

February 18, 2020

ALLIANCE CITY COUNCIL

REGULAR MEETING, TUESDAY, FEBRUARY 18, 2020

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

The Alliance City Council met in a Regular Meeting, February 18, 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 February 12, 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 February 18, 2020 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, City Attorney Hoelsing, Finance Director Waggener and City Clerk Jines.

- Mayor Dafney read the Open Meetings Act Announcement.
- Council was first introduced to the City's new employees: Chelsie Michel, Meter Reader; Heile Fortner, Account Clerk 1; and Golf Course Administrator Jerad Palmer.
- The Consent Calendar was next on Council's agenda. A motion was made by Councilman Jones, seconded by Councilman Mischnick to approve the Consent Calendar as follows:

CONSENT CALENDAR – FEBRUARY 18, 2020

1. Approval: Minutes of the Regular Meeting, February 4, 2020.
2. Approval: Payroll Costs for the period January 25, 2020 to February 7, 2020: \$292,506.46.
3. Approval: Claims against the following funds for the period of January 29, 2020 through February 12, 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; \$1,352,012.63.

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4. Approval: Update to the Alliance Volunteer Fire Department roster by adding Elijah Budd and Caleb Hatch.

5. Approval: Acceptance of Quitclaim Deed and Issuance of the following Cemetery Certificates:

Acceptance of a Quitclaim Deed from Steven K. Tolstedt, Susan J. Maxcy, Michael J. Tolstedt, Gina M. Tolstedt, Kim L. Wills, Mark C. Tolstedt and Lance A. Tolstedt for East Half (E½) of Lot Sixteen (16), Section Seven (7), Block Nineteen (19), Third Addition to the Alliance Cemetery, in Box Butte County, Nebraska and;

East Half (E½) of Lot Twenty (20), Section Seven (7), Block Nineteen (19), Third Addition to the Alliance Cemetery, in Box Butte County, Nebraska and reconvey:

The East Half (E½) of Lot Sixteen (16,) Section Seven (7), Block Nineteen (19) Third Addition to the Alliance Cemetery to Mike Wills and Kim Wills.

The East Half (E½) of Lot Twenty (20), Section Seven (7), Block Nineteen (19) Third Addition to the Alliance Cemetery to Heath Wills and Courtney Wills.

6. Approval: Resolution No. 20-18 approving Change Order No. 2 to the 12.47 kV Distribution Line Rebuilds – Airport Area Project with IES Commercial, Inc. in the amount of \$13,806.31. The request is for additional materials and labor needed to complete the project. These additional funds will be deducted from the contingency allowance with a current balance of \$21,964.00. The original contract price will remain the same at \$366,175.00 and if this change order is approved the remaining contingency balance will be \$8,157.69.
7. Approval: Resolution No. 20-19 approving Amendment No. 1 to the Engineering Services Agreement with Olsson and Associates, Inc. for the 12.47 kV Distribution Line Rebuilds – Airport Area Project with IES Commercial, Inc. in the amount of \$7,500. The amendment is to compensate Olsson and Associates, Inc. for the additional scope of services needed to complete the project.
8. Approval: Resolution No. 20-20 continuing the Lease Agreement with the Aging Office of Western Nebraska for the use of the Senior Center to operate the Nutrition Program for persons 60 years of age and older. The lease will remain the same at \$500.00 per month and will be from July 1, 2020 through June 30, 2021.
9. Acceptance and Approval: Certificate of Completion of Project No. 3-31-0003-020 – Alliance Municipal Airport Runway 8/26 Rehabilitation.
10. For Your Information: The City of Alliance has received the Official Notice of the Revised Rate Schedule for Service Schedule M Participants and the Energy Standard Avoided Cost Rate from NMPP Energy.

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.

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

Roll call with the following results:

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

Voting Nay: None.

Motion carried.

- Resolution No. 20-21 was now before Council. This resolution will approve the placement of an additional half cent sales tax on the ballot for the May 12th Primary Election. The following information was provided:

[Councilmen Bentley requests that council remake a motion to approve a resolution for a ballot measure to implement an additional ½ cent sales tax for Public Infrastructure Projects. At the February 4th Council meeting it appeared that the entire Council favored proposal of a half-cent sales tax for infrastructure, but differed on how those funds would be used (i.e., strictly for street projects or primarily for streets with the ability to use the funds on another infrastructure project if the need arose).

