

July 20, 2021

ALLIANCE CITY COUNCIL

REGULAR MEETING, TUESDAY, JULY 20, 2021

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

The Alliance City Council met in a Regular Meeting, July 20, 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 July 14, 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 July 20, 2021 regular meeting of the Alliance, Nebraska City Council at 7:00 p.m. Present were Mayor Dafney, Council Members Mischnick, Jones, and Bentley. Also present were City Manager Sorenson, Finance Director Waggener, City Attorney Hoelsing and City Clerk Johnson.

- Mayor Dafney read the Open Meetings Act Announcement.
- Mayor Dafney announced that Councilman McGhehey would not be in attendance.
- Next Council was informed of two employee promotions. City Manager Seth Sorensen introduced Sam Mullins as the new Streets Foreman for Alliance; and Chief Lukens introduced new Alliance Police Lieutenant, Cody Buskirk.
- The first action for Council was to proclaim July 21, 2021 as “Drew Varner and Brock Brass Day” in recognition of their heroic efforts during a June 23, 2021 incident at Big Blue Bay. These two lifeguards successfully performed their life saving skills which resulted in a positive outcome for a swimmer and his family. The boys were also presented the “Outstanding Service Award” by Police Chief Lukens and the “Chief’s Challenge Coin” by Fire Chief Shoemaker.
- 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 – JULY 20, 2021

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1. Approval: Minutes of the Regular Meeting, July 6, 2021.
2. Approval: Payroll Costs for July 16, 2021: \$272,904.40.
3. Approval: Claims against the following funds: 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; \$1,210,350.79.
4. For your information: Attached is a listing of Demand Checks which were generated over the last financial quarter ending June 30, 2021. The report lists checks that have been issued which are not expenses within the budget. These are primarily made up of fund transfers, meter deposit refunds, utility overpayments and an occasional check which was required to be reissued.
5. For your information: Annual Continuing Disclosure Compliance Checklist for fiscal year end September 30, 2020.
6. Approval: Issuance of two cemetery certificates to Ileen Jewett and Christopher D. McMains.
7. Approval: The United Way of Western Nebraska has submitted a Special Events Request to host the DISCover United Way Disc Golf Tournament at the Rolling Prairie Disc Golf Course on August 21, 2021. The main parking lot is requested to be closed for vendors. United Way has provided the required Certificate of Liability Insurance for the event.
8. Approval: Resolution No. 21-72 authorizes the submittal of the Free Trees for Fall Planting Program Application for fall tree planting events and celebrations.
9. Approval: Resolution No. 21-73 authorizes the submittal of the Collaborative Approaches Toward Preventing and Addressing Hate Crimes Grant application to the U.S. Department of Justice and acceptance of funds awarded.

NOTE: Manager Sorensen and Finance Director 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.

Roll call vote with the following results:

Voting Aye: Dafney, Mischnick, Jones, Bentley.

Voting Nay: None.

Motion carried.

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● The first reading of Ordinance No. 2920 was next for Council and will amend the Municipal Code to prohibit motorized and non-motorized recreation vehicles such as, but not limited to skateboards, bicycles, skates, on designated areas of the municipal parks. The following information was provided:

[With the Pillars and Sunken Gardens project coming to the end of construction, it has been noticed that skateboarders and others have taken to using this area (which is designed and intended for passive, rather than active use), raising concerns for the well-being and durability of this area after so much time and effort and sacrifice was spent by the community raising money to bring back this community attraction. This, as are other features in our parks and public areas, represents a substantial investment of public monies which are not easily replaced nor cheap to maintain.

As a result of the concern over the potential for misuse of certain areas of our parks, and the potential for costly property damage from misuse, the question was raised as to whether or not the city should proactively prohibit skateboarding in these areas. As a result, staff was asked to draft an ordinance to limit the use of skateboarding, etc. in certain areas. City Code currently states:

“Sec. 16-81. - Unlawful acts.

