

August 6, 2019

ALLIANCE CITY COUNCIL

REGULAR MEETING, TUESDAY, AUGUST 6, 2019

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

The Alliance City Council met in a Regular Meeting, August 6, 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 July 31, 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 August 6, 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 Ediger and Deputy City Clerk Krejci.

- Mayor Dafney read the Open Meetings Act Announcement.
- Council was introduced to our newest employee, Whisper Conner – Parks Maintenance Worker.
- The Consent Calendar was the first matter before Council. A motion was made by Councilman Reynolds, seconded by Councilman Bentley to approve the Consent Calendar as follows:

CONSENT CALENDAR – AUGUST 6, 2019

1. Approval: Minutes of the Regular Meeting, July 16, 2019 and the Budget Workshop, July 23, 2019.
2. Approval: Payroll Costs for the period June 29 through July 12, 2019: \$250,199.96.
3. Approval: Claims against the following funds for the period of July 10, 2019 through July 31, 2019: General, General Debt Service, Trust and Agency, Street, Electric, Refuse

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Collection and Disposal, Sanitary Sewer, Water, Golf Course, Downtown Improvement Districts, R.S.V.P., Keno, and Capital Improvement; \$1,673,441.48.

4. For Your Information: Attached is a listing of Demand Checks which were generated over the last financial quarter ending June 30, 2019. 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: Transfer of funds within the Fire Department of \$900.00 from operations – Building Maintenance Material Account No. 01-37-37-45-561 to Capital Outlay-Buildings Account No. 01-37-37-59-915. The additional funds will be used to install a sheet metal cap flashing around the fire station in coordination with the standing seam metal roof being installed on the slope portion of the fire station roof.
6. Approval: Supplemental Agreement with the Nebraska Department of Transportation providing for additional funding in the amount of \$2,002 for the public transit program for the period beginning July 1, 2018 and ending June 30, 2019.
7. Approval: To purchase an attachment to the newly acquired skidsteer for the Landfill with remaining capital funds within Account No. 06-51-55-59-950. A 55” utility grapple with a 74” heavy duty bucket will be purchased from Sandberg Implement in the amount of \$2,472.55 based on the State bid pricing.
8. Approval: The following Cemetery transfers:
 - Issuance of a Cemetery Certificate to Katrina Kochiras for the West One Half (W½) Lot Eighteen (18), Section One (1), Block Twenty-three (23), Fourth Addition to the Alliance Cemetery.
 - Acceptance of a Quitclaim Deed from David L. Keller and Linda J. Keller for the Northeast Quarter (NE¼) Lot Fifteen (15), Section Seven (7), Block Seven (7), Original Plat to the Alliance Cemetery and reconvey same to Arnold Keller.
9. Approval: Resolution No. 19-66 will authorize a 6 month extension to our interim financing for the 1200 Flack Avenue property with Farmers State Bank. The extension will be at the same fixed interest rate of 3.00%. The current one-year note has a due date of August 22, 2019 with a current balance of \$321,043. Interest payments will continue on a quarterly basis. This allows additional time for Council to consider options for facilities to house the various City departments.

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, Mischnick, Jones, Reynolds, Bentley.

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Voting Nay: None.

Motion carried.

- Ordinance No. 2892 was the next item before Council on first reading. This ordinance presents to Council the 2019-2020 proposed budget. The following information was provided:

The 2019-20 annual budget appropriations as proposed total \$46,462,800 compared to \$50,608,700 in the prior year. The primary differences are the result of different levels of capital projects in the electric, airport operating and capital projects funds.

<u>Fund</u>	<u>Prior Year</u>	<u>Current Year</u>
General	\$7,624,000	\$7,489,500
Electric	17,311,800	16,192,100
Refuse	1,787,500	1,431,000
Sewer	1,090,100	1,186,200
Water	2,413,000	2,324,600
Golf Course	454,800	549,800
Airport Operations	6,831,500	3,073,300
Public Transit	346,400	378,500
Streets	3,033,800	2,893,500
Handyman Services	64,200	65,500
RSVP	91,800	85,800
Museum Exhibit	14,600	14,600
BID #1 and #2	16,000	12,500
HUD/CDBG	150,000	150,000
Community Betterment (KENO)	20,200	18,200
Economic Development	155,000	161,800
LB 840 Fund	405,000	357,500
Redevelopment (TIF)	850,000	800,000
Sales Tax Fund	2,000,000	2,000,000
Lodging Occupation Tax	181,000	201,200
Capital Projects Fund	950,000	1,160,000
Public Safety Tax	75,000	50,000
State 911 Funds	90,000	90,000
General Internal Service	1,326,600	1,366,400
Enterprise Internal Service	672,300	1,900,900
Health Support Internal Service	2,035,500	2,072,500
General Debt Service	58,600	378,400
Airport Capital Reserve	60,000	59,000
<i>Gross Expenditures</i>	<u>\$50,608,700</u>	<u>\$46,462,800</u>

