

**MINUTES
ALBION CITY COUNCIL
REGULAR MEETING – PUBLIC HEARING
TUESDAY, MARCH 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 March 11, 2014 in the Council Chambers. Present were Mayor James C. Jarecki, Councilmembers Jim Riedmiller, Marcus Johnson, and Walt Hoefler. Excused absence was Don Rutten. Also present were City Administrator Andrew Devine, Water Commissioner Ron Morearty, Sewer Commissioner Joe Luettel, Utility Clerk Ann Knust, Deputy City Clerk Sharon Ketteler, Police Officer John Buck, City Attorney Darren Wright. Also present were Jim Dickerson with the Albion News, Michael Hoback, Zach Labrie, Cory Worrell, John Moeller, Jon Porter, Terry Reicks, Andy Roberts, Aubrey Pals, Dani Thober, Steve Schrad, Amanda Alonzo, Alyssa Ackerman, Jeff Jarecki, Doug Young, Tim Kayton, and Jerry Niewohner. 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 FEBRUARY 11, 2014 MEETING

Councilman Riedmiller made a motion to approve the minutes of the February 11, 2014 meeting as presented, second by Johnson. **Vote: Yeas; Johnson, Hoefler, Riedmiller. Nays; None. Absent; Rutten.**

3. REVIEW ANNUAL AUDIT FOR FISCAL YEAR ENDED SEPTEMBER 30, 2013–AMGL, CPA’S

Michael Hoback with AMGL was present to review the audit with Council members. Hoback stated there were no audit findings. Hoback distributed a benchmarking sheet comparing Albion’s financial statistics against statewide benchmarks. He reviewed the report, which included the past nine years. He expressed that Albion measures up very well and is in a good financial position. Councilman Hoefler made a motion to approve and accept the annual audit report for year ended September 30, 2013, second by Riedmiller. **Vote: Yeas; Riedmiller, Johnson, Hoefler. Nays; None. Absent; Rutten.**

4. AEDC HOUSING COMMITTEE PRESENTATION

Andy Roberts spoke on behalf of the Albion Area Development Committee regarding their concern for lack of affordable housing available in the Albion area. AEDC would like the City of Albion’s support and help in funding development projects. Discussion ensued. No action taken.

5. CONSIDER RECOMMENDATION OF BURBACH AQUATICS REGARDING AWARD OF STREET BIDS FOR 8TH STREET AND SOUTH STREET PROJECTS

Clerk Devine reported there was only 1 bid submitted. Dave Burbach recommended holding the bid for 2 weeks while he evaluated it. Mayor Jarecki noted the quote included specifications that were over what is needed and Burbach is looking in to getting the unit costs down. Councilman Johnson made a motion to hold

MINUTES – ALBION CITY COUNCIL – REGULAR MEETING MARCH 11, 2014

the bid until the next meeting, second by Riedmiller. **Vote: Yeas; Johnson, Hoefler, Riedmiller. Nays; None. Absent; Rutten.**

6. **CONSIDER RESOLUTION 107(14) DESIGNATING AN AGENT TO APPROVE SPECIAL DESIGNATED LIQUOR LICENSES**

Councilmembers discussed the Resolution and decided some language should be added regarding registered complaints. Councilman Riedmiller made a motion to table Resolution 107(14) Designating an Agent to Approve Special Designated Liquor Licenses until the next meeting, second by Johnson. **Vote: Yeas; Riedmiller, Johnson, Hoefler. Nays; None. Absent; Rutten.**

7. **CONSIDER RESOLUTION 108(14) ESTABLISHING MUTUAL LAW ENFORCEMENT JURISDICTION**

Clerk Devine stated this Interlocal Agreement between Albion Police Department and the County of Boone has been renewed on an annual basis in recent years. Councilman Hoefler made a motion to approve Resolution 108(14) Establishing Mutual Law Enforcement Jurisdiction, second by Riedmiller. **Vote: Yeas; Riedmiller, Johnson, Hoefler. Nays; None. Absent; Rutten.**

8. **CONSIDER RESOLUTION 109(14) AUTHORIZING INTERLOCAL AGREEMENT WITH BOONE COUNTY TO LEASE SPACE AT THE CITY OF ALBION "OLD FIRE STATION" BUILDING FOR THE SHERIFF'S DEPARTMENT USE**

