

**MINUTES**  
**ALBION CITY COUNCIL**  
**REGULAR MEETING**  
**TUESDAY, JUNE 9, 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 June 9, 2020 at Albion City Hall, 420 West Market St., Albion, NE. Present were: Mayor James C. Jarecki, Council Members Jon Porter, Chris Kohtz, Walt Hoefer, and Marcus Johnson. City staff present were: City Administrator Andrew Devine, Utility Billing Clerk Amber Wynn, Deputy City Clerk Sharon Ketteler, and Officer Mike Mapel. Sewer Commissioner Joe Luettel and City Attorney Darren Wright attended via teleconference.

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 announced that the final payment on the water tower will be made this week. It was a 20-year note.

**2. CONSIDER MINUTES OF THE MAY 29, 2020 CITY COUNCIL MEETING FOR APPROVAL**

Councilman Johnson made a motion to approve the minutes of the May 29, 2020 City Council meeting; second by Kohtz.

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

**3. CONSIDER SUBDIVISION DEVELOPMENT AGREEMENT WITH BOONE BEGINNINGS FOR THE BOONE BEGINNINGS ADDITION TO THE CITY OF ALBION, BOONE COUNTY, NEBRASKA**

This item was tabled from the last regular meeting until a cost estimate could be provided. Council members reviewed the Engineer's Opinion of Cost estimate from JEO Consulting Group for water and sewer infrastructure for Boone Beginnings. The public portion of water and sewer main extensions totaled \$166,780. Clerk Devine explained the increase from his simple cost estimate of the project last year, is due to the depth of design of sewer mains to extend services further South for possible future development.

Andy Roberts, committee member for Boone Beginnings, reviewed the cost estimate with the council. Roberts stated they plan to put the project up for bid next month, with an expected construction completion time of 12-14 months. And the public infrastructure could be completed next fiscal year.

Roger Protzman of JEO Consulting Group joined by teleconference and reviewed the placement for the main lines, particularly the depth of sewer lines. After much discussion, Councilman Porter made a motion to approve the Subdivision Development Agreement to cover the cost of municipal sewer and water mains, second by Johnson. **Vote: Yeas; Kohtz, Hoefer, Porter, Johnson. Nays; None.**

**4. CONSIDER RESOLUTION 108(20) REGARDING THE RISK OF EXPOSURE TO COVID-19 THROUGH THE USE OF THE ALBION FAMILY AQUATIC CENTER AND OTHER RECREATIONAL AREAS**

Clerk Devine stated this resolution is similar to the one adopted for use of the Sports Complex to release the City from liability. City Attorney Wright reviewed the resolution with the Council. Caution signage will be placed at the aquatic center and other recreational areas to promote public safety. A Participants Agreement similar to the one used for baseball and softball will be required for those using the pool. Mr. Devine stated the Park restrooms might be opened during pool hours, as pool staff can sanitize them on the same schedule as cleaning of pool restrooms.

Councilman Kohtz made a motion to introduce and adopt Resolution 108(20), second by Johnson. **Vote: Yeas; Kohtz, Porter, Johnson, Hoefer. Nays; None.**

**5. DISCUSS RURAL BROADBAND REMOTE ACCESS GRANT APPLICATION AND CONSIDER AUTHORIZATION FOR MAYOR TO SIGN THE SAME**

Michelle Olson, director for Boone County Development Agency, joined by teleconference and explained that the grant is through Nebraska Department of Economic Development CARES Act. It is designed to provide fiber to communities, as large businesses are looking to expand work-from-home job opportunities. This remote work would require a high-speed internet achievable only by fiber. Ms. Olson stated the City of Albion is eligible to apply for this grant, which would provide \$1,500 per household unit. There would be no cost to the community, as the fiber provider would be responsible for covering the rest of the cost. The guidelines and application will become available on June 22, 2020. It will be a short time frame once released as the funds must be utilized by the end of 2020.

Councilman Porter made a motion to authorize the Mayor to sign Rural Broadband Remote Access Grant application, second by Johnson.

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

**6. CONSIDER ACCEPTANCE OF TRANSFER OF REAL PROPERTY AND WARRANTY DEED FOR THE SAME PROPERTY FROM THE COUNTY OF BOONE FOR PROPERTY LEGALLY DESCRIBED AS A TRACT OF LAND COMPRISING A PART OF THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 20 NORTH, RANGE 6 WEST OF THE 6<sup>TH</sup> P.M., BOONE COUNTY, NEBRASKA, MORE COMMONLY KNOWN AS THE CITY OF ALBION-KOHTZ DAM AND RESERVOIR**

City Attorney Wright recommended the Council not act on this yet, based on his discussion with the County Clerk. The County recently parceled off the Fairgrounds into three parcels, one of which includes this property. Since this property has a new legal description, it might need to be replatted prior to transfer of property.

Councilman Johnson made a motion to table action until the next City Council meeting, second by Kohtz. **Vote: Yeas; Johnson, Kohtz, Porter, Hoefer. Nays; None.**

**7. CONSIDER INTERLOCAL AGREEMENT AND COVID-19 ADDENDUM WITH BOONE CENTRAL SCHOOL DISTRICT FOR USE OF SOFTBALL FIELD**

Council members reviewed the agreement. Clerk Devine stated there were no changes to the annual Interlocal Agreement with the School except for the dates. The addendum is the resolution that was passed at the special meeting regarding the risk of exposure to Covid-19 through the use of municipal property. Councilman Johnson made a motion to approve Interlocal Agreement and Covid-19 Addendum with Boone Central School District for use of softball field, second by Porter.

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

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

Utility Billing Clerk, Amber Wynn, provided a report for Council Members to review. It was noted that three accounts have been paid since the report date of June 1, 2020. **No action taken.**

**9. CONSIDER FIRST READING OF ORDINANCE 287(20) TO LEVY SPECIAL ASSESSMENT FOR THE UNPAID BILL OF NINA MEYER FOR REPLACEMENT OF CUSTOMER WATER SHUT OFF VALVE**

Councilman Johnson made a motion to introduce Ordinance 287(20). Mayor Jarecki instructed Clerk Devine to read the ordinance for the first time. Councilman Johnson made a motion to approve first reading second by Hoefer.

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

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

- **CONSIDER RESOLUTION SERIES 109(20) DECLARING NUISANCES**

Officer Mapel reported they are following up on courtesy notices. There are no nuisances to declare at this time.

11. **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 added that Aaron Allgood received one quote for lease of tractor with loader, but will be getting a couple more quotes before a decision is made. Mr. Devine announced that Angie Sup has accepted the pool manager position and has been training on compliance with Covid-19 guidelines. Devine also announced that Doug Morgan has been hired as a Public Works Operator with emphasis in the sewer department. Joe Luettel has expressed interest in going to part-time in July and will be training Mr. Morgan. Also, Warren Myers has been hired on full-time. He will work part-time as a Public Works Operator/Floater, and also continue as the City's Building Inspector. **No action taken.**

12. **CONSIDER BILLS FOR APPROVAL**

- CONSIDER MONTHLY BILLS FOR APPROVAL

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

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

**Next Regular Meeting: July 14, 2020 at 7:30 p.m.**

- Transfer of Property and Warranty Deed
- Ordinance 287(20)
- Broadband Grant Activity
- Surplus Property

14. **ADJOURN**

At 8:47 p.m. Council Member Hoefer made a motion to adjourn the meeting, second by Johnson. **Vote: Yeas; Hoefer, Porter, Johnson, Kohtz. Nays; None.**

**MINUTES – ALBION CITY COUNCIL – REGULAR MEETING JUNE 9, 2020**

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