

**MINUTES
ALBION CITY COUNCIL
REGULAR MEETING
TUESDAY, DECEMBER 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 December 8, 2015 in the Council Chambers. Present were Mayor James C. Jarecki, Council Members Walt Hoefer, Marcus Johnson, and Jim Riedmiller, and Jon Porter. Also present were City Administrator Andrew Devine, Billing Utility Clerk Amber Wynn, Deputy City Clerk Sharon Ketteler, Police Chief Brent Lipker, Water Commissioner Ron Morearty, Sewer Commissioner Joe Luettel, City Attorney Darren Wright, Jim Dickerson with the Albion News, Doug Koch, Dana Anderson, Morgan Anderson, Les Nienaber, R.R. "Doc" Holladay, Taylor Starman, and Grace Wuebbecke. 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 THE NOVEMBER 10, 2015 CITY COUNCIL MEETING FOR APPROVAL

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

4. ELECT COUNCIL PRESIDENT FOR ANNUAL TERM EFFECTIVE JANUARY 1, 2016 TO DECEMBER 31, 2016

Councilman Riedmiller made a motion to elect Jon Porter as Council President for 2016, second by Hoefer. **Vote: Yeas; Riedmiller, Johnson, Hoefer. Nays; None. Abstain; Porter.**

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5. CONSIDER MAYORAL APPOINTMENTS TO BE EFFECTIVE JANUARY 1, 2016

ADMINISTRATOR/CLERK/TREASURER	ANDREW DEVINE
DEPUTY CLERK	SHARON KETTELER
UTILITY CLERK	AMBER WYNN
WATER COMMISSIONER	RON MOREARTY
SEWER COMMISSIONER	JOE LUETTEL
STREET FOREMAN	JAMES BADER
STREET UTILITY	JOSEPH LANDAUER
CITY ATTORNEY	DARREN WRIGHT
BUILDING INSPECTOR	ROBERT WILSON
POLICE CHIEF	BRENT LIPKER
POLICE OFFICER	JOE PREDMORE
POLICE OFFICER	MIKE MAPEL
STREET SUPERINTENDENT	BOONE COUNTY ROADS SUPERINTENDENT BY INTERLOCAL AGREEMENT
FIRE CHIEF	BRUCE BENNE
POOL MANAGER	MICHELLE DEVINE
CITY PHYSICIAN/MEDICAL OFFICER	DR. ANTHONY KUSEK
CITY ENGINEER	RESERVE RIGHT TO USE SPECIAL PROJECTS ENGINEER AS NEEDED

Councilman Riedmiller made a motion to confirm Mayoral Appointments as presented, second by Hoefler. **Vote: Yeas; Hoefler, Riedmiller, Johnson, Porter. Nays; None.**

6. CONSIDER REQUEST OF DOC HOLLADAY TO ADDRESS SOLID WASTE PICKUP SCHEDULE

Richard “Doc” Holladay explained his request for the later trash pick-up time to avoid disturbing his guests at the Dunes Motel. Les Nienaber of Bud’s Sanitary Services acknowledged their agreement not to pick up trash in that area prior to 7:30 a.m.

No action taken.

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7. **CONSIDER CLAIM OF R.R. HOLLADAY, DUNES MOTEL TO INDEMNIFY GUESTS BOBBY DIXON, DAVID TANKERSLEY, MATT BOSTICK, BRAD BOSTICK, COLLIN HOLT, BRITT BOSTICK, TROY VAN DYKE, BUD SCHELMAS, TODD VAN DYKE, CONNER VAN DYKE, MONTE VAN DYKE, TERRY VAN DYKE, RICHARD BYLER, HUNTER BYLER, KYLE MCDANIEL, JOHN BYLER IN THE AMOUNT OF \$30.00 EACH AND A PAYMENT OF \$500.00 TO RICHARD & YUKO HOLLADAY FOR DAMAGE TO THE REPUTATION OF THE DUNES MOTEL AND OTHER OPERATIONAL/ADMINISTRATIVE DUTIES RESULTING FROM THE ABOVE GUESTS BEING AWOKEN BY THE CITY SOLID WASTE SERVICE AT 4:15 A.M. ON NOVEMBER 13, 2015**

