

**MINUTES**  
**ALBION CITY COUNCIL**  
**REGULAR MEETING – PUBLIC HEARING**  
**TUESDAY, JULY 17, 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 July 17, 2018 at Albion City Hall, 420 West Market St., Albion, NE. Present were: Mayor James C. Jarecki, Council Members Jim Riedmiller, Jon Porter, Walt Hoefer, and Marcus Johnson. City staff present were: City Administrator Andrew Devine, Deputy City Clerk Sharon Ketteler, Water Commissioner Ron Morearty, Utility Clerk Amber Wynn, Sewer Commissioner Joe Luettel, and Officer Joe Predmore. 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. Mayor Jarecki explained the procedure the City will take to clean up nuisances that have not been taken care of by property owners. The City is seeking contractors to abate the nuisances at a rate of \$200 per hour. All costs of the abatement will be billed back to the property owner.

**2. CONSIDER MINUTES OF THE JUNE 12, 2018 CITY COUNCIL MEETING FOR APPROVAL**

Councilman Johnson made a motion to approve the minutes of the June 12, 2018 City Council meeting; second by Riedmiller. **Vote: Yeas; Hoefer, Porter, Riedmiller, Johnson. Nays; None.**

**3. CONSIDER LAND LEASE AGREEMENT WITH VERIZON WIRELESS TO INSTALL, MAINTAIN AND OPERATE COMMUNICATIONS EQUIPMENT UPON CITY PROPERTY LOCATED AT 199 W CLARK STREET, MORE COMMONLY KNOWN AS THE OLD COMPACTOR SHED PROPERTY**

Clerk Devine stated Verizon has accepted all the City’s proposed changes. We are now waiting for legal description on amount of property they want. Councilman Riedmiller made a motion to postpone action until a future meeting, second by Hoefer. **Vote: Yeas; Hoefer, Riedmiller, Johnson, Porter. Nays; None.**

4. **OPEN PUBLIC HEARING TO CONSIDER CONDITIONAL USE PERMIT APPLICATION #CU-2018-01 OF WOLF LAND, LLC FOR PROPERTY LOCATED IN THE TA (TRANSITIONAL AGRICULTURE) ZONING DISTRICT AND LEGALLY DESCRIBED AS A PARCEL CONSISTING OF A FRACTION OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 15-20-6, AND THE SOUTHEAST QUARTER OF SECTION 15-20-6, BOONE COUNTY, NEBRASKA; AND MORE COMMONLY KNOWN AS 2556 250<sup>TH</sup> STREET, ALBION, NEBRASKA**

Mayor Jarecki opened the public hearing at 7:39 p.m. The Mayor sought public testimony. Jay Wolf explained his permit request to amend current Conditional Use Permit to convert from gravity system to pivot application utilizing low pressure drop nozzle system. The end gun would be used for clean water only, and would not be used when applying effluent. The intention is to limit impact on neighbors and city; as well as being overall more efficient and beneficial to the environment. Mayor Jarecki sought further public comment. Hearing none the Mayor closed the public hearing at 7:42 p.m. Councilman Riedmiller stated he spoke with neighboring property owners and they didn't seem concerned with the proposed change. Councilman Riedmiller made a motion to approve Conditional Use Permit Application #CU-2018-01 of Wolf Land LLC, second by Johnson. **Vote: Yeas; Johnson, Porter, Hoefler, Riedmiller. Nays; None.**

5. **CONSIDER INTERLOCAL AGREEMENT WITH BOONE CENTRAL SCHOOL DISTRICT FOR USE OF SOFTBALL FIELD**

Council Members reviewed a copy of the proposed agreement. Clerk Devine noted there were no changes from last year's agreement. Councilman Riedmiller made a motion to approve Interlocal Agreement with Boone Central School District for Use of Softball Field, second by Porter. **Vote: Yeas; Johnson, Riedmiller, Porter, Hoefler. Nays; None.**

6. **PRELIMINARY REVIEW OF 2017-18 BUDGET PERFORMANCE & 2018-19 BUDGET**

Clerk Devine provided multiple budget spreadsheets and reviewed the Preliminary Budget Summary with Council Members. Mr. Devine noted that all departments except pool, police, and fire are expected to perform better than budgeted. General funds are tracking well largely due to In Lieu of Tax receipts coming in 30% higher than expected. Capital Outlay in the General Fund was budgeted for the Downtown Christmas Light Program, but was off-set by Other Revenue as the Big Give funded the majority, and the remainder was split with the Chamber. General Administration Fund will be carrying a surplus forward therefore won't need to request property tax revenue for the next year; and will be transferring some money out to help support other departments. The Street Department Debt Issuance and Other Revenue items are lower than budgeted due to the South Park subdivision not yet moving forward. The Parks Department is spending more than budgeted due to the new Recreational Trail, but that will be off-set with donations. The Police Department Property Tax Revenue is coming in lower than budgeted which could be due to the In Lieu of Taxes being higher. The Water Department is performing well above budget mainly due to carry-over of funds reserved for the new Water Well Project. The total tax asking is predicted to go down for the 2018-2019 fiscal year.

