ALLIANCE CITY COUNCIL

REGULAR MEETING, TUESDAY, FEBRUARY 18, 2025

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

The Alliance City Council met in a Regular Meeting, February 18, 2025 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 February 12, 2025. 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 February 18, 2025 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 Treasurer Baker and City Clerk Pitt.

- Mayor McGhehey read the Open Meetings Act Announcement.

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

CONSENT CALENDAR – February 18, 2025

1. Approval: Minutes of the Strategic Planning Meeting, January 30, 2025 and Regular Meeting, February 4, 2025.

2. Approval: Payroll from February 7, 2025 in the total amount of $376,006.97.

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; $561,801.26.

4. Approval: Alliance Volunteer Fire Department Roster Update.

5. Approval: Resolution No. 25-17 which will authorize a budget transfer in the amount of $7,500 from Capital Outlay Mach & Equip # 21-71-75-59-970 to Small Tools & Equip # 21-71-75-45-544 to cover the purchase of an almost new Golf Work Cart.

6. Approval: Resolution No. 25-18 which will authorize a budget transfer in the amount of $4,200 from Capital Outlay-Mach. Equip # 01-71-71-59-950 to Small Tools & Equip # 01-71-71-45-544 to purchase a V-Plow to be mounted on Parks work cart and used for downtown and walking trail snow removal.

7. Approval: Resolution No. 25-19 which will authorize additional repairs of Landfill John Deere 850K Bull Dozer by Murphy Tractor Equipment Co. Inc. in the amount of $6,656.08.

8. Approval: Resolution No. 25-20 which will award the Well #6 and #4 Rehabilitation bid to Downey Drilling Inc. in the amount of $126,228, authorizing the use of GL # 08-52-51-47-791 System Contingency in the amount of $50,000 to be transferred to GL # 08-52-52-59-970 Capital Outlay – Other Improv. to accommodate the completion of this project .

9. Approval: Resolution No. 25-21 which will approve the Airport Building #3201 lease renewal with Robin and Mary with a 5% rent increase in the amount of $6,615 per year.

10. Approval: Resolution No. 25-22 which will approve the Airport Buildings #3000 & #3001 with amendment which is adding a 257'x100' area of concrete pad adjacent to the original buildings lease renewal with Jelinek Custom Cleaning, Inc. in the amount of $42,720 per year.

11. Approval: Resolution No. 25-23 which will accept approximately 150 trees from the Panhandle Men's Club and approximately 30 shrubs and 3 trees from the Ladies Golf Association total cost of donated improvements is approximately $2,400.

12. Approval: Resolution No. 25-24 which will award the Landfill Baler Bid to Recovery System Company, Inc. in the amount of $699,185 to be paid with funds from GL # 06-51-55-59-590.

13. Approval: Resolution No. 25-25 which will approve additional funding to be appropriated from City Council Contingency in the amount of $2,300 to cover the costs of additional work of securing and boarding the 1st Interstate Inn to Riverfront Concrete and Excavation, LLC.

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, Mashburn, Liptack, Weisgerber and McGhehey.

Voting Nay: None.

Motion carried.

- The next item on the agenda for Council was the presentation of the Quarterly Financial Report.

City Treasurer Baker presented the first quarter financial report to Council.

A motion was made by Councilman Liptack, seconded by Councilman Turman to approve the presentation of the Quarterly Financial Report.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

- The next item on the agenda for Council was Resolution No. 25-26 which will accept and award the proposal and bid from LARM for the Property and Casualty Insurance for the City of Alliance 2024/2025 Fiscal Year beginning March 1, 2025, at a prorated rate of $622,903.

A motion was made by Vice Mayor Mashburn, seconded by Councilman Turman to approve Resolution No. 25-26. Which follows in its entirety:

RESOLUTION NO. 25-26

WHEREAS, The City of Alliance recognizes the importance of purchasing insurance to protect against significant losses 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, City Staff has diligently been researching the best options for municipality insurance coverage with optimal value and secure resources; and

WHEREAS, The City of Alliance recommends that LARM (League Association of Risk Management) is best or most suitable option for the City of Alliance.

