

April 5, 2022

ALLIANCE CITY COUNCIL

REGULAR MEETING, TUESDAY, APRIL 5, 2022

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

The Alliance City Council met in a Regular Meeting, April 5, 2022, 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 23, 2022. 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 5, 2022 regular meeting of the Alliance, Nebraska City Council at 7:02 p.m. Present were Mayor Dafney, Council Members Mischnick, Jones, Bentley and McGhehey. Also present were City Attorney Hoelsing, City Manager Sorensen, Finance Director Waggener and Administrative Secretary Keller.

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

CONSENT CALENDAR – April 5, 2022

1. Approval: Minutes of the Regular Meeting, March 15, 2022.
2. Approval: Payroll Costs for the period March, 25, 2022: \$234,558.23.
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; \$904,809.36.
4. Approval: Issuance of a Cemetery Certificate to Ralph B. Merwin for the W½ of Lot 18, Section 10, Block 20 Third Addition to the Alliance Cemetery and Larry G. and Barbara A. InterMill for the E½ of Lot 1, Section 5, Block 27 in the Alliance Cemetery Fourth Addition.

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5. Approval: Special Event Request for the Dave Kimmel Memorial Disc Golf Tournament to be held Saturday, July 16, 2022.
6. Approval: Resolution No. 22-17 approves the 2022 NDOT Maintenance Agreement.
7. Approval: Resolution No. 22-18 approves a Lease with the Aging Office of Western Nebraska.
8. Approval: Resolution No. 22-19 approves the Box Butte County 1 & 6 Year Overlay Contribution in the amount of \$34,381.80.

NOTE: City Manager Sorensen and Finance Director 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.

Motion carried.

- Councilman Mischnick next read the following proclamation which was accepted by City Manager Sorensen and Finance Director Waggener:

PROCLAMATION

WHEREAS, ACE, the Public Alliance for Community Energy is a community-owned and not-for-profit natural gas supplier made up of 76 Nebraska member communities including the City of Alliance; and

WHEREAS, ACE was formed in 1998 to provide competition in the Choice Gas program in helping natural gas customers get the lowest price possible and keeping money in Nebraska; and

WHEREAS, the mission of ACE is to offer competitive rates and work to keep the cost of natural gas as low as possible for all consumers; and

WHEREAS, the City of Alliance received \$12,260 in revenue return from ACE with total revenue returns to the City of \$250,455 since the inception of ACE.

NOW, THEREFORE, the City Council of Alliance, Nebraska, encourages the Citizens of Alliance to consider selecting ACE as their natural gas supplier during the Choice Gas selection period which begins April 1, 2022 and runs through April 21, 2022.

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IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the City of Alliance to be affixed on this 5th day of April in the year of the Lord Two Thousand Twenty-Two.

- Next on the agenda for Council was Resolution No. 22-20 which recommends the A-1 and A-2 Downtown Improvement Districts Boards be dissolved due to lack of interest.

Manager Sorensen shared details from the business meetings for those within the A-1 and A-2 Business Districts. Due to lack of quorum, reluctance to increase current Occupation Taxes, and the continued efforts attempting to recruit board members being unsuccessful, it was determined that dissolving the districts would be the appropriate decision.

Councilman Jones expressed concern over the fact that a lot of money was spent to upgrade the downtown and feels not having a plan in place in regards to snow removal, could be detrimental.

Councilman Mischnick stated the Boards are not currently functioning and have not been for quite some time. He shared he would like to see a snow removal plan developed and ensure Chief Lukens enforces the current Code in relation to snow removal.

With no further discussion, a motion was made by Councilman McGhehey, seconded by Councilman Mischnick to approve Resolution No. 22-20 which follows in its entirety:

RESOLUTION NO. 22-20

WHEREAS, the City Council of the City of Alliance, Nebraska has established two business improvement districts known as the “A-1 Business Improvement District” and the “A-2 Business Improvement District,” as set forth in §§ 18-31 through 18-42 of the City of Alliance Municipal Code; and

WHEREAS, the City Council has received a request from members of the A-2 Business Improvement District board to dissolve the A-1 Business Improvement District and the A-2 Business Improvement District, and

WHEREAS, the City Council has reviewed the request, and is in agreement that dissolution of the A-1 Business Improvement District and the A-2 Business Improvement District desired by the businesses and individuals affected and is in the best interests of the City of Alliance, Nebraska at this time; and

WHEREAS, the City Council may dissolve a business improvement district pursuant to Neb. Rev. Stat. § 19-4035 by ordinance after hearing, following a resolution of the City Council’s intent to dissolve a business improvement district at least 15 days before such hearing;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and the City Council of the City of Alliance, Nebraska, that the City Council intends by resolution to dissolve the A-1 Business Improvement District and the A-2 Business Improvement District by ordinance, and a public

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hearing on such dissolution and ordinance shall be set for May 3, 2022 at the Alliance Learning Center, 1750 Sweetwater Avenue, Alliance, NE 69301, at 7:00 P.M.

