

March 6, 2018

ALLIANCE CITY COUNCIL

REGULAR MEETING, TUESDAY, MARCH 6, 2018

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

The Alliance City Council met in a Regular Meeting, March 6, 2018 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 February 28, 2018. The notice stated the date, hour and place of the meeting, that the meeting was open to the public, and that an agenda of the meeting, kept continuously current, was available for public inspection at the office of the City Clerk in City Hall; provided the Council could modify the agenda at the meeting if it determined an emergency so required. A similar notice, together with a copy of the agenda, also had been delivered to each of the City Council Members. An agenda, kept continuously current, was available for public inspection at the office of the City Clerk during regular business hours from the publication of the notice to the time of the meeting.

Mayor Yeager opened the March 6, 2018 Regular Meeting of the Alliance Nebraska City Council at 7:00 p.m. Present were City Council Members Yeager, Korber-Gonzalez, Mischnick, Jones and Reynolds. Also present were City Manager Kuckkahn, Assistant City Manager/Finance Director Waggener, City Attorney Olsen and City Clerk Jines.

- Mayor Yeager announced the Open Meetings Act was available for the public posted on the north wall of the audience area.
- The meeting began with the introduction of our new employee Phillip Harris, Water and Sewer Maintenance Worker I.
- The next item before Council was the presentation of a Proclamation declaring the week of March 11-17, 2018 as Girl Scout Week. The Proclamation reads as follows:

PROCLAMATION

WHEREAS, March 12, 2018, marks the 106th anniversary of Girl Scouts of the USA, founded by Juliette Gordon Low in 1912 in Savannah, Georgia; and

March 6, 2018

WHEREAS, Throughout its distinguished history, Girl Scouting has inspired millions of girls and women with courage, confidence and character to make the world a better place; and

WHEREAS, Through Girl Scout Leadership Experience girls develop the skills and lessons that will serve them throughout their lives so that they may contribute to their communities; and

WHEREAS, Girl Scouting takes an active role in increasing awareness for girls of the opportunities in math, science, sports, technology, and many fields of interest that can expand their horizons; and

WHEREAS, More than three million current Girl Scout members nationwide will be celebrating this American tradition, as well as 50 million women who are former Girl Scouts and living proof of the impact of this amazing Movement;

NOW, THEREFORE, on behalf of the Members of the City Council of the City of Alliance, Nebraska, we do hereby applaud the commitment Girl Scouts has made to America's girls and proudly proclaim the week of March 11-17, 2018 as:

GIRL SCOUT WEEK

And hereby applaud the commitment Girl Scouting has made to support the leadership development of America's girls.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the City of Alliance to be affixed on this 6th day of March in the year of the Lord Two Thousand Eighteen

- The Consent Calendar was the next agenda item for Council's consideration. A motion was made by Councilman Korber-Gonzalez seconded by Councilman Mischnick to approve the Consent Calendar as follows:

CONSENT CALENDAR – MARCH 6, 2018

1. Approval: Minutes of the Regular Meeting, February 20, 2018.
2. Approval: Payroll Costs for the period February 10, 2018 through February 23, 2018: \$309,436.25.
3. Approval: Claims against the following funds for the period of February 16, 2018 through February 28, 2018: 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: \$222,177.21.
4. Approval: Resolution No. 18-23 will authorize staff to submit a Proposal (application) to the Nebraska Department of Roads for the continuation of the Box Butte County Public Transit Program. The City's financial support for this program is \$20,000. The Program

March 6, 2018

is also supported by Box Butte County, Village of Hemingford and Box Butte General Hospital.

5. Approval: The submittal of the Renewal Application for 2018-2020 with the Nebraska Department of Revenue (Form 50G) for our KENO operation.

6. Approval: The issuance of the following Contractor licenses:

Master Plumber	Steve Wintholz dba Day and Night Plumbing & Heating
Gas Fitter	Steve Wintholz dba Day and Night Plumbing & Heating
Tree Surgeon	Richie Garza dba Panhandle Tree Service

7. For Your Information: An Official Notice of Revised Rate Schedule Bulk Power Participants, Service Schedule M has been received from the Municipal Energy Agency of Nebraska. This will be effective May 1, 2018.

8. For Your Information: The City has received notice of the following residential channel lineup changes and price adjustments from Charter Communications:

CHANNEL	CHANGE	CHANNEL NUMBER
PAC-12 National Feed	Add	472 & 686 (Effective 3/31/18)
KDVR 3 Multicast	Add to Basic (AD) Business Class, SBPP Business TV, SBPP B/R Business TV	192 (Effective 3/31/18)
KWGN 4	Add to Basic (AD) Business Class, SBPP Business TV, SBPP B/R Business TV	193 (Effective 3/31/18)

NOTE: City Manager Kuckkahn 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 with the following results:

Voting Aye: Yeager, Jones, Mischnick, Korber-Gonzalez, Reynolds.

Voting Nay: None.

Motion carried.

March 6, 2018

- A conflict claim in the amount of \$81.36 for the travel expenses of Councilman Reynolds to attend the Nebraska League of Municipalities Midwinter Conference was now before Council for consideration.

A motion was made by Mayor Yeager, seconded by Councilman Jones to approve the claim of Councilman Reynolds.

Roll call with the following results:

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

Voting Nay: None.

Abstaining: Reynolds.

Motion carried.

- Next before Council was the presentation of the Audit of the Financial Statements of the City of Alliance for the period of October 1, 2016 through September 30, 2017.

Mr. Terry Galloway of Almquist, Maltzahn, Galloway & Luth, P.C. via telephone reviewed the Financial Statements and Supplementary Information for the fiscal year ending September 30, 2017. He reviewed the three components on the statements 1) government-wide financial statements, 2) fund financial statements, and 3) notes to the financial statements. At the end of the current fiscal year, the City reported positive balances in all three categories of net position, both for the government as a whole and for its separate governmental and business-type activities. Mr. Galloway also provided a benchmark report which compared Alliance with other communities within the State of Nebraska.

A motion was made by Councilman Jones, seconded by Councilman Korber-Gonzalez to accept the Audit as presented.

Roll call with the following results:

Voting Aye: Yeager, Jones, Korber-Gonzalez, Mischnick, Reynolds.

Voting Nay: None.

Motion carried.

- The second reading of Ordinance No. 2853 which will amend our current Classification Plan was now before Council for consideration. Council was provided with the following background information.

March 6, 2018

[Due to a number of staffing changes and in order to better utilize staffing and ensure better service to the community, some department reorganization and classification plan changes are being proposed to Council for consideration.

The City will no longer directly provide the services of the Visitors' Bureau. The City is working with Box Butte Development Corporation "BBDC" to transfer the responsibilities of the position to the BBDC Offices as well as additional funding to ensure continued promotional services. This responsibility traditionally originates in Economic Development and Chamber offices and staff believes this will benefit the City as well as BBDC when combined with the current services within that organization.

As a result, Carhenge will now be transferred under the umbrella of the Cultural and Leisure Services Director who already oversees a majority of summer seasonal staff. This will allow a coordination of seasonal employees to ensure that the staffing needs of Carhenge are met.

