

May 21, 2019

ALLIANCE CITY COUNCIL

REGULAR MEETING, TUESDAY, MAY 21, 2019

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

The Alliance City Council met in a Regular Meeting, May 21, 2019, 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 May 11, 2019. 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 Dafney opened the May 21, 2019 regular meeting of the Alliance, Nebraska City Council at 7:00 p.m. Present were Mayor Dafney, Council Members Mischnick, Jones, Reynolds and Bentley. Also present were City Manager Sprock, Finance Director Waggener, City Attorney Adam Hoelsing and City Clerk Jines.

- Mayor Dafney read the Open Meetings Act Announcement.
- Council was informed of the hiring of Meranda Ravert as our new RSVP/Handyman Clerk.
- The Consent Calendar was now before Council. A motion was made by Councilman Reynolds, seconded by Councilman Mischnick to approve the Consent Calendar as follows:

CONSENT CALENDAR – MAY 21, 2019

1. Approval: Minutes of the Regular Meeting, May 7, 2019 and the Special Meeting, May 8, 2019.
2. Approval: Payroll Costs for the period April 20, 2019 through May 3, 2019: \$307,952.17.
3. Approval: Claims against the following funds for the period of May 2, 2019 through May 15, 2019: 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; \$1,076,890.18.

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4. Approval: The issuance of a Cemetery Certificate to Daniel Lee Fillis and Tana Ann Fillis for the East Half (E1/2) Lot Twenty-one (21), Section Five (5), Block Twenty-two (22), Alliance Cemetery Fourth Addition.
5. Approval: The Alliance Jaycees will be hosting the annual firework show on July 4, 2019 and are requesting the use of Laing Lake. The rain date will be on July 5, 2019. They will be using the same set up as in the past, the south side of lake on the west side (Emerson Avenue) of the park. Coordination of the event has taken place with the Fire Department. A Certificate of Insurance has been received by the City.
6. Approval: Cub Scout Pack 207 is requesting the closure of 14th Street between Box Butte and Sweetwater Avenues to conduct cub mobile races (non-motorized). The closure is requested for Saturday, June 29, 2019 between 8:00 a.m. and 1:00 p.m., with the actual races taking place between 10:00 a.m. and noon. A Certificate of Insurance has been provided for the event.
7. Approval: The Animal Center would like to conduct their annual Doggie Dash on Saturday, June 8, 2019 between the hours of 10:00 a.m. and 11:00 a.m. The walk will begin at the Immanuel Lutheran School (1312 East 10th Street) proceed east to CR58 and turn north for ½ mile concluding at The Animal Center. The majority of this walk is beyond the City limits; however for the safety of our citizens we provide an escort as 10th Street can have a good deal of vehicle travel at higher speeds. Approval is contingent upon receiving a Certificate of Insurance two days prior to the event.

NOTE: City Manager Sprock 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: Dafney, Bentley, Mischnick, Reynolds, Jones.

Voting Nay: None.

Motion carried.

- A presentation for the creation of a Children's Museum by John Weare was next for Council's consideration.

Mr. John Weare, 1035 Missouri Avenue, Alliance, NE informed the Council that he is interested in having a Children's Museum created in Alliance. He would like to see this located in the historic downtown area and is seeking a property owner to donate the use of an area for this purpose. Mr. Weare told Council he had met with the Museum Board regarding this venture. Currently both the Museum and Library conduct children's programming which may be

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able to be expanded for this purpose. At the present time, Mr. Weare is not requesting any financial support from the City. He has high hopes of having a Children's Museum up and running for Heritage Days 2020.

- Council now had before them consideration of Ordinance No. 2888 and Ordinance No. 2889 relating to issues that arose with the construction of the Alliance Public School District No. 6 new track. The ordinances will provide for the vacation of right away and the transfer of real estate. The following information was provided to Council:

[The Alliance Public School District No. 6 (the "School") has replaced the track and other concrete surfaces of the track property located in Box Butte Addition. Several issues were presented and discovered with the track replacement:

1. Underlying the track is a sanitary sewer main of the City that has been used and maintained by the City for service to the School facilities and nearby residences. The post-tension design and construction of the new track will make future maintenance and replacement of the sanitary sewer main difficult. The sanitary sewer main does not sit entirely on City right-of-way or City property. The City did not issue a building permit for the track structure, as it sat on top of the sanitary sewer main.

