

December 17, 2024

ALLIANCE CITY COUNCIL

REGULAR MEETING, TUESDAY, DECEMBER 17, 2024

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

The Alliance City Council met at their Regular Meeting, December 17, 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 December 11, 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 December 17, 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 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 the week of January 26, 2025 – February 1, 2025 as Catholic Schools Week.

Mayor McGhehey read the following proclamation:

PROCLAMATION

WHEREAS, The week of January 26, 2025 to February 1, 2025 is National Catholic Schools Week; and,

WHEREAS, The theme of which is “Catholic Schools: Faith. Excellence, Service; and,

WHEREAS, St. Agnes Academy has been part of Alliance, Nebraska since September 1908 and St. Agnes Academy has helped to make our town a loving community; and,

WHEREAS, St. Agnes Academy prepares its’ students not only with fine academic training, but also with spiritual values that will make them good citizens able to contribute their community and become the leaders of the future.

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

The week of January 26, 2025 – February 1, 2025 as:

CATHOLIC SCHOOLS WEEK

In the City of Alliance, Nebraska, and urge all citizens to recognize Catholic Schools for their commitment to excellence in quality education.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the City of Alliance to be affixed on this 17th day of December in the year of the Lord Two Thousand Twenty-Four.

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

CONSENT CALENDAR – December 17, 2024

1. Approval: Minutes of the Special Meeting, December 2, 2024 and Regular Meeting, December 3, 2024.
2. Approval: Payroll from November 29, 2024 in the total amount of \$299,318.23.
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; \$1,013,737.35.
4. Approval: Resolution No. 24-135 which will authorize the Mayor to sign an agreement between the City of Alliance and Carnegie Arts Center to contract Tourism Services for the period commencing January 1st through December 31st for the year 2025, contract price for the year 2025 shall not exceed \$80,400.00.
5. Approval: Resolution No. 24-136 which will award the 2025 Landscape Maintenance Bid Award to All Seasons Landscaping, LLC, in the amount of \$30,600.00.
6. Approval: Resolution No. 24-137 which will authorize the purchase of a 2024 Ford F-250 Pickup for the Street Department from Wolf Auto in the amount of \$52,549 from GL # 24-41-41-59-950.
7. Approval: Resolution No. 24-138 which will authorize the acceptance of \$3,600.00 of mini grant funds from Nebraska Department of Transportation, the Alliance Police Department is accountable for only \$4,170.75 to be paid from Small Tools, Equipment GL # 01-31-32-45-544.

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8. Approval: Resolution No. 24-139 which will award the Cultural & Leisure Services Tractor with Hard Cab Bid Award of a Kubota MX6000HSTC from Sandberg Implement in the amount of \$41,655.50 with the funds from GL # 01-71-71-59-950.
9. Approval: Resolution No. 24-140 which will approve the janitorial contracts for Alliance Municipal Airport, SkyView Golf Course, Alliance Utility Facility, Alliance Learning Center, and Knight Museum & Sandhills Center.
10. Approval: Resolution No. 24-141 which will authorize City of Alliance to enter into an engineering agreement with MC Schaff and Associates for the Arsenic Treatment System design on existing well at 12th and Missouri location in the amount of \$115,800.00 from GL # 08-52-52-55-915.

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: Liptack, Turman, Weisgerber, Mashburn and McGhehey.

Voting Nay: None.

Motion carried.

- Council next held a Public Hearing on the BW Gas & Convenience dba YesWay Liquor License Manager Application for Shawn Strickland. Following the Public Hearing, Council considered Resolution No. 24-142 which has been prepared to recommend approval of the Manager's Application. Council was provided the following background information:

Mayor McGhehey 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 BW Gas & Convenience Liquor License Manager Application for Shawn Strickland opened the public hearing at 7:08 p.m.

No additional testimony was offered and the Public Hearing closed at 7:09 p.m.

