

December 10, 2019

ALLIANCE CITY COUNCIL

SPECIAL MEETING, TUESDAY, DECEMBER 10, 2019

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

The Alliance City Council met in a Special Meeting, December 10, 2019, at 1:00 p.m. in the Conference Room of the Municipal Building, 324 Laramie Avenue, Alliance, Nebraska. A notice of meeting was posted at the Alliance Municipal Building, Library/Learning Center and the Regional Law Enforcement Center. 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 December 10, 2019 special meeting of the Alliance, Nebraska City Council at 1:00 p.m. Present were Mayor Dafney, Council Members Mischnick, Reynolds and Bentley. Also present were City Manager Sprock, City Attorney Hoelsing and City Clerk Jines.

- Mayor Dafney read the Open Meetings Act Announcement.
- Mayor Dafney made a motion to excuse Councilmember Jones from the meeting as he had a conflict in his schedule preventing his attendance. The motion was seconded by Councilman Bentley.

Roll call vote with the following results:

Voting Aye: Dafney, Mischnick, Reynolds, Bentley.

Voting Nay: None.

Motion carried.

- The next matter before Council was an Amended Memorandum of Agreement with Western Nebraska Community College for space within the Library/Learning Center. The following information was provided to Council for their consideration:

December 10, 2019

[The City entered into a Memorandum of Agreement (MOA) with Western Nebraska Community College on March 16, 2005. The MOA leased to WNCC most of the South portions of the City Library facility. The MOA was a collaboration between WNCC and the City to build a new Library facility, to provide the City rental revenue and a utility-cost partner, and to house educational programming for City residents attending WNCC.

As the Library has aged, the costs of maintenance and repair have risen. Unfortunately, the MOA in 2005 did not provide for an increase in rent, other than to state that the amount of rent shall be reviewable by the parties on a non-binding basis. Rent currently is not at a level that is sustainable for the City, and City staff has addressed the desire of a rental increase with WNCC on several occasions since 2005. The City was unable to receive support or agreement from WNCC on that issue until this summer with the recent change of WNCC administration. The City has been able to propose and negotiate a rental increase that staff recommends is reasonable for both parties and that provides for automatic rental increases at a reasonable rate as the mutually beneficial relationship continues. Therefore, the City and WNCC have negotiated the Amended Memorandum of Agreement for approval.

Additionally, the City has addressed a vagueness issue in the 2005 MOA regarding subleasing or assignment of Library space. WNCC has previously decided to not use Room 013 in the basement of the Library and has been subleasing that space to the State of Nebraska, Department of Labor for its Workforce Development offices, without City approval. If WNCC is without the need for any space in the Library, the City believes it should be able to control the space for other possible tenants and should monitor subleasing on a clearer basis. WNCC does, however, want the right to rent that space of Room 013 for its purposes if it should expand its programs, and the City is in agreement with that approach. Therefore the Amended Memorandum of Agreement addresses the Room 013 issue and the issue of subleasing.

Also, due to recent repairs at the Library as well as the need to create additional revenue as the facility ages, WNCC expressed a concern regarding a commitment to continued maintenance and use of the facility. City staff has therefore likewise recommended in the Amended Memorandum of Agreement a provision regarding the possible abatement of rent if the WNCC space becomes unusable due to repairs.

Two previous amendments to the MOA were executed in 2010 and 2014. Both amendments were for the singular purpose of expanding WNCC leased space under the MOA, and the additional leased space in the two previous amendments have been included in the Amended Memorandum of Agreement. Therefore, the two previous amendments are being terminated by the parties.

December 10, 2019

An additional lease with the State of Nebraska, Department of Labor for its Workforce Development offices (Room 013) will be provided for Council approval later this month.]

A motion was made by Mayor Dafney, seconded by Councilman Mischnick to approve Resolution No. 19-116 which follows in its entirety:

RESOLUTION NO. 19-116

WHEREAS, On March 16, 2005, the City of Alliance, a Nebraska Municipal Corporation, hereafter referred to as the “City,” and Western Nebraska Community College, hereinafter referred to as the “College,” entered into a Memorandum of Agreement (the “Original Agreement”); and

WHEREAS, The College leased space in the City of Alliance Library facility (the “Library”) under the Original Agreement; and

WHEREAS, In March 2010 the City and the College entered into the First Addendum to Memorandum of Agreement (the “First Amendment”) regarding additional leased space in the Library to the College; and

WHEREAS, In March 2014 the City and the College entered into the Second Amendment to Memorandum of Agreement (the “Second Amendment”) regarding more additional leased space in the Library to the College; and

WHEREAS, The City and the College desire to amend certain provisions of the Original Agreement to provide for a continuing, mutually-beneficial relationship and to clarify the leased space of the Library as set forth in the Original Agreement, the First Amendment, and the Second Amendment.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Alliance, Nebraska, that Mayor Dafney is hereby authorized to execute the Amended Memorandum of Agreement between the City of Alliance and Western Nebraska Community College to lease space within the Alliance Library/Learning Center.

