



11/4/2024 - ALBION PLANNING COMMISSION MEETING

MONDAY, NOVEMBER 04, 2024 at 7:00 PM

COUNCIL CHAMBERS, ALBION CITY HALL, 420 W MARKET ST. ALBION, NE 68620

AGENDA

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

APPROVAL OF MINUTES

1. [APPROVAL OF MINUTES OF THE AUGUST 5, 2024 PLANNING COMMISSION MEETING](#)

OLD BUSINESS

2. [REPORT ON RECOMMENDATION TO CITY COUNCIL TO RELOCATE THE COMMUNITY BURN SITE](#)

NEW BUSINESS

3. [CONSIDER FINAL PLAT APPLICATION OF ALBION DEVELOPMENT COMPANY, INC FOR THE SOUTH PARK SUBDIVISION](#)

REPORTS

4. [CITY ADMINISTRATOR REPORT ON CAPITAL PROJECTS](#)

[*ELI PORTER MEMORIAL PARK PROJECT](#)

[*WATER AND SEWER EXTENTION PROJECT](#)

[*SEWER REHABILITATION PROJECTS](#)

ITEMS TO BE PUT ON NEXT MEETING AGENDA

5. PUBLIC COMMENT FOR FUTURE CONSIDERATION

ADJOURNMENT

[***THE COUNCIL RESERVES THE RIGHT TO ENTER INTO EXECUTIVE SESSION ONLY AS PROVIDED IN R.S.N. 84-1410***](#)



AGENDA MEMO

MEETING NAME: Albion Planning Commission

DATE: November 4, 2024

ITEM NAME: **APPROVAL OF MINUTES OF THE AUGUST 5, 2024 PLANNING COMMISSION MEETING**

PRESENTER(S):

BACKGROUND INFORMATION:

Minutes are enclosed for review.

DISCUSSION:

MOTION: To approve the minutes of the August 5, 2024 Planning Commission Meeting

BY:

2ND:

ROLL CALL: Dailey _____ Nathan _____ Schafer _____ Thorberg _____ Ruzek _____

Fick _____ Gragert _____ Wynn _____ Vacant _____

SUMMARY OF DECISION:



8/5/2024 - PLANNING COMMISSION MEETING

MONDAY, AUGUST 05, 2024 at 7:00 PM

COUNCIL CHAMBERS, ALBION CITY HALL, 420 W MARKET ST. ALBION, NE 68620

MINUTES

CALL TO ORDER

A Regular Meeting of the Albion Planning Commission of the City of Albion, Nebraska was convened in open and public session at 7:00 p.m. on August 5, 2024 at the Albion City Hall, 420 West Market Street, Albion, NE. The meeting was called to order by Chairman Fick at 7:00 p.m. Chairman Fick informed the public about the location of the current copy of the Open Meetings Act posted in the Council Chambers. Notice of this meeting along with the agenda was simultaneously given in advance to all members of the Commission. 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. The meeting was recorded using an audio recording device and such recording is available for inspection at the office of the City Clerk.

ROLL CALL

Commission members present were: Tom Fick, Steve Gragert, Todd Wynn, Don Thorberg, Brian Nathan, and Bev Dailey. Absent were: Steven Ruzek and Gale Schafer. City staff present was Secretary Andrew Devine.

APPROVAL OF MINUTES

1. APPROVAL OF MINUTES OF THE JULY 1, 2024 PLANNING COMMISSION MEETING

Commissioner Dailey made a motion to approve the minutes of the July 1, 2024 Planning Commission meeting; seconded by Thorberg. Voting Yea: Dailey, Thorberg, Fick, Gragert, Wynn, Nathan. Voting Nay: None. Absent: Schafer, Ruzek. Motion carried.

OLD BUSINESS

2. REPORT ON RECOMMENDATION TO CITY COUNCIL TO RELOCATE THE COMMUNITY BURN SITE

Secretary Devine reported to the commissioners that the recommendation to relocate the burn site was well received by city council members at their July 16, 2024 meeting. The council agreed that city staff should continue with plans for the relocation to take place after the final cutting of alfalfa this fall. No action necessary.

