

MINUTES
ALBION CITY COUNCIL
REGULAR MEETING
TUESDAY, JUNE 13, 2017

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 June 13, 2017 at Albion City Hall, 420 West Market St., Albion, NE. Present were: Mayor James C. Jarecki, Council Members Marcus Johnson, Jon Porter, Walter Hoefer, and Jim Riedmiller. City staff present were: City Administrator Andrew Devine, Deputy City Clerk Sharon Ketteler, Police Officer Mike Mapel, Sewer Commissioner Joe Luettel, Water Commissioner Ron Morearty, Billing Utility Clerk Amber Wynn, 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. The Mayor stated the Church Street Project is progressing nicely, and a Railroad crew is currently working on the tracks and on the East ditch. The Tennis Court project is almost finished. There are new business owners in town and the Mayor thanked them for investing in Albion. The Boot Rack closed its doors and will do on-line business only. Mayor Jarecki attended the Smoyer-Wathen Memorial Service and commended the committee members. Enough money was raised through donations to pay for a memorial monument; and to possibly start a scholarship fund for someone to attend law enforcement school. An agenda item request was received by a citizen on Monday, which did not meet the deadline. The Mayor stated the sewer rate issues on the agenda item request would be discussed at the next meeting as the preliminary budget begins.

2. CONSIDER MINUTES OF MAY 9, 2017 AND MAY 25, 2017 CITY COUNCIL MEETINGS FOR APPROVAL

Councilman Porter made a motion to approve the minutes of the May 9, 2017 and May 25, 2017 City Council meetings; second by Johnson. **Vote: Yeas; Porter, Hoefer, Riedmiller, Johnson. Nays; None.**

3. **CONSIDER AGREEMENT WITH JEO CONSULTING GROUP, INC. FOR SALE BARN ROAD WATER MAIN REPLACEMENT PROJECT**

Clerk Devine provided an updated Agreement from JEO Consulting Group for Council Members to review. The Agreement kept the original contract as it was; and included an addendum to add on the suggested additional replacement of 2" line from Depot Street to the highway by Church Street. Discussion ensued. Councilman Hoefer made a motion to approve the agreement with JEO Consulting Group, Inc. for replacement of the Sale Barn Road water main only, second by Riedmiller. **Vote: Yeas; Riedmiller, Johnson, Porter, Hoefer. Nays; None.**

4. **CONSIDER ACTION ON ORDINANCE 260(17) RELATING TO A LEVY OF SPECIAL ASSESSMENT FOR THE UNPAID UTILITY BILL OF MATTHEW J. SCARLETT**

Mayor Jarecki instructed Clerk Devine to read Ordinance 260(17) by title for the second time. Councilman Johnson made a motion to suspend the rules, second by Riedmiller. **Vote: Yeas; Hoefer, Riedmiller, Johnson, Porter. Nays; None.**

Mayor Jarecki instructed Clerk Devine to read the ordinance by title for the third time. Following the second and third readings, Councilman Riedmiller made a motion to approve the readings and final passage of Ordinance 260(17); second by Porter. **Vote: Yeas; Johnson, Riedmiller, Hoefer, Porter. Nays; None.**

5. **CONSIDER ORDINANCE 261(17) APPROVING THE FINAL PLAT APPLICATION OF DANA AND KAREN ANDERSEN FOR THE SOUTH PARK SUBDIVISION**

Clerk Devine recommended tabling until all prerequisite requirements are met. Councilman Riedmiller made a motion to table Ordinance 261(17) until all requirements are met, second by Hoefer. **Vote: Yeas; Riedmiller, Hoefer, Johnson, Porter. Nays; None.**

6. **CONSIDER LOT SPLIT APPLICATION OF JUDITH HARDER FOR PROPERTY LEGALLY DESCRIBED AS A FRACTION OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 20 NORTH, RANGE 6 WEST, BOONE COUNTY, NEBRASKA CONSISTING OF 20.2 ACRES, MORE OR LESS AND MORE COMMONLY KNOWN AS 2609 FAIRGROUNDS ROAD, ALBION, NEBRASKA**

Clerk Devine provided a copy of the application for Council Members to review; stating the request is to split 1 parcel into two parcels. Both lots would meet the

minimum lot standard requirements, both would have access to public roadways, and it wouldn't create additional service requirements for the City. Councilman Porter made a motion to approve the lot split application of Judith Harder, second by Johnson. **Vote: Yeas; Riedmiller, Johnson, Porter, Hoefler. Nays; None.**

