

February 21, 2023

ALLIANCE CITY COUNCIL

REGULAR MEETING, TUESDAY, FEBRUARY 21, 2023

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

The Alliance City Council met in a Regular Meeting, February 21, 2023 at 7:00 p.m. in the Alliance Learning Center Community Meeting Room, 1750 Sweetwater Avenue. A notice of meeting was published in the Alliance Times Herald on February 15, 2023. 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 provided to each of the City Council Members. An agenda, kept continuously current, was available for public inspection at the office of the City Clerk during regular business hours from the publication of the notice to the time of the meeting.

Mayor Dafney opened the February 21, 2023 regular meeting of the Alliance, Nebraska City Council at 7:00 p.m. Present were Mayor Dafney and Council members Mischnick, McGhehey, Andersen, and Mashburn. Also present were City Manager Sorensen, City Attorney Hoelsing, City Treasurer Baker and Recording 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 McGhehey to approve the Consent Calendar as follows:

CONSENT CALENDAR – February 21, 2023

1. Approval: Minutes of the Regular Meeting, February 7, 2023.
2. Approval: Payroll from February 10, 2023 in the amount of \$380,188.78.
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; \$1,834,605.44.
4. Approval: Issuance of Cemetery Certificates for Angela Flood and Melodee Kittelmann.

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5. For Your Information: The police department has opportunities to apply for several grants to aid with operations. Chief Lukens has provided a narrative outlining grants available. If approved, all grants will have to be accepted by Council at a later date.

NOTE: City Manager Sorensen and City Treasurer Baker 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, McGhehey, Andersen and Mashburn.

Voting Nay: None.

Motion carried.

- The first item on the agenda for Council was the first reading of Ordinance No. 2951 and will amend the Alliance Municipal Code within Chapter 28. The following information was provided:

[Pursuant to the Nebraska State Electrical Act, all new electrical installations or upgrades must be inspected by a certified inspector. The current Municipal Code language has numerous referrals to City personnel performing inspections and work meeting City requirements. The new language will specify inspections are performed by the State electrical inspector and all work meeting 2017 NESC requirements.]

Electric Superintendent Kirby Bridge was in attendance at the meeting to answer questions from Council.

A motion was made by Councilman Andersen, seconded by Councilman Mischnick to approve the first reading of Ordinance No. 2951. Recording Secretary Keller read the ordinance by title which follows in its entirety:

Ordinance No. 2951

AN ORDINANCE AMENDING PORTIONS OF CHAPTER 28, ARTICLE III OF THE ALLIANCE MUNICIPAL CODE; REPEALING EXISTING ORDINANCES, RESOLUTIONS, POLICIES, OR PORTIONS THEREOF NOT CONSISTENT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE.

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

SECTION 1: The City Code, at Section 28-65. Definitions is hereby amended as follows:

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“Sec. 28-65. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Alliance Municipal Electric System (AMES) means the city manager, electric superintendent, employees or representatives or any combination of the persons mentioned within this definition.

Code means the National Electrical Code as adopted by the city and the 2017 edition of the National Electrical Safety Code.

Customer, subscriber, user, or consumer includes and refers to any individuals, developers, firms, agencies or corporations who may be a consumer of or an applicant for electric service.

Line extension means a continuation of AMES existing electric distribution system as required to serve a proposed customer load.

New service means a new run of conductors and associated hardware from the AMES' power distribution system to the point of connection at customer's premises.

Notice to AMES means the written or verbal notice or application addressed to: electric superintendent, the Utility Customer Service Office or AMES, P.O. Box D, Alliance, Nebraska 69301.

- (1) Nothing written in this article shall be interpreted to or place upon AMES any duty, obligation, or responsibility to install, maintain, or make repair (other than metering devices such as meters, current transformers, potential transformers or any AMES installed electrical equipment on the customer's premises or private property) on the customer's side of the point of delivery of electrical energy. This shall be the point the wires of AMES first attach to any building, structure, device or URD termination on the customer's premises or property.
- (2) No representative or employee of AMES shall have any right to promise, commit, or agree to anything not authorized by these rules and regulations. Written notice must be presented to the city manager for consideration of authorization to delete or deviate from these rules and regulations.

Rural service means outside of the city's corporate limits.

