

September 21, 2021

ALLIANCE CITY COUNCIL

REGULAR MEETING, TUESDAY, SEPTEMBER 21, 2021

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

The Alliance City Council met in a Regular Meeting, September 21, 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 September 15, 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 September 21, 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 City Manager Sorenson, Finance Director Waggener, City Attorney Hoelsing and City Clerk Johnson.

- Mayor Dafney read the Open Meetings Act Announcement
- Council was first introduced to new city employee Tito Rodriguez.
- The Consent Calendar was next on the agenda. A motion was made by Councilman Mischnick and seconded by Councilman Jones to approve the Consent Calendar as follows:

CONSENT CALENDAR – September 21, 2021

1. Approval: Minutes of the Regular Meeting, September 07, 2021.
2. Approval: Payroll Costs for September 10, 2021: \$329,998.99.
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; \$2,111,212.41.

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4. Approval: Issuance of Cemetery Certificate for Del Rey Beardsley and Delilah Long for the west half of Lot 22, Section 3, Block 21, Alliance Cemetery Fourth Addition.
5. Approval: Street Closure Request from the Chamber of Commerce to host the annual Downtown Trunk or Treat event on Friday, October 29th beginning at 2:00 p.m.
6. Approval: Street Closure Request from the Chamber of Commerce for the annual Holiday Kick-off Parade on Tuesday, November 30th beginning at 5:30 p.m.
7. Approval: Street Closure Request from American Legion Post 7 for the annual Veteran's Day Parade scheduled for November 6th beginning at 11:00 a.m.
8. Approval: Resolution No. 21-98 provides Alliance's annual certification to the Nebraska Board of Public Roads Classifications and Standards of program compliance for 2021.
9. Approval: Resolution No. 21-99 approves the Police Tow Service Agreement with Red Beard Garage & Towing from October 1, 2021 to September 30, 2024.
10. Approval: Resolution No. 21-100 authorizes the Sign Lease with Flying Rhino Aviation.

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 and McGhehey.

Voting Nay: None.

Motion carried.

- Council next held a Public Hearing on the Class B Liquor License Application of Family Dollar Inc. Following the hearing Council will consider Resolution No. 21-101 which recommends approval of the license to the Nebraska Liquor Control Commission.

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 application of Family Dollar Inc. for a Liquor License" and opened the Public Hearing at 7:04p.m.

Councilman Jones motioned to accept the exhibits as presented. Councilman Mischnick seconded the motion.

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Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

Mayor Dafney then offered for anyone in attendance to speak in favor of the Class B Liquor License for Family Dollar Inc.

Family Dollar Inc. Regional Manager and Assistant Store Manager for the Alliance location were in attendance to discuss the location of the alcohol within the store, who has access to the stored liquor, how will the sale of minors be prevented, staff trainings, and who is responsible for the ordering and shelving of the liquor.

Mayor Dafney offered to hear any opposition of the liquor license application. Hearing no further testimony, the Public Hearing closed at 7:09 p.m.

A motion was made by Mayor Dafney, seconded by Councilman Mischnick to approve Resolution No. 21-101 which follows in its entirety:

RESOLUTION NO. 21-101

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

On September 21, 2021 the matter of the Class B Liquor License Application of Family Dollar Inc., 1325 West 3rd Street, Alliance, NE, came on for consideration by the Council.

The following exhibits were offered and received:

- Exhibit 1 - Application of Family Dollar Inc., 1325 West 3rd Street
- Exhibit 2 - City Council checklist for Section 53-132 R.R.S. (1984)
- Exhibit 3 - Written statement of Alliance Police Department
- Exhibit 4 - Lease Agreement for 1325 West 3rd Street
- Exhibit 5 - Family Dollar Alcohol Management Plan

Witnesses were sworn and testimony was received in support of the Class B Liquor License at the public hearing on this date from Family Dollar Inc. dba Family Dollar Store 32631 and Police Chief Lukens.

Upon consideration of the evidence and the criteria to be considered by the City Council pursuant to law, the City Council finds as follows:

Applicant complies with the provisions of Section 53-131.01 R.R.S. (2003).

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Applicant has met its burden with regard to the checklist that is provided by Section 53-132 R.R.S. (1984) and demonstrates a willingness and ability to properly manage the liquor license held by Family Dollar Inc. in conformance to the rules and regulations of the Nebraska Liquor Control Act.

Based on the above findings, the City Council recommends to the Nebraska Liquor Control Commission that the Class B Liquor License Application of Family Dollar Inc. at the premise described in the application be approved. City Clerk Johnson shall transmit a copy of this Resolution to the Commission.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

- The next item on the agenda for Council was the third reading of Ordinance No. 2925 which will adopt the Classification and Compensation Plans being incorporated in our 2021-2022 Fiscal Year Budget. The following information was provided:

[The attached ordinance will adopt the Classification and Compensation Plans that will be incorporated as a part of the 2021-22 FY budget. The Compensation Plan includes three categories: Exempt, Non-Exempt and Fire Employees. (Police officer and dispatcher wages are contracted and previously approved and are not included in these documents).

