

May 19, 2020

**ALLIANCE CITY COUNCIL**

REGULAR MEETING, TUESDAY, MAY 19, 2020

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

The Alliance City Council met in a Regular Meeting, May 19, 2020, at 7:00 p.m. in the Alliance Learning Center Community Meeting Room, 1750 Sweetwater Avenue, Alliance, Nebraska. A notice of meeting was published in the Alliance Times Herald on May 13, 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 May 19, 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 Hoesing, Finance Director Waggener, and City Clerk Johnson.

- Mayor Dafney read the Open Meetings Act Announcement.
- The Consent Calendar was the first item on the agenda. A motion was made by Councilman Mischnick and seconded by Councilman Jones to approve the Consent Calendar as follows:

**CONSENT CALENDAR – MAY 19, 2020**

1. Approval: Minutes of the Regular Meeting, May 5, 2020.
2. Approval: Payroll Costs for the period April 18, 2020 through May 1, 2020: \$293,700.40.
3. Approval: Claims against the following funds for the period of April 28, 2020 through May 13, 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; \$1,000,837.86.
4. Approval: Updated AVFD Roster by removing Justin Edicott.

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5. Approval: Issuance of a Cemetery Certificate to Box Butte County for the W½ of Lot Fourteen (14), Section Two (2), Block Seventeen (17), Second Addition to the Alliance Cemetery.
6. For Your Information: Charter Communications is making the following channel lineup changes:

<b>CHANNEL</b>	<b>CHANGE</b>	<b>CHANNEL NUMBER</b>	<b>Effective</b>
Enhanced Mi Plan Latino Launch	Addition of 13 English language channels to a new Mi Plan Latino package: Animal Planet, BET, Boomerang, FXX, MTV, Nat Geo, Nick Jr, Nickelodeon, Oxygen, Paramount, Syfy, TV Land, VH1	Varies	6/1/2020

<b>CHANNEL</b>	<b>CHANGE</b>	<b>CHANNEL NUMBER</b>	<b>Effective</b>
CMT	CMT Launch in Spectrum Stream TV (Viacom)	Various (76/293, 88/868, 48/868, 62/868, 59/868, 44/868, 30/293, or 50/868)	6/8/2020

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. 20-47 was now before Council for consideration, which will approve the Preliminary Plat for Lots 9A and 10A, Block 5, A Replat of the Replat of Homestead Second

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Addition and a Portion of Homestead Third Addition to the City of Alliance, Box Butte County, Nebraska. The following information was provided to Council:

[The City of Alliance Electric Department and Community Development are proposing the dedication of a 20' wide utility easement along the rear property line of Lot 10 and side property line of Lot 9, both in Block 5, A Replat of Homestead Second Addition and a Portion of Homestead Third Addition to the City of Alliance, Box Butte County, Nebraska. Both lots are owned by the City.

The proposed easement is located on the before mentioned lots and will connect the right of way from Aksarben Avenue to an existing easement and alley to its east. This is necessary for the extension of utilities from Aksarben Avenue to the alley.

The City of Alliance Planning Commission met at their regular meeting April 14th, 2020 and held a public hearing for the proposed Preliminary Plat. They came to the conclusion that the easement was in the best interest of the City and would aid in the development of the lots. They recommended the approval of the Preliminary Plat.]

A motion was made by Councilman Dafney, seconded by Councilman Bentley to approve Resolution No. 20-47 which follows in its entirety:

RESOLUTION NO. 20-47

*WHEREAS*, An application for a Preliminary Plat for Lots 9A and 10A, Block 5, A Replat of the Replat of Homestead Second Addition and a Portion of Homestead Third Addition to the City of Alliance, Box Butte County, Nebraska has been received; and

*WHEREAS*, The Planning Commission held a public hearing on April 14, 2020, and has recommended the approval of the Preliminary Plat; and

*WHEREAS*, The Preliminary Plat shows the dedication of an easement to the City of Alliance for utilities between Lots 9A and 10A that need expanded.

*NOW, THEREFORE, BE IT RESOLVED* by the Mayor and Council of the City of Alliance, Nebraska, that the Preliminary Plat for Lots 9A and 10A, Block 5, A Replat of the Replat of Homestead Second Addition and a Portion of Homestead Third Addition to the City of Alliance, Box Butte County, Nebraska. is hereby approved.

Roll call with the following results:

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

Voting Nay: None.

Motion carried.

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Council next conducted a public hearing on the Final Plat for Lots 9A and 10A, Block 5, A Replat of the Replat of Homestead Second Addition and a Portion of Homestead Third Addition to the City of Alliance, Box Butte County, Nebraska. Following the public hearing, Council was introduced to Ordinance No. 2903 on first reading which will approve the Final Plat. The following information was provided:

[The City of Alliance Electric Department and Community Development are proposing the dedication of a 20' wide utility easement along the rear property line of Lot 10 and side property line of Lot 9, both in Block 5, A Replat of Homestead Second Addition and a Portion of Homestead Third Addition to the City of Alliance, Box Butte County, Nebraska. Both lots are owned by the City and are vacant.

