



## 2/13/2024 - CITY COUNCIL REGULAR MEETING

TUESDAY, FEBRUARY 13, 2024 at 7:30 PM

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

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# MINUTES

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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 February 13, 2024 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 Jon Porter and Jack Dailey. Absent were Councilmembers Jason Tisthammer and Marcus Johnson.

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, City Attorney Darren Wright, and Lieutenant Joe Predmore.

Councilman Porter made a motion to excuse the absences of Councilmen Johnson and Tisthammer, seconded by Dailey. Voting Yea: Porter, Dailey. Voting Nay: None. Motion carried.

### MAYOR'S COMMENTS

### MAYORAL PROCLAMATION THAT MARCH 2024 SHALL HEREBY BE RECOGNIZED AS COLORECTAL CANCER AWARENESS MONTH IN THE CITY OF ALBION, NEBRASKA

Mayor Jarecki proclaimed March 2024 as Colorectal Cancer Awareness Month in the City of Albion, Nebraska.

### APPROVAL OF MINUTES

#### 1. APPROVAL OF MINUTES OF THE JANUARY 16, 2024 CITY COUNCIL MEETING

The minutes of the January 16, 2024 City Council meeting were distributed to the Mayor and Council in the agenda packets. Councilman Dailey made a motion to approve the minutes, seconded by Porter. Voting Yea: Porter, Dailey. Voting Nay: None. Absent: Johnson, Tisthammer. Motion carried.

## **OLD BUSINESS**

2. None

## **NEW BUSINESS**

### **3. REVIEW ANNUAL AUDIT REPORT FOR FISCAL YEAR ENDED SEPTEMBER 30, 2023 – AMGL, CPAS**

Marcy Luth of AMGL, CPA'S was planning to join the meeting by Zoom to review the annual Audit Report for fiscal year ended September 30, 2023; however, since two of the council members were absent the review will take place at the March 12, 2024 Council Meeting.

### **4. INFORMATIONAL PRESENTATION FROM KLINT ARNOLD REGARDING NEW PLANS FOR STEALTH BROADBAND PROJECTS IN ALBION**

Klint Arnold of Stealth Broadband was available to present the council with information on new plans for projects in Albion. Mr. Arnold provided postcards showing their new upgraded system and plans for WiFi for the Albion area. Arnold reported they were awarded a grant from the Broadband Bridge Program through the State of Nebraska Public Service Commission, which facilitates in bringing broadband fiber optic into underserved areas of Nebraska. They will take it to the Court House first, then out to the Fairgrounds. They expect it to begin before July of this year. Stealth Broadband will provide the City Office with a set of plans before they begin work. Bauer Underground will do the installation of fiber optics.

### **5. CONSIDER FORMAL ACCEPTANCE OF A GRANT IN THE AMOUNT OF \$24,999 FROM THE CHRISTOPHER & DANA REEVE FOUNDATION, AND AUTHORIZE THE MAYOR TO EXECUTE ANY AND ALL CONTRACT DOCUMENTS REGARDING THE SAME**

Council members reviewed the Grant Agreement to support the Eli Porter Memorial Project at Fuller Park. Councilman Dailey made a motion to accept a grant in the amount of \$24,999 from the Christopher & Dana Reeve Foundation, and authorize the Mayor to execute any and all contract documents regarding the same; seconded by Porter. Voting Yea: Porter, Dailey. Voting Nay: None. Absent: Johnson, Tisthammer. Motion carried.

### **6. CONSIDER REQUEST OF CHUCK ROLF TO COMP CAMPSITE RESERVATIONS AND WAIVE FEES FOR THE EVENTS FROM MAY 15, 2024 THROUGH MAY 22, 2024**

Following a brief discussion of the request, Councilman Dailey made a motion to comp the south campsite reservations and waive fees for the events from May 15, 2024 through May 22, 2024; seconded by Porter. Voting Yea: Porter, Dailey. Nay: None. Absent: Johnson, Tisthammer. Motion carried.

### **7. CONSIDER APPLICATIONS OF MCKENNA ROSSMEIER AND ISAAC REEDER FOR MEMBERSHIP TO THE ALBION VOLUNTEER FIRE DEPARTMENT**

Councilman Porter made a motion to approve the applications of McKenna Rossmeier and Isaac Reeder for membership to the Albion Volunteer Fire Department, seconded by Dailey. Voting Yea: Porter, Dailey. Voting Nay: None. Absent: Johnson, Tisthammer. Motion carried.

## RESOLUTIONS

8. None

## ORDINANCES

9. **CONSIDER SECOND READING OF ORDINANCE 329(24) AN ORDINANCE RELATING TO A LEVY OF SPECIAL ASSESSMENT FOR THE UNPAID UTILITY BILL OF JARED SWAN, 554 S 11TH STREET, ALBION, NEBRASKA.**

The first reading of Ordinance 329(24) was approved at the January 16, 2024 City Council meeting. Mayor Jarecki instructed Clerk Devine to read the ordinance for the second time. Councilman Porter made a motion to approve the second reading of Ordinance 329(24), seconded by Dailey. Voting Yea: Dailey, Porter. Voting Nay: None. Absent: Tisthammer, Johnson. Motion carried.