A motion was made by Mayor Dafney, seconded by Councilman Jones to approve the first reading of Ordinance No. 2892. Deputy City Clerk Krejci read the ordinance by title which follows in its entirety:

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ORDINANCE NO. 2892

AN ORDINANCE TERMED "THE ANNUAL APPROPRIATION BILL" TO PROVIDE REVENUE FOR MUNICIPAL PURPOSES OF THE CITY OF ALLIANCE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2019 AND ENDING SEPTEMBER 30, 2020, BY IMPOSING A TAX ON ALL PROPERTY WITHIN THE CITY, ADOPTING A BUDGET, AND ADOPTING APPROPRIATIONS.

WHEREAS, The City Manager, in accordance with the requirements of the Nebraska R.R.S. 1943, §19-646, has submitted to the City Council a preliminary budget to the City Council at a workshop that was held on July 23, 2019 with a proposed budget being produced thereafter. A public hearing will be held on said proposed budget on August 20, 2019, as required by law; and

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

SECTION 1. The budget for the fiscal year beginning October 1, 2019, submitted to and amended by the City Council, is hereby adopted.

SECTION 2. In order to provide revenue for municipal purposes, the following property tax revenues have been established for the City of Alliance:

	City	MFO	Airport	Airport Reserves	Total
Approved Budget Amount	1,184,500	171,600	266,500	55,500	1,678,100
County Treasurer's Fee (1%)	11,845	1,716	2,665	555	16,781
Total Property Tax Request	1,196,345	173,316	269,165	56,055	1,694,881
Using the following levies	0._____	0._____	0._____	0._____	0._____1
Approved Mill Levy for 2019	0._____				
Based on Assessed Valuation	\$_____				

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SECTION 3. In accordance with Reissue Revised Statutes Nebraska Chapter 16, Section 704, the following amounts shall be and hereby are recognized as the budget for the City of Alliance, Nebraska for the fiscal year 2019-20.

General	\$7,489,500
Electric	16,192,100
Refuse	1,431,000
Sewer	1,186,200
Water	2,324,600
Golf Course	549,800
Airport Operations	3,073,300
Public Transit	378,500
Streets	2,893,500
Handyman Services	65,500
RSVP	85,800
Museum Exhibit	14,600
BID #1 and #2	12,500
HUD/CDBG	150,000
Community Betterment (KENO)	18,200
Economic Development	161,800
LB 840 Fund	357,500
Redevelopment (TIF)	800,000
Sales Tax Fund	2,000,000
Lodging Occupation Tax	201,200
Capital Projects Fund	1,160,000
Public Safety Tax	50,000
State 911 Funds	90,000
General Internal Service	1,366,400
Enterprise Internal Service	1,900,900
Health Support Internal Service	2,072,500
General Debt Service	378,400
Airport Capital Reserve	59,000
<i>Gross Expenditures</i>	<u>46,462,800</u>

There is hereby included \$100,000 within the General Fund Budget [City Council Activity], \$10,000 within the General Fund Budget [Police Grant], \$60,000 within the Electric Fund, \$60,000 within the Water Fund, \$200,000 within the Sewer Fund, \$30,000 within the Refuse Fund, \$10,000 within the Airport Fund, and \$50,000 within the Streets Fund; to be known as "Contingency." Expenditures from any Contingency will not be authorized without an affirmative vote of the City Council for each amount to be expended.

SECTION 4. The City has a total Unused Restricted Funds Authority of \$_____ for Fiscal Year 2019-20.

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SECTION 5. The tax levied under this Ordinance shall become due and payable, shall become delinquent and shall be subject to penalties, the execution of distress warrants and sale of property levied upon as provided by law.

SECTION 6. The City Clerk is hereby authorized and directed forthwith upon the passage, approval and publication of this Ordinance to forward a certified copy thereof to the County Clerk of Box Butte County, Nebraska.

