



8/8/2023 - ALBION CITY COUNCIL - REGULAR MEETING

TUESDAY, AUGUST 08, 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 August 8, 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

Councilmember Jason Tisthammer
Councilmember Jack Dailey
Councilmember Marcus Johnson
Councilmember Jon Porter

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

MAYOR'S COMMENTS

REPORT FROM MAYOR'S ANNUAL DEPARTMENT MEETING HELD AUGUST 1, 2023

A complete report was provided to council members in the agenda packet. Mayor Jarecki stated that the new city website is up and running and very user friendly.

APPROVAL OF MINUTES

1. APPROVAL OF MINUTES OF THE JULY 18, 2023 CITY COUNCIL MEETING

The minutes of the July 18, 2023 meeting was distributed to the Mayor and Council in the agenda packets.

Motion: To approve the minutes of the July 18, 2023 City Council Meeting.

Motion made by Councilmember Porter, Seconded by Councilmember Johnson.

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

OLD BUSINESS

2. CONSIDER CITIZEN REQUEST FOR CITY-WIDE OBSERVATION OF MEMORIAL DAY

Blake Trombley explained his request is for taps to be played at 9:00 p.m. on each Memorial Day so local citizens can take a moment of reflection to pay tribute to our military. Mr. Trombley asked if the city would validate this action. Mayor Jarecki stated he would make a Mayoral Proclamation to support this awareness. No action taken by the council.

NEW BUSINESS

3. CONSIDER APPROVAL OF AGREEMENT WITH JEO CONSULTING GROUP, INC FOR DESIGN, PLANS, SPECIFICATIONS, AND BIDDING OF WATER AND SEWER IMPROVEMENTS TO SERVICE RECENTLY ANNEXED PROPERTY

Council members reviewed JEO's agreement for water and sewer expansion for recently annexed properties. The agreement includes design, plans, specifications, and bidding to annexed areas that are already occupied. Dailey questioned if the city should get a second engineering bid. Devine stated that since JEO was involved with the planning of areas to annex, they already know how the layout needs to be. Time would be another factor if we started over with another engineering firm. After lengthy discussion it was agreed that all engineering firms are expensive and that JEO is one of the best. Devine suggested that before the Mayoral appointments in December, the city should put out a Request for Qualifications (RFQ) for the City's Street Superintendent, which is currently JEO Consulting Group.

Motion: To approve agreement with JEO Consulting Group, Inc. for design, plans, specifications, and bidding of water and sewer improvements.

Motion made by Councilmember Dailey, Seconded by Councilmember Johnson.

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

4. CONSIDER AEDC REQUEST TO RELEASE \$39,050 IN ECONOMIC DEVELOPMENT SALES TAX FUNDS FOR CONTINUATION OF INFRASTRUCTURE BEYOND LEVANDER FUNERAL HOME

AEDC Director, Maggie Smith, explained the request for release of \$39,050 would be to help fund the extension of water and sewer lines through Levander Funeral Home's new facility on South 6th Street. It is a city requirement to extend water and sewer through their property for future development to the south. Clerk Devine noted that the Citizen's Advisory Committee met on August 7, 2023 to review the request and recommended approval.

Motion: To approve Economic Development Sales Tax Fund release to AEDC in the amount of \$39,050 for continuation of infrastructure beyond the Levander Funeral Home.

Motion made by Councilmember Dailey, Seconded by Councilmember Johnson.

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

5. CONSIDER ALBION AIRPORT AUTHORITY REQUEST FOR CITY TAX ALLOCATION FOR FISCAL YEAR 2023-2024

The Albion Airport Authority is requesting \$30,575 for City Tax Allocation for the fiscal year 2023-2024. This is 2% higher than last year.

Motion: To approve the Albion Airport Authority request for City Tax Allocation of \$30,575 for fiscal year 2023-2024.

Motion made by Councilmember Porter, Seconded by Councilmember Johnson.