7. **CONSIDER NORTHEAST NEBRASKA ECONOMIC DEVELOPMENT DISTRICT HOUSING REUSE SERVICE CONTRACT FOR APPROVAL**

Clerk Devine provided the Council with a copy of the contract for review. Devine stated this would update some language to the existing agreement; however, there were no changes to the rates. Councilman Hoefler made a motion to approve the Northeast Nebraska Economic Development District Housing Reuse Service Contract, second by Porter. **Vote: Yeas; Hoefler, Riedmiller, Johnson, Porter. Nays; None.**

8. **ANNUAL DELINQUENT UTILITY ACCOUNT REPORT**

Utility Billing Clerk Amber Wynn provided a report for Council Members to review. **No action taken.**

9. **CONSIDER MAYORAL APPOINTMENT OF MAKENSEY HARRIS AS THE CITY BUILDING INSPECTOR**

Councilman Porter made a motion to table the Mayoral appointment of Makensey Harris as the City Building Inspector, second by Johnson. **Vote: Yeas; Johnson, Porter, Hoefler, Riedmiller. Nays; None.**

10. **NUISANCE PROGRAM REPORT FROM ALBION POLICE DEPARTMENT**

Officer Mapel presented three Inspection Reports and reviewed them with the Mayor and Council.

- **CONSIDER RESOLUTION SERIES 109(17) DECLARING NUISANCES**

Councilman Porter made a motion to introduce and approve Resolution Series 109(17) 1-3, Declaring Nuisances; second by Johnson. **Vote: Yeas; Johnson, Riedmiller, Porter, Hoefler. Nays; None.**

11. **CITY ADMINISTRATOR REPORT**

Clerk Devine had previously provided a written report for Council Members to review. Devine added that basketball backboards for Tennis Court Project have been backordered, and liquidated damages are being calculated at \$300 per day from June 1st until the courts are ready for use. There have been 119 family and 23 individual pool passes sold so far, which is a record number for the facility. The average attendance has been 184 per day, up from 138-140 in the past. The average attendance after 5:30 p.m. has been 14. The average temperature of 92 degrees has contributed to the high number of attendance. **No action taken.**

12. **CONSIDER CHANGE ORDER #3 OF B-D CONSTRUCTION, INC. FOR THE FAIRVIEW STREET STORM SEWER PHASE I AND RUBY STREET PROJECTS CONTRACT**

Clerk Devine provided a copy of the Change Order for the Council to review. Councilman Porter made a motion to approve Change Order #3 of B-D Construction, Inc. for the Fairview Street Storm Sewer Phase I and Ruby Street Projects contract in the amount of \$98,000; second by Johnson. **Vote: Yeas; Hoefler, Riedmiller, Johnson, Porter. Nays; None.**

13. **CONSIDER PAY APPLICATION #5 OF B-D CONSTRUCTION, INC. FOR THE FAIRVIEW STREET STORM SEWER PHASE I AND RUBY STREET PROJECTS**

Clerk Devine provided a copy of the Pay Application for Council Members to review, noting that the County is sharing half the cost of this project. Councilman Hoefler made a motion to approve Pay Application #5 of B-D Construction and to pay the amount of \$15,007.58; second by Porter. **Vote: Yeas; Riedmiller, Hoefler, Johnson, Porter. Nays; None.**

14. **CONSIDER CHANGE ORDER #1 OF HACKEL CONSTRUCTION FOR THE ALBION SPORTS COMPLEX MULTIPURPOSE COURT PROJECT CONTRACT**

Clerk Devine provided a copy of the Change Order for Council to review, stating the Change Order was for the sod portion of the project. It wasn't included in the original contract as the price was being negotiated. Councilman Johnson made a motion to approve Change Order #1 of Hackel Construction for the Albion Sports

Complex Multipurpose Court Project Contract in the amount of \$3,141.60; second by Porter. **Vote: Yeas; Hoefer, Johnson, Porter, Riedmiller. Nays; None.**

15. **CONSIDER PAY APPLICATION #1 OF HACKEL CONSTRUCTION FOR THE ALBION SPORTS COMPLEX MULTIPURPOSE COURT PROJECT CONTRACT**

Clerk Devine reviewed the Pay Application with Council Members, noting \$20,893.86 in retainage is being withheld on the project. Councilman Porter made a motion to approve Pay Application #1 of Hackel Construction and to pay the amount of \$188,044.74; second by Riedmiller. **Yeas; Porter, Riedmiller, Hoefer, Johnson. Nays; None.**

16. **CONSIDER BILLS FOR APPROVAL**

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

17. **ITEMS FOR THE NEXT MEETING AGENDA**

July 18, 2017 at 7:30 p.m. – Regular Meeting

- Ordinance 261(17)
- City Building Inspector

18. **ADJOURN**

At 8:17 p.m. Council Member Hoefer made a motion to adjourn the meeting, second by Johnson. **Vote: Yeas; Johnson, Riedmiller, Porter, Hoefer. Nays; None.**

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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