

ALLIANCE CITY COUNCIL

REGULAR MEETING, TUESDAY, MARCH 7, 2017

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

The Alliance City Council met in a Regular Meeting, March 7, 2017 at 7:00 p.m. in the Board of Education Meeting Room, 1604 Sweetwater Avenue. A notice of meeting was published in the Alliance Times Herald on March 1, 2017. 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 Yeager opened the March 7, 2017 Regular Meeting of the Alliance, Nebraska City Council at 7:00 p.m. Present were Council members Yeager, Jones, Mischnick, Korber-Gonzalez and Reynolds. Also present were Interim City Manager Kuckkahn, Assistant City Manager/Finance Director Waggener, City Attorney Olsen and Deputy City Clerk Krejci.

- Mayor Yeager read the Open Meetings Act Announcement.
- Council’s first item on the agenda was a proclamation presentation.

The following proclamation was read by Mayor Yeager to recognize March 12-18, 2017 as Girl Scout Week. Various members of the Alliance are Girl Scouts were in attendance to accept the proclamation.

PROCLAMATION

WHEREAS, March 12, 2017, marks the 105th anniversary of Girl Scouts of the USA, founded by Juliette Gordon Low in 1912 in Savannah, Georgia; and

WHEREAS, Throughout its distinguished history, Girl Scouting has inspired millions of girls and women with courage, confidence and character to make the world a better place; and

WHEREAS, Through Girl Scout Leadership Experience girls develop the skills and lessons that will serve them throughout their lives so that they may contribute to their communities;

and

WHEREAS, Girl Scouting takes an active role in increasing awareness for girls of the opportunities in math, science, sports, technology, and many fields of interest that can expand their horizons; and

WHEREAS, More than three million current Girl Scout members nationwide will be celebrating this American tradition, as well as 50 million women who are former Girl Scouts and living proof of the impact of this amazing Movement;

NOW, THEREFORE, on behalf of the Members of the City Council of the City of Alliance, Nebraska, we do hereby applaud the commitment Girl Scouts has made to America's girls and proudly proclaim the week of March 12-18, 2017 as:

GIRL SCOUT WEEK

and hereby applaud the commitment Girl Scouting has made to support the leadership development of America's girls.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the City of Alliance to be affixed on this 7th day of March in the year of the Lord Two Thousand Seventeen.

- The Consent Calendar was the next matter for Council's consideration.

A motion was made by Councilman Korber-Gonzalez, seconded by Councilman Mischnick to approve the Consent Calendar as follows:

CONSENT CALENDAR – MARCH 7, 2017

1. Approval: Minutes of the Regular Meeting, February 21, 2017 and Special Meetings on February 22 and 23, 2017.
2. Approval: Payroll Costs for the period February 11, 2017 through February 24, 2017: \$335,970.12.
3. Approval: Claims against the following funds for the period February 17, 2017 through March 2, 2017: 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; \$134,445.82.
4. Approval: The issuance of the following Tree Surgeon Licenses for 2017:

William Smith dba West Pine Tree Farm
 Richie Garza dba Panhandle Tree Service
 Bob Malone dba Pests Go, LLC

5. For Your Information: The City has received notice of the following residential channel lineup changes from Charter Communications:

PROGRAMMING	CHANGE	CHANNEL NUMBER
CLOO	Discontinued	NA
HTV & Infinito	Dropped	NA
KCNC (HD) - CBS	Adding KCNC (HD) CBS	789
KDVR (HD) - FOX	Adding KDVR (HD) FOX	788
KMGH (HD) - ABC	Adding KMGH (HD) ABC	782
KUSA (HD) - NBC	Adding KUSA (HD) NBC	786

6. Approval: The request of the Alliance Chamber of Commerce to utilize the Hal Murray Softball Complex for the annual Easter Egg Hunt to be held on Tuesday, April 11, 2017 between 2:00 p.m. and 5:00 p.m. The alternate date will be Thursday, April 13, 2017. A Certificate of Insurance has been provided.
7. Approval: Resolution No. 17-23 approving the 2017 Maintenance Agreement No. 3 with the Nebraska Department of Roads. This Agreement defines the maintenance responsibilities of the City and NDOR for State highways within the city limits.

