

**MINUTES  
ALBION CITY COUNCIL  
REGULAR MEETING – PUBLIC HEARING  
TUESDAY, FEBRUARY 11, 2014**

A Regular Meeting of the Albion City Council of the City of Albion, Nebraska was convened in open and public session at 7:30 p.m. on February 11, 2014 in the Council Chambers. Present were Mayor James C. Jarecki, Councilmembers Jim Riedmiller, Don Rutten, Marcus Johnson, and Walt Hoefler. Also present were City Administrator Andrew Devine, Water Commissioner Ron Morearty, Sewer Commissioner Joe Luettel, Deputy City Clerk Sharon Ketteler, Police Officer John Buck, City Attorney Darren Wright, and Jim Dickerson with the Albion News. Notice of this meeting along with the agenda was simultaneously given in advance to all members of the Board. Notice of this meeting was given in advance by publication, a designated method for giving notice; a copy of proof of publication is attached to these minutes. All proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public.

**2. APPROVE MEETING MINUTES OF THE JANUARY 14, 2014 MEETING**

Councilman Rutten made a motion to approve the minutes of the January 14, 2014 meeting as presented, second by Johnson. **Vote: Yeas; Hoefler, Rutten, Johnson, Riedmiller. Nays; None.**

**3. REVIEW ANNUAL AUDIT FOR FISCAL YEAR ENDED SEPTEMBER 30, 2013**

Accountant Terry Galloway was absent from the meeting, therefore the audit report was tabled until the next meeting.

**4. OPEN SEALED BIDS FOR SURPLUS PROPERTY OF THE CITY, DESCRIBED AS THE WEST HALF OF NORTH 3<sup>RD</sup> STREET, NORTH OF THE RAILROAD RIGHT OF WAY, NORTH OF MAIN STREET**

- **CONSIDER ORDINANCE 227(13) DIRECTING THE SALE OF SURPLUS PROPERTY IDENTIFYING NAME OF PURCHASER AND TERMS OF SALE**

One sealed bid was received on January 6, 2014 at 10:00 a.m. Attorney Wright opened the sealed bid from Cedar Valley Lumber, LLC for \$6,500. The bid met the minimum requirements, and there were no protests received for sale of property. Councilman Rutten made a motion to introduce Ordinance 227(13). Mayor Jarecki instructed Clerk Devine to read the first reading of Ordinance 227(13). Councilman Johnson made a motion to suspend statutory rules, second by Rutten. **Vote: Yeas; Riedmiller, Johnson, Rutten, Hoefler. Nays; None.** Mayor Jarecki instructed Devine to read the Ordinance by title for second and third time. Councilman Rutten made a motion for Final Passage of Ordinance 227(13), second by Johnson. Mayor Jarecki sought further comment, seeing none, Councilman Hoefler called for the question. Mayor Jarecki declared Ordinance 227(13) having been read by title three different times, the rules have been suspended; the question is "Shall Ordinance 227(13) finally pass?" **Vote: Yeas; Johnson, Riedmiller, Rutten, Hoefler. Nays; None.**

**5. CONSIDER APPLICATION FOR LOT SPLIT NO. 2014-01 OF H. THOMAS FICK TO DIVIDE LOT 1, BLOCK 2, OF CLARKS 1<sup>ST</sup> ADDITION TO THE CITY OF ALBION, NE**

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Administrator Devine stated Mr. Fick had applied for a lot split to split the property where his warehouse building and Shorty's Ice Cream are located. It is currently legally described as one lot, and Mr. Fick requests to split into two separate lots. Devine circulated the survey as supplied by Mr. Fick. Councilman Hoefler made a motion to approve Lot Split application 2014-01, second by Johnson. **Vote: Yeas; Johnson, Riedmiller, Hoefler, Rutten. Nays; None.**

### 6. CONSIDER RESOLUTIONS SERIES 104(14) DECLARING NUISANCES

Chief Lipker submitted a report of the final inspections done on the 3 properties he sent courtesy notices to in January. Clerk Devine provided the Council with the inspection reports. It was recommended that two of the properties be declared nuisances. Once nuisance is declared, the violators have 30 days to abate such nuisances. After a review of the reports, Councilman Rutten introduced both Resolutions 104(14)-1 and 104(14)-2 and made a motion to approve them; second by Riedmiller. **Vote: Yeas; Johnson, Rutten, Riedmiller, Hoefler. Nays; None.**

### 7. CONSIDER RESOLUTION 105(14) APPROVING ELECTRONIC SERVICE LEVEL AGREEMENT AND ADDENDUM ONE WITH NEBRASKA INTERACTIVE, LLC. AND THE NEBRASKA STATE RECORDS BOARD; AUTHORIZING MAYOR TO SIGN SAME AGREEMENT; AND, ADOPTING POLICIES FOR THE ADMINISTRATION OF SAME

Administrator Devine recommended approval of Resolution 105(14) to allow for credit/debit card and e-check payment options for payment for City fees and services. The cost for the City to participate in this program through the State of Nebraska is \$100 for the card reader. All transaction fees are charged by the State to the card holder. There are no annual or transaction fees to the City. Councilman Riedmiller made a motion to approve Resolution 105(14), second by Hoefler. **Vote: Yeas; Riedmiller, Hoefler, Johnson, Rutten. Nays; None.**

### 8. CONSIDER RESOLUTION 106(14) APPROVING TRANSFER OF CABLE FRANCHISE AGREEMENT OF ANTILLES WIRELESS, LLC dba CABLE NEBRASKA, TO EAGLE COMMUNICATIONS, INC.