A motion was made by Councilman Liptack, seconded by Councilman Turman to approve Resolution No. 24-142 which follows in its entirety:

RESOLUTION NO. 24-142

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WHEREAS, The City of Alliance has received a notice and copy of a Manager Application for YesWay 1170, 610 East 3rd Street, Alliance, Nebraska submitted by Shawn Strickland; and

WHEREAS, City staff has reviewed the application and find no reason why the proposed manager, Shawn Strickland, would be disqualified from serving as manager; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the City of Alliance, Nebraska, that the Manager's Application of Shawn Strickland, YesWay 1170, 610 East 3rd Street, Alliance, Nebraska is hereby recommended for approval to the Nebraska Liquor Control Commission; and

BE IT FURTHER RESOLVED, that the City shall notify the Nebraska Liquor Control Commission of this Council decision.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

- The next item on the agenda for Council was the first reading of Ordinance No. 2990 which will approve and amend the City of Alliance Municipal Code Chapter 26-127, titled *Restricted Parking*. The amendment will allow for the "no parking" restrictions at 9th and Big Horn Avenue.

A motion was made by Councilman Turman, seconded by Councilman Weisgerber to approve the first reading of Ordinance No. 2990. City Clerk Pitt read the ordinance by title which follows in its entirety:

Ordinance No. 2990

AN ORDINANCE OF THE CITY OF ALLIANCE, NEBRASKA AMENDING ALLIANCE MUNICIPAL CODE SECTION 26-127 TO RESTRICT PARKING ON THE EAST SIDE OF THE STREET IN FRONT OF THE PROPERTY AT 903 BIG HORN AVENUE FOR LONGER THAN ONE HALF HOUR DURING THE HOURS OF 9:00 A.M. AND 2:00 P.M. ON MONDAYS AND TUESDAYS; 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 26-127 of the Alliance Municipal Code is amended to read as follows:

Sec. 26-127. Prohibited and limited parking.

- (a) No vehicle may park at any time in the following spaces or locations, which spaces or locations may be painted red as appropriate but are not required to be:
- (1) In front of or within a space of 40 feet in front of the front entrance or entrances of any school;
 - (2) Where any other street or avenue intersects another, in the intersection of or within 25 feet from the intersection of the streets or avenues, beginning at the nearest perpendicular curb of the intersection;
 - (3) On the north side of First Street between the west line of Niobrara Avenue, if extended south, and the east line of Laramie Avenue if extended south;
 - (4) Within any alley or in a manner that obstructs the entrance or exit to the alley, and on a street or avenue within five feet of any alley entrance or exit, on either side, except when the actual operation of loading or unloading merchandise is in progress;
 - (5) In a manner that obstructs entrance or exit to any private drive, and on any street or avenue within five feet of any private drive entrance or exit, on either side, except when the actual operation of loading or unloading is in progress;
 - (6) On any street or avenue within ten feet of any fire hydrant, on either side of the fire hydrant, and within ten feet of any stop sign on the right side of any two-way street or on either side of any one-way street;
 - (7) Outside of the business district as herein defined, on that portion of any right-of-way outside the roadway, including in any curb strip as prohibited by chapter 20 of the City Code;
 - (8) On the south side of Sixth Street between the east line of Flack Avenue and the west line of Boyd Avenue;
 - (9) On the north side of Fourth Street between the east line of Flack Avenue and the west line of Boyd Avenue;
 - (10) On the north side of Fourth Street between the east line of Box Butte Avenue and a point 70 feet from said east line of Box Butte Avenue;
 - (11) On the east side of Boyd Avenue from Fourth Street to Sixth Street, except for those vehicles parked for residential purposes for immediately adjacent residential property;
 - (12) On the east side of U.S. Highway 385 beginning at a point 301 feet south of the northwest corner of Section 4, Township 24 North, Range 48 West of the 6th Principal Meridian, Box Butte County, Nebraska, northerly along the highway right-of-way to a point where the highway intersects West Third Street in the city;
 - (13) On the north and south sides of Third Street from the west line of Howard Street Avenue westerly to the east line of Highway 385;
 - (14) On the south side of Sixteenth Street from the west line of Emerson Avenue to the east line of Buchfinck Avenue.
 - (15) On any area and at any time where parking has become prohibited pursuant to article IV, chapter 26 of the City Code.
 - (16) In any manner not stated herein but that otherwise violates the State of Nebraska statutory rules of the road, as codified in R.R.S. 1943, ch. 60, as re-codified or amended from time to time.

