

ALLIANCE CITY COUNCIL

REGULAR MEETING, TUESDAY, OCTOBER 17, 2017

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

The Alliance City Council met in a Regular Meeting, October 17, 2017 at 7:00 p.m. in the Board of Education Meeting Room, 1604 Sweetwater Avenue, Alliance, Nebraska. A notice of meeting was published in the Alliance Times Herald on October, 11 2017. 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 October 17, 2017 Regular Meeting of the Alliance, Nebraska City Council at 7:00 p.m. Present were Council Members Yeager, Mischnick, Jones, Korber-Gonzalez and Reynolds. Also present were City Manager Kuckkahn, Assistant City Manager/Finance Director Waggener, City Attorney Hoelsing and City Clerk Jines.

- Mayor Yeager announced the Open Meetings Act was available for the public and posted on the north wall of the audience area.
- The first agenda item was the recognition of the promotion of Jacob Henion as our new Police Lieutenant. Council was also made aware of the hiring of Stefanie Ottenbacker as a Meter Reader and Dave Minnick as a Public Transit Driver.
- The Consent Calendar was the next matter for Council’s consideration. A motion was made by Councilman Mischnick, seconded by Councilman Jones to approve the Consent Calendar as follows:

CONSENT CALENDAR – OCTOBER 17, 2017

1. Approval: Minutes of the Regular Meeting, October 3, 2017.
2. Approval: Payroll Costs for the period September 23, 2017 through October 6, 2017: \$194,424.28.

3. Approval: Claims against the following funds for the period October 1, 2017 through October 11, 2017: 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; \$999,015.00.
4. For Your Information: Attached is a listing of Demand Checks which were generated over the last financial quarter ending September 30, 2017. The report lists checks that have been issued which are not expenses within the budget. These are primarily made up of fund transfers, meter deposit refunds, utility overpayments and an occasional check which was required to be reissued.
5. Approval: Update the roster of the Alliance Volunteer Fire Department with the removal of Jason Cook due to his resignation.
6. Approval: The issuance of a Cemetery Certificate to Howard D. Stephenson and Carol B. Stephenson for the South Half of the Southeast Quarter (S½ SE¼) Lot Nine (9), Section Two (2), Block Seventeen (17), Second Addition to the Alliance Cemetery.
7. Approval: Resolution No. 17-97 authorizing the annual Contribution Agreement for Keep Alliance Beautiful in the amount of \$30,000.
8. Approval: Resolution No. 17-98 authorizing the annual Contribution Agreement for Heartland Expressway in the amount \$3,059.
9. Approval: The *Special Events Request Use of Public Facilities, Parks, Streets* of the Alliance Chamber of Commerce for the closure of Box Butte Avenue between 10th and 3rd Streets on Saturday, November 18, 2017. The Chamber will be conducting their annual Christmas Parade with line-up starting at 1:30 p.m. in the 800 and 900 blocks with the parade starting at 2:00 p.m. The parade participants will turn off at 4th Street and Santa will proceed to the 3rd Street Mini Park where there will also be live reindeer. A Certificate of Liability Insurance is required naming the City of Alliance an additional insured.
10. For Your Information: The City has received notice of the following residential channel lineup change from Charter Communications effective December 1, 2017:

CHANNEL	CHANGE	CHANNEL NUMBER
i24 News Launch (Altice)	Add in SD and HD	144 & 744

11. For Your Information: The City has received Full Release and Settlement Agreements with Michael Rinard and Rebecca Rinard as parents, natural guardians, and next friends of Joyce A. Rinard in the amount of \$56,820 and with Michael Rinard and Rebecca Rinard, individually in the amount of \$38,180. These are as a result of an automobile accident which occurred on August 5, 2013. This is being reported to Council as required by Nebraska Revised Statutes §84-713.

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

Any item listed on the Consent Calendar may, by the request of any single Council Member, be considered as a separate item in the Regular Agenda.

Roll call with the following results:

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

Voting Nay: None.

Motion carried.

