



11/14/2023 - CITY COUNCIL REGULAR MEETING

TUESDAY, NOVEMBER 14, 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 November 14, 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, Jon Porter, Marcus Johnson, and Jack Dailey.

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

MAYOR'S COMMENTS

Mayor Jarecki announced the need to hold a special city council meeting to review a new liquor license application. The Mayor and Council decided on Friday, November 17, 2023 at 7:00 a.m. for the meeting. Mayor Jarecki congratulated the Boone Central Football team; and also Boys Cross Country Team for being State Qualifiers. The Mayor reminded residents when removing snow from their driveways and sidewalks to keep it on their own property.

APPROVAL OF MINUTES

1. APPROVAL OF MINUTES OF THE OCTOBER 10, 2023 CITY COUNCIL MEETING

The minutes of the October 10, 2023 meeting were distributed to the Mayor and Council in the agenda packets.

Councilman Johnson made a motion to approve the minutes of the October 10, 2023 City Council meeting, seconded by Porter. Voting Yea: Dailey, Tisthammer, Johnson, Porter. Voting Nay: None. Motion carried.

OLD BUSINESS

2. CONSIDER APPROVAL OF 2023-2024 CAPITAL IMPROVEMENT PLAN

Clerk Devine stated that the Planning Commission reviewed the 2023-2024 Capital Improvement Plan and recommended approval at the November 6, 2023 Planning Commission meeting. Devine noted that nothing has changed on the plan since the council reviewed it during the Preliminary Budget planning.

Councilman Johnson made a motion to approve the 2023-2024 Capital Improvement Plan, seconded by Dailey. Voting Yea: Tisthammer, Dailey, Johnson, Porter. Voting Nay: None. Motion carried.

NEW BUSINESS

3. CONSIDER APPLICATION TO THE NORTHEAST NEBRASKA SOLID WASTE COALITION

Daryl Guthard, owner of Bud's Sanitary Services, was available to explain that the Northeast Nebraska Solid Waste Coalition Landfill is requiring all cities using their landfill to become a member of the coalition. Bud's Sanitary Services hauls the trash they collect to the NNSWC Landfill from their transfer station. Mr. Guthard stated there are no fees for this membership.

Councilman Dailey made a motion to approve application to the Northeast Nebraska Solid Waste Coalition and authorize the Mayor to sign the same, seconded by Porter.

Voting Yea: Porter, Johnson, Tisthammer, Dailey. Voting Nay: None. Motion carried.

4. CONSIDER CITY TREASURER REQUEST FOR AUTHORITY TO TRANSFER \$67,500.00 OUT OF THE HOUSING FUND FOR PAYROLL EXPENSES THROUGH SEPTEMBER 30, 2024

Treasurer Devine noted that the Citizens Advisory Committee met last month to review the request. CAC recommended approval to transfer the funds. Devine stated this transfer is an annual item for salary and payroll taxes for the Economic Development and Housing Director. Money for the Housing Initiative Fund has come from donations from the Mansfield Foundation, the Wolf Foundation, and the Nebraska Community Foundation. An initial deposit was also put in the account from AEDC and Kurt Kruse. The balance on that account is \$128,336.71.

Councilman Porter made a motion to approve City Treasurer request for authority to transfer \$67,500 out of the Housing Fund for payroll expenses through September 30, 2024; seconded by Johnson. Voting Yea: Tisthammer, Dailey, Johnson, Porter. Voting Nay: None. Motion carried.

5. CONSIDER REPEALING RESOLUTION 117(23) REGARDING THE PROHIBITION OF PARKING ALONG THE SOUTH SIDE OF WALNUT STREET FROM 5TH TO 6TH STREET

Clerk Devine noted that back in August Boone Central Schools had requested no parking along the south side of Walnut Street between 5th and 6th Streets. A resolution was adopted by the city council to support that request. The school is now requesting to allow parking back in that area. Boone Central School Board member, Andy Roberts, stated that the School Board was unaware of the request for no parking. Roberts stated that the school spent \$50,000 for additional parking and this seems a waste of taxpayer money to take parking away. Warren Myers explained that the school requested no parking as it was a hazard for vehicles backing out since Walnut Street is so narrow. It was also difficult for school buses to get through that area. Pam Wright stated that she visited with residents in that area who

complained about losing that parking space in front of their property. Council members discussed multiple options for the best solution. Following lengthy discussion, the council agreed to only prohibit parking along the south side of Walnut Street from the alley between 5th Street to 6th Street eastward to the 5th Street intersection; and to open parking back up west of the alley; however, no such resolution was placed on this meeting agenda. City Attorney Wright stated it would be most efficient to repeal the current resolution and pass the new revised resolution at a future meeting.

