

ALLIANCE CITY COUNCIL

REGULAR MEETING, TUESDAY, JUNE 20, 2017

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

The Alliance City Council met in a Regular Meeting, June 20, 2017 at 7:00 p.m. in the Board of Education Meeting Room, 1604 Sweetwater Avenue, Alliance, Nebraska. A notice of meeting was published in the Alliance Times Herald on June 14, 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 June 20, 2017 Regular Meeting of the Alliance, Nebraska City Council at 7:00 p.m. Present were Council Members Yeager, Mischnick, Korber-Gonzalez and Reynolds. Also present were City Manager Kuckkahn, Assistant City Manager/Finance Director Waggener, City Attorney Olsen and City Clerk Jines.

- Mayor Yeager read the Open Meetings Act Announcement.
- Councilman Korber-Gonzalez made a motion to excuse Councilman Jones from the meeting. The motion was seconded by Councilman Mischnick.

Roll Call with the following results:

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

Voting Nay: None.

Motion carried.

- Council’s first item on the agenda was the introduction of new City of Alliance Public Safety Dispatcher Madisen Morrison.

- The Consent Calendar was the next matter for Council's consideration. A motion was made by Councilman Mischnick, seconded by Councilman Reynolds to approve the Consent Calendar as follows:

CONSENT CALENDAR – JUNE 20, 2017

1. Approval: Minutes of the Regular Meeting, June 6, 2017.
2. Approval: Payroll Costs for the period June 3, 2017 through June 16, 2017: \$371,094.41.
3. Approval: Claims against the following funds for the period May 31, 2017 through June 14, 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: \$236,727.72.

Claim against the Capital Project Fund – Parks in the amount of \$63,784.48 payment to Koozer Construction for the Laing Lake Improvements Project.

4. Approval: Capital fund transfer for the Refuse Disposal (Landfill) Fund from Capital Outlay Other 06-51-55-59-970 in the amount of \$40,000 and putting \$20,000 in NRCNTSVC Other 06-51-55-44-489 and \$20,000 in Parts Veh/Equip 06-51-55-45-556. The transfer is being made as a result of depleted accounts due to extensive repairs to old loader prior to replacement and repairs to the scraper.
5. Approval: Update the roster of the Alliance Volunteer Fire Department by adding Mark Colerick, Jason Cook and Marcus Hjersman and deleting David LaDuke.
6. FYI: The City has received the Official Notice of Amended Electrical Resources Pooling Agreement (“ERPA”) Policies and Procedures. The amendments were approved by the MEAN Management Committee at their May 18, 2017 meeting.
7. Approval: The issuance of the following contractor licenses:

Master HVAC	Larry Luce dba LA & Sons Farm LLC
Gas Fitter	Larry Luce dba LA & Sons Farm LLC
Repair & Maintenance	Doug Fritzler dba Fritzler Construction
	Anthony R. Canzona dba Anthony Canzona
Roofer	Joe Peters dba Joe Peters Roofing, LLC

NOTE: City Manager Kuckkahn has reviewed these expenditures and to the best of his 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 with the following results:

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

Voting Nay: None.

Motion carried.

- The second reading of Ordinance No. 2839 which will annex the Bomgaars Addition, including it within Corporate City Limits, was the next discussion item. Council was provided with the following background information:

[Next Generation Properties, LLC submitted a petition letter to the City of Alliance requesting that all of Bomgaars Addition to the City of Alliance, Nebraska, be annexed and hereafter included within City of Alliance Corporate Limits. The property requested to be annexed is located at the southwest corner of the intersection of West 3rd Street, Country Club Road, and US Highway 385.

The land is currently zoned C-3, Highway Commercial. A rezone occurred during the platting process in 2016. This is the correct zoning for the land use for which the subdivision is being developed. The current land use is in transition from agricultural to retail as the new Bomgaars store is currently under construction on the land proposed to be annexed. The land use is commercial and is not rural in nature.

The annexation would allow the expansion of the ETJ west of the City; however, that is not part of this process and staff does not believe it is necessary or desirable at this point in time.

Bomgaars is installing a 12" water main along the east side of the property as was detailed in the developer's agreement when the property was platted. This extension from City water main will provide the annexation with water and allow for the extension of the water main to the south when eventually developed. The sanitary sewer is being extended from the east. It crosses under US 385 at the northeast corner of the subject property and will extend south along the frontage road providing service to the annexation and any future expansion to the south.