The proposed easement is located on the before mentioned lots and will connect the right of way from Aksarben Avenue to an existing easement and alley to its east. This is necessary for the extension of utilities from Aksarben Avenue to the alley.

The City of Alliance Planning Commission met at their regular meeting April 14th, 2020 and held a public hearing for the proposed Final Plat. They came to the conclusion that the easement was in the best interest of the City and would aid in the development of the lots. They recommended the approval of the Final Plat provided the signature page was amended to include the Planning Commission Chairman's signature and the change in the City Clerks name for her respective signature.]

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 proposed ordinance. The public hearing was opened at 7:04 p.m.

No testimony was offered by the public, the Public Hearing closed at 7:04 p.m.

A motion was made by Councilman Dafney, seconded by Councilman Mischnick to approve the first reading of Ordinance No. 2903. City Clerk Johnson read the ordinance by title which follows in its entirety:

#### ORDINANCE NO. 2903

AN ORDINANCE APPROVING THE FINAL PLAT FOR LOTS 9A AND 10A, BLOCK 5, A REPLAT OF THE REPLAT OF HOMESTEAD SECOND ADDITION AND A PORTION OF HOMESTEAD THIRD ADDITION TO THE CITY OF ALLIANCE, BOX BUTTE COUNTY, NEBRASKA.

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

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SECTION 1. The City of Alliance has received the application for approval of the Final Plat of Lots 9A and 10A, Block 5, A Replat of the Replat of Homestead Second Addition and a Portion of Homestead Third Addition to the City of Alliance, Box Butte County, Nebraska.

SECTION 2. The Planning Commission held a public hearing April 14, 2020, and has recommended the approval of the Final Plat for Lots 9A and 10A, Block 5, A Replat of the Replat of Homestead Second Addition and a Portion of Homestead Third Addition to the City of Alliance, Box Butte County, Nebraska.

SECTION 3. The Final Plat for Lots 9A and 10A, Block 5, A Replat of the Replat of Homestead Second Addition and a Portion of Homestead Third Addition to the City of Alliance, Box Butte County, Nebraska. is hereby approved by the City of Alliance and shall be filed with the County Clerk as provided by City Code and State law within 30 days of this approval. The plat map which has been prepared is a part of these proceedings and is attached hereto and is incorporated herein and made a part hereof by reference.

SECTION 4. This ordinance shall be in full force and effect from and after its approval, passage, and publication according to law.

Roll call with the following results:

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

Voting Nay: None.

Motion carried.

- Council had next before them Resolution No. 20-48, Resolution No. 20-49, and Resolution No. 20-50 which all represent a joint AFF Input-Based Testing Equipment Project between the City of Alliance, Nebraska Department of Transportation-Aeronautics Division and the Federal Aviation Administration. The following information was provided to Council:

[The Alliance Municipal Airport has been notified that the Federal Aviation Administration (FAA) is willing to initiate the purchase of an AFFF testing system if all the necessary requirements can be completed on a very aggressive schedule that includes providing a signed grant application based on quotes solicited and received by June 15, 2020. All capital improvement projects funded through the FAA this year will be at 100%, with no local match required. Airport has spending authority in general ledger account #22-41-43-59-950, Capital Outlay-Machine, Equipment.

Following are the items that need to be approved before the City of Alliance can accept a grant for the testing equipment:

1. Consultant Agreement with M.C. Schaff & Associates. This agreement will cover the design, quotation, and acquisition phases of the purchase of the AFFF testing system. Total charges under this agreement will not exceed \$4,237.75.

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2. Agency Agreement with Department of Transportation – Division of Aeronautics. State law requires that the City have an Agency Agreement completed to allow the Nebraska Department of Transportation, Aeronautics Division to act as the Airport’s agent for these funds.

3. Grant Application. The grant application is the airport’s final notice to the FAA that they will proceed with the project. The AFFF testing system may be a cart that can attach to the ARFF truck during testing OR could be a component installed permanently to the truck. The estimate for this project was submitted as \$100,000. The more realistic amount will be anywhere from \$15,000 to \$35,000 depending on which system is recommended by the NDOT and FAA. The largest amount has been put on the application because once submitted additional funds can’t be requested. Please note that the application is for the showing a local match of 10%, however this will be funded through the CARES Act. The City of Alliance will receive 100% funding for this purchase.

4. Purchase Agreement. Normally, staff presents to council results of an official bid opening or results of quote solicitations, with a recommendation to award. In this case, however, equipment to be purchase must be identified before the June 15, 2020 deadline. Due to time constraints to receive this money, staff is requesting that council give the Mayor the authority to execute a purchase agreement for the AFFF testing equipment contingent upon following FAA procurement guidelines, the approval from the NDOT and FAA, 100% of the funds for the purchase being FAA grant funds, and the June 15, 2020 deadline remains for the identification of purchased equipment. This will be treated as a small purchase under FAA guidelines so competitive quotes will be received in replace of an official bid process.]

