

ALLIANCE CITY COUNCIL

REGULAR MEETING, THURSDAY, MAY 3, 2007

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

The Alliance City Council met in a Regular Meeting, May 3, 2007 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 April 26, 2007. 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 Kusek opened the May 3, 2007 Regular Meeting of the Alliance, Nebraska City Council at 7:00 p.m. Present were Mayor Kusek, Council Members Dickenson, Benzel, Rowley, and Yeager. Also present were City Manager Caskie, City Attorney Dobrovolny and City Clerk Jines.

- Mayor Kusek made the Open Meetings Act Announcement.
- Mayor Kusek congratulated Kylee Stanley on being selected as Student Senate President at Chadron State College.
- The first item to come before Council was the Consent Calendar.

Motion by Councilman Dickenson, seconded by Councilman Benzel to approve the Consent Calendar which follows in its entirety:

CONSENT CALENDAR - MAY 3, 2007

1. Approval: Minutes of the Regular Meeting, April 17, 2007.
2. Approval: Payroll and Employer Taxes for the period April 7, 2007 through April 20,

May 3, 2007 Minutes

2007, inclusive; \$138,500.69 and \$9,810.64 respectively.

3. Approval: Claims against the following funds for April 13, 2007 through April 30, 2007; 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: \$822,690.74.

4. Approval: Acceptance of a Quitclaim Deed from Petra J. Murdock, the Personal Representative of the Estate of Catherine Miller for the Southeast Quarter (SE1/4) of Lot Nineteen (19), Section Five (5), Block Ten (10), First Addition to the Alliance Cemetery and reconvey same to Carol Shimek and Davis Shimek.

5. Approval: Issuance of the following contractor licenses:

Repair and Maintenance Lynn Allen dba Allen Bros. Construction
Doug Fritzler dba Fritzler Construction
Steve Holman dba Steve’s Garage Door

General Contractor . . . Brian Schwanke dba Schwanke Construction & Plumbing, Inc.
Shawn Houchin dba Superior Renovations
Tri State Carports
Paul Reed Construction & Supply, Inc.

Class A Master Electrician . Rick J. Lewis dba Burlington Northern Santa Fe Railroad
David Curtiss dba Triangle Electric

Master HVAC Mark Buche dba Tessier’s Inc.

Master HVAC & Gas Fitter Larry Debus dba Debus Plumbing and Heating

Journeyman Plumber Brian Debus dba Debus Plumbing & Heating

Master Plumber Larry Debus dba Debus Plumbing & Heating
Brian Schwanke dba Schwanke Construction & Plumbing, Inc.

Limited & Specialty Douglas W. Hoffman dba D & D Appliance Repair

Sign Michael Ferguson dba Ferguson Signs, Inc.

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

Councilman Dickenson questioned a charge by Natrona County International Airport. City

Manager Caskie explained that the charge was for our Shift Firefighters to attend training relating to airport emergencies.

Mayor Kusek questioned an amount relating to a liquor license. Finance Director Leah King explained to Council that liquor licenses require a fee payable to both the City of Alliance and School District No. 6. The establishment in question paid their entire fee to the City of Alliance. The City is then required to pay a portion of the fee to School District No. 6. He also questioned a charge to the Box Butte County Treasurer for taxes on Vehicle Unit 400. Purchasing Agent Eric Lenz explained that the vehicle belongs to the Electric Department which is an Enterprise Fund and must pay the taxes and licensing fees accordingly.

Councilman Benzel asked about a charge to the State of Nebraska HHS Laboratory for water testing. City Manager Caskie explained that testing was required for the new water wells.

Roll call vote with the following results:

Voting Aye: Kusek, Dickenson, Benzel, Rowley, Yeager.

Voting Nay: None.

Motion carried.

- The presentation of a proclamation for Poppy Day was the next item on Council's agenda.

Councilman Dickenson read the proclamation which follows in its entirety:

Poppy Day Proclamation

WHEREAS, America is the land of freedom, preserved and protected willingly and freely by citizen soldiers;

WHEREAS, Millions who have answered the call to arms have died on the field of battle;

WHEREAS, A nation at peace must be reminded of the price of war and the debt owed to those who have died in war;

WHEREAS, The red poppy has been designated as a symbol of sacrifice of lives in all wars' and;

WHEREAS, The American Legion Auxiliary has pledged to remind America annually of this debt through the distribution of the memorial flower;

NOW, THEREFORE, on behalf of the Mayor and Members of the City Council of the City of Alliance, Nebraska, I hereby officially proclaim the fifth day of May 2007 as

POPPY DAY

and ask that all citizens pay tribute to those who have made the ultimate sacrifice in the name of freedom by wearing the Memorial Poppy on this day.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the official seal of the City of Alliance, Box Butte County, Nebraska, this Third day of May 2007.

