

February 16, 2021

ALLIANCE CITY COUNCIL

REGULAR MEETING, TUESDAY, FEBRUARY 16, 2021

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

The Alliance City Council met in a Regular Meeting, February 16, 2021, 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 February 10, 2021. 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 16, 2021 regular meeting of the Alliance, Nebraska City Council at 7:00 p.m. Present were Mayor Dafney, Council Members Mischnick, Jones, Bentley and McGhehey. Also present were Finance Director Waggener, City Attorney Hoelsing and City Clerk Johnson.

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

CONSENT CALENDAR – FEBRUARY 16, 2021

1. Approval: Minutes of the Council Meeting on February 2, 2021.
2. Approval: Payroll Costs for the period January 9, 2021 through January 22, 2021: \$231,130.59.
3. Approval: Claims against the following funds for January 27, 2021, through February 9, 2021: 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; \$310,218.25.

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4. Approval: Resolution No. 21-10 will approve the grazing lease with Lost Creek Ranch for approximately 1,587 acres for five years beginning May 15, 2021 and ending September 30, 2025.
5. Approval: Resolution No. 21-11 will authorize a grazing lease with 4-T Cattle Company for approximately 258 acres for five years beginning May 15, 2021 and ending September 30, 2025.
6. Approval: Resolution No. 21-12 will authorize a grazing lease with Derik Underwood for approximately 128 acres for five years beginning May 15, 2021 and ending September 30, 2025.
7. Approval: Resolution No. 21-13 will authorize a grazing lease with Wells Ranch for approximately 82 acres for five years beginning May 15, 2021 and ending September 30, 2025.
8. Approval: Resolution No. 21-14 will authorize a grazing lease with Justin Shrewsbury for approximately 19 acres for five years beginning May 15, 2021 and ending September 30, 2025.
9. Approval: Resolution No. 21-15 will authorize a grazing lease with Dennis Walker for approximately 239 acres for five years beginning May 15, 2021 and ending September 30, 2025.
10. Approval: Resolution No. 21-16 will authorize a grazing lease with Dennis Walker for approximately 189 acres for five years beginning May 15, 2021 and ending September 30, 2025.
11. Approval: Resolution No. 21-17 will authorize a grazing lease with Richard Robb for approximately 28 acres for five years beginning May 15, 2021 and ending September 30, 2025.
12. Approval: Resolution No. 21-18 authorizes Change Order No. 2 with Fuller Construction in the amount of \$61,073 for the additional costs after making the project subject to sales tax.

NOTE: Interim Managers Johnson and Waggener have reviewed these expenditures and to the best of their 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.

Councilman Bentley motioned to amend the February 2, 2021 meeting minutes to correct Resolution No. 21-07 to include the IES Commercial as the contractor. In addition, Item H,

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Review of City Manager Application and Item I, Big Blue Bay 2021 Discussion. The motion was seconded by Councilman Mischnick.

Roll call vote on the amendment with the following results:

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

Voting Nay: None.

Motion carried.

Roll call vote to approve the Consent Calendar as amended.

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

Voting Nay: None.

Motion carried.

- Next, Marci Luth of AMGL, P.C, via telephone, presented a review of the City of Alliance's Audit of the Financial Statement for the period October 1, 2019 through September 30, 2021.

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

Roll call with the following results:

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

Voting Nay: None.

Motion carried.

