



## 5/14/2024 - CITY COUNCIL REGULAR MEETING

TUESDAY, MAY 14, 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 May 14, 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, Jon Porter, and Marcus Johnson.

City staff present were City Administrator Andrew Devine, Deputy Clerk Sharon Ketteler, City Attorney Darren Wright, Utility Clerk Amber Wynn, Nuisance Officer Warren Myers, and Street Supervisor Ron Morearty.

### MAYOR'S COMMENTS

Mayor Jarecki reminded everyone that City-Wide Clean Up Days will be held next week.

### APPROVAL OF MINUTES

#### 1. APPROVAL OF MINUTES OF THE APRIL 9, 2024 CITY COUNCIL MEETING

Councilman Porter made a motion to approve the minutes of the April 9, 2024 City Council Meeting; seconded by Johnson. Voting Yea: Tisthammer, Johnson, Porter, Dailey. Voting Nay: None. Motion carried.

## OLD BUSINESS

### **2. CONSIDER MEMORANDUM OF UNDERSTANDING WITH TOWN AND COUNTRY VET CLINIC REGARDING THE CONTROL OF STRAY ANIMALS IN THE CITY OF ALBION, NEBRASKA**

Council members reviewed the Memorandum of Understanding with Town and Country Vet Clinic. Attorney Wright clarified that the transportation fee in the fee schedule is if the vet clinic would have to transport the animal to another location. Councilman Porter questioned the reservation fee. Wright explained that if the kennel only had 1 unit left available, the City would be required to pay to keep that spot reserved. Councilman Porter made a motion to approve Memorandum of Understanding between the City of Albion and Town and Country Vet Clinic regarding stray animal control in the City of Albion, Nebraska; seconded by Johnson. Voting Yea: Porter, Johnson, Dailey, Tisthammer. Voting Nay: None. Motion carried.

## NEW BUSINESS

### **3. CONFIRM MAYORAL APPOINTMENTS OF SHELBY WETOVICK TO THE CITY OF ALBION ECONOMIC DEVELOPMENT AND HOUSING PROGRAM DIRECTOR POSITION; AND, ANGELA GILBERT TO THE ALBION FAMILY AQUATIC CENTER MANAGER POSITION**

Councilman Johnson made a motion to approve the Mayoral appointments of Shelby Wetovick to the City of Albion Economic Development and Housing Program Director position; and, Angela Gilbert to the Albion Family Aquatic Center Manager position; seconded by Porter. Voting Yea: Porter, Tisthammer, Johnson, Dailey. Voting Nay: None. Motion carried.

### **4. ACKNOWLEDGE AND APPROVE HIRING OF JORDAN GILBERT AND MAKENNA DEVINE AT THE ALBION FAMILY AQUATIC CENTER**

Clerk Devine explained that State law requires city council approval when someone is hired to work under direct supervision of their immediate family. Councilman Porter made a motion to approve the hiring of Jordan Gilbert and Makenna Devine at the Albion Family Aquatic Center, seconded by Dailey. Voting Yea: Johnson, Dailey, Porter, Tisthammer. Voting Nay: None. Motion carried.

### **5. CONSIDER AGREEMENT AMENDMENT WITH JEO CONSULTING GROUP FOR BIDDING SERVICES, CONSTRUCTION ADMINISTRATION, AND RESIDENT PROJECT REPRESENTATIVE FOR THE ALBION WATER AND SEWER IMPROVEMENT PROJECT #220726.01**

Clerk Devine explained this agreement includes the bidding process, writing contracts, keeping track of contract material, and onsite supervision of contractors while the project is being built. Mr. Devine and city staff have been working with JEO the past 8 – 9 months reviewing plans and specs. The majority of the project is adding water and sewer lines to recently annexed property. The city will also be putting in an extension of lines in order to provide adequate water flow to the firehall during training exercises. The city will be upsizing a section of 4" line to a 6" line on Fairview, and run a 6" line for a fire hydrant by Applied Connective and the USDA office. The city has already paid JEO for the reviewing of plans and specs. These plans and specs will be presented to the council at next month's city council meeting. Once the council approves it, JEO will put the project out to bid. Councilman Johnson made a motion to approve Agreement Amendment with JEO Consulting Group for bidding services, construction administration, and resident project representative for the Albion Water and Sewer Improvement Project #220716.01; seconded by Tisthammer. Voting Yea: Tisthammer, Dailey, Porter, Johnson. Voting Nay: None. Motion carried.

## RESOLUTIONS

### **6. CONSIDER RESOLUTION 109(24) REGARDING PLACEMENT OF TRAFFIC CONTROL SIGNS IN ORDER TO REGULATE TRAFFIC AND PARKING**

Street Supervisor, Ron Morearty, requested no truck parking on both sides of Main Street from 2<sup>nd</sup> to 3<sup>rd</sup> Street, Church Street from 2<sup>nd</sup> to 3<sup>rd</sup> Street, 2<sup>nd</sup> Street from Main Street to Church Street; and to also prohibit all overnight parking on the north side of Main Street from 3<sup>rd</sup> Street west to the alley next to Thriftyway. This would aid in public safety, snow removal, and street cleaning. Truck parking is now available east of White Star so this should help to keep the downtown area from being congested with trucks. Council members reviewed the resolution and map of proposed prohibited areas. Councilman Johnson made a motion to introduce and approve Resolution 109(24) regarding placement of traffic control signs in order to regulate traffic and parking, seconded by Tisthammer. Voting Yea: Dailey, Porter, Johnson, Tisthammer. Voting Nay: None. Motion carried.

