

**MINUTES
ALBION CITY COUNCIL
REGULAR MEETING
TUESDAY, OCTOBER 11, 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 October 11, 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, Deputy City Clerk Sharon Ketteler, City Attorney Darren Wright, Doug Koch, Ed Knott, Andy Roberts, Tony Levander, Jerry Tisthammer, Jessica Fauss, Austin Bader, Cheyenne Mangus, Alexa Nelson, Sara Stapleman, 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.

MAYOR'S COMMENTS

Mayor Jarecki announced the retirement of Bob Wilson as City of Albion Building Inspector, and thanked him for his 18 years of service.

2. CONSIDER MINUTES OF SEPTEMBER 29, 2016 CITY COUNCIL MEETING FOR APPROVAL

Councilman Riedmiller made a motion to approve the minutes of the September 29, 2016 City Council meeting, second by Hoefler. **Vote: Yeas; Porter, Hoefler, Riedmiller, Johnson. Nays; None.**

3. CONSIDER AEDC SALES TAX FUNDS RELEASE REQUEST

Clerk Devine stated the Citizen's Advisory Committee met earlier in the evening to review the previous and current requests, and the use of funds. After a lengthy discussion they recommended approval of the release of funds request. Andy Roberts spoke on behalf of the Albion Economic Development Company. Roberts explained the \$425,000 matching fund grant AEDC is applying for; as well as the planned use of funds which includes: Funding for Downtown Revitalization - \$200,000; 2nd Story Living Assistance Program - \$20,000; Childcare Assistance Program - \$5,000; GAP (Business Loan) Financing Program - \$20,000; and TIF Legal Council Preparation - \$5,000. Councilman Riedmiller made a motion to approve the AEDC Sales Tax Funds release request, second by Johnson. **Vote: Yeas; Johnson, Porter, Hoefler, Riedmiller. Nays; None.**

4. **CONSIDER REQUEST OF ALBION CHAMBER OF COMMERCE TO TEMPORARILY CLOSE DOWNTOWN STREETS ON DECEMBER 1, 2016 FROM 5:30 PM TO 7 PM FOR A HOLIDAY PARADE**

Clerk Devine stated the event route is the same as last year. Councilman Riedmiller made a motion to approve the request of Albion Chamber of Commerce to temporarily close downtown streets on December 1, 2016 from 5:30 p.m. to 7:00 p.m. for a holiday parade, second by Hoefer. **Vote: Yeas; Johnson, Porter, Hoefer, Riedmiller. Nays; None.**

5. **OPEN PUBLIC HEARING TO CONSIDER APPLICATION #2016-03 FOR ADMINISTRATIVE PLAT BY JERRY AND BARB TISTHAMMER TO REPLAT LOT 2, BLOCK 1, JOHNSON FIRST ADDITION AND LOT 2, BLOCK 1, JOHNSON-OATES FIRST ADDITION, CITY OF ALBION, BOONE COUNTY, NEBRASKA, MORE COMMONLY KNOWN AS 1035 S 3RD STREET, ALBION, NEBRASKA**

Mayor Jarecki opened the public hearing at 7:46 p.m. The Mayor sought public input. Jerry Tisthammer explained they would like to combine the lot their house is on and the adjoining lot behind them that they also own. The Mayor sought further comment. Hearing none, Mayor Jarecki closed the public hearing at 7:47 p.m. Councilman Hoefer questioned if it was a grass alley behind their lots. Tisthammer replied that it was. Clerk Devine stated the Planning Commission reviewed the application and recommended approval. Councilman Johnson made a motion to approve application 2016-03 of Jerry and Barb Tisthammer, second by Porter. **Vote: Yeas; Johnson, Hoefer, Riedmiller, Porter. Nays; None.**

6. **OPEN PUBLIC HEARING TO CONSIDER RECOMMENDING AMENDMENTS TO THE COMPREHENSIVE PLAN AND ZONING REGULATIONS OF THE CITY OF ALBION**

Mayor Jarecki opened the public hearing at 7:49 p.m. The Mayor sought public input. Jim Dickerson questioned if there were any new streets on the Future Street Reservation Plan. Clerk Devine stated that 5th, 12th, and Harrison Streets were all new extensions of reservations proposed by the Planning Commission. Devine noted the initial review and amendment to the plan was to remove a portion of South Street between 2nd and 3rd Streets to allow for development of a previously approved replat

MINUTES – ALBION CITY COUNCIL – REGULAR MEETING OCTOBER 11, 2016

application. Through that process the other reservations were identified and recommended. The Mayor sought further comment. Hearing none he closed the public hearing at 7:51 p.m.