Service upgrade means a change to the existing conductors and/or equipment for delivering energy from electric utility to customer premises being served.

Urban service means inside the city's corporate limits.

SECTION 2: The City Code, at Section 28-68. Right to inspect. is hereby amended as follows:

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“Sec. 28-68. Right to inspect.

It shall be the duty of the State of Nebraska to inspect carefully any electrical installation previous to and after its completion. If such installation shall prove to have been constructed in accordance with the statutes, regulations, and rules of the State of Nebraska and the requirements of AMES controlling the use of electric current, the State of Nebraska may issue a certificate to such effect. The use of electric current is hereby declared to be unlawful, previous to the issuance of that certificate, or if that certificate is revoked. A”

SECTION 3: The City Code, at Section 28-69. Certificate of Inspection is hereby repealed.

SECTION 4: The City Code, at Section 28-71. Right to read meters and access to premises is hereby amended as follows:

“Sec. 28-71. Right to read meters and access to premises.

- (a) Every user of electricity supplied by AMES, shall permit AMES or its duly authorized agent, at hours of the day between 8:00 a.m. and 5:00 p.m., to enter their premises or buildings to:
 - (1) Maintain its ability to read meters, either manually or electronically;
 - (2) Disconnect for nonpayment;
 - (3) Remove meters for repairs or inspection;
 - (4) Change or move any electrical equipment, meters, apparatus or wiring;
 - (5) Make a connected load count;
 - (6) Measure the customer's maximum electric demand;
 - (7) Examine the wiring and fixtures and the manner in which the electricity is used; and
 - (8) Shall at all times, frankly and without concealment, answer all questions, relative to the consumption of electricity.

It is the responsibility of the customer to maintain a safe environment for AMES personnel.

- (b) At the discretion of AMES self-read rural meter cards will be produced and mailed on a monthly basis. It shall be the responsibility of customers outside the corporate limits, to record reading on the card provided and return them by the date specified. All rural meters shall be read by AMES annually.
- (c) When a meter is not accessible as determined by AMES, or accessing the meter would endanger AMES personnel, a self-read card will be provided. It shall be the responsibility of the customer to record the reading on the card provided and return them by the specified date. Customers shall provide access to AMES at least annually to read inaccessible meters.
- (d) When a rural or urban self-read card is not returned by the date specified, a billing may be produced based on estimated use. Such estimate may be based on appropriate historic use and current conditions as determined by AMES personnel.

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- (e) When a rural or urban self-read card is not returned by the date noted on the card for two consecutive months, AMES may send personnel to read the meter. A per meter service fee, as set by the city council, will be added to the next billing. In the event that the meter is not accessible the service may be disconnected until such time as the meter is accessible or the self-read card is returned.”

SECTION 5: The City Code, at Section 28-73. Customer’s responsibility including easements is hereby amended as follows:

“Sec. 28-73. Customer responsibility including easements.

- (a) Each customer shall pay AMES for all damage to, or destruction of, property of AMES located on or off the customer's premises where such is caused directly or indirectly by the customer, officers, agents or employees, excepting only that resulting from ordinary wear and tear, acts of God, and acts of employees of AMES. It is the customer's obligation to provide adequate easements or right-of-way, for AMES to supply, construct, and maintain electrical distribution systems and customer services. Without such easements, AMES will not be obligated to supply such services.
- (b) Each customer shall notify AMES promptly of any damage to or defect in electric wiring, equipment or apparatus of AMES or of any existing condition which might affect electric service to the customer or might be dangerous to person or property. All such notices and all complaints concerning electric service by AMES shall be made to AMES at the utility customer service office.
- (c) AMES may, at its option, refuse to render electric service to any customer whose service has been discontinued. In the event of such discontinuance of service, service will not be restored until:
 - (1) The customer shall have paid in full for all electric energy furnished by AMES to the customer's premises (including all energy which has not been registered or recorded properly on AMES metering equipment) and has paid for all damage to electric meters or other equipment, facilities or property of AMES;
 - (2) The customer's wiring and service installation shall, at the customer's sole risk, cost and expense, have been placed in such condition as shall be acceptable by the State of Nebraska and AMES;
 - (3) The customer shall have paid the appropriate reconnect charge as well as all the costs to AMES for discovering, investigating, and disconnecting service when unauthorized service is involved; and
 - (4) If the discontinuance has resulted in de-energization for a period of at least six (6) months, the premises received a new certificate of energization from the State of Nebraska.”

