

March 3, 2020

ALLIANCE CITY COUNCIL

REGULAR MEETING, TUESDAY, MARCH 3, 2020

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

The Alliance City Council met in a Regular Meeting, March 3, 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 26, 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 March 3, 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 employee: Kaytlin Carey, Administrative Secretary with the City Clerk's office.
- Next before Council was the presentation of a Proclamation declaring the week of March 8-14, 2020 as Girl Scout Week. Councilman Bentley presented the following proclamation to many young girls participating in the program.

PROCLAMATION

WHEREAS, March 12, 2020, marks the 108th anniversary of Girl Scouts of the USA, founded by Juliette Gordon Low in 1912 in Savannah, Georgia; and

WHEREAS, Throughout its distinguished history, Girl Scouting has inspired millions of girls and women with courage, confidence and character to make the world and our community a better place; and

March 3, 2020

WHEREAS, Through Girl Scout Leadership Experience girls develop the skills and lessons that will serve them throughout their lives so that they may contribute to their communities; and

WHEREAS, Girl Scouting takes an active role in increasing awareness for girls of the opportunities in math, science, sports, technology, as well as outdoor and life skills along with the value of entrepreneurship; and

WHEREAS, More than 2.5 million current Girl Scout members nationwide along with 1.7 million girl members and 750,000 adult members working primarily as volunteers will be celebrating this American tradition, as well as the 50 million women who are former Girl Scouts and living proof of the impact of this amazing Movement;

NOW, THEREFORE, on behalf of the Members of the City Council of the City of Alliance, Nebraska, we do hereby applaud the commitment Girl Scouts has made to America's girls and proudly proclaim the week of March 8-14, 2020 as:

GIRL SCOUT WEEK

And hereby applaud the commitment Girl Scouting has made to support the leadership development of America's girls.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the City of Alliance to be affixed on this 3rd day of March in the year of the Lord Two Thousand Twenty.

- The Consent Calendar was next on the agenda for Council's consideration. A motion was made by Councilman Mischnick and seconded by Councilman Bentley to approve the Consent Calendar as follows:

CONSENT CALENDAR – MARCH 3, 2020

1. Approval: Minutes of the Regular Meeting, February 17, 2020.
2. Approval: Payroll Costs for the period February 8 through 22, 2020: \$227,312.04.
3. Approval: Claims against the following funds for the period of February 13 through 26, 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; \$254,192.49.
4. Approval: Issuance of a Cemetery Certificate to Liz Cole Prochazka for Lots Ten (10), Eleven (11), Twelve (12) and Thirteen (13) of Section Nine (9), Block Thirty-one (31), Fourth Addition to the Alliance Cemetery.

Acceptance of a Quitclaim Deed for the North One-Half of the Northwest Quarter (N½NW¼) Lot Two (2), Section Four (4), Block Five (5), Original Plat to the Alliance Cemetery and the South One-Half of the Southeast Quarter (S½SE¼) of Lot Two (2),

March 3, 2020

Section Four (4), Block Five (5), Original Plat to the Alliance Cemetery from Donald O. Zurn Jr., Steven Zurn, Donna McEowen, David Zurn, Barbara Rangel, Joan Marko and Deborah Lawson; and reconvey the same to Donald O. Zurn and Cindy L. Zurn.

5. For Your Information: Charter Communications is making the following channel lineup change:

Channel	Change	Channel Number	Effective
KWGN HD	Adding KWGN HD to Nebraska lineups in the Denver DMA	702 or 791	ASAP

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 with the following results:

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

Voting Nay: None.

Motion carried.

- A conflict claim in the amount of \$562.24 for the travel expenses of Councilman Bentley to attend the Nebraska League of Municipalities Midwinter Conference was now before Council for consideration.

A motion was made by Councilman Mischnick, seconded by Councilman Jones to approve the claim of Councilman Bentley in the amount of \$562.24.

Roll call with the following results:

Voting Aye: Dafney, Mischnick, Jones, Reynolds.

Voting Nay: None.

Abstaining: Bentley.

Motion carried.

- Next a Public Hearing was conducted on the City of Alliance Street Improvement One and Six Year Plans. Following the public hearing, Council considered Resolution No. 20-25 which will approve the Plan and authorize submittal to the State of Nebraska Board of Public Roads, Classifications and Standards. Council was provided with the following information:

March 3, 2020

[The City is required to prepare and submit an annual street plan to the Nebraska Board of Public Roads. The Planning Commission at its February 11, 2020 meeting reviewed and approved recommending the attached proposed One and Six Year Street Program to Council. Public Works Director Ross Grant prepared the report as the City's certified streets superintendent. Mr. Grant will be in attendance to review the proposed plan.

Currently the One Year Plan includes three projects involving 3rd Street (Highway 2). These project are originated and managed by the State of Nebraska Department of Transportation (NDOT). NDOT announced in the last week that they will not be moving forward with two overlay projects at this time; however, the railroad underpass project is continuing. Following this item on the agenda, Council will have Supplemental Agreement No. 1 with NDOT redefining the 3rd Street project to only include the underpass area with no financial responsibility to the City. The Six Year Plan has seven projects listed at this time for a total of \$2,400,000.