It shall be unlawful within or upon any municipal park, golf course, or other municipally owned area to:

- (1) Operate any motorized vehicle, including motor bikes and snowmobiles, on any area other than designated parking areas or established streets or lanes. This prohibition shall not apply to the use of motorized golf carts, motorized wheelchairs used by handicapped individuals or of maintenance vehicles when they are used in the line of duty;
- (2) Ice skate or sled upon the ice on any lake thereon except at those times when municipal authorities by proper device indicate that the ice is then satisfactory for use;
- (3) Swim or wade within any lake or fountains at any time;
- (4) Have in one's possession, or to fire any type firearm, including air rifles;
- (5) Have upon the said premises or any horse or other livestock;
- (6) Have any concession in the park without a permit for time and location.
(Code 1986, § 7-101; Ord. No. 1963, 9-7-1989)”

The proposed revision to this ordinance would include the following additional language:

“or

(7) Operate or ride any skates, roller-skates, skateboards, bicycles, tricycles, unicycles or any other device having wheels propelled by human power and steered solely by human power other than in or on any public area of the City designated by the City Manager as an area in which such activity is prohibited and for which the prohibition of such activity is clearly and conspicuously marked by signage.”

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This addition will allow the City Manager to designate the Pillar and Sunken Gardens where skates, roller-skates, skateboards, bicycles, etc. are prohibited.]

Ordinance No. 2920 was tabled at the June 15 Council meeting. A motion was made by Councilman Bentley and seconded by Councilman Mischnick to bring the first reading of Ordinance No. 2920 off the table for discussion.

After Mayor Dafney clarified the purpose of the ordinance was to preserve our parks and other amenities, Councilman Bentley motioned to approve the first reading of Ordinance No. 2920 as amended. The motion was seconded by Councilman Mischnick. City Clerk Johnson read the ordinance by title which follows in its entirety.

ORDINANCE NO. 2920

AN ORDINANCE AMENDING THE ALLIANCE MUNICIPAL CODE AMENDING SECTION 16-81 TO PROHIBIT SKATES, SKATEBOARDS, OR BICYCLES ON MUNICIPAL PARKS AND OTHER MUNICIPALLY OWNED AREAS, AND REPEALING EXISTING ORDINANCES, RESOLUTIONS, POLICIES, OR PORTIONS THEREOF NOT CONSISTENT HERewith.

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

SECTION 1. The City Code provides that certain acts in any municipal park, golf course, or other municipally owned area are unlawful, and the City shall be those established by Neb. Rev. Stat. § 16-697.01 the authority to regulate such activity.

SECTION 2. Based upon the desire to regulate the use of, promote the safety within, and protect improvements made to municipal parks, golf courses, or other municipally owned areas the Alliance Municipal Code, at Section 16-81 is hereby amended as follows:

“16-81. Unlawful Act.

It shall be unlawful within or upon any municipal park, golf course, or other municipally owned area to:

(1) Operate any motorized vehicle, including motor bikes and snowmobiles, on any area other than designated parking areas or established streets or lanes. This prohibition shall not apply to the use of motorized golf carts, motorized wheelchairs used by handicapped individuals or of maintenance vehicles when they are used in the line of duty;

(2) Ice skate or sled upon the ice on any lake thereon except at those times when municipal authorities by proper device indicate that the ice is then satisfactory for use;

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- (3) Swim or wade within any lake or fountains at any time;
- (4) Have in one's possession, or to fire any type firearm, including air rifles;
- (5) Have upon the said premises or any horse or other livestock;
- (6) Have any concession in the park without a permit for time and location; or
- (7) Operate or ride any skates, roller-skates, skateboards, bicycles, tricycles, unicycles or any other device having wheels propelled by human power and steered solely by human power other than in or on any public area of the City designated by the City Manager as an area in which such activity is prohibited and for which the prohibition of such activity is clearly and conspicuously marked by signage.”

SECTION 3. That current applicable City Codes of the City of Alliance, Nebraska in conflict to this Ordinance, and all other ordinances or parts of ordinances in conflict herewith, are hereby repealed to the extent of such conflict.

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

Councilman Bentley noted in section (7) the words “other than” need to be removed for clerical purposes and does not change the purpose of the ordinance.

Roll call vote on the first reading of Ordinance No. 2920 as amended:

Voting Aye: Dafney, Mischnick, Jones, Bentley.

Voting Nay: None.

