

June 3, 2014

ALLIANCE CITY COUNCIL

REGULAR MEETING, THURSDAY, JUNE 17, 2014

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

The Alliance City Council met in a Regular Meeting, June 17, 2014 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 June 10, 2014. 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 Feldges opened the June 17, 2014 Regular Meeting of the Alliance, Nebraska City Council at 7:00 p.m. Present were Mayor Feldges, Council Members Seiler, Benzel, Yeager and Lewis. Also present were City Manager Cox, City Attorney Olsen and City Clerk Jines.

- Mayor Feldges read the Open Meetings Act Announcement.
- The Consent Calendar was the first item to be addressed by Council. Councilman Benzel made a motion, which was seconded by Councilman Yeager to approve the Consent Calendar as follows:

CONSENT CALENDAR – JUNE 17, 2014

1. Approval: Minutes of the Regular Meeting, June 3, 2014.
2. Approval: Payroll and Employer Taxes for the period May 24, 2014 through June 6, 2014 inclusive: \$202,887.38 and \$14,422.12 respectively.
3. Approval: Claims against the following funds for the period May 29, 2014 through June 11, 2014: 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; \$344,070.01.

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4. Approval: The issuance of the following Cemetery Certificates:

The West Half (W1/2) of Lot Fourteen (14), Section Three (3), Block Twenty-nine (29), Alliance Cemetery Fourth Addition to Charles A. Whaley and Mandy Greve.

The West Half (W1/2) of Lot Sixteen (16), Section Three (3), Block Twenty-nine (29), Alliance Cemetery Fourth Addition to Charles A. Whaley and Chad Whaley.

Acceptance of a Quitclaim Deed from Jimmie Epperson and Doris Epperson for the Northwest Quarter (NW1/4) of Lot Seventeen (17), Section One (1), Block Eight (8), First Addition to the Alliance Cemetery and reconvey the same to Guy Hielscher and Vickie Hielscher.
5. Approval: Resolution No. 14-72 granting a Special Designated Liquor License to The Gathering Spot for a beer garden during Heritage Days, July 17, 18 and 19, 2014
6. Approval: Resolution No. 14-73 granting a Special Designated Liquor License to Kloch Liquor LLC for an event on June 28, 2014 to be held at the new facility of Alliance Tractor, 919 Flack Avenue.
7. Approval: Resolution No. 14-74 will authorize the City to renew our Interlocal Agreement pursuant to the Mutual Finance Assistance Act between the Hemingford Rural Fire District, Alliance Rural Fire Protection District, Village of Hemingford, and the City of Alliance.
8. Approval: Resolution No. 14-75 authorizing the City to once again enter into the Open Fields and Waters Contract with the Nebraska Game and Parks Commission which will provide controlled public access for the purpose of hunting and trapping on specific property owned by the City.
9. Approval: The *Special Events Request* of the Alliance Lions Club to conduct the Cardboard Boat Races at Laing Lake on July 4, 2014.

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

Roll call vote with the following results:

Voting Aye: Yeager, Benzal, Lewis, Feldges, Seiler.

Voting Nay: None.

Motion carried.

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- City Manager J.D. Cox gave his City Manager's Report in outline form.
 1. Good news last week:
 - Tire Recycling Grant \$61,400 (Keep Alliance Beautiful)
 - Awarded RSVP grant \$32,866 (National Community Service)
 2. Public Works Director – Interviews scheduled for end of month
 3. Streets - Beginning to make headway with pothole patching;
 4. Public Information Efforts:
 - Facebook
 - Now: Twitter (follow the City of Alliance)
 5. Airport
 - In May, only had three flights canceled
 - In June, only one is scheduled to be canceled
 - Daughter of City Employee Tacy Liptack - Competing for Miss Colorado – wish her best of luck
 6. Upcoming Meetings:
 - July 1
 - Liquor License for El Ramo De Guadalupe Mexican Restaurant (1203 W 3rd)
 - August
 - Presentation by EDPARC re: EcoDevo Program updates
 - Golf Course Water Line Bid
 7. Upcoming Calendar:
 - June 18-20 Tourism: Writers' Group
 - June 21 Summer Solstice at Carhenge

● The next items for Council's consideration were Resolution Nos. 14-76, 14-77 and 14-78 which will authorize the City of Alliance to file liens on properties within the City for non-payment of services. Council was provided with the following information:

[The City of Alliance is authorized by State of Nebraska Statute and City Code to file liens on property within the City for certain unpaid services that have been invoiced to the property owner. The following represent three outstanding invoices for nuisance abatement and water services totaling \$3,363.87 that have remained unpaid after more the 120 days.

Physical Address	Legal Description	Service Type	Invoice Date	Amount
716 Big Horn	Lot 3, Block 4, Second Addition	Nuisance Abatement	01/13/14	\$1,229.94
504 Yellowstone	Lot 6, Block 1, Original Town	Water Services	12/31/13	\$1,144.52
416 Sweetwater	Lot 3, Block 11, Original Town	Nuisance Abatement	10/23/13	\$ 989.41

A motion was made by Councilman Benzel, seconded by Councilman Lewis to approve Resolution Nos. 14-76, 14-77 and 14-78 which follows in their entirety:

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RESOLUTION NO. 14-76

WHEREAS, The City desires to assess a lien on property located at 504 Yellowstone Avenue in Alliance, Nebraska; and

WHEREAS, The legal description of such property is Lot 6, Block 1, Original Town to the City of Alliance, Box Butte County, Nebraska; and

WHEREAS, The City is owed for unpaid water and/or sewer services and desires to file a lien as stipulated in the Alliance Municipal Code, Section 28-260.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Alliance that a lien be placed against Lot 6, Block 1, Original Town to the City of Alliance, Box Butte County, Nebraska in the amount of \$1,144.52.

