

**MINUTES
ALBION CITY COUNCIL
REGULAR MEETING – PUBLIC HEARING
TUESDAY, NOVEMBER 18, 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 November 18, 2014 in the Council Chambers. Present were Mayor James C. Jarecki, Councilmembers Jim Riedmiller, Don Rutten, Walt Hoefler, and Marcus Johnson. Also present were City Administrator Andrew Devine, Water Commissioner Ron Morearty, Sewer Commissioner Joe Luettel, Deputy City Clerk Sharon Ketteler, City Attorney Larry Bird, 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. CONSIDER MINUTES OF OCTOBER 14, 2014, OCTOBER 21, 2014, AND NOVEMBER 4, 2014 CITY COUNCIL MEETING FOR APPROVAL

Councilman Riedmiller made a motion to approve the minutes of the October 14, 2014, October 21, 2014, and November 4, 2014 City Council Meetings; second by Johnson. **Vote: Yeas; Riedmiller, Hoefler, Johnson, Rutten. Nays; None.**

3. CONSIDER CONCERNS OF JACOB CRAFT REGARDING RECENT CHANGES TO CAMPGROUND RATES

Clerk Devine stated Mr. Craft spoke to him regarding his displeasure in the winter campground rate increase. Devine explained to Craft the higher utility rates in the off-season months. Craft requested to be put on the agenda; however, he was not available for comment. Devine also provided the Council with a breakdown of utility costs and camping revenue broken down for off-season and on-season for the past 12 months. No action taken.

4. 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

Clerk Devine stated the City's Insurance Company recommended the City be added as a Certificate Holder for the Boone County Worker's Compensation Insurance Policy. The County and their insurance company, NIRMA, are currently reviewing the agreement. Councilman Riedmiller made a motion to table Resolution 118(14) until the December meeting, second by Hoefler. **Vote: Yeas; Johnson, Rutten, Riedmiller, Hoefler. Nays; None.**

5. CONSIDER APPROVAL OF MAINTENANCE AGREEMENT #84 BETWEEN NE DEPT OF ROADS AND THE CITY OF ALBION

Clerk Devine stated there are no changes in this renewal agreement. Councilman Hoefer made a motion to approve Renewal of Highway Maintenance Agreement #84 with the State of Nebraska Department of Roads, second by Johnson. **Vote: Yeas; Hoefer, Johnson, Rutten, Riedmiller. Nays; None.**

6. DISCUSS POTENTIAL ANNEXATION OF THE ANDERSON SUBDIVISION

Clerk Devine invited Jerry Niewohner to the meeting. Mr. Niewohner was not present. Council Members discussed possible avenues for annexation of the property. No formal action taken.

7. DISCUSS CONCRETE GUTTER ON PARK STREET BETWEEN 6TH AND 7TH STREETS

Councilman Rutten explained the problem with drainage on the North gutter line of his property. Clerk Devine stated the City will look in to fixing the problem. No formal action taken.

8. NUISANCE INSPECTION REPORT

Clerk Devine reported there are no nuisances to declare at this time. There was an inspection last week; and a courtesy notice was delivered to one property owner. No formal action taken.

9. CITY ADMINISTRATOR REPORT

Streets:

Preparing for winter.

Water/Sewer:

More issues with the water tower cleaning and painting that occurred in October. To be discussed in more detail later in the meeting.

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. I've had conversation with Todd Kramer regarding developing a plan of action for the fields. He has spoken with representatives from Neligh on recent improvements that they completed.

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Other:

The Annual Audit was held in the office on October 30, 2014 and went well.

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 the first month of the fiscal year.

10. CONSIDER EMPLOYEE EVALUATION FOR APPROVAL

Councilman Hoefer made a motion to approve Employee Evaluation of Joe Predmore, second by Rutten. **Vote: Yeas; Hoefer, Johnson, Riedmiller, Rutten. Nays; None.**

11. CONSIDER BILLS FOR APPROVAL

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Council Members reviewed the bills. Councilman Hoefer made a motion to approve the monthly bills, making the exception to the Utility Service bill to pay \$970.28 instead of the invoiced amount of \$1,077.02; second by Riedmiller. **Vote: Yeas; Riedmiller, Hoefer, Johnson. Nays; Rutten.**

12. WATER WELL UPDATE

Clerk Devine reported the Engineer is waiting to get State approval for the louvre system for the chemical room. He is also working on providing the operating and maintenance manuals. The contractors have finished painting and are working on resolving the issues with the doors. The second opinion contractor will be coming the last week in November.

13. DISCUSS WATER TOWER CONTRACT WITH UTILITY SERVICE CO.

Mayor Jarecki recommended entering closed session to discuss the Water Tower Contract, the water well process, and Frontier claim, due to potential litigation. At 8:17 p.m. Councilman Rutten made a motion to enter executive session, second by Johnson. **Vote: Yeas; Rutten, Hoefer, Johnson, Riedmiller. Nays; None.** Mayor Jarecki invited Ron Morearty, Attorney Bird, and Jon Porter to remain in the closed session.

At 8:35 p.m. Councilman Hoefer made a motion to exit executive session, second by Riedmiller. **Vote: Yeas; Johnson, Rutten, Hoefer, Riedmiller. Nays; None.**

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- **CONSIDER CLAIM FROM FRONTIER COMMUNICATIONS REGARDING DAMAGE TO FIBER OPTIC CABLE**

Councilman Hoefer made a motion to deny the claim in full for damages of Frontier Communications; second by Johnson. **Vote: Yeas; Rutten, Hoefer, Riedmiller, Johnson. Nays; None.**

14. ITEMS TO BE PUT ON NEXT MEETING AGENDA

- Next Regular Meeting will be December 9, 2014
- Will Announce Certified Election Results
- Annual Mayor Appointments for Confirmation
- State Street Department Budget Report Approval
- Consider Right of Way Grant to RDG GEO Science for Additional Monitoring Wells
- Resolution 118(14)

15. ADJOURNMENT

At 8:42 p.m. Council Member Johnson made a motion to adjourn the meeting, second by Hoefer. **Vote: Yeas; Johnson, Rutten, Hoefer, 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.

James Jarecki, Mayor

ATTEST:

Sharon Ketteler, Deputy Clerk