

**MINUTES
ALBION CITY COUNCIL
REGULAR MEETING
TUESDAY, APRIL 12, 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 April 12, 2016 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, Billing Utility Clerk Amber Wynn, Deputy City Clerk Sharon Ketteler, Police Chief Brent Lipker, City Attorney Darren Wright, Jim Dickerson with the Albion News, and Larry Bird. 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 MARCH 8, 2016 CITY COUNCIL MEETING FOR APPROVAL

Councilman Riedmiller made a motion to approve the minutes of the March 8, 2016 City Council meeting, second by Johnson. **Vote: Yeas; Riedmiller, Hoefer, Porter, Johnson. Nays; None.**

3. CONSIDER RIGHT OF WAY PERMIT APPLICATIONS AND/OR RENEWALS FOR APPROVAL

- **EAGLE COMMUNICATIONS**
- **GREAT PLAINS COMMUNICATIONS**
- **FRONTIER COMMUNICATIONS**

Councilman Riedmiller made a motion to approve Right-of-Way renewal applications of Great Plains, Eagle Communication, and Frontier once all requirements are met; second by Johnson. **Vote: Yeas; Porter, Riedmiller, Johnson, Hoefer. Nays; None.**

4. **CONSIDER MANAGER APPLICATION OF CATHERINE KEELER FOR CHRISTO’S PUB UNDER LICENSE #1-106667**

Council Members reviewed the application. Councilman Porter made a motion to approve manager application of Catherine Keeler for Christo’s Pub under License #1-106667, second by Hoefer. **Vote: Yeas; Porter, Hoefer, Riedmiller, Johnson. Nays; None.**

5. **CONSIDER 2016 SPORTS COMPLEX CONCESSION STAND CONTRACT FOR AWARD**

Clerk Devine contacted Tom Sullivan about running the concession stand again this year and his family is interested. Councilman Johnson made a motion to approve Tom Sullivan for the 2016 Sports Complex Concession Stand Operating Agreement, second by Porter. **Vote: Yeas; Riedmiller, Johnson, Porter, Hoefer. Nays; None.**

6. **CONSIDER NOTICE OF AWARD OF CONTRACT WITH NEGOTIATED TERMS FOR ALBION MULTIPURPOSE COURT PROJECT**

Clerk Devine stated JEO negotiated with Nemaha to get the cost of the project reduced, however, with a few changes the project cost was still over the budgeted amount. With the high bid and the completion date being moved to June 1, 2017; Clerk Devine recommended rebidding the project. Councilman Porter suggested adjusting the scope of work. Discussion ensued. Councilman Hoefer made a motion to rebid the Albion Multipurpose Court Project as is, second by Porter. **Vote: Yeas; Hoefer, Riedmiller, Johnson, Porter. Nays; None.**

7. **CONSIDER ORDINANCE 244(16) AMENDING CITY CODE CHAPTER 6: PUBLIC UTILITIES**

Clerk Devine presented Council with draft for City Code book that he and City Attorney Wright had reviewed. Devine would like to review with staff and check on statutory references before making the final draft of the chapter. He will then present it in ordinance form. Councilman Riedmiller made a motion to table until the next meeting, second by Porter. **Vote: Yeas; Hoefer, Johnson, Porter, Riedmiller. Nays; None.**

8. **CONSIDER RESOLUTION 106(16) ESTABLISHING UTILITY SERVICE DEPOSIT AMOUNTS**

Councilman Porter made a motion to table Resolution 106(16) until Ordinance 244(16) is approved, second by Johnson. **Vote: Yeas; Porter, Johnson, Riedmiller, Hoefer. Nays; None.**

9. **CONSIDER RESOLUTION 107(16) ESTABLISHING FEES FOR ADDITIONAL HOOK-UP NECESSARY TO AGAIN PROVIDE WATER SERVICE TO DELINQUENT CUSTOMERS**

Councilman Johnson made a motion to table Resolution 107(16) until Ordinance 244(16) is approved, second by Porter. **Vote: Yeas; Johnson, Porter, Riedmiller, Hoefer. Nays; None.**

10. **CONSIDER RESOLUTION 110(16) APPROVING AN INTERLOCAL AGREEMENT WITH THE BOONE COUNTY HEALTH CENTER FOR PUBLIC PARKING IMPROVEMENTS FOR FULLER PARK, THE ALBION FAMILY AQUATIC CENTER, AND THE BOONE COUNTY HEALTH CENTER**

Clerk Devine presented the Council with a draft of the Resolution. Devine noted this Resolution would replace Resolution 110(14) as the County requested the agreement be between the City and the Boone County Health Center Board of Trustees. Councilman Porter made a motion to introduce Resolution 110(16) Approving an Interlocal Agreement with the Boone County Health Center for Public Parking Improvements for Fuller Park, the Albion Family Aquatic Center, and the Boone County Health Center; second by Riedmiller. **Vote: Yeas; Riedmiller, Hoefer, Johnson, Porter. Nays; None.**

11. **CONSIDER AUTHORIZING MAYOR OR CITY ADMINISTRATOR TO APPROVE WORK ORDER DIRECTIVES UP TO \$3,500.00 FOR THE FAIRVIEW STORM SEWER IMPROVEMENT PHASE I AND RUBY STREET IMPROVEMENT PROJECTS**