Clerk Devine noted the agreement is for one year and for \$1; the same as previous years. Councilman Johnson made a motion to approve Resolution 109(14) Authorizing Interlocal Agreement with Boone County to Lease Space at the City of Albion "Old Fire Station" Building for the Sheriff's Department Use, second by Riedmiller. **Vote: Yeas; Hoefler, Johnson, Riedmiller. Nays; None. Absent; Rutten.**

9. **CONSIDER RESOLUTION 110(14) INTERLOCAL AGREEMENT REGARDING PUBLIC PARKING FOR FULLER PARK, ALBION FAMILY AQUATIC CENTER, AND THE BOONE COUNTY HEALTH CENTER**

Mayor Jarecki stated Devine and he met with the Hospital Board in January and began discussions regarding the old pool property. Clerk Devine explained the Hospital had been interested in purchasing the property; however, certain provisions of Land and Water Conservation Grant funding previously received by the City for development of the old pool property made the sale of property cost prohibitive. The

MINUTES – ALBION CITY COUNCIL – REGULAR MEETING MARCH 11, 2014

Hospital would pay for demolition of the old pool and construction of the new parking lot. They would also take care of snow removal. The rest of the maintenance would be the responsibility of the City. Councilman Hoefer made a motion to approve Resolution 110(14) Interlocal Agreement Regarding Public Parking for Fuller Park, Albion Family Aquatic Center, and the Boone County Health Center; second by Johnson. **Vote: Yeas; Johnson, Riedmiller, Hoefer. Nays; None. Absent; Rutten.**

10. CONSIDER RESOLUTION (14) OUTLINING MAYORAL DUTY

Devine and Wright are checking into the legality of the Council specifying Mayoral duties that are outside of those defined by State Statute; therefore, no draft of such resolution was available for consideration. Councilman Hoefer made a motion to table Resolution __ (14) Outlining Mayoral Duty, second by Riedmiller. **Vote: Yeas; Johnson, Riedmiller, Hoefer. Nays; None. Absent; Rutten.**

11. OPEN 2014 LAWN CARE BIDS AND CONSIDER FOR APPROVAL AND AWARD OF CONTRACT

Mayor Jarecki reported his potential interest in the contract, verified a Conflict of Interest Disclosure Form had been supplied to the City Clerk, and turned presiding power to Councilman President Riedmiller; then left the room. Clerk Devine stated there were two bids received; one from Jarecki Lawncare and another from Schrad K-Lawn. City Attorney Wright opened the bids in the order they were received. Jarecki Lawncare bid met all specifications with a bid total of \$8,370.74. Schrad K-Lawn also met all specifications with a bid total of \$7,989.05. Councilman Hoefer made a motion to approve the bid submitted by Steve Schrad for the amount of \$7,989.05, and to authorize Mayor or his representative to sign any Agreement/Contract documents, second by Johnson. **Vote: Yeas; Hoefer, Riedmiller, Johnson. Nays; None. Absent; Rutten.**

Following council action, Mayor Jarecki was invited back into Council Chambers and resumed presiding power of the meeting.

12. REVIEW ANNUAL WATER/SEWER REPORT

Councilmembers reviewed the report presented. Councilman Hoefer made a motion to approve and accept 2013 Water/Sewer Report, second by Johnson. **Vote: Yeas; Riedmiller, Hoefer, Johnson. Nays; None. Absent; Rutten.**

13. **CONSIDER WELL MAINTENANCE PROPOSAL OF CLEANWELL TECHNOLOGY, INC. AND GEOSPEC DRILLING, LLC**

Mayor Jarecki, Ron Morearty, Walt Hoefer and Devine met with a representative of CleanWell Technology to discuss new technology used to rehabilitate wells. It would involve slotting the casing from the interior and pumping sealant into the annular space. The City received a quote to perform this work, as well as decommissioning of Well #1. This procedure is considerably less than the cost of purchasing additional land and constructing a new well and transmission line. The proposal is such that if the wells are still out of compliance after the rehabilitation effort, CleanWell Technology will only charge the decommission price. The cost to decommission Well #1 and rehabilitate Wells #2 and #3 is \$185,000. Devine also summarized available resources to pay for such maintenance; however, a budget amendment may be necessary. Councilman Riedmiller made a motion to approve quote of Cleanwell Technology, Inc. and Geospec Drilling, LLC to perform maintenance to wells #1, #2, and #3 as proposed; second by Johnson. **Vote: Yeas; Riedmiller, Hoefer, Johnson. Nays; None. Absent; Rutten.**

