

**MINUTES
ALBION CITY COUNCIL
SPECIAL MEETING
TUESDAY, JUNE 22, 2010**

A Special 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 22, 2010 in the Council Chambers. Present were Mayor James Jarecki, Council members Rasmussen, Hoefler, Riedmiller, Warner. City Employees present were City Administrator Devine, Water Commissioner Morearty, Sewer Commissioner Luettel, Utility Billing Clerk Knust. Also present were Jim Dickerson with the Albion News, Don Rutten, Michael Webster, Mike Grape, John Zwingman, Tom Ketteler, Barry McCormick, Tracy McConnell.. 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 posting, a designated method for giving notice; a copy of certification of posting 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 8, 2010 REGULAR MEETING**

Councilman Riedmiller made a motion to approve the minutes of the June 8, 2010 meeting, seconded by Rasmussen. **Vote: Yeas; Councilman Hoefler, Councilman Warner, Councilman Reidmiller, Councilman Rasmussen. Nays; None.**

4. **OPEN PUBLIC HEARING TO CONSIDER NEW APPLICATION FOR LIQUOR LICENSE OF BOSSELMAN INC, DBA: PUMP & PANTRY #25, 317 W STATE STREET, ALBION, NE**

At 7:35 p.m. the Mayor opened the public hearing to Consider New Application for Liquor License of Bosselman Inc., DBA Pump & Pantry #25, 317 West State Street, Albion, NE.

Barry McCormick is the pastor of the Baptist Church. He is representing the Governing Board. They are opposing granting the liquor license for the following reasons:

1) New legislation would eliminate the 150' buffer of selling alcohol near churches, homes for the aged, or veterans that are wives or children. McCormick stated that Senator Karpisak's original reasoning for this bill was because of churches moving into vacant downtown district buildings in many towns. Downtown economic development has been stymied since restaurants and bars are unable to obtain liquor licenses. This is intended to affect new "Store Front" Churches.

2) They are opposing increasing the accessibility of alcohol sales in Albion. They can still buy alcohol elsewhere. Approving Pump & Pantry's request will increase accessibility and will likely lead to an increase in consumption and the corresponding problems associated with it.

3) They see alcohol as the source of many problems in our society, such as the breakdown of families, moral problems, driving while intoxicated, beer container litter, etc.

4) It's the next door problem. As a church, they would rather not have the sale of alcohol 20' from their back door. The church has been there since 1879. Bosselman's moved in around 1979.

Councilman Hoefler asked what the next step is. Clerk Devine said that there will be one more hearing at the State level. City Attorney Bird said that this is just a recommendation. Councilman Rasmussen said that it is too close to where kids come out of church. Councilman Warner made a motion Not to Recommend Approval of the

MINUTES – ALBION CITY COUNCIL – REGULAR MEETING JUNE 22, 2010

Liquor License Application of Bosselman, Inc., DBA Pump & Pantry #25, 317 West State Street, Albion, Nebraska, seconded by Councilman Rasmussen. **Vote: Yeas; Councilman Reidmiller, Councilman Warner, Councilman Rasmussen, Councilman Hoefler. Nays; None.**

5. REVIEW BID TABULATION, DISCUSS OPTIONS TO REDUCE COST, AND CONSIDER FOR AWARD OF CONTRACT OF WATER WELL PROJECT

John Zwingman sat down with Grosch Irrigation line by line to see where cut backs could be made.

- Do away with the soft start and bypass generation. This will save \$5-7 thousand. Tracy with Grosch Irrigation said that if the computer part of the VFD went down, it would be switched to by-pass. There would still be soft start capacity for the pump. If an off the shelf soft start were to be purchased, down time would be minimal because the parts would be more readily available than a custom made soft start.
- Have the generator outside with a block heater, which is a diesel engine. Going with a Kohler engine versus a Cummings engine. Going with an outside set with a Cummings motor will save around \$7,000; using a Kohler engine will save around \$12,000. Councilman Rasmussen asked why the generator would be needed. John Zwingman said that the generator is needed because the controls would be out there versus having the controls here at City Hall. Clerk Devine asked if it would be possible to run a right angle gear drive engine that would be natural gas, and have a PTO style generator off of that. Tracy said that a natural gas generator doesn't get up speed as fast as a diesel. Mayor Jarecki asked if the monitoring system was on a battery backup, and generator is there just to keep the batteries going, would it have to be instantaneous? Tracy said that would mean a smaller engine. Mayor Jarecki went through the back-up system that the City is wanting cost estimates for:

- a) Natural Gas Engine
- b) Right Angle Drive
- c) Small Generator just to run the controls
- d) Alarm System to dial 2-3 people in case of an outage.
- e) have motor indoors and drive line hooked up all the time
- f) manual engagement/start-up
- g) different shutters
- i) generator cost will be figured separately

- Tracy recommended to have the engine inside. Don Rutten asked if the equipment from Well # 3 can be moved to the new well and used. Mayor Jarecki said that the City will have to keep Well #3 available as a backup. The other two wells cannot be used due to the high selenium level. There would also be a cross-contamination issue there as well. Tracy commented that he would not warranty such work. If the well-house is going to bid out separately, it will need to be very detailed as to what needs to be included in with the wellhouse. Having the wellhouse bid in with the well, means one contractor. There will not be any louvers with a different generator set up. Having a wood building versus concrete will save money also. Zwingman and Tracy discussed having a smaller capacity, such as going with 1200 gal versus 1300 gal, which would drop it down to a 8" column. Well #3 is getting close to 1300 gal and it

MINUTES – ALBION CITY COUNCIL – REGULAR MEETING JUNE 22, 2010

has an 8” column. On a submersible well, the fluoride would be pumped in through a meter pit. A submersible can do whatever gallons/minute that is needed. The downfall to this is that the fluoridation will not be in something that is as nice looking as what we have now, and there wouldn’t be a backup power. Devine asked why we were discussing going down in technology on our primary water source from what we are currently using at well #3? David Warner commented that we are trying to plan for the future and possible growth. He said that we are going to have to live with this decision for quite a while.