SECTION 7. This Ordinance shall become effective October 1, 2019.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

- The first reading of Ordinance No. 2893 was next on the agenda for Council. This ordinance will allow the City of Alliance to exceed the Allowable Growth and Basic Allowable Growth for the 2019-2020 Fiscal Year Budget by 1%. The following information was provided to Council:

[The attached ordinance will allow the City of Alliance (with a 75% affirmative vote by Council) to exceed the base allowable growth limitation of the restricted funds authority for the 2019-20 fiscal year budget by 1% (or \$70,329.81) with total restricted funds authority at \$7,279,135.53.

This does not increase the new fiscal budget, but rather allows the City to increase the unused budget authority for use in future years.]

A motion was made by Councilman Jones, seconded by Councilman Mischnick to approve the first reading of Ordinance No. 2893. Deputy City Clerk Krejci read the ordinance by title which follows in its entirety:

ORDINANCE NO. 2893

AN ORDINANCE ALLOWING FOR EXCEEDING THE ALLOWABLE GROWTH AND BASIC ALLOWABLE GROWTH LIMITS FOR THE 2019-2020 FISCAL YEAR BY ONE PERCENT OF BUDGETED RESTRICTED FUNDS, AND CORRECTING THE ADOPTED BUDGET STATEMENT AND ACCOMPANYING FORMS.

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

SECTION 1. Governmental units are authorized pursuant to State law at Chapter 13, Section 519, to exceed the Allowable Growth (§13-518(1)) and the Basic Allowable Growth

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(§77-3446) for budgeted restricted funds authority up to an additional one percent, by affirmative vote of the City Council of at least 75%.

SECTION 2. The City Council finds that such limit as provided by Section 13-519 (a) and (b) should be exceeded by one percent.

SECTION 3. An affirmative vote of at least 75% in favor of this increase is hereby cast.

SECTION 4. Section 13-511 allows correction of an adopted budget statement for clerical, mathematical, and accounting errors, which correction does not affect the total amount budgeted by more than one percent or increase the amount required from property taxes. The one percent limit increase is calculated into the current budget statement; however the unused budget authority amount is in need of modification.

SECTION 5. The allowable increase in restricted funds authority with the additional 1% of \$70,329.81 and included in the resulting "total restricted funds authority" in the adopted budget ordinance is hereby amended to the amount of \$7,279,135.53.

SECTION 6. Those portions of the existing budget ordinance for 2019-2020 are amended accordingly.

SECTION 7. The City Treasurer is authorized to make appropriate changes in the submitted forms for computation of the limit for fiscal year 2019-2020, and transmit those changes to the State Auditor's office.

SECTION 8. This ordinance shall be in full force and effect from and after its approval, passage, and publication according to law.

A motion was made by Councilman Jones, seconded by Councilman Reynolds to suspend the statutory rule requiring three separate readings of Ordinance No. 2893.

Roll call vote to suspend three readings of the ordinance with the following results:

Voting Aye: Mischnick, Jones, Reynolds, Bentley.

Voting Nay: Dafney.

Motion carried.

Roll call vote to approve Ordinance No. 2893 on final reading with the following results:

Voting Aye: Mischnick, Jones, Reynolds, Bentley.

Voting Nay: Dafney.

Motion carried.

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Mayor Dafney stated, "the passage and adoption of Ordinance No. 2893 has been concurred by a majority of all members elected to the Council, I declare it passed, adopted and order it published."

- Ordinance No. 2894 which will adopt the Classification and Compensation Plans being incorporated in the 2019-2020 Fiscal Year Budget was next for Council's consideration on first reading. The following information was provided for Council:

[The attached ordinance will adopt the Classification and Compensation Plans that will be incorporated as a part of the 2019-20 FY budget. The Compensation Plan includes three categories: Exempt, Non-Exempt and Fire Employees.

The Classification Plan has the following changes from the most recent version approved by Council:

- COLA: Pay Grids reflect a 2.5% increase based on a cost of living adjustment.
- Landfill Transfer Station Operator: Increase paygrade from 213 to 214 incorporating DOT responsibilities.
- Electric: Increase Electric Line Apprentice IV from 218/6 to 218/7.
- Fire: Increase Firefighter EMT from 519 to 520.
- Miscellaneous: Title Change – Firefighter EMT to Fire Apparatus Engineer/EMT]

A motion was made by Councilman Mischnick, seconded by Councilman Bentley to approve the first reading of Ordinance No. 2894. Deputy City Clerk Krejci read the ordinance by title which follows in its entirety:

ORDINANCE NO. 2894

AN ORDINANCE ADOPTING REVISED CLASSIFICATION AND COMPENSATION PLANS FOR THE CITY OF ALLIANCE, NEBRASKA.