2. The footprint of the new track exceeded the footprint of the old track, and the School therefore encroached on the south-side right-of-way of 14th Street. The City has been relatively amenable to this encroachment, but has not vacated any portion of the right-of-way or transferred any ownership of the vacated right-of-way to the School.

3. An old portion of Niobrara Avenue north of 12th Street was vacated by the City in the 1940's but title was never transferred to the School. Since the vacation of the old Niobrara Avenue, the School has maintained possession and control (except for the sanitary sewer main) of old Niobrara Avenue without title to the real estate.

The City Council previously authorized City Staff to negotiate with the School regarding the costs of replacement and abandonment of the sanitary sewer main as a catalyst to resolving all outstanding issues. The School responded to negotiation with an offer to provide \$20,000 to the City as a cost-share to the replacement and abandonment of the sanitary sewer main.

City Staff has provided an Agreement to that effect to the School, which the School approved, and City Council acted on at their last meeting. Structurally, the Agreements provides as follows:

1. Vacation of the south eight feet of the 14th Street right-of-way, and retention of title by the City for future conveyance to the School if contingencies to closing are satisfied (reserving to the City a utility easement).

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2. Conveyance of the south eight feet of the 14th Street right-of-way to the School (reserving to the City a utility easement) and conveyance of old Niobrara Avenue to the School, again if contingencies to closing are satisfied.

3. \$20,000 contributed by the School to the City at closing, and the City awarding a bid for the replacement and abandonment of the sanitary sewer main.

The engineer estimate of the sanitary sewer main replacement was approximately \$58,000. Bids were opened May 7, 2019 and it appears the lowest bid is approximately \$91,000. Bids may be awarded any time within 60 days following the bid opening. Performance of the Agreement by both the School and the City is contingent upon the award of a bid for the replacement of the sanitary sewer main. The City is not obligated to award a bid under the Agreement, and the School is not obligated to provide \$20,000 to the City unless a bid is awarded for the replacement of the sanitary sewer main. Bid awards are scheduled for June 18, 2019 in order to allow for publications and notices of the accompanying ordinances. Transfer of real estate under the Agreement is likewise contingent upon Closing.

Vacation of right-of-way requires action of City Council by ordinance and recordation of the vacating ordinance within 30 days after its passage and approval. Transfer of real estate requires action by City Council by ordinance and publication of such ordinance once a week for three consecutive weeks, with a remonstrance period running thirty days following the date of the first publication. Thus, assuming City Council waives three readings on each associated ordinance, the schedule for closing looks as follows:

May 21:	Passage of both associated ordinances on third reading.
May 25, June 1, 8:	Publication of Notice of Sale to Transfer Real Estate
June 18:	Award bid for Replacement of Sanitary Sewer Main
June 17:	Last date of remonstrance period to Transfer Real Estate Closing to occur sometime after June 17 following remonstrance period (closing occurs within 20 days after a bid award, per the Agreement).

In addition to recommending action on the associated ordinances, City Staff is requesting the waiver of three readings on each ordinance in order to schedule publications, bid award, and closing accordingly.]