Motion carried.

- The first reading of Ordinance No. 2921 was the next item before Council and will approve the Rezone Application of Virgil and Geraldine Blakeman. The following information was provided:

[Virgil and Geraldine Blakeman have submitted an application to rezone Block 2A, A Replat of Blocks 1 and 2, Blakeman Subdivision, A Part of the Northwest Quarter of Section 35, Township 25 North, range 48 West of the 6th Principal Meridian, Box Butte County, Nebraska, otherwise known as 2423 Highway 2, from R-4 Mobile Home Park Residential to C-3, Heavy Commercial. The applicant would like to transition the park into an RV Camping Facility.

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The parcel of land is located on the northeast corner of Nebraska Highway 2 and West 6th Street (undeveloped). The parcel is currently zoned R-4, Mobile Home Park Residential. It is bordered to the north and south by C-3, Heavy Commercial, to the west by agriculture zoning, and to the east by M-2, Heavy Industrial Zoning. The lot is used as a mobile home park. The lot to the north is a single-family residence, the lots to the west and south are ag land, and the lot to the east is used for storage.

The proposed rezone will change the front and rear setbacks from 25' to 15', the side from 5' to 7', and the side street setback from 10' to 15'. The C-3, Highway Commercial zoning district does not have any minimum lot size requirements. The R-4 district requires a minimum of 5 acres. The lot is currently 2.8 acres and is a nonconforming size. Access to the lot is currently from Nebraska Highway 2.

The "West Gateway Neighborhood", as this area is identified by the Comprehensive Plan, has large gaps in its development which is filled by Ag lands. This is obvious and evident by viewing the area from aerial photography. As its name implies, this is the western gateway to the community and its lack of consistent development and modern development detracts from the overall appearance of this area and does not welcome visitors to Alliance. It is also identified as an objective in the Plan that the City should promote redevelopment in the western gateway that enhances the community's image. A rezone to C-3 would be consistent with the image of the west gateway as a commercial corridor, especially as the residential use transitions to commercial.

The City of Alliance Planning Commission met at their regular meeting on July 13, 2021 and voted to recommend the City Council approve the rezone Block 2A, A Replat of Blocks 1 and 2, Blakeman Subdivision, A Part of the Northwest Quarter of Section 35, Township 25 North, range 48 West of the 6th Principal Meridian, Box Butte County, Nebraska, otherwise known as 2423 Highway 2 from R-4, Mobile Home Park Residential to C-3, Heavy Commercial after making the following findings of fact:

1. The rezone would not create any nonconforming lot sizes or structures.
2. It would eliminate the spot zone of this parcel.
3. There is ample access to the lot because of its location adjacent to State Highway 2.
4. It is consistent with the designation in the Comprehensive Plan as a commercial use.]

A motion was made by Councilman Mischnick and seconded by Councilman Bentley to approve the first reading of Ordinance No. 2921. City Clerk Johnson read the following ordinance by title:

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ORDINANCE NO. 2921

AN ORDINANCE OF THE CITY OF ALLIANCE, NEBRASKA, DEALING WITH ZONING, SETTING FORTH CONDITIONS FOR PASSAGE, AND AMENDING THE DISTRICT ZONING MAP TO SHOW THAT A PARCEL OF LAND IN BLOCK 2A, A REPLAT OF BLOCKS 1 AND 2, BLAKEMAN SUBDIVISION, A PART OF THE NORTHWEST QUARTER OF SECTION 35, TOWNSHIP 25 NORTH, RANGE 48 WEST OF THE 6TH P.M., BOX BUTTE COUNTY, NEBRASKA IS NOW INCLUDED AS A C-3 (HIGHWAY COMMERCIAL) DISTRICT FROM R-4 (MOBILE HOME PARK RESIDENTIAL) DISTRICT, AND REPEALING PRIOR SECTIONS THEREOF.

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

SECTION 1. That Block 2A, A Replat of Blocks 1 and 2, Blakeman Subdivision, A Part of the Northwest Quarter of Section 35, Township 25 North, range 48 West of the 6th Principal Meridian, Box Butte County, Nebraska, otherwise known as 2423 Highway 2, is hereby zoned as C-3 (Highway Commercial) from R-4 (Mobile Home Park Residential).

