

**MINUTES**  
**ALBION CITY COUNCIL**  
**REGULAR MEETING – PUBLIC HEARING**  
**TUESDAY, MARCH 13, 2018**

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 March 13, 2018 at Albion City Hall, 420 West Market St., Albion, NE. Present were: Mayor James C. Jarecki, Council Members Jon Porter, Walt Hoefler, Marcus Johnson, and Jim Riedmiller. City staff present were: City Administrator Andrew Devine, Deputy City Clerk Sharon Ketteler, Officer Joe Predmore, Joe Luettel, 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.

**2. CONSIDER MINUTES OF THE FEBRUARY 20, 2018 CITY COUNCIL MEETING FOR APPROVAL**

Councilman Porter made a motion to approve the minutes of the February 20, 2018 City Council meeting; second by Johnson. **Vote: Yeas; Porter, Johnson, Hoefler, Riedmiller. Nays; None.**

**3. OPEN PUBLIC HEARING REGARDING EAGLE COMMUNICATIONS, INC. 2018 RATE INCREASE**

Mayor Jarecki opened the public hearing at 7:31 p.m. The Mayor sought public testimony. Dan Staack of Eagle Communications explained the rate increase. Mayor Jarecki sought further public comment. Hearing none the Mayor closed the public hearing at 7:34 p.m. **No action taken.**

4. **OPEN PUBLIC HEARING TO CONSIDER RECOMMENDATION TO THE NEBRASKA LIQUOR CONTROL COMMISSION REGARDING THE CLASS D LICENSE APPLICATION OF CASEY'S RETAIL COMPANY DBA CASEY'S GENERAL STORE #43, 205 W STATE STREET, ALBION, NE**

Mayor Jarecki opened the public hearing at 7:35 p.m. The Mayor sought public comment. Clerk Devine explained Casey's currently has a Liquor License to sell beer only and the Class D license would allow them to sell beer, wine, and distilled spirits for consumption off premises. Mayor Jarecki sought further input. Hearing none he closed the public hearing at 7:35 p.m. Councilman Riedmiller made a motion to recommend approval of the class D license application of Casey's Retail Company DBA Casey's General Store #43, 205 W. State Street, Albion, NE; second by Hoefer. **Vote: Yeas; Hoefer, Riedmiller, Porter, Johnson. Nays; None.**

5. **REVIEW BID TABULATION OF 2018 CITY OF ALBION PROPERTY AND CASUALTY INSURANCE PROPOSALS AND CONSIDER FOR AWARD**

Clerk Devine reviewed the 4 bids received and submitted a written recommendation for the Council to review, along with a summary of each proposal. Devine noted that 3 of the bids came in less than the annual premium amount we paid over the last 12 months. Three of the bids were submitted by Jeff Noble of Cornerstone Insurance. The fourth bid was received from Cedar Valley Insurance. Jeff Noble and Erin Ball presented information to the Council on their companies' bid; and Brian Yosten provided information to the Council on Cedar Valley Insurance's bid. The agent's then answered questions by the Council Members. Councilman Hoefer made a motion to award the 2018 Albion Property and Casualty Insurance bid to Cornerstone Insurance/Ball Insurance/One Beacon Governmental Risks in the amount of \$64,631; second by Riedmiller. **Vote: Yeas; Johnson, Riedmiller, Porter, Hoefer. Nays; None.**

6. **OPEN 2018 LAWN CARE BIDS AND CONSIDER FOR AWARD AND AUTHORIZE THE MAYOR OR HIS REPRESENTATIVE TO SIGN ANY AND ALL CONTRACT DOCUMENTS**

Mayor Jarecki excused himself, reporting his potential interest in the contract. The Mayor verified a Conflict of Interest Disclosure Form had been given to the City Clerk, and turned presiding authority over to Council President, Walt Hoefer, then left the room. Clerk Devine stated only 1 bid was received. City Attorney Wright opened the bid from Jarecki Lawncare. The bid was for \$14,774.80 and met all bid specifications. Councilman Porter made a motion to award the 2018 Lawncare bid to Jarecki Lawncare for the amount of \$14,774.80 and to authorize the Mayor or his representative to sign any and all contract documents, second by Johnson. **Vote: Yeas; Porter, Hoefer, Johnson, Riedmiller. Nays; None.**

7. **CONSIDER LOT SPLIT APPLICATION 18-001 OF JILL OLSON FOR PROPERTY LOCATED IN THE SE 1/4 OF SECTION 27, TOWNSHIP 20 NORTH, RANGE 6 WEST OF THE 6<sup>TH</sup> P.M., BOONE COUNTY, NEBRASKA**

Council Members reviewed the application. Councilman Riedmiller made a motion to approve Lot Split application #2018-001 of Jill Olson, second by Johnson. **Vote: Yeas; Riedmiller, Johnson, Porter, Hoefer. Nays; None.**

