

**MINUTES
ALBION CITY COUNCIL
SPECIAL MEETING
TUESDAY, AUGUST 26, 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 August 26, 2014 in the Council Chambers. Present were Mayor James C. Jarecki, Councilmembers James Riedmiller, Marcus Johnson, and Don Rutten. Also present were City Administrator Andrew Devine, City Attorney Darren Wright, and Officer Joe Predmore. Also present were Terry Galloway, Jon Porter, and Brian Bruland. 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 AUGUST 12, 2014 MEETING

Councilman Riedmiller made a motion to approve minutes of the August 12, 2014 meeting, second by Rutten. **Vote: Yeas; Johnson, Riedmiller, Rutten. Nays; None. Absent; Hoefler.**

3. CONSIDER RESOLUTION SERIES 116(14)- DECLARING NUISANCES

Clerk Devine explained that Officer Predmore reinspected two pending nuisances from July. One was taken care of, but one continues to exist with two vehicles with expired tags, and also weeds and other noxious growth. Councilmembers reviewed the Inspection Report provided by Predmore. Also, two nuisance cases are pending and courtesy notices will be sent to them. These will be reinspected before the September 9, 2014 City Council meeting. Councilman Riedmiller made a motion to approve Resolution 116(14) Declaring a Nuisance, second by Johnson. **Vote: Yeas; Johnson, Rutten, Riedmiller. Nays; None. Absent; Hoefler.**

4. DISCUSS CERTIFIED VALUATION OBTAINED FROM BOONE COUNTY ASSESSOR

Clerk Devine stated the City received the Certified Valuation of \$82,247,660 from the Boone County Assessor. Devine noted it is much less than the preliminary estimate of \$90 million. The Assessor said this is mostly due to Valero's personal property being fully depreciated. Devine stated the impact this will have to the budget is, instead of being able to reduce the levy by a nickel, it will stay about the same as last year. No action taken.

5. DISCUSS DRAFT OF BUDGET AND FINAL PREPARATION BY ACCOUNTANT AND SETTING BUDGET ADOPTION HEARING DATE AND TIME

Terry Galloway with AMGL was present to review the budget with Councilmembers. Galloway stated we are under budget for the current fiscal year, so no amendment is necessary. Galloway also stated we have had and still have good cash reserves. Mr. Galloway also reviewed the proposed 2014-2015 budget. Our property tax asking will go up 1.24 cents on the levy; and our property tax asking will go down \$14,695. Councilmembers agreed to proceed with the 2013/2014 budget as presented.

MINUTES – ALBION CITY COUNCIL – SPECIAL MEETING AUGUST 26, 2014

6. CONSIDER PAY APPLICATION #12 OF CHRISTIANSEN CONSTRUCTION COMPANY, LLC

Clerk Devine stated Christiansen Construction submitted a pay application requesting to reduce retainage by 50%; which prompted Burbach Aquatics to conduct an inspection and draft a punch list with certified values of items remaining to be addressed. Following the compilation of the punch list, Burbach Aquatics determined that the punch list exceeds the amount of the retainage and did not certify the pay application. Devine recommended that this pay application be tabled until the punch list is completed. Councilman Johnson made a motion to table Pay Application #12 of Christiansen Construction Company, LLC until punch list is addressed, second by Riedmiller. **Vote: Yeas; Riedmiller, Johnson, Rutten. Nays; None. Absent; Hoefer.**

7. CONSIDER PAY APPLICATION #5 OF MECHANICAL, INC

Clerk Devine stated Mechanical Inc. submitted a pay application to reduce retainage by 50%. Following an inspection by Burbach Aquatics, a punch list was drafted with certified values of items remaining to be addressed. Burbach Aquatics determined that a reduction in retainage is not justifiable and did not certify the pay application. Devine recommended that this pay application be tabled until the punch list is completed. Councilman Riedmiller made a motion to table Pay Application #5 of Mechanical, Inc. until punch list is addressed, second by Johnson. **Vote: Yeas; Riedmiller, Rutten, Johnson. Nays; None. Absent; Hoefer.**

8. CONSIDER FINAL INVOICE #7474 OF DANKO EMERGENCY EQUIPMENT FOR QUICK RESPONSE RESCUE VEHICLE

Clerk Devine stated Bruce Benne is to pick up the vehicle on August 29, 2014, and needs approval to pay for the vehicle upon final inspection and pick up. The balance due is \$135,104.00. Councilman Johnson made a motion to approve final Invoice #7474 of Danko Emergency Equipment for quick response vehicle, second by Riedmiller. **Vote: Yeas; Johnson, Riedmiller, Rutten. Nays; None. Absent; Hoefer.**

9. CONSIDER BUDS SANITARY SERVICE BILL FOR APPROVAL

Clerk Devine explained Bud's Sanitary Service invoice was accidentally left out of the list of bills at the Regular August Meeting. The amount is \$12,023.50 as calculated and verified by Utility Clerk, Ann Knust. Councilman Riedmiller made a motion to approve Bud's Sanitary Service Bill, second by Johnson. **Vote: Yeas; Rutten, Johnson, Riedmiller. Nays; None. Absent; Hoefer.**

10. DISCUSS WELL #4 PROJECT

At 8:00 p.m. Councilman Johnson made a motion to enter into executive session in order to discuss strategy regarding potential litigation, second by Rutten. Mayor Jarecki invited Darren Wright and Andrew Devine to remain in attendance also. **Vote: Yeas; Johnson, Rutten, Riedmiller. Nays; None. Absent; Hoefer.** At 8:14 p.m. Councilman Riedmiller made a motion to exit executive session and return to regular session, second by Johnson. **Vote: Yeas; Rutten, Johnson, Riedmiller. Nays; None. Absent; Hoefer.** No action taken.

MINUTES – ALBION CITY COUNCIL – SPECIAL MEETING AUGUST 26, 2014

11. ITEMS FOR NEXT MEETING AGENDA

Next meeting: September 9, 2014, 7:30 p.m.

Budget Hearing;

Administrative Plat Application of Delbert Niewohner;

Interlocal Agreement with Boone County for Street Superintendent;

Ordinance 236(14) Amending City Code sections on gambling so as to resolve conflict with Keno Ordinance;

Consider Resolution(s) declaring nuisances;

Water tower.

Councilman Riedmiller made a motion to excuse Walt Hoefler from the meeting, second by Johnson. **Vote: Yeas; Rutten, Riedmiller, Johnson. Nays; None. Absent; Hoefler.**

12. ADJOURN

At 8:22 p.m. Councilman Johnson made a motion to adjourn, second by Riedmiller. **Vote: Yeas; Johnson, Riedmiller, Rutten. Nays; None. Absent; Hoefler.**

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