

**MINUTES  
ALBION CITY COUNCIL  
REGULAR MEETING  
TUESDAY, JULY 7, 2009**

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 7, 2009 in the Council Chambers. Present were Mayor James Jarecki; Council members: Hoefler, Rasmussen, Riedmiller, Warner. City Employees: Officer Predmore, Sewer Commissioner Luettel. Water Commissioner Morearty, Utility Billing Clerk Knust; News Media Jim Dickerson with the Albion News, City Engineer John Zwingman, Shelley with Conrad Fire Equipment, Lucas Billespach, Roger Protzman. 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 JUNE 9, 2009 MEETING**

Councilman Rasmussen made a motion to approve the minutes from the June 9, 2009 meeting, seconded by Warner. **Vote: Yeas; Riedmiller, Hoefler, Rasmussen, Warner. Nays; None.**

**6. CITY CODE OFFICIAL ACTIVITY REPORT**

Barb Hanson reviewed the City Code Activity Report. Jordan's variance request was denied. They will be in town tomorrow and would like to change the entrance of the house to the south side but current definitions don't allow for this. The County zoning permits have increased. The Planning Commission would like to review the City's rates. The County put a cap on their zoning building permits at \$750,000 which would be \$210.00.

**4. OPEN BIDS AND CONSIDER FOR AWARD OF CONTRACT FOR NEW AMBULANCE FOR ALBION FIRE DEPARTMENT**

The City received one bid from Conrad Equipment. The brand of Ambulance is MEDTEC. City Attorney Bird opened the bid. A certificate of liability insurance was enclosed. The bid is for a 2009 Ford E450 with Medtec Conversion for \$147,694 with a \$5,200 discount for a total of \$142,494. They also submitted a bid for a 2008 Ford E450 for \$139,015. The bid bond is correct, the rest of the paperwork is specs and warranty information. Delivery would be within 180 days. Lynn Lehmann said that the current unit is the same brand and is fitted the same as the one being bid out. They have \$140,000 saved up from billing and will request the remaining balance from the rural board. They are looking at having a power cot installed which will run around \$11,500-\$12,000, a demo cot would be about \$10,500, and a stair chair was included in the amount for the power cot. If this would be pre-paid the company is offering a 6.25% interest back on the money. There is a performance bond included. Councilman Warner made a motion to accept the bid from Conrad Fire Equipment for the 2009 Ford E450 Conversion with the Power Cot and Stair Chair for \$155,000, seconded by Riedmiller. **Vote: Yeas; Hoefler, Rasmussen, Riedmiller, Warner. Nays; None.**

**7. WATER QUALITY STATUS REPORT & STATUS REPORT ON WELL DEVELOPMENT PROJECT**

John Zwingman said that the City has approval on the site. Bids on the testwell will be next Wednesday to get started right away. It will not be a formal bid letting since the cost is under \$30,000. Morearty gave a water quality status report on the selenium levels in the wells:

- Well #1 (By the Pool) 107-which was down a little
- Well #2 (North of Fairgrounds) 238-about the same-it increases the longer it runs
- Well #3 (South of Fairgrounds) 87-about the same

**9. REVIEW DRAFT REPORT OF WASTEWATER TREATMENT FACILITY PLAN**

Lucas Billespach with JEO Engineering reviewed the Wastewater Treatment Facility Evaluation. The existing facility is showing signs of age, the de-gritter is falling apart, the lift station and sludge facilities are considered inadequate. The sludge is not meeting 503 regulations. The future NDPS Permit will require disinfection-plant isn't set up disinfection. There report also includes information taken from Edwards Environmental. The city is averaging around 179,000 gal/day, which equates out to 111 gal/per capita per day. This is a little high. There were a couple of days that had some peaks. The current NDPS Permit will expire in November 30, 2009. There has only been one non-compliance that was due to a sludge issue. The lift station needs to be able to handle the peaks, and currently it isn't. The extended aeration is just meeting standards. The final clarifiers are also just meeting standards. The current generator isn't set up for an auto mode-it's on a manual mode. If there were to be a new wastewater treatment facility built in that area, the land elevation would need to be raised up to at least where the current plant is due to flood plain issues. Councilman Hoefler commented that it had current plant had been flooded in previous years. They have also done a study on growth and how the facility will handle this in the future. The projected future flows are about 255,300 gal/day. The future NDPS Permit shows

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that the solid matter that is output will stay about the same that it is now, ammonia levels will drop. For the new permit, there will be a three year cycle:

- 1<sup>st</sup> Year-The City will need a plan of attack
- 2<sup>nd</sup> Year-Plans and Specs will need to set up
- 3<sup>rd</sup> Year-Designs and Finalization and UB Disinfection ready to go

There will be a requirement to report the levels of selenium. There has been an increase of selenium levels in the sludge deposits. Lucas said that once the well issue is cleared up, the selenium levels should go down. He reviewed the scenario that the City continues using the current facility.