SECTION 2. Section 109-22 of the Alliance Municipal Code is amended to provide as follows:

“109-22. DISTRICT MAP ADOPTED.

(a) *Zoning district map*: Boundaries of the districts, as enumerated in the Zoning Ordinance, are hereby established as shown on a map prepared for that purpose, which map is hereby designated as the Zoning District Map; and said map, and all the notations, references and information shown thereon is hereby made as much a part of this Zoning Ordinance as if the same were set forth in full herein. The City Planning Commission shall keep on file in their offices an authentic copy of said map, and all changes, amendments, or additions thereto.

(b) *Boundaries*: When definite distances in feet are not shown on the Zoning District Map, the district boundaries are intended to be along existing street, alley or platted lot lines, or extensions of the same, and if the exact location of such lines is not clear, it shall be determined by the City Manager or designee, due consideration being given to location as indicated by the scale of the Zoning District Map.

(c) *Expansion of the extraterritorial zoning jurisdiction*. The city extraterritorial zoning jurisdiction (ETJ), as permitted by state law, shall be represented on the official zoning district map. All territory newly included within the boundaries of the ETJ, by way of annexation and expansion of city limits, shall be zoned Ag, Agriculture, until otherwise reclassified. During the public hearings for any proposed expansion of the ETJ, any person or persons owning property in said new territory may request the planning commission and city council to consider including their property within a zoning district other than Ag. After the passing of the ordinance expanding the ETJ, any property owners requesting a change in

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zoning from Ag shall be required to go through the normal process for a change of zoning classification.”

SECTION 3. Previously existing Section 109-22, and all ordinances, parts of ordinances, resolutions, and policies of the City of Alliance in conflict with the revisions set forth herein are hereby repealed.

SECTION 4. This is to certify that the Zoning District Map described in the Alliance Municipal Code, passed this ____ day of _____, is now the official Zoning District Map.

SECTION 5. This ordinance shall be in full force and effect from and after its approval, passage, and publication according to law.

Roll call vote with the following results:

Voting Aye: Dafney, Mischnick, Jones, Bentley.

Voting Nay: None.

Motion carried.

● Next on the agenda for Council was Ordinance No. 2922 which amends the Alliance Municipal Code, Chapter 105, adopting the 2018 ICC codes as the Building Code of the City of Alliance thus bringing it into compliance with state law. The following information was provided:

[The Nebraska State Legislature passed an amendment to State law in 2019 adopting the 2018 International Code Commission (ICC) code books as the State Building Code. The law also required that any municipality that enforces a building code must adopt, at a minimum, the State Building Code within two years of the passing and signing of the legislation.

The proposed amendments to the Alliance Municipal Code, Chapter 105, will adopt the 2018 ICC codes as the Building Code of the City of Alliance thus bringing it into Compliance with State Law.]

A motion was made by Councilman Jones and seconded by Councilman Mischnick to approve the first reading of Ordinance No. 2922. City Clerk Johnson read the following ordinance by title:

ORDINANCE NO. 2922

AN ORDINANCE OF THE CITY OF ALLIANCE, NEBRASKA (“ALLIANCE”), AMENDING CHAPTER 105 OF THE ALLIANCE MUNICIPAL CODE; REPEALING OTHER ORDINANCES, RESOLUTIONS, AND POLICIES OF THE ALLIANCE MUNICIPAL CODE IN CONFLICT WITH THIS ORDINANCE; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR PUBLICATION IN PAMPHLET FORM.

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

SECTION 1. The Nebraska State Legislature passed an amendment to State law in 2019 adopting the 2018 International Code Commission (ICC) code books as the State Building Code.

SECTION 2. The law also required that any municipality that enforces a building code must adopt, at a minimum, the State Building Code within two years of the passing and signing of the legislation.

SECTION 3. In accordance with State law, certain provisions of Chapter 105 - Building Codes and Contract for Licensing, of the current Alliance Municipal Code, as set forth on the attached Exhibit A, are necessary.