Roll call vote with the following results:

Voting Aye: Mischnick, Reynolds, Korber-Gonzalez, Yeager, Jones.

Voting Nay: None.

Motion carried.

- The Conflict Claim for mileage reimbursement to Councilman Reynolds for attending the Nebraska League of Municipalities Mid-Winter Conference was the next item for consideration.

A motion was made by Councilman Jones, seconded by Councilman Korber-Gonzalez to approve mileage reimbursement in the amount of \$444.06 to Councilman Reynolds.

Roll call vote with the following results:

Voting Aye: Mischnick, Jones, Yeager, Korber-Gonzalez.

Voting Nay: None.

Abstaining: Reynolds.

Motion carried.

- The next agenda item was the Audit Presentation. Terry Galloway of Almquist, Galloway & Luth, P.C. reviewed the City of Alliance's Audit of the Financial Statements for the period of October 1, 2015 through September 30, 2016 via teleconferencing.

A motion was made by Councilman Jones to accept the Audit as presented. The motion was seconded by Councilman Mischnick.

Roll call vote with the following results:

Voting Aye: Mishnick, Reynolds, Korber-Gonzalez, Jones, Yeager.

Voting Nay: None.

Motion carried.

- Resolution No. 17-24 was now before Council, which is the request of WNCC to serve alcohol at an after-hours celebration at the Alliance Learning Center along with a Special Designated License application of Sandhilly, Inc. to cater the event.

Councilman Mischnick made a motion to approve Resolution No. 17-24, which was seconded by Councilman Reynolds.

Robyn Iossi, 819 Emerson Avenue, was in attendance to represent Western Nebraska Community College and stated the desire for the request is to celebrate receiving the 2016 Chamber of Commerce Big Business of the Year designation and WNCC's 90th anniversary.

Shana Brown, Cultural and Leisure Services Director stated per policy, the Learning Center is to be an alcohol free environment as it is intended for educational purposes.

Councilman Jones suggested no alcohol be served until 6:00 p.m., so the library will be closed to patrons.

A motion was made by Councilman Mischnick to amend Resolution No. 17-24 by adding the following stipulations: 1) include the alcohol endorsement on the liability insurance, 2) no alcohol to be served until 6:00 p.m. and 3) WNCC Board of Trustees must approve of the event at their April 19, 2017 meeting. The motion was seconded by Councilman Korber-Gonzalez.

Roll call vote on the amendment with the following results:

Voting Aye: Korber-Gonzalez, Mischnick, Reynolds, Jones.

Voting Nay: Yeager.

Motion carried.

The amended resolution follows in its entirety:

RESOLUTION NO. 17-24

WHEREAS, The City of Alliance has received a request from Western Nebraska Community College to serve alcohol at the Library/Learning Center to conduct a Chamber of Commerce After Business Hours event; and

WHEREAS, The event is in celebration of the 2016 Chamber of Commerce Big Business of the Year designation; and

WHEREAS, The City Clerk has received an application of Sandilly, Inc. – West Side Event Center for a special designated license pursuant to the Nebraska Liquor Control Act; and

WHEREAS, Said act requires the approval of applications by the local governing body prior to such a license being issued by the Nebraska Liquor Control Commission; and

WHEREAS, The application appears to be complete and meet the statutory requirements.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of Alliance, Nebraska, that the Application for Special Designated License of Sandilly, Inc. – West Side Event Center for May 16, 2017 is hereby approved for the premises described in the application, and the City Clerk shall inform the Nebraska Liquor Control Commission of the approval of the application, and the Clerk shall deliver the license issued by said Commission to the permittee upon receipt of the required fees.

BE IT FURTHER RESOLVED that Western Nebraska Community College is hereby granted permission to serve alcohol on City property for this sole event, contingent upon 1) receipt of a Certificate of Liability Insurance with an alcohol endorsement 2) approval from the WNCC Board of Governors at their April 19th board meeting and 3) no alcohol will be served until 6:00 p.m.

