



10/08/2024 - CITY COUNCIL REGULAR MEETING

TUESDAY, OCTOBER 08, 2024 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 October 8, 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 James Jarecki and Council Members Marcus Johnson, Jack Dailey, Jason Tisthammer, and Jon Porter.

City staff present were City Administrator Andrew Devine, Deputy Clerk Sharon Ketteler, and Economic Development and Housing Director Shelby Wetovick.

MAYOR'S COMMENTS

Mayor Jarecki reminded residents when removing snow from their driveways and sidewalks to keep it on their own property. Only downtown businesses are allowed to shovel snow into the street.

APPROVAL OF MINUTES

1. APPROVAL OF MINUTES OF THE SEPTEMBER 26, 2024 SPECIAL CITY COUNCIL MEETING

Councilman Johnson made a motion to approve the minutes of the September 26, 2024 City Council special meeting; seconded by Porter. Voting Yea: Tisthammer, Johnson, Porter, Dailey. Voting Nay: None. Motion carried.

OLD BUSINESS

2. NONE

NEW BUSINESS

3. CONSIDER AEDC REQUEST TO RELEASE of \$17,052.50 IN ECONOMIC DEVELOPMENT SALES TAX FUNDS FOR ECONOMIC DEVELOPMENT PROGRAM ACTIVITIES:

- **\$1,500 FOR LB840 FUND CAMPAIGN MARKETING EXPENSES,**
- **\$12,000 FOR BUSINESS LOAN GAP FINANCING,**
- **\$250 FOR PERMANENT "FOR SALE" SIGN FOR HOUSING/LAND PROJECTS,**
- **\$1,802.50 FOR WEBSITE RENEWAL**
- **\$1,500 FOR FINAL PLAT SURVEY FOR SOUTHPARK SUBDIVISION**

Clerk Devine noted that the Albion Citizens Advisory Committee met on October 1, 2024 and recommended approval for release of funds for all the requests. Devine provided the council with the minutes from the CAC meeting. City Attorney Wright announced that the council could not approve the request for \$1,500 for LB840 Fund Campaign Marketing expenses, as it would be a violation of State law to use public funds to influence election. The campaign was to promote the Sales Tax Initiative. AEDC Director, Shelby Wetovick, was available to explain the other requests. The \$12,000 business loan GAP financing is for the new Lucky Me Tee Factory that is opening downtown. \$250 for a permanent "For Sale" sign for Housing/Land Projects. \$1,802.50 for AEDC's portion of website renewal, as they have a subsite of the City's website. \$1,500 for the final survey for Southpark Subdivision as the original survey included Dana Andersen's lot. Clerk Devine explained how the GAP financing tool works. AEDC secures a CD in the amount requested by the business to be used as collateral. The Bank loans the money to the business. When the loan is paid off AEDC withdraws the CD plus the earned interest. Devine also explained that the bill for the final plat survey for Southpark Subdivision came in higher than he had calculated. It was \$3,500 as JEO had to redo the entire survey to exclude Dana Andersen's lot. Devine asked City Attorney Wright if the council could still approve \$17,052.50 to help cover the additional \$2,000 of survey expense? Wright stated that since the approval is on each sub item and what the money is being used for, the additional \$2,000 would have to go back through CAC for approval recommendation.

Councilman Johnson made a motion to approve Economic Development sales tax fund release to AEDC in the amount of \$15,552.50 in Economic Development sales tax funds for Economic Development program activities as presented, except for \$1,500 LB840 campaign marketing expenses; seconded by Porter. Voting Yea: Porter, Tisthammer, Dailey, Johnson. Voting Nay: None. Motion carried.

