

MINUTES
ALBION CITY COUNCIL
REGULAR MEETING

TUESDAY, OCTOBER 11, 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 October 11, 2022 at Albion City Hall, 420 West Market St., Albion, NE. Present were: Mayor James C. Jarecki, Council Members Jack Dailey, Jason Tisthammer, Jon Porter, and Marcus Johnson. City staff present were: City Administrator Andrew Devine, Deputy City Clerk Sharon Ketteler, City Attorney Darren Wright, Police Chief Brent Lipker, Lieutenant Joe Predmore, Utility Clerk Amber Wynn, and Economic Development and Housing Director Maggie Smith. 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 reported that Ron Levander submitted a letter of resignation from the Albion Airport Authority Board. He moved outside city limits so no longer qualified to serve on that board. He had been on the board since the early 1980's and served as chairman since 1986. Mayor Jarecki thanked Mr. Levander for his many years of service.

2. CONSIDER APPROVAL OF MINUTES OF THE SEPTEMBER 28, 2022 CITY COUNCIL MEETING

Councilman Porter made a motion to approve the minutes of the September 28, 2022 City Council meeting as presented, second by Dailey. **Vote: Yeas; Tisthammer, Dailey, Johnson, Porter. Nays; None.**

3. CONSIDER AEDC REQUESTS TO RELEASE SALES TAX FUNDS IN THE AMOUNTS OF 1) \$30,000 TO SUPPORT UTILITY DEVELOPMENT COSTS ASSOCIATED WITH JEREMY AND KIM YOUNG'S COMMERCIAL PROJECT; 2) \$64,581.25 FOR THE PREVIOUSLY APPROVED PURCHASE OF THE BUILDING AT 127 S. 4TH STREET; AND, CONSIDER AEDC REQUEST TO AUTHORIZE BORROWING FUNDS FOR A HOUSING DEVELOPMENT PROJECT

Clerk Devine stated that the Citizens Advisory Committee reviewed these requests and recommended approval of all. Larry Bird asked if Jeremy Young's commercial project is in city limits? Mayor Jarecki stated it is in the annexation process. Bird questioned if AEDC funds can be used for projects outside of city limits. Attorney Wright stated that it can. Following lengthy discussion, Councilman Dailey made a motion to approve AEDC request to release \$30,000 Economic Development sales tax to support utility development costs associated with Jeremy and Kim Young's

commercial project; second by Porter. **Vote: Yeas; Porter, Tisthammer, Johnson, Dailey. Nays; None.**

Councilman Porter made a motion to approve AEDC request to release \$64,581.25 for the previously approved purchase of the building at 127 S. 4th Street; second by Johnson. **Vote: Yeas; Tisthammer, Dailey, Johnson, Porter. Nays; None.**

Council members discussed AEDC's request for authorization to borrow funds for a Housing Development Project. Larry Bird asked if this project is in city limits? Clerk Devine stated it is. Bird expressed concern that the city would be responsible to pay the loan off. Devine stated that AEDC's intent is to only pay interest on the loan and pay down the debt as Lots are sold. Porter asked whether other communities chose to start with New Development versus Infill Development. Maggie Smith stated that communities with higher blighted structures focused on Infill Development first; and those with a higher need for housing focused on New Development. The council discussed the potential cost of a developed Lot. Devine stated it could vary depending on if the full cost is assessed back to the buyer, or if the city covers some of the cost of infrastructure. Porter asked about grant funds. Smith stated there are various grants available depending on the type of structure being built. Devine stated he didn't feel there was an urgency for these funds, and he would like more information on how it fits the overall strategy of addressing our housing issue. Councilman Johnson made a motion to postpone action on request of AEDC to borrow funds for a housing development project, until the next regular meeting; second by Porter. **Vote: Yeas; Porter, Johnson, Tisthammer, Dailey. Nays; None.**

4. CONSIDER CITIZEN REQUEST FOR GOLF CART ORDINANCE TO ALLOW GOLF CARTS TO BE LEGALLY DRIVEN ON CITY STREETS

Matt Krohn provided the council with copies of ordinances from other towns that allow golf carts on city streets. Krohn explained that with the high price of gas it is more economical to use a golf cart for short errands. Chief Lipker expressed his concern of golf cart use on congested streets and crossing highways that go through town. He asked that if it becomes allowable, that language be placed in the ordinance that would permit police to remove the privilege from violators. Lipker also asked that it would only be allowed by persons living within city limits. Clerk Devine asked that the council describe what provisions they would want included in the ordinance and consider updating ATV/UTV code with the same provisions. Attorney Wright stated he would construct a sample based on what other city ordinances are so the council can discuss at the next meeting. Dailey made a motion to direct City Attorney and/or City Administration to draft an ordinance authorizing golf cart vehicles within the corporate limits of the city, and updating the ATV/UTV ordinance; second by Johnson. **Vote: Yeas; Dailey, Johnson, Porter, Tisthammer. Nays; None.**

5. **CONSIDER CITIZEN REQUEST FOR PLACEMENT OF TRAFFIC CONTROL DEVICES, SPECIFICALLY SPEED BUMPS FOR THE SAFETY OF CHILDREN**

Jerry Pollack explained his request for placement of speed bumps to deter speeding near his residence on 10th Street. He found temporary speed bumps that he would like to put out when his granddaughter is playing outside. He felt it would also be a good safety precaution to place speed bumps by the school. Chief Lipker stated if speed bumps were placed by the school it would have to be permanent and marked with traffic control signs. Attorney Wright noted for liability purpose traffic control signs would need to be placed even for temporary speed bumps. Johnson commented that 6th Street is an emergency route so it wouldn't be a suitable street to place traffic control devices. Porter stated that temporary ones wouldn't hold up to snow removal and winter conditions. Also, permanent ones would allow for proper drainage. Clerk Devine asked Pollack if he would be opposed to permanent speed bumps. Pollack stated he would not. Discussion ensued on other streets that would benefit from traffic control devices. Mayor Jarecki instructed Clerk Devine to get a cost estimate; and Attorney Wright to draw up a resolution to be reviewed at the next regular meeting. **No formal action taken.**

6. **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 thanked city staff for a successful tire collection, stating the city collected over 122 tons of tires. Devine also commented on the Johnson Service sewer inspection, jetting, and root cutting; stating the inspection results are useful for future planning of repair and rehab work. **No action taken.**

7. **NUISANCE REPORT FROM ALBION POLICE DEPARTMENT**

There were no new inspection reports.

8. **CONSIDER BILLS FOR APPROVAL**

• **CONSIDER MONTHLY BILLS FOR APPROVAL**

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

9. **CONSIDER APPROVAL OF MEMBERSHIP APPLICATIONS OF ALEXA NELSON AND BRENDEN EIDSON TO THE ALBION FIRE DEPARTMENT**

Councilman Porter made a motion to approve the membership applications of Alexa Nelson and Brenden Eidson to the Albion Fire Department, second by Johnson. **Vote: Yeas; Dailey, Porter, Tisthammer, Johnson. Nays; None.**

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

Regular Meeting – November 8, 2022 at 7:30 p.m.

- AEDC Authorization to Borrow Funds
- Golf Cart Ordinance
- Traffic Control Device Placement Resolution

11. **ADJOURN**

At 8:30 p.m. Council Member Johnson made a motion to adjourn the meeting, second by Dailey. **Vote: Yeas; Porter, Tisthammer, Dailey, 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