Roll call vote on amended Resolution No. 17-24 following results:

Voting Aye: Korber-Gonzalez, Mischnick, Reynolds, Jones.

Voting Nay: Yeager.

Motion carried.

- The next item before Council was Resolution No. 17-25 recommending denial of the waiver of the Payment In Lieu of Taxes request of the Alliance Housing Authority. Council was provided with the following background information:

[The Alliance Housing Authority has requested the waiver of their payment in lieu of taxes (PILOT) to the City of Alliance. In past years, the Alliance Housing

Authority was requested to go to each taxing entity to make said request. Based on a legal review, the City Council has authority to consider the full waiver which is based on 10% of the Housing Authority's gross revenue each year. Ms. Olson states that gross revenue in this case is defined as the tenant contributions paid to each agency. The total amount due this year is \$9,722.53. Should the Council decide not to approve the waiver request, the City would be responsible to collect the PILOT and forward the other taxing entities' shares appropriately. The PILOT breakdown for each tax entity is as follows:

Taxing Entity	Levy	Allocation
Alliance Public Schools	1.112209	\$ 5,619.81
City of Alliance	0.371393	\$ 1,876.59
Box Butte County	0.301290	\$ 1,522.37
Western Nebraska Community College	0.100540	\$ 508.01
Natural Resource District	0.017037	\$ 86.09
Educational Service Unit 13	0.016400	\$ 82.87
Box Butte Ag Society	0.005301	\$ 26.79
Totals	1.924170	\$ 9,722.53

The purpose of the "payment in lieu of taxes" is to provide financial support to the governmental entities, similar to that of which a homeowner pays in property taxes. As there is a cost associated with the delivery of services to the City, the Schools, the County and others, staff is uncomfortable recommending the waiving of the "payment in lieu of taxes" as provided for by the Department of Housing and Urban Development.]

Councilman Korber-Gonzalez made a motion to deny the request of the Alliance Housing Authority for the waiver of in-lieu-of taxes, which was seconded by Councilman Reynolds.

Patricia Olson, 305 Boyd Avenue, Hemingford, NE, attended to speak in favor of the payment in lieu of taxes waiver for the Alliance Housing Authority. She stated the money would be used for new playground equipment to be constructed in their Lakefield Addition Property, so not only can authority tenants benefit, but others within the neighborhood.

Roll call vote to deny the waiver request with the following results:

Voting Aye: Yeager.

Voting Nay: Korber-Gonzalez, Mischnick, Reynolds, Jones.

Motion failed.

A motion was made by Councilman Korber-Gonzalez to amended Resolution No. 17-25 to provide for the waiving of 50% of the total payment in lieu of taxes with the guarantee that the remaining funds be placed in a reserved account, until it is feasible to purchase the new

playground equipment on the Alliance Housing Authority's property in Lakefield Addition. Councilman Mischnick seconded the motion.

Roll call vote on amended Resolution No. 17-25 following results:

Voting Aye: Korber-Gonzalez, Mischnick, Reynolds, Jones.

Voting Nay: Yeager.

Motion carried.

The amended resolution follows in its entirety:

RESOLUTION NO. 17-25

WHEREAS, The City of Alliance has received a request from the Alliance Housing Authority to waive certain payments in lieu of taxes; and

WHEREAS, The City Council finds that it has legal authority to issue such waiver; and

WHEREAS, The City Council desires to waive the payment in lieu of taxes by fifty percent with the waived funds to be placed in a separate account of the Alliance Housing Authority for new playground equipment.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of Alliance, Nebraska, that the payment in lieu of taxes waiver request of the Alliance Housing Authority is partially approved and said funds (\$4,861.27) are to be kept in a separate fund for the purchase of playground equipment for their Lakefield Addition Property.

BE IT FURTHER RESOLVED, The remaining balance of \$4,861.26 is to be forwarded to the proper taxing official for payment to the authorized taxing entities.

