

**MINUTES  
ALBION CITY COUNCIL  
REGULAR MEETING – PUBLIC HEARING  
TUESDAY, OCTOBER 14, 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 October 14, 2014 in the Council Chambers. Present were Mayor James C. Jarecki, Councilmembers Don Rutten, Jim Riedmiller, Walt Hoefer, and Marcus Johnson. Also present were City Administrator Andrew Devine, Water Commissioner Ron Morearty, Sewer Commissioner Joe Luettel, Deputy City Clerk Sharon Ketteler, Police Officer Brent Lipker, Utility Clerk Ann Knust, City Attorney Darren Wright, Jim Dickerson with the Albion News, Jon Porter, Jeff Jarecki, Aubrey Schriver, Dani Thober, Karen Kayton, Brad Warner, Lori Warner, Larry Bird, Tim Preister, Patti Meyer, Forrest Francis, Andy Roberts, and Shealyne Palmer. 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.

**3. CONSIDER MINUTES OF SEPTEMBER 30, 2014 CITY COUNCIL MEETING FOR APPROVAL**

Councilman Johnson made a motion to approve the minutes of the September 30, 2014 special meeting as presented, second by Hoefer. **Vote: Yeas; Hoefer, Johnson, Riedmiller, Rutten. Nays; None.**

**4. OPEN PUBLIC HEARING TO CONSIDER APPROVAL AND ACCEPTANCE OR DENIAL OF AN APPLICATION FOR ADMINISTRATIVE PLAT BY BRAD AND LORI WARNER TO REPLAT LOTS 3 AND 4 OF BLOCK 15 OF MANSFIELD'S THIRD ADDITION TO THE CITY OF ALBION, BOONE COUNTY, NEBRASKA**

Mayor Jarecki opened the public hearing at 7:38 p.m. He sought input from the public. Brad Warner explained the application. He wants to switch lots from running East and West, to going North and South. Hearing no further comment, Mayor Jarecki closed the public hearing at 7:40 p.m. The Mayor opened for Council discussion. Devine reported that the Planning Commission reviewed the application and recommended approval. Councilman Hoefer made a motion to approve application for Administrative Plat by Brad and Lori Warner to Replat Lots 3 and 4 of Block 15 of Mansfield's Third Addition to the City of Albion, Boone County, Nebraska, second by Rutten. **Vote: Yeas; Hoefer, Riedmiller, Rutten, Johnson. Nays; None.**

5. **CONSIDER SALES TAX RELEASE REQUEST OF ALBION ECONOMIC DEVELOPMENT FOR APPROVAL**

Aubrey Schriver, Albion Economic Development Administrator, explained the requests. AEDC is requesting \$50,000 to help fund the purchase and demolition cost of two downtown buildings; \$100,000 for infrastructure assistance to keep lot prices lower on the Niewohner Development; and another \$100,000 to help fund infrastructure on additional housing developments. Andy Roberts further explained the second \$100,000 request for potential developments. Clerk Devine stated the Citizen Advisory Committee approved a motion recommending these approvals; and approved another motion recommending annexation of the Niewohner development. Larry Bird stated his concern on spending tax dollars outside of annexed property and suggested property owners voluntarily annex as part of the funding request. Councilman Hoefler made a motion to approve Sales Tax request of Albion Economic Development, second by Rutten. **Vote: Yeas; Johnson, Hoefler, Rutten. Nays; Riedmiller.**

6. **PRESENTATION FROM THE BOONE CENTRAL SPEAKERS BUREAU**

Karen Kayton and Patti Meyer, provided information on the bond issue for the School District. They presented brochures and explained areas of the schools that are in need of improvement. They encouraged everyone to vote for the School Bond in the upcoming election. Discussion ensued. No action taken by the Council.

7. **CONSIDER RESOLUTION 118(14) AN INTERLOCAL AGREEMENT WITH THE COUNTY OF BOONE ALLOWING EXISTING BOONE COUNTY EMPLOYEE TO CONTRACT WITH THE CITY TO PROVIDE STREET SUPERINTENDENT SERVICES**

Devine explained he and City Attorney Wright are still working on this agreement. Councilman Riedmiller made a motion to table Resolution 118(14) until the next regular meeting, second by Johnson. **Vote: Yeas; Johnson, Hoefler, Riedmiller, Rutten. Nays: None.**

**8. NUISANCE ABATEMENT UPDATE**

Officer Lipker reported the two nuisances have been taken care of and new inspections will be done this week. No formal action taken.

**9. CITY ADMINISTRATOR REPORT**

**Pool:**

The pool is now closed for the season and contractors will be working on the project punch list.

Mechanical, Inc. will be onsite the week of October 13-17, 2014 to assist and train staff on Winterization procedures.

A statistical and financial analysis report was provided for council review.

**Streets:**

No bids were received for the 8<sup>th</sup> and South Streets Project. It is City Attorney's opinion that the City may negotiate a contract for the project without going through full bid process if so desired.

**Water/Sewer:**

The new blower motors and VFD have been installed.

Water tower cleaning and painting is schedule for the week of October 20<sup>th</sup>.

**Park:**

We've had a difficult time getting the A and B fields at the Sports Complex worked into shape for Boone Central softball due to the consistently wet weather.