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- (17) Any other parking space or spaces which may hereafter be designated by the city manager where parking shall be prohibited to provide for safety and the orderly flow of traffic and after such prohibited parking is plainly marked, painted on the curb or posted.
- (b) No vehicle may park Monday through Friday of any week between the hours of 8:00 a.m., and 6:00 p.m., and on Saturdays between the hours of 8:00 a.m. and 9:00 p.m., holidays excepted, as follows:
 - (1) No vehicle shall park in the posted area in front of the U.S. Post Office building located on the northeast corner on Box Butte Avenue and Fourth Street;
 - (2) No vehicle shall park for more than two consecutive hours on the following described streets:
 - a. Box Butte Avenue from the north line of First Street to the south line of Sixth Street;
 - b. Laramie Avenue from the north line of Third Street to the north line of Fourth Street;
 - c. Third Street from the west line of Niobrara Avenue to the east line of Cheyenne Avenue;
 - d. Fourth Street from the west line of Niobrara Avenue to the east line of Laramie Avenue;
 - e. Fifth Street from the west line of Niobrara Avenue to the east line of Laramie Avenue;
 - f. Laramie Avenue north of Fourth Street for two parking spaces on the east side of the street and three parking spaces on the west side of the street.
 - g. For the west one-half block on the north side of Tenth Street between Niobrara and Sweetwater Avenues and the east side of Niobrara Avenue between 10th and 11th Streets, which time-limited spaces are plainly marked, painted on the curb or posted.
- (c) No vehicle shall park for a period of time longer than 15 minutes or 30 minutes, as either may be marked by signs, in a parking space in the municipal parking lot located southwest of the Library/Learning Center, Lot 1, Block 1, Library/Attendance Center Addition, which time-limited spaces are plainly marked, painted on the curb or posted.
- (d) Notwithstanding applicable portions of subsection (b)(2) above, no vehicle shall park for a period of time longer than 15 minutes in a parking space, or spaces, on Box Butte Avenue, which time-limited spaces are plainly marked, painted on the curb or posted.
- (f) Notwithstanding applicable portions of subsection (b)(2) above, no vehicle shall park between the hours of 6:00 a.m. to 6:00 p.m. on the east side of the 400 block of Niobrara Avenue from the north line of Fourth Street to a point 87 feet north of the north line of Fourth Street in the parking space or spaces which are plainly marked, painted on the curb, or posted.
- (g) No vehicle shall park for longer than one half hour on the East side of the street in front of the property at 903 Big Horn Avenue in the area designated by signage during the hours of 9:00 a.m. and 2:00 p.m. on Mondays and Tuesdays.

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.

Vice Mayor Mashburn voiced her opinion this doesn't fall under reg. and should not be approved.

Roll call vote with the following results:

Voting Aye: Turman, Weisgerber, Liptack and McGhehey.

Voting Nay: Mashburn.

Motion carried.

- The next agenda item for Council was the first reading of Ordinance No. 2992 which will approve and amend the City of Alliance Municipal Code Chapter 26-127, titled *Restricted Parking*. The amendment will The following information was provided:

A motion was made by Councilman Weisgerber, seconded by Vice Mayor Mashburn to approve the first reading of Ordinance No. 2992. City Clerk Pitt read the ordinance by title which follows in its entirety:

Ordinance No. 2992

AN ORDINANCE OF THE CITY OF ALLIANCE, NEBRASKA AMENDING ALLIANCE MUNICIPAL CODE SECTION 26-127 RESTRICTING PARKING IN FRONT OF 511 NIOBRARA AVENUE AS POLICE PARKING ONLY; 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 26-127 of the Alliance Municipal Code is amended to read as follows:

Sec. 26-127. Prohibited and limited parking.

