

MINUTES
ALBION CITY COUNCIL
REGULAR MEETING – PUBLIC HEARING
TUESDAY, SEPTEMBER 12, 2017

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 12, 2017 at Albion City Hall, 420 West Market St., Albion, NE. Present were: Mayor James C. Jarecki, Council Members Marcus Johnson, Jon Porter, Walter Hoefler, and Jim Riedmiller. City staff present were: City Administrator Andrew Devine, Deputy City Clerk Sharon Ketteler, Water Commissioner Ron Morearty, Billing Utility Clerk Amber Wynn, and City Attorney Darren Wright. 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 informed the public about the location of the current copy of the Open Meetings Act posted in the Council Chambers. The Mayor commented the Budget Workshop was excellent and he thanked Mr. Devine, the Council, and Department Heads in assisting to prepare the 2017-2018 Budget. **No action taken.**

2. CONSIDER MINUTES OF AUGUST 22, 2017 CITY COUNCIL MEETING FOR APPROVAL

Councilman Porter made a motion to approve the minutes of the August 22, 2017 City Council meeting; second by Johnson. **Vote: Yeas; Johnson, Hoefler, Riedmiller, Porter. Nays; None.**

3. OPEN PUBLIC HEARING FOR 2017/2018 BUDGET ADOPTION

Mayor Jarecki opened the public hearing at 7:31 p.m. The Mayor sought public input. No testimony was received. The Mayor closed the public hearing at 7:32 p.m.

- Approve Resolution 115(17) 2017/2018 Property Tax Request

Councilman Hoefler made a motion to introduce and approve Resolution 115(17) 2017/2018 Property Tax Request, second by Riedmiller. **Vote: Yeas; Johnson, Hoefler, Riedmiller, Porter. Nays; None.**

- Approve and Adopt 2017/2018 Budget Including Additional 1% Increase of Restricted Funds Authority

Clerk Devine recommended approval of the Additional 1% Increase of Restricted Funds Authority and noted it doesn't change the amount of money that the City is budgeting, it just gives the opportunity to budget for more restricted funds in the future if needed. Councilman Porter made a motion to approve and adopt 2017/2018 Budget including Additional 1% increase of Restricted Funds Authority, second by Johnson. **Vote: Yeas; Riedmiller, Hoefer, Johnson, Porter. Nays; None.**

- Approve 2017-18 Capital Improvements Plan

Councilman Johnson made a motion to approve the 2017-18 Capital Improvement Plan, second by Porter. **Vote: Yeas; Johnson, Riedmiller, Porter, Hoefer. Nays; None.**

4. **CONSIDER RESOLUTION 116(17) FOR REIMBURSEMENT OF EXPENDITURES FOR PHASE TWO OF THE FAIRVIEW STREET STORM SEWER AND PAVING PROJECT**

Council Members reviewed the resolution. Clerk Devine stated the resolution is for the intent to issue future debt for this project. Brad Slaughter of Ameritas added that if the City spends money on the project before bonding it out, we can be reimbursed once the bonds are issued. Councilman Porter made a motion to introduce and approve Resolution 116(17) For Reimbursement of Expenditures for Phase Two of the Fairview Street Storm Sewer and Paving Project, second by Johnson. **Vote: Yeas; Riedmiller, Porter, Johnson, Hoefer. Nays; None.**

5. **CONSIDER RESOLUTION 117(17) FOR REIMBURSEMENT OF EXPENDITURES FOR INFRASTRUCTURE IMPROVEMENTS FOR THE SOUTH PARK SUBDIVISION PROJECT**

Council Members reviewed the resolution. Councilman Porter made a motion to introduce and approve Resolution 117(17) For Reimbursement of Expenditures for Infrastructure Improvements for the South Park Subdivision Project, second by Johnson. **Vote: Yeas; Porter, Riedmiller, Hoefer, Johnson. Nays; None.**

6. **CONSIDER RESOLUTION 118(17) AN INTERLOCAL AGREEMENT WITH THE COUNTY OF BOONE ALLOWING EXISTING BOONE COUNTY EMPLOYEE TO CONTRACT WITH THE CITY TO PROVIDE STREET SUPERINTENDENT SERVICES**

Council Members reviewed the agreement. Clerk Devine stated the Interlocal Agreement is the same as last year. Councilman Johnson made a motion to introduce and approve Resolution 118(17) An Interlocal Agreement with the County of Boone Allowing Existing Boone County Employee to Contract with the City to Provide Street Superintendent Services, second by Riedmiller. **Vote: Yeas; Porter, Johnson, Hoefler, Riedmiller. Nays; None.**

7. **CONSIDER SECOND READING, THIRD READING, AND FINAL PASSAGE OF ORDINANCE 261(17) RELATING TO A LEVY OF SPECIAL ASSESSMENT FOR THE UNPAID UTILITY BILL OF ASHLEY SCHEFFLER**

Mayor Jarecki instructed Clerk Devine to read Ordinance 261(17) by title for the second time. Councilman Porter made a motion to suspend the rules, second by Johnson. **Vote: Yeas; Porter, Johnson, Hoefler, Riedmiller. Nays; None.**

The Mayor instructed Devine to read the ordinance for the third time. Councilman Porter made a motion to approve second and third readings and final passage of Ordinance 261(17) Relating to a Levy of Special Assessment for the Unpaid Utility Bill of Ashley Scheffler, second by Johnson. **Vote: Yeas; Riedmiller, Hoefler, Johnson, Porter. Nays; None.**

