

April 6, 2021

ALLIANCE CITY COUNCIL

REGULAR MEETING, TUESDAY, APRIL 6, 2021

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

The Alliance City Council met in a Regular Meeting, April 6, 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 March 31, 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 April 6, 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 first item on the agenda for Council was the presentation of a three proclamations declaring the weeks of April 11-17, 2021 as National Public Safety Telecommunications Week and Public Transit Week and declaring April 18, 2021 as National Linemen Appreciation Day.

Councilman Mischnick presented Dispatch Supervisor Kirsten Lehman the following proclamation:

PROCLAMATION

WHEREAS; Each day, public safety telecommunications in Alliance and throughout the nation, answer desperate calls for help, responding with services that save the lives and property of American citizens; and

WHEREAS; Americans dial 9-1-1 approximately 240 million times annually seeking help during emergencies, ranging from house fires and automobile accidents to heart attacks and child birth; and

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WHEREAS; The men and women who answer these calls for help, gather essential information and dispatch the appropriate assistance, which often make the difference between life and death; and

WHEREAS; The work of these “unseen first responders” is invaluable in emergency situations and each of these dedicated men and women deserve our heartfelt appreciation; and

WHEREAS; National Telecommunications Week provides an opportunity to honor telecommunications who serve in the Alliance Police Department.

NOW, THEREFORE, The City Council of Alliance, Nebraska, does announce and proclaim to all citizens the week of April 11-17, 2021, as:

National Public Safety Telecommunications Week

And encourages all citizens to recognize the accomplishments and contributions of the Public Safety Telecommunicators whose diligence and professionalism keep our City and community safe.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the City of Alliance to be affixed on this 6th day of April in the year of the Lord Two Thousand Twenty-One.

Next, Councilman Jones presented Paige Johnson, Public Transit Manager, the following proclamation:

PROCLAMATION

WHEREAS, Public transit provides our citizens access to medical, business, employment, social, and supportive services; and

WHEREAS, Public transit allows individuals to remain independent, contributes to economic development, and improves mobility; and

WHEREAS, Over 27,500 rides were provided by public transit in Alliance during fiscal year 2020; and

WHEREAS, Alliance has numerous public transit professionals who provide service to our citizens and must maintain educational requirements and standards; and

WHEREAS, The Alliance City Council recognizes the important role that public transit professionals play, and wishes to acknowledge that role; and

WHEREAS, Public transportation in Alliance is provided by the collaborative efforts of the City of Alliance, Nebraska Department of Transportation and Federal Transit Administration to provide resources to transport individuals every day.

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NOW, THEREFORE, The Alliance City Council, does hereby proclaim April 11-17, 2021 as

PUBLIC TRANSIT WEEK

In Alliance, and I do hereby urge all citizens to increase their understanding and awareness of their local transit systems and the many services provided.

IN WITNESS WHEREOF, I have hereunto set my hand, and cause the Great Seal of the City of Alliance to be affixed this Sixth day of April, in the year of our Lord Two Thousand Twenty-One.

The final proclamation was presented to Kirby Bridge, Electric Superintendent by Councilman McGhehey.

PROCLAMATION

WHEREAS, The City of Alliance would like to recognize and celebrate the profession of Linemen and wishes to honor their exemplary services to the City of Alliance and our community; and

WHEREAS, Linemen are often first responders during storms and other catastrophic events, working to make a scene safe for the citizens; and

WHEREAS, Linemen work with thousands of volts of electricity high atop power lines 24 hours a day, 365 days a year, to keep electricity flowing in our community, and

WHEREAS, Linemen work under dangerous conditions, putting their lives on the line every day to construct and maintain the energy our City needs to run to operate.

THEREFORE, BE IT RESOLVED that The Alliance City Council, does hereby proclaim April 18, 2021, as:

National Linemen Appreciation Day

And encourage residents to recognize the hard work and commitment our Linemen do for our City. And encourage everyone to take a moment to thank a line worker for everything they do to keep the lights on, ensuring and enhancing our quality of life.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the City of Alliance to be affixed on this 6th day of April in the year of the Lord Two Thousand Twenty-One.

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- Next item before Council was the ACE Project of the Year Recognition. The Rolling Prairie Disc Golf Course at Laing Lake was selected as the 2021 Ace Project of the Year. The City received \$200 toward future community betterment projects.
- The Consent Calendar was the next matter before Council. A motion was made by Councilman Jones and seconded by Councilman Mischnick to approve the Consent Calendar as follows:

CONSENT CALENDAR – April 6, 2021

1. **Approval:** Minutes of the Regular Meeting, March 16, 2021.
2. **Approval:** Payroll Costs for the period February 20, 2021 through March 5, 2021: \$309,604.21.
3. **Approval:** Claims against the following funds for the period of March 10, 2021 through March 30, 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; \$492,821.63.
4. **Approval:** Budget transfer from City Council Contingency (GL# 01-10-10-47-791) in the amount of \$19,000 to ACE Community Support (GL# 01-10-10-44-499) for the Alliance Recreation Center ACE fund request that was approved at the March 16th meeting.
5. **Approval:** Special Event Request of the Alliance Chamber of Commerce to host “My Wind Stuff Kite Festival” at Laing Park beginning on Saturday May 29th through May 31st. The required Certificate of Liability Insurance has been received this for this event.
6. **Approval:** Activate Alliance crosswalk design approval. These designs will be located in the crosswalks along the path, beginning at the crosswalk on 10th Street that connects the path and the entrance into Central Park and continue north to the crossings at 12th Street and 14th Street.
7. **For your information:** The Alliance Housing Authority Annual Report for Fiscal Year October 1, 2019 to September 30, 2020.

