

**MINUTES
ALBION CITY COUNCIL
REGULAR MEETING – PUBLIC HEARING
TUESDAY, SEPTEMBER 8, 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 September 8, 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, Police Officer Joe Predmore, Deputy City Clerk Sharon Ketteler, City Attorney Darren Wright, Jim Dickerson with the Albion News, Brad Slaughter, Larry Swerczek, and Amanda Reinhart. 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 AUGUST 25, 2015 CITY COUNCIL MEETING

Councilman Riedmiller made a motion to approve the minutes of the August 25, 2015 City Council meeting; second by Johnson. **Vote: Yeas; Johnson, Riedmiller, Porter, Hoefer. Nays; None.**

3. OPEN PUBLIC HEARING FOR 2015/2016 BUDGET ADOPTION

- **APPROVE RESOLUTION 115(15), 2015/2016 PROPERTY TAX REQUEST**
- **APPROVE AND ADOPT 2015/2016 BUDGET INCLUDING ADDITIONAL 1% INCREASE OF RESTRICTED FUNDS AUTHORITY**
- **APPROVE 2015-16 CAPITAL IMPROVEMENTS PLAN**

Mayor Jarecki opened the public hearing at 7:30 p.m. The Mayor sought input from the public. Hearing none, he closed the public hearing at 7:31 p.m.

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Councilman Riedmiller made a motion to introduce and approve Resolution 115(15) regarding the 2015-2016 property tax request, second by Johnson. **Vote: Yeas; Porter, Hoefler, Johnson, Riedmiller. Nays; None.**

Councilman Riedmiller made a motion to approve and adopt the 2015-2016 Budget including an additional 1% increase of the restricted funds authority and the 2015-2016 Capital Improvement Plan, second by Hoefler. **Vote: Yeas; Johnson, Hoefler, Riedmiller, Porter. Nays; None.**

4. OPEN PUBLIC HEARING TO CONSIDER APPLICATION FOR ADMINISTRATIVE PLAT OF LAURENCE E. AND LORI M. SWERCZEK TO REPLAT LOTS 5,6,7 AND 8, BLOCK 6, HAWKS ADDITION TO THE CITY OF ALBION, BOONE COUNTY, NEBRASKA

Mayor Jarecki opened the public hearing at 7:33 p.m. The Mayor sought input from the public. Hearing none, he closed the public hearing at 7:33 p.m. Clerk Devine reported the Planning Commission held a public hearing on September 1, 2015 regarding the Administrative Plat Application. Commission Members reviewed the application and recommended approval. Councilman Riedmiller made a motion to approve the application for Administrative Plat of Laurence E. and Lori M. Swerczek, second by Porter. **Vote: Yeas; Porter, Riedmiller, Hoefler, Johnson. Nays; None.**

5. OPEN PUBLIC HEARING TO CONSIDER ZONE CHANGE REQUEST OF LAURENCE E. AND LORI M. SWERCZEK TO CHANGE ZONING OF PROPERTY LEGALLY DESCRIBED AS LOTS 5,6,7 AND 8, BLOCK 6, HAWKS ADDITION TO THE CITY OF ALBION, BOONE COUNTY, NEBRASKA FROM (R-3) HIGH DENSITY RESIDENTIAL TO (I-1) LIGHT INDUSTRIAL

Mayor Jarecki opened the public hearing at 7:35 p.m. The Mayor sought input from the public. Hearing none, he closed the public hearing at 7:35 p.m. Clerk Devine reported the Planning Commission reviewed the zone change and recommended approval based on the property being adjacent to the same similar zoning district, not directly abutting any residentially zoned property, and it shouldn't change the style of traffic in the area. Devine also stated an ordinance to make this change will be addressed at the September 29, 2015 meeting. Councilman Johnson made a motion to approve the zone change request of Laurence E. and Lori M. Swerczek, second by Hoefler. **Vote: Yeas; Porter, Riedmiller, Hoefler, Johnson. Nays; None.**

6. **CONSIDER RESOLUTION 116(15) 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 provided the Council with a copy of the proposed Interlocal Agreement with the County of Boone. Devine stated the terms of the contract are the same as the previous year. Councilman Hoefler made a motion to introduce and approve Resolution 116(15), second by Riedmiller. **Vote: Yeas; Hoefler, Johnson, Porter, Riedmiller. Nays; None.**

