

November 18, 2014

ALLIANCE CITY COUNCIL

REGULAR MEETING, TUESDAY, NOVEMBER 18, 2014

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

The Alliance City Council met in a Regular Meeting, November 18, 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 November 11, 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 November 18, 2014 Regular Meeting of the Alliance, Nebraska City Council at 7:00 p.m. Present were Mayor Feldges, Council Members, Benzel, Lewis, Seiler and Yeager. Also present were City Manager Cox, Assistant City Manager Waggener, City Attorney Olsen and City Clerk Jines.

- Mayor Feldges read the Open Meetings Act Announcement.
- Council's first item of business was the presentation of Appreciation Plaques to Councilman Trent Benzel and Councilman Rachel Lewis for their years of service on the Alliance City Council. Councilman Benzel served on the Alliance City Council from December 7, 2006 through December 2, 2014; and Councilman Lewis served December 7, 2010 through December 2, 2014.
- The Consent Calendar was the next item to be addressed by Council. Councilman Benzel made a motion, which was seconded by Councilman Lewis to approve the Consent Calendar as follows:

CONSENT CALENDAR – NOVEMBER 18, 2014

1. Approval: Minutes of the Regular Meeting, November 4, 2014.

November 18, 2014

2. Approval: Payroll and Employer Taxes for the period October 25, 2014 through November 7, 2014 inclusive: \$167,391.14 and \$11,771.98 respectively.
3. Approval: Claims against all funds of the City of Alliance for the period October 30, 2014 through November 13, 2014 in the amount of \$228,843.99.
4. Approval: Submittal of Unclaimed Property to the Nebraska State Treasurer's office in the amount of \$73.61.
5. Authorization of Certification: To the Nebraska Department of Roads stating that Jeff Wolfe of M.C. Schaff has and is serving as the City's Street Superintendent from January 1, 2014 through December 31, 2014 and he holds a Class A License No. 1025.
6. Approval: A date and time change for the Alliance Chamber of Commerce Christmas Parade from December 6, 2014 to Thursday, December 11, 2014 with the parade starting at 5:30 p.m. Street closures will begin at 5:00 p.m. under the same conditions as previously stated.
7. Approval: To submit our annual Tree City USA 2014 Application for Certificate. The City of Alliance has met the requirements to make the submittal.
8. Approval: To accept a 14' Berner Billiards Shuffle Board with an approximate value of \$2,000.00 for the Senior Center. The Senior Center Advisory Board is recommending acceptance of this donation which will be purchased as a result of fundraising efforts of Friends of Box Butte County RSVP.
9. Approval: Resolution No. 14-127 will approve the Restatement of the Flexible Benefit Plan provided to City of Alliance Employees effective January 1, 2015. This Plan allows employees to choose among different types of benefits based on their own particular goals, desires and needs under Section 125 of the Internal Revenue Code of 1986. The benefits which an employee elects to receive under the Plan are excludable from the employee's income under this IRS Section.
10. Approval: Resolution No. 14-128 provides authorization of the City's participation in the Securities and Exchange Commission's Municipalities Continuing Disclosure Cooperation Initiative and related matters.

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, Feldges, Seiler, Lewis.

Voting Nay: None.

November 18, 2014

Motion carried.