NOTE: Interim Managers Johnson and Waggener have reviewed these expenditures and to the best of their knowledge confirm 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, Bentley, McGhehey.

Voting Nay: None.

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Motion carried.

- The next item on the agenda was Ordinance No. 2918 which authorizes the sale of Lot 1, Block 1, Lakefield Addition to the City of Alliance, Box Butte County, Nebraska to Jacob B. Seeley and Megan E. Seeley in the amount \$6,531.50. The following information was provided:

[City Attorney Hoelsing has prepared on behalf of Jacob B. Seeley and Megan E. Seeley an Agreement for Sale of Real Estate for Lot 1, Block 1, Lakefield Addition to the City of Alliance, Box Butte County, Nebraska, in the amount of \$6,531.20; of which \$2,000 would be eligible for a refund if a residence were constructed within two years of the purchase date.

Resolution No. 07-23 approved by Council on February 15, 2007 established a Uniform Pricing Schedule for the sale of residential properties held by the City. The proposed Agreement for Sale is based on the prices established in the Resolution.

As with any sale of property by the City of Alliance there is a 30-day remonstrance period as established within State Statutes.]

A motion was made by Councilman McGhehey, seconded by Councilman Jones to approve the first reading of Ordinance No. 2918. City Clerk Johnson read the ordinance by title which follows in its entirety:

ORDINANCE NO. 2918

AN ORDINANCE PROVIDING FOR THE SALE AND CONVEYANCE OF LOT 1, BLOCK 1; LAKEFIELD ADDITION TO THE CITY OF ALLIANCE, BOX BUTTE COUNTY, NEBRASKA, ACCORDING TO THE RECORDED PLAT THEREOF.

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

SECTION 1. The City of Alliance has received an offer from Jacob B. Seeley and Megan E. Seeley, to purchase the following described real estate:

Lot 1, Block 1, Lakefield Addition to the City of Alliance, Box Butte County, Nebraska, in the amount of \$6,531.50.

SECTION 2. The real estate is not used in the operation of public utilities, and is not a state armory for the use of the State of Nebraska or the State Armory, as provided in §16-201 R.R.S. Neb. 1943.

SECTION 3. The City Clerk shall cause notice of this sale to be published as required by law. If, within the time prescribed by law, a legally sufficient remonstrance against the sale has not been filed, the Mayor and City Clerk are by this ordinance authorized to execute and deliver

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to the purchaser the City's quitclaim deed for the herein described property upon payment of the purchase price provided for herein and in the Agreement for Sale of Real Estate.

Remonstrance against such sale is defined as a petition signed by legal electors of Alliance, Nebraska, equal in number to thirty percent (30%) of the electors voting at the last regular municipal election. Said petition shall be filed with the governing body of the City within thirty days (30) of the passage and publication of this Ordinance. In the event a remonstrance is received which is legally sufficient, said property shall not then, nor within one year thereafter, be sold.

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

A motion was made by Councilman Jones, seconded by Councilman Mischnick to suspend the statutory rule requiring three separate readings of Ordinance No. 2918.

Roll call vote to waive the statutory reading with the following results:

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

Voting Nay: None.

Motion carried.

Roll call vote to approve Ordinance No. 2918 on final reading with following results:

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

Voting Nay: None.

Motion carried.

Mayor Dafney stated, "the passage and adoption of Ordinance No. 2918 has been concurred by a majority of all members elected to the Council, I declare it passed, adopted and order it published.

- Resolution No. 21-35 awarding the bid for the Alliance Learning Center HVAC System evaluation to Long Technologies of Casper, Wyoming in the amount of \$10,580 was next on the agenda for Council. The following information was provided:

[The City of Alliance issued a Request for Qualifications and Proposals (RFP) for evaluation of controls and commission of services for the Library Learning Center HVAC on February 2, 2021. Two responses were received and proposals were opened at the Knight Museum & Sandhills Center on February 25, 2021 at 2:00 PM. The table below shows the bid prices submitted.

Vendor and Location	Bid Price
Long Technologies, Casper, WY	\$5,980
Engineering Technologies, Omaha, NE	\$29,300

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There is a substantial difference between the two proposed prices. Staff was concerned that this discrepancy was due to necessary services being either overlooked or intentionally omitted from the Long Technologies proposal. In an effort to alleviate these concerns, the engineer who assisted with developing the specifications contacted Long Technologies to clarify the specific services to be included. The engineer concluded that the reasons for the substantial cost difference is the result of two items.