Clerk Devine explained B-D Construction's request so minimal changes could be made with the Mayor and Administrators approval, which would avoid delaying work. Devine stated he would email the Council if a change order would take place, and formal Council approval would be addressed at the following City Council meeting. Councilman Hoefer made a motion to authorize the Mayor and City Administrator to approve work order directives up to \$3,500.00 for the Fairview Storm Sewer Improvement Phase I and Ruby Street Improvement Projects; second by Johnson. **Vote: Yeas; Johnson, Porter, Riedmiller, Hoefer. Nays; None.**

12. CONSIDER AGREEMENT WITH MID-STATE ENGINEERING

- a) For materials testing for the Fairview Storm Sewer Phase I and Ruby Street Improvement Projects.

Clerk Devine provided the proposed agreement, which was itemized in detail of their expected scope of work and the estimated cost of each item, and reviewed with the Council. The estimated cost for Ruby Street Paving is \$3,049; and the estimated cost for the Fairview Storm Sewer project is \$4,477.

Councilman Porter made a motion to approve agreement with Mid-State Engineering for materials testing for the Fairview Storm Sewer Phase I and Ruby Street Improvement Projects, second by Hoefer. **Vote: Yeas; Riedmiller, Johnson, Porter, Hoefer. Nays; None.**

- b) For geotechnical evaluation of existing pavement and subgrade conditions of Church Street in preparation for JEO design work.

Council Members reviewed the proposed agreement of the field evaluation needed prior to the design work done for Church Street (from US Highway 91 to Second Street). The cost estimate is \$1,670 to \$1,770. The total would not exceed \$1,770 unless additional work is authorized by the City.

Councilman Porter made a motion to approve agreement with Mid-State Engineering for geotechnical evaluation of existing pavement and subgrade conditions of Church Street in preparation for JEO design work, second by Hoefer. **Vote: Yeas; Riedmiller, Johnson, Porter, Hoefer. Nays; None.**

13. CONSIDER ENGINEERING AGREEMENT WITH JEO CONSULTING FOR DESIGN, BIDDING, NEGOTIATION, AND CONSTRUCTION SERVICES FOR THE CHURCH STREET PROJECT

Clerk Devine provided a copy of the agreement for Council Members to review. There was concern in the proposed schedule that the bidding period would not be sufficient. Discussion ensued. Devine suggested it would be best to approve the final plans by the December meeting. Councilman Hoefer made a motion to approve Engineering Agreement with JEO Consulting for design, bidding, negotiation, and construction services for the Church Street project; second by Porter. **Vote: Yeas; Riedmiller, Hoefer, Johnson, Porter. Nays; None.**

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14. CONSIDER EMPLOYEE EVALUATION FOR APPROVAL

Councilman Riedmiller made a motion to approve annual evaluation of Jim Bader, second by Porter. **Vote: Yeas; Johnson, Porter, Riedmiller, Hoefer. Nays; None.**

15. CITY ADMINISTRATOR REPORT

Council Members reviewed the City Administrator Report provided by Clerk Devine. Devine commented that work might begin on the 8th and South Street project as early as this Friday.

Mayor Jarecki updated the Council on the landscaping project at the Library.

Devine thanked Larry Bird for volunteering to trim trees at the Sports Complex. Bird would also like to volunteer his time by helping to identify properties that are potentially harboring a nesting habitat for mosquitos. Bird spoke of his concern regarding the Zika virus which is carried by mosquitos.

Clerk Devine presented an illustration showing what the proposed renewal for the half cent sales tax would be used for, and what the estimated impact would be to the City's property owners. This information will be included as an insert to the Albion Newspaper. Jim Dickerson questioned whether groups could campaign for the vote. Devine explained that people may campaign as individuals, but not as a representative of the City.

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.**

16. CONSIDER BILLS FOR APPROVAL

• **CONSIDER MONTHLY BILLS FOR APPROVAL**

Councilman Johnson made a motion to approve the monthly bills for payment except for the bill from Speed Drain for sewer locating services, second by Riedmiller. **Vote: Yeas; Johnson, Porter, Riedmiller, Hoefer. Nays; None.**

Councilman Johnson made a motion to approve the bill from Speed Drain for sewer locating services for payment, second by Hoefer. **Vote: Yeas; Johnson, Hoefer, Riedmiller. Nays; None. Abstain; Porter.**

17. ITEMS TO BE PUT ON NEXT MEETING AGENDA

- Next Regular Meeting will be May 10, 2016 at 7:30 p.m.
- Approval of Downtown Revitalization Planning Grant Application

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- DED staff to address the Mayor and Council regarding Economic Development Re-certification
- Application hearing for Dana and Karen Andersen
- Resolution for Mutual Law Enforcement Jurisdiction
- Nuisance Abatement Program Report
- Annual Identity Theft Program Report
- Ordinance 244(16)
- Resolution 106(16)
- Resolution 107(16)
- Employee Evaluation
- Administrator Report
- Approve Bills

18. ADJOURNMENT

At 8:58 p.m. Council Member Hoefer made a motion to adjourn the meeting, second by Johnson. **Vote: Yeas; Hoefer, Riedmiller, Johnson, 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