

MINUTES

ALBION CITY COUNCIL

REGULAR MEETING

TUESDAY, DECEMBER 13, 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 December 13, 2022 at Albion City Hall, 420 West Market St., Albion, NE. Present were: Mayor James C. Jarecki, Council Members Marcus Johnson, Jack Dailey, Jason Tisthammer, and Jon Porter. City staff present were: City Administrator Andrew Devine, Deputy City Clerk Sharon Ketteler, Economic Development and Housing Director Maggie Smith, City Attorney Darren Wright, and Water Commissioner Warren Myers. 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 that he and Administrator Devine will be reviewing city assets in January, followed by his semi-annual department head meeting. Mayor Jarecki also reminded everyone to be considerate when removing snow by not placing it on other people's property.

2. CONSIDER APPROVAL OF MINUTES OF THE NOVEMBER 8, 2022 AND NOVEMBER 22, 2022 CITY COUNCIL MEETINGS

Councilman Johnson made a motion to approve the minutes of the November 8, 2022 and November 22, 2022 City Council meetings as presented, second by Dailey. **Vote: Yeas; Porter, Dailey, Tisthammer, Johnson. Nays; None. Motion carried.**

3. CONSIDER AEDC REQUEST FOR AUTHORITY TO BORROW FUNDS FOR HOUSING DEVELOPMENT PROGRAM

Jeff Jarecki spoke on behalf of the Albion Economic Development Corporation. Mr. Jarecki stated that AEDC Director, Maggie Smith, has been researching the "Rural Workforce Housing Fund" program for the State of Nebraska. There is a 2 to 1 match of funds to be used for housing development. There are less strings attached to this grant than any other grant she has researched. To be eligible for this program it is necessary to have a property or project for development in place. AEDC has a proposed property to purchase that would work well for this housing development project; but it would be necessary for them to borrow funds to acquire it. Much planning for this property is already in place, making them well prepared to qualify for the grant. Ms. Smith added that the program is set up so this grant money could become a perpetually revolving fund to be used for continued housing development. If AEDC applies for this grant, the City would be eligible to apply for a Rural Workforce Housing Fund Land Development grant. Andy Roberts noted there are several donors in our community that are interested in contributing to this project.

Clerk Devine questioned if the available property would qualify for the match funds. Mr. Jarecki stated that this particular property should qualify for the grant as other communities had similar property that qualified. Clerk Devine asked if

acquisition of property is a qualified expenditure. Ms. Smith stated that in the municipality land development program, acquisition of property is a qualified expenditure; but in the Rural Workforce Housing Development Program that AEDC would apply for, acquisition of property is not a qualifying expense. Councilman Dailey asked the cost of the proposed property. Mr. Jarecki stated it is approximately \$168,000. Following further discussion by the council, Councilman Dailey made a motion to approve AEDC request for authority to borrow funds for Housing Development Program, second by Tisthammer. **Vote: Yeas; Tisthammer, Johnson, Dailey. Nays; Porter. Motion carried.**

4. **CONSIDER THIRD READING AND FINAL PASSAGE OF ORDINANCE 317(22) AN ORDINANCE OF THE CITY OF ALBION, NEBRASKA TO EXTEND THE BOUNDARIES AND INCLUDE WITHIN THE CORPORATE LIMITS OF, AND TO ANNEX TO, THE CITY OF ALBION, NEBRASKA A FRACTION OF SECTION 21, TOWNSHIP 20 NORTH, RANGE 6 WEST OF THE SIXTH P.M., BOONE COUNTY, NEBRASKA; AND TO PROVIDE FOR AN EFFECTIVE DATE OF THIS ORDINANCE**

The first reading of Ordinance 317(22) was read at the November 8, 2022 City Council meeting. The second reading was read at the November 22, 2022 City Council meeting. Mayor Jarecki instructed Clerk Devine to read the ordinance for the third time. Johnson made a motion to approve the third reading and for final passage and adoption of Ordinance 317(22), second by Porter. Councilman Johnson called the question. Mayor Jarecki sought further comment. With no further comment Mayor Jarecki declared Ordinance 317(22) having been read by title three different times, the question is “Shall Ordinance 317(22) finally pass?” **Vote: Yeas; Porter, Dailey, Tisthammer, Johnson. Nays; None. Motion carried.**

