

MINUTES
ALBION CITY COUNCIL
REGULAR MEETING
TUESDAY, JULY 19, 2022

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 July 19, 2022 at Albion City Hall, 420 West Market St., Albion, NE. Present were: Mayor James C. Jarecki, Council Members Jon Porter, Marcus Johnson, Jack Dailey, and Jason Tisthammer. City staff present were: City Administrator Andrew Devine, Deputy City Clerk Sharon Ketteler, Water Commissioner Warren Myers, Utility Billing Clerk Amber Wynn, City Attorney Darren Wright, and Lieutenant 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 reported that the new fire truck has arrived.

2. CONSIDER MINUTES OF JUNE 14, 2022 AND JUNE 28, 2022 CITY COUNCIL MEETINGS FOR APPROVAL

Councilman Porter made a motion to approve the minutes of the June 14, 2022 and June 28, 2022 City Council meetings as presented, second by Johnson. **Vote: Yeas; Porter, Tisthammer, Johnson, Dailey. Nays; None.**

3. NEBRASKA RURAL WATER TO PRESENT CITY COUNCIL WITH RECOMMENDED ALBION SOURCE WATER PROTECTION PLAN

Dave Schroeter, Source Water Specialist for Nebraska Rural Water was present to explain the Source Water Protection Plan he is working on for the City of Albion. Mr. Schroeter reviewed the plan and benefits of the program. Schroeter will continue to work on the plan and bring a full report to the council in September. **No action taken.**

4. CONSIDER ACCEPTANCE OF UTILITY EASEMENT FROM LFH PROPERTIES, LLC

Council members reviewed the Easement prepared by City Attorney Wright. The utility easement is for the west 20 feet of LFH Properties, LLC to allow the City to install water and sewer lines on the east side of 6th Street. The Grantor asked for a change of verbiage regarding development in the easement, so the final Easement hasn't been signed yet. Councilman Johnson made a motion to postpone action until executed utility easement by LFH Properties, LLC is received; second by Tisthammer. **Vote: Yeas; Porter, Johnson, Dailey, Tisthammer. Nays; None.**

5. **REVIEW DRAFT OF 1 AND 6 YEAR STREET IMPROVEMENT PLAN AS PREPARED BY ANDREW WILSHUSEN OF JEO CONSULTING GROUP**

Clerk Devine reviewed the draft of 1- and 6-Year Street Improvement Plan prepared by Andrew Wilshusen. The cost estimate for the 1-Year Plan was over double the estimate in the preliminary budget. The City might consider moving some of the projects to another year. **No action taken.**

6. **BUDGET WORKSHOP – PRELIMINARY REVIEW OF 2021-22 BUDGET PERFORMANCE AND DRAFT OF 2022-23 BUDGET**

Treasurer Devine provided multiple budget spreadsheets and reviewed the Preliminary Budget Summary with council members. All departments are estimated to perform at or better than budgeted for 2021-2022. Governmental Funds are estimated to perform \$596,776 better than budgeted; mainly due to capital projects that weren't completed. The available surplus will be applied to each department accordingly for the 2022-2023 budget. Business Type Funds are estimated to perform approximately \$46,121 better than budgeted. That surplus will apply as first source of revenue to be used for utilities next year. The projected certified valuation is estimated to be about a 5% increase from last year. In the preliminary draft, the total tax levy would be estimated to be about .46 cents, which is about .10 cents higher than last year; and the proposed property tax asking would be \$205,187 more than last year mainly due to anticipated street projects. If we delay the South 11th Street project for another year and focus on street maintenance, it will bring the tax asking down significantly. Micro sealing of all asphalt streets is due in 2023, as the last time it was done was in 2017. Devine provided a list of the City's Capital Improvement Plans, noting that he recommends all Capital Improvement Sales Tax Revenues be directed to street projects and maintenance this next year. We can use the 2021-2022 reserves to accomplish park projects that weren't completed last year. Devine noted that the City received \$140,262 in ARPA Funds in July of 2021 that can be used for water and sewer capital projects. These funds must be used by November of 2026. Another \$140,262 is expected by the end of this Fiscal Year. Devine suggested using some of those funds to add irrigation for sludge application. The City's accountant from AMGL will be present at the August City Council meeting for the Budget Workshop. He will then develop the final budget for the public hearing on September 6th. The Budget adoption will take place at the September 13th City Council meeting. **No action taken.**

