

**MINUTES  
ALBION CITY COUNCIL  
REGULAR MEETING – PUBLIC HEARING  
TUESDAY, MAY 13, 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 May 13, 2014 in the Council Chambers. Present were Mayor James C. Jarecki, Councilmembers Jim Riedmiller, 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, Billing Utility Clerk Ann Knust, Police Officer Joe Predmore, City Attorney Darren Wright, Jim Dickerson with the Albion News, and Jon Porter. 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 APRIL 8, 2014 MEETING**

Councilman Riedmiller made a motion to excuse Councilman Johnson from the meeting, second by Hoefer. **Vote: Yeas; Rutten, Hoefer, Riedmiller. Nays; None. Absent; Johnson.** Councilman Rutten made a motion to approve the minutes of the April 8, 2014 meeting as presented, second by Riedmiller. **Vote: Yeas; Rutten, Riedmiller, Hoefer. Nays; None. Absent; Johnson.**

**3. CONSIDER MANAGER APPLICATION OF DAVE KRAMER IN CONNECTION WITH ALCO DISCOUNT STORE 264 LIQUOR LICENSE #D-102011**

Councilman Hoefer made a motion to approve application of Dave Kramer in connection with Alco Discount Store 264 Liquor License #D-102011, second by Riedmiller. **Vote: Yeas; Riedmiller, Hoefer, Rutten. Nays; None. Absent; Johnson.**

**4. CONSIDER PUBLIC RIGHT OF WAY PERMIT APPLICATIONS OF:**

- EAGLE COMMUNICATIONS, INC.
- GREAT PLAINS COMMUNICATIONS
- FRONTIER COMMUNICATIONS

Clerk Devine stated that completed applications with map diagrams of route, permit fees, and insurance certificates naming the City of Albion as additional insured's were received by Eagle Communication, Inc. and Great Plains Communications. Frontier Communications sent a map, and an application is expected, but had not yet been received. Councilman Rutten made a motion to approve Public Right of Way Permit Applications of Eagle Communications and Great Plains Communication, second by Riedmiller. **Vote: Yeas; Hoefer, Rutten, Riedmiller. Nays; None. Absent; Johnson.**

**5. CONSIDER RESOLUTION 111(14) DECLARING AND DIRECTING THE SALE OF SURPLUS PROPERTY**

Clerk Devine presented an inventory of surplus personal property from the old pool. Devine noted several communities have already expressed interest in some of

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these items, and recommended an introduction and passage of Resolution 111(14) for the sale of such surplus items. The City will accept sealed bids until 2:00 p.m. on May 30, 2014. Councilman Hoefler made a motion to adopt Resolution 111(14) Declaring and Directing the Sale of Surplus Property, second by Riedmiller. **Vote: Yeas; Rutten, Hoefler, Riedmiller. Nays; None. Absent; Johnson.**

### 6. **CONSIDER ORDINANCE 229(14) AMENDING THE WELLHEAD PROTECTION AREA FOR THE CITY OF ALBION, NEBRASKA**

Clerk Devine stated the City has received a recommended update map to protect well #4, however, this map excludes wells #2 and #3 as they are not approved. Devine recommended that the Council approve Ordinance 229(14) to add the new map in addition to the previous map that protects wells #2 and #3 until completion of rehabilitation work; and then request another update into one map next year. Councilman Rutten made a motion to Introduce Ordinance 229(14). Clerk Devine read Ordinance 229(14) for the first time. Councilman Rutten made a motion to Suspend the Rules, second by Riedmiller. **Vote: Yeas; Hoefler, Riedmiller, Rutten. Nays; None. Absent; Johnson.** With the rules being suspended, Mayor Jarecki instructed Clerk Devine to read Ordinance 229(14) for the second and third time. Clerk Devine read Ordinance 229(14) by title for the second and third time. Following the third reading of Ordinance 229(14) Councilman Rutten made a motion for Final Passage of Ordinance 229(14), second by Riedmiller. Councilman Hoefler called the question. Mayor Jarecki declared Ordinance 229(14) having been read by title three different times, the rules have been suspended, the question is “Shall Ordinance 229(14) finally pass?” **Vote: Yeas; Rutten, Riedmiller, Hoefler. Nays; None. Absent; Johnson.**