BE IT FURTHER RESOLVED that the City Clerk is directed to cause the original of this Resolution to be filed with the Box Butte County Clerk.

RESOLUTION NO. 14-77

WHEREAS, The City desires to assess a lien on the property at 416 Sweetwater Avenue in Alliance, Nebraska; and

WHEREAS, The legal description of such property is Lot 3, Block 11, Original Town to the City of Alliance, Box Butte County, Nebraska; and

WHEREAS, The City determined that the condition of the property met the definition of a nuisance in The Alliance Municipal Code, Chapter 20 and needed to be abated; and

WHEREAS, The City performed services to clean up the subject property thereby abating the nuisance; and

WHEREAS, the City having satisfied the conditions specified within the Alliance Municipal Code desires to file a lien for the payment of the City's services.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Alliance that a lien be placed on Lot 3, Block 11, Original Town to the City of Alliance, Box Butte County, Nebraska in the amount of \$989.41.

BE IT FURTHER RESOLVED that the City Clerk is directed to cause the original of this Resolution to be filed with the Box Butte County Clerk.

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RESOLUTION NO. 14-78

WHEREAS, The City desires to assess a lien on the property at 716 Big Horn Avenue in Alliance, Nebraska; and

WHEREAS, The legal description of such property is Lot 3, Block 4, Second Addition to the City of Alliance, Box Butte County, Nebraska; and

WHEREAS, The City determined that the condition of the property met the definition of a nuisance in The Alliance Municipal Code, Chapter 20 and needed to be abated; and

WHEREAS, The City performed services to clean up the subject property thereby abating the nuisance; and

WHEREAS, the City having satisfied the conditions specified within the Alliance Municipal Code desires to file a lien for the payment of the City's services.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Alliance that a lien be placed on Lot 3, Block 4, Second Addition to the City of Alliance, Box Butte County, Nebraska in the amount of \$1,229.94.

BE IT FURTHER RESOLVED that the City Clerk is directed to cause the original of this Resolution to be filed with the Box Butte County Clerk.

Roll call with the following results:

Voting Aye: Yeager, Benzel, Lewis, Feldges, Seiler.

Voting Nay: None.

Motion carried.

- The next agenda item was Board vacancies.

Councilman Seiler announced that the City of Alliance continues to have vacancies on the Community Garden Advisory Board, one vacancy each on the Downtown Improvement Boards, two vacancies on the Economic Development Plan Citizen Advisory Board, one vacancy on the Golf Advisory Board and two vacancies on the Police Advisory Board, a school representative and a homemaker representative. Anyone interested in serving on these Boards should contact the City Clerk's Office. Information on all of the City Boards is also available on our web site, www.cityofalliance.net.

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- The final item for Council, was a closed session to discuss litigation on the recent filing with the Nebraska Commission of Industrial Relations by the Fraternal Order of Police Lodge #51.

Mayor Feldges moved pursuant to Section 84-1410 Reissue Revised Statutes of Nebraska 1943, that the Alliance City Council hold a closed session to discuss litigation regarding the recent filing with Nebraska Commission of Industrial Relations by the Fraternal Order of Police Lodge #51 and that along with City Council to include City Manager Cox, Assistant City Manager Waggener, City Attorneys Olsen and Pigsley and City Clerk Jines. The motion was seconded by Councilman Seiler.

Mayor Feldges stated “it has been moved and seconded that the City Council hold a closed session for the purpose of discussing litigation regarding the recent filing with Nebraska Commission of Industrial Relations by the Fraternal Order of Police Lodge #51. Is there any discussion?”

There being no further discussion. The Clerk called the vote.

Roll call vote with the following results:

Voting Aye: Feldges, Seiler, Benzel, Lewis, Yeager.

Voting Nay: None.

Motion carried.

Mayor Feldges stated “the motion having passed by an affirmative vote of the members of the City Council, the Council shall hold a closed session for the purpose of, and only for the purpose of, to discuss litigation regarding the recent filing with Nebraska Commission of Industrial Relations by the Fraternal Order of Police Lodge #51.”

The closed session began at 7:30 p.m. and concluded at 8:25 p.m.

A motion was made by Councilman Benzel, seconded by Councilman Seiler to return to open session.

Roll call vote with the following results:

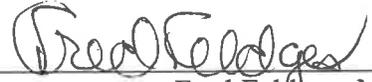
Voting Aye: Feldges, Seiler, Benzel, Lewis, Yeager.

Voting Nay: None.

Motion carried.

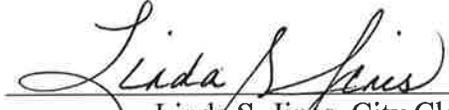
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- Mayor Feldges stated, “there being no further business to come before the Alliance City Council, the meeting is adjourned at 8:26 p.m.”



Fred Feldges, Mayor

(SEAL)



Linda S. Jines, City Clerk

