

January 21, 2020

# ALLIANCE CITY COUNCIL

REGULAR MEETING, TUESDAY, JANUARY 21, 2020

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

The Alliance City Council met in a Regular Meeting, January 21, 2020, 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 January 15, 2020. 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 January 21, 2020 regular meeting of the Alliance, Nebraska City Council at 7:02 p.m. Present were Mayor Dafney, Council Members Mischnick, Jones, Reynolds and Bentley. Also present were City Manager Sprock, Finance Director Waggener, City Attorney Hoelsing and City Clerk Jines.

- Mayor Dafney read the Open Meetings Act Announcement.
- Council was introduced to the City’s new Public Safety Dispatchers Brenda Bishop and McClain Adamson. City Manager Sprock also announced the hiring of David Heckman and Daryl Colwell as new Transit Drivers/Dispatchers.
- Council proclaimed the week of January 26<sup>th</sup> through February 1<sup>st</sup> as National Lutheran Schools Week. Councilman Jones read the following proclamation:

### PROCLAMATION

*WHEREAS*, teaching the young in full-time Lutheran schools has been an integral part of the heritage and the life of the Lutheran Church-Missouri Synod from its 1847 beginning; and

*WHEREAS*, congregations of the Lutheran Church-Missouri Synod maintain the largest Protestant school system in the United States, enrolling over 200,000 students in over 2,000 preschools, elementary, secondary schools, and colleges, served by over 21,000 teachers and professors with a support system of over 6,000 congregations; and

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*WHEREAS*, the purpose and mission of Lutheran schools is to equip children, young adults, and their parents to prepare for service and leadership in Lutheran congregations; and

*WHEREAS*, graduates of Lutheran schools have gone on to distinguish themselves through service and leadership in community, government, and the church; and

*WHEREAS*, Immanuel Evangelical Lutheran School has been in existence since 2014 and is located at 1312 E. 10<sup>th</sup> Street with an enrollment of approximately 160 students; and

*WHEREAS*, during the week of January 26 – February 1, 2020, there will be several activities with student involvement in recognition of National Lutheran Schools Week.

NOW, THEREFORE, I, Mike Dafney, Mayor of the City of Alliance, Nebraska, do hereby proclaim the week of January 26-February 1, 2020 as

### NATIONAL LUTHERAN SCHOOLS WEEK

*IN WITNESS WHEREOF*, I have hereunto set my hand and caused the Great Seal of the City of Alliance to be affixed on this 21<sup>st</sup> day of January in the year of the Lord Two Thousand Twenty.

● Next on Council's agenda was the Consent Calendar. A motion was made by Councilman Bentley and seconded by Councilman Jones to approve the Consent Calendar as follows:

#### CONSENT CALENDAR – JANUARY 21, 2020

1. Approval: Minutes of the Regular Meeting, January 7, 2020.
2. Approval: Payroll Costs for the period December 28, 2019 through January 10, 2020: \$226,186.90.
3. Approval: Claims against the following funds for the period of January 2 through 15, 2020: 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; \$1,255,374.00.
4. For Your Information: Attached is a listing of Demand Checks which were generated over the last financial quarter ending December 31, 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: Update to the Alliance Volunteer Fire Department by adding Justin Endicott and Seth McLaughlin and removing Justin Setter.

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6. Approval: Issuance of a Cemetery Certificate to Leslie Eugene Kling for the West One Half (W<sup>1</sup>/<sub>2</sub>) Lot Nine (9), Section Ten (10), Block Twenty (20), Third Addition to the Alliance Cemetery.
7. Approval: Resolution No. 20-07 approving Change Order No. 1 to the Alliance Sanitary Sewer Relocation Contract in the amount of \$8,256.25. The request was required to lower the water main to alleviate conflict with vertical separation between water and sewer mains. This includes all materials required to lower the main and an additional 171.5 sf of sidewalk removal and replacement. In addition there was an additional 6 lf of curb and gutter and 10.3 sf of pavement removal and replacement required beyond the bid quantities. The original contract price was \$90,969.75 and this change order adjusts the price to \$99,226.00.
8. Acceptance: Certificate of Completion for the Alliance Sanitary Sewer Relocation Project performed by K. L. Wood & Company, LLC.
9. Approval: Nebraska Department of Transportation Certificate of Compliance. This Certificate certifies that the City of Alliance performed all roadway snow removal and/or surface maintenance required as a result from Maintenance Agreement No. 3. Completion of the work was verified with Public Works Director Grant.
10. For Your Information: On February 4, 2020, Charter Communications (“Charter”), locally known as Spectrum, will launch FOX Soccer Plus A La Carte on channels 407 & 823 on the channel line-up. In addition, Charter Communications is making its customers aware that on the same day, Fox Soccer Plus, currently located on channels 407 & 823, will no longer be available.