Storm sewer is being installed for the frontage road and parking lot. There will be a detention pond at the northeast corner of the property to control water runoff from the annexation. The annexation is provided with electricity through existing primary electric lines along the east and north property lines.

Transportation within the annexation includes a frontage road dedicated as part of Bomgaars Addition and is expected to extend to the south upon development of that land. The road surface, curb and gutter, and sidewalk has been designed and

will be constructed to City standards. Access to the frontage road is by means of a driveway from US Hwy 385, which is adjacent to Bomgaars Addition.

The City of Alliance Comprehensive Plan does not specify this area as a priority for annexation. Staff points out, however, that since the Plan was adopted in 2009, the Nebraska Department of Roads has started construction of the expansion of US 385 in this area to a four lane highway. Staff believes that this highway expansion will make the portion of US 385 from Kansas Street to West 3rd Street more attractive to developers and as such should be prioritized for annexation. The Comprehensive Plan recommends the redevelopment and development of the West Gateway Neighborhood, which this annexation borders, to create a more inviting and modern neighborhood in this part of Alliance.

The City of Alliance Planning Commission met at its regular meeting May 9, 2017 and voted to recommend the annexation of Bomgaars Addition to the City of Alliance, Nebraska, and that such property be included within Alliance Corporate City Limits, to the City Council after making the following findings:

1. The developer has nearly finished the extension of all required City infrastructure at their own cost per the Development Agreement.
2. Bomgaars Addition is not rural in character.
3. The development will become part of the West Gateway neighborhood as identified by the Comprehensive Plan and this development in said neighborhood makes the entry to the City more attractive and inviting which is one of the goals in the Plan.]

A motion was made by Councilman Reynolds, seconded by Councilman Korber-Gonzalez to approve the second reading of Ordinance No. 2839. City Clerk Jines read the ordinance by title which follows in its entirety.

ORDINANCE NO. 2839

AN ORDINANCE OF THE CITY OF ALLIANCE, NEBRASKA, ANNEXING CERTAIN PROPERTY IN BOMGAARS ADDITION, TO THE CITY OF ALLIANCE WHICH IS SITUATED IN THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 34, TOWNSHIP 25 NORTH, RANGE 48 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF ALLIANCE, BOX BUTTE COUNTY, NEBRASKA.

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

SECTION 1. Bomgaars Supply, Inc. and its real estate holding company, Next Generation Properties of Nebraska LLC has requested that the following described real estate (the "Real Estate") be included within the corporate limits of the City:

A tract of land in Bomgaars Addition to the City of Alliance, Box Butte County, Nebraska, more particularly described as follows:

Situated in the Northeast Quarter of the Southeast Quarter of Section 34, Township 25 North, Range 48 West of the 6th Principal Meridian, City of Alliance, Box Butte County, Nebraska.

SECTION 2. The City of Alliance Planning Commission, in their regular meeting on May 9, 2017 passed a motion recommending the annexation of said property.

SECTION 3. The Real Estate is contiguous or adjacent to the existing corporate limits of the City, is urban or suburban in character, and does not constitute agricultural land which is rural in character.

SECTION 4. The Real Estate is annexed to and included within the corporate limits of the City of Alliance, Nebraska, and thereafter shall be and remain a part of such City for all purposes whatsoever as of the effective date of this Ordinance.

SECTION 5. The map describing the Corporate Limits as provided for in Section 1-5 of the Alliance Municipal Code is amended to provide for the addition of the Real Estate to the corporate limits of the City.

SECTION 6. The owners, occupants and users of such tracts of land shall be entitled to all of the rights and privileges, and be subject to all laws, ordinances, rules and regulations of such City. Such owners, occupants and users shall receive substantially the benefits of other owners, occupants and users of land within such City as soon as practicable and adequate plans and necessary City Council action, if any, to furnish such benefits as police, fire, snow removal and water service shall be adopted as provided in Neb Rev. Stat. §16-120.

SECTION 7. The cost of extending all City services to the property will be the sole responsibility of the developer.

SECTION 8. All ordinances, parts of ordinances, resolutions, and policies of the City of Alliance in conflict with this Ordinance are repealed.

