

**AGENDA
ALBION CITY COUNCIL
REGULAR MEETING
TUESDAY, OCTOBER 26, 2010**

7:30 P.M., ALBION CITY HALL, 420 W. MARKET, ALBION, NE 68620

1. CALL TO ORDER –
 - A COPY OF THE OPEN MEETINGS ACT IS POSTED AND IS PROVIDED FOR THE PUBLIC ON THE BILLBOARD OF THE COUNCIL CHAMBERS
 - ROLL CALL
2. APPROVE MEETING MINUTES
 - SEPTEMBER 14, 2010 REGULAR MEETING
 - SEPTEMBER 27, 2010 SPECIAL MEETING
3. REVIEW MANAGER APPLICATION FOR LICENSE #C-45830, CWR'S, 333 S FIRST STREET, ALBION, NE AND CONSIDER FOR RECOMMENDATION OF APPROVAL/DENIAL TO NEBRASKA LIQUOR CONTROL COMMISSION
4. CONSIDER APPLICATION OF JANE KLASSEN TO CONSTRUCT CHAIN LINK FENCE UPON CITY RIGHT OF WAY
5. CONSIDER APPLICATION FOR SPECIAL DESIGNATED LICENSE OF ALBION THRIFTYWAY TO HOLD WINE TASTING EVENT ON NOVEMBER 19, 2010
6. OPEN PUBLIC HEARING TO CONSIDER APPROVAL AND ACCEPTANCE OR DENIAL OF AN APPLICATION FOR ADMINISTRATIVE PLAT (LOTSPLIT) BY MICHAEL LANDAUER
7. OPEN PUBLIC HEARING REGARDING THE ADOPTION OF THE UPDATED COMPREHENSIVE PLAN
 - CONSIDER RESOLUTION 113(10) ADOPTING COMPREHENSIVE PLAN UPDATE AND PLANNING JURISDICTIONAL AREA
8. OPEN PUBLIC HEARING REGARDING ADOPTION OF THE REVISED ZONING AND SUBDIVISION REGULATIONS AND OFFICIAL ZONING MAP
 - CONSIDER INTRODUCTION AND PASSAGE OF ORDINANCE 199(10), AN ORDINANCE PERTAINING TO MUNICIPAL PLANNING; TO INCORPORATE BY REFERENCE THE SUBDIVISION REGULATIONS.
 - CONSIDER INTRODUCTION AND PASSAGE OF ORDINANCE 200(10), AN ORDINANCE PERTAINING TO MUNICIPAL PLANNING; AMENDING ZONING REGULATIONS AND OFFICIAL ZONING MAP; INCORPORATING, BY REFERENCE, THE ZONING REGULATIONS AMENDED; PROVIDING FOR THE REPEAL OF ANY ORDINANCE OR PART OF ORDINANCE IN CONFLICT HERewith; AND PROVIDING FOR THE EFFECTIVE DATE HEREOF.
9. CITY CODE OFFICIAL REPORT – SEPTEMBER 2010
10. CITY ADMINISTRATOR REPORT
11. UPDATE ON WATER WELL PROJECT
12. DISCUSS WASTE WATER TREATMENT FACILITY PROJECT, INCLUDING REAL ESTATE STRATEGY
13. CONSIDER BILLS FOR APPROVAL
 - CDBG GRANT EXPENDITURES
 - MONTHLY BILLS
14. CONSIDER REQUEST OF ALBION BASEBALL TO CONSTRUCT A BLEACHER SHADE STRUCTURE OVER BLEACHERS AT "C" FIELD – LOWELL IMUS
15. ITEMS TO BE PUT ON NEXT MEETING AGENDA
16. ADJOURN

THE COUNCIL RESERVES THE RIGHT TO ENTER INTO EXECUTIVE SESSION AS PROVIDED IN R.S.N. 84-1410



AGENDA MEMO

Item # 2	Body ALBION CITY COUNCIL
Subject 2. APPROVE MINUTES OF THE SEPT 14, 2010 MEETING & SEPT 27, 2010 MEETING	Meeting Date 10/12/2010

Presenter(s)	
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Background Information	Minutes Enclosed
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Discussion	
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Motion	To approve the minutes of the Sept 14, 2010 meeting as presented.
2nd	
Roll Call	Frey _____ Rasmussen _____ Riedmiller _____ Hoefer _____

Motion	To approve the minutes of the Sept 27, 2010 meeting as presented.
2nd	
Roll Call	Hoefer _____ Rasmussen _____ Riedmiller _____ Frey _____

Motion	
2nd	
Roll Call	

Summary of Decision	
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**MINUTES
ALBION CITY COUNCIL
REGULAR MEETING
TUESDAY, SEPTEMBER 14, 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 September 14, 2010 in the Council Chambers. Present were Mayor James C. Jarecki, Councilmembers Hoefler, Riedmiller, Rasmussen, Frey. City employees present were City Administrator Devine, City Attorney Bird, Water Commissioner Morearty, Water Utility Billing Clerk Knust, and City Code Official Hanson. Others present were Don Salber and Lonnie Dickson of Hanna:Keelan Associates. 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 OF THE AUGUST 23, 2010 SPECIAL MEETING

Councilman Hoefler made a motion to approve the minutes of the August 23, 2010 special meeting, seconded by Frey. **Vote: Yeas; Frey, Rasmussen, Riedmiller, Hoefler. Nays; None.**