4. CONSIDER REQUEST BY CITY TREASURER FOR AUTHORITY TO TRANSFER AN AMOUNT NOT TO EXCEED \$70,900 FROM THE HOUSING FUND DURING THE FISCAL YEAR ENDING SEPTEMBER 30, 2025 FOR ECONOMIC DEVELOPMENT AND HOUSING DIRECTOR PAYROLL EXPENSES

Treasurer Devine explained that this is an annual request to cover Economic Development and Housing Director payroll expenses which go through the City. On a quarterly basis he figures up what payroll and taxes were, then he and the Mayor transfer that amount out of the Housing Initiative Fund, which CAC has oversight of. CAC reviewed this request at their October 1, 2024 meeting and recommended approval. Devine stated that the Mansfield Foundation has committed \$70,000 annually to the Housing Initiative Fund Program; and the Wolf Foundation and Kruse Trust also add a sizable amount to that fund each year. The current balance of the Housing Initiative Fund is \$192,000.

Councilman Johnson made a motion to approve request by City Treasurer for authority to transfer an amount not to exceed \$70,900 from the Housing Fund during the fiscal year ending September 30, 2025 for Economic Development and Housing Director payroll expenses; seconded by Tisthammer. Voting Yea: Dailey, Tisthammer, Johnson, Porter. Voting Nay: None. Motion carried.

5. CONSIDER REQUEST OF THE BOONE COUNTY AG SOCIETY FOR AN EASEMENT OR GRANT OF RIGHT OF WAY TO PLACE A PUBLIC SIGN FOR THE FAIRGROUNDS

Chuck Rolf, representative for the Boone County Ag Society was present to explain that they are planning to replace the Fairgrounds entrance sign at the corner of 11th and Fairview Streets with an LED sign. The new sign will be 4' x 8' and stand 12' high. Rolf provided a diagram of the new sign and approximately where it would be placed on Boone County Ag Society property. Rolf was unsure of how much, if any, of the sign would overhang onto city property. City Attorney Wright stated that he required an approximate footprint for amount of easement needed so he could complete the Grant of Right of Way document with the appropriate legal description. There was lengthy discussion to determine the footprint so the Ag Society would have sufficient ROW space for the new sign. Councilman Porter suggested a 5' x 10' box centered on the property pin that sits at a 45-degree angle to the north/south line. Wright stated that would work but he would square it up for legal description purposes.

Councilman Porter made a motion to approve the request for a Grant of Right of Way as requested and to authorize the Mayor to execute such instrument as presented, seconded by Dailey. Voting Yea: Johnson, Dailey, Porter, Tisthammer. Voting Nay: None. Motion carried.

RESOLUTIONS

6. NONE

ORDINANCES

7. CONSIDER FIRST READING OF ORDINANCE 338(24) AN ORDINANCE RELATING TO A LEVY OF SPECIAL ASSESSMENT FOR THE UNPAID NUISANCE ABATEMENT COSTS AND FEES OF ANDREW AND LACEY GRUPP, 942 SOUTH 9TH STREET, ALBION, NEBRASKA

Councilman Porter introduced Ordinance 338(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 338(24), seconded by Johnson. Voting Yea: Dailey, Tisthammer, Johnson, Porter. Voting Nay: None. Motion carried.

PUBLIC HEARINGS

8. NONE

REPORTS

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 report for council review. Devine added that construction of the new playground at Fuller Park is expected to begin the third or fourth week of October. Also, Midland Contracting will begin work this week, which is part of our budgeted sewer rehabilitation. They will be replacing peek holes on Park Street. The one on 9th & Park is almost completely collapsed and causing significant problems. They will also replace the peek hole at 7th & Park, which is partially collapsed. They will be putting new manholes in both these areas. They will also replace the peek hole at 4th & Park Streets.

10. CONSIDER BILLS REPORT 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 Porter. Voting Yea: Dailey, Porter, Johnson, Tisthammer. Voting Nay: None. Motion carried.

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

ITEMS TO BE PUT ON NEXT MEETING AGENDA

11. Next Regular Meeting:

The next regular meeting will be November 12, 2024.

Stealth Telecommunications ROW Grant

12. Public Comment for Future Consideration

None.

ADJOURN

At 8:08 p.m. Councilman Johnson made a motion to adjourn the meeting, seconded by Porter. 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