SECTION 9. This Ordinance shall be in full force and effect from and after its approval, passage, and publication according to law.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

- The next item on the agenda was Resolution No. 17-60 which will close the 200 block of Box Butte Avenue on four consecutive Fridays between 3:00 p.m. and 11:00 p.m. beginning on

July 14, 2017 for the Band on the Bricks events. This same closure is also being requested from Saturday, August 19th starting at 6:00 a.m. and ending on Tuesday, August 22nd at 6:00 a.m. for the Solar Eclipse. Council was given the following background information for their consideration:

[This resolution will approve street closure requests of Box Butte Development Corporation for the Bands on the Bricks and Solar Eclipse events. The closure is for the 200 block of Box Butte Avenue. The Bands on the Bricks closure will be between 3:00 p.m. and 11:00 p.m. on the Fridays of July 14, 21, 28 and August 4. The Solar Eclipse closure will be between 6:00 a.m. on Saturday, August 19th through 6:00 a.m. on Tuesday, August 22nd. These events bring live bands, entertainment and food vendors to promote community involvement.

Special Designated Liquor Licenses (SDL) have already been approved for the Bands on the Bricks evenings and applications are expected to be received for the Solar Eclipse events. Regulations for SDLs require double fencing which has been typically waived in Alliance. Police Chief Kiss has requested that the double fencing requirement no longer be waived for future SDL applicants. Holly Heath the Historic Main Street Director through the Box Butte Development Corporation has met with Police Chief Kiss regarding the fencing requirements for SDLs and how they will apply for the 200 block of Box Butte Avenue. They have agreed that the use of plastic Jersey Barriers which are being purchased by our Street Department will be used as the exterior barrier. The Jersey Barriers will weigh 2,000 lbs. when filled with water. This barrier will serve two purposes; as an access barrier and a protection barrier from vehicle traffic that may turn wrong.]

A motion was made by Councilman Reynolds to approve Resolution No. 17-70 which was seconded by Councilman Mischnick. The Resolution is as follows:

RESOLUTION NO. 17-60

WHEREAS, The City of Alliance has received a *Special Events Request Use of Public Facilities, Parks, Street* from Box Butte Development Corporation to conduct the Bands on the Bricks and special Solar Eclipse events; and

WHEREAS, The events will be providing live band concerts and entertainment for families, with the audience bringing their own lawn chairs; and

WHEREAS, Box Butte Development Corporation is requesting the closure and use of barricades for the closure of the 200 block of Box Butte Avenue; and

WHEREAS, The request is for the closures to take place between 3:00 p.m. and 11:00 p.m. on the following Fridays: July 14th, 21st, 28th and August 4th; and between 6:00 a.m. on August 19th through 6:00 a.m. on August 22nd; and

WHEREAS, City Council believes allowing the closure for the Bands on the Bricks and the Solar Eclipse events will have a positive impact for the citizens of Alliance.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Alliance, Nebraska, that the a *Special Events Request Use of Public Facilities, Parks, Street* from Box Butte Development Corporation to conduct the Bands on the Bricks and special Solar Eclipse events between 3:00 p.m. and 11:00 p.m. on the following Fridays: July 14th, 21st, 28th and August 4th; and between 6:00 a.m. on August 19th through 6:00 a.m. on August 22nd, 2017 with the City providing barricades is hereby approved.

BE IT FURTHER RESOLVED that Box Butte Development Corporation is required to provide a Certificate of Liability Insurance in the amount of \$1,000,000, with alcohol coverage naming the City of Alliance as an additional insured prior to the events.

Holly Heath, Alliance Historic Main Street Director on behalf of Box Butte Development Corporation addressed Council regarding this request. Ms. Heath expressed her concerns as well as her Board's concerns regarding the double fencing requirement. This request which is a requirement of the Nebraska Liquor Control Commission has been previously waived by the City. As there have not been any problems with this event the last two years, she would like Council to continue to waive the double fencing requirement as they have earned the waiver. The double fencing requirement is a financial hardship as well as a time intensive process.