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.

Voting Nay: None.

Motion carried.

- Resolution No. 20-08 was the next item on the agenda for Council’s consideration. This resolution will award the City’s Landscaping Services Contract to All Seasons Landscape Maintenance and Design in the amount of \$31,500.00. The following information was provided for Council:

[On November 27, 2019 the City of Alliance released ITB No. 017171-1/2020 for the completion of contract landscape maintenance within the parks system. The

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contract ensures the spring preparation (cutting back of all annual plants and grasses), planting of any annuals or perennials, and seasonal sustentation (maintenance and weed removal) from March 1<sup>st</sup> to October 31<sup>st</sup> each year. Three bid packets were distributed.

A bid opening was conducted at the Knight Museum and Sandhills Center and the one bid submitted was publicly opened. The single bid received was from All Seasons Landscape Maintenance and Design in the amount of \$31,500.00. The bid for the 2020 growing season is \$2,960 under the cost for the 2019 growing season. The Scope of Service section of ITB No. 017171-1/2020 allows for a one year initial award with three optional one year renewal periods. This award will be for the initial award period of March 1, 2020 to October 31, 2020. Bid totals were as follows.

Parks Division	\$28,300.00
Golf Course	\$ 3,200.00

Utilizing this local contractor for maintenance services continues to benefit the City of Alliance Parks Division. This service results in a significant reduction in necessary staff oversight time, and allows for the completion of other projects. In addition, staff has been able to reduce the amount of plants purchased each year because this contractor has the ability to transplant and maintain perennials from all areas of the park as necessary to improve the aesthetics of these flower gardens. For all of these reasons I recommend approving the contract with All Seasons Landscape Maintenance and Design for the 2020 growing season in the amount of \$31,500.00. Adequate funds for the proposed annual contract are included in the City of Alliance 2019/20 budget.]

A motion was made by Councilman Mischnick seconded by Councilman Bentley to approve Resolution No. 20-08 which follows in its entirety:

RESOLUTION NO. 20-08

*WHEREAS*, The City of Alliance prepared a request for quotations for contracting maintenance of public landscaped areas within the parks and municipally owned properties; and

*WHEREAS*, The City published an Invitation to Bid Landscaping Services for an initial one year contract, March through October 2020, with the option of three annual renewals; and

*WHEREAS*, One bid was received from All Seasons Landscape Maintenance and Design; and

*WHEREAS*, Cultural and Leisure Services Director Brown has reviewed the bid and the performance of All Seasons Landscape Maintenance and Design and is recommending the contract be awarded to All Seasons Landscape Maintenance and Design; and

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*WHEREAS*, The Mayor and City Council deemed it appropriate to hire an independent contractor to provide the labor for the clean-up, planting and maintenance of the public landscaped areas within the park systems and municipally owned properties of the City of Alliance.

*NOW, THEREFORE, BE IT RESOLVED* by the Mayor and Council of the City of Alliance, that the Mayor is authorized to sign an agreement between the City of Alliance and All Seasons Landscape Maintenance and Design to contract Planting Bed Maintenance which includes preparation (spring clean-up), planting, transplanting and sustention for the period commencing March 1 through October 31<sup>st</sup> for the year 2020.

*BE IT FURTHER RESOLVED* that the base contact price for the year 2020 shall be Thirty-one Thousand Five Hundred and No/100ths Dollars (\$31,500.00).

Roll call vote with the following results:

Voting Aye: Mischnick, Jones, Reynolds, Bentley.

Voting Nay: Dafney.

Motion carried.

- Next before Council was Resolution No. 20-09 which continues the trial period between the Aging Office of Western Nebraska and the City for management duties of the Nutrition Program. The following information was provided to Council:

[The City was presented with an opportunity by the Aging Office of Western Nebraska (AOWN) to assume the nutritional services site management responsibilities at the Alliance Senior Center. The City would receive compensation from AOWN for handling the manager's duties. AOWN made the request due to difficulty finding a suitable candidate to hire as Site Manager. AOWN allows up to 25 hours per week at a starting wage of \$11.18 per hour for the manager position. AOWN believes present City Staff at the Senior Center have the ability to effectively perform the manager duties.