Council Members reviewed the claim submitted by Richard “Doc” Holladay. Discussion ensued. Councilman Riedmiller made a motion to deny the claim of R.R. Holladay, Dunes Motel to indemnify guests Bobby Dixon, David Tankersley, Matt Bostick, Brad Bostick, Collin Holt, Britt Bostick, Troy Van Dyke, Bud Schelmas, Todd Van Dyke, Conner Van Dyke, Monte Van Dyke, Terry Van Dyke, Richard Byler, Hunter Byler, Kyle McDaniel, John Byler in the amount of \$30.00 each and a payment of \$500.00 to Richard & Yuko Holladay for damage to the reputation of the Dunes Motel and other operational/administrative duties resulting from the above guests being awoken by the City solid waste service at 4:15 a.m. on November 13, 2015; second by Porter. **Vote: Yeas; Riedmiller, Hoefler, Porter, Johnson. Nays; None.**

8. **CONSIDER RESOLUTION 118(15) AUTHORIZING RENEWAL APPLICATION FOR NEBRASKA DEPARTMENT OF ECONOMIC DEVELOPMENT CERTIFIED COMMUNITY**

Clerk Devine stated Doug Koch, executive director for Boone County Economic Development, is working to re-certify the City of Albion as an Economic Development Certified Community. Koch explained the Certification helps to enhance economic development opportunities for prospective businesses. Councilman Hoefler made a motion to introduce and approve Resolution 118(15), second by Johnson. **Vote: Yeas; Porter, Johnson, Riedmiller, Hoefler. Nays; None.**

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9. CONSIDER STATE STREET BUDGET REPORT FOR APPROVAL

Council Members reviewed the State Street Budget and Expenditure Report provided by Street Superintendent, Darrel Thorin, and Clerk Devine. Devine stated this year's budget includes funds carried over from 2014-2015 for work that didn't get done. Councilman Porter made a motion to approve Annual State Street Budget Report, second by Johnson. **Vote: Yeas; Porter, Riedmiller, Hoefler, Johnson. Nays; None.**

10. CONSIDER ADDENDUM #3 TO THE WATER TANK MAINTENANCE CONTRACT DATED AUGUST 12, 2003 BETWEEN THE CITY OF ALBION, NEBRASKA AND UTILITY SERVICE CO., INC.

City Attorney, Darren Wright, explained the latest revision made by Utility Service Co., Inc. of the Addendum to the Agreement. Wright stated the changes that removed some language have minimal effect on the substance of the contract. Councilman Hoefler made a motion to approve Addendum #3 to the Water Tank Maintenance Contract dated August 12, 2003 between the City of Albion, Nebraska and Utility Service Co., Inc.; second by Johnson. **Vote: Yeas; Hoefler, Porter, Riedmiller, Johnson. Nays; None.**

11. CITY ADMINISTRATOR REPORT

Water/Sewer:

Kav's Tire Property and Water Main Conflict:

It has been discovered that there is a 10" water main that runs under a portion of the Kav's tire building. This was discovered because he is interested in removing this part of his building and constructing a new addition in its place. I could not locate an easement for this water main in the property deed records. Ron Morearty is working on a plan to relocate the water main.

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 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. Roger is currently reviewing one potential well location site. Will report back when have more information. **Nothing new to report.**

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

Phase II – GIS Mapping of Water and Sewer System:

Project Lead: Mike Schultes, JEO Key Personnel: Ron Morearty and Joe Luettel

Kick off meeting to outline expectations and project timeline held on October 9, 2015.