A motion was made by Councilman Bentley, seconded by Councilman Mischnick to approve Resolution No. 20-48 which follows in its entirety:

RESOLUTION NO. 20-48

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

*WHEREAS*, The City of Alliance will be conducting an Airport Rehabilitation Project, identified as Project No. 3-31-0003-023-2020; and

*WHEREAS*, The City finds it is in the City’s best interest to submit an Application for Federal Assistance which requires several Certifications: Drug-Free Workplace, Equipment and Construction Contracts, Project Plans and Specifications, Selection of Consultants and Certification and Disclosure Regarding Potential Conflicts of Interest; and

*WHEREAS*, Completing this step will indicate that the City of Alliance is willing to proceed with Project No. 3-31-0003-023-2020.

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*NOW, THEREFORE, BE IT RESOLVED* by the Mayor and Council of the City of Alliance, Nebraska, that the City of Alliance shall submit an Application for Federal Assistance which requires the following Certifications: Drug-Free Workplace, Equipment and Construction Contracts, Project Plans and Specifications, Selection of Consultants and Certification and Disclosure Regarding Potential Conflicts of Interest for Project No. 3-31-0003-023-2020.

*BE IT FURTHER RESOLVED* that the Mayor of the City of Alliance is hereby authorized and directed to execute said associated documents on behalf of the City of Alliance and the City Clerk is hereby authorized to attest said execution.

Roll call with the following results:

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

Voting Nay: None.

Motion carried.

A motion was made by Councilman Bentley, seconded by Councilman Mischnick to approve Resolution No. 20-49 which follows in its entirety:

RESOLUTION NO. 20-49

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

*WHEREAS*, The City of Alliance will be conducting an Airport Rehabilitation Project, identified as Project No. 3-31-0003-023-2020; and

*WHEREAS*, The Nebraska Department of Transportation – Aeronautics Division requires a consultant for Airport Rehabilitation Project, identified as Project No. 3-31-0003-023-2020; and

*WHEREAS*, The Alliance City Council finds it in the best interest of the City to enter into a Consultant Agreement with M.C. Schaff & Associates of Scottsbluff, Nebraska for Project No. 3-31-0003-023-2020.

*NOW, THEREFORE, BE IT RESOLVED* by the Mayor and Council of the City of Alliance, Nebraska, that the City of Alliance shall enter into an Consultant Agreement with the M.C. Schaff & Associates of Scottsbluff, NE for Project Number 3-31-0003-023-2020 for the purpose of obtaining Federal assistance in the development of the Alliance Municipal Airport and that such an Agreement is attached hereto and incorporated herein by this reference.

*BE IT FURTHER RESOLVED* that the Mayor of the City of Alliance is hereby authorized and directed to execute said Consultant Agreement on behalf of the City of Alliance and the City Clerk is hereby authorized to attest said execution.

Roll call with the following results:

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

Voting Nay: None.

Motion carried.

A motion was made by Councilman Bentley, seconded by Councilman Mischnick to approve Resolution No. 20-50 which follows in its entirety:

RESOLUTION NO. 20-50

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

*WHEREAS*, The City of Alliance will be conducting an Airport Rehabilitation Project, identified as Project No. 3-31-0003-023-2020; and

*WHEREAS*, The City finds it is in the City's best interest to have the Nebraska Department of Transportation – Aeronautics Division to act as the City of Alliance Municipal Airport's agent for the Airport Rehabilitation Project, identified as Project No. 3-31-0003-023-2020; and

*WHEREAS*, The Nebraska Department of Transportation – Aeronautics Division has provided the City with an Agency Agreement for execution.

*NOW, THEREFORE, BE IT RESOLVED* by the Mayor and Council of the City of Alliance, Nebraska, that the City of Alliance shall enter into an Agency Agreement with the Nebraska Department of Transportation – Aeronautics Division for Project Number 3-31-0003-023-2020 for the purpose of obtaining Federal assistance in the development of the Alliance Municipal Airport and that such an Agreement is attached hereto and incorporated herein by this reference.

*BE IT FURTHER RESOLVED* that the Mayor of the City of Alliance is hereby authorized and directed to execute said Agency Agreement on behalf of the City of Alliance and the City Clerk is hereby authorized to attest said execution.

*BE IT FURTHER RESOLVED* that said Agreement, referred to herein, is inserted in full and attached herewith and made a part hereof as Exhibit "O".

Roll call with the following results:

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

Voting Nay: None.

Motion carried.