SECTION 4. In accordance with the 2018 International Building Code, the entirety of Exhibit A is hereby adopted, and Chapter 105 – Building Codes and Contract for Licensing of the Alliance Municipal Code, is hereby amended accordingly. All repeals located in Exhibit A shall act as repeal of any current section of Chapter 105 as set forth in Exhibit A, and all additions and amendments in Exhibit A shall act as an addition or amendment of Chapter 105 as set forth in Exhibit A.

SECTION 5. This ordinance shall be effective following its passage, approval, and publication in pamphlet form.

Roll call vote with the following results:

Voting Aye: Dafney, Mischnick, Jones, Bentley.

Voting Nay: None.

Motion carried.

- Council next conducted a Public Hearing on the Redevelopment Plan submitted by Blomenkamp Investments, LLC for the Runza Restaurant Project. Following the Public Hearing, Council reviewed Resolution No. 21-74 which will approve the Redevelopment Plan.

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 Redevelopment Plan submitted by Blomenkamp Investments, LLC and opened the public hearing at 7:18 p.m.

Neal Blomenkamp, 210109 Daisy Lane, Gering, NE, President of Blomenkamp Investments, LLC was in attendance to speak in favor the of Redevelopment Plan for the Alliance Runza Restaurant Project and answer questions of Council.

Hearing no further testimony, the Public Hearing closed at 7:21 p.m.

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A motion was made by Mayor Dafney, seconded by Mischnick to approve Resolution No. 21-74 which follows in its entirety:

RESOLUTION NO. 21-74

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

Recitals:

a. Pursuant to the Community Development Law, NEB. REV. STAT. § 18-2101 *et seq.* (the “Act”), a redevelopment plan for the *Runza Restaurant Project* submitted by Blomenkamp Investments, LLC (the “Redevelopment Plan”) has been submitted to the Alliance Community Redevelopment Authority (“CRA”). The Redevelopment Plan proposes to redevelop an area of the City which the City Council has declared to be blighted and substandard and in need of redevelopment. The Redevelopment Plan includes the use of tax increment financing.

b. The Redevelopment Plan has been reviewed by the Planning Commission, which found that the Redevelopment Plan conforms to the 2009 Alliance Comprehensive & Long Range Transportation Plan (the “Comprehensive Plan”). The Planning Commission recommended approval of the Redevelopment Plan to the CRA and City Council.

c. The Redevelopment Plan has been reviewed by the CRA, which found that the Redevelopment Plan conforms to the Comprehensive Plan, that the project as proposed in the Redevelopment Plan would not be economically feasible or occur in the project area without tax increment financing, and that the costs and benefits of the project, including costs and benefits to other affected political subdivisions, the economy of the community, and the demand for public and private services, having been analyzed by the CRA, are in the long term best interests of the community.

d. The CRA recommended approval of the Redevelopment Plan to the City Council.

e. On July 20, 2021, the City Council held a public hearing on the proposal to approve the Redevelopment Plan.

f. The City Council has reviewed and conducted a cost-benefit analysis of the Redevelopment Plan and makes the findings and recommendations as documented in writing in this Resolution.

Resolved:

1. The Redevelopment Plan is determined to be feasible and in conformity with the Comprehensive Plan and with the legislative declarations and determinations set forth in the Act.

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2. The project as proposed in the Redevelopment Plan would not be economically feasible or occur in the project area without tax increment financing and the costs and benefits of the project, including costs and benefits to other affected political subdivisions, the economy of the community, and the demand for public and private services, having been analyzed by the City Council, are in the long-term best interests of the community impacted by the project.

3. The City Council approves the Redevelopment Plan.

4. In accordance with NEB. REV. STAT. § 18-2147, and as proposed in the Redevelopment Plan, the City Council provides that any ad valorem tax on the Project Site as set forth in the Redevelopment Plan, for the benefit of any public body be divided for a period of 15 years after the effective date as provided in § 18-2147, which effective date shall be determined in a Redevelopment Contract entered into between the Redeveloper and the CRA. Said tax shall be divided as follows:

(a) That proportion of the ad valorem tax which is produced by levy at the rate fixed each year by or for each public body upon the redevelopment project valuation (as defined in the Act) shall be paid into the funds of each such public body in the same proportion as all other taxes collected by or for the bodies;