City staff recommended entering into a Service Agreement that allowed the City to provide manager services at the Senior Center for a three-month trial period. Staff continues to believe they have the skills and time to provide the manager duties, but believe it would be wise to continue to evaluate the increased work load to ensure this opportunity is a good long-term fit for the City for an additional six months.

Continuing manager supervision ensures the nutrition site is properly and consistently managed while allowing an opportunity for our staff to work towards growing the senior programs in our community. The nutrition services provided by AOWN are vital to the Senior Center. The program brings seniors in the door who

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stay for events and activities and the program pays rent to the City to offset building expenses. Ensuring seniors continue to have a low-cost lunch is essential to the community and the program provides social interaction that may not be provided elsewhere. Staff believes performing the manager duties will allow the City to maintain and possibly expand this vital resource for seniors in our community.

The Service Agreement Extension will:

- Act as a document that spells out the duties the City is required to perform and the compensation the City would receive for performing those duties.
- Allow the City to provide site management for an additional six months.
- Set compensation at an amount of \$1,200 per month during the Term of this Agreement.
- Set that the City will only be responsible for the site manager duties. The three other Office of Aging positions (cook, cook aide and meal delivery) would continue to be the responsibility of the AOWN.]

A motion was made by Councilman Bentley seconded by Councilman Mischnick to approve Resolution No. 20-09 which follows in its entirety:

#### RESOLUTION NO. 20-09

WHEREAS, The City of Alliance is the owner of the property located at 212 Yellowstone Avenue, more particularly described as Lots Sixteen (16), Seventeen (17), and Eighteen (18), Block Twenty-four (24), Original Town of Alliance, Box Butte County, Nebraska; and

WHEREAS, The Aging Office of Western Nebraska has requested the City of Alliance assume the Nutrition Site management supervision responsibilities; and

WHEREAS, A three month trial period was completed as of December 31, 2019 and before finalizing this arrangement, both parties have requested an additional six month trial period which would conclude on June 30, 2020; and

WHEREAS, City staff is recommending the City accept the responsibilities for an additional six month trial period and a Service Agreement has been prepared outlining the parameters for both parties during the extended trial period;

WHEREAS, City Council believes it is in the best interest of the community to assume the responsibilities requested by the Aging Office of Western Nebraska.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Alliance, Nebraska, that the Mayor is hereby authorized to enter into the Service Agreement with the Aging Office of Western Nebraska to provide management services for the Nutrition Site Program for an additional six month trial period concluding June 30, 2020.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

- Council next considered Resolution No. 20-10 which would approve an agreement between the City and the new Golf Course Administrator to receive commissions as an incentive to increase course use and revenues. The following information was provided:

[On Monday, January 6<sup>th</sup> two candidates were interviewed for the position of Golf Course Administrator. Based on the interviews and the review of resumes Jared Palmer was offered the Administrator job. Jared was raised in Alliance and has 16 years of experience in the golf field (nine years as an assistant golf pro and five years as a head golf pro).

With his level of experience, City Manager Sprock worked to negotiate terms that would provide appropriate compensation to Palmer for this position. This negotiation resulted in the opportunity to offer Palmer two commissions to supplement his wages with the City. The first commission is for Palmer to receive the revenues of golf lessons at SkyView. The second commission is for Palmer to receive 6% of gross revenues from the sale of merchandise sold at the pro shop, with the additional capacity to receive all of the revenue from club repairs.

<b>Salary Range for positions similar to Golf Course Administrator</b>		
<b>Community</b>	<b>Starting wage</b>	<b>Top wage</b>
Gering	\$56,000.00	\$72,000.00
Sidney *	\$52,000.00	\$70,000.00
Nebraska City	\$51,197.00	\$64,686.00
North Platte	\$52,984.88	\$93,138.50
<b>Average</b>	<b>\$53,045.47</b>	<b>\$74,956.13</b>
<b>Alliance</b>	<b>\$44,990.40</b>	<b>\$61,609.60</b>
Difference	\$8,055.07	\$13,346.53

\* Sidney allows Golf Supervisor to receive a commission

This matter has been vetted with the City Attorney. If Council approves these commissions, all revenue from lessons and the pro shop merchandise would be deposited in the City's funds and distributed to Palmer via his City paycheck. Staff would like the ability to renegotiate these commissions after the completion of the City's fiscal year. This will allow the City to assess the financial position of golf course operations and adjust commission appropriately.]

