

November 7, 2023

ALLIANCE CITY COUNCIL

REGULAR MEETING, TUESDAY, NOVEMBER 7, 2023

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

The Alliance City Council met in a Regular Meeting, November 7, 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 November 1, 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 November 7, 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 Attorney Swanson 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 Mischnick to approve the Consent Calendar as follows:

CONSENT CALENDAR – NOVEMBER 07, 2023

1. Approval: Minutes of the Regular Meeting, October 17, 2023.
2. Approval: Payroll from October 20, 2023 in the total amount of \$277,594.75.
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; \$624,121.14.

November 7, 2023

4. Approval: Cemetery Certificate for Dubray, Debra M., McCart, Wayne E. & Shirley A. and, Zuniga, Jose G. & Micaela.
5. Approval: Resolution 23-88 which will authorize a Sign Lease agreement with Bradley Petersen for the placement of Carhenge advertisement and marketing billboard on Northeast Quarter of Sec 24, T33, Range 49 W 6th P.M., Dawes County, NE along Highway 20 west of Chadron, NE at the rate of \$700.00 per year.
6. Approval: Resolution 23-89 which will authorize a budget transfer from Capital Account #05-51-54-53-948 to Professional Engineering Services #05-51-52-43-948 in order to utilize the electricity with Sandhills Energy, a new overhead power line needs built, which requires professional engineering in the amount of \$80,000.00.
7. Approval: Resolution 23-90 which will authorize a budget transfer from Capital Account #05-51-54-53-948 to Professional Engineering Services #05-51-52-43-331 for a purchase of a 3000 KVA Transformer from Sandhills Energy in the amount of \$138,465.00.
8. Approval: Resolution 23-91 which approves the purchase of a Sewer Bypass Pump System from Russell Industries in the amount of \$64,000.00.
9. Approval: Resolution 23-92 which approves the purchase of 4 SETCO Landfill Loader Tires from Murphy Tractor and Equipment in the amount of \$36,979.18.
10. Approval: Resolution 23-93 which will authorize a budget transfer from Tires, Vehicle, Equipment #06-51-55-45-558 to Capital Outlay-Vehicles #06-41-42-59-960 and Refuse #06-51-55-45-553 to supplement the budget of the Landfill in the amount of \$33,000 to #06-51-55-45-558 and the amount of \$27,000 to #06-51-55-45-553.
11. Approval: Resolution 23-94 which will authorize the Mayor to enter into an agreement with MC Schaff and Associates for the 2024 Street Rehabilitation Project of 8th Street from Dakota Avenue to Mississippi Avenue in the amount of \$199,261.00.
12. Approval: Resolution 23-95 which authorizes the Mayor to sign an agreement with South Central/Panhandle Nebraska 911 Regional Interlocal agreement.

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:

November 7, 2023

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

Voting Nay: None.

Motion carried.

- The first item on the agenda for Council was a Conflict Claim of Councilman Mara Andersen for the travel and meal reimbursement while attending the NE Municipal League Conference in Lincoln, NE, September 26th-29th.

A motion was made by Vice Mayor McGhehey to approve the reimbursement of \$577.39 to Councilman Mara Andersen. The motion was seconded by Councilman Mashburn.

Roll call vote with the following results:

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

Voting Nay: None.

Abstaining: Andersen.

Motion carried.

- The next item on the agenda was Resolution No. 23-96 which will approve the Preliminary Plat application for Block 1, Myrtle Second Addition to the City of Alliance, Box Butte County, Nebraska. The following information was provided:

[The City of Alliance is in receipt of an application for a Preliminary Plat for the dedication of Block 1, Myrtle Second Addition to the City of Alliance, Box Butte County, Nebraska.

The proposed addition is located at the northwest corner of West 16th Street and Buchfinck Avenue. The proposed addition is zoned Ag, Agriculture. It is adjacent to Ag zoning to the north and west, R-1, Single Family Residential Zoning to the east, and RP-3, Planned Multifamily Residential to the south. A rezone application to R-1 and an annexation will accompany the final plat.

The proposed lot is currently vacant. The plat creates a utility easement along the west side of the proposed lot. This is proposed for sanitary sewer extension and any other utilities that may need to co-locate there. The plat will create the south half of West 18th Street. Streets dedicated along section and half section lines are typically done in such a manner that property owners on each side of the line contribute half of the width of the street.

November 7, 2023

The City of Alliance Planning Commission met at its regular meeting September 12, 2023 and found that the preliminary plat was consistent with the goals in the Comprehensive Plan. They voted yes on a recommendation to the Alliance City Council for the approval of the Preliminary Plat of Block 1, Myrtle Second Addition to the City of Alliance, Box Butte County, Nebraska after making the following findings of fact:

- According to the Comprehensive Plan, and Box Butte Housing Study, the City is in need of additional housing and platting more land for that would help accomplish that goal.
- The proposed addition meets both the North Side and Core Neighborhoods recommendations that future land uses in these neighborhoods should be residential.
- The proposed addition dedicates a portion of W 18th Street which is consistent with the goal of extended the street from NE Highway 87 to US Highway 385].

