

**MINUTES
ALBION CITY COUNCIL
REGULAR MEETING – PUBLIC HEARING
TUESDAY, MARCH 10, 2015**

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 March 10, 2015 in the Council Chambers. Present were Mayor James C. Jarecki, Council Members Walt Hoefer, Marcus Johnson, Jim Riedmiller, and Jon Porter. 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, Karen Arends, Denny Borer, Doug Young, Steve Schrad, Jeff Noble, Brady Yosten, Brian Yosten, Ralph Schmadeke, Riley Tonkins, Nick Bishop, Roxanne Reiners, Sam Stopak, Zack Nelson, Robbie Johnson, Brent Janzen, John Wagner, Sydney Nieman, and Dalton Harrison. 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 FEBRUARY 10, 2015 CITY COUNCIL MEETING FOR APPROVAL

Councilman Riedmiller made a motion to approve the minutes of the February 10, 2015 City Council meeting, second by Johnson. **Vote: Yeas; Johnson, Riedmiller, Hoefer, Porter. Nays; None.**

3. CONSIDER LOT SPLIT APPLICATION OF TYLER SEDA TO SPLIT PROPERTY LEGALLY DESCRIBED AS A FRACTION OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 20 NORTH, RANGE 6 WEST, BOONE COUNTY, NEBRASKA

Councilmembers reviewed the Application and Survey supplied by Seda. Councilman Riedmiller made a motion to approve Lot Split Application 2015-01 of Tyler Seda, second by Porter. **Vote: Yeas; Johnson, Hoefer, Porter, Riedmiller. Nays; None.**

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4. CONSIDER REQUEST OF SMOKE N CHROME ON MAIN, COMMITTEE TO TEMPORARILY CLOSE DOWNTOWN STREETS FOR CAR SHOW FROM 7:00 A.M. TO 3:00 P.M. ON JUNE 20, 2015

Doug Young provided a map of the area requested to be closed off. He stated there would be no changes from last year, other than they plan to use the old Billy Bob's and Bike Shop area for parking. Also, they are extending the time back to 3:00 p.m. because of its popularity. Councilman Riedmiller made a motion to approve request of Smoke N Chrome on Main, Committee to temporarily close downtown streets for car show from 7:00 a.m. to 3:00 p.m. on June 20, 2015; second by Johnson. **Vote: Yeas; Porter, Riedmiller, Johnson, Hoefler. Nays; None.**

5. CONSIDER REQUEST OF ALBION VETERAN'S CLUB TO CLOSE 3RD ST. BETWEEN W. CHURCH ST. AND W. MAIN ST. FROM 6:00 A.M. JULY 20TH-3:00 A.M. JULY 21ST 2015 FOR A COMMUNITY EVENT

Clerk Devine stated a similar request was made and approved in 2013. Dates for the event were corrected from July 20th-21st to June 20th -21st. Councilman Riedmiller made a motion to approve request of Albion Veteran's Club to close 3rd St. between W. Church St. and W. Main St. from 6:00 a.m. June 20th - 3:00 a.m. June 21st, 2015 for a community event; second by Hoefler. **Vote: Yeas; Hoefler, Porter, Riedmiller, Johnson. Nays; None.**

6. CONSIDER ALBION VETERAN'S CLUB APPLICATION FOR SPECIAL DESIGNATED LICENSE FOR JULY 20, 2015

Clerk Devine circulated the application as supplied by Karen Arends. The date for the event was corrected from July 20th to June 20th; and the time was corrected to 5:00 p.m. through 12:00 a.m. Devine noted that the application would also need to include a sketch of the area to be closed. Councilman Riedmiller made a motion to approve Albion Veteran's Club Application for Special Designated License for June 20, 2015; second by Hoefler. **Vote: Yeas; Hoefler, Porter, Riedmiller, Johnson. Nays; None.**

7. **REVIEW BID TABULATION OF CITY OF ALBION PROPERTY AND CASUALTY INSURANCE AND CONSIDER FOR AWARD**

Clerk Devine reviewed all bids and submitted a written recommendation for the Council to review, along with a summary of each proposal. The first bid was from Schmadeke Insurance for an annual premium of \$64,667. The second bid was from Simmons Insurance Services and LARM; however, that bid was disqualified as incomplete. The third bid was from Cedar Valley Insurance Agency and Continental Western with an annual premium of \$55,545. And the fourth bid was from Jeff Noble with Cornerstone Bank Insurance and Berkshire Hathaway Home States for an annual premium of \$70,717. Devine recommended the Council award the 2015 City Property and Casualty Insurance Bid to Cedar Valley Insurance Agency and Continental Western as the lowest bidder, noting that the Fire Department vehicle deductibles would be \$500 comp and \$500 collision rather than the specified \$100 comp and \$250 collision. Councilman Porter asked if we could get the \$100 comp and \$250 collision. Brady Yosten of Cedar Valley Insurance stated they no longer offer those deductibles on the Fire Pack. All Insurance Agents expressed their appreciation for the opportunity to bid the insurance coverage. Councilman Riedmiller made a motion to approve proposal submitted by Cedar Valley Insurance Agency for the amount of \$55,545 and to authorize the Mayor or his representative to sign any contract documents, second by Johnson. **Vote: Yeas; Johnson, Hoefer, Porter, Riedmiller. Nays; None.**