7. **CONSIDER ORDINANCE 240(15) CREATING ALBION STREET IMPROVEMENT DISTRICT #2015-01**

Clerk Devine presented the Council with a draft of Ordinance 240(15) Creating Albion Street Improvement District. Councilman Johnson made a motion to introduce Ordinance 240(15). Clerk Devine read Ordinance 240(15) for the first time. Councilman Porter made a motion to Suspend the Rules, second by Riedmiller. **Vote: Yeas; Johnson, Hoefler, Riedmiller, Porter. Nays; None.** With the rules being suspended, Mayor Jarecki instructed Clerk Devine to read Ordinance 240(15) for the second and third time. Clerk Devine read Ordinance 240(15) by title for the second and third time. Following the third reading of Ordinance 240(15) Councilman Porter made a motion for Final Passage of Ordinance 240(15), second by Johnson. Councilman Hoefler called the question. Mayor Jarecki sought further comment. With no further comment Mayor Jarecki declared Ordinance 240(15) having been read by title three different times, the rules have been suspended, the question is “Shall Ordinance 240(15) finally pass?” **Vote: Yeas; Hoefler, Johnson, Riedmiller, Porter. Nays; None.**

8. **CONSIDER RESOLUTION 117(15) SETTING THE DATE OF HEARING OF SUFFICIENCY OF ANY OBJECTIONS WITH RESPECT TO THE CREATION OF ALBION STREET IMPROVEMENT DISTRICT #2015-01 FOR OCTOBER 13, 2015**

Clerk Devine noted this Resolution will formally set the sufficiency hearing date to determine whether or not the project will go forward. Devine stated the hearing will be held October 13, 2015 at 7:30 p.m. Councilman Johnson made a motion to introduce Resolution 117(15), second by Hoefer. **Vote: Yeas; Johnson, Riedmiller, Porter, Hoefer. Nays; None.**

9. **CITY ADMINISTRATOR REPORT**

Water/Sewer:

New Water Source: This project had been previously 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 6th 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 6th 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.

Update: Roger is currently reviewing one potential well location site. Will report back when have more information.

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

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 and seeking estimates/quotes from contractors.

Streets

8th and South Street Project: Project Lead: Me

This is the top priority Street Project on the 1 year plan. **Spring 2016 construction is expected and will be complete before the pool opens next year.**

Crack Sealing Program

Bader’s Highway has been completing work as part of the City’s annual street maintenance program. They have completed tarring on 35 blocks within street maintenance budget this year.

Parks/Rec

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 – has been included in the capital improvement funds for the 2015-16 budget year.**

Sports Complex – Shelter Roof: Project Lead: Parks Foreman

Project Complete.

Aquatic Center:

We are nearing the end of the first year of our two-year warranty period and are working on compiling warranty list for off season completion. Most notably, the paint coatings on the pool vessel walls are severely blistering. Also, warranty work to fix leaking sand filter unit is scheduled for September 10 and 11th. Majority of pool winterization work has been completed by Ron Morearty. He will be working on bathhouse winterization soon, and will complete the pool winterization once filter warranty work is completed.

General Administration / Other:

Devine provided reports for Building Permits for August 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. Devine stated the City is tracking to have their largest year of sales tax revenue.

10. CONSIDER BILLS FOR APPROVAL

Clerk Devine stated Utility Service Co. has finally billed correctly. They have also credited the City for the incorrect amount billed since October, 2014. Devine is still working on the disputed charges on the Frontier bill. Councilman Porter made a motion to pay bills as submitted, except the Frontier bill shall be authorized for the

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specified amount of \$121.53, second by Johnson. **Vote: Yeas; Porter, Hoefler, Johnson, Riedmiller. Nays; None.**

11. ITEMS TO BE PUT ON NEXT MEETING AGENDA

Special Meeting: September 29, 2015 7:00 a.m.

- To approve Fiscal Year End bills for payment

Next Regular Meeting: October 13, 2015 7:30 p.m.

12. ADJOURNMENT

At 8:03 p.m. Council Member Johnson made a motion to adjourn the meeting, second by Riedmiller. **Vote: Yeas; Johnson, Riedmiller, Porter, 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