SECTION 6: The City Code, at Section 28-74. Applicants and contracts is hereby amended as follows:

“Sec. 28-74. Applicants and contracts.

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- (a) All applicants for electric service shall be subject to all rules and regulations herein or hereafter adopted by the city council and the State of Nebraska, and to all applicable ordinances (or provisions thereof) of the city which may now or hereafter be in force and all statutes, regulations, and rules of the State of Nebraska now which may now or hereafter be in force.
- (b) All applicants for a new electric service shall sign prior to the start of construction, such form of service contract as may be required by AMES.
- (c) AMES will not supply permanent electric service until:
 - (1) The customer's application for service shall have been approved by AMES;
 - (2) All necessary permits shall have been obtained from the City and the State of Nebraska;
 - (3) Inspection has been approved and a certificate for energization provided by the State of Nebraska; and
 - (4) AMES shall find it practicable to render such service.

If AMES becomes aware that the premises are occupied without a certificate of occupancy, the service to the premise may be disconnected, after notification by AMES or the city manager or designee.

- (d) All customers desiring metered electric service shall make application for service and enter into such contracts for service as may from time to time be required by AMES. All applications for metered electric service shall be made in the true name of the customer actually to receive and use such service, unless otherwise permitted by AMES. The use of a fictitious name by the prospective customer shall be sufficient reason for refusal or termination of service.
- (e) Any change in the identity of the customer of record at the premises shall require a new application and AMES may discontinue the electric supply until such new application has been made and accepted by AMES.
- (f) When it may appear to AMES, in the opinion of the electric superintendent, that the requested electric service will be temporary, AMES may, at its option, either furnish or decline to furnish such service in accordance with the statutes, regulations, and rules of the State of Nebraska. If AMES elects to furnish such service upon any temporary certificate from the State of Nebraska, the applicant for service may be required to pay AMES, in advance, the estimated cost of furnishing such service, including the cost of all labor to install and remove materials, equipment and supervision required, less the value determined by AMES for such materials and equipment, if any, as may be removed.
- (g) All electric wiring and equipment on the customer's premises must be acceptable to AMES and the State of Nebraska and no electrical service, either within or without the city limits shall be furnished unless and until the wiring and equipment are inspected by the State of Nebraska and a certificate of energization has been issued. When i AMES receives approval that all electrical wiring and equipment that all electrical wiring and equipment meet the standards of electrical wiring and equipment as set forth by the State of Nebraska, service may be

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provided. AMES shall not be deemed to have assumed any duty or responsibility to install, repair or maintain any wiring or equipment on the customer's side of the point of delivery as defined in these rules and regulations.

- (h) Permanently assigned street addresses and/or apartment numbers shall be obtained before application for service is accepted and shall be suitably displayed on the property or meter installation in a visible location before the electric service is installed. These street addresses and/or apartment numbers may be secured from city manager or designee and shall conform with the city numbering system. If located outside the city limits, each service shall be properly addressed as requested by the county E911 numbering system. No meter is to be set without proper and correct identification. If an address, apartment number, or identification is changed for any reason, AMES shall be notified of such change.
- (i) Special considerations for economic development and public purposes may be negotiated with AMES, as approved by city council.”

SECTION 7. The City Code, at Section 28-79. Change in customer’s load, is hereby amended as follows:

No electrical customer shall increase their connected electric load more than 20 percent without prior notice to and consent by AMES. AMES will upgrade its system to accommodate load growth consistent with its extension policy; however, a customer cost-sharing charge may be required.

SECTION 8: The City Code, at Section 28-86. Point of service entrance is hereby amended as follows:

“Sec. 28-86. Point of service.

