

MINUTES
ALBION CITY COUNCIL
REGULAR MEETING
TUESDAY, JANUARY 14, 2020

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 January 14, 2020 at Albion City Hall, 420 West Market St., Albion, NE. Present were: Mayor James C. Jarecki, Council Members Walt Hoefler, Marcus Johnson, Jon Porter, and Chris Kohtz. City staff present were: City Administrator Andrew Devine, Deputy City Clerk Sharon Ketteler, City Attorney Darren Wright, and Officer Joe Predmore. 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 provided a report of his semi-annual Department Head Meeting held on January 10, 2020; and reviewed it with the Council. **No action taken.**

2. CONSIDER APPROVAL OF MINUTES OF THE DECEMBER 10, 2019 CITY COUNCIL MEETING

Councilman Porter made a motion to approve the minutes of the December 10, 2019 City Council meeting; second by Kohtz. **Vote: Yeas; Hoefler, Porter, Johnson, Kohtz. Nays; None.**

3. CONSIDER REQUEST OF BOONE COUNTY HEALTH CENTER TO VACATE PUBLIC ALLEY RUNNING NORTH AND SOUTH BETWEEN LOTS 1 AND 2 AND LOTS 9 AND 10, BLOCK 5, SOUTH FAIRVIEW ADDITION TO ALBION, BOONE COUNTY, NEBRASKA

Council Members reviewed the Application for Vacation. Clerk Devine stated there used to be water service to the old pool below that area, which is no longer necessary. Devine noted the application includes an agreement that Boone County Health Center will be responsible for the cost of the removal and relocation of utilities. Devine stated that the Planning Commission recommended approval of the vacation request. Councilman Johnson made a motion to approve the application of Boone County Health Center to vacate public alley running North and South between Lots 1 and 2 and Lots 9 and 10, Block 5, South Fairview Addition to Albion, Boone County, Nebraska; second by Porter. **Vote: Yeas; Hoefler, Johnson, Kohtz, Porter. Nays; None.**

4. **CONSIDER PRELIMINARY PLAT APPLICATION OF ALBION ECONOMIC DEVELOPMENT COMPANY, INC.**

Council Members reviewed the Preliminary Plat Map and Application; followed by extensive discussion regarding the water and sewer lines. Clerk Devine stated that the Planning Commission recommended approval of the plat and application. Devine added that the next steps to this application would be a Subdivision Improvement Agreement, which should answer most of the technical questions; and then the Final Plat Application for approval. Councilman Hoefer made a motion to approve the Preliminary Plat Application of Albion Economic Development Company, Inc.; second by Johnson. **Vote: Yeas; Hoefer, Kohtz, Porter, Johnson. Nays; None.**

5. **CONSIDER CONDITIONAL USE PERMIT APPLICATION OF ALBION ECONOMIC DEVELOPMENT COMPANY, INC.**

Council Members reviewed the Conditional Use Permit Application. Clerk Devine explained that Daycare Centers are allowable in R-2 Zones by Conditional Use Permit only. Devine stated that the Planning Commission recommended approval without conditions; however, they noted concern for proper fencing for safety issues.

Councilman Johnson made a motion to approve the Conditional Use Permit Application of Albion Economic Development Company, Inc.; second by Kohtz. **Vote: Yeas; Johnson, Hoefer, Kohtz, Porter. Nays; None.**

6. **REVIEW THE CITY OF ALBION 2020 ONE AND SIX YEAR STREET IMPROVEMENT PLAN**

Council Members reviewed and discussed the Preliminary Plan provided by Clerk Devine. Phase III of the Fairview Street Project was bumped up to the 1 Year Plan due to Boone County Health Center's expansion project. The County did trenching on the South Street Culvert which helped the drainage problem, but it was decided to keep it on the 1 Year Plan in case more work was necessary. Park View Street had been on the 1 Year Plan, but has now been moved to the 6 Year Plan. The Council discussed multiple suggestions for the Sale Barn Road which is on the 6 Year Plan. Other projects on the 6 Year Plan include: Church and Main Street Storm Sewer; and Fairview Drainage Phase IV. **No action taken.**