The Public Transit Department will be removed from Cultural and Leisure Services and placed under the supervision of the Public Works Director. The Community Services Director position will be changed to Administrative Secretary for Public Works and provide essential administrative support for all Public Works departments. The Public Works Director will now also be responsible for the landfill, removing this responsibility from the Electric Superintendent.

With the removal of the Landfill from the Electric Superintendent position, the additional pay grade awarded as a result will be removed. The supervision of meter readers will be reassigned from the Finance Director to this position. The additional responsibility is minimal and will not result in a wage change for either director.

The previous Administrative Secretary for Electric and Water will now be assigned solely to the Electric Department. Staff expects both secretaries in the Public Works Facility to provide support (or back-up support) for the numerous departments supervised.

The Community Services Secretary overseeing the RSVP and Handyman programs will now report directly to the Cultural and Leisure Services Director and the position will revert to the previous position of RSVP and Handyman Director with the appropriate pay adjustment.

The change will reduce City staffing by one FTE through the transfer of the Visitors Bureau staffing. A modification of the BBDC Contribution Agreement will be presented at a future Council meeting.]

A motion was made by Councilman Reynolds to approve the second reading of Ordinance No. 2853. Councilman Mischnick seconded the motion. Clerk Jines read the ordinance by title which follows in its entirety:

March 6, 2018

ORDINANCE NO. 2854

AN ORDINANCE ADOPTING A REVISED CLASSIFICATION PLAN FOR THE CITY OF ALLIANCE, NEBRASKA.

WHEREAS, Section 16-310 of R.R.S. 1943 authorizes the Mayor and Council to establish the compensation for employees and officers by stating that "The officers and employees in cities of the first class shall receive such compensation as the mayor and council shall fix by ordinance;" and,

WHEREAS, The Alliance City Council adopted the Fiscal Year 2017-2018 Budget which included funds for a revised Classification Plan.

WHEREAS, The City Manager is requesting that certain positions be modified to the Classification Plan of the City of Alliance.

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

SECTION 1. That the Classification Schedule for the City of Alliance dated effective October 7, 2017 is hereby amended and the following stated positions are classified as follows:

	Job Title	Grade
Remove	Visitors Bureau Director	
Remove	Water, Sewer and Streets Supt.	
Change	Electric and Landfill Superintendent	108
Change	Community Services RSVP Clerk	206
Remove	Community Services Admin. Secretary	
Add	Administration Administrative Secretary	212
Add	Community Development Administrative Secretary	212
Change	Electric/ Water Administrative Secretary	212
Add	RSVP/Handyman Director	214
Add	Public Works Administrative Secretary	214
Remove	Administration Administrative Secretary	
Remove	Community Services Director	

SECTION 2. This ordinance shall be in full force and effect from and after its approval, passage, and publication according to law.

Roll call vote with the following results:

Voting Aye: Yeager, Jones, Korber-Gonzalez, Mischnick, Reynolds.

Voting Nay: None.

March 6, 2018

Motion carried.

- The next matter before Council was the public hearing on the rezoning of two tracts of land totaling 29.66 acres in the S½ and the SW¼ of Section 32, Township 25 North, Range 47 West of the 6th P.M, Box Butte County, Nebraska. Following the public hearing Council will consider Ordinance No. 2855 regarding the rezoning. Council was provided with the following background information:

[Brian Jelinek has submitted an application to rezone a 29.96- acre area of land so he may store and process commodities (beans). The tracts of land proposed to be rezoned are located north of and adjacent to the BNSF Railroad tracks, approximately 1,400 feet east of County Road 58.

The current zoning is A, Agriculture. It is surrounded by A zoning. The nearest M-2 industrial zoning is located approximately 1,800 feet to the southwest. The Alliance Industrial Park is located approximately 1,400 feet to the west along the railroad tracks. The proposed rezone will change the front setback from 50 feet to 15 feet, side setbacks from 10 feet to 0 feet, and the rear setbacks from NA to 15 feet. There are not any existing principal structures on the lots. Access to the site is by a road from CR 58. There is a railroad side track on the south 9.66 acre tract of land.

The current Alliance Comprehensive Plan does not provide guidance to any possible zoning changes in the Extraterritorial Zoning Jurisdiction. The Plan does not identify this as a priority for annexation, development, or as a protected/undevelopable piece of ground.

Staff looked at the current Plan as well as past Plans and the locations of other similar facilities in and around the City. In general, other facilities similar to the proposed bean washing and storage facility are located adjacent to the railroad tracks, on large parcels of land, skirting the City Limits. Most of the historic ag facilities located within City limits have been relocated to large tracts of land where becoming land locked would be less of a problem. The 1998 Comprehensive Plan identified this area as suitable for heavy industrial development mainly because of its proximity to the railroad tracks and history. The proximity to the industrial park and the existing industrial use at the time may have also served to support that proposed use of the property.

The City of Alliance Planning Commission met at a special meeting on February 27, 2018, and voted to recommend the City Council approve the rezone from A, Agriculture, to M-2, Heavy Industrial for a 9.66-acre tract of land located in the South Half of Section 32, Township 25 North, Range 47 West of the 6th Principal Meridian, and a 20 acre tract of land located in the Southwest Quarter of Section 32, Township 25 North, Range 47 West of the 6th Principal Meridian, Box Butte County, Nebraska, making the following findings of fact:

March 6, 2018

1. The site was historically used for a similar industrial purpose.
2. The lot size of the south lot would become conforming.
3. The lots were identified in previous Comprehensive Plans as future industrial.]

Mayor Yeager stated now is the date, time, and place to conduct a public hearing on the rezoning request of Brian Jelinek and opened the public hearing at 7:26 p.m.

Community Development Director Kusek addressed Council and informed them that is recommendation is due to the property being located in the Extra-territorial Zoning Boundary. The current Comprehensive Plan does not provide guidance in this area; however the previous versions (1980 and 1998) did identify the property as industrial.

Brian Jelinek, 178 21st Street, Alliance informed Council that he purchased the property to relocate the processing and storage of beans from his current farm to this new location. This location provides rail access which is necessary for shipping purchases. It will also require the hiring of additional personnel. Mr. Jelinek describe the marketability of chickpeas as they are gluten free and a very popular product in the health food industry. This current market for chickpeas is very favorable.

No additional testimony was offered from the public and Mayor Yeager closed the public hearing at 7:31 p.m.

A motion was made by Councilman Jones seconded by Councilman Reynolds to approve the first reading of Ordinance No. 2855. Clerk Jines read the ordinance by title which follows in its entirety:

ORDINANCE NO. 2855

AN ORDINANCE OF THE CITY OF ALLIANCE, NEBRASKA, DEALING WITH ZONING, SETTING FORTH CONDITIONS FOR PASSAGE, AND AMENDING THE DISTRICT ZONING MAP TO SHOW THAT A 9.66 ACRE TRACT OF LAND LOCATED IN THE SOUTH HALF OF SECTION 32, TOWNSHIP 25 NORTH, RANGE 47 WEST OF THE 6TH PRINCIPAL MERIDIAN, AND A 20 ACRE TRACT OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 25 NORTH, RANGE 47 WEST OF THE 6TH PRINCIPAL MERIDIAN, BOX BUTTE COUNTY, NEBRASKA IS NOW INCLUDED AS A M-2, HEAVY INDUSTRIAL DISTRICT FROM AN A – AGRICULTURE DISTRICT, AND REPEALING PRIOR SECTIONS.