- Resolution No. 17-99 which will recommend approval of the Manager's Application of William Fraedrich for the Veteran's F.W. was the next item on the agenda. Council was provided with the following background information:

[The City of Alliance is in receipt of the Manager Application of William L. Fraedrich for the liquor license of Veterans F.W. Leonard Mart 1517, 424 Flack Avenue, Alliance, Nebraska. Mr. Fraedrich has not completed the Responsible Beverage Service Training in Nebraska; but it is reported he will be taking the on-line computer course. Lt. Jacob Henion completed a background check on Mr. Fraedrich and has found no reason to deny the application.]

Mr. William Fraedrich, 318 Sweetwater Avenue appeared before Council to answer questions regarding his application. City Attorney Hoelsing asked Mr. Fraedrich about his previous experience, how alcohol will be stored and served and obtaining training through the State of Nebraska.

A motion was made by Councilman Reynolds, seconded by Councilman Jones to approve Resolution No. 17-99. The resolution follows in its entirety:

RESOLUTION NO. 17-99

WHEREAS, The City of Alliance has received a notice and copy of a Manager Application for Veterans F.W. Leonard Mart 1517, 424 Flack Avenue, Alliance, Nebraska submitted by William L. Fraedrich; and

WHEREAS, City staff has reviewed the application and finds no reason why the proposed manager, William L. Fraedrich, would be disqualified from serving as manager.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the City of Alliance, Nebraska, that the Manager's Application of William L. Fraedrich for Veterans F.W.

Leonard Mart 1517, 424 Flack Avenue, Alliance, Nebraska is hereby recommended for approval to the Nebraska Liquor Control Commission.

BE IT FURTHER RESOLVED, that the City Clerk shall notify the Nebraska Liquor Control Commission of this Council decision.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

- The next discussion item was Resolution No. 17-100 which authorizes the purchase of a John Deere 850k Waste Handler Dozer from Murphy Tractor & Implement for \$321,727.12 for the Landfill. Council was provided with the following background information:

[The Landfill currently has a 1981 CAT dozer that has reached end of life. The City overhauled the current dozer in 2015 with the plan to extend the life by three to five years. The repairs were limited to the rear drive unit with the potential for other significant issues.

The proposed dozer will include a complete landfill package with guards and shields (the current dozer does not have) that will prevent landfill debris from damaging the dozer's mechanisms and thus ensure a longer life. It will provide the employees a climate-controlled cab allowing them to do the day-to-day work without having to have the windows and doors open and without using a respirator in the summer.

VENDOR	DESCRIPTION	COST
Murphy Tractor and Equipment Gering, NE	John Deere 850K Waste Handler Dozer NJPA #UINV0016	\$331,727.12
	Trade in 1981 CAT	-\$10,000.00
	Total	\$321,727.12

Landfill Superintendent Ed Tvrs has recommended the purchase of a John Deere 850K Waste Handler Dozer in the amount of \$321,727.12 using the National Joint Powers Alliance (NJPA) bid pricing. Dozer bids were not available through the State of Nebraska bid process. Caterpillar equipment was significantly higher in price. The purchase of a John Deere model will also simplify the service as the other landfill equipment is John Deere.

Funding for this replacement equipment is authorized in the 2017-18 budget at \$420,000 within Capital Outlay-Machinery and Equipment (GL #06-51-55-59-

950). The purchase is \$98,727.88 less than the budgeted amount. Cash reserves will be reviewed by staff and local institutions will be contacted to arrange financing, as appropriate prior to delivery.

A motion was made by Councilman Korber-Gonzalez, seconded by Councilman Mischnick to approve Resolution No. 17-100.

Mayor Yeager offered an amendment to the resolution to remove the trade-in of our current piece of equipment and increase the purchase price by \$10,000. Mayor Yeager believes the City could get a better price by selling the current dozer on our own. The motion was seconded by Councilman Mischnick.

Roll call vote to amend Resolution No. 17-100:

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

Voting Nay: None.

Motion carried.

The amended resolution follows in its entirety:

RESOLUTION NO. 17-100

WHEREAS, The City of Alliance owns and operates a landfill for the residents of the City of Alliance; and

WHEREAS, The City of Alliance needs to purchase a new dozer to replace the existing piece of equipment that is used at our landfill; and

WHEREAS, The City received quotes from the National Joint Purchasing Association which utilizes government pricing; and

WHEREAS, Murphy Tractor & Equipment Co., of Gering, NE is able to provide a John Deere 850K Waste Handler Dozer with landfill package in the amount of Three Hundred Thirty-one Thousand Seven Hundred Twenty-seven Dollars and 12/100ths (\$331,727.12).

