

**MINUTES
ALBION CITY COUNCIL
SPECIAL MEETING
TUESDAY, AUGUST 22, 2009**

A Special Meeting of the Albion City Council of the City of Albion, Nebraska was convened in open and public session at 8:30 a.m., on August 22, 2009 in the Council Chambers. Present were Mayor James Jarecki, Councilmembers Rasmussen, Riedmiller, Warner, absent was Hoefler. City Employees present were City Administrator Devine, City Code Official Barb Hanson, News Media Jim Dickerson with the Albion News. Others present were Terry Galloway with AMGL, and Gene Atwood. 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 11, 2009 MEETING

Councilman Riedmiller made a motion to approve the minutes from the August 11, 2009 meeting, seconded by Rasmussen. **Vote: Yeas; Warner, Rasmussen, Riedmiller. Nays; None. Absent; Hoefler.**

4. BUDGET WORKSHOP WITH TERRY GALLOWAY

Devine met the heads from the Library and Fire Department and some changes were made in those departments. Devine received the Certification of Valuation from the County Assessor. The valuation has changed from \$106,000 to \$67,000. This is because Valero paid their accelerated personal property tax for 2009 in 2009 rather than paying when due in 2010. The tax asking had to be adjusted accordingly. Terry said that you need to look at the levy, not the property tax asking. Last year the General Levy fund was 39.71, Terry is proposing 40.52 for this year, which is a 5% increase. If the amount of personal property tax that would be in the account for valuation, the City's valuation would be \$98 million, which is down \$8 million due to depreciation of the ethanol plant personal property. The council would like to have the levy left at where it currently is, which will put the budgeted cash reserve at 45% of annual expenditures or \$770,000.

8. CONSIDER PRIVATE DRIVE PERMIT APPLICATION OF CHURCH OF CHRIST

Church of Christ had started paving on their parking with having a permit. Councilman Riedmiller made a motion to approve Private Drive Permit for the Church of Christ, seconded by Warner. **Vote: Yeas; Rasmussen, Riedmiller, Warner. Nays; None. Absent; Hoefler.**

7. 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 asked Barb to come up with some kind of a dollar amount from the city to be paid monthly to the County to offset utilities, etc. Devine said that Barb can use/take paper, stamps, envelopes from the City Offices. Barb will get with the County to come up with a dollar amount and will bring it to the council.

5. DISCUSS WASTE WATER TREATMENT FACILITY SITE PRIORITIZATION

Rasmussen asked if there were any setback requirements from the river. Barb said that she will look into this and report back to Devine. Warner has heard comments from several people that were not in favor of the lagoon system. There is concern as to how the affluent will affect the land in the 5-10 year range. Devine will contact other cities that have lagoon systems to see how the system has been working for them. There is also concern as to how close the lagoon can be to a river or water source. Devine, Hoefler, Rasmussen and Luettel reviewed the site rankings last week. Barb asked if there will be a public hearing regarding the lagoon system. Devine said that there will be a public hearing for the Conditional Use Permit. Rasmussen said that all City Council meetings are open to public and they are welcome to come. When the time comes to where the City has reached an agreement with the property owner and has a purchase agreement conditional upon getting the conditional use permit, there would then be the public hearing concerning the conditional use permit. The terms would be set first, and it would then be public knowledge as to what the plans are. The option to buy land would be contingent upon the conditional use permit.

6. EMPLOYEE EVALUATION

Councilman Rasmussen made a motion to approve Employee Evaluation and Step Raise for Devine, seconded by Warner. **Vote: Yeas; Riedmiller, Warner, Rasmussen. Nays; None. Absent; Hoefler.**

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9. CONSIDER APPLICATIONS OF ANDREA BEISTER AND RICK MEYER TO THE ALBION FIRE DEPARTMENT

Councilman Warner made a motion to approve applications of Andrea Beister and Rick Meyer to the Albion Fire Department, seconded by Riedmiller. **Vote: Yeas; Rasmussen, Riedmiller, Warner. Nays; None. Absent; Hoefer.**

10. DISCUSS ITEMS TO PLACE ON NEXT MEETING AGENDA

Devine said that has been some issues with the Hospital on there project. The Hospital's contractor has not been building the City's water and sewer lines as the Hospital's engineer specified. They are also not giving the City's Water Commissioner an opportunity to inspect the work before they cover it up with dirt. Luettel met with Terry Brown at the hospital. Terry is the engineer who developed the specs. Luettel said there is a service line going into the manhole on 7th & Fuller. The contractors put in a new manhole up a little farther on 7th street with a higher elevation. There is question as to whether or not the service line will work now. The service line comes from Fox's house south of the hospital. The Mayor said that the blueprints have stated on them that service lines are not located. The specs stated that the new manhole should've been the same elevation as the old one, and it wasn't. Warner said that if there are that many issues, and the work is not being done to specs, construction needs to be stopped until things are done right and fixed to specs. The Mayor said that they can be made to tear it up and do it correctly, or be liable for any future problems or back ups. Warner would like to have a meeting with the engineers and hospital. Devine will get a meeting set up early this week.

- The next meeting will be on September 8th at 7:30 p.m.
- Rasmussen said that east of the bike there is a getting to be a mud/water hole.
- The budget hearing will be at the next meeting.

9. ADJOURN

At 10:44 a.m. Councilman Warner made a motion to adjourn, seconded by Riedmiller. **Vote: Yeas; Warner, Rasmussen, Riedmiller. Nays; None. Absent; Hoefer**

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