6. OPEN PUBLIC HEARING CONCERNING AN ENGINEERING REPORT FOR CONSTRUCTION OF A MUNICIPAL WATER WELL AS REQUIRED FOR STATE REVOLVING LOAN FUNDING FROM THE NEBRASKA DEPARTMENT OF ENVIRONMENTAL QUALITY AND OTHER FUNDING AGENCIES

At 8:40 p.m., Mayor Jarecki opened the public hearing Concerning An Engineering Report for Construction of a Municipal Water Well as Required for State Revolving Loan Funding from the Nebraska Department of Environmental Quality and Other Funding Agencies. Clerk Devine said that this is to provide an opportunity to illustrate potential impact to our rate payers for a project. Devine prepared a spreadsheet illustrating several scenarios beased on different project cost estimates. The impact per user is based on 880 users. In Scenario A, a cost of project being \$250,000, their would be a potential budget impact of an average of \$12.00 per user per year if financed for 5 years. If financed for 10 or 15 years the \$250,000 scenario would have no potential impact to the budget. The spreadsheet illustrates Scenarios of \$300,000, \$350,000, and \$400,000 with varying terms of 5, 10, and 15 years. A \$400,000 project financed over 15 years would have a potential annual impact to the budget of \$4 per user on average. There is currently \$80,000 cash available that has been reserved in recent budget years for such a project. Since there is \$20,000/year budgeted for a new well, if the annual payment is \$20,000 or less, there wouldn’t be any impact on our annual budget and would not result in potential impact upon the users. At 8:50 Mayor Jarecki closed the public hearing.

7. CONSDIER SPECIAL DESIGNATED LICENSE APPLICATION OF CWR’S INC. FOR OUTDOOR BEER GARDEN ON JULY 24, 2010

The Junction would like to have a beer garden on July 24th, it’s on a Saturday night. It will be from 7 p.m. to 1 a.m. It will be fenced in. Councilman Warner made a motion to approve CWR’S Inc. request for an Outdoor Beer Garden on July 24, 2010 from 7 p.m. to 1 a.m., seconded by Councilman Reidmiller. **Vote: Yeas; Councilman Rasmussen, Councilman Hoefler, Councilman Reidmiller, Councilman Warner. Nays; None.**

8. CONSIDER INTRODUCTION AND ADOPTION OF ORDINANCE NO. 198(10) REGARDING CONSTRUCTION OF PRIVATE DRIVES

Councilman Hoefler made a motion to Table this item until the next regular meeting, seconded by Councilman Rasmussen. **Vote: Yeas; Councilman Warner, Councilman Reidmiller, Councilman Rasmussen, Councilman Hoefler. Nays; None.**

9. CONSIDER SCOPE OF SERVICES WITH ENGINEERING TEAM REGARDING WASTEWATER TREATMENT FACILITY

MINUTES – ALBION CITY COUNCIL – REGULAR MEETING JUNE 22, 2010

Roger Protzman reviewed the WWTF options. It doesn't look like a lagoon system is going to work out due to stalled negotiations with landowners. The City is now looking into going with a mechanical system. Roger said that they will need to do a flow study for the mechanical plant. He estimated it to cost around \$1,000. Protzman said that it would be beneficial to own the adjacent property. Councilman Hoefer made a motion to pursue the mechanical plant design and authorize JEO to pursue the environmental assessments, seconded by Councilman Warner. **Vote: Yeas; Councilman Reidmiller, Councilman Rasmussen, Councilman Warner, Councilman Hoefer. Nays; None.** Devine said that it will be beneficial to have a committee to approach the property owner. Luettel suggested to the Council that JEO should do their own flow study. Protzman said that they have the tapes and history of the flows, and will review them. DEQ commented about how the repairs will be made to the sewer system. He feels that City will need to report to DEQ as to how they are going to address these issues. Devine asked how confident JEO is in the current information they have about flows. Roger said that he doesn't see any issues with that information.

10. CONSIDER BILLS FOR APPROVAL

These are all for construction costs in the amount of \$24,686.00. These funds have already been received from the state. Councilman Hoefer made a motion to approve the bills for the CDBG Grant, seconded by Councilman Warner. **Vote: Yeas; Councilman Rasmussen, Councilman Reidmiller, Councilman Warner, Councilman Hoefer. Nays; None.** There is also another invoice for an ambulance. The ambulance was delivered tonight. Councilman Rasmussen made a motion to approve payment upon arrival and inspection of the ambulance, seconded by Councilman Warner. **Vote: Yeas; Councilman Reidmiller, Councilman Rasmussen, Councilman Hoefer, Councilman Warner. Nays; None.**

11. ITEMS TO BE PUT ON NEXT MEETING AGENDA

- The next meeting will be July 13, 2010
- Ordinance 198(10) for widening private drives
- Jeff Briese's property has had some flooding/drainage issues. This involves the Railroad/City/State/County
- The meeting set up with Castle will be cancelled due to weather.

12. ADJOURN

At 9:14 p.m. Councilman Hoefer made a motion to adjourn the meeting, seconded by Councilman Warner. **Vote: Yeas; Councilman Reidmiller, Councilman Warner, Councilman Hoefer, Councilman 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 within ten working days and prior to the next convened meeting of said body; that all news 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.

MINUTES – ALBION CITY COUNCIL – REGULAR MEETING JUNE 22, 2010

Jim Jarecki, Mayor

ATTEST:

Andrew Devine, City Clerk