- City Manager Cox gave his City Manager's Report in outline form:
 1. Airport/Air Services (EAS Contract up: May 31, 2015)
 - Attended: Airline Conference @ Montgomery
 - Airlines scheduled met with
 - Cape Air –
 - Long shot bidder; 9-seat; excellent community relations track record; purchased new aircraft; looking for pilots
 - Air Choice One –
 - Likely bidder: 9-seat option; wishing to expand operation
 - ViaAir –
 - Likely bidder; probably 31-seat Brasilia; Denver is attractive
 - Corporate Flight Management (Allen Howell)–
 - Probable bidder; 9-seat option Beechcraft King Air
 - PenAir (Requested to meet with us);
 - Probable bidder; Exploring options; Alaska Air; would like to expand out of Denver
 - Not attending/but meeting:
 - Boutique Airlines
 - (Not attending; but wishes to visit)
 - USDOT issued RFP – bids due Dec 17
 - It may be in our best interest to request extension – 2 carriers inquired
 2. AOTB
 - Dates: October 9 & 10
 - Homecoming versus Gering
 - Featured Crop: Wheat
 - Generalissimo: Gary Leever
 3. 100th Anniversary of Bricks in Alliance (the last brick being laid November 18th, 1920 at 5:14:07).
 - The bid was awarded to Sprague and Nicely of Beatrice on August 27th, 1919.
 - The bid was for \$4.48 per square yard.
 - The first load of bricks showed up by train on May 31, 1920. There were 17 railroad cars full of bricks.
 - They laid the concrete road bed and started laying brick August 2, 1920.
 - The last brick was laid November 18th, 1920 at 5:14 and seven seconds.
 - The original idea was to only pave Box Butte and a half block in each direction on the side streets. Laramie was paved from 1st street to 4th street after some lobbying by the Lumber companies and Newberrys. Some people wanted a cheaper type of paver than brick, but the City decided to go with it as history shows brick and cobblestones last longer. There is a 4-6" thick layer of concrete under the brick. There is a layer of

November 18, 2014

fly ash and sand between the bricks and concrete as well as between the bricks themselves.

4. As a thank you to Councilmen Rachel Lewis and Trent Benzel, City Manager Cox reviewed some of the accomplishment of the City over the past four years.

- Goals Developed
- Service Excellence
- Community Development
- Building Remodel
- Outdoor Sirens
- Municipal Building Remodel
- Started on Streets
- Electric Reliability – Substation Upgrade
- Refuse Containers
- Landfill Clean-Up
- Parks – Handicap Accessible
- Airport – State Fly-In
- Carhenge
- Directional Signage
- Senior Center

- The third reading of Ordinance No. 2765, which will amend the Alliance Municipal Code regarding utility deposits, billing cycles and billing due dates was the next agenda item. Council was provided with the following background information:

[The Finance Department has reviewed the policies, code and fees as a part of the service excellence initiative. The goals were to align the policies with current practice; enhance and streamline policy details; address billing delays criticized in City audits; recommend updated fees and update Municipal Code accordingly. The formal utility customer service office policies have remained unchanged since 2006 and most of the current fees and meter deposit rates were set in 1999.

The major policy changes will include the following:

- Hang Tags. Hang tags are a courtesy notice (not specifically mentioned in policy or code) delivered to the residence or business the day prior to disconnect. Initially, the goal was to reduce the number of actual service disconnects. This practice is expensive to the City in terms of employee time, vehicle costs and supplies and has become a “crutch” for some residents routinely on the monthly list. Hang tags will be discontinued on December 1, 2014. Staff would be allowed to make courtesy calls to customers who appear on the delinquent list for the first time or where delinquent payments are considered unusual.
- Waivers. Current practice allows customers to request an automatic ten-day extension prior to the delinquent date. Waivers are consistently used by many of the same customers every month to delay payment. The

November 18, 2014

current contracts will be revised and still be allowed for just cause if approved by the Utilities Administration Services Director or his designee. Customers signing waivers through the remainder of the year will be notified of this change. It is proposed that waivers be discontinued as of January 1, 2015.

- Collection Timeline. Due dates will be reduced from one month to two weeks and the disconnect date will be twenty days earlier and set prior to the following month's billing. (See the attached comparison.) Note that those customers on the City's automatic payment plan would have later due dates without penalty. This change is proposed for billing cycles after May 1, 2015 in order to provide customers with adequate notice.
- Meter Deposits. It is proposed that meter deposits be increased by \$50 for most all service classes. There would be an allowance to discount meter deposits by \$50 for those customers who enroll on the City's automatic payment plan and remain in good standing on their accounts. This change is proposed for new deposits beginning May 1, 2015.
- Other Fees. Following are other fee changes being proposed as of May 1, 2015.

Fee	Current	Proposed
Reconnect Fee	30.00	50.00
Reconnect Fee (After Hours)	60.00	100.00
Country Meter Card	30.00	40.00
Late Fee	30.00	40.00
Return Check Fee	None	35.00

The revised utility customer service office policies were approved at the October 21st Council meeting and the revised Municipal Code is attached for third reading.]

