

ALLIANCE CITY COUNCIL

REGULAR MEETING, TUESDAY, DECEMBER 20, 2016

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

The Alliance City Council met in a Regular Meeting, December 20, 2016 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 December 14, 2016. 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 December 20, 2016 Regular Meeting of the Alliance, Nebraska City Council at 7:00 p.m. Present were Council members Yeager, Korber-Gonzalez, Jones, Mischnick and Reynolds. Also present were Interim City Manager Kuckkahn, Assistant City Manager/Finance Director Waggener, City Attorney Olsen and City Clerk Jines.

- Mayor Yeager read the Open Meetings Act Announcement.
- Council was introduced to the following new employees: Leigh Shakes, Public Safety Dispatcher; and Paul Kusek, Public Transit Driver.
- The Consent Calendar was the next matter for Council's consideration.

Councilman Korber-Gonzalez made a motion, which was seconded by Councilman Mischnick to approve the Consent Calendar as follows:

CONSENT CALENDAR – DECEMBER 20, 2016

1. Approval: Minutes of the Regular Meeting, December 6, 2016.
2. Approval: Payroll Costs for the period November 19, 2016 through December 2, 2016: \$338,889.43.
3. Approval: Claims against the following funds for the period November 30, 2016 through December 14, 2016: 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; \$1,270,364.38.

4. Approval: The issuance of a Cemetery Certificate to Maria Burney for the East One Half (E½) Lot Four (4), Section Ten (10), Block Twenty (20), Third Addition to the Alliance Cemetery.
5. Approval: To submit our annual Tree City USA 2016 Application for Certificate. The City of Alliance has met the requirements to make the submittal.
6. Approval: Renewing two Agreements with the Aging Office of Western Nebraska under the same terms as this year. The first covers the nutrition program at the Senior Center and the second provides reimbursement for the delivering of meals to Hemingford.
7. Acknowledgement: Receipt of the Official Notice of Amended Electrical Resources Pooling Agreement (“ERPA”) Policies & Procedures and Amended Grandfathered Facilities List under MEAN Distributed and Renewable Generation Policy.

NOTE: Interim 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 vote with the following results:

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

Voting Nay: None.

Motion carried.

- Council next considered Ordinance No. 2829 on second reading, which will approve the amendment to the Alliance Municipal Code regarding R-1, Single Family Residential setback restrictions. Council was provided with the following background information:

[The City of Alliance Board of Adjustment has made note that many of the properties in the R1, Single Family Residential Zoning District contain structures that were built using much smaller setbacks than those built in the R1a Single Family Residential Zoning District. The R1 zoning district mostly covers the older parts of town which were developed with smaller lots sizes (typically 50’ X 140’) and smaller setback restrictions.

The proposed revisions to Section 115-98 of the City of Alliance Municipal Code would reduce the minimum required lot width from 60’ to 50’; reduce the side

setbacks from 5' to 3'; and provide other clarifying language in the Code for the R1, Single-Family Residential Zoning District.

An inventory of nonconforming structures was taken on the east side of the 900 block of Big Horn Avenue and the west side of the 900 block of Cheyenne Avenue by staff while compiling information for the June 23rd Board of Adjustment Meeting. The inventory shows every property having at least one nonconforming structure. The average side setback was 3'. Having such a large number of nonconforming structures reduces the ability of property owners to expand their homes and accessory structures without having to result to unorthodox construction techniques to meet the setbacks designed for the larger lot sizes required in the R1a zoning district.

The Alliance City Council passed this Code as Ordinance No. 2781 on September 15, 2015. At this same time, a Code amendment in respect to accessory parking structures was also making its way through Council. The new setback reduction in the Code change was overlooked by staff during the drafting of the accessory structure code and was passed requiring 5' setbacks in the R-1, Single Family Residential district. Staff believes that for the above mentioned reasons, the setbacks should be changed to 3' in the R-1, Single-Family Residential District.

The City of Alliance Planning Commission held a public hearing at their regular meeting on November 8, 2016 wherein they voted to recommend that the Alliance City Council approve the ordinance accepting the proposed changes to Section 115-98 of the City of Alliance Municipal Code.]

A motion was made by Councilman Mischnick, seconded by Councilman Jones to approve the second reading of Ordinance No. 2829. City Clerk Jines reading the ordinance by title which follows in its entirety.