8. **CONSIDER SECOND READING, THIRD READING, AND FINAL PASSAGE OF ORDINANCE 262(17) RELATING TO A LEVY OF SPECIAL ASSESSMENT FOR THE UNPAID UTILITY BILL OF ALBION SEWING CENTER (TENANT), MICHAEL W. OLSON (LANDLORD)**

Clerk Devine noted the bill had been paid. Councilman Porter made a motion to indefinitely postpone action on Ordinance 262(17), second by Riedmiller. **Vote: Yeas; Porter, Johnson, Hoefler, Riedmiller. Nays; None.**

9. **CONSIDER INTRODUCTION AND ACTION ON RESOLUTIONS 119(17) AND 120(17), AND ORDINANCE 263(17) TO REFUND SERIES 2012 AND SERIES 2013 GO SWIMMING POOL BONDS**

Brad Slaughter of Ameritas provided information on re-funding the Swimming Pool Bonds to save on interest. Slaughter explained the Series 2012 GO Bond is callable now; and the Series 2013 GO Bond is callable November, 2018. However, the

Series 2013 GO Bond could be locked in with the new interest rate now, and that amount of money put into an escrow account and used to pay off those bonds when they become callable. Slaughter reviewed the savings schedule with Council Members, stating the savings could range from \$170,000 - \$180,000 between both issues. Slaughter stated the resolutions give the Mayor and/or Clerk Devine legal authority to designate when the current bond holders will be paid off. Council Members agreed they would like the total savings among both bonds to be at least \$170,000 before going ahead with the re-funding.

Councilman Porter made a motion to introduce and approve Resolution 119(17) and Resolution 120(17), second by Hoefer. **Vote: Yeas; Porter, Johnson, Riedmiller, Hoefer. Nays; None.**

Councilman Porter made a motion to introduce Ordinance 263(17). Mayor Jarecki instructed Clerk Devine to read the ordinance for the first time. Councilman Johnson made a motion to suspend the rules, second by Riedmiller. **Vote: Yeas; Hoefer, Porter, Johnson, Riedmiller. Nays; None.**

Mayor Jarecki instructed Devine to read Ordinance 263(17) for the second and third time. Councilman Johnson made a motion to approve all readings and final passage of Ordinance 263(17), second by Riedmiller. **Vote: Yeas; Hoefer, Johnson, Riedmiller, Porter. Nays; None.**

10. CONSIDER RIGHT OF WAY ACCESS AGREEMENT WITH RDG GEOSCIENCE AND ENGINEERING FOR GEOPROBE TESTING ACCESS WITHIN CITY ROW

Clerk Devine explained the access request of RDG Geoscience and recommended to table until a written access agreement is drafted. Councilman Riedmiller made a motion to table action until the September 28, 2017 meeting, second by Hoefer. **Vote: Yeas; Hoefer, Porter, Johnson, Riedmiller. Nays; None.**

11. CITY ADMINISTRATOR REPORT

Clerk Devine had previously provided a written report for Council Members to review. Devine added there are some dead trees at the Sports Complex that City workers will remove this fall. Also, an adult softball benefit tournament will be held at the Sports Complex September 23rd and that Dave Inman and Jim Jarecki are helping prepare a West field. **No action taken.**

12. **NUISANCE REPORT**

No nuisance report available.

13. **CONSIDER BILLS TO BE PAID**

• **CONSIDER MONTHLY BILLS REPORT**

Clerk Devine updated the Council on the disputed Frontier bill from two years ago when the City closed the pool account, adding that he addressed a recently received disconnect notice/bill from them.

Councilman Hoefler asked about the Fire Training Facility bill. Devine confirmed the City will pay the whole bill and the Rural Fire Department will reimburse us their half.

Councilman Hoefler made a motion to approve monthly bills as presented, second by Johnson. **Vote: Yeas; Hoefler, Johnson, Riedmiller. Nays; None. Abstain; Porter.**

• **CONSIDER PAY APPLICATION #3 OF GEHRING CONSTRUCTION AND READY MIX CO. INC.**

Clerk Devine stated he completed a walk-through and the project is substantially complete. Although it wasn't in the contract, Schilousky's ditch should be contoured so they can mow. Councilman Hoefler made a motion to approve Pay Application #3 of Gehring Construction for \$19,639.82; second by Johnson. **Vote: Yeas; Porter, Riedmiller, Hoefler, Johnson. Nays; None.**

14. **CONSIDER PLANS AND SPECIFICATIONS FOR THE SALE BARN ROAD WATER MAIN PROJECT AND AUTHORIZE ADVERTISEMENT FOR BIDS**

Councilman Hoefler made a motion to approve plans and specification for the Sale Barn Road Water Main Project, and authorize advertisement for bids with bid opening next month; second by Riedmiller. **Vote: Yeas; Riedmiller, Johnson, Hoefler, Porter. Nays; None.**

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

Special Meeting: September 28, 2017 at 7:30 a.m.

- To approve Fiscal Year End bills for payment
- RDG Access Agreement

Next Regular Meeting: October 10, 2017 at 7:30 p.m.

16. **ADJOURN**

At 8:27 p.m. Council Member Johnson made a motion to adjourn the meeting, second by Riedmiller. **Vote: Yeas; Johnson, Riedmiller, Hoefler, 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