- (a) The point of service entrance for low voltage service shall be the point at which service wires enter the customer's conduit. Where mast-type services are installed which require service wires to be attached below the customer's weatherhead, such service mast shall be of rigid metallic conduit. The point of service entrance for higher voltage services, i.e., service at 600 volts or higher, shall not be less than 20 feet above the ground unless a lower point of service entrance is isolated and barricaded to the satisfaction of AMES, to prevent access thereto at all times. All services will comply with the code and the inspection requirements of the State of Nebraska.
- (b) Only one service entrance connection for lighting and for each class of power shall be installed in any building. Where a customer may desire separate metering facilities for different portions of any building or premises, the customer shall provide a place, suitable and acceptable to AMES, for the service switches and all metering equipment for the entire buildings or premises. All meters for the same building or premises must be located in the same area, grouped as close as practical. This meter location area must be accessible to all tenants or occupants of the building, and to AMES. Multifamily residences and establishments consisting of a group of buildings including, but not limited to, motels, shopping

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centers, apartment houses and institutions, will be served by a single service for each class of service provided. This rule may be waived for the convenience of AMES.”

SECTION 9: The City Code, at Section 28-87. Service switch and protective devices is hereby amended as follows:

“Sec. 28-87. Service switch and protective devices.

Each service switch and protective device shall be installed as near to the point of delivery as shall be practicable, on the load side of the meters and comply with all the provisions of the code. The State of Nebraska will inspect all installations before electric service will be connected.”

SECTION 10: The City Code, at Section 28-89. Service connection is hereby amended as follows:

“Sec. 28-89. Service connection.

- (a) The term *Service connection* means that portion of the distribution system installed for the particular use of any given customer, to-wit, that portion of the distribution system extending from the nearest pole or underground facility to the point of delivery, (i.e., to the first point of attachment to a building, device, wiring or other structure on the customer's premises). The term “service connection” does not include any lines, poles or facilities located on streets, alleys, public places or rights-of-way of AMES.
- (b) The customer shall own all service connections.
- (c) All underground services shall be code-approved insulated and/or shielded cable properly protected by metal conduit, schedule 40 or schedule 80 PVC, and shall terminate in an approved conduit, cable pothead, or other means as approved by AMES. The cable shall be protected with metallic conduit for a ten-foot length on any pole, an approved attachment bracket shall be installed by the customer for mounting of the conduits or adequately protected by schedule 80 PVC and a ten-foot length of PVC guard from ground level.
- (d) Inspections by the State of Nebraska of these services must be completed before services will be energized.”

SECTION 11: The City Code, at Section 28-103. Qualifying facilities—Interconnections. is hereby amended as follows:

“Sec. 28-103. Qualifying facilities—Interconnections.

- (a) Qualifying facilities desiring to interconnect with the electric system of AMES shall make application to the electric superintendent for such interconnection and if necessary, shall obtain all energization permits required from the State of Nebraska. Applicants shall use such forms as are prescribed by AMES or

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- interconnection and shall furnish all information requested, including all energization permits required.
- (b) AMES shall establish reasonable standards to be met by qualifying facilities to ensure system safety and reliability of interconnected operations. Such standards may include but shall not be limited to the following areas: power factor; voltage regulation; fault, over current, and over-under voltage protection; harmonics, synchronization; and isolation.
 - (c) Interconnection costs associated with the interconnection with a qualifying facility shall be paid for by such qualifying facility. Qualifying facilities shall be required to execute contractual agreements with AMES before any interconnection is established.”

SECTION 12: The City Code, at Section 28-125. Installation is hereby amended as follows:

“Sec. 28-125. Installation.

- (a) Meters for overhead services installed for new single-family residences shall be located on the exterior of an outside wall where meter reading and repair can be accomplished without entering the residence. When remodeling, which results in enclosing the existing meter location, the customer shall rewire the meter location to an outside wall. The meter location on underground services shall be determined by the electric superintendent.
- (b) Multiple-meter installations for multifamily residences and apartments shall be located on the exterior of outside walls, except that an inside location may be permitted, subject to the approval of the city manager or designee, provided that access to the meters is available at all times.
- (c) Meter installations for industrial and commercial buildings shall be located on the exterior of outside walls except where traffic, adjacent structures, etc., make an outside location unavailable or hazardous, as determined by AMES.
- (d) No meters shall be removed or relocated and no meter seal shall be broken other than by an authorized employee of AMES.
- (e) A meter will not be installed on or in an unfinished portion of any building except under special arrangement with the State of Nebraska for the purpose of furnishing temporary service.
- (f) Any meter installation on the exterior of a building or other structure shall be at a point not more than seven feet nor less than five feet above the ground where the meter is on customer's premises.
- (g) When there are two or more meter installations in the same building, all such meters shall, whenever possible, be grouped at the same point which shall be accessible to all tenants, occupants and AMES personnel.
- (h) All wires on the load side of a meter shall run directly to a point of distribution and shall not run back through the main line switch cabinet.
- (i) For low-voltage installations where current requirements necessitate the use of a current transformer cabinet, AMES will furnish the current transformer cabinet which shall be located within ten feet of the meter and shall be mounted by the

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customer in such manner as is acceptable to AMES. All high-voltage metering installations (i.e., for 600 volts or more), will be provided by AMES.”

