

July 16, 2024

ALLIANCE CITY COUNCIL

REGULAR MEETING, TUESDAY, JULY 16, 2024

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

The Alliance City Council met in a Regular Meeting, July 16, 2024 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 July 10, 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.

Vice Mayor Mashburn opened the July 16, 2024 regular meeting of the Alliance, Nebraska Council at 7:00 p.m. Present were Vice Mayor Mashburn and Council Members Mischnick, Weisgerber, and Liptack. Also present were City Manager Sorensen, City Treasurer Baker, City Attorney Selzer and City Clerk Pitt.

- Vice Mayor Mashburn excused Mayor McGhehey.
- Vice Mayor Mashburn 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 Liptack to approve the Consent Calendar as follows:

CONSENT CALENDAR – July 16, 2024

1. Approval: Minutes of the Regular Meeting, July 2, 2024 and Budget Workshop, July 9, 2024.
2. Approval: Payroll from June 28, 2024 in the total amount of \$304,547.36.
3. Approval: Claims against the following funds: General, General Debt Service, Trust and Agency, Street, Electric, Refuse Collection and Disposal, Sanitary Sewer, Water, Golf

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Course, Downtown Improvement Districts, R.S.V.P., Keno, and Capital Improvement; \$871,381.50.

4. Approval: Cemetery Certificate for Thomas, Donald L. & Rebecca J.
5. Approval: Resolution No. 24-62 which will authorize the execution of the 24-RMR-3495 (Contract) with Western Area Power Administration (WAPA).
6. Approval: Resolution No. 24-63 which will approve a lease with Denver Air Connection for parking spaces at the Alliance Municipal Airport terminal location for a term of one year from June 30, 2024 to June 30, 2025.
7. Approval: Resolution No. 24-64 which will authorize a budget transfer in the amount of \$25,000 from System Contingency # 08-52-51-47-791 to Other Chemical # 08-52-51-46-629 to cover costs of chlorine that is needed to be added to the drinking water.
8. Approval: Resolution No. 24-65 which will authorize a budget transfer in the amount of \$12,000 from Capital Outlay-Buildings # 08-52-52-55-915 to Capital Outlay-Machinery # 08-52-52-59-950 to cover costs to pay Core & Main for Water Radios.
9. Approval: Resolution No. 24-66 which will authorize a budget transfer in the amount of \$12,000 from Traffic Light – Improvements # 24-41-41-59-971 to Asphalt Overlays # 24-41-41-51-930 to cover remaining costs due to Werner Construction of the 8th Street Rehabilitation Project.

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, Liptack, Weisgerber and Mashburn.

Voting Nay: None.

Motion carried.

- Council next held a Public Hearing on the Class C Liquor License Application for Brewery 719, LLC, 817 East 3rd Street. Following the public hearing, Council considered Resolution No. 24-67 which has been prepared to recommend approval of the license. Council was provided with the following background information:

[RESOLUTION – BREWERY 719, LLC CLASS C LIQUOR LICENSE

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The City is in receipt of a Class C liquor license application from Brewery 719, LLC, 817 East 3rd Street. The license application is included in the packet. No disqualifiers came from a background check conducted by the Alliance Police Department.

HEARING PROCESS -

1. Mayor or council member announces agenda item.
2. Mayor opens public hearing and asks clerk what exhibits she has.
3. Clerk identifies application, checklist for 53-132, Chiefs report, and other documents she may have received.
4. Mayor asks for a motion that the exhibits be received into the record, second and vote.
5. Mayor asks for those who are going to give testimony to stand and be sworn.
6. Mayor says "do you swear or affirm to tell the truth so help you God".
7. Individuals respond.
8. Those individuals should include the applicant who must prove to the council's satisfaction the elements on the top part of the checklist. They will also include individuals who may speak either in favor or against the application and police chief who will hit the high points of his report.
9. Mayor calls on applicant to make a presentation.
10. While applicant is still at the podium, the Mayor will call on the City Attorney for any questions and to council and himself for questions.
11. Mayor asks for others who wish to speak in favor of the application and follows the same process for questions.
12. Mayor then calls upon those who wish to speak against and follows the same process for questions.
13. Mayor then calls on the police chief/staff for comments.
14. Mayor asks if there is any other testimony.
15. Mayor closes the public hearing and asks for comment from the City Attorney.
16. Mayor asks for comment from Council and himself.
17. Mayor asks for a motion.
18. The motion is either to make a positive or negative recommendation on the application to the Liquor Control and to reference the elements on the top of the checklist and ask staff to prepare Resolution for the Mayor's signature.
19. After a second, Mayor calls for a vote.