A motion was made by Councilman Reynolds seconded by Councilman Bentley to approve Resolution No. 20-10 which follows in its entirety:

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RESOLUTION NO. 20-10

*WHEREAS*, The City of Alliance operates the Alliance Municipal Golf Course; and

*WHEREAS*, The City advertised for a Golf Administrator to oversee the City's interests in the management of the Alliance Municipal Golf Course; and

*WHEREAS*, Staff and the Golf Course Advisory Board reviewed the applications and completed the process to select a Golf Administrator; and

*WHEREAS*, City Manager Sprock has selected and offered the position to Jared Palmer; and

*WHEREAS*, The City would like to offer commissions to the Golf Administrator to provide an incentive to increase course use and revenues; and

*WHEREAS*, A Commissions Agreement has been drafted between the City of Alliance and Jared Palmer for Council's consideration which outlines the conditions to earn commissions.

*NOW, THEREFORE, BE IT RESOLVED*, by the Mayor and City Council of Alliance, Nebraska, that the Mayor is authorized to sign a Commissions Agreement between Golf Course Administrator Palmer and the City of Alliance to provide for commission payments which may be earned by Mr. Palmer for professional services as part of the operation and oversight of the Alliance Municipal Golf Course.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

- Resolution No. 20-11 was now before Council for consideration. This resolution will authorize an inter-department loan from the Electric Fund to the General Fund to repay the interim financing for the purchase of the 1200 Flack Avenue property from Farmers State Bank. The following information was provided:

[The City of Alliance purchased the building at 1200 Flack Avenue in August 2018 for potential use as a Parks and Transit Bus Garage. At that time, a \$500,000 line of credit was obtained from Farmers State Bank for one year at the rate of 3.0% interest. Only \$320,621.21 was advanced against the line for the original purchase with the loan being extended for an additional six months in August 2019 to allow time to evaluate the options for the building.

The Finance Director determined that the loan could be renewed at Farmers State Bank at a current interest rate of 2.75%; however, Electric Department reserves could be used to decrease that rate to the General Fund (the holder of the real

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property) and to increase investment returns on Electric cash reserves. The best recent deposit interest rates for 12-month certificates have been less than 2.00%. The pay-off balance of the current loan at Farmers State Bank as of January 31, 2020 will be \$322,468.31 including \$1,847.10 in interest.

Staff is recommending that Council authorize an inter-department loan of \$320,000 from the Electric Fund to the General Fund for one year at the rate of 2.25% with interest payable annually and principal payment negotiable based on financial performance. This will allow time for the City to actively market the property for economic development purposes pending the construction of other facilities.

Staff recognizes that Council requested a summary of how the Public Works Building expansion would impact capital expenditures by fund (specifically the Street Fund). This information will be provided to Council with the staff update at the end of the month.]

A motion was made by Councilman Jones seconded by Councilman Mischnick to approve Resolution No. 20-11 which follows in its entirety:

RESOLUTION NO. 20-11

*WHEREAS*, The City approved a Purchase Agreement with Next Generation Properties of Nebraska, LLC for the purchase of 1200 Flack Avenue for the transfer of operations and storage for the Public Transit Program and Parks Departments; and

*WHEREAS*, The City made arrangements with Farmers State Bank for interim financing of the purchase of 1200 Flack Avenue for 12 months at a fixed interest rate of 3.00%; and

*WHEREAS*, Farmers State Bank extended their offer for interim financing at the same fixed interest rate for an additional 6 months; and

*WHEREAS*, The City of Alliance would like to utilize Electric Fund reserves in the amount of Three Hundred Twenty Thousand Dollars and no/100ths (\$320,000) to provide an interim loan to the General Fund to pay for the property to allow time for the property to be actively marketed for economic development purposes; and

*WHEREAS*, Interest at the rate of 2.25% will be paid annually and principal payment negotiable based on financial performance for the funds being borrowed; and

*WHEREAS*, Loaning the money with interest will be in lieu of investing the reserve funds in a money market account; and

*WHEREAS*, Staff believes this is a viable option for financing the purchase of the property until such time as it may be sold.

*NOW, THEREFORE, BE IT RESOLVED* by the Mayor and Council of the City of Alliance, Nebraska, that the City of Alliance is authorized to use Electric Fund cash reserves for an interim inter-departmental loan to the General Fund in the amount of Three Hundred Twenty

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Thousand Dollars and no/100ths (\$320,000) at the interest rate of 2.25% to be paid annually and principal payment negotiable based on financial performance for the funds being borrowed.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

Council thanked Finance Director Waggener for his expertise in handling the City's finances.