ORDINANCE NO. 2829

AN ORDINANCE PERTAINING TO THE R-1, SINGLE-FAMILY RESIDENTIAL (R-1) ZONING DISTRICT AND AMENDING 115-98; PROVIDING FOR AN EFFECTIVE DATE, REPEALING EXISTING PROVISIONS OF THE ALLIANCE CODE NOT CONSISTENT WITH THIS ORDINANCE AND PROVIDING FOR PUBLICATION IN PAMPHLET FORM.

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

SECTION 1. Section 115-98 of the Code of Ordinances of the City of Alliance, Nebraska is hereby amended to read as follows:

Sec. 115-98. - R-1, Single-Family Residential District.

- (a) *Scope and intent.* This section applies to district R-1. The R-1, Single-Family Residential District is intended to provide a zone consisting primarily of single-family dwellings but which may have recreational, religious, and educational facilities to create a balanced neighborhood. This zone is intended to accommodate older neighborhoods in the community which were developed with smaller lot sizes.
- (b) *Permitted uses.*
- (1) Dwellings, one-family.
 - (2) Publicly owned and operated community buildings, public museums, public libraries and churches.
 - (3) Public parks and playgrounds, including public recreation or service buildings within such parks, public administrative buildings, police and fire stations.
 - (4) Public schools, elementary and high schools, and private schools with curriculum equivalent to that of a public elementary or high school, and institutions of higher learning, including stadiums and dormitories in conjunction, if located on campus.
 - (5) Railroad rights-of-way, not including railroad yards.
 - (6) Manufactured homes subject to the following standards:
 - a. The home shall have no less than an 18-foot exterior width;
 - b. The roof shall be pitched with a minimum vertical rise of 2½ inches for each 12 inches of horizontal run;
 - c. The exterior material shall be of a color, material, and scale comparable with those existing in residential site-built, single-family construction;
 - d. The home shall have a nonreflective roof material which is or simulates asphalt or wood shingles, tile, or rock; and
 - e. The home shall have wheels, axles, transport lights, and removal towing apparatus removed.
- (c) *Conditional uses.*
- (1) Golf courses and clubhouses and uses customarily accessory thereto, except miniature golf, driving ranges and other similar activities operated as a business.
 - (2) Group homes: provided that facility is not within 1,200 feet of another group home or a home of any size which serves other populations, including but not limited to correctional homes which serve people recuperating from the effects of drugs or alcohol, mental illness, or physical disability.
 - (3) Preschool nurseries and day care centers.
 - (4) Buildings, structures, and premises for public utility services, or public service corporations, which buildings or uses the council, after report of the city planning commission, deems reasonably necessary for public convenience or welfare.
 - (5) Funeral homes.
 - (6) Bed and breakfasts.
 - (7) Irrigation wells and associated buildings and equipment, customarily incidental to the principal use of the property, only if approval is granted by the water superintendent.
 - (8) Two-family dwelling.
 - (9) Abandoned church or school property as permitted in section 115-174.

- (10) Hair salons and barber shops with the following restrictions in addition to those found in Article V of this code:
 - i. Two paved off street parking spaces must be provided in the rear or side yard except parking shall not be allowed in side yards adjacent to the side street on a corner lot. Removal of one vehicle to move another is not allowed.
 - ii. Limited to one operator.
 - iii. Patronage must be by appointment only.
 - iv. Structures must be maintained or constructed to be similar in character and appearance to single or two family dwellings in the surrounding neighborhood by the use of colors, materials, construction techniques, lighting, and signs.

- (d) *Performance standards.*
 - (1) *Area and bulk regulations.*

Use	Minimum Lot Size (sq. ft.)	Minimum Lot Width (feet)	Minimum Number of Dwelling Units	Setbacks (feet)				Maximum Height (feet)	Minimum Building Separation on Same Lot (feet)
				Front	Rear	Side	Side Street		
Primary Structure	6,600	50	1	25	25	3	15	30*	6
Accessory building	—	—	—	25	5	3	c	30*	6

*Or a 3.5 feet addition to required northern or eastern side yard requirements for each vertical foot above 25 feet.

- a. Minimum dwelling size: 800 square feet on the ground floor.
- b. Maximum Lot coverage: 40 percent of total lot area.
- c. Setback is 20 feet for parking structures with entrances off of a side street; all others 15 feet.

