

MINUTES
ALBION CITY COUNCIL
REGULAR MEETING
TUESDAY, AUGUST 11, 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 August 11, 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, Utility Billing Clerk Amber Wynn, Deputy City Clerk Sharon Ketteler, Public Works Operator Warren Myers, Officer Joe Predmore, 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 acknowledged and thanked First Responders for their heroism. Mayor Jarecki stated that 6th Street construction will be completed soon and it should be back open by the weekend.

2. CONSIDER MINUTES OF THE JULY 14, 2020 CITY COUNCIL MEETING FOR APPROVAL

Councilman Johnson made a motion to approve the minutes of the July 14, 2020 City Council meeting; second by Hoefler.

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

3. CONSIDER ACTION REGARDING DELINQUENT UTILITY ACCOUNTS:

- Consider second and third readings and final passage of Ordinance 290(20) to levy special assessment for the unpaid utility bill of Leetch Properties, LLC, Landlord; Margaret Parrott, Tenant
- Consider second and third readings and final passage of Ordinance 291(20) to levy special assessment for the unpaid utility bill of Brittney Weinman

Councilman Johnson made a motion to suspend the statutory rules that Ordinances 290(20) and 291(20) be read on three separate days, second by Porter.

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

Mayor Jarecki instructed Clerk Devine to read Ordinances 290(20) and 291(20) by title for the second and third time. Councilman Porter made a motion to approve the second and third readings and final passage of Ordinances 290(20) and 291(20), second by Johnson. Councilman Hoefler called the question. Mayor Jarecki sought further comment. With no further comment Mayor Jarecki declared Ordinances 290(20) and 291(20) having been read by title three different times, the rules have been suspended, the question is "Shall Ordinances 290(20) and 291(20) finally pass?"

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

4. **CONSIDER FINAL PLAT APPLICATION OF BOONE BEGINNINGS ADDITION TO THE CITY OF ALBION, BOONE COUNTY, NEBRASKA**

Council members reviewed the final plat. Clerk Devine noted the final plat conforms to the approved preliminary plat from January. Devine stated that the planning commission recommended approval. Councilman Johnson made a motion to approve final plat application of Boone Beginnings Addition to the City of Albion, Boone County, Nebraska; second by Kohtz. **Vote: Yeas; Johnson, Kohtz, Hoefer, Porter. Nays; None.**

5. **CONSIDER ORDINANCE 292(20) REGARDING THE ANNEXATION OF THE BOONE BEGINNINGS ADDITION TO THE CITY OF ALBION, BOONE COUNTY, NEBRASKA**

Council members reviewed the ordinance and discussed the effective date. It was decided to make it effective the day it is published in the newspaper. Clerk Devine stated that the planning commission recommended approval. Councilman Johnson made a motion to introduce Ordinance 292(20) with modification as discussed. Mayor Jarecki instructed Clerk Devine to read the ordinance for the first time. Councilman Porter made a motion to approve the first reading of Ordinance 292(20), second by Kohtz. **Vote: Yeas; Hoefer, Johnson, Porter, Kohtz. Nays; None.**

6. **CONSIDER ORDINANCE 293(20) REGARDING THE ANNEXATION OF LOT 4 OF THE LANDEN ESTATES SUBDIVISION, CITY OF ALBION, BOONE COUNTY, NEBRASKA**

City Attorney Wright explained that the draft of this ordinance is not yet complete and will be presented for council consideration at a future meeting. Clerk Devine stated the planning commission recommended approval. **No action taken.**

7. **CONSIDER ORDINANCE 294(20) VACATING PRAIRIE STREET BETWEEN 5TH AND 6TH STREETS**

Clerk Devine explained the ordinance would provide for vacation of Prairie Street between 5th and 6th Streets; and also reserve easement for public utilities. Devine stated the surface drainage study and grading plan should be done within 30-60 days. Councilman Porter made a motion to introduce Ordinance 294(20). Mayor Jarecki instructed Clerk Devine to read the ordinance for the first time. Councilman Johnson made a motion to approve the first reading of Ordinance 294(20), second by Porter. **Vote: Yeas; Kohtz, Johnson, Porter, Hoefer. Nays: None.**

8. **CONSIDER BOONE COUNTY SCHOOLS REQUEST FOR STREET CLOSURE OF PRAIRIE STREET BETWEEN 5TH AND 6TH STREETS UNTIL THE STREET VACATION IS OFFICIALLY EFFECTIVE**

Clerk Devine stated the school requested the street closure so they can begin using it immediately. The school would provide barriers to prevent traffic from entering. Devine recommended that the School District provide insurance for the property and list the City as additional insured. Councilman Hoefer made a motion to approve request of Boone Central to close Prairie Street between 5th and 6th Streets until December 31, 2020 or until vacating ordinance is effective, whichever occurs first, on condition that the School District provides insurance and names the City as additional insured; second by Johnson. **Vote: Yeas; Johnson, Kohtz, Porter, Hoefer. Nays; None.**