WHEREAS, The City of Alliance accepts the proposal from LARM (League Association of Risk Management) to provide Property and Casualty insurance with a three year commitment and five percent premium saving; and

WHEREAS, The City's coverages and premiums have been reviewed by LARM's broker along with the City Manager and City Clerk, and they have made a recommendation for the policies to be effective March 1, 2025.

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 the League of Risk Management (LARM) in the amount of One Million Fifty-Eight Thousand Five Hundred Thirty-Nine Dollars and no/100ths ($1,058,539.00).

NOW THEREFORE BE IT RESOLVED the pro-rated total amount to be paid to LARM for coverage beginning March 1, 2025 to September 30, 2025, Six Hundred Twenty-Two Thousand Nine Hundred-Three Dollars and no/100ths ($622,903).

BE IT FURTHER RESOLVED, The City Clerk is authorized to notify our broker First National Insurance Company of the City of Alliance policy termination effective March 1, 2025.

Roll call vote with the following results:

Voting Aye: Mashburn, Turman and McGhehey.

Voting Nay: Weisgerber and Liptack.

Motion carried.

- The next item on the agenda for Council was Resolution No. 25-27 which will accept and enter an interlocal agreement with the League Association of Risk Management (LARM) under the Intergovernmental Risk Management Act and Interlocal Cooperation Act State of Nebraska.

A motion was made by Vice Mayor Mashburn, seconded by Councilman Turman to approve the Resolution No. 25-27. Which follows in its entirety:

RESOLUTION NO. 25-27

WHEREAS, League Association of Risk Management (LARM) desires to enter into an Interlocal Agreement with the City of Alliance for the purposes of providing risk management services and insurance coverages; and

WHEREAS, The City understands that the Interlocal Agreement is in accordance with the Intergovernmental Risk Management Act, with Nebraska public agencies; and

WHEREAS, The League Association of Risk Management (LARM) will provide liability and casualty insurance to the City of Alliance; and

WHEREAS, This Agreement must be in place for the League Association of Risk Management to provide services to any public agency; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of Alliance, Nebraska, that the Mayor is authorized to sign the Interlocal Agreement between the City of Alliance, Nebraska and the League Association of Risk Management (LARM) for purposes of providing risk management services and insurance coverages to the City of Alliance.

Roll call vote with the following results:

Voting Aye: Turman, Mashburn and McGhehey.

Voting Nay: Liptack and Weisgerber.

Motion carried.

- The next item on the agenda for Council was Resolution No. 25-28 which will accept and enter a three-year commitment with the League Association of Risk Management (LARM) providing Property & Casualty Insurance for the City of Alliance.

A motion was made by Vice Mayor Mashburn, seconded by Councilman Turman to approve resolution No. 25-28. Which follows in its entirety:

Resolution No. 25-28

WHEREAS, The City of Alliance is a member of the League of Association or Risk Management (LARM);

WHEREAS, section 8.10 of the Interlocal Agreement for the Establishment and Operation of the League Association of Risk Management provides that a member may voluntarily terminate its participation in LARM by written notice of termination given to LARM and Nebraska Director of Insurance at least 90 days prior to the desired termination given to and that members may agree to extend the required termination notice beyond 90 days in order to realize reduced excess coverage costs, stability of contribution rates and efficiency in operation of LARM; and

WHEREAS, the Board of Directors of LARM has adopted a plan to provide contribution credits in consideration of certain agreements by members of LARM as provided in the attached letter.

BE IT RESOLVED that the governing body of the City of Alliance, Nebraska, in consideration of the contribution credits provided under the LARM Board's plan, agrees to:

⊗ Provide written notice of termination at least 180 days prior to the desired termination date, which date shall be no sooner than September 30, 2027. (**180 day and 3 year commitment; 5% discount**)

○ Provide written notice of termination at least 180 days prior to the desired termination date, which date shall be no sooner than September 30, 2026. (**180 day and 2 year commitment; 4% discount**)

○ Provide written notice of termination at least 180 days prior to the desired termination date, which date shall be no sooner than September 30, 2025. (**180 day notice only; 2% discount**)

○ Provide written notice of termination at least 90 days prior to the desired termination date, which date shall be no sooner than September 30, 2027. (**90 day and 3 year commitment only; 1%**)

○ Provide written notice of termination at least 90 days prior to the desired termination date, which date shall be no sooner than September 30, 2026. (**2 year commitment only; 1%**)

○ Provide written notice of termination at least 90 days prior to the desired termination date, which date shall be no sooner than September 30, 2025. (**90 day Notice only**)

Roll call vote with the following results:

Voting Aye: Mashburn, Turman and McGhehey.