WHEREAS, Section 16-310 of R.R.S. 1943 authorizes the Mayor and Council to establish the compensation for employees and officers by stating that "The officers and employees in cities of the first class shall receive such compensation as the mayor and council shall fix by ordinance;" and,

WHEREAS, The Alliance City Council adopted the Fiscal Year 2019-2020 Budget which included funds for revised Classification/Compensation Plans.

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

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SECTION 1. That the attached Classification Schedule for the City of Alliance dated to be effective October 5, 2019 and the attached Compensation Schedules for Exempt, Non-Exempt and Fire employees dated to be effective October 5, 2019 are hereby adopted by this reference.

SECTION 2. This Ordinance shall become effective October 5, 2019.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

Councilman Bentley suggested an independent comparability study of wages be conducted.

- The first reading of Ordinance No. 2895 was next before Council. This ordinance will vacate any interest the City has to a 15' wide easement from Howard Avenue to Cody Avenue on Lots 7 and 8, Block 1, Frontier Addition. The following information was provided for Council:

[Frontier Addition to the City of Alliance was originally platted without any easement or alleys. This absence created an issue for the City as there was not a location set aside for the extension of City utilities to service this area. Recognizing this, the property owners in Frontier Addition drafted a deed giving the City a 15' wide continuous easement from Howard Avenue to Cody Avenue. This easement would be used for the extension of sanitary sewer through Frontier Addition.

The owners of Lots 7 and 8 did not sign the easement deed; however, they were still listed on it as the original intent was to extend the easement through their properties to Cody Avenue. The City did not get an easement through Lots 7 and 8 due to the owner's lack of signatures. To work around this, an additional easement was deeded to the City. The additional easement turned at the west property line of Lots 6 and 9 and extended north to West 4th Street instead of continuing west through Lots 7 and 8. The location of the sanitary sewer main reflects this additional easement location.

Community Development and the City Attorney's office reassured the current owner that the City has no easement or interest of any kind in the easement described in the original deed on Lots 7 and 8 as the owner of the lots at the time did not sign the deed. As such the easement was never given to the City on these two lots. The location of the sewer reflects this lack of easement as it turns north at the west property line of Lots 6 and 9 and avoids Lots 7 and 8. The current owner's title company requested that the City pass an ordinance stating this fact to clear the exception from the title. Staff and the City Attorney recommend waiving the three readings as there is not an easement and this is merely a formality acknowledging that fact.]

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A motion was made by Councilman Reynolds, seconded by Councilman Bentley to approve the first reading of Ordinance No. 2895. Deputy City Clerk Krejci read the ordinance by title which follows in its entirety:

ORDINANCE NO. 2895

AN ORDINANCE OF THE CITY OF ALLIANCE, NEBRASKA, VACATING ANY RIGHT-OF-WAY INTEREST OF THE CITY OF ALLIANCE, NEBRASKA TO THE FOLLOWING DESCRIBED REAL ESTATE: A STRIP OF LAND APPROXIMATELY FIFTEEN FEET BY 195 FEET, LOCATED ON LOTS 7 AND 8, BLOCK 1, FRONTIER ADDITION TO THE CITY OF ALLIANCE, BOX BUTTE COUNTY, NEBRASKA, AS MORE PARTICULARLY DESCRIBED IN THAT QUITCLAIM DEED RECORDED IN BOOK 35, PAGE 71 OF THE REAL ESTATE RECORDS OF BOX BUTTE COUNTY, NEBRASKA; PROVIDING FOR AN EFFECTIVE DATE.

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

SECTION 1. The owner of Lots 7 and 8, Block 1, Frontier Addition to the City of Alliance, Box Butte County, Nebraska has requested, for the purposes of clearing any defect in title, that the City of Alliance vacate any right-of-way interest in the following described real estate (the "Vacated Area"):

An approximate 15' x 195' strip of land, located on Lots 7 and 8, Block 1, Frontier Addition to the City of Alliance, Box Butte County, Nebraska, as more particularly described in that Quitclaim Deed recorded in Book 35, Page 71 of the real estate records of Box Butte County, Nebraska.