A motion was made by Councilman Mischnick, seconded by Councilman Bentley to approve the second reading of Ordinance No. 2888. City Clerk Jines read the ordinance by title which follows in its entirety:

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ORDINANCE NO. 2888

AN ORDINANCE OF THE CITY OF ALLIANCE, NEBRASKA, VACATING THE SOUTH 8 FEET OF THE EAST 14TH STREET RIGHT OF WAY, BEGINNING ON THE EAST LINE OF AN ALLEY AT A POINT APPROXIMATELY 160 FEET EAST OF THE EAST LINE OF THE BOX BUTTE AVENUE RIGHT OF WAY TO THE WEST LINE OF THE SWEETWATER AVENUE RIGHT OF WAY, A STRIP OF LAND APPROXIMATELY 8' BY 520', LOCATED IN BOX BUTTE ADDITION TO THE CITY OF ALLIANCE, BOX BUTTE COUNTY, NEBRASKA; RESERVING UNTO THE CITY AN UTILITY EASEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

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

SECTION 1. Box Butte County School District 07-0006 ("Alliance Public Schools") has requested the partial vacation of the following described right of way in the City of Alliance, Nebraska (the "Vacated Area"):

Beginning at the northwest corner of Lots 1 Thru 11, Block 6, Box Butte Addition to the City of Alliance, Box Butte County, Nebraska, thence north 8' following the eastern line of the alley platted in said Block 6 as if extended into the East 14th Street right of way, thence 520' east parallel to the east half of Block 6 and all of Block 5, Box Butte Addition, thence south 8' to the northeast corner of Block 5, Box Butte Addition, thence west 520' along the north property line of Block 5 and the east half of Block 6, Box Butte Addition, to the point of beginning.

SECTION 2. The City finds that it is in the best interests of the City to vacate the Vacated Area pursuant to this request, in order to allow for improvements to the Alliance Public Schools' facilities, that vacating the Vacated Area will not leave the East 14th Street right-of-way unduly or prohibitively narrow, and that vacating the Vacated Area is not contrary to any City ordinance or State of Nebraska statute.

SECTION 3. Wherefore, the Vacated Area is now vacated pursuant to Neb. Rev. Stat. §16-611(2). Following passage, approval, and publication of this Ordinance, title to the Vacated Area is reserved to the City of Alliance, Nebraska.

SECTION 4. This Ordinance shall take effect and be in force following its passage, approval, and publication as required by law.

A motion was made by Councilman Jones, seconded by Councilman Mischnick to suspend the statutory rule requiring three separate readings of Ordinance No. 2888.

Roll call vote to waive the statutory reading with the following results:

Voting Aye: Jones, Mischnick, Dafney, Bentley, Reynolds.

Voting Nay: None.

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Motion carried.

Roll call vote to approve Ordinance No. 2888 on final reading with the following results:

Voting Aye: Dafney, Bentley, Mischnick, Reynolds, Jones.

Voting Nay: None.

Motion carried.

Mayor Dafney stated, "the passage and adoption of Ordinance No. 2888 has been concurred by a majority of all members elected to the Council, I declare it passed, adopted and order it published."

A motion was made by Councilman Mischnick, seconded by Councilman Jones to approve the second reading of Ordinance No. 2889. City Clerk Jines read the ordinance by title which follows in its entirety:

ORDINANCE NO. 2889

AN ORDINANCE AUTHORIZING THE TRANSFER OF REAL ESTATE IN BOX BUTTE COUNTY ADDITION TO THE CITY OF ALLIANCE, BOX BUTTE COUNTY, NEBRASKA.

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

SECTION 1. The City of Alliance, Nebraska ("City") owns the following described real estate (together, the "Real Estate"):

that portion of Niobrara Avenue in the City of Alliance, Nebraska, extending from the north line of 12th Street in the City of Alliance, Nebraska to the south line of 14th Street in the City of Alliance, Nebraska, as the right-of-way thereon was vacated but title retained in the City as set forth in Ordinance No. 731 as recorded in Misc. Record A-3 in the real estate records of Box Butte County, Nebraska (the "Niobrara Avenue Real Estate")

AND

Beginning at the northwest corner of Lots 1 Thru 11, Block 6, Box Butte Addition to the City of Alliance, Box Butte County, Nebraska, thence north 8' following the eastern line of the alley platted in said Block 6 as if extended into the East 14th Street right of way, thence 520' east parallel to the east half of Block 6 and all of Block 5, Box Butte Addition, thence south 8' to the northeast corner of Block 5, Box Butte Addition, thence west 520' along the north property line of Block 5 and

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the east half of Block 6, Box Butte Addition, to the point of beginning (the "14th Street Real Estate").