- (2) *Permitted accessory uses.*

- a. Home occupations as defined in section 115-2 and provided in section 115-171.
- b. Detached Accessory Structures:

1. *Carpports* : No carport may be built or constructed except those which comply with the following restrictions:
 - i. One carport or private garage may be constructed serving a principal use on the same lot. If the lot already contains a carport or a garage, it must be removed within six months of completion of the new structure.
 - ii. Metal carports must be placed in the rear yard.
 - iii. Must be placed on a concrete pad at least four inches thick.
 - iv. Maximum roof peak height of ten feet as measured from the concrete pad.
 - v. The structure must be anchored to the ground with either auger type tie downs or bolts embedded in concrete no less than the minimum depth as required by typical garage construction.
 - vi. Must conform to local wind and snow load requirements.
 - vii. The color of the structure must be the same or similar to the principal structure.
 - viii. A structure with more than two walls is to be considered a garage and must follow the guidelines for garage construction.
 - ix. The structure must be kept in good repair. Any structure deemed a nuisance by way of peeling paint, failing structural members, broken concrete, loose tie downs, etc., may be ordered to be repaired or removed by the city building official.
2. *Private garages* : No private garage may be built or constructed except those which comply with the following restrictions:
 - i. One private garage or carport may be constructed serving a principal use on the same lot. If the lot already contains a carport or a garage, it must be removed within six months of completion of the new structure.
 - ii. May not be of greater height than the principal structure.
 - iii. The color of the garage must match or be similar to the color of the principal structure.
 - iv. Brick, stone, or veneer will only be required along the street and/or side street side(s) of the structure. If the type of covering is no longer available, the structure may be built using a similar brick, stone, or veneer as approved by the building official.
 - v. A garage may be designed for a maximum of one bathroom; however, no kitchen, or living quarters may be constructed.
3. *Storage buildings* : No storage building may be built or constructed except those which comply with the following restrictions:
 - i. One storage building may be constructed or placed on a lot serving a principal use.

- ii. Storage buildings greater than 200 square feet must be constructed using the same design criteria as private garages.
- c. Signs as permitted in chapter 111.
- d. Fences as permitted in section 115-172.
- e. Off-street parking and loading serving a principal use. All off-street parking shall be located on the same lot as the principal use. See section 115-173.
- f. Temporary construction, grading, and demolition activities which are necessary and incidental to the development of facilities on the same lot, or on another of several lots being developed at the same time.
- g. Temporary conduct of a real estate sales office which is necessary and incidental to, and located on the site of, a subdivision being developed into five or more lots.
- h. Open area devoted to decorative paving, swimming pools, tennis courts, and other similar uses, located on the same lot as the principal use.
- i. Storage and service areas and buildings serving a principal use on the same lot, provided that storage buildings do not exceed 150 square feet in size, or unenclosed areas which are accessory to a principal nonresidential use not exceeding 200 square feet in area.
- j. A single trailer, camper, motor home or a boat, incidental to and on the same lot as principal residential uses, but only if the trailer, camper, motor home, or boat is not intended for habitation while it is on the lot, subject to the setback provisions in section 115-170(e).
- k. Television, radio receiving and transmitting equipment, and satellite dishes as permitted by chapter 109, subject to the setback provisions in section 115-170(e) and not exceeding 60 feet in height.

SECTION 2. This Ordinance shall be in full force and effect from and after its approval, passage, and publication in pamphlet form as authorized by the Nebraska Statutes, with distribution to be made by making copies available to interested parties at the City of Alliance Office.

Roll call vote on the second reading of Ordinance No. 2829 with the following results:

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

Voting Nay: None.

Motion carried.

- The second reading of Ordinance No. 2830 which will amend the Alliance Municipal Code by updating the language for City Employee Pension Plans was the next discussion item. Council was provided with the following background information:

[Staff is proposing modifications to the Alliance Municipal Code regarding employee retirement committees. Council had previously approved the restated retirement plan documents for the General, Police and Fire Plans on September 1, 2015. Recommended modifications incorporated changes from the plan document and best practices. The fire and police sections are also updated to provide consistent application of the Revised Nebraska State Statutes and plan document language.

All Plans:

- Adds titles to the sections.
- Appoints the City Manager and Finance Director as administration representatives.
- Incorporates the Plan Administrator as a non-voting member and states the responsibilities are assigned by the City Manager.
- References statutory duties and the plan document for any additional delegated duties.

