

**MINUTES
ALBION CITY COUNCIL
REGULAR MEETING
TUESDAY, APRIL 13, 2010**

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 13, 2010 in the Council Chambers. Present were Mayor James Jarecki, Councilmembers Warner, Rasmussen, Hoefer, absent was Riedmiller. City Employees present were: Administrator Devine, City Attorney Bird, Police Chief Lipker, Water Commissioner Morearty, Utility Billing Clerk Knust, City Code Official Barb Hanson, Sewer Commissioner Luettel. Others Present were Jim Dickerson with the Albion News, Mike Grape, Judy Joy with the NENEDD, Shirley Petsche, Tim Maple, Jim Casper, Jim Wells, Dale Greek, Doug Young, Norm Thewke, Rob Rozeboom, Kim Rozeboom, John Zwingman with A.C.E.S., Curtis Luettel, Adam Texley, Kevin Carder. 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 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.

At 7:34 p.m. Mayor Jarecki opened the Public Hearing for the Blight and Substandard Declaration for Downtown Redevelopment Area #2.

At 7:34 p.m. Mayor Jarecki opened the Public Hearing for the Status Update on the Community Development Block Grant Project #08-HO-2022.

Councilman Warner made a motion to excuse Councilman Riedmiller from this meeting, seconded by Rasmussen, **Vote: Yeas; Hoefer, Warner, Rasmussen. Nays; None. Absent; Riedmiller.**

Councilman Warner made a motion to appoint Councilman Rasmussen as Council President until the next regular council meeting due to Riedmiller's absence from this meeting due to health issues, seconded by Hoefer. **Vote: Yeas; Hoefer, Rasmussen, Warner. Nays; None. Absent; Riedmiller.**

3. APPROVE THE MINUTES

- **MARCH 9, 2010 MEETING**
- **MARCH 26, 2010 MEETING**

Councilman Rasmussen made a motion to approve the minutes of the March 9, 2010 meeting, seconded by Hoefer. **Vote: Yeas; Warner, Rasmussen, Hoefer. Nays; None. Absent; Riedmiller.**

Councilman Rasmussen made a motion to approve the minutes of the March 26, 2010 meeting, seconded by Warner. **Vote: Yeas; Hoefer, Warner, Rasmussen. Nays; None. Absent; Riedmiller.**

4. CONSIDER REQUEST OF EAGLE SCOUT ROB ROZEBOOM TO COMPLETE PROJECT AT FULLER PARK

Rob would like to paint and repair picnic tables at Fuller Park. He will raise the funds for this. There are 10 tables and 2-3 benches. Rasmussen said that a few of the tables look pretty rough. Devine said that a project like this has not been budgeted for. Devine said that one of the prerequisites for this program is that it would have to be a project that the City is not already considering doing this year. Devine said that this project had not been outlined as a project, but it is a great idea. Rasmussen said that if Rob is willing to raise the funds needed, the City should approve it. Devine said that if the project budget goes beyond what Rob was planning, the City can help with fundraising. Devine asked if there was a requirement for signoff once the project is complete, and Rob said that there was. Councilman Warner made a motion to approve the Request of Eagle Scout Rob Rozeboom to Complete Project at Fuller Park, and authorize Clerk Devine to sign off on the project when it is completed, seconded by Rasmussen. **Vote; Yeas; Rasmussen, Warner, Hoefer. Nays; None. Absent; Riedmiller.**

5. OPEN 2010 LAWN CARE BIDS AND CONSIDER FOR APPROVAL AND AWARD OF CONTRACT

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At 7:39 p.m. Mayor Jarecki excused himself from the meeting during this item as he has an interest in the bid. Attorney Bird opened two sealed bids that Clerk Devine received on April 13, 2010. Bird opened bid from Jarecki Lawncare first in the amount of \$9,101.03. The second one that was opened was from Schrad's K-Lawn in the amount of \$9,918.00. The option of Grub Control is \$1,468.00, for a total of \$11,386. The option of weed control at the Sports Complex is \$868.00. Jarecki's bid included grub control and weed control at the Sports Complex. The Councilmembers reviewed the bids. Rasmussen asked if there were any other discussion. Councilman Warner made a motion to accept Jarecki Lawncare's bid of 9,101.03 for City and Sports Complex as the lowest responsible bid, seconded by Hoefer. **Vote: Yeas; Hoefer, Rasmussen, Warner. Nays; None. Absent; Riedmiller.**

At 7:44 p.m. Mayor Jarecki returned to the meeting.