SECTION 2. An agreement (the "Agreement") has been made by the Alliance Public Schools District No. 6 (the "School") and the City to transfer the Real Estate.

SECTION 3. The Mayor and City Clerk are authorized to sign a Warranty Deed to convey the Real Estate to the School, on the following terms:

- a. In exchange for the Real Estate and the resolution of outstanding negotiations between the School and City, the School shall provide \$20,000 to the City;
- b. The City shall abandon and replace a sewer line on or near the Niobrara Avenue Real Estate, for the future benefit of the School and the City;
- c. The City shall reserve in the Warranty Deed a permanent utility easement for the entirety of the 14th Street Real Estate for the construction, maintenance, and repair of private and public utilities of the City.
- d. All other terms and conditions listed in the Agreement, which are incorporated herein by reference.

SECTION 4. The City Clerk shall, immediately after the passage and publication of this Ordinance, publish notice of the sale and its terms for three consecutive weeks in the Alliance Times-Herald.

SECTION 5. This Ordinance shall become effective upon its passage, approval and publication in pamphlet form.

A motion was made by Councilman Jones, seconded by Councilman Mischnick to suspend the statutory rule requiring three separate readings of Ordinance No. 2889.

Roll call vote to waive the statutory reading with the following results:

Voting Aye: Jones, Mischnick, Dafney, Bentley, Reynolds.

Voting Nay: None.

Motion carried.

Roll call vote to approve Ordinance No. 2889 on final reading with the following results:

Voting Aye: Dafney, Bentley, Mischnick, Reynolds, Jones.

Voting Nay: None.

Motion carried.

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Mayor Dafney stated, “the passage and adoption of Ordinance No. 2889 has been concurred by a majority of all members elected to the Council, I declare it passed, adopted and order it published.”

- The third reading of Ordinance No. 2885 which is the request to rezone Lot 8, Frontier Addition to the City of Alliance was next on the agenda for Council’s consideration. Mark Wilkinson is requesting the zoning be changed from M-2 – Heavy Industrial to C-3 – Highway Commercial. The following information was provided for Council:

[Wilkinson Development has submitted an application to rezone Lot 8, Frontier Addition to the City of Alliance, Nebraska, from M-2, Heavy Industrial to C-3, Highway Commercial.

The lot proposed to be rezoned is located at the southeast corner of the intersection of West 4th Street and Cody Avenue. It is bordered by R-3, Multifamily Residential to the north, M-2, Heavy Industrial to the east, and C-3, Highway Commercial to the south and west.

The proposed rezone will not change the front, side, or rear setbacks, but the side street setbacks shall be changed from 20 feet to 15 feet. The C-3, Highway Commercial zoning district does not have any minimum lot size requirements. The property owner would like to combine Lot 8 with Lot 7 directly to the south and a rezone is necessary to prevent the proposed lot from sitting in two different zoning districts.

The lot is in the West Gateway Neighborhood. This neighborhood is described as having inconsistent land uses and poor development fill out. A rezone to C-3 from M-2 would help eliminate the future possibility of even more land uses that are inconsistent with the primarily commercial land uses adjacent to West 3rd Street.

The City of Alliance Planning Commission met at a rescheduled meeting on March 26, 2019 and voted to recommend the City Council approve the rezone of Lot 8, Frontier Addition to the City of Alliance, Nebraska, from M-2, Heavy Industrial to C-3, Highway Commercial stating the following findings of fact in their motion:

1. The rezone is supported by the Comprehensive Plan as it would eliminate the Heavy Industrial zoning which is inconsistent with the existing commercial zoning primarily found adjacent to West 3rd Street.
2. The rezone would not create any nonconforming lot sizes or structures.
3. There is adjacent C-3 zoning to the south and west so it would not be a spot zone.]

