

**MINUTES  
ALBION CITY COUNCIL  
REGULAR MEETING  
TUESDAY, FEBRUARY 9, 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 February 9, 2010 in the Council Chambers. Present were Mayor James Jarecki; Council Members Riedmiller, Hoefler, Rasmussen, absent was Warner. City Employees present were Administrator Devine, City Attorney Bird, Police Chief Lipker, Water Commissioner Morearty, Water Utility Billing Clerk Knust, Sewer Commissioner Luettel. Others present were Darrel Thorin, Shannon Landauer with the BCDA, John Zwingman, and James Dickerson of the Albion News, Don Rutten, Lonnie Smith, Milton John Smith, Randy Porter, Ed Liss, Mike Landauer, Curt Berglund. 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 7:32 p.m. Mayor Jarecki called the meeting to order and opened the public hearing for the One & Six Year Plan.

Councilman Warner was not excused from this meeting.

Mayor Jarecki called a short recess at 8:40 p.m., and the recess ended at 8:53 p.m., when John Zwingman arrived at the meeting.

**3. APPROVE THE MINUTES OF THE JANUARY 12, 2010 MEETING**

Councilman Riedmiller made a motion to approve the minutes of the January 12, 2010 meeting, seconded by Rasmussen. **Vote: Yeas; Hoefler, Rasmussen, Riedmiller. Nays; None. Absent; Warner.**

**4. DISCUSSE CITY OF ALBION ONE & SIX YEAR PLAN-DARREL THORIN**

Thorin reviewed the projects, the Salebarn Road is on the One Year Plan. Devine said that John Kennedy asked to be involved in the Plans and Specs discussions for the Salebarn Road. He has concerns about how the project will affect his business. Don Rutten asked about the One Year Project. Thorin reviewed what will be done to the Salebarn Road. Rutten asked what cost will be for project and for designing. Rutten doesn't feel that an engineer needs to be involved. Thorin said that the state requires an engineer for the project. Rutten feels that the City can do this with their own equipment to keep costs down. Thorin said that if the City were to do it without an engineer design, the City would lose funding from the state. Rutten asked if this project could be taken off the One Year Plan and the road just be maintained by the City. Thorin said that this is possible, but there are drainage issues with the road that need to be addressed. Rutten said that there are other areas in town that could use the money that will be put towards this project. Devine asked if an engineer would be needed on this project. Bird said that since it's pertaining to water flow/drainage, it is beneficial to the City to have an engineer involved for liability issues. Devine asked what Rutten's concerns were with 7<sup>th</sup> Street. Rutten to Devine that if he just drove some of the streets he would know what needs to be fixed. Devine said some of that kind of work can be done as maintenance, not as a reconstruction project and doesn't need to be on the 1 and six year plan.

**5. UPDATE ON NEW WELL PROJECT-REVIEW PLANS AND SPECS**

- **INFORM COUNCIL THAT THE CITY RECEIVED A TIER II VIOLATION FROM DHHS FOR SELENIUM LEVEL OVER THE MAXIMUM CONTAMINANT LEVEL IN THE CITY DRINKING WATER FOR THE QUARTERLY PERIOD OCTOBER 1, 2009-DECEMBER 31, 2009**

Zwingman doesn't have a set of plans, he has a response from DHHS on some designs. There are not any specs on controls yet. Reverse Osmosis Costs: Zwingman spoke with the State regarding R.O. They said that R.O. may not be the most efficient option. They discussed an Ion Exchange, there are some pilot plants

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going up around the state, and this could be an inexpensive option. One of the problems that both of these options have is the affect it will have on a lagoon sewer system.

Zwingman received specs from the control suppliers. Once Zwingman gets the specs finalized he will get them Morearty and Devine. He will have final plans at the next meeting.

Devine said that as long as the City can provide a plan to the State, the State will be ok with that. Zwingman said that there is funding available, but it would set plans back by sixty days. The project is estimated out at around \$300,000. An R.O. system would cost around \$600,000, which is rough estimate.

### **6. UPDATE ON WASTE WATER TREATMENT PROJECT**

At 9:50 p.m., Councilman Hoefer made a motion to go into executive session, seconded by Rasmussen. **Vote: Yeas; Riedmiller, Hoefer, Rasmussen. Nays; None. Absent; Warner.** At 9:57 p.m., Councilman Rasmussen made a motion to exit from executive session, seconded by Hoefer. **Vote: Yeas; Riedmiller, Hoefer, Rasmussen. Nays; None. Absent; Warner.**

### **7. CONSIDER POLICTY FOR SNOW REMOVAL**

Devine reviewed what was discussed at the last meeting regarding this item. This is just a guideline on how the City would like to see the snow removed. Devine read the Policy Statement. Bader said that he doesn't have any issues with snow being piled on the Northeast Corner from the old fire hall. John Smith had a concern with piling the snow there and not having the sidewalks clear. Devine said that the City will try to keep it off the sidewalk there as best it can. The Mayor said that this will help to respect others property and try to have snow removal go as efficient as possible. Bob Stopak has a concern with Item #2 on the guidelines. He has concerns with the business owners that have a lot of snow to remove, and what will happen if they aren't able to get the snow removed as stated in the guidelines. Devine said that this is just a guideline, and it will be nice if business owners follow it as best they can. Stopak asked about the crossings between alleys, and whose responsibility is to clean those out. Devine said that it's the City's responsibility and will try to keep those cleaned out better and in a more timely manner. Councilman Riedmiller made a motion to approve Resolutiopn 102(10), seconded by Hoefer. **Vote: Yeas; Hoefer, Rasmussen, Riedmiller. Nays; None. Absent; Warner.**

