

**MINUTES
ALBION CITY COUNCIL
REGULAR MEETING
TUESDAY, JUNE 8, 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 June 8, 2010 in the Council Chambers. Present were Mayor James Jarecki, Councilmembers Rasmussen, Hoefer, Warner, Riedmiller. City Employees present were: Administrator Devine, City Attorney Bird, Police Chief Lipker, Sewer Commissioner Luettel, Water Utility Billing Clerk Knust, and Water Commissioner Morearty. Others Present were Jim Dickerson with the Albion News, Ross Massengale, Shirley Petsche, Lonnie Dickson, Marc Abbott, Carrol Anderson, Kim Rozeboom, Mike Grape, John Zwingman, and Rob Rozeboom. 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

- **MAY 11, 2010 MEETING**
- **MAY 25, 2010 MEETING**

Councilman Warner made a motion to approve the minutes of the May 11 and May 25, 2010 meetings, seconded by Riedmiller. **Vote: Yeas; Rasmussen, Warner, Hoefer, Riedmiller. Nays; None.**

**4. CONSIDER APPLICATION FOR PRIVATE DRIVE OF ROSS MASSENGALE,
326 S 6TH STREET**

Councilman Warner made a motion to approve Application of Ross Massengale at 326 South 6th Street for a private drive, seconded by Hoefer. **Vote: Yeas; Rasmussen, Riedmiller, Hoefer, Warner.**

5. CONFIRM MAY 25, 2010 APPROVAL OF CWR INC. APPLICATION FOR SPECIAL DESIGNATED LICENSE FOR EVENT ON JUNE 12, 2010

Brian Rasmussen turned in a completed supplemental form, and he did notify all the neighbors of the event. Not all the neighbors signed the form. Clerk Devine accepted the form as complete and released approval letter to Brian. This agenda item is to clarify the council's intent to allow the event as presented on 05/25/2010, although 100% of the signatures were not received. Councilman Warner made a motion to approve CWR, Incorporated's Application for Special Designated License for event on June 12, 2010, seconded by Rasmussen. **Vote: Yeas; Riedmiller, Hoefer, Rasmussen, Warner. Nays; None.**

6. CONSIDER SPECIAL DESIGNATED LICENSE REQUEST OF ALBION CHAMBER OF COMMERCE FOR RHYTHM AND RIBS EVENT ON AUGUST 28, 2010

There is a map of the area, the council has already approved the blocking of the street for that area. The area will be fenced off. Councilman Riedmiller made a motion to approve Special Designated License Request of Albion Chamber of Commerce for Rhythm and Ribs

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Event on August 28, 2010, seconded by Rasmussen. **Vote: Yeas; Rasmussen, Hoefer, Riedmiller, Warner. Nays; None.**

7. REVIEW BID TABULATION FOR WATER WELL PROJECT AND CONSIDER FOR AWARD OF CONTRACT

The original estimate on this project was \$250,000. The lowest bid came in at \$341,721.00. The cost of the room for fuel fill, exhaust, and generator were underestimated. The louvers for the generator room are fairly expensive. The spec was for a Cummins power generator unit. There is an alternate for a Kohler engine. Zwingman did not have time to review the Kohler engine to see how it would compare to a Cummins. John will meet with the contractors and do some value engineering. This will break down the line items to see how much the items will cost, and will affect the project overall, but can get the cost down. John will get together with Grosch Irrigation and review the building and controls. Rasmussen asked if it is a possibility to cut out the auto start and have manual start, a mechanical back up. Zwingman does not recommend that, he said that HHS will want to have a backup generation system for the well. The State will want a timeline as to when it can be started, and when it will be completed. Grosch and Rutjens start up dates are July 5th and July 6th. Grosch's completion date is December and Rutjens is November. Councilman Rasmussen made a motion to table approval until the June 22, 2010 Special Meeting while negotiating with the apparent low bidder, seconded by Hoefer. **Vote: Yeas; Riedmiller, Warner, Rasmussen, Hoefer. Nays; None.**

8. CONSIDER PLAN OF ACTION FOR WASTEWATER TREATMENT FACILITY

There are other potential sites Southeast of town that JEO evaluated in addition to other top two sites. JEO has rules those sites out. The top priority potential site property owner declined further negotiations at this time. Devine received a call from JEO and said that the State is reviewing the ammonia limits. The limit will be quite low, to where a controlled discharge lagoon will be very difficult to maintain. This item will be tabled until the end of the meeting.

