

MINUTES
ALBION CITY COUNCIL
REGULAR MEETING – TUESDAY, APRIL 10, 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 April 10, 2018 at Albion City Hall, 420 West Market St., Albion, NE. Present were: Mayor James C. Jarecki, Council Members Walt Hoefer, Marcus Johnson, Jim Riedmiller, and Jon Porter. City staff present were: City Administrator Andrew Devine, Deputy City Clerk Sharon Ketteler, Officer Joe Predmore, Water Commissioner Ron Morearty, Utility Clerk Amber Wynn, Sewer Commissioner Joe Luettel, Fire Chief Bruce Benne, 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 thanked Steve Wooden for his years of service on the Albion Airport Authority Board and welcomed Jim Meyer as the new Board Member. 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 MARCH 13, 2018 CITY COUNCIL MEETING FOR APPROVAL

Councilman Johnson made a motion to approve the minutes of the March 13, 2018 City Council meeting; second by Riedmiller. **Vote: Yeas; Hoefer, Porter, Riedmiller, Johnson. Nays; None.**

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

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

Clerk Devine stated there are no new Right-of-Way Permit applications this year. Councilman Porter made a motion to approve Right of Way permit renewal of Great Plains Communications, and the renewals of Eagle Communications and Frontier Communications once all requirements are met; second by Johnson. **Vote: Yeas; Hoefer, Riedmiller, Johnson, Porter. Nays; None.**

4. **CONSIDER RESOLUTION 109(18) ESTABLISHING POLICIES AND PROCEDURES FOR THE ALBION FAMILY AQUATIC CENTER**

Clerk Devine provide a draft of the Resolution for Council Members to review, stating that Pool Management has reviewed the manual and recommends approval. Councilman Johnson made a motion to introduce and approve Resolution 109(18) Establishing Policies and Procedures for the Albion Family Aquatic Center, second by Riedmiller. **Vote: Yeas; Johnson, Porter, Hoefer, Riedmiller. Nays; None.**

5. **CONSIDER RESOLUTION 110(18) ESTABLISHING AN INTERLOCAL AGREEMENT WITH BOONE COUNTY RELATED TO CONSTRUCTION AND MAINTENANCE OF RECREATIONAL TRAIL SYSTEM**

Clerk Devine reviewed the Resolution with the Council. Devine noted the agreement was approved by the County on April 9, 2018. City Attorney Wright stated it is a 5-year agreement with an automatic renewal clause, and follows through with what the Council has already approved. Councilman Hoefer made a motion to introduce and approve Resolution 110(18) Establishing an Interlocal Agreement with Boone County Related to Construction and Maintenance of Recreational Trail System, second by Johnson. **Vote: Yeas; Riedmiller, Johnson, Porter, Hoefer. Nays; None.**

6. **CONSIDER RESOLUTION 111(18) ESTABLISHING A COMMUNITY SNOW REMOVAL POLICY**

Clerk Devine provided a draft of the Resolution for Council Members to review. Devine stated the policy is the same as before with the addition of “recreational areas” due to the recreational trail being built. Councilman Johnson made a motion to introduce and approve Resolution 111(18) Establishing Community Snow Removal Policy, second by Porter. **Vote: Yeas; Porter, Hoefer, Riedmiller, Johnson. Nays; None.**

7. **CONSIDER RESOLUTION 112(18) ESTABLISHING COMPENSATION SCHEDULE FOR ELECTED OFFICERS OF THE CITY OF ALBION, NEBRASKA**

Council Members reviewed the Resolution to increase elected City Official’s salary, which had been discussed at the February 20, 2018 special meeting. The new salary becomes effective to newly elected officials. Councilman Riedmiller made a motion to introduce and approve Resolution 112(18) Establishing Compensation Schedule for Elected Officers of the City of Albion, Nebraska, second by Porter. **Vote: Yeas; Porter, Riedmiller, Johnson, Hoefer. Nays; None.**

8. **CONSIDER RESOLUTION 113(18) WAIVING THE PAYMENT IN LIEU OF TAXES FOR THE ALBION HOUSING AUTHORITY**

Clerk Devine explained this cooperation agreement is to formalize the practice of forgiving payment of in lieu of taxes by the Albion Housing Authority. Tracy Lipker, Administrator for the Albion Housing Authority, found a cooperation agreement between them and the City that was dated October 1, 1963. There is no record of an updated agreement since then. Council Members reviewed the draft of the Resolution and decided to review the agreement every 5 years. Councilman Porter made a motion to introduce and approve Resolution 113(18) Establishing Cooperation Agreement with the Albion Housing Authority as amended to include waiver of in lieu of tax payments for fiscal year dates of October 1, 1963 – September 30, 2023; second by Johnson. **Vote: Yeas; Riedmiller, Porter, Hoefler, Johnson. Nays; None.**

9. **CONSIDER THE ALBION VOLUNTEER FIRE & RESCUE DEPARTMENT BYLAWS FOR APPROVAL**

Fire Chief Bruce Benne explained there were two key changes made to the Bylaws. The first would remove the listed duties of the officers from the Bylaws and add them to the Standard Operating Guidelines. The second amendment would allow a member who lives outside the department's jurisdiction but works within the district to be able to apply for membership. Councilman Johnson made a motion to approve the Albion Volunteer Fire & Rescue Department Bylaws, second by Porter. **Vote: Yeas; Hoefler, Johnson, Riedmiller, Porter. Nays; None.**