SECTION 13: The City Code, at Section 28-168. Security light (class 7). is hereby amended as follows:

“Sec. 28-168. Security light (class 7).

Security light (class 7) rates are as follows:

- (1) *Security lighting; urban and rural.* Available to all customers served by the city, when the city manager, or designed representative determines the current infrastructure can accommodate the service. Rates include fixture, energy and maintenance of an existing AMES pole.
- (2) *Security light rates.* Security light rates shall be as established by the city.”

SECTION 14. All other Ordinances or parts of Ordinances in conflict with this Ordinance are repealed as of the effective date of this Ordinance.

SECTION 15. This ordinance shall be in full force and effect from and after its approval, passage, and publication according to law.

A motion was made by Councilman Mischnick, seconded by Councilman Andersen to suspend the statutory rule requiring three separate reading of Ordinance No.2951.

Roll call vote with the following results:

Voting Aye: Dafney, Mischnick, McGhehey, Andersen and Mashburn.

Voting Nay: None.

Motion carried.

Roll call vote to approve Ordinance No. 2951 on final reading with the following results:

Voting Aye: Dafney, Mischnick, McGhehey, Andersen and Mashburn.

Voting Nay: None.

Motion carried.

Mayor Dafney stated, “the passage and adoption of Ordinance No. 2951 has been concurred by a majority of all members elected to the Council, I declare it passed, adopted, and order it published.”

- Council next held a Public Hearing on the Class C Liquor License Application of The Dead Unicorn Society. Following the public hearing, Council considered Resolution No. 23-12

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which has been prepared to recommend approval of the license. Council was provided with the following background information:

[The City is in receipt of a Class C Liquor License application from The Dead Unicorn Society, 716 Flack Avenue. The license application is included in the packet. No disqualifiers came from a background check conducted by the Alliance Police Department.]

HEARING PROCESS -

1. Mayor or council member announces agenda item.
2. Mayor opens public hearing and asks clerk what exhibits she has.
3. Clerk identifies application, checklist for 53-132, Chief's report, and other documents she may have received.
4. Mayor asks for a motion that the exhibits be received into the record, second and vote.
5. Mayor asks for those who are going to give testimony to stand and be sworn.
6. Mayor says "do you swear or affirm to tell the truth so help you God".
7. Individuals respond.
8. Those individuals should include the applicant who must prove to the council's satisfaction the elements on the top part of the checklist. They will also include individuals who may speak either in favor or against the application and police chief who will hit the high points of his report.
9. Mayor calls on applicant to make a presentation.
10. While applicant is still at the podium, the Mayor will call on the City Attorney for any questions and to council and himself for questions.
11. Mayor asks for others who wish to speak in favor of the application and follows the same process for questions.
12. Mayor then calls upon those who wish to speak against and follows the same process for questions.
13. Mayor then calls on the police chief for his comments.
14. Mayor asks if there is any other testimony.
15. Mayor closes the public hearing and asks for comment from the City Attorney.
16. Mayor asks for comment from Council and himself.
17. Mayor asks for a motion.
18. The motion is either to make a positive or negative recommendation on the application to the Liquor Control and to reference the elements on the top of the checklist and ask staff to prepare Resolution for the Mayor's signature.
19. After a second, Mayor calls for a vote.]

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 Class C Liquor License Application of The Dead Unicorn Society and opened the public hearing at 7:07 p.m.

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Recording Secretary Keller identified the following exhibits for the hearing:

Exhibit 1 – Application of The Dead Unicorn Society, 716 Flack Ave, Alliance, NE.