NEW BUSINESS**3. CONSIDER ADMINISTRATIVE PLAT APPLICATION FOR LOT COMBINATION OF KYLE LISS, SARAH LISS, STEVEN JOHNSON, AND JILL JOHNSON FOR APPROVAL**

Kyle Liss was present to explain he purchased 1/2 of Lot 2 to the north of his property; and would like to combine the two Lots so he can move forward with an addition to his house. Commissioners reviewed the application. Commissioner Nathan made a motion to approve the Administrative Plat application for Lot combination of Kyle Liss, Sarah Liss, Steven Johnson, and Jill Johnson; seconded by Wynn. Voting Yea: Dailey, Thorberg Fick, Gragert, Wynn, Nathan. Voting Nay: None. Absent: Schafer, Ruzek. Motion carried.

4. REVIEW 2024-2025 ALBION CAPITAL IMPROVEMENT PLAN FOR RECOMMENDATION TO CITY COUNCIL

Secretary Devine had previously provided commissioners with the Capital Improvement Plan for review. Devine presented an updated copy and noted the Civil Defense Sirens were added to the plan today after receiving an estimate of \$100,000 to replace 3 sirens with upgraded ones that cover more area. There are a total of 5 sirens in Albion. The siren behind Applied Connective isn't working at all so that one will be replaced. If we upgrade the sirens at the Sports Complex and by the south campground addition, it would cover the entire ETJ (Extra Territorial Jurisdiction). Devine is working on a FEMA Hazard Mitigation grant application that would fund 75% of the cost. If the City is not awarded the grant, we will only replace the siren that is not working for a cost of \$33,000.

Another recent addition to the Capital Improvement Plan is the Albion Baseball Batting Cage Project. The baseball committee is raising funds for the project, and would like to add it to the Big Give.

A change to the estimated cost for Sewer Upgrade and Rehab increased by \$16,000 due to projects carrying over from the 2023-2024 Budget Year to the 2024-2025 Budget Year. The total estimated cost for Sewer Upgrade and Rehab projects is \$176,000.

The Eli Porter Memorial Playground Project was pushed back to this fall due to availability of equipment from manufacturer and installers being behind on other committed projects. Devine expects a start date sometime this fall with a completion in the Spring.

Included on the Capital Improvement Plan is a \$500,000 project to improve Clark Street Park; as well as \$500,000 for Phase II of the recreational trail to link Fuller Park to the Sports Complex and Clark Street Park. Economic Development Director, Shelby Wetovick, and Mr. Devine have been working on a \$1,000,000 grant from the Nebraska Department of Economic Development Rural Community Recovery Program. It is a zero percent local match and is dedicated to revitalizing rural community neighborhoods by public improvements or development activities such as adding sidewalks to vacant properties.

Chairman Fick sought comment from the commissioners regarding the Capital Improvement Plan. Wynn questioned when the Water and Sewer extension projects would begin on the recently annexed properties. Secretary Devine stated the extension project on 11th Street has a November 1, 2024 due date. They might also try to do others this fall, but he will know more after they have their project kickoff meeting.

With no further questions, Commissioner Nathan made a motion to recommend city council approval of the 2024-2025 Capital Improvement Plan, seconded by Gragert. Voting Yea: Gragert, Nathan, Dailey, Wynn, Thorberg, Fick. Voting Nay: None. Absent: Ruzek, Schafer. Motion carried.

REPORTS**5. REPORT ON WATER AND SEWER PROJECTS**

Secretary Devine reviewed the Water and Sewer Projects that the city council awarded bids for. These are planned for the 2024-2025 Fiscal Year. Devine provided maps showing the area of each project group as contracted. Some of these projects are extensions for the recently annexed properties, and others are improvements to existing Water and Sewer lines. No action necessary.

6. REPORT ON NUISANCE PROGRAM

A nuisance update report written by Nuisance Officer, Warren Myers, was provided for planning commission review. No action necessary.

ITEMS TO BE PUT ON NEXT MEETING AGENDA

7. The Next Regular Planning Commission meeting is September 9, 2024 - 7:00 p.m.

8. PUBLIC COMMENT FOR FUTURE CONSIDERATION

None.

