

December 5, 2023

ALLIANCE CITY COUNCIL

REGULAR MEETING, TUESDAY, DECEMBER 5, 2023

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

The Alliance City Council met in a Regular Meeting, December 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 November 29, 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 December 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 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 Mischnick, seconded by Councilman Andersen to approve the Consent Calendar as follows:

CONSENT CALENDAR – DECEMBER 05, 2023

1. Approval: Minutes of the Regular Meeting, November 21, 2023.
2. Approval: Payroll from December 01, 2023 in the total amount of \$376,238.69.
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; \$779,311.05.
4. Approval: Cemetery Certificates for Heimbeck-McKinney, May K. and Andersen, Linda.

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5. Approval: Resolution No. 23-108 which will approve the janitorial contracts for Alliance, Municipal Airport, SkyView Golf Course, Alliance Utility Facility, Alliance Learning Center, and Knight Museum & Sandhills Center.
6. Approval: Resolution No. 23-109 which will authorize the Mayor to execute the Agreement with the State of Nebraska Department of Transportation (Roads) defining the maintenance responsibilities of the City and the Department of Transportation for State highways within the city limits for the calendar year 2023.
7. Acknowledgement: Tort Claim filed by Greg PicketPin.

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, McGhehey, Mischnick, Andersen and Mashburn.

Voting Nay: None.

Motion carried.

- First item on the agenda for Council was the third and final reading of Ordinance No. 2969 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 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

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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 Mischnick to approve Ordinance No. 2969 on third reading which approves and amends the City Limit Map of the City of Alliance and annex Block 1, Myrtle Second Addition to be within corporate limits of the City. City Clerk Pitt read the Ordinance by title 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:

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.

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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.

Mayor Jones stated, “the passage and adoption of Ordinance No. 2969 has been concurred by a majority of all members elected to the Council, I declare it passed, adopted, and order it published.”

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

- Board appointment was next before Council.

A motion was made by Vice-Mayor McGhehey, seconded by Councilman Andersen to reappoint Kelsey Turman to the Board of Adjustment with a term ending December 31, 2026.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

- Last item on the agenda for Council was an Agenda Request from Denise M. Yocum which was received on November 29, 2023 to speak before the City Council.

Councilman Andersen, announced the Agenda Request from Denise M. Yocum will be postponed until next meeting on December 19, 2023.

The Alliance City Council adjourned the December 5, 2023 City Council Meeting at 7:04 p.m.

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(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