

MINUTES
ALBION CITY COUNCIL
REGULAR MEETING – PUBLIC HEARING
TUESDAY, MARCH 9, 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 March 9, 2021 at Albion City Hall, 420 West Market St., Albion, NE. Present were: Mayor James C. Jarecki, Council Members Jon Porter, Jack Dailey, and Marcus Johnson. City staff present were: City Administrator Andrew Devine, Deputy City Clerk Sharon Ketteler, Utility Billing Clerk Amber Wynn, Public Works Coordinator Doug Morgan, Interim Water Commissioner Warren Myers, Officer Predmore, and City Attorney Darren Wright. 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 provided a report of City properties and assets that he and Administrator Devine inspected February 18, 2021; and reviewed it with the council.

2. CONSIDER APPROVAL OF MINUTES OF THE FEBRUARY 9, 2021 CITY COUNCIL MEETING

Councilman Porter made a motion to approve the minutes of the February 9, 2021 City Council meeting; second by Johnson. **Vote: Yeas; Johnson, Dailey, Porter. Nays; None.**

3. FORMALLY ACCEPT RESIGNATION OF CITY COUNCIL MEMBER J. CHRIS KOHTZ DUE TO RESIDENCY REQUIREMENTS; and, CONSIDER MAYORAL APPOINTMENT TO FULFIL UNEXPIRED TERM OF FORMER CITY COUNCIL MEMBER J. CHRIS KOHTZ UNTIL DECEMBER 2022

Mayor Jarecki thanked Mr. Kohtz for serving on the city council and stated that no one has responded to fulfilling the term yet. Councilman Dailey made a motion to accept resignation of City Council Member J. Chris Kohtz due to residency requirements, second by Johnson. **Vote: Yeas; Porter, Johnson, Dailey. Nays; None.**

City Attorney Wright stated that based on our city’s ordinance for fulfilling vacancies, the Mayor is to appoint someone, and the council either approves or denies the appointment. Mayor Jarecki appointed Walt Hoefer to fulfil the unexpired term. Councilman Porter made a motion to deny appointment of Walt Hoefer to fulfil the unexpired term of former City Council Member J. Chris Kohtz until December 2022, second by Dailey. **Vote: Yeas; Dailey, Porter, Johnson. Nays; None.**

4. REVIEW BID TABULATION OF CITY OF ALBION CASUALTY AND PROPERTY INSURANCE BIDS AND CONSIDER FOR AWARD

Clerk Devine reviewed the 3 bids received and submitted a written recommendation for the Council to review, along with a summary of each proposal. Two of the bids were submitted by Jeff Noble of Cornerstone Insurance. The third bid was received from Cedar Valley Insurance. Brady Yosten of Cedar Valley Insurance introduced himself and his team, and offered to answer any questions. Jeff Noble provided information on both insurance companies that submitted bids, and thanked the city council for the opportunity to serve the City the past three years.

Councilman Porter made a motion to award bid of Cedar Valley Insurance/Continental Western Group in the quoted amount of \$70,315 for the Albion Casualty and Property insurance for the term of at least 1-year effective April 2021, second by Dailey. **Vote: Yeas; Dailey, Porter, Johnson. Nays; None.**

5. OPEN 2021 LAWN CARE BIDS AND CONSIDER FOR AWARD AND AUTHORIZE THE MAYOR OR HIS REPRESENTATIVE TO SIGN ANY AND ALL CONTRACT DOCUMENTS

At 7:53 p.m. Mayor Jarecki excused himself, reporting his potential interest in the contract. The Mayor verified a Conflict of Interest Disclosure form had been given to the Deputy City Clerk, and turned presiding authority over to Council President Marcus Johnson, then left the room. Clerk Devine stated only 1 bid was received. City Attorney Wright opened the bid from Jarecki Lawncare and Greenhouse. The bid was for \$17,310.50 and met all bid specifications. Clerk Devine noted the bid amount is the same as last year. Councilman Porter made a motion to award the 2021 Lawncare bid to Jarecki Lawncare and Greenhouse, LLC for the amount of \$17,310.50 for the 2021 Albion Lawncare, second by Dailey. **Vote: Yeas; Johnson, Porter, Dailey. Nays; None.** At 7:59 p.m. Mayor Jarecki returned and resumed presiding over the meeting.