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

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

March 6, 2018

115-76. DISTRICT MAP ADOPTED

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

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

This is to certify that the Zoning District Map described in the Alliance Municipal Code, passed this 6th day of March, 2018, is now the official Zoning District Map.

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

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

A motion was made by Councilman Jones, seconded by Councilman Korber-Gonzalez to waive the statutory rule requiring three readings of the ordinance on separate dates at the request of Mr. Jelinek.

Roll call with the following results:

Voting Aye: Yeager, Jones, Korber-Gonzalez, Mischnick, Reynolds.

Voting Nay: None.

Mayor Yeager stated five votes in favor of the motion have been received. That being more than $\frac{3}{4}$ of the Council present, the motion is declared passed.

Roll call on the final reading of the Ordinance No. 2855 with the following results:

Voting Aye: Yeager, Jones, Korber-Gonzalez, Mischnick, Reynolds.

Voting Nay: None.

Motion carried.

March 6, 2018

The passage and adoption of Ordinance No. 2855 have been concurred by a majority of all members elected to the Council, I declare it passed, adopted, and order it published.

- The public hearing on the rezoning of part of the E $\frac{1}{2}$ of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 3, Township 24 North, Range 48, West of the 6th P.M., Box Butte County, Nebraska was the next matter before Council. The property is located approximately 1300 feet south of the intersection of South Mississippi Avenue and Kansas Street. Council was provided with the following background information:

[John and Debra Hoffman have submitted an application to rezone a 3.18-acre tract of land so they may subdivide the residential tract from their pivot. The minimum lot size in the current zoning district of A, Agriculture, is 10 acres, necessitating the rezone to R-R, Rural Residential which is 2.5 acres.

The tract proposed to be rezoned is located approximately 1300 feet south of the intersection of South Mississippi Avenue and Kansas Street.

The proposed rezone to Rural Residential will maintain the same front setbacks that are found in Agriculture zoning and the existing structures are well out of the side and rear setbacks of 15 feet and 50 feet respectively.

The City of Alliance Comprehensive Plan does not provide much guidance for the development or zoning of property in the Extraterritorial Zoning Jurisdiction. It does not identify this area as a priority for subdivision or annexation.

The City of Alliance Planning Commission met at their regular meeting on February 13, 2018, and voted to recommend the City Council approve the rezone from A, Agriculture, to R-R, Rural Residential for a 3.18-acre tract of land located in the East Half of the Southwest Quarter of the Northeast Quarter of Section 3, Township 24 North, Range 48 West of the 6th P.M. Box Butte County, Nebraska, making the following findings of fact:

1. The use of this property is allowed in the proposed zoning district.
2. There will not be any nonconforming structures created by the rezone.
3. There is R-R, Rural Residential zoning adjacent to the tract along the west property line.]

Mayor Yeager stated now is the date, time, and place to conduct a public hearing on the rezoning request of John and Debra Hoffman and opened the public hearing at 7:35 p.m.

Community Development Director Kusek addressed Council and informed them that this rezoning will allow the separation of the home from the surrounding agricultural property. The rezoning is necessary due to the new parcel being less than 10 acres.

No additional testimony was offered from the public and Mayor Yeager closed the public hearing at 7:36 p.m.

March 6, 2018

A motion was made by Councilman Mischnick to approve the first reading of Ordinance No. 2856. Councilman Reynolds seconded the motion. Clerk Jines read the ordinance by title which follows in its entirety:

ORDINANCE NO. 2856

AN ORDINANCE OF THE CITY OF ALLIANCE, NEBRASKA, DEALING WITH ZONING, SETTING FORTH CONDITIONS FOR PASSAGE, AND AMENDING THE DISTRICT ZONING MAP TO SHOW THAT A 3.18 ACRE TRACT OF LAND LOCATED IN THE EAST HALF OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 24 NORTH, RANGE 48 WEST OF THE 6TH PRINCIPAL MERIDIAN, BOX BUTTE COUNTY, NEBRASKA IS NOW INCLUDED AS A R-R, RURAL RESIDENTIAL DISTRICT FROM AN A, AGRICULTURE DISTRICT, AND REPEALING PRIOR SECTIONS.

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

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

115-76. DISTRICT MAP ADOPTED

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

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

This is to certify that the Zoning District Map described in the Alliance Municipal Code, passed this 6th day of March, 2018, is now the official Zoning District Map.

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

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

March 6, 2018

A motion was made by Councilman Jones, seconded by Councilman Reynolds to waive the statutorily rule requiring three readings of the ordinance on separate dates at the request of Mr. and Mrs. Hoffman.

Roll call with the following results:

Voting Aye: Yeager, Jones, Korber-Gonzalez, Mischnick, Reynolds.

Voting Nay: None.

Mayor Yeager stated five votes in favor of the motion have been received. That being more than $\frac{3}{4}$ of the Council present, the motion is declared passed.

Roll call on the final reading of the Ordinance No. 2856 with the following results:

Voting Aye: Yeager, Jones, Korber-Gonzalez, Mischnick, Reynolds.

Voting Nay: None.

Motion carried.

The passage and adoption of Ordinance No. 2856 have been concurred by a majority of all members elected to the Council, I declare it passed, adopted, and order it published.

- A public hearing for the Final Plat of Block 1, Hoffman Acres was the next matter before Council. The Final Plat will allow John and Debra Hoffman to separate part of the East Half of the Southwest Quarter of the Northeast Quarter of Section 3, Township 24 North, Range 48 West of the 6th P.M., Box Butte County, Nebraska. Council was provided with the following background information:

[The City of Alliance is in receipt of an application for a Final Plat from John and Debra Hoffman. The Final Plat shows the dedication of a 3.18-acre lot.

The property to be subdivided is located approximately 1300 feet south of the intersection of South Mississippi Avenue and Kansas Street.

The minimum lot size in Agriculture zoning is 10 acres. The applicant is proposing a rezone to R-R, Rural Residential, for the 3.18-acre block. The minimum lot size in R-R is 2.5 acres. It is bordered by Agriculture on the north, east, and south property lines, and adjacent to R-R, Rural Residential along the west property line.

Using old aerial photographs, staff determined that the house has been at this location since at least 1939 and that it was most likely a homestead for the ag lands surrounding it. The property owner wants to separate the land that the house is on from the farm ground surrounding it so that they may sell the house and keep the

March 6, 2018

land. Access to the proposed lot will be handled as it is now. There is an access easement from the north that connects this property, as well as the other existing dwellings in this area, with Kansas Street.

The City of Alliance Planning Commission met at its regular meeting February 13, 2018 and found that the material presented to them was satisfactory. They voted affirmative on a recommendation to the Alliance City Council for the approval of the Final Plat of Block 1, Hoffman Acres, A Subdivision of a Part of the East Half of the Southwest Quarter of the Northeast Quarter of Section 3, Township 24 North, Range 48 West of the 6th P.M., Box Butte County, Nebraska.