4. OPEN PUBLIC HEARING REGARDING THE ADOPTION OF THE UPDATED COMPREHENSIVE PLAN

- **CONSIDER RESOLUTION 113(10) ADOPTING COMPREHENSIVE PLAN UPDATE AND PLANNING JURISDICTIONAL AREA**

At 7:34 p.m. Mayor Jarecki opened the public hearing regarding the adoption of the updated Comprehensive Plan. Lonnie Dickson with Hanna:Keelan of Lincoln, Nebraska made comments on the comp plan update that his firm worked on with Albion. Lonnie said that Planning Commission members have served very well throughout the process of reviewing/revising the comp plan. There was a planning steering committee created made up of community leaders. This comp plan will be for a 10 year period. A community wide housing study was done in Albion, which covered future housing needs, housing growth, housing rehab and land to be available for the future growth. A focus area downtown was established which included an implantation strategy a blight substandard study, redevelopment plan to encourage development and re-development in the downtown area. A community improvement plan was created to assist in the future budgeting process through that planning implantation strategy. Rasmussen said that he feels that there has not been enough time to review it and could not in good conscience vote on it either way. Councilman Rasmussen made a motion to table Resolution #113(10) adopting comprehensive plan update and planning jurisdictional area until the next regular meeting, seconded by Frey. **Vote: Yeas; Hoefler, Rasmussen, Frey, Riedmiller. Nays; None.**

5. OPEN PUBLIC HEARING REGARDING ADOPTION OF THE REVISED ZONING AND SUBDIVISION REGULATIONS AND OFFICIAL ZONING MAP

- **CONSIDER INTRODUCTION AND PASSAGE OF ORDINANCE 199(10), AN ORDINANCE PERTAINING TO MUNICIPAL PLANNING; TO INCORPORATE BY REFERENCE THE SUBDIVISION REGULATIONS.**
- **CONSIDER INTRODUCTION AND PASSAGE OF ORDINANCE 200(10), AN ORDINANCE PERTAINING TO MUNICIPAL PLANNING; AMENDING ZONING REGULATIONS AND OFFICIAL ZONING MAP;**

MINUTES – ALBION CITY COUNCIL – REGULAR MEETING SEPTEMBER 14, 2010

INCORPORATING, BY REFERENCE, THE ZONING REGULATIONS AMENDED; PROVIDING FOR THE REPEAL OF ANY ORDINANCE OR PART OF ORDINANCE IN CONFLICT HEREWITH; AND PROVIDING FOR THE EFFECTIVE DATE HEREOF.

Attorney Bird said that the Comp Plan will need to approved and passed before these ordinances can be passed. Lonnie Dickson explained that the zoning process really focused on an update of the existing document. It updates the definitions, making sure they are in conformance with the current provisions of the state and federal agencies. Councilman Frey made a motion to table Action item #5, Ordinance #199(10) and Ordinance #200(10) until the October regular meeting, seconded by Councilman Riedmiller. **Vote: Yeas; Riedmiller, Hoefer, Frey, Rasmussen.**

6. OPEN PUBLIC HEARING FOR 2009/2010 BUDGET AMENDMENT

• APPROVE RESOLUTION 115 (10) AMENDING 2009/2010 BUDGET

Mayor Jarecki opened the Public Hearing for 2009/2010 Budget Amendment. This is a necessary budget adjustment for the items that weren't taken into account in the previous budget. These two items were additional improvements to the infrastructure in the sewer fund, and for the T.I.F. project which is the amount of TIF funds that come from the ethanol plant project that are remitted to the county treasurer, and in turn remitted to the city. Councilman Rasmussen made a motion to approve Resolution #115(10) Amending the 2009/2010 Budget, seconded by Councilman Riedmiller. **Vote: Yeas; Riedmiller, Rasmussen, Hoefer, Frey. Nays; None.**

7. OPEN PUBLIC HEARING FOR 2010/2011 BUDGET ADOPTION

• APPROVE RESOLUTION 116 (10), 2010/2011 PROPERTY TAX REQUEST

Mayor Jarecki opened the Public Hearing for the 2010/2011 Budget Adoption at 7:49 p.m. The actual 2010 levy came in at 40.6 cents. Councilman Hoefer made a motion to approve Resolution 116(10)-2010/2011 Property Tax Request, seconded by Riedmiller. **Vote: Yeas; Frey, Rasmussen, Hoefer, Riedmiller. Nays; None.**

• APPROVE BUDGETED 2% COST OF LIVING ADJUSTMENT EFFECTIVE OCTOBER 1, 2010

Councilman Riedmiller made a motion to approve the budgeted 2% Cost Of Living adjustment effective October 1, 2010, seconded by Hoefer. **Vote: Yeas; Hoefer, Rasmussen, Riedmiller, Frey. Nays; None.**

• APPROVE AND ADOPT 2010/2011 BUDGET

Councilman Rasmussen made a motion to approve and adopt the 2010-2011 Budget including additional 1% increase in total 2009-2010 funds subject to limitation, seconded by Hoefer. **Vote: Yeas; Riedmiller, Hoefer, Frey, Rasmussen. Nays; None.** The Public Hearing was closed at 7:55 p.m.

8. CITY CODE OFFICIAL REPORT – AUGUST 2010

There were three plumber's licenses; two renewals, and one new. There was one building permit suspended, it was in the flood plain. PST has decided not to purchase the land that they were looking at.

MINUTES – ALBION CITY COUNCIL – REGULAR MEETING SEPTEMBER 14, 2010

9. CONSIDER RESOLUTION 114(10) RENEWING INTERLOCAL AGREEMENT WITH COUNTY OF BOONE IN REGARDS TO CODE OFFICIAL SERVICES

This agreement has been in place for a full budget year, the County is requesting \$1,000/month. This amount has been accounted for in the 2010/2011 budget. Councilman Hoefler made a motion to approve Resolution 114(10)-Renewing Interlocal Agreement with County of Boone in Regards to Code Official Services, seconded by Rasmussen. **Vote: Yeas; Rasmussen, Hoefler, Frey, Riedmiller. Nays; None.**

10. CITY ADMINISTRATOR REPORT

Parks:

Nothing new to report since the August 10th Meeting.

Streets:

Nothing new to report since the August 10th Meeting.

Water/Sewer:

Other than business contained in other agenda action items, nothing new to report since the August 10th Meeting.