Eagle Communications, Inc. has entered into an Asset Purchase Agreement with Antilles Wireless, LLC dba Cable Nebraska. The closing date of the transfer is March 1, 2014. Clerk Devine has spoken to Dennis Wiese of Eagle Communications, Inc., who left some information about their business for the Mayor and Council to review. Devine summarized their conversation for the Mayor and Council. Councilman Hoefler made a motion to approve resolution 106(14), second by Rutten. **Vote: Yeas; Riedmiller, Hoefler, Johnson, Rutten. Nays; None.**

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### 9. CONSIDER CHANGE ORDER NO. 1 TO DANKO CONTRACT FOR QUICK RESPONSE RESCUE VEHICLE

A letter from Danko to the Albion Fire Department indicated that the 2014 Ford Chassis, which was proposed to them last year, is no longer available. The 2015 model year Chassis reflects a \$1,128 increase. Councilman Rutten made a motion to approve Change Order # 1 of Danko Contract for Quick Response Rescue Vehicle, second by Riedmiller.

**Vote: Yeas; Rutten, Riedmiller, Hoefler, Johnson. Nays; None.**

### 10. REVIEW ANNUAL REPORT FOR THE ALBION HOUSING AUTHORITY

Members reviewed the annual report submitted by Tracy Lipker. Councilman Riedmiller made a motion to approve the report, second by Johnson. **Vote: Yeas; Hoefler, Riedmiller, Johnson, Rutton. Nays; None.**

### 11. CONSIDER CONFIRMATION OF APPOINTMENT OF RUTH CROSBY TO THE BOARD OF DIRECTORS FOR THE ALBION HOUSING AUTHORITY

Councilman Rutten made a motion to approve appointment of Ruth Crosby to the Board of Directors for the Albion Housing Authority for a 4 year term through 2018, second by Hoefler. **Vote: Yeas; Riedmiller, Rutten, Hoefler, Johnson. Nays; None.**

### 12. CONFIRM AND APPROVE HIRING OF SWIMMING POOL MANAGER AND ASSISTANT MANAGERS

Administrator Devine announced the hiring of Licia Kunzman for this season's pool manager position. Licia is a past pool manager and she has selected 3 assistants from a number of applications: Krista Kravig, Kim Woebbecke, and Michelle Devine. Councilman Rutten made a motion to approve the hiring of Licia Kunzman as swimming pool manager and Krista Kravig, Kimberly Woebbecke, and Michelle Devine as assistant managers, second by Johnson. **Vote: Yeas; Hoefler, Johnson, Riedmiller, Rutten. Nays; None.**

### 13. WATER WELL PROJECT UPDATE – RON MOREARTY

Ron provided the Council a report on the progress of the water well. The end of January the well was pulled. When they went to put the shaft back in they discovered

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the pump was setting 10' too deep the past 2 years (190' instead of 180'), so they left 10' out.

Obrist, the contractor of the building, wants to hire a local contractor to finish well house punch list.

Ron contacted Matt Grosch because the electric motor was leaking oil near bottom bolts. Matt thought it was overfilled and he changed the oil, but it is still leaking.

A transducer was installed to measure the water level in the well.

### **14. CITY ADMINISTRATOR'S REPORT – BUDGET PERFORMANCE REPORT AND SALES TAX REPORT**

#### **Pool:**

Administrator Devine gave an update of the progress meeting, which was held February 6, 2014. In the mechanical building the posts were redone and some fill sand added. Backfill was started on the North side of the diving hopper. Bases for diving boards and slides are complete. On the bathhouse the exterior/perimeter block is up, as well as some interior diving walls. Electrical- underground conduit, bonding, and power panels in mechanical building all installed.

Work anticipated this month includes:

Frame bath house plates and trusses, bath house interior footings, and form final remaining pool wall sections.

Some outstanding issues include:

Burbach has approval for sanitary main extension from DHHS. DEQ has reviewed and has 4 outstanding comments/questions. Burbach to respond with necessary information and will provide contractor and city with all necessary DEQ approved construction documents.

Storm Drainage- plumbing sub to submit as shop drawing. Burbach will provide city a 1 week comment period prior to their response.

