

**MINUTES  
ALBION CITY COUNCIL  
REGULAR MEETING – PUBLIC HEARING  
TUESDAY, JULY 21, 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 July 21, 2015 in the Council Chambers. Present were Mayor James C. Jarecki, Council Members Marcus Johnson, Jim Riedmiller, Jon Porter, and Walt Hoefer. Also present were City Administrator Andrew Devine, Water Commissioner Ron Morearty, Police Officer Mike Mapel, Deputy City Clerk Sharon Ketteler, Galen Karas, and Jim Dickerson with the Albion News. 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 APPROVAL OF MINUTES OF THE JUNE 9, 2015 AND JUNE 23, 2015 CITY COUNCIL MEETINGS**

Councilman Riedmiller made a motion to approve the minutes of the June 9, 2015 and June 23, 2015 City Council meetings; second by Hoefer. **Vote: Yeas; Porter, Hoefer, Riedmiller, Johnson. Nays; None.**

**3. CONSIDER BID TABULATION AND RECOMMENDATION FROM ADVANCED CONSULTING AND ENGINEERING SERVICES REGARDING AWARD OF CONTRACT FOR 8<sup>TH</sup> AND SOUTH STREETS IMPROVEMENT PROJECT**

Clerk Devine stated the project had been bid out formally twice, with both bids being extremely high. The informal bid from Elkhorn Paving, Inc. was lower than the original budgeted amount. Councilman Hoefer made a motion to approve alternate bid of Elkhorn Paving, Inc. in the amount of \$169,853.75; second by Riedmiller. **Vote: Yeas; Riedmiller, Johnson, Porter, Hoefer. Nays; None.**

4. **CONSIDER BID TABULATION AND RECOMMENDATION FROM JEO CONSULTING GROUP, INC REGARDING AWARD OF CONTRACT FOR RUBY STREET IMPROVEMENT PROJECT**

Clerk Devine stated the only bid received was from Elkhorn Paving, Inc. It was extremely high, so Devine recommended to reject the bid and rebid the project this winter. Councilman Riedmiller made a motion to reject all bids received for the Ruby Street project, second by Porter. **Vote: Yeas; Hoefer, Riedmiller, Johnson, Porter. Nays; None.**

5. **CONSIDER INTERLOCAL AGREEMENT WITH BOONE CENTRAL SCHOOLS REGARDING USE OF SPORTS COMPLEX FOR SOFTBALL**

Clerk Devine provided the Council with a copy of the proposed Interlocal Agreement with Boone Central. Devine stated such agreement has been in place and renewed annually for the past 12 years. The City gets paid based on the actual man hour rates it costs to maintain; and the cost of utilities. Councilman Riedmiller made a motion to approve Interlocal Agreement with Boone Central Schools regarding use of Sports Complex for Softball, second by Porter. **Vote: Yeas; Johnson, Hoefer, Riedmiller, Porter. Nays; None.**

6. **RESOLUTIONS FOR CONSIDERATION**

**A. CONSIDER RESOLUTIONS SERIES 109(15) DECLARING NUISANCES**

Councilmembers reviewed the nuisances presented by Officer Mapel. Councilman Riedmiller made a motion to introduce and approve Nuisance Resolution Series 109(15)-1 through 109(15)-8, second by Johnson. **Vote: Yeas; Riedmiller, Johnson, Hoefer, Porter. Nays; None.**

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### **B. CONSIDER RESOLUTION 110(15) ACCEPTING AND ADOPTING THE NORTHEAST ECONOMIC DEVELOPMENT, INC. (NED, INC.) REGIONAL OWNER/OCCUPIED HOUSING REHABILITATION GUIDELINES**

Clerk Devine stated that Northeast Nebraska Economic Development District is no longer providing housing guidelines. The City is required to have guidelines in place due to Housing Rehab Reuse Funds that was awarded to the City in 2000, and again in 2008. NED, Inc. is a subsidiary of Northeast NE Economic Development District, and they provide the necessary guidelines. Councilman Hoefer made a motion to introduce and approve Resolution 110(15) accepting and adopting the NED, Inc. Regional Owner/Occupied Housing Rehabilitation Guidelines; second by Porter. **Vote: Yeas; Porter, Johnson, Hoefer, Riedmiller. Nays; None.**

### **7. PRELIMINARY REVIEW OF 2014-15 BUDGET PERFORMANCE & 2015-16 BUDGET**

Clerk Devine provided multiple budget spreadsheets and reviewed the Preliminary Budget Summary with Council Members. Devine stated the Governmental Funds totally as a group are estimated to perform \$950,25 better than budgeted, mainly due to Street and Parks Capital Project Funds carry-over. Business-Type Funds estimated to perform \$231,657 better than budgeted; mainly due to Water Capital Improvement Project carry-over, and final payment has not been made on the well.