Other:

Chad Korth with Nebraska Central Railroad stopped by City Hall unannounced last month to address the drainage issue. I took him for a short drive to show him how the drainage flows from downtown to the south east along the railroad as well as the areas we were able to clean out ourselves and the areas southeast of the 14S/91E Jct that we are unable to address and need some help on. He said that he would talk to the maintenance folks and get back to me, but it has been a very trying year and their resources are stretched very thin. I have not heard back from him as yet. I will also discuss with Darrell Thorin about working on the ditches and tubes along 260th Street east of Highway 14.

Les at Bud's Sanitary is working on putting together a recycling program for area communities that would involve curbside pickup. Each resident would need to purchase their own container, but he would pickup the recyclable materials on a regular basis – most likely bi-weekly. He would need a 40-50% participation rate so we are going to look into the interest level within the community. This ultimately would be good for the community and could help hold our solid waste costs down as it would mean less tonnage taken to the landfill.

Attached is the month current Sales Tax Report – showing the monthly trend of sales tax receipts. The local trend is very positive in an overall recessive national economy. This report is also available online at: <http://www.cityofalbion-ne.com/documents/CITYSALESTAXasof2010-08-31.pdf>

Also attached is a YTD Budget Performance Report.

11. CONSIDER APPLICATIONS OF KYLE LARSON, JUSTIN NIEWOHNER, AND BETSY MORGAN FOR MEMBERSHIP TO THE ALBION VOLUNTEER FIRE DEPARTMENT

Councilman Riedmiller made a motion to approve application of Kyle Larson for membership to the Albion Volunteer Fire Department, seconded by Frey. **Vote: Yeas; Riedmiller, Rasmussen, Hoefler, Frey. Nays; None.**

MINUTES – ALBION CITY COUNCIL – REGULAR MEETING SEPTEMBER 14, 2010

12. **DISCUSS WASTE WATER TREATMENT FACILITY PROJECT, INCLUDING REAL ESTATE STRATEGY**

At 8:20 p.m. Councilman Riedmiller made a motion to enter into executive session to discuss real estate strategy with Larry Bird, Luettel, and Morearty invited to stay, seconded by Frey. **Vote: Yeas; Riedmiller, Rasmussen, Frey, Hoefer. Nays; None.** At 8:43 p.m. Councilman Riedmiller made a motion to exit from Executive Session, seconded by Rasmussen. **Vote: Yeas; Frey, Rasmussen, Hoefer, Riedmiller. Nays; None.** Councilman Rasmussen made a motion to authorize the Mayor to sign the option agreement with the Nelson Family with the terms discussed in executive session, seconded by Riedmiller. **Vote: Yeas; Hoefer, Riedmiller, Frey, Rasmussen. Nays; None.**

13. **CONSIDER BILLS FOR APPROVAL**

• **CDBG GRANT EXPENDITURES**

On Drawdown #24, there is \$9,273.75 in invoices submitted to the state. Councilman Hoefer made a motion to approve the bills associated with CDBG Drawdown #24, seconded by Riedmiller. **Vote: Yeas; Riedmiller, Frey, Hoefer, Rasmussen. Nays; None.**

• **MONTHLY BILLS**

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

14. **ITEMS TO BE PUT ON NEXT MEETING AGENDA**

- The special meeting to approve year-end bills will be September 27, 2010 at 7:00 a.m.
- The next regular meeting will be October 12, 2010 at 7:30 p.m.
- Items that were tabled from this meeting on the Comp Plan for subdivisions and zoning regulations

15. **ADJOURN**

At 8:45 p.m. Councilman Hoefer made a motion to adjourn, seconded by Frey. **Vote: Yeas; Frey, Riedmiller, Hoefer, 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

**MINUTES
ALBION CITY COUNCIL
SPECIAL MEETING
MONDAY, SEPTEMBER 27, 2010**

A Special Meeting of the Albion City Council of the City of Albion, Nebraska was convened in open and public session at 7:00 a.m., on September 27, 2010 in the Council Chambers. Present were Mayor Jarecki, Councilmembers Riedmiller, Frey, Rasmussen, absent was Hoefler. City employees present were City Administrator Devine, City Attorney Bird. 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 OF THE SEPTEMBER 14, 2010 REGULAR MEETING

Councilman Riedmiller made a motion to table this item until the October 12, 2010 meeting, seconded by Rasmussen. **Vote: Yeas; Frey, Riedmiller, Rasmussen. Nays; None. Absent; Hoefler.**

4. CONSIDER BILLS FOR APPROVAL

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

5. DISCUSS WASTE WATER TREATMENT FACILITY PROJECT, INCLUDING REAL ESTATE STRATEGY

Larry has some abstract information from the courthouse, but is still working on it. Councilman Frey made a motion to table this item until the October 12, 2010 meeting, seconded by Riedmiller. **Vote: Yeas; Rasmussen, Frey, Riedmiller. Nays; None. Absent; Hoefler.**

6. ADJOURN

At 7:12 a.m. Councilman Rasmussen made a motion to adjourn, seconded by Frey. **Vote: Yeas; Riedmiller, Rasmussen, Frey. Nays; None. Absent; Hoefler.**

Jim Jarecki, Mayor

ATTEST:

Andrew Devine, City Clerk



AGENDA MEMO

Item #	3	Body	ALBION CITY COUNCIL
Subject	3. REVIEW MANAGER APPLICATION FOR LICENSE #C-45830, CWR'S, 333 S FIRST STREET, ALBION, NE AND CONSIDER FOR RECOMMENDATION OF APPROVAL/DENIAL TO NEBRASKA LIQUOR CONTROL COMMISSION	Meeting Date	10/12/2010

Presenter(s)	
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Background Information	
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Discussion	
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Motion	To recommend approval / denial of manager application of Thomas Ketteler for Licence # C-45830, CWR's, 333 S First Street, Albion, Nebraska.
2nd	
Roll Call	Frey _____ Rasmussen _____ Riedmiller _____ Hoefer _____

Motion	
2nd	
Roll Call	

Motion	
2nd	
Roll Call	

Summary of Decision	
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AGENDA MEMO

Item #	4	Body	ALBION CITY COUNCIL
Subject	4. CONSIDER REQUEST OF JANE KLASSEN TO CONSTRUCT CHAIN LINK FENCE ON CITY RIGHT OF WAY	Meeting Date	10/12/2010

