



# 1/16/2024 - CITY COUNCIL REGULAR MEETING

TUESDAY, JANUARY 16, 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 January 16, 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 Jack Dailey, Jason Tisthammer, and Marcus Johnson. Jon Porter arrived at 7:39 p.m.

City staff present were City Administrator Andrew Devine, Deputy Clerk Sharon Ketteler, Utility Clerk Amber Wynn, Economic Development and Housing Director Maggie Smith, and City Attorney Darren Wright.

### MAYOR'S COMMENTS

Mayor Jarecki reminded everyone to keep the fire hydrants clear during snow removal. The Mayor reported that on January 10, 2024 he and Administrator Devine had their annual review of city property and assets. The Mayor held his semi-annual department head meeting this morning and gave a brief review. A written report was provided for the council members. Mayor Jarecki added there is only \$39,000 left of the Eli Porter Memorial Park Project goal. The Mayor thanked everyone who contributed to the project.

### APPROVAL OF MINUTES

#### 1. APPROVAL OF MINUTES OF THE DECEMBER 12, 2023 CITY COUNCIL MEETING

The minutes of the December 12, 2023 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 Johnson. Voting Yea: Johnson, Dailey, Tisthammer. Voting Nay: None. Absent: Porter. Motion carried.

### OLD BUSINESS

#### 2. NONE

## NEW BUSINESS

**3. CONSIDER AEDC REQUEST TO RELEASE \$43,000 IN ECONOMIC DEVELOPMENT SALES TAX FUNDS FOR ECONOMIC DEVELOPMENT PROGRAM ACTIVITIES:**

- **\$13,000 FOR HOUSING DEVELOPMENT LAND PURCHASE INTEREST EXPENSES,**
- **\$25,000 FOR ANNUAL EXPENSES AND FUTURE OBLIGATIONS DUE TO JOINT AGREEMENT,**
- **\$5,000 FOR DOWNTOWN IMPROVEMENT REBATE PROGRAM;**

**AND TO CONFIRM REALLOCATION OF \$18,582 IN PREVIOUSLY RELEASED FUNDS TOWARDS AEDC OPERATING EXPENSES TO IMPROVE BUILDING AT 127 S 4<sup>TH</sup> STREET**

Maggie Smith, Economic Development and Housing Director, explained the requests for \$13,000 and \$25,000 are identical to the requests in January 2023. The \$13,000 interest expense is for the loan they have at Cornerstone Bank for the purchase of the South Park Subdivision. If Rural Workforce Housing Funds were used to pay this loan off a 24-month clock would begin for it to be reasonably ready for occupancy. AEDC is still working on a development plan, so they feel it is best to wait to pay it off. The annual expenses of \$25,000 include AEDC's last yearly pledge of \$10,000 to Boone Beginnings, as well as office expenses such as taxes, utility bills, etc. The \$5,000 for the Downtown Improvement Rebate Program is to help with signage and windows for Main Street Sports. This is a sporting goods business that will open in 2024 by Wes and John Buck. Also, AEDC is requesting to reallocate \$18,582 that was initially allocated to the Albion Sports Complex in 2019 for repairs and projects for the baseball program. They used a small amount of the original \$20,000 for repairs. In the fall of 2023 AEDC followed up with Mike Malander, representative for the baseball program, to inquire on a plan to use the remaining funds. It was determined they are not ready to use the rest of the funds at this time, so the AEDC Board would like to reallocate these funds to be used for repairs on the exterior of their building at 127 S. 4<sup>th</sup> Street. Ms. Smith noted that representatives for the Sports Complex may reapply for funds when they are ready for future projects. Councilman Johnson made a motion to approve economic development sales tax fund release to AEDC in the amount of \$43,000 for Economic Development Program activities: \$13,000 for housing development land purchase interest expenses, \$25,000 for annual expenses and future obligations due to joint agreement, \$5,000 for Downtown Improvement Rebate Program; and, to confirm reallocation of \$18,582 in previously released funds towards AEDC operating expenses to improve building at 127 S. 4<sup>th</sup> Street; seconded by Porter. Voting Yea: Porter, Tisthammer, Dailey, Johnson. Voting Nay: None. Motion carried.

## RESOLUTIONS

**4. CONSIDER RESOLUTION 101(24) REGARDING PLACEMENT OF TRAFFIC CONTROL SIGNS IN ORDER TO REGULATE TRAFFIC**

At the December 12, 2023 City Council meeting Hannah Cleveland requested for a designated area for loading and unloading for her catering business, and when delivering senior meals at noon. Council members reviewed the resolution and map which stated the 2 spaces along the south curblin of Main Street that would be designated a loading/unloading zone. Councilman Dailey made a motion to introduce and approve Resolution 101(24) Regarding placement of traffic control signs in order to regulate traffic, seconded by Johnson. Voting Yea: Porter, Johnson, Tisthammer, Dailey. Voting Nay: None. Motion carried.