Voting Nay: Weisgerber and Liptack.

Motion carried.

LARM Representative Nate Fox came before the council presenting an overview of LARM.

Vice Mayor Mashburn questioned how the low deductible works, Representative Fox explained that "pool" buys a high insurance policy with reinsurance, which then allow LARM to offer the reinsurance to it's members.

Mayor McGhehey questioned if the premium will change in October for renewals, City Clerk Pitt explained that LARM quoted the term to carry through the 2025-2026 year so the only way the premium would change is if we made changes to our policy.

John Daniels, FNIC Representative, Travelers will always have a wind/hail deductible, but a down deductible proposal can be negotiated in August during renewal if the Council chooses to wait.

Vice Mayor Mashburn questioned why Travelers has not offer this previously or why we were not offered any incentives when FNIC was notified that the City was looking into other insurance companies.

Council Liptack asked Mr. Daniels how long has the City been with FNIC, he replied "since 1984."

Mayor McGhehey commented that it has been a pleasure working with FNIC over the many years and thanks them for their services to the City of Alliance.

The next item on the agenda for Council was Resolution No. 25-29 which will accept and approve the amended interim Refuse Rate Schedule for disposal of solid waste. The following information was provided:

[RESOLUTION – Award bid to Recovery System Company, Inc., for Baler replacement project.

As part of this year's CIP budget process the need for a replacement for the landfill baler was identified. The existing baler is approximately 15 years old and is frequently broken and in need of replacement. The conveyor to the baler has been replaced and modifications have been made to the tipping floor leading to it. Over the next couple of years the landfill will be moving to a "loose fill" operation and not all refuse will be baled. When this takes place baled MSW will be reserved for smaller "household" loads and will help keep residential customers from driving into the loose fill area. Currently 40 or so bales are produced per day of operation. This method remains critical over the next 2-3 years for the completion of the existing MSW cell. Once a loose fill operation is established 4 bales per week or so will be produced while the bulk of MSW will be deposited directly into a loose fill area.

At the end of January bids were received from three bidders in reference to this project. SCS engineers evaluated all of the bids and the options presented. They have made a recommendation to award the bid to Recovery System Company, Inc. in the amount of $699,185 option #1. This bid is the lowest responsible bidder fitting the requirements listed and is within budget authority for this project. Upon approval from City Council there will be an 18-20 week lead time for materials and an expected completion date 30 days after beginning the project.

RECOMMENDATION: APPROVE BID AWARD TO RECOVERY SYSTEM COMPANY, INC., FOR BALER REPLACEMENT PROJECT WITH BID OPTION #1 IN THE AMMOUNT OF $699,185 AND APPROVE USE OF FUNDS FROM GL # 06-51-55-59-950.]

A motion was made by Councilman Weisgerber, seconded by Councilman Turman to approve Resolution No. 25-29. Which follows in its entirety:

February 18, 2025

RESOLUTION NO. 25-29

A RESOLUTION AMENDING DISPOSAL RATES FOR SOLID WASTE AND REPEALING PORTIONS OF ORDINANCES OR RESOLUTIONS NOT CONSISTENT WITH THE CHANGES HEREIN.

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

SECTION 1. Staff has prepared amendments to disposal rates for solid waste for submission to the City Council.