(b) That proportion of the ad valorem tax on real property in the redevelopment project in excess of such amount, if any, shall be allocated to and, when collected, paid into a special fund of the CRA to be used solely to pay the principal of, the interest on, and any premiums due in connection with the bonds of, loans, notes or advances of money to, or indebtedness incurred by, whether funded, refunded, assumed, or otherwise, the CRA for financing or refinancing, in whole or in part, the project set forth in the Redevelopment Plan. When such bonds, loans, notes, advances of money, or indebtedness, including interest and premiums due have been paid, the CRA shall so notify the County Assessor and County Treasurer and all ad valorem taxes upon taxable real property in the redevelopment project shall be paid into the funds of the respective public bodies; and

(c) Any interest and penalties due for delinquent taxes shall be paid in the funds of each public body in the same proportion as are all other taxes collected by or for the public body.

5. The Mayor and Clerk are authorized and directed to execute such documents and take such further actions as are necessary to carry out the purposes and intent of this Resolution and the Redevelopment Plan.

6. This Resolution shall become effective immediately upon its adoption.

Roll call vote with the following results:

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Voting Aye: Dafney, Mischnick, Jones, Bentley.

Voting Nay: None.

Motion carried.

- Council next considered Resolution No. 21-75 which will award the Property & Casualty insurance bid to FNIC, Inc., formally Gregory's Insurance, Inc. in the amount of \$762,235. The following information was provided:

[The City of Alliance has contracted with First National Insurance Company, formally Gregory's Insurance, Inc. since 2011 to provide property and casualty insurance coverage with Traveler's Insurance for the primary insurance package and with Phoenix Aviation through Old Republic Insurance Company for the airport general liability policy.

Our broker and staff are again pleased to recommend that the City remain with our current carrier, Traveler's Insurance. The premium quote for the fiscal year beginning August 1, 2021 reflects an approximate 15% increase at \$762,235. Our current year premium is \$660,864.

Overall, approximately, \$40K in premium is being generated just in exposure increases with the remaining being contributed to the experience mod factor (work comp), property/auto rate increases, and loss factors (property, work comp, and auto).

1) **Work Comp**

- The City's Experience mod (determined by NCCI – National Courts on Compensation Insurance) on the work comp has increased from 1.03 to 1.23 – this is due to the high number of work comp claims over the past three years.
- This number essentially represents a debit to the policy in the amount of 20% or \$43,417
- Total payroll budgeted for 2021 has increased 8.4% generating approx. \$19,000
- 2020 work comp losses \$127,705 (collected work comp premium \$221,067)
- 3 Year Losses (2018-2020) Losses \$540,140 (collected work comp premium \$586,660).
- Overall the work comp is generating a \$62,417 increase just with the increased experience mod factor and increased payrolls however many class rates are down which does provide some relief in the overall increase. In addition to this, we were able to negotiate a more favorable price point for the City getting the increase lowered to approx. \$35,756.

2) **Business Auto**

Addition of the following vehicles:

- 2021 Freightliner Bucket Truck
- 1995 Honda Accord

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- 2001 Cadillac
- 2020 Ford Pickup
- 2020 Ford Pickup
- 2021 Ford Cutaway (2)
- 2013 Ford Explorer (2)
- 2021 Ford Pickup
- Nebraska physical damage and liability rates have increased along with the national rates

3) **Property**

- Deleted 1200 Flack Avenue location in December 2020
- Wind/Hail Deductible remains at 1% or subject to a \$50,000 minimum (no change)
- Any other covered loss is \$5,000 (expiring was \$2,500)
- All properties increased 4.8% generating \$7,000 in premium
- 2021 total insured values for the City of Alliance - \$72,717,064 vs the expiring values of \$70,076,332
- 2020 Losses - \$171,455 (collected property premium for 2020 \$134,000)
- 3 Year Losses (2018-2020) \$4,679,205 (collected property premium for prior 3 years \$340,000)
- Overall the property portion is generating a premium increase of \$26,171 which reflects multiple factors including inflationary increases equivalent to 2.6 million in values, increased property rates, and the impact of losses.

