

**MINUTES**  
**ALBION CITY COUNCIL**  
**REGULAR MEETING – PUBLIC HEARING**  
**TUESDAY, SEPTEMBER 11, 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 September 11, 2018 at Albion City Hall, 420 West Market St., Albion, NE. Present were: Mayor James C. Jarecki, Council Members Marcus Johnson, Jim Riedmiller, Jon Porter, and Walt Hoefer. City staff present were: City Administrator Andrew Devine, Deputy City Clerk Sharon Ketteler, Water Commissioner Ron Morearty, City Attorney Darren Wright, 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. The Mayor thanked the many organizations, businesses, and individuals for major donations toward community projects. Mayor Jarecki commented the lower levy and tax request for the upcoming budget year is highly due to good planning and conservative spending. He also noted one Street Bond was recently retired and another one will be paid off in May, 2019.  
**No action taken.**

**2. CONSIDER MINUTES OF THE AUGUST 21, 2018 CITY COUNCIL MEETING FOR APPROVAL**

Councilman Porter made a motion to approve the minutes of the August 21, 2018 City Council meeting; second by Johnson. **Vote: Yeas; Riedmiller, Porter, Hoefer, 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 that the City has received the necessary survey documents, property legal descriptions, and land lease agreement from Verizon Wireless. City Attorney Wright and the Council reviewed the agreement. Councilman Porter made a motion to approve 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, second by Hoefer. **Vote: Yeas; Hoefer, Johnson, Riedmiller, Porter. Nays; None.**

4. **OPEN PUBLIC HEARING FOR 2017/2018 BUDGET AMENDMENT – CONSIDER APPROVAL OF AMENDED 2017/2018 BUDGET DUE TO BOND REFINANCING**

Mayor Jarecki opened the public hearing at 7:38 p.m. The Mayor sought public testimony. Clerk Devine explained the amendment, which was required due to refinancing pool bond debt. Mayor Jarecki sought further public comment. Hearing none, the Mayor closed the public hearing at 7:39 p.m. Councilman Riedmiller made a motion to approve the 2017/18 Budget Amendment, amending the 2017/18 Budget due to bond refinancing, second by Johnson. **Vote: Yeas; Johnson, Riedmiller, Porter, Hoefer. Nays; None.**

5. **OPEN PUBLIC HEARING FOR 2018/2019 BUDGET ADOPTION**

Mayor Jarecki opened the public hearing at 7:39 p.m. The Mayor sought public input. No testimony was received. The Mayor closed the public hearing at 7:40 p.m.

- Approve Resolution 119(18), 2018/2019 Property Tax Request

Councilman Johnson asked if any changes were made from the draft the Council had previously reviewed and discussed. Clerk Devine stated that no changes were made to property tax asking, only typo corrections. Councilman Johnson made a motion to introduce and approve Resolution 119(18) setting the 2018/19 Property Tax Request, second by Porter. **Vote: Yeas; Johnson, Porter, Hoefer, Riedmiller. Nays; None.**

- Approve and Adopt 2018/2019 Budget Including Additional 1% Increase of Restricted Funds Authority

Councilman Johnson made a motion to approve and adopt the 2018/19 Budget including additional 1% increase of restricted funds authority, second by Porter. **Vote: Yeas; Riedmiller, Porter, Johnson, Hoefer. Nays; None.**

- Approve 2018-19 Capital Improvement Plan

Clerk Devine stated the Planning Commission reviewed the Capital Improvement Plan and recommended approval. Councilman Porter made a motion to approve the 2018/19 Capital Improvement Plan, second by Hoefer. **Vote: Yeas; Porter, Riedmiller, Hoefer, Johnson. Nays; None.**

6. **CONSIDER RESOLUTION 120(18) 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. Councilman Hoefer asked if there were any changes from last year's agreement. Clerk Devine stated the agreement is the same as last year except for the dates and document numbers. Councilman Porter asked if the County had reviewed it yet. Clerk Devine stated the City initiates the agreement and forwards to the County for review. The deadline is January 1, 2019. Councilman Johnson made a motion to introduce and approve Resolution 120(18) 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 Hoefer. **Vote: Yeas; Johnson, Porter, Riedmiller, Hoefer. Nays; None.**

7. **CONSIDER RESOLUTION 121(18) CALLING STREET IMPROVEMENT BOND ANTICIPATION NOTES, SERIES 2018 IN THE PRINCIPAL AMOUNT OF ONE MILLION FOUR HUNDRED THIRTY THOUSAND DOLLARS (\$1,430,000) FOR PAYMENT**

Clerk Devine explained the temporary Bond Anticipation Notes have been financing the Fairview Phase II project to date. The full amount of the notes was not spent, therefore the permanent bond will be less. Brad Slaughter of Ameritas explained further the reason for temporary financing is that statutes don't allow for long term permanent financing until the project has been completed. Councilman Hoefer made a motion to introduce and approve Resolution 121(18) Calling Street Improvement Bond Anticipation Notes, Series 2018; second by Porter. **Vote: Yeas; Riedmiller, Hoefer, Porter, Johnson. Nays; None.**

