

MINUTES
ALBION CITY COUNCIL
REGULAR MEETING
TUESDAY, APRIL 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 April 14, 2020 at Albion City Hall, 420 West Market St., Albion, NE. Present were: Mayor James C. Jarecki, Council Members Chris Kohtz, Walt Hoefer, Marcus Johnson, and Jon Porter. City staff present were: City Administrator Andrew Devine, Water Commissioner Ron Morearty, and Officer Mike Mapel. City Attorney Darren Wright and Deputy City Clerk Sharon Ketteler attended via teleconference as authorized by Executive Order 20-03.

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 and Executive Order 20-03 posted in the Council Chambers. The Mayor urged everyone to follow State and Federal regulations and guidelines to protect against Covid-19. Mayor Jarecki thanked first responders and reported that according to Fire Chief Benne, the AVFD has a good supply of protective equipment.

Mayor Jarecki presented Andrew Devine with the Outstanding Clerk of the Year Award selected by the Nebraska Municipal Clerks Association. The Mayor and Council congratulated Clerk Devine on this prestigious award, and thanked him for all his hard work.

2. CONSIDER APPROVAL OF MINUTES OF THE MARCH 10, 2020 CITY COUNCIL MEETING

Councilman Porter made a motion to approve the minutes of the March 10, 2020 City Council meeting; second by Johnson.

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

3. CONSIDER BID TABULATION AND AWARD OF CONTRACT FOR THE FAIRVIEW STORM DRAINAGE PHASE III PROJECT

Kevin Kruse of JEO joined the meeting by teleconference. Kruse reviewed the bid tabulation and explained the revised recommendation to the council. Three bids were received, with Rutjens Construction of Tilden, NE being the low bidder. Mr. Kruse noted that Rutjens Construction has done quality work for the City of Albion in the past. The specification for project completion date is October 31, 2020. Kruse doesn't expect any delays due to Covid-19. Councilman Hoefer made a motion to approve bid and award contract to Rutjens Construction in the amount of \$604,306.85; second by Johnson. **Vote: Yeas; Kohtz, Porter, Hoefer, Johnson. Nays; None.**

4. **CONSIDER VACATION REQUEST 2020-01 OF BOONE COUNTY AND THE BOONE COUNTY HEALTH CENTER TO VACATE FULLER STREET BETWEEN 7TH STREET AND 8TH STREET**

Clerk Devine explained the Boone County Health Center's request to vacate the entire length of Fuller Street between 7th Street and 8th Street for the purpose of an addition to the hospital. In 2018 the City conditionally approved vacation of the west half of Fuller Street between 7th and 8th Streets. Since that time hospital construction plans have changed requiring vacation of the entire length of Fuller Street between 7th and 8th Streets. Devine added that the hospital owns all the surrounding property. Devine also stated that Planning Commission reviewed the application last week and recommended approval. Councilman Kohtz made a motion to approve vacation request of Boone County Health Center to vacate Fuller Street between 7th and 8th Streets, second by Porter. **Vote: Yeas; Hoefer, Kohtz, Porter, Johnson. Nays; None.**

5. **CONSIDER LOT SPLIT APPLICATION OF COLE FREY FOR PROPERTY LEGALLY DESCRIBED AS CUDDY'S ARK ACRES LOT 2, A FRACTION OF THE SOUTHEAST QUARTER OF SECTION 20-20-6, BOONE COUNTY, NEBRASKA**

Cole Frey joined via teleconference and explained the application request is to split the lot and sell half to a neighbor. Clerk Devine noted the divided lots would then need to be joined to adjacent lots to meet minimum square footage before development could take place.

Councilman Porter made a motion to approve lot split request #LS2020-01 of Cole Frey, second by Johnson.

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

6. **CONSIDER MANAGER APPLICATION OF KAY HELLBUSCH FOR CHRISTO'S PUB UNDER LICENSE # I-106667**

Council members reviewed the application. Councilman Hoefer made a motion to approve manager application associated with Cardinal Inn, LLC, dba/Christo's Pub License Number I-106667 of Kay Hellbusch, second by Porter.