7. **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 report for council review. Devine added that he and City Attorney Wright plan to meet and discuss an agreement between the City and Boone County Health Center regarding the transfer of City property for their expansion project. Other discussion included the future hiring of utility personnel (public works operators). **No action taken.**

8. **CONSIDER BILLS TO BE PAID**

- CONSIDER MONTHLY BILLS FOR APPROVAL

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

- CONSIDER PAY APPLICATIONS FROM ON POINT CONSTRUCTION FOR PUBLIC WORKS BUILDING PROJECT

Council Members reviewed the Pay Applications. Councilman Porter made a motion to approve Pay Applications 2 & 3 of On Point Construction in the amount of \$24,895.30; second by Johnson. **Vote: Yeas; Hoefer, Porter, Kohtz, Johnson. Nays; None.**

- CONSIDER CHANGE ORDER #2 AND PAY APPLICATION #3 FROM VRBA FOR THE WELL PROJECT

The Change Order reflects an additional gate and chain link fencing; and also an 8”x 8”x 8” Tee for the water line on South Street for future development of the Andersen property. The Progress Estimate shows all work is completed except \$2,000 for seeding, fertilizer, and mulch. There is also \$5,000 total retainage.

Councilman Johnson made a motion to approve Change Order #2 in the amount of \$2,622.00; and Pay Application #3 in the amount of \$27,194.40 from Vrba Construction for Well Project; second by Kohtz. **Vote: Yeas; Porter, Kohtz, Hoefer, Johnson, Nays; None.**

9. **CONSIDER MAYORAL APPOINTMENT OF RICK SCHACK TO THE ALBION AIRPORT AUTHORITY TO FULFILL THE UNEXPIRED TERM OF DELWYN LOUGH THROUGH THE 2024 ELECTION**

Councilman Johnson made a motion to confirm Mayoral appointment of Rick Schack to the Albion Airport Authority to fulfill the unexpired term of Delwyn Lough through 2024, second by Hoefer. **Vote: Yeas; Johnson, Hoefer, Porter, Kohtz. Nays; None.**

10. **CONSIDER EMPLOYEE EVALUATION FOR APPROVAL**

Councilman Hoefer made a motion to approve the annual evaluation and recommended step raise for Sharon Ketteler, second by Johnson. **Vote: Yeas; Kohtz, Hoefer, Porter, Johnson. Nays; None.**

11. **REVIEW ANNUAL AUDIT REPORT FOR FISCAL YEAR ENDED SEPTEMBER 30, 2019 – AMGL, CPAS**

Kurt Overturf of AMGL was present to review the audit documents with the Council. Mr. Overturf stated that the City of Albion has once again achieved an unmodified opinion, which is the highest level of assurance given by an independent auditing firm. In the overall general fund, the City's unassigned fund balance is approximately 5 months of cash operating reserve, which is above their recommendation. The total fund balance is about 10 months. Mr. Overturf distributed a benchmarking sheet and financial statistics against statewide benchmarks. Mr. Overturf reported Albion's levy rate is at .35 cents, noting the average levy rate for a city our size is about .42 cents. Our valuation is almost twice the amount of other cities our size. Mr. Overturf stated that although the City is starting to spend down cash reserves on large projects we still have solid cash reserves; and over-all we are in good financial shape. **No action taken.**

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

Next Regular Meeting: February 11, 2020 at 7:30 p.m.

- CONSIDER SUBDIVISION IMPROVEMENT AGREEMENT OF ALBION ECONOMIC DEVELOPMENT COMPANY, INC.
- SURPLUS PROPERTY REPORT
- ADOPTION OF THE CITY OF ALBION 2020 ONE AND SIX YEAR STREET IMPROVEMENT PLAN
- ACKNOWLEDGE AND REVIEW THE 2019 PLANNING COMMISSION ANNUAL ACTIVITY REPORT AND THE 2019 CITY COUNCIL ANNUAL ACTIVITY REPORT
- PLANS FOR FAIRVIEW DRAINAGE PHASE III

13. **ADJOURN**

At 9:18 p.m. Council Member Kohtz made a motion to adjourn the meeting, second by Porter. **Vote: Yeas; Kohtz, Johnson, 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 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