Devine also reviewed the property tax spreadsheet. Discussion ensued. **No action taken.**

### **8. CITY ADMINISTRATOR REPORT**

#### **Water/Sewer:**

##### **Utility Billing Position:**

After 8 years of dedicated service to the City of Albion, Ann Knust made the decision to resign her position last month. Her last day full time will be July 31<sup>st</sup>. Fortunately, she has agreed to stay part time as needed to help train a replacement. I immediately advertised the position and many applications have been received prior to the deadline on July 10<sup>th</sup>. I am in the middle of the candidate evaluation process and plan to have a hiring decision made by the end of the month.

**Water Tower Painting Issues:** Nothing new to report since last council meeting.

**Water/Sewer GIS Mapping Project:** Final maps have been received. It has been communicated that DHHS Security Grant funding is not available for the 2015-16 cycle.

UPDATE: DHHS does not have Security Grant funding available for the 2015-16 year so phase II has been put on

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hold - we will have the option to budget to complete this phase in the 2015-16 budget year without the Grant funding if City so chooses.

Project Lead: Ron Morearty

**New Water Source:** This project had been previous identified when Selenium issue arose in all of the City's production wells. Originally attempted to address through rehabilitation, but since well #2 collapsed we now need an additional source prior to attempted rehabilitation of well #3.

Project Lead: Me/Ron Morearty Key Personnel: Ron Morearty and Roger Protzman JEO

In May, Roger Protzman has reported that septic tanks at residences along South 6<sup>th</sup> Street are too close (500' or less) to the desired well site. We will need to select another site or extend sewer to service to the residences along South 6<sup>th</sup> street. I've instructed Roger to hold off on filing the site approval paperwork with DHHS until we've evaluated our options a little more. ***I had JEO prepare a map of existing registered wells, showing 1000' radius around each well to demonstrate potential future well site locations.***

**Well #3 Rehab:** We committed to this project early in 2014. Will resume once another water source is achieved.

**Niewohner Water Main Extension to Golf Course View:** Project Lead: Me

Mayor and I have had discussions with Jerry and his engineer regarding providing water to the Golf Course View Subdivision in March 2015 and had hoped to have a development agreement negotiated and available for the Council to act upon by the April 14, 2015 meeting. I attempted to contact Mr. Niewohner in April so that an agreement could be drafted regarding this potential water main extension to his development but did not receive a response. **It appears that Mr. Niewohner has decided to pursue other avenues to provide water to his subdivision.**

**Sewer Main Extensions and Manhole Construction – Fairview Street:** Project Lead: Joe Luettel

Rutjen's has been hired to perform the extension and manhole construction. Expected to occur this spring – Joe has not received notification from Rutjen's as to a specific date.

### **Library**

**Library Basement Project:** Complete

**Library Lawn and Sprinkler Project** Project Lead: ? Library Board/Staci Sandman

Project is budgeted for this year. Board has sought proposals/cost estimates for the project. Mayor Jarecki recommended reconstructing the sidewalks prior to the landscaping project. Currently being evaluated, may seek estimates from contractors soon.

### **Streets**

**8<sup>th</sup> and South Street Project:** Project Lead: Me

This is the top priority Street Project on the 1 year plan. ACES agreement to provide topography, bidding/negotiation, and construction phase engineering services approved and executed this month. ACES to pursue same contractor for Niewohner's Anderson Subdivision paving project and the City's project. **Two informal bids were received for the project as secondary bids to Niewohner's Anderson Subdivision project. Niewohner's selected Elkhorn Paving – it is recommended that the Council approve the City portion of the project and award to Elkhorn Paving at this meeting as well. Spring 2016 construction is expected and will be complete before the pool opens next year.**

**Potential Harrison Street Project:** Project Lead: Me; Key personnel at this time: Nathan Boone, JEO Consulting. It's been requested by a property owner that paving of Harrison Street be made a priority. The Mayor has approved to have JEO begin putting together the District Boundary and to prepare a preliminary project cost.

**UPDATE: JEO has created a preliminary district boundary map and the city has hired an abstractor to verify property ownership and legal descriptions of each property within the district. Nathan Boone and Steve Parr of JEO plan to meet with Administration the week of the 20<sup>th</sup> to discuss cost estimates and assessment options.**

Once these items are addressed, Brad with Ameritas will assist in preparation of Ordinances to create the

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Improvement Districts and a series of hearings will be held to allow for public input on the potential project. Ultimately, it will be up to abutting property owners to decide on the whether or not they want this initial paving project to occur. JEO is currently drafting the district boundaries. May have an ordinance drafted by the August meeting for Council consideration.