ADJOURNMENT

At 7:45 p.m. Commissioner Thorberg made a motion to adjourn the meeting, seconded by Dailey. Voting Yea: Nathan, Dailey, Gragert, Thorberg, Wynn, Fick. Voting Nay: None. Absent: Ruzek, Schafer. Motion carried.

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



AGENDA MEMO

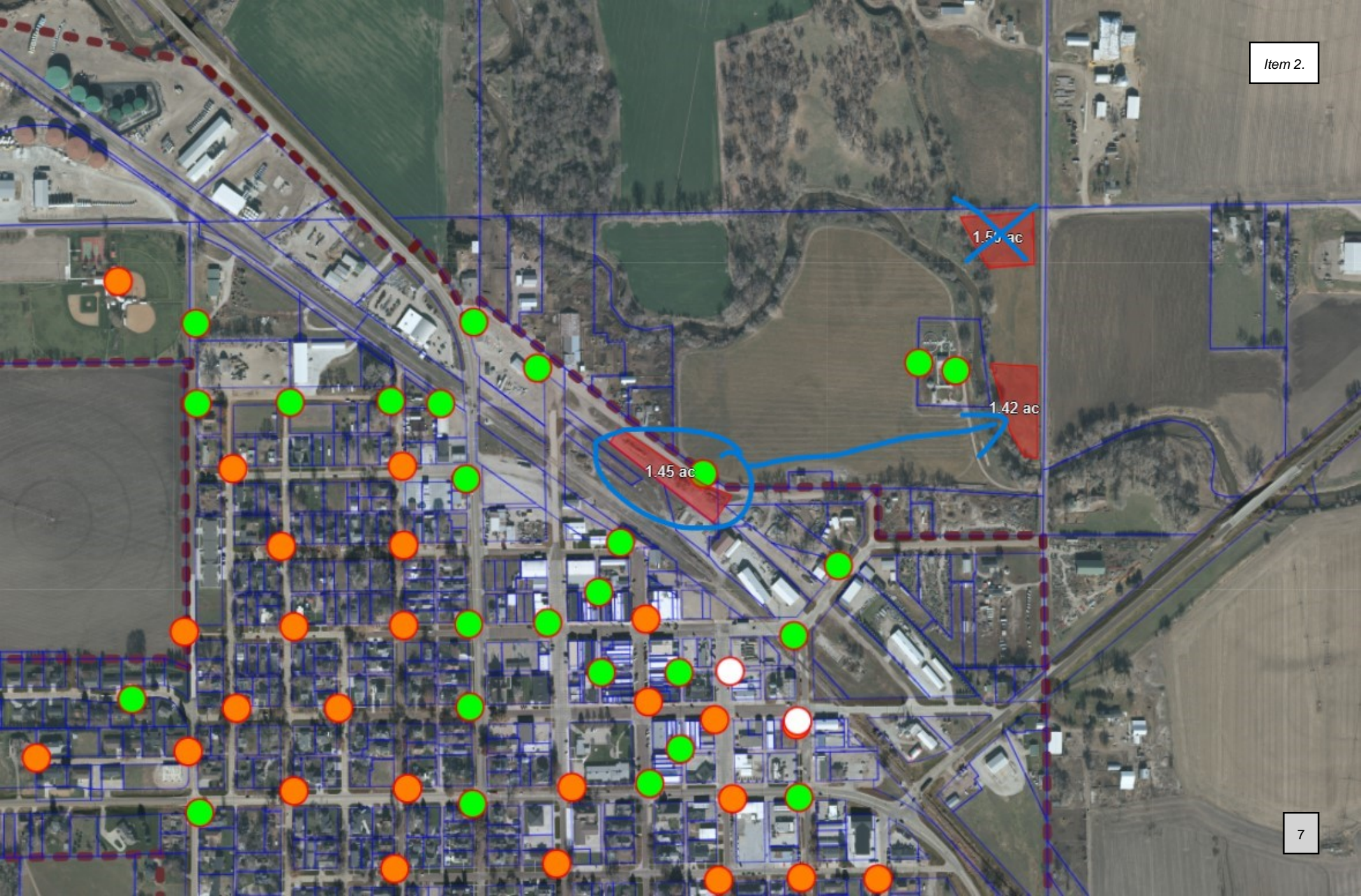
MEETING NAME: Albion Planning Commission

DATE: November 4, 2024

ITEM NAME: **REPORT ON RECOMMENDATION TO CITY COUNCIL TO RELOCATE THE COMMUNITY BURN SITE**

Staff has reviewed the new site and has prepared a layout of the site. Bygland's are busy with a large project out of town, but will review the site plan with staff as soon as possible.

