

April 1, 2025

ALLIANCE CITY COUNCIL

REGULAR MEETING, TUESDAY, APRIL 1, 2025

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

The Alliance City Council met in a Regular Meeting, April 1, 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 March 26, 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 April 1, 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 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 Consent Calendar was the first item on the agenda. A motion was made by Councilman Turman, seconded by Vice Mayor to approve the Consent Calendar as follows:

CONSENT CALENDAR – April 1, 2025

1. Approval: Minutes of the Regular Meeting, March 18, 2025.
2. Approval: Payroll from March 21, 2025 in the total amount of \$268,122.08.
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; \$1,308,406.70.
4. Approval: Cemetery Certificates for Osborn, Gary W. & Linda D.

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5. Approval: Resolution No. 25-38 which will authorize the execution of the Certificate of Completion and Release form for the Seal Coat Runway 12/30 and Runway 8/26 Project.
6. Approval: Resolution No. 25-39 which will authorize City of Alliance to enter into a Consultant Agreement with H.W. Lochner, Inc. for Project No. 3-31-0003-029-2025 (PO1) for the purpose of drafting and completing an Airport Layout Plan with narrative report.
7. Approval: Resolution No. 25-40 which will authorize the City of Alliance to enter into an Agency Agreement with the Nebraska Department of Transportation – Division of Aeronautics for Grant Project No. 3-31-0003-029-2025 (PO1).
8. Approval: Resolution No. 25-41 which will authorize the hiring of Golf Pro Jerad Palmer's father to work at SkyView Golf Course as a seasonal employee.
9. Approval: Resolution No. 25-42 which will authorize the hiring of Pool Manager Erin Armstrong's daughter to work at Big Blue Bay as a seasonal employee.
10. Approval: Resolution No. 25-43 which will authorize the Mayor to execute the corrected Maintenance Agreement No. 3 for the calendar year 2025, for and on behalf of the City of Alliance with Nebraska Department Transportation.
11. Approval: Resolution No. 25-44 which will authorize the Mayor to sign and submit a letter stating that the project of Alliance City Hall Recreation Center planning grant through the Nebraska Department of Economic Development's Civic and Community Center Financing Fund is complete and requesting final payment.

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, Turman, Mashburn and McGhehey.

Voting Nay: None.

Motion carried.

- The next item on the agenda for Council was the first reading of Ordinance No. 2999 which will approve the Annexation Petition from (Westco) Jiridon Agri-Chemicals, Inc. The Petitioner request a 14.99-acre Tract of Land in the Southwest Quarter of Section 26, Township 25 North, Range 48 West of the 6th Principal Meridian, Box Butte County,

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Nebraska, to be incorporated within limits of the City of Alliance. The following information was provided:

[ORDINANCE – ANNEXATION OF LANDS OF JIRDON AGRICHEMICALS, INC. AND INCORPORATING THEM WITHIN THE LIMITS OF THE CITY OF ALLIANCE.]

The City of Alliance is in receipt of a petition to annex a 14.99 acre parcel of land located in The Southwest Quarter Of Section 26, Township 25 North, Range 48 West Of The 6th P.M., Box Butte County, Nebraska. The annexation petition was required as a condition of a rezone of the same parcel of land from A-Agriculture to C-3, Heavy Commercial. This rezone occurred November 15, 2022, by the approval of Ordinance 2949.

Properties that receive the benefits of City services including police, fire protection, water, electric, sanitary sewer, streets, snow removal, etc. should be included within the corporate limits of the City. This ensures the before mentioned benefits are paid for and maintained by the collection of taxes assessed against the property, and in the case of many businesses, a sales tax as well. Properties that receive these benefits without being included in the corporate limits are in effect subsidized by those properties that are located within City Limits.

