

MINUTES
ALBION CITY COUNCIL
REGULAR MEETING – PUBLIC HEARING
TUESDAY, JANUARY 12, 2021

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 12, 2021 at Albion City Hall, 420 West Market St., Albion, NE. Present were: Mayor James C. Jarecki, Council Members Jack Dailey, Jon Porter, and Chris Kohtz. Marcus Johnson joined by teleconference. City staff present were: City Administrator Andrew Devine, Deputy City Clerk Sharon Ketteler, Utility Billing Clerk Amber Wynn, Public Works Operator Warren Myers, City Attorney Darren Wright, and Officer Joe Predmore. 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.

MAYOR'S COMMENTS

Mayor Jarecki informed the public about the location of the current copy of the Open Meetings Act posted in the Council Chambers. The Mayor provided a report of his semi-annual Department Head Meeting held on January 8, 2021; and reviewed it with the Council.

2. CONSIDER APPROVAL OF MINUTES OF THE DECEMBER 8, 2020 CITY COUNCIL MEETING

Councilman Kohtz made a motion to approve the minutes of the December 8, 2020 City Council meeting; second by Porter. **Vote: Yeas; Dailey, Johnson, Kohtz, Porter. Nays; None.**

3. OPEN PUBLIC HEARING REGARDING ADMINISTRATIVE PLAT APPLICATION OF NIEWOHNER FARMS PARTNERSHIP AND ROGER AND NICOLE GENTRUP TO REPLAT LOTS 1 AND 2, NIEWOHNER FARMS PARTNERSHIP SUBDIVISION AND A PART OF THE SW ¼ OF SECTION 27, TOWNSHIP 20 NORTH, RANGE 6 WEST OF THE 6TH P.M., BOONE COUNTY, NEBRASKA

Mayor Jarecki opened the public hearing at 7:43 p.m. The Mayor sought public input. Clerk Devine reviewed the application with the Council, explaining that the request is to swap a portion of ground between owners to clean up how the property is being used. Clerk Devine noted the Planning Commission reviewed the application and recommended approval. Mayor Jarecki sought further comment. Hearing none, he closed the public hearing at 7:45 p.m. Councilman Dailey made a motion to approve Administrative Plat Application of Niewohner Farms Partnership and Roger and Nicole Gentrup to replat Lots 1 and 2, Niewohner Farms Partnership Subdivision and a part of the SW ¼ of 27-20-6, Boone County, Nebraska; second by Kohtz. **Vote: Yeas; Porter, Dailey, Johnson, Kohtz. Nays; None.**

4. **CONSIDER RESOLUTION 101(21) REGARDING THE APPOINTMENT OF ALTERNATE REPRESENTATIVES FOR THE NMPP MEMBERS COUNCIL AND ACE BOARD OF DIRECTORS**

Clerk Devine noted a replacement is needed as Walt Hoefer previously held this position. Mayor Jarecki proposed that Marcus Johnson be appointed alternate representative. Councilman Kohtz made a motion to introduce and approve Resolution 101(21) Regarding the appointment of alternate representatives for the NMPP Members Council and ACE Board of Directors, second by Porter. **Vote: Yeas; Kohtz, Dailey, Porter, Johnson. Nays; None.**

5. **CONSIDER ORDINANCE 302(20) APPROVING AND ADOPTING REVISED SUBDIVISION REGULATIONS**

The first reading was approved at the December 8, 2020 City Council meeting. Councilman Kohtz made a motion to suspend the statutory rule requiring reading of the ordinance on three different days, second by Johnson. **Vote: Yeas; Porter, Dailey, Kohtz, Johnson. Nays; None.** Mayor Jarecki instructed Clerk Devine to read Ordinance 302(20) by title for the second and third time. Councilman Dailey made a motion to approve all readings and for final passage, second by Porter. Councilman Johnson called the question. Mayor Jarecki declared Ordinance 302(20) having been read by title three different times, the rules have been suspended, the question is “Shall Ordinance 302(20) finally pass? **Vote: Yeas; Kohtz, Johnson, Porter, Dailey. Nays; None.**

6. **CONSIDER ORDINANCE 303(20) APPROVING AND ADOPTING REVISED ZONING REGULATIONS AND THE OFFICIAL CITY OF ALBION ZONING MAP**

