

December 3, 2024

**ALLIANCE CITY COUNCIL**

REGULAR MEETING, TUESDAY, DECEMBER 3, 2024

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

The Alliance City Council met in a Regular Meeting, December 3, 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 November 27, 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.

City Clerk Pitt opened the December 3, 2024 regular meeting of the Alliance, Nebraska City Council at 7:00 p.m. Present were Mayor McGhehey, Vice Mayor Mashburn and Council Members Weisgerber, Liptack and, Turman. Also present were City Manager Sorensen, City Sorensen, City Treasurer Baker, City Attorney Selzer and City Clerk Pitt.

- Reorganization of the City Council was the first item to come before the Council.

City Clerk Pitt announced she has received the certification from the Box Butte County Clerk on the election results and acknowledged John McGhehey, Monte Weisgerber and Travis Turman were elected to the Alliance City Council.

City Clerk Pitt administered the Oath of Office to Councilman McGhehey, Councilman Weisgerber and Councilman Turman.

City Clerk Pitt next conducted the election of President (Ex-officio Mayor). Ballots were cast and signed as follows:

- Councilman Mashburn voted for Councilman McGhehey.
- Councilman Liptack voted for Councilman McGhehey.
- Councilman McGhehey voted for Councilman McGhehey.
- Councilman Weisgerber voted for Councilman McGhehey.
- Councilman Turman voted for Councilman McGhehey.

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Councilman McGhehey being elected to serve as Mayor.

Mayor McGhehey conducted the election of Vice President (Ex-officio Vice Mayor). Ballots were cast and signed as follows:

Councilman Mashburn voted for Councilman Mashburn.  
Councilman Liptack voted for Councilman Mashburn.  
Councilman Weisgerber voted for Councilman Mashburn.  
Councilman Turman voted for Councilman Turman.  
Mayor McGhehey voted for Councilman Mashburn.

Councilman Mashburn being elected to serve as Vice Mayor.

- Mayor McGhehey read the Open Meetings Act Announcement.
- The second item on the agenda for Council was to proclaim for Brian Mischnick Day.

Brian Mischnick was in attendance to receive the proclamation for Brian Mischnick. Mayor McGhehey read the following proclamation:

### PROCLAMATION

*WHEREAS*, Brian Mischnick has exemplified dedication and leadership throughout nearly ten years of service to the City of Alliance, first as a planning commissioner from July 2015 through November 2016 and then as a City Council Member from December 6, 2016 through December 3, 2024; and

*WHEREAS*, Brian Mischnick's has demonstrated strong leadership and dedication to community service during his tenure by also serving as Vice Mayor from December 4, 2018 through May 16, 2023; and

*WHEREAS*, Brian Mischnick's leadership was also evident in ensuring smooth transitions during council reorganizations and in fostering a cooperative environment among council members; and *WHEREAS*, Brian Mischnick's efforts have supported the continuity of sound fiscal management in the city, aligning with the council's long-term goal of maintaining stable property tax rates despite broader economic challenges; and

*WHEREAS*, Brian Mischnick's is noted for his common sense approach to government, with a focus on collaboration and encouraging community participation in local government, urging residents to engage actively in local government and even consider running for office; and

*WHEREAS*, Brian Mischnick's involvement with Walter Mischnick Contractors and Builders, now into its third generation of Mischnick ownership and management, being a cornerstone amongst Alliance Businesses, and his personal commitment to project excellence through his work ethic and dedication have made him a well-respected member of the Alliance Community; and

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*WHEREAS*, During his tenure, Brian Mischnick's knowledge and experience in construction, budgeting, and economic development has contributed to the success of, among many other projects, the construction of the Public Transit and Public Works Building, renovation of the Pillars and Sunken Gardens at Central Park, aggressive rehabilitation of the electrical system, and also contributed to the economic growth and prosperity of the community in which we witnessed the relocation and expansion of Westco, Bomgaar's, Bloedorn Lumber, and Carter's as well as the addition of new hotels, restaurants and gas stations among others.

*NOW, THEREFORE*, I, John McGhehey, Mayor of the City Council of Alliance, Nebraska, do hereby proclaim Saturday, December 7, 2024, as:

### **Brian Mischnick Day**

In recognition of his outstanding contributions, leadership, and dedication to the City of Alliance and the Alliance community.

I urge all citizens to join me in expressing our deepest gratitude and appreciation to Brian Mischnick for his invaluable service and wish his continued success and fulfillment in all his future endeavors.