Window issues on bathhouse: Window opening mistakenly left in block wall for 100-1 that was deleted per plan addendum prior to bid award. Window opening in block wall for window 104-3 4' wide instead of 8' wide as changed by change order #1.

Christiansen to correct.

#### **Streets:**

The Street Project portion of Pool Project has been re-bid in two parts:

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- Contract A) The sidewalk adjacent to the pool, the curb and gutter adjacent to the pool, and the ADA parking on the South Side of the Pool. Work to begin April 1 and to be substantially completed by June 1, 2014.
- Contract B) The remaining paving of 8<sup>th</sup> and South Streets including diagonal parking areas, drop-off zone, remaining sidewalks and curb and gutter. Work to begin September 1, 2014 and to be substantially complete May 15, 2015.

### **Water/Sewer:**

Water- Quotes have been received from Clean Well Technologies, Inc. to decommission well #1, and to rehab wells #2 & #3. The process involves new technology to cut the casing, then grout/seal the annular space at specific elevations as to protect the lower water formations from contamination from surface water. Currently, Clean Well Technologies, Inc. is the only known contractor that offers this well rehab process as verified by Nebraska DHHS representatives. This will be considered at a future meeting after street bids are considered for award as well #1 will need to be decommissioned prior to September 1, 2014 if Street Contracts are awarded.

Sewer- Blower issues are not yet resolved. There have been some freezing issues in the clarifiers during extremely cold weather.

### **Park:**

The Leon Nelson Memorial sign came loose from its securements in the wind and was destroyed. The Nelson Family had previously requested replacement of the sign with a formal plaque. Devine is looking into options for this.

Lowell Imus notified Devine on the Ball Park:

The City of Albion has been awarded the Legion District Tournament in July 2014.

They are out of Field Conditioner. Devine is getting quotes for best prices.

All the lights need to be adjusted. Imus gave Devine the number of a person who sets the lights for the school. Devine contacted him and will get him the information he needs.

### **Other:**

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Albion Economic Development Housing Committee is actively working toward developing incentives for development. Andy Roberts met with Devine to learn more about Zoning and Subdivision regulations, as well as obtaining information on Street and/or Utility Improvement districts.

Devine provided the current month Sales Tax Report showing the monthly trend of sales tax receipts; and also an unaudited Treasurer's Report/Budget Performance Report for fiscal year-to-date.

### 15. CONSIDER EMPLOYEE EVALUATIONS FOR APPROVAL

Councilman Riedmiller made a motion to approve annual evaluations for Joe Luettel and Joe Landauer, including recommended step raises, second by Johnson.

**Vote: Yeas; Hoefler, Riedmiller, Rutten, Johnson. Nays; None.**

### 16. CONSIDER BILLS FOR APPROVAL

#### • **CONSIDER MONTHLY BILLS FOR APPROVAL**

Councilman Hoefler made a motion to approve the monthly bills for payment, second by Riedmiller. **Vote: Yeas; Johnson, Hoefler, Rutten, Riedmiller. Nays; None.**

#### • **CONSIDER PAY APPLICATION #6 OF CHRISTIANSEN CONSTRUCTION FOR APPROVAL**

Councilman Riedmiller made a motion to approve Pay Application #6 of Christiansen Construction, second by Johnson. **Vote: Yeas; Rutten, Johnson, Hoefler, Riedmiller. Nays; None.**

### 17. ITEMS FOR NEXT MEETING AGENDA

- Consider Lawn Care Bids
- Consider Resolution Making Mayoral Meeting With Department Heads Mandatory Every 6 Months
- Consider Resolution to Lease Space to Boone County at Old Fire Hall
- Consider Resolution Establishing Mutual Law Enforcement Jurisdiction

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- Review Annual Water/Sewer Report
- Audit Report
- Discuss Drainage Ditch from Fairview to Walnut Street
- Rates and Hours of Camp Site
- Administrative Follow-up on Cost to Correct Year on Albion Signs
- Next Meeting: Special Meeting February 25, 2014, 7:30 p.m. to Consider Street Bids for Award
- Next Regular Meeting: March 11, 2014, 7:30 p.m.

### 18. ADJOURN

At 8:47 pm Councilman Hoefer made a motion to adjourn, second by Johnson.

**Vote: Yeas; Johnson, Hoefer, Rutten, Riedmiller. Nays; None.**

I the undersigned Clerk hereby certify that the foregoing is a true and correct copy of proceedings had and done by the Mayor and Council; that all subjects included in the foregoing proceedings were contained in the Agenda for the meeting, kept continually current and available for inspection at the office of the Clerk; that such subjects were contained in said Agenda for at least 24 hours prior to said meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for the examination and copying of the public; that said minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that all next media requesting notification of meetings of said body were provided advance notification of the time and place of said meeting and subjects to be discussed at said meeting.

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James Jarecki, Mayor

ATTEST:

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Sharon Ketteler, Deputy Clerk