SECTION 2. The City finds it is in the best interest to grant this request and to vacate any right-of-way interest the City of Alliance may have in the Vacated Area, in order to clear any defect in title, allow for the replat of the real estate, and to allow for the construction and improvements by the owner. The City of Alliance does not believe it has any reasonable interest in the Vacated Area, and the Vacated Area does not appear necessary for any utility easement or right-of-way purpose of the City of Alliance, Nebraska. Vacating any right-of-way interest in 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 shall vest in the owners of Lots 7 and 8, Block 1, Frontier Addition to the City of Alliance, Box Butte County, Nebraska.

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

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A motion was made by Councilman Jones, seconded by Councilman Reynolds to suspend the statutory rule requiring three separate readings of Ordinance No. 2895.

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

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

Voting Nay: None.

Motion carried.

Roll call vote to approve Ordinance No. 2895 on final reading with the following results:

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

Voting Nay: None.

Motion carried.

Mayor Dafney stated, "the passage and adoption of Ordinance No. 2895 has been concurred by a majority of all members elected to the Council, I declare it passed, adopted and order it published."

- Next on the agenda for Council's consideration was Resolution No. 19-67 which authorizes the Mayor to enter into a contract with K. L. Wood and Company for the Sewer Relocation Project under different conditions than previously authorized. The following information was provided for Council:

[The City of Alliance awarded the relocation of a sanitary sewer project to K. L. Wood & Company at their June 4, 2019 City Council meeting in the amount of \$90,969.75. At the time the contract was to include a completion date of August 9, 2019 for the work. The project is to allow the abandonment of a sewer main under the existing High School track. The original timeline for construction was 60 days from the issuance of a Notice to Proceed. K. L. Wood & Company did not want to commit to the project due to concerns about their ability to finish under the specified time constraints.

In an effort to complete the project, several conversations have taken place to address the concerns of all parties. K. L. Wood & Company has agreed to undertake the project if construction can be accomplished in October. The School Superintendent is in agreement with this change in the timeline as long as considerations are made for access to school facilities.

Staff recommends changing the contract with K. L. Wood & Company with the following conditions:

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- Construction must take place in October 2019 and be completed in the same month.
- 14th Street must not be obstructed on October 11th or October 25th.
- Access to the football practice field must be maintained throughout the construction process.

The City of Alliance Public Works Director and staff from M. C. Schaff and Associates will create corresponding contract documents and a Notice to Proceed to include these conditions.]

A motion was made by Councilman Bentley, seconded by Councilman Mischnick to approve Resolution No. 19-67 which follows in its entirety:

RESOLUTION NO. 19-67

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

WHEREAS, In order to maintain the quality and efficiency of our distribution system the City is continuously performing upgrades and maintenance; and

WHEREAS, The City at their June 4, 2019 Council meeting awarded the Alliance Sanitary Sewer Relocation Project to K. L. Wood and Company, Alliance, NE in the amount of Ninety Thousand Nine Hundred Sixty-nine Dollars and 25/100ths (\$90,969.25); and

WHEREAS, Due to the original timeline for the project requiring completion of the work by August 9, 2019, K. L. Wood and Company did not want to commit to the project due to concerns of their ability to finish the project within the specified time constraint; and

WHEREAS, With the agreement of the Alliance Public Schools' Superintendent a new construction timetable has been established whereby construction will be initiated and completed during October, 2019, 14th Street will be unobstructed on October 11th and 25th for scheduled football games and access to the football practice field must be maintained throughout the construction process.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of Alliance, Nebraska, the Mayor is authorized to enter into and execute a contract with K. L. Wood and Company, of Alliance, NE for the Alliance Sanitary Sewer Relocation subject to terms and conditions of the bid with the established new timeframe of being initiated and completed during October, 2019, 14th Street will be unobstructed on October 11th and 25th for scheduled football games and access to the football practice field must be maintained throughout the construction process

BE IT FURTHER RESOLVED, that the Public Works Director is authorized to make field change orders not to exceed five percent (5%) of the total contract amount without further Council approval.

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Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

- Resolution No. 19-68 was next before Council. This resolution will transfer the drive-in theatre operation to a new tenant. The following information was provided for Council:

[This resolution will approve a lease agreement between the City of Alliance and Edison Red Nest. Edison Red Nest has purchased Sandhills Drive-In improvements from GEJU who previously leased the same land area at the airport. The agreement provides that Edison Red Nest will pay the City an amount of \$1,500 per year for the land area. The Airport has leased this tract of land to GEJU for many years and are excited at the possibility for it to continue in the community. This lease has been updated from the previous drive-in lease; however, the majority of the content has remained the same.