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of Alliance, Nebraska, that a John Deere 850K Waste Handler Dozer with landfill package be purchased from Murphy Tractor & Equipment Co., of Gering, NE in the amount of Three Hundred Thirty-one Thousand Seven Hundred Twenty-seven Dollars and 12/100ths (\$331,727.12) from Account No. 06-51-55-59-950.

BE IT FURTHER RESOLVED that the City Manager is authorized to execute the documents associated with this purchase.

Roll call with the following results:

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

Voting Nay: Nonc.

Motion carried.

- The next agenda was Resolution No. 17-74 which will award the Engineering services to the Park/Bus Barn Project to Joseph Hewgley & Associates, Inc. Council was provided with the following background information:

[This matter was tabled at our July 18th Council meeting to allow staff additional time to obtain information regarding this project. In visiting with the State of Nebraska personnel, as the project will be partially grant funded for the Public Transit portion, the construction management at risk process will not be a viable option at this time. So moving forward we sought informal quotes to confirm that our target budget for this type of facility was realistic. A vendor for steel structures was contacted and a very similar project is currently being completed with a sq. ft. price of \$66.00, which would equate to \$726,000 for our proposed 11,000 sq. ft. facility. This amount does not include the required demolition of the present building on the site, design fees or bidding assistance. The information below was previously presented to Council and explains the project and process.

The City of Alliance was awarded funding to assist with the construction of a bus barn for use by Box Butte Public Transit. In an effort to save funds, City of Alliance staff decided to combine this project with the construction of a new Parks maintenance facility that became necessary when the old building was condemned and demolished. To that end, in accordance with funding requirements, a Request for Qualifications (RFQ) was released to solicit engineering services for design and construction of a multi-use facility to house both the Parks Division and Box Butte Public Transit. The request for qualifications was released on March 1, 2017 and two responses were received from Baker and Associates of Scottsbluff and Joseph R. Hewgley & Associates of Scottsbluff.

Each firm was invited to present their qualifications and experience to an evaluation committee comprised of Cultural and Leisure Services Director Shana Brown; Parks Foreman Joe Lewis; and Community Services Director Janine Iossi. After the presentations, firms were rated by all three members of the evaluation team and all were in agreement that Joseph R. Hewgley & Associates was the firm with the most similar and extensive experience.

That staff recommendation along with a cost estimate provided by the selected firm was forwarded to the State of Nebraska for review and approval. Approval of the recommendation and fees was received June 27, 2017. The recommendation is

now being presented for Council's approval to allow the City to move forward with the project.

The total quote for engineering services is \$144,000 which includes the design and construction administration services. The engineer services related to the Public Transit portion of the building will be reimbursed to the City of Alliance with the City paying 20% and grant funds paying 80%. Engineering services related to the Park Shop portion of the project will be fully funded by the City through the Capital Projects Fund.]

A motion to remove this item from the table for Council's consideration was made by Councilman Jones. The motion was seconded by Councilman Korber-Gonzalez. Prior to voting Councilman Reynolds stated he believed he had a potential conflict with this item and removed himself from the Council table for the duration of the discussion and consideration of this matter.

Roll call vote with the following results:

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

Voting Nay: None.

Absent: Reynolds.

Motion carried.

A motion was made by Councilman Jones, seconded by Councilman Korber-Gonzalez to approve Resolution No. 17-74. The resolution follows in its entirety:

RESOLUTION NO. 17-74

WHEREAS, The City of Alliance received Federal funds under Section 5311 of the Federal Transit Act for the Nebraska Public Transportation Assistance Program for the construction of a bus barn; and

WHEREAS, As a cost savings effort this project was combined with the construction of a new Parks maintenance building; and

WHEREAS, The available Federal Transit Act Section 5311 funds will be provided at 80% Federal and 20% local match for the bus barn portion and the City of Alliance will be responsible for 100% of the Parks maintenance building;

WHEREAS, City of Alliance staff conducted interviews for engineering services, as required by the State of Nebraska, and approved the selection of Joseph R. Hewgley & Associates, Inc. in the amount of One Hundred Forty-four Dollars and no/100ths (\$144,000.00).