14. **CONSIDER SERVICE AGREEMENT OF 3E ELECTRICAL ENGINEERING AND EQUIPMENT COMPANY FOR GENERATOR AT THE WATER WELL AND WATER TOWER SITE**

Electrical Engineering & Equipment Company agreed to perform maintenance on the engine and generator at a cost of \$450 for 1 year. Councilman Riedmiller made a motion to approve maintenance service contract of 3E Electrical Engineering and Equipment Company for 1 year, second by Johnson. **Vote: Yeas; Hoefer, Johnson, Riedmiller. Nays: None. Absent; Rutten.**

15. **DISCUSS DRAINAGE DITCH FROM FAIRVIEW TO WALNUT STREET – WEST OF 11TH STREET**

Clerk Devine reported that Street Superintendent, Darrel Thorin, looked in to the drainage ditch from Fairview Street to Walnut Street. The drainage-way is on private property located outside of city limits, and there is no easement in place to allow for public maintenance. No action was taken.

MINUTES – ALBION CITY COUNCIL – REGULAR MEETING MARCH 11, 2014

16. REVIEW REPORT ON CAMPGROUND RATES, REVENUES, COSTS, AND DATES OF SERVICE

Clerk Devine gave a report on the current rates and available campground services. The City's rates are comparable to the surrounding area. The previous annual revenues totaled \$7,500. No action was taken.

17. CITY ADMINISTRATOR REPORT – BUDGET PERFORMANCE REPORT AND SALES TAX REPORT

Pool:

Progress since last meeting:

Mechanical Building – Interceptor drains completed. Floor drains installed. Base prepped for floor pour.

Completed more backfill around the pool.

Poured the in the slide area. Last walls in zero depth entry area are formed.

Base for 3 meter tower had to be taken out. 1 meter tower has been installed.

Bathhouse – interior wall curbs have been poured. Roof trusses and sheathing nearly complete.

North window opening filled. West window opening corrected to 8' width.

Mechanical: completed some pool gutter connections. Placed fabric over top of surge tanks.

Spray pad piping and footings underway.

Work Anticipated this month:

Mechanical Building: Pour floor March 12th. Install equipment in building.

Bath House- floor pour for concessions and hallway floor. Mason to return for interior block walls after floors complete. Install shingles and trim. Install plumbing fixture carriers.

Pool – replace base for 3 meter tower. Pour Zero Depth Entry.

Mechanical – Finish spray pad piping and footings – tie spray pad footings to the spray pad.

Finish piping on west side of pool.

Transformer pad to be installed asap. Electrical conduit on south side of pool to be installed.

May be able to start pulling wires in buildings this month.

Outstanding issues:

Christiansen provided an updated project schedule.

Electrician RFI regarding what amp/voltage will be needed for the pool vacuum.

Burbach has approval for sanitary main extension from DHHS. DEQ has been provided with full sets of plans. Burbach will supply contractor and city with all necessary DEQ approved construction documents once received.

Storm Drainage – plumbing sub to submit as shop drawing. Burbach will provide city a 1 week comment period prior to their response, not yet received. Plumber asked for map of sprinkler system. Andy recommended speak directly to Ron.

MINUTES – ALBION CITY COUNCIL – REGULAR MEETING MARCH 11, 2014

COP #16 – Flooring color change. Conflict between owner and contractor. Contractor had claimed to need 7 days added contract time to make the change. Agreed to the change without the additional 7 days at the meeting, but it was very specifically noted that may have to revisit this issue depending upon if there are issues with concrete cure time.

**We were forewarned that concrete cure time is a critical factor to time of completion. If weather remains very cool and damp and takes longer to cure then it may delay painting of pool and flooring in the bathhouse.

COP#17 – no outstanding issue here. This has been agreed as a change to a white PVC ceiling in bathhouse.

