

MINUTES
ALBION CITY COUNCIL
REGULAR MEETING – PUBLIC HEARING
TUESDAY, DECEMBER 12, 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 December 12, 2017 at Albion City Hall, 420 West Market St., Albion, NE. Present were: Mayor James C. Jarecki, Council Members Jim Riedmiller, Jon Porter, and Marcus Johnson. Absent was Walt Hoefer. City staff present were: City Administrator Andrew Devine, Deputy City Clerk Sharon Ketteler, Water Commissioner Ron Morearty, Billing Utility Clerk Amber Wynn, Officer Mike Mapel, 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.

Councilman Porter made a motion to excuse Walt Hoefer, second by Riedmiller. **Vote: Yeas; Riedmiller, Porter, Johnson. Nays; None.**

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 reported to the Council that he has been accused of instructing City Personnel not to do business with Trent Kraus' business and Mike and Theresa Scheffler's business since they have lawsuits against the City of Albion. The Mayor denied the accusation and has sought legal counsel with City Attorney Darren Wright. **No action taken.**

2. CONSIDER MINUTES OF NOVEMBER 28, 2017 CITY COUNCIL MEETING FOR APPROVAL

Councilman Riedmiller made a motion to approve the minutes of the November 28, 2017 City Council meeting; second by Johnson. **Vote: Yeas; Riedmiller, Johnson, Porter. Nays; None. Absent; Hoefer.**

3. CONSIDER ACTION ON IDSHIELD IDENTITY THEFT PROTECTION PRODUCT FOR CITY EMPLOYEES

Council Members discussed the product that was presented at the last regular Council meeting. Councilman Porter inquired on employee interest. It was suggested to present it to employees at the Department Head meeting to consider the benefit. Councilman Riedmiller made a motion to table action on IDShield Identity Theft Protection product for City employees until the next regular City Council meeting, second by Johnson. **Vote: Yeas; Johnson, Riedmiller, Porter. Nays; None. Absent; Hoefer.**

4. **REVIEW ANNUAL AUDIT REPORT FOR FISCAL YEAR ENDED SEPTEMBER 30, 2017 – AMGL, CPAS**

Terry Galloway of AMGL was present to review the audit documents with the Council. Mr. Galloway stated the City has once again achieved an unmodified report, which is the highest level of assurance given by an independent CPA firm. Over the last few years there has been a decrease in the overall tax asking. This past year was a large decrease of 9.2% in tax asking. Mr. Galloway expressed the City has good cash reserves and has done a good job of underspending the budget. A review of utility expenses and revenues found the sewer fund is not generating enough cash to handle all the debt service. Mr. Galloway distributed a benchmarking sheet and reviewed Albion’s financial statistics against statewide benchmarks. Mr. Galloway just received the Keno audit which he will review and forward to the City. **No action taken.**

5. **OPEN PUBLIC HEARING OF SUFFICIENCY OF WRITTEN OBJECTIONS TO THE ALBION STREET IMPROVEMENT DISTRICT #2018-01**

Mayor Jarecki opened the public hearing at 8:02 p.m. The Mayor sought public testimony. Clerk Devine reported that only 1 written objection was received. A copy of that objection was provided to the Council for review. Mr. Devine stated since objection was less than 50% of ownership within the district (as calculated by linear foot of property frontage to the project), the City would not be required to repeal the creation of the Street Improvement District. Public testimony was given against the sidewalk portion of the project, as well as concerns about access to properties during construction. Mayor Jarecki sought further comment. Hearing none, the Mayor closed the public hearing at 8:07 p.m. Clerk Devine acknowledged citizen’s concerns stating the phasing plan is unknown at this time until a contractor is hired. Mr. Devine also addressed the need for a 5’ sidewalk for public safety issues, as Fairview Street is highly used by walkers. Nathan Boone of JEO Consulting Group stated the project requires the contractor to provide access to properties at all times for emergency services. **No action taken.**

- Consider further action on Ordinance 264(17) Creating Albion Street Improvement District #2018-01, if so required. **No action taken.**

6. **CONSIDER BIDS FOR THE FAIRVIEW DRAINAGE PHASE II AND PAVING PROJECT FOR APPROVAL AND AWARD OF CONTRACT, AUTHORIZING THE MAYOR TO SIGN ANY AND ALL CONTRACT DOCUMENTS**

Clerk Devine stated three bids were received for the project. The lowest responsible bid was from Midlands Contracting of Kearney for a base bid price of \$1,133,470.55 and the alternate Group D bid of \$39,204.00 for re-sodding the Right of

Way; which was considerably less than the engineer’s project estimate of \$1,460,362. Their start date would be March 5, 2018. Discussion ensued. Councilman Riedmiller made a motion to approve and award base bid of Midlands Contracting, Inc. in the amount of \$1,133,470.55 and wait on alternate Group D bid; second by Johnson. **Vote: Yeas; Porter, Riedmiller, Johnson. Nays; None. Absent; Hoefer.**

7. **ACKNOWLEDGEMENT OF RECEIPT OF THE CITY ADMINISTRATOR REPORT TO THE CITY COUNCIL REGARDING THE STATUS OF VARIOUS CITY DEPARTMENT, CITY ACTIVITIES, AND CITY FINANCIAL REPORTS**