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- Resolution No. 20-51 which will authorize the purchase of 2020 Ford F-250 Extended Cab Pickup in the amount of \$32,701.38 from Cover Jones Motor Company of Alliance, NE to be utilized in the Parks Department was next for Council's review. The following background information was provided to Council:

[The Parks Department is requesting a replacement for a 2001 Ford F-250 Pickup. This unit has 114,410 miles and is currently in need of a substantial amount of mechanical work. \$30,000 was budgeted for this fiscal year to purchase a new pickup for the Parks Department.

Culture & Leisure Services Director Brown has received a bid from Cover-Jones Motor Co., for a 2020 Ford F-250 Extended Cab Pickup in the amount of \$32,701.38, which matches the State of Nebraska contract price. This will be paid from GL# 01-71-71-59-960 - Capital Outlay-Vehicles. A budget transfer from GL#01-71-71-59-950 – Capital Outlay-Machine, Equipment in the amount of \$3,000 is necessary to complete the purchase.]

A motion was made by Councilman Reynolds, seconded by Councilman Bentley to approve Resolution No. 20-51 which follows in its entirety:

RESOLUTION NO. 20-51

*WHEREAS*, The City of Alliance Parks Department is desiring to replace a 2001 Ford F-250 extended cab pickup; and

*WHEREAS*, Cover-Jones Motor Company of Alliance, Nebraska will honor the low bid as provided by the State of Nebraska for the replacement of the vehicle; and

*WHEREAS*, Staff is recommending the purchase of a 2020 Ford F-250 Pickup from Cover Jones Motor Company, Alliance, Nebraska, in the amount of Thirty-two Thousand Seven Hundred One and 38/100<sup>th</sup> Dollars (\$32,701.38); and

*WHEREAS*, Budget authority in the amount of \$30,000 is available for the purchase;

*WHEREAS*, A budget transfer in the amount of \$3,000 from GL#01-71-71-59-950 – Capital Outlay- Machine, Equipment to GL#01-71-71-59-960 Capital Outlay-Vehicles is necessary to complete the purchase.

*NOW, THEREFORE, BE IT RESOLVED* by the Mayor and Council of the City of Alliance, Nebraska, that Mayor Dafney be and hereby is authorized to enter into a purchase agreement with Cover Jones Motor Company, Alliance, Nebraska, in an amount not to exceed Thirty-two Thousand Seven Hundred One and 38/100<sup>th</sup> Dollars (\$32,701.380) and will be paid from GL# 01-71-71-59-960 – Capital Outlay-Vehicles.

*BE IT FURTHER RESOLVED* that the Mayor is hereby authorized to sign the necessary documents related to this purchase and authorizes the budget transfer of \$3,000 from GL#01-71-71-59-950 – Capital Outlay- Machine, Equipment to GL#01-71-71-59-960 Capital Outlay-Vehicles.

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Councilman Mischnick discussed the need to purchase a new pickup at \$32,000 rather than spending \$2,000 for repair costs as the impression is that City departments are always purchasing new vehicles and he wants to ensure we are spending the taxpayers' dollars wisely.

Cultural and Leisure Services Director Shana Brown was in attendance and explained to Council that the Parks Department always gets other departments "hand me downs" and a new pickup has not been purchased since 20012. They currently have two operational pickups in the fleet.

Councilman Bentley asked C&L Director Brown how often vehicles are rotated to the Parks Department? Brown stated usually after 10 years. Councilman Bentley stated we need to ensure all departments have the necessary equipment to effectively perform their job and from her experience, the Parks Department has always been forced to operate with less than needed.

With no further discussion on the matter, Mayor Dafney requested the Clerk to call the vote.

Roll call with the following results:

Voting Aye: Dafney, Jones, Reynolds, Bentley.

Voting Nay: Mischnick.

Motion carried.

- Next on the agenda was Resolution No. 20-52 which will award Almquist, Maltzan, Galloway & Luth, P.C., of Grand Island, NE the City of Alliance's auditing services contract for a five-year period in the amount of \$147,750. The following information was provided to Council:

[The Alliance City Council approved a 5-year contract for auditing services with Almquist, Maltzahn, Galloway & Luth (now AMGL CPAs) of Grand Island that began with a fee of \$23,300 for the base audit for the 2014-15 fiscal year and increased by \$500 per year through 2019 for a total of \$121,500.

A Request for Proposal (RFP 2121-20-01) for financial and compliance audit services was issued March 18, 2020 and published on March 25, 2020 and then extended to April 30, 2020 with electronic submission allowed due to the COVID-19. A list was requested from the State Auditor's Office that included nine CPA firms who have completed audits of first-class cities in Nebraska. Four accounting firms requested the RFP packets with only AMGL CPAs actually submitting a completed proposal on April 11, 2020. Below is a bid tab detailing the quoted amounts for AMGL CPAs services for the five-year period.

