is before Council on first reading and will approve the Preliminary Plat of the Replat of Lots 2 & 3, Block 2, Terrace Addition. Luke J. and Tamara L. Stabnow own both of the lots which are commonly addressed as 456 18th Terrace Place and 464 18th Terrace Place. The Stabnow's are moving the property line for access to a future shop on 456 18th Terrace Place. A copy of the Staff Report and August 14, 2007 Planning Commission Minutes are attached for Council's review. The Stabnow's have requested the Council consider waiving the statutorily required three readings of the ordinance.
- D. **Public Hearing - Ordinance No. 2581 - First Reading**
Municipal Code Amendments - Zoning Definitions, Abandoned Church or School Conversion, and Conditional Use Application Procedures

Now is the date, time, and place to conduct a public hearing on an ordinance change to the Alliance Municipal Code, Chapter 10, entitled Zoning. The proposed changes are (1) add definitions for business services, business or professional offices, church, commercial, school, community center, conditional use, conference center, day care center, gross floor area, manufacturing, net floor area, principal use, retail sales, school, theater and training center; (2) authorize conversion of an abandoned church or school structure in "R" Residential Districts as a conditional use subject to certain express standards and criteria; and (3) revise application procedures for conditional use applications. I have included the Staff Report, and the July 10, 2007 Planning Commission Minutes, which recommended approval. The ordinance before Council is not codified to be inserted in the Municipal Code. This will be done for second reading.

E. **Ordinance No. 2576 - Second Reading**

Municipal Code Amendment - Water Rate Increase

Ordinance No. 2576 has been prepared for Council's consideration on second reading and will amend the Alliance Municipal Code at Chapter 4, Section 347. This ordinance will raise water rates ten percent. The rate increase is being proposed to prepare for the solution of water quality issues facing the City. Olsson and Associates has been evaluating our water system and preparing water treatment options for Alliance. They are also in the process of preparing a Comprehensive Rate Study.

F. **Ordinance No. 2577 - Second Reading**

Municipal Code Amendment - Sewer Rate Increase

Ordinance No. 2577 has been prepared for Council's consideration on second reading and will amend the Alliance Municipal Code at Chapter 4, Section 504. This ordinance will raise sewer commodity rates five percent and the customer charge 59¢ a month. The monthly customer charge and use fees have not been increased since 1988.

G. **Ordinance No. 2578 - Second Reading**

Municipal Code Amendment - Use of Engine Brakes within City Limits

This will be the second reading of Ordinance No. 2578 which was requested by Mayor Kusek prohibiting the use of engine brakes within the City of Alliance. This Ordinance will amend the Alliance Municipal Code in Chapter 3, Section 308. The prohibition will exempt engine brake use by authorized emergency vehicles when responding to an emergency.

H. **Ordinance No. 2579 - Second Reading**

Municipal Code Amendment - Park Closing Time (Snake Creek Trail & Fountain Area)

Before Council is the second reading of Ordinance No. 2579. This Ordinance will amend the Alliance Municipal Code at Chapter 6, Section 204 by adding language to the *Trespassing in City Parks*. The new language will authorize the use of the concrete path of the Snake Creek Trail for its intended purpose and the immediate vicinity of the Central Park Fountain until 12 o'clock midnight. A map indicate the fountain area has been included in the Council packet.

I. **Ordinance No. 2575 - Third Reading**

Municipal Code Amendment - Museum Board Responsibilities

Ordinance No. 2575 will amend the Alliance Municipal Code in Chapter 1, Article 8, Section 803 relating to the Museum Board. The amendment defines the Board and establishes the responsibilities of the Board. The proposed ordinance in Council's packet shows additional changes from the second reading using the strike-out and highlighting method. If these changes are acceptable to Council an amendment needs to be made.

J. Public Hearing - Resolution No. 07-97

Property Tax Approval

Now is the date, time, and place to conduct a Public Hearing on the 2007 property tax request. Enclosed for Council's review is the Box Butte County Assessor's determination of taxable value which has been set at \$309,. The City of Alliance is requesting \$1,089,116.51 which will maintain the same levy as last year - \$0.352060.

Ordinance No. 2582 - First Reading

Additional 1% for Budgeted Restricted Funds

Ordinance No. 2582 will allow the City of Alliance with a 75% affirmative vote by Council to exceed the Allowable Growth and the Basic Allowable Growth for the 2007-2008 Fiscal Year Budget by 1%. This does not increase the 2007-2008 Fiscal Year Budget; it allows us to increase the unused budget authority for use in future years. Staff is recommending Council waive three readings of this ordinance.

Ordinance No. 2573 - Third Reading

Appropriations (Budget)

This is the third reading of the appropriation ordinance adopting the City's budget for Fiscal Year 2007. The amendments previously approved by the Council have been incorporated within the Ordinance.

K. Resolution No. 07-98 - Revised Sales Tax Special Election

This resolution replaces the resolution passed by City Council at our last meeting. In researching this matter further it was determined that the Special Election must be held on the first Tuesday following the second Monday of the selected month. Resolution No. 07-98 authorizes the City of Alliance to submit ballot language for a Special Election to be called for November 13, 2007 on the renewal and continuance of the 1.0% and the 0.5% sales tax.

L. Resolution No. 07-99 - 10th Street Reconstruction in Concrete - Phase I

Resolution No. 07-99 authorizes staff to proceed with Phase I of the 10th Street Improvements (Sheridan to Box Butte Avenues). Phase I includes full-depth concrete construction, curb, gutter, handicap ramps, drainage, and other required work. The estimated cost of improvements is \$1,103,000.

M. Resolution No. 07-100 - Selection of Bond Counsel

This resolution authorizes staff to hire Lauren Wismer as the City's bond counsel for the Water Bond Project. City Manager Caskie has prepared a memorandum regarding this matter.

N. Resolution No. 07-101 - Auction Approval

Resolution No. 07-101 will declare the property listed in Exhibit 1 as surplus property and allow said property to be sold at public auction.

O. Resolution No. 07-95 - Water Main Replacement Engineer Selection

Resolution No. 07-95 will authorize an amendment to the engineering contract with M.C. Schaff to increase fees and the Scope of Work for the water main replacement project. The new Scope of Work will include the Belmont main replacement along with the water main replacement for 8th and 9th Streets from Flack to Mississippi Avenues. The Supplemental Engineering Agreement will increase the original contract an addition \$29,580.00 for a not to exceed cost of \$43,780.00.

P. **Resolution No. 07-102 - Water Quality Engineering Contract/Amendment No. 2**

Resolution No. 07-102 will approve Amendment No. 2 to the Olsson Associates Contract for Professional Services for the Water Distribution System Modeling Project. The amendment allows for engineering services to perform water system modeling required to accurately calibrate hydraulics of the Alliance Water System for current and future design specifications. The additional cost for this service is a lump sum of \$14,508.80. It is anticipated that Mike Milius of Olsson Associates will be in attendance at the meeting to answer questions of the Council.

■ Adjournment

Respectfully submitted,

Linda S. Jines
City Clerk