8. **CONSIDER LOT SPLIT APPLICATION 18-002 OF MICHAEL & ROBERTA SEDA FOR PROPERTY LOCATED IN THE SE 1/4 OF SECTION 27, TOWNSHIP 20 NORTH, RANGE 6 WEST OF THE 6<sup>TH</sup> P.M., BOONE COUNTY, NEBRASKA**

Council Members reviewed the application. Councilman Johnson made a motion to approve Lot Split application #2018-002 of Michael & Roberta Seda, second by Riedmiller. **Vote: Yeas; Johnson, Porter, Hoefer, Riedmiller. Nays; None.**

9. **CONSIDER RESOLUTION 104(18) REGARDING LEASE AGREEMENT BETWEEN THE CITY OF ALBION AND THE COUNTY OF BOONE TO LEASE SPACE WITHIN THE ALBION FIRE HALL TO HOUSE THE COUNTY AMBULANCE**

Clerk Devine provided a draft of the Lease Agreement for Council Members to review. Devine stated the lease agreement is to formalize an agreement that has been occurring for a number of years already. The County has approved the agreement. Councilman Porter made a motion to introduce and approve Resolution 104(18), second by Riedmiller. **Vote: Yeas; Porter, Hoefer, Riedmiller, Johnson. Nays; None.**

10. **CONSIDER RESOLUTION 105(18) ESTABLISHING MUTUAL LAW ENFORCEMENT JURISDICTION WITH BOONE COUNTY**

Clerk Devine stated the agreement is the same as previous years. Mayor Jarecki explained this would cover a 1-mile radius, which helps the police department to patrol our assets outside of city limits. Councilman Porter made a motion to introduce and approve Resolution 105(18), second by Johnson. **Vote: Yeas; Riedmiller, Porter, Johnson, Hoefer. Nays; None.**

11. **CONSIDER RESOLUTION 106(18) ESTABLISHING CAMPING PERMIT FEES AT THE ALBION PUBLIC CAMPGROUND**

Clerk Devine provided a draft of the Resolution and reviewed it with the Council. Some of the proposed changes would be to eliminate seasonal rates, include WiFi within the rates, and locking hook-ups until permit fees are paid. Councilman Hoefer made a motion to introduce and approve Resolution 106(18), second by Porter. **Vote: Yeas; Porter, Johnson, Hoefer, Riedmiller. Nays: None.**

12. **CONSIDER RESOLUTION 107(18) ESTABLISHING DAILY, WEEKLY, AND SEASON FEES AT THE ALBION FAMILY AQUATIC CENTER**

Clerk Devine provided a draft of the Resolution for Council Members to review, noting that the last time pool rates were reviewed was in 2014. Devine stated the Pool Managers also reviewed the rates and concurred with the changes. Councilman Johnson made a motion to introduce and approve Resolution 107(18), second by Porter. **Vote: Yeas; Johnson, Hoefer, Porter, Riedmiller. Nays: None.**

13. **CONSIDER RESOLUTION 108(18) ESTABLISHING AN INTERLOCAL AGREEMENT WITH BOONE COUNTY RELATED TO THE TRANSFER OF COUNTY PROPERTY TO THE CITY OF ALBION AND THE DEVELOPMENT OF A MUNICIPAL WELL ON COUNTY PROPERTY**

Clerk Devine provided a draft of the agreement which was reviewed by the County Commissioners at their March 12<sup>th</sup> meeting. The County Commissioners requested further revisions to the agreement which City Attorney Wright presented:

- \*The additional campground restroom be constructed on the parcels being transferred;
- \*Transfer of property won't occur until the City Well is built; and
- \*Establishing newly constructed campsites with electricity on Lot 3 that the Ag Society could reserve during the Fair.

Mr. Wright recommended the Council go into executive session for negotiation of real estate following the rest of the agenda items.

At 9:41 p.m. Councilman Riedmiller made a motion to go into executive session for negotiation of real estate, second by Johnson. **Vote: Yeas; Johnson, Porter, Riedmiller, Hoefer. Nays; None.**

At 9:57 Councilman Porter made a motion to exit executive session, second by Riedmiller. **Vote: Yeas; Hoefer, Riedmiller, Porter, Johnson. Nays; None.**

Councilman Porter made a motion to approve Resolution 108(18) as amended, second by Johnson. **Vote: Yeas; Riedmiller, Porter, Johnson, Hoefer. Nays; None.**

14. **CONSIDER AGREEMENT WITH JEO REGARDING DESIGN AND CONSTRUCTION SERVICES FOR MUNICIPAL WATER WELL PROJECT**

Roger Protzman of JEO reviewed the proposal with the Council. Mr. Protzman stated the proposal includes services to coordinate a test well on the site before building the production well. Mr. Protzman explained the importance of doing a test well first and stated the first step would be to collect water samples from near-by wells. Discussion ensued. Councilman Porter made a motion to approve agreement, contingent on site securement, second by Johnson. **Vote: Yeas; Porter, Riedmiller, Johnson, Hoefer. Nays; None.**

