

**MINUTES
ALBION CITY COUNCIL
REGULAR MEETING – PUBLIC HEARING
TUESDAY, DECEMBER 9, 2014**

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 December 9, 2014 in the Council Chambers. Present were Mayor James C. Jarecki, Councilmembers Don Rutten, Walt Hoefler, Marcus Johnson, and Jon Porter. Absent was Council Member Jim Riedmiller. Also present were City Administrator Andrew Devine, Sewer Commissioner Joe Luettel, Deputy City Clerk Sharon Ketteler, Utility Clerk Ann Knust, Police Officer Joe Predmore, City Attorney Darren Wright, Jim Dickerson with the Albion News, Darrel Thorin, Brent Pribnow, Zac Glidden, and Brent Janzen. 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.

2. ROLL CALL

Councilman Johnson made a motion to excuse Riedmiller, second by Hoefler.

Vote: Yeas; Hoefler, Johnson, Rutten. Nays; None.

3. APPROVE MINUTES OF NOVEMBER 18, 2014 CITY COUNCIL MEETING

Councilman Rutten made a motion to approve the minutes of the November 18, 2014 City Council meeting, second by Johnson. **Vote: Yeas; Hoefler, Johnson, Rutten. Nays; None. Absent; Riedmiller.**

4. CONSIDER RESOLUTION 118(14) ESTABLISHING INTERLOCAL AGREEMENT WITH BOONE COUNTY FOR STREET SUPERINTENDENT SERVICES

Clerk Devine stated the City and County Insurance Companies discussed the Agreement and approved the language. The County Commissioners have approved and signed the Agreement between the City and the County for the County to provide Street Superintendent Services. This addresses liability concerns that were presented earlier in the year. This Agreement is for January 1, 2015 through December 31, 2015. Councilman Hoefler made a motion to approve Resolution 118(14), second by Rutten. **Vote: Yeas; Hoefler, Rutten, Johnson. Nays; None. Absent; Riedmiller.**

5. **CONSIDER BILLS FOR APPROVAL**

• **CONSIDER MONTHLY BILLS FOR APPROVAL**

Council Members reviewed the bills. Councilman Rutten requested the payment to Utility Service be removed. Clerk Devine explained it would be a breach of contract if the City did not pay the bill. Devine also explained the City is only agreeing to pay the last valid contractual amount; and is waiting for the company to provide an answer regarding the 11% increase. Councilman Hoefer made a motion to approve the monthly bills, making the exception to the Utility Service bill to pay \$970.28 instead of the invoiced amount of \$1,077.02; second by Johnson. **Vote: Yeas; Rutten, Johnson, Hoefer. Nays; None. Absent; Riedmiller.**

• **CONSIDER PAY APPLICATION #14 OF CHRISTIANSEN CONSTRUCTION FOR APPROVAL**

Clerk Devine stated the Pay Application in the amount of \$57,125 does not include a retainage amount of \$26,625 for items noted on the punch list. Councilman Johnson made a motion to approve Pay Application #14 of Christiansen Construction as Certified by Burbach Aquatics, second by Rutten. **Vote: Yeas; Johnson, Rutten, Hoefer. Nays; None. Absent; Riedmiller.**

• **CONSIDER PAY APPLICATIONS #5 OF MECHANICAL, INC. FOR APPROVAL**

Clerk Devine reported the Pay Application in the amount of \$52,476.50 does not include a retainage amount of \$25,750 for items noted on the punch list. Councilman Rutten made a motion to approve Pay Application #5 of Mechanical, Inc. as Certified by Burbach Aquatics, second by Hoefer. **Vote: Yeas; Hoefer, Johnson, Rutten. Nays; None. Absent; Riedmiller.**

6. **CITY CLERK TO PRESENT ELECTION RESULTS CERTIFICATION FROM COUNTY ELECTION COMMISSIONER**

Clerk Devine presented the election results from November 10, 2014. For Albion City Mayor, Jim Jarecki won with 535 votes to no opposition. There were two seats open for Albion City Council and two candidates. Jon Porter received 485 votes and Jim Riedmiller received 547 votes. No action necessary.

MINUTES – ALBION CITY COUNCIL – REGULAR MEETING DECEMBER 9, 2014

7. SWEAR IN NEWLY ELECTED OFFICIALS FOR FOUR YEAR TERMS

• **THANK OUTGOING OFFICIALS FOR THEIR SERVICE**

Clerk Devine thanked outgoing Councilman Rutten for his service on the City Council. City Attorney Wright swore in Jon Porter for his four year term as a City Council Member. No action necessary.