The Planning Commission made the following findings in their motion:

1. The current use of this property is allowed in the proposed zoning district.
2. The single-family residence already exists so there will not be any negative impact on traffic or utility services.
3. There will not be any nonconforming structures created by the plat.]

Mayor Yeager stated now is the date, time, and place to conduct a public hearing on the Final Plat of Block 1, Hoffman Acres and opened the public hearing at 7:39 p.m.

No testimony was offered from the public and Mayor Yeager closed the public hearing at 7:39 p.m.

A motion was made by Councilman Korber-Gonzalez to approve the first reading of the Ordinance No. 2857. Councilman Mischnick seconded the motion. City Clerk Jines read the ordinance by title which follows in its entirety:

ORDINANCE NO. 2857

AN ORDINANCE APPROVING THE FINAL PLAT OF BLOCK 1, HOFFMAN ACRES, A SUBDIVISION OF A PART OF THE EAST HALF OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECIOTN 3, TOWNSHIP 24 NORTH, RANGE 48 WEST OF THE 6TH P.M., BOX BUTTE COUNTY, NEBRASKA.

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

SECTION 1. The City of Alliance has received the application for approval of the Final Plat of Block 1, Hoffman Acres, A Subdivision of a Part of the East Half of the Southwest Quarter of the Northeast Quarter of Section 3, Township 24 North, Range 48 West of the 6th P.M., Box Butte County, Nebraska from John and Debra Hoffman.

SECTION 2. The Planning Commission held a public hearing February 13, 2018, and has recommended the approval of the Final Plat of Block 1, Hoffman Acres, A Subdivision of a

March 6, 2018

Part of the East Half of the Southwest Quarter of the Northeast Quarter of Section 3, Township 24 North, Range 48 West of the 6th P.M., Box Butte County, Nebraska.

SECTION 3. The Final Plat of Block 1, Hoffman Acres, A Subdivision of a Part of the East Half of the Southwest Quarter of the Northeast Quarter of Section 3, Township 24 North, Range 48 West of the 6th P.M., Box Butte County, Nebraska is hereby approved by the City of Alliance and shall be filed with the County Clerk as provided by City Code and State law within 30 days of this approval. The plat map which has been prepared is a part of these proceedings and is attached hereto and is incorporated herein and made a part hereof by reference.

SECTION 4. This ordinance shall be in full force and effect from and after its approval, passage, and publication according to law.

A motion was made by Councilman Jones, seconded by Councilman Mischnick to waive the statutory rule requiring three readings of the ordinance on separate dates at the request of Mr. and Mrs. Hoffman.

Roll call with the following results:

Voting Aye: Yeager, Jones, Korber-Gonzalez, Mischnick, Reynolds.

Voting Nay: None.

Mayor Yeager stated five votes in favor of the motion have been received. That being more than $\frac{3}{4}$ of the Council present, the motion is declared passed.

Roll call on the final reading of the Ordinance No. 2857 with the following results:

Voting Aye: Yeager, Jones, Korber-Gonzalez, Mischnick, Reynolds.

Voting Nay: None.

Motion carried.

The passage and adoption of Ordinance No. 2857 have been concurred by a majority of all members elected to the Council, I declare it passed, adopted, and order it published.

- Next item before Council was the public hearing on the request of Blaine Rasmussen for a Conditional Use Permit to operate a diesel repair and maintenance shop, and vehicle tow yard. Council was provided with the following background information:

[The City of Alliance is in receipt of an application for a Conditional Use Permit from Blaine Rasmussen for 300 South Mississippi Avenue.

The property is zoned M-1, Light Industrial and is currently vacant. Repair Shops are not a Permitted Use in M-1 districts but may be allowed with the approval of a

March 6, 2018

Conditional Use Permit by the Alliance City Council if they find that the proposed use is within the intent of the zoning district. The lots are bordered by R-1, Single Family Residential on the north, M-1, Light Industrial on the east, A, Agriculture to the south, and M-3, Railroad Industrial to the west.

Staff believes that the proposed land use would not be any more intense than other uses allowed by right in the same district such as machine shops and manufacturing facilities. The lots are currently vacant and covered with vegetation. The past use of the north two lots appears to be a single family residence and the south lots were a garden and tree farm. Nearly all remnants of these land uses are gone. The lots will have to be combined before construction begins. The front setback is 50', the rear setback is 15', and side street setbacks are 20'.

The property is located in the South Side Neighborhood as defined by the Comprehensive Plan. This neighborhood is characterized as containing a variety of uses, most notably the railroad, and having a large concentration of vacant land with utilities available. The Plan recommends development and redevelopment of the South Side neighborhood as a means of utilizing the existing infrastructure and eliminating vacant land. Page 4 of the Land Use component states that railroad and rail related land uses are not suitable near residences and that a buffer or transition should exist between them. The argument can be made that this is why the City Council zoned this block M-1, Light Industrial as opposed to residential. It provides a more suitable buffer and transition from M-3 Industrial to more pedestrian uses to the east.

The Alliance Planning Commission met at their regular meeting February 13, 2018 and voted to recommend the City Council approve a Conditional Use Permit for 300 South Mississippi Avenue, otherwise described as Lots 1 through 7, Block 3, South Alliance Addition, finding that the application meets the requirements in Section 115-140 of the Alliance Municipal Code. The Commission recommended that the following conditions be included:

1. That the property be kept clear of debris and clutter and not allow the accumulation of junk and litter.
2. That primary access be derived from South Mississippi Avenue to avoid constructing a new driveway along a high-speed arterial street (Kansas).]

Mayor Yeager stated now is the date, time, and place to conduct a public hearing on the Conditional Use Request of Blaine Rasmussen and opened the public hearing at 7:42 p.m.

Blaine Rasmussen, 756 East 7th Street, Alliance informed Council that he had outgrown his current location and a Conditional Use Permit is necessary for his new location.

No additional testimony was offered from the public and Mayor Yeager closed the public hearing at 7:44 p.m.

March 6, 2018

A motion was made by Councilman Mischnick which was seconded by Councilman Reynolds to approve Resolution No. 18-24, which follows in its entirety:

RESOLUTION NO. 18-24

WHEREAS, The City of Alliance, through its Community Development Department regulates building and zoning within the City of Alliance and the two mile jurisdiction; and

WHEREAS, Blaine Rasmussen has requested a Conditional Use Permit for Lots 1 through 7, Block 3, South Alliance Addition to the City of Alliance, Box Butte County, Nebraska (300 South Mississippi Avenue) to allow for a vehicle repair and maintenance shop; and

WHEREAS, The Community Development office has examined the request and finds that the request to allow for a vehicle repair and maintenance shop in a M-1, Light Industrial Zoning District is appropriate for the granting of a conditional use; and

WHEREAS, The Community Development Director has recommended the granting of the Conditional Use Permit; and

WHEREAS, On the 13th day of February, 2018, the Planning Commission for the City of Alliance held a public hearing on behalf of the Conditional Use Permit for Blaine Rasmussen; and

WHEREAS, The Planning Commission voted to approve the Conditional Use Permit and forward Mr. Rasmussen's request for the Conditional Use Permit to the City Council for their review and consideration.