The proclamation was presented to Diane Foland. Mrs. Foland stated poppies would be available at various businesses in Alliance.

- The next item for Council's consideration was Resolution No. 07-51 authorizing the use of \$4,000.00 from the Golf Course Contingency Fund to purchase approximately 2,000 lbs. of grass seed.

Motion by Councilman Benzel, seconded by Councilman Dickenson to approve Resolution No. 07-51 which follows in its entirety:

RESOLUTION NO. 07-51

WHEREAS, The City of Alliance owns and operates a municipal golf course; and

WHEREAS, Significant freeze damage has resulted in loss of turf which will necessitate unanticipated grass seed needs; and

WHEREAS, Golf course contingency funds have been budgeted for the purpose of meeting unanticipated expense.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of Alliance, Nebraska, that \$4,000.00 is authorized to be expended from the golf course contingency fund for purchase of grass seed.

Roll call vote with the following results:

Voting Aye: Kusek, Dickenson, Benzel, Rowley, Yeager.

Voting Nay: None.

Motion carried.

- Resolution No. 07-52 authorizing the purchase of a Ford F-150 pickup for Animal Control operations was the next item for Council's consideration. The purchase will be from Cover-Jones Motor Company of Alliance, NE in the amount of \$15,443.45.

Motion by Mayor Kusek, seconded by Councilman Yeager to approve Resolution No. 07-52 which follows in its entirety:

RESOLUTION NO. 07-52

WHEREAS, The City of Alliance has authorized a competitive bidding process to obtain bids for a pickup truck pursuant to bid number 3220-07-23; and

WHEREAS, Five (5) invitations to bid were issued, and five (5) responses were received; and

WHEREAS, The bid of Cover-Jones Motor Company of Alliance, Nebraska appears to be the lowest, responsive, and responsible bid in the amount of \$15,443.45.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of Alliance, Nebraska, the contract for bid number 3220-07-23 is hereby awarded to Cover-Jones Motor Company of Alliance, Nebraska in the amount of \$15,443.45.

BE IT FURTHER RESOLVED, that City staff shall notify the successful bidder so that ordering and delivery can proceed according to the bid specifications.

City Manager Caskie explained that the Animal Control Officer has expanded her duties into the Community Service area which is resulting in extra patrol time. Police Chief John Kiss indicated that a ramp will be built for the pickup which will allow larger animals to be walked into the cages.

Roll call vote with the following results:

Voting Aye: Kusek, Dickenson, Benzel, Rowley, Yeager.

Voting Nay: None.

Motion carried.

- The next item to be presented to Council was Resolution No. 07-53 approving a Building Lease between the City of Alliance and Edward S. (Ted) Hempel. The lease is for office space in the terminal building at the Alliance Municipal Airport.

Motion by Councilwoman Rowley, seconded by Councilman Benzel to approve Resolution No. 07-53 which follows in its entirety:

RESOLUTION NO. 07-53

WHEREAS, The City of Alliance has space available for private commercial use in the airport terminal building; and

WHEREAS, Edward S. “Ted” Hempel has requested renewal of an existing lease for the northwest room in the terminal; and

WHEREAS, The City Council finds the proposed lease is appropriate for airport purposes and should be approved.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of Alliance, Nebraska, that the proposed lease for Edward S. “Ted” Hempel is hereby approved, and the Mayor and City Staff are authorized to execute the lease on behalf of the City of Alliance.

Roll call vote with the following results:

Voting Aye: Kusek, Dickenson, Benzel, Rowley, Yeager.

Voting Nay: None.

Motion carried.

- Resolution No. 07-54 was the next item for Council’s review. This resolution will renew the joint-use Building Lease between the City of Alliance and Heartland Aviation for Building No. 3101. The building is used by the Fixed Base Operator for aircraft repair, maintenance, and storage only.