<b>Audit Firm</b>	<b>Service</b>	<b>2019-20</b>	<b>2020-21</b>	<b>2021-22</b>	<b>2022-23</b>	<b>2023-24</b>	<b>Totals</b>
<b>Almquist, Maltzahn,</b>	<b>Audit</b>	\$25,800	\$26,300	\$26,800	\$27,300	\$27,800	<b>\$134,000</b>
	<b>A-133</b>	2,650	2,700	2,750	2,800	2,850	<b>13,750</b>

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<b>Galloway &amp; Luth CPA Grand Island, NE</b>	<b>Total</b>	<b>\$28,450</b>	<b>\$29,000</b>	<b>\$29,550</b>	<b>\$30,100</b>	<b>\$30,650</b>	<b>\$147,750</b>

Almquist, Maltzahn, Galloway & Luth CPA has provided excellent service on behalf of the City beginning with the 2006-07 fiscal year. The CPA staff prepares in advance of the audit and is very efficient and cordial, usually completing their on-site work in less than two days. The firm's efficiency has allowed the City to control audit costs. Staff is recommending that the auditing services contract be awarded to the firm for an additional five years.]

A motion was made by Councilman Jones, seconded by Councilman Mischnick to approve Resolution No. 20-52 which follows in its entirety:

RESOLUTION NO. 20-52

*WHEREAS*, The City of Alliance is in need of auditing services for future fiscal years;  
and

*WHEREAS*, The prior contract for auditing services has expired; and

*WHEREAS*, The City has advertised for bids for auditing services; and

*WHEREAS*, The City has received the proposal of Almquist, Maltzahn, Galloway & Luth, P.C., of Grand Island, Nebraska, to audit the City of Alliance financial statements for the fiscal year ending as follows:

<b>Audit Firm</b>	<b>Service</b>	<b>2019-20</b>	<b>2020-21</b>	<b>2021-22</b>	<b>2022-23</b>	<b>2023-24</b>	<b>Totals</b>
<b>Almquist, Maltzahn, Galloway &amp; Luth CPA Grand Island, NE</b>	<b>Audit</b>	\$25,800	\$26,300	\$26,800	\$27,300	\$27,800	<b>\$134,000</b>
	<b>A-133</b>	2,650	2,700	2,750	2,800	2,850	<b>13,750</b>
	<b>Total</b>	<b>\$28,450</b>	<b>\$29,000</b>	<b>\$29,550</b>	<b>\$30,100</b>	<b>\$30,650</b>	<b>\$147,750</b>

*NOW, THEREFORE, BE IT RESOLVED*, by the Mayor and City Council of Alliance, Nebraska, that the proposal of Almquist, Maltzahn, Galloway & Luth, P.C., of Grand Island, Nebraska, for audit services is hereby accepted, and the Mayor and City staff are authorized to execute contract documents consistent with the proposal and bid.

Roll call with the following results:

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

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Voting Nay: None.

Motion carried.

- Next on the agenda was Resolution No. 20-53 which will approve the Engineering Agreement between the City of Alliance and Baker and Associates, Inc. for the expansion of the Public Works Facility. The following information was provided to Council:

[On December 10, 2019, Council instructed staff to proceed with the expansion of the Public Works Facility located at 1313 W. 1<sup>st</sup> Street. This expansion project is part of the 2019-2020 Capital Investments. In order to begin the project, an engineer must be selected to oversee the project. Therefore, staff is requesting approval to enter into an Engineering Services Agreement with Baker and Associates, in the amount of \$121,000. Baker and Associates will be responsible for all construction documents, design concept and development, the bidding process and construction administration for the Public Works Expansion Project. The \$121,000 engineering fees are 6% of the estimated two-million dollar expansion project, which is within traditional the 5-15% standard engineering costs.]

A motion was made by Mayor Dafney, seconded by Councilman Bentley to approve Resolution No. 20-53 which follows in its entirety:

RESOLUTION NO. 20-53

*WHEREAS*, The City of Alliance owns the Alliance Public Works Facility located at 1313 W. 1<sup>st</sup> Street, Alliance, NE; and

*WHEREAS*, Staff desires to expand the Public Works Facility to increase storage and working areas for the Electric, Water/Sewer, Street and Public Transit Departments; and

*WHEREAS*, The Alliance City Council at their regular meeting on December 10, 2019 instructed staff to proceed with the expansion of the Alliance Public Works Facility, 1313 W. 1<sup>st</sup> Street; and

*WHEREAS*, Baker and Associates has been chosen as the engineers for this project in the amount of One Hundred Twenty-one Thousand Dollars and no/100ths (\$121,000) to provide the necessary engineering services which has been itemized into six phases: (1) Topo Survey, (2) Concept Design, (3) Design Development, (4) Construction Documents, (5) Bidding, and (6) Construction Administration for the expansion project; and

WHEREAS, An Engineering Services Agreement between Baker and Associates and the City of Alliance to move forward with the project is necessary.

