

September 5, 2023

ALLIANCE CITY COUNCIL

REGULAR MEETING, TUESDAY, SEPTEMBER 5, 2023

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

The Alliance City Council met in a Regular Meeting, September 5, 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 August 30, 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 Jones opened the September 5, 2023 regular meeting of the Alliance, Nebraska City Council at 7:00 p.m. Present were Mayor Jones, Vice Mayor McGhehey and Council Members Mischnick, Andersen, and Mashburn. Also present were City Manager Sorensen, City Treasurer Baker, City Attorney Hoelsing and City Clerk Pitt.

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

CONSENT CALENDAR – SEPTEMBER 5, 2023

1. Approval: Minutes of the Regular Meeting, August 15, 2023.
2. Approval: Payroll from August 11, 2023, August 25, 2023 and August 28, 2023 in the total amount of \$651,796.01.
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; \$3,110,061.52.

September 5, 2023

4. Approval: Third Quarter Financial Statement.
5. Approval: Cemetery Certificate for Lora L. and John C. Herian.
6. Approval: Resolution 23-64 which will renew the agreement with Nebraska Department of Transportation.
7. Approval: Resolution 23-65 which will approve and authorize the Mayor as the signer for the CDBG Funds.
8. Approval: Resolution 23-66 which will the approve the budget transfer in the amount of \$25,000 from Council Contingency # 01-10-10-47-791 to Other Advertising Services # 01-31-31-44-433 for retain services of an executive search firm for the hiring of a Police Chief.

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: Jones, Mischnick, McGhehey, Andersen and Mashburn.

Voting Nay: None.

Motion carried.

- The next item on Council's agenda was the second reading of Ordinance No. 2964 – 2023/2024 Budget Appropriation. The following information was provide:

[The 2023/2024 proposed budget is on second reading, which contains the anticipated and estimated revenues and expenses for the next fiscal year.

RECCOMENDATION: APPROVE THE 2023/2024 BUDGET APPROPRIATION.]

Mayor Jones asked if there was any discussion on Ordinance No. 2964.

Councilman Mashburn made a motion to amend Ordinance No. 2964 to reflect a 6% Cost of Living Increase, which was seconded by Councilman Mischnick.

Vice Mayor McGhehey stressed that only 6% percent would be inadequate due to the rising cost of everything, and the impact it is having on everyone.

Councilman Mischnick and Andersen agreed with the 6% COLA and using the remaining budget to help retain positions within the City.

September 5, 2023

Vice Mayor McGhehey expressed great concern about only giving our current employees a 6% COLA, and using the remaining funds to retain employees when our current employees have been picking up the slack because the City has not been able to retain employees.

Councilman Andersen suggested a bonus for the Police Department, Attorney Hoelsing advised that is not doable.

Vice Mayor McGhehey states that he is concerned about our employees now, and not giving them the “bonus” of the full 7% COLA that they deserve.

Roll call vote with the following results:

Voting Aye: Mischnick, Andersen and Mashburn.

Voting Nay: Jones and McGhehey.

Motion carried

Board Member Mischnick made a motion for the remaining 1% of funds that was budgeted for COLA be rolled into Council Contingency and later used as a program approved by City Council for employee retention and employment, which was seconded by Board Member Andersen.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

A motion was made by Vice Mayor McGhehey, seconded by Councilmen Mischnick to approve Ordinance No. 2964 on second reading which approves the proposed 2023/2024 Budget appropriation, which follows in its entirety:

ORDINANCE NO. 2964

AN ORDINANCE TO ADOPT THE BUDGET STATEMENT TO BE TERMED THE ANNUAL APPROPRIATION BILL FOR FISCAL YEAR BEGINNING OCTOBER 1, 2023; TO APPROPRIATE SUMS FOR NECESSARY EXPENSES AND LIABILITIES; TO PROVIDE FOR AN EFFECTIVE DATE.

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

September 5, 2023

Section 1: The City Manager, in accordance with the requirements of Nebraska Revised Statute § 19-646, has submitted a proposed budget statement to the City Council, which statement is attached hereto as Exhibit A and incorporated herein by reference (the “Budget Statement”).

