

August 20, 2024

ALLIANCE CITY COUNCIL

REGULAR MEETING, TUESDAY, AUGUST 20, 2024

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

The Alliance City Council met in a Regular Meeting, August 20, 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 August 14, 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 McGhehey opened the August 20, 2024 regular meeting of the Alliance, Nebraska City Council at 7:00 p.m. Present were Mayor McGhehey, 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.

- Mayor McGhehey read the Open Meetings Act Announcement.
- The first item on the agenda for Council was to proclaim for Big Blue Bay Staff Recognition.

Big Blue Bay staff was in attendance to receive the proclamation for Big Blue Bay Staff Recognition. Mayor McGhehey read the following proclamation:

Office of the Mayor
Alliance, Nebraska
Proclamation



August 20, 2024

WHEREAS, On the afternoon of July 30, 2024 Alliance lifeguards acted quickly and bravely to save the life of a swimmer at the Big Blue Bay; and

WHEREBY, On that day, Diane Dubray, was working at her lifeguard post when she noticed that after standing up at the bottom of the slide, a swimmer had resubmerged in the exit area of the slide. Diane activated the emergency action plan, entered the water and brought the woman back to the surface. She assessed her in the water and recognized that the victim had no pulse and wasn't breathing.

WHEREBY, Holden Libsack and Jayda Backous witnessed Diane rescuing the patron and immediately entered the water to assist; Lifeguard Carlie Schneider was waiting on deck when the swimmer was removed from the water, and with the help of a local nurse who was at the pool, started CPR. After several rounds of CPR the swimmer began to show signs of life. Meanwhile, other staff members cleared the pool, removed observers in the immediate rescue area to allow lifeguards space to work, called 911 to request ambulance service; and kept other patrons calm.

WHEREAS, After suffering a medical incident in the water, the swimmer was conscious and breathing when Emergency Medical Technicians arrived, who then assessed the swimmer and transferred her to the hospital for further observation; and

WHEREAS, These lifeguards successfully performed their lifesaving responsibilities as a result of many hours of training and vigilance, which resulted in a positive outcome for the swimmer and her family; and

WHEREAS, These young lifeguards epitomize many of the values to which the City of Alliance and its citizens strive, namely: dedication, responsibility, bravery, sacrifice and service.

NOW, THEREFORE, I, John McGhehey, Mayor of the City of Alliance, on behalf of the Alliance City Council and citizens of Alliance, do hereby express our gratitude for, and recognition of, the lifesaving skills and swift and appropriate action by Big Blue Bay staff on July 30, 2024.

AND I urge all citizens to join me in recognizing the heroic efforts of these young people.

At this time Tim Smith, 186 Burnham Drive, Alliance, Nebraska, spoke before the Big Blue Bay Staff stating he was proud of their actions in saving his daughter and thanking them for their swift action taking.

- Oath of Office for the newest Police Officer Hoatson to the Alliance Police Department was next on the agenda.

City Clerk Pitt administered the Oath of Office to Police Officer Hoatson.

August 20, 2024

- The Consent Calendar was the next item on the agenda. A motion was made by Councilman Liptack, seconded by Councilman Weisgerber to approve the Consent Calendar with the corrections of a typo in Minutes of the Regular Meeting, August 6, 2024 as follows:

CONSENT CALENDAR – August 20, 2024

1. Approval: Minutes of the Regular Meeting, August 6, 2024.
2. Approval: Payroll from August 9, 2024 in the total amount of \$421,394.03.
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; \$1,832,571.08.
4. Approval: Alliance Volunteer Fire Department Roster Update.
5. Approval: Resolution No. 24-77 which will authorize a capital budget transfer in the amount of \$21,000 from Water Mains # 08-52-52-55-911 to Capital Outlay Machinery # 08-52-52-59-950 to cover outstanding invoice to pay Core & Main for Water Radios.
6. Approval: Resolution No. 24-79 which will accept the termination of the “Assignment Agreement” with Baker & Associates, Inc. for the expansion and remodel project of the City Administration Building located at 324 Laramie Avenue.