10. **CONSIDER BID TABULATION AND RECOMMENDATION FROM ALBION FIRE & RESCUE DEPARTMENT AMBULANCE COMMITTEE REGARDING PURCHASE OF NEW AMBULANCE FOR APPROVAL**

Fire Chief Bruce Benne stated that of the two bids received, the Committee recommended accepting the bid from North Central Emergency Vehicles highly due to Demers Ambulances not meeting all specifications. Although North Central Emergency Vehicles bid was higher, their bid included an add-on of a power load system for cots; as well as many other preferred components. Councilman Riedmiller made a motion to approve bid of North Central Emergency Vehicles for new Type I ambulance in the amount of \$248,341.00 as recommended by Albion Volunteer Fire and Rescue Department Committee, second by Johnson. **Vote: Yeas; Hoefler, Porter, Johnson, Riedmiller. Nays; None.**

11. **REVIEW OF PROPOSALS FOR TEST WELL AND CONSIDERATION FOR APPROVAL AND AWARD AS RECOMMENDED BY JEO CONSULTING GROUP, INC**

Clerk Devine stated that JEO solicited for three proposals and received two. Lane's proposal was for \$30,227.00. Their bid did not include the laboratory analysis, but did include items that were not requested on the specifications. The bid from Sargent Drilling was for \$24,114.00. JEO recommended test well proposal of Sargent Drilling. Clerk Devine noted there would still be an abandonment cost that wasn't included in Sargent Drilling's bid. JEO also provided water chemistry analyses of wells in the area which Clerk Devine reviewed with the Council. Councilman Riedmiller made a motion to approve proposal of Sargent Drilling for test well development in the amount of \$24,114.00 as recommended by JEO Consulting Group, Inc; second by Johnson. **Vote: Yeas; Hoefler, Johnson, Porter, Riedmiller. Nays: None.**

12. **CONSIDER REQUEST OF RALPH SCHMADEKE TO MAKE CHANGES TO ALBION MUNICIPAL CODE CHAPTER 6: PUBLIC UTILITIES, SPECIFICALLY SECTION 6-103: SINGLE PREMISE: WATER AND SEWER**

Mr. Schmadeke submitted a request for suggested changes to Ordinance 244(16) regarding existing shared water and sewer service lines as outlined in Chapter 6 of the Albion Municipal Code book. Council Members were provided this written request for review prior to the City Council meeting. Mr. Schmadeke presented at the meeting, expressing his concern of the cost to separate the shared lines. Schmadeke provided the Council with an estimate he had received, as well as other supporting documents that he felt were relevant to his request. Mayor Jarecki explained the City Code had been amended to eliminate unexpected problems that could arise to new owners who are not aware of a shared line. The Mayor gave an example of a situation that occurred with two property owners with shared lines that did not get along. Mayor Jarecki stated such issues might have to be taken to court, which is costly. Or, if water is shut off between the feuding owners there may be loss of business and income. The Mayor explained the amended code created a remedy for such situations. Mayor Jarecki stated that three new business owners had already complied with the amended code. The Mayor asked the Council if they had any questions for Mr. Schmadeke. There were none. Mayor Jarecki asked the Council if any of them wished to re-visit Chapter 6 of the City Code. Councilman Johnson stated he was inclined to keep it as is. Councilman Riedmiller stated it wouldn't be fair for the ones who have already complied. **No action taken.**

13. **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**

Clerk Devine had previously provided a written report for Council Members to review. Devine updated the Council on current projects and stated the campground expansion project is on hold. Water Commissioner Morearty provided results of lab testing for the wells and explained them to the Council. **No action taken.**

14. **CONSIDER BILLS FOR APPROVAL**

- CONSIDER MONTHLY BILLS FOR APPROVAL

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

- CONSIDER PAY APPLICATION #1 FROM MIDLAND'S CONTRACTING, INC. FOR THE FAIRVIEW STORM SEWER IMPROVEMENTS, PHASE II FOR APPROVAL

Councilman Hoefer made a motion to approve Pay Application #1 of Midlands Contracting, Inc. for the Fairview Storm Sewer Improvements, Phase II Project in the amount of \$142,979.40; second by Porter. **Vote: Yeas; Johnson, Hoefer, Riedmiller, Porter. Nays; None.**

15. **CONSIDER EMPLOYEE EVALUATION FOR APPROVAL**

Councilman Hoefer made a motion to acknowledge and approve annual employee evaluation of Jim Bader as presented, second by Johnson. **Vote: Yeas; Riedmiller, Hoefer, Porter, Johnson.**

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

Next Regular Meeting: May 8, 2018 at 7:30 p.m.

- Nuisance Program Report
- Annual Identity Theft Prevention Program Report

17. **ADJOURN**

At 8:52 p.m. Council Member Porter made a motion to adjourn the meeting, second by Johnson. **Vote: Yeas; Riedmiller, Hoefler, Porter, 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.

James Jarecki, Mayor

ATTEST:

Sharon Ketteler, Deputy Clerk