Presenter(s)	
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Background Information	Jane is requesting to build a chain link fence for day care purposes on Church Street Right of Way between 10th and 11th Street. Church Street is platted as 90 ' wide. See request and diagram.
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Discussion	
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Motion	To approve the minutes of the Sept 27, 2010 meeting as presented.
2nd	
Roll Call	Hoefer _____ Rasmussen _____ Riedmiller _____ Frey _____

Motion	
2nd	
Roll Call	

Motion	
2nd	
Roll Call	

Summary of Decision	
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AGENDA MEMO

Item #	5	Body	ALBION CITY COUNCIL
Subject	5. CONSIDER APPLICATION FOR SPECIAL DESIGNATED LICENSE OF ALBION THRIFTYWAY TO HOLD WINE TASTING EVENT ON NOVEMBER 19, 2010	Meeting Date	10/12/2010

Presenter(s)	
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Background Information	Enclosed is copy of Thriftyway application for SDL for wine-tasting event on November 19, 2010
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Discussion	
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Motion	To recommend approval / denial of the application for special designated license of Albion Thriftyway to hold wine tasting event on November 19, 2010.
2nd	
Roll Call	Riedmiller _____ Frey _____ Hoefer _____ Rasmussen _____

Motion	
2nd	
Roll Call	

Motion	
2nd	
Roll Call	

Summary of Decision	
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AGENDA MEMO

Item # 6	Body ALBION CITY COUNCIL
Subject 6. OPEN PUBLIC HEARING TO CONSIDER APPROVAL AND ACCEPTANCE OR DENIAL OF AN APPLICATION FOR ADMINISTRATIVE PLAT (LOTSPLIT) BY MICHAEL LANDAUER	Meeting Date 10/12/2010

Presenter(s)	
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Background Information	
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Discussion	
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Motion	To approve / deny application for administrative plat (lot split) by Michael Landauer.
2nd	
Roll Call	Hofer _____ Riedmiller _____ Frey _____ Rasmussen _____

Motion	
2nd	
Roll Call	

Motion	
2nd	
Roll Call	

Summary of Decision	
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AGENDA MEMO

Item #	7	Body	ALBION CITY COUNCIL
Subject	7. OPEN PUBLIC HEARING REGARDING THE ADOPTION OF THE UPDATED COMPREHENSIVE PLAN • CONSIDER RESOLUTION 113(10) ADOPTING COMPREHENSIVE PLAN UPDATE AND PLANNING JURISDICTIONAL AREA	Meeting Date	10/12/2010

Presenter(s)	
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Background Information	<p>The planning commission has presented and recommended approval of the comprehensive plan update. All documents related to the update have been distributed to all council members via cd and are available at city hall.</p>
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Discussion	
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Motion	To introduce and approve resolution #113(10) adopting comprehensive plan update and planning jurisdictional area.
2nd	
Roll Call	Hoefler ____ Rasmussen ____ Frey ____ Riedmiller ____

Motion	
2nd	
Roll Call	

Motion	
2nd	
Roll Call	

Summary of Decision	
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A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF ALBION, NEBRASKA, APPROVING AND ADOPTING A COMPREHENSIVE PLAN UPDATE AND ITS PLANNING JURISDICTIONAL AREA.

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF ALBION, NEBRASKA:

WHEREAS; That upon said hearing held this September __, 2010 the City Council finds that the Comprehensive Plan Update is adequate for the purposes prescribed by law and that the same should be approved;

BE IT FURTHER RESOLVED; That pursuant to the recommendation of the Planning Commission for the City of Albion, Nebraska, and after notice given and public hearing thereon as required by Nebraska Revised Statutes SS19-1901 et seq. (Reissue 1991), the City of Albion hereby adopts the Comprehensive Plan Update and its Planning Jurisdictional area. A copy of the said document shall be kept in the office of the Albion City Clerk.

BY ORDER OF THE MAYOR AND COUNCIL OF THE CITY OF ALBION, NEBRASKA THIS 14TH DAY OF SEPTEMBER, 2010

The foregoing resolution was presented and after discussion it was moved by _____ and seconded by _____ that said Resolution be adopted, and upon roll call vote, the City Council voted as follows:

AYES:
NAYS:
ABSENT:

PASSED AND APPROVED this 14th day of September, 2010.

CITY OF ALBION, NEBRASKA

By: _____
Mayor

[SEAL]

ATTEST:

By: _____
Clerk



AGENDA MEMO

Item #	8a	Body	ALBION CITY COUNCIL
Subject	8. OPEN PUBLIC HEARING REGARDING ADOPTION OF THE REVISED ZONING AND SUBDIVISION REGULATIONS AND OFFICIAL ZONING MAP 8a. CONSIDER INTRODUCTION AND PASSAGE OF ORDINANCE 199(10), AN ORDINANCE PERTAINING TO MUNICIPAL PLANNING; TO INCORPORATE BY REFERENCE THE SUBDIVISION REGULATIONS.	Meeting Date	10/12/2010

Presenter(s)	
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Background Information	As part of the comp plan update - subdivison and zoning regulations have been revised. All documents related to the update have been distributed to all council members via cd and are available at city hall.
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Discussion	
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Motion	Introduce Ordinance 199(10), AN ORDINANCE PERTAINING TO MUNICIPAL PLANNING; TO INCORPORATE BY REFERENCE THE SUBDIVISION REGULATIONS.
Clerk	Reads Ordinance 199 (10), by title for first time.

Motion	To suspend the statutory rule requiring reading on three different days.
2nd	
Roll Call	Riedmiller _____ Hoefer _____ Frey _____ Rasmussen _____

Mayor	"The statutory rules being suspended would the clerk please read the ordinance by title for the second and third time?"
Clerk	Reads Ordinance 199 (10), by title for second and third time.

