

May 21, 2024

ALLIANCE CITY COUNCIL

REGULAR MEETING, TUESDAY, MAY 21, 2024

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

The Alliance City Council met in a Regular Meeting, May 21, 2024 at 7:03 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 May 15, 2024. 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 May 21, 2024 regular meeting of the Alliance, Nebraska City Council at 7:03 p.m. Present were Mayor Jones, Vice Mayor McGhehey and Council Members Mischnick, Mashburn, and Weisgerber. Also present were City Manager Sorensen, City Treasurer Baker, City Attorney Swanson, and Recording Secretary Bedient.

- 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 Vice Mayor McGhehey to approve the Consent Calendar as follows:

CONSENT CALENDAR – May 21, 2024

1. Approval: Minutes of the Regular Meeting, May 7, 2024.
2. Approval: Payroll from May 3, 2024 in the total amount of \$384,727.32.
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; \$1,436,603.11.
4. Approval: Alliance Volunteer Fire Department Roster Update.

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5. Approval: Cemetery Certificates for Tschacher, Donald E. & Kimberly L. and Romick, Rodney, and Shannon, Michael D. & Joan K.
6. Approval: Resolution No. 24-44 which approves Change Order No. 1 for the 8th Street Rehabilitation Project in the amount of \$90,425.00 due to significant deterioration to some of the areas along the project area.
7. Approval: Resolution No. 24-45 which authorizes a budget transfer in the amount of \$8429 from Capital Outlay-Computers # 01-31-33-59-950 to Other Contract Operating Svcs # 01-31-33-43-379 to cover the invoice for the yearly mapping maintenance from Geocomm.
8. Approval: Resolution No. 24-46 which authorizes a budget transfer in the amount of \$41,000 from Database Subscriptions # 01-31-32-44-423 to Capital Outlay – Vehicles # 01-31-32-59-960 in the amount of \$21,000 and to NRCNTSVC – Vehicle Repair Mtc. # 01-31-32-44-482 in the amount of \$20,000 for the new purchase of new units and repairs/outfitting for the new units for the fleet.
9. Approval: Resolution No. 24-47 which authorizes a budget transfer in the amount of \$10,100 from Capital Outlay-Mach-Equip # 06-51-55-59-950 to NRCNTSVC-VEH, EQUIP REPAIR # 06-51-55-44-482 with Murphy Tractor & Equipment Co., Inc, of Gering, NE for the Landfill Loader repairs.
10. Approval: Resolution No. 24-48 which accepts and approves the amended Classification Plan for the 2023/2024 Fiscal Budget Year.

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: Mischnick, McGhehey, Weisgerber, Mashburn and Jones.

Voting Nay: None.

Motion carried.

- The second item on the agenda for Council was to present Mayor Jones with a plaque of Recognition.
- Vice Mayor McGhehey next recognized the week of May 19 through May 25, 2024 as Travel and Tourism Week and read the following proclamation:

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PROCLAMATION

WHEREAS, The City of Alliance, Nebraska, celebrates its unique charm and vibrant community spirit, drawing visitors from far and wide in search of adventure and discovery; and,

WHEREAS, National Travel and Tourism Week provides an invaluable opportunity for Alliance residents to showcase our distinctive attractions, including the world-famous Carhenge, the timeless allure of downtown Alliance, the enriching experiences offered by our museums, and the serene beauty of our parks; and,

WHEREAS, Tourism plays a vital role in the evolution of Alliance by supporting local businesses and generating economic growth that strengthens our community and enhances our quality of life; and,

WHEREAS, Alliance is committed to promoting responsible tourism practices that preserve our cultural heritage, and uphold the values of hospitality and inclusivity that define our city; and,

WHEREAS, Tourism fosters a sense of community and belonging through vibrant events such as Bands on the Bricks and Autumn in Alliance, providing affordable entertainment and fostering connections among residents and visitors alike; and,

WHEREAS, National Travel and Tourism Week serves as a reminder of the power of collaboration and unity among residents, businesses, and local organizations in showcasing Alliance as a welcoming and unforgettable destination for travelers from near and far;

NOW, THEREFORE, the City Council of Alliance, Nebraska, does hereby proclaim:

The week of May 19-25, 2024 as:

Travel and Tourism Week

In the City of Alliance, Nebraska, we call upon all citizens to unite in celebration, welcoming travelers with open arms and encouraging them to discover the unexpected wonders of Alliance.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the City of Alliance to be affixed on this 21st day of May in the year of the Lord Two Thousand Twenty-Four.

- Councilman Weisgerber next proclaimed National Cities, Towns and Villages Month for the month of May and read the following proclamation:

PROCLAMATION

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WHEREAS, The National League of Cities was founded in 1924 in Lawrence, Kansas, as the American Municipal Association by state municipal leagues seeking more coordination and national representation as cities, towns, and villages expanded rapidly; and,

WHEREAS, The nonpartisan National League of Cities is the oldest and largest organization representing municipal government throughout the United States, representing the interests of more than 19,000 cities, towns, and villages across the country; and,

WHEREAS TODAY, The National League of Cities works in the partnership with 49 state municipal leagues across the country to strengthen local leadership, drive innovation, and influence the federal policies that impact local programs and operations; and,