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

6. BUDGET WORKSHOP – DISCUSS DRAFT OF 2022-23 BUDGET, FINAL PREPARATION BY ACCOUNTANT, AND SETTING BUDGET ADOPTION HEARING DATE AND TIME

Treasurer Devine stated this draft had also been under review by accountant, Michael Hoback, of AMGL. The only change from the Preliminary Budget Draft given to the council last month was that the cost of living adjustment was changed to 7% at the Mayor's recommendation. This adjusted the property tax asking from 11.28% to 11.74% more than last year; and the total levy from \$0.3599/\$100 to \$0.3614/\$100. This is still ½ a cent less than last year. The Certified Valuation is estimated to be 16.87% higher than last year. The official Certified Valuation from the County Assessor should be available next week.

Mr. Hoback commented that Mr. Devine's approach in calculating property tax asking is the best way to figure out what is required for the budget. A lot of municipalities max out their levy every year no matter how much they plan to spend. Mr. Devine budget's based on needs and has done a good job of keeping the levy down yet still maintain good cash reserves. The levy has been about the same for the last three years. Our levy is still .2 cents lower than it was four years ago. Any increase in taxes is mostly due to valuation increase. Cash reserves plan to be spent down some on capital improvement projects, but we're still going to have good cash reserves. Mr. Hoback commented that he thinks the budget looks very good.

Mayor Jarecki sought comment from the council. Johnson, Porter, and Tisthammer thought the budget looked good. Dailey was concerned about the 11.74% increase in property tax asking and how it would affect residents that are on a fixed income. He would like to see it closer to 8%. Mr. Hoback explained that when the tax base is expanded among the new properties that were gained by the recent annexation, the more realistic tax increase to existing properties is closer to 7%.

Motion: To set the Budget Adoption Hearing for September 5, 2023 at 7:30 a.m and the Budget Adoption at the regular meeting of September 12, 2023 at 7:30 p.m.

Motion made by Councilmember Porter, Seconded by Councilmember Johnson.

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

RESOLUTIONS

7. CONSIDER AMENDMENT TO RESOLUTION 114(23) REGARDING CITY UTILITY RATES

The amendment to this resolution that was approved at the July 18, 2023 council meeting is to correct the date from October 1, 2021 to October 1, 2023.

Motion: To introduce and approve amended Resolution 114(23) Regarding City Utility Rates amending the effective date to October 1, 2023.

Motion made by Councilmember Porter, Seconded by Councilmember Johnson.

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

8. CONSIDER RESOLUTION 115(23) PROHIBITING THE CARRYING OF CONCEALED HANDGUNS INTO OR ONTO THE PLACE OR PREMISES OF CERTAIN FACILITIES CONTROLLED BY THE CITY OF ALBION

Council members reviewed the resolution which would prohibit carrying concealed handguns into locations owned and controlled by the City of Albion. Discussion ensued. Several council members felt that signage wouldn't stop a bad person from entering City property with a gun, and the trustworthy citizen would be the one left without protection.

Motion: To indefinitely postpone Resolution 115(23).

Motion made by Councilmember Dailey, Seconded by Councilmember Porter.

Voting Yea: Councilmember Tisthammer, Councilmember Dailey, Councilmember Porter

Voting Nay: Councilmember Johnson. Motion carried.

9. CONSIDER RESOLUTION 116(23) REGARDING COST OF LIVING ADJUSTMENT FOR NON-TEMPORARY CITY EMPLOYEES EFFECTIVE OCTOBER 1, 2023

Mayor Jarecki had recommended a 7% increase in cost of living adjustment for city employees at the last meeting in order to keep wages competitive.

Motion: To approve Resolution 116(23) Regarding Cost of Living Adjustment for Non-Temporary City Employees effective October 1, 2023.

Motion made by Councilmember Dailey, Seconded by Councilmember Johnson.