WHEREAS, The City Council has reviewed the request and determined that it is in the best interest of the City of Alliance and consistent with the zoning rules and regulations to grant a Conditional Use Permit for Blaine Rasmussen.

NOW, THEREFORE, BE IT RESOLVED that the Conditional Use Permit of Blaine Rasmussen to allow for a vehicle repair and maintenance shop on Lots 1 through 7, Block 3, South Alliance Addition to the City of Alliance, Box Butte County, Nebraska (300 South Mississippi Avenue), is hereby authorized and approved with the following conditions:

- (1) The property be kept clear of debris and clutter and not allow the accumulation of junk and litter.
- (2) That primary access be derived from South Mississippi Avenue to avoid constructing a new driveway along a high-speed arterial street (Kansas).
- (3) A review the operation will be required annually to ensure conditions are continuing to be met.

March 6, 2018

BE IT FURTHER RESOLVED, that the Conditional Use Permit shall be presumed inactive if the conditional use is not commenced within twelve months of March 6, 2018.

Roll call with the following results:

Voting Aye: Yeager, Reynolds, Jones, Korber-Gonzalez, Mischnick.

Voting Nay: None.

Motion carried.

- A public hearing on the Conditional Use Permit authorizing Libsack Farms Inc. to have a Diesel Repair Shop and Vehicle Tow Yard was now before Council. Council was provided with the following background information:

[The City of Alliance is in receipt of an application for a Conditional Use Permit from Libsack Farms Inc. and Lee and Elizabeth Fritzler for 1319 West Kansas Street.

The property is zoned M-1, Light Industrial and is currently used for personal storage. Repair Shops are not a Permitted Use in M-1 districts but may be allowed with the approval of a Conditional Use Permit by the Alliance City Council if they find that the proposed use is within the intent of the zoning district. The lot is bordered by M-1 on the west, C-3, Highway Commercial, to the north, R-1, Single Family Residential, to the east, and A, Agriculture, to the south.

Staff believes that the land use would not be any more intense than other uses allowed by right in the same district such as freight terminals, machine shops and manufacturing facilities. The applicant informed staff that the intent is not to turn the tow yard into a salvage yard and that vehicles are removed from the property as soon as possible.

A platting issue was found during the course of preparing for the Planning Commission public hearing. The original plan was to include a 4.51-acre tract of land located directly to the south of the subject property. Staff found that in 2013, an irregular subdivision of land was filed at the courthouse, splitting an 11.512-acre tract of land into two tracts. Each tract was under the minimum lot size required by Ag zoning, which is 10 acres, and the split did not go through the Cities subdivision process as required for all land splits where at least one parcel created is smaller than 10 acres.

The applicant decided to go through the CUP process for the front tract only. When they need to expand they will work through the subdivision process combining the rear tract with the front tract, rezone it to M-1, Light Industrial, and then apply for a CUP for the new tract. This would correct the east tract of land and allow them to use it as originally planned.

March 6, 2018

The Alliance Planning Commission met at their regular meeting February 13, 2018 and voted to recommend that the City Council approve a Conditional Use Permit for 1319 West Kansas Street, Tract 4, A Part of the Northwest Quarter of Section 4, Township 24 North, Range 48 West of the 6th P.M., Lands in Corporate City Limits, Parcel No. 85, finding that the application meets all the requirements in Section 115-140 of the Alliance Municipal Code. The recommendation included a condition that the property be kept clear of debris and clutter and not allow the accumulation of junk and litter.]

Mayor Yeager stated now is the date, time, and place to conduct a public hearing on the Conditional Use request of Libsack Farms Inc. and opened the public hearing at 7:45 p.m.

Community Development Director Kusek appeared before Council to provide background for the Conditional Use request. Mr. Kusek stated there were two issues that Council may want to address as part of the request. The first is the possibility of requiring the extension of the sanitary sewer line; and the second is correcting a platting issue for the adjacent property.

Lee and Elizabeth Fritzler, 2511 CR 56, Alliance, appeared before Council and described their plans for the new location of their business. They stated they would be agreeable to both of the conditions which were addressed by Community Development Director Kusek.

No additional testimony was offered from the public and Mayor Yeager closed the public hearing at 7:50 p.m.

A motion was made by Councilman Jones seconded by Councilman Mischnick to approve Resolution No. 18-25, which follows in its entirety.

RESOLUTION NO. 18-25

WHEREAS, The City of Alliance, through its Community Development Department regulates building and zoning within the City of Alliance and the two mile jurisdiction; and

WHEREAS, Libsack Farms Inc. has requested a Conditional Use Permit for Tract 4, A Part of the Northwest Quarter of Section 4, Township 24 North, Range 48 West of the 6th P.M., Lands in Corporate City Limits, Parcel No 85 (1319 West Kansas Street) to allow for a diesel repair and maintenance ship, and vehicle tow yard; and

WHEREAS, The Community Development office has examined the request and finds that the request to allow for a diesel repair and maintenance ship, and vehicle tow yard in a M-1, Light Industrial Zoning District is appropriate for the granting of a conditional use; and

WHEREAS, The Community Development Director has recommended the granting of the Conditional Use Permit; and

March 6, 2018

WHEREAS, On the 13th day of February, 2018, the Planning Commission for the City of Alliance held a public hearing on behalf of the Conditional Use Permit for Libsack Farms Inc.; and

WHEREAS, The Planning Commission voted to approve the Conditional Use Permit and forward Libsack Farm's request for the Conditional Use Permit to the City Council for their review and consideration.

WHEREAS, The City Council has reviewed the request and determined that it is in the best interest of the City of Alliance and consistent with the zoning rules and regulations to grant a Conditional Use Permit for Libsack Farms Inc.

NOW, THEREFORE, BE IT RESOLVED that the Conditional Use Permit of Libsack Farms Inc. to allow for a diesel repair and maintenance shop, and vehicle tow yard on Tract 4, A Part of the Northwest Quarter of Section 4, Township 24 North, Range 48 West of the 6th P.M., Lands in Corporate City Limits, Parcel No 85 (1319 West Kansas Street), is hereby authorized and approved with the following conditions:

- (1) The property must be connected to the City's sanitary sewer system.
- (2) Corrective platting must be completed for the 4.51 acre tract of land located directly south of the subject property.
- (3) The property be kept clear of debris and clutter and not allow the accumulation of junk and litter.
- (4) A review the operation will be required annually to ensure conditions are continuing to be met.

BE IT FURTHER RESOLVED, that the Conditional Use Permit shall be presumed inactive if the conditional use is not commenced within twelve months of March 6, 2018

Roll call with the following results:

Voting Aye: Yeager, Korber-Gonzalez, Mischnick, Reynolds, Jones.

Voting Nay: None.

Motion carried.

- Next Item before Council was the public hearing on the Conditional Use request of Aaron and Julie Hamburger to operate a Home II daycare. Council was provided with the following background information:

[The City of Alliance is in receipt of an application for a Conditional Use Permit to allow a Home II daycare at 1453 Black Hills Avenue. The proposed location is an existing single-family residential house.