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: Weisgerber, Mischnick, Mashburn, Liptack and McGhehey.

Voting Nay: None.

Motion carried.

- The next matter on the agenda for Council was the second reading of Ordinance No. 2980 which will approve the City of Alliance annual appropriation bill for the fiscal year beginning October 1, 2024. The following information was provided:

[FY25 Budget Hearing Narrative for August 20, 2024

The submitted overall budget ordinance in front of Council today is nearly \$55.8 million, down \$11.7 million from two years ago and up around \$200,000 from last fiscal year. The proposed budget is balanced in that planned revenue is greater than

August 20, 2024

or equal to expenditures. The budget ordinance reflects planned expenditures, but does not include all transfers or loans as reflected in State reporting forms.

City employee salaries are budgeted with a 3% cost-of-living adjustment, or approximately \$291,200 increase (salaries only) bring total salaries to around \$9,998,695. Police and Dispatch are slated for a 3.25% adjustment as per the most recent FOP contract. Full-time equivalents are budgeted to change as follows:

- The former Executive Administrative Assistant/Tourism director is replaced with a Secretary assigned to the Human Resources Department
- Two part-time transit drivers will be replaced by one full-time transit driver
- Addition of a Purchasing Manager
- Addition of a City Engineer
- Addition of a Metering and Load Technician for the Electric Department
- Addition of a Heavy Equipment Operator at the Landfill

for a net increase of 4.33 FTE bringing the total authorized strength to 119.6 full-time equivalents, not including seasonal employees.

Property tax rates will not be set until September as the City does not receive 2023 valuations until mid-August. The proposed budget is based on receiving the same revenue as last year with an additional 2.5% to the previous revenue base.

Market-specific volatility items, such as oil, gas, plastics, chemicals, etc. are based on last year's usages with an estimated increase for inflation. Also included in this year's budget are funds for Fraternal Order of Police (Union) negotiations, negotiations for health insurance, and bidding for our risk insurance carrier. Internal transfers were reduced this year utilizing surplus for internal services built up over the past few years.

This year's budget includes ARPA funds which must be designated to comply with the December 31, 2024 deadline. Current planned expenditures include housing for the Community Redevelopment Authority, procurement and demolition of the 1st Interstate Inn, restrooms and improvements at Bower Park, and design of walking trails.

This year's general fund budget includes enterprise fee transfers which are performed in-lieu of a right-of-way usage charge. This source will provide approximately \$2.68 million toward the general fund operations. This includes planned transfers of:

- \$1,750,000 from the electric fund
- \$420,000 from the water fund
- \$300,000 from the refuse fund,
- \$207,000 from the sewer fund.

Also included in this budget is a transfer of nearly \$600,000 from the public safety tax which is planned to cover the cost of vehicles, equipment, and radios for fire and police.

The submitted budget includes capital projects of \$9.5 million. Primary city-wide projects include approximately:

- \$1,000,000 for engineering and decommissioning of the old electric power plant

August 20, 2024

- \$900,000 for baler replacement at the landfill
- \$500,000 for completion of the automatic meter reading infrastructure for water
- \$400,000 for Airport Layout Plan
- \$351,625 for Airport electrical repair design
- \$100,000 for Public Safety Center planning
- \$160,000 for Central Park playground replacement
- \$300,000 for city hall ADA upgrades design (carryover from FY22-23 and FY23-24)

• \$300,000 for purchase of a new ambulance (carryover from FY23-24)
Of note is \$835,000 for fire department equipment (Class A pumper). Due to extensive lead times in procuring vehicles and equipment, this money is earmarked now though it is highly unlikely for the equipment to arrive before 2028. The money is shown in this year's budget to establish spending authority which must be created prior to committing the City to an expenditure. Some vendors are requiring down payments well in advance as a show of good faith and to offset costs during the lengthy build time.