Exhibit 2 – City Council checklist for Section 53-132 R.R.S. (1984)

Exhibit 3 – Written statement of Police Department dated February 15, 2023.

Councilman Mashburn made a motion to accept Exhibits 1-3 into the record.
Councilman Mischnick seconded the motion.

Roll call with the following results:

Voting Aye: Dafney, Mischnick, McGhehey, Andersen and Mashburn.

Voting Nay: None.

Motion carried.

Next, Mayor Dafney swore in Megan Johnson and Darren Jelenik, representatives of The Dead Unicorn Society and co-applicants of the Class C License, to give testimony regarding the liquor application.

Council asked what kind of business The Dead Unicorn Society was. Ms. Johnson stated that the business was a social venue and that they would have live music and mainly focus on the arts. They will hold art classes and have a small boutique. A limited food menu will also be offered. Hours of operation, right now, would be 3:00 p.m. to 11:00 p.m.

Council also shared concerns about parking which both applicants believe there would not be a problem because they do own the empty lot next to the establishment and could receive overflow parking there.

The applicants had a positive background check and were eligible to hold a liquor license.

No additional testimony was offered and Public Hearing closed at 7:12 p.m.

A motion was made by Councilman Mischnick, seconded by Councilman McGhehey to approve Resolution No. 23-12 which follows in its entirety:

RESOLUTION NO. 23-12

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

On February 21, 2023 the matter of the Class C Liquor License Application of The Dead Unicorn Society, 716 Flack Avenue, Alliance, NE, came on for consideration by the Council.

The following exhibits were offered and received:

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- Exhibit 1 - Application of The Dead Unicorn Society, 716 Flack Avenue
- Exhibit 2 - City Council checklist for Section 53-132 R.R.S. (1984)
- Exhibit 3 - Written statement from the Alliance Police Department

Witnesses were sworn and testimony was received in support of the Class C Liquor License at the public hearing on this date from The Dead Unicorn Society.

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).

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 The Dead Unicorn Society 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 C Liquor License Application of The Dead Unicorn Society at the premise described in the application be approved. The City of Alliance shall transmit a copy of this Resolution to the Commission.

Roll call vote with the following results:

Voting Aye: Dafney, Mischnick, McGhehey, Andersen and Mashburn.

Voting Nay: None.

Motion carried.

- Resolution No. 23-13 which will recommend approval of the Manager Application of Megan Johnson for The Dead Unicorn Society, was the next item on the agenda. Council was provided with the following information:

[The City of Alliance is in receipt of a Manager Application from Megan Johnson for the liquor license of The Dead Unicorn Society located at 716 Flack Avenue. The Police Department has completed a background check and has found no reason to deny the application.]

Ms. Johnson was in attendance at the meeting and appeared before Council to answer questions.

A motion was made by Councilman Dafney, seconded by Councilman Mischnick to approve Resolution No. 23-13 which follows in its entirety:

RESOLUTION NO. 23-13

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WHEREAS, The City of Alliance has received a notice and copy of a Manager Application for The Dead Unicorn Society, 716 Flack Avenue, Alliance, Nebraska submitted by Megan Johnson; and

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

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the City of Alliance, Nebraska, that the Manager's Application of Megan Johnson for The Dead Unicorn Society, 716 Flack Avenue, Alliance, Nebraska is hereby recommended for approval to the Nebraska Liquor Control Commission.

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

Roll call vote with the following results:

Voting Aye: Dafney, Mischnick, McGhehey, Andersen and Mashburn.

Voting Nay: None.

Motion carried.

- The last item on the agenda for Council was Resolution No. 23-14 which will approve the purchase of a new ambulance from Rocky Mountain Emergency Vehicles out of Denver, Colorado as well as accepting grant funding. The following information was provided:

[The Alliance Fire Department, in 2008, developed an ambulance replacement program that considered national standards and fiscal restraint. The fire department's ambulance replacement plan was five years of front-line service and five years of reserve/backup service, starting with the new ambulance purchase in 2010. In the Ambulance 2022-2023 capital budget, we have requested \$300,000 for the ambulance replacement under G.L 01-37-38-59-960, Capital Outlay-Vehicles. This purchase will allow the fire department to put the apparatus replacement program into motion. We have shown due diligence in the budgeting process and pushed the program's start two years after the original plan. Fire Chief Shoemaker has taken advantage of submitting an EMS Ambulance and Equipment Grant Application with the Nebraska DHHS EMS Program after permission was granted by City Manager Sorensen. Fire Chief Shoemaker submitted the grant application for funding assistance for Nebraska Licensed Emergency Medical Service (EMS) agencies using American Rescue Plan Act (ARPA) funds to purchase an ambulance and equipment.