The Classification Plan has the following changes from the most recent version approved by Council:

- COLA - Pay Grids reflect a 1.5% increase based on a cost of living adjustment.
- Administrative Secretary – Human Resources moves from 212 to 214 and will be provide full-time assistance the Human Resources Department. The job description now requires the employee to become a Certified Professional through the Society of Human Resource Management (SHRM-CP) before moving to this pay grade.]

A motion was made by Councilman Bentley, seconded by Councilman Mischnick to approve the third reading of Ordinance No. 2925. City Clerk Johnson read the ordinance by title which follows in its entirety:

ORDINANCE NO. 2925

AN ORDINANCE ADOPTING REVISED CLASSIFICATION AND COMPENSATION PLANS FOR THE CITY OF ALLIANCE, NEBRASKA.

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WHEREAS, Section 16-310 of R.R.S. 1943 authorizes the Mayor and Council to establish the compensation for employees and officers by stating that "The officers and employees in cities of the first class shall receive such compensation as the mayor and council shall fix by ordinance;" and,

WHEREAS, The Alliance City Council adopted the Fiscal Year 2021-2022 Budget which included funds for revised Classification/Compensation Plans.

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

SECTION 1. That the attached Classification Schedule for the City of Alliance dated to be effective October 2, 2021 and the attached Compensation Schedules for Exempt, Non-Exempt and Fire employees dated to be effective October 2, 2021 are hereby adopted by this reference.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

Mayor Dafney stated, "the passage and adoption of Ordinance No. 2925 has been concurred by a majority of all members elected to the Council, I declare it passed, adopted and order it published."

- Resolution No. 21-102 was next on the agenda for Council. This resolution will recommend approval of Jacob Eckles to serve as the liquor manager of the Class B Liquor License of Family Dollar Inc. to the Nebraska Liquor Control Commission. The following information was provided:

[The City of Alliance is in receipt of a Manager Application from Jacob Eckles for the liquor license of Family Dollar, Inc., 1325 West 3rd Street. The Police Department has completed a background check and has found no reason to deny the application.]

A motion was made by Councilman Bentley, seconded by Councilman Mischnick to approve Resolution No. 21-102 which follows in its entirety:

RESOLUTION NO. 21-102

WHEREAS, The City of Alliance has received a notice and copy of a Manager Application for Family Dollar Inc., 1325 West 3rd Street, Alliance, Nebraska submitted by Jacob Eckles; and

WHEREAS, City staff has reviewed the application and finds no reason why the proposed manager, Jacob Eckles, would be disqualified from serving as manager.

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NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the City of Alliance, Nebraska, that the Manager's Application of Jacob Eckles for Family Dollar Inc., 1325 West 3rd Street, Alliance, Nebraska is hereby recommended for approval to the Nebraska Liquor Control Commission.

BE IT FURTHER RESOLVED, that the City Clerk shall notify the Nebraska Liquor Control Commission of this Council decision.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

- Next on the agenda was Resolution No. 21-103 which approves the Consultant Agreement with M.C. Schaff for AOP Project No. 3-31-0003-025-2021 at the Alliance Municipal Airport. The following information was provided:

[The Alliance Municipal Airport has included on the Capital Improvement Plan through the Federal Aviation Administration (FAA) a project to rehabilitate Taxiways and Apron in Fiscal Year 2021-22.

The proposed project will consist of removing the existing asphalt, replacing any concrete sections that are heaving, and installing new surface and pavement markings. The estimate for this project is \$4,950,000 with the FAA participating at the current funding levels of 90% and the City of Alliance providing the 10% match.

This is the second step in proceeding with the project with application for grant and agency agreement to follow at a later date. City Council approved Airport Engineer Selection on December 15, 2020 and this is the consultant agreement for this specific project.]

A motion was made by Councilman Jones, seconded by Councilman Mischnick to approve Resolution No. 21-103 which follows in its entirety:

RESOLUTION NO. 21-103

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. 3-31-0003-025-2021; and

WHEREAS, The Nebraska Department of Transportation – Aeronautics Division requires a consultant for Airport Rehabilitation Project, identified as Project No. 3-31-0003-025-2021; and

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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. 3-31-0003-025-2021.

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 3-31-0003-025-2021 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 vote with the following results:

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

Voting Nay: None.

Motion carried.

There being no further business before Council, Mayor Dafney adjourned the meeting at 7:16 p.m.

(SEAL)


Mike Dafney, Mayor


Tarrah S. Johnson, City Clerk