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

7. **CONSIDER STREET CLOSURE REQUEST OF DOWNTOWN STREETS FOR THE FOLLOWING COMMUNITY EVENTS PENDING DIRECTED HEALTH MEASURES DUE TO COVID-19:**

- REQUEST OF SMOKE N CHROME ON MAIN, COMMITTEE TO TEMPORARILY CLOSE DOWNTOWN STREETS FOR CAR SHOW ON JUNE 21, 2020 FROM 6:30 AM TO 3:00 PM
- REQUEST OF ALBION/BOONE CENTRAL ALUMNI COMMITTEE TO TEMPORARILY CLOSE DOWNTOWN STREETS FOR ALBION/BOONE CENTRAL ALUMNI RECEPTION AND STREET DANCE ON JUNE 21, 2020 FROM 12:00 PM TO 1:00 AM

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- REQUEST OF LORI KROHN TO CLOSE CHURCH STREET FROM 5TH STREET TO 3RD STREET FROM 9:20 AM TO 11:30 AM ON JULY 4, 2020 FOR AN INDEPENDENCE DAY KIDDIE PARADE
- REQUEST OF ALBION CHAMBER OF COMMERCE TO TEMPORARILY CLOSE DOWNTOWN STREETS ON DECEMBER 3, 2020 FROM 5:30 PM TO 7:00 PM FOR A HOLIDAY LIGHT PARADE

Albion/Boone Central Alumni Committee provided a map of requested street closure for council members to review. Clerk Devine noted that all are repeated requests from previous years. Councilman Hoefer made a motion to approve all street closure requests as presented, pending directed health measures due to Covid-19 pandemic, second by Kohtz.

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

8. CONSIDER MAYORAL APPOINTMENT TO THE PUBLIC WORKS COORDINATOR POSITION

Mayor Jarecki stated his schedule did not allow for him to address this yet. It will be placed on next month's agenda. **No action taken.**

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 made a correction to the Water Department Report that HOA has not finished setting up controls yet. Ron Morearty stated that HOA is planning to come back tomorrow. Councilman Hoefer questioned if city wide clean-up days would still take place in May. Clerk Devine stated that city wide clean-up days and the scrap tire collection has been postponed until fall due to Covid-19. Clerk Devine also commented that since the Governor has communicated that public pools may not be allowed to open until mid-July, we might consider not opening at all this season. It would be difficult to find staff for such a short period; and we could use this time to complete necessary pool maintenance projects. **No action taken.**

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

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

Clerk Devine presented the council with applications from Eagle Communications and Great Plains Communications. Devine stated that Great Plains renewal included an additional project, which was also reviewed by the council. Frontier Communications has not submitted their application yet, but there is still time as the permits are not due until May. Councilman Johnson made a motion to approve Right of Way permit renewals of Eagle Communications, Great Plains Communications, and Frontier Communications, once all requirements are met; second by Kohtz.

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

11. CONSIDER BILLS FOR APPROVAL

- CONSIDER MONTHLY BILLS FOR APPROVAL

Council members reviewed the bills and checks reports. Clerk Devine provided an additional invoice for council review that was emailed to him at 5:00 p.m. this afternoon. It was from Criss Co, Inc. for \$3,500 for a mini split heat pump in the Sewer Treatment Plant. Councilman Kohtz made a motion to approve monthly bills for payment, second by Johnson.

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

12. CONSIDER RESOLUTION 105(20) DECLARING NUISANCE

Officer Mapel provided a copy of 1 nuisance report and reviewed it with the council. Councilman Hoefer made a motion to introduce and approve Resolution 105(20) Declaring Nuisance at 515 South 3rd Street, second by Johnson.

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

13. CONSIDER RESOLUTION 106(20) DECLARING SURPLUS PROPERTY AND AUTHORIZING THE SALE OF THE SAME

Council members reviewed the resolution to declare surplus property for fire department breathing apparatus. Councilman Porter made a motion to introduce and approve Resolution 106(20) Declaring Surplus Property and Authorizing the Sale of the Same, second by Kohtz. **Vote: Yeas; Hoefer, Kohtz, Johnson, Porter. Nays; None.**

14. ITEMS TO BE PUT ON NEXT MEETING AGENDA

Next Regular Meeting: May 12, 2020 at 7:30 p.m.

- MAYORAL APPOINTMENT TO PUBLIC WORKS COORDINATOR POSITION.

15. ADJOURN

At 8:13 p.m. Council Member Porter made a motion to adjourn the meeting, second by Johnson. **Vote: Yeas; Kohtz, Porter, Johnson, 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