6. STATUS UPDATE ON SDBG PROJECT #08-HO-2022- NORTHEAST NEBRASKA ECONOMIC DEVELOPMENT DISTRICT

Judy Joy with the NENEDD said that they have received 35 applicants for grants. They mailed out applications to these 35 people, and twelve did not send it back in. Eight people withdrew their applications for various reasons. Five people did not qualify because they were over the income limits. One property was not economically feasible to repair, one application was incomplete. There are three projects under construction, two projects have been contracted out, and three that are ready to be presented to the board for approval. NENEDD might have to ask for grant extension on these projects due to the inclement weather this winter.

At 9:17 p.m. Councilman Hoefer made a motion to close the Public Hearing on the CDBG Project #08-HO-2022-NENEDD, seconded by Rasmussen. **Vote: Yeas; Warner, Rasmussen, Hoefer. Nays; None. Absent; Riedmiller.**

7. CONSIDER RESOLUTION 105(10)-DECLARING A CERTAIN AREA TO BE BLIGHTED AND SUBSTANDARD AND IN NEED OF REDEVELOPMENT

This is for the triangular downtown, the blight study that Hanna:Keelan done for the City of Albion. This has been approved by the Planning Commission. This is an opportunity to utilize TIF funds for the downtown area.

At 9:14 p.m. Councilman Rasmussen made a motion to close the Public Hearing on the Blight and Substandard Declaration, seconded by Warner. **Vote: Yeas; Hoefer, Rasmussen, Warner. Nays; None. Absent; Riedmiller.**

Councilman Rasmussen made a motion to introduce Resolution 105(10)-Declaring a Certain Area to Be Blighted and Substandard and in Need of Redevelopment, seconded by Warner. **Vote: Yeas; Warner, Rasmussen, Hoefer. Nays; None. Absent; Riedmiller.**

8. CONSIDER RESOLUTION 106(10)- UPDATING THE CITY OF ALBION CITIZEN PARTICIPATION PLAN

This is to update and clarify the Citizen Participation Process, and is a requirement of the CDBG Program. It was previously passed in 1998. Councilman Rasmussen made a motion to Introduce Resolution 106(10)-Updating The City Of Albion Citizen Participation Plan, seconded by Hoefer. **Vote: Yeas; Warner, Hoefer, Rasmussen. Nays; None. Absent; Riedmiller.**

9. CONSIDER APPROVAL OF RESOLUTION 107(10)- DECLARING PARKING PROHIBITION ON PUBLIC STREET

This would prohibit parking on the east side of 8th Street where the new hospital parking lot is located. Chief Lipker said that this is a seasonal issue during the pool season. Chief Lipker said that this is a sight issue for pedestrians and bikes. Councilman Warner made a motion to introduce Resolution 107(10)-Declaring Parking Prohibition on Public Streets, seconded by Rasmussen. **Vote: Yeas; Hoefer, Rasmussen, Warner. Nays; None. Absent; Riedmiller.**

10. CONSIDER ORDINANCE 196(10)- CREATING THE COMMUNITY REDEVELOPMENT AUTHORITY OF THE CITY OF ALBION

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Councilman Hoefer made a motion to introduce Ordinance 196(10)-Creating the Community Redevelopment Authority of the City of Albion. Clerk Devine read the first reading of Ord. 196(10). Councilman Warner made a motion to suspend the rules, seconded by Hoefer. **Vote: Yeas; Rasmussen, Hoefer, Warner. Nays; None. Absent; Riedmiller.** The statutory rules being suspended, the Mayor instructed Clerk Devine to read the ordinance for the second and third time. Clerk Devine read the Ordinance by title for the second and third times. Council Member Walt Hoefer moved for final passage of the Ordinance. Council Member Lanny Rasmussen seconded the motion. The Mayor asked if there was any other discussion on the Ordinance. There being none Council Member Walt Hoefer called for the question. Mayor Jarecki then declared: “ORDINANCE NO 196(10) HAVING BEEN READ BY TITLE THREE DIFFERENT TIMES, THE RULES HAVE BEEN SUSPENDED, THE QUESTION IS “SHALL ORDINANCE NO 196(10) FINALLY PASS?” On roll call vote, the following Council Members voted in favor of the motion: DAVID WARNER, LANNY RASMUSSEN, WALT HOEFER; the following Members voted against the motion: NONE; the following Members were absent or did not vote: JAMES RIEDMILLER. The passage of the CRA Ordinance having been agreed upon by a majority of the Council, the Mayor declared the CRA Ordinance passed and signed the ordinance in the presence of the Council, and the Clerk attested to its passage by also signing the same.