- The next item on the agenda for Council was Resolution No. 21-19 which will authorize the recommendation of Denver Air Connection to the Department of Transportation to provide Essential Air Service for Alliance for 2 years. The following information was provided:

[The Department of Transportation solicited proposals from carriers to provide Essential Air Service at Alliance and/or Chadron on November 16, 2020. The current contract with Denver Air Connection expires on May 31, 2021 and a new contract period begins June 1, 2021. The Department of Transportation received proposals from four carriers:

- Boutique Air
- Denver Air Connection
- SkyWest Airlines
- Southern Airways Express

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A core group made up of ten individuals were brought together to analyze the proposals. The ten individuals were Mike Dafney, Annora Bentley, Tarrah Johnson, Lynn Placek, Gaylene Jensen, Laurie Jelinek, Rich Otto, Chelsie Herian, Bret Bridges and Lori Mazanec. The group updated the priority list of criteria that was developed in 2015. The airport's air service consultant, Mike Mooney, supplied a list of questions for each carrier along with a proposal comparison. Alliance invited all airline carriers to come for a visit. Each carrier was given one hour to make a presentation and answer questions from the group.

Boutique Air is based in San Francisco, California. Boutique utilizes an eight-seat, modern, pressurized PC-12 aircraft. Boutique Air has offered the community two different bid options to consider. One bid with service to Denver hub similar to what was provided by them in the past. The other option would be a two-hub approach with service to Denver and Omaha. Boutique does have code-share with United and interline (ticket and baggage) with American. Boutique Air is currently operating 13 different Essential Air Service communities and 14 others. While the Omaha option is interesting, it does not outweigh the concern about Boutique's reliability, on-time performance and baggage room constraints.

Southern Airways Express is based in Pompano Beach, Florida and also owns Mokulele Airlines. Between those two carriers, they operate 11 different Essential Air Service communities and 14 others. All Southern Essential Air Services are operated with single-engine Caravan nine-seat turboprop aircraft. The carrier operates to a respectable 97% completion rate with the Caravan. The carrier does not use King Air aircraft, the type proposed for Alliance, anywhere in its system currently. Southern Airways has offered to operate flights from Alliance to Lincoln for all big college games. Southern Airways has interline agreement with American and is still working on one with United.

SkyWest Airlines is based in St. George, Utah and is the largest regional airline in the United States. SkyWest is the largest Essential Air Service carrier with 42 contracts under both Delta and United brands. SkyWest utilizes a 50-seat regional jet. SkyWest is currently operating in Scottsbluff, North Platte and Kearney, Nebraska. SkyWest has offered Alliance two options for scheduled flights. One option pairs us with Scottsbluff for the morning and night flight, while having a mid-day independent flight. The other option is for all independent flights but the aircraft will come from Denver and not overnight in Alliance. SkyWest has many years' experience and an outstanding record of growing traffic. SkyWest service would require certain airport infrastructure improvements along with Alliance changing their class of airport.

Denver Air Connection (DAC) is based in Englewood, Colorado. Denver Air Connection submitted two different bids for Alliance to consider. The first bid has DAC utilizing a 30-seat or 50-seat regional jet with a set rate of \$89 for every seat. This bid would require a change of class for the Alliance airport but could start with current infrastructure but with increased enplanements improvements would be needed.

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The second bid has Denver Air Connection continuing to fly a Metroliner-23, which is a 19-seat pressurized twin-engine turboprop. DAC did configure this plane with nine seats offering first-class legroom and a cargo bay that can accommodate all of our passengers' luggage. The price being offered is a flat \$49 for every seat or a refundable \$89 ticket. Denver Air has a ticket and baggage agreement with United. DAC currently has three Essential Air Service communities and two others along with providing service to 30 NCAA sports teams. DAC will continue to dedicate two planes specifically to Alliance which would enable Alliance to always have a plane available for operations. DAC works closely with all communities it serves for marketing and schedules to ensure success. Alliance has experienced a 99% completion rate along with a 98% on-time performance rate with Denver Air Connection. DAC has done everything they said they would do and Alliance was experiencing high enplanements until COVID slowed our progress.

The final step was evaluating each carrier based on the priority list which consisted of:

1. Reliability/Overnight of aircraft
2. Pricing
3. Schedule
4. Simplicity (codeshare, ticket and baggage etc.)
5. Communication or responsiveness of the airline
6. Marketing/Tourism
7. Economic Impact
8. Baggage Space

Each carrier was rated on all priorities with points decided by the entire group. With this process completed and with reliability being the major difference, the core group unanimously voted that Denver Air Connection will be the best choice for providing air service to Alliance.]