Councilmen Bentley suggests again that there may be a compromise that all Council can agree on and support. The proposed compromise would (1) lock 75% of the annual revenues from the LB357 sales tax into street improvements and any additional water, storm sewer, and sanitary sewer infrastructure improvements related to a street improvement project, and (2) allows 25% of revenues to be used for general improvements to municipal buildings, property, and infrastructure used in the operation of government. Use of money on a project other than a street improvement would require a ¾ approval vote of Council. Staff has prepared such a Resolution for the Council's consideration.

If the resolution is passed by Council, an educational and informative information packet will be developed by staff to illustrate to the public how the half cent sales tax will impact the community. Staff will assist Council in encouraging partners to support and promote the ballot measure in the community.]

A motion was made by Councilman Reynolds, seconded by Councilman Bentley to approve Resolution No. 20-21 which follows in its entirety:

RESOLUTION NO. 20-21

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

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a. The City currently imposes a City Sales and Use Tax in the amount of 1.5% pursuant to the Local Option Revenue Act, sections 77-27,142, *et seq.* of the Nebraska Statutes (the "Existing City Sales and Use Tax")

b. The City desires to propose additional revenue to provide for public infrastructure projects defined in § 77-27,142 of the Nebraska Statutes.

c. § 77-27,142 of the Nebraska Statutes allows the City Council to impose an additional one-half of one percent (1/2%) sales tax in addition to the Existing City Sales and Use Tax for the purpose of funding public infrastructure projects listed below, following an election at which a majority of the qualified electors of the City approve such additional sales and use tax;

Resolved by the Mayor and City Council of the City that:

1. At the May 12, 2020 primary election, the following proposition in the form shown below shall be submitted to the qualified electors of the City for their approval or disapproval at the primary election:

PROPOSITION NO. 1:

Shall the City Council of the City of Alliance, Nebraska increase the local sales and use tax rate by an additional one-half of one percent (½%) from the current rate of one and one-half percent (1½%) to a total rate of two percent (2%) and impose a sales and use tax at the increased rate upon the same transactions within the City on which the State of Nebraska is authorized to impose a tax, subject to the terms and conditions set out below?

_____ Yes (For increasing the Sales and Use Tax)

_____ No (Against increasing the Sales and Use Tax)

Terms and Conditions: The terms and conditions of the proposition are as follows:

a. The increased sales and use tax is to be used only for the following purposes: (1) at least 75% of the revenue generated annually shall be used or committed to repair or construct municipal roads and streets, including any storm sewer, sanitary sewer, or drinking water utilities that may be constructed or improved during any such road or street project; and (2) if approved by a 3/4 affirmative vote of the City Council members, the remaining 25% of revenue generated annually may be used or committed for capital improvements to or construction of municipal buildings, property, and other utility infrastructure.

b. The City and the Community Redevelopment Authority of the City of Alliance will enter into an Interlocal Agreement which creates the Alliance Infrastructure Agency for purposes related to the projects approved in Proposition No. 1. The Interlocal Agreement contains provisions, including benchmarks, relating to the long-term development of unified governance of the projects approved in Proposition No. 1. with respect to the parties.

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c. The increased sales and use tax shall terminate no more than ten years after the effective date of the increased sales and use tax or, if bonds are issued and the increased sales and use tax revenue is pledged for payment of such bonds, upon payment of such bonds and any refunding bonds, whichever date is later.

d. Upon passage and approval and delivery of the ordinance implementing the increased sales and use tax, the effective date of the increased sales and use tax shall be October 1, 2020. If Proposition No. 1 should fail, all current sales and use taxes of the City shall remain in effect as previously implemented and voted upon.

2. Electors desiring to vote in favor of or against the proposition shall do so in the manner specified in the ballot form as provided by the Box Butte County Clerk.

3. The primary election shall be conducted by the Box Butte County Clerk at polling places established by the County Clerk in each of the City's precincts. The polls shall be open from 7:00 a.m. through 7:00 p.m. on the day of the primary election.