8. **CONSIDER ORDINANCE 272(18) AN ORDINANCE AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION VARIOUS PURPOSE BONDS, SERIES 2018, OF THE CITY OF ALBION, NEBRASKA, IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED ONE MILLION THREE HUNDRED NINETY THOUSAND DOLLARS (\$1,390,000) ISSUED TO PAY THE COST OF CONSTRUCTING PAVING AND RELATED IMPROVEMENTS IN STREET IMPROVEMENT DISTRICT NO. 2018-1 OF THE CITY; PRESCRIBING THE FORM OF SAID BONDS; PROVIDING FOR A SINKING FUND AND FOR THE LEVY AND COLLECTION OF TAXES TO PAY SAID BONDS; PROVIDING FOR THE SALE OF THE BONDS; AUTHORIZING THE DELIVERY OF THE BONDS TO THE PURCHASER; PROVIDING FOR THE DISPOSITION OF THE BOND PROCEEDS AND ORDERING THE ORDINANCE PUBLISHED IN PAMPHLET FORM**

Brad Slaughter presented the Council with an Amortization for the Bond, and reviewed the breakdown of scheduled payments. Slaughter explained the payments would begin October 15, 2019 and go through October 15, 2033. Interest rate would be around 3.35%, with an average payment of around \$117,000. When Ameritas receives the Certificate of Substantial Completion from the engineer they will lock in interest rates and get the final information to the City. Councilman Porter inquired on the process of issuing Bonds. Slaughter explained the Bond purchase and distribution process. Councilman Porter made a motion to introduce Ordinance 272(18). Mayor Jarecki instructed Clerk Devine to read Ordinance 272(18) for the first time. Councilman Johnson made a motion to suspend the statutory rule requiring reading of the ordinance on three different days, second by Porter. **Vote: Yeas; Riedmiller, Porter, Johnson, Hoefer. Nays; None.** Mayor Jarecki instructed Clerk Devine to read Ordinance 272(18) by title for the second and third time. Councilman Johnson made a motion to approve all readings and for final passage of Ordinance 272(18), second by Riedmiller. Councilman Hoefer called the question. Mayor Jarecki sought further comment. With no further comment Mayor Jarecki declared Ordinance 272(18) having been read by title three different times, the rules have been suspended, the question is "Shall Ordinance 272(18) finally pass?" **Vote: Yeas; Porter, Hoefer, Johnson, Riedmiller. Nays; None.**

9. **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 street maintenance items and noted that patchwork and repair was completed on Fairview and 11<sup>th</sup> Street. Councilman Porter stated he has a meeting with Roger Protzman of JEO Consulting on other business and could try to get a cost estimate for waste water sludge drying. Mayor Jarecki and Clerk Devine agreed that would be a good idea. **No action taken.**

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

The Police Department provided the Council with a copy of a tall grass and weed nuisance they are processing. Officer Predmore stated that rainy weather had delayed scheduling of contractors to clean up nuisance properties that property owners failed to abate. **No action taken.**

11. **CONSIDER BILLS FOR APPROVAL**

- CONSIDER MONTHLY BILLS REPORT

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

- CONSIDER CHANGE ORDER #1 OF MIDLANDS CONTRACTING FOR FAIRVIEW PAVING AND STORM SEWER PHASE II PROJECT

Council Members reviewed Change Order #1 of Midlands Contracting which accounts for adjusting actual quantities. Councilman Johnson made a motion to approve Change Order #1 of Midlands Contracting in the amount of -\$9,763.50, second by Porter. **Vote: Yeas; Johnson, Hoefer, Riedmiller, Porter. Nays; None.**

- CONSIDER PAY APPLICATION #6 OF MIDLANDS CONTRACTING, INC. FOR FAIRVIEW STORM SEWER PHASE II PROJECT FOR APPROVAL

Councilman Johnson made a motion to approve Pay Application #6 of Midlands Contracting, Inc. for the Fairview Storm Sewer Improvements, Phase II Project in the amount of \$119,618.78; second by Porter. **Vote: Yeas; Riedmiller, Johnson, Porter, Hoefer. Nays; None.**

12. ITEMS TO BE PUT ON NEXT MEETING AGENDA

**Special Meeting: September 27, 2018 at 7:30 a.m.**

- To approve fiscal year end bills for payment
- Discuss revising dog ordinance regarding service animals

**Next Regular Meeting: October 9, 2018 at 7:30 p.m.**

13. ADJOURN

At 8:15 p.m. Council Member Hoefer made a motion to adjourn the meeting, second by Johnson. **Vote: Yeas; Porter, Johnson, Riedmiller, Hoefer. 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.

Readers Note: An audio recording of the meeting is also available at public request.

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James Jarecki, Mayor

ATTEST:

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Sharon Ketteler, Deputy Clerk