8. ELECT COUNCIL PRESIDENT FOR ANNUAL TERM

Councilman Johnson made a motion to elect Jim Riedmiller as Council President for 2015, second by Hoefer. **Vote: Yeas; Porter, Johnson, Hoefer. Nays; None. Absent; Riedmiller.**

9. CONSIDER MAYORAL APPOINTMENTS TO BE EFFECTIVE JANUARY 1, 2015

ADMINISTRATOR/CLERK/TREASURER	ANDREW DEVINE
DEPUTY CLERK	SHARON KETTELER
UTILITY CLERK	ANN KNUST
WATER COMMISSIONER	RON MOREARTY
SEWER COMMISSIONER	JOE LUETTEL
STREET FOREMAN	JAMES BADER
STREET UTILITY	JOSEPH LANDAUER
CITY ATTORNEY	DARREN WRIGHT
DEPUTY CITY ATTORNEY	LARRY BIRD
BUILDING INSPECTOR	ROBERT WILSON
POLICE CHIEF	BRENT LIPKER
POLICE OFFICER	JOE PREDMORE
POLICE OFFICER	MIKE MAPEL
STREET SUPERINTENDENT	BOONE COUNTY ROADS SUPERINTENDENT BY INTERLOCAL AGREEMENT
FIRE CHIEF	BRUCE BENNE
ALBION HOUSING AUTHORITY BOARD MEMBER TERM ENDING DECEMBER 31, 2019	ELIZABETH MEYER
POOL MANAGER	KRISTA KRAVIG
ASSISTANT POOL MANAGER	MICHELLE DEVINE
ASSISTANT POOL MANAGER	SARA WELLS
CITY PHYSICIAN/MEDICAL OFFICER	DR. ANTHONY KUSEK
CITY ENGINEER	RESERVE RIGHT TO USE SPECIAL PROJECTS ENGINEER AS NEEDED

MINUTES – ALBION CITY COUNCIL – REGULAR MEETING DECEMBER 9, 2014

Councilman Johnson made a motion to confirm the Mayoral appointments as presented, second by Porter. **Vote: Yeas; Hoefler, Johnson, Porter. Nays; None. Absent; Riedmiller.**

Clerk Devine declared his spousal relationship with appointed pool assistant manager, Michelle Devine; adding that the required Disclosure Statement is on file.

10. CONSIDER RESOLUTION 120(14) DECLARING SURPLUS PROPERTY AND PROVIDING MANNER OF SALE

Councilman Hoefler made a motion to introduce and approve Resolution 120(14) Declaring Surplus Property of Fire Department's Old Equipment Truck, second by Johnson. **Vote: Yeas; Hoefler, Porter, Johnson. Nays; None. Absent; Riedmiller.**

11. CONSIDER RESOLUTION 121(14) DECLARING NUISANCE

The Inspection Report was not available at the time of the meeting. Councilman Johnson made a motion to table Resolution 121(14) until presented with an Inspection Report, second by Porter. **Vote: Yeas; Hoefler, Porter, Johnson. Nays; None. Absent; Riedmiller.**

12. CONSIDER STATE STREET BUDGET REPORT FOR APPROVAL

Street Superintendent, Darrel Thorin, presented the Budget and Expenditure Report. Councilman Hoefler made a motion to approve 2014 State Street Budget Report, second by Porter. **Vote: Yeas; Hoefler, Porter, Johnson. Nays; None. Absent; Riedmiller.**

13. **CONSIDER RIGHT OF WAY GRANT TO RDG GEOSCIENCE AND ENGINEERING FOR PURPOSE OF CONSTRUCTING MONITORING WELLS NEAR 4TH STREET BETWEEN MARKET AND MAIN STREETS**

Clerk Devine stated RDG was hired by DEQ to perform a Tier 1 investigation. The result proved ground water contamination. They will do an expanded Tier 2 investigation to define how far the contamination is, and to assess if there is any threat to drinking water. Councilman Hoefer made a motion to approve Grant of ROW Agreement to RDG Geoscience and Engineering for purpose of constructing monitoring wells, second by Johnson. **Vote: Yeas; Hoefer, Porter, Johnson. Nays; None. Absent; Riedmiller.**

14. **CITY ADMINISTRATOR REPORT**

Pool:

Nothing new to report.

Streets:

Nothing new to report.

Water/Sewer:

Water Well Project: Still waiting for approval of the louvre/ventilation system for the chemical room. Tracy McConnell has reviewed the wall/door issue with Mike Woerth of Woerth Construction. He believes he can improve the door situation and will address it in the next week or two.

Nothing new to report on Water Tower painting. Plan to meet with Attorney Wright and Mayor Jarecki in near future to discuss formal communications in regards to the paint job as well as the contract term. Will present recommendations for Council action if/when appropriate.

Park:

Nothing new to report.

Other:

Mayor will hold department head meeting next month and report back to the Council. Devine provided reports for Building Permits for October/November 2014; the current month Sales Tax showing the monthly trend of sales tax receipts; and also an unaudited Treasurer's Report/Budget Performance Report for fiscal year-to-date.

15. UPDATE ON WATER WELL PROJECT

See City Administrator Report.

16. ITEMS TO BE PUT ON NEXT MEETING AGENDA

- Next Regular Meeting will be January 13, 2014, 7:30 p.m.
- One and Six Year Road Plan
- Discuss Water Tower Contract
- Mayor to report on Annual Department Head meeting
- Nuisance Report
- Administrator Report
- Approve Bills
- Annual Activity Report
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17. ADJOURNMENT

At 8:00 p.m. Council Member Hoefler made a motion to adjourn the meeting, second by Johnson. **Vote: Yeas; Johnson, Hoefler, Porter. Nays; None. Absent; Riedmiller.**

MINUTES – ALBION CITY COUNCIL – REGULAR MEETING DECEMBER 9, 2014

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