- The lift station wouldn't be able to meet peak hours.
- The de-gritter is worn out
- The extended aeration in 2030 will be hydraulically and organically overloaded.
- The final clarifiers will be hydraulically and organically overloaded
- The sludge wouldn't have any air
- No disinfection

The disinfection unit will need to be in the three year plan. If the City were to not change anything, they would be facing fines of up to \$10,000/day from the state of NE, and \$37,500 from the EPA. There are two styles of treatment facilities. They performed an analysis as to where the best area would be for a new wastewater treatment facility. Site K looks to be the most economical for a lagoon system.

1. Lagoons: There are three types that are popular in Nebraska. Control Discharge-these are discharged out of once or twice a year. This would need a NDPS Permit. The control discharge would require 55 acres of land for a three cell lagoon system. Land application system-the flow would be put on crops. Sampling is required from the land that the flow would be spread on. It is less stringent than a control discharge system, and would require a permit from NDPS. This would take 55 acres plus about 238 acres for pivot application to the land. Complete Retention system-nothing is discharged, the wastewater is stored, where it would evaporate. There are not any permits required for the Complete Retention system. This would require about 165 acres to provide enough room for storage.
2. Mechanical: It may not be possible to do a lagoon system due to lack of land, and physically making the lagoon happen. Lucas discussed building another extended aeration plant. This is very similar to the system that the city has now. It would be physically built a little different with square basins that are in a ditch system.

The cost difference for operation expenses to run a mechanical plant is about \$33,000 more than a lagoon system per year. It breaks down to about \$44-\$49 per connection. There is funding available from a couple different sources. The medium household income for Albion is \$31,111. This makes Albion eligible for an interest rate of 2% plus another 1% for administration fees for the State Revolving Fund. JEO based their figures on a 5% rate. The City could extend their loan out to a 20 year term, and would make Albion eligible for a grant of \$250,000. The city would fall in the intermediate rate category for a loan with the USDA. Albion would be eligible for up to 45% of the grant with the stipulation that the grant will kick in after the City charges a minimum monthly charge per user which would be around \$30-\$35 per connection. If the City were to decide what system they wanted today, it would be up and going in spring 2012. This report is a final draft for the council to review and make a decision, and JEO would like to have it finalized within 60-90 days so it can be submitted to the funding agencies. Mayor Jarecki suggested that the type of system should be decided first, and the rest will fall into place. The council will discuss at the budget meeting on July 28 at 7 p.m.

### **5. CONSIDER PAY APPLICATION #010 FROM ASCHOFF CONSTRUCTION, INC**

Aschoff's portion of the construction is finished. There are some issues with subs that are being taken care of. Warner made a motion to pay Application #010 in the amount of \$25,958.76, seconded by Hoefer. **Vote: Yeas; Rasmussen, Riedmiller, Warner, Hoefer. Nays; None.**

### **8. CITY ADMINISTRATOR REPORT**

#### **Water/Sewer:**

- a. The electrical service to the lift station by the Fire Hall is complete. Joe Luettel is currently evaluating water tightness of the sewer extension.
- b. Awaiting re-approval of potential water well site.

#### **Streets:**

- a. We've begun weekly spraying of mosquitoes to mitigate adverse affects to public health.
- b. Castle Construction in town to begin removals for projects. Affected property owners were sent letters of notification.

#### **Parks:**

- a. The parks are being very well maintained.

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- b. 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:**

- a. The third quarter has come to a close and I am working on reconciling bank statements, preparing financial statements, and getting information from department heads so that I can begin putting a budget together. Budget workshops will be held July 28<sup>th</sup> @ 7:00pm and August 22 @ 8:30am.
- b. Hanna:Keelan will have a booth at the fair on the 14<sup>th</sup> so that the general public can see illustrations concerning the comprehensive plan. They will also be making a presentation to the Council at the August meeting.
- c. Representatives from NPPD and DED will be in Boone County on July 15<sup>th</sup> to evaluate potential Economic Development sites.
- d. Also on July 15<sup>th</sup> there will be a brief presentation on social networking media to be made at the Cornerstone Bank Community Room.