*NOW, THEREFORE, BE IT RESOLVED* by the Mayor and Council of the City of Alliance, Nebraska, that the Mayor is authorized to sign the documents associated with the

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Engineering Services Agreement with Baker and Associates for the expansion project of the Alliance Public Works Facility located at 1313 W. 1<sup>st</sup> Street.

*BE IT FURTHER RESOLVED* that payment for this service will be made from Account No. 41-71-71-59-970 – Capital Outlay-Other Improvements.

Councilman Jones stated two million dollars for a project that is solely to park vehicles seems ridiculous and can't support it.

City Manager Sprock shared with Council the expansion project is not only to park vehicles. A transit barn is required by the Nebraska Department of Transportation, the Streets Department will transfer to the Public Works Facility and move Parks to the Street Garage location since the Parks Department doesn't currently have a shop location, and it will add additional office space and inventory space in the warehouse.

Councilman Bentley asked if the grant money is still available? City Manager Sprock stated the grant will cover 80-100% funding for the transit barn.

Councilman Jones stated we need to not only look at the initial costs for the expansion, but also the fixed costs to maintain the facility. With the current economic situation, the City will not have the financial means to maintain buildings and properties.

Councilman Bentley stated she is in favor if the grant money is available and the City needs to take advantage of those funds. In addition, the Parks Department has never had a decent shop, and this will provide them with their own location.

With no further discussion, Mayor Dafney asked the Clerk to call the vote.

Roll call with the following results:

Voting Aye: Dafney, Reynolds, Bentley.

Voting Nay: Jones, Mischnick.

Motion carried.

- Resolution No. 20-54 which will authorize the purchase of a programmable traffic sign from Michal Todd and Co. in Omaha, NE in the amount of \$14,175 and authorize the budget transfer in the amount \$8,000 to complete the purchase was next on the agenda for Council's review. The following information was provided to Council:

[The need for an electronic sign was identified by Council as a safety concern for Public Works staff. A request was made to price and purchase this item in the 2019-2020 budget. After conducting research into this product the Metro Matrix Message Director Trailer has been identified as the most appropriate device. This is a trailer mount unit with a programmable message. The size of this machine is designed for urban settings and is smaller than units designed for rural environments. The overall dimensions of the message board are 71"x48".

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Three prices were received from separate vendors on this product:

1. Millennium Products (St. Petersburg, FL) \$14,874.40
2. Trans Supply (Sherman Oaks, CA) \$13,837
3. Michael Todd and Co. (Omaha, NE) \$14,175

It is the recommendation of staff to purchase from Michael Todd and Company if Council decides to proceed with this purchase. The City of Alliance has conducted business with Michael Todd and Company in the past and believes the service and support provided is a value.

In order to complete this purchase, a budget transfer in the amount of \$15,000 from GL# 24-41-47-791 – System Contingency to GL# 24-41-41-45-565 – Signs.]

A motion was made by Councilman Mischnick, seconded by Councilman Bentley to approve Resolution No. 20-54 which follows in its entirety:

RESOLUTION NO. 20-54

*WHEREAS*, The City of Alliance desires to purchase a portable director trailer to be utilized within various City departments; and

*WHEREAS*, The initial purpose for the device is to improve safety concerns for City staff while working within the community; and

*WHEREAS*, The portable director trailer will be available for use for special events, public works projects and law enforcement efforts; and

*WHEREAS*, three quotes were received, with Michael Todd and Company out of Omaha, NE being the desired quote in the amount of \$14,175 for a Metro Matrix Director Trailer; and

*WHEREAS*, The City Council believes it is in the best interest of the City of Alliance to purchase a Metro Matrix Director Trailer from Michael Todd and Company out of Omaha, NE in the amount of \$14,175; and

*WHEREAS*, a budget transfer in the amount of \$8,000 from GL# 24-41-41-47-791 – System Contingency to GL# 24-41-41-59-950 – Capital Outlay – Machine, Equipment is necessary to complete the purchase.

*NOW, THEREFORE, BE IT RESOLVED* by the Mayor and Council of the City of Alliance, Nebraska, that the purchase of a Metro Matrix Director Trailer from Michael Todd and Company out of Omaha, NE in the amount of \$14,175 is approved.

*BE IT FURTHER RESOLVED* the budget transfer in the amount of \$8,000 from GL# 24-41-41-47-791 – System Contingency to GL# 24-41-41-59-950 – Capital Outlay – Machine, Equipment is hereby authorized.

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Roll call with the following results:

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

Voting Nay: None.

Motion carried.

- Resolution No. 20-55 which will approve the Digital Marketing Program was next on the agenda for Council's review. The following information was provided to Council:

[At the April 14<sup>th</sup> Economic Development Application Review Committee (EDPARC) Meeting the group discussed ways to use the City's economic development funds to support local business amidst the coronavirus pandemic. BBDC and staff were asked to bring options to the May 12<sup>th</sup> EDPARC meeting for review and discussion.