The grant application required an estimate of the cost of the ambulance replacement. Fire Chief Shoemaker reached out to the dealer of the two currently City owned ambulances to obtain that quotation so that it could be uploaded as part of the grant application process. The Alliance Fire Dept. – City of Alliance

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received an email confirmation from Nebraska DHHS EMS Trauma Program on February 6, 2023, that we have been awarded \$75,000 to go towards the purchase of an ambulance following the grant guidelines. The email also stated we must send an email by February 28, 2023, saying we would like to move forward with the agreement.

Fire Chief Shoemaker is requesting permission from Council to move forward with the purchase of a 2024 Ford F450 4x4 Diesel Chassis Life Line Ambulance from Rocky Mountain Emergency Vehicles of Denver, CO. The initial amount quoted was \$281,827, however, final pricing won't be quoted until the time of order due to manufacturers not

releasing their new prices. By ordering now, it will allow us to get into the ambulance production schedule, knowing the supply chain issues and the potential lengthy delivery period. The City would follow suit with the Alliance Rural Fire District, which has already started the ordering process for its ambulance replacement.]

Fire Chief Shoemaker was in attendance at the meeting and appeared before Council to answer questions.

A motion was made by Councilman Mashburn, seconded by Councilman Andersen to approve Resolution No. 23-14 which follows in its entirety:

RESOLUTION NO. 23-14

WHEREAS, The City of Alliance provides ambulance services to the citizens and visitors of our community; and

WHEREAS, Funding has been budgeted this fiscal year for the replacement of our 2010 Ford E450 Life Line Ambulance; and

WHEREAS, There is a desire to maintain the same ambulance standard specifications of our fleet and that of the Alliance Rural Fire Protection District for the ease of operation and training of our department members; and

WHEREAS, Staff received two quotes, with Rocky Mountain Emergency Vehicles of Denver, CO being the lower quote of Two Hundred Eighty-one Thousand Eight Hundred Twenty-seven Dollars and No/100ths (\$281,827); and

WHEREAS, Staff also submitted a grant application with The Nebraska Department of Health and Human Services Division of Public Health and has been selected to receive Seventy-five Thousand Dollars and No/100ths (\$75,000) towards the purchase of a new ambulance; and

WHEREAS, Final pricing will not be available until time of order due to the chassis manufacturer not releasing pricing; and

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WHEREAS, The purchase has been included in the 2022-23 budget, Ambulance Capital Outlay-Vehicles Account No. 01-37-38-59-960 with total funding available being Three Hundred Thousand Dollars and No/100ths (\$300,000); and

WHEREAS, Council believes it to be in the best interest of the City to move forward with the purchase of a new ambulance from Rocky Mountain Emergency Vehicles of Denver, CO and accept the grant funding from The Nebraska Department of Health and Human Services Division of Public Health.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of Alliance, Nebraska, that the purchase of a 2024 Lifeline Ambulance from Rocky Mountain Emergency Vehicles of Denver, Colorado be accepted, with a total purchase amount not to exceed Three Hundred Thousand Dollars and No/100ths (\$300,000).

BE IT FURTHER RESOLVED, The Seventy-five Thousand Dollars and No/100ths (\$75,000) grant funding from The Nebraska Department of Health and Human Services Division of Public Health is hereby accepted and the Mayor has authority to sign and accept the grant documents.

Roll call vote with the following results:

Voting Aye: Dafney, Mischnick, McGhehey, Andersen and Mashburn.

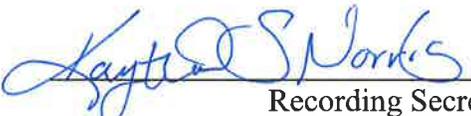
Voting Nay: None.

Motion carried.

There being no further business before Council, Mayor Dafney adjourned the meeting at 7:27 p.m.


Mike Dafney, Mayor

(SEAL)


Recording 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.