A motion was made by Councilman Andersen, seconded by Mischnick to approve Resolution No. 23-96 which follows in its entirety:

RESOLUTION NO. 23-96

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

WHEREAS, BE IT RESOLVED, the Preliminary Plat of Block 1, Myrtle Second Addition to the City of Alliance, Box Butte County, Nebraska, Situated in the South Half of Section 26, Township 25 North, Range 48 West of the 6th P.M., Box Butte County, Nebraska Submitted November 7, 2023, is approved.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

- The first reading of Ordinance No. 2968 was next for Council which will approve the Final Plat application for Block 1, Myrtle Second Addition to the City of Alliance, Box Butte County, Nebraska. The following information was provided:

[The City of Alliance is in receipt of an application for a Final Plat for the dedication of Block 1, Myrtle Second Addition to the City of Alliance, Box Butte County, Nebraska.

November 7, 2023

The proposed addition is located at the northwest corner of West 16th Street and Buchfinck Avenue. The proposed addition is zoned Ag, Agriculture. It is adjacent to Ag zoning to the north and west, R-1, Single Family Residential Zoning to the east, and RP-3, Planned Multifamily Residential to the south. A rezone application to R-1 and an annexation will accompany the final plat.

The proposed lot is currently vacant. The plat creates a utility easement along the west side of the proposed lot. This is proposed for sanitary sewer extension and any other utilities that may need to co-locate there. The plat will create the south half of West 18th Street. Streets dedicated along section and half section lines are typically done in such a manner that property owners on each side of the line contribute half of the width of the street.

The City of Alliance Planning Commission met at its regular meeting October 10, 2023 and found that the Final Plat was consistent with the goals in the Comprehensive Plan. They voted yes on a recommendation to the Alliance City Council for the approval of the Final Plat of Block 1, Myrtle Second Addition to the City of Alliance, Box Butte County, Nebraska after making the following findings of fact:

- According to the Comprehensive Plan, and Box Butte Housing Study, the City is in need of additional housing and platting more land for that would help accomplish that goal.
- The proposed addition meets both the North Side and Core Neighborhoods recommendations that future land uses in these neighborhoods should be residential.
- The proposed addition dedicates a portion of W 18th Street which is consistent with the goal of extended the street from NE Highway 87 to US Highway 385.]

A motion was made by Councilman Mischnick, seconded by Andersen to approve the first reading of Ordinance No. 2968. which follows in its entirety:

ORDINANCE NO. 2968

AN ORDINANCE APPROVING THE FINAL PLAT OF BLOCK 1, MYRTLE SECOND ADDITION TO THE CITY OF ALLIANCE, BOX BUTTE COUNTY, NEBRASKA, SITUATED IN THE SOUTH HALF OF SECTION 26, TOWNSHIP 25 NORTH, RANGE 48 WEST OF THE 6TH P.M., BOX BUTTE COUNTY, NEBRASKA, REPEALING PRIOR SECTIONS AND PROVIDING FOR AN EFFECTIVE DATE.

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

November 7, 2023

SECTION 1. The City of Alliance has received the application for approval of the Final Plat of a tract of land Situated in the South Half of Section 26, Township 25 North, Range 48 West of the 6th P.M., Box Butte County, Nebraska.

SECTION 2. The Planning Commission held a public hearing October 10, 2023, and has recommended the approval of the Final Plat of Block 1, Myrtle Second Addition to the City of Alliance, Box Butte County, Nebraska, Situated in the South Half of Section 26, Township 25 North, Range 48 West of the 6th P.M., Box Butte County, Nebraska.

SECTION 3. The City Council finds that the Final Plat contains the information required by Article 5 of the city of Alliance Municipal Code.

SECTION 4. The Final Plat of Block 1, Myrtle Second Addition to the city of Alliance, Box Butte County, Nebraska, Situated in the South Half of Section 26, Township 25 North, Range 48 West of the 6th P.M., Box Butte County, Nebraska is hereby approved by the City of Alliance and shall be filed with the County Clerk as provided by City Code and State law within 30 days of this approval. The plat map which has been prepared is a part of these proceedings and is attached hereto and is incorporated herein and made a part hereof by reference.

SECTION 5. All ordinances, parts of ordinances, resolutions, and policies of the City of Alliance in conflict with this Ordinance are repealed.

SECTION 6. 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: Jones, Mischnick, McGhehey, Andersen and Mashburn.

Voting Nay: None.

Motion carried.

- The first reading of Ordinance No. 2969 was next the item for Council which will approve and amend the City Limit Map of City of Alliance and annex Block 1, Myrtle Second Addition to be within corporate limits of the City of Alliance, Box Butte County, Nebraska. The following information was provided:

[The City of Alliance is in receipt of an application for a Final Plat for the dedication of Block 1, Myrtle Second Addition to the City of Alliance, Box Butte County, Nebraska. This addition is currently located outside the Corporate City Limits of Alliance.