The Fire Plan Committee also reduces the number of employee representatives from four to two at the direction of the Fire Department. The Department is presently staffed with only four employees.]

A motion was made by Councilman Reynolds, seconded by Councilman Korber-Gonzalez to approve the second reading of Ordinance No. 2830 which Clerk Jines read by title and follows in its entirety.

ORDINANCE NO. 2830

AN ORDINANCE OF THE CITY OF ALLIANCE, NEBRASKA, AMENDING THE MUNICIPAL CODE BY MODIFYING SECTIONS 2-131, 2-132, 2-133, 2-151, 2-152, 2-153, 2-171, 2-172 AND 2-173, RELATING TO THE GENERAL, POLICE AND FIREFIGHTER PENSION PLANS, REPEALING PRIOR PROVISIONS OF THE MUNICIPAL CODE WHICH ARE INCONSISTENT WITH THIS ORDINANCE, PROVIDING FOR PUBLICATION IN PAMPHLET FORM AND PROVIDING FOR AN EFFECTIVE DATE.

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

SECTION 1. The Alliance Municipal Code at Section 2-131 through Section 2-133 shall be amended as follows:

Sec. 2-131. - Generally.

A pension plan, which shall be known as the "Alliance General City Employees' Pension Plan," and which is designed and intended to provide retirement benefits for the regularly employed and appointed employees of the city, excluding employees subject to the provisions of

the police officers' and firefighters' pension ordinance, has been created. The pension plan began operation March 1, 1966, which date shall be referred to as the effective date. The plan has been restated as of September 1, 2015. The plan is designed and intended to comply with the applicable provisions of Internal Revenue Code.

Sec. 2-132. - General employee's retirement committee.

- (a) General Purpose. There is established a general employees' retirement committee which shall supervise the general operation of the general employee's retirement system.
- (b) Members. The retirement committee established shall consist of members from both the general city employees and designees of the city council. The committee shall consist of six members, of which four members shall be selected by general city employees, and shall not be from the same department. The employee representative must also be a participant in the General Employees Retirement Fund. Two members shall be appointed by the city council. Administration shall be represented by the city manager and finance director. The plan administrator will be a non-voting member.
- (c) Elections. Election shall be by secret ballot under the supervision of the city clerk. Results of the election shall be certified to the city council by the city clerk.
- (d) Term. Employee members shall be appointed to three-year terms. Vacancies shall be filled by a person with the same representation as his predecessor.
- (e) Compensation. Members of the retirement committee shall receive no salary and shall not be compensated for expenses.
- (f) Duties. The retirement committee shall be established to supervise the general operation of the plan; provided, however, the City shall be responsible for the general administration of the plan except for such specific administrative functions which are delegated, by ordinance or plan document, to the retirement committee.

It shall be the duty of the retirement committee to:

- (1) Provide each employee a summary of plan eligibility requirements and benefit provisions;
- (2) Provide, within 30 days after a request is made by a participant, a statement describing the amount of benefits such participant is eligible to receive;
- (3) Make available for review an annual report of the system's operations describing both the amount of the contributions to the system from both employee and employer sources; and an identification of the total assets of the retirement system.

Sec. 2-133. Retirement Plan Administrator.

- (a) Appointment. The plan administrator shall be appointed by the city manager.
- (b) Duties. The plan administrator shall administer the operation of the plan in accordance with the terms and provisions of the plan in a uniform and nondiscriminatory manner.

Secs. 2-134—2-150. - Reserved.

SECTION 2. The Alliance Municipal Code at Section 2-151 through Section 2-153 shall be amended as follows:

Sec. 2-151. - Generally.

A pension system for police officers of the city has been established and is administered pursuant to R.R.S. 1943, §§ 16-1002 through 16-1019.

Sec. 2-152. - Retirement committee.