11. CONSIDER CRA APPROVAL OF ENGAGEMENT LETTER FOR SERVICES OF GILMORE & BELL, P.C.

This is an engagement letter between the City’s CRA and Gilmore & Bell acknowledging the engagement for the redevelopment process for downtown Albion. The City has worked with Gilmore & Bell previously, and have a good working relationship with them. Councilman Rasmussen made a motion to authorize the Mayor to execute the Engagement Letter for Services of Gilmore & Bell, P.C., seconded by Warner. **Vote: Yeas; Warner, Rasmussen, Hoefer. Nays; None. Absent; Riedmiller.**

12. CONSIDER APPROVAL OF REQUEST TO TEMPORARILY CLOSE DOWNTOWN STREETS FOR A CAR SHOW ON SATURDAY, JUNE 19, 2010

Doug Young said that this will be from 8 a.m. to 2 p.m. If there are less cars, the area of street closure will be less than requested. Thewke asked if that will interfere with businesses on Saturday. Doug said that he has talked to most of the business owners. Thewke has a concern that bringing in too many cars will take up parking spaces. Jim Wells said to give it a shot this year and see how it goes. Councilman Hoefer made a motion to approve Temporarily Closing the Downtown Streets for a Car Show on Saturday, June 19, 2010 from 8 a.m. to 2 p.m., seconded by Rasmussen. **Vote: Yeas; Rasmussen, Warner, Hoefer. Nays; None. Absent; Riedmiller.**

13. CONSIDER APPROVAL OF REQUEST TO TEMPORARILY CLOSE DOWNTOWN STREETS FOR A COMMUNITY CELEBRATION ON SATURDAY, AUGUST 28, 2010 FROM 7 A.M. TO SUNDAY, AUGUST 29, 2010 AT 1 A.M.

Shirley Petsche said that there aren’t any intersections involved. It would be from Main Street to Church Street. Shirley said that the Chamber is trying to support the businesses, and to draw people downtown. The streets will be barricaded at 7 am to allow grillers to be able to get started. Warner asked if it is a sanctioned event. Shirley said that it is. Tim Maple is working on it. Shirley has obtained signatures from area businesses along that street. Councilman Warner made a motion to close the Downtown Streets for a Community Celebration on Saturday, August 28, 2010 from 7 a.m. to Sunday, August 29, 2010 at 1 a.m., seconded by Rasmussen. **Vote: Yeas; Hoefer, Rasmussen, Warner. Nays; None. Absent; Riedmiller.**

14. CONSIDER APPROVAL OF REQUEST TO TEMPORARILY CLOSE DOWNTOWN STREETS FOR AN AUCTION ON SATURDAY, APRIL 24th, 2010

The street will be closed on 4th Street from Market to just north of Rubi’s Café. Councilman Rasmussen made a motion to approve Temporarily Close Downtown Streets for an Auction on Saturday, April, 24, 2010, seconded by Hoefer. **Vote: Yeas; Warner, Rasmussen, Hoefer. Nays; None. Absent; Riedmiller.**

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15. ADMINISTRATOR REPORT

Parks:

Will be getting the camp site expansion project underway asap.

Streets:

Most potholes in town are already filled. It has helped that we are able to keep patching material inside at the old fire hall. It doesn't require heating and it fills much better.

A repair was completed near the intersection of 11th and Martin. This had been patched last year as a temporary fix, but a section was completely removed and replaced last week. Other repair projects slated for the summer are:

6th and Marengo

7th and Fairview

Other:

Department of Economic Development was in Albion for a Mock prospect visit on April 8th, 2010. This was a good practice run of how we might host a prospective industry. We received tremendous support from local partners: Nebraska Central Railroad, Frontier Communications, NPPD, Cornhusker Public Power, SourceGas, Central Community College, Valero Energy, and Albion Economic Development all had a representative present for the visit and helped sell our community.

AEDC is working very hard on a project to install two new landscaped "Albion" signs at the North and South Entrances of town as well as re-skinning the signs at the East and West Entrances. Total estimated cost is \$28,000. AEDC is asking that the City dedicate the \$23,000 in Mansfield Grant funds be reserved for this project and they would then propose to fund the rest with the Economic Development Sales Tax Funds.

16. REVIEW IDENTITY THEFT PREVENTION PROGRAM REPORT

Clerk Devine read the Identity Threat Prevention Program Report. There has not been any Identity Threats to report.

17. CITY CODE OFFICIAL REPORT

Hanson said that were not any Plumber's Licenses issued in March. There were a couple building permits issued. Hanson has not had time to work on the Property Maintenance Program. Hanson has an application for the wind plant to complete and then she will have time to dedicate to the Property Maintenance Program.