Properties that receive the benefits of City services including police, fire protection, water, electric, sanitary sewer, streets, snow removal, etc. should be included within the corporate limits of the City. This ensures the before mentioned benefits are paid

November 7, 2023

for and maintained by the collection of taxes assessed against the property, and in the case of many businesses, a sales tax as well. Properties that receive these benefits without being included in the corporate limits are in effect subsidized by those properties that are located within City Limits.

Upon approval of the Final Plat of Block 1, Second Myrtle Addition to the City of Alliance, Box Butte County, Nebraska, a second public hearing must be held for the annexation of the subdivision. The annexation will amend the City Limit Map of the City of Alliance and include Second Myrtle Addition within the corporate limits of the City. The City is the owner of this parcel and staff recommends its annexation within City Limits.

The City of Alliance Planning Commission met at its regular meeting October 10, 2023 and found that the annexation was consistent with the goals in the Comprehensive Plan finding that the plan for the lot as single family residential was not rural in character and that future development should pay for City benefits. Future development would also place the area within the high priority criteria for annexation according to page Land Use 29 of the Plan. They voted yes on a recommendation to the Alliance City Council for the approval of the annexation of Block 1, Myrtle Second Addition to the City of Alliance, Box Butte County, Nebraska.]

A motion was made by Councilman Mashburn, seconded by Vice Mayor McGhehey to approve the first reading of Ordinance No. 2969. which follows in its entirety:

ORDINANCE NO. 2969

AN ORDINANCE OF THE CITY OF ALLIANCE, NEBRASKA, ANNEXING CERTAIN PROPERTY LOCATED AT BLOCK 1, MYRTLE SECOND ADDITION TO THE CITY OF ALLIANCE, BOX BUTTE COUNTY, NEBRASKA, SITUATED IN THE SOUTH HALF OF SECTION 26, TOWNSHIP 25 NORTH, RANGE 48 WEST OF THE 6TH P.M., BOX BUTTE COUNTY, NEBRASKA, REPEALING PRIOR SECTIONS AND PROVIDING FOR AN EFFECTIVE DATE.

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

SECTION 1. The following described real estate is found and declared to be contiguous and adjacent to the corporate limits of the City of Alliance, Nebraska, to be urban or suburban in character, and not to be agricultural land which is rural in character.

A tract of land situated in the South Half of Section 26, Township 25 North, Range 48 West of the 6th P.M., Box Butte County, Nebraska, more particularly described as follows:

November 7, 2023

Block 1, Myrtle Second Addition to the City of Alliance, Box Butte County, Nebraska, situated in the South Half of Section 26, Township 25 North, Range 48 West of the 6th P.M., Box Butte County, Nebraska.
Hereinafter "Real Estate."

SECTION 2. The Real Estate is annexed to and included within the corporate limits of the City as of the effective date of this Ordinance.

SECTION 3. The inhabitants of the Real Estate shall be entitled to all rights and privileges, and subject to all laws and ordinances, rules, and regulations of the City of Alliance, Nebraska. Such inhabitants shall receive substantially the benefits of other inhabitants of lands within the City of Alliance, Nebraska as soon as practical, 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 4. All ordinances, parts of ordinances, resolutions, and policies of the City of Alliance in conflict with this Ordinance are repealed.

SECTION 5. 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: Jones, Mischnick, McGhehey, Andersen and Mashburn.

Voting Nay: None.

Motion carried.

- The first reading of Ordinance No. 2970 was next for Council and will approve the Rezone application of Block 1, Myrtle Second Addition City of Alliance from Ag, Agriculture to R-1, Single Family Residential zoning. The following information was provided:

[The City of Alliance has submitted an application to rezone Block 1, Second Myrtle Addition to the City of Alliance, Box Butte County, Nebraska, from Ag, Agriculture to R-1, Single Family Residential zoning. The rezone is requested to open up the lot for single family housing development.

The proposed rezone is located at the northwest corner of West 16th Street and Buchfinck Avenue. The parcel is zoned Ag, Agriculture. It is adjacent to Ag zoning to the north and west, R-1, Single Family Residential Zoning to the east, and RP-3, Planned Multifamily Residential to the south. The lot is currently vacant/undeveloped. The parcel is bordered by farming to the west and north, storage to the southwest, single family housing to the east and south.

November 7, 2023

The parcel is approximately 1.56 acres in size. It meets the minimum lot size requirement for R-1 but not for Ag zoning. The proposed rezone will change the front setback from 50' to 25', the rear setback will remain 25', the side setback from 10' to 5' where it is adjacent to other lots or 15' from rights of way. The proposed plat will not create any new non-conforming yards or structures. The parcel is bordered by West 16th Street to the south, and Buchfinck Avenue to the east. The south half of West 18th Street is dedicated to the north but not developed.