City Manager Kuckkahn and Police Chief Kiss believe the double fencing requirement would be in the best interest of the City of Alliance and our citizens. City Manager Kuckkahn stated that with the Band on the Bricks events being conducted during daylight hours the waiver may be a consideration; however following sunset he would encourage Council to require double fencing for all Special Designated Licenses.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

- Resolution No. 17-55 regarding the City's TSA Lease was the next item on the agenda. This Resolution authorizes the City to modify our current lease with the United States of America for additional space in our Airport Terminal for TSA staff. Council was provided the following background information for their consideration:

[This resolution will approve a new rental agreement the City with General Services Administration (GSA) which will increase the floor space included. The agreement provides that Transportation Security Administration (TSA) pay the City an amount of \$17,672 annually. In return, the City agrees to provide office space to TSA personnel in the terminal building which amounts to 644 square feet and with communal areas equaling 752 rentable square feet. The City is also required to provide routine maintenance and cleaning services for the office space.

This lease was not due to be renewed; however, TSA has requested additional office space for their staff. The square footage was increased by 315 square feet, while the base rate increased 7.5 percent over the last lease rate. This lease will be effective August 1, 2017 for a term of ten years.

Note: The additional space requested is currently leased to an aerial spray operation. The current tenant has a lease for aerial spray operations on the airfield that includes an amount for office space in the terminal. The space is not being utilized by the company and it has been two years since someone physically occupied the space.]

Councilman Mischnick made a motion to approve Resolution No. 17-55. The motion was seconded by Councilman Korber-Gonzalez. The Resolution is as follows:

RESOLUTION NO. 17-55

WHEREAS, The City of Alliance owns a Municipal Airport; and

WHEREAS, The United States of America desires to lease 644 square feet to be used for such purposes as determined by the General Services Administration; and

WHEREAS, The existing lease for such office area is not scheduled for renewal until 2019; however the United States of America has requested additional office space for their staff resulting in the early renewal with a modification which will be in effect August 1, 2017 and continuing for a period of ten years; and

WHEREAS, City staff has reviewed the lease and has recommended its approval.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of Alliance, Nebraska, that Lease No. GS-06P-LNE00111 with the United States of America for office space at the Alliance Municipal Airport is hereby approved, contingent upon legal counsel's review and acceptance of the final proposal, and the Mayor and City Clerk are authorized to execute the lease on behalf of the City of Alliance.

Roll call vote to approve Resolution No. 17-55 with the following results:

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

Voting Nay: None.

Motion carried.

- Council's next discussion item, was Resolution No. 17-61 which will approve entering into a new lease with Alliance Motocross Association Inc. for the use of Airport property for their activities. Council was provided with the following information:

[This resolution will approve a lease agreement between the City of Alliance and Alliance Motocross Association, Inc. The Airport has leased this tract of land to the Motocross for many years and a map has been attached for Council's reference. This lease has been updated to differentiate it from the City's grazing leases; however, the majority of the content has remained the same.

Some of the minor changes include:

- Clarified language on taxes to ensure taxes get paid, if they are ever assessed
- Added all FAA assurance language for a non-aeronautical lease.
- Changed the lease to a one-year term with an option for automatic renewal thereafter
- Increased the lease amount by twenty-six percent over last lease amount. The lease is not based upon a dollar amount per acre but a flat fee similar to rodeo grounds or drive-in theater.]

Mayor Yeager motioned to approve Resolution No. 17-61 which was seconded by Councilman Mischnick. The resolution follows in its entirety:

RESOLUTION NO. 17-61

WHEREAS, Alliance Motocross Association, Inc., a Nebraska Non-profit corporation, has previously leased lands and improvements from the City of Alliance which are located at the Municipal Airport; and

WHEREAS, Alliance Motocross Association, Inc. has requested that the lease be renewed; and

WHEREAS, City staff has reviewed the request, examined the property and proposed uses, and has recommended approval of the one year lease, which will renew automatically on a yearly basis unless either party terminates the Lease Agreement by providing 60 days written notice to the other party.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of Alliance, Nebraska, that the lease of Alliance Motocross Association, Inc. of land in the NW¼ of Section 12, Township 24, North Range 48, West of the 6th P.M., Box Butte County, Nebraska is approved to include the property described in the lease document.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

- Resolution No. 17-62 authorizing staff to enter into a Ground Maintenance Lease for Airport property with Larry Lower was the next matter before Council. Council was provided with the following background information:

[This resolution will approve a lease agreement between the City of Alliance and Larry Lower to harvest hay from the airfield. Annual mowing of the airfield is necessary to keep heights of grass at a level so as not to conceal wildlife, interfere with visibility of aircraft and/or become a fire hazard.