- (a) General Purpose. There has been established a police department retirement committee which shall supervise the general operation of the police department's retirement system.
- (b) Members. The retirement committee established shall consist of members from both the police force and designees of the city council. The committee shall consist of six members, of which, four members shall be selected by active, paid police officers. Two members shall be appointed by the city council. Administration shall be represented by the city manager and finance director. The plan administrator will be a non-voting member.
- (c) Elections. Election of police officers shall be by secret ballot under the supervision of the city clerk. Results of the election shall be certified to the city council by the city clerk.
- (d) Term. The committee members shall be appointed to four-year terms. Vacancies shall be filled for the remainder of the term by a person with the same representation as his predecessor.
- (e) Compensation. Members of the retirement committee shall receive no separate salary and shall not be compensated for expenses.
- (f) Duties. The retirement committee shall be established to supervise the general operation of the plan; provided, however, the City shall be responsible for the general administration of the plan except for such specific administrative functions which are delegated, by ordinance or statute, to the retirement committee.

Sec. 2-153 - Retirement Plan Administrator.

- (a) Appointment. The plan administrator shall be appointed by the city manager.
- (b) Duties. The plan administrator shall administer the operation of the plan in accordance with the terms and provisions of the plan in a uniform and nondiscriminatory manner.

Secs. 2-154—2-170. - Reserved.

SECTION 3. The Alliance Municipal Code at Section 2-171 through Section 2-173 shall be amended as follows:

Sec. 2-171. - Generally.

A pension system for firefighters of the city has been established and is administered pursuant to R.R.S. 1943, §§ 16-1020 through 16-1042.

Sec. 2-172. - Retirement committee.

- (a) General Purpose. There is established a fire department retirement committee which shall supervise the general operation of the fire department's retirement system.
- (b) Members. The retirement committee established shall consist of members from both the fire department and designees of the city council. The committee shall consist of four members, of which two members shall be selected by active, paid officers from the fire department of the city administration shall be represented by the city manager and finance director. The plan administrator will be a non-voting member.
- (c) Elections. Election of fire personnel shall be by secret ballot under the supervision of the city clerk. Results of the election shall be certified to the city council by the city clerk.
- (d) Term. The committee members shall be appointed to four-year terms. Vacancies shall be filled for the remainder of the term by a person with the same representation as his predecessor.
- (e) Compensation. Members of the retirement committee shall receive no separate salary and shall not be compensated for expenses.
- (f) Duties. The retirement committee shall be established to supervise the general operation of the plan; provided, however, the city shall be responsible for the general administration of the plan except for such specific administrative functions which are delegated, by ordinance or statute, to the retirement committee.

Sec. 2-173. – Retirement Plan Administrator.

- (a) Appointment. The plan administrator shall be appointed by the city manager.
- (b) Duties. The plan administrator shall administer the operation of the plan in accordance with the terms and provisions of the plan in a uniform and nondiscriminatory manner.

Secs. 2-174—2-195. - Reserved.

SECTION 4. All ordinances or parts of ordinances passed and approved prior to passage, approval and publication of this ordinance in conflict herewith are now repealed.

SECTION 5. This Ordinance shall be in full force and effect from and after its approval, passage, and publication in pamphlet form as authorized by the Nebraska Statutes, with

distribution to be made by making copies available to interested parties at the City of Alliance Office.

Roll call vote on the second reading of Ordinance No. 2830 with the following results:

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

Voting Nay: None.

Motion carried.

- The Rezoning Application of Dale Jeske Jr. to rezone property located at 2131 CR 59 from an A, Agriculture to C-3, Highway Commercial Zoning District was the next agenda item. Council considered Ordinance No. 2828 on third reading, which will approve the rezone request. Council was provided with the following background information:

[Dale Jeske Jr. has submitted an application to rezone a tract of land so that he may apply for a Conditional Use Permit for an RV Park. The only zoning district that allows RV Parks is C-3 Highway Commercial.

The tract of land is located along the east side of Nebraska Highway 87, approximately 2.7 miles north of the intersection of East 10th Street and Flack Avenue/Nebraska Highway 87. The legal description of the property is Part of the West ½ of the West ½ of the Northwest ¼ of Section 18, Township 25 North, Range 47 West of the 6th Principal Meridian, tax parcel number 070072736 addressed 2131 CR 59.

The proposed rezone will change the front setback from 50 feet to 15 feet, side setbacks from 15 feet to 0 feet, and rear setbacks from 50 feet to 15 feet. The house is currently a nonconforming structure but will become conforming if rezoned to C-3.

Notification Petitions were served to property owners within a 300' radius of the subject property. The City served four petitions and as of November 4th, the City had received three of them back, two in favor of the rezone and one opposed stating security of the area as the reason for opposition.