Councilman Bentley thanked Lynn Placek and the Airline Selection Committee for all the time and work put to make a recommendation that would be in the best interest of Alliance.

A motion was made by Councilman Jones, seconded by Councilman Bentley to approve Resolution No. 21-19 which follows in its entirety:

RESOLUTION NO. 21-19

WHEREAS, The City of Alliance owns and operates the Alliance Municipal Airport which provides commercial air service; and

WHEREAS, The Department of Transportation has solicited proposals from carriers to provide Essential Air Service to Alliance, Nebraska; and

WHEREAS, Our current carrier's contract to provide Essential Air Service ends May 31, 2021; and

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WHEREAS, Four carriers submitted proposals which were evaluated and rated by our Airport Director and individuals interested in the commercial air service provided to Alliance; and

WHEREAS, Based on the evaluations and interviews with the four carriers, the group is recommending the selection of Denver Air Connection-Metroliner for two years to the Department of Transportation to provide Essential Air Service for Alliance.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Alliance, Nebraska, that Denver Air Connection-Metroliner be recommended to the Department of Transportation to provide Essential Air Service to the Alliance Municipal Airport.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

- Resolution No.21-20 which authorizes the purchase of a 2022 Ford F-600 with an Altec Articulating Telescopic Aerial Device in the amount of \$165,496 to be utilized in the Electric Department was next on the agenda for Council. The following information was provided:

[The Electric Department has a 1994 Ford F-750 with a Teco 55' double bucket aerial device. This unit has 33,778 miles and 7,746.5 hours, (unknown if actual). This unit can no longer be dielectric certified and therefore requires replacement. This was included in the 2020-21 budget at \$265,000; however, it was decided that a smaller bucket truck would suffice and save the department money. The old truck will be sold at auction.

Staff has received a bid from Altec Inc. for the purchase of a 2022 Ford F-600 with an Altec AT41M articulating telescopic aerial device in the amount of \$165,496. The price was negotiated by SourceWell for the National Alliance Contract on behalf of all governmental agencies. The purchase of this unit will come from Capital Outlay-Vehicles account #05-51-53-59-960. Due to the production time, the truck will not be available for delivery until next fiscal year and the budget authority will be carried forward.]

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

RESOLUTION NO. 21-20

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

WHEREAS, The Electric Department has the need for a new Bucket Truck; and

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WHEREAS, The City of Alliance Electric Department has on their capital improvements plan for this fiscal year, the purchase of a Bucket Aerial Device; and

WHEREAS, The City received a bid from Altec Inc. in the amount of One Hundred Sixty-five Thousand Four Hundred Ninety-six Dollars and 00/100th (\$165,496.00); and

WHEREAS, Adequate funds are available for this purchase from the Capital Outlay-Vehicles Account No. 05-51-53-59-960.

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 Altec Inc. in the amount of One Hundred Sixty-five Thousand Four Hundred Ninety-six Dollars and 00/100th (\$165,496.00).

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

- Next on the agenda for Council's consideration was Resolution No.21-21 which authorizes repairs to be completed by Murphy Tractor and Equipment Co. Inc. in the amount of \$77,189.02. The following information was provided:

[Staff planned to replace the existing scraper operated by the landfill as part of the capital budget. Several other projects have gained priority and a new piece of equipment will not be purchased; however, there are repairs that are deemed necessary.

Murphy Tractor and Equipment Company Inc. transported the existing piece of equipment to their facility and assessed its condition. Staff received a quote listing all items that required repair which amounted to \$77,189.02.

Council requested information regarding the purchase of used equipment from heavy equipment sales and auction sites. There are several pieces of similar equipment available within a wide range of prices. The common issue is these are offered in "as is" condition. The risk would be in purchasing a piece of used equipment and determining that it had similar issues as the current equipment owned by the City of Alliance.