- Resolution No. 17-26 awarding the Swimming Pool Recoating Project to Joe's Sandblasting of Rapid City, SD for \$38,750 was the next matter before Council. Council was provided with the following background information:

[The City of Alliance released an Invitation to Bid on January 18, 2017 for the Alliance Pool Recoating Project. The project consists of surface preparation and recoating using an epoxy-based paint on the interior pool surface at the Alliance Swimming Pool (Big Blue Bay). The project was advertised for four (4) weeks prior to the bid opening which meets requirements for notification. The City of Alliance received six bids in response to this bid request. Those bids were opened on February 9, 2017 at the Knight Museum and Sandhills Center. Below is a summary of the bids received.

Contractor	Bid Amount
Joe's Sandblasting, Rapid City, SD	\$38,750
W.S. Bunch Co., Omaha, NE	\$46,559
Fred Berendse & Sons Paint, Rapid City, SD	\$65,480
A1A Sandblasting, Cedar Rapids, Iowa	\$68,700
Eric Reichert Ins. & Const, Scottsbluff, NE	\$85,788
Wilkinson Sandblasting, Gibbon, NE	\$86,776

The engineers completed a tabulation of the bid proposals and no mathematical errors were found in the bid proposals. All bidders provided a bid bond in the amount of 5% of the bid in accordance with the bid proposal requirements. The engineer has contacted the two references which were provided by the low bidder and no issues that would disqualify the low bid were identified.

City staff is recommending that the Alliance swimming pool recoating project be awarded to Joe's Sandblasting of Rapid City, SD in the amount of \$38,750. Funds in the amount of \$200,000 were budgeted in the Capital Projects Fund in the Capital Outlay-Other Improvements GL#41-71-75-59-970.]

Councilman Reynolds motioned to approve Resolution No. 17-26, which was seconded by Councilman Korber-Gonzalez. The resolution follows in its entirety:

RESOLUTION NO. 17-26

WHEREAS, The City of Alliance owns and operates Big Blue Bay which is the municipal swimming facility; and

WHEREAS, Due to the maintenance needs of the pool the City issued a Request for Proposals for the recoating of the interior pool surface using an epoxy-based paint ; and

WHEREAS, The City received six bid proposals with the lowest, responsible and responsive bid being from Joe's Sandblasting of Rapid City, SD in the amount of \$38,750; and

WHEREAS, Our engineer's have completed the reference check and recommending the bid be awarded to Joe's Sandblasting of Rapid City, SD; and

WHEREAS, Sufficient funds have been budgeted for this project within the Capital Projects Fund in the Capital Outlay-Other Improvements Account No. 41-71-75-59-970.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Alliance, Nebraska, that the Alliance Pool Recoating Project be awarded to Joe's Sandblasting of Rapid City, SD in the amount of Thirty-eight Thousand Seven Hundred Fifty and no/100ths (\$38,750) from Account No. 41-71-75-59-970.

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute the documents associated with the contract and bid award.

Roll call vote with the following results:

Voting Aye: Yeager, Mischnick, Korber-Gonzalez, Reynolds, Jones.

Voting Nay: None.

Motion carried.

- The next agenda item was Resolution No. 17-27 authorizing the recommendation of Boutique Air to the Department of Transportation for provide Essential Air Service to the City of Alliance. Council was provided with the following background information:

[The current Essential Air Service contract with Boutique Air expires on May 31, 2017 and a new contract period begins June 1, 2017. On January 24, 2017, the Department of Transportation solicited proposals from carriers to provide Essential Air Service to Alliance and/or Chadron. The Department of Transportation received proposals from two carriers:

- Boutique Air
- Great Lakes

Alliance Municipal Airport staff worked with air service consultant Mike Mooney and the Chadron City Manager when approached by Boutique Air with interest in providing air service for another two years. Boutique Air would utilize an 8 or 9-seat, modern, pressurized PC-12 aircraft. Boutique has connections in place with all of the major Global Distribution Systems which travel agents use to access the market. They can be found on Expedia, Travelocity, Priceline and Orbitz, to name a few. Boutique Air has signed an interline agreement with United Airlines which would allow luggage to be checked to final destination with the agreement projected to begin within the next couple of months. They continue their efforts in obtaining a codeshare with United, also. Boutique Air is currently serving 16 different Essential Air Service communities and operates out of 27 different airports. Boutique Air has a flight completion rate of 98.5% for Chadron and Alliance, with the vast majority of cancellations due to weather.