### **Parks/Rec**

**WiFi at Park/Campgrounds:** Inclusion of the Pool on the City's network allowed for an opportunity to install a WiFi internet access point for campground patrons. Patrons can now pay a user fee to receive internet access while staying at the campgrounds. **This is working very well, participation is steady and those using the WiFi have provided positive feedback.**

**Bushes:** Parks and Street staff have removed bushes at Fuller Park. This item was recommended as a safety issue by Burbach Aquatics and is on the Mayor's 2015 priority list. This reduces the City's liability as it provides clear lines-of-sight through the park.

**Sports Complex – Little League and Softball Fields:** Project Lead: Me, Dave Inman, Jim Bader  
Fields are in use and working very well.

Also – Have Mueller Sprinklers has installed sod between A/B Fields and Leon Nelson Memorial Field. Dave and his crew are keeping watered.

**Sports Complex – Tennis Courts:** Project Lead: Me, Parks Foreman  
Dustin Laurent has reviewed the tennis courts. He advises that we should either put a new asphalt over lay on or tear out the courts and start over. He thinks that starting over might be best as it appears that the base is not sufficient. He advised discussing project with an engineer. **Nothing new to report – will attempt to budget more capital improvement funds for the 2015-16 budget year.**

**Sports Complex – Shelter Roof:** Project Lead: Parks Foreman  
Picnic Shelter roof needs to be replaced.

### **Aquatic Center:**

The Pool opened on May 30th. Attendance continues to be strong.

### **General Administration / Other:**

JEO has provided a draft of the Fairview Street Drainage report for staff review. Preliminary indication is that a phased underground storm water system is recommended to be installed – potentially in conjunction with phased street replacement projects. A final report should be available for Planning Commission and Council review next month.

Devine provided reports for Building Permits for June 2015; 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.

## 9. **CONSIDER BILLS TO BE PAID**

- **CONSIDER MONTHLY BILLS REPORT**

Councilman Riedmiller made a motion to approve the monthly bills, except for the disputed Frontier charges, and only \$970.28 of the two Utility Service Co. bills; second by Porter. **Vote: Yeas; Riedmiller, Hoefler, Porter, Johnson. Nays; None.**

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### 10. CONSIDER EMPLOYEE EVALUATION FOR APPROVAL

Councilman Riedmiller made a motion to approve evaluation of Michael Mapel, including appropriate step raise, second by Johnson. **Vote: Yeas; Johnson, Riedmiller, Hoefler, Porter. Nays; None.**

### 11. OPEN PUBLIC HEARING TO CONSIDER APPLICATION OF ADMINISTRATIVE PLAT BY CASEY'S RETAIL COMPANY TO REPLAT LOTS 2, 3, AND 4, BLOCK 1, MANSFIELD'S FIRST ADDITION TO THE CITY OF ALBION, BOONE COUNTY, NEBRASKA

Mayor Jarecki opened the public hearing at 7:31 p.m. He sought input from the public. Clerk Devine presented a diagram showing the 3 individual lots owned by Casey's to be replatted into one lot to allow proper application of setbacks for some work they want to do. Devine reported that the Planning Commission reviewed the application and recommended approval. Jim Dickerson inquired if there would be any changes to the building. Galen Karas, construction supervisor for Casey's General Stores, stated they would add cooler space and extra parking. The Mayor sought further comment. Hearing none, he closed the public hearing at 7:34 p.m. Councilman Hoefler made a motion to approve application for Administrative Plat by Casey's Retail Company to Replat Lots 2, 3, and 4, Block 1 Mansfield's First Addition to the City of Albion, Boone County, Nebraska; second by Johnson. **Vote: Yeas; Riedmiller, Porter Hoefler, Johnson. Nays; None.**

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

Next Regular Meeting: August 11, 2015 7:30 p.m.

- Consider Resolution setting utility rates
- Consider Resolution approving annual Cost of Living Adjustment based upon the CPI rate
- Consider Airport Authority Request for Tax Authority Allocation for 2015-16

Budget Workshop: August 25, 2015 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 8, 2015 7:30 p.m.

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**13. ADJOURNMENT**

At 8:33 p.m. Council Member Porter made a motion to adjourn the meeting, second by Johnson. **Vote: Yeas; Hoefler, Porter, 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