4. The following notice required by law shall be published in Alliance Times-Herald, a legal newspaper of primary election in the City not more than 30 days nor less than 10 days before the date of the election. The notice shall be in substantially the following form:

City of Alliance Nebraska

Notice of Election

Notice is given that at the primary election on Tuesday, May 12, 2020, at the usual polling place in each precinct of the City of Alliance, Nebraska, the ballot will include for the electors of the City for their approval or rejection, the following proposition:

[Insert text of proposition from Paragraph 1 of this Resolution in the notice]

The polls will be open from 7:00 a.m. through 7:00 p.m. on the Election Day. Absent, disabled, and confined voters' ballots may be obtained from the County Clerk as provided by law. Copies of the proposition may be obtained at the office of the Alliance City Clerk at City Hall, 324 Laramie, Alliance, Nebraska 69301.

Dated: April _____, 2020.

/s/ City Clerk

5. The City Clerk shall cause a certified copy of this Resolution to be delivered to the Box Butte County Clerk on or before March 1, 2020.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

- The next matter before Council was Resolution No. 20-22 which awards tree trimming services for the Electric, Refuse Collection, Parks and Cemetery Departments to Panhandle Tree Service of Alliance, NE. The following information was provided for Council:

[The City of Alliance recently sought Request for Bids for Tree Trimming Services for the Electric, Refuse Collection, Parks and Cemetery Departments. The request is for trimming tree growth from the distribution power lines, provide proper clearance for the refuse trucks and trimming of trees in the Parks and Cemetery as needed. The bids were split between urban, rural, alleys, parks and cemetery within our service area. Two bid packets were issued, with two bids received and opened on February 10, 2020 at 10:00 a.m. in the Public Works Building conference room. The lowest bid received was from Panhandle Tree Service of Alliance, NE in the amount of \$90 per hour for all five areas.

Funds have been budgeted within the Electric Department in GL account #05-51-53-44-485 in the amount of \$20,000 for urban electric service areas; GL account #05-51-54-44-485 in the amount of \$20,000 for rural electric service areas; and from the Refuse Collection Department GL account #06-41-42-44-479 for the alley areas in the amount of \$20,000; Parks Department GL account #01-71-71-44-485 in the amount of \$20,000.00 and Cemetery GL account #01-71-74-44-485 in the amount of \$5,000.00.]

A motion was made by Councilman Reynolds, seconded by Councilman Jones to approve Resolution No. 20-22 which follows in its entirety:

RESOLUTION NO. 20-22

WHEREAS, The City of Alliance owns and operates the Municipal Electric System and the Municipal Refuse Collection System; and

WHEREAS, A Request for Bids was issued for our 2020 Tree Trimming Projects for our Electric Urban and Rural areas, parks, cemetery and our alleyways; and

WHEREAS, The bid of Panhandle Tree Service of Alliance, NE was the lowest, responsive and responsible bidder in the amount of Ninety Dollars and no/100th (\$90.00) per hour; and

WHEREAS, Electric Superintendent Bridge has reviewed the contract and the performance of Panhandle Tree Service and is recommending the renewal for the 2020 season which will be completed at the above bid amount; and

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WHEREAS, Funding for the tree trimming services has been included within this fiscal year budget within the Electric Fund, Refuse Collection Fund and Parks Department Fund in the amount of Twenty Thousand Dollars and no/100th (\$20,000.00) each, for the Urban and Rural areas, parks and our alleyways; and

WHEREAS, Funding for the tree trimming services has been included within this fiscal year budget within the Cemetery Fund in the amount of Five Thousand Dollars and no/100th (\$5,000.00) for the Alliance Cemetery.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Alliance, Nebraska, that the Mayor is hereby authorized to execute the contract and associated documents with Panhandle Tree Service in the amount of Eighty-five Thousand and no/100th (\$85,000.00).

BE IT FURTHER RESOLVED that the payment of services to Panhandle Tree Service will be from Account No. 05-51-53-44-485 for the Urban Tree Trimming Project, Account No. 05-51-54-44-485 for the Rural Tree Trimming Project, Account No. 06-41-42-44-479 for the alleyways and Account No. 01-71-71-44-485 for the parks not to exceed Twenty Thousand Dollars and no/100ths (\$20,000) within each account.

BE IT FURTHER RESOLVED that the payment of services to Panhandle Tree Service will be from Account No. 01-71-74-44-485 for trimming within the Alliance Cemetery not to exceed Five Thousand Dollars and no/100ths (\$5,000).