Section 2. A public hearing will be held on the Budget Statement in accordance with the requirements of Nebraska Revised Statute § 13-506. Before the final passage and approval of this Ordinance, the Budget Statement may be amended in accordance with comments received at the public hearing, the property valuations provided by Box Butte County, any action to exceed the allowable growth for restricted funds as determined by law, and as necessary to adjust for any other information gathered by the City before October 1, 2023.

Section 3. In accordance with the requirements of the Nebraska Budget Act and Nebraska Revised Statute § 16-704, the amounts set forth in the attached and incorporated Budget Statement shall be and are hereby recognized as the budget appropriations for the City of Alliance, Nebraska for the fiscal year 2023-2024. The fund descriptions and amounts are as follows:

Fund Description	Amount
General	\$13,711,000
Electric	15,003,620
Refuse	2,825,660
Sewer	699,895
Water	2,873,400
Golf Course	730,100
Airport Operations	3,746,250
Public Transit	558,650
Streets	3,385,500
RSVP	98,200
Museum Exhibit	14,700
HUD/Housing	170,000
Community Betterment (KENO)	30,000
Economic Development	923,300
LB 840 Fund	510,000
Redevelopment (TIF)	1,750,000
Sales Tax Fund	2,403,000
Lodging Occupation Tax	308,520
Capital Projects Fund	1,019,000
Public Safety Tax	294,000
State 911 Funds	80,000
General Internal Service	2,401,770
Enterprise Internal Service	284,605
Health Support Internal Service	2,323,450
American Recovery Plan Act Fund	256,400
Total Appropriations	\$56,400,125

September 5, 2023

Section 4. Upon final passage and approval of this Ordinance, the Budget Statement is adopted by the City of Alliance Nebraska as the adopted budget statement. A copy of the Budget Statement shall be forwarded as provided by law to the Auditor of Public Accounts, State Capitol, Lincoln, Nebraska, and to the County Clerk of Box Butte County, Nebraska, for use by the levying authority.

Section 5. This Ordinance shall become effective October 1, 2023.

Passed and approved this ____ day of September, 2023.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

- The next item on the agenda was the first reading of Ordinance No. 2965 which will allow the City of Alliance with a 75% affirmative vote by Council to exceed the Allowable Growth and Basic Allowable Growth for the 2023-24 Fiscal Year Budget by 1%. This does not increase the 2023-24 Fiscal Year Budget; it allows us to increase the unused budget authority for use in the future years.

A motion was made by Councilman Andersen, which was seconded by Councilman Mischnick to approve Ordinance 2965 on first reading which allows the City of Alliance with a 75% affirmative vote by Council to exceed the Allowable Growth and Basic Allowable Growth for the 2023-24 Fiscal Year Budget by 1%, which follows in its entirety.

ORDINANCE NO. 2965

AN ORDINANCE ALLOWING FOR EXCEEDING THE ALLOWABLE GROWTH AND BASIC ALLOWABLE GROWTH LIMITS FOR THE 2023-2024 FISCAL YEAR BY ONE PERCENT OF BUDGETED RESTRICTED FUNDS, AND CORRECTING THE ADOPTED BUDGET STATEMENT AND ACCOMPANYING FORMS.

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

SECTION 1. Governmental units are authorized pursuant to State law at Chapter 13, Section 519, to exceed the Allowable Growth (§13-518(1)) and the Basic Allowable Growth (§77-3446) for budgeted restricted funds authority up to an additional one percent, by affirmative vote of the City Council of at least 75%.

SECTION 2. The City Council finds that such limit as provided by Section 13-519 (a) and (b) should be exceeded by one percent.

September 5, 2023

SECTION 3. An affirmative vote of at least 75% in favor of this increase is hereby cast.

SECTION 4. Section 13-511 allows correction of an adopted budget statement for clerical, mathematical, and accounting errors, which correction does not affect the total amount budgeted by more than one percent or increase the amount required from property taxes. The one percent limit increase is calculated into the current budget statement; however the unused budget authority amount is in need of modification.

SECTION 5. The allowable increase in “restricted funds authority” with the additional one percent of \$80,795.08 and included in the resulting “total restricted funds authority” in the adopted budget ordinance is hereby amended to the amount of \$8,352,975.44.