### 7. **CONSIDER CHANGE ORDER #2 FOR CONTRACTS #1 AND #3 OF THE ALBION SWIMMING POOL PROJECT FOR APPROVAL**

Clerk Devine presented Change Order #2 prepared by Burbach Aquatics, and also a spreadsheet prepared by Devine identifying all project changes and the net contract deduction of \$142,333.52 resulting from Change Orders #1 and #2. Councilman Rutten made a motion to approve Change Order #2 for Contracts #1 and #3 of the Albion Swimming Pool Project, second by Riedmiller. **Vote: Yeas; Hoefler, Rutten, Riedmiller. Nays; None. Absent; Johnson.**

### 8. **CONSIDER CHANGE ORDER #2 TO DANKO CONTRACT FOR QUICK RESPONSE RESCUE VEHICLE**

Clerk Devine stated the originally spec'd light tower for the quick response vehicle is no longer available. The replacement light tower will result in a deduction of \$1,060.00. Councilman Hoefler made a motion to approve Change Order #2 to Danko Contract for Quick Response Rescue Vehicle and authorize Mayor to sign the same,

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

### 9. **CITY ADMINISTRATOR REPORT – BUDGET PERFORMANCE REPORT AND SALES TAX REPORT**

#### **Pool:**

Progress meetings were held April 28, 2014 and May 7, 2014.

#### **Progress since last meeting (April 8, 2014):**

- Grouted pool
- Filled pool. Marked water level on both Friday the 18th and Monday the 21st for reference points.
- Installed deck area drains
- Began fine grading deck
- Doors and hardware installed on Bathhouse and Mechanical building
- Drilled holes for canopy posts
- Installed drain line across park
- Exhaust fans installed
- Stubbed boiler flue in mechanical building
- Electrical install above concession
- Wired recirculation pumps in Mechanical Building
- Power turned on at site
- Surge tanks
- Manhole valves set installed
- Diffusers on inlets installed
- Piping on recirculation pumps

#### **Work Anticipated this month (April 23, 2014 thru May Progress Meeting):**

- Pour holes for netting posts for the waterwalk
- Finish bonding
- Wire slide pump
- Fence to arrive next week
- Slide delivery on Monday the 28th
- Finish gutter
- Setting yard hydrants
- Water piping in bathhouse and mechanical building
- Wiring sump
- Wiring slide pump
- Ceiling to be installed in the Bathhouse
- Filter room work

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### **Outstanding issues:**

- Sidewalk on east side of bath house and ADA parking - Christiansen to attempt to utilize local contractor to complete the work.
- Recognition Wall – Andy working on getting quotes for this - goal is to have installed by August 10th Grand Opening event.
- ADA Lift - appears that will be permanently installed - will it have a cover? Dave to look into this.
- Timeline for staff training? Training will be scheduled next month.
- Electrical -as built plans who provides? Christiansen will get to him.
- Ron - rim flow test to be held 4/29
- City can move in early. As soon as bathhouse is ready
- Sprinkler contractor asked where water supply coming from for pool area sprinkler system. It will be supplied from mechanical bldg.
- Backflow valve will be installed in mechanical bldg.
  
- Dave asked how the leak test went? Dick said fine. Dave asked for test results to be submitted.

### **Progress since last meeting (April 23, 2014):**

- Christiansen - Dick says that both the leak test and rim tests are complete and that everything is good. No engineer rep on site to verify and the city was not notified of rim test. - Dave said will have to verify on a calm day in the future - possibly in the fall.
- Grinding is done on floor in bathhouse and resinous flooring is down in the locker rooms. (Contractor says concrete cure complete – documentation? PE verification?)
- Masonry complete
- Roofing complete
- Anchors for shade structures ladders and lifeguard chairs installed
- Perimeter fence posts set
- Plumber - installed drain through park to Fairview Street
- Started on backflow preventers
- Vent piping in bathhouse 90 % done
- Electrician - all underground conduit done
- 110 receptacles installed in bathhouse

### **Work Anticipated this month (May 7, 2014 thru next Progress Meeting):**

- Install gutters next week
- Start pouring decks on Monday
- Slide is here and will be installed soon.
- Painting pool and spray pad next week
- Will have paint crew paint interior of bathhouse first, then pool - so electrician and plumber have more time in building while pool being painted.

