

MINUTES
ALBION CITY COUNCIL
REGULAR MEETING – PUBLIC HEARING
TUESDAY, MARCH 8, 2022

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 March 8, 2022 at Albion City Hall, 420 West Market St., Albion, NE. Present were: Mayor James C. Jarecki, Council Members Jason Tisthammer, Jon Porter, Marcus Johnson, and Jack Dailey. City staff present were: City Administrator Andrew Devine, Deputy City Clerk Sharon Ketteler, City Attorney Darren Wright, Utility Clerk Amber Wynn, Water Commissioner Warren Myers, and Officer Mike Mapel. 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 thanked City Staff: Warren Myers, Amber Wynn, Craig Gragert, and Doug Morgan for the excellent Annual Reports from their departments.

2. CONSIDER MINUTES OF FEBRUARY 8, 2022 CITY COUNCIL MEETING FOR APPROVAL

Councilman Porter made a motion to approve the minutes of the February 8, 2022 City Council meeting; second by Johnson. **Vote: Yeas; Johnson, Tisthammer, Dailey, Porter. Nays; None.**

3. OPEN PUBLIC HEARING TO CONSIDER RECOMMENDATION TO THE NEBRASKA LIQUOR CONTROL COMMISSION REGARDING LIQUOR LICENSE APPLICATION #D-28356 OF ALBION THRIFTY-WAY INC DBA THRIFTY-WAY LIQUOR

Mayor Jarecki opened the public hearing at 7:32 p.m. The Mayor sought public input. Don Casper of Thrifty-Way Liquor explained he is applying for this additional liquor license as it would allow them to host up to 12 tasting events per year without having to apply for an SDL for each separate event. Mayor Jarecki sought further comment. Hearing none, he closed the public hearing at 7:33 p.m. Council members reviewed the application. Councilman Johnson made a motion to recommend approval of Liquor License Application #D-28356 of Albion Thrifty-Way Inc. DBA Thrifty-Way Liquor, second by Dailey. **Vote: Yeas; Dailey, Porter, Johnson, Tisthammer. Nays; None.**

4. **CONSIDER REVISED AEDC SALES TAX RELEASE REQUEST TO RELEASE SALES TAX FUNDS FOR SPECIFIC PURPOSES, PROGRAMS, AND/OR PROJECTS:**

- AUTHORITY TO ENTER INTO TRIPLE NET LEASE WITH AN OPTION TO PURCHASE A COMMERCIAL BUILDING LOCATED AT 127 S 4TH STREET-RELEASE AMOUNT NOT SPECIFIED
- FINAL PAYMENT OF PREVIOUSLY APPROVAL COMMUNITY SIGNAGE PROJECT - \$7,712.73
- FUTURE OBLIGATIONS DUE TO JOINT EMPLOYEE AGREEMENT WITH THE CITY – RELEASE AMOUNT NOT SPECIFIED

Clerk Devine noted that the Albion Citizens Advisory Committee has already reviewed and recommended approval of the above listed requests.

Jeff Jarecki, board member for AEDC explained the signage project, stating they are finalizing the designs on billboard style signs that will include AEDC's phone number and website information to help bring awareness to their organization. Councilman Porter questioned what signs these funds are for. Mr. Jarecki stated this invoice is for redesign of the 4 smaller existing signs. The 2 larger signs have already been approved and paid for.

Mr. Jarecki then explained their revised proposal from last month's request to purchase a commercial building. The new proposal would be a 12-month lease at \$1,000 per month. At 6 months or prior, they would have the option to purchase the building for \$70,000 and the rental payments would be applied to the purchase price. Mr. Jarecki informed the council of the big projects AEDC has accomplished in the past few years. Their next main topic to address is housing shortage. Mr. Jarecki referenced Schuyler, NE and their success in building 12 new homes at \$200,000 each with the help of diverse funding sources. AEDC would like to follow Schuyler's example and hire an employee to assist with obtaining grants and other funding to help solve the City's housing problem. The location of this commercial building would be ideal office space for the employee, as well as a meeting space for other community groups. Andy Roberts, board member for AEDC, explained why they separated from BCDA and the shared employee; and the need for their own space and employee to focus on the economic development of the City. They are currently meeting at a board member's office. Councilmen Dailey and Tisthammer both expressed concern of the City sharing an employee with AEDC. Clerk Devine stated that all work done by this shared employee would be to benefit the community of Albion only, whereas AEDC's past shared employee with BCDA had to focus on all Boone County communities. Councilman Porter stated he has gotten a lot of negative feedback from people in the community about AEDC purchasing the building. Porter spoke in favor of continual leasing rather than purchasing a building. Councilman Johnson expressed his focus is on the employee being more important than the building; stating there are a lot of meeting places available. Johnson expressed concern if they released funds for the lease that the City would be committing to the purchase. Porter asked when they would revisit the purchase option. Mr. Jarecki stated it should be revisited in approximately 4 months. By then there would be a job description and possibly an employee hired. Councilman Porter made a motion to approve \$19,712.73 release of sales tax funds, second by Johnson. **Vote: Yeas; Tisthammer, Dailey, Porter, Johnson. Nays; None.**

5. **REVIEW ANNEXATION RECOMMENDATION OF THE ALBION PLANNING COMMISSION AND CONSIDER INITIATING FURTHER ANNEXATION ACTION REGARDING THE RECOMMENDATION**

Clerk Devine provided extra maps for the public attendees and gave a brief overview of the proposed annexation plan, explaining what the Planning Commission has recommended and City Council has revised. Mayor Jarecki accepted input from the public. Several people gave testimony against the annexation of the Boone County Fair Grounds and asked why the City wants to annex it. Clerk Devine explained it is right next to corporate limits and already receiving city water services, city fire services, and city police protection. Planning Commissioner, Todd Wynn, explained the City hires experts to develop a comprehensive plan. This has included an annexation plan for continued growth and development of the community. We are trying to move forward and get that plan implemented.