### **8. REVIEW AND CONSIDER FOR APPROVAL ANNUAL REPORT FROM ALBION HOUSING AUTHORITY**

A copy of the Albion Housing Authority's financial reports have been given to the Council. Councilman Riedmiller made a motion to approve the Annual Report from the Albion Housing Authority, seconded by Rasmussen. **Vote: Yeas; Rasmussen, Riedmiller, Hoefer. Nays; None. Absent; Warner.**

- **CONSIDER RESOLUTION 103(10) APPOINTING DENNIS MICHAEL TO ALBION HOUSING AUTHORITY**

Robert Harder has resigned from the Albion Housing Authority's Board. Dennis Michael has agreed to be appointed to fulfill the remaining term ending in 2013. Councilman Hoefer made a motion to introduce Resolution 103(10)-Appointing Dennis Michael to the Albion Housing Authority with Term Ending in 2013, seconded by Riedmiller. **Vote: Yeas; Riedmiller, Rasmussen, Hoefer. Nays; None. Absent; Warner.**

### **9. CITY ADMINISTRATOR REPORT**

- **Water/Sewer**  
John Zwingman will provide information on this when he arrives to the meeting.
- **Park**  
Jeff Bussey has agreed to return to manage the upkeep of the City's parks/facilities. The Sports Complex's shade structure plans have presented to City Code Official Hanson for review. The City is currently accepting applications for pool manager.
- **Street**  
Ice continues to be a problem. There was a blade broken last week while trying to remove ice.
- **Other Business**

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Devine has been working on an energy grant application for energy efficient doors, windows, insulations for City Hall, the old Fire Hall and the Library. Loup Power has advised there wouldn't be enough time to put in a competitive application by the February 3<sup>rd</sup> deadline. Devine will apply for this next time if there are funds available.

There are few groups trying to coordinate some 4<sup>th</sup> of July events including fundraising for community wide fireworks display on that weekend.

There is growing enthusiasm for the UNL's Architecture Program in Albion. This is a good opportunity to draw attention to our community from a development standpoint.

Hanna:Keelan has presented the Planning Commission with the draft of Goals and Action Strategies for the Comprehensive Plan along with some definition changes on the zoning ordinances. They plan to present a draft of the entire Comprehensive Plan for review/and or approval next month.

The BRAN event will be in Albion in June. Devine would like to have some campground improvements done by this time. He would like to have six more camper pads added complete with sewer hookups.

The Fairboard has requested to have pedestals placed in the area where the trees were planted so campers/tenters can utilize that area as well.

AEDC is working on a re-branding type project for Albion and the Chamber and the Community. They are working on logo development and letterhead changes, advertisements, etc.

Community Clean Up Days will be May 10 and 11<sup>th</sup>. Household Hazardous Cleanup will be May 22<sup>nd</sup>.

### **10. CITY CODE OFFICIAL REPORT**

Barb was not at the meeting.

### **11. UPDATE ON BCDA ACTIVITIES-SHANNON LANDAUER**

Shannon Landauer said that they are now accepting applications county wide for the Purchase Rehab Resale Grant. They are looking to do 5 to 6 homes.

With the BECA Funds they are doing an entrepreneurship coaching training. This is a \$15,000 program, but Shannon will be able to participate for \$500 with Elkhorn Valley.

They are putting together an entrepreneurship camp this summer for the middle school students.

The architecture program is going very well. St. Edward will be the first to receive a review this Friday.

As a certified community there will be a resolution to discuss. Shannon said that there is an initial draft to NENEDD to be reviewed. She is hoping to submit this to the state by the end of the month. They have submitted the RFPD.

Congressmen Smith will be at Julie's Catering Tuesday the 16<sup>th</sup> at 4:30 pm.

They are also looking into the housing issues in Albion, which has stemmed from Hanna:Keelan housing study. Shannon said that they are looking into USDA, at other communities to try to see what options would be available for Albion.

The wind project is going well. They have included all Albion service providers in the brochure, which will be sent to developers. They are looking at April to start construction.

- **CONSIDER RESOLUTION 104(10) AUTHORIZING APPLICATION FOR NEBRASKA DEPARTMENT OF ECONOMIC DEVELOPMENT CERTIFIED COMMUNITY**

There is a resolution for the Bo. Co. Development Agency to submit application to the State of Nebraska to become a certified economic development community. She needs support to apply on behalf of Albion.