Due to high interest rates and the availability of cash in Electric Fund reserves, it is proposed to borrow from the Electric Fund for capital improvement projects for the water, refuse, and airport departments.

The budget includes the following approximate increases for fees and utilities:

- Water +5%
- Sewer +5%
- Refuse +5%
- Golf +5%
- Electric -5%

Fees will come to council for approval in September.

With that, I would invite for public comment on the budget as presented.]

A motion was made by Councilman Mischnick, seconded by Vice Mayor Mashburn to approve the second reading of Ordinance No. 2980. Which follows in its entirety:

ORDINANCE NO. 2980

AN ORDINANCE TO ADOPT THE BUDGET STATEMENT TO BE TERMED THE ANNUAL APPROPRIATION BILL FOR FISCAL YEAR BEGINNING OCTOBER 1, 2024; 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:

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").

August 20, 2024

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, 2024.

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 2024-2025. The fund descriptions and amounts are as follows:

Fund Description	Amount
General	\$12,060,141
Electric	\$17,051,913
Refuse	\$3,127,001
Sewer	\$861,290
Water	\$3,038,259
Golf Course	\$803,908
Airport Operations	\$2,709,562
Public Transit	\$584,741
Streets	\$2,186,856
RSVP	\$98,381
Museum Exhibit	\$15,000
HUD/Housing	\$150,000
Community Betterment (KENO)	\$100
Economic Development	\$742,600
LB 840 Fund	\$510,000
Redevelopment (TIF)	\$1,750,000
Sales Tax Fund	\$2,400,000
Lodging Occupation Tax	\$1,000
Capital Projects Fund	\$799,000
Public Safety Tax	\$599,725
State 911 Funds	\$0
General Internal Service	\$2,711,959
Enterprise Internal Service	\$651,100
Health Support Internal Service	\$2,353,450
American Recovery Plan Act Fund	\$588,532
Total Appropriations	\$55,794,518

August 20, 2024

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, 2024.

Randy Hitchcock, 315 Grand Avenue Alliance, Nebraska, a citizen spoke before Council thanking them for their efforts of revisiting previous budget.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

- The next item on the agenda for Council was the seconding reading of Ordinance No. 2981 which will amend and approve the City of Alliance Municipal Code Article II, title “*City Council Decorum*.” The following information was provided:

[ORDINANCE - UPDATE OF CITY COUNCIL MEETING RULES

The attached ordinance updates Sections 2-25 through 2-70 of the City Code of Ordinances regarding actions of city council members and the public during city council meetings and detailing the time and location of city council meetings.

Major revisions include:

- Physical address of City Council Chambers
- Dates and times of city council meetings
- Clarifying public comment to comply with state law
- Clarifying physical and verbal participation/interaction between the Council and the Public
- Clarifying procedures for the presiding officer and determination of protocol

RECOMMENDATION: APPROVE ORDINANCE UPDATING THE RULES GOVERNING COUNCIL AND PUBLIC DECORUM FOR CITY COUNCIL MEETINGS.]

A motion was made by Councilman Mischnick, seconded by Councilman Weisgerber to approve the second reading of Ordinance No. 2981. Which follows in its entirety:

August 20, 2024

ORDINANCE NO. 2981

AN ORDINANCE OF THE CITY OF ALLIANCE, NEBRASKA, AMENDING PART I - GENERAL ORDINANCES, CHAPTER 2 – ADMINISTRATION, ARTICLE II. CITY COUNCIL SECTIONS 2-25 THROUGH 2-70 OF THE ALLIANCE MUNICIPAL CODE DEALING WITH CITY COUNCIL MEETINGS, REPEALING PRIOR SECTIONS, PROVIDING FOR AN EFFECTIVE DATE AND PROVIDING FOR PUBLICATION IN PAMPHLET FORM.