The proposed rezone is located adjacent to the North Side and Core Neighborhoods as identified on page Land Use 5 (LU5) of the Comprehensive Plan. Both Neighborhoods are described as primarily single family residential with the North Side being the newer part of town than the older developed Core Neighborhood. Page LU 12-13 details the transition in this area from the older residential to the newer residential and states that the primary future land use should be residential. Page LU 7 states the same for the North Side Neighborhood and that the neighborhoods residential characteristic needs to be maintained. Page Housing 34 recommends utilizing infill when possible. The proposed rezone would be another tool in accomplishing that by allowing for residential development on this currently unutilized parcel of land.

The City of Alliance Planning Commission met at their regular meeting on October 10, 2023 and voted to recommend the City Council approve the rezone of Block 1, Second Myrtle Addition to the City of Alliance, Box Butte County, Nebraska, from Ag, Agriculture to R-1, Single Family Residential, after making the following findings of fact:

1. The rezone would not create any nonconforming lot sizes.
2. The rezone would not create any nonconforming building setbacks.
3. There is ample access to the rezone parcel.
4. A rezone to R-1 would be consistent with the North Side and Core Neighborhoods recommendations that future land uses in these neighborhoods should be residential as identified in the Comp Plan.
5. The proposed rezone is adjacent to existing residential zoning.

Options:

Leave the zoning the same and:

1. The size remains nonconforming because it is less than the 10 acres required in Ag zoning.
2. The City cannot market the lot for single family housing development.

Change the zoning to a district other than Ag or R-1 which would not accomplish any of the stated goals in the Comp Plan.

November 7, 2023

Change the zoning to R-1 for the reasons the Planning Commission made in the findings of fact.]

A motion was made by Vice Mayor McGhehey, seconded by Mashburn to approve the first reading of Ordinance No. 2970. which follows in its entirety:

ORDINANCE NO. 2970

AN ORDINANCE OF THE CITY OF ALLIANCE, NEBRASKA, AMENDING THE OFFICIAL ZONING MAP, IN PARTICULAR REZONING BLOCK 1, MYRTLE SECOND ADDITION TO THE CITY OF ALLIANCE, BOX BUTTE COUNTY, NEBRASKA, REPEALING PRIOR SECTIONS AND PROVIDING FOR AN EFFECTIVE DATE.

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

SECTION 1. The Official Zoning Map of the City of Alliance, Nebraska is hereby amended to provide that Block 1, Myrtle Second Addition to the City of Alliance, Box Butte County, Nebraska shall be zoned as Single-Family Residential District (R-1 District). The Official Zoning Map of the City of Alliance shall be reincorporated as amended herein.

SECTION 2. All ordinances, parts of ordinances, resolutions, and policies of the City of Alliance in conflict with this Ordinance are repealed. The Official Zoning Map of the City of Alliance is hereby amended in accordance with this Ordinance, and shall be updated in the records of the City.

SECTION 3. 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: Jones, Mischnick, McGhehey, Andersen and Mashburn.

Voting Nay: None.

Motion carried.

- Next on the agenda for Council was Resolution No. 23-97 which will authorize and approve the ordering of a new fire truck, with the understanding that the purchase is unlikely to take place until FY26-27, at which time Council will decide to appropriate and expend sufficient funds to finalize the purchase. The following information was provided:

[The Alliance Fire Department has been aware of increased production schedules on new fire trucks. In the past, it was not uncommon from the acceptance of a contract to build a new fire truck that the fire department would see the delivery in

November 7, 2023

330 to 365 days. Today, the production schedule is in the 35-month delivery timeframe from accepting a quotation or signing a contract. The FY 2024-2025 Capital Budget for the fire department has \$835,000 programmed in GL 01-37-37-59-960, Capital Outlay-Vehicles, to purchase a new fire truck. We would have to have this funding available when we take the delivery of the fire truck, as that is when the City would be required to make payment.

Chief Shoemaker knew of an Eastern Nebraska Fire Department that used their Sourcewell membership to secure their new fire truck purchase. Knowing that the City of Alliance likes to use cooperative purchasing agreements when possible, Chief Shoemaker started that same process.

E-One has a cooperative purchasing agreement with Sourcewell, and the Nebraska dealer for E-One, North Central Emergency Vehicles, was contacted. Fire Chief Shoemaker and the fire department staff worked with the North Central Emergency Vehicle representative to develop the specifications for the new fire truck that will serve the City of Alliance for many years. North Central Emergency Vehicles has provided the City with a quotation using the City's Sourcewell member number for \$769,470.00.

Fire Chief Shoemaker is seeking approval to move forward with the ordering of a new fire truck and placing the City in the production schedule due to the increased production timelines. Suppose the City Council would approve the ordering of a new truck now. In that case, we anticipate seeing the delivery of the new truck to the City of Alliance in September of 2026.

With the anticipated delivery timeframe, we would not be able to take part in the North Central Emergency Vehicles prepayment option. The other timing issue we face is the new EPA-compliant emission engines. Suppose a pre-2027 emission engine is not available at the time of our build. In that case, we will automatically be upgraded to a 2027 EPA-compliant engine. The associated costs will be passed on to us.