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

- The presentation of the Audit of the Financial Statements of the City of Alliance for the period of October 1, 2018 through September 30, 2019 was the next matter before Council.

Marci Luth of Almquist, Maltzahn, Galloway & Luth, P.C. via telephone reviewed the Financial Statements and Supplementary Information for the fiscal year ending September 30, 2019. She reviewed the three components on the statements 1) government-wide financial statements, 2) fund financial statements, and 3) notes to the financial statements. At the end of the current fiscal year, the City reported positive balances in all three categories of net position, both for the government as a whole and for its separate governmental and business-type activities. Ms. Luth also provided a benchmark report which compared Alliance with other communities within the State of Nebraska.

A motion was made by Councilman Mischnick, seconded by Councilman Jones to accept the Audit as presented.

Roll call 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. 20-23 which will approve revised golf rates for the 2020 season. The following information was provided:

[At a regular meeting on February 6, 2020 the Golf Course Advisory Board evaluated the fee schedule for SkyView Golf Course. The group compared fees currently charged at area courses to the current rates at SkyView Golf course. The board unanimously voted to recommend the following rates and categories.

GREEN FEES	Proposed		Current
9 holes	\$18.00		\$17.00
18 holes	\$24.00		\$23.00
TRAIL FEES			
Daily	\$5.00		\$5.00
Annual	\$75.00		\$75.00
CART FEES			
9 holes per person	\$9.00		\$9.00
18 holes per person	\$13.00		\$13.00
Annual Cart Rental Single	\$400.00		\$400.00
Annual Cart Rental Couple	\$650.00		\$650.00
MEMBERSHIP			
Single	\$480.00		\$457.00
Add an adult (residing in same residence)	single+220.00	45% of single	Couple-\$657.00
Add a child(residing in same residence)	single+100.00	20% of single	----
Family(residing in same residence)	\$825.00		\$783.00
Student(22 & under attending school)	\$155.00		\$147.00
CART STORAGE			
With Membership	\$300.00		\$263.00
Without Membership	\$600.00		\$263.00
PUNCH CARDS			
10 Rounds/9 Holes	\$162.00		\$153.00

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10 Rounds/18 Holes	\$216.00	\$207.00
LOCKER RENT		
Women's Locker	\$40.00	\$35.00
Men's Locker	\$40.00	\$40.00
LESSONS	Determined by Admin	----
WORKSHOPS	Determined by Admin	----
JUNIOR GOLF	Determined by Admin	----
CLUB REPAIR	Determined by Admin	----

The most significant change recommended is to charge a higher fee for cart storage for individuals who store their carts at SkyView but do not have an annual membership. The board's goal with this was to eliminate carts from the barn that have not been used for years. Those carts are easy to identify simply based on the accumulation of dust. These unused carts are occupying space that would otherwise be available for cart owner's whom regularly use their cart. There are currently 10 golfers on a waiting list for a cart storage space. The Golf Advisory Board believes an increase in price might encourage owners who no longer use their carts to remove them and would open spaces for other golfers.

In response to this recommendation, staff compared 2019 cart storage and membership lists which showed that last year there were approximately 69 carts stored by members and 34 carts stored by non-members. The concern of staff is that this fee increase could have a significant unforeseen consequence on individuals who have a private cart and play fairly frequently, but not frequently enough to financially justify purchasing a membership. In anticipation of these questions, staff discussed with legal other options for removing unused carts. The City has the option to move forward with terminating storage of these unused carts, but the legal process would be lengthy and would not be completed in one golf season.

The second change recommended is to update the configuration of how membership fees are calculated. This new fee structure allows golfers a more flexible way to purchase memberships. The Board believes this is the most effective way to accommodate different family structures and living arrangements. Staff is recommending that the following special promotions be included for implementation by the Golf Course Administrator.

- League fee of \$10 per player for nine holes during organized league activities.

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- For a twosome, they will receive one round of golf for free with payment for one round and a golf cart rental for two. The Golf Supervisor will evaluate course use and select days to incorporate this promotion to better utilize the course during slow times. Incorporation of this promotion will start after May 1st and will not exceed two days per week.]

A motion was made by Councilman Bentley, seconded by Councilman Mischnick to approve Resolution No. 20-23.

Following a short discussion, Councilman Bentley made a motion to amend the resolution to increase cart rental for 18 holes to \$15.00 per person and to have a solo cart storage fee of \$300 per year without a membership distinction. The amendment motion was seconded by Mayor Dafney.