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

Section 1. Sections 2-25 through 2-70 of the Alliance Municipal Code are amended to provide as follows:

“Sec. 2-25. City council meeting; regular.

(a) *Time.* The city council shall hold its regular meeting on the first and third Tuesday of each month. The city council may, by adoption of a calendar each year, establish regular meeting dates other than the first and third Tuesday of each month. The city council may, by resolution adopted not less than one week prior thereto, change its regular time of meeting. If the day fixed for any regular meeting of the council falls upon a day designated by law as a legal or national holiday, such alternate meeting shall be set by agreement of the councilmembers.

(b) *Place.* Regular meetings of the council shall be held in the meeting room located at 1750 Sweetwater Avenue; provided, that the city council may adjourn any meeting to such other place as it may deem necessary, desirable or convenient for the holding of its session; provided, further, that if such meeting is adjourned to some other place, notice the place of the meeting being held shall be affixed to the door the meeting room.

(Code 1986, § 1-101; Ord. No. 2005, 12-18-1990; Ord. No. 2056, 12-19-1996; Ord. No. 2262 12-19-1996)

State law reference(s) – Authority to fix meeting time and date, R.R.S. 1943, §§ 16-401, 19-615; Open Meetings Act, R.R.S. 1943, § 84-107 et seq.

Sec. 2-26. Presiding officer.

The presiding officer shall preserve strict order and decorum at all regular and special meetings of the city council; shall state every question coming before the city council, announce the decision of the city council on all subjects and decide all questions of order, subject, however, to an appeal to the city council, in which event a majority vote of the city council shall govern and conclusively determine such question of order. Such appeal shall be immediately presented and voted upon by the city council. The mayor or other presiding officer shall vote on all questions and shall sign all ordinances and resolutions adopted by the city council during their

presence. In the event of the absence of the mayor and vice-mayor, the temporary chairperson shall sign ordinances or resolutions as then adopted.

(Code 1986, § 1-105; Ord. No. 2056, 12-19-1996)

State law reference(s) – Presiding officer designated, R.R.S. 1943, § 19-617.

Sec. 2-27. Ordinance, resolutions, motions and contracts.

- (a) *Preparation of ordinances.* The city attorney shall, on request of the city manager, city council or any member thereof, prepare any ordinance or resolution.
- (b) *Approval of ordinances and resolutions.* Before any ordinance or resolution shall be finally adopted, the city attorney or his authorized assistant shall endorse thereon his approval as to form and legality.
- (c) *Prior approval of bonds, contracts, etc.* Before any bond, contract or other legal document binding the city shall be presented to the city council for final approval, the city manager shall approve the same in writing as to the terms thereof, and the city attorney or his authorized assistant shall approve the same as to its form, and shall endorse such approval thereon.
- (d) *Ordinances relating to administration.* Any ordinance, except those containing an emergency clause, relating to the duties, powers and functions of any administrative department or office or affecting in any substantial manner the administration of the city government shall, on first reading, be referred by the presiding officer to the city manager for his report and recommendations thereon, unless such ordinance shall have been previously approved by the city manager. Further action on such ordinances not previously approved by the city manager shall be deferred until the next meeting of the city council.
- (e) *Procedure for introduction and passage of ordinances.*
 - (1) Ordinances, resolutions, and other matters or subjects requiring action by the city council may be introduced and sponsored by any member of the city council and by no other person, provided, that the city manager or the city attorney may present ordinances, resolutions and other matters or subjects to the city council, and any city councilmember assumes sponsorship thereof by introducing the same and moving its adoption; otherwise, such matters shall not be considered by the city council.
 - (2) Upon its introduction, each ordinance may be considered for its first reading, except for emergency ordinances or upon motion sustained to postpone. If such motion for first reading is adopted, the ordinance shall be open for discussion and amendment.
 - (3) If any ordinance shall have been amended upon any of its readings, it shall be referred to the city attorney for approval as to form as amended before final passage; and if the amendment shall constitute a change in substance, the ordinance, as amended, shall

August 20, 2024

be filed in the office of the city clerk for at least one additional week, after which it shall be placed on the agenda for a subsequent meeting when final action may be taken thereon.