Motion	For final passage of Ordinance 199(10)
2nd	
	Mayor asks for further discussion, council discusses or a member calls for the question.
Question	Mayor delcares "Ordinance No. 199(10) having been read by title three different times, the rules have been suspended, the question is 'Shall ordinance No. 199(10) finally pass?'"
Roll Call	Frey _____ Rasmussen _____ Hoefer _____ Riedmiller _____

Summary of Decision	
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ORDINANCE NO. 199(10)

AN ORDINANCE PERTAINING TO MUNICIPAL PLANNING; TO INCORPORATE BY REFERENCE THE SUBDIVISION REGULATIONS.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF ALBION, NEBRASKA;

SECTION 1. That Chapter X, Article 1, Section 10-102, of the Municipal Code of Albion, Nebraska be amended to read as follows:

SUBDIVISION REGULATIONS, INCORPORATED BY REFERENCE. To provide for harmonious development of the Municipality and its environs; for the integration of new subdivision streets with other existing or planned streets or with other features of the Comprehensive Plan; for adequate open spaces for traffic, recreation, light, air; for the distribution of population and traffic in a manner which will tend to create conditions favorable to health, safety, convenience, or prosperity; and insure conformance of subdivision plans with capital improvements programs of the Municipality; and to secure equitable handling of all subdivision plans by providing uniform procedures and standards for observance by subdivides and the Planning Commission and Governing Body, the Subdivision Regulations for the City of Albion, as prepared by the City of Albion, and adopted by Ordinance Number 199(10), September 14th, 2010, including any amendments thereto as may be made therein from time to time, are hereby incorporated by reference herein as if set out in full. One(1) copy of the Subdivision Regulations shall be kept on file with the Municipal Clerk and available for public inspection during regular office hours. *(Ref. 18-132, 19-922 RS Nebr.)*

SECTION 2. That any other ordinance or section passed and approved prior to the passage, approval, and publication of this ordinance and in conflict with its provisions, is hereby repealed.

SECTION 3. This ordinance shall take effect and be in full force form and after its passage, approval, and publication as required by law.

INTRODUCED BY: _____

SECONDED BY: _____

PASSED AND APPROVED THIS 14th DAY OF SEPTEMBER, 2010.

PUBLISHED THIS 22nd DAY OF SEPTEMBER, 2010.

CITY OF ALBION, NEBRASKA

ATTEST:

Mayor

City Clerk

(Seal)



AGENDA MEMO

Item #	8b	Body	ALBION CITY COUNCIL
Subject	8b. CONSIDER INTRODUCTION AND PASSAGE OF ORDINANCE 200(10), AN ORDINANCE PERTAINING TO MUNICIPAL PLANNING; AMENDING ZONING REGULATIONS AND OFFICIAL ZONING MAP; INCORPORATING, BY REFERENCE, THE ZONING REGULATIONS AMENDED; PROVIDING FOR THE REPEAL OF ANY ORDINANCE OR PART OF ORDINANCE IN CONFLICT HEREWITH; AND PROVIDING FOR THE EFFECTIVE DATE HEREOF.	Meeting Date	10/12/2010

Presenter(s)	
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Background Information	As part of the comp plan update - subdivison and zoning regulations have been revised. All documents related to the update have been distributed to all council members via cd and are available at city hall.
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Discussion	
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Motion	Introduce Ordinance 200(10), AN ORDINANCE PERTAINING TO MUNICIPAL PLANNING; AMENDING ZONING REGULATIONS AND OFFICIAL ZONING MAP; INCORPORATING, BY REFERENCE, THE ZONING REGULATIONS AMENDED; PROVIDING FOR THE REPEAL OF ANY ORDINANCE OR PART OF ORDINANCE IN CONFLICT HEREWITH; AND PROVIDING FOR THE EFFECTIVE DATE HEREOF.
Clerk	Reads Ordinance 200 (10), by title for first time.

Motion	To suspend the statutory rule requiring reading on three different days.
2nd	
Roll Call	Frey _____ Rasmussen _____ Hoefer _____ Riedmiller _____

Mayor	"The statutory rules being suspended would the clerk please read the ordinance by title for the second and third time?"
Clerk	Reads Ordinance 200 (10), by title for second and third time.

Motion	For final passage of Ordinance 200(10)
2nd	
	Mayor asks for further discussion, council discusses or a member calls for the question.
Question	Mayor delcares "Ordinance No. 200(10) having been read by title three different times, the rules have been suspended, the question is 'Shall ordinance No. 200(10) finally pass?'"
Roll Call	Riedmiller _____ Hoefer _____ Frey _____ Rasmussen _____

Summary of Decision	
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ORDINANCE NO. 200(10)

AN ORDINANCE PERTAINING TO MUNICIPAL PLANNING; AMENDING ZONING REGULATIONS AND OFFICIAL ZONING MAP; INCORPORATING, BY REFERENCE, THE ZONING REGULATIONS AMENDED; PROVIDING FOR THE REPEAL OF ANY ORDINANCE OR PART OF ORDINANCE IN CONFLICT HEREWITH; AND PROVIDING FOR THE EFFECTIVE DATE HEREOF.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF ALBION, NEBRASKA THAT CHAPTER IX, ARTICLE 1, SECTION 9-102, OF THE MUNICIPAL CODE OF ALBION, NEBRASKA BE AMENDED TO READ AS FOLLOWS:

Section 1. For the purpose of setting minimum standards to promote the public health, safety, morals, convenience, order, prosperity, and general welfare of the community of Albion, Nebraska and to lessen congestion in the streets; to secure safety from fire, panic, and other dangers; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; and to facilitate the adequate provision of transportation, water, sewage, schools, parks, and other public improvements, the Zoning Regulations of the City of Albion, presented and prepared by said City are hereby amended. The adoption of such revised Zoning Regulations shall include any future amendments thereto as may be made from time to time. Said amended Zoning Regulations, as well as such amendments, are hereby incorporated by reference in this ordinance as if set out in full. One (1) copy of the Zoning Regulations shall be maintained by the municipal clerk at the City office and available for public inspection during regular office hours. (*Ref. 18-132, 19-922RS Nebr.*)