- **CONSIDER RESOLUTION #123(16) APPROVING SPECIFIC AMENDMENTS TO THE COMPREHENSIVE PLAN OF THE CITY OF ALBION**

Councilman Porter made a motion to introduce and approve Resolution 123(16) Approving and Adopting Amendments to the City of Albion, Nebraska Comprehensive Plan; second by Johnson. **Vote: Yeas; Hoefler, Porter, Johnson, Riedmiller. Nays; None.**

- **CONSIDER ORDINANCE 249(16)**

Councilman Johnson made a motion to introduce Ordinance 249(16), second by Porter. Mayor Jarecki instructed Clerk Devine to read Ordinance 249(16) for the first time. Councilman Porter made a motion to suspend the rules, second by Johnson. **Vote: Yeas; Porter, Johnson, Hoefler, Riedmiller. Nays; None.** With the rules being suspended, Mayor Jarecki instructed Clerk Devine to read Ordinance 249(16) by title for the second and third time. Clerk Devine noted an error in the title of Ordinance 249(16), stating it should read, “An Ordinance of the City of Albion, Boone County, Nebraska, to Amend §9-302 of the Albion City Code Amending the Official Zoning Map of the City of Albion”. Following the second and third reading of the amended title, Councilman Porter made a motion for final passage of Ordinance 249(16), as read with corrections by Clerk Devine; second by Johnson. Councilman Hoefler called the question. Mayor Jarecki sought further comment. With no further comment Mayor Jarecki declared Ordinance 249(16) having been read by title three different times, the rules have been suspended, the question is “Shall Ordinance 249(16) finally pass?” **Vote: Yeas; Hoefler, Johnson, Riedmiller, Porter. Nays; None.**

7. **CONSIDER RESOLUTION 124(16) APPROVING THE SALE AND CONVEYANCE OF PERSONAL PROPERTY TO ANOTHER PUBLIC AGENCY**

Clerk Devine stated the sale would be Albion Fire Department’s SCBA fill station to the Spalding Fire Department for \$5,100. Councilman Hoefer made a motion to introduce and approve Resolution 124(16) Approving the Sale and Conveyance of Personal Property to Another Public Agency, second by Johnson. **Vote: Yeas; Porter, Hoefer, Riedmiller, Johnson. Nays; None.**

8. **CONSIDER RESOLUTION 125(16) APPROVING THE SALE AND CONVEYANCE OF PERSONAL PROPERTY TO ANOTHER PUBLIC AGENCY**

Clerk Devine stated the Cedar Rapids Fire Department did not approve the purchase of the Albion Fire Department’s SCBA air tanks. Council Members discussed allowing the Fire Chief to sell the air tanks to a future interested public agency. Councilman Riedmiller made a motion to introduce and approve Resolution 125(16) as amended to reflect that the Fire Chief has the authority to sell the four air tanks to another public agency at terms that he determines equitable, second by Porter. **Vote: Yeas; Riedmiller, Johnson, Porter, Hoefer. Nays; None.**

9. **CONSIDER RESOLUTION 126(16) DECLARING SURPLUS PROPERTY AND AUTHORIZING THE SALE OF THE SAME**

Clerk Devine stated the Albion Rural Fire Department is purchasing a new tanker truck and has authorized the City to sell the 1990 Fire Truck. The sealed bid opening would take place November 30, 2016; and the proceeds of the sale would be divided evenly between the City and Rural Fire Departments. Councilman Porter made a motion to introduce and approve Resolution 126(16) Declaring Surplus Property and Authorizing the Sale of the Same, second by Johnson. **Vote: Yeas; Riedmiller, Porter, Johnson, Hoefer. Nays; None.**

10. **CONSIDER MAYORAL APPOINTMENT OF BRAD WARNER AS CITY OF ALBION BUILDING INSPECTOR/DEPUTY CODE OFFICIAL**

Councilman Hoefer made a motion to approve Mayoral appointment of Brad Warner as the City of Albion Building Inspector/Deputy Code Official, second by Riedmiller. **Vote: Yeas; Johnson, Hoefer, Riedmiller, Porter. Nays; None.**

11. **CITY ADMINISTRATOR REPORT**

Clerk Devine provided a City Administrator Report for Council Members to review. Devine encouraged Council Members to respond to a survey mailing by Black Hills Energy noting that positive comments on the Choice Gas Program might help to ensure its continuance. Devine also provided reports on the current month Sales Tax showing the monthly trend of sales tax receipts, the Albion Family Aquatic Center financial performance report, and an unaudited Treasurer's Report/Budget Performance Report for the fiscal year. **No action taken.**

12. **CONSIDER BILLS FOR APPROVAL**

- **CONSIDER MONTHLY BILLS FOR APPROVAL**

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

13. **ITEMS TO BE PUT ON NEXT MEETING AGENDA**

- Next Regular Meeting – November 8, 2016
- Annexation Ordinances

14. **ADJOURN**

At 8:10 p.m. Council Member Riedmiller moved for adjournment of the meeting, second by Johnson. **Vote: Yeas; Porter, Riedmiller, Johnson, Hoefer. Nays; None.**

MINUTES – ALBION CITY COUNCIL – REGULAR MEETING OCTOBER 11, 2016

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