

**MINUTES
ALBION CITY COUNCIL
REGULAR MEETING – PUBLIC HEARING
TUESDAY, APRIL 8, 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 April 8, 2014 in the Council Chambers. Present were Mayor James C. Jarecki, Councilmembers Jim Riedmiller, Marcus Johnson, Don Rutten, and Walt Hoefer. Also present were City Administrator Andrew Devine, Water Commissioner Ron Morearty, Sewer Commissioner Joe Luettel, Deputy City Clerk Sharon Ketteler, Police Officer Brent Lipker, City Attorney Darren Wright, Jim Dickerson with the Albion News, Jon Porter, Doug Young, Don Casper, Grant Mapel, Michelle Devine, Amanda Redler, and Brittany Korth. 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 MARCH 11, 2014 MEETING

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

3. CONSIDER REQUEST OF SMOKE N CHROME ON MAIN COMMITTEE TO TEMPORARILY CLOSE DOWNTOWN STREETS FOR CAR SHOW FROM 8:00 A.M. TO 3:00 P.M. ON JUNE 14, 2014

Doug Young stated that the event organizers are requesting the closure of the streets shown on the map provided to the Council. The street closures would be; 3rd Street from ½ block North of Church Street to Main Street, and Main Street from ½ block West of 3rd Street to the Rail Road Right-of-Way East of 3rd Street on June 14, 2014. Doug also stated the event will basically be the same as last year; however, they changed the end time to 2:00 p.m. The proceeds of the event will go towards Breast Cancer Awareness. Councilman Riedmiller made a motion to approve request of Smoke N Chrome On Main Committee to temporarily close downtown streets for car show from 8:00 a.m. to 2:00 p.m. on June 14, 2014, second by Rutten. **Vote: Yeas; Rutten, Johnson, Riedmiller, Hoefer. Nays; None.**

4. CONSIDER REQUEST OF ALBION CHAMBER OF COMMERCE TO CLOSE 4TH STREET FROM ½ BLOCK SOUTH OF CHURCH STREET TO ½ BLOCK NORTH OF MAIN STREET FROM 6 A.M. AUGUST 23, 2014 TO 1:30 A.M. AUGUST 24, 2014 FOR COMMUNITY EVENT

The area requested to close for Rhythm & Ribs is the same as previous years. Councilman Riedmiller made a motion to approve request of Albion Chamber of Commerce to close 4th Street from ½ block South of Church Street to ½ block North of Main Street from 6:00 a.m. August 23, 2014 to 1:30 a.m. August 24, 2014 for Community Event, second by Johnson. **Vote: Yeas; Hoefer, Rutten, Johnson, Riedmiller. Nays: None.**

MINUTES – ALBION CITY COUNCIL – REGULAR MEETING APRIL 8, 2014

5. OPEN PUBLIC HEARING TO CONSIDER ALBION CHAMBER OF COMMERCE APPLICATION FOR SPECIAL DESIGNATED LICENSE FOR AUGUST 23, 2014

Mayor Jarecki opened the public hearing at 7:34 p.m. He sought input from the public; hearing none, he closed the public hearing at 7:35 p.m. The Mayor opened for Council discussion. Councilman Hoefler made a motion to approve Albion Chamber of Commerce application for Special Designated License for August 23, 2014, second by Johnson. **Vote: Yeas; Johnson, Riedmiller, Hoefler, Rutten. Nays: None.**

6. OPEN PUBLIC HEARING TO CONSIDER LIQUOR LICENSE APPLICATION OF CARDINAL INN, LLC DBA CHRISTO'S PUB AT 2566 HIGHWAY 14, ALBION, NE 68620