Staff would like to point out that under normal circumstances, a rezone like this would be considered "spot zoning." However, the nature of the location of the tract of land in the City Two Mile Extraterritorial Zoning Jurisdiction, the Conditional Use Permit application already being submitted to staff, and establishing the proposed use of the property as an RV Campground before the rezone, limits the exposure to the City for an undesirable use to be located on this tract of land.

At the October 11th 2016 Planning Commission Meeting a discussion was held to the feasibility of the rezone. The Planning Commission felt that since the

property owner submitted an application for a Conditional Use Permit; the risks involved in rezoning the property to C-3 were minimal. The Planning Commission then met at their November 8th Regular Meeting, where they held a public hearing and voted to recommend the Alliance City Council rezone the previously described property addressed 2131 CR 59 making the following findings of fact:

1. Testimony indicates that an RV Campground would be beneficial to the City of Alliance.
2. The issues and concerns brought up during the public hearing will be addressed during the Conditional Use permitting process.
3. Nebraska Highway 87 being adjacent to the property fits with the new zoning district of C-3, Highway Commercial, which will also minimize increased traffic concerns.
4. Because the property owner has also submitted his application for a Conditional Use Permit for an RV Park, the risk of a less desirable use of the property is minimal.]

A motion was made by Mayor Yeager, seconded by Councilman Jones to approve the third reading of Ordinance No. 2828 which Clerk Jines read by title and follows in its entirety.

ORDINANCE NO. 2828

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 TRACT OF LAND IN PART OF THE WEST ONE HALF (W $\frac{1}{2}$) OF THE WEST ONE HALF OF THE NORTHWEST QUARTER (W $\frac{1}{2}$ NW $\frac{1}{4}$) OF SECTION EIGHTEEN (18), TOWNSHIP 25 NORTH, RANGE 47 WEST OF THE 6TH P.M. IN BOX BUTTE COUNTY, NEBRASKA CONTAINING AN AREA OF 10.85 ACRES, MORE OR LESS IS NOW INCLUDED AS A C-3 (HIGHWAY COMMERCIAL) 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

(a) 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.

(b) 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 20th day of December, 2016, 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.

Roll call vote on the final reading of Ordinance No. 2828 with the following results:

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

Voting Nay: None.

Motion carried.

Mayor Yeager stated, “the passage and adoption of Ordinance No. 2828 has been concurred by a majority of all members elected to the Council, I declare it passed, adopted and order it published.”

- The next item before Council was Resolution No. 16-141 which authorizes the purchase of a 2017 Ford Explorer and a 2017 Ford Fusion for the Alliance Police Department. Council was provided with the following background information:

[The Police Department is currently in need of one replacement patrol vehicle. The present patrol vehicle is a 2013 Ford Interceptor with 120,000 miles. This unit was one of the first of the new style Fords that the city purchased with AWD. The officers have positive comments about the operation of the vehicle in winter weather and its ability to drive through snow. The only negative comments are in regard to the smaller size of the vehicle when more than one officer must be in the vehicle (when the vehicle is utilized as a training unit) as the equipment over the center console has a tendency to get in the way as well as the limited head room.

The following chart details all current Police Department vehicles including purchase date and age, current miles and projected replacement year. There are five cruisers that are shared by patrol staff shifts. Currently, two shifts overlap and there may be four cruisers on the street at the same point in time.

Unit ID	Description	Use	Purchased Age	Miles	Replace
V120	2005 Harley Davidson Cycle	Special Duty	03/01/05	10	88,532 2020
V108	2005 Mercury Sable	WING	11/02/05	10.3	72,005 2016
V151	2007 Ford F-150 4X4 PU	Animal Control	04/04/07	8.0	75,003 2018
V105	2015 Ford AWD Interceptor	Cruiser	05/09/16	0.7	16,227 2020
V113	2016 Ford Explorer AWD	Cruiser	06/01/15	1.6	29,175 2019
V107	2016 Ford Explorer AWD	Cruiser	06/01/15	1.6	28,465 2019
V116	2009 Jeep Grand Cherokee	Investigator	10/01/10	5.4	85,000 2018
V102	2013 Ford AWD Interceptor	Cruiser	06/29/12	4.6	76,001 2017
V103	2013 Ford AWD Interceptor	Cruiser	06/29/12	4.6	120,000 2016
V106	2013 Ford AWD Interceptor	Cruiser	03/15/13	3.9	30,065 2018
V104	2014 Ford AWD Interceptor	Chief Unit	08/18/14	2.4	16,200 2024

11 Total Units

A recent survey of 13 police departments of similar-sized cities revealed that the departments retain patrol vehicles between 85,000 and 140,000 miles with an average of 110,000.