(4) No ordinance, except those making appropriations and those codifying and rearranging existing ordinances, shall relate to more than one subject.

(5) Any resolution may be passed at the meeting at which it is introduced.

(Code 1986, § 1-117; Ord. No. 2056, 12-19-1996)

State law reference(s) – Adoption of ordinances, R.R.S. 1943, §§ 16-403, 16-404; style and publication of ordinances and emergency ordinances, R.R.S. 1943, § 16-405; effective date of ordinances, R.R.S. 1943, § 19-3701; publication of ordinances, R.R.S. 1943, § 18-131,

Secs. 2-28 – 2-44. Reserved.

Sec. 2-45. Agenda, preparation: directions to staff.

All reports, communications, ordinances, resolutions, contract documents or other matters to be submitted to the city council shall, if possible, be delivered to the city clerk, no later than seven business days, prior to the date and time of each regular city council meeting, whereupon the city clerk shall immediately arrange a list of such matters according to the order of business and furnish each member of the city council, the city manager or designee and the city attorney with a copy of the same prior to the city council meeting and as far in advance of the meeting as time for preparation will permit. None of the foregoing matters shall be presented to the city council by administrative officials, except those of an urgent nature, and the same, when so presented, shall have the written approval of the city manager before presentation.

(Code 1986, § 1-104; Ord. No. 2056, 12-19-996; Ord. No. 2641, 7-16-2009)

Sec. 2-46. Calling of meetings to order.

The mayor, or in his absence, vice-mayor or the temporary chairperson shall take the chair precisely at the hour appointed for the city council meeting, and shall immediately call the city council to order. In the absence of the mayor or vice-mayor, the city clerk or their assistant shall call the city council to order, whereupon a temporary chairperson shall be elected by the members of the city council present. Upon the arrival of the mayor or vice-mayor the temporary chairperson shall immediately relinquish the chairperson upon the conclusion of the business immediately before the city council.

(Code 1986, § 1-106; Ord. No. 2056, 12-19-996)

Sec. 2-47. Order of business

August 20, 2024

Promptly at the hour set by law on the day of each regular meeting, the members of the city council, the city clerk, city attorney, and city manager or their assistants shall take their regular stations in the city council chambers, and the business of the city council shall be taken up for consideration and disposition in the following order, unless the city council votes affirmatively to change the order for good cause:

- (1) Call to order.
- (2) Roll call.
- (3) Open Meetings Act announcement.
- (4) Invocation and Pledge of Allegiance.
- (5) New employee introductions.
- (6) Approval of consent calendar.
- (7) Petitions, remonstrances, and communications.
- (8) Introduction of ordinances:
 - a. First reading.
 - b. Second reading and subsequent readings.
 - c. Final passage.
- (9) Introduction and adoption of resolutions.
- (10) Unfinished business.
- (11) New business.
- (12) Miscellaneous.
- (13) Adjournment.

(Code 1986, § 1-108; Ord. No. 2056, 12-19-996)

Sec. 2-48. Rules of debate.

(a) *Presiding officer may debate and vote.* The mayor or such other member of the city council as may be presiding may move, second and debate from the chair, subject only to such limitations of debate as are imposed by these rules on all members, and shall not be deprived of

August 20, 2024

any of the rights and privileges of a councilmember by reason of his acting as the presiding officer.

