

**MINUTES
ALBION CITY COUNCIL
REGULAR MEETING
MONDAY, JANUARY 12, 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 January 12, 2010 in the Council Chambers. Present were Mayor James Jarecki; Council Members Rasmussen, Hoefler, Riedmiller, absent was Warner. City Employees present were Administrator Devine, City Attorney Bird, City Code Official Barb Hanson, Officer Predmore, Water Commissioner Morearty, Water Utility Billing Clerk Knust, Sewer Commissioner Luettel, and Fire Chief Bruce Benne. Others present were Darrel Thorin, Vanessa Mason with the BCDA, John Zwingman, and James Dickerson of the Albion News. 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.

Councilman Rasmussen made a motion to excuse Councilman Warner from tonight's meeting, seconded Hoefler. **Vote: Yeas; Riedmiller, Hoefler, Rasmussen. Nays; None. Absent; Warner.**

3. APPROVE THE MINUTES OF THE DECEMBER 14, 2009 MEETING

Councilman Riedmiller made a motion to approve the minutes of the December 14, 2009 meeting, seconded by Rasmussen. **Vote: Yeas; Hoefler, Riedmiller, Rasmussen. Nays; None. Absent; Warner.**

4. UPDATE ON NEW WELL PROJECT – REVIEW PLANS AND SPECS

Zwingman said that the preliminary schematic has been sent to the electrical engineer. Morearty, Zwingman, and Devine will go to Ord to see their well house. Zwingman talked to one of the Control Suppliers to set up a meeting. This will help to design the specs before the project goes out for bids. Zwingman discussed the second pipe to the water tower to allow for blending. The price will be around \$125,000, most of this cost is getting through footings. It will cost around another \$30,000 to run a pipe from Well #3 to tower, as a single distribution. It is debatable as to whether or not spend the money on that, or put that money towards looking for a new/better water source. The City will need to identify a future back-up source for the State. Zwingman will look into estimates for a reverse osmosis system to treat the water. The other option would be another well into a different water source such as the Ogallala Aquifer. Zwingman thought the best place to put a reverse osmosis system would be by the water tower, this would allow for easier expansion.

5. UPDATE ON WASTE WATER TREATMENT PROJECT

The wastewater report has been submitted to the state for review. The different agencies of wastewater action committees will review report, such as USDA, CDBG, DEQ and HHS. They work collectively to try finding the best way to try and provide the City some funding for this project. They review the report, they will send back a comment letter, the City will send answers back, and then a package will be put together for the City. The City will need to have an engineer ready, and will need to have land ready also. The City will need to be sure as to the type of facility they want also, such as lagoon, or treatment facility. The City needs to have negotiations with landowner in place, and Zwingman will answer state questions. If the City gets an option on a site and it meets the requirements, then the City will need to hire an engineer to get the ball rolling, and it would be in the City's best interest to stick with that engineer.

6. CONSIDER REQUEST OF ALBION BASEBALL TO PLACE SPECTATOR SHELTERS ON A & B FIELDS AT SPORTS COMPLEX

The Albion Baseball Organization and some other volunteers have been looking into putting up covers over the bleachers to protect people from the sun & foul balls. This would be on the A & B fields. They have \$3,000 from a private donor, \$2,500 from Valero, and the remaining \$1,500 from fundraising. Sentinel would do the actual construction. They would slope away from the fields. The bid was \$7,142.64, which is just for material. They will have enough funding without funding from the City. This will need to be approved by the City Council. Councilman Hoefler made a motion to approve Request from Albion Baseball to Place Spectator Shelters on A & B Fields at the Sports Complex, on the Condition that it is reviewed and Approved by the Public Works and City Code Official, seconded by Riedmiller. **Vote: Yeas; Rasmussen, Hoefler, Riedmiller. Nays; None. Nays; None. Absent; Warner.**

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7. REVIEW PROPOSED 1 & 6 YEAR STREET PLAN – DARREL THORIN, CITY STREET SUPERINTENDENT

Darrel presented the draft for the Council to review. Devine and Thorin discussed that the only project to be put on the One Year is the Sale Barn Road, Road Reconstruction, drainage. This is a carry over from last year. Project #'s 81B, 96 Phase I and 96 Phase II will be put on the 6 Year Plan, due to funding. Thorin was notified by the State that the STPE Funds for the County has been lowered; this affects the 6th Street Project. The public hearing will be at the next meeting.

8. REPORT ON MAYOR'S ANNUAL DEPARTMENT MEETING

The Mayor met with all the department heads. They discussed equipment/technology needs. The Mayor discussed snow removal. He said that he truly appreciates all the people who are private contractors that come into town. The Mayor talked about adopting a licensing program, similar to a plumber's license, for snow removal contractors. It was suggested to have a zero cost to \$10-\$15 cost for paperwork. Proof of liability would be needed along with a list of names for the City's and Community's property. This would define where property owners' snow would be placed. There was an instance where a resident had a garage in an alley, and the snow got moved to the middle of the alley. The list of contractors would be advertised in the paper also. Gas meters cannot be buried; it needs to be free of snow so it can "breathe". Rasmussen cleans snow for a couple people, and wanted to know if under the proposed program if he would need to get liability insurance even though he's not charging? And he's concerned that insurance premiums may go up in cost also due to this. The Mayor said to maybe run an informative ad in the paper as to where to pile snow, don't bury fire hydrants, etc. This will be reviewed at the next meeting.