These plans can be amended in the future. In light of the very recent decision by the NDOT, City staff will be reviewing other options for street improvements for Council's consideration.]

Mayor Dafney stated "now is the date, time and place to conduct a Public Hearing to hear support, opposition, criticism, suggestions, or observations of the taxpayers relating to the City of Alliance Street Improvement One and Six Year Plans" and opened the public hearing at 7:09 p.m.

No testimony was offered and the Public Hearing closed at 7:10 p.m.

A motion was made by Councilman Jones, seconded by Councilman Mischnick to approve Resolution No. 20-25 which follows in its entirety:

RESOLUTION NO. 20-25

WHEREAS, The Nebraska law requires that the City of Alliance develop and file with the Board of Public Roads Classifications and Standards, a long range six year plan of highway, road and street improvements; and

WHEREAS, Such plan must be extended annually on or before the anniversary date; and

WHEREAS, City staff has prepared a One and Six Year Plan to meet these legal requirements; and

WHEREAS, The City published and held a public hearing on March 3, 2020; and

WHEREAS, The plan was submitted to Council and examined by the City Council at a regular meeting conducted on March 3, 2020; and

WHEREAS, Council believes the plan is appropriate and should be approved.

March 3, 2020

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of Alliance, Nebraska, that the One and Six Year City Street Improvement Plan prepared by the City of Alliance Street Department is hereby approved and the City staff is authorized to forward the Plan to the Board of Public Roads Classifications and Standards.

Roll call with the following results:

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

Voting Nay: None.

Motion carried.

Following approval of the Plans, Council discussed the possibility of having staff revisit the Plans in light of the State's change of timing regarding 3rd Street. Due to the magnitude of the 3rd Street project, it was all the projects on the One Year Plan. Now that the City no longer has that financial obligation in the upcoming fiscal year, Council would like to move some of the projects on the Six Year Plan to the One Year Plan and include additional projects which may be identified. This will allow the City to keep up with necessary street improvements and not have a construction season pass without use.

A motion was made by Mayor Dafney to have Public Works Director Ross recommend moving some of the projects on the Six Year Plan to the One Year Plan and potentially add additional street improvements for consideration to amend our One and Six Year Street Improvement Plans. The motion was seconded by Councilman Reynolds.

Roll call with the following results:

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

Voting Nay: None.

Motion carried.

- Resolution No. 20-26 which will authorize the City to enter into Supplemental Agreement No. 1 with the Nebraska Department of Transportation was next on the agenda. The following information was provided to Council:

[The Nebraska Department of Transportation (NDOT) had planned for improvements to 3rd Street/NE Hwy. 2 from Cody to Elkhorn Avenues for this year. The initial desire was to award one project that resurfaced the highway from Cody Avenue to the east side of Alliance. The full project was let for bidding twice, unfortunately the costs came in higher than the engineer's estimates and were rejected both times. An alternative idea was suggested to split the project and, in a first phase, reconstruct only the area underneath the BNSF bridges in order to address the drainage and pavement issues. This proposal was adopted and NDOT is preparing the amended plan set for a bid letting next month with the construction

March 3, 2020

to take place during the summer of 2020. The reconstruction of the underpass area addresses the roadway concerns, and requires no financial commitment from the City of Alliance. Later, NDOT will rebid the remaining segments of the original project as a second phase to address the asphalt segments.]

A motion was made by Councilman Jones, seconded by Councilman Mischnick to approve Resolution No. 20-26 which follows in its entirety:

RESOLUTION NO. 20-26

WHEREAS, The City of Alliance and the Nebraska Department of Transportation (NDOT) have previously executed Municipal Financial Agreement State Projects, Agreement No. XL1912 for a transportation improvement project; and

WHEREAS, The City of Alliance and NDOT wish to enter into Supplemental Agreement No. 1 setting out modifications and/or additional duties and/or funding responsibilities for Project No. NH-2-1(123), Control No. 51399 – Cody Avenue East Alliance.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Alliance, Nebraska, that Mayor Mike Dafney is hereby authorized to sign the attached Supplemental Agreement No. 1 between the City of Alliance and the NDOT.

BE IT FURTHER RESOLVED the City of Alliance is committed to providing local funds for the project as required by Supplemental Agreement No. 1 and any Supplemental Project Program Agreements.

NDOT Project Number: NH-2-1(123)

NDOR Control Number: 51399

Project Location: Cody Avenue East Alliance.

Roll call with the following results:

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

Voting Nay: None.

Motion carried.