**5. CONSIDER RESOLUTION 102(24) REGARDING PLACEMENT OF TRAFFIC CONTROL SIGNS IN ORDER TO REGULATE TRAFFIC**

This resolution would create “no parking” on the east side of 8<sup>th</sup> Street from South Street to 350 feet north of South Street (to what used to be Fuller Street). This is across the street east of the aquatic center. Council members reviewed the resolution and agreed this is a tight area for parking. Councilman Porter made a motion to introduce and approve Resolution 102(24) Regarding placement of traffic control signs in order to regulate traffic, seconded by Tisthammer. Voting Yea: Dailey, Porter, Tisthammer, Johnson. Voting Nay: None. Motion carried.

**6. CONSIDER RESOLUTION 103(24) ADOPTING THE ECONOMIC DEVELOPMENT PLAN FOR THE CITY OF ALBION, NEBRASKA**

Clerk Devine explained that Workforce Housing is an eligible economic development planned expense to use LB840 funds; therefore, it would be a good policy for us to specifically identify in our Economic Development Plan that this is what we plan to use our funds for. The second component is the funding of the plan, which also needs to be set forth initially by the city council, and then by approval of the vote of the public. Economic Development and Housing Director, Maggie Smith, stated there has been an increased need for new infrastructure within the City of Albion. AEDC would like to be able to take on more of these projects, but working with only ¼ of 1 cent really limits the number of infrastructure projects they can help fund. Andy Roberts, board member for AEDC, added that the lack of infrastructure to a development tends to discourage contractors from building there. He feels if we get infrastructure to the development by the water tower that the lots will begin to sell quickly. Discussion ensued by the council. Councilman Dailey made a motion to introduce and approve Resolution 103(24) Adopting the Economic Development Plan for the City of Albion, Nebraska; seconded by Porter. Voting Yea: Porter, Tisthammer, Dailey, Johnson. Voting Nay: None. Motion carried.

**7. CONSIDER RESOLUTION 104(24) APPROVING THE THIRD AMENDED INTERLOCAL SOLID WASTE MANAGEMENT AGREEMENT PURSUANT TO MEMBERSHIP IN THE NORTHEAST NEBRASKA SOLID WASTE COALITION**

At the November 14, 2023 City Council meeting Daryl Guthard, owner of Bud's Sanitary Services, explained the requirement of joining the Northeast Nebraska Solid Waste Coalition. The City submitted an application and it has been approved. This resolution is the Third Amended Interlocal Solid Waste Management Agreement to formally join the Coalition. Councilman Porter made a motion to introduce and approve Resolution 104(24) Approving the Third Amended Interlocal Solid Waste Management Agreement pursuant to membership in the Northeast Nebraska Solid Waste Coalition, seconded by Johnson. Voting Yea: Tisthammer, Dailey, Johnson, Porter. Voting Nay: None. Motion carried.

**8. CONSIDER RESOLUTION 105(24) APPROVING APPOINTMENTS OF REPRESENTATIVE AND ALTERNATE REPRESENTATIVE TO THE NORTHEAST NEBRASKA SOLID WASTE COALITION BOARD OF DIRECTORS**

Each city joining the Northeast Nebraska Solid Waste Coalition is required to have a representative and alternate representative to their Board of Directors. This resolution designates the representatives. Utility Clerk Amber Wynn has agreed to be the representative, and Administrator Andrew Devine has agreed to be the alternate representative. Councilman Johnson made a motion to introduce and approve Resolution 105(24) Approving appointments of representative and alternate representative to the Northeast Nebraska Solid Waste Coalition Board of Directors, seconded by Dailey. Voting Yea: Johnson, Dailey, Tisthammer, Porter. Voting Nay: None. Motion carried.

## ORDINANCES

### 9. **CONSIDER INTRODUCTION 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**

Councilman Johnson introduced Ordinance 329(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 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; seconded by Johnson. Voting Yea: Dailey, Porter, Tisthammer, Johnson. Voting Nay: None. Motion carried.

### 10. **CONSIDER INTRODUCTION 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**

Councilman Porter introduced Ordinance 330(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 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; seconded by Johnson. Voting Yea: Dailey, Porter, Tisthammer, Johnson. Voting Nay: None. Motion carried.

## REPORTS

### 11. **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 he had applied for a grant from the Christopher and Dana Reeve Foundation for the Eli Porter Memorial Project and was recently notified that we have been selected to receive a \$24,999 grant.

No action taken.

### 12. **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. Abstaining: Porter. Motion carried.

## ITEMS TO BE PUT ON NEXT MEETING AGENDA

### 13. **Next Regular Meeting:**

**February 13, 2024 - 7:30pm**

**Formal Acceptance of Christopher and Dana Reeve Foundation Grant**

**14. Public Comment for Future Consideration**

None.

**ADJOURN**

At 8:23 p.m. Council Member Dailey made a motion to adjourn the meeting, seconded by Tisthammer. Voting Yea: Johnson, Tisthammer, Porter, Dailey. 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.

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James Jarecki, Mayor

ATTEST:

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Sharon Ketteler, Deputy Clerk