5. **CONSIDER THIRD READING OF ORDINANCE 318(22) AN ORDINANCE OF THE CITY OF ALBION, NEBRASKA TO EXTEND THE BOUNDARIES AND INCLUDE WITHIN THE CORPORATE LIMITS OF, AND TO ANNEX TO, THE CITY OF ALBION, NEBRASKA A FRACTION OF THE SOUTH HALF OF SECTION 16, AND A FRACTION OF THE NORTHEAST QUARTER OF SECTION 21, TOWNSHIP 20 NORTH, RANGE 6 WEST OF THE SIXTH P.M., BOONE COUNTY, NEBRASKA; AND TO PROVIDE FOR AN EFFECTIVE DATE OF THIS ORDINANCE**

The first reading of Ordinance 318(22) was read at the November 8, 2022 City Council meeting. The second reading was read at the November 22, 2022 City Council meeting. Mayor Jarecki instructed Clerk Devine to read the ordinance for the third time. Johnson made a motion to approve the third reading and for final passage and adoption of Ordinance 318(22), second by Porter. Councilman Johnson called the question. Mayor Jarecki sought further comment. With no further comment Mayor Jarecki declared Ordinance 318(22) having been read by title three different times, the question is “Shall Ordinance 318(22) finally pass?” **Vote: Yeas; Johnson, Tisthammer, Porter, Dailey. Nays; None. Motion carried.**

6. **CONSIDER THIRD READING OF ORDINANCE 319(22) AN ORDINANCE OF THE CITY OF ALBION, NEBRASKA TO EXTEND THE BOUNDARIES AND INCLUDE WITHIN THE CORPORATE LIMITS OF, AND TO ANNEX TO, THE CITY OF ALBION, NEBRASKA A FRACTION OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 20 NORTH, RANGE 6 WEST OF THE SIXTH P.M., BOONE COUNTY, NEBRASKA; AND TO PROVIDE FOR AN EFFECTIVE DATE OF THIS ORDINANCE**

The first reading of Ordinance 319(22) was read at the November 8, 2022 City Council meeting. The second reading was read at the November 22, 2022 City Council meeting. Mayor Jarecki instructed Clerk Devine to read the ordinance for the third time. Johnson made a motion to approve the third reading and for final passage and adoption of Ordinance 319(22), second by Porter. Councilman Johnson called the question. Mayor Jarecki sought further comment. With no further comment Mayor Jarecki declared Ordinance 319(22) having been read by title three different times, the question is “Shall Ordinance 319(22) finally pass?” **Vote: Yeas; Dailey, Porter, Tisthammer, Johnson. Nays; None. Motion carried.**

7. **CONSIDER THIRD READING OF ORDINANCE 320(22) AN ORDINANCE OF THE CITY OF ALBION, NEBRASKA TO EXTEND THE BOUNDARIES AND INCLUDE WITHIN THE CORPORATE LIMITS OF, AND TO ANNEX TO, THE CITY OF ALBION, NEBRASKA A FRACTION OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 20 NORTH, RANGE 6 WEST OF THE SIXTH P.M., BOONE COUNTY, NEBRASKA; AND TO PROVIDE FOR AN EFFECTIVE DATE OF THIS ORDINANCE**

The first reading of Ordinance 320(22) was read at the November 8, 2022 City Council meeting. The second reading was read at the November 22, 2022 City Council meeting. Mayor Jarecki instructed Clerk Devine to read the ordinance for the third time. Johnson made a motion to approve the third reading and for final passage and adoption of Ordinance 320(22), second by Porter. Councilman Johnson called the question. Mayor Jarecki sought further comment. With no further comment Mayor Jarecki declared Ordinance 320(22) having been read by title three different times, the question is “Shall Ordinance 320(22) finally pass?” **Vote: Yeas; Johnson, Dailey, Tisthammer, Porter. Nays; None. Motion carried.**