To have the best chance to avoid either the engine change or potential price increase, we should order now and get a truck build placement in the production schedule.

It has also been shared with us outside of the possible unknown engine cost; signing the quotation will lock in the truck's price. North Central Emergency Vehicles also has stated that if there is an added expense that comes back in 2024, which is more than the City of Alliance wants to spend, E-ONE and North Central Emergency Vehicles will allow the City of Alliance to cancel the order without penalty or cost.]

A motion was made by Councilman Andersen, seconded by Mischnick to approve Resolution No. 23-97. which follows in its entirety:

November 7, 2023

RESOLUTION NO. 23-97

Fire Truck Reservation

WHEREAS, The City of Alliance Fire Department has identified the need to purchase a new fire truck in the coming years; and

WHEREAS, It was originally anticipated to place an order for a new truck was programmed for the FY 24-25 fiscal year; and

WHEREAS, Due to multiple factors in production, including the lasting effects from COVID-19 delays, the anticipated delivery for an outfitted truck is estimated at thirty-five (35) months from date of order, up from the previous estimate of a twenty-four to twenty-six (24-26) month delay; and

WHEREAS, The final price of the truck cannot yet be determined due to changes in federal law concerning emissions; and

WHEREAS, No funds are required for payment to place an order; and

WHEREAS, Payment will not be due until delivery, at which time the City may opt to not take possession of the order; and

WHEREAS, The purchase of a new fire truck is necessary for the ongoing safety of our community.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Alliance, Nebraska, is hereby authorized to place an order for a new fire truck, with the understanding that the purchase is unlikely to take place until FY26-27, at which time the sitting Council must decide to appropriate and expend sufficient funds to finalize the purchase of the truck.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

- Next item agenda was Resolution No. 23-98 which will authorize and approve the purchase of a 2024 Freightliner Dump Truck from HGAC-Buy in the amount of \$282,568.00. The following information was provided:

[As part of this year's CIP budget process the need for a new route truck for the Refuse Department was identified. Funds for this equipment were added to the budget and approved. KOIS Brothers Equipment Company has a current contract with HGAC for the appropriate equipment. Once ordered the equipment would be constructed with delivery estimated 2nd or 3rd quarter of 2024.]

November 7, 2023

A motion was made by Councilman Mischnick, seconded by Andersen to approve Resolution No. 23-97. which follows in its entirety:

RESOLUTION NO. 23-98

WHEREAS, The City of Alliance Refuse Department has the need to purchase a 2024 Freightliner Dump Truck; and

WHEREAS, KOIS Brothers Equipment Company has a current contract with HGAC for the appropriate equipment; and

WHEREAS, Once ordered, the equipment would be constructed with an estimated delivery of the 2nd or 3rd quarter of 2024; and

WHEREAS, The City desires to purchase the refuse truck as it was identified as a need during the 2023/2024 budget process; and

WHEREAS, Budget authority in the amount of \$282,568.00 is available for this purchase from the Refuse Budget Account No. 06-41-42-59-960 – Capital Outlay-Vehicles.

WHEREAS, Staff is recommending the purchase of the 2024 Freightliner Dump Truck from HGACBUY, bid number RH08-18 in the amount of Two Hundred Eighty-Two Thousand Five Hundred and Sixty-Eight Dollars and no/100th (\$282,568).

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Alliance, Nebraska, hereby is authorize the purchase the purchase of the 2024 Freightliner Dump Truck from HGACBUY, bid number RH08-18 in the amount of Two Hundred Eighty-Two Thousand Five Hundred and Sixty-Eight Dollars and no/100th (\$282,568) with the funds from Account No. 06-41-42-59-960 – Capital Outlay-Vehicles.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

- Resolution No. 23-99 was next on the Council's agenda which will approve the renewal of health insurance with UNUM, Regional Care Inc., and Symetra as the City of Alliance's Underwriters. The following information was provided:

[Brown and Brown Companies (formerly Hays), the City's health benefits broker, has conducted the City's insurance renewal and shopped the market for competitive rates for benefits the City offers its employees. The City looks to continue to provide adequate health benefits and coverage without reducing or eliminating

November 7, 2023

benefits as the national cost of health coverage continues to rise while remaining fiscally responsible.

Administration

- Administration for the health insurance program will continue through Regional Care Inc. (RCI).
- Regarding reinsurance, we were able to lock in an early-bird renewal with Symetra which was a guaranteed 9% increase. The current trend is 13.4%; however, this is simply a guess of how the market would have priced the average plan. Knowing we have had some large claims in our recent plan history, the City elected the conservative route by taking the offer in order to avoid the risk of a facing a potentially significant increase as a result of any new or developing large claim activity, while also recognizing the low likelihood for significant savings in the event the risk was avoided.
- Fixed costs increased by 9% while claims liability is projected to increase by 3.13%. As a reminder, the City plans to meet fixed-cost expenditures; however, claims liability will depend on usage. As of August, medical and prescription claims this year total approximately \$411,353 with five individuals accounting for 65% of expenditures.
- Accounting for both fixed cost and expected claims, the City pays the following for employee medical, HSA, dental, and vision benefits].