Section 2. The City of Albion, Nebraska and certain properties within and up to one-mile in all directions from its Corporate Limits are hereby divided into zones, or districts, as shown on the Official Zoning Map which, together with all explanatory material and documentation is hereby adopted by reference, declared to be part of the Zoning Regulations of the City of Albion and further declared to be part of this Ordinance. The Official Zoning Map shall be identified by the signature of the Mayor, attested to by the Municipal Clerk and bearing the seal of the City under the following words:

"This is to certify that this is the Official Zoning Map referred to in Section 2 of ordinance No. 200(10) of the City of Albion, Nebraska, adopted September 14th, 2010. The Official Zoning Map of the area within the Corporate Limits and the Planning Jurisdiction area adjacent and two miles beyond the Corporate Limits of the City of Albion, together with all changes, amendments or additions thereto, shall be maintained in the office of the Municipal Clerk and available for public inspection during regular office hours."

Section 3. Any ordinance or part of ordinance passed and approved prior to the passage, approval and publication or posting of this ordinance, and in conflict with the provisions of this ordinance, is hereby repealed.

Section 4. This Ordinance shall take effect and be in full force from and after its passage, approval and publication or posting as required by law.

INTRODUCED BY: _____

SECONDED BY: _____

PASSED AND APPROVED THIS 14th DAY OF SEPTEMBER, 2010.

PUBLISHED THIS 22nd DAY OF SEPTEMBER, 2010.

CITY OF ALBION, NEBRASKA

ATTEST:

Mayor

City Clerk

(Seal)



AGENDA MEMO

Item # 9	Body ALBION CITY COUNCIL
Subject 9. CITY CODE OFFICIAL REPORT – SEPTEMBER 2010	Meeting Date 10/12/2010

Presenter(s)	
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Background Information	
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Discussion	
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Motion	
2nd	
Roll Call	

Motion	
2nd	
Roll Call	

Motion	
2nd	
Roll Call	

Summary of Decision	
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AGENDA MEMO

Item # 10	Body ALBION CITY COUNCIL
Subject 10. CITY ADMINISTRATOR REPORT	Meeting Date 10/12/2010

Presenter(s)	
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Background Information	
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Discussion	
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Motion	
2nd	
Roll Call	

Motion	
2nd	
Roll Call	

Motion	
2nd	
Roll Call	

Summary of Decision	
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**City Administrator's Report
October 12, 2010**

Parks:

Heat installed at the Fuller Park restrooms so that they can remain open for campers over the winter months. No report back yet from JEO on the Pool Study and cost opinions.

Streets:

We are beginning to assess preparedness for snow removal and have ordered a snow-blower attachment for the bobcat.

Water/Sewer:

Drinking Water SRF loan application has been submitted and is in process at DHHS.

John Zwingman is to report on Well Construction Project.

Other:

Les at Bud's Sanitary is working on putting together a recycling program for area communities that would involve curbside pickup. Each resident would need to purchase their own container, but he would pick up the recyclable materials on a regular basis – most likely bi-weekly. He would need a 40-50% participation rate so we are going to look into the interest level within the community. This ultimately would be good for the community and could help hold our solid waste costs down as it would mean less tonnage taken to the landfill.

AMGL, CPA's out of Grand Island will be in town all day on October 19, 2010 to conduct the annual audit fieldwork for year ended September 30, 2010, so we are preparing for their visit.

Attached is the month current Sales Tax Report – showing the monthly trend of sales tax receipts. The local trend is very positive in an overall recessive national economy. This report is also available online at:
<http://www.cityofalbion-ne.com/documents/CITYSALESTAXasof2010-09-22.pdf>

Also attached is an unaudited Budget Performance Report for year ended September 30, 2010.

CITY SALES TAX

Month	1998/1999	1999/2000	%	2000/2001	%	2001/2002	%	2002/2003	%
JULY	\$ 13,108.97	\$ 14,948.10	12%	\$ 15,600.63	4%	\$ 17,383.81	10%	\$ 20,156.58	14%
AUG	\$ 16,670.53	\$ 16,442.42	-1%	\$ 16,609.36	1%	\$ 15,652.73	-6%	\$ 17,650.31	11%
SEPT	\$ 16,443.31	\$ 16,834.21	2%	\$ 14,298.52	-18%	\$ 16,000.31	11%	\$ 18,958.94	16%
OCT	\$ 14,882.92	\$ 16,600.55	10%	\$ 14,724.90	-13%	\$ 18,658.03	21%	\$ 18,326.56	-2%
NOV	\$ 13,771.34	\$ 15,874.77	13%	\$ 15,183.73	-5%	\$ 16,302.42	7%	\$ 17,218.99	5%
DEC	\$ 18,637.46	\$ 20,634.90	10%	\$ 19,310.35	-7%	\$ 21,610.02	11%	\$ 21,823.14	1%
JAN	\$ 14,155.37	\$ 12,431.14	-14%	\$ 13,629.59	9%	\$ 16,031.65	15%	\$ 18,426.71	13%
FEB	\$ 12,606.99	\$ 13,882.39	9%	\$ 14,030.50	1%	\$ 13,905.88	-1%	\$ 15,269.48	9%
MAR	\$ 15,818.90	\$ 17,321.41	9%	\$ 16,377.39	-6%	\$ 18,719.84	13%	\$ 19,366.36	3%
APR	\$ 16,903.24	\$ 13,323.82	-27%	\$ 18,397.35	28%	\$ 14,464.42	-27%	\$ 17,309.45	16%
MAY	\$ 15,082.24	\$ 15,614.24	3%	\$ 16,976.13	8%	\$ 16,467.08	-3%	\$ 18,588.49	11%
JUNE	\$ 20,098.72	\$ 17,904.96	-12%	\$ 18,010.97	1%	\$ 18,080.81	0%	\$ 20,524.62	12%
Annual Totals	\$ 188,179.99	\$ 191,812.91	1.89%	\$ 193,149.42	0.69%	\$ 203,277.00	4.98%	\$ 223,619.63	9.10%