- Next on the agenda for Council was Resolution No. 20-12 which will approve the Employment Contract with Tarrah S. Johnson to serve as City Clerk. The following information was provided:

[At our last Council Meeting, January 7, 2020 City Clerk Jines provided notice of her upcoming retirement effective March 20, 2020. Following the acceptance of City Clerk Jines' resignation, Council approved a motion to pursue a contract with Tarrah Johnson to serve as City Clerk following Ms. Jines departure. Ms. Johnson has worked with City's legal counsel regarding an employment contract which is attached for City Council's consideration.]

A motion was made by Councilman Mischnick seconded by Councilman Jones to approve Resolution No. 20-12 which follows in its entirety:

#### RESOLUTION NO. 20-12

*WHEREAS*, The City Council of Alliance, Nebraska, desires to hire Tarrah S. Johnson as City Clerk; and

*WHEREAS*, City Council has offered a written agreement for City Clerk Johnson's future employment which was prepared by the City's legal counsel; and

*WHEREAS*, Ms. Johnson has approved the terms of the written agreement which is currently before Council.

*NOW, THEREFORE, BE IT RESOLVED*, by the Mayor and City Council of Alliance, Nebraska, that Tarrah S. Johnson shall be appointed as and shall serve as the City Clerk for the City of Alliance, Nebraska, effective March 21, 2020. The written contract of employment which accompanies this Resolution is approved by City Council and the Mayor is authorized to execute the contract on behalf of the City of Alliance.

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Councilman Bentley expressed her concerns regarding the need for a contract. Although she is in favor of selecting Ms. Johnson for the position; she believes it will cause relationship issues with the City's department heads.

Roll call vote with the following results:

Voting Aye: Dafney, Mischnick, Jones, Reynolds.

Voting Nay: Bentley.

Motion carried.

- Board appointments and announcements were the next item on the agenda. The following information was provided to Council:

[Alliance Housing Authority

The Housing Authority appointments are to be made by the Mayor per State Statute. There is currently one vacancy due to the term expiration. The terms on the Alliance Housing Authority are for five years, with current vacancy ending December 31, 2024.

The City of Alliance has received an application from Victor Sanchez to be reappointed to the Alliance Housing Authority. Mr. Sanchez has been serving on this board and would like to continue. We have also received an application from Larry Bolinger for the same vacancy.

Police Citizen Advisory Board

Vacancies on the Police Citizen Advisory Board are appointed by the City Council as a whole. The Police Citizen Advisory Board is comprised of nine individuals which represent various facets of the community. Terms on this board are two years in duration. Our current vacancies are representatives from the Police Department, Schools, and a Senior/Retired member.

Officer Aly Dusatko a member of the Alliance Police Department has made application to serve as the Police Department representative with a term expiring December 31, 2021.

Mr. Larry Bolinger has also expressed a desire to serve on the Police Advisory Board. The remaining vacancies on this Board are for a school and a senior/retired representative. Staff does not believe Mr. Bolinger falls within either of these representations.]

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Mayor Dafney announced his re-appointment of Victor Sanchez to the Alliance Housing Authority for a five year term expiring December 31, 2024. Council agreed with the appointment by consensus.

A motion was made by Mayor Dafney to appoint Officer Aly Dusatko, a member of the Alliance Police Department to serve as the Police Department representative with a term expiring December 31, 2021.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

Currently there are vacancies on the Board of Adjustment, A-1 and A-2 Downtown Improvement Boards, Economic Development Plan Citizen Advisory Board, youth representatives on the Library Board, Museum Board, Planning Commission and Police Citizen Advisory Board (Senior/Retired and School representatives). There are also upcoming vacancies on the Park and Tree Board and Senior Facility Advisory Board. 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](http://www.cityofalliance.net).

- The last matter before Council was to establish a date and time to conduct a Workshop to discuss the potential of placing an additional 1/2¢ sales tax on the election ballot to perform additional street improvements.

By consensus, the Council selected Tuesday, January 28, 2020 at 10:00 a.m. to conduct the Workshop in the Conference Room of the Municipal Building, 324 Laramie Avenue, Alliance.

There being no further business before Council, Mayor Dafney adjourned the meeting at 7:37 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.