

**MINUTES
ALBION CITY COUNCIL
REGULAR MEETING
TUESDAY, JULY 16, 2013**

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 July 16, 2013 in the Council Chambers. Present were Mayor James C. Jarecki, Councilmembers Don Rutten, Marcus Johnson, James Riedmiller, and Walt Hoefler. Also present were City Administrator Devine, Deputy City Clerk Huismann, City Attorney Bird, Officer Predmore, and Utility Billing Clerk Knust. Also present were Jim Dickerson with the Albion News, Shannon Landauer, Leon Magseman, Harry Jordan, Mike Webster, Andy Roberts, Lanny Long, Donna Beasley, and Bob Racek. 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.

2. APPROVE MEETING MINUTES OF THE JUNE 11 & JUNE 25, 2013 MEETINGS

Councilman Riedmiller made a motion to approve the minutes of the June 11 & June 25, 2013 meetings, seconded by Johnson. **Vote: Yeas; Riedmiller, Johnson, Rutten, Hoefler. Nays; None.**

3. DISCUSS SIGN OPTIONS FOR LEON NELSON FIELD AS PRESENTED BY THE AMERICAN LEGION

Harry Jordan explained sign options to council members. Currently the sign is on a set of rollers and is easily removable for permanent installation. The Legion would like to take it off the rollers and hang it permanently. Councilman Hoefler made a motion to approve Permanent Installation of the Leon Nelson sign at the sports complex, seconded by Rutten. **Vote: Yeas; Riedmiller, Rutten, Johnson, Hoefler. Nays; None.**

4. CONSIDER LOT SPLIT APPLICATION OF MIKE WEBSTER

Mike Webster was present and told council members he is looking to split the 10 acre lot into 3 separate lots. Councilman Rutten questioned if the well protection program has been changed. Webster stated that he does plan to apply for a well permit, even though he is sure he will be denied. Webster also stated that the current well is capable of supporting two homes. Clerk Devine stated the Lot Split application is not dependent on the approval or denial of a well permit. Councilman Riedmiller made a motion to Approve Lot Split Application #2012-02 of Mike Webster, seconded by Johnson. **Vote: Yeas; Rutten, Hoefler, Johnson, Riedmiller. Nays; None.**

5. CONSIDER FUNDS REQUEST MEMORANDUM OF ALBION ECONOMIC DEVELOPMENT

Bob Racek informed the Council that at this time they are no longer requesting the funds due to the individual looking into private funding. Racek and multiple members of the AEDC still felt it was important to discuss the project and the critical need for housing in Albion with the Council. The project would potentially create 10 new housing properties. Andy Roberts expressed his thoughts on the housing issues stating in the last 6 months he has lost 2 potential employees due to the fact they could not find a place to live. He has multiple employees living out of town and commuting to work at this time. Roberts stated that the Housing Committee as well as the AEDC felt the project they are working on is a great opportunity to clean up some existing properties in Albion and develop new homes that are also

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affordable. Racek stated the developer they are currently working with has a very detailed plan that is very well put together and laid out. The individual who they are working with has a purchase agreement with a deadline on it and had there been any delay with the funds request, the project would be null and void. Racek feels this is the reason the developer has decided to use private funding rather than AEDC funds. Racek is concerned with the developer using private funding, due to the fact that if AEDC funds had been used they would have a little more control on the project. Roberts also discussed different options and thoughts regarding contractors possibly using out of town suppliers to obtain materials for the project. Roberts asked the Council for their thoughts and opinions on the project and the housing needs in Albion. Councilman Hoefer and Johnson agreed that housing is a definite need in Albion. Johnson also stated that the housing project that was completed on 7th street should be a wakeup call to contractors and residents that there is a high demand for starter homes. Riedmiller asked how many current new home projects there were. Devine stated at this time there were three. Racek asked how many were under \$175,000 and Devine said none. Utility Billing Clerk Knust stated that she is unable to give a list of rentals to potential new residents with families, due to the fact there are none. Shannon Landauer stated that although the housing is a major issue they are still highly focused on senior living as well as rental properties. Racek stated that they are all very supportive of annexation. He is also very confident that if there were 10 starter homes (around \$150,000 range) they would fill in 12 months. Discussion ensued. No action taken.

6. CONSIDER APPROVAL OF THE ALBION FIRE DEPT ROSTER

Councilman Rutten made a motion to Approve current fire department roster, seconded by Johnson. **Vote: Yeas; Hoefer, Johnson, Riedmiller, Rutten. Nays; None.**

7. CONSIDER APPOINTMENT OF MARCUS JOHNSON TO NORTHEAST NEBRASKA ECONOMIC DEVELOPMENT DISTRICT BOARD

Councilman Riedmiller made a motion to approve the Appointment of Marcus Johnson to Northeast NE Economic Development District Board, seconded by Johnson. **Vote: Yeas; Riedmiller, Johnson, Rutten, Hoefer. Nays; None.**

8. NUISANCE PROPERTY REPORT FROM ALBION POLICE DEPARTMENT

Officer Predmore was present and updated the Council on the Nuisance Report. Predmore stated that most of the cases were improved. In one case there are still multiple unregistered vehicles. Devine stated he thought the code book stated, as long as the vehicles are covered or behind a fence, they were no longer a nuisance. Attorney Bird thought we may want to look at the code book as he does not feel a fence would be sufficient enough. Councilman Riedmiller said he feels that the Nuisance Program is going great and things look 95% better. No action taken.