Roll call vote on the amendment:

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

Voting Nay: None.

Motion carried.

RESOLUTION NO. 20-23 (As amended)

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

WHEREAS, Fees are required for the upkeep, maintenance and improvement of the golf course; and

WHEREAS, Staff and Golf Administrator Palmer desire to implement promotional activities to encourage play at SkyView Golf Course; and

WHEREAS, Rates and promotional activities were reviewed and recommended for approval by the Golf Course Advisory Board.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Alliance, Nebraska, that the changes to the established Golf Fee Schedule, including promotional activities under the discretion of Golf Administrator Palmer are hereby authorized. Golf course fees beginning April 1, 2020 shall be as follows:

Annual Pass/Memberships	
Single	\$480.00
Single/Plus Adult (residing in same residence)	\$700.00
One Adult/One Child (residing in same residence)	\$580.00
Child or Student (22 years and under/attending school)	\$155.00
Full Family (residing in same residence)	\$825.00

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Green Fees		
9 Holes		\$18.00
18 Holes		\$24.00
Punch Card Purchase -	10 Rounds/9 Holes	\$162.00
	10 Rounds/18 Holes	\$216.00
Trail Fees		
Daily		\$5.00
Annual		\$75.00
Cart Fees		
9 holes per person		\$9.00
18 holes per person		\$15.00
Annual Cart Rental – Single		\$400.00
Annual Cart Rental – Couple		\$650.00
Cart Storage		\$300.00
Men’s Locker		\$40.00
Women’s Locker		\$40.00

Golf Professional Promotional Activities:

- League Play - Individuals playing as part of a league activity will pay greens fees of \$10 per player for nine holes during their league.
- Twosome - Buy one round of golf with a two person cart rental and get a second round of golf for free. Golf Course Administrator will evaluate course use and select days to incorporate this promotion, not to exceed two days per week. (Effective May 1, 2020)
- Lessons, Workshops, Junior Golf, and Club Repair will be determined by the Golf Course Administrator.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

- Resolution No. 20-24 was the next item on the agenda for Council’s consideration. This resolution would allow the City of Alliance to enter into a Utility and Access Easement Agreement with Nebraska Link for the installation of underground fiber optic lines from Highway 2 to the Nebraska Veteran’s Cemetery. The following information was provided:

[This resolution will approve a utility and access easement agreement between the City of Alliance and Nebraska Link. Nebraska Link is installing fiber optic line

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from the Highway to the Veteran's Cemetery. The fiber optic line will follow the utility poles past the Golf Course turn and then will jog out roughly 500 feet from the City's fence line on grazing Tract H. It will then cross under the airport road and the fiber will then be on the Veteran's Cemetery property.

The road to the airport is not a dedicated "public right of way" therefore a private party easement is necessary for the fiber optic line to be located and installed.]

A motion was made by Councilman Jones, seconded by Councilman Mischnick to approve Resolution No. 20-24 which follows in its entirety:

RESOLUTION NO. 20-24

WHEREAS, Nebraska Link has the desire to install fiber optic line within the Alliance Municipal Airport property; and

WHEREAS, the location of the fiber optic line will not be within a City or State right of way, and a private party easement is necessary to locate, install, and maintain the fiber optic line; and

WHEREAS, The City desires to enter in to an Utility and Access Easement Agreement with Nebraska Link for the installation of an underground fiber optic line from Highway 2 to the Nebraska Veteran's Cemetery; and

WHEREAS, City Council believes it is in the best interest of the City of Alliance to enter an Utility and Access Easement Agreement with Nebraskalink Holdings, LLC.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Alliance, Nebraska, that the Utility and Access Easement Agreement with Nebraskalink Holdings, LLC, is approved; and

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute the Utility and Access Easement Agreement on behalf of the City of Alliance, Nebraska.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried

- The final items on the agenda were board appointments and announcements.

A motion was made by Councilman Mischnick, seconded by Councilman Jones to appoint Charles Giger to the Board of Adjustment with a term ending December 31, 2022.

Roll call with the following results:

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

Voting Nay: None.

Motion carried.

Councilman Mischnick announced the City currently has 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.

There being no further business before Council, Mayor Dafney adjourned the meeting at 7:55 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.