A motion was made by Councilman Benzel, seconded by Councilman Lewis to approve the third reading of Ordinance No. 2765 which City Clerk Jines read by title and follows in its entirety.

ORDINANCE NO. 2765

AN ORDINANCE PERTAINING TO UTILITY COLLECTION REMEDIES AND PROCEDURES AND AMENDING SECTIONS 28-19, 28-23, 28-24, 28-26, AND 28-27; PROVIDING FOR AN EFFECTIVE DATE AND REPEALING EXISTING PROVISIONS OF THE ALLIANCE CODE NOT CONSISTENT WITH THIS ORDINANCE.

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

SECTION 1. Sections 28-19, 28-23, 28-24, 28-26, and 28-27 of the Code of Ordinances of the City of Alliance, Nebraska are hereby amended to read as follows:

Sec. 28-19. Security; utility deposits.

- (a) Before metered utility services are connected, or at any time thereafter, the city may require of any utility customer, evidence satisfactory to itself that all bills for utilities rendered will be paid promptly. The city may require any utility customer to maintain on deposit, with the city, an amount sufficient to pay the estimated bills for all utility services provided to the customer. After 24 months of service the customer may make a request for a refund of the customer's deposit. If there have been no late payments during the most recent 24-month history, the deposit will be refunded. Required deposits will not be less than the following amounts for the following classifications:
- (1) Residential users: \$150.00 per meter.
 - a. Without water: \$125.00 per meter.
 - b. Water only: \$100.00 per meter.
 - (2) General service demand and large users.
 - a. With water: \$350.00 per meter.
 - b. Without water: \$250.00 per meter.
 - (3) Apartment complex house meters: \$100.00.
 - (4) Landlord read and leave agreement: \$100.00.
 - (5) Landlords with multiple units (i.e., apartment complexes, mobile homes and more than three houses) who have read and leave agreements must have the specified deposit for every four units.
 - (6) Temporary construction deposit: \$100.00.
 - (7) Water hydrant meters: \$250.00.
- (b) When all charges are not fully paid, the service deposit, in whole or in part, shall be applied against the outstanding charges. Deposit balances remaining in excess of \$1.00 shall be refunded to the customer.
- (c) Deposit amounts specified in (a)(1) and (a)(2) will be discounted by \$50.00 when the user enrolls in the City's direct payment plan. Deposits will be increased by \$50.00 for any user discontinuing direct payments or otherwise removed from the direct payment plan.
- (Code 1986, § 4-401; Ord. No. 2350, 3-18-1999)

Sec. 28-23. Rendering and payment of bills.

- (a) All customers of the city utilities will be billed monthly for services received. All utility bills shall be due and payable when mailed. The monthly billing dates shall be established annually and maintained on file in the utility customer service office.
- (b) All utility billings or notices to any customer from the utility customer service office shall be deemed to have been presented and given when deposited with the U.S. Postal Service and addressed to the last known address of a customer as shown on records at the utility customer service office, or when provided online to customer's electronic account.

November 18, 2014

- (c) Any billed amount that has not been paid by 4:00 p.m. on the 14th day following the current month's billing date shall be deemed delinquent. If the date set forth in subsection (a) of this section falls on a weekend or holiday, the delinquent date will be the next business day.

(Code 1986, § 4-405; Ord. No. 2265, 2-6-1997; Ord. No. 2350, 3-18-1999; Ord. No. 2370, 9-2-1999)

Sec. 28-24. Past due penalty.

- (a) Any past due balance, excluding sales tax, will be charged a one time penalty of ten percent of the delinquent amount. The past due date shall be the day following the delinquent date as defined in Sec.28-23 (c)
- (b) If the date set forth in subsection (a) of this section falls on a weekend or holiday, the past due date will be the next business day.

(Code 1986, § 4-406; Ord. No. 2265, 2-6-1997; Ord. No. 2350, 3-18-1999; Ord. No. 2370, 9-2-1999)

Sec. 28-26. After hours reconnections.