RECOMMENDATION: IF THE PUBLIC AND COUNCIL HAVE NO OBJECTIONS, APPROVE THE RESOLUTION TO GRANT A CLASS C LIQUOR LICENSE TO BREWERY 719, LLC.]

Vice Mayor Mashburn stated "now is the date, time, and place to conduct a Public Hearing to hear support, opposition, criticism, suggestions, or observations of the taxpayers relating to the Class C Liquor License Application of Brewery 719 and opened the public hearing at 7:07 p.m.

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City Clerk Pitt identified the following exhibits for the hearing:

Exhibit 1 – Application of Brewery 719, LLC, 817 East 3rd Street, Alliance, NE.

Exhibit 2 – City Council checklist for Section 53-132 R.R.S. (1984)

Exhibit 3 – Written statement of Police Department dated June 27, 2024.

Vice Mayor Mashburn made a motion to accept Exhibits 1-3 into the record. Councilman Mischnick seconded the motion.

Roll call vote with the following results:

Voting Aye: Mischnick, Weisgerber, Liptack, Mashburn.

Voting Nay: None.

Motion carried.

Vice Mayor Mashburn swore in Toni McCoy, representatives of Brewery 719 and co-applicants of the Class C License. As well as acting Police Chief Leavitt to give testimony regarding the liquor application.

Council asked what the need of upgrading their license at Brewery 719 for intended for. McCoy stated the reasoning for upgrading their current license for the intention of selling wine and other varieties.

The applicants had a positive background check and were eligible to hold a liquor license.

No additional testimony was offered and Public Hearing closed at 7:10 p.m.

A motion was made by Councilman Weisgerber, seconded by Councilman Mischnick to approve Resolution No. 24-67. Which follows in its entirety:

RESOLUTION NO. 24-67

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

On July 16, 2024 the matter of the Class C Liquor License Application of Brewery 719, LLC, 817 East 3rd Street, Alliance, NE, came on for consideration by the Council.

The following exhibits were offered and received:

Exhibit 1 - Application of Brewery 719, LLC, 817 East 3rd Street

Exhibit 2 - City Council checklist for Section 53-132 R.R.S. (1984)

Exhibit 3 - Written statement from the Alliance Police Department

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Witnesses were sworn and testimony was received in support of the Class C Liquor License at the public hearing on this date from Brewery 719, LLC.

Upon consideration of the evidence and the criteria to be considered by the City Council pursuant to law, the City Council finds as follows:

Applicant complies with the provisions of Section 53-131.01 R.R.S. (2003).

Applicant has met its burden with regard to the checklist that is provided by Section 53-132 R.R.S. (1984) and demonstrates a willingness and ability to properly manage the liquor license held by Brewery 719, LLC in conformance to the rules and regulations of the Nebraska Liquor Control Act.

Based on the above findings, the City Council recommends to the Nebraska Liquor Control Commission that the Class C Liquor License Application of Brewery 719, LLC at the premise described in the application be approved. The City of Alliance shall transmit a copy of this Resolution to the Commission.

Roll call vote with the following results:

Voting Aye: Weisgerber, Mischnick, Liptack and Mashburn.

Voting Nay: None.

Motion carried.

- The next item on the agenda for Council was Resolution No. 24-68 which will award the Property & Casualty insurance bid to FNIC in the amount of \$1,058,268. The City is recommending Traveler's Insurance as the carrier, with our Airport General Liability insurance being provided by Old Republic Insurance Company. The following information was provided:

A motion was made by Councilman Liptack, seconded by Councilman Mischnick to approve Resolution No. 24-68. Which follows in its entirety:

RESOLUTION NO. 24-68

WHEREAS, The City of Alliance recognizes the importance of purchasing insurance to protect against significant loss which affect the budget and would impact the operation of the City of Alliance; and

WHEREAS, The City desires to provide the best protection at the lowest cost to give the taxpayers the most insurance for their taxpayer dollar; and

WHEREAS, The City of Alliance entered into a contract with First National Insurance Company to provide Property and Casualty insurance coverages with Traveler's Insurance as the

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package provider and Old Republic Insurance Company, who provides the Airport General Liability policy; and

WHEREAS, The City's coverages and premiums have been reviewed by our broker First National Insurance Company and they have made a recommendation for the renewal of policies to be effective August 1, 2024 with Traveler's Insurance.