Roll call vote with the following results:

Voting Aye: Dafney, Mischnick, Reynolds, Bentley.

Voting Nay: None.

Motion carried.

- Council now had before them a presentation by City Manager Sprock on the facility space needs of the City operations and the use of the 1200 Flack Avenue property recently purchased by the City.

December 10, 2019

City Manager Sprock provided a Power Point Presentation on *Developing a Space to Meet the City's Transit and Parks Needs*. The presentation covered:

- the previous direction given by Council,
- additional space needs of the different City departments,
- various options to address the additional space needs,
 - remodel 1200 Flack Avenue
 - expand the current Public Works facility
 - build a new Transit/Parks building
 - “dream” new Parks building and new Electric building
- pros and cons of Public Works facility expansion,
- estimated costs of the Public Works facility expansion,
- engineers' costs estimates to convert the 1200 Flack Avenue property,
- benefits and challenges with the 1200 Flack Avenue property,
- financial picture for funding of project(s).

At the end of the presentation, City Manager Sprock shared with Council his recommendation to expand the Public Works facility and move Parks into the Street Garage. If the Council concurs, he stated the next step would be to hire an engineer to assess the property and work with staff to create design for expansion.

Following the presentation, Mayor Dafney asked the affected Department Heads for their thoughts. Culture and Leisure Services Director Brown shared her concerns with the 1200 Flack Avenue property: (1) location is not conducive for snow removal operations due to trailering requirements, (2) safety concerns with the only access being onto the highway as most equipment is slow moving and a great deal of her staff is younger seasonal employees, (3) the pillars in the existing building will be restrictive for a shop type facility, and (4) drainage issues within the building as there are currently no floor drains and employees would be required to work on wet surfaces when performing maintenance functions.

Public Works Director Grant shared that he prefers the expansion to the Public Works facility as it will be more efficient for his operations to be in one location. Electric Superintendent Bridge affirmed the expansion to the Public Works facility and stated not only did they need additional vehicle space but room for employees to effectively complete their responsibilities. Community Development Director Kusek believes the expansion of the Public Works facility will take care of the majority of the needs.

Police Chief Kiss shared with Council that the current Law Enforcement Center is “bursting at the seams” for his operations. He stated his operations do not necessarily need to be centrally located within the community to be efficient. He shared with Council that the 1200 Flack Avenue property might be an ideal site for future expansion of his operations. Fire Chief Shoemaker informed Council of his desire along with the Rural Fire Department to have a training facility created in order to maintain the City's ISO rating of “4”. The ISO rating is used to calculate property insurance rates within the community.

December 10, 2019

In closing, Finance Director Waggener informed Council that he was financially on board with the improvements whichever way Council decides to move forward. The City is in a good position to borrow money.

Council then shared their thoughts on the options provided by City Manager Sprock. Councilman Bentley expressed her preference would be the expansion of the Public Works facility and to sell the 1200 Flack Avenue property to get it back onto the tax rolls. Councilman Reynolds likes the expansion of the Public Works facility and would like the 1200 Flack Avenue to be considered for additional future expansion of City needs prior to being sold. Councilman Mischnick stated he was not in favor of adding building space at this time; he believes the City should concentrate on upgrading the electric grid, improving streets and the water system as our priority. Mayor Dafney stated he was not in favor of renovating the 1200 Flack Avenue property. He prefers adding to the Public Works facility and moving the Parks Department into the Street Garage.

Mayor Dafney made a motion to follow staff's recommendation to expand the Public Works facility and move Parks into the Street Garage. The motion was seconded by Councilman Bentley.

Roll call vote with the following results:

Voting Aye: Dafney, Reynolds, Bentley.

Voting Nay: Mischnick.

Motion carried.

Mayor Dafney made a motion to request Box Butte Development Corporation explore the potential for selling the 1200 Flack Avenue property for economic development opportunities which will be brought back to Council for final approval.

Roll call vote with the following results:

Voting Aye: Dafney, Mischnick, Reynolds, Bentley.

Voting Nay: None.

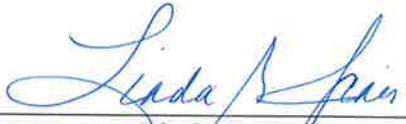
Motion carried.

There being no further business before Council, Mayor Dafney adjourned the meeting at 2:00 p.m.


Mike Dafney, Mayor

December 10, 2019

(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.