



12/12/2023 - ALBION CITY COUNCIL - REGULAR MEETING

TUESDAY, DECEMBER 12, 2023 at 7:30 PM

COUNCIL CHAMBERS, ALBION CITY HALL, 420 W MARKET ST. ALBION, NE 68620

MINUTES

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 December 12, 2023 at Albion City Hall, 420 West Market St., Albion, NE. 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.

CALL TO ORDER

A copy of the open meetings act is posted and is provided for the public on the billboard of the Council Chambers

ROLL CALL

Present were Mayor Jarecki and Councilmembers Jason Tisthammer, Jack Dailey, Marcus Johnson, and Jon Porter.

City staff present were City Administrator Andrew Devine, Deputy Clerk Sharon Ketteler, Utility Clerk Amber Wynn, Water Commissioner/Building Inspector Warren Myers, Economic Development and Housing Director Maggie Smith, and City Attorney Darren Wright.

MAYOR'S COMMENTS

Mayor Jarecki congratulated the Boone Central Football team for their C1 State Championship on November 21, 2023. The Mayor stated that he and Administrator Devine will be reviewing city assets in January, followed by his semi-annual department head meeting.

APPROVAL OF MINUTES

1. APPROVAL OF MINUTES OF THE NOVEMBER 14, 2023 AND NOVEMBER 17, 2023 CITY COUNCIL MEETINGS

The minutes of the November 14, 2023 and November 17, 2023 City Council meetings were distributed to the Mayor and Council in the agenda packets. Councilman Johnson made a motion to approve the minutes of the November 14, 2023 and November 17, 2023 City Council meetings, seconded by Porter. Voting Yea: Johnson, Porter, Dailey, Tisthammer. Voting Nay: None. Motion carried.

OLD BUSINESS

2. NONE

NEW BUSINESS

3. CONSIDER ACCEPTANCE OF UTILITY EASEMENT FROM ALBION DEVELOPMENT COMPANY, INC CONSISTING OF THE EAST 10 FEET OF SUB LOT "B" AND SUB LOT "C" OF 2010 REPLAT OF LOKEN SUBDIVISION LOT 1, A REPLAT OF A TRACT OF LAND LOCATED IN LOT 1, BLOCK A, LOKEN SUBDIVISION TO THE CITY OF ALBION, BOONE COUNTY, NEBRASKA.

Clerk Devine explained the necessity of the easement is due to gas lines and fiberoptic cables being in the right-of-way, which would leave little room for water and sewer lines. The requested easement is adjacent to the right-of-way. Councilman Porter questioned if it would just go across the north property. Maggie Smith stated it would go across both properties. Ms. Smith added the intent of AEDC would be to dedicate to the City the 6" sewer line that would T off of the main to the north so that each of those properties would only be responsible for the sewer line that it takes for them to connect to the main that would drop south. This would eliminate the north property owner from having to grant an easement to the south property owner. Ms. Smith showed the council a map of where the sewer lines would be placed. Porter had concern that it would create a shared sewer line. Devine stated it was planned to be built as a main. Porter also had concerns about access for jetting and the fact that it was only a 6" line instead of an 8" line. There was continued discussion regarding the placement of the lines. Mayor Jarecki reminded everyone that this item for consideration was just for considering acceptance of the utility easement, and that placement of lines could be discussed further at a later time.

Councilman Johnson made a motion to accept the utility easement from Albion Development Company, Inc. consisting of the East 10 feet of Sub Lot "B" and Sub Lot "C" of 2010 Replat of Loken Subdivision Lot 1, a replat of a tract of land located in Lot 1, Block A, Loken Subdivision to the City of Albion, Boone County, Nebraska; seconded by Dailey. Voting Yea: Tisthammer, Johnson, Dailey. Voting Nay: Porter. Motion carried.

4. CONSIDER CITIZEN REQUEST TO DESIGNATE LOADING/UNLOADING ZONE ON MAIN STREET DIRECTLY ADJACENT TO 3C'S CLEVELAND'S CAFÉ & CATERING, LLC, 100 S 4TH STREET

Hannah Cleveland was present to explain her request for a loading/unloading designated area for her catering vehicle. Ms. Cleveland stated that when she or her staff need to load or unload for her catering business, or when delivering senior meals at noon, they need to be close to the side door of her café. If there is no parking space available, she has to park in the middle of the street which is not only inconvenient, but also dangerous. Councilman Dailey pointed out that the café does not have access to the alley. Ms. Cleveland stated she would like for two parking spaces to be designated for the loading/unloading area so she can park her catering vehicle sideways. Since it is a very long vehicle it creates a sight issue when it is parked diagonally into just 1 parking stall. Mayor Jarecki spoke of concern for snow removal if the vehicle is left there continuously. Ms. Cleveland stated that she only leaves it parked there overnight if she has a late catering event or when there's catering on consecutive days. Devine received direction from the council on drafting a formal resolution to be considered at the January City Council meeting. No action taken.