A motion was made by Councilman Jones, seconded by Councilman Bentley to approve the third reading of Ordinance No. 2885. City Clerk Jines read the ordinance by title which follows in its entirety:

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ORDINANCE NO. 2885

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 LOT 8, FRONTIER ADDITION, BOX BUTTE COUNTY, NEBRASKA IS NOW INCLUDED AS A C-3 (HIGHWAY COMMERCIAL) DISTRICT FROM A M-2 (HEAVY INDUSTRIAL) DISTRICT, AND REPEALING PRIOR SECTIONS.

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

SECTION 1. Section 109-22 of the Alliance Municipal Code is amended to provide as follows:

109-22. DISTRICT MAP ADOPTED

A. Zoning District Map: Boundaries of the districts, as enumerated in the Zoning Ordinance, 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 this Zoning Ordinance 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. Boundaries: 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 City Manager or designee, 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 21st day of May, is now the official Zoning District Map.

SECTION 2. Previously existing Section 109-22, 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 with the following results:

Voting Aye: Jones, Mischnick, Dafney, Bentley, Reynolds.

Voting Nay: None.

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Motion carried.

Mayor Dafney stated, "the passage and adoption of Ordinance No. 2885 has been concurred by a majority of all members elected to the Council, I declare it passed, adopted and order it published."

- Ordinance No. 2886 which is the Final Plat application of the Berean Church Second Addition to the City of Alliance was next before Council on third reading. The following information was provided for Council:

[The City of Alliance is in receipt of an application for a Final Plat from the Berean Fundamental Church of Alliance. The Final Plat shows the dedication of a 2.52 acre tract of land, a 130 foot extension of Colorado Avenue, and a 130 foot extension of the west half of Emerson Avenue.

The property proposed to be subdivided is located south of West 20th Street and west of Emerson Avenue. The church would like to plat the tract and list it for sale with the intent that a developer purchase it and replat it for single-family housing.

The land is currently zoned R-1a, Single Family Residential. It is bordered to the north, east, and south by R-1a and to the west by Agriculture. The zoning is correct for the proposed use and is not required to change.

Water and sanitary sewer were installed in West 20th Street right of way as part of the development of Newberry Addition. Electric, the curb and gutter along Emerson, the paving of Colorado Avenue, and a 20' alley would be the required public improvements on this plat. The church proposed a contract with the City to defer and pass the requirement to install these public improvements to the developer or any successive property owners which was approved at our last meeting.

The City of Alliance Planning Commission met at a rescheduled meeting March 26, 2019 and found that the Final Plat was satisfactory. They voted affirmative on a recommendation to the Alliance City Council for the approval of the Final Plat of Berean Second Addition to the City of Alliance, Box Butte County, Nebraska, stating the following findings of fact in their motion:

1. The Final Plat is supported by the Comprehensive Plan in that it is proposed to be residential, which is the area's identification in the Plan.
2. There will not be any nonconforming lots created.
3. The current zoning is correct for this type of development.
4. The Infrastructure Development Agreement provides for the installation of the required public improvements at a later time.
5. The Final Plat shows the same lot layout as the Preliminary Plat which was approved by Council and the Planning Commission.]

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A motion was made by Councilman Bentley, seconded by Councilman Mischnick to approve the third reading of Ordinance No. 2886. City Clerk Jines read the ordinance by title which follows in its entirety:

ORDINANCE NO. 2886

AN ORDINANCE APPROVING THE FINAL PLAT OF BEREAN SECOND ADDITION TO THE CITY OF ALLIANCE, BOX BUTTE COUNTY, NEBRASKA LOCATED IN THE NORTHWEST QUARTER OF SECTION 26, TOWNSHIP 25 NORTH, RANGE 48 WEST OF THE 6TH P.M.

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

SECTION 1. The City of Alliance has received the application for approval of the Final Plat of Berean Second Addition to the City of Alliance, Box Butte County, Nebraska located in the Northwest Quarter of Section 26, Township 25 North, Range 48 West of the 6th P.M. to the City of Alliance, Nebraska from the Alliance Berean Church.