No Action Necessary



1.45 ac

1.50 ac

1.42 ac



AGENDA MEMO

MEETING NAME: Albion Planning Commission

DATE: November 4, 2024

ITEM NAME: **CONSIDER FINAL PLAT APPLICATION OF ALBION DEVELOPMENT COMPANY, INC FOR THE SOUTH PARK SUBDIVISION**

BACKGROUND INFORMATION:

The planning commission and city council have approved the preliminary plat for this subdivision in 2017.

The property has since changed hands and the City has entered into a development agreement with ADC, Inc pending approval of the final plat.

DISCUSSION:

MOTION: To approve and recommend City Council approval the South Park Subdivision Final Plat as submitted.

BY:

2ND:

ROLL CALL: Ruzek _____ Fick _____ Gragert _____ Wynn _____ Dailey _____

Nathan _____ Schafer _____ Thorberg _____ Vacant _____

SUMMARY OF DECISION:

SUBDIVISION AGREEMENT

SOUTH PARK SUBDIVISION
LOT 2, BLOCK 4, ANDERSEN SUBDIVISION
IN THE CITY OF ALBION,
BOONE COUNTY, NEBRASKA

This agreement is made and entered into this 16TH day of JULY, 2024 by and between the City of Albion, Nebraska, hereinafter referred to as “The City” and the Albion Development Company, Inc., hereinafter referred to as “The Developers”.

WHEREAS, the Developers are the owners of certain property situated in the City of Albion, Boone County, Nebraska, and legally described as follows:

Lot 2, Block 4, Andersen Second Subdivision, City of Albion, Boone County, Nebraska

WHEREAS, the Developers wish to plat said property and hereby submit to the City as provided by law, an accurate Subdivision Plat to be known as SOUTH PARK SUBDIVISION, LOT 2, BLOCK 4, ANDERSEN SUBDIVISION IN THE CITY OF ALBION, BOONE COUNTY, NEBRASKA; and,

WHEREAS, the City of Albion finds a public benefit to the public by construction and installation of a public sewer main extension through the proposed subdivision which will provide public sewer access to the public campground’s south addition; and,

WHEREAS, the City of Albion finds a public benefit to the public by construction and installation of a public water main extension through the proposed subdivision which will provide an additional looped water main entrance point from the water system's production wells and water tower sites to the public water distribution system; and,

WHEREAS, new subdivisions are subject to certain required minimum improvements as specified by City ordinances.

IT IS, THEREFORE, agreed by the parties contained herein as follows:

GENERAL CONDITIONS:

1. Grading and Drainage: The Developers shall be responsible for paying for all project site grading improvements. The parties agree that the developer will provide a grading and drainage plan for the subdivision at the time that the lots are developed. The parties further agree that stormwater quality best management practices will be installed and maintained by the lot owners.
2. Public Sanitary Sewer: The City agrees to construct a new 8" sanitary sewer main on Park View Street. The sanitary sewer line on Park View Street will be connected to an existing 8" sanitary sewer line on 8th Street. Lots in the subdivision will be served by the new sanitary sewer mains. The City shall pay for 100% of all costs associated with the construction and installation of all the public sanitary sewer mains in the subdivision on Park View Street.
3. Private Sanitary Sewer: The Developers agree to construct private sanitary sewer service lines for each platted lot according to the city's requirements within twelve (12) months of substantial completion of the public sanitary sewer main extension. The Developers shall pay for 100% of all costs associated with the construction and installation of private service lines to individual lots in the subdivision on Park View Street.
4. Public Water: The City agrees to construct a new 6" water main on Park View Street. The City shall pay for 100% of all costs associated with the construction and installation of the public water main in the subdivision on Park View Street.
5. Private Water: The Developers agree to construct private water service lines for each platted lot according to the city's requirements within twelve (12) months of substantial completion of the public water main extension. The Developers shall pay for 100% of all costs associated with the construction and installation of private water service lines to individual lots in the subdivision.
6. Street Improvements: The Developers agree to construct public street paving upon Park View Street according to the city's requirements within twelve (12) months of substantial completion of the public sanitary sewer and water main extensions. The Developers shall pay for 100% of all costs associated with the construction and installation of required Park View Street Improvements.