	Fixed Costs	Expected Claims	Monthly Value	Yearly Value	Hourly Value
Single	\$424.07	\$650.52	\$1,074.59	\$12,895.08	\$6.20 per hr.
Family	\$980.68	\$1,410.88	\$2,391.56	\$28,698.72	\$13.80 per hr.

A motion was made by Councilman Mashburn, seconded by Mischnick to approve Resolution No. 23-99. which follows in its entirety:

RESOLUTION NO. 23-99

WHEREAS, The City of Alliance has engaged in a process with Brown and Brown Corporation (formerly Hays), our benefit broker, evaluating its current healthcare benefit plans offered to employees; and

WHEREAS, Various options and proposals have been considered by staff and Brown and Brown Corp., and staff has recommended the options contained herein; and

WHEREAS, The City of Alliance has received a proposal to renew its contract with the Third-Party Administrator, Regional Care Incorporated; and

WHEREAS, The City of Alliance recommends a proposal to renew our contract for reinsurance carrier with Symetra as set forth herein; and

November 7, 2023

WHEREAS, The City of Alliance has received a proposal to renew its contract with Unum to provide term-life employee coverage and voluntary coverage options for employees; and

NOW, THEREFORE, BE IT RESOLVED, City Monthly premium payments per employee to Symetra as the reinsurance carrier effective January 1, 2024, shall be as follows:

Specific Single Premium	\$ 239.26
Specific Family Premium	\$ 728.61
Aggregate Premium	\$ 18.20

NOW, THEREFORE, BE IT RESOLVED, City Monthly premium payments per employee to Regional Care, Inc. as the TPA effective January 1, 2024, shall be as follows:

Transplant Coverage	
Single	\$ 10.02
Family	\$ 24.88
Vision Coverage	
Single	\$ 10.24
Family	\$ 21.64

NOW, THEREFORE, BE IT RESOLVED, City Monthly premium payments per employee to Unum. as the provider term-life employee coverage effective January 1, 2024, shall be as follows:

Life Insurance	
Single	\$ 8.80
Family	\$ 9.80

BE IT FURTHER RESOLVED, administrative service fees to Regional Care, Incorporated, shall be \$37.55 monthly per covered employee, effective January 1, 2024.

BE IT FURTHER RESOLVED, the City of Alliance shall make monthly contributions to our Health Support Fund, effective January 1, 2024, for the payment of medical and dental claims up to the following amounts:

Per Single Employee	\$ 650.52
Per Family Employee	\$1,410.88

Roll call vote with the following results:

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

Voting Nay: None.

November 7, 2023

Motion carried.

- Next item on the agenda was Resolution No. 23-100 which will approve the employee health insurance renewal for medical, dental, vision and in-lieu benefits. The following information was provided:

[Brown and Brown Companies (formerly Hays), the City's health benefits broker, has conducted the City's insurance renewal and shopped the market for competitive rates for benefits the City offers its employees. The City looks to continue to provide the same level of coverage without reducing or eliminating benefits as the national cost of health coverage continues to rise.

Employee Premiums and Coverage - Employee premiums for medical, dental, and vision will remain unchanged. Employee dental insurance dollars remain at \$2,000 and include orthodontia. Vision coverage retail allowance for contact lenses and frames remains at \$200. The in lieu of benefit (waive medical coverage) remains at \$350 per month (\$4,000).

Deductibles - IRS 2024 guidelines for plans with embedded deductibles require the minimum individual deductible to increase to \$3,200 (current \$3,000). This allows a single family member access to medical benefits sooner and saves families money if one family member incurs a large number of medical expenses. The maximum out-of-pocket amount per calendar year for both single and family plan participants was reduced last year and remains unchanged.

Health Savings Account – The City will increase its contribution to the employee's Health Savings Account to offset the increase in deductibles. Both plans would increase \$15 with Single moving from \$85 to \$100 and Family increasing to \$140 from \$125.

Additional Benefits

The City continues to provide a Teledoc option for plan participants allowing medical plan employees access to a doctor for non-emergency issues 24/7 via phone, web or mobile app at an employee cost of \$45 and paid outside of the deductible.

The City will also continue an Airlink Census Plan in 2024 that will include all *eligible* medical plan participants supplemental air ambulance service coverage that ensures no out-of-pocket costs when flown by a provider. The expected cost is \$75 per year per employee costing approximately \$7,500 per year.

