

**MINUTES**  
**ALBION CITY COUNCIL**  
**REGULAR MEETING**  
**TUESDAY, MAY 11, 2021**

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 May 11, 2021 at Albion City Hall, 420 West Market St., Albion, NE. Present were: Council President Marcus Johnson; Council Members Jack Dailey and Jason Tisthammer. Absent were Mayor James Jarecki and Councilman Jon Porter. City staff present were: City Administrator Andrew Devine, Deputy City Clerk Sharon Ketteler, City Attorney Darren Wright, 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.

Council President Marcus Johnson called the meeting to order at 7:30 p.m. Johnson informed the public about the location of the current copy of the Open Meetings Act posted in the Council Chambers.

**2. CONSIDER APPROVAL OF MINUTES OF THE APRIL 28, 2021 CITY COUNCIL MEETING**

Councilman Dailey made a motion to approve the minutes of the April 28, 2021 City Council meeting; second by Tisthammer. **Vote: Yeas; Dailey, Tisthammer, Johnson. Nays; None. Absent; Porter.**

**3. CONSIDER REQUEST OF NEBRASKA DEPARTMENT OF ADMINISTRATIVE SERVICES TO TERMINATE LEASE #65151621 TO THE STATE FIRE MARSHALL'S OFFICE ON/AFTER JUNE 30, 2021**

Clerk Devine stated the lease is on a two-year rotation and does not expire until April, 2022. However, the lease agreement does allow for early termination by either party. Due to Covid-19 their personnel have been working from home and have decided to continue that method. Devine noted that city staff could utilize that space in several ways, including office space for the Public Works Coordinator and Building Inspector; and/or a break area for Public Works staff. No concrete plans have been established. Councilman Johnson made a motion to approve termination of lease #65151621 on/after June 30, 2021; second by Tisthammer. **Vote: Yeas; Tisthammer, Johnson, Dailey. Nays; None. Absent; Porter.**

4. **CONSIDER RIGHT OF WAY PERMIT APPLICATIONS AND/OR RENEWALS FOR APPROVAL:**

- EAGLE COMMUNICATIONS;
- GREAT PLAINS COMMUNICATIONS;
- FRONTIER COMMUNICATIONS.

Clerk Devine explained that each year these telecommunication companies are required to complete a renewal application with updated mapping of infrastructure and proof of insurance. This aids the City in regulating the use of Right of Way. There is also a fee of \$100, which replaced the franchise fees and occupation tax that were removed in 2014. Councilman Dailey made a motion to approve Right of Way Permits of Eagle, Frontier, and Great Plains conditional upon receipt of required documents and fees; second by Johnson. **Vote: Yeas; Dailey, Tisthammer, Johnson. Nays; None. Absent; Porter.**

5. **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 reviewed the Administrator Report which had been previously provided to the council. **No action taken.**

6. **CONSIDER BILLS FOR APPROVAL**

- CONSIDER MONTHLY BILLS FOR APPROVAL

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

7. **CONSIDER RESOLUTION 105(21) REGARDING INTERLOCAL AGREEMENT WITH BOONE COUNTY FOR PLANS TO CONSTRUCT PUBLIC RESTROOM, CAMPSITES, AND FURNISHING OF WATER TO THE FAIRGROUNDS FREE OF CHARGE**

Clerk Devine explained this resolution replaces the previous agreement from March 2018. There is correction to legal descriptions as the County gave the City property where the dam is located. It also recognizes that the construction of Well #5 has been completed. In exchange for construction of a well on County property and easement to the well, the City furnishes the Fairgrounds with water free of charge. Also, in exchange of property they gave the City around Wells #2 and #3, the City has agreed to construct a public restroom facility and six campsites on Lot 3 of the Fairgrounds 1<sup>st</sup> Subdivision (south of the existing campgrounds), which will be available to the County and Ag Society to be used for reservation during their events. This construction is planned for the end of this year or early next year.

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Councilman Dailey made a motion to introduce and approve Resolution 105(21), second by Johnson. **Vote: Yeas; Tisthammer, Dailey, Johnson. Nays; None. Absent; Porter.**

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

**Next Regular Meeting: June 8, 2021 at 7:30 p.m.**

- Annual Delinquent Utility Report
- Covid-19 Provisions

**9. ADJOURN**

At 8:03 p.m. Council Member Johnson made a motion to adjourn the meeting, second by Tisthammer. **Vote: Yeas; Tisthammer, Dailey, Johnson. Nays; None. Absent; Porter.**

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