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Library

Library Lawn and Sprinkler Project Project Lead: ? Library Board/Staci Sandman
Sidewalks reconstructed by **Boone County Concrete last month.**

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. Have received a quote for change order from Elkhorn to add curb project along South Street. There are a few options to consider including paving North half of South Street from 8th to West City Limits.

Ruby Street

To be re-bid this winter.

Fairview Storm Sewer Phase I

Kevin Kruse – JEO project lead – came to Albion October 5 to perform initial review of project area. Timeline is to bid out this winter for Spring/Summer 2016 Construction. The Design is about 30% complete and JEO has begun coordination with local utilities. Plan to have design complete for February bid.

Parks/Rec

Sports Complex – Tennis Courts: Project Lead: Dave Henke, JEO

This project has been included in the capital improvement funds for the 2015-16 budget year. Initial meeting held with Dave Henke of JEO on October 8, 2015 to review existing site and discuss options for construction. Surveying to be completed soon. Anticipate design complete for February bid.

Aquatic Center:

Warranty work to fix leaking sand filter unit is complete and pool winterization work has been completed by Ron Morearty. Other warranty work being addressed now or in Spring prior to opening. Paint contractor and paint manufacturer rep have reviewed. The pool has been blasted and will be repainted in the Spring.

General Administration / Other:

Public property east of North 5th Street, just south of Salebarn road. I have found records that the City purchased this property from Flobert Enterprises, Inc in 1974 and am satisfied that this is City owned property. I am in the process of sending courtesy notices to those who have placed personal property upon this property requesting that they remove such property and that the City will continue to allow temporary (no more than 48 hour) parking in this area as a public convenience.

2014-2015 Annual audit by AMGL, CPA's is complete and we will schedule a review with them for the February meeting.

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.

12. CONSIDER MONTHLY BILLS FOR APPROVAL

Councilman Hoefer made a motion to approve the monthly bills report for payment, second by Johnson. **Vote: Yeas; Johnson, Hoefer, Porter, Riedmiller. Nays; None.**

13. CONSIDER ANNUAL EMPLOYEE EVALUATION FOR APPROVAL

Councilman Riedmiller made a motion to approve employee evaluation and appropriate step raise for Sharon Ketteler, second by Johnson. **Vote: Yeas; Porter, Riedmiller, Johnson, Hoefer. Nays; None.**

14. CONSIDER ORDINANCE 243(15) AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF ALBION

Clerk Devine stated the Ordinance is needed to amend the zoning map due to the approved zone change last month of Janet Lawson's property. Councilman Hoefer made a motion to introduce Ordinance 243(15). Clerk Devine read Ordinance 243(15) for the first time. Councilman Porter made a motion to Suspend the Rules, second by Riedmiller. **Vote: Yeas; Johnson, Riedmiller, Porter, Hoefer. Nays; None.** With the rules being suspended, Mayor Jarecki instructed Clerk Devine to read Ordinance 243(15) for the second and third time. Clerk Devine read Ordinance 243(15) by title for the second and third time. Following the third reading of Ordinance 243(15) Councilman Johnson made a motion for Final Passage of Ordinance 243(15), second by Riedmiller. Councilman Hoefer called the question. Mayor Jarecki declared Ordinance 243(15) having been read by title three different times, the rules have been suspended, the question is "Shall Ordinance 243(15) finally pass?" **Vote: Yeas; Hoefer, Riedmiller, Johnson, Porter. Nays; None.**

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15. ITEMS TO BE PUT ON NEXT MEETING AGENDA

- Next Regular Meeting: January 12, 2016 7:30 p.m.
- Preliminary Review of 1 & 6 Year Street Improvement Plan
- Report from Mayors Annual Department Meeting
- Review of 2015 Planning Commission and City Council Annual Activity Reports
- Project Items Prior to Bid Letting
- Resolution: Half-Cent Sales Tax

16. ADJOURNMENT

At 8:03 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