

**MINUTES
ALBION CITY COUNCIL
REGULAR MEETING / PUBLIC HEARING
TUESDAY, SEPTEMBER 8, 2009**

A Regular Meeting and Public Hearing of the Albion City Council of the City of Albion, Nebraska was convened in open and public session at 7:30 p.m., on September 8, 2009 in the Council Chambers. Present were Mayor James Jarecki; Council members: Hoefler Rasmussen, Riedmiller, Warner. City Employees: Utility Billing Clerk Knust, City Code Official Hanson, Officer Predmore, Street Superintendent Thorin, City Attorney Bird, Administrator Devine; News Media Jim Dickerson with the Albion News, City Engineer John Zwingman, others present were: Lonnie Dickson and Keith Carl with Hanna:Keelan, Marc Abbott with Gilmore Bell, and Doug Young. 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.

3. APPROVE MINUTES OF THE AUGUST 22ND AND AUGUST 26TH, 2009 MEETINGS

Councilman Warner made a motion to approve the minutes from the August 22nd and August 26, 2009 meetings, seconded by Riedmiller. **Vote: Yeas; Hoefler, Rasmussen, Riedmiller, Warner. Nays; None.**

**4. DISCUSS 2008/2009 BUDGET AMENDMENT
(A)-APPROVE RESOLUTION 114(09) AMENDING 2008/2009 BUDGET**

Devine said that this will be discussed and that this will be open for an hour and then will be voted on. Attorney Bird clarified that the hour for the open hearing started at 7:30pm when the Mayor opened the public hearing. Resolution 114(09) is an amendment to budget 2008/2009 due to unforeseen changes to the budget that the council approved and deemed necessary. Amendment needed for additional improvements to infrastructure in the Street Fund of \$415,000. Amendment is needed for additional transfers from the Sales Tax Fund of \$250,000 to the Street Fund to finance street improvements. Amendment is needed for additional transfer of \$40,000 to the Debt Service Fund. Amendment is needed for refinancing of bonds for \$450,000. Amendment is also needed for Additional Tax Increment Financing project payments of \$805,188. Councilman Warner made a motion to approve Resolution 114(09)-Amending 2008/2009 Budget, seconded by Hoefler. **Vote: Yeas; Riedmiller, Hoefler, Rasmussen, Warner. Nays; None.**

**5. DISCUSS 2009/2010 BUDGET
(A) APPROVE RESOLUTION 115(09), 2009/2010 PROPERTY TAX REQUEST
(B) APPROVE AND ADOPT 2009/2010 BUDGET**

The hour for the public hearing on the budget began at 7:30pm. This item will be discussed after 8:30pm. Resolution 115(09) is a property tax request. It's requesting to be set at \$269,665 as decided at the August 22nd budget workshop. Devine also presented the council with the state budget form as completed by the City's accounting firm of Almquist, Maltzahn, Galloway & Luth, P.C. for review. At 8:40 pm Councilman Rasmussen made a motion to approve Resolution 115(09)-2009/2010 Property Tax Request, seconded by Hoefler. **Vote: Yeas; Riedmiller, Warner, Hoefler, Rasmussen. Nays; None.** Councilman Warner then made a motion to approve and adopt the 2009/2010 Budget as presented including one percent (1%) increase in the total 2008-2009 restricted funds authority, seconded by Rasmussen. **Vote: Yeas; Riedmiller, Rasmussen, Warner, Hoefler. Nays; None.**

6. CONSIDER RESOLUTION 116(09) REVISING PROJECT M-104(81)A OF THE CURRENT ONE-YEAR PLAN

Instead of doing asphalt on the project on Marengo street, the City chose to pour concrete. This revision Needs to be formally approved and submitted to the state. Councilman Hoefler made a motion to approve Resolution 116(09)-Revising Project M-104A of the Current One-Year Plan, seconded by Rasmussen. **Vote: Yeas; Warner, Riedmiller, Hoefler, Rasmussen. Nays; None.**