At the May 12<sup>th</sup> meeting Chelsie Herian presented options she had discussed with City staff and the City Attorney (i.e. \$1,000 stimulus program to local businesses, gift card match program, and digital marketing). Of the three options considered the digital marketing program was presented to the committee as a viable incentive to help local businesses compete in the current market conditions.

The Digital Marketing Grant is a two option approach to offer local businesses Economic Development Program (EDP) funds to enhance or build a digital presence. This grant would be available to business that are qualifying businesses under the EDP to develop/enhance an ecommerce solution (option one) or develop/enhance digital marketing (option two). Option one would provide a business up to \$2,500 in match to develop or improve their webpage, and create or increase their digital presence (e.g., Facebook, Google My Business, email marketing, text/direct messaging marketing). Option two would provide a business up to \$1,500 in match to develop or upgrade their digital marketing (e.g., paid searches, paid social media, email, and text, as well as the cost of business training and education for marketing in those platforms). The goal of the marketing grant is help local business compete against digital commerce giants like Amazon and Wayfair by assisting them in using web driven tools and resources (e.g. online sales and digital marketing).

After the presentation, EDPARC approved moving forward with allowing EDP funds to be used for Digital Marketing Grants to eligible businesses in Box Butte County, the EDPARC is ready to receive those applications and process them under the Digital Marketing Program. When implemented, businesses would be required to fill out a Digital Marketing Application in addition to the universal EDP application materials, and those applications would be reviewed by EDPRAC before going to council for funding approval. Please see the attached press release, program description, application, and questionnaire for more information on the grant and the approval process. Upon Council's approval, BBDC and City Staff

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will advertise this opportunity throughout the region.]

A motion was made by Councilman Jones, seconded by Councilman Mischnick to approve Resolution No. 20-55 which follows in its entirety:

RESOLUTION NO. 20-55

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

*WHEREAS*, The Board of the City of Alliance approved an Economic Development Plan which has been adopted by the City Council, pursuant to the authority of the Nebraska Revised Statutes § 18-2701 through § 18-2739; and

*WHEREAS*, the Economic Development Plan institutes an Economic Development Application Review Committee (the “Committee”) in order to review and recommend awarding assistance under the Plan to the City Council; and

*WHEREAS*, the Committee has, from time to time, adopted and followed Assistance Guidelines, which include but are not limited to recommending assistance under the Plan in the form of forgivable loans based upon job creation, non-forgivable low-interest loans, and small business assistance grants; and

*WHEREAS*, City staff and the Plan application solicitor (Box Butte Development Corporation) have drafted, introduced, and been provided approval from the Committee for a Digital Marketing Assistance grant program as an additional form of assistance under the Plan and the Assistance Guidelines; and

*WHEREAS*, the Digital Marketing Assistance grant program is intended to provide an additional form of assistance under the Plan to assist local businesses with establishing a digital presence and digital marketing, in part to address the COVID-19 pandemic and the change in the business environment associated therewith;

*NOW, THEREFORE, BE IT RESOLVED*, by the Mayor and City Council of Alliance, Nebraska, that the Digital Marketing Assistance grant program as presented by the materials provided by City Staff and Box Butte Development Corporation is hereby supported by the City Council, approved for advertisement, approved for solicitation of applications, and recommended for application review and practice by the Committee;

Roll call with the following results:

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

Voting Nay: None.

Motion carried.

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- Resolution No. 20-56 which will approve payments be deferred, waiving interest accrual and the proration of job creation from April 1 to June 30, 2020 was next on the agenda for Council's review. The following information was provided to Council:

[As Program Administrator of the Economic Development Plan, the City Manager has extended COVID-19 accommodations to the City's economic development loan portfolio. At the April 14<sup>th</sup> Economic Development Application Review Committee (EDPARC) meeting, City staff and BBDC approached the group to seek approval of and feedback on the COVID-19 accommodations to be provided, which included deferring the payments of City economic development loans and waiving interest accrual from April 1 through June 30, similar what the banking industry was doing in response to the coronavirus pandemic. Then committee reviewed the COVID-19 LB840 Approach document prepared by City Attorney Adam Hoelsing (see attached).

The document created by Hoelsing details the Economic Development loan portfolio, and the proposed methods of deferring payments, interest, and job credits. It is an attempt to be uniform in approach without modifying the structure of the loan adversely for the applicants, which each have different loan terms and agreements for particular reasons. In general these proposals involve extending payments, waving interest, and prorating job credits to allow some financial relief. The committee agreed to have the Program Administrator move forward with the plan presented by Hoelsing. City Manager Sprock reached out to the businesses in the loan portfolio to inform them they would be receiving a letter and an amended agreement to document the changes from the COVID-19 accommodations. The applicants were also given the opportunity to continue making scheduled payments, which some have exercised.