- (a) When a customer requests reconnection after hours by contacting the city police department, the dispatcher will instruct the customer that it is the customer's responsibility to deposit the past due balance and an after-hours reconnection fee in the night deposit at the utility customer service office. This payment may be in any form, unless payment history shows insufficient funds checks have been issued by the customer previously. Any payment by check that comes back as insufficient funds will automatically require the total balance for all billed amounts and the reconnect fee be paid in full by cash, certified check or money order for the current and future disconnects. Failure to make this payment will result in disconnection of services the following working day and an additional reconnect fee will be required to restore services.
- (b) A reconnection fee, must be paid in advance for all restorations of utilities services which can be completed between the hours of 8:00 a.m. to 5:00 p.m. For restoration of service completed after business hours, the fee shall be twice the amount of the regular charge.
- (c) If a disconnected customer currently lives at the account address that has been disconnected and another resident of that address tries to transfer the account in their name, all outstanding charges and fees will be due and payable before the account can be transferred into another name.
- (d) If the utility customer service office becomes aware of a customer trying to circumvent these rules and regulations to avoid paying debts and fees that are due, the customer's deposit may be applied immediately to the unpaid balance and action, as noted in section 28-21

(Code 1986, § 4-408; Ord. No. 2350, 3-18-1999)

November 18, 2014

Sec. 28-27. Delinquent bills, notice required before termination.

Utility service shall not be discontinued to any customer for nonpayment of any delinquent amount unless the utility customer service office first gives notice, as provided in section 28-29, by first class mail or in person to the customer whose service is proposed to be terminated. Notice may be given by first class mail, electronically or by automated phone message and it will be conspicuously marked as to its importance. Service shall not be discontinued for at least seven days, excluding weekends and holidays from the date of the notice. As to any customer who has previously been identified as a welfare recipient to the city by the department of health and human services, such notice shall be by certified mail and notice of such proposed termination shall be given to the department.

(Code 1986, § 4-409; Ord. No. 2350, 3-18-1999)

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 on the final reading of Ordinance No. 2765 with the following results:

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

Voting Nay: None.

Motion carried.

Mayor Feldges stated, "the passage and adoption of Ordinance No. 2765 has been concurred by a majority of all members elected to the Council, I declare it passed, adopted and order it published."

- Council next reviewed Resolution No. 14-129 which will accept the donation of PAWS to add three outdoor dog kennels to the Alliance Animal Shelter. Council was provided with the following background information:

[The City of Alliance has received a request from Dede DeVeney on behalf of the Providing Animals with Shelter (PAWS) group to donate improvements to the Alliance Animal Shelter. The PAWS group is proposing to construct three outside dog kennels. Cement will be placed from the back door to the kennels. The kennel floors will be half cement and half rock with shade covers and privacy dividers between each kennel. Along with the kennels, the group is also proposing to construct a chain link enclosure around the existing barrel burner which will ensure the safety of the animals from the heat produced by the unit.

The estimated value of this donation is \$8,200 and will include all labor and materials being paid for by PAWS.]

A motion was made by Councilman Lewis, seconded by Councilman Seiler to approve Resolution No. 14-129, which follows in its entirety:

November 18, 2014

RESOLUTION NO. 14-129

WHEREAS, The City of Alliance owns and operates the Animal Shelter; and

WHEREAS, The Providing Animals With Shelter (PAWS) group has requested to donate the labor and materials to construct three outside dog kennels and a chain link enclosure around the existing barrel burner at the animal shelter; and

WHEREAS, The value of this donation is estimated to be \$8,200.00; and

WHEREAS, The City Council believes it is in the best interest of the City of Alliance to accept the donation from the Providing Animals With Shelter (PAWS) group.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Alliance, Nebraska, that the donation of the labor and materials to construct three outside dog kennels and a chain link enclosure around the existing barrel burner at the animal shelter are accepted by the City of Alliance.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

- Resolution No. 14-130 awarding the purchase of a triplex trim and surrounds mower for the Golf Course to Stotz Equipment of Casper, WY in the amount of \$30,000 was the next discussion item. Council was provided with the following background information:

The SkyView Golf Course 2014-15 budget includes \$42,000 to purchase a replacement triplex trim and surrounds mower to be used for course maintenance. The current John Deere triplex mower was purchased in April 1999.

Invitation to Bid 21-71/10-2014 for the purchase of a trim and surrounds mower was issued October 16, 2014. Three bids were received and two of those bids met the listed specifications. Below is a table detailing the bids that were opened November 10, 2014 at the Knight Museum & Sandhills Center.