### **Budget/Treasurers Report:**

See financial trending analysis and graphs based on historical annual data. Will be discussed more at budget workshops.

### **10. CONSIDER RESOLUTION 110(09) ESTABLISHING UTILITY RATES**

Clerk Devine had some information from the Nebraska Rural Water Association regarding rates and increases. Devine's proposing to raise the sewer rate to \$32.00 for a flat fee or \$16.00 per month. The sewer fund will show a net increase, at budget time the council can decide to put that money into its own reserve account. We can discuss this with the accountants. Councilman Warner introduced Resolution 110(09)-City of Albion provide that the rates for utilities may be established by resolution as stated in the attachments 1, 2, & 3, seconded by Rasmussen. **Vote: Yeas; Riedmiller, Warner, Hoefler, Rasmussen. Nays; None.**

### **11. APPROVE BILLS**

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

### **12. CONSIDER RESOLUTION 112(09) ESTABLISHING VARIANCE APPLICATION FEES, AND ADDITIONAL FEES FOR REQUESTING SPECIAL PUBLIC HEARING MEETINGS AS RECOMMENDED BY THE OF BOARD OF ADJUSTMENT**

Board of Adjustment had a meeting on June 29, 2009, and they have decided to hold meetings on a quarterly basis. They are recommending that Council approve increasing the cost of variance request fees from \$25 plus postage to \$100 plus postage for public notification due to the administrative time involved. If the property owner requesting the variance doesn't want to wait until the quarterly meeting, there will be a premium fee of \$200 for an emergency meeting. There are steps that are required to be taken to have a Board of Adjustment meeting:

- Notification to property owners within 300 of that property prior to two weeks before the meeting. This involves going to the County Assessor's office and researching the Cadastral Map to acquire names/addresses of each property owner.
- Publishing Hearing Notice two weeks prior to the hearing.
- Coordinating all the Board Members to have a quorum for the Hearing.

Councilman Hoefler made a motion to introduce Resolution 112(09), seconded by Rasmussen. **Vote: Yeas; Warner, Rasmussen, Hoefler, Riedmiller. Nays; None.**

### **14. CONSIDER RESOLUTION 113(09) ESTABLISHING CITY FEES FOR CERTAIN SERVICES PROVIDED**

The State of Nebraska is requiring all municipalities to have a licensed animal control facility or to contract with a licensed animal control facility. The local vet clinics are not interested in becoming licensed for animal control facilities. Devine is proposing to raise and establish the following fees:

- Dog Licenses from \$6 to \$10
- Late renewals for dog licenses from \$18 to \$20
- Dog Impound fee from \$5/day to \$20/day with a boarding fee of \$25.00 to be paid before the impounded can be released.

Police Chief Lipker thinks that a kennel can be put together that would hold 1-2 dogs for around \$1,000. Upkeep would include dog food, electricity for a heated dish in winter. Devine needs to respond back to the state by August 30, 2009. Any dogs that are still impounded after 5 days will be eligible for public adoption. Councilman Rasmussen introduced Resolution 113(09) Establishing City Fees for Certain Services Provided, seconded by Hoefler. **Vote: Yeas; Hoefler, Rasmussen, Riedmiller, Warner. Nays; None.**

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**15. DISCUSS ITEMS TO PLACE ON NEXT MEETING AGENDA**

- Budget Workshop Dates: July 28, 2009 at 7:00 p.m. and August 22, 2009 at 8:30 a.m. with Terry Galloway.
- Warner asked if the trees on Fairview can be trimmed-there are some west of the hospital on 7<sup>th</sup> or 8<sup>th</sup>. Hoefer said that the trees on 3<sup>rd</sup> and 4<sup>th</sup> are low enough to hit the roof of a vehicle. Devine will talk to Jim Bader about this.
- On 7<sup>th</sup> and Fairview the street is breaking up pretty bad. Devine said that there is an issue at that spot, it has been repaired a few times. He will discuss with City Engineer.

**18. ADJOURN**

At 10:05 p.m. Councilman Warner made a motion to adjourn, seconded by Riedmiller. **Vote: Yeas; Warner, Hoefer, Rasmussen, Riedmiller. 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.

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Jim Jarecki, Mayor

ATTEST:

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Andrew Devine, City Clerk