NOW THEREFORE BE IT RESOLVED by the Mayor and City Council of the City of Alliance, Nebraska, that the Mayor is authorized to sign a contract for insurance with First National Insurance Company in the amount of One Million Fifty-Eight Thousand Two Hundred Sixty-Eight Dollars and no/100ths (\$1,058,268.00).

Roll call vote with the following results:

Voting Aye: Liptack, Mischnick, Weisgerber and Mashburn.

Voting Nay: None.

Motion carried.

- Next for Council on the agenda was Resolution No. 24-69 which will accept and authorize the City of Alliance Classification and Compensation Plan and Revised Hiring and Retention Pay Policy. The following information was provided:

[RESOLUTION - CLASSIFICATION AND COMPENSATION PLANS

RESOLUTION – HIRING AND RETENTION POLICY UPDATE

The attached resolution will adopt the position of Police Officer Trainee into the Classification and Compensation Plan and update the Hiring and Retention Pay Policy to address the position of Police Officer Trainee. It will also provide clarification within the Hiring and Retention Pay Policy regarding purchasing vacation leave and rehiring former employees.

Police Officer Trainee:

Current: Police Officer Trainees receive one-third of their bonus at 30 days, upon completion of probation, and at their one-year anniversary. This complicates the process due to possible overlap between end of one year's service and completion of probation, as well as timing between first being hired and attending the academy. Our practice has been to pay Police Officer Trainees at 90% of Negotiated Police Officer wages until such time that they receive their law enforcement certification, where they are reclassified to Police Officer and receive a 10% wage increase, however this was not reflected in the classification and compensation plan.

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New: Police Officer Trainees will receive one-half of their total bonus award upon receiving their certification. Upon completion of probation (usually 6 months following certification) they will receive the second half of their hiring bonus.

Hiring and Retention Pay Policy:

- Updated language address Police Officer Trainee award
- Clarifies “up to” \$20,000 for lateral transfer (acknowledging skills and experience of the applicant)
- Allows all new hires, and not just lateral transfers, to purchase vacation time at their current rate of pay
- Addresses hiring former employees and their eligibility for a hiring bonus

RECOMMENDATION: APPROVE RESOLUTION AUTHORIZING THE CLASSIFICATION AND COMPENSATION PLAN AND REVISED HIRING AND RETENTION PAY POLICY.]

A motion was made by Councilman Weisgerber, seconded by Councilman Mischnick to approve Resolution No. 24-69. Which follows in its entirety:

**RESOLUTION NO. 24-69
Hiring and Retention Pay Policy and Classification Plan**

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 adopted a pay policy to provide competitive compensation in hopes of attracting new employees to the City for difficult-to-fill positions; and

WHEREAS, Resolution No. 23-101 - Hiring and Retention Pay Policy which was approved November 7, 2024, has been revised and is being proposed to City Council for their approval; and

WHEREAS, City Staff found appropriate changes that were in the Policy to best serve the City of Alliance.

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NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of Alliance, Nebraska, the updated Compensation at Hiring and Retention Pay Policy and Classification and Compensation Plan 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.

Roll call vote with the following results:

Voting Aye: Weisgerber, Mischnick, Liptack and Mashburn.

Voting Nay: None.

Motion carried.

- Last item on the agenda for Council was Board Appointments.

A motion was mad by Councilman Mischnick, seconded by Vice Mayor Mashburn to appoint Dawn Butcher and Stetson Shreve to Economic Development Plan Application Review Board with their terms ending June 30, 2027.

Roll call vote with the following results:

Voting Aye: Mischnick, Weisgerber, Liptack and Mashburn.

Voting Nay: None.

Motion carried.

The Alliance City Council adjourned the July 16, 2024 City Council Meeting at 7:15 p.m.

(SEAL)



John McGhehey, Mayor



Shelbi C. Pitt, City Clerk