- (b) *Getting the floor; improper references to be avoided.* Every member desiring to speak shall address the chair, and upon recognition by the presiding officer, shall confine himself to the question under debate, avoiding all personalities and indecorous language.
- (c) *Interruptions.* A member, once recognized, shall not be interrupted when speaking, unless it is to call him to order as otherwise provided in this article. If a member, while speaking, is called to order, shall be permitted to proceed.
- (d) *Yielding the floor.* A member having the floor shall yield the same for a point of order addressed to the chair, a question of personal privilege raised by any member and an inquiry for information addressed to the chair.
- (e) *Limitation on debate.* The city council may, by a general rule, limit debate or discussion on any matter, or may, by motion adopted at the time, limit debate or discussion on any particular subject or motion, and may, by majority vote of the members present, extend any such limit.
- (f) *Motion to reconsider.* A motion to reconsider any action taken by the city council may be made only on the day such action was taken. It may be made either immediately during the same session or at a recessed or adjourned session thereof. Such motion must be made by one of the prevailing side, but may be seconded by any member, and may be made at any time and have precedence over all other motions or while a member has the floor and it shall be debatable. Nothing in this subsection shall be construed to prevent any member of the city council from making or remaking the same or any other motion at a subsequent meeting of the city council.
- (g) *When remarks of councilmember entered in minutes.* A councilmember may request, through the mayor, the privilege of having an abstract of his statement on any subject under consideration by the city council entered in the minutes. If the city council consents thereto, such statement shall be entered in the minutes.
- (h) *When synopsis of debate entered in minutes.* The city clerk may be directed by the presiding officer with consent of the city council, to enter in the minutes a synopsis of the discussion of any question coming before the city council.
- (i) *Protests by members.* Any member shall have the right to have the reasons for his dissent from or protest against any action of the city council entered in the minutes.

(Code 1986, § 1-111; Ord. No. 2056, 12-19-1996; Ord. No. 2641, 7-16-2009)

Sec. 2-49. Addressing the council.

- (a) The presiding officer of the city council shall provide opportunity during city council meetings for discussion by interested persons or their authorized representatives on any city council matter before the city council prior to final passage, provided, that the preference shall be

August 20, 2024

given to any person, who, at least 24 hours prior to the city council meeting, shall have requested opportunity for discussion by written notice directed to the city clerk.

(b) Any person may direct a written communication to the city council on any matter concerning the city's business by directing the communication to the city council through the city clerk.

(c) Any person desiring to personally address the city council on any matter not then before it shall notify the city clerk in writing of their desire. Such written notice shall include the name and address of the person making the request, the issue and a description of their concern no later than seven business days prior to the city council meeting at which wishes to appear.

(d) The city staff shall examine every request to determine whether the issue raised can be addressed administratively. If an administrative resolution is determined to be appropriate, the issue shall be delegated to the city manager to attempt to resolve the issue. The city manager may delegate the issue to any department head. If the citizen is not satisfied with the administrative resolution, the citizen may make another written request to be on the agenda for the next regularly scheduled city council meeting. Unless the request is regarding a personnel matter, the city clerk shall place the request on the agenda of the next regular city council meeting; provided that the next regularly scheduled council meeting is not less than five business days from the date of receipt of the request, under the order of the business entitled, "Petitions, Remonstrances and Communications," subject to the requirements of notice under public meetings law. All personnel matters should be referred to the personnel manager or the city manager.

(e) The presiding officer of the city council shall, from time to time, make such rules as may be deemed necessary to fulfill and carry out the intent of the provisions of this section.

(Code 1986, § 1-112; Ord. No. 2056, 12-19-1996)

Sec. 2-50. Manner of addressing council; time limit.

Each person addressing the city council, other than city staff, shall step up to a microphone, shall give their name, any organization they are representing, and their address for the record, unless the presiding officer waives the address requirement to protect the security of the individual. Unless further time is granted by the city council, the person shall limit their address to the time limit determined by the presiding officer of the meeting. All remarks shall be addressed to the city council as a body and not to any individual member thereof. No person, other than the members of the city council and the person having the floor, shall be permitted to enter into any discussion, either directly or through a member of the city council, without the permission of the presiding officer. Persons addressing the council are prohibited from addressing audience members and from entering into discussion with members of the audience. No questions shall be asked of a city councilmember or city staff except through the presiding officer. The city council may, from time to time, adopt other rules and regulations regarding the conduct of persons attending meetings.

