

**MINUTES**  
**ALBION CITY COUNCIL**  
**REGULAR MEETING**  
**TUESDAY, JULY 16, 2019**

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 16, 2019 at Albion City Hall, 420 West Market St., Albion, NE. Present were: Mayor James C. Jarecki, Council Members Marcus Johnson, Jon Porter, and Chris Kohtz. Walt Hoefer arrived at 7:31 p.m. City staff present were: City Administrator Andrew Devine, Water Commissioner Ron Morearty, Police Officer Joe Predmore, Utility Billing Clerk Amber Wynn, Deputy City Clerk Sharon Ketteler, 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. The meeting was recorded using an audio recording device and such recording is available for inspection at the office of the City Clerk.

**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 Administrator Devine has been working on the budget, and a preliminary review is included in the agenda. Mayor Jarecki noted there will be a Department Head meeting next month; and also a Budget Workshop meeting next month. The Mayor mentioned the stop ahead sign by the Court House is confusing motorists traveling on State Street. Chief Lipker will ask the State Road Department to add the words "Stop Ahead" to the sign indicating the correct place for State Street motorists to stop.

**2. CONSIDER MINUTES OF JUNE 25, 2019 CITY COUNCIL MEETING FOR APPROVAL**

Councilman Johnson made a motion to approve the minutes of the June 25, 2019 City Council meeting; second by Porter. **Vote: Yeas; Hoefer, Johnson, Kohtz, Porter. None.**

**3. CONSIDER AEDC REQUEST FOR SALES TAX FUNDS RELEASE FOR OPERATION OF ALBION ECONOMIC DEVELOPMENT PLAN**

Jeff Jarecki, AEDC Board Member, explained the request is to replace funds that were used to purchase the old fire hall property. Councilman Porter asked about voting of the proposals. Mr. Jarecki stated that there is currently no purchase agreement and that the building is still for sale. Porter asked how many proposals they received. Michelle Olson, director of the AEDC stated there were 3 proposals received by the first deadline. But there were other interested parties so they opened it back up to give those individuals the opportunity as well. The new deadline was July 15, 2019.

Mr. Jarecki stated that no proposal has been selected yet as not everyone has had the opportunity to present their proposal to the board. Discussion ensued.

Councilman Hoefer made a motion to approve AEDC request for sales tax funds release in the amount of \$22,500 for operation of the Albion Economic Development Plan; second by Kohtz. **Vote: Yeas; Hoefer, Johnson, Kohtz. Nays; None. Abstain; Porter.**

4. **CONSIDER RESOLUTION OF DISSOLUTION OF BOONE COUNTY DEVELOPMENT AGENCY**

Michelle Olson explained that the original agency operated as both a joint public agency and a non-profit agency. Since the joint public agency no longer exists, they need permission from each of the communities that were a part of the interlocal agreement, to dissolve the agency.

Councilman Johnson made a motion to approve Resolution of Dissolution of Boone County Development Agency (City of Albion Resolution 108(19)), second by Porter. **Vote: Yeas; Hoefer, Porter, Johnson, Kohtz. Nays; None.**

5. **CONSIDER RIGHT OF WAY PERMIT APPLICATION OF GREAT PLAINS COMMUNICATIONS FOR NEW CONSTRUCTION OF FIBER OPTIC COMMUNICATION LINE ALONG FAIRVIEW STREET FROM 6<sup>TH</sup> STREET TO THE WEST CORPORATE LIMITS OF THE CITY OF ALBION**

Mark McFarland explained the application which had been previously provided for Council to review. Great Plains plans to extend mainline fiber from 6<sup>th</sup> Street and Fairview Street west to Fairgrounds Road, then south to the communications tower site. Ron Morearty noted utility locations around that area. Councilman Johnson made a motion to approve Right of Way permit application of Great Plains Communications for new construction of fiber optic communication line along Fairview Street from 6<sup>th</sup> Street to the west corporate limits of the City of Albion, second by Porter. **Vote: Yeas; Johnson, Kohtz, Hoefer, Porter. Nays; None.**

6. **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 Kohtz made a motion to approve Interlocal Agreement with Boone Central School District for use of softball field, second by Johnson. **Vote: Yeas; Porter, Johnson, Kohtz, Hoefer. Nays; None.**

7. **PRELIMINARY REVIEW OF 2018-19 BUDGET PERFORMANCE & DRAFT OF 2019-20 BUDGET**

Clerk Devine provided multiple budget spreadsheets and reviewed the Preliminary Budget Summary with Council Members. All departments except for the Police department are expected to perform better than budgeted. There is a surplus of Governmental Funds largely due to the South Park subdivision not yet moving forward.

The City's current group health plan will no longer exist, so full-time employees will be transferring to an Affordable Care Act plan. The increase in the plan, along with the HSA, will be about 47%. Most departments should be able to absorb the increase without it affecting tax asking. Three departments show a decrease in the preliminary property tax request. The Police and Library departments show an increase. However, the Library department's increase is only from operation and maintenance costs, as there is no healthcare benefit for part-time employees.