5. CITIZEN REQUEST TO ADDRESS COUNCIL REGARDING ROAD CONDITIONS OF 11TH STREET FROM FAIRVIEW STREET TO SOUTH STREET

Chuck Rolf, manager of the Boone County Fairgrounds, spoke of the need for repair on 11th Street from Fairview Street to South Street. Mayor Jarecki stated that it is on the One- and Six-Year Street Plan. Rolf stated there are two major holes that need immediate attention. Warren Myers noted that City Staff has attempted to fill with cold patch, without long-term success. The Mayor stated the City can do a temporary repair until we have enough funds to pave it. Following further discussion, Devine stated the

best solution would probably be to pave as much as we can this spring for less than \$30,000 to eliminate engineering fees. No action taken.

6. CONSIDER APPROVAL OF MAINTENANCE AGREEMENT #84 BETWEEN NEBRASKA DEPARTMENT OF TRANSPORTATION AND THE CITY OF ALBION FOR RENEWAL

Clerk Devine noted there are no changes from the previous agreement. Councilman Johnson made a motion to approve renewal of the Maintenance Agreement # 84 between Nebraska Department of Transportation and the City of Albion, seconded by Dailey. Voting Yea: Tisthammer, Porter, Johnson, Dailey. Voting Nay: None. Motion carried.

7. CONSIDER APPROVAL OF CITY OF ALBION JOB DESCRIPTIONS AND ORGANIZATIONAL CHART

A draft of the Organizational Chart and changed Job Descriptions were previously distributed to the council in the agenda packets. Administrator Devine explained the changes to the job descriptions and organizational chart that he and the Mayor recommended. The Public Works Coordinator job title would be eliminated. A Public Works Liaison (Tag*) would be created. A Street Supervisor title would be brought back. Instead of a Parks Foreman title there would be a City Groundskeeper. And instead of Parks Laborers they would be Seasonal Laborers. Devine also corrected a couple of typographic errors.

Councilman Johnson made a motion to approve the City of Albion Job Descriptions and Organizational Chart dated December 12, 2023; along with the necessary changes of typographic errors; seconded by Porter. Voting Yea: Porter, Johnson, Tisthammer, Dailey. Voting Nay: None. Motion carried.

8. ELECT COUNCIL PRESIDENT FOR ANNUAL TERM

Councilman Porter made a motion to nominate and elect Councilman Johnson as the City Council President for calendar year 2024, seconded by Tisthammer. Voting Yea: Porter, Johnson, Dailey, Tisthammer. Voting Nay: None. Motion carried.

9. CONSIDER MAYORAL APPOINTMENTS TO BE EFFECTIVE JANUARY 1, 2024

ADMINISTRATOR/CLERK/TREASURER - ANDREW DEVINE
DEPUTY CLERK - SHARON KETTELER
UTILITY CLERK - AMBER WYNN
WATER COMMISSIONER - WARREN MYERS
SEWER COMMISSIONER - COREY ZOUBEK
STREET SUPERVISOR - RON MOREARTY
PUBLIC WORKS MAINTENANCE OPERATOR - JOSEPH LANDAUER
PUBLIC WORKS OPERATIONS LIAISON - WARREN MYERS
BUILDING INSPECTOR - WARREN MYERS
CITY ATTORNEY - DARREN WRIGHT
POLICE CHIEF - BRENT LIPKER
POLICE LIEUTENANT - JOE PREDMORE
POLICE OFFICER - VACANT
STREET SUPERINTENDENT - ANDREW WILSHUSEN, JEO CONSULTING GROUP, INC.
FIRE CHIEF - BRUCE BENNE
POOL MANAGER - VACANT
CITY PHYSICIAN/MEDICAL OFFICER - DR. ANTHONY KUSEK
CITY ENGINEER - RESERVE RIGHT TO USE SPECIAL PROJECTS ENGINEER AS NEEDED

Councilman Dailey made a motion to confirm Mayoral appointments effective January 1, 2024; seconded by Johnson. Voting Yea: Tisthammer, Porter, Johnson, Dailey. Voting Nay: None. Motion carried.

RESOLUTIONS

10. CONSIDER RESOLUTION 129(23) REGARDING PLACEMENT OF TRAFFIC CONTROL SIGNS IN ORDER TO REGULATE TRAFFIC

Council members discussed where the weight limit signs are currently located. Since there is no restriction for the half block west of the fuel islands, the council decided it was not necessary to change the weight restriction on north 7th Street between State Street and Old Mill Road. No action taken.