Staff recommends sending the John Deere 862B from the landfill to Murphy Tractor and Equipment Co. Inc. in Gering, NE to have repairs completed.]

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

RESOLUTION NO. 21-21

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WHEREAS, The City of Alliance owns and operates the Alliance Landfill; and

WHEREAS, The Landfill has experienced continued maintenance issues with the John Deere 862B Scraper at the Landfill; and

WHEREAS, Funds were budgeted in the 2020-21 Fiscal Year Budget for the replacement of the existing scraper; and

WHEREAS, Several other projects have gained priority and staff believes it to be in the best interest of City to repair the Scraper and not purchase a new one at this time; and

WHEREAS, Staff recommends sending the John Deere 862B to Murphy Tractor and Equipment Co. Inc., of Gering, NE to have repairs completed and is requesting the use of \$77,189.02 from GL# 06-51-55-59-950 to finance the repairs; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Alliance, Nebraska, hereby authorize repairs to the John Deere 862B Scraper by Murphy Tractor Equipment Co. Inc. of Gering, NE in the amount of \$77,189.02 from GL# 06-51-55-59-950.

Ross Grant, Public Works Director was in attendance to answer questions of Council.

Councilman McGhehey asked why the decision was made to repair rather than to replace. Mr. Grant responded that the scrapers that are available would arrive site unseen and in "as is" condition with prices ranging from \$20,000 to \$100,000. Councilman McGhehey asked if Murphy Tractor provides a warranty of their work and Mr. Grant informed him there is no warranty.

Councilman Bentley asked if the current staff is responsible for the maintenance of the equipment and if there is a routine maintenance schedule. Mr. Grant stated there is a maintenance schedule, but anything outside of staff's expertise goes to Murphy Tractor for repairs.

Councilman Jones noted he had concerns with the quote as it lists minor repairs that staff should be able to resolve on site.

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

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

● Resolution No. 21-22 which approves the purchase of a new air burner at the Alliance Landfill in the amount of \$134,451.65 was next on the agenda for Council. The following information was provided:

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[The City of Alliance Landfill has a problem with the growing collection of trees and limbs in the current disposal area. Staff is currently chipping and processing the trees but are not able to handle the volume of accumulated material present.

Last year staff attempted to have a contractor process this material but were not successful. It is the opinion of staff that the only cost effective way to handle the continuing inflow of material is the purchase of a burning device. This would require use of \$134,451.65 from Capital Outlay-Machine, Equipment. These funds were designated for the purchase of a new scraper; however, the processing of the tree pile takes operational priority over the purchase of a new scraper. The Air Burner S223 has been selected as the most appropriate model and is currently available on GSA contract # 47QMCA20D000C.]

A motion was made by Councilman McGhehey, seconded by Councilman Jones to approve Resolution No. 21-22 which follows in its entirety:

RESOLUTION NO. 21-22

WHEREAS, The City of Alliance owns and operates the Alliance Landfill; and

WHEREAS, The Landfill has experienced ongoing issues with the accumulation of trees and limbs at the Landfill; and

WHEREAS, Funds were budgeted in the 2020-21 Fiscal Year Budget for the replacement of the existing scraper at the Landfill; and

WHEREAS, Due to several other projects gaining priority, staff believes it to be in the best interest of City to repair the scraper and not purchase a new one at this time; and

WHEREAS, Budgeted funds will be utilized towards the purchase of an air burner for the Alliance Landfill.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Alliance, Nebraska, hereby authorizes the purchase of an Air Burner S223 in the amount of \$134,451.65 from Air Burners, Inc. for the Alliance Landfill.

BE IT RESOLVED, Funds will be used from GL# 06-51-55-59-950.

Ross Grant was in attendance to answer questions of Council.