- Next for Council's consideration was Resolution No. 20-27 which will approve a Water Meter Remote Purchase and Service Agreement with Landis+Gyr for \$65,550.00. The following information was provided:

[The City of Alliance has included within this year's fiscal budget adding the water system into the remote metering infrastructure. The electric system is currently monitored remotely with equipment purchased through Landis+Gyr. Due to the existing Advanced Metering Infrastructure (AMI), Landis+Gyr has been identified as a sole source supplier. In order to use another vendor much of the existing

March 3, 2020

communications network would have to be duplicated or replaced. Landis+Gyr provided a quote to begin installing remote reading technology. The quote includes 300 remotes, RF tools, service and training in the amount of \$65,550.00. The unit prices will remain the same per unit as we replace all of the City's water meter remotes. The purchase will be made from Account No. 08-52-52-59-950 - Capital Outlay-Mach, Equip. which has sufficient budgeted funds.

Remote monitoring and software services will be provided under the current SaaS Agreement with Landis + Gyr, and additional remote monitoring infrastructure for the water system will be included in the pricing provided under the current SaaS Agreement.]

A motion was made by Councilman Reynolds, seconded by Councilman Bentley to approve Resolution No. 20-27 which follows in its entirety:

RESOLUTION NO. 20-27

WHEREAS, The City of Alliance Water Department is desiring to improve and advance our metering system by upgrading to an advanced metering infrastructure (AMI) system; and

WHEREAS, The City is currently utilizing an AMI system for our electric utility and it would be financial favorable to utilize the existing communications network; and

WHEREAS, Landis+Gyr Technology, Inc. is our current AMI system vendor; and

WHEREAS, Staff is recommending the purchase from Landis+Gyr Technology, Inc., in the amount of Sixty-five Thousand Five Hundred Fifty Dollars and no/100th (\$65,550.00); and

WHEREAS, Budget authority is available for this purchase from the Water System Account No. 08-52-52-59-950 – Capital Outlay-Mach, Equipment.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Alliance, Nebraska, that the Mayor be and hereby is authorized to enter into a purchase agreement with Landis+Gyr Technology, Inc. in the amount of Sixty-five Thousand Five Hundred Fifty Dollars and no/100th (\$65,550.00) for the purchase of an advanced metering infrastructure (AMI) system for the Water Department which includes 300 remotes, RF tools, service and training.

BE IT FURTHER RESOLVED authorization of the purchase agreement is contingent and conditional upon a contract, satisfactory to the City of Alliance, for the installation and maintenance services to the AMI system between the City of Alliance and Landis+Gyr Technology, Inc.

Roll call with the following results:

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

Voting Nay: None.

March 3, 2020

Motion carried.

- Council next discussed the City's current fireworks regulations. Following last year's fireworks season several complaints were received from the public regarding a ten day discharge period. Staff has gathered comparative information from other First Class Cities and surrounding areas in order for Council to determine if they would like to make modifications to our current Code.

Councilman Bentley began the conversation stating she would like to see a compromise and shorten the number of days allowed to discharge fireworks. She believes this will be beneficial for the large number of shift workers in Alliance, individuals who suffer from PTSD, and the impact on pets.

Councilman Jones shared that he feared if the number of days were shortened below what is allowed by the State of Nebraska that residents would resort to going outside of the City limits to discharge fireworks which would increase the fire danger and a greater impact on our emergency service personnel.

Fire Chief Shoemaker also shared his concern with displacing the discharge of fireworks into the County and the increased impact it would have on emergency service personnel which already respond to an increased number of calls during this period. He also suggested that temporary signage should be utilized during the discharge period of time to inform the public that the discharge of fireworks on public recreational area is prohibited.

The discussion also included the implementation of an occupation tax upon vendors selling fireworks within Alliance. Council had concerns that most of the vendors in Alliance are not for profit groups and use this as a fundraiser. Charging two different fees for profit and not for profit groups was suggested. Legal counsel responded that would be difficult to justify. Fire Chief Shoemaker currently inspects each vendors' site and reviews the safety measures which should be taken to safely operate. He stated he believed this was a good public service opportunity.

Following the discussion, Councilmembers Jones, Mischnick, Dafney and Reynolds stated they were not in favor of making modifications to the Municipal Code regarding fireworks.

No action was taken.

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

A motion was made by Mayor Dafney, seconded by Councilman Mischnick to approve the appointment of Lori Curtiss to the Museum Board with a term ending May 31, 2022.

Roll call with the following results:

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

March 3, 2020

Voting Nay: None.

Motion carried.

A motion was made by Councilman Reynolds, seconded by Councilman Bentley to reappoint Dick Fankhauser to the Board of Adjustment for a term ending December 31, 2022.

Roll call with the following results:

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

Voting Nay: None.

Motion carried.

A motion was made by Councilman Reynolds, seconded by Councilman Mischnick to appoint Chris Mundt to the Board of Adjustment as the Alternate Member with a term expiring December 31, 2022.

Roll call with the following results:

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

Voting Nay: None.

Motion carried.

A motion was made by Mayor Dafney, seconded by Councilman Bentley to accept the resignation of Chris Mundt from the A-2 Downtown Improvement Board.

Roll call 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.

March 3, 2020

There being no further business before Council, Mayor Dafney adjourned the meeting at 7:52 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.