8. **CONSIDER THIRD READING OF ORDINANCE 321(22) AN ORDINANCE OF THE CITY OF ALBION, NEBRASKA TO EXTEND THE BOUNDARIES AND INCLUDE WITHIN THE CORPORATE LIMITS OF, AND TO ANNEX TO, THE CITY OF ALBION, NEBRASKA ALL OF LOT 1, NIEWOHNERS SOUTHEAST ADDITION, COMPRISING A FRACTION OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 20 NORTH, RANGE 6 WEST OF THE SIXTH P.M., BOONE COUNTY, NEBRASKA; AND TO PROVIDE FOR AN EFFECTIVE DATE OF THIS ORDINANCE**

The first reading of Ordinance 321(22) was read at the November 8, 2022 City Council meeting. The second reading was read at the November 22, 2022 City Council meeting. Mayor Jarecki instructed Clerk Devine to read the ordinance for the third time. Johnson made a motion to approve the third reading and for final passage and adoption of Ordinance 321(22), second by Porter. Councilman Johnson called the question. Mayor Jarecki sought further comment. With no further comment Mayor Jarecki declared Ordinance 321(22) having been read by title three different times, the question is “Shall Ordinance 321(22) finally pass?” **Vote: Yeas; Porter, Dailey, Johnson, Tisthammer. Nays; None. Motion carried.**

9. **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 presented certification of election results from County Election Commissioner from the November 8, 2022 election. Mayor Jarecki was elected to another 4-year term with 544 votes. There were two seats open for Albion City Council. Jason Tisthammer received 634 votes and Jon Porter received 645 votes. They were also elected to a 4-year term. Administrator Devine added that the City is proposing to purchase a liquid de-icer in addition to the salt and gravel spreader we currently have. **No action taken.**

10. **CONSIDER BILLS FOR APPROVAL**

- **CONSIDER MONTHLY BILLS FOR APPROVAL**

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

11. ELECT COUNCIL PRESIDENT FOR ANNUAL TERM

Councilman Porter made a motion to nominate and elect Marcus Johnson as City Council President for the calendar year 2023, second by Tisthammer. **Vote: Yeas; Tisthammer, Johnson, Porter, Dailey. Nays; None. Motion carried.**

12. CONSIDER MAYORAL APPOINTMENTS TO BE EFFECTIVE JANUARY 1, 2023

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| ADMINISTRATOR/CLERK/TREASURER | ANDREW DEVINE |
| DEPUTY CLERK | SHARON KETTELER |
| UTILITY CLERK | AMBER WYNN |
| WATER COMMISSIONER | WARREN MYERS |
| SEWER COMMISSIONER | COREY ZOUBEK |
| PUBLIC WORKS COORDINATOR | VACANT |
| PUBLIC WORKS OPERATOR | JOSEPH LANDAUER |
| PUBLIC WORKS OPERATOR | RON MOREARTY |
| BUILDING INSPECTOR | WARREN MYERS |
| CITY ATTORNEY | DARREN WRIGHT |
| POLICE CHIEF | BRENT LIPKER |
| POLICE OFFICER | JOE PREDMORE |
| POLICE OFFICER | VACANT |
| STREET SUPERINTENDENT | ANDREW WILSHUSEN, JEO CONSULTING GROUP |
| FIRE CHIEF | BRUCE BENNE |
| POOL MANAGER | VACANT |
| 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 2023 Mayoral Appointments as presented, second by Johnson. **Vote: Yeas; Dailey, Johnson, Porter, Tisthammer. Nays; None. Motion carried.**

13. CONSIDER APPROVAL OF MAINTENANCE AGREEMENT #84 BETWEEN NEBRASKA DEPARTMENT OF TRANSPORTATION AND THE CITY OF ALBION

Clerk Devine noted there are no changes from the previous agreement. Councilman Johnson made a motion to approve renewal of Maintenance Agreement #84 with Nebraska Department of Transportation, second by Porter. **Vote: Yeas; Tisthammer, Dailey, Porter, Johnson. Nays; None. Motion carried.**

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

Next Regular Meeting: January 10, 2023 at 7:30 p.m.

- * Discuss Golf Cart Ordinance
- * Traffic Control - Handicap Parking Request
- * Audit Report

15. **ADJOURN**

At 8:00 p.m. Council Member Johnson made a motion to adjourn the meeting, second by Porter. **Vote: Yeas; Tisthammer, Dailey, Porter, Johnson. Nays; None.**
Motion carried.

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