(Code 1986, § 1-113; Ord. No. 2056, 12-19-1996)

Sec. 2-51. Decorum.

(a) *By councilmembers.* While the city council is in session, the members shall preserve decorum and order, and no member shall, by conversation or otherwise, delay or interrupt the proceedings or the peace of the city council, nor disturb any member while speaking, nor refuse to obey the orders of the city council or its presiding officer, except as otherwise provided in this article.

(b) *By other persons.* No person shall, by conversation or otherwise, delay or interrupt the proceedings or the peace of the city council, nor disturb any member while speaking, nor refuse to obey the orders of the city council or its presiding officer. No person shall make personal, impertinent or slanderous remarks, nor otherwise disturb the order and decorum of any city council meeting. A police officer summoned for that purpose at the direction of the presiding officer, shall remove any person violating the provisions of this subsection.

(Code 1986, § 1-113; Ord. No. 2056, 12-19-1996)

Sec. 2-52. Persons authorized to be in front of or behind council table.

No person shall be permitted in front of the city council table in the city council chamber without the express consent of the presiding member. No person other than the members of the city council, the city clerk, city attorney, and city manager, or their assistants, may go behind the council table without the express consent of the presiding member.

(Code 1986, § 1-115; Ord. No. 2056, 12-19-1996)

Secs. 2-53 – 2-70. Reserved.”

Section 2. Existing Sections 2-25 through 2-70 of the Alliance Municipal Code are repealed. This Ordinance shall not be construed to affect any cause of action, civil or criminal, existing or actions pending, at the time this Ordinance becomes effective.

Section 3. This Ordinance shall become effective upon its passage and approval as provided by law, and publication shall be in pamphlet form.

Mayor McGhehey stated he had a question regarding Sec. 2-48. Rules of Debate paragraph (c) seemed like there were words missing, and would like to look more into this Sec.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

August 20, 2024

- Tabled Item – Resolution No. 24-60 was next on the agenda for council, which accepts the purchase of two containers for the Landfill from Bob’s Containers.

A motion was made by Vice Mayor Mashburn, seconded by Councilman Mischnick to approve Resolution No. 24-60. Which follows in its entirety:

RESOLUTION NO. 24-60

WHEREAS, The City of Alliance has identified the need to provide sanitary facilities for use at the City Landfill; and

WHEREAS, Current restroom and break room facilities are either temporary, unworkable, or non-existent; and

WHEREAS, The City Council approved funding to provide restrooms as part of the FY2023-2024 budget; and

WHEREAS, The City Council finds it beneficial to employees to provide these facilities.

NOW, THEREFORE, BE IT RESOLVED, By the Mayor and Council of the City of Alliance, Nebraska, that the purchase of two twenty-foot (20’) metal containers; one outfitted as a break room and one as a restroom, from Bobs Containers in an amount of \$79,251.00 from funds set aside for this purpose in line item # 06-51-55-59-915.

Denise Yocum, a citizen of Alliance, Nebraska stepped forward to speak with Council of this matter. Denise stated that “she feels more research needed done, KL Woods a local company should have been considered as they started the process.” Mayor McGhehey replied, “they were aware of the previous bids collected.”

Tim Smith, 186 Burnham Drive, Alliance, Nebraska, a citizen asked Council if this was a specked prefabricated deal. Mayor McGhehey told Tim that was correct. Tim then asked if this was a published bid opportunity. City Clerk Pitt replied “No, contacted 3 companies.”

- Next for the Council on the agenda was Resolution No. 24-78, which accepts and authorizes the Alliance Municipal Airport to submit a grant application to the State and authorizes the Mayor to sign and accept the grant documents. The following information was provided:

[RESOLUTION – STATE GRANT APPLICATION - RUNWAY 12/30 & RUNWAY 8/26 LIGHTING ELECTRICAL PROJECT

The Alliance Municipal Airport has included in its ten-year Capital Improvement Program through the Federal Aviation Administration (FAA) a project to replace the runway lights on Runway 12/30 and Runway 8/26. A portion of the engineering fees has been included in the FY 2025 capital budget.

