

MINUTES
ALBION CITY COUNCIL
REGULAR MEETING
TUESDAY, JUNE 8, 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 June 8, 2021 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, Billing Utility Clerk Amber Wynn, 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.

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 expressed the importance of each city department to have a Standard Order of Procedure in place for when someone else has to perform their duties. Mayor Jarecki also commented that citizen's should not be harassing city employee's who are off the clock. They should bring their concerns to Administrator Devine or himself.

2. CONSIDER APPROVAL OF MINUTES OF THE MAY 11, 2021 CITY COUNCIL MEETING

Councilman Johnson made a motion to approve the minutes of the May 11, 2021 City Council meeting; second by Porter. **Vote: Yeas; Tisthammer, Dailey, Porter, Johnson. Nays; None.**

3. CONSIDER APPOINTMENT OF PEGGY JOHNSON AND RACHEL TISTHAMMER TO THE ALBION PUBLIC LIBRARY BOARD FOR FOUR YEAR TERMS EFFECTIVE JULY 1, 2021

Clerk Devine noted there were two vacant seats left by Kate Kusek-Johnson and Betsy Harris whose terms ended. Councilman Dailey made a motion to approve appointment of Peggy Johnson and Rachel Tisthammer to the Albion Library Board, second by Tisthammer. **Vote: Yeas; Porter, Johnson, Tisthammer, Dailey. Nays; None.**

4. **CONSIDER RESOLUTION 106(21) TERMINATING, REPEALING, AND REPLACING RESOLUTIONS 107(20) AND 108(20) RELATED TO USE OF PUBLIC FACILITIES DURING COVID-19 PANDEMIC**

Council members reviewed the resolution. City Attorney Wright explained this would repeal the two resolutions that were put in place last summer because of the risks of Covid-19 when using city facilities such as ballfields, aquatic center, and park. Clerk Devine added that signed waivers had been required by participants of the ballfields and pool to abide by Directive Health Measure rules. Since there are no DHM's now, these resolutions are not necessary. Councilman Johnson made a motion to introduce and approve Resolution 106(21) Terminating, Repealing, and Replacing Resolutions 107(20) and 108(20); second by Porter. **Vote: Yeas; Johnson, Porter, Dailey, Tisthammer. Nays; None.**

5. **CONSIDER RIGHT OF WAY GRANT AGREEMENT WITH HIGHWAY 14 BREWING**

Council members reviewed the Right-of-Way Agreement. There were concerns that the decreased sidewalk space would interfere with ADA regulations; and could also be a fire hazard. Another concern was the proximity to the Theatre and kids. Councilman Dailey made a motion to deny the agreement. Motion died as there was no second. Councilman Johnson made a motion to table until the next regular meeting, second by Porter. **Vote: Yeas; Johnson, Porter, Dailey, Tisthammer. Nays; None.**

6. **ACKNOWLEDGEMENT OF RECEIPT OF THE ANNUAL DELINQUENT UTILITY ACCOUNT REPORT**

Utility Clerk Wynn reviewed the summary of delinquent accounts with council members. **No action taken.**

7. **NUISANCE REPORT**

- **CONSIDER RESOLUTION SERIES 107(21) DECLARING NUISANCES**

Officer Mapel provided nuisance reports for two properties. Mapel stated that partial work was done on one of the properties, but both still had nuisance issues. Council members reviewed the reports. Councilman Dailey noted a typo on the third line that should have read "within" instead of "with". Porter made a motion to introduce and approve Resolution Series 107(21) 1-2, with the noted correction; second by Johnson. **Vote: Yeas; Johnson, Dailey, Tisthammer, Porter. Nays; None.**

8. **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 the council with a City sales tax report. Devine presented the council with financial reports; and gave an oral administrator report. Nebraska Central Railroad has been working on the crossing at 2nd Street. The City will be responsible for the concrete approaches to the crossing. Clerk Devine explained the main issue with pool cloudiness was settlement, as the robot cleaner was not working properly. Two new smaller cordless robots have been ordered as we can no longer get parts to repair the old one.
No action taken.

9. **CONSIDER BILLS FOR APPROVAL**

- CONSIDER MONTHLY BILLS FOR APPROVAL

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

- CONSIDER CHANGE ORDER #1, PAY APPLICATION #1 (FINAL), AND CERTIFICATION OF SUBSTANTIAL COMPLETION FROM RUTJEN'S CONSTRUCTION, INC. FOR UTILITY MAIN EXTENTIONS FOR EARLY CHILDHOOD CENTER

Clerk Devine explained the Change Order was a decrease of \$3,030 due to a reduction of square yards of concrete removal and replacement. Instead of putting a manhole in the driveway, it was moved over into the ditch. Councilman Dailey made a motion to approve Change Order #1, Pay App. #1 (Final), and Certification of Substantial Completion from Rutjen's Construction, Inc. for Utility Main Extensions for Early Childhood Center; second by Porter. **Vote: Yeas; Porter, Dailey, Johnson, Tisthammer. Nays; None.**

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

Next Regular Meeting: July 20, 2021 at 7:30 p.m.

- Preliminary Budget Report
- Tabled Right-of-Way Grant Agreement

11. **ADJOURN**

At 8:21 p.m. Council Member Porter made a motion to adjourn the meeting, second by Johnson. **Vote: Yeas; Dailey, Tisthammer, Porter, 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