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Councilman Hoefler made a motion to introduce Resolution 104(10), seconded by Riedmiller. **Vote: Yeas; Riedmiller, Hoefler, Rasmussen. Nays; None. Absent; Warner.**

### 12. DISCUSS/APPROVE EMPLOYEE EVALUATIONS

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

### 13. APPROVE BILLS AS PRESENTED

#### (A) DISCUSS BILLS NOT INCLUDED TO FINAL BILL FOR ADDITIONAL DIRT USED ON 2009 STREET PAVING PROJECTS

#### (B) DISCUSS FINAL PAYMENT REQUEST OF GROSCH IRRIGATION FOR 5% RETAINAGE ON TEST WELL PROJECT

#### (C) DISCUSS INVOICES FROM JEO FOR ADDITIONAL SERVICES THAT EXCEEDED THE ORIGINAL SCOPE OF SERVICES FOR THE WASTEWATER TREATMENT FACILITY STUDY

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

(A) Zwingman said that when he suggested to pay half, he was informed that it was all put in there. Zwingman figured that they pulled out 1-2' dirt from the alleys. If Zwingman figures the amount of dirt (1390 cubic yards), it comes out to an over excavation of about 10". On Marengo Street there is 140 cu. ft which figures out to \$1,358. There was 858 cu. ft on Depot Street which is \$10,210.20. These two amounts total \$11,568.20. Councilman Hoefler made a motion to approve payment amount of \$11,568.20 for dirt not included, seconded by Riedmiller. **Vote: Yeas; Riedmiller, Rasmussen, Hoefler. Nays; None. Absent; Warner.**

(B) Grosch has requested payment of the 5% retainage on the test project as it is complete. Councilman Riedmiller made a motion to approve payment of \$942.96 as final payment on project, seconded by Hoefler. **Vote: Yeas; Rasmussen, Hoefler, Riedmiller. Nays; None. Absent; Warner.**

(C) JEO is asking for an extra \$4,422.00 for items not covered under the scope of services of that plan. Devine said that their justification in that they said that their agreement indicated that they would consider three alternatives for evaluation and they considered five. They said that generally they consider six sites but in this case they reviewed and evaluated twenty sites. Devine said that this was not mentioned prior. Devine said that it was not discussed or presented in any of the meetings with JEO that it would cost extra to do twenty sites. Devine said that the City does owe them \$500.00. Councilman Hoefler made a motion to approve payment of \$500.00 to JEO, and no more, seconded by Rasmussen. **Vote: Yeas; Riedmiller, Rasmussen, Hoefler. Nays; None. Absent; Warner.**

### 14. CONSIDER REQUEST OF AEDC TO RELEASE SALES TAX FUNDS FOR ADMINISTRATIVE BUDGET

The CAC recommends the approval of this request. Councilman Riedmiller made a motion to Approve AEDC's Request to Release Sales Tax Funds for Administrative Budget, seconded by Hoefler. **Vote: Yeas; Rasmussen, Riedmiller, Hoefler. Nays; None. Absent; Warner.**

### 15. CONSIDER RESOLUTION 101(10) ADOPTING CITY OF ALBION 2010 ONE & SIX YEAR PLAN

Devine reviewed Salebarn Road with Zwingman, and the fact that it would require an engineer. Zwingman said that drainage would be the major issue. Zwingman threw out an estimate of about \$3,000 for engineering. This is a very rough estimate. At 9:25 p.m. Councilman Riedmiller made a motion to Approve the One and Six Year Plan and Adopt Resolution 101(10), seconded by Rasmussen. **Vote: Yeas; Hoefler, Rasmussen, Riedmiller. Nays; None. Absent; Warner.**

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**16. CONSIDER AUTHORIZING JOHN ZWINGMAN TO PREPARE PLANS AND SPECS FOR STREET IMPROVEMENT PROJECTS LISTED ON THE 2010 ONE-YEAR PLAN**

Devine recommended tabling this item until a future meeting.

**17. AUTHORIZE CONTRACT WITH JOHN ZWINGMAN FOR 2010 ONE-YEAR PROJECTS AND AUTHORIZE THE MAYOR TO SIGN THE AGREEMENT**

This item will be tabled.

**18. CONSIDER MEMBERSHIP APPLICATION OF CHRIS NELSON TO THE ALBION VOLUNTEER FIRE DEPARTMENT**

Councilman Riedmiller made a motion to approve Chris Nelson to the Albion Volunteer Fire Department, seconded by Hoefer. **Vote: Yeas; Hoefer, Rasmussen, Riedmiller. Nays; None. Absent; Warner.**

**19. DISCUSS ITEMS TO PLACE ON NEXT AGENDA MEETING AGENDA**

- Terry Galloway will be here to present the year end audit report for year ending September 30, 2009.
- Comprehensive Plan-Bird said that they will need time to review the Comp Plan
- Annual Water/Sewer Report
- Councilman Warner and Riedmiller and Mayor Jarecki are up for Re-Election. They will need to pay the filing fee at City Hall and then take the receipt to the Courthouse.

**20. ADJOURN**

At 9:58 p.m. Councilman Hoefer made a motion to adjourn, seconded by Rasmussen. **Vote: Yeas; Hoefer, Riedmiller, Rasmussen. Nays; None. Absent; Warner.**

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.

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Jim Jarecki, Mayor

ATTEST:

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Andrew Devine, City Clerk