The City of Alliance Planning Commission met at its regular meeting March 11, 2025, and voted yes on a recommendation to the Alliance City Council for the approval of the annexation of a 14.99 acre parcel of land located in The Southwest Quarter Of Section 26, Township 25 North, Range 48 West Of The 6th P.M., Box Butte County, Nebraska, as shown on “Exhibit A” included with the annexation petition after making the following findings of fact:

1. The tract of land is urban and not rural in character;
2. The tract of land is adjacent to the corporate limits of the City of Alliance;
3. The tract of land is serviced by City utilities;
4. The tract of land is developed;
5. The tract of land is zoned C-3, Heavy Commercial;
6. The tract of land has access to public rights of way.
7. The annexation meets the requirements of Nebraska Revised Statutes 16-117.

RECOMMENDATION: THE APPROVAL OF THE ORDINANCE ANNEXING LANDS OF JIRDON AGRICHEMICALS, INC. AND INCORPORATING SUCH LANDS WITHIN THE LIMITS OF THE CITY OF ALLIANCE.]

A motion was made by Councilman Weisgerber, seconded by Councilman Turman to approve the first reading of Ordinance No. 2999. City Clerk read the ordinance by titled which follows in its entirety:

ORDINANCE NO. 2999

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AN ORDINANCE OF THE CITY OF ALLIANCE, NEBRASKA, ANNEXING REAL PROPERTY OF JIRDON AGRI-CHEMICALS, INC. SITUATED IN THE SOUTHWEST QUARTER OF SECTION 26, TOWNSHIP 25 NORTH, RANGE 48 WEST OF THE 6TH PRINCIPAL MERIDIAN, BOX BUTTE COUNTY, NEBRASKA; 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 COUNCIL OF THE CITY OF ALLIANCE, NEBRASKA:

SECTION 1. Jirdon Agri-Chemicals, Inc. requested that the following described real estate (the "Real Estate") be included within the corporate limits of the City:

A TRACT OF LAND SITUATED IN THE SOUTHWEST QUARTER OF SECTION 26, TOWNSHIP 25 NORTH, RANGE 48 WEST OF THE 6TH PRINCIPAL MERIDIAN, BOX BUTTE COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
REFERRING TO THE SOUTHWEST CORNER OF SAID SECTION 26; THENCE, ALONG THE WEST LINE OF SAID SECTION, N00°06'41"E TO A POINT OF INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF 10TH STREET EXTENDED WESTERLY, BEING A DISTANCE OF 33.00 FEET; THENCE, ALONG SAID EXTENDED NORTHERLY RIGHT-OF-WAY, N89°56'51"E TO A POINT OF INTERSECTION WITH THE EASTERLY RIGHT-OF-WAY LINE OF NEBRASKA HIGHWAY #2, BEING A DISTANCE OF 60.00 FEET, SAID POINT ALSO BEING THE TRUE POINT OF BEGINNING; THENCE, CONTINUING ALONG SAID NORTHERLY RIGHT-OF-WAY, N89°56'51"E TO THE SOUTHWEST CORNER OF A TRACT OF LAND AS DESCRIBED IN DEED BOOK 95, PAGE 467 OF THE BOX BUTTE COUNTY, NEBRASKA DEED RECORDS, BEING A DISTANCE OF 400.00 FEET; THENCE, ON THE WEST LINE OF SAID TRACT N00°06'41"E TO THE NORTHWEST CORNER OF SAID TRACT, BEING A DISTANCE OF 815.00 FEET; THENCE, ALONG THE NORTH LINE OF SAID TRACT, N89°56'51"E TO THE NORTHEAST CORNER OF SAID TRACT, BEING A DISTANCE OF 425.00 FEET; THENCE, ALONG THE NORTHERLY EXTENSION OF THE EAST LINE OF SAID TRACT, N00°06'41"E TO A POINT OF INTERSECTION WITH THE SOUTHERLY BOUNDARY OF A TRACT OF LAND AS DESCRIBED IN DEED BOOK 74, PAGE 85 OF THE BOX BUTTE COUNTY, NEBRASKA DEED RECORDS AND TRUE EASTERLY EXTENSION, BEING A DISTANCE OF 398.22 FEET; THENCE, ALONG SAID SOUTHERLY BOUNDARY, S89°39'11"W TO A POINT OF INTERSECTION WITH THE SAID EASTERLY HIGHWAY RIGHT-OF-WAY, BEING A DISTANCE OF 825.02 FEET; THENCE, ALONG SAID RIGHT-OF-WAY, S00°06'41"W FOR A DISTANCE OF 1208.98 FEET TO THE TRUE POINT OF BEGINNING, CONTAINING AN AREA OF 14.99 ACRES MORE OR LESS.

