

**MINUTES
ALBION CITY COUNCIL
SPECIAL MEETING
TUESDAY, JULY 29, 2014**

A Special 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 July 29, 2014 in the Council Chambers. Present were Mayor James C. Jarecki, Councilmembers Walt Hoefer, Marcus Johnson, Don Rutten, and James Riedmiller. Also present were City Administrator Andrew Devine, Deputy City Clerk Sharon Ketteler, and City Attorney Darren Wright. Also present was 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 MINUTES OF THE JULY 8, 2014 MEETING

Councilman Riedmiller made a motion to approve minutes of the July 8, 2014 meeting, second by Rutten. **Vote: Yeas; Rutten, Johnson, Riedmiller, Hoefer. Nays; None.**

3. CONSIDER CHANGE ORDER #4 OF DANKO EMERGENCY EQUIPMENT

Clerk Devine stated there is zero cost to this Change Order which clarifies a few items pointed out by Fire Chief, Bruce Benne, when he visited the factory. Councilman Hoefer made a motion to approve Change Order #4 of Danko Emergency Equipment, second by Johnson. **Vote: Yeas; Riedmiller, Hoefer, Rutten, Johnson. Nays; None.**

4. CONSIDER PAY APPLICATION #4 OF MECHANICAL, INC

Clerk Devine noted the final punch list for the entire project has not been developed yet; and Mechanical Inc. has a couple of items to address before fall, which is the total retainage of \$78,226.50 listed on Pay Application #4. The retainage amount will not be paid until the project closes out in the fall. Councilman Hoefer made a motion to approve Pay Application #4 of Mechanical Inc. for \$49,255.56, second by Johnson. **Vote: Yeas; Hoefer, Riedmiller, Rutten, Johnson. Nays; None.**

5. CONSIDER CHANGE ORDER #3 OF CHRISTIANSEN CONSTRUCTION COMPANY, LLC

Clerk Devine stated the Change Order would modify deck layout on the South side of the main pool vessel; the additional South Street sidewalk and paving; and the Fire Marshal's and Owner's request to change deadbolts and additional adjustment on water walk over head netting. Mayor Jarecki and Devine explained the original deck plan included grass inside the fence on the South side. This was changed to cement to avoid grass clippings and fertilizer around the pool area. Devine noted part of the sidewalk project was taken out of the street contract and put into Christiansen Construction contract to get the ADA parking and other necessary sidewalk in before the pool opened. Councilman Riedmiller made a motion to approve Change Order #3 of Christiansen Construction, second by Rutten. **Vote: Yeas; Johnson, Hoefer, Riedmiller, Rutten. Nays; None.**

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6. CONSIDER PAY APPLICATION #11 OF CHRISTIANSEN CONSTRUCTION COMPANY, INC

At 8:45 p.m. Councilman Riedmiller made a motion to enter into closed session to discuss potential litigation, second by Johnson. Mayor Jarecki invited Attorney Wright to remain in attendance. **Vote: Yeas; Johnson, Riedmiller, Hoefler, Rutten. Nays; None.**

At 9:30 p.m. Councilman Rutten made a motion to return to regular session, second by Riedmiller. **Vote: Yeas; Johnson, Hoefler, Rutten, Riedmiller. Nays; None.**

Councilman Rutten made a motion, second by Hoefler, to approve Pay Application #11 of Christiansen Construction without withholding the \$16,000 of liquidated damages; understanding that liquidated damages will be addressed upon full completion of the project. **Vote: Yeas; Rutten, Johnson, Riedmiller, Hoefler. Nays: None.**

7. PRELIMINARY REVIEW OF 2013-14 BUDGET PERFORMANCE & 2014-15 BUDGET

Clerk Devine provided multiple budget spreadsheets and reviewed the budget performances of each department with Council members. Devine stated the Governmental Funds totally as a group are estimated to perform \$792,534 better than budgeted, mainly due to street and pool capital project funds carry-over. The street department performed \$406,622 better than budgeted, and most of that carry-over will be applied to the street projects. Parks maintenance cost this year is over on expenditures mainly due to repairing lights on the Legion field. The pool department shows performing with a surplus of \$282,500; but that will correct itself next year with the final pay-offs. The police department shows performing \$15,000 better than budgeted due to one less police officer for several months. The fire department will have about a \$2,500 surplus. The library is performing ahead of budget with the two areas of carry-over being capital outlay and salary. The Library sprinkler project which was planned for this budget year will be done next year instead. The water revenues are anticipated to be less, mainly due to less water use. But overall still performing with a surplus of about \$37,000; as operational maintenance costs are down and financing payments are not as high as anticipated on the 4th well project. Also, final payment has not been made. Sewer use revenue is right at budget; with net performing of \$80,000 surplus mainly due to no capital outlay expenditures. Solid Waste is at a deficit of about \$5,000; mainly due to contract costs being higher than budgeted, and money being transferred out to the Library to help with their capital projects. This year the anticipated total surplus is \$953,109 due to conservative spending, as well as maintenance and capital outlay funds not being used.

Devine also reviewed the property tax spreadsheet and capital project plans by department. Discussion ensued. No action taken.

8. CONSIDER EMPLOYEE EVALUATION FOR APPROVAL

Mayor Jarecki presented a copy of Employee Evaluation for Andrew Devine to the Council. Councilman Rutten made a motion to Approve Employee Evaluation of Andrew Devine, second by Hoefler. **Vote: Yeas; Riedmiller, Rutten, Johnson, Hoefler. Nays; None.**

9. ITEMS FOR NEXT MEETING AGENDA

Next Regular Meeting: August 12, 2014 7:30 p.m.

- Consider Ordinances 232(14) and 233(14) regarding noise control

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- Consider First Reading of Ordinances relating to levy of special assessments for unpaid utility bills
- Consider Resolution 115(14) setting utility rates
- Consider Annual Cost of Living Adjustment based upon the CPI rate
- Consider Airport Authority Request for Tax Authority Allocation for 2014-15
- Consider Interlocal Agreement with Boone Central Schools regarding use of sports complex for softball
- Discuss Campgrounds Rates/Revenues/Costs/Dates of Service
- Consider BCDA Budget for Approval

Budget Workshop: August 26, 2014 7:30 p.m.

- Discuss Certified Valuation obtained from County Assessor
- Discuss draft of budget & final preparation by accountant
- Set budget adoption hearing date & time – tentatively September 9, 2014 7:30 p.m.

10. ADJOURN

At 9:33 p.m. Councilman Johnson made a motion to adjourn, second by Hoefer. **Vote: Yeas; Johnson, Riedmiller, Hoefer, Rutten. 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.

Jim Jarecki, Mayor

ATTEST:

Sharon Ketteler, Deputy Clerk