The City of Alliance had previously entered into an agreement for haying that was approved in May of 2016. That lease was terminated due to lack of payment. The proposed lease will have the same price per acre of \$19.25 and the term of the lease will be the four remaining terms.]

Councilman Korber-Gonzalez motioned to approve Resolution No. 17-62 which was seconded by Councilman Mischnick. The resolution follows in its entirety:

RESOLUTION NO. 17-62

WHEREAS, The City of Alliance has a need for a Ground Maintenance Lease for haying between runways and taxiways on Airport property; and

WHEREAS, The City advertised the availability of this property for lease and conducted an auction. The original lessee has surrendered the lease and it has been offered and accepted by the second bidder for the original price; and

WHEREAS, The lease period is from June 15th and December 31st of each year for a period of four years; and

WHEREAS, Larry Lower was the second highest bidder and will assume the lease in the amount of \$15,669.50 annually as originally bid.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Alliance, Nebraska, hereby approve and authorize the Mayor to sign on behalf of the City the Airport Ground Maintenance Lease for the Airport Property to Larry Lower in the amount of \$15,669.50 annually.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

- The next item on the agenda was Resolution No. 17-63 which approves Amendment No. 1 to the Consultant Agreement with M.C. Schaff & Associates for engineering services on the rehabilitation of Runway 8/26. Council was provided with the following background information:

[The Alliance Municipal Airport has included on its Capital Improvement Program through the Federal Aviation Administration (FAA) a project to rehabilitate Runway 8/26 in fiscal year 2018. The FAA had requested that a preliminary study be done of the existing surface and a scope of work completed in fiscal year 2017. This amendment revises the Consultant Agreement to provide design, bidding and construction oversight services to complete the rehab project. The consultant fees for the final phases is \$268,159.42.

The proposed project will consist of removing the existing asphalt, replacing any concrete sections that are heaving, and installing new surface and pavement markings on the entire Runway 8/26. The estimate for this project is \$3,500,000 with the FAA participating at the current funding levels of 90% and the City of Alliance providing the 10% match.

A grant application was approved by Council for all engineering services on April 4, 2017.]

Councilman Reynolds motioned to approve Resolution No. 17-63 which was seconded by Councilman Mischnick. The resolution follows in its entirety:

RESOLUTION NO. 17-63

WHEREAS, The City of Alliance operates the Alliance Municipal Airport; and

WHEREAS, The City has a project to rehabilitate Runway 8/26 at the Alliance Municipal Airport in fiscal year 2018; and

WHEREAS, The City Council at their regular meeting, November 7, 2016 authorized entering into an Agreement with M.C. Schaff & Associates, Inc., of Scottsbluff, Nebraska to perform preliminary design services to develop a “project scope” for the rehabilitation of Runway 8/26 ; and

WHEREAS, The Federal Aviation Administration requested an earlier amendment to the Agreement which included a pavement surface distress analysis and that the quantity of tests be increased. Based on those results a new amendment has been prepared to provide design, bidding and construction oversight services to complete the rehab project; and

WHEREAS, The Mayor and City Council deem it appropriate to amend the Agreement with M.C. Schaff & Associates, Inc. as requested by the Federal Aviation Administration for the Rehabilitation of Runway 8/26 at the Alliance Municipal Airport.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of Alliance, Nebraska, that the Mayor is authorized to sign Amendment 1 to the Consultant Agreement between M.C. Schaff & Associates, Inc., to provide design, bidding and construction oversight services for the Rehabilitation of Runway 8/26 at the Alliance Municipal Airport.

BE IT FURTHER RESOLVED, that staff is authorized to expend the funds as set forth above in accordance with the contract to pay for the engineering services provided by M.C. Schaff & Associates, Inc., of Scottsbluff, Nebraska in the amount of Twenty-six Thousand Eight Hundred Fifteen Dollars and 94/100th (\$26,815.94).

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

- Next on the agenda was Resolution 17-64, which grants authority to City Manager Kuckkahn to work with Ms. Swearingen to ensure fundraising efforts for the Central Park Sunken Garden rehabilitation are in the best interest of the City and are approved prior to initiating.