Some of the minor changes include:

- Added all FAA assurance language for a non-aeronautical lease.
- Updated insurance requirements so all leases are consistent.
- Added a clause where GEJU desires to transfer its interest in the operation of the drive-in theater since the lease is still current.]
-

A motion was made by Councilman Bentley, seconded by Councilman Jones to approve Resolution No. 19-68 which follows in its entirety:

RESOLUTION NO. 19-68

WHEREAS, The City of Alliance owns Airport property identified as Tract J which is currently used for a drive-in theater operation; and

WHEREAS, The current Lessee GEJU desires to transfer its interest in the operation of the drive-in theater under the Land lease to Edison Red Nest III; and

WHEREAS, The new Lease Agreement with Edison Red Nest III will be at the same rental rate of \$1,500 annually, and has been updated to include the required Federal Aviation Administration assurance language for a non-aeronautical lease; and

WHEREAS, The lease is for a five year period of time beginning September 1, 2019 through August 30, 2024 and shall continue on a year-to-year basis unless terminated by either party upon 90 days' written notice before the end of any year.

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NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Alliance, Nebraska, hereby approve and authorize the Mayor to sign on behalf of the City the Lease Agreement for Track J of the Airport Property to Edison Red Nest III in the amount of \$1,500 annually.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

- Council next considered Resolution No. 19-69 which will authorize the purchase of 40 trash containers from Snyder Industries, Inc. The following information was provided for Council:

[The Public Works Department advertised for bids in accordance with State law for the purchase of refuse containers. Bids were solicited to meet the ongoing requirement for additional and replacement refuse containers.

Requests were issued to three different suppliers with only one bidder responding, Snyder Industries, Inc. The bid received from Snyder Industries, Inc. is for 40 trash containers and hardware in the amount of \$27,700.00. The bid meets the specifications requested. There is \$45,000.00 included in the 2018-19 budget in Capital Outlay-Machinery and Equipment (GL#06-41-42-59-950) for refuse container replacement.]

A motion was made by Councilman Jones, seconded by Councilman Bentley to approve Resolution No. 19-69 which follows in its entirety:

RESOLUTION NO. 19-69

WHEREAS, The City of Alliance provides refuse collection and disposal to the residents of the City of Alliance; and

WHEREAS, The City of Alliance needs to supply additional refuse containers to replace containers that have deteriorated and to distribute additional refuse collection containers in the City; and

WHEREAS, The City issued a Request for Bids for refuse containers to three vendors and one bid was received; and

WHEREAS, The bid from Snyder Industries of Lincoln, NE is the lowest responsive, responsible bidder and Staff is recommending the purchase of 40 tan trash containers, including lids, hardware and shipping in the amount of Twenty-seven Thousand Seven Hundred and no/100ths Dollars (\$27,700.00); and

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WHEREAS, Funding for this purchase has been budgeted within the Refuse Fund.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of Alliance, Nebraska, that the bid of Snyder Industries of Lincoln, NE is accepted and the contract is awarded accordingly for the purchase of refuse containers at the bid price of Twenty-seven Thousand Seven Hundred and no/100ths Dollars (\$27,700.00).

BE IT FURTHER RESOLVED that the purchase of the refuse containers will be funded from Capital Outlay-Machinery and Equipment Account No. 06-41-42-59-950.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

- The Financial Statement Presentation and acceptance was next for Council's consideration. Finance Director Waggner presented the Third Quarter Financial Statement and Dashboards to the Council for acceptance.

A motion was made by Councilman Mischnick and seconded by Councilman Reynolds to accept the Financial Statement as presented.

Roll call with the following results:

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

Voting Nay: None.

Motion carried.

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

A motion was made by Councilman Mischnick, seconded by Councilman Jones to reappoint John McGhehey to the Economic Development Application Review Committee for a term expiring June 30, 2023.

Roll call with the following results:

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

Voting Nay: None.

Motion carried.

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A motion was made by Councilman Mischnick, seconded by Councilman Bentley to reappoint Rich Robb to the Economic Development Application Review Committee for a term ending June 30, 2023.

Roll call with the following results:

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

Voting Nay: None.

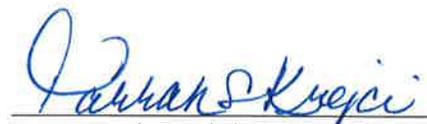
Motion carried.

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, one vacancy on the Museum 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 7:31 p.m.


Mike Dafney, Mayor

(SEAL)


Tarrah Krejci, Deputy 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.