Devine concluded with a review of the City’s Capital Improvement Plan for the next budget year. **No action taken.**

7. **REVIEW UTILITY RATES AND CONSIDER RESOLUTION 116(18) SETTING UTILITY RATES EFFECTIVE OCTOBER 1, 2018**

- **CONSIDER RESOLUTION SERIES 116(18) SETTING UTILITY RATES**

Clerk Devine stated the reported 12 month CPI factor is 2.9%. Devine recommended a rate increase of 3% to water and sewer rates for the 2018-2019 budget year based upon expected costs. No change to the solid waste rates. Councilman Porter made a motion to introduce and approve Resolution 116(18), setting utility rates effective October 1, 2018; second by Johnson. **Vote: Yeas; Johnson, Riedmiller, Porter, Hoefer. Nays; None.**

8. **NUISANCE PROGRAM REPORT – Albion Police Department**

Officer Predmore updated the Council on nuisances. Predmore reported that all nuisances declared last month are being abated except one. There were no new nuisances to declare, however, a declared nuisance from last year is being pursued. **No action taken.**

9. **CONSIDER APPROVAL OF THE ALBION FIRE DEPARTMENT ROSTER**

Councilman Riedmiller made a motion to approve the current fire department roster as presented, second by Porter. **Vote: Yeas; Riedmiller, Porter, Johnson, Hoefer. Nays; None.**

10. **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. The Council discussed crack sealing of the streets. **No action taken.**

11. **CONSIDER BILLS FOR APPROVAL**

- **CONSIDER MONTHLY BILLS FOR APPROVAL**

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

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- **CONSIDER PAY APPLICATION #4 OF MIDLAND’S CONTRACTING, INC. FOR FAIRVIEW STORM SEWER PHASE II PROJECT FOR APPROVAL**

Councilman Johnson made a motion to approve Pay Application #4 of Midlands Contracting, Inc. for the Fairview Storm Sewer Improvements, Phase II Project in the amount of \$259,862.44; second by Porter. **Vote: Yeas; Riedmiller, Porter, Johnson, Hoefler. Nays; None.**

- **CONSIDER PAY APPLICATION #1 OF SARGENT IRRIGATION FOR WATER SUPPLY TEST WELL**

Councilman Porter made a motion to approve Pay Application #1 of Sargent Irrigation for water supply test well in the amount of \$13,533.30; second by Johnson. **Vote: Yeas; Porter, Riedmiller, Hoefler, Johnson. Nays; None.**

**12. CONSIDER EMPLOYEE EVALUATIONS FOR APPROVAL**

Councilman Johnson made a motion to approve employee evaluations of Brent Lipker and Michael Mapel, second by Riedmiller. **Vote: Yeas; Hoefler, Johnson, Riedmiller, Porter. Nays; None.**

**13. CONSIDER REQUEST OF BOONE COUNTY HEALTH CENTER TO CLOSE A PORTION OF 8<sup>TH</sup> STREET SOUTH OF FULLER STREET ON AUGUST 1<sup>ST</sup> FROM 4PM TO 7PM**

Council Members reviewed the request of Boone County Health Center to close a portion of the street to host a summer safety day. Child car seat checks and bike safety will be provided during this event. Councilman Porter made a motion to approve partial closure of 8<sup>th</sup> Street South of Fuller Street on August 1<sup>st</sup> from 4 p.m. – 7 p.m., second by Hoefler. **Vote: Yeas; Hoefler, Riedmiller, Porter, Johnson. Nays; None.**

**14. CONSIDER INTRODUCTION AND FIRST READING OF ORDINANCE 271(18) FOR THE UNPAID UTILITY BILL OF ALBION SEWING CENTER (TENANT), MICHAEL W. OLSON (LANDLORD)**

Councilman Porter made a motion to introduce Ordinance 271(18). Mayor Jarecki instructed Clerk Devine to read the ordinance for the first time. Councilman Porter made a motion to approve first reading of Ordinance 271(18), second by Johnson. **Vote: Yeas; Riedmiller, Porter, Johnson, Hoefler. Nays; None.**

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

**Next Regular Meeting: August 14, 2018 at 7:30 p.m.**

- Resolution on Cost of Living Adjustment for non-temporary employees effective October 1<sup>st</sup>
- Airport Authority request for City Tax Allocation
- Liquor License Applications of Highway 14 Brewing – Greg Luettel

**Special Meeting – Budget Workshop: August 21, 2018 at 7:30 p.m.**

- Discuss Certified Valuation obtained by County Assessor
- Discuss draft of Budget & Final preparation by accountant
- Set budget adoption hearing date & time – tentatively Sept. 11, 2018

**16. ADJOURN**

At 8:39 p.m. Council Member Porter made a motion to adjourn the meeting, second by Riedmiller. **Vote: Yeas; Riedmiller, Hoefler, 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 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