9. ADMINISTRATOR REPORT

Pool:

The campaign has raised \$65,286 towards the \$125,000 Peter Kiewit Foundation match requirement. Total funds raised/committed so far: \$329,786. *Mitzi's initial \$266,000 gift not included in the campaign total. List of donors enclosed.

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A Bid opening is scheduled for 2pm on JULY 17, 2013 at City Hall. A special meeting of the Council is planned for 7:30 pm on June 30, 2013 to consider award of contracts.

Streets:

Repair projects have begun. City Staff patch repaired a location on Fairview Street and plan to repair curblin on Ruby Street between 5th and 6th Streets and add a curb to a portion of Marengo between 1st and 2nd Streets.

Boone County Concrete was contacted regarding major repairs to Park Street – they said they were too busy to do it this year but would provide the concrete. Rutjen’s has been contacted and is to be providing a timeline.

Library:

I attended the June 4, 2013 Library Board meeting and discussed the current budget as well as considerations for the 2013-14 budget.

Water/Sewer:

The Mayor, Ron Morearty and I met with Tracy McConnell from Grosch Irrigation and Jim Dickerson with the Albion news to discuss the progress of the well nearly two months ago. Punch list items from March of 2012 were discussed. Tracy did not give a completion date for the punch list items. Also, stainless steel shaft will be installed as specified. Tracy and Ron will coordinate this installation. Ron has made multiple attempts to contact Tracy for updates on the schedule of work. Nothing new to report.

Joe had sewer lines treated for roots and had some sewer mains video recorded at the same time. Beckenhauer Construction and O’Hara plumbing have been onsite near 6th and Fairview to take elevations of the sewer line to see how the standing water issue can best be resolved.

A WWTF dedication was held on July 1, 2013.

Other:

Albion will be hosting a Tire Clean-up event on August 20, 2013. The first 100 tires per hauler will be free. There will be a \$0.50 per tire fee over 100, \$1.00 per truck tire, \$5.00 per tractor tire over 6’. The reason for the fees is that we are limited on tonnage and will have to pay for any overage.

City Attorney Wright and I have reviewed telephone occupation taxes and will have a draft of an ordinance for the Council’s consideration at the regular August meeting that will effectively eliminate occupation taxes and franchise fees on all telecommunications in Albion.

Attached is the current month Sales Tax Report – showing the monthly trend of sales tax receipts.

Also attached is an unaudited Treasurer’s Report/Budget Performance Report for fiscal year-to-date.

10. CONSIDER BILLS FOR APPROVAL

- **CONSIDER MONTHLY BILLS FOR APPROVAL**
- **CONSIDER PAY APPLICATION #14 OF RUTJEN’S CONSTRUCTION FOR APPROVAL**

Councilman Rutten made a motion to Approve monthly bills for payment, seconded by Hoefler. **Vote: Yeas; Riedmiller, Hoefler, Rutten, Johnson. Nays; None.**

Councilman Rutten made a motion to Approve Pay Application #14 of Rutjen’s Construction, seconded by Riedmiller. **Vote: Yeas; Johnson, Hoefler, Rutten, Riedmiller. Nays; None.**

11. ITEMS FOR NEXT MEETING AGENDA

Next Meeting: Special Meeting Tuesday, July 30, 2013 7:30 pm

- Consider Bids for Pool Project for Award
- Preliminary review of 2012-13 Budget Performance & 2013-14 Budget

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Next Regular Meeting: August 13, 2013 7:30 pm

- Consider Resolution setting utility rates
- Consider Resolution approving annual Cost of Living Adjustment based upon the CPI rate
- Consider Ordinance amending/eliminating telephone/telecommunication occupation taxes
- Consider Comprehensive Plan & Zoning Regulation Amendments to clarify setback allowances in existing developed areas

Budget Workshop: August 20, 2013 7:30 pm

- Discuss Certified Valuation obtained from County Assessor
- Discuss draft of budget & final preparation by accountant
- Set budget adoption hearing date & time – tentatively September 10, 2013 7:30 pm

12. ADJOURN

At 9:03 pm Councilman Johnson made a motion to adjourn, seconded by Hoefler. **Vote: Yeas; Rutten, Riedmiller, Hoefler, Johnson. 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 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:

Tonya Huismann, Deputy Clerk