ORDINANCES

11. CONSIDER SECOND AND THIRD READINGS, AND FINAL PASSAGE, OF ORDINANCE 327(23) AN ORDINANCE RELATING TO A LEVY OF SPECIAL ASSESSMENT FOR THE UNPAID NUISANCE ABATEMENT COSTS AND FEES OF LEETCH PROPERTIES LLC, 818 WEST MARKET STREET, ALBION, NEBRASKA.

The first reading was read at the November 14, 2023 City Council meeting. Mayor Jarecki instructed Clerk Devine to read the second reading of Ordinance 327(23). Councilman Porter made a motion to move that the statutory rules requiring the ordinance to be read at three separate occasions be suspended, seconded by Johnson. Voting Yea: Tisthammer, Dailey, Johnson, Porter. Voting Nay: None. Motion carried. Mayor Jarecki instructed Clerk Devine to read the third reading of Ordinance 327(23). Councilman Porter made a motion to approve the second and third readings of Ordinance 327(23), and to move for final passage and adoption of Ordinance 327(23); seconded by Tisthammer. Johnson called the question. Mayor Jarecki declared Ordinance 327(23) having been read by title three different times, the rules have been suspended, the question is "Shall Ordinance 327(23) finally pass?" Voting Yea: Tisthammer, Dailey, Johnson, Porter. Voting Nay: None. Motion carried.

12. CONSIDER ORDINANCE 328(23) AN ORDINANCE ADOPTING THE CITY OF ALBION, NEBRASKA PAY PLAN.

Clerk Devine explained the reasons for proposing the new pay plan. The minimum wage increase effective January 1, 2024; and cost-of-living adjustments due to inflation, have both made it necessary to increase beginning wages in order to remain competitive in the existing employment market. The new Pay Plan would also recognize the new job descriptions. Councilman Dailey questioned if there were any changes to the Step Raise Rates. Devine stated there were not.

Councilman Johnson introduced Ordinance 328(23). Mayor Jarecki instructed Clerk Devine to read the ordinance for the first time. Councilman Johnson made a motion to move that the statutory rules requiring the ordinance to be read at three separate occasions be suspended, seconded by Porter. Voting Yea: Dailey, Johnson, Tisthammer, Porter. Voting Nay: None. Motion carried. Mayor Jarecki instructed Clerk Devine to read the ordinance by title for the second and third time. Councilman Porter made a motion to approve all three readings of the ordinance, and to move for final passage and adoption of Ordinance 328(23), seconded by Johnson. Johnson called the question. Mayor Jarecki declared Ordinance 328(23) having been read by title three different times, the rules have been suspended, the question is "Shall Ordinance 328(23) finally pass?" Voting Yea: Johnson, Porter, Tisthammer, Dailey. Voting Nay: None. Motion carried.

REPORTS

13. City Administrator Report

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 written report for council review. Devine added that there was an updated total from The Big Give for donations to the Eli Porter Memorial Project. The new total is \$61,856. Devine thanked JoAnn Porter and The Big Give Crew for promoting this project. Mr. Devine was also notified that this project was awarded another \$15,000 through contributions and match funds from the Nebraska Community Foundation Fund Youth Engagement Grant. There are other Grant applications pending. No action taken.

14. CONSIDER BILLS FOR APPROVAL

***REVIEW MONTHLY BILLS REPORT AND CONSIDER FOR APPROVAL AND PAYMENT**

Councilman Porter made a motion to approve bills report for payment and affirm all paid claims as presented, seconded by Johnson. Voting Yea: Porter, Tisthammer, Dailey, Johnson. Voting Nay: None. Motion carried.

ITEMS TO BE PUT ON NEXT MEETING AGENDA

15. Next Regular Meeting: January 16, 2024 - 7:30 p.m.

Two of the council members stated they would be out of town for the regularly scheduled council meeting in January. Councilman Johnson made a motion to change next month's meeting to January 16, 2024; seconded by Porter. Voting Yea: Johnson, Porter, Dailey, Tisthammer. Voting Nay: None. Motion carried.

16. Public Comment for Future Consideration

Water commissioner, Warren Myers, stated that last March he participated in Nebraska's "Best Tasting Water" contest at the Nebraska Rural Water Conference in Kearney, NE by bringing a sample of water from the City of Albion. Our city won 1st Place in this contest. Rural Water will be holding "Best Tasting Water" contest again at the National Conference in Washington, D.C. Albion qualifies to represent Nebraska, so Mr. Myers will be submitting a water sample to Washington D.C. to compete for the "Best Tasting Water" in the national competition.

ADJOURN

At 8:54 p.m. Councilman Dailey made a motion to adjourn the meeting, seconded by Johnson. Voting Yea: Dailey, Johnson, Tisthammer, Porter. Voting Nay: None. Motion carried.

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