Trent Kraus has experience with constructing ball fields in Columbus and has expressed an interest in assisting the City with the reconstruction projects for Fields A and B during the off-season. Now that the home softball season has concluded we will be going to address those issues.

**Other:**

Mold abatement for City Hall basement was completed October 9-10, 2014.

The Annual Audit will occur on October 30, 2014.

Devine provided the current month Sales Tax Report showing the monthly trend of sales tax receipts.

## City Zoning, Planning, and Building Report

Andrew Devine, City Administrator/Clerk/Treasurer

October 2, 2014

### Building Permits Reviewed and Approved September 2014

- 14-1030 – MJM Architects – New Retail Store
- 14-1033 – Seier, Marcia - Addition
- 14-1034 – Olson, Mike – Garage/Accessory Building
- 14-1036 – Henrichs, Connie – Fence
- 14-1037 – Miller, Tim – Fence
- 14-1038 – Helena Chemical – Warehouse Building
- 14-1039 – Jacot, Ann – Egress Windows – existing building
- 14-1040 – Porters, LLC – Fence
- 14-1041 – Haber, Joel – Fence
- 14-1042 – Yosten, Brian – Small Accessory Building and Flatwork
- 14-1044 – Merten, Donna – Small Accessory Building

### Building Permits Reviewed and Denied Since September 2014

None

### Building Permit Applications picked up, but not returned to office for review prior to end of September:

- 14-987 – Roberg, Dave – Deck addition
- 14-997 – Merten, Jeff - Carport
- 14-1000 – Burda, Jeanette – Handicap Ramp
- 14-1009 – Dozler, Ray – Accessory Building
- 14-1017 – Jarecki, Jeff – Fence
- 14-1024 – Hamling, Tom – Garage Addition
- 14-1025 – Frey, Billy – Car Port
- 14-1028 – Liss, Brian – Fence
- 14-1032 – Hadley, Darrell – Garage

## 10. CONSIDER BILLS FOR APPROVAL

- **CONSIDER MONTHLY BILLS FOR APPROVAL**

Councilmembers reviewed the bills. Councilman Rutten inquired about the telephone expense. Clerk Devine explained the City changed computer system to server, rather than individual computers. And also changed internet provider to broadband provider. The City will need to continue with Frontier Internet just until the email conversion is complete. Devine

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also explained the phone system upgrade, and conversion is planned for current fiscal year. Rutten questioned the sewer department \$605.98 fuel bill. Joe Luettel stated that was actually grease and should be under Sewer Maintenance account. Clerk Devine noted to make that change. Rutten also questioned the significant increase in the Maintenance Agreement Contract bill for Utility Service. Attorney Wright stated the contract includes adjustments of up to 5% increase annually; however, the bill is an increase of 11%. The bill is not compliant with the contract. Councilman Riedmiller made a motion to approve monthly bills for payment, and approve payment of only \$970.28 of the Utility Service bill, asking the company for an explanation on the other charges; second by Hoefer. **Vote: Yeas; Riedmiller, Hoefer, Johnson. Nays; Rutten.**

- **CONSIDER REVISED PAY APPLICATION #12 OF CHRISTIANSEN CONSTRUCTION**

Councilman Riedmiller made a motion to approve Pay Application #12-revised of Christiansen Construction in the amount of \$9,175.82, certified by project engineer Dave Burbach; second by Johnson. **Vote: Yeas; Riedmiller, Johnson, Hoefer, Rutten. Nays; None.**

### 11. CONSIDER ACTION ON WASTE WATER TREATMENT FACILITY FINALIZATION DOCUMENTS AS SUBMITTED BY JEO CONSULTING GROUP

- **CONSIDER APPROVAL OF FINAL PAY APPLICATION OF RUTJEN'S CONSTRUCTION**

Councilman Hoefer made a motion to approve final Pay Application of Rutjen's Construction, second by Johnson. **Vote: Yeas; Johnson, Rutten, Hoefer, Riedmiller. Nays; None.**

- **CONSIDER APPROVAL OF RECOMMENDATION OF ACCEPTANCE**

Councilman Johnson made a motion to approve JEO Recommendation of Acceptance, second by Riedmiller. **Vote: Yeas; Hoefer, Riedmiller, Johnson, Rutten. Nays; None.**

### 12. ITEMS TO BE PUT ON NEXT MEETING AGENDA

- Resolution 118(14)
- Water Tower Contract & Clarification on Invoice
- Discuss Annexation of Niewohner Development

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- Nuisance Inspection Report
- Concrete on Park Street
- Next regular meeting will be November 18, 2014

**13. WATER WELL UPDATE**

Clerk Devine stated Grosch Irrigation’s subcontractors are addressing the punch list. Andy and Darren met with John Zwingman last week. John was to meet with Tracy McConnell to finalize contract documents. Grosch is required to have project complete by October 31<sup>st</sup>.

**14. ADJOURNMENT**

At 9:16 p.m. Councilman Hoefer made a motion to adjourn, second by Johnson.  
**Vote: Yeas; Rutten, Hoefer, Johnson, Riedmiller. 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.

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James Jarecki, Mayor

ATTEST:

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Sharon Ketteler, Deputy Clerk