Following public comments, the council discussed revisions to the annexation map. Councilman Porter suggested splitting Priority 1-A into two separate sections, dividing the Fairgrounds, Dam, and Ag Ground from the back sides of 11th Street; and labeling the back side of 11th Street Priority 1-E.

Councilman Johnson made a motion to postpone further action on the annexation recommendation pending Planning Commission consideration of City Council comments regarding the same, second by Dailey. **Vote: Yeas; Dailey, Johnson, Porter, Tisthammer. Nays; None.**

6. **OPEN 2022 LAWN CARE BIDS AND CONSIDER FOR AWARD AND AUTHORIZE THE MAYOR OR HIS REPRESENTATIVE TO SIGN ANY AND ALL CONTRACT DOCUMENTS**

At 9:28 p.m. Mayor Jarecki excused himself, reporting his potential interest in the contract. The Mayor verified a Conflict of Interest Disclosure form had been given to the Deputy City Clerk, and turned presiding authority over to Council President Marcus Johnson, then left the room. City Attorney Wright stated only 1 bid was received. Wright opened the bid from Jarecki Lawncare and Greenhouse. The bid was for \$19,145.88 and met all bid specifications. Councilman Porter made a motion to approve bid of Jarecki Lawncare and Greenhouse, LLC in the amount of \$19,145.88 and award contract to the same; second by Dailey. **Vote: Yeas; Porter, Johnson, Tisthammer, Dailey. Nays; None.** At 9:34 p.m. Mayor Jarecki returned and resumed presiding over the meeting.

7. **CONSIDER RESOLUTION 101(22) ESTABLISHING MUTUAL LAW ENFORCEMENT JURISDICTION WITH BOONE COUNTY**

Council members reviewed the resolution. Clerk Devine noted the only change from previous years is revised verbiage defining the area as “extra-territorial zoning jurisdiction” rather than the “1-mile radius” as in the past. This is due to the updated zoning map. Councilman Johnson made a motion to introduce and approve Resolution 101(22) Establishing Mutual Law Enforcement Jurisdiction with Boone County, second by Porter. **Vote: Yeas; Tisthammer, Dailey, Porter, Johnson. Nays; None.**

8. **CONSIDER RESOLUTION 102(22) AUTHORIZING MAYOR TO SIGN INTERLOCAL AGREEMENT WITH THE CITY OF ST. EDWARD FOR SHARING OF LICENSED KENNEL**

Councilman Porter made a motion to introduce and approve Resolution 102(22) Authorizing Mayor to sign Interlocal Agreement with the City of St. Edward for sharing of licensed kennel, second by Johnson. **Vote: Yeas; Dailey, Porter, Johnson, Tisthammer. Nays; None.**

9. **REVIEW ANNUAL REPORT FOR ALBION WATER AND SEWER DEPARTMENTS**

The Annual Water and Sewer Report was previously provided to the council for review. Mayor Jarecki complimented the staff for providing an excellent report with great information. **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**

Administrator Devine had previously provided a financial report for council review. Devine stated that not much has changed with City activities since last month's report. Mayor Jarecki complimented Mr. Devine on the great job he does on his monthly reports. **No action taken.**

11. **CONSIDER BILLS FOR APPROVAL**

- **CONSIDER MONTHLY BILLS FOR APPROVAL**

Councilman Porter made a motion to approve the bills as presented, second by Tisthammer. **Vote: Yeas; Johnson, Tisthammer, Dailey, Porter. Nays; None.**

12. **CONSIDER INTRODUCTION AND APPROVAL OF RESOLUTION 103(22) REGARDING LEASE AGREEMENT BETWEEN THE CITY OF ALBION AND THE COUNTY OF BOONE TO LEASE SPACE WITHIN THE ALBION FIRE HALL TO HOUSE THE COUNTY AMBULANCE**

Clerk Devine explained this Lease Agreement was discussed at last month's meeting to revise an agreement that proceeds from month to month, not to exceed 1 year. Since the payment terms are on a quarterly basis, the agreement was structured to allow for early termination on the quarter if they find a place to house the ambulance. A written notice of termination would need to be provided to the City of Albion not less than 30 days prior to the end of the quarter when rental payment is due.

Councilman Dailey made a motion to introduce and approve Resolution 103(22) regarding lease agreement between the City of Albion and the County of Boone to lease space within the Albion Fire Hall to house the county ambulance, second by Johnson. **Vote: Yeas; Dailey, Porter, Johnson, Tisthammer. Nays; None.**

13. ITEMS TO BE PUT ON NEXT MEETING AGENDA

Next Regular Meeting: April 12, 2022 at 7:30 p.m.

- Street Closures
- Telecommunication ROW Permits
- Possible New Annexation Plan

14. ADJOURN

At 9:43 p.m. Council Member Dailey made a motion to adjourn the meeting, second by Johnson. **Vote: Yeas; Porter, Johnson, Tisthammer, Dailey. 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.

James Jarecki, Mayor

ATTEST:

Sharon Ketteler, Deputy Clerk