The first amendment to reach Council is for Alliance Community Pharmacy, PC. The amendment to the agreement establishes the COVID-19 accommodations being provided. This particular agreement also switches the payment amortization to a monthly schedule, at the applicant's request. Staff is proposing approval of this amendment to agreement, as well as a review and approval of the COVID-19 accommodations approach. Further amendments to the other agreements in the economic development loan portfolio will likely be presented in the consent calendar, following an opportunity for discussion and general approach at this meeting

*Table 1 Forbearance approaches:*

Company	Extend Due Date for Payment	Waive Interest	Prorate Job Creation
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Alliance Community Pharmacy	x	x	x
Prairie Sky Seed		x	x
Western Potato		x	x
Tridako Mfg.	x	x	
Steph's Studio	x	x	
Scooter's	x	x	x
Alliance Lodging	x	x	x
A & L Bakeries	x		
Jelinek Custom Cleaning		x	

The above table lays out the adjustment to LB840 loans with the City in accordance with the COVID-19 LB840 Approach document attached.]

A motion was made by Councilman Reynolds, seconded by Councilman Mischnick to approve Resolution No. 20-56 which follows in its entirety:

RESOLUTION NO. 20-56

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

*WHEREAS*, The Board of the City of Alliance approved an Economic Development Plan which has been adopted by the City Council, pursuant to the authority of the Nebraska Revised Statutes § 18-2701 through § 18-2739;

*WHEREAS*, the City Manager is the Program Administrator under the Economic Development Plan, with authority to administer the Economic Development Plan and the assistance provided thereunder;

*WHEREAS*, similar to bank loan deferments, deferrals, and forbearances, the Program Administrator has provided COVID-19 accommodations for the coronavirus pandemic, and the economic downturn associated therewith; and

*WHEREAS*, the COVID-19 accommodations have been provided to the entire assistance portfolio of the Economic Development Plan, where applicable, and each assistance package in that portfolio has received the same or similar COVID-19 accommodations, including waiver of interest from April 1 to July 1, 2020, deferment of payments due during April 1 through July 1, 2020, and proration of job credits to accommodate for the economic downturn during April 1

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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.



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through July 1, 2020; and

*WHEREAS*, the Program Administrator has discussed the COVID-19 accommodations with the Economic Development Application Review Committee at its meeting on April 12, 2020, which Committee was in favor of extending such COVID-19 accommodations; and

*WHEREAS*, the previous Economic Development Assistance Agreement by and between the City of Alliance and Alliance Community Pharmacy, P.C., dated April 17, 2018, is affected by the COVID-19 accommodations provided; and

*WHEREAS*, Alliance Community Pharmacy, P.C. has accepted the COVID-19 accommodations, and agreed to an amendment to the Economic Development Assistance Agreement for the COVID-19 accommodations; and

*WHEREAS*, Alliance Community Pharmacy, P.C. has also requested a switch from annual payments on its non-forgivable Economic Development loan to monthly payments, and the Program Administrator agrees with that change;

*NOW, THEREFORE, BE IT RESOLVED*, by the Mayor and City Council of Alliance, Nebraska, that the Amendment to the Economic Development Assistance Agreement pursuant to the COVID-19 accommodations provided by the Program Administrator of the Economic Development Plan, and the request for a change in payment schedule, is hereby approved, including any and all modifications to Notes, Guaranties, or collateral agreements thereto.

*BE IT FURTHER RESOLVED*, the Mayor is hereby authorized to execute on behalf of the City the Amendment to the Economic Development Assistance Agreement between the City of Alliance, Nebraska and Alliance Community Pharmacy, P.C.

Roll call with the following results:

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

Voting Nay: None.

Motion carried.

- The presentation and acceptance of the Second Quarter Financial Statement was next before Council.

Finance Director Waggener presented and reviewed the Second Quarter Financial Report and Dashboards to Council.

A motion was made by Councilman Bentley, seconded by Councilman Jones to accept the Second Quarter Financial Report.

Roll call with the following results:

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

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Voting Nay: None.

Motion carried.

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

A motion was made by Mayor Dafney, seconded by Councilman Mischnick to appoint Mike Stevens to serve on the Golf Course Advisory Board with a term ending December 31, 2021.

Roll call vote 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 Jones to appoint Cindy Baker to serve on the A-1 Downtown Improvement District Board with a term ending October 31, 2022.

Roll call vote with the following results:

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

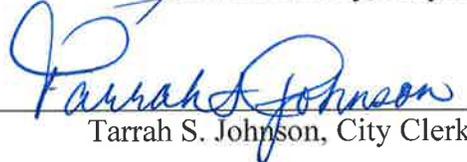
Voting Nay: None.

Motion carried.

There being no further business before Council, Mayor Dafney adjourned the meeting at 7:57 p.m.

(SEAL)

  
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Mike Dafney, Mayor

  
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Tarrah S. Johnson, City Clerk