

**MINUTES
ALBION CITY COUNCIL
REGULAR MEETING
SEPTEMBER 9, 2008
7:30 P.M. CITY HALL**

A Regular meeting of the Mayor and Council of the City of Albion, Nebraska was convened in open and public session at 7:30 P.M., on September 9, 2008 at Albion City Hall. Public Hearings for the 2007/2008 Budget Amendment and 2008/2009 Budget Adoption were simultaneously opened and convened at 7:30 p.m. by Mayor James Jarecki. Present were: Mayor Jarecki, Councilmembers Rasmussen, Cox, Hoefler, also present were: City Clerk Devine, Attorney Bird, Jim Dickerson with Albion News, city employees: Knust, Luettel, others present were Terry Galloway. Notice of this meeting was simultaneously given to the Mayor and all members of the Council and a copy of their acknowledgment of receipt of the notice is attached to these minutes. Availability of the agenda of this meeting was communicated in advance notice to the Mayor and Council. Notice of this meeting was given in advance by publication, a designated method for giving notice, a copy of publication being attached to these minutes. All proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public.

4. Councilman Cox made a motion to approve the minutes of the August 18, 2008 meeting, seconded by Hoefler. **Vote: Yeas; Rasmussen, Hoefler, Cox. Nays; None. Absent; Riedmiller.**

5. Mayor Jarecki opened the public hearing for the 2007/2008 Budget Amendment at 7:30 p.m. Councilman Hoefler made a motion to approve Resolution 120(08)-Amending 2007/2008 Budget, seconded by Rasmussen. **Vote: Yeas; Rasmussen, Hoefler, Cox. Nays; None. Absent; Riedmiller.**

6. Mayor Jarecki opened the public hearing for the 2008/2009 Budget Adoption at 7:30 p.m. As previously discussed at the budget workshop the enclosed budget will leave the combined City and Airport levy unchanged at .4204 per \$100 valuation. However, although the Airport Authority uses the City levy authority, they file their own budget statement with the state so the levy amount of the City levy is shown without the Airport levy as .40759 on the City Budget Summary. The Airport levy of .01281 added to the City levy of .40759 produces the combined Levy of .4204, which is the same as the previous three years. The employee cost of living increases that have been presented were calculated using the same 4.2% CPI factor used for 2008-2009 water rate increases. These increases are factored into the budget already Clerk Devine thought it would be good for the council to see the details of those increases and explicitly approve those cost of living increases within the overall budget. Rasmussen questioned the 4.2% Cost of Living increase and how the cost of health insurance plays into this number since the city pays for the health insurance. Clerk Devine expressed that health insurance benefit premiums were not figured into the Cost of Living Adjustment calculations that were presented. Clerk Devine will look into this. Terry Galloway/Clerk Devine reviewed cash reserves. The cash reserve budgeted for the general fund is \$56,000, which is intended to remain as a cash reserve to off set valuation decreases in future years. This will help stabilize property tax rates in 2-3 years. Funds will be transferred from water department to a sinking fund for the fourth well development. The sewer use fee increases are intended offset future debt for the wastewater treatment plant. Jim Dickerson of Albion expressed that in the future he would like to see sinking funds established with surplus funds for swimming pool renovation and future annexations. The City has not had a balanced budget for several years.

(A) Councilman Hoefler made a motion to approve Resolution 121(08)-2008/2009 Property Tax Request, seconded by Cox. **Vote: Yeas; Hoefler, Rasmussen, Cox. Nays; None. Absent; Riedmiller.**

(B) Councilman Rasmussen made a motion to table this item until the September 29, 2008 meeting, seconded by Cox. **Vote: Yeas; Cox, Hoefler, Rasmussen. Nays; None. Absent; Riedmiller.**

(C) Councilman Hoefler made a motion to approve and adopt the 2008/2009 Budget, seconded by Cox. **Vote: Yeas; Hoefler, Rasmussen, Cox. Nays; None. Absent; Riedmiller.**

7 & 8. These items will be reviewed/discussed at a later time when Mr. Zwingman can make it to the meeting.