SECTION 2. The City Council has received and reviewed the proposed changes and finds such changes to be in the best interest of the City of Alliance and should be therefore adopted pursuant to Sec. 28-483(a) and 28-484(a) of the Alliance Municipal Code. All such rates are hereby amended effective April 1, 2025, in the following particulars:

	January 1, 2025	**April 1, 2025**
Rate Class	**Existing Rates**	**New Rates**
Residential – City (90 GAL)	$25.36	$25.36
Commercial – City (90 GAL)	n/a	30.36
Non-profit – City (90 GAL)	n/a	10.00
Commercial – City (3 yard container)	126.11	126.11
Commercial – City (2 yard container)	64.56	64.56
Non-profit – City (2 yard container)	n/a	40.00
Non-profit – City (3 yard container)	n/a	60.00
Disposal Fee Types		
Asbestos	Not Accepted	Not Accepted
Ashes	76.11	76.11
Brush	23.89	23.89
Construction and Demolition	78.66	78.66
Contaminated Soil	128.36	128.36
Fill	20.88	20.88
Metal	28.34	28.34

Municipal Solid Waste - Residential	79.47	79.47
Municipal Solid Waste - Commercial	79.47	79.47
Non-baleable MSW	128.36	128.36
Shingles	78.66	78.66
Tire – Truck and Tractor	25.16	25.16
Tire – Over 16"	12.71	12.71
Tire – 15" and below	7.83	7.83
White Goods	15.70	15.70
White Goods w/Freon	39.57	39.57
Minimum Fee	11.49	11.49

SECTION 3. All other ordinances, resolutions, or policies of the City of Alliance not consistent with the amendment made herein are hereby repealed. Provided, however, that the annual adjustment as set forth in Sec. 28-483(h) and Sec. 28-484(c) of the Alliance Municipal Code shall not be repealed by this Resolution.

SECTION 4. This resolution shall go into effect as upon its passage, approval, and publication according to law, provided that rate increases shall not take effect until April 1, 2025.

A motion was made by Councilman Turman, seconded by Councilman Liptack to approve 50% rate of commercial for non profit.

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 first reading of Ordinance No. 2997 which will accept and amend the City of Alliance Municipal Code Section 2, titled *Donations*. The following information was provided:

[ORDINANCE – DONATIONS POLICY

The attached ordinance is presented to the Council to update the City's policy on accepting and disposing of donations. The intent of this ordinance is to remove

bureaucratic barriers to philanthropists who desire to contribute to our efforts "To Build the Best Hometown in America".

This ordinance clarifies which categories, such as real property and donations with value over ten thousand dollars ($10,000.00), which must be accepted by Council and which donations can be accepted administratively (i.e. those with a value under $10,000.00). The ordinance also affirms the desire to require a dedicated funding source for the ongoing maintenance of substantial donations, such as the Knight Museum as a condition for accepting the donation.

Finally, while certain boards have a donation policy and there is a previously created donation policy, this ordinance updates and codifies the policy so that it can be applied equally across all city departments.

RECOMMENDATION: APPROVE THE FIRST READING OF THE ATTACHED ORDINANCE UPDATING THE CITY'S POLICY ON ACCEPTANCE AND DISPOSITION OF DONATIONS]

A motion was made by Councilman Liptack, seconded by Councilman Turman to approve the first reading of Ordinance No. 2997. City Clerk Pitt read the ordinance by title which follows in its entirety:

Ordinance No. 2997

AN ORDINANCE OF THE CITY OF ALLIANCE, NEBRASKA REGARDING THE ACCEPTANCE OF DONATIONS, DEFINING TYPES OF DONATIONS, SETTING RULES PERTAINING TO DONATIONS, AND AUTHORIZING THE CITY MANAGER TO PROMULGATE FURTHER RULES, POLICIES AND PROCEDURES FOR THE EXECUTION OF THIS ORDINANCE; 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 2-221 through 2-225 of the Alliance Municipal Code shall provide as follows:

Sec. 2-221. Purpose.

Sections 2-221 through 2-225 are intended to establish a formal and consistent process for the acceptance of donations made to the City for a public purpose, pursuant to Nebraska Revised Statutes, and shall also apply to all volunteer boards and commissions of the City.

Sec. 2-222. Definitions.

Donation is defined as any monetary or non-monetary gift, grant, devise, memorial, tribute or bequest to the city of Alliance.

Memorial is an item, object or monument established to preserve the memory of (a) deceased person(s) or an event that occurred in the past.

Tribute means an item, object or gift designed to acknowledge the contributions of still-living people or person(s) to society.

Sec. 2-223. Types of Donations.