### **7. CONSIDER RESOLUTION SERIES 110(24) 1-29 DECLARING NUISANCES**

Council members reviewed 29 nuisance inspection reports provided by Nuisance Officer, Warren Myers. These nuisance inspection reports focused on weeds/grass/worthless vegetation and abandoned property/trash. Councilman Porter made a motion to introduce and approve Resolution Series 110(24) 1-29 declaring nuisances, seconded by Johnson. Voting Yea: Johnson, Tisthammer, Porter. Voting Nay: Dailey. Motion carried.

## ORDINANCES

### **8. CONSIDER INTRODUCTION AND PASSAGE OF ORDINANCE 334(24) AN ORDINANCE OF THE CITY OF ALBION, NEBRASKA, AMENDING ARTICLE III – SIDEWALKS OF CHAPTER V, STREETS AND SIDEWALKS, OF THE ALBION CITY CODE.**

Clerk Devine stated that Building Inspector, Warren Myers, requested a revision to the city's sidewalk code to add clarity to the requirements, including the Federal ADA requirements. Council members reviewed and discussed the ordinance. Councilman Dailey was concerned the city was adding too many stipulations to the sidewalk code. Clerk Devine stated that most of the code had already been in place. Some verbiage was revised or added to make the code specifications clearer for contractors, and to make sure the sidewalks conform to ADA requirements. City Attorney Wright suggested eliminating the verbiage in Section 5-311 "except where such sidewalk integrates with the public trail system", as that appears it is intended for anything directly connected onto the public trail system. Councilman Johnson introduced Ordinance 334(24). Mayor Jarecki instructed Clerk Devine to read the first reading of the ordinance. Councilman Porter made a motion to approve the first reading of Ordinance 334(24) An ordinance of the City of Albion, Nebraska, amending Article III - Sidewalks of Chapter V, Streets and Sidewalks, of the Albion City Code; seconded by Johnson. Voting Yea: Tisthammer, Dailey, Johnson, Porter. Voting Nay: None. Motion carried.

**9. CONSIDER INTRODUCTION AND PASSAGE OF ORDINANCE 335(24) AN ORDINANCE OF THE CITY OF ALBION, NEBRASKA, ESTABLISHING THE CITY OF ALBION EMPLOYEE PAY PLAN ESTABLISHING MINIMUM RATES, INTERMEDIATE RATES, AND A MAXIMUM RATE FOR CITY OFFICIALS AND EMPLOYEES.**

Council members reviewed the ordinance and comparative salary survey of Nebraska communities in similar size to Albion. Clerk Devine noted that Mayor Jarecki requested a review of the city's employee pay plan, highly due to the difficulty in recruiting and retaining qualified employees. There would be no change in pay rate to any General/Administration or Pool jobs. However, in order to remain competitive in the current market, the ordinance includes a 5% increase in the Park staff, Street Supervisor, Water Commissioner, and Sewer Commissioner pay scales; and an increase for both Police Chief and Police Officer pay scales by 20%. Councilman Porter introduced Ordinance 335(24) An ordinance of the City of Albion, Nebraska, establishing the City of Albion employee pay plan establishing minimum rates, intermediate rates, and a maximum rate for city officials and employees. Mayor Jarecki instructed Clerk Devine to read the ordinance for the first time. Councilman Dailey made a motion to approve the first reading of Ordinance 335(24) and that the statutory rules requiring readings at three separate meetings be suspended; seconded by Johnson. Voting Yea: Johnson, Porter, Tisthammer, Dailey. Voting Nay: None. Motion carried. Mayor Jarecki instructed Clerk Devine to read Ordinance 335(24) for the second and third time. Councilman Porter made a motion to approve the second and third readings of the ordinance and to move for final passage and adoption, seconded by Johnson. Councilman Johnson called the question. Mayor Jarecki sought further comment. With no further comment Mayor Jarecki declared Ordinance 335(24) having been read by title three different times, the rules have been suspended, the question is "Shall Ordinance 335(24) finally pass?" Voting Yea: Tisthammer, Dailey, Porter, Johnson. Voting Nay: None. Motion carried.

## **REPORTS**

**10. 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. No action taken.

**11. CONSIDER BILLS FOR APPROVAL**

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

**12. CONSIDER EMPLOYEE EVALUATION FOR APPROVAL**

Councilman Johnson made a motion to approve the employee evaluation of Brent Lipker, seconded by Dailey. Voting Yea: Porter, Dailey, Tisthammer, Johnson. Voting Nay: None. Motion carried.

**ITEMS TO BE PUT ON NEXT MEETING AGENDA**

**13. Next Regular Meeting:**

**June 11, 2024 7:30pm**

\* Second reading of Ordinance 334(24)

**14. Public Comment for Future Consideration**

None.

**ADJOURN**

At 8:44 p.m. Council member Porter made a motion to adjourn the meeting, seconded by Johnson. Voting Yea: Dailey, Johnson, Tisthammer, Porter. 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