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Alliance, Nebraska, that Joseph R. Hewgley and Associates, Inc. will be selected to provide the engineering services for the construction of the Bus Barn/Parks Maintenance facility in the

amount of One Hundred Forty-four Dollars and no/100ths (\$144,000.00), subject to an agreement satisfactory to the City of Alliance being executed by the parties.

Roll call with the following results:

Voting Aye: Korber-Gonzalez, Jones, Mischnick.

Voting Nay: Yeager.

Absent: Reynolds.

Motion carried.

- The next discussion item was the request from the A-DOG Organization for placement of steps on the south side of the Wiggly Field entrance with the use of a grant they received in the amount of \$1,500 to put towards the project. The following background information was provided to Council:

[The Alliance Dog Owners Group (A-DOG) is proposing the installation of stairs on the south end of Wiggly Field Dog Park to provide improved access to the facility. A-DOG has secured \$1,500 in grant funding from the Lion's Club to assist with the project. Total cost for the installation of the staircase is approximately \$6,000.

This project was originally proposed several years ago, but it was delayed because the ADA access to the facility was being evaluated to ensure compliance. In response to a complaint that was filed with the State, City staff worked with a State representative and several other professionals in the field to ensure that the park was in compliance. If the park had been found to be out of compliance, staff would have requested these funds be utilized to provide compliant ADA access.

At the July 26, 2017 Alliance Park and Tree Board meeting, the Board unanimously voted to recommend approval of this project to the Alliance City Council.

The City Manager and staff in reviewing the recommendation of the Alliance Park and Tree Board to move forward with the project has some concerns. The funding required to complete this project is not available within the current budget. The funding for this project is of a lower priority for staff compared to other needs within the Park Division at this time. Staff also believes that the \$1,500 received by A-DOG from the Lion's Club could still be put to good use at the dog park to provide desired improvements.

As always, staff respects the desires of Council. Should Council like to move forward with the staircase installation at this time, it is recommended that the estimated \$4,500 needed to complete the project be authorized from the City Council's Contingency Fund.]

Following the discussion, Council by consensus decided not to move forward with the installation of the staircase at this time. If the funds will still be available they would like to see an improvement to Wiggly Field closer to the amount of funding available.

- Resolution No. 17-101 which authorizes improvements made to the women's locker room at the SkyView Golf Course was the next agenda item. Council was provided with the following background information:

[The SkyView Women's Golf Association (SWGA) is proposing a cooperative project between them and the City of Alliance to renovate the women's locker room. The project will include the replacement of lockers, flooring, sinks, cabinets, and vanities in the locker rooms located in the SkyView club house.

Culture and Leisure Services Director Brown received a proposal and budget for the project in July of 2017 and at that time the total budget was \$6,975.00. In response to that submission, \$4,000 was included in the 2017-18 operating budget to assist with this project. The third week of September, a representative for SWGA contacted C&L Director Brown regarding the addition of lockers to the project at a cost of \$13,500.00. C&L Director Brown agreed to see if there were unexpended funds in the 2016-17 budget that could be used for the project prior to the end of the current fiscal year. After evaluating the cash flow, it was clear that the additional funds were not available because despite costs being kept to a minimum, revenues at the course are significantly down and additional draw on the fund would not have been responsible. Council was already required to add an additional \$20,000 from the City Council Contingency Fund to fully fund the Golf Course operation.

As part of this project, SWGA is requesting the following:

1. The City of Alliance provide \$4,000 toward the completion of the project. These funds are included in the 2017-18 operating budget.
2. Allow SWGA to sell the removed metal lockers to help offset their portion of the costs for the renovation.
3. The City of Alliance change the locker rental to \$35.00 per year (current rate is \$32.00) for the new lockers.
4. The City of Alliance give 50% of the locker rental revenue to SWGA until the loan is paid back.

The locker room is in need of renovation and the cooperation of SWGA is appreciated. Enclosed you will find a detailed project plan and photos of the proposed lockers provided by SWGA.

On October 9, 2017 the Golf Course Advisory Board met to consider this proposal. They voted unanimously to recommend this project for approval to the Alliance City Council. The City Manager and staff in reviewing the recommendation of the Golf Course Advisory Board to move forward with the project has some concerns.