SECTION 2. The City of Alliance Planning Commission, in their regular meeting on March 11, 2025, passed a motion recommending the annexation of said Real Estate.

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SECTION 3. The Real Estate is contiguous or adjacent to the existing corporate limits of the City, is urban or suburban in character, and does not constitute agricultural land which is rural in character.

SECTION 4. The Real Estate is annexed to and included within the corporate limits of the City of Alliance, Nebraska, and thereafter shall be and remain a part of such City for all purposes whatsoever as of the effective date of this Ordinance.

SECTION 5. The map describing the Corporate Limits as provided for in Section 1-5 of the Alliance Municipal Code is amended to provide for the addition of the Real Estate to the corporate limits of the City.

SECTION 6. The owners, occupants and users of such tracts of land shall be entitled to all of the rights and privileges, and be subject to all laws, ordinances, rules and regulations of such City. Such owners, occupants and users shall receive substantially the benefits of other owners, occupants and users of land within such City as soon as practicable and adequate plans and necessary City Council action, if any, to furnish such benefits as police, fire, snow removal and water service shall be adopted as provided in Neb Rev. Stat. § 16-120.

SECTION 7. All ordinances, parts of ordinances, resolutions, and policies of the City of Alliance in conflict with this Ordinance are repealed.

SECTION 8. 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: Turman, Mashburn, Weisgerber and McGhehey.

Voting Nay: None.

Motion carried.

- The next item on the agenda for Council was Resolution No. 25-45 which will approve waiving the payment in lieu taxes in the amount of \$11,528.79 by fifty percent with the waived funds (\$5,764.39) to be placed in a separate account of the Alliance Housing Authority for the purchase of playground equipment for their Lakefield Addition Property.

A motion was made by Vice Mayor Mashburn, seconded by Councilman Turman to approve Resolution No. 25-45. Which follows in its entirety:

RESOLUTION NO. 25-45

WHEREAS, The City of Alliance has received a request from the Alliance Housing Authority to waive certain payments in lieu of taxes in the amount of \$11,528.79; and

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WHEREAS, The City Council finds that it has legal authority to issue such waiver; and

WHEREAS, The City Council desires to waive the payment in lieu of taxes by fifty percent with the waived funds to be placed in a separate account of the Alliance Housing Authority for new playground equipment.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of Alliance, Nebraska, that the payment in lieu of taxes waiver request of the Alliance Housing Authority is partially approved and said funds (\$5,764.39) are to be kept in a separate fund for the purchase of playground equipment for their Lakefield Addition Property.

BE IT FURTHER RESOLVED, The remaining balance of \$5,764.39 is to be forwarded to the proper taxing official for payment to the authorized taxing entities.

Roll call vote with the following results:

Voting Aye: Mashburn, Weisgerber, Turman and McGhehey.

Voting Nay: None.

Motion carried.

- The next item on the agenda for Council was the City of Alliance's Audit of the Financial Statement for the period October 1, 2023 through September 30, 2024. Joe Stump of AMGL, P.C., reviewed via telephone.

A motion was made by Councilman Turman, seconded by Vice Mayor Mashburn to accept the audit presentation presented by Joe Stump of AMGL, P.C.

Roll call vote with the following results:

Voting Aye: Turman, Weisgerber, Mashburn and McGhehey.

Voting Nay: None.

Motion carried.

- The last item on the agenda for Council was Board appointments.

A motion was made by Councilman Turman, seconded by Vice Mayor Mashburn to appoint Annora Bentley to serve on the Golf Advisory Board with her term ending December 31, 2028.

Voting Aye: Turman, Weisgerber, Mashburn and McGhehey.

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Voting Nay: None.

Motion carried.

The Alliance City Council adjourned the April 1, 2025 City Council Meeting at 7:38 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