

**MINUTES
ALBION CITY COUNCIL
REGULAR MEETING – PUBLIC HEARING
TUESDAY, FEBRUARY 9, 2016**

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 February 9, 2016 in the Council Chambers. Present were Mayor James C. Jarecki, Council Members Jim Riedmiller, Jon Porter, 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, Police Chief Brent Lipker, City Attorney Darren Wright, Jim Dickerson with the Albion News, Kris Wright, Travis Kohlrus, Sara Meder, Elizabeth Jaeger, Michael Hoback, Darrell Thorin, and Kevin Kruse. 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. OPEN PUBLIC HEARING FOR THE CITY OF ALBION 2016 ONE & SIX YEAR STREET IMPROVEMENT PLAN

Mayor Jarecki opened the public hearing at 7:32 p.m. The Mayor sought public input. Clerk Devine explained the proposed street improvement plan. The Mayor sought further comment. None at this time.

3. CONSIDER MINUTES OF JANUARY 12, 2016 CITY COUNCIL MEETING FOR APPROVAL

Councilman Johnson made a motion to approve the minutes of the January 12, 2016 City Council meeting, second by Hoefler. **Vote: Yeas; Porter, Johnson, Riedmiller, Hoefler. Nays; None.**

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4. REVIEW ANNUAL AUDIT REPORT FOR FISCAL YEAR ENDED SEPTEMBER 30, 2015 – AMGL, CPAS

Michael Hoback of AMGL stated a clean opinion regarding the City's annual audit report. Mr. Hoback provided an overview of the audit document; and also distributed a benchmarking sheet comparing Albion's financial statistics against statewide benchmarks. Mr. Hoback expressed that Albion measures up very well and is in a good financial position, with good cash reserves. **No action taken.**

5. OPEN PUBLIC HEARING REGARDING RATE INCREASE PLAN OF EAGLE COMMUNICATIONS, INC

Mayor Jarecki opened the public hearing at 7:56 p.m. The Mayor sought public input. Sara Meder of Eagle Communications explained their rate increase and presented a handout to help provide additional information. Jim Dickerson inquired about the dispute with KLKN TV. Sara stated the situation with two local affiliates per market area was a unique one where they would need to ask the customer to pay for two ABC stations. They were unable to come to an agreement with KLKN TV within the available time frame. The Mayor sought further comment. Hearing none he closed the public hearing at 8:05 p.m. **No action taken.**

6. OPEN PUBLIC HEARING TO CONSIDER RECOMMENDATION TO THE NEBRASKA LIQUOR CONTROL COMMISSION REGARDING THE CLASS D LICENSE APPLICATION OF SHOPKO STORES OPERATING CO., LLC, DBA SHOPKO HOMETOWN #520, 2585 STATE HIGHWAY 14, ALBION, NE

Mayor Jarecki opened the public hearing at 8:05 p.m. The Mayor sought public input. Clerk Devine reviewed the Class D Liquor License application with the Council. The Mayor sought further comment. Hearing none he closed the public hearing at 8:06 p.m. Councilman Hoefler made a motion to recommend approval of Shopko Hometown #520 Application #D 115887 for Class D Liquor License, second by Johnson. **Vote: Yeas; Riedmiller, Hoefler, Porter, Johnson. Nays; None.**

7. **REVIEW WATER AND STORM SEWER INFRASTRUCTURE ISSUES AT 400 W MARKET STREET AND CONSIDER OPTIONS FOR RESOLUTION**

Clerk Devine stated he tentatively approved the building permit for this property. Location of the existing utilities will be necessary before demolition begins, however, due to weather conditions locating has not been possible. An easement agreement will have to be made between the City and the property owner for all known existing utilities which run underneath it. Discussion ensued. **No action taken.**

8. **CONSIDER PLANS AND SPECIFICATIONS FOR ALBION SPORTS COMPLEX MULTIPURPOSE COURT IMPROVEMENT PROJECT AND TO AUTHORIZE ADVERTISEMENT FOR BIDS**

Clerk Devine presented plans and reviewed them with the Council. The new court would be located in the same spot as the existing court, with the same square footage. The existing fence would be removed and replaced with new. Discussion ensued. Councilman Porter made a motion to approve plans and specs for the Albion Sports Complex Multipurpose Court Improvement project and authorizing for advertising for bids, second by Riedmiller. **Vote: Yeas; Johnson, Riedmiller, Porter, Hoefler. Nays; None.**

9. **CONSIDER PLANS AND SPECIFICATIONS FOR FAIRVIEW STREET DRAINAGE PROJECT – PHASE I AND TO AUTHORIZE ADVERTISEMENT FOR BIDS**