WHEREAS, As the Voice of cities, towns, and villages in Washington, DC, the National League of Cities has successfully championed federal legislative solutions that support municipalities and has worked closely with Congress and the Executive Branch to educate policymakers on the realities of local implementation; and,

WHEREAS, City of Alliance is a proud member of the National League of Cities, and has benefited from the organization's research, technical expertise, federal advocacy and opportunities to learn from other local governments; and,

WHEREAS, Local governments are the bedrock of American democracy, providing 336 million residents with the most accountable, responsive, inclusive, ethical, and transparent government in the world; and,

WHEREAS, From the nation's smallest villages to its largest cities, America's local governments have been essential in transforming the United States of America into the greatest, most influential nation in world history;

WHEREAS, City of Alliance was first incorporated in 1888 and is proudly served today by Mayor Jones, Vice Mayor McGhehey, Councilman Mischnick, Councilman Mashburn and, Councilman Weisgerber and a municipal workforce of 112 dedicated public servants;

NOW, THEREFORE, the City Council of Alliance, Nebraska, does hereby proclaim:

The Month of May as:

National Cities, Towns and Villages Month

In the City of Alliance, Nebraska, we urge all citizens to unite in celebration of America's local governments and the National League of Cities historic centennial anniversary.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the City of Alliance to be affixed on this 21st day of May in the year of the Lord Two Thousand Twenty-Four.

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- The next matter on the agenda for Council was Resolution No. 24-49 which will accept the required amendments to the City of Alliance Drug and Alcohol Policy which covers both DOT programs (FTA and FMCSA) and language in the Drug Free Workplace Policy. The following information was provided:

[RESOLUTION – REVISED DRUG AND ALCOHOL TESTING POLICY

The City operates two Federal Department of Transportation (DOT) programs. The Federal Transit Administration (FTA) Policy covers public transit drivers. All employees required to have a commercial driver’s license (CDL) are included in the Federal Motor Carrier Safety Administration (FMCSA) Policy.

The City of Alliance was audited by the NDOT’s Drug & Alcohol Compliance Monitoring Program in February to determine whether we (a subrecipient of 5311 funding) are implementing its FTA-funded programs following Federal law. The review covered the City’s Drug & Alcohol Policy, Program, and Records Management, as well as an interview and audit of our DOT and Non-DOT Collection Site, Box Butte General Hospital.

Action:

The City received a corrective action requiring the update of our Drug and Alcohol Policy to incorporate Federal changes regarding how drug specimens are collected. This change in the collection covers both DOT programs (FTA and FMCSA) and language in the DFWP Policy. After a conversation with the auditors and DOT Department Heads (Kirby Bridge and Ross Grant), it was determined the City would combine the FTA and FMCSA policies into one document as the DOT rules generally cover both programs similarly. The auditors provided a model to combine policies that distinguish FTA and FMCSA rules where appropriate.

Adoption will ensure that the City of Alliance remains compliant with Federal rules covering the DOT programs.

RECOMMENDATION: APPROVE THE RESOLUTION ADOPTING RESTATED DOT FTA AND FMCSA DRUG AND ALCOTRANSPORTATION (DOT) POLICY]

A motion was made by Councilman Mischnick, seconded by Vice Mayor McGhehey to approve Resolution No. 24-49. Which follows in its entirety:

RESOLUTION NO. 24-49

WHEREAS, The City operates programs covered by the Federal Transit Administration (FTA) with rules outlined in U.S. Department of Transportation 49 CFR Part 655, as amended, and the Federal Motor Carrier Safety Administration (FMCSA) governed by 49 CFR Part 382; and

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WHEREAS, These Federal rules require the City to adopt policy establishing guidelines to maintain a drug and alcohol-free workplace in compliance with these rules as well as the Drug-Free Workplace Act of 1988; and

WHEREAS, The U. S. Department of Transportation (USDOT) has also published 49 CFR Part 40, which sets standards for the collection and testing of specimens for drug and alcohol testing, which have changed; and

WHEREAS, The revision requires changes to our Department of Transportation (DOT) FTA and FMCSA Drug and Alcohol Testing Policy.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Alliance, Nebraska, that the new regulations of the U.S. Department of Transportation will be included in the City's U.S. Department of Transportation Federal Transportation Administration (FTA) and Federal Motor Carrier Safety Administration (FMCSA) Drug and Alcohol Testing Program.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

- Board Appointments was next for Council on the agenda.

A motion was made by Councilman Mashburn, seconded by Councilman Mischnick to appoint Dick Fankhauser to the Housing Authority Board with a term ending December 31, 2027, to appoint Tammy DuBray to the Library Board and reappoint Travis O'Gorman with a term ending June 30, 2029.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

- Last matter before Council on the agenda was an Annual Review performance evaluation of City Manager Sorensen. Council at this time enter into a closed session to conduct the job performance of the City Manager.

A motion was made Vice Mayor McGhehey, seconded by Councilman Mischnick to enter closed session for an Annual Review performance evaluation of City Manager Sorensen.

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Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

Council and City Manager enter closed session at 7:20 p.m. The closed session concluded at 8:13 p.m.

A motion was made by Vice Mayor McGhehey, seconded by Councilman Mischnick to write a positive letter of renewal for City Manager Sorensen's personal file.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

The Alliance City Council adjourned the May 21, 2024 City Council Meeting at 8:15 p.m.

(SEAL)



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