9. **CONSIDER AIRPORT AUTHORITY REQUEST FOR CITY TAX ALLOCATION FOR FISCAL YEAR 2020-2021**

Councilman Hoefer made a motion to approve property tax allocation request of Albion Airport Authority for fiscal year 2020-2021 in the amount of \$30,000; second by Porter. **Vote: Yeas; Porter, Hoefer, Johnson, Kohtz. Nays; None.**

10. **CONSIDER RESOLUTION 110(20) COST OF LIVING ADJUSTMENT FOR NON-TEMPORARY CITY EMPLOYEES EFFECTIVE OCTOBER 1, 2020**

Councilman Johnson made a motion to introduce and approve Resolution 110(20) Setting the Cost of Living Adjustment at 0% effective October 1, 2020; second by Kohtz. **Vote: Yeas; Johnson, Kohtz, Porter, Hoefer. Nays; None.**

11. **CONSIDER AGREEMENT WITH JEO FOR THE BOONE BEGINNINGS ADDITION INFRASTRUCTURE PROJECT**

Clerk Devine reviewed the agreement with the council, which totaled \$9,500. Councilman Kohtz made a motion to approve agreement with JEO for the Boone Beginnings Infrastructure project, hourly not to exceed \$9,500; second by Johnson. **Vote: Yeas; Porter, Johnson, Hoefer, Kohtz. Nays; None.**

12. **NUISANCE PROGRAM REPORT – ALBION POLICE DEPARTMENT**

- **CONSIDER RESOLUTION 111(20) DECLARING NUISANCE**

Council members reviewed the nuisance report. Clerk Devine stated Chief Lipker reported that most of the issues have been addressed, however there is still an unlicensed motor home on the property. Councilman Hoefer made a motion to introduce and approve Resolution 111(20) Declaring Nuisance, second by Kohtz. **Vote: Yeas; Porter, Kohtz, Johnson, Hoefer. Nays; None.**

13. **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 noted that he also participated in a 2019 Flood review with the Department of Natural Resources. **No action taken.**

14. **CONSIDER BILLS FOR APPROVAL**

- CONSIDER MONTHLY BILLS FOR APPROVAL

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

15. **CONSIDER APPLICATION OF ANDREA SOLEM TO THE ALBION VOLUNTEER FIRE DEPARTMENT**

Council members reviewed the application. Clerk Devine stated the Fire Department recommended approval. Councilman Kohtz made a motion to approve membership application of Andrea Solem to the Albion Volunteer Fire Department, second by Johnson. **Vote: Yeas; Kohtz, Porter, Johnson, Hoefer. Nays; None.**

16. **CONSIDER REQUEST OF ALBION VOLUNTEER FIRE DEPARTMENT TO CLOSE COLUMBIA STREET BETWEEN 4TH AND 5TH STREETS ON AUGUST 30, 2020 FROM 12:30 PM TO 5:30 PM FOR AN EVENT WITH S.A.D.D.**

Councilman Hoefer made a motion to approve request of Albion Volunteer Fire Department to close Columbia Street between 4th and 5th Streets on August 30, 2020 from 12:30 p.m. to 5:30 p.m. for an event with S.A.D.D.; second by Johnson. **Vote: Yeas; Johnson, Hoefer, Kohtz, Porter. Nays; None.**

17. **CONSIDER EMPLOYEE EVALUATIONS FOR APPROVAL**

Councilman Hoefer made a motion to approve employee evaluation of Amber Wynn, and evaluation and step raise of Mike Mapel, second by Johnson. **Vote: Yeas; Porter, Johnson, Hoefer, Kohtz. Nays; None.**

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

Budget Workshop: August 18, 2020 at 7:30 p.m.

- Discuss Certified Valuation obtained from County Assessor
- Discuss draft of budget & final preparation by accountant
- Set budget adoption hearing date & time – tentatively Sept. 8, 2020 at 7:30 p.m.
- Sales Tax request of AEDC for mini-park renovation
- Second reading of Ordinances 292(20) and 294(20)

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Next Regular Meeting: September 8, 2020 at 7:30 p.m.

- Budget Adoption Hearing
 - Approve Resolution setting the 2020-2021 Property Tax Request
 - Approve and adopt 2020-2021 budget including additional 1% increase of Restricted Funds Authority
 - Approve 2020-2021 Capital Improvements Plan

- Consider Resolution/Interlocal Agreement with the County of Boone allowing existing Boone County employee to contract with the City to provide Street Superintendent Services
- First reading of Ordinance 293 (20) – annexation of lot 4 of Landen Estates Subdivision
- Third reading of Ordinance 292 (20) – annexation of Boone Beginnings Addition
- Annual Employee Evaluation
- Report on Summer Department Head Meeting

19. ADJOURN

At 8:41 p.m. Council Member Porter made a motion to adjourn the meeting, second by Kohtz. **Vote: Yeas; Kohtz, Porter, Hoefler, Johnson. 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