18. CONSIDER CONTRACT WITH A.C.E.S. FOR WELL DESIGN

Devine reviewed what all is and isn't covered in the contract. The estimated cost with the standby generator is \$250,000. The standby generator costs around \$65,000. The City is looking at 20% matching funds from the state, or around \$50,000. Councilman Rasmussen made a motion to approve the Contract with A.C.E.S. and Authorize the Mayor to sign, seconded by Warner. **Vote: Yeas; Hoefler, Warner, Rasmussen. Nays; None. Absent; Riedmiller.**

19. CONSIDER PLANS AND SPECS OF NEW WELL PROJECT FOR APPROVAL AND AUTHORIZATION TO ADVERTISE FOR BIDS

The total estimated project cost is \$250,000. The well itself is about \$70,000, the wellhouse will have a fluoridation/chemical room, and a standby generator room, and has an estimated cost of \$70,000. Ron asked about poured walls, there is a concern with insulation with that. They are a little more expensive, but it will have a good life expectancy. The louvers will allow cold to get in, but they will be better than the ones at the

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sewer plant. There will be louvers in the chemical room and generator room, just enough to meet the requirements for circulation. John said that there will be a heater in the generator room. The generator will be diesel ran, not natural gas. It will have a 250 hp, 4 cycle, inline, 6 cylinder diesel, Cummins motor. Zwingman didn't think that there would be a need to have it full of fuel in the summer, but it wouldn't be a bad idea to keep it full of fuel in the winter. The current road is an old temporary easement. John asked if the council wants to make it a permanent road with gravel. Devine will speak with the property owner and go from there. Devine will discuss this at the next meeting with the council. There will be gravel parking outside of the wellhouse. There will need to be some dirtwork done for the parking pad, which is estimated at \$10,000. The controls are estimated at \$25,000. Transmission main will run about \$10,000. The wellhouse will be 38' x 24'. The larger generator would cost around \$14,000 more. The Council asked to include a bid for natural gas generator as a base, and diesel as the alternate. The well will pump out 1,300 gallons, with a 150 hp well. Zwingman talked with Steve McNulty, and the requirements/specs for the Davis Bacon Act are in place. The bid opening will be June 1st, 2010 at 2:30 p.m. Councilman Hoefler made a motion to approve the Plans and Specs with the modifications discussed and authorize advertising for bids in the local newspaper with the bid opening on June 1st, 2010 at 2:30 p.m., seconded by Warner. **Vote: Yeas; Rasmussen, Warner, Hoefler. Nays; None. Absent; Riedmiller.**

20. CONSIDER REQUEST OF AEDC FOR RELEASE OF SALES TAX FUNDS FOR ECONOMIC DEVELOPMENT PROGRAM ACTIVITIES

The AEDC approved to fund the improvements to the campgrounds in hopes of capturing some of the contract workers from the turbine workers, along with campers in general. There will be signs put up on the outskirts of town. They will be placed on the south end of town by Kayton's Int'l, and the north one hasn't been decided yet. Councilman Hoefler made a motion to approve the Request of AEDC for Release of Sales Tax Funds for Economic Development Program Activities, seconded by Warner. **Vote: Yeas; Rasmussen, Warner, Hoefler. Nays; None. Absent; Riedmiller.**

21. CONSIDER BILLS FOR APPROVAL

- **GENERAL MONTHLY BILLS AS PRESENTED**
- **BILLS FOR CDBG OWNER OCCUPIED REHAB PROGRAM-NENEDD, SWERCZEK HOME IMPROVEMENT, CARHART KITCHEN & BATH**

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

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

22. EMPLOYEE EVALUATIONS

Councilman Rasmussen made a motion to approve Employee Evaluations for Bader and Knust, seconded by Hoefler. **Vote: Yeas; Warner, Rasmussen, Hoefler. Nays; None. Absent; Riedmiller.**

23. CONSIDER APPROVAL OF RESTATED RETIREMENT PLAN TO UPDATE THE PLAN FOR NEW LEGISLATION AND AUTHORIZATION TO EXECUTE ALL NECESSARY DOCUMENTS

It's time to restate our plan documents and report them to the IRS. The IRS will give the City a letter of determination which puts the City's plan into standing. There are no material changes to the plan. Councilman Warner made a motion to approve restate the retirement plan documents and authorize the Mayor to sign, seconded by Hoefler. **Vote: Yeas; Rasmussen, Hoefler, Warner. Nays; None. Absent; Riedmiller.**

24. ADJOURN

Attorney Bird said that during the dates that the downtown streets will be closed, business owners can place a sign in front of their business to state that parking is for that businesses customers only.

At 9:26 p.m. Councilman Hoefler made a motion to adjourn, seconded by Warner. **Vote: Yeas; Rasmussen, Warner, Hoefler. Nays; None. Absent; Riedmiller.**

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

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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