8. **OPEN 2015 LAWN BIDS AND CONSIDER FOR APPROVAL AND AWARD OF CONTRACT**

Mayor Jarecki reported his potential interest in the contract, verified a Conflict of Interest Disclosure Form had been supplied to the City Clerk, and turned presiding power to Councilman President Riedmiller; then left the room. Clerk Devine stated there were two bids received; one from Jarecki Lawncare and another from Schrad's K-Lawn. City Attorney Wright opened the bids in the order they were received. Jarecki Lawncare bid met all specifications with a bid total of \$8,710.74. Schrad's K-Lawn also met all specifications with a bid total of \$8,189.05. Schrad asked why the Library wasn't included this year. Devine stated it will be re-seeded, and a new sprinkler system will probably be added. Councilman Porter made a motion to approve the bid submitted by Schrad's K-Lawn for the amount of \$8,189.05, and to authorize the

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Mayor or his representative to sign any Agreement/Contract documents, second by Johnson. **Vote: Yeas; Porter, Johnson, Hoefer. Nays; None.**

Following council action, Mayor Jarecki was invited back into Council Chambers and resumed presiding power of the meeting.

9. CONSIDER CHANGE ORDER #11 OF GROSCH IRRIGATION FOR VENTILATION SYSTEM FOR NEW WELL PROJECT

Clerk Devine noted this is the final change to the well project in order to put an outside ventilation system in the chemical room. The change has been completed, and has been approved by HHS. Councilman Hoefer made a motion to approve Change Order #11 of Grosch Irrigation, second by Johnson. **Vote: Yeas; Hoefer, Porter, Riedmiller, Johnson. Nays; None.**

10. CONSIDER MAYORAL APPOINTMENT OF RICHARD JACOT TO THE ALBION PLANNING COMMISSION

Councilman Riedmiller made a motion to approve Mayoral appointment of Richard Jacot to the Albion Planning Commission, second by Hoefer. **Vote: Yeas; Johnson, Riedmiller, Hoefer, Porter. Nays; None.**

11. CONSIDER RESOLUTION 104(15) ESTABLISHING SWIMMING POOL PAY POLICY

Councilman Hoefer made a motion to introduce and approve Resolution 104(15) Establishing Swimming Pool Pay Policy, second by Riedmiller. **Vote: Yeas; Hoefer, Johnson, Riedmiller, Porter. Nays; None.**

12. CONSIDER RESOLUTION 105(15) DECLARING SURPLUS PROPERTY OF THE ALBION VOLUNTEER FIRE DEPARTMENT AND OFFER FOR SALE

Clerk Devine stated only 1 sealed bid was received for the equipment truck. The bid was rejected as it was considered too low. The City would like to declare again and advertise in several more newspapers. Councilman Riedmiller inquired on the

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amount of the bid. Devine stated that the bid was for \$5,000; and just a few years ago a new engine was put in it for \$16,000. Councilman Johnson made a motion to introduce and approve Resolution 105(15) Declaring Surplus Property of the Albion Volunteer Fire Department and Offer for Sale, second by Hoefer. **Vote: Yeas; Hoefer, Johnson, Riedmiller, Porter. Nays; None.**

13. CONSIDER RESOLUTION 106(15) DECLARING SURPLUS PROPERTY OF THE ALBION PUBLIC LIBRARY AND OFFER FOR SALE

Councilmembers were provided with a list of items the Library wishes to sell at the FFA Consignment Auction in April. Councilman Hoefer made a motion to introduce and approve Resolution 106(15), Declaring Surplus Property of the Albion Public Library and Offer for Sale, second by Riedmiller. **Vote: Yeas; Riedmiller, Porter, Hoefer, Johnson. Nays; None.**

14. REVIEW 2015 ANNUAL WATER AND SEWER DEPARTMENT REPORT

Councilmembers reviewed the report presented. No action was taken.

15. CITY ADMINISTRATOR REPORT

Streets:

Mayor authorized JEO to begin survey work on priory street projects from the 2015 1 & 6 Year Street Plan as approved and adopted by the City Council in February.