6. CONSIDER RESOLUTION 102(21) ESTABLISHING MUTUAL LAW ENFORCEMENT JURISDICTION WITH BOONE COUNTY

Clerk Devine stated the agreement is the same as last year except for the dates. Councilman Porter made a motion to introduce and approve Resolution 102(21) Establishing Mutual Law Enforcement Jurisdiction with Boone County, second by Johnson. **Vote: Yeas; Porter, Dailey, Johnson. Nays; None.**

7. REVIEW ANNUAL REPORT FOR ALBION WATER AND SEWER DEPARTMENTS

Council Members reviewed the Annual Water and Sewer Report. Warren Myers, added that test results for nitrate levels came back at 3.73 for first quarter of 2021. Mr. Myers stated that if the levels get over a "5" we would need to start monitoring quarterly instead of annually. Mayor Jarecki asked if he was going to test each well individually. Mr. Myers stated he plans to do a special test on Well #5. Mayor Jarecki asked Myers to also get a nitrate test on Well #3.

Doug Morgan added they are having some issues with the performance of the jet truck, and are planning to get it serviced. There was discussion on steps that were

taken to help the wastewater treatment plant run smoothly during the 2019 spring flood. Mayor Jarecki suggested documenting what manholes had to be sandbagged during that time.

Councilman Porter acknowledged receipt of the annual Water and Sewer Department Report.

8. **INTRODUCE ORDINANCE 308(21) REGARDING THE FILING OF SPECIAL ASSESSMENT FOR THE UNPAID UTILITY BILL OF WILMA JEAN BURGE, 631 W MAIN STREET**

Councilman Porter made a motion to introduce Ordinance 308(21) Relating to levy of special assessment for the unpaid utility bill of Wilma Jean Burge, 631 West Main Street. Mayor Jarecki instructed Clerk Devine to read the ordinance for the first time. Councilman Porter made a motion to approve the first reading, second by Johnson. **Vote: Yeas; Dailey, Porter, Johnson. Nays; None.**

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. Councilman Porter asked if the City would be getting a load of “cold patch” and where it would be stored? Clerk Devine stated it should be here by the end of March and a bunk was built in the northwest corner of the storage building for it. **No action taken.**

10. **CONSIDER BILLS FOR APPROVAL**

• **CONSIDER MONTHLY BILLS FOR APPROVAL**

Councilman Johnson made a motion to approve the monthly bills for payment, except the bills from Speed Drain, second by Dailey. **Vote: Yeas; Johnson, Dailey, Porter. Nays; None.**

Councilman Johnson made a motion to approve the Speed Drain bills, second by Dailey. **Vote: Yeas; Dailey, Johnson. Nays; None. Abstain; Porter.**

11. **CONSIDER INTERLOCAL OPERATION AGREEMENT BETWEEN THE CITY OF ALBION AND THE ALBION RURAL FIRE DISTRICT NO. 1**

Clerk Devine stated this agreement is replacing the outdated one from 1986, which had various amendments. Mr. Devine, Attorney Wright, and Fire Chief Benne had reviewed the previous agreement and made the appropriate changes. Councilman Porter made a motion to approve the interlocal agreement between the City of Albion and the Albion Rural Fire District No. 1 and authorizing the Mayor to sign the same, second by Dailey. **Vote: Yeas; Porter, Johnson, Dailey. Nays; None.**

12. ITEMS TO BE PUT ON NEXT MEETING AGENDA

Next Regular Meeting: April 13, 2021 at 7:30 p.m.

- ORDINANCE 308(21);
- STREET CLOSURES;
- COUNCIL VACANCY;

13. ADJOURN

At 8:15 p.m. Council Member Johnson made a motion to adjourn the meeting, second by Porter. **Vote: Yeas; Johnson, Dailey, Porter. 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