The funding required to complete this project is not available within the current budget. In fact, a replacement mower (estimated at \$80,000) was not included in the 2017-18 budget will need to be purchased as our current mower is failing and is a higher priority for staff. We have no problem utilizing the \$4,000 which was included in the budget for fixture replacement or with allowing the SWGA to sell the current metal lockers to off-set their contribution to the project. Staff is recommending rental rates be reviewed when other golf fees are considered or when new lockers are in place, whichever occurs first. Staff does not recommend shared future revenues, as the golf course revenues do not generate enough funds currently to cover normal operations. The City supports the renovation project through fundraising efforts but does not recommend additional City funding at this time.]

A motion was made by Councilman Jones, seconded by Councilman Reynolds to approve Resolution No. 17-101. The resolution follows in its entirety:

RESOLUTION NO. 17-101

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

WHEREAS, The SkyView Ladies Golf Association has requested to donate improvements, including new lockers for placement in the women's locker room within the club house at the golf course; and

WHEREAS, The SkyView Ladies Golf Association has requested authority to sell the old lockers from the women's locker room at the club house to help raise funds to purchase the new lockers and make the requested improvements; and

WHEREAS, The City Council believes it is in the best interest of the City of Alliance to accept the donation from the SkyView Ladies Golf Association.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Alliance, Nebraska, that the financial donation of the SkyView Ladies Golf Association for improvements to the women's locker room within the club house at the golf course is accepted.

BE IT FURTHER RESOLVED that the SkyView Ladies Golf Association is authorized to sell the old lockers from the women's locker room at the golf course club house and use the funds to help pay for the new lockers and proposed improvements.

Gina Briggs, President of the SkyView Womens Golf Association reported to Council the opportunity they became aware of to purchase a very nice set of lockers at a reasonable price. The Association currently has \$8,000 available for the purchase and they have secured a loan from the Men's Club in the amount of \$5,000. The primary concern regarding this matter is that they need to be able to make a decision on the new lockers right away as they will not be able to keep them on hold much longer.

Jane Faber, 920 West 25th Street informed Council how thankful she is that Alliance has such a beautiful 18 hole golf course. She stated that she, as well as the members of the SkyView

Womens Golf Association have a lot of pride in the facility and appreciate what the Council does for the course.

Karen Johnson, 1629 Countryside Lane also thanked Council for their support of the course and encouraged them to allow the Association to move forward with the renovation.

Roll call with the following results:

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

Voting Nay: None.

Motion carried.

- The next agenda item were Board appointments and announcements.

Councilman Korber-Gonzalez motioned to appoint Steve Lyster to the Golf Advisory Board as the Men's Club President for a term which will end December 31, 2018 or when he is no longer the president of the Men's Club, whichever occurs first. Councilman Mischnick seconded the motion.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

It was announced the City currently is seeking members for the Board of Adjustment, Economic Development Plan Citizen Advisory Board, Library Board, two junior ex-officio members of the Library Board and the Planning Commission. Anyone interest in serving on these Boards should contact the City Clerk's Office. Information on all of the City Boards is available on the web site, www.cityofalliance.net.

- The final item before Council was the performance evaluation of City Clerk Jines. Councilman Jones moved pursuant to Section 84-1410 Reissue Revised Statutes of Nebraska 1943, that the Alliance City Council hold a closed session for the purpose of the job performance evaluation of City Clerk Jines; and that the Council finds the closed session is necessary to prevent needless injury to the reputation of City Clerk Jines, and she has not requested a public hearing. The motion was seconded by Councilman Mischnick.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

Council and City Clerk Jines entered into closed session at 8:09 p.m. The closed session concluded at 8:55 p.m. at which time Council returned to open session.

A motion was made by Councilman Jones, which was seconded by Councilman Korber-Gonzalez to authorize a \$500.00 bonus to City Clerk Jines following a positive performance evaluation and in addition, instructed Clerk Jines to request legal counsel to draft an employment contract for Clerk Jines with the City of Alliance for Council's consideration.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

- Mayor Yeager stated, "there being no further business to come before the Alliance City Council, the meeting is adjourned at 9:00 p.m."

(SEAL)



Ralph Yeager, Mayor



Linda S. Jines, City Clerk