Councilman Dailey made a motion to table this item until the Friday, November 17, 2023 Special City Council meeting, seconded by Johnson. Voting Yea: Johnson, Tisthammer, Porter, Dailey. Voting Nay: None. Motion carried.

RESOLUTIONS

6. CONSIDER RESOLUTION 126 (23) REGARDING CERTIFICATION OF THE CITY STREET SUPERINTENDENT FOR 2023

Clerk Devine provided the resolution for council review. Devine stated this resolution is an annual year-end certification of our City's Street Superintendent, which is required by the State of Nebraska.

Councilman Johnson made a motion to introduce and approve Resolution 126(23) Regarding certification of the City Street Superintendent for 2023, seconded by Porter.

Voting Yea: Dailey, Johnson, Tisthammer, Porter. Voting Nay: None. Motion carried.

ORDINANCES

7. CONSIDER FIRST READING 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.

Mayor Jarecki instructed Clerk Devine to read Ordinance 327(23) for the first time.

Councilman Johnson made a motion to approve the first reading, seconded by Tisthammer. Voting Yea: Tisthammer, Dailey, Johnson, Porter. Voting Nay: None. Motion carried.

REPORTS

8. NUISANCE REPORT

Clerk Devine noted that nuisance abatement at 934 W. Ruby Street has been completed by the property owner. The nuisance at 631 W. Main Street that was declared at the October City Council meeting is still pending abatement. There are no new nuisance reports by the Albion Police Department. No action taken.

9. 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 commended Maggie Smith for the great work she has been doing on the Housing Program. The Albion Economic Development Company purchased two lots to the southwest of the 11th and State Streets intersection where two homes are currently being built for resale. Devine stated that Ms. Smith presented an update of the Housing Program to the Planning Commission at their meeting last week. No action taken.

10. CONSIDER BILLS FOR APPROVAL

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

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

Councilman Johnson made a motion to approve bills submitted by Speed Services for payment, seconded by Dailey. Voting Yea: Dailey, Tisthammer, Johnson. Voting Nay: None. Abstain: Porter. Motion carried.

ITEMS TO BE PUT ON NEXT MEETING AGENDA

11. NEXT SPECIAL AND REGULAR MEETINGS

Special Meeting: November 17, 2023 at 7:00 a.m.

*New Liquor License for The Nest

*Update Resolution Regarding Prohibition of Parking on South Side of Walnut Street from 5th to 6th Street

December 12, 2023 at 7:30 p.m.

*Weight Restriction on Street by White Star

12. PUBLIC COMMENT FOR FUTURE CONSIDERATION

Pam Wright thanked the council for their part in helping to get the nuisance cleaned up at 934 W. Ruby Street. Ms. Wright commented there are some dead trees that did not get removed from the property. They also left a dog kennel there and mentioned pulling a camper there on occasion. Ms. Wright also stated that since 11th Street is an emergency route it becomes difficult to get through when there are cars parked on both sides of the street. She suggested perhaps one side of the street be designated as "No Parking".

Maggie Smith thanked the council for their continued support of the Housing Program. Ms. Smith invited everyone to attend a meeting and supper on November 15, 2023 at 6:30 p.m. at Hwy 14 Brewing Company with information on starting a Community Investment Group. This group would be another structure to assist in development of the community. Cliff Mesner will be the presenter and would assist in getting a group started in Albion.

ADJOURN

At 8:29 p.m. Councilman Porter made a motion to adjourn the meeting, seconded by Johnson. Voting Yea: Johnson, Porter, Dailey, Tisthammer. 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