7. HANNA:KEELAN TO PROIDE UPDATE ON COMPREHENSIVE PLAN PROCESS AND DOWNTOWN AREA STUDY

Lonnie Dickson with Hanna:Keelan updated the Council on the Comprehensive Plan and the Downtown Focus Area Plan. The Downtown Plan is partially funded by NIFA Grant Funds. They are working on a Blight and

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Substandard Determination Study. There will be a meeting on October 5, 2009 with the Planning Commission and Steering Committee regarding the Comprehensive Plan. They are nearing completion of the Land Use Plan as well as the Goals, Policies and Action Strategies Plan. They are anticipating by 2019 the population will be roughly 1,679 in Albion. This is an increase of 50. The targeted Annexation Areas A, B & C are recommended in the 1-3 year plan for annexation. This would square up the City Limits. To have room for growth and development in the next 10 years plus are area D through I. These should be considered in the next 5-10 years. They have a goal of 103 new houses over the next 10 years. They looked at 705 houses in the community. About 500 were in good condition, 156 were in moderate condition, 35 were in deteriorated condition, and 20 were dilapidated.

8. HANNA:KEELAN AND MARC ABBOTT OF GILMORE BELL TO PROVIDE OVERVIEW OF BLIGHT AND SUBSTANDARD DETERMINATION OF THE DOWNTOWN AREA AND HOW THE TIF MAY BE USED IN THE REDEVELOPMENT PROCESS

Marc Abbott with Gilmore Bell & Associates explained the bucket TIF and had a handout. What TIF funds can be used for doesn't change whether or not you use it for one parcel or an area. It can be used for new construction or re-construction as long as it's public. If it's a private project it can only be used for re-construction. The TIF money can be banked to save up for a project. The boundaries need to be decided and the TIF amount needs to be figured.

12. CONSIDER REQUEST OF AEDC TO RELEASE SALES TAX FUNDS FOR VARIOUS PROJECTS

The amount requested \$80,000, and there is currently \$387,000 in the sales tax fund. The Citizens Advisory Board recommends approval of the funds request. The Board will purchase and demolish the Coop property on Southwest Corner of 5th and Main Streets. The tanks were supposed to be removed by now by the property owner. Councilman Riedmiller made a motion to approve the request of AEDC to release sales tax funds for various projects in the amount of \$80,000, seconded by Warner. **Vote: Yeas; Rasmussen, Hoefler, Warner, Riedmiller. Nays; None.**

13. CITY CODE OFFICIAL REPORT

Hanson presented the City Code Official Report to the Council. There was one plumber's license, two building permits issued. Harry & Linda Jordan's request was approved by the Board of Adjustment. Hanson and Devine have been working on a fee schedule that will be presented to the Planning Commission on September 15th.

14. CITY ADMINISTRATOR REPORT

Water/Sewer:

- a. Joe Luettel is continuing to research potential sewer jet trucks and has found some cost savings by reducing the specified size of the equipment after testing some demo equipment.
- b. Test well is complete – we will be pumping water for 2-weeks and testing the water per state requirements. It may take at least 60-days for the results to come back.

Streets:

- a. Projects underway – major paving complete. Some contractor house-keeping concerns have been documented.
- b. Lane miles report turned out ok – added parking areas helped make up for lost lane miles as discussed last month.

Parks:

- a. Hired Ryan Luettel to assist in mowing and general park upkeep during the month of September.
- b. Baseball organizations and volunteers are working on improving backstops and other cover projects to protect spectators from stray foul balls.
- c. AEDC considering funding 50% of camp site expansion and improvements – Devine working on getting cost estimates.
- d. Will be seeking estimates to trench electricity for the southeast ballfield scoreboard (using the scoreboard that was removed and replaced at the northeast field).

General:

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- a. Public works employees believe they found the leak at the pool in the wet well. There was a considerable hole in the side towards the bottom – they have filled with cement and grout. The deck still needs considerable work in order for our permit to be renewed, but this appears to have saved us a considerable amount.
- b. Kennels have been ordered for our dog holding facility. They have not yet arrived.
- c. Working on making an office at the East end of the council chambers – found office partitions for \$100 and a desk set for \$250 that will work for this. Shouldn't take too long to get this done – much cheaper and more portable than adding a stick-built office somewhere in the building as discussed last year.