BE IT FURTHER RESOLVED that should the A-1 Business Improvement District and the A-2 Business Improvement District, or either, be dissolved, all assets of the A-1 Business Improvement District and the A-2 Business Improvement District shall revert to the City of Alliance, Nebraska, for use by the City as the City Council determines appropriate, pursuant to Neb. Rev. Stat. § 19-4036.

Roll call vote with the following results:

Voting Aye: Dafney, Mischnick, Bentley, McGhehey.

Voting Nay: Jones.

Motion carried.

- Resolution No. 22-21 which authorizes the City to apply for financing with Platte Valley Bank in order to finance the new Freightliner Refuse Truck was next on the agenda. The following information was provided:

[The City of Alliance accepted delivery of a new refuse truck with a total invoice in the amount of \$216,470. (The purchase was authorized by Resolution 21-122 dated November 16, 2021 up to the amount of \$241,012). The most recent refuse rate study recommends financing of equipment purchases in order to alleviate strained cash flow and limit upward rate movement for the refuse enterprise fund.

The Finance Director contacted all of the local insured banks along with a brokerage house to determine options for funding of the refuse truck. Four banks and a brokerage house initially responded and three banks submitted formal offers with estimated terms for three, four and five-year financing. Loan rates ranged from 2.25% to 3.00% for three-year loans and 2.45% to 3.10% for five-year loans. The brokerage house all-inclusive costs were not competitive because of the small size of the request and the fees involved in the issue.

Staff is recommending that an application be made with Platte Valley Bank for a five-year commercial loan at an interest rate of 2.45% and in the initial amount of \$215,000 requiring annual payments around \$46,000.]

A motion was made by Councilman Bentley, seconded by Councilman Mischnick to approve Resolution No. 22-12 which follows in its entirety:

RESOLUTION NO. 22-21

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WHEREAS, The City of Alliance owns and operates the Alliance Landfill and holds responsibility for residential refuse collection; and

WHEREAS, The Alliance City Council approved the purchase of a new Freightliner Refuse Truck; and

WHEREAS, The most recent refuse rate study recommends financing of equipment purchases in order to alleviate strained cash flow and limit upward rate movement for the refuse enterprise fund; and

WHEREAS, Nebraska Revised State Statute 18-201 authorizes cities of the First Class to borrow money from insured banks up to 10% of their annual budget when borrowing through traditional bonds is not practical or cost-effective; and

WHEREAS, The Finance Director contacted all of the local insured banks along with a brokerage house to determine options for funding and three banks submitted formal offers; and

WHEREAS, Staff is recommending that an application be made with Platte Valley Bank for a five-year commercial loan at an interest rate of 2.45% and in the initial amount of \$215,000 requiring annual payments around \$46,000; and

WHEREAS, The Alliance City Council finds financing through Platte Valley Bank for the Freightliner Refuse Truck is in the best interest of the City.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Alliance, Nebraska, that the City of Alliance is authorized to submit an application and enter into an Agreement in the amount of Two Hundred Fifteen Thousand and No/100ths Dollars (\$215,000) to finance the Freightliner Refuse Truck at a projected interest rate of 2.45% with Platte Valley Bank.

BE IT FURTHER RESOLVED, that the Mayor of the City of Alliance is authorized to sign, on behalf of the City, promissory notes, pledge agreements, and other necessary documents, and renewals or extensions thereof, for the purpose of evidencing a debt to Platte Valley Bank in the amount of Two Hundred Fifteen Thousand and No/100ths Dollars (\$215,000).

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

• Council next considered Resolution No.22-22 which authorizes the purchase of a 2017 Ford Explorer to replace the animal control vehicle that was totaled in an accident last fall. The following information was provided:

[The Police Department is requesting to purchase one used vehicle from Transwest Auto for the amount of \$26,495. Funds for this purchase were

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reallocated due to the unexpected expense. This vehicle is not fully equipped, but was strategically sought for the following reasons:

- Fuel economy vs pickup
- Smaller for maneuverability vs pickup
- Overall cost including maintenance cost
- Animal Cage

The animal cage is a key component with an animal control/code enforcement vehicle. The animal box on the pickup cost around \$15,000 and took several months to get ordered. Given current vehicle shortages and an immediate need before summer for a vehicle delays an important service to the community. Action Communications has a new leftover animal cage which fits a 2017 model, this model. It was ordered for a newer model and didn't fit. We are able to purchase this cage significantly cheaper than a regular new purchase.

The former code enforcement/animal control vehicle was damaged in an accident in November of 2021. This vehicle will replace that vehicle for significantly less cost and overall impact to the city without compromising service. This vehicle was picked out by the animal control officer after looking at multiple different options. The proposed resolution would authorize the purchase of one (1) 2017 Ford Explorer, from Transwest Auto for a total of \$26,495. Radio equipment will be transferred from the former vehicle. New decals and the cage will be purchased. The approved authority in the police operations budget (Capital Outlay-Vehicles G/L 01-31-32-59-960) was \$123,500. Some of these funds are reserved for vehicles when the University of Nebraska Vehicles become available, however, a request to reallocate funds from other line items will cover the unexpected expense of this purchase.