15. **CONSIDER AGREEMENT WITH JEO REGARDING HIGH RESOLUTION AERIAL MAPPING SERVICES FOR CITY GIS MAPPING**

Clerk Devine provided a copy of the proposal for Council Members to review, stating the proposal offered a color imagery for up to 12 square miles for a total of \$6,500. Discussion ensued. Councilman Porter made a motion to table the agreement indefinitely, second by Hoefer. **Vote: Yeas; Hoefer, Porter, Riedmiller, Johnson. Nays; None.**

16. **CONSIDER AGREEMENT FOR MATERIAL TESTING SERVICES FOR THE FAIRVIEW STREET STORM SEWER IMPROVEMENTS PROJECT – PHASE II**

Clerk Devine provided a copy of the proposal for Council Members to review, noting that the estimate is \$16,056 less than the proposal by Thiele Geotech Inc. Councilman Porter made a motion to approve agreement with Mid-State Engineering and Testing at an estimated cost of \$10,590; second by Riedmiller. **Vote: Yeas; Riedmiller, Johnson, Hoefer, Porter. Nays; None.**

17. **CONSIDER APPOINTMENT OF JIM MEYER TO THE ALBION AIRPORT AUTHORITY BOARD FOR THE REMAINDER OF THE UNEXPIRED TERM TO DECEMBER 2020 AS VACATED BY THE RESIGNATION OF STEVE WOODEN**

Councilman Porter made a motion to approve the appointment of Jim Meyer to the Albion Airport Authority board for the unexpired term to December 2020, second by Johnson. **Vote: Yeas; Riedmiller, Hoefer, Porter, Johnson. Nays; None.**

18. **CONSIDER STREET CLOSURE REQUEST OF DOWNTOWN STREETS FOR THE FOLLOWING COMMUNITY EVENTS**

- REQUEST OF SMOKE N CHROME ON MAIN, COMMITTEE TO TEMPORARILY CLOSE DOWNTOWN STREETS FOR CAR SHOW FROM 6:30 A.M. TO 3:00 P.M. ON JUNE 16, 2018
- REQUEST OF LORI KROHN TO CLOSE CHURCH STREET FROM 5<sup>TH</sup> STREET TO 3<sup>RD</sup> STREET FROM 9:30 A.M. TO 11:30 A.M. ON JULY 4, 2018 FOR AN INDEPENDENCE DAY KIDDIE PARADE
- REQUEST OF ALBION CHAMBER OF COMMERCE TO CLOSE 4<sup>TH</sup> STREET FROM ½ BLOCK SOUTH OF CHURCH STREET TO ½ BLOCK NORTH OF MAIN STREET FROM 6 A.M. AUGUST 18, 2018 TO 1:30 A.M. AUGUST 19, 2018 FOR A COMMUNITY EVENT
- REQUEST OF ALBION CHAMBER OF COMMERCE TO TEMPORARILY CLOSE DOWNTOWN STREETS ON NOVEMBER 29, 2018 FROM 5:30 P.M. TO 7:00 P.M. FOR A HOLIDAY LIGHT PARADE

Clerk Devine provided maps of the requested street closures for each event. These are all repeated requests from previous years. Councilman Riedmiller made a motion to approve the street closure requests as proposed, second by Johnson.

**Vote: Yeas; Porter, Johnson, Riedmiller, Hoefler. Nays; None.**

19. **REVIEW ANNUAL REPORT FOR ALBION WATER AND SEWER DEPARTMENTS**

Council Members reviewed the Annual Water and Sewer Report. **No action taken.**

20. **ACKNOWLEDGEMENT OF RECEIPT OF THE CITY ADMINISTRATOR REPORT TO THE CITY COUNCIL REGARDING THE STATUS OF VARIOUS CITY DEPARTMENTS, CITY ACTIVITIES, AND CITY FINANCIAL REPORTS**

Council Members reviewed the report provided by Clerk Devine. Devine noted it was another record month for receipts on sales tax; making it 3 months in a row of the highest sales tax revenue for that month in any given year. **No action taken.**

**21. CONSIDER BILLS FOR APPROVAL**

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

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

**Next Regular Meeting: April 10, 2018 at 7:30 p.m.**

- Draft of Elected Official Pay Increase

**23. ADJOURN**

At 9:58 p.m. Council Member Johnson made a motion to adjourn the meeting, second by Riedmiller. **Vote: Yeas; Hoefer, Porter, Riedmiller, Johnson. 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 news 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.

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James Jarecki, Mayor

ATTEST:

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Sharon Ketteler, Deputy Clerk