PATROL VEHICLE

The Police Chief has investigated alternative vehicle replacement models for this year and is recommending that we replace the patrol vehicle with an additional Ford Explorer. The State of Nebraska bid and Cover-Jones Motor Co. prices are displayed below for the 2017 Ford Explorer. Delivery Time is estimated at 90-120 days.

Vehicle	State of Nebraska	Cover-Jones Motor Co.
2017 Ford Explorer Interceptor AWD	\$28,349	\$27,760
2017 Ford Interceptor AWD Taurus	\$25,243	\$24,458
2017 Chevrolet Caprice	\$27,033	
2017 Dodge Charger	\$25,673	

*There were no other comparable vehicles to the Explorer by other makers received from the State bid.

After utilizing the Ford Explorers for the past 18 months, officers have commented on the ease of entering and exiting the larger vehicle due to the extra head room. Driving this vehicle provides better visibility, improved driving experience in inclement weather and extra storage. The Ford Explorer has the same size engine as the Ford Taurus Interceptors with all-wheel drive for easier mobility in snow.

This vehicle will require new decals, radar unit and partial docking station at a quoted price of \$3,200. The console, light bar/siren package and prisoner cage unit (required because of the change in vehicle style) will be \$4,300 plus maximum installation of \$2,750 as quoted by Action Communication of Scottsbluff. The mobile radio, laptop and a portion of the docking station will transfer from the current vehicle.

RECOMMENDATION - The purchase of the 2017 Ford Explorer from Cover-Jones Motor Company for \$27,760. The equipment and installation would cost \$10,250 for a total of \$38,010.

INVESTIGATOR VEHICLE

Presently, the investigator is assigned to drive the 2005 Mercury Sable with over 72,000 miles. This unit has not been the most reliable vehicle. It has had electrical problems that mechanics have never been able to resolve. The vehicle had been taken to both the Ford dealership as well as another local auto repair shop; however, it continues to have the same issues. It has problems starting in cold weather and the battery has had a history of draining for no reason. In the past, we purchased used vehicles, but with cost of used vehicles compared to the new vehicles under the State bid, staff recommends that we purchase a new vehicle which would include the additional security of a warranty.

Cost of vehicles from the Nebraska State bid and Team Chevrolet and Cover-Jones of Alliance were compared and are detailed below.

Vehicle	Source	Price
2017 Chevrolet Cruze	Team Chevrolet	\$19,898*
2017 Toyota Corolla	Team Chevrolet	\$19,999*
2017 Toyota Camry	Team Chevrolet	\$22,570*
2017 Ford Fusion S Sedan	Cover-Jones Motor	\$16,943*
2017 Chevrolet Cruze	State Bid	\$17,300
2017 Ford Fusion S Sedan	State Bid	\$17,274

*Price is net of \$1,500 trade allowance.

RECOMMENDATION - The purchase of a 2017 Ford Fusion Sedan from Cover-Jones Motor Co. of Alliance for \$16,943 (which is net of a \$1,500 trade allowance for the Mercury Sable). This particular vehicle will not require any additional equipment to be purchased.

The proposed resolution would authorize the two vehicle purchases from Cover-Jones Motor Co. for a total of \$44,703. The equipment and installation would be \$10,250 for a grand total of \$54,953. The approved authority as included in the police operations budget (Capital Outlay - Vehicles G/L 01-31-32-59-960) is \$68,000.]

Councilman Jones made a motion to approve Resolution No. 16-141, which was seconded by Councilman Korber-Gonzalez. The resolution follows in its entirety:

RESOLUTION NO. 16-141

WHEREAS, The City of Alliance Police Department has a need to replace one patrol vehicle a 2013 Ford Interceptor with 120,000 miles and the investigator's vehicle a 2005 Mercury Sable; and

WHEREAS, Police Chief Kiss is recommending the purchase of one 2017 Ford Explorer in the amount of \$27,760 and a 2017 Ford Fusion S Sedan in the amount of \$16,943 for a total of \$44,703 from Cover-Jones Motor Co. of Alliance, NE; and