March 6, 2018

The property is zoned R-1a, Single- Family Residential, and is currently used as the applicant's home. Daycares and Nurseries are not a Permitted Use in R-1a zoning districts but are allowed with the approval of a Conditional Use Permit by the Alliance City Council. The property is bordered to the north, south, east, and west by R-1a, Single-Family Residential zoning.

The City mailed Notification Petitions to the owners within a 300' radius of the property. As of February 23, the City had received eleven of the thirty-five petitions back. Eight are in favor of the Conditional Use Permit and three are disinterested.

This property is located in the Northside Neighborhood. The Comprehensive Plan identifies this neighborhood as the newer residential area of Alliance and it projects that image by the way it was developed with wider lots and larger setbacks. The Plan praises the overall character of the Northside Neighborhood so its consistency should be maintained.

The Municipal Code requires the structure housing the CUP to maintain the general characteristic of the neighborhood. The physical condition of the property is not proposed to be changed for the daycare so it does not conflict with the Comprehensive Plan.

The City of Alliance Planning Commission met at their regular meeting February 13, 2018 and voted to recommend the City Council approve a Conditional Use Permit for 1453 Black Hills Avenue, otherwise described as Lot 9, Block 1, Second Addition to Emerson Addition to the City of Alliance. The following condition was included with the recommendation:

That the drop-off only allowed in the driveway or along the east side of Black Hills Avenue to eliminated the need to cross the street.]

Mayor Yeager stated now is the date, time, and place to conduct a public hearing on the proposed Resolution No. 18-26 and opened the public hearing at 7:55 p.m.

Julie Hamburger, 1453 Black Hills Avenue, Alliance appeared before Council in favor of her request. Ms. Hamburger became fully licensed with the State of Nebraska in October, 2017. In order to serve more children she will need the Conditional Use permit. If approved, she will be hiring an assistant.

Dan Kusek, 1436 Black Hills Avenue, Alliance is a neighbor and shared with Council that he was in favor of granting the Conditional Use permit.

No additional testimony was offered from the public and Mayor Yeager closed the public hearing at 7:58 p.m.

March 6, 2018

A motion was made by Councilman Mischnick, seconded by Councilman Reynolds to approve Resolution No. 18-26 which follows in its entirety.

RESOLUTION NO. 18-26

WHEREAS, The City of Alliance, through its Community Development Department regulates building and zoning within the City of Alliance and the two mile jurisdiction; and

WHEREAS, Aaron Hamburger has requested a Conditional Use Permit for Lot 9, Block 1, Second Addition to Emerson Addition to the City of Alliance, Box Butte County, Nebraska (1453 Black Hills Avenue) to allow for a Home II daycare facility; and

WHEREAS, The Community Development office has examined the request and finds that the request to allow for a Home II daycare facility in a R-1a, Single Family Residential Zoning District is appropriate for the granting of a conditional use; and

WHEREAS, The Community Development Director has recommended the granting of the Conditional Use Permit; and

WHEREAS, On the 13th day of February, 2018, the Planning Commission for the City of Alliance held a public hearing on behalf of the Conditional Use Permit for Aaron and Julie Hamburger; and

WHEREAS, The Planning Commission voted to approve the Conditional Use Permit and forward the Hamburger's request for the Conditional Use Permit to the City Council for their review and consideration.

WHEREAS, The City Council has reviewed the request and determined that it is in the best interest of the City of Alliance and consistent with the zoning rules and regulations to grant a Conditional Use Permit for Aaron and Julie Hamburger.

NOW, THEREFORE, BE IT RESOLVED that the Conditional Use Permit of Aaron and Julie Hamburger to allow for a Home II daycare facility on Lot 9, Block 1, Second Addition to Emerson Addition to the City of Alliance, Box Butte County, Nebraska (1453 Black Hills Avenue), is hereby authorized and approved with the following conditions:

- (1) The pick-up and drop-off of children will only be allowed in the driveway or along the east side of Black Hills Avenue to reduce the impact to the neighbors and prevent people from having to cross the street.
- (2) A copy of the State of Nebraska's documentation and permitting for the daycare will be provided and kept on record with the City.
- (3) A review the operation will be required annually to ensure conditions are continuing to be met.

BE IT FURTHER RESOLVED, that the Conditional Use Permit shall be presumed inactive if the conditional use is not commenced within twelve months of March 6, 2018.

March 6, 2018

Roll call with the following results:

Voting Aye: Yeager, Jones, Reynolds, Mischnick, Korber-Gonzalez.

Voting Nay: None.

Motion carried.

- The Preliminary Plat of Lot 1 and 2, Block 3, Subdivision of Block 3, Syndicate Addition to the City of Alliance was the next matter before Council. Resolution No. 18-27 has been prepared for Council's consideration. Council was provided with the following background information:

[The City of Alliance is in receipt of an application for a Preliminary Plat from Dan Dickinson. The Preliminary Plat shows the subdivision of a 3.22-acre tract previously platted as Block 3, Syndicate Addition to the City of Alliance.

The subdivision is an "L" shaped parcel located south of Nebraska State Highway 2/West 3rd Street, east of 1449 West 3rd Street known as McDonalds, south and west of 1419 West 3rd Street otherwise known as American Inn, and west of 1300 West 3rd Street known as Alliance Plaza. The land is currently zoned C-3 Highway Commercial. The land is bordered to the north, east, south, and west by C-3 zoning. The current zoning is not being asked to change as part of the platting process. There are not any minimum lot size requirements for C-3 zoning. Block 3 is currently vacant/unused property.

Lot A will have primary access provided by Nebraska State Highway 2/West 3rd Street along the north property line. Lot B would have primary access from Holsten Court which intersects with Ramblin Road at the south west corner of the proposed lot. Holsten Court is platted but not developed.

The "West Gateway Neighborhood" as this area is identified by the Plan, has large gaps in its development which is filled by Ag lands or are vacant. This is obvious and evident by viewing the area from aerial photography. As its name implies, this is the western gateway to the community and its lack of consistent development and modern development detracts from the overall appearance of this area and does not welcome visitors to Alliance. The Plan also stated that the City should promote redevelopment in the western gateway that enhances the community's image.

The City of Alliance Planning Commission met at its regular meeting February 13, 2018 and found that the material presented to them was satisfactory. They voted affirmative on a recommendation to the Alliance City Council for the approval of the Preliminary Plat of Lots A and B, Block 3, A Replat of Block 3, Syndicate Addition to the City of Alliance, Box Butte County, Nebraska.

March 6, 2018

The Planning Commission made the following findings in their motion:
 The subdivision meets the minimum requirements of Code.
 The development would be consistent with the goals in the Comprehensive Plan.]

A motion was made by Councilman Jones, seconded by Councilman Korber-Gonzalez to approve Resolution No. 18-27, which follows in its entirety:

RESOLUTION NO. 18-27

WHEREAS, The City of Alliance has received an application from Syndicate Block Company, LLC for approval of the Preliminary Plat of Lot 1 and 2, Block 3, a Subdivision of Block 3, Syndicate Addition to the City of Alliance, Box Butte County, Nebraska; and

WHEREAS, The Planning Commission held a public hearing on February 13, 2018, and has recommended the approval of the Preliminary Plat; and

WHEREAS, The Preliminary Plat contains information required by the City Code at Section 113-70, which is relevant to this request.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Alliance, Nebraska, that the Preliminary Plat of Syndicate Block Company, LLC for approval of the Preliminary Plat of Lot 1 and 2, Block 3, a Subdivision of Block 3, Syndicate Addition to the City of Alliance, Box Butte County, Nebraska is hereby approved and the subdividers are authorized to proceed with any required public works elements and preparation of a Final Plat.