9. CONSIDER REQUEST OF GARY JEWELL TO PLACE MEMORIAL BENCH AT FULLER PARK IN HONOR OF KEITH AND ANN JEWELL

Barb Hanson was contacted by Gary. There is an informational page on this in the packet. The Council doesn't have any issues with this. Councilman Hoefler made a motion to approve Request of Gary Jewell to Place Memorial Bench at Fuller Park in Honor of Keith and Ann Jewell under the condition that it is approved by City Code Official Hanson, seconded by Riedmiller. **Vote: Yeas; Rasmussen, Hoefler, Riedmiller. Nays; None. Absent; Warner.**

10. CONSIDER APPLICATIONS OF RYAN TISTHAMMER, JOHN MOELLER, PAUL RASMUSSEN, TRINA HELLBUSCH TO THE ALBION VOLUNTEER FIRE DEPARTMENT

These applications have been approved by the Fire Department. Benne said that they have recruiting members to get their numbers up. They are trying to get some younger members. The department works very well together. Councilman Rasmussen made a motion to approve Applications of Ryan Tisthammer, John Moeller, Paul Rasmussen and Trina Hellbusch to the Albion Volunteer Fire Department, seconded by Hoefler. **Vote: Yeas; Riedmiller, Rasmussen, Hoefler. Nays; None. Absent; Warner.**

11. CONSIDER ORDINANCE NO. 195(09) AN ORDINANCE RELATING TO A LEVY OF SPECIAL ASSESSMENT FOR THE UNPAID WATER, SEWER, AND GARBAGE UTILITY BILL OF CATHERINE A. & LARRY WARD

This is for an unpaid utility bill. The first reading of this was read at the November meeting. Notice was left on December 4, 2009, but there was not a delivery confirmation, and letter was returned to sender unclaimed. Attorney Bird read the second reading of Ordinance 195(09)-An Ordinance Relating to a Levy of Special Assessment for the Unpaid Water, Sewer, and Garbage Utility Bill of Catherine A. & Larry Ward. This is in the amount of \$133.34 plus interest. Councilman Hoefler made a motion to approve the second reading of Ordinance 195(09), seconded by Riedmiller. **Vote: Yeas; Rasmussen, Riedmiller, Hoefler. Nays; None. Absent; Warner.** Councilman Rasmussen made a motion to suspend the rules, seconded by Hoefler. **Vote: Yeas; Riedmiller, Hoefler, Rasmussen. Nays; None. Absent; Warner.** Attorney Bird read the third reading of Ordinance 195(09) by title. Hoefler called the question for Final Passage. Councilman Rasmussen made a motion for Final Passage of Ordinance 195(09), seconded by Riedmiller. **Vote for Final Passage: Yeas; Riedmiller, Rasmussen, Hoefler. Nays; None. Absent; Warner.**

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12. CITY ADMINISTRATOR REPORT

Water/Sewer:

The City received on bid on Jet Truck in the amount of \$4,500 from the Village of Orchard. Transaction was completed Monday January 11, 2010.

Streets:

Snow removal continues to be a challenge this year. The crew has been working hard to keep City Streets passable. There are two lanes on every street now.

I estimate that we have already met our budget for snow removal and will most likely exceed by 50%. We just need to recognize this throughout the year and be sure to minimize other department expenditures when possible for the remainder of the year.

13. CITY CODE OFFICIAL REPORT

There were not any plumber's licenses issued in December. There were three building permits issued. Hanson is working with the Planning Commission on the Albion Property Maintenance Program. Hanson is following up on one complaint on property maintenance. Hanson is working on the 2009 permit report for the newspaper and the census bureau. The Jewell family has contacted Hanson regarding the memorial bench.

14. APPROVE BILLS

Devine included two drawdowns from the CDBG Grant. One includes invoices from Kelly's Heating for project costs and NENEDD for Administration of Grant. The City has received this money from the state. Councilman Hoefler made a motion to approve the bills, seconded by Rasmussen. **Vote: Yeas; Riedmiller, Hoefler, Rasmussen. Nays; None. Absent; Warner.**

15. DISCUSS BILLS NOT INCLUDED TO FINAL BILL FOR ADDITIONAL DIRT USED ON 2009 STREET PAVING PROJECTS

Castle Construction is requesting more funds for the dirt on the street project. The total yardage of dirt that was hauled in was 1922 yards. Bygland's were paid for 864 yards. Devine said that he wants to know when Castle received the invoices from Bygland. If they had the invoices before the City approved all the change orders, Castle should have included these invoices in their change orders. This is around \$10,000 for the invoices. Zwingman figured out that the quantity that they show for Main Street and Second Street is over excavating about 10" for some of the site. If they would've finished the alleys on Marengo right away, it would've saved around 40-60 yards. Devine doesn't think that City should pay for all of it. Devine will contact Kay at Bygland's to see when the invoices were sent out to Castle. Riedmiller discussed settling for half of the amount. Item will be addressed at the next meeting.

16. DISCUSS ITEMS TO PLACE ON NEXT MEETING AGENDA

- Next meeting will be on February 9, 2010.
- Public Hearing and adoption of the 1 and 6 year plan.
- Discuss further dirt bill from Castle Const. for Bygland's.
- Plan and Spec for well house water project.
- Status Update Treatment Plant Project.
- List for snow removal policy.
- Devine will talk to Zwingman and see if he wants to have a special meeting.

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17. ADJOURN

At 9:32 p.m. Councilman Rasmussen made a motion to adjourn, seconded by Riedmiller. **Vote: Yeas; Hoefler, Rasmussen, Riedmiller. 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.

Jim Jarecki, Mayor

ATTEST:

Andrew Devine, City Clerk