*IN WITNESS WHEREOF*, I have hereunto set my hand and caused the Great Seal of the City of Alliance to be affixed on this the Third day of December in the Year of our Lord Two Thousand Twenty-Four.

- Next item before council was a Presentation of "Learn to Skate Days" from Clint Robinson.

Clint Robinson came before the council presenting "Learn to Skate Days."

- The Consent Calendar was the next item to follow on the agenda. A motion was made by Councilman Liptack, seconded by Vice Mayor Mashburn to approve the Consent Calendar as follows:

### **CONSENT CALENDAR – December 3, 2024**

1. Approval: Minutes of the Regular Meeting, November 19, 2024.
2. Approval: Payroll from November 15, 2024 in the total amount of \$298,023.54.
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; \$1,429,540.88.
4. Approval: Cemetery Certificates for De La Cruz, Noel P. and De La Torre, Imelda.

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5. Approval: Resolution No. 24-130 which will award the 2024 Alliance Storm Drain Jetting and Inspection Project to Johnson Service Company not to exceed \$100,000.00 from Sewer Fund CNTSVC (Contract Services) Other – Account # 24-41-41-44-479.
6. Approval: Resolution No. 24-131 which will authorize a capital budget transfer in the amount of \$3,5000 from Capital Outlay – Building GL # 01-71-76-59-915 to Small Tools, Equipment GL # 01-71-76-45-544 for the replacement of the Theater projector with a large screen TV.
7. Approval: Resolution No. 24-132 which will authorize the Mayor to execute said Memorandum of Understanding with Western Nebraska Community College (WNCC) utilizing the concrete pad and loading dock located at the Alliance Municipal Airport.
8. Approval: Resolution No. 24-133 which will authorize the Mayor to sign Change Order No. 2 to the Alliance Municipal Airport Project Runway 12/30 and Runway 8/26 Rehabilitation with American Road Maintenance decreasing the final contract amount to \$847,190.25.
9. Approval: Resolution No. 24-134 which will authorize the purchase of a 2022 Ford Escape from Wolf Ford of Alliance, Nebraska for City Hall travel vehicle in the amount of \$26,249.00 from Capital Outlay-Vehicles GL # 01-41-46-59-960 to complete purchase.

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: Turman, Liptack, Weisgerber, Mashburn and McGhehey.

Voting Nay: None.

Motion carried.

- The next item on the agenda for Council was the third and final Ordinance No. 2989, which will amend and approve the City of Alliance Municipal Code Chapter 26-56, titled *Trucks*.

A motion was made by Councilman Turman, seconded by Weisgerber to approve the third and final reading Ordinance No. 2989. City Clerk Pitt read the ordinance by title which follows in its entirety:

**Ordinance No. 2989**

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**AN ORDINANCE OF THE CITY OF ALLIANCE, NEBRASKA AMENDING ALLIANCE MUNICIPAL CODE SECTION 26-56 TO REMOVE SUBSECTION (C)(5) THAT ALLOWED TRUCKS ON RESTRICTED STREETS FOR LEGITIMATE BUSINESS PURPOSES NOT OTHERWISE ENUMERATED; REPEALING EXISTING PROVISIONS OF THE CITY CODE NOT CONSISTENT WITH THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE.**

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

SECTION 1. Section 26-56 of the Alliance Municipal Code is amended to read as follows:

**Sec. 26-56. Trucks.**

(a) Trucks, certain vehicles restricted, exceptions. It shall be unlawful for any person to operate any truck, truck-tractor, farm or construction machinery or equipment, or any other machinery, equipment, or vehicle over eight feet in width on any public street, road, highway, or alley within the city, except:

(1) On those streets or portions of streets designated in subsection (b) of this section; or

(2) Under conditions described in subsection (c) of this section.

(b) Truck routes, designated.

(1) Kansas Street from U.S. Highway 385 to the intersection with SR 2.

(2) 25th Street between the city limits on the east and west.

(3) SR 87 (Flack Avenue) from Third Street north to the city limits.

(4) SR 2 from the east city limits to Flack Avenue.

(5) US Highway 385 wherever it is within the city limits.

(6) Cody Avenue from Third Street to Kansas Street.

(7) Third Street from U.S. Highway 385 to Cody Avenue.

(8) Such routes shall be posted according to the manual and uniform traffic control devices as adopted by the state department of roads.