Employees continue to have optional enrollment in Colonial Life for supplemental benefits as well as flexible spending accounts (FSA) for dependent care. Lastly, the City continues to provide employee life and accidental death through UNUM with the opportunity for employees to purchase additional voluntary]

November 7, 2023

A motion was made by Vice Mayor McGhehey, seconded by Andersen to approve Resolution No. 23-100. which follows in its entirety:

RESOLUTION NO. 23-100

WHEREAS, The City of Alliance has engaged in a process with Brown and Brown Corporation, our benefit broker, evaluating its current healthcare benefit plan offered to employees; and

WHEREAS, Employees will be able to choose single or family medical, dental, and vision insurance coverage options that best meet their needs, which have varying premiums, deductibles and out-of-pocket expenses; and

WHEREAS, Eligible employees who elect to waive medical coverage with proof of other medical coverage will be eligible for a \$350 monthly benefit to help off-set the cost of other coverage; and

WHEREAS, Employees will be eligible for an increase of employer health savings account contributions from \$85 to \$100 for single plan participants and \$125 to \$140 for family plan participants; and

WHEREAS, Employees will be eligible for \$2,000 insurance dollars with the dental benefit and \$200 insurance dollars for the vision benefit; and

WHEREAS, Eligible employees will be able to purchase voluntary term-life coverage through the company Unum; and

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council that the following monthly employee contribution levels for coverage are hereby established effective January 1, 2024.

	Employee		Family	
Medical Premium	\$60		\$170	
	In	Out	In	Out
Annual Medical Deductible	\$3,200	\$3,600	\$5,600	\$6,720
Co-Insurance	80/20	70/30	80/20	70/30
Annual Max. Cost to Employee	\$4,000	\$8,000	\$8,000	\$16,000
Dental Premium	\$15		\$40	
Vision Premium	\$5		\$20	

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

- Resolution No. 23-101 was next on the agenda which will establish and approve the Hiring and Retention Pay Policy for the City of Alliance. The following information was provided:

[

1. Purpose and Objective

The Hiring and Retention Pay Policy aims to incentivize and reward employees who demonstrate commitment and dedication to their roles in departments facing substantial staffing challenges. The driver behind this policy is to acknowledge the value of employee retention, particularly in departments that are significantly understaffed or experience high turnover rates and to attract quality professionals who can have an immediate impact on the success of the City of Alliance, Nebraska (“City”). This policy outlines the requirements for eligibility, the timing of payments, and implementation of the hiring and retention pay programs.

Retention pay is a sum of money paid to an employee with the sole objective of incentivizing the employee to remain employed at the City despite staffing shortages. Retention pay is subject to state and federal taxes. Additional compensation at hiring is payment to attract skilled and certified employees, typically transferring laterally from a similar position.

2. Retention Pay Eligibility

Payment of retention pay to the employee from the entity is contingent upon the following eligibility factors:

- I. Employee must currently be employed as a W-2 employee. If the employee had served any time as a subcontractor and/or independent consultant for the entity, any time spent and any amounts paid to that employee will not be utilized in determining eligibility to receive and amount of the retention pay.
 - II. Employee must be a Full-time employee, scheduled to work regularly a minimum of 40 hours per week. Employees whose regular schedule is less than 40 hours per week are ineligible.
 - III. Employees must have completed a minimum of one year of continuous service in the department at the time of the eligibility review.
 - IV. Employees must maintain a satisfactory performance record, and have not received any written warnings and/or disciplinary actions during the previous year, as determined by their respective supervisors through regular performance evaluations.
 - V. Employees must be actively employed in a department that is currently operating with a staff level below 70% of its authorized capacity for the previous calendar quarter. Two tiers are included for compensation:
 - a. Tier I – 70% of authorized capacity
 - b. Tier II – 50% of authorized capacity
- 3. Compensation at Hiring Eligibility**

November 7, 2023

Payment of Compensation at Hiring to the employee from the City is contingent upon the following eligibility factors:

- I. Employee must currently be employed as a W-2 employee. If the employee had served any time as a subcontractor and/or independent consultant for the entity, any time spent and any amounts paid to that employee will not be utilized in determining eligibility.
- II. Employee must be a Full-time employee, scheduled to work regularly a minimum of 40 hours per week. Employees whose regular schedule is less than 40 hours per week are ineligible.
- III. Employees must maintain a satisfactory performance record, and have not received any written warnings and/or disciplinary actions during the previous year, as determined by their respective supervisors through regular performance evaluations.

4. Notice to Employees

For union employees: By participating in this program, employees agree that this policy in no way alters the conditions of the FOP #51 contract.

For all employees: By participating in this program, employees agree that this program may be discontinued at any time at the discretion of the City of Alliance, with or without advanced notice.

5. Actions

Every quarter of the calendar year, the City determines the eligibility of employees and the level of retention pay to be paid to those eligible employees by verifying work status, hours, and satisfactory performance. Staffing levels will be determined using data from the most recently completed calendar quarter.

Before communication of the retention pay to the eligible employees, the payment terms and payment amounts will be reviewed by the City Manager, who will make the final determination of the pay to be granted, as well as the determination of the payment date.

6. Payment Structure

Retention:

- Tier I – Up to \$750.00 per quarter, not to exceed \$3,000.00 per 12-month period.
- Tier II – Up to \$1,500.00 per quarter, not to exceed \$6,000.00 per 12-month period.