Supplier	Make/Model	Bid Amount	Trade Value	Net Price
Stotz Equipment	JohnDeere 7400	31,500.00	1,500.00	30,000.00
LL Johnson Dist	Toro Groundsmaster 3500-G	37,363.00	1,500.00	35,863.00

November 18, 2014

Staff recommends that the bid be awarded to Stotz Equipment of Casper, Wyoming in the amount of \$30,000. This equipment is unavailable through a local vendor because none are licensed to sell this line of mowers.

A motion was made by Councilman Yeager, seconded by Councilman Benzel to approve Resolution No. 14-130.

A motion was made by Councilman Benzel, seconded by Councilman Lewis to amend Resolution No. 14-130 to approve the purchase in the amount of \$31,500 for the John Deere 7400 mower and to retain our 1999 similar mower instead of trading it in for \$1,500.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

Roll call vote on amended Resolution No. 14-130 with the following results:

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

Voting Nay: None.

Motion carried.

AMENDED RESOLUTION NO. 14-130

WHEREAS, The City of Alliance Golf Course Division had on their capital improvements for this fiscal year, the purchase of a replacement triplex trim and surrounds mower; and

WHEREAS, The City of Alliance made an Invitation to Bid 21-71/10-2014 and received three bids, two of which met our specifications; and

WHEREAS, Staff is proposing the purchase of a John Deere 7400 triplex trim and surrounds mower from the lowest, responsible and responsive bidder; and

WHEREAS, The purchase is being recommended from Stotz Equipment of Casper, WY in the amount of \$30,000.00; and

WHEREAS, Council considered a \$1,500.00 trade-in allowance for our similar 1999 mower and has decided to retain our old mower.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of Alliance, Nebraska, that the Mayor be and hereby is authorized to enter into a contract for the purchase of

November 18, 2014

a John Deere 7400 triplex trim and surrounds mower in the amount of Thirty-one Thousand Five Hundred and no/100ths Dollars (\$31,500.00) from Stotz Equipment of Casper, WY.

BE IT FURTHER RESOLVED, that the purchase will be funded from Golf Course Account No. 21-71-75-59-950.

- The next agenda item was Resolution No. 14-131 which will authorize the 2015 health plan premiums and deductibles for City employees. Council was provided with the following background information:

[On the September 30, 2014, Council approved a change in health insurance carriers that increased the total fixed and anticipated expenses by 60% (as opposed to a 79% to 83% increase as proposed by our previous carrier). This change of carriers allowed the City to provide the same level of coverage to employees; however, because of the 60% increase in costs, the proposed resolution reflects Staff recommendation that employee premiums and deductibles be increased modestly. Most employee premiums have not been changed since 2009 (see the chart below). With these increases, the City will still be responsible for 90% to 97.5% of insurance costs.

In addition, the IRS has adjusted the annual limitation on deductions for both single and family coverage in 2015 for plans to be qualified for a Health Saving Account (HSA). This change will also ensure compliance with the IRS directive and allow Plan B to remain qualified to participate in HSA plans.

November 18, 2014

	2015 Insurance Premiums											
	A		2015		B		2015		C		2015	
	Single	Family			Single	Family			Single	Family		
Total Premium	\$1,026	\$2,473	\$1,026	\$2,473	\$975	\$2,303	\$975	\$2,303	\$1,005	\$2,297	\$1,005	\$2,297
Employee Monthly Premium	\$75	\$230	\$85	\$250	\$20	\$56	\$30	\$80	-\$50	-\$50	-\$50	-\$50
Employee Annual Premium	\$900	\$2,760	\$1,020	\$3,000	\$240	\$672	\$360	\$960	-\$600	-\$600	-\$600	-\$600
Deductible	\$500	\$1,000	\$600	\$1,200	\$1,250	\$2,500	\$1,350	\$2,700	\$2,500	\$5,000	\$2,600	\$5,200
Out of Pocket	\$1,000	\$2,000	\$1,000	\$2,000	\$750	\$1,500	\$750	\$1,500	\$0	\$0	\$0	\$0
Maximum Cost to Employee Within PPO	\$2,400	\$5,760	\$2,620	\$6,200	\$2,240	\$4,672	\$2,460	\$5,160	\$1,900	\$4,400	\$2,000	\$4,600
Co-Pays	80/20	80/20	80/20	80/20	90/10	90/10	90/10	90/10	100/0	100/0	100/0	100/0
Employee Percentage	7.31%	9.30%	8.28%	10.11%	2.05%	2.43%	3.08%	3.47%	-4.98%	-2.18%	-4.98%	-2.18%