(c) Exceptions. Vehicles otherwise prohibited by subsection (a) of this section may be operated on city streets for the following purposes:

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- (1) To pick up or deliver articles of merchandise or commodities at a location within the city not otherwise prohibited;
- (2) To refuel or secure repair services on such vehicle;
- (3) To park or place such vehicle on private property;
- (4) To park or place such vehicle within authorized truck parking zones or other places specially designated and not otherwise prohibited.

The departure from and return to the truck routes designated in subsection (b) of this section shall be by the most direct route.

SECTION 2. All ordinances, parts of ordinances, resolutions, and policies of the City of Alliance in conflict with this ordinance are hereby repealed.

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: Liptack, Weisgerber, Mashburn, Turman and McGhehey.

Voting Nay: None.

Motion carried.

Mayor McGhehey stated, "the passage and adoption of Ordinance No. 2989 has been concurred by a majority of all members elected to the Council, I declare it passed, adopted, and order it published."

- The last item on the agenda for Council was the third and final reading of Ordinance No. 2991, which will amend and approve the City of Alliance Code Chapter 26-13 and 26-132, titled *Trailer and Recreational Vehicle Storage and Continuous Parking*.

A motion was made by Councilman Mashburn, seconded by Weisgerber to approve the third and final reading of Ordinance No. 2991.

A motion was made by Mayor McGhehey, seconded by Councilman Turman to approve the strike of paragraph (a) of Sec. 26-132. Continuous parking from Ordinance No. 2991.

Roll call vote with the following results:

Voting Aye: Turman, Weisgerber, Liptack and McGhehey.

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Voting Nay: Mashburn.

Motion carried.

City Clerk Pitt read the Ordinance by title which follows in its entirety:

**Ordinance No. 2991**

**AN ORDINANCE OF THE CITY OF ALLIANCE, NEBRASKA AMENDING ALLIANCE MUNICIPAL CODE SECTIONS 26-131 AND 26-132 TO RESTRICT PARKING TRAILERS AND OTHER VEHICLE APPURTENANCES ON CITY RIGHT OF WAY FOR LONGER THAN 24 HOURS, TO DEFINE TERMS USED IN THE CODE SECTION, AND TO REVISE CONFLICTING CODE SECTIONS; REPEALING EXISTING PROVISIONS OF THE CITY CODE NOT CONSISTENT WITH THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE.**

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

SECTION 1. Sections 26-131 and 26-132 of the Alliance Municipal Code are amended to read as follows:

**Sec. 26-131. Trailer and recreational vehicle storage.**

(a) No person may park or store a vehicle appurtenance within the City's right of way or property, except as provided for in Subsections (b) and (c) of this Section.

(b) Subsection (a) of this section shall not apply to parking or leaving any roll-off or construction trailers used by contractors or property owners with the issuance of a building permit for construction on the adjacent property, so long as the permit remains valid and the location does not interfere with any other sections of this article.

(c) It shall not be a violation of Subsection (a) of this Section to park any vehicle appurtenance within the City's right of way or property for a period of less than 24 hours for purposes of utilizing such vehicle appurtenance, as long as within such 24 hour period, the vehicle appurtenance is completely removed from the City's right of way or property (other than when it is being transported). Moving the vehicle appurtenance briefly with the intent to return it to the same or nearby spot, or for a short distance, does not constitute completely removing the vehicle appurtenance from the City's right of way or property.

(d) As used in this Section, the term "vehicle appurtenance" means trailer, utility trailer, recreational vehicle, motor home, camper, travel trailer, boat, personal watercraft, trailered barbecues and other similar appurtenances intended to be attached to a vehicle.

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(e) As used in this Section, the term “City’s right of way or property” means any property owned or controlled by the City including municipal parking lots, streets, sidewalks, and alleys. The term “street” shall include the curb strip between the curb and property line.

**Sec. 26-132. Continuous parking.**

For all parking spaces, lots, stalls, streets, and avenues not otherwise addressed by this article, parking of any vehicle, trailer, camper, boat, personal water craft, motorcycle, or other similar apparatus or attachment that is not operational or is without current license and registration is prohibited at all times.

SECTION 2. All ordinances, parts of ordinances, resolutions, and policies of the City of Alliance in conflict with this ordinance are hereby repealed.

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: Mashburn, Turman, Liptack, Weisgerber and McGhehey.

Voting Nay: None.

Motion carried.

Mayor McGhehey stated, “the passage and adoption of Ordinance No. 2991 has been concurred by a majority of all members elected to the Council, I declare it passed, adopted, and order it published.”

The Alliance City Council adjourned the December 3, 2024 City Council Meeting at 7:35 p.m.

(SEAL)

  
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John McGhehey, Mayor

  
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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