SECTION 2. The Planning Commission held a public hearing March 26, 2019, and has recommended the approval of the Final Plat of Berean Second Addition to the City of Alliance, Box Butte County, Nebraska located in the Northwest Quarter of Section 26, Township 25 North, Range 48 West of the 6th P.M.

SECTION 3. The Final Plat of Berean Second Addition to the City of Alliance, Box Butte County, Nebraska located in the Northwest Quarter of Section 26, Township 25 North, Range 48 West of the 6th P.M is hereby approved by the City of Alliance and shall be filed with the County Clerk as provided by City Code and State law within 30 days of this approval. The plat map which has been prepared is a part of these proceedings and is attached hereto and is incorporated herein and made a part hereof by reference.

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

Roll call vote with the following results:

Voting Aye: Jones, Mischnick, Dafney, Bentley, Reynolds.

Voting Nay: None.

Motion carried.

Mayor Dafney stated, "the passage and adoption of Ordinance No. 2886 has been concurred by a majority of all members elected to the Council, I declare it passed, adopted and order it published."

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- Resolution No. 19-39 was now before Council which will recommend approval to the Nebraska Liquor Control Commission of the Application for Addition to Liquor License submitted by MRC Inc. d/b/a Sandhillers Bar. The following information was provided for Council:

[The City is in receipt of an application for an addition to their liquor license from MRC Inc. dba Sandhillers Bar. MRC Inc. has purchased the neighboring building and wants to combine the space into one business. The new licensed area will be the first floor of a two story building approximately 175' x 23' including basement area of approximately 48' x 23' and a smoking area on the east side approximately 22' x 14'. The owner will be taking out a portion of the wall connecting both buildings in order to make for a larger bar facility.]

A motion was made by Councilman Reynolds, seconded by Councilman Bentley to approve Resolution No. 19-39 which follows in its entirety:

RESOLUTION NO. 19-39

WHEREAS, The City of Alliance has received a notice and copy of an Application for an Addition to Liquor License submitted by MRC Inc. d/b/a Sandhillers Bar; and

WHEREAS, The Alliance City Council has reviewed the application; and

WHEREAS, Council considered evidence bearing upon the propriety of the addition to the liquor license; and

WHEREAS, The Council determined that it should recommend the Nebraska Liquor Control Commission approve the Application for Addition to Liquor License submitted by MRC Inc. d/b/a Sandhillers Bar.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the City of Alliance, Nebraska, that the City Council does recommend the Application for Addition to Liquor License submitted by MRC Inc. d/b/a Sandhillers Bar, which is located at 207 Box Butte Avenue, in Alliance, Nebraska be approved.

Roll call vote with the following results:

Voting Aye: Jones, Mischnick, Dafney, Bentley, Reynolds.

Voting Nay: None.

Motion carried.

- Resolution No. 19-42 which authorizes staff to enter into an Airport Use Agreement between the City of Alliance and Denver Air Connection was next before Council. The following information was provided:

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[The Department of Transportation selected Denver Air Connection to provide Essential Air Service in Alliance for a two-year period. This resolution will approve a lease agreement between the City of Alliance and Denver Air Connection. The lease states that Denver Air Connection will pay the City an amount of \$700 per month. In return, the City agrees to provide 752 square feet of terminal space to Denver Air Connection to conduct activities in regard to scheduled transportation to and from Alliance.]

A motion was made by Councilman Bentley, seconded by Councilman Mischnick to approve Resolution No. 19-42 which follows in its entirety:

RESOLUTION NO. 19-42

WHEREAS, The City of Alliance owns and operates a municipal airport; and

WHEREAS, Denver Air Connection is a common carrier providing essential air service to Alliance, Nebraska; and

WHEREAS, The lease for terminal space is required to facilitate operations of the commercial air service; and

WHEREAS, Staff has prepared an Airport Use Agreement which has been approved by the Airline.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of Alliance, Nebraska, that the lease with Denver Air Connection for space in the Alliance Municipal Airport terminal, is hereby approved for the term July 1, 2019 to June 30, 2021 and the Mayor is authorized to execute the contract on behalf of the City.