Motion by Councilman Yeager, seconded by Councilwoman Rowley to approve Resolution No. 07-54 which follows in its entirety:

RESOLUTION NO. 07-54

WHEREAS, The City of Alliance owns numerous buildings on the municipal airport grounds which are available for lease; and

WHEREAS, Heartland Aviation, Inc., a Nebraska Corporation, has proposed to renew its lease for a portion of Building 3101 for a four year term, May 1, 2006 until April 30, 2010; and

WHEREAS, The City Council finds that the proposed lease is appropriate for airport purposes and should be approved.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of Alliance, Nebraska, that the lease for Building 3101 on the Alliance Municipal Airport grounds to Heartland Aviation, Inc., is hereby approved, and the Mayor and City staff are authorized to sign the lease on behalf of the City of Alliance.

Roll call vote with the following results:

Voting Aye: Kusek, Dickenson, Benzel, Rowley, Yeager.

Voting Nay: None.

Motion carried.

- The next item on Council's agenda was Resolution No. 07-55 approving Supplemental Agreement No. 1 to the existing Lease with the Federal Aviation Administration for additional land necessary for the installation, operation, and maintenance of Localizer/Distance Measuring Equipment and Precision Approach Path Indicators.

Motion by Councilwoman Rowley, seconded by Councilman Yeager to approve Resolution No. 07-55 which follows in its entirety:

RESOLUTION NO. 07-55

WHEREAS, The City of Alliance owns and operates a municipal airport; and

WHEREAS, The Federal Aviation Administration (FAA) serves the airport with various aids to navigation and use of the airport; and

WHEREAS, The City of Alliance has received documents to grant additional lease area to the FAA in order to install equipment for an instrument landing system.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of Alliance, Nebraska, that the City Council approves Supplement No. 1 to Lease No. DTFACE-07-L-00007 and attachments.

BE IT FURTHER RESOLVED, the Mayor and City Clerk are authorized to execute the supplement on behalf of the City of Alliance.

City Manager Caskie explained that this is a Supplemental Agreement to the existing Lease with the Federal Aviation Administration for the installation, operation, and maintenance of Localizer/Distance Measuring Equipment and Precision Approach Path Indicators. The FAA is planning to begin the installation of LOC/DME and PAPI on Runway 30 during the month of May. They will retain ownership of the equipment and lease the property from the City of Alliance on which the equipment is installed. This equipment is part of the Instrument Landing System (ILS) which is designed to provide greater access to the Alliance Airport during periods of reduced visibility.

Roll call vote with the following results:

Voting Aye: Kusek, Dickenson, Benzel, Rowley, Yeager.

Voting Nay: None.

Motion carried.

- Resolution No. 07-56 authorizing the renewal of the Airport Use Agreement between the City of Alliance and Great Lakes Aviation, Ltd. was the next item to come before Council. The renewal is for a two year period which will expire on June 30, 2009 with the payment of \$625.00 monthly.

Motion by Councilman Benzel, seconded by Councilman Dickenson to approve Resolution No. 07-56 which follows in its entirety:

RESOLUTION NO. 07-56

WHEREAS, The City of Alliance owns and operates a municipal airport; and

WHEREAS, Great Lakes Aviation, Ltd., is a common carrier providing essential air service to Alliance, Nebraska; and

WHEREAS, The existing lease for terminal space is in need of renewal to facilitate continued operations of the commercial air service; and

WHEREAS, Staff has prepared a renewal lease which has been approved by the airline.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of Alliance, Nebraska, that the renewal lease with Great Lakes Aviation, Ltd., an Iowa Corporation, for space in the Alliance Municipal Airport terminal, is hereby approved for the term July 1, 2007 to June 30, 2009.

Roll call vote with the following results:

Voting Aye: Kusek, Dickenson, Benzel, Rowley, Yeager.

Voting Nay: None.

Motion carried.

- The next item for Council's discussion was Resolution No. 07-57. This resolution will clearly delineate the authority the City Manager has with regard to signing of contracts and obligations of the City of Alliance. The policy states the purchase must be for less than \$20,000; funds must be available within the budget of the affected department; the term of the agreement must be for one year or less; and no additional personnel or obligation is necessary to execute the contract.

Motion by Councilman Dickenson, seconded by Councilman Benzel to approve Resolution No. 07-57 which follows in its entirety:

RESOLUTION NO. 07-57

WHEREAS, The City of Alliance has adopted the City Manager form of government; and

WHEREAS, City Council may delegate certain authority to sign contracts to the City Manager where funds are budgeted and the amount of the contract is less than \$20,000.00; and

WHEREAS, The City Council desires to adopt a policy giving the City Manager certain limited authority to sign contracts if stated conditions are met.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of Alliance, Nebraska, that the policy for City Manager Contract Authority which has been presented to Council and which accompanies this Resolution, is hereby approved.