Albion Economic Development submitted a letter of intent to the Nebraska Energy Office to apply for up to \$425,000 in grant funds to potentially construct a renewable wind energy project – letter of intent attached. Letter does not bind AEDC to further action, but is necessary if decide to submit a full application.

15. REVIEW INTERLOCAL AGREEMENT ENTERED INTO WITH BOONE COUNTY UNDER CITY RESOLUTION #129(08), MORE SPECIFICALLY TO EMPLOY BOONE COUNTY ZONING ADMINISTRATOR AS THE CITY CODE OFFICIAL

The County Commissioners are requesting an extra \$100 for use of facilities and utilities and are also requesting that the City pay for 25% of office supplies. Councilman Warner made a motion to authorize the changes made to City Resolution #129(09) and to authorize the Mayor to sign the revised resolution and agreement, seconded by Rasmussen. **Vote: Yeas; Hoefer, Riedmiller, Rasmussen, Warner. Nays; None.**

16. CONSIDER APPLICATION FOR PRIVATE DRIVE OF HARRY AND LINDA JORDAN AT 808 WEST CHURCH STREET

Councilman Riedmiller made a motion to approve application for private drive of Harry and Linda Jordan at 808 West Church Street, seconded by Warner. **Vote: Yeas; Rasmussen, Warner, Hoefer, Riedmiller. Nays; None.**

18. APPROVE BILLS

Councilman Hoefer made a motion to approve the bills, seconded by Riedmiller. **Vote: Yeas; Warner, Hoefer, Rasmussen, Riedmiller. Nays; None.**

19. DISCUSS ITEMS TO PLACE ON NEXT MEETING AGENDA

- There will be a special meeting on September 28, 2009 at 12:00 p.m. This will be to approve the final bills for this fiscal year.

17. CONSIDER PAY REQUEST OF CASTLE CONSTRUCTION

There are some concerns on the concrete that has been laid on Marengo Street regarding the ripples on it. Zwingman said that there is a one year warranty. He said to keep an eye on it and to document any problems. Devine will have Zwingman and Bader look at it to see if it will affect snow removal. 3% of their bill will be held back, which is \$12,000. This is to ensure that they will come back and finish the project. Councilman Warner made a motion to pay Castle Construction \$174,338.10, which reflects the 3% withheld, seconded by Hoefer. **Vote: Yeas; Warner, Hoefer, Rasmussen and Riedmiller. Nays; None.**

9. STATUS REVIEW OF WELL PROJECT, SPECIFICALLY TEST WELL AND WATER TESTING PROGRESS-JOHN ZWINGMAN

The test well has been dug and it will need to be pumped for two weeks, which is mandatory by the state. It was bid at being pumped for 24hours. This is a \$10,000 difference. It will need to be checked 3-4 times a day to ensure that it is being pumped 24 hours a day. The state is concerned with the selenium level in the test pump. The first batch of tests will take 7-10 days to get results back and the next batch of tests will take about 30-60 days to get results. Morearty said that the selenium level in Well #3 went down to .076 last month. If all the tests come back ok, construction could begin in November/December.

10. STATUS REVIEW OF SANITARY WEVER/LIFT STATION PROJECT-JOHN ZWINGMAN

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The lift station will be closed out next month. The line was jetted out and cleaned. Concrete pads around the manholes still need to be installed.

11. STATUS REVIEW OF WASTE WATER TREATMENT FACILITY PROJECT-JOHN ZWINGMAN

The proposed sites were visited. Lucas and Roger were going to run them through the evaluation process. Lucas didn't get the results to Zwingman in time for tonight's meeting. Hanson said that are not any setbacks in the County for lagoons from the river. The state has some requirements, and Zwingman is aware of this.

20. ADJOURN

At 9:10 p.m. Councilman Warner made a motion to adjourn, seconded by Riedmiller. **Vote: Yeas; Warner, Riedmiller, Rasmussen, Hoefler. 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 with in ten working days and prior to the next convened meeting of said body; that all next 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.

Jim Jarecki, Mayor

ATTEST:

Andrew Devine, City Clerk