- (a) No vehicle may park at any time in the following spaces or locations, which spaces or locations may be painted red as appropriate but are not required to be:
 - (1) In front of or within a space of 40 feet in front of the front entrance or entrances of any school;
 - (2) Where any other street or avenue intersects another, in the intersection of or within 25 feet from the intersection of the streets or avenues, beginning at the nearest perpendicular curb of the intersection;
 - (3) On the north side of First Street between the west line of Niobrara Avenue, if extended south, and the east line of Laramie Avenue if extended south;
 - (4) Within any alley or in a manner that obstructs the entrance or exit to the alley, and on a street or avenue within five feet of any alley entrance or exit, on either side, except when the actual operation of loading or unloading merchandise is in progress;
 - (5) In a manner that obstructs entrance or exit to any private drive, and on any street or avenue within five feet of any private drive entrance or exit, on either side, except when the actual operation of loading or unloading is in progress;
 - (6) On any street or avenue within ten feet of any fire hydrant, on either side of the fire hydrant, and within ten feet of any stop sign on the right side of any two-way street or on either side of any one-way street;

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- (7) Outside of the business district as herein defined, on that portion of any right-of-way outside the roadway, including in any curb strip as prohibited by chapter 20 of the City Code;
 - (8) On the south side of Sixth Street between the east line of Flack Avenue and the west line of Boyd Avenue;
 - (9) On the north side of Fourth Street between the east line of Flack Avenue and the west line of Boyd Avenue;
 - (10) On the north side of Fourth Street between the east line of Box Butte Avenue and a point 70 feet from said east line of Box Butte Avenue;
 - (11) On the east side of Boyd Avenue from Fourth Street to Sixth Street, except for those vehicles parked for residential purposes for immediately adjacent residential property;
 - (12) On the east side of U.S. Highway 385 beginning at a point 301 feet south of the northwest corner of Section 4, Township 24 North, Range 48 West of the 6th Principal Meridian, Box Butte County, Nebraska, northerly along the highway right-of-way to a point where the highway intersects West Third Street in the city;
 - (13) On the north and south sides of Third Street from the west line of Howard Street Avenue westerly to the east line of Highway 385;
 - (14) On the south side of Sixteenth Street from the west line of Emerson Avenue to the east line of Buchfinck Avenue.
 - (15) On any area and at any time where parking has become prohibited pursuant to article IV, chapter 26 of the City Code.
 - (16) In any manner not stated herein but that otherwise violates the State of Nebraska statutory rules of the road, as codified in R.R.S. 1943, ch. 60, as re-codified or amended from time to time.
 - (17) Any other parking space or spaces which may hereafter be designated by the city manager where parking shall be prohibited to provide for safety and the orderly flow of traffic and after such prohibited parking is plainly marked, painted on the curb or posted.
- (b) No vehicle may park Monday through Friday of any week between the hours of 8:00 a.m., and 6:00 p.m., and on Saturdays between the hours of 8:00 a.m. and 9:00 p.m., holidays excepted, as follows:
- (1) No vehicle shall park in the posted area in front of the U.S. Post Office building located on the northeast corner on Box Butte Avenue and Fourth Street;
 - (2) No vehicle shall park for more than two consecutive hours on the following described streets:
 - a. Box Butte Avenue from the north line of First Street to the south line of Sixth Street;
 - b. Laramie Avenue from the north line of Third Street to the north line of Fourth Street;
 - c. Third Street from the west line of Niobrara Avenue to the east line of Cheyenne Avenue;
 - d. Fourth Street from the west line of Niobrara Avenue to the east line of Laramie Avenue;
 - e. Fifth Street from the west line of Niobrara Avenue to the east line of Laramie Avenue;
 - f. Laramie Avenue north of Fourth Street for two parking spaces on the east side of the street and three parking spaces on the west side of the street.
 - g. For the west one-half block on the north side of Tenth Street between Niobrara and Sweetwater Avenues and the east side of Niobrara Avenue between 10th and 11th Streets, which time-limited spaces are plainly marked, painted on the curb or posted.