WHEREAS, The 2017 Ford Explorer will require the purchase and installation of the required safety and emergency equipment with an approximate value of \$10,250 and installed through Action Communications of Scottsbluff; and

WHEREAS, Staff is recommending that Cover-Jones Motor Co. and Action Communications are the lowest responsive, responsible bidders for these purchases.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Alliance, Nebraska, that City Manager Rick Kuckkahn be and hereby is authorized to enter into a contract with Cover-Jones Motor Co. for the purchase of one 2017 Ford Explorers in the amount of \$27,760 and one 2017 Ford Fusion S Sedan in the amount of \$16,943 for a total of Forty-four Thousand Seven Hundred Three Dollars and no/100ths (\$44,703).

BE IT FURTHER RESOLVED, that City Manager Rick Kuckkahn is authorized to enter into a contract with Action Communications for the purchase and installation of the safety and emergency equipment in the amount not to exceed \$10,250.

BE IT FURTHER RESOLVED, that the City Council is authorizing the purchase from the Police Department's Capital Outlay – Vehicle Account No. 01-31-32-59-960 to allow for the purchase of two police vehicles and the associated safety and emergency equipment.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

- Boards resignations and appointments were the next matter before Council.

Councilman Korber-Gonzalez made a motion to accept the letter of resignation received from Wayne Brown for the Library Board. The motion was seconded by Councilman Mischnick.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

A motion was made by Councilman Korber-Gonzalez and second by Councilman Mischnick to accept the resignation of Holly Heath from the A-1 Downtown Improvement Districts Board.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

A motion was made by Councilman Korber-Gonzalez and second by Councilman Reynolds to accept the resignation of Susan Unzicker from the A-2 Downtown Improvement Districts Board.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

A motion was made by Councilman Korber-Gonzalez to reappoint Stephen Brittan and Clay Messersmith to the Board of Adjustment with new terms expiring December 31, 2019. The motion was seconded by Councilman Jones.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

A motion was made by Councilman Korber-Gonzalez, seconded by Councilman Mischnick to reappoint Dr. Jessica Ott to the Board of Health with a term expiring December 31, 2017.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

A motion was made by Councilman Korber-Gonzalez, seconded by Councilman Jones to appoint Becky Maser to the A-1 Downtown Improvement Board with a term expiring October 31, 2018.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

Motion by Councilman Korber-Gonzalez, seconded by Councilman Jones to appoint Rich Arndt to the A-1 Downtown Improvement Board with a term expiring October 31, 2017.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

A motion was made by Councilman Korber-Gonzalez, seconded by Councilman Reynolds to reappoint John McGhehey and Richard Robb to the Economic Development Plan Application Review Committee with terms expiring June 30, 2019.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

Motion made by Councilman Korber-Gonzalez, seconded by Councilman Reynolds to reappoint Tim Garwood, Lori Mazenec, Clay Messersmith and Kurtis Schmidt to the Economic Development Plan Citizen Advisory Board with terms expiring December 31, 2019.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

A motion was made by Councilman Korber-Gonzalez, seconded by Councilman Reynolds to appoint Franklin Tolstedt to the Economic Development Plan Citizen Advisory Board with a term expiring December 31, 2017.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

A motion was made by Councilman Korber-Gonzalez, seconded by Councilman Reynolds to reappoint Vickie Mattox, Kendra Schott and Kurtis Schmidt to the Alliance Planning Commission with terms expiring December 31, 2019.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

A motion was made by Councilman Korber-Gonzalez, seconded by Councilman Mischnick to appoint Evan Mehne to the Alliance Planning Commission as an alternate member.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

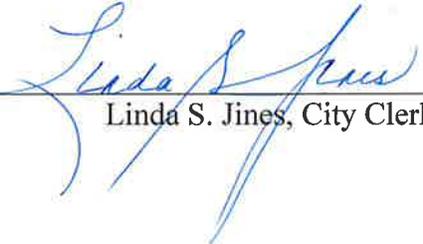
Councilman Jones invited anyone interested in serving on these Boards to contact the City Clerk's Office. Information on all of the City Boards is also available on our web site, www.cityofalliance.net.

- Mayor Yeager stated, “there being no further business to come before the Alliance City Council, the meeting is adjourned at 7:20 p.m.”



Ralph Yeager, Mayor

(SEAL)



Linda S. Jines, City Clerk