% column indicates the percentage of growth/decline over same period in the previous year

CITY SALES TAX

Month	2003/2004	%	2004/2005	%	2005/2006	%	2006/2007	%	2007/2008	%
JULY	\$ 14,011.38	-44%	\$ 19,185.73	27%	\$ 18,885.14	-2%	\$ 19,210.84	2%	\$ 35,181.41	22%
AUG	\$ 18,850.20	6%	\$ 18,354.70	-3%	\$ 19,978.29	8%	\$ 25,206.38	21%	\$ 34,465.12	-9%
SEPT	\$ 19,227.50	1%	\$ 18,997.69	-1%	\$ 18,320.53	-4%	\$ 23,064.50	21%	\$ 40,780.22	18%
OCT	\$ 18,479.41	1%	\$ 18,204.20	-2%	\$ 16,830.86	-8%	\$ 27,910.78	10%	\$ 35,763.86	28%
NOV	\$ 16,910.65	-2%	\$ 17,852.74	5%	\$ 18,481.57	3%	\$ 32,714.36	18%	\$ 33,706.06	3%
DEC	\$ 24,558.71	11%	\$ 26,711.90	8%	\$ 25,447.88	-5%	\$ 45,656.08	19%	\$ 42,740.16	-6%
JAN	\$ 17,934.15	-3%	\$ 16,071.55	-12%	\$ 18,369.62	13%	\$ 37,444.10	36%	\$ 43,537.98	16%
FEB	\$ 15,919.31	4%	\$ 15,387.59	-3%	\$ 16,676.43	8%	\$ 33,497.11	34%	\$ 35,651.78	6%
MAR	\$ 19,012.73	-2%	\$ 17,866.57	-6%	\$ 19,089.20	6%	\$ 37,078.50	29%	\$ 53,262.99	44%
APR	\$ 20,311.76	15%	\$ 18,564.76	-9%	\$ 19,950.18	7%	\$ 31,337.57	5%	\$ 49,830.19	59%
MAY	\$ 18,053.98	-3%	\$ 18,852.81	4%	\$ 23,093.27	18%	\$ 41,256.20	19%	\$ 36,371.67	-12%
JUNE	\$ 21,338.66	4%	\$ 18,845.44	-13%	\$ 23,137.59	19%	\$ 35,360.86	2%	\$ 44,305.14	25%
Annual Totals	\$ 224,608.44	0.44%	\$ 224,895.68	0.13%	\$ 238,260.56	5.61%	\$ 389,737.28	18.40%	\$485,596.58	15.13%

% column indicates the percentage of growth/decline over same period in the previous year

CITY SALES TAX

Month	2008/2009	%	2009/2010	%	2010/2011	%
JULY	\$ 60,003.34	71%	\$ 40,020.92	-33%	\$ 47,642.49	19%
AUG	\$ 49,999.70	45%	\$ 33,416.25	-33%		
SEPT	\$ 46,904.47	15%	\$ 51,258.08	9%		
OCT	\$ 43,671.87	22%	\$ 35,635.70	-18%		
NOV	\$ 30,120.69	-11%	\$ 37,124.81	23%		
DEC	\$ 53,127.13	24%	\$ 59,946.87	13%		
JAN	\$ 31,689.28	-27%	\$ 38,762.95	22%		
FEB	\$ 29,720.79	-17%	\$ 34,922.99	18%		
MAR	\$ 35,996.74	-32%	\$ 44,394.96	23%		
APR	\$ 35,651.11	-28%	\$ 45,065.11	26%		
MAY	\$ 31,987.49	-12%	\$ 41,823.95	31%		
JUNE	\$ 43,421.38	-2%	\$ 47,745.37	10%		
Annual Totals	\$ 492,293.99	1.38%	\$ 510,117.96	3.62%	\$ 47,642.49	
					2010/2011 YTD %: 19.04%	
% column indicates the percentage of growth/decline over same period in the previous year						

City of Albion
Profit & Loss Budget Performance
October 2009 through September 2010