Recognition Wall – City asked for some information on different types of recognition walls installed on other projects. Christiansen to look into and supply information.

Christiansen needs color selection for slide canopy and signs. Referenced submittal #31 – Andy to look into this and get back to Forrest.

Burbach noted upcoming important benchmarks of the 1st pool fill in April for leak testing and operation of the mechanical system on or before April 16th. Andy to check to see if Volunteer Fire Department would like to participate in the 1st fill.

Streets:

Nothing new to report.

Water/Sewer:

Annual report submitted to Council this month. As well as, recommendations regarding well rehabilitation and service contract for generator at the tower/well #4 site.

Park:

Still working on plaque for the Leon Nelson Memorial Field. At Chris Nelson's suggestion I have contacted the company that produced the plaque at the Waste Water Treatment Facility.

Field Conditioner has been ordered for the Infields at the sports complex – found cheaper conditioner out of Missouri and the dealer in Omaha agreed to price match.

All the lights need to be adjusted and he gave me the number of a person who set the lights for the school. I've contacted him and he plans to schedule the work soon.

Other:

Marcus and I attended the day and a half long Mid-winter League of Nebraska Municipalities Conference in late February. I found the following sessions useful and will follow up on some of the items learned therein:

- 1) USDA/DED Funding Sources – although we generally do not qualify for most of their funding programs due to income guidelines, we may qualify for some specific programs dealing with community facilities and civic centers. Could/should a community/civic/cultural center be our next major municipal facility project? Could this be a project shared by multiple organizations? Could such a facility project be located downtown to help revitalize our business district? Could a combination of existing facilities (Library/City Hall/Museum/etc.) be relocated in one such facility?
- 2) Affordable Care Act Informational Session – I learned that it may be advantageous for the City to create another class of employee – Variable Hour Employee – kind of a combination of seasonal and part-time employee. May work well for Parks employees who work mostly in the summer, but then could also assist in winter during snow removal and/or other major projects while maintaining a part-time status.

MINUTES – ALBION CITY COUNCIL – REGULAR MEETING MARCH 11, 2014

3) Community Toolbox: Online resources and knowledge base for local governments to share best practices. I have yet to explore this opportunity more.

4) Local Option Sales Tax Information: The City may designate an employee who can go to Lincoln and review sales tax reporting of businesses in the community. Then can tell Dept of Revenue if anything looks like may merit investigation.

Contacted Tri City Sign Co to get a cost estimate to change date on existing welcome signs from 1882 to 1872 as requested. He plans to get back to me before the council meeting.

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.

18. CONSIDER BILLS FOR APPROVAL

- **CONSIDER MONTHLY BILLS FOR APPROVAL**

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

- **CONSIDER PAY APPLICATION #7 OF CHRISTIANSEN CONSTRUCTION FOR APPROVAL**

Councilman Hoefler made a motion to approve Pay Application #7 of Christiansen Construction for \$108,464.49, second by Johnson. **Vote: Yeas; Riedmiller, Johnson, Hoefler. Nays; None. Absent; Rutten.**

- **CONSIDER PAY APPLICATION #1 OF MECHANICAL, INC. FOR APPROVAL**

Councilman Johnson made a motion to approve Pay Application #1 of Mechanical, Inc. for \$446,867.82 as recommended by Burbach Aquatics, second by Riedmiller. **Vote: Yeas; Hoefler, Johnson, Riedmiller. Nays; None. Absent; Rutten.**

19. ITEMS FOR NEXT MEETING AGENDA

- Follow-up on Resolution ___(14) Outlining an Additional Mayoral Duty-Making Mayoral Meeting With Department Heads Mandatory Every 6 Months
- Follow-up on Resolution 107(14) Designating an Agent to Approve Special Designated Liquor Licenses
- Next Regular Meeting: April 8, 2014, 7:30 p.m.

MINUTES – ALBION CITY COUNCIL – REGULAR MEETING MARCH 11, 2014

20. ADJOURN

At 9:38 pm Councilman Hoefler made a motion to adjourn, second by Johnson.
Vote: Yeas; Riedmiller, Johnson, Hoefler. Nays; None. Absent; Rutten.

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.

James Jarecki, Mayor

ATTEST:

Sharon Ketteler, Deputy Clerk