7. Developer Guarantee: This Subdivision Development Agreement serves as the Developers' guarantee to the City regarding the improvements required by the City Subdivision Regulations.

MISCELLANEOUS

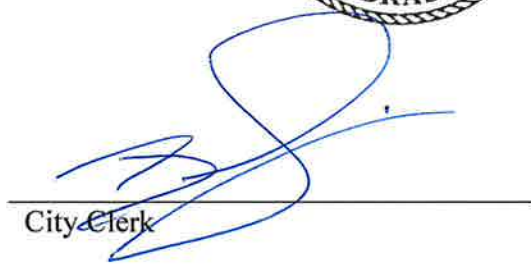
1. This agreement terminates and repeals all terms associated with any and all previous development agreements for said property.
2. The Developers agree to pay to the City an amount of two hundred fifty dollars (\$250.00) per calendar day in liquidated damages for each day beyond the time outlined in the General Conditions that the private water service lines, private sewer service lines, and public street paving improvements are not completed.
3. The Developers agree to hold the City of Albion harmless from any liability and claims arising out of and relative to the development of this Subdivision, including the determination of wetlands as defined in the Federal Clean Water Act and the Water Quality permits required by the Nebraska Department of Environmental Quality.
4. The Developers agree to keep the public right-of-way free from accumulation of water, waste material, weeds or rubbish, and to maintain the finished street surfaces free from dirt caused by their operations during the construction phase.
5. This Agreement shall run with the land and be binding upon the parties hereto, their successors, heirs, personal representatives and assigns.


JEFF JARECKI, PRESIDENT
ALBION DEVELOPMENT COMPANY, INC.



ATTEST:

CITY OF ALBION, NEBRASKA
A Municipal Corporation

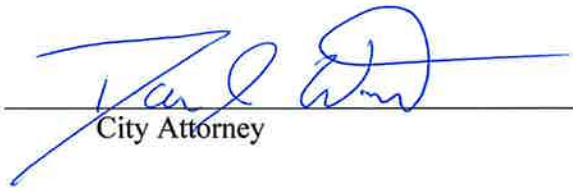


City Clerk



Mayor

(S E A L)

Approved as to form: 

City Attorney



AGENDA MEMO

MEETING NAME: Albion Planning Commission

DATE: November 4, 2024

ITEM NAME: CITY ADMINISTRATOR REPORT ON CAPITAL PROJECTS
 *ELI PORTER MEMORIAL PARK PROJECT
 *WATER AND SEWER EXTENTION PROJECT
 *SEWER REHABILITATION PROJECTS

Eli Porter Memorial Project – dirt work has begun by the installer and significant installation activities will begin soon in the next week or two. I will be meeting with installation foreman this week to review site layout plan.

Water and Sewer Extensions – the first phase of Water and Sewer extensions in the areas of *developed annexed property has begun*. Sewer extension on old mill road is complete as well as the water main extension on NORCO road. Crews will be moving on to the South Park Subdivision soon.

We've been camera inspecting our sewer system the last several years and have begun high priority rehabilitation work starting with installation of three manholes on Park street where small lamp holes had started collapsing into the sewer main.

No Action Necessary



AGENDA MEMO

MEETING NAME: Albion Planning Commission

DATE: November 4, 2024

ITEM NAME:

MOTION: To adjourn the meeting at _____ p.m.

BY:

2ND:

ROLL CALL: Nathan _____ Schafer _____ Dailey _____ Gragert _____

Thorberg _____ Wynn _____ Fick _____ Vacant _____

Next Meeting – December 2, 2024 – 7:00pm