Another large increase in property tax request is for swimming pool bonds since the City has spent down the debt service cash reserve. The annual swimming pool bond payment is about \$220,000. Approximately half of the bond is paid with sales tax and the other half with voter authorized property tax increase. The estimated property tax asking for 2019-2020 is \$678,096; about \$115,595 more than last year.

The total tax levy is estimated to be about .43 cents, which is .6 cents higher than last year.

The estimated valuation increase of 3% is what the average increase has been over the last 6 years.

**No action taken.**

8. **REVIEW UTILITY RATES AND CONSIDER RESOLUTION 109(19) SETTING UTILITY RATES EFFECTIVE OCTOBER 1, 2019**

Clerk Devine provided the Council with comparison charts with data obtained from the Nebraska Rural Water Association. Mr. Devine commented that since each utility department was carrying a surplus, he recommended no changes to the rates for 2019-2020. Clerk Devine explained that since previous garbage contractors provided exempt services to Churches, the City has continued that service even though current contractors do not give the exemption. Mr. Devine noted that it will be reviewed in the future to see if it's necessary to discontinue the exemption or raise rates to make up the difference. Councilman Johnson made a motion to introduce and approve Resolution 109(19) Setting Utility Rates for the City of Albion, second by Kohtz. **Vote: Yeas; Johnson, Hoefler, Kohtz, Porter. Nays; None.**

9. **NUISANCE PROGRAM REPORT – UPDATE FROM ALBION POLICE DEPARTMENT AND CITY ATTORNEY ON THE STATUS OF DECLARED NUISANCES**

Officer Predmore had no new information on the nuisances that were declared. Clerk Devine noted re-inspection is to occur 30 days after notification of property owners. City Attorney Wright will check the status of nuisances with Chief Lipker and begin legal action on those not yet abated. Mr. Devine stated police have considered hiring an outside inspector for nuisances that involve an unsafe structure. **No action taken.**

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 report for Council review. Mr. Devine added that the 5<sup>th</sup> Street maintenance repair south of Park Street is underway. Also, Joe Luettel began cutting alfalfa yesterday on the farm ground around the sewer plant. **No action taken.**

11. **CONSIDER BILLS FOR APPROVAL**

- CONSIDER MONTHLY BILLS FOR APPROVAL

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

- CONSIDER PAY APPLICATION #2 OF CHARLES SARGENT IRRIGATION, INC./SARGENT DRILLING FOR THE 2018-19 NEW WELL PROJECT

Clerk Devine stated he met with JEO and Vrba Construction onsite today. The project is a little behind schedule due to weather; however, it is still on track for September completion. Councilman Hoefer made a motion to approve Pay Application #2 of Charles Sargent Irrigation Inc/Sargent Drilling in the amount of \$61,732.42; second by Johnson. **Vote: Yeas; Kohtz, Johnson, Hoefer, Porter. Nays; None.**

**12. CONSIDER EMPLOYEE EVALUATIONS FOR APPROVAL**

Councilman Kohtz made a motion to approve annual evaluation of Michael Mapel, and annual evaluation and step raise of Andrew Devine; second by Hoefler.

**Vote: Yeas; Hoefler, Porter, Kohtz, Johnson. Nays; None.**

**13. CONSIDER MAYORAL APPOINTMENT OF WARREN MYERS AS THE ALBION BUILDING INSPECTOR**

Councilman Johnson made a motion to approve Mayoral Appointment of Warren Myers as the Albion Building Inspector, second by Porter. **Vote: Yeas; Porter, Kohtz, Hoefler, Johnson. Nays; None.**

**14. CONSIDER BIDS FOR PUBLIC WORKS STORAGE BUILDING FOR AWARD**

Clerk Devine reviewed the bid received from On Point Construction, which was the only bid received. The bid was comparable to the estimate previously received from Sentinel AGI, however, they were unable to bid the project. Council Members discussed the alternate bid for concrete footings and floor slab, which was \$34,106. This was not a part of the bid specifications so it would also require formal bidding since it is over \$30,000. The City could first seek a negotiation with On Point Construction. Councilman Porter made a motion to approve bid of On Point Construction Management for the Public Works Storage Building in the amount of \$56,682; noting the projected milestone schedule with a request for footing specifications on or before August 14, 2019; second by Kohtz. **Vote: Yeas; Johnson, Kohtz, Porter, Hoefler. Nays; None.**

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

**The next regular meeting is scheduled for August 13, 2019 at 7:30 p.m.**

- Airport Authority City Tax Allocation for Fiscal Year 2019-2020
- Cost of Living Adjustment for Non-Temporary City Employees effective October 1, 2019
- Boone County Development Agency Membership Agreement and Disbursement Agreement

**Special Meeting – Budget Workshop is scheduled for August 27, 2019 at 7:30 p.m.**

16. **ADJOURN**

At 8:54 p.m. Council Member Hoefer made a motion to adjourn the meeting, second by Johnson. **Vote: Yeas; Hoefer, Johnson, Porter, Kohtz. 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