City Manager Caskie explained the Purchasing Policy states that she must authorize purchases orders over \$2,500 and under \$20,000. If a purchase is made through a contract, the Purchasing Policy does not authorize the City Manager to execute it. She advised Council that any contract that is not routine in nature would still be brought before Council.

Roll call vote with the following results:

Voting Aye: Kusek, Dickenson, Benzel, Rowley, Yeager.

Voting Nay: None.

Motion carried.

- The next item to be brought before Council was Resolution No. 07-58 which will approve the Accounts Receivable Charge Off Policy. The policy sets guidelines for charging off old and uncollectible accounts. The policy requires all old and uncollectible accounts receivable to be submitted to City Council prior to August 1st of each year.

Motion by Councilman Yeager, seconded by Councilman Dickenson to approve Resolution No. 07-58 which follows in its entirety:

RESOLUTION NO. 07-58

WHEREAS, The City auditors have recommended that the City of Alliance adopt a policy to write off bad debts; and

WHEREAS, Writing off bad debt as a bookkeeping practice allows financial statements to more fairly and accurately depict the City's financial condition; and

WHEREAS, City staff, in conjunction with the City's auditors, has proposed a bad debt write off policy for adoption by the City Council; and

WHEREAS, City Council has reviewed the policy and finds it appropriate for the accounting system of the City of Alliance.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of Alliance, Nebraska, that the bad debt write off policy proposed by staff is hereby approved, and adopted as the policy of the City of Alliance, Nebraska in regard to accounting for bad debts.

BE IT FURTHER RESOLVED, that the bad debt write off policy shall be effective immediately.

Finance Director Leah King explained techniques used by the Utility Office and the Finance Department to collect bad debt.

Roll call vote with the following results:

Voting Aye: Kusek, Dickenson, Benzel, Rowley, Yeager.

Voting Nay: None.

Motion carried.

- The last item to be presented to Council was Resolution No. 07-59 which will authorize bad debt to be written off per the City's Accounts Receivable Charge Off Policy.

Motion by Mayor Kusek, seconded by Councilman Dickenson to approve Resolution No. 07-59 which follows in its entirety:

RESOLUTION NO. 07-59

WHEREAS, The City of Alliance has adopted a policy for writing off bad debt; and

WHEREAS, Finance office staff has proposed certain debts be written off; and

WHEREAS, City Council has reviewed the list of proposed write offs, and has before it a list of debt to be written off, dated May 3, 2007.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of Alliance,

Nebraska, that the bad debt list, dated May 3, 2007 is hereby declared by the City Council to be bad debt as defined by the City's bad debt policy, and shall be written off as provided by the City's policy, and generally accepted accounting procedures.

City Attorney Dobrovolny suggested that Council list the accounts they would consider excepting from being written off at this time.

Motion by Mayor Kusek, seconded by Councilwoman Rowley to amend Resolution No. 07-59 to except the following accounts from being written off at this time to allow further review:

Golf Fund	Account #2
Golf Fund	Account #3
Refuse Fund	Account #2
Refuse Fund	Account #4
Streets Fund	Account #2
Water Fund	Account #10
Utilities	Account #283

Roll call vote on the amendment with the following results:

Voting Aye: Kusek, Dickenson, Benzel, Rowley, Yeager.

Voting Nay: None.

Motion carried.

Roll call vote on amended Resolution No. 07-59 with the following results:

Voting Aye: Kusek, Dickenson, Benzel, Rowley, Yeager.

Voting Nay: None.

Motion carried.

- Councilman Dickenson requested the Ultimate Fighting issue be placed on a future agenda. Mayor Kusek requested an Ambulance Write-Off Policy be presented to Council. Councilman Benzel asked that the issue of concealed weapons be reviewed by Council at a future meeting.
- City Manager Caskie reported that progress is being made on the repairs of the Central Park Fountain, however the inclement weather will delay the completion of the project beyond the original Memorial Day estimate. She suggested a possible Flay Day opening ceremony.
- Mayor Kusek stated, "there being no further business to come before the Alliance City

Council, the meeting is adjourned at 8:18 p.m.”

Dan Kusek, Mayor

(SEAL)

Linda S. Jines, City Clerk