SECTION 6. Those portions of the existing budget ordinance for 2023-2024 are amended accordingly.

SECTION 7. The City Treasurer is authorized to make appropriate changes in the submitted forms for computation of the limit for fiscal year 2023-2024, and transmit those changes to the State Auditor’s office.

SECTION 8. This ordinance shall be in full force and effect from and after its approval, passage, and publication according to law.

PASSED AND APPROVED this ____ day of September, 2023.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

● The final item on the agenda was Resolution No. 23-67 which will accept and award Twin City Roofing and Sheet Metal, Inc., the Landfill Facilities 2021 Hail Storm Repair Project, the total amount \$157,292.98. The following information was provided:

[Bids were received and opened at 2:00 p.m. on August 22, 2023, at the Alliance City Hall Alliance, Nebraska, for the above-referenced project. One company picked up plans for the project:

Twin City Roofing & Sheet Metal, Inc.

There was one minor discrepancy in the bid total. Item A9, Remove and Replace Metal Outside Corner Post total bid price had a rounding error of \$0.01. The total bid price had an error stating that it was \$242.47 while a unit price of \$9.15/LF at 26.5 LF should total \$242.48. The discrepancy was noted on the bid tab and the contract will be adjusted accordingly.

September 5, 2023

It should be noted that it is not uncommon to have a single bidder on these types of projects. Due to the heavy work load of contractors at this time as well as the state statute that all contractors on government contracts over \$20,000 must carry bonds, it limits the number of contractors that are eligible. Twin City Roofing has been selected on similar projects for both the City of Alliance and other communities in the region and has performed very well with minimal disruptions.

The Engineer's Estimate was based upon the insurance adjuster's estimate. We have reviewed the contractor's bid documents and would recommend award of the project to Twin City Roofing & Sheet Metal in the amount of \$157,292.98.

RECCOMENDATION: APPROVE RESOLUTION NO. 23-67.]

Councilmember Andersen made the motion, seconded by Councilmen Mischnick to amend the Resolution to reflect the \$.01 difference that was noted by M.C. Schaff.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

A motion was made by Council Member Mischnick, which was seconded by Vice Mayor McGhehey to approve Resolution No. 23-67 which will accept and award Twin City Roofing and Sheet Metal, Inc., the Landfill Facilities 2021 Hail Storm Repair Project, the total amount \$157,292.98, which follows in its entirety:

RESOLUTION NO. 23-67

WHEREAS, The City has determined that damages from the 2021 hail storm at the Landfill Facilities are in need of repair; and

WHEREAS, M.C. Schaff and Associates, an engineering firm for the City, has let bids for the Alliance Landfill Facilities 2021 Hail Damage Repair with one bid being received; and

WHEREAS, M.C. Schaff and Associates recommends that the City award Schedule C of the bid to Twin City Roofing & Sheet Metal, Inc., of Scottsbluff, Nebraska, in the amount of One Hundred Fifty-Seven Thousand Two Hundred Ninety-Two Dollars and 98/100ths (\$157,292.98) as the lowest, responsive, and responsible bidder for the Landfill Facilities 2021 Hail Damage Repair.

NOW, THEREFORE, BE IT RESOLVED, By the Mayor and City Council of Alliance, Nebraska, that the Mayor is authorized to sign a contract with Twin City Roofing & Sheet Metal, Inc., as the lowest, responsive and responsible bidder obtained by M.C. Schaff and Associates.

September 5, 2023

BE IT FURTHER RESOLVED, that the contract for the hail storm repairs as specifically set forth in the bidding documents, is hereby awarded to Twin City Roofing & Sheet Metal, Inc., of Scottsbluff, Nebraska, in the amount One Hundred Fifty-Seven Thousand Two Hundred Ninety-Two Dollars and 98/100ths (\$157,292.98).

BE IT FURTHER RESOLVED, Staff shall contact the successful bidder so that contractual arrangements can be finalized, and work can commence according to the terms of the bid.

PASSED AND APPROVED this 5th day of September, 2023.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

The Alliance City Council adjourned the September 5, 2023 City Council Meeting at 7:32 p.m.

(SEAL)



Earl Jones, Mayor



Shelbi C. Pitt, City Clerk

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.