Mayor Jarecki opened the public hearing at 7:36 p.m. Grant Mapel, General Manager of Cardinal Inn, LLC and Christo's Pub, commented the motel will greatly benefit the town. He also mentioned the pub will be opened to the public as well as their guests. The Mayor sought further public input; seeing none the public hearing was closed at 7:37 p.m. Councilman Riedmiller asked what the hours will be. Mapel stated the pub will be open during regular licensed hours. Clerk Devine added that the City's limit is until 1:00 a.m. Councilman Riedmiller made a motion to approve Liquor License Application of Cardinal Inn, LLC DBA Christo's Pub at 2566 Highway 14, Albion, NE 68620, second by Rutten. **Vote: Yeas; Hoefler, Rutten, Johnson, Riedmiller. Nays; None.**

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

Clerk Devine stated Engineer, Dave Burbach, reviewed the bid with B&D Construction as the quantities were incorrect. B&D responded if they were awarded the bid they could do an immediate change order with the correct quantities, which would result in about \$100,000 reduction of contract. Devine noted that would bring the bid down to \$404,000, which is still about \$50,000 over what was budgeted for the project. Devine recommended rejecting the bid and re-bidding in the fall or winter. Mr. Burbach would then work with Christiansen Construction to at least get the sidewalk and ADA parking in. They would probably have to subcontract this work out in order to stay within their finishing timeline. Councilman Hoefler made a motion to reject bid of B&D Construction, second by Rutten. **Vote: Yeas; Hoefler, Rutten, Johnson, Riedmiller. Nays; None.**

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

Clerk Devine reminded the Council this Resolution only pertains to SDL licenses that had already been awarded in previous years, and without any changes or problems. Any first time SDL license request would still have to go before the Council.

MINUTES – ALBION CITY COUNCIL – REGULAR MEETING APRIL 8, 2014

Councilman Riedmiller made a motion to adopt Resolution 107(14) Designating an Agent to Approve Special Designated Liquor Licenses, second by Hoefer. **Vote: Yeas; Riedmiller, Hoefer, Rutten, Johnson. Nays; None.**

9. CONSIDER RESOLUTION (14) OUTLINING AN ADDITIONAL MAYORAL DUTY

Clerk Devine stated he was unable to find any enabling legislation to support the Council outlining additional Mayoral duties other than those already specified by state statute. The City is only given the authority that State Legislature allows. Devine recommended the Council “indefinitely postpone” action on this item. Councilman Riedmiller made a motion to indefinitely postpone action on a Resolution ___(14) Outlining an Additional Mayoral Duty, second by Hoefer. **Vote: Yeas; Hoefer, Johnson, Riedmiller, Rutten. Nays; None.**

10. REVIEW ANNUAL IDENTITY THEFT PREVENTION PROGRAM REPORT

Clerk Devine provided an Annual Report for the Identity Theft Prevention Program that was adopted by the City Council in 2009 due to the utility accounts. There were no identity theft incidents or red flags reported over the past year; and he recommended no changes to the program at this time. No action taken.

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

Pool:

1. Progress Since Last Meeting
 - a. Christiansen Construction:
 - Deep end and North Side of pool walls rubbed;
 - Mechanical Bldg - floor poured, FRP is up in Chemical Rooms;
 - Grating around the bottom of Mechanical Building installed;
 - Zero Depth Area concrete poured;
 - North half of splash pad poured;
 - Siding installed on Bath House and Mechanical Building;
 - Louvres fitted on bathhouse;
 - Shingling began;
 - Deck drain installation started;
 - Sanitary sewer line run between mechanical building and bathhouse;
 - Exhaust fan and vent piping stubbed out through roof;
 - Transformer is set, main wires pulled and terminated;