BE IT FURTHER RESOLVED that this approval shall expire one year from this date unless the Final Plat has been submitted. This approval does not constitute Final Plat approval or guarantee the approval of the subdivision by the City Council or the City Council's authorization to proceed with construction of improvements within the subdivision.

Roll call with the following results:

Voting Aye: Yeager, Korber-Gonzalez, Mischnick, Jones, Reynolds.

Voting Nay: None.

Motion carried.

- Next before Council was Resolution No. 18-28 which will authorize the City of Alliance to enter into and Independent Contractor Agreement for a Golf Course Golf Professional with Jackie Stevens. Council was provided with the following background information:

[In response to continued declines in golf revenues at SkyView Golf Course, on September 29, 2017 the City of Alliance notified the existing golf professional that they intended to explore alternate options for golf course management for the 2018 season. The City of Alliance developed a position description with the assistance of Jeff Drimel of the Professional Golf Association (PGA) and advertised the

March 6, 2018

position of golf professional for SkyView Golf Course through the PGA, as well as locally.

Two applications were received through the PGA and one application was received locally. One candidate, Jackie Stevens, had extensive experience in areas that had been identified by the City and the Golf Course Advisory Board as areas of need for our course. Her resume is attached for your review. Candidate Stevens was interviewed by the Cultural & Leisure Services Director Brown and the Golf Course Advisory Board. After the interview, the Golf Course Advisory Board agreed that her skills and experience could provide growth opportunities at our course.

Based on that recommendation from the Golf Course Advisory Board and Ms. Stevens's extensive qualifications, City staff met with her to discuss contract options. The contents of the proposed contract were discussed at that time. The proposed contract has been reviewed by Ms. Stevens and she has agreed to the contents as presented.]

A motion was made by Councilman Mischnick to approve Resolution No. 18-28. Councilman Korber-Gonzalez seconded the motion, which follows in its entirety.

RESOLUTION NO. 18-28

WHEREAS, The City of Alliance operates the Alliance Municipal Golf Course; and

WHEREAS, The City advertised for a Golf Professional to oversee the City's interests in the management of the Alliance Municipal Golf Course; and

WHEREAS, Staff and the Golf Course Advisory Board reviewed the applications and completed the process to select a Golf Professional; and

WHEREAS, Staff and the Golf Course Advisory Board recommend that City Council approve the hiring of Golf Professional Jackie Stevens under the terms of the contract which is included with Council's packets; and

WHEREAS, The Mayor and City Council deem it expedient to employ a Golf Professional to operate the Alliance Municipal Golf Course; and

WHEREAS, The Mayor and City Council believe that it is in the best interest of the City of Alliance to hire Jackie Stevens under the terms and conditions of the proposed Independent Contractor Agreement for Golf Course Professional between Jackie Stevens and the City of Alliance.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of Alliance, Nebraska, that the Mayor is authorized to sign an Independent Contractor Agreement for Golf Course Professional between Jackie Stevens and the City of Alliance to provide for professional services for operation and oversight of the Alliance Municipal Golf Course.

March 6, 2018

Roll call with the following results:

Voting Aye: Yeager, Reynolds, Jones, Mischnick, Korber-Gonzalez.

Voting Nay: None.

Motion carried.

- Resolution No. 18-29 which will allow WNCC to expand their education program with the construction of an indoor training facility on property they lease from the City was the next item on the agenda. Council was provided with the following background information:

[The City of Alliance entered a 50-year lease with Western Nebraska Community College (WNCC) in November, 2016 which was to allow for the offering of additional programs on property owned by the City located on the east side of the community. The powerline program has been very successful with 100% placement of graduates.

Per the Lease Agreement, WNCC is now before Council to request permission to construct a facility on this property. Attached are drawings for the proposed indoor training facility and a site plan for the location.]

A motion was made by Councilman Korber-Gonzalez, seconded by Councilman Reynolds to approve Resolution No. 18-29, which follows in its entirety:

RESOLUTION NO. 18-29

WHEREAS, The City of Alliance has renewed the lease with Western Nebraska Community College (WNCC) for Lot 1, Resubdivision of Block 1, Homestead Addition to the City of Alliance, Box Butte County, Nebraska which currently houses the powerline construction and maintenance program; and

WHEREAS, Western Nebraska Community College (WNCC) is desiring to add educational programming which will require the construction of additional facilities at the current location of the powerline school; and

WHEREAS, Western Nebraska Community College (WNCC) is requesting permission to build an indoor training facility on the property leased from the City of Alliance; and

WHEREAS, The City Council believes it is in the best interest of the City of Alliance to grant permission to Western Nebraska Community College for the construction of a new indoor training facility upon the leased property.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Alliance, Nebraska, that the City grants permission to Western Nebraska Community College (WNCC) to construct an indoor training facility upon the property leased from the City of

March 6, 2018

Alliance which is identified as Lot 1, Resubdivision of Block 1, Homestead Addition to the City of Alliance, Box Butte County, Nebraska.

Roll call with the following results:

Voting Aye: Yeager, Mischnick, Jones, Reynolds, Korber-Gonzalez.

Voting Nay: None.

Motion carried.

- Next item before Council was Resolution No. 18-30 which will authorize a 50% share of the women's locker rental revenue at the Alliance Municipal Golf Course with the Ladies Golf Association. Council was provided with the following background information:

[The women's locker room project is nearly complete and fully functional at this time. There are a few cosmetic and decorative items left to finish.

The current locker rental fees are \$16 for the small lockers and \$32 for the large lockers. The records received from Doug Dietrich show that a total of \$496 was collected for women's lockers in 2017.

SWGA Proposal #1 - Raise the rental fee to \$35 a year. There are 42 beautiful, cherry wood lockers available for rent. This would calculate to \$1,470 in revenue to The City.

SWGA Proposal #2 – Split this \$1,470 revenue with the SWGA for a maximum of five years or until their \$5,000 loan from the Men's Club is paid off. Half of \$1,470 is \$735 which is MORE than the amount of revenue The City received last year from women's locker rental fees.

We are very confident that the 42 lockers will be rented for 2018. Several women who have never had a locker have requested one, along with the women who had one in the past.

The SWGA would again like to thank you for your support of our project. We hope that you get a chance to go to SkyView and check out our project. You will be pleasantly surprised at the improvements we have made.]