4) **Inland Marine**

- Added a John Deere Utility Cart
- Added a grasshopper mower

5) **General Liability (includes employee benefits liability, law enforcement liability, public management and employment practices liability coverage's)**

- Projected budget increase 18.7% generating approx. 10K in premium

6) **Umbrella**

- This sits in excess of the business auto, general liability, professional lines, and employer's liability – all underlying exposures increased which causes fluctuation in the umbrella. The umbrella increase was 18% or approx. \$9,500 in premium.]

A motion was made by Councilman Jones, seconded by Councilman Bentley to approve Resolution No. 21-75 which follows in its entirety:

RESOLUTION NO. 21-75

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WHEREAS, The City of Alliance recognizes the importance of purchasing insurance to protect against significant loss which affect the budget and would impact the operation of the City of Alliance; and

WHEREAS, The City desires to provide the best protection at the lowest cost to give the taxpayers the most insurance for their taxpayer dollar; and

WHEREAS, The City of Alliance entered into a contract with First National Insurance Company. formally Gregory's Insurance, Inc. to provide Property and Casualty insurance coverages with Traveler's Insurance as the package provider and Phoenix Aviation, who provides the Airport General Liability policy; and

WHEREAS, The City's coverages and premiums have been reviewed by our broker First National Insurance Company and they have made a recommendation for the renewal of policies to be effective August 1, 2021 with Traveler's Insurance.

NOW THEREFORE BE IT RESOLVED by the Mayor and City Council of the City of Alliance that the Mayor is authorized to sign a contract for insurance with First National Insurance Company in the amount of Seven Hundred Sixty-two Thousand Two Hundred Thirty-five dollars and no/100ths (\$762,235.00).

Roll call vote with the following results:

Voting Aye: Dafney, Mischnick, Jones, Bentley.

Voting Nay: None.

Motion carried.

- Next on the agenda for Council was Resolution No. 21-76 which will award the Alliance Tennis Court Rehabilitation Bid to Peltz Companies of Alliance, NE in the amount of \$219,600 with an alternate bid for an additional \$79,000 which provides a court surfacing option. The following information was provided:

[Bids for the Alliance Tennis Court Rehabilitation project were received and opened on June 17, 2021 at the Knight Museum & Sandhills Center. One bid was submitted for the project by Peltz Companies of Alliance, NE.

City Council had a conversation about possibly eliminating the tennis surfacing and maintaining the play surface as concrete; our engineers included the surfacing portion of the bid as an alternate to be either included or eliminated at the time of award. The bid amounts are as follows:

Base Bid \$219,600 *Without court surfacing

Court Surfacing \$ 79,000

\$298,600 Total if base bid and alternate are both accepted

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The base bid amount includes concrete court surface work, replacing fencing, gate installation and securing slopes and retaining walls that surround the court. It also includes new standards for both tennis and pickle ball courts. (The standards for the pickle ball courts are removable so that the court can also be used for basketball, as necessary).

The rehabilitation project does not include lighting as that project is being coordinated separately as part of the capital planning process. It is unlikely that we will have sufficient funds (as currently budgeted) to complete the lighting without additional appropriations or outside funding, especially if the court surfacing is awarded. Budget authority of \$250,000 for the project is included in the Capital Projects Fund with \$75,000 budgeted for the deferred softball complex grading project. There is presently just over \$310,000 in cash available in the capital projects fund.]

A motion was made by Councilman Bentley to approve Resolution No. 21-76 with the alternate bid option. The motion was seconded by Councilman Mischnick. Resolution No. 21-76 follows in its entirety:

RESOLUTION NO. 21-76

WHEREAS, The City of Alliance has included in the 2020-21 Capital Improvements Program the rehabilitation of the tennis courts located at 8th Street & Sweetwater Avenue; and

WHEREAS, Bid Specifications were prepared, issued, and duly advertised for the Alliance Tennis Court Rehabilitation Project; and

WHEREAS, Three bid packets were issued, which included a base bid with a bid alternative for additional court surfacing; and

WHEREAS, The City received only one bid, from Peltz Companies' of Alliance, Nebraska; and

WHEREAS, Peltz Companies has been found to be the lowest responsive and responsible bidder.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Alliance, Nebraska, that the Mayor is authorized to sign a contract with Peltz Companies of Alliance, NE for the Alliance Tennis Court Rehabilitation Project to include the Base Bid [~~with~~/~~without~~] the bid alternative in the total contract amount of Two Hundred Nineteen Thousand Six Hundred Dollars and no/100th (~~\$219,600~~) / Two Hundred Ninety-eight Thousand Six Hundred Dollars and no/100th (**\$298,600**) and that funds in the amount of (~~\$219,600~~/**\$298,600**) are hereby appropriated and authorized for expenditure for the construction of this project.