Councilman Jones asked if the air burner selected can keep up with the limbs at the landfill and as if the Landfill is adequately staffed to take on the additional duties. Mr. Grant said this will help significantly with the tree pile at the landfill, however staffing has become an issue in the past.

Councilman Bentley asked if the training package will be purchased and if the City will be responsible for all maintenance. Mr. Grant shared he will not be purchasing the additional training package or the maintenance program, however staff will be trained to properly use the equipment.

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

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

- Next before Council was Resolution No. 21-23 which approves the Activate Alliance Crosswalk Project and the donation of materials and volunteer hours for each project. The following information was provided:

[The Activate Alliance Committee is proposing uniquely-designed crosswalks throughout the City of Alliance that enhance the walking and biking experience. The concept has been vetted through the City's police and streets departments and councilman Earl Jones serves as a member of the committee. The crosswalks would need to comply with established standards including the outside white lines and the stop bars so that they are clearly recognizable and include crosswalk signs, would be located in low-speed areas where traffic is below 25 miles per hour, and would be decorative and not include messaging or subject-matter content. More details regarding the project are presented in the attachment.

The Committee is seeking conceptual support of the council to move forward with crosswalk designs which ultimately will be presented to staff and council prior to the painting of the crosswalks. The council would also accept the donation of materials and labor to complete the project. Funding would come from grants secured by Panhandle Public Health District and private donations. The estimated cost for each crosswalk is \$500.]

A motion was made by Councilman Mischnick, seconded by Councilman Bentley to approve Resolution No. 21-23 which follows in its entirety:

RESOLUTION NO. 21-23

WHEREAS, The City of Alliance owns and maintains the streets, crosswalks and trails within the City of Alliance; and

WHEREAS, The Activate Alliance Committee has submitted a proposal to incorporate Creative Crosswalks within the City; and

WHEREAS, The Activate Alliance Committee is responsible for materials, volunteer hours and continued maintenance for each project; and

WHEREAS, All project designs and crosswalks must come before the City Council for final approval prior to each project; and

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WHEREAS, The Mayor and City Council are in favor of Creative Crosswalks to aid with the enhancement of the walkability, cycling, and other leisure activities throughout the community.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Alliance authorize Creative Crosswalks be incorporated within the City of Alliance;

BE IT FURTHER RESOLVED the Alliance City Council accepts the donation from Activate Alliance for the materials, volunteer hours and the continued maintenance of each project.

Susan Unzicker, Alliance Chamber Director and Daniel Newhoff with Activate Alliance was in attendance to present the project to Council and to answer questions.

Mayor Dafney shared he thinks this is a wonderful idea and appreciates the continued efforts of Activate Alliance to ensure safe walkability and biking throughout the community.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

- Council next held a discussion regarding ACE funds and requests from private agencies to use these funds towards projects that would benefit the community.

Council request Legal Counsel to prepare a policy that establishes guidelines to include, but not limited to the following:

- Free – Must be open to the public
- Funds need to be matched
- Nonprofits would only be eligible to apply for ACE funds

In addition, Council would like to ensure City projects take precedence.

Legal Counsel will prepare a draft policy for Council's consideration at a future meeting.

- Board appointments, resignations and announcements was the final items on the agenda for Council's consideration.

A motion was made by Councilman Bentley, seconded by Councilman McGhehey to appoint Michael Sautter to serve on the Golf Advisory Board with a term ending December 31, 2024.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

Currently there remains one vacancy on the Community Redevelopment Authority, four vacancies on the A-2 Downtown Improvement District Board, one vacancy on the A-1 Downtown Improvement District Board, one vacancy on the Economic Development Plan Citizen Advisory Board, one youth representative on the Library Board, two vacancies on the Planning Commission, and one vacancy on the Police Advisory Board (Hispanic Rep).

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 8:09 p.m.


Mike Dafney, Mayor

(SEAL)


Tarrah S. Johnson, 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.