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

10. CONSIDER RESOLUTION 117(23) REGARDING PLACEMENT OF TRAFFIC CONTROL SIGNS IN ORDER TO REGULATE TRAFFIC AND PARKING ALONG WALNUT STREET BETWEEN 5TH AND 6TH STREETS

Clerk Devine noted that Boone Central Schools would like to add angled parking along the north side of Walnut Street between 5th and 6th Streets. They've requested the City designate "No Parking" on the south side of Walnut Street between 5th and 6th Streets to aid the flow of bus traffic and for overall safety.

Motion: To introduce and approve Resolution 117(23) Regarding placement of traffic control signs in order to regulate traffic and parking.

Motion made by Councilmember Porter, Seconded by Councilmember Johnson.
Voting Yea: Councilmember Tisthammer, Councilmember Dailey, Councilmember Johnson, Councilmember Porter. Nay: None. Motion carried.

11. CONSIDER RESOLUTION SERIES 118(23) REGARDING DECLARATION OF NUISANCES AT 631 WEST MAIN STREET AND 819 WEST MAIN STREET

Chief Lipker had provided two nuisance reports for council review.

Motion: To introduce and approve Resolution Series 118(23) 1-2 Regarding Declaration of Nuisances.

Motion made by Councilmember Porter, Seconded by Councilmember Tisthammer.
Voting Yea: Councilmember Tisthammer, Councilmember Dailey, Councilmember Johnson, Councilmember Porter. Nay: None. Motion carried.

ORDINANCES

12. NONE

REPORTS

13. NUISANCE REPORT

The Albion Police Department provided 6 nuisance reports last month and two this month. The city council approved all 8 nuisance declarations. The Albion Police Department also continues to address properties with tall grass and weeds by personally contacting owners to abate the nuisance. No action taken by the council.

14. 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. Devine thanked Maggie Smith for the excellent work done to help create the new city website. Devine is looking into getting a campsite reservation program in place on the website. No action taken by the council.

15. CONSIDER BILLS FOR APPROVAL

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

Motion: To approve bills report for payment and affirm all paid claims as presented, except for bills submitted by Speed Services.

Motion made by Councilmember Porter, Seconded by Councilmember Johnson.
Voting Yea: Councilmember Tisthammer, Councilmember Dailey, Councilmember Johnson, Councilmember Porter. Nay: None. Motion carried.

Motion: To approve bills submitted by Speed Services for payment.

Motion made by Councilmember Dailey, Seconded by Councilmember Tisthammer.
Voting Yea: Councilmember Tisthammer, Councilmember Dailey, Councilmember Johnson. Nay:
None. Voting Abstaining: Councilmember Porter. Motion carried.

16. CONSIDER ANNUAL EMPLOYEE EVALUATIONS FOR APPROVAL

Council members were previously provided six employee evaluations for review.

Motion: To approve the annual evaluations for Maggie Smith, Amber Wynn, Ron Morearty, Corey Zoubek, Warren Myers, and Andrew Devine; and associated step raises.

Motion made by Councilmember Johnson, Seconded by Councilmember Dailey.
Voting Yea: Councilmember Tisthammer, Councilmember Dailey, Councilmember Johnson,
Councilmember Porter. Nay: None. Motion carried.

ITEMS TO BE PUT ON NEXT MEETING AGENDA

17. Special Meeting: Sept. 5, 2023 - 7:30am - Budget Hearing

18. Next Regular Meeting: September 12, 2023 - 7:30pm - Budget Adoption

19. Public Comment for Future Consideration

A resident inquired on the date notice was given to the property owner of 930 and 934 W. Ruby Street for the declared nuisance last month. Chief Lipker wasn't available to answer that question.

ADJOURN

Motion: To adjourn the meeting.

Time meeting adjourned: 9:19 p.m.

Motion made by Councilmember Porter, Seconded by Councilmember Dailey.
Voting Yea: Councilmember Tisthammer, Councilmember Dailey, Councilmember Johnson,
Councilmember Porter. 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