The first reading was approved at the December 8, 2020 City Council meeting. Councilman Kohtz made a motion to suspend the statutory rule requiring reading of the ordinance on three different days, second by Porter. **Vote: Yeas; Johnson, Kohtz, Porter, Dailey. Nays; None.** Mayor Jarecki instructed Clerk Devine to read Ordinance 303(20) by title for the second and third time. Councilman Porter made a motion to approve all readings and for final passage, second by Kohtz. Councilman Johnson called the question. Mayor Jarecki declared Ordinance 303(20) having been read by title three different times, the rules have been suspended, the question is “Shall Ordinance 303(20) finally pass? **Vote: Yeas; Kohtz, Johnson, Porter, Dailey. Nays; None.**

7. **CONSIDER ORDINANCE 304(21) APPROVING AND ADOPTING AMENDMENTS TO SECTIONS 8-39 AND 8-40 OF CHAPTER 8 OF THE ALBION MUNICIPAL CODE CONCERNING CONTRACTOR REGISTRATION CERTIFICATES**

Clerk Devine explained the corrections. There were conflicting amounts listed for liability insurance; Workers Comp coverage was changed from a recommendation to a requirement; and the expiration period for registration was changed from a two

year period to a one year period to be consistent with the plumbers registration. Councilman Kohtz made a motion to introduce Ordinance 304(21). Mayor Jarecki instructed Clerk Devine to read the ordinance for the first time. Councilman Porter made a motion to approve the first reading and to suspend the statutory rule that the ordinance be read by title on three separate days, second by Kohtz. **Vote: Yeas; Porter, Kohtz, Dailey, Johnson. Nays; None.** Mayor Jarecki instructed Clerk Devine to read the second and third readings of Ordinance 304(21). Councilman Porter made a motion to approve all readings and final passage of Ordinance 304(21), second by Kohtz. Councilman Johnson called the question. Mayor Jarecki declared Ordinance 304(21) having been read by title three different times, the rules have been suspended, the question is “Shall Ordinance 304(21) finally pass? **Vote: Yeas; Kohtz, Dailey, Porter, Johnson. Nays; None.**

8. **CONSIDER ORDINANCES DECLARING LIENS OF SPECIAL ASSESSMENT FOR UNPAID UTILITY BILLS**

Councilman Johnson made a motion to introduce Ordinances 305(21) – 307(21) Declaring Liens of Special Assessment for Unpaid Utility Bills of Jerry Lindgren and Leetch Properties LLC. Mayor Jarecki instructed Clerk Devine to read the ordinances for the first time. Councilman Dailey made a motion to approve the first readings of Ordinances 305(21), 306(21) and 307(21), second by Porter. **Vote: Yeas; Dailey, Johnson, Porter, Kohtz. Nays; None.**

9. **NUISANCE PROGRAM REPORT – ALBION POLICE DEPARTMENT**

Officer Predmore reported on a past nuisance of numerous vehicles at a residence, stating that the vehicles have been moved. Mayor Jarecki stressed that if the vehicles are not registered they need to be covered. **No action taken.**

10. **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 added that the Insurance Specifications will be ready for pick up tomorrow. **No action taken.**

11. **CONSIDER BILLS FOR APPROVAL**

- **CONSIDER MONTHLY BILLS FOR APPROVAL**

Councilman Porter made a motion to approve the bills for payment except for the bill from Speed Drain, second by Kohtz. **Vote: Yeas; Johnson, Porter, Kohtz, Dailey. Nays; None.**

Councilman Kohtz made a motion to approve the bill from Speed Drain for payment as presented, second by Dailey. **Vote: Yeas; Dailey, Kohtz, Johnson. Nays; None. Abstain; Porter.**

12. ITEMS TO BE PUT ON NEXT MEETING AGENDA

Next Regular Meeting: February 9, 2021 at 7:30 p.m.

- Additional readings on ordinances
- Sales Tax Release Request from AEDC
- Audit Report

13. ADJOURN

At 8:10 p.m. Council Member Kohtz made a motion to adjourn the meeting, second by Porter. **Vote: Yeas; Kohtz, Dailey, Johnson, Porter. Nays; None.**

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