August 20, 2024

The proposed project will consist of the installation of High Intensity Runway Lights on Runway 12/30 and Medium Intensity Runway Lights on Runway 8/26. New wind cones, guidance signs, and the backup generator for Runway 12/30 and Runway 8/26 will also be installed. Removal of existing shoulder paving and the regrading of shoulders on Runway 8/26. Installation of new Precision Approach Path Indicator (PAPIS) and Runway End Indicator Light (REILS) on Runway 8/26.

The Alliance Municipal Airport has the chance to apply for a state grant to cover up to 2% and no more than \$100,000 of the project costs. This grant would be in addition to the regular FAA grant that the airport applies for which covers 90% of the project cost. State funds are limited and may not be allocated to our project.

An engineer estimate for this project is a total of \$5,500,000 with the City of Alliance's matching 10 % portion being \$550,000. This state grant could potentially grant the airport \$100,000. This is a great opportunity for the City of Alliance to obtain funds to help with our matching 10% portion of this project. Airport staff may be required to attend the Nebraska Aeronautics Commission meeting in October to answer any questions.

RECOMMENDATION - APPROVE RESOLUTION TO AUTHORIZE THE MAYOR TO SIGN GRANT APPLICATION AND ACCEPT/SIGN THE STATE GRANT DOCUMENTS.]

A motion was made by Councilman Weisgerber, seconded by Councilman Mischnick to approve Resolution No. 24-78. Which follows in its entirety:

RESOLUTION NO. 24-78

WHEREAS, The City of Alliance operates the Alliance Municipal Airport; and

WHEREAS, The City of Alliance will be conducting an Airport Rehabilitation Project, for Runway 8/26 lighting and Runway 12/30 rehabilitation; and

WHEREAS, The City finds it is in the City's best interest to submit an Application for a State grant through the Nebraska Department of Transportation; and

WHEREAS, The application will be for \$100,000 which is 2% of the projected cost of the project.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Alliance, Nebraska, that the City of Alliance shall submit an Application for a State grant through the Nebraska Department of Transportation for the lighting of Runway 8/26 and rehabilitation of Runway 12/30.

August 20, 2024

BE IT FURTHER RESOLVED that the Mayor of the City of Alliance is hereby authorized and directed to execute said associated documents on behalf of the City of Alliance and the City Clerk is hereby authorized to attest said execution.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

- A Board Resignation was next on the agenda for Council.

A motion was made by Councilman Liptack, seconded by Councilman Mischnick to accept the resignation of Denise Clark from the Alliance Housing Authority Board.

- Board Appointments were next on the agenda for Council.

A motion was made by Councilman Mischnick, seconded by Councilman Liptack to appoint Kevin Shrader to the Alliance Housing Authority with a term ending December 31, 2028.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

A motion was made by Councilman Mischnick, seconded by Vice Mayor Mashburn to appoint Sue Williams to the Economic Development Citizen Advisory Board with a term ending December 31, 2027.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

A motion was made by Councilman Mischnick, seconded by Councilman Liptack to appoint Brenda McDonald and Mike Sautter to the Economic Development Application Review Committee Board with a term ending June 30, 2026.

August 20, 2024

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

- The last before Council was an Executive Session for Personnel Matters.

A motion was made by Councilman Mischnick, seconded by Vice Mayor Mashburn to enter closed session for Personnel Matters.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

The City Council, City Manager and City Attorney enter closed session at 7:46 p.m.

The closed session concluded at 8:27 p.m. with no action taken.

The Alliance City Council adjourned the August 20, 2024 City Council Meeting at 8:28 p.m.

(SEAL)



John McGhehey, 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