2017 Ford Explorer VIN#: 1FM5K7D81HGC56431 with approximately 71,917 miles.]

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

RESOLUTION NO. 22-22

WHEREAS, The City of Alliance Animal Control/Community Service Department has a need to purchase an animal control vehicle; and

WHEREAS, Police Chief Lukens is recommending the purchase of a 2017 Ford Explorer in the amount of \$26,495 from Transwest Auto in Torrington, Wyoming.

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 contract with Transwest Auto of Torrington, Wyoming for the purchase of one 2017 Ford Explorer in the amount of Twenty-six Thousand Four Hundred Ninety-five Dollars and no/100ths (\$26,495).

BE IT FURTHER RESOLVED, that the City Council is authorizing the purchase from the Police Department's Animal Control Capital Outlay – Vehicle Account No. 01-31-34-59-960 to allow for the purchase.

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. 22-23 authorizing the purchase of a 2018 Jeep Renegade Latitude using ARPA funds and accepting a donation from the Alliance Library Foundation for the remaining balance. The following information was provided:

[In response to interruptions in service due to COVID restrictions, the Library staff developed new processes to provides services to the community. One of those services was delivering items to individuals who did not feel save coming to the Library. These services were provided with a borrowed vehicle already in the City's fleet. It quickly became obvious that traditional library services could be significantly enhanced through outreach to individuals and groups who are unable to come to the Library.

As a response to identifying that need, the library staff requested permission from the Alliance City Council to apply for grant funding to assist with purchasing a vehicle to be utilized for Library outreach. The Alliance City Council approved Resolution 21-85 approving the grant application on August 17, 2021.

On January 3, 2022 the Alliance Public Library was granted \$5,975 from the American Rescue Plan Act (ARPA) Formula Grant Funds to be used for the purchase of a Library outreach vehicle. The Alliance Library Foundation agreed to match that donation for the purchase of a new bookmobile vehicle.

I have been searching for several months for a vehicle that is both reliable and in that price range. Many of the vehicles I identified were in very poor shape, had a history of accidents, or had significant maintenance issues. I recently found the vehicle proposed for purchase, a Jeep Renegade, at Fremont Motors in Scottsbluff. The vehicle had one owner, is four years old, had a clear accident report, and was one that would function well during winter. Staff is recommending the purchase of this vehicle in the amount of \$17,349.00.

The Library Foundation has agreed to increase their contribution to \$11,374.00 to make the purchase of this vehicle possible. No City funds will be utilized for the purchase of the vehicle, but the vehicle will be donated to the City after its

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purchase. To that end, The City of Alliance will be responsible for future costs including licensing, insurance and maintenance.

Fremont Motors has agreed to hold the vehicle pending the approval of this donation to the City of Alliance from the Foundation.]

A motion was made by Councilman Bentley, seconded by Councilman Jones to approve Resolution No. 22-23 which follows in its entirety:

RESOLUTION NO. 22-23

WHEREAS, The City of Alliance owns and operates the Alliance Public Library; and

WHEREAS, The Alliance Public Library has a need to purchase a vehicle for delivery services; and

WHEREAS, Staff is recommending the purchase of one 2018 Jeep Renegade Latitude in the amount of \$17,349 from Fremont Motors of Scottsbluff, NE; and

WHEREAS, The Library received \$5,975 of American Rescue Plan Act Funds (ARPA) to be utilized towards this purchase; and

WHEREAS, The Alliance Public Library Foundation would like to donate \$11,374 for the purchase of the 2018 Jeep Renegade Latitude to be utilized at the Alliance Public Library; and

WHEREAS, The City Council believes it is in the best interest of the City of Alliance to approve the purchase, accept the ARPA funds, and the donation from the Alliance Public Library Foundation.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Alliance, Nebraska, that the \$5,975 of American Rescue Plan Act Funds (ARPA) be accepted and put towards the purchase of a 2018 Jeep Renegade Latitude for purpose of expanding library services.

BE IT FURTHER RESOLVED by the Mayor and Council of the City of Alliance, Nebraska, that the donation of \$11,374 for the purchase of a 2018 Jeep Renegade Latitude for the Alliance Public Library be accepted.

BE IT FURTHER RESOLVED by the Mayor and Council of the City of Alliance, Nebraska, that Mayor Dafney be and hereby is authorized to enter into a contract with Fremont Motors of Scottsbluff, NE for the purchase of a 2018 Jeep Renegade Latitude in the amount of Seventeen Thousand Three Hundred Forty-nine Dollars and no/100ths (\$17,349).

Roll call vote with the following results:

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

Voting Nay: None.

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Motion carried.

The last item on the agenda for Council was to establish a date and time to conduct a Capital Improvement Planning Session.

Councilman McGhehey motioned to propose April 26, 2022 at 9:30 a.m. to conduct the session. Councilman Mischnick seconded the motion.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

There being no further business before Council, Mayor Dafney adjourned the meeting at 7:21 p.m.


Mike Dafney, Mayor

(SEAL)


Kelly V. Keller, Administrative Secretary

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.