Hiring:

- The City Manager may authorize an amount of compensation of up to ten percent (10%) of the maximum salary of the position being offered as a one-time compensation pay. The amount of compensation to be paid shall be based upon qualifications determined by the City Manager and the Department Head for the relevant position.
- Situations that require emergency action or special consideration, the City Manager, with City Council's approval, may authorize an amount that exceeds ten percent (10%) of the maximum salary of the position being offered as compensation pay.
- Full-time Police Officers currently Certified in the State of Nebraska at the time of hire (typically as a lateral transfer from another agency) are eligible to receive \$20,000.00 of compensation.
- For lateral transfers, the compensation may be used to "purchase" vacation time-

November 7, 2023

off.

7. Retention Pay Implementation

- a. Retention Pay eligibility determinations will be made around the following dates:
 - 1.) January 15th
 - 2.) April 15th
 - 3.) July 15th
 - 4.) October 15th
- b. The amount of retention paid to eligible employees will not be pro-rated, except that in the event that an employee transfers to a different department, the retention pay will no longer apply, and any pending payments will be prorated based on the period of service within the qualifying department.
- c. Retention pay may be paid by the first pay period following the completion of the quarter-year during which the determination to give the retention pay was made, but no later than two and a half months after the fiscal year-end date.
- d. Retention payments will be subject to taxation and other mandatory deductions as per the prevailing laws and regulations.

8. Compensation at Hiring

- a. Additional Compensation Packages shall be paid incrementally.
- b. The first payment shall be disbursed after the employee has completed 30 days of employment. The second payment shall be disbursed upon the employees' satisfactory completion of the probationary period. The final payment shall be disbursed upon completion of the employees' first year of employment.

9. Review Process

- a. The Human Resources Department will conduct a review of departmental staffing levels as needed to determine eligibility.
- b. Eligible employees will be notified in writing of their qualification for the retention payment.
- c. Employees may appeal the decision if they believe they meet the eligibility criteria but were not identified during the review process. The appeal process will be outlined and managed by the City Manager.

10. Policy Compliance

- a. The policy will be implemented and monitored by the City Manager, with support from departmental managers and supervisors.
- b. Any misrepresentation of data or attempts to manipulate staffing records to gain undue advantage under this policy will be subject to disciplinary action, up to and including termination, in accordance with the City's policies.

11. Policy Amendments

- a. The Alliance City Council will evaluate this policy no less than annually, with the program continuing only on a majority vote of the Council to that effect.
- b. Any amendments to the policy will be communicated to all employees and will be effective upon the specified date of implementation.

12. Effective Date

This Employee Retention Payment Policy is effective from November 7, 2023. Please direct any queries or concerns regarding this policy to the City Manager.]

November 7, 2023

A motion was made by Councilman Andersen, seconded by Mischnick to approve Resolution No. 23-101. which follows in its entirety:

RESOLUTION NO. 23-101
Hiring and Retention Pay Policy

WHEREAS, Box Butte County is experiencing near-record lows in unemployment; and

WHEREAS, Due to local competition for employees, the still-ongoing effects of COVID-19 in the workplace, and the dearth of law enforcement officers across the nation; and

WHEREAS, The City of Alliance, Nebraska (“City”) continues to experience difficulties in attracting qualified candidates for employment with the City including but not exclusive to Police Officers and Journey Lineman; and

WHEREAS, The City places a premium on providing for the health, comfort, and safety of its citizens, realizing that our employees are the driving force in providing services; and

WHEREAS, The City proposes to establish an updated pay policy to provide competitive compensation in hopes of attracting new employees to the City for difficult-to-fill positions; and

WHEREAS, The proposed Hiring and Retention Pay Policy has been prepared and reviewed by the City Manager, City staff, and legal staff; and

WHEREAS, City Council has reviewed the proposed Policy and finds it appropriate for the needs of the City.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of Alliance, Nebraska, the Compensation at Hiring and Retention Pay Policy as attached, is hereby approved and adopted effective upon passage, as the “Hiring and Retention Pay Policy” of the City.

BE IT FURTHER RESOLVED that this policy shall supersede any previous policies on hiring bonuses.

Vice Mayor McGhehey at this time spoke up asking fellow Council Members if they all had a chance to review revised Resolution that was sent out last minute before the meeting. Some of the Council Members were unaware of the changes made last minute to this Resolution. Vice Mayor McGhehey state he was very disappointed with the time frame given to review these changes and that he did not think he could make a decision on this matter at this time.

A motion was made by Vice Mayor McGhehey, seconded by Councilman Mischnick to table Resolution No. 23-101 until further notice.

Roll call vote to table action on Resolution No. 23-101 until further notice with the following results:

November 7, 2023

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

Voting Nay: None.

Motion carried.

- Last matter before Council was agenda was a 6 Month performance evaluation of City Clerk Pitt. Council at this time entered into a closed session to conduct the job performance of the City Clerk.

Council and City Clerk Pitt entered into closed session at 7:20 p.m. The closed session concluded at 7:58 p.m.

The Alliance City Council adjourned the November 7, 2023 City Council Meeting at 7:20 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.