[This resolution will allow City Manager Kuckkahn to authorize fundraising activities for the renovation of the Central Park Sunken Gardens. Mr. Kuckkahn will work with Tami Swearingen to ensure the fundraising efforts are in the best interest of the City and are approved prior to implementation. This will ensure that all efforts are performed in a manner that meets any legal requirements of the State or City and that the events do not pose an undue hardship upon the City. The Council will retain the right to have the final authority on any event that they do not feel comfortable with or there is a difference of opinion between City Manager Kuckkahn and Ms. Swearingen.]

A motion was made by Councilman Korber-Gonzalez to approve Resolution No. 17-64. The motion was seconded by Councilman Reynolds.

RESOLUTION NO. 17-64

WHEREAS, The City of Alliance, Nebraska (the "City") owns and operates public parks and recreational areas within the City, and

WHEREAS, One of the public parks and recreational areas within the City is the Central Park, and an historic feature of the Central Park has been the Pillars and Sunken Garden, and

WHEREAS, Citizen Tami Swearingen desires to conduct a fundraising effort with multiple, future fundraising events to raise funds for the restoration, maintenance, and beatification of the Pillars and Sunken Garden in Central Park; and

WHEREAS, The City has authorized and supported such fundraising efforts under the following terms and resolved conditions:

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City, that: (1) the City Manager or his or her designee is authorized to work directly with Tami Swearingen, including any committees formed for the efforts, to ensure the fundraising efforts for the Pillars and Sunken Garden are in the best interests of the City; (2) all fundraising efforts must first be approved by the City, by and through the City Manager or his or her designee; (3) the matter of any fundraising effort may be put to review and decision of the Mayor and Council of the City upon any disagreement or dispute between the City Manager and the Foundation; (4) approval of the fundraising efforts is conditional upon the Alliance Park Foundation (the "Foundation") acting as depository of all funds raised; and (5) the City reserves the right at any time to withdraw support for the fundraising efforts and authorization of the City Manager or his or her designee to work directly with Tami Swearingen should the City, in its sole discretion, believe the fundraising efforts are no longer in the best interests of the City.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

- Council next considered Resolution No. 17-65, which will hire a refuse collection employee and make a full disclosure of the hiring of a family member.

Councilman Mischnick motioned to approve Resolution No. 17-65, which was seconded by Councilman Reynolds.

RESOLUTION NO. 17-65

WHEREAS, The City of Alliance desires to hire Tyler Jines as a Refuse Collection Driver. Mr. Jines has been recommended by Water, Sewer and Street Superintendent Ross Grant as he is responsible for selecting the refuse collection divisional staff; and

WHEREAS, Tyler Jines is the adult son of City Clerk Linda Jines; and

WHEREAS, The City of Alliance has made a reasonable solicitation and consideration of applications for this position and Mr. Jines is qualified and able to perform the duties of a Refuse Collection Driver, and will do so at the preapproved standard rate of pay. No other employee will be terminated as the result of this hiring; and

WHEREAS, Section 49-1499.04 of the Nebraska State Statutes require that the hiring of an immediate family member must be fully disclosed to and approved by the City Council; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Alliance, Nebraska, that pursuant to Section 49-1499.04 of the Nebraska State Statutes a disclosure has been made by Linda Jines for the hiring of Tyler Jines as a Refuse Collection Driver and his employment is approved by the City Council.

BE IT FURTHER RESOLVED that City Clerk Jines will not be involved in any employment issues regarding Tyler Jines and all employment issues involving Mr. Jines will be handled through City Manager Kuckkahn.

Roll call vote with the following results:

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

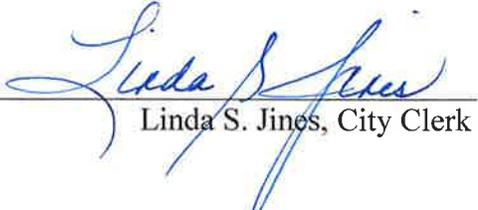
Voting Nay: None.

Motion carried.

- Councilman Reynolds announced the City currently has available one vacancy on each of the following Boards: Board of Adjustment and the Park and Tree Board. There are also two vacancies on the Museum Board. Anyone interested in serving on these Boards should contact the City Clerk's Office. Information on all of the City Boards is also available on our web site, www.cityofalliance.net.
- Mayor Yeager stated, "there being no further business to come before the Alliance City Council, the meeting is adjourned at 7:41 p.m."

(SEAL)


 Pasha L. Korber
 Ralph Yeager, Mayor


 Linda S. Jines, City Clerk