History of Employee Premium Changes

[illegible]

November 18, 2014

Carla Mayhew, City of Alliance Human Resource Director, was in attendance to speak to Council about the 2015 health plan premiums and deductibles for our employees.

A motion was made by Councilman Seiler, seconded by Councilman Benzel to approve Resolution No. 14-131 which follows in its entirety:

RESOLUTION NO. 14-131

WHEREAS, The City of Alliance has evaluated its current health care benefit plans offered to employees; and

WHEREAS, Various options and proposals had been considered by staff and the City's Third-Party Administrator, and Council has previously approved recommendations; and

WHEREAS, The proposals provided for three options from which benefit eligible employees may choose, labeled Option A, Option B, and Option C, which have varying deductibles and out-of-pocket expenses.

BE IT FURTHER RESOLVED, the following monthly employee contribution levels are established effective January 1, 2015:

Plan A	Single	\$ 85.00
	Family	\$250.00
Plan B	Single	\$ 30.00
	Family	\$ 80.00
Plan C	Single	No Contribution; \$50.00/month paid to an Employee Health Savings Account
	Family	No Contribution; \$50.00/month paid to an Employee Health Savings Account

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

- The next discussion item was Resolution No. 14-132 which will approve Change Order No. 1 to the contract with K.L. Wood and Company, LLC for the Golf Course Waterline Replacement Project. This resolution also authorizes the transfer of \$12,000 from the Water Contingency Fund to aid in the funding of this project. Council was provided with the following background information:

[In an ongoing effort to improve the City of Alliance infrastructure, the City solicited bids to replace approximately 4,900 linear feet (L.F.) of water line at the

November 18, 2014

Skyview Golf Course where in the past few years there have been approximately 15 water main breaks. City Council approved Resolution 14-94 at the August 19, 2014 meeting awarding the bid to K.L. Wood and Company, LLC in the amount of \$142,000 with a 5% change order allowance. The project was originally budgeted at \$187,000 but was reduced to \$145,000 in the 2014-15 budget.

A request has been made to extend the water line 158 liner feet (L.F.) and replace the hydrant and valve at the end of the line. This will complete the line and should ensure that there are no future breaks under the only road leading to the Airport. Baker and Associates, the engineer for the project, contacted K.L. Wood for pricing and the contract price will be \$16 dollars per foot for a total of \$2,528.00 for the additional 158 L.F. of 4-inch pipe. The installed price of the hydrant and valve at the end of the line will be \$4,904.60. The total of the proposed change order will be \$7,432.60, which along with a contract reporting adjustment of \$616.00 exceeds the approved 5% allowance by \$948.60 and the budgeted amount by \$5,048.60.

Additionally, Staff is recommending the professional services of Baker and Associates for inspection services throughout the project for an estimated total of \$6,886.00. This includes nine inspections which should be the maximum number required.

The approval of the change orders on the K.L. Wood Contract and the additional engineering services of Baker and Associates will require additional budget authority. A transfer of \$12,000.00 is recommended to Water Main Capital (GL #08-52-52-55-911) with \$10,000.00 from Water Distribution Contingency (GL #08-52-52-47-791) and the balance of \$2,000.00 from Water Treatment Contingency (GL #08-52-51-47-791).]

Ron Perry, Public Works Director, was present to inform Council of the need for Change Order No. 1 to the original contract between the City of Alliance and K.L. Wood and Company, LLC.