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### **Outstanding issues:**

- Silica sand cleaned out of aggregate and fabric repaired/reset.
  - Chuck Gee - who is pulling the Telephone line? Who contacts the company? Would like to pull intercom/PA line same time. Needs phone Co contact name and number - Andy will provide.
  - Cabinets? PA/Phone/Video - Andy to coordinate with Chuck.
  - 3 receptacles - 120v 30am - what kind of receptacles to be installed? Andy to verify
  - 3 220 receptacles center wall and south wall - what kind? Andy to verify
    - Need to work on Concession Area Layout with Management.
  - Ron M - who does first chemical fill? The City does.
  - Concrete flatwork - sidewalk in front of bathhouse and ADA parking on south side - still no solution.
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### **Streets:**

Lot in front of old Fire Hall has been repaired. Mowing season has begun.

### **Water/Sewer:**

Well #2 has been pulled and rehab work is expected to begin soon. The State has decided that they now will require a civil engineer stamp on the work plan for each rehabilitation project since the end result will be a change in the characteristics of each well. The work plan has been forwarded to Roger Protzman of JEO for evaluation.

### **WWTF project:**

- The tanks still have to be finished/painted. Rutjens started on two of them and have not yet been back.
- Joe has reported that have had some issues with VFD's – cooling fans are burning out and now one VFD is not operating properly – Thomsen Electric to come trouble shoot the issue.
- The North Clarifier's rubber seal has been tearing due to friction – Joe think the clarifier might not be perfectly round and the arm is dragging on one end.
- Still waiting from Roger to hear if the supplier agrees to the City solution to the VFD/Blower size issue.

### **Park:**

Plaque for the Leon Nelson Memorial Field has been ordered and should be delivered in the next 2-4 weeks.

All Sports Complex lights have been adjusted, replaced, and lenses cleaned, resulting in noticeable improvement in field lighting.

Have had issues with the West bathrooms getting locked from the inside handle after use and then nobody can get in until the City is notified to come back and unlock them again. Corrective action has been taken to prevent this from occurring in the future.

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### **Other:**

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.

### **10. EMPLOYEE EVALUATIONS**

Councilman Riedmiller made a motion to approve employee evaluations of Ron Morearty and Brent Lipker including any appropriate and scheduled step raises, second by Hoefer. **Vote: Yeas; Hoefer, Rutten, Riedmiller. Nays; None. Absent; Johnson.**

### **11. CONSIDER BILLS TO BE PAID**

- **CONSIDER MONTHLY BILLS REPORT**

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

- **CONSIDER PAY APPLICATION #9 OF CHRISTIANSEN CONSTRUCTION**

Councilman Riedmiller made a motion to approve Pay Application #9 of Christiansen Construction for \$197,067.63, second by Hoefer. **Vote: Yeas; Hoefer, Rutten, Riedmiller. Nays; None. Absent; Johnson.**

- **CONSIDER PAY APPLICATION #3 OF MECHANICAL, INC.**

Councilman Hoefer made a motion to approve Pay Application #3 of Mechanical, Inc. for \$94,999.14, second by Riedmiller. **Vote: Yeas; Hoefer, Riedmiller, Rutten. Nays; None. Absent; Johnson.**

### **12. ITEMS FOR NEXT MEETING AGENDA**

- Conditional Use Permit request of the County to put a radio tower on SW corner of Fairgrounds.

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- Next Regular Meeting: June 10, 2014, 7:30 p.m.

### 13. ADJOURNMENT

At 8:50 pm Councilman Rutten made a motion to adjourn, second by Riedmiller.  
**Vote: Yeas; Rutten, Riedmiller, Hoefler. Nays; None. Absent; Johnson.**

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