At 9:05 pm, Councilman Warner made a motion to go into executive session to discuss Real Estate strategy related to public facilities, seconded by Hoefer, and to include Joe Luettel and John Zwingman. **Vote: Yeas; Riedmiller, Hoefer, Rasmussen, Warner. Nays; None.** At 9:30 p.m. Councilman Hoefer made a motion to exit from executive session, seconded by Riedmiller. There was not any formal action taken in executive session. The strategy for acquiring real estate has changed due to site availability. Councilman Rasmussen made a motion to authorize the City Engineer to explore a mechanical plant as the City's next plan of action, seconded by Warner. **Vote: Yeas; Hoefer, Riedmiller, Warner, Rasmussen. Nays; None.** This means that study will be amended and the mechanical plant will be pursued.

9. CONSIDER TRANSFERRING TITLE OF WHITE 2000 FORD CROWN VICTORIA PATROL CAR TO THE ALBION AIRPORT AUTHORITY

Riedmiller asked what the value would be. The last car that was sold on auction brought around \$500.00. Councilman Riedmiller made a motion to approve transferring the Title of the White 2000 Ford Crown Victoria Patrol Car to the Albion Airport Authority, seconded by Hoefer. **Vote: Yeas; Warner, Riedmiller, Rasmussen, Hoefer. Nays; None.**

10. OPEN PUBLIC HEARING TO CONSIDER APPROVING THE REDEVELOPMENT CONTRACT AND A SUBSTANTIAL MODIFICATION OF THE GENERAL REDEVELOPMENT PLAN.

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- **CONSIDER RESOLUTION #110(10) A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF ALBION, NEBRASKA, APPROVING A GENERAL REDEVELOPMENT PLAN FOR A REDEVELOPMENT AREA PURSUANT TO SECTIONS 18-2101 THROUGH 18-2154, REISSUE REVISED STATUTES OF NEBRASKA.**
- **CONSIDER RESOLUTION #111(10) A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF ALBION, NEBRASKA, APPROVING A SUBSTANTIAL MODIFICATION TO A GENERAL REDEVELOPMENT PLAN FOR A REDEVELOPMENT AREA; APPROVING CERTAIN REDEVELOPMENT PROJECTS WITHIN A PROJECT AREA; AND APPROVING RELATED MATTERS.**

The Public Hearing to Consider Approving the Redevelopment Contract and A Substantial Modification of the General Redevelopment Plan was opened at 8:15 pm.

Marc Abbott with Gilmore & Bell reviewed the resolutions. Resolution 110(10) is to approve a general redevelopment plan for the downtown area. The second one is a substantial modification to the general plan. The modification is that the assessor will be notified to start dividing the tax revenues so there are TIF Revenues coming in. Last month the CRA recommended these to Planning Commission and the City Council. Councilman Hoefler made a motion to approve Resolution 110(10)-A Resolution of the Mayor and Council of the City of Albion, Nebraska, Approving a General Redevelopment Plan for a Redevelopment Area, seconded by Rasmussen. **Vote: Yeas; Rasmussen, Hoefler, Riedmiller, Warner. Nays; None.** Councilman Rasmussen made a motion to approve Resolution 111(10)-A Resolution of the Mayor and the Council of the City of Albion, Nebraska, Approving a Substantial Modification to A General Redevelopment Plan for a Redevelopment Area; And Approving Related Matters, seconded by Hoefler. **Vote: Yeas; Warner, Hoefler, Rasmussen, Riedmiller. Nays; None.**

11. **OPEN PUBLIC HEARING TO CONSIDER REQUEST OF ADMINISTRATIVE SUBDIVISION OF LANNY RASMUSSEN**

Larry said that the Planning Commission made recommendation to approve an amended Plat. The Final Plat has to be filed with the City Clerk for at least seven days before the City Council approves it, and there has to be a ten days notice of the meeting before the City can approve it. Devine said that there is a Special Meeting scheduled for June 22, 2010, and this item can be on the agenda for that meeting. Bird said that the Council can override the Planning Commission's recommendation and approve this as presented rather than forcing an amendment to the plat. Councilman Warner made a motion to approve the Plat dated April 27, 2010 as presented to the Council, seconded by Riedmiller. **Vote: Yeas; Hoefler, Warner, Riedmiller. Nays; None. Abstaining: Rasmussen.**