Roll call vote with the following results:

Voting Aye: Jones, Mischnick, Dafney, Bentley, Reynolds.

Voting Nay: None.

Motion carried.

- The next item on the agenda for Council's consideration was Resolution No. 19-43 approving the Engineering Contract with M.C Schaff and Associates, Inc. to replace Warehouse No. 3001 at the Alliance Airport. The following information was provided for Council:

[Airport Building No. 3001 was destroyed by a fire on June 22, 2018. The building was leased to Vitalix Inc. at the time of the fire. An insurance claim has been filed and replacement of the building, concrete, and engineering are recoverable. M.C. Schaff & Associates has been contacted to provide engineering services for this project, which has been authorized by the insurance carrier.

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A “pre-engineered” steel storage building will replace Building No. 3001 and be installed at the same location. The new building shall be approximately 50-ft by 200-ft with 16-ft high side walls. The new building will include electrical service and operational components to function as a storage building in accordance with current State building code requirements. The new structure shall have no mechanical (water/sewer) systems included in the building.

The consultant fees are for the design, bidding and construction oversight of the replacement building in the amount of \$57,000.00. Similar to the contract on Building No. 3000, the City Building Inspector will conduct the majority of the removal, excavation, footing and steel building inspections. All expenses of this fire-related construction are accounted for within the Airport Fund, Capital Outlay-Buildings (GL #22-41-43-59-915).]

A motion was made by Councilman Mischnick, seconded by Councilman Bentley to approve Resolution No. 19-43 which follows in its entirety:

RESOLUTION NO. 19-43

WHEREAS, The City of Alliance owns and operates the Alliance Municipal Airport; and

WHEREAS, Warehouse Building No. 3001 which is owned by the City of Alliance and leased to Vitalix was destroyed in a fire on June 22, 2018; and

WHEREAS, The City is working with our insurance carrier for the replacement of the building; and

WHEREAS, M.C. Schaff & Associates, Inc. has submitted a proposal in the amount of Fifty-seven Thousand Dollars and no/100ths (\$57,000) to provide the necessary engineering services to include civil design, bidding and construction oversight of the replacement building.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Alliance, Nebraska, that the Mayor is authorized to sign the documents associated with the Proposal from M.C. Schaff & Associates, Inc. for the necessary engineering services to include civil design, bidding and construction oversight of the replacement building.

BE IT FURTHER RESOLVED that payment for this service will be made from Account No. 22-41-43-59-915, Airport Capital Outlay-Buildings.

Roll call vote with the following results:

Voting Aye: Jones, Mischnick, Dafney, Bentley, Reynolds.

Voting Nay: None.

Motion carried.

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- Board appointments and announcements were the last item on the agenda for Council.

A motion was made by Councilman Jones, seconded by Councilman Mischnick to appoint Marlene Mischnick to the Museum Board for a term expiring May 31, 2024.

Roll call with the following results:

Voting Aye: Dafney, Mischnick, Jones, Reynolds, Bentley.

Voting Nay: None.

Motion carried.

Next, a motion was made by Councilman Jones, seconded by Councilman Mischnick to appoint Gail McMurtrey to the Museum Board for a term ending May 31, 2024.

Roll call with the following results:

Voting Aye: Dafney, Mischnick, Jones, Reynolds, Bentley.

Voting Nay: None.

Motion carried.

Currently there remains two vacancies on the Board of Adjustment, three vacancies on the Economic Development Plan Citizen Advisory Board, one youth representative on the Library Board, two vacancies on the Park and Tree Board and the alternate position on the Planning Commission. 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.

There being no further business before Council, Mayor Dafney adjourned the meeting at 7:23 p.m.


Mike Dafney, Mayor

(SEAL)


Linda S. Jines, City Clerk

Complete minutes of the Alliance City Council may be viewed by the public during regular work hours at the City Clerk's Office, 324 Laramie Avenue, Alliance, Nebraska.