Great Lakes contacted Alliance Municipal Airport the morning that bids were due with no formal phone conference between the communities taking place. Both communities must choose Great Lakes for their bid to be valid. Great Lakes no longer provides air service to any community in Nebraska and continues to struggle with completing scheduled flights. Great Lakes proposes service to the community using the Beechcraft 1900D with the 9-seat configuration. They continue to have interline agreements with American, Delta and United Airlines. They also have a codeshare with United.

Alliance has experienced increased enplanements since service began with Boutique, with the final passenger count being 2,136 for 2016. The passenger

counts with Great Lakes in 2014 and 2013 were 474 and 1,427 respectively. Airport staff strongly believes that staying with Boutique Air for another two years is imperative to the continued growth of passenger traffic and otherwise in the best interest of Alliance.]

Councilman Jones made a motion to approve Resolution No. 17-27, which was seconded by Councilman Mischnick. The resolution follows in its entirety:

RESOLUTION NO. 17-27

WHEREAS, The City of Alliance owns and operates the Alliance Municipal Airport which provides commercial air service; and

WHEREAS, The Department of Transportation has solicited proposals from carriers to provide Essential Air Service to Alliance, Nebraska; and

WHEREAS, Our current carrier's contract to provide Essential Air Service ends May 31, 2017; and

WHEREAS, Two carriers submitted proposals which were evaluated by our Airport Manager; and

WHEREAS, Based on the evaluations and interviews with the two carriers it is advised that Boutique Air be selected for recommendation to the Department of Transportation to provide Essential Air Service for Alliance.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Alliance, Nebraska, that Boutique Air be recommended to the Department of Transportation to provide Essential Air Service to the Alliance Municipal Airport.

Roll call vote with the following results:

Voting Aye: Yeager, Mischnick, Reynolds, Jones, Korber-Gonzalez

Voting Nay: None.

Motion carried.

- Board appointments and vacancy announcements were now before Council. The City currently has available vacancies on the Board of Adjustment (2), A-2 Downtown Improvement Board (1), Library Board (1) and Park and Tree Board (2).

A motion was made by Councilman Mischnick to appointment Dick Fankhauser to the Board of Adjustment with a term expiring December 31, 2019. Councilman Korber-Gonzalez seconded the motion.

Roll call vote with the following results:

Voting Aye: Yeager, Mischnick, Reynolds, Jones, Korber-Gonzalez.

Voting Nay: None.

Motion carried.

A motion was made by Councilman Mischnick to appoint Tami Swearingen to serve on the Park and Tree Board with a term expiring February 28, 2019. Councilman Korber-Gonzalez seconded the motion.

Roll call vote with the following results:

Voting Aye: Yeager, Mischnick, Korber-Gonzalez, Reynolds, Jones.

Voting Nay: None.

Motion carried.

- The final item on Council's agenda was an Executive Session to discuss a personnel matter.

Councilman Korber-Gonzalez motioned pursuant to Section 84-1410 Reissue Revised Statutes of Nebraska 1943 that the Alliance City Council hold a closed session for the purpose of a personnel matter to discuss potential City Manager candidates and that along with Council, Interim City Manager Kuckkahn, City Attorney Olsen and Deputy City Clerk Krejci be in attendance. The motion was seconded by Councilman Mischnick.

Roll call vote with the following results:

Voting Aye: Jones, Yeager, Reynolds, Korber-Gonzalez, Mischnick.

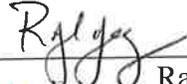
Voting Nay: None.

Motion carried.

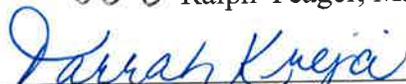
The closed session began at 8:38 p.m. and ended at 9:28 p.m. No additional action was taken.

- Mayor Yeager stated, "there being no further business to come before the Alliance City Council, the meeting is adjourned at 9:29 p.m."

(SEAL)



 Ralph Yeager, Mayor



 Tarrah Krejci, Deputy City Clerk