(a) A monetary donation includes cash, check, credit card payment, money order or other negotiable instrument. In the event of a stock donation, the donation will be liquidated and turned into cash or another liquid asset, and treated as a monetary donation.

(b) A non-monetary donation includes real or personal property, goods, or services.

(c) Designated or restricted donations are those donations that the donor specifies for use by a particular city department, at a certain location, or for a specific purpose. Memorials and tributes shall be considered as restricted donations.

(d) Undesignated or unrestricted donations are those donations that are given to the City for an unspecified or general use.

Sec. 2-224. Rules pertaining to Donations

(a) *Consistency with city interests.* Donations may only be accepted when they have a purpose consistent with the City's goals and objectives and are in the best interest of the City and its residents. The City must always consider the public trust and comply with all applicable laws when accepting donations.

(b) *Declined donations.* The City of Alliance reserves the right to decline any donation if, upon review, acceptance of the donation offer is determined in the sole discretion of the City to not be in the best interest of the City.

(c) *Disposition of donations.* The City of Alliance reserves the right to remove any donated amenity for: safety reasons, deterioration caused by age, neglect or vandalism, and/or the city's inability to finance ongoing maintenance and/or repairs.

(d) *Donation specifications.* The City of Alliance reserves the right to formulate and dictate the specifications for donations of personal property.

(e) *Donation preference*. When donations are intended for the purchase of physical goods used in the course of conducting normal city business, it is preferred that the donation be made as a monetary donation to allow the city to take advantage of bulk purchasing and to ensure the consistency of goods.

(f) *Acceptance of donations.*

i. Any person, group, or entity desiring to raise funds for donations to the City must receive the consent of the City Council prior to beginning fundraising efforts.

ii. Restricted donations, other than donations made for the purpose of assisting citizens in paying their utility bills, must first be approved by the City Council via resolution.

iii. All donations of real property, whether restricted or unrestricted, must first be approved by the city council via resolution.

iv. All donations of personal property, whether restricted or unrestricted, must first be approved by the City Council via resolution. The City Council will determine whether or not the donation is in good taste, appropriate to the purpose of the City, and in accord with the standards of the community prior to accepting the gift.

v. In the event the gift, bequest or memorial intended for the City is of a nature that it is to be seen and enjoyed by the public such as a sculpture, statue, plaque, or other interpretive material, the City Council shall determine the appropriate location for said gift.

vi. The City shall not accept donations which are not permanent gifts to the city.

vii. The City shall not accept donations which require that the City agree to maintain the gift in perpetuity, unless such donation is accompanied by an endowment sufficient to cover its ongoing upkeep. All perpetual gifts and their associated endowments must receive prior approval from the City Council through a formal resolution. If, at any point, the endowment no longer provides adequate funding for maintenance, the City may discontinue upkeep once the funds are depleted and dispose of the donation in accordance with City policies.

viii. Unrestricted donations valued at less than or equal to Ten Thousand dollars ($10,000) may be accepted by the City Manager or their designee without council action and shall be reported quarterly to the City Council. Unrestricted donations with a value above Ten Thousand dollars ($10,000) must first be approved by the City Council via resolution.

ix. *Memorial Plaques.* Costs for all memorial or tribute plaques shall be borne by the donor. The City must approve all text for memorial or tribute plaques prior to installation.

Sec. 2-225. City Manager.

The City Manager is authorized to promulgate further rules, policies, and procedures needed for the execution of this ordinance.

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, Turman, Weisgerber, Mashburn and McGhehey.

Voting Nay: None.

Motion carried.

A motion was made by Mayor McGhehey, which was seconded Weisgerber to amend the Ordinance to reflect that all unrestricted donations $10,000 and under can be approved by the City Manager.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

- The last matter before Council was Board Appointments.

A motion was made by Councilman Turman, seconded Councilman Liptack to appoint Brent Ferguson to the Community Redevelopment Authority with a term ending January 31, 2029. And Own Burnett to the Planning Commission with a term ending December 31, 2028 and Scott Bolinger to serve as an alternate of the Planning Commission.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

The Alliance City Council adjourned the February 18, 2025 City Council Meeting at 7:55 p.m.

John McGhehey, Mayor

(SEAL)

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