A motion was made by Councilman Reynolds, seconded by Councilman Jones to approve Resolution No. 18-30 which follows in its entirety:

RESOLUTION NO. 18-30

WHEREAS, The City of Alliance owns and operates SkyView Golf Course; and

March 6, 2018

WHEREAS, The SkyView Ladies Golf Association received permission from the City Council to make improvements, including new lockers for placement in the women's locker room within the club house at the golf course; and

WHEREAS, The SkyView Ladies Golf Association is seeking assistance to repay a loan to the Panhandle Men's Club in the amount of \$5,000 which they received to complete the purchase of the new lockers; and

WHEREAS, Due to the improvements in the women's locker room area locker rental fees should be increased; and

WHEREAS, The SkyView Ladies Golf Association is proposing to share the locker revenue with the City of Alliance on a 50% basis beginning with the 2018 season until such time as the \$5,000 is reached; and

WHEREAS, Under this arrangement, it is the belief of the SkyView Ladies Golf Association that the City will collect more in locker revenue than in past years.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Alliance, Nebraska, that the City agrees to provide 50% of the women's locker rental revenue with a cap of \$5,000 beginning with the 2018 golf season to the SkyView Ladies Golf Association for the repayment of a loan to the Panhandle Men's Club.

Roll call with the following results:

Voting Aye: Yeager, Jones, Reynolds, Mischnick, Korber-Gonzalez.

Voting Nay: None.

Motion carried.

- Resolution No. 18-31 was the next matter before Council which will award the demolition of 100 Big Horn Avenue (Warehouse 3) and 1603 Cheyenne Avenue (old Pool Bath House) to Peltz Companies Inc. of Alliance in the amount of \$111,602. It will also authorize the use of City Council Contingency Funds for payment of this contract. Council was provided with the following background information:

[The City of Alliance prepared an Invitation to Bid for the demolition of 100 Big Horn Avenue (Warehouse 3) and included 1603 Cheyenne Avenue (Old Pool Bath House) as an option. The City advertised the bid three times in the Alliance Times Herald and distributed five invitations to bid. The bids were opened Tuesday, February 13th at 2:00 p.m. in the Municipal Building Conference Room.

A copy of the bid tabulation has been included with the City Council's packet. The lowest bidder for 100 Big Horn Avenue (Warehouse 3) was Paul Reed Construction at \$68,285. The lowest bidder combining 100 Big Horn Avenue with 1603 Cheyenne Avenue was Peltz Companies Inc. at \$111,602. That price included a \$5,000 deduction if they were awarded both buildings. (Paul Reed Construction

March 6, 2018

was the lowest with landfill fees included; however, their bid did not meet the requirements in the bid documents.)

Bids were collected with and without landfill fees. This was done to obtain an estimate as to how much landfill fees will be for these two buildings. During the previous demolition project at 123 Box Butte (Toads) and 105 Big Horn Avenue (Parks Warehouse) the City intentionally excluded landfill fees from the bids so that the City would not have to pay for the contractors overestimation of the cost to dispose of the material at the landfill. The City paid the fees when we received the disposal receipts from the landfill. Staff recommends proceeding without the landfill fees included for this project for the same reason.

Staff believes that there will be enough money to remove and dispose of both buildings if nothing unexpected is found after demolition begins. However; if unseen or unanticipated circumstances arise, staff proposes that the Council consider a Municipal Rate for project related material disposal at the landfill to keep the cost below the \$200,000 amount budgeted.

Upon Council approval and given the Notice to Proceed, the contractor shall have 30 days to begin work. Once work has commenced it must be completed within 42 calendar days if the Council awards one building or 84 calendar days if both buildings are awarded.

Budget authority for the demolition costs are included within Council Contingency (01-10-10-47-791) which included \$200,000 of designated authority.]

A motion was made by Councilman Mischnick to approve Resolution No. 18-31. Councilman Reynolds seconded the motion which follows in its entirety:

RESOLUTION NO. 18-31

WHEREAS, The Alliance City Council allocated \$200,000.00 within the City Council's Contingency Fund for demolition costs for fiscal year 2017-18; and

WHEREAS, The City of Alliance prepared an Invitation to Bid for the demolition of property located at 100 Big Horn Avenue and 1603 Cheyenne Avenue; and

WHEREAS, The lowest, responsive and responsible bidder for the demolition of both properties was Peltz Companies Inc. of Alliance, Nebraska in the amount of \$111,602.00; and

WHEREAS, Landfill fees for the demolition of the buildings were intentionally not included in the Invitation to Bid and will be paid directly to the Refuse Disposal Fund by the City.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Alliance, Nebraska, that a contract be awarded to Peltz Companies Inc. in the amount of \$111,602.00 for the demolition of 100 Big Horn Avenue and 1603 Cheyenne Avenue.

March 6, 2018

BE IT FUTHER RESOLVED that the use of City Council's Contingency Funds (01-10-10-47-791) for the Demolition Contract with Peltz Companies Inc. in the amount of \$111,602.00 and the actual landfill expenses associated with the removal of 100 Big Horn Avenue and 1603 Cheyenne Avenue properties is hereby authorized from the \$200,000.00 which was allocated for building demolition.

BE IT FURTHER RESOLVED that the actual landfill expenses associated with both demolition properties will be recorded and reported back to Council.

Roll call with the following results:

Voting Aye: Yeager, Korber-Gonzalez, Reynolds, Jones, Mischnick.

Voting Nay: None.

Motion carried.

- The next matter before Council were board resignations and announcements.

A motion was made by Councilman Mischnick seconded by Councilman Jones to accept the resignation of Kristi Ellstrom from the Museum Board.

Roll call with the following results:

Voting Aye: Yeager, Mischnick, Reynolds, Jones, Korber-Gonzalez.

Voting Nay: None.

Motion carried.

Currently we have vacancies on the Board of Adjustment, Downtown Improvement Districts A-1 and A-2, Economic Development Plan Citizen Advisory Board, two junior ex-officio members of the Library Board, Museum Board, Park and Tree Board, Planning Commission 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 side, www.cityofalliance.net.

- The final item on Council's agenda was a Strategy Session to discuss a potential real estate purchase.

Councilman Mischnick disclosed to the Council that he has a potential conflict of interest regarding this matter and would request to be excused.

A motion was made by Councilman Jones, seconded by Councilman Reynolds to excuse Councilman Mischnick from the closed session.

Roll call with the following results:

March 6, 2018

Voting Aye: Yeager, Reynolds, Jones, Korber-Gonzalez, Mischnick.

Voting Nay: None.

Motion carried.

Councilman Korber-Gonzalez motioned pursuant to Section 84-1410 Reissue Revised Status of Nebraska 1943, that the Alliance City Council finds it necessary to enter into a closed session to conduct a strategy session regarding a potential real estate purchase and to protect the public interest. The motion was seconded by Councilman Jones.

Roll call with the following results:

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

Voting Nay: None.

Motion carried.

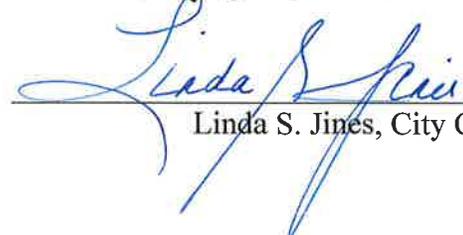
The closed session began at 8:30 p.m. and ended at 9:02 p.m. No additional action was taken.

- Mayor Yeager stated, "there being no further business to come before the Alliance City Council, the meeting is adjourned at 9:02 p.m."

(SEAL)



Ralph Yeager, Mayor



Linda S. Jines, City Clerk