10. **CONSIDER SECOND READING OF ORDINANCE 330(24) AN ORDINANCE RELATING TO A LEVY OF SPECIAL ASSESSMENT FOR THE UNPAID UTILITY BILL OF LEETCH PROPERTIES, 804 W MAIN STREET, ALBION, NEBRASKA.**

The first reading of Ordinance 330(24) was approved at the January 16, 2024 City Council meeting. Mayor Jarecki instructed Clerk Devine to read the ordinance for the second time. Councilman Porter made a motion to approve the second reading of Ordinance 330(24), seconded by Dailey. Voting Yea: Dailey, Porter. Voting Nay: None. Absent: Tisthammer, Johnson. Motion carried.

11. **CONSIDER FIRST READING OF ORDINANCE 331(24) AN ORDINANCE RELATING TO A LEVY OF SPECIAL ASSESSMENT FOR THE UNPAID NUISANCE ABATEMENT COSTS AND FEES OF JAMES G AND RHONDA J HIGHTREE, 819 WEST MAIN STREET, ALBION, NEBRASKA**

Councilman Dailey motioned to introduce Ordinance 331(24). Mayor Jarecki instructed Clerk Devine to read the ordinance for the first time. Councilman Porter made a motion to approve the first reading of Ordinance 331(24), seconded by Dailey. Voting Yea: Dailey, Porter. Voting Nay: None. Absent: Tisthammer, Johnson. Motion carried.

12. **CONSIDER FIRST READING OF ORDINANCE 332(24) AN ORDINANCE RELATING TO A LEVY OF SPECIAL ASSESSMENT FOR THE UNPAID NUISANCE ABATEMENT COSTS AND FEES OF ALTON R MEYER, 715 SOUTH 3RD STREET, ALBION, NEBRASKA**

Councilman Porter motioned to introduce Ordinance 332(24). Mayor Jarecki instructed Clerk Devine to read the ordinance for the first time. Councilman Porter made a motion to approve the first reading of Ordinance 332(24), seconded by Dailey. Voting Yea: Dailey, Porter. Voting Nay: None. Absent: Tisthammer, Johnson. Motion carried.

13. **CONSIDER FIRST READING OF ORDINANCE 333(24) AN ORDINANCE RELATING TO A LEVY OF SPECIAL ASSESSMENT FOR THE UNPAID NUISANCE ABATEMENT COSTS AND FEES OF NAC SERVICES & INVESTMENTS LLC, C/O CYNTHIA WACHA, 524 SOUTH 9TH STREET, ALBION, NEBRASKA**

Councilman Porter motioned to introduce Ordinance 333(24). Mayor Jarecki instructed Clerk Devine to read the ordinance for the first time. Councilman Porter made a motion to approve the first reading of Ordinance 333(24), seconded by Dailey. Voting Yea: Dailey, Porter. Voting Nay: None. Absent: Tisthammer, Johnson. Motion carried.

## REPORTS

### 14. 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 heaters were recently installed in the new shop building. The City received a quote for new heaters in the older shop building, but will wait until closer to the end of the budget year to see what the building maintenance budget looks like. Also, concrete work began yesterday south of 11th Street on the approach to Campground/Fairground road. The plan is to put concrete 165' to the south. A curb will be put in on the west side of the museum, and a 30' road. It will take away some Fair parking along the fence line.

### 15. 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, except for bill submitted by Speed Services; seconded by Dailey. Voting Yea: Porter, Dailey. Voting Nay: None. Absent: Tisthammer, Johnson. Motion carried.

## ITEMS TO BE PUT ON NEXT MEETING AGENDA

### 16. Next Regular Meeting: March 12, 2024 7:30 pm

Review of Annual Audit Report

Law Enforcement 1 Mile Jurisdiction with Boone County

Surplus Property

Consider Real Estate Sale

### 17. Public Comment for Future Consideration

Lumir and Bev Fajman spoke of concern regarding their sewer line. Unknown to them their service line ran to the north on an adjacent property. The new owner of the adjacent property was developing the property when Fajman's service line became damaged. They received an estimate to repair damages, which was approximately \$20,000. The Fajman's didn't feel it should be their responsibility to repair the service line since it was damaged by no fault of their own. No comment by City Council and no action taken.

## ADJOURN

At 7:57 p.m. Council Member Porter made a motion to adjourn the meeting, seconded by Dailey. Voting Yea: Porter, Dailey. Voting Nay: None. Absent: Johnson, Tisthammer. 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.

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James Jarecki, Mayor

ATTEST:

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Sharon Ketteler, Deputy Clerk