

**MINUTES**  
**ALBION CITY COUNCIL**  
**REGULAR MEETING**  
**TUESDAY, APRIL 12, 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 April 12, 2022 at Albion Fire Station, 2580 State Highway 14, Albion, NE. Present were: Mayor James C. Jarecki, Council Members Jon Porter, Marcus Johnson, and Jason Tisthammer. Absent was Jack Dailey. City staff present were: City Administrator Andrew Devine, Deputy City Clerk Sharon Ketteler, Utility Billing Clerk Amber Wynn, Water Commissioner Warren Myers, 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.

Councilman Johnson made a motion to excuse Councilman Dailey's absence, second by Tisthammer. **Vote: Yeas; Tisthammer, Johnson, Porter. Nays; None.**

**MAYOR'S COMMENTS**

Mayor Jarecki informed the public about the location of the current copy of the Open Meetings Act posted in the Albion Fire Station, and in pamphlet form on the table. The Mayor thanked everyone for the thoughts, prayers, and memorials for his mother; and stated that the memorial money will be donated to the Humphrey, Lindsay, and Albion, Fire and Rescue Departments.

**2. CONSIDER APPROVAL OF MINUTES OF THE MARCH 8, 2022 CITY COUNCIL MEETING**

Councilman Porter made a motion to approve the minutes of the March 8, 2022 City Council meeting; second by Johnson. **Vote: Yeas; Tisthammer, Porter, Johnson. Nays; None. Absent; Dailey.**

**3. CONSIDER NEGOTIATED RATE INCREASE TO THE SOLID WASTE CONTRACT WITH BUD'S SANITARY SERVICE**

Daryl Guthard of Bud's Sanitation was present to explain their request for an increase of rates is to offset the ongoing rise in fuel, equipment, and labor. Mr. Guthard stated their last rate increase was in 2012. Clerk Devine noted the current contract with Bud's Sanitation states they may negotiate a rate increase mid-term due to increased fuel prices of 20% or more.

Councilman Porter made a motion to approve negotiated rate increase of \$1.25 effective April 1, 2022 to the Solid Waste Contract with Bud's Sanitary Service; second by Johnson. **Vote: Yeas; Porter, Johnson, Tisthammer. Nays; None. Absent; Dailey.**

4. **REVIEW ANNEXATION RECOMMENDATION OF THE ALBION PLANNING COMMISSION AND CONSIDER INITIATING FURTHER ANNEXATION ACTION REGARDING THE RECOMMENDATION**

Clerk Devine stated that at last month's meeting the City Council recommended Planning Commission split up Priority Area 1-A into two separate priority areas. Planning Commission reviewed and discussed City Council's request, however, decided to leave their recommendation unchanged. Mayor Jarecki accepted comments from the public. Several citizens spoke in opposition of annexing the Fairgrounds. One person questioned how city ordinances would affect the Fairgrounds if it were annexed into city limits. Clerk Devine stated the Fairgrounds is already in the 1-mile jurisdiction so the same rules would apply. Another individual stated that if the City is concerned about annexing property for the purpose of water and sewer lines, the City could get easements for the infrastructure. Clerk Devine answered questions that a few individuals had if their own property were annexed.

Clerk Devine stated that when AEDC asked for sales tax money of \$100,000 for the arena project at the Fairgrounds, the Citizen's Advisory Committee made a recommendation to annex the Fairgrounds if the \$100,000 was pledged to the arena project. The City Council approved the pledge of \$100,000 over a 10-year period and decided that annexation of the Fairgrounds would be considered later. A Fair Board member stated that he was not aware of that recommendation.

Mayor Jarecki sought comment from the council. Tisthammer questioned what the sewer rate difference would be at the Fairgrounds if they were annexed. Clerk Devine stated that sewer rates outside of city limits are double the amount of inside city limits rates. Council members discussed further about which areas to initiate the annexation process. Clerk Devine reviewed the annexation procedure.

Councilman Johnson made a motion to initiate annexation proceedings for Priority Areas 1-B, 1-C, 1-D, and 1-F; second by Tisthammer. **Vote: Yeas; Johnson, Tisthammer, Porter. Nays; None. Absent; Dailey.**