Property owners in the vicinity of 9th and Harrison Streets have since communicated to me that would like Harrison and 9th Streets added to the Street Improvement Plan due to potential development in the area if the Street is paved.

A meeting is scheduled for 9am on Monday the 9th as requested by Jerry Niewohner and John Zwingman concerning paving for the Anderson Subdivision near the water tower.

Water:

After some discussions with Ron and the Mayor we are exploring options for putting a submersible backup well either near well #4 due to location of transmission line, electrical power, chemical injection

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system, controls, and back-up generator; and, also near the #2 well house due to location of transmission line, power, and chemical injection system. We do not believe it is likely that DHHS will approve a backup well near well #4 since it is our main production well.

Sewer:

A lift pump at the treatment plant has been getting hot and will need to be removed and taken in next week for service. The pump has been installed for 2 years and is under partial (50%) manufacturer's warranty.

Park:

Scheduled to meet with Dustin from Pro Track and Tennis on late Friday, March 6th, to evaluate Sports Complex Tennis Court surface and options for rehabilitation.

Steve Bygland to evaluate drainage at Sports Complex this week.

Currently advertising to hire a Parks/Grounds Foreman to be Full-time hours from April to October, then as needed for snow removal/special projects in the fall and winter months. Applications were due the end of February. Received one application, which was withdrawn – re-advertising the position in March.

Also advertising for a Pool Manager/Assistant Manager that is vacant since Krista Kravig has decided not to return this coming season.

Other:

Preliminary report from DEQ is that there is no contamination on the City Hall/Shop/Police Department property.

Les Nienaber has reported they may be pulling the recycling containers in all his communities and eventually going back to paper and cardboard recycling only and hauling to GreenFiber in Norfolk again. First Star Fiber in Omaha is now charging him for mixed recycling loads due to changes in the recycled product market. He will keep us posted. I've included a copy of the First Star Fiber memo that he provided to me.

The Mayor and I attended the AEDC Strategic Planning Retreat – 2014 accomplishments and project were highlighted including three downtown business transitions, work on the Billy Bob's and Bike Shop demolition project, and the contractor demolition assistance program. Future areas of focused were also discussed. Housing developments remain a key need for the community. The group reported that they have \$16,000 available in their demolition assistance program for contractors for 2015. As previously reported, there is development interest in the Harrison Street area and property owners would like it paved. Retail transitions and new business recruitment, specifically to fill the ALCO building, were discussed as priority areas as well.

Marcus Johnson and I attended the 2015 League of Nebraska Municipalities Conference February 23-24th. Highlights for me were the Legislative Update, the session regarding SEC Continuing Disclosure requirements for bonds over \$1 million, and Dave Landis' performance/presentation on former State Senator George Norris.

New phone system installation has begun at City Hall. It is expected to be complete by the end of March.

Clerk Devine provided reports for the current month Sales Tax showing the monthly trend of sales tax receipts; and also an unaudited Treasurer's Report/Budget Performance Report for fiscal year-to-date.

16. **CONSIDER BILLS FOR APPROVAL**

• **CONSIDER MONTHLY BILLS FOR APPROVAL**

City Attorney Wright provided a letter to Utility Service Co. Inc. outlining why the City has been paying the previously recognized contract amount. The company's emailed response did not provide convincing information. Wright will send a follow-up letter to more clearly explain why the City does not agree with the amount they are charging. Councilman Riedmiller 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 Hoefler. **Vote: Yeas; Riedmiller, Hoefler, Johnson, Porter. Nays; None.**

17. **CONSIDER SCOPE OF SERVICES WITH ADVANCED CONSULTING ENGINEERING SERVICES FOR BIDDING AND CONSTRUCTION PHASE SERVICES FOR THE 8TH AND SOUTH STREET PROJECTS**

Clerk Devine provided the Council with John Zwingman's proposed bid and construction phase services for paving near the pool, and recommended approval of the proposal. Councilman Riedmiller made a motion to approve Scope of Services Agreement with Advanced Consulting Engineering Services for the 8th and South Street Projects, second by Hoefler. **Vote: Yeas; Riedmiller, Hoefler, Johnson. Nays; Porter.**

18. **ITEMS TO BE PUT ON NEXT MEETING AGENDA**

- Next Regular Meeting will be April 14, 2015, 7:30 p.m.
- Water Tower Maintenance Contract
- Dave Bell of Loup Power
- Boone Central Speakers Bureau
- Casey's General Store Replat
- Administrator Report
- Approve Bills

18. ADJOURNMENT

At 8:35 p.m. Council Member Hoefler made a motion to adjourn the meeting, second by Johnson. **Vote: Yeas; Porter, Johnson, Riedmiller, Hoefler. 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