Clerk Devine had previously provided a written report for Council Members to review. Mr. Devine added that he will begin preparing Property and Casualty Insurance bid specs soon. The bid opening for that will be February 22, 2018 and consideration for award at the March 13, 2018 City Council meeting. Also, there was only 1 demolition and 1 commercial remodel for the building permit report. **No action taken.**

8. **CONSIDER BILLS FOR APPROVAL**

• **CONSIDER MONTHLY BILLS REPORT**

Councilman Porter made a motion to approve monthly bills as presented with the exception of the Porters LLC bill, second by Johnson. **Vote: Yeas; Johnson, Porter, Riedmiller. Nays; None. Absent; Hoefer.**

Councilman Johnson made a motion to approve payment of Porters LLC bill, second by Riedmiller. **Vote: Yeas; Riedmiller, Johnson. Nays; None. Abstain; Porter. Absent; Hoefer.**

9. **CONSIDER EMPLOYEE EVALUATION FOR APPROVAL**

Councilman Riedmiller made a motion to approve employment evaluation and appropriate step raise of Sharon Ketteler, second by Johnson. **Vote: Yeas; Porter, Johnson, Riedmiller. Nays; None. Absent; Hoefer.**

10. **ELECT COUNCIL PRESIDENT FOR ANNUAL TERM**

Councilman Riedmiller made a motion to approve nomination and election of Walt Hoefer as City Council President for 2018, second by Johnson. **Vote: Yeas; Riedmiller, Porter, Johnson. Nays; None. Absent; Hoefer.**

11. CONSIDER MAYORAL APPOINTMENTS TO BE EFFECTIVE JANUARY 1, 2018

ADMINISTRATOR/CLERK/TREASURER	ANDREW DEVINE
DEPUTY CLERK	SHARON KETTELER
UTILITY CLERK	AMBER WYNN
WATER COMMISSIONER	RON MOREARTY
SEWER COMMISSIONER	JOE LUETTEL
STREET FOREMAN	JAMES BADER
STREET UTILITY	JOSEPH LANDAUER
CITY ATTORNEY	DARREN WRIGHT
DEPUTY CITY ATTORNEY	JESSICA FAUSS
BUILDING INSPECTOR	MAKENSEY HARRIS
POLICE CHIEF	BRENT LIPKER
POLICE OFFICER	JOE PREDMORE
POLICE OFFICER	MIKE MAPEL
STREET SUPERINTENDENT	STACEY ROBINSON
FIRE CHIEF	BRUCE BENNE
ALBION HOUSING AUTHORITY BOARD MEMBER TERM ENDING DECEMBER 31, 2021	RON LEVANDER
POOL MANAGER	MICHELLE DEVINE
CITY PHYSICIAN/MEDICAL OFFICER	DR. ANTHONY KUSEK
CITY ENGINEER	RESERVE RIGHT TO USE SPECIAL PROJECTS ENGINEER AS NEEDED

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

12. CONSIDER AGREEMENT WITH NORTHEAST NEBRASKA ECONOMIC DEVELOPMENT DISTRICT FOR GENERAL ADMINISTRATION OF THE DOWNTOWN REDEVELOPMENT GRANT FOR APPROVAL AND AUTHORIZE THE MAYOR OR HIS REPRESENTATIVE TO SIGN THE SAME

Clerk Devine explained it is a standard agreement for the CDBG Block Grant Contract which states the City of Albion will hire NENEDD to be the administrator for the grant program. City Attorney Wright confirmed he found no issues with the agreement. Councilman Johnson made a motion to approve the agreement with Northeast Nebraska Economic Development District for General Administration of the

Downtown Redevelopment Grant and authorizing the Mayor or his Representative to sign the same, second by Porter. **Vote: Yeas; Johnson, Riedmiller, Porter. Nays; None. Absent; Hoefer.**

13. CONSIDER COMMUNITY DEVELOPMENT BLOCK GRANT CONTRACT NO. 17-DTR-103 WITH THE STATE OF NEBRASKA DEPARTMENT OF ECONOMIC DEVELOPMENT FOR APPROVAL AND AUTHORIZE THE MAYOR OR HIS REPRESENTATIVE TO SIGN THE SAME

Clerk Devine explained this agreement states the City of Albion will comply with all rules to use the money for Downtown Revitalization. Councilman Johnson made a motion to approve Community Development Block Grant Contract No. 17-DTR-103 with the State of Nebraska Department of Economic Development and Authorize Mayor or his Representative to sign the same, second by Riedmiller. **Vote: Yeas; Porter, Johnson, Riedmiller. Nays; None. Absent; Hoefer.**

14. CONSIDER STATE STREET BUDGET REPORT FOR APPROVAL

Council Members reviewed the Annual Street Budget State Report provided by Clerk Devine and Street Superintendent, Stacey Robinson. Discussion ensued. Councilman Porter made a motion to approve annual Street Budget State Report, second by Johnson. **Vote: Yeas; Porter, Johnson, Riedmiller. Nays; None. Absent; Hoefer.**

15. ITEMS TO BE PUT ON NEXT MEETING AGENDA

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

- IDShield Identity Theft Protection for City Employees
- Department Head Meeting
- Activity Report
- Initiate Annexation Procedures

16. **ADJOURN**

At 8:47 p.m. Council Member Porter made a motion to adjourn the meeting, second by Riedmiller. **Vote: Yeas; Porter, Johnson, Riedmiller. Nays; None. Absent; Hoefler.**

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