5. **CONSIDER STREET CLOSURE REQUEST OF DOWNTOWN STREETS FOR THE FOLLOWING COMMUNITY EVENTS:**

- REQUEST OF HWY 14 BREWING CO. TO TEMPORARILY CLOSE 4TH STREET BETWEEN CHURCH AND MAIN STREETS ON APRIL 24, 2022 FROM 8:00 AM TO 7:00 PM FOR A COMMUNITY FUNDRAISING EVENT.
- REQUEST OF SMOKE N CHROME ON MAIN, COMMITTEE TO TEMPORARILY CLOSE DOWNTOWN STREETS FOR CAR SHOW ON JUNE 18, 2022 FROM 6:30 AM TO 3:00 PM.
- REQUEST OF ALBION/BOONE CENTRAL ALUMNI COMMITTEE TO TEMPORARILY CLOSE DOWNTOWN STREETS FOR ALBION/BOONE CENTRAL ALUMNI FESTIVAL AND STREET DANCE FROM 8:00 AM JUNE 18, 2022 TO 8:00 AM ON JUNE 19<sup>TH</sup>, 2022.
- REQUEST OF ALBION CHAMBER TO TEMPORARILY CLOSE 4<sup>TH</sup> STREET BETWEEN CHURCH AND MAIN STREETS ON JUNE 18, 2022 FROM 7:30 AM TO 3:00 PM FOR A STREET FESTIVAL AND MARKET.
- REQUEST OF LORI KROHN TO CLOSE CHURCH STREET FROM 5<sup>TH</sup> STREET TO 3<sup>RD</sup> STREET FROM 9:20 AM TO 11:30 AM ON JULY 4, 2022 FOR AN INDEPENDENCE DAY KIDDIE PARADE
- REQUEST OF ALBION CHAMBER OF COMMERCE TO TEMPORARILY CLOSE DOWNTOWN STREETS ON DECEMBER 1, 2022 FROM 5:30 PM TO 7:00 PM FOR A HOLIDAY LIGHT PARADE

All events are the same as last year; only the dates have changed. Councilman Porter made a motion to approve requests to close downtown streets for community events as presented, second by Johnson. **Vote: Yeas; Johnson, Tisthammer, Porter. Nays; None. Absent; Dailey.**

6. **CONSIDER RIGHT OF WAY PERMIT APPLICATIONS AND/OR RENEWALS FOR APPROVAL:**

- EAGLE COMMUNICATIONS;
- GREAT PLAINS COMMUNICATIONS;
- FRONTIER COMMUNICATIONS.

Clerk Devine stated that currently he has received the renewal application from Great Plains, and they also want to extend fiber to some area downtown businesses. Devine had the application and map available for council members to review. Councilman Porter made a motion to approve Right of Way Permits of Eagle, Frontier, and Great Plains conditional upon receipt of required documents and fees; second by Johnson. **Vote: Yeas; Porter, Tisthammer, Johnson. Nays; None. Absent; Dailey.**

7. **CONSIDER MAYORAL APPOINTMENT OF ANDREW WILSHUSEN OF JEO CONSULTING GROUP, CLASS A LICENSE NUMBER S-1696, AS THE CITY OF ALBION LICENSED STREET SUPERINTENDENT**

Mayor Jarecki stated that the council had already approved JEO Consulting Group as the licensed street superintendent; however, the State requires an individual be named the street superintendent. Councilman Porter made a motion to confirm Mayoral appointment of Andrew Wilshusen of JEO Consulting Group, Class A License Number S-1696, as the City of Albion licensed street superintendent effective January 1, 2022; second by Johnson. **Vote: Yeas; Porter, Johnson, Tisthammer. Nays; None. Absent; Dailey.**

8. **CONSIDER MAYORAL APPOINTMENT TO THE INTERIM SEWER COMMISSIONER/WASTEWATER TREATMENT OPERATOR POSITION**

Mayor Jarecki stated that a candidate had been interviewed and offered the position, however, he turned it down. Therefore, the Mayor is appointing Doug Morgan as the interim sewer commissioner/wastewater treatment operator position until the position can be filled. Councilman Johnson made a motion to confirm Mayoral appointment of Doug Morgan as the City of Albion Interim Sewer Commissioner effective April 12, 2022; second by Porter. **Vote: Yeas; Tisthammer, Johnson, Porter. Nays; None. Absent; Dailey.**

9. **ACKNOWLEDGEMENT OF RECEIPT OF THE CITY ADMINISTRATOR REPORT INCLUDING CITY FINANCIAL REPORTS**

Administrator Devine had previously provided a report for council review. Devine added there is an interested person to fill the vacant seat on the Citizen's Advisory Committee. **No action taken.**

10. **CONSIDER BILLS FOR APPROVAL**

• **CONSIDER MONTHLY BILLS FOR APPROVAL**

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

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

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

**Next Regular Meeting: May 10, 2022 at 7:30 p.m.**

- Discuss Potential Litigation Regarding the City Owned Dam
- Sewer Commissioner Candidate

12. **ADJOURN**

At 8:19 p.m. Council Member Johnson made a motion to adjourn the meeting, second by Tisthammer. **Vote: Yeas; Johnson, Tisthammer, Porter. Nays; None. Absent; Dailey.**

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