Councilman Jones asked if the bid included new lighting. Culture & Leisure Director Brown informed the bid did not include lighting updates, however she is reviewing additional options in order for the lights to be completed.

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Councilman Bentley asked if basketball and pickle ball will remain options on the court with the new surfacing. Culture & Leisure Director Brown shared the rehabbed courts will still offer basketball and pickle ball options to the community.

Roll call vote with the following results:

Voting Aye: Dafney, Mischnick, Jones, Bentley.

Voting Nay: None.

Motion carried.

- Resolution No. 21-77 which will award the SkyView Golf Course Storm Damage Repairs bid to K.L. Wood & Co. LLC of Alliance, NE in the amount of \$107,752.15 was next for Council's consideration. The following information was provided:

[Jack Baker & Associates, on behalf of the City of Alliance, prepared an Invitation to Bid for the Golf Course Hail Damage Repair. The project was advertised for three weeks.

Two bids were received and opened at the scheduled time on June 24, 2021 at the City of Alliance Municipal Building. The Engineer has reviewed the bids with no pricing errors identified and compliance noted with bid bond requirements. Following is a recap of the two bids:

Bidders	Bid Amount
K.L. Wood & Co LLC, Alliance, NE	\$107,752.15
R&J Industries, Alliance, NE	\$117,180.80
Original Insurance Estimate	\$75,543.02

The lowest, responsive and responsible bidder was K.L. Wood & Co LLC of Alliance with a bid of \$107,752.15. The original insurance estimate for the project was \$75,543.02 and staff has received approval from Travelers for the increased amount. Jack Baker & Associates is recommending that the Council approve the bid proposal from K.L. Wood & Co. LLC of Alliance, NE in the amount of \$107,752.15 for the Golf Course Hail Damage Repair Project. The storm damage was not included in the budget for the current fiscal year; however, budget authority can be transferred if the project proceeds in the current fiscal year. The project will be included in the 2021-22 fiscal year budget.]

A motion was made by Councilman Mischnick, seconded by Councilman Jones to approve Resolution No. 21-77 which follows in its entirety:

RESOLUTION NO. 21-77

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

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WHEREAS, The City experienced significant storm damages on July 9, 2020 at SkyView Golf Course; and

WHEREAS, An Invitation to Bid for the City of Alliance SkyView Golf Course Storm Repairs was published and bids were opened; and

WHEREAS, The City received two bids with the lowest bidder being K.L. Wood & Co LLC, of Alliance, NE in the amount of One Hundred Seven Thousand Seven Hundred Fifty-two and 15/100ths (\$107,752.15); and

WHEREAS, The Engineer completed an Independent Cost Analysis and found the bid to be fair and reasonable.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Alliance, Nebraska, that the Mayor is authorized to sign the contract and documents associated with the City of Alliance SkyView Golf Course Storm Repairs from K.L Wood & Co LLC, of Alliance, NE in the amount of One Hundred Seven Thousand Seven Hundred Fifty-two and 15/100ths (\$107,752.15).

BE IT FURTHER RESOLVED the bid was reviewed by the City's insurance carrier and is approved for full payment.

Roll call vote with the following results:

Voting Aye: Dafney, Mischnick, Jones, Bentley.

Voting Nay: None.

Motion carried.

- The final agenda item was the discussion of the Declaration of Disaster on July 9, 2021.

There being no further business before Council, Mayor Dafney adjourned the meeting at 7:38 p.m.


Mike Dafney, Mayor

(SEAL)


Tarrah S. Johnson, City Clerk

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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.