12. **CONSIDER MAYORAL APPOINTMENT TO ALBION POLICE DEPARTMENT**

The Mayor received three applicants. Two of them were not certified. One was certified and has 19 years experience in law enforcement. This item will be discussed at the end of this meeting.

At 9:36 p.m. Councilman Hoefler made a motion to enter into executive session to discuss police personnel; and to include Chief Lipker, seconded by Rasmussen. **Vote: Yeas; Riedmiller, Hoefler, Rasmussen, Warner. Nays; None.** At 10:03 p.m. Councilman Warner made a motion to exit from Executive Session, seconded by Riedmiller. **Vote: Yeas; Hoefler, Rasmussen, Riedmiller, Warner. Nays; None.** Councilman Warner made a motion to hire

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Danny Johnson to the Albion Police Department, seconded by Riedmiller. **Vote: Yeas; Rasmussen, Warner, Hoefler, Riedmiller. Nays; None.**

13. ADMINISTRATOR REPORT

Parks:

The Campground Expansion project is complete. The plans for a 24' x 24' Sentinel Metal Structure to be built in replacement of the shelter that was taken down for their parking has been approved. A target date for erection is by July 4, 2010.

Shade structures at the Sports Complex are also nearing completion. Weather has hindered this project a little.

I would like to prioritize a walkway project from the Good Samaritan Home to Fuller Park for next year's budget.

Boone Central students are working on a project to construct new gates for restricted access ways to the Sports Complex. There has been excessive abuse of entry points by unauthorized vehicles.

The pool opened on May 26th – it is still leaking quite a bit. JEO is planning to contact me with a price to do a review/study of our pool situation to give us a cost-benefit analysis on repair of current pool or replacement construction of a new pool.

Streets:

Maintenance Projects that are on our to do list for the summer:

6th and Marengo – should begin this week

7th and Fairview

Other:

The City has filed sign permit applications with the State Department of Roads District 3 office. Dan Schwartz is in the process of reviewing those applications.

BRAN is this coming Thursday – many community activities are happening to make this a successful event.

Alumni Weekend is also quickly approaching – there are many activities associated with that weekend as well and should be a lot of fun for the community.

Budget Performance to date is attached. The Sales Tax appears to be performing well ahead of budget, but this will adjust when transfers and bond payments are made for the fire hall in July.

Also attached is the month current Sales Tax Report – showing the monthly trend of sales tax receipts. This report is also available online www.cityofalbion-ne.com/documents/CITYSALESTAXasof2010-05-18.pdf

14. CITY CODE OFFICIAL REPORT

Hanson said that there were several building permits, and a couple plumbers' licenses. Hanson is going to break down the city into areas to work on. She would like to address the areas in most need first.

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15. ANNUAL DELINQUENT UTILITY ACCOUNT REPORT

Water Utility Billing Clerk Knust submitted a review of the delinquent accounts.

16. CONSIDER BILLS FOR APPROVAL

• **GENERAL MONTHLY BILLS AS PRESENTED**

Councilman Warner made a motion to approve the General Monthly Bills as presented, seconded by Hoefer. **Vote: Yeas; Rasmussen, Riedmiller, Warner, Hoefer. Nays; None.**

• **CDBG GRANT# 08-HO-2022 EXPENSES**

Councilman Hoefer made a motion to approve CDBG Grant #08-HO-2022 Expenses upon receipt of the funds from the state, seconded by Warner. **Vote: Yeas; Riedmiller, Warner, Hoefer, Rasmussen. Nays; None.**

17. ITEMS TO BE PUT ON NEXT MEETING AGENDA

- Next Regular meeting will be July 13, 2010
- Hanson said that she has Construction of a Private Drive, Increase from 24' to 36'
- Carrol Anderson
- Ordinance Update

18. ADJOURN

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