7. **CONSIDER RESOLUTION 108(22) REGARDING CITY OF ALBION UTILITY RATES FOR APPROVAL**

Council members reviewed the resolution draft. Clerk Devine stated although the CPI factor is 9.1% this year, he is only recommending an approximate 5% increase in Water and Sewer rates as the City has good cash reserves to cover all known costs. Devine also recommended an increase in Solid Waste rates to help cover the increased contract rates that were approved by the council in April, 2022. A Water and Sewer rate comparison provided by Nebraska Rural Water Association in 2019 showed that Albion rates are below average in comparison to other towns our size. Councilman Porter made a motion to introduce and approve Resolution 108(22) Regarding City of Albion Utility Rates, second by Dailey. **Vote: Yeas; Porter, Tisthammer, Dailey, Johnson. Nays; None.**

8. **CONSIDER RESOLUTION 109(22) ADOPTING THE LOWER LOUP NATURAL RESOURCES DISTRICT MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN UPDATE**

Clerk Devine explained that communities develop a Hazard Mitigation Plan to help reduce the impact of a natural disaster. This plan includes a list of projects the community wishes to accomplish and helps when seeking funding sources for the projects. Devine reported on some of the updates that were made to the plan. Councilman Porter made a motion to introduce and approve Resolution 109(22) Adopting the Lower Loup Natural Resources District Multi-Jurisdictional Hazard Mitigation Plan Update, second by Johnson. **Vote: Yeas; Porter, Tisthammer, Dailey, Johnson. Nays; None.**

9. **CONSIDER RIGHT OF WAY TELECOMMUNICATION PERMIT OF GREAT PLAINS CONSTRUCTION FOR INSTALLATION OF NEW TELECOMMUNICATIONS INFRASTRUCTURE IN CITY RIGHT OF WAY**

Council members reviewed the Right-of-Way application and map submitted by Great Plains Communication for installation of new telecommunications infrastructure in the City Right-of-Way. Clerk Devine recommended approval, conditional upon receipt of the \$100 fee. Councilman Johnson made a motion to approve the Right-of-Way Permit Application of Great Plains Communication conditional on receiving payment, second by Porter. **Vote: Yeas; Dailey, Johnson, Tisthammer, Porter. Nays; None.**

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 the council with the City Financial Reports. Devine stated he has been informed by Cody Gulbrandson, President of the Ag Society, that the County has been in contact with the Department of Natural Resources regarding repair work done to the Kohtz Dam. Certification for the repairs has not been completed as the Engineer and County are still coordinating documentation. Devine also added that the City is still advertising for Public Works and Economic Development/Housing Development Director positions. There have been no interviews yet. **No action taken.**

11. **CONSIDER BILLS FOR APPROVAL**

• **CONSIDER MONTHLY BILLS FOR APPROVAL**

Councilman Johnson made a motion to approve the monthly bills as presented, except any/all bills from Speed Services, second by Porter. **Vote: Yeas; Dailey, Tisthammer, Porter, Johnson. Nays; None.**

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

12. CONSIDER EMPLOYEE EVALUATION FOR APPROVAL

Councilman Porter made a motion to approve the annual evaluation and recommended step raise for Andrew Devine, second by Johnson. **Vote: Yeas; Tisthammer, Porter, Dailey, Johnson. Nays; None.**

13. ITEMS TO BE PUT ON NEXT MEETING AGENDA

Next Regular Meeting: August 9, 2022 at 7:30 p.m.

- Annual Airport Authority Request for Tax Allocation for next fiscal year;
- Cost of Living Adjustment for Non-Temporary Employees effective Oct. 1st.
- Budget Workshop – with Accountant to discuss final preparation.
- Utility Easement Acceptance from LFH Properties, LLC

FUTURE MEETING SCHEDULE:

Special Meeting – September 6, 2022 7:30 a.m. – Budget Hearing

Regular Meeting – September 13, 2022 7:30 p.m. – Budget Adoption

14. ADJOURN

At 8:34 p.m. Council Member Dailey made a motion to adjourn the meeting, second by Johnson. **Vote: Yeas; Dailey, Tisthammer, 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