	Oct 09	Nov 09	Dec 09	Jan 10	Feb 10	Mar 10	Apr 10	May 10	Jun 10	Jul 10	Aug 10	Sep 10	Oct '09 - Sep 10	Annual Budget	Difference to Annual Budget
Enterprise Funds															
Sewer	25,136.49	-14,096.51	8,051.40	4,168.66	29,233.19	-26,594.96	21,722.55	12,016.75	8,786.51	-4,909.31	37,236.57	-29,490.67	71,260.67	0.00	71,260.67
Solid Waste	16,161.97	-10,590.92	16,181.73	-10,387.63	15,347.21	-10,080.92	15,561.06	-10,180.19	12,237.95	-10,177.88	16,490.40	-11,493.05	29,069.73	0.00	29,069.73
Water	30,089.07	-24,911.42	19,178.18	-12,747.31	14,277.65	-6,723.92	3,961.37	-7,111.32	17,401.80	-8,762.74	26,310.60	-36,320.42	14,641.54	0.00	14,641.54
Total Enterprise Funds	71,387.53	-49,598.85	43,411.31	-18,966.28	58,858.05	-43,399.80	41,244.98	-5,274.76	38,426.26	-23,849.93	80,037.57	-77,304.14	114,971.94	0.00	114,971.94
Governmental Funds															
CDA	0.01	0.01	0.01	0.01	0.01	19,517.60	19.91	-19,474.82	0.03	0.03	0.03	-19.33	43.50	0.00	43.50
General	-9,699.81	-12,685.88	-20,332.84	-5,520.28	43,608.25	37,563.71	-18,546.82	-3,845.14	-49,960.82	-19,925.71	35,789.37	44,631.65	21,075.68	192.00	20,883.68
HOUSING REHAB	73.97	0.00	0.91	147.94	73.97	74.38	73.97	0.00	148.20	0.21	147.94	73.97	815.46		815.46
Park	-4,888.10	-234.17	-2,529.53	3,475.55	822.71	4,258.79	-81.65	4,554.50	-18,735.65	-9,156.13	-4,991.60	8,042.15	-19,463.13	-30,734.00	11,270.87
Pool	328.42	52.63	-623.51	2,470.89	558.55	4,157.67	-516.05	13,168.23	-3,303.23	-7,636.40	-8,675.58	6,047.79	6,029.41	-25,356.00	31,385.41
Police	-16,255.16	-13,162.66	-7,830.83	-6,507.23	-12,192.91	14,419.57	-13,801.58	15,434.11	-7,861.34	-17,315.67	-13,188.48	21,568.10	-56,694.08	-59,500.00	2,805.92
Fire	-4,006.27	-5,345.06	-9,389.87	-3,729.11	-5,525.19	-8,043.06	-4,342.09	6,143.06	-1,870.32	24,754.30	-1,120.88	2,534.67	-9,939.82	-477.00	-9,462.82
Library	-2,672.41	-4,063.84	-2,099.06	-680.26	-5,243.29	831.12	-5,414.37	11,390.71	-3,566.21	-3,434.45	-2,688.55	3,254.96	-14,385.65	-25,930.00	11,544.35
Debt Service	222.75	-1,213.95	20.04	510.17	198.02	967.86	-13,375.85	2,914.66	480.66	-58,114.80	90.49	126,487.14	59,187.19	57,585.00	1,602.19
Street	6,273.64	6,798.69	-1,387.80	901.80	226.29	5,000.12	2,339.77	15,674.08	2,716.00	4,394.34	-21,773.79	5,522.10	26,685.24	23,430.00	3,255.24
Sales Tax	30,844.68	29,120.89	22,657.44	27,125.45	19,383.42	-355.64	18,874.65	22,808.66	29,942.77	-62,872.80	43,518.87	-126,589.47	54458.92	0	54,458.92
Total Governmental Funds	221.72	-733.34	-21,515.04	18,194.93	41,909.83	78,392.12	-34,770.11	68,768.05	-52,009.91	-149,307.08	27,107.82	91,553.73	67,812.72	-60,790.00	128,602.72
TOTAL	<u>71,609.25</u>	<u>-50,332.19</u>	<u>21,896.27</u>	<u>-771.35</u>	<u>100,767.88</u>	<u>34,992.32</u>	<u>6,474.87</u>	<u>63,493.29</u>	<u>-13,583.65</u>	<u>-173,157.01</u>	<u>107,145.39</u>	<u>14,249.59</u>	<u>182,784.66</u>	<u>-60,790.00</u>	<u>243,574.66</u>



AGENDA MEMO

Item # 11	Body ALBION CITY COUNCIL
Subject 11. UPDATE ON WATER WELL PROJECT	Meeting Date 10/12/2010

Presenter(s) JOHN ZWINGMAN

Background Information	
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Discussion	
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Motion	
2nd	
Roll Call	

Motion	
2nd	
Roll Call	

Motion	
2nd	
Roll Call	

Summary of Decision	
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AGENDA MEMO

Item # 12	Body ALBION CITY COUNCIL
Subject 12. DISCUSS WASTE WATER TREATMENT FACILITY PROJECT, INCLUDING REAL ESTATE STRATEGY	Meeting Date 10/12/2010

Presenter(s)	
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Background Information	
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Discussion	
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Motion	
2nd	
Roll Call	

Motion	
2nd	
Roll Call	

Motion	
2nd	
Roll Call	

Summary of Decision	
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AGENDA MEMO

Item # 13	Body ALBION CITY COUNCIL
Subject Bills	Meeting Date 10/12/2010

Presenter(s)	
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Background Information	
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Discussion	
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Motion	To Approve Bills associated with CDBG Drawdown #25
2nd	
Roll Call	Riedmiller _____ Frey _____ Hofer _____ Rasmussen _____

Motion	To Approve General Monthly Bills
2nd	
Roll Call	Hofer _____ Rasmussen _____ Riedmiller _____ Frey _____

Motion	
2nd	
Roll Call	

Summary of Decision	
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CDBG GRANT PAYMENT SUMMARY

DRAWDOWN #	INVOICE DATE	VENDOR	DESCRIPTION	AMOUNT	AMOUNT REQUESTED FROM STATE
10	12/15/2009	Kelly's Heating and Air Conditioning	INSTALL LENNOX 15 SEER 3 TON HEAT PUMP	\$7,108.45	
10	12/16/2009	NENEDD	ADMINISTRATION OF GRANT	\$ 653.65	\$ 7,762.00
11	12/16/2009	NENEDD	ADMINISTRATION OF GRANT	\$ 612.50	\$ 612.00
TOTALS				\$8,374.60	\$ 8,374.00

RECOMMEND APPROVAL OF INVOICES IN THE AMOUNT OF DRAWDOWN RECEIVED FROM STATE. PAY KELLY'S FULL INVOICE AND REDUCE ONE OF THE NENEDD PAYMENTS BY \$0.60



AGENDA MEMO

Item # 14 Subject CONSIDER REQUEST OF ALBION BASEBALL TO CONSTRUCT A BLEACHER SHADE STRUCTURE OVER BLEACHERS AT "C" FIELD	Body ALBION CITY COUNCIL Meeting Date 10/12/2010
Presenter(s) LOWELL IMUS	
Background Information	SIZE OF STRUCTURE WILL REQUIRE SOME ENGINEERING - LOWELL IS REQUESTING THAT THE CITY FUND THE ENGINEERING FEES
Discussion	
Motion 2nd Roll Call	
Motion 2nd Roll Call	
Motion 2nd Roll Call	
Summary of Decision	



AGENDA MEMO

Item # 15	Body ALBION CITY COUNCIL
Subject ITEMS TO BE PUT ON NEXT MEETING AGENDA	Meeting Date 10/12/2010

Presenter(s)	
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Background Information	
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Discussion	
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Motion	
2nd	
Roll Call	

Motion	
2nd	
Roll Call	

Motion	
2nd	
Roll Call	

Summary of Decision	
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