A motion was made by Councilman Benzel, seconded by Councilman Seiler to approve Resolution No. 14-132 which follows in its entirety:

RESOLUTION NO. 14-132

WHEREAS, The City of Alliance awarded the Golf Course Waterline Replacement Project to K.L. Wood and Company, LLC of Alliance, Nebraska pursuant to Bid Number 040-072-12; and

WHEREAS, The award was in the amount of \$142,000 with an additional allowance to the contract of up to five percent (5%) for change orders in the field should they be necessary; and

November 18, 2014

WHEREAS, K.L. Wood and Company, LLC along with our engineer have proposed a change order to the contract due to the need to extend the water line 158 liner feet and replace the hydrant and valve and the end of the line; and

WHEREAS, Additional engineering and inspection services will be required in excess of budgeted amounts; and

WHEREAS, City staff believes the proposal is in the best interest of the City; and

WHEREAS, The additional expense of the project will require a transfer from the Water Contingency Fund.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of Alliance, Nebraska, that the City approve the recommended Change Order No. 1 to the Golf Course Waterline Replacement Project in the amount of Seven Thousand Four Hundred Thirty-two Dollars and 60/100ths (\$7,432.60) to be paid from Account No. 08-52-52-55-911.

BE IT FURTHERED RESOLVED, that the use of Water Contingency Funds: \$10,000 from Water Distribution Account No. 08-52-52-47-791 and \$2,000 from Water Treatment Account No. 08-52-51-47-791 is hereby authorized for the recommended Change Order No. 1 and additional engineering fees.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

- Council next considered Resolution No. 14-133 which will amend the current RSVP Policy and Procedures to update our background checks to meet Federal Regulations. Council was provided with the following information:

[The Corporation for National & Community Service (CNCS) has issued a 30-day amnesty period for CNCS programs to come into compliance with Federal regulations regarding background checks. Box Butte County RSVP is one of the CNCS programs subject to these regulations regarding background checks. The amnesty period is from November 1 – 30, 2014. Any program that does not ensure compliance with the background check laws and regulations at the end of the amnesty period will be subject to stiff fines and penalties.

Information submitted for City Council consideration include CNCS background check definitions and the proposed background check policies to be added to the Box Butte County RSVP Policies and Procedures Manual. Steps have already been taken to comply with many other aspects of the background check requirements and the inclusion the policies to the current Box Butte County RSVP

November 18, 2014

Policies and Procedures will fulfill the last of the requirements for RSVP in regard to background checks. A more extensive revision of the RSVP Policies and Procedures is in process and will be presented to Council at a later date.]

Terry Grosz, RSVP Director, was present to speak with Council regarding the amendments to the RSVP Policy and Procedures pertaining to background checks.

A motion was made by Councilman Lewis, seconded by Councilman Seiler to approve Resolution No. 14-133 which follows in its entirety:

RESOLUTION NO. 14-133

WHEREAS, The City of Alliance is in charge of the Box Butte County RSVP Program;
and

WHEREAS, The Program is funded in part by Federal funds; and

WHEREAS, Federal regulations require that the Retired and Senior Volunteer Program (RSVP) have policies and procedures adopted by the City Council; and

WHEREAS, An amendment is required regarding background checks to bring our policies in compliance with Federal regulations; and

WHEREAS, Council believes that the amendment of the policies and procedures is in the best interest of the City of Alliance and Box Butte County RSVP Program.

NOW THEREFORE BE IT RESOLVED by the Mayor and City Council of the City of Alliance that the amendment to the Box Butte County RSVP Policies and Procedures regarding background checks (which is attached as Exhibit A) be adopted as a part of the policy of the City of Alliance.

BE IT FURTHER RESOLVED that the City Manager is authorized to execute any documents necessary to comply with the Federal guidelines pursuant to the amendment to the policy.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

- Resolution No. 14-134 which will appoint the Alliance Planning Commission to administer the reporting and public hearing process for the Airport Zoning Act was the next matter before Council. Council was provided with the following information:

November 18, 2014

[Within the past year, the Nebraska Unicameral made substantial changes to the Airport Zoning Act with LB 140. The Airport Zoning Act previously applied only to structures and hazards within three miles of an airport's boundary; however, LB 140 significantly expanded structures and hazards subject to the Airport Zoning Act to include those within ten-mile zones (defined as "approach zones") that extend from both ends of a runway. The changes to zoning were required due to advances in technology such as instrument approach with GPS. City staff has created a topographical map to identify the approach zones for its airport and has determined those approach zones extend into Sheridan, Garden and Morrill counties in addition to Box Butte County (see the attached map).