9. The only change on the agreement is that the rates have changed. Councilman Cox made a motion to approve the Interlocal Agreement with Boone Central Schools use of the Sports Complex and authorize the Mayor to sign the agreement, seconded by Hoefler. **Vote: Yeas; Rasmussen, Cox, Hoefler. Nays; None. Absent; Riedmiller.**

10. Darren Wright has been working with Clerk Devine on the Building Code administrative provisions. Ord. 182(08)s sets up definitions for specific provisions such as time lengths on permits, etc. They worked on setting up the department of building inspections. This replaces the building inspector position with a code official that enforces the department of building inspections. One code official would deal with fire code, sewer code, electrical code and building code, including residential, property maintenance, and existing building codes. The fees will need to adjusted/reviewed and set before this Ordinance would set into place. Ord. 183(08) states that the City Electrical Code will be the same as the state electrical code. Ord 184(08) states that there will not be a city electrical inspector-this will fall under the part of the code official duties. Ord 185(08) specifies inspections/investigations for the code official and changing fees to match permits.

MINUTES – ALBION CITY COUNCIL – REGULAR MEETING SEPTEMBER 9, 2008

Ord. 186(08) addresses the sewer installation and permits required for this.

Devine discussed the possibility of sharing a person with the county to help cushion the cost. The city's cost will be recouped from fees. Discussions with County officials will need to take place concerning this issue.

Councilman Cox introduced Ordinance 182(08)-Adopting Section 8-101.1 of the Albion City Ordinances and Providing an Effective Date, seconded by Hoefler. Clerk Devine read the first reading of Ord. 182(08). **Vote: Yeas; Cox, Rasmussen, Hoefler. Nays; None. Absent; Riedmiller.**

Councilman Hoefler introduced Ordinance 183(08)-Repealing Section 8-104 of the Municipal Code and Replacing 8-104 of the Municipal Code Allowing for the Adoption of the State Electrical Code, seconded by Cox. Clerk Devine read the first reading of Ord. 183(08). **Vote: Yeas; Rasmussen, Cox, Hoefler. Nays; None. Absent; Riedmiller.**

Councilman Rasmussen introduced Ordinance 184(08)-Repealing Sections 8-105 and 8-106 under the Building Code under Article 8 of the Albion Municipal Code, seconded by Hoefler. Clerk Devine read the first reading of 184(08). **Vote: Yeas; Hoefler, Cox, Rasmussen. Nays; None. Absent; Riedmiller.**

Councilman Cox introduced Ordinance 185(08)-Amending Sections 8-206 and -208, seconded by Rasmussen. Clerk Devine read the first reading of 185(08) **Vote: Yeas; Cox, Rasmussen, Hoefler. Nays; None. Absent; Riedmiller.**

Councilman Rasmussen introduced Ordinance 186(08)-Amending Sections 6-405, 6-406 and 6-407, seconded by Cox. Clerk Devine read the first reading of Ord. 186(08). **Vote: Yeas; Hoefler, Rasmussen, Cox. Nays; None. Absent; Riedmiller.**

11. Clerk Devine did some research and found that in November, 2000 the City of Albion did adopt two policies-one regarding current procedures and code of conduct in conjunction with the CDBG Grant Program, and the excessive force policy which prohibits use of excessive by law enforcement. The actual documents of this adoption cannot be located, so this will be re-adopted and will need to be signed by the Mayor. Councilman Hoefler made a motion to approve the policy documents and authorize the Mayor to sign them, seconded by Cox. **Vote: Yeas; Rasmussen, Cox, Hoefler. Nays; None. Absent; Riedmiller.**

12. City Administrator's Report:

Water/Sewer:

- a. Manhole at 5th and Prairie to be replaced soon.
- b. Smoke testing to begin next week.

Streets:

- a. All major street projects are complete. There are some minor property damage issues to be taken care of by various contractors; however, these are being handled in a timely manner.
- b. The Street Department plans to repair sections of Fairview due to buckling problems.

General:

- a. Nuisance issues – The police department is in process of addressing current issues.
- b. Asphalt millings will be sorted to remove the large chunks. Jim Bader estimates that 80% of the asphalt millings will be recoverable to be used as a good aggregate for alleys/lots/holes. The asphalt millings are an asset of the City. Street fund dollars were spent to put it down and to mill it up. The plan is to use on City maintained right of ways, streets, and lots.

Budget/Treasurers Report:

See financial statements attached.

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

14. Items for next September 29, 2008 Agenda:

- Bills, COL Raises
- Items for October Regular Meeting
- Ordinances for administration of codes
 - Tree pile is getting more than just trees

15. At 8:58 pm Councilman Rasmussen made a motion to adjourn, seconded by Cox. **Vote: Yeas; Hoefler, Cox, Rasmussen. Nays; None. Absent; Riedmiller.**

MINUTES – ALBION CITY COUNCIL – REGULAR MEETING SEPTEMBER 9, 2008

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