MINUTES – ALBION CITY COUNCIL – REGULAR MEETING APRIL 8, 2014

- 75% Electrical rough ins above ceiling in bathhouse;
 - PA conduits run, waiting until ceiling installed to install speakers;
 - Conduit to manhole/lift station started and finishing conduit in mechanical building;
- b. Mechanical Inc:
- Piping on west end installed;
 - Footer for heater pads installed and pool heater set;
 - Filters set and filled with sand;
 - Recirculation pumps set and partially plumbed;
 - Water Slide pump set and partially plumbed;
 - Splash pad piping and features set;
 - Gutter line is complete around entire pool;
2. Outstanding Issues:
- a. Christiansen Construction:
- Emergency lights were spec'd to be on own circuits. Code says that they must be on the same circuit as the lights in the same room;
 - Square D sent 42 slot Main Lug for Power Panel B in Bathhouse, instead of a Main Breaker. Will be replaced with a 30 slot Main Breaker to fit the same enclosure. Will still have 4 open slots and room for sub-panel if necessary in future.
 - Need to add some duct work in bathhouse ceiling - apprx \$300.
 - Plan to fill the pool on the 17th. Start leak test on the 21st. Operate system for first time on the 28th.

Streets:

Jim Bader has evaluated elevations of the curblin on Ruby Street between 5th and 6th street and estimates about 120' of curblin will need to be replaced to achieve proper drainage.

Water/Sewer:

Geological samples taken from near Wells #2 and #3 – samples to be tested for contaminants. Geology report will be utilized to determine if rehab process is feasible and proper placement of sealant in the annular space. Ron has begun getting Well #1 ready for decommissioning.

Joe Luettel and I are to meet with Roger Protzman at JEO regarding the WWTF blower issues on Tuesday, April 8, 2014.

Park:

New mower has been delivered.

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.

Sports Complex lights still need to be adjusted. Awaiting appropriate weather.

Other:

Sharon and I attended the Clerk Institute and Academy in late March. I also attended the Nebraska Municipal Power Pool annual Board of Directors meeting and conference in West Point March 31-April 2.

MINUTES – ALBION CITY COUNCIL – REGULAR MEETING APRIL 8, 2014

Tri City Sign thought it would be about \$300-500 to change the date on existing welcome signs from 1882 to 1872 as requested, I asked him to please work this into his schedule.

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.

12. CONSIDER EMPLOYEE EVALUATIONS

Councilman Hoefer made a motion to approve employee evaluations for Jim Bader and Ann Knust, and authorize appropriate step pay raises if any; second by Riedmiller. **Vote: Yeas; Rutten, Johnson, Riedmiller, Hoefer. Nays; None.**

13. CONSIDER MEMBERSHIP APPLICATION OF WESTON RAY TO THE ALBION VOLUNTEER FIRE DEPARTMENT

Councilman Hoefer made a motion to approve the membership application of Weston Ray to the Albion Volunteer Fire Department, second by Rutten. **Vote: Yeas; Johnson, Rutten, Riedmiller, Hoefer. Nays; None.**

14. CONSIDER BILLS FOR APPROVAL

• CONSIDER MONTHLY BILLS FOR APPROVAL

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

• CONSIDER PAY APPLICATION #8 OF CHRISTIANSEN CONSTRUCTION FOR APPROVAL

Councilman Hoefer made a motion to approve Pay Application #8 of Christiansen Construction for \$187,056.00, second by Johnson. **Vote: Yeas; Riedmiller, Johnson, Rutten, Hoefer. Nays; None.**

• CONSIDER PAY APPLICATION #2 OF MECHANICAL, INC. FOR APPROVAL

Councilman Johnson made a motion to approve Pay Application #2 of Mechanical, Inc. for \$112,915.98 as recommended by Burbach Aquatics, second by Riedmiller. **Vote: Yeas; Hoefer, Johnson, Riedmiller, Rutten. Nays; None.**

MINUTES – ALBION CITY COUNCIL – REGULAR MEETING APRIL 8, 2014

15. ITEMS FOR NEXT MEETING AGENDA

- Right-of-Way Agreements for Approval
- Next Regular Meeting: May 13, 2014, 7:30 p.m.

16. ADJOURN

At 8:31 pm Councilman Hoefer made a motion to adjourn, second by Johnson.
Vote: Yeas; Riedmiller, Johnson, Rutten, Hoefer. 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.

James Jarecki, Mayor

ATTEST:

Sharon Ketteler, Deputy Clerk