The Airport Zoning Act does not only apply to political subdivisions that have an approach zone within its zoning jurisdiction. Thus, if they were not already, Sheridan, Garden, Morrill and Box Butte counties are all now subject to the Airport Zoning Act because of the Alliance Municipal Airport and the counties must adopt regulations. When multiple jurisdictions are involved, the Airport Zoning Act allows all jurisdictions to form a joint airport zoning board specifically for the purpose of adopting the required zoning regulations. Upon inquiring with the four counties involved, only one county was interested in the joint board. For this reason, staff recommends the City of Alliance work independently on airport zoning.

Under the Airport Zoning Act, the City Council is required to "appoint a commission" before it can zone any land under the Act. Staff recommends that City Council appoint the City's planning commission, since it is already in existence and is entrusted with zoning issues. The purpose of the Commission is to recommend the boundaries of zones mandated by the Act. This process consists of three steps:

1. The Commission submits a preliminary report on the zones.
2. A public hearing on the preliminary report is held.
3. The Commission makes a final report to the City Council.

The City Council may then adopt the zoning recommended by the final report. The City Council cannot take action unless and until it receives the final report from the Commission.]

Lynn Placek, City of Alliance Airport Manager, was in attendance to discuss the need of an Airport Zoning Board and their responsibilities.

Earl Jones, 808 Cheyenne Avenue, Alliance Planning Commission Chairman, spoke in favor of this additional responsibility of the Alliance Planning Commission.

A motion was made by Councilman Yeager, seconded by Councilman Benzel to approve Resolution No. 14-134 which follows in its entirety:

November 18, 2014

RESOLUTION NO. 14-134

WHEREAS, The Nebraska Unicameral has made substantial changes to the Airport Zoning Act with the passage of LB140; and

WHEREAS, As a result of these changes the "Approach Zones" boundaries, which regulates structures and hazard within the area of an airport has changed from 3 miles to 10 miles; and

WHEREAS, The Airport Zoning Act requires the City to appoint a commission to act on any land zoning issues within the Approach Zones; and

WHEREAS, The Alliance City Council would like to appoint the Alliance Planning Commission to serve in this capacity as they have experience with zoning issues.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Alliance, Nebraska, that the Alliance Planning Commission is hereby appointed to also serve as the Airport Zoning Commission for the Alliance Municipal Airport.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

- The final agenda item was board appointments, resignation and announcements.

A motion was made by Councilman Seiler, seconded by Councilman Lewis to re-appoint Victor Sanchez to the Alliance Housing Authority, with a term to expire December 31, 2019.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

A motion was made by Councilman Seiler, seconded by Councilman Benzal to appoint Holly Heath to the A-1 Downtown Improvement District Board, with a term to expire October 31, 2017.

Roll call vote with the following results:

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

November 18, 2014

Voting Nay: None.

Motion carried.

A motion was made by Councilman Seiler, seconded by Councilman Benzel to accept the resignation of Earl Jones from the Alliance Planning Commission, effective December 1, 2014.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

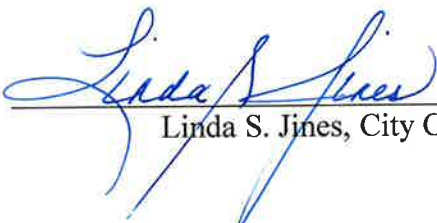
Councilman Seiler announced the City of Alliance has the following board openings: two vacancies on the A-1 Downtown Improvement Board, one vacancy on the A-2 Downtown Improvement Committee, one vacancy on the Alliance Housing Authority and a school representative on the Police Advisory Board. There are also two youth ex-officio positions on the Library Board. Anyone interested in serving on these Boards should contact the City Clerk's Office. Information on all of the City Boards is also available on our web site, www.cityofalliance.net.

Councilman Seiler also announced the City will have openings the end of December for either appointments or re-appointments on the Board of Adjustment, Golf Course Advisory Board, Housing Authority, Planning Commission and Police Advisory Board for a hispanic, senior citizen, and religion representative.

- 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