Kevin Kruse of JEO reviewed the storm sewer improvement project with Council Members. Discussion ensued. Kruse stated that both the Fairview Street drainage project and the Ruby Street improvement project will be bid at the same time. They may be bid separately, or together. Councilman Hoefler made a motion to approve plans and specs for the Fairview Street Drainage Improvement Project, Phase I and authorizing for advertising for bids; second by Johnson. **Vote: Yeas; Hoefler, Johnson, Riedmiller, Porter. Nays; None.**

10. **CONSIDER RESOLUTION 102(16) RENEWING LOCAL SALES AND USE TAX**

Clerk Devine stated the County Clerk reviewed the Resolution. She requested a title heading be added before the question itself. Council Members reviewed the Resolution and the proposed use of the half cent sales tax. Councilman Riedmiller made a motion to introduce and approve Resolution 102(16) Renewing Local Sales and Use Tax, second by Johnson. **Vote: Yeas; Riedmiller, Porter, Hoefler, Johnson. Nays; None.**

11. **CONSIDER RESOLUTION 103(16) DECLARING SURPLUS PERSONAL PROPERTY OF THE CITY OF ALBION, NEBRASKA AND AUTHORIZING THE SALE THEREOF**

Inventory of surplus property was not yet available. Councilman Porter made a motion to table until next month, second by Johnson. **Vote: Yeas; Porter, Hoefler, Johnson, Riedmiller. Nays; None.**

12. **CONSIDER RESOLUTION 104(16) APPROVING AN INTERLOCAL COOPERATION AGREEMENT WITH BOONE COUNTY FOR CONSTRUCTION OF PHASE I FAIRVIEW STREET DRAINAGE IMPROVEMENT PROJECT**

Clerk Devine stated this is an agreement with the County to share the cost of the Fairview improvement project 50/50; and once complete maintenance would become the County's responsibility. The Resolution was reviewed by both the City and the County attorney's. Councilman Hoefler made a motion to introduce and approve Resolution 104(16) Approving an Interlocal Cooperation Agreement with Boone County for Construction of Phase I Fairview Street Drainage Improvement Project, second by Johnson. **Vote: Yeas; Porter, Johnson, Hoefler, Riedmiller. Nays; None.**

13. **REVIEW ANNUAL REPORT FOR THE ALBION HOUSING AUTHORITY**

Council Members reviewed the Annual Report submitted by Tracy Lipker, Executive Director of Albion Housing Authority. **No action taken.**

14. **CITY ADMINISTRATOR REPORT**

Council Members reviewed the City Administrator Report provided by Clerk Devine. Devine also 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. **No action taken.**

15. **CONSIDER EMPLOYEE EVALUATIONS FOR APPROVAL**

Councilman Riedmiller made a motion to approve employee evaluations and any recommended step raises for Joe Landauer, Joe Luettel, and Amber Wynn; second by Porter. **Vote: Yeas; Porter, Hoefler, Johnson, Riedmiller. Nays; None.**

16. **CONSIDER BILLS FOR APPROVAL**

• **CONSIDER MONTHLY BILLS FOR APPROVAL**

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

17. CONSIDER RESOLUTION 105(16) ADOPTING CITY OF ALBION 2016 ONE & SIX YEAR PLAN FOR APPROVAL

At 8:48 p.m. Mayor Jarecki sought additional public input. Hearing none, the Mayor closed the public hearing at 8:48 p.m. Councilman Hoefler made a motion to introduce and approve Resolution 105(16) Adopting City of Albion 2016 One & Six Year Plan for Approval, second by Johnson. **Vote: Yeas; Hoefler, Porter, Riedmiller, Johnson. Nays; None.**

18. ITEMS TO BE PUT ON NEXT MEETING AGENDA

- Next Regular Meeting will be March 8, 2016, 7:30 p.m.
- Eagle Communication Rate Increase Hearing #2- Public Testimony.
- 2016 Lawn Care Bids.
- 2016 Annual Utilities Dept. Report.
- Ordinances 244(16) and 245(16) amending City Code regarding Public Utilities (update entire chapter) and Business Regulations (add provision for verifying Public Utilities unharmed on underground ROW installations).
- Resolutions making required updates of references to the proposed City Code changes in regards to Utility Service Deposits, Fees for Re-connection of Utilities, and other Fee's including water and sewer tap fees.
- Various Temporary Street Closure Requests for Community Events.
- Vacation request for a Portion of Fuller Street between 7th and 8th Streets.
- Resolution 103(16) Surplus Property
- Administrator Report
- Approve Bills

19. ADJOURNMENT

At 9:15 p.m. Council Member Hoefler made a motion to adjourn the meeting,

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second by Johnson. **Vote: Yeas; Riedmiller, Johnson, Hofer, Porter. 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