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- (c) No vehicle shall park for a period of time longer than 15 minutes or 30 minutes, as either may be marked by signs, in a parking space in the municipal parking lot located southwest of the Library/Learning Center, Lot 1, Block 1, Library/Attendance Center Addition, which time-limited spaces are plainly marked, painted on the curb or posted.
- (d) Notwithstanding applicable portions of subsection (b)(2) above, no vehicle shall park for a period of time longer than 15 minutes in a parking space, or spaces, on Box Butte Avenue, which time-limited spaces are plainly marked, painted on the curb or posted.
- (f) Notwithstanding applicable portions of subsection (b)(2) above, no vehicle shall park between the hours of 6:00 a.m. to 6:00 p.m. on the east side of the 400 block of Niobrara Avenue from the north line of Fourth Street to a point 87 feet north of the north line of Fourth Street in the parking space or spaces which are plainly marked, painted on the curb, or posted.
- (g) [Reserved pending passage of separate ordinance]
- (h) No vehicle, other than vehicles operated by the Alliance Police Department shall park on the east side of Niobrara Avenue in front of 511 Niobrara Avenue. The City shall, by signage, designate such parking areas as Police Parking Only.

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.

Mayor McGhehey this would be more convenient for the Police Chief.

Police Chief Leavitt stated only for convenient parking of accessible for emergencies.

Councilman Liptack wants to make sure citizens can access.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

- The next agenda item for Council was the first reading of Ordinance No. 2993 which will adopt the proposed 2025 City Council meeting schedule. The City Council Meetings will be the first and third Tuesday's of the month, with no changed needed due to Holidays. Staff is requesting the second and third readings be waived, if there are no conflicts in the presented calendar.

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A motion was made by Vice Mayor Mashburn, seconded by Councilman Liptack to approve the first reading of Ordinance No. 2993. City Clerk Pitt read the ordinance by title which follows in its entirety:

ORDINANCE NO. 2993

AN ORDINANCE ESTABLISHING THE TIME AND PLACE OF REGULAR COUNCIL MEETINGS FOR THE CALENDAR YEAR 2025.

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

SECTION 1. Nebraska Statutes at Section 19-615 provide that ". . . the Council shall meet at such time and place as it may prescribe by ordinance, but not less frequently than twice each month in cities of the first class."

SECTION 2. The City Code provides at Section 2-25, that "The City Council shall hold its regular meeting on the first and third Tuesday of each month. The Council may, by adoption of a calendar each year, establish regular meeting dates other than the first and third Tuesday of each month."

SECTION 3. Attached hereto is a "proposed 2025 calendar," which is incorporated herein by reference as if fully set forth.

SECTION 4. The City Council of Alliance, Nebraska shall conduct regular meetings during calendar year 2025 on the dates that are indicated on the attached proposed 2025 calendar at the hour of 7:00 o'clock P.M. at the Alliance Learning Center Community Meeting Rooms, 1750 Sweetwater Avenue, Alliance, Nebraska. The time and place of these meetings may be changed from time to time as provided by law.

SECTION 5. This Ordinance shall be in full force and effect from and after its passage, approval, and publication according to law.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

A motion was made by Councilman Weisgerber, seconded by Councilman Liptack to suspend the statutory rule requiring three separate readings of Ordinance No. 2993.

Roll call vote with the following results:

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

Voting Nay: None.

Motion carried.

Mayor McGhehey stated, "the passage and adoption of Ordinance No. 2993 has been concurred by a majority of all members elected to the Council, I declare it passed, adopted and order it published."

Roll call vote with the following results:

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

Voting Nay: None.

The Alliance City Council adjourned December 17, 2024, City Council Meeting at 7:21 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