- Many of the services necessary for an efficient evaluation of the HVAC system can be completed internally by Long Technologies. By contrast, Engineering Technologies would have to hire sub-contractors to complete the more technical portions of this project.
- Long Technologies appears to have omitted the evaluation of the fluid side of the HVAC temperature control systems. This evaluation is necessary to ensure efficient flow and pressure throughout the fluid circulation systems.

After discussion with legal, it was decided that due to the substantial difference in price and because the informal RFP allowed for negotiations on a service contract, the omitted services could be added and the price modified. Long Technologies has agreed to add the evaluation of the fluid side of the HVAC system for \$4,600.00. The addition of this service will ensure a comprehensive evaluation of the entire HVAC system is completed.

Staff recommends awarding the bid for HVAC evaluation to Long Technologies of Casper, WY in the amount of \$10,580 with the addition of a 10% contingency to allow for additional services if necessary. This total is substantially under what was originally budgeted for this project and funds are included in the 2021 budget.]

A motion was made by Councilman Bentley, seconded by Councilman Jones to approve Resolution No. 21-35 which follows in its entirety:

RESOLUTION NO. 21-35

WHEREAS, The City of Alliance owns and operates the Alliance Library/Learning Center; and

WHEREAS, The Alliance Library/Learning Center has been experiencing HVAC problems for the last several years that have not been able to be corrected by Rasmussen Mechanical of Rapid City, SD satisfactorily; and

WHEREAS, The City of Alliance issued a Request for Qualifications and Proposal for the evaluation of controls and commission of services for the Alliance Library/Learning Center HVAC system; and

WHEREAS, Two responses were received with Long Technologies of Casper, Wyoming being the lowest, responsible bidder; and

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WHEREAS, Staff is recommending Long Technologies be awarded the bid to complete a full evaluation of the Library/Learning Center HVAC system; and

WHEREAS, Adequate funds are available within the Capital Projects – Capital Outlay-Building (Library) Account No. 41-71-77-59-915 for this project.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Alliance, Nebraska, that the Mayor is hereby authorized to enter into a contract with Long Technologies of Casper, Wyoming in the amount of \$10,580 for an evaluation and necessary upgrades to the Alliance Library/Learning Center.

BE IT FURTHER RESOLVED, An additional 10% contingency is included for additional services if necessary.

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 was Resolution No. 21-36 which will approve an employment agreement with Seth Sorensen to serve as the City Manager for Alliance. The following information was provided:

[At the December 2, 2020 special meeting, Council provided Mayor Dafney and Finance Director Waggener the authority to extend a job offer and negotiate an employment contract with finalist Seth Sorensen. Mr. Sorensen declined the job offer at that time, but he remained in contact with Mayor Dafney during Council's search for a new manager.

Mr. Sorensen recently expressed his renewed interest in the position and requested to be reconsidered. Mayor Dafney and Finance Director Waggener negotiated a contract for Council's review and approval, under the same parameters as the previous Council authority.]

A motion was made by Councilman Mischnick, seconded by Councilman Bentley to approve Resolution No. 21-36 which follows in its entirety:

RESOLUTION NO. 21-36

WHEREAS, The City Council of Alliance, Nebraska, desires to extend an offer of employment to Seth Sorensen to act as City Manager for the City of Alliance; and

WHEREAS, City staff and Seth Sorensen have negotiated a written agreement which is consistent with the offer of employment extended by City Council to him; and

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WHEREAS, Seth Sorensen has approved the terms of the written agreement which is currently before Council.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of Alliance, Nebraska, that Seth Sorensen shall be hired with an effective date of June 1, 2021 as the City Manager for the City of Alliance, Nebraska. The written contract of employment which accompanies this Resolution is approved by City Council and the Mayor and City staff are authorized to execute the contract on behalf of the City of Alliance.

BE IT FURTHER RESOLVED, that the Mayor is authorized to execute the Employment Agreement with Seth Sorensen.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

- The last matter before Council was a performance evaluation of City Clerk Johnson.

Mayor Dafney motioned, pursuant to Section 84-1410 Reissue Revised Statutes of Nebraska 1943, that Council finds it necessary to enter into a closed session to conduct the job performance of the City Manager. The motion was seconded by Councilman Mischnick.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

Council and City Clerk Johnson entered into closed session at 7:20 p.m. The closed session concluded at 7:40 p.m.

A motion was made by Mayor Dafney to provide Clerk Johnson a salary increase with a total annual salary of \$69,222.40. The motion was seconded by Councilman Mischnick.

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

Voting Nay: None.

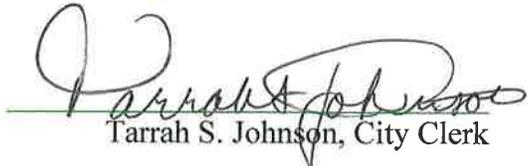
Motion carried

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There being no further business before Council, Mayor Dafney adjourned the meeting at 7:41 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.