

MINUTES OF THE ALBANY VILLAGE BOARD
April 9, 2012

The regular meeting of the Albany Village Board was called to order at 6:30 p.m. in the Albany Village Hall by President Larry Hanson. Members present were: Hanson, Kim Blumer, Rod Sutherland, Virginia Detra, John Briggs, Eileen Althaus, and Peggy Boeck. Also present were: Bob Levitt, Jon Runaas, Tim Astfalk, Jeff Roe of Tree City, Clara Hawthorne, Corky Neuenschwander, Tim Porter, Scott Sowl, Dave Pluss, Jeff Nelson, and Mr. Nelson.

The Pledge of Allegiance was shared.

Proof of posting was verified.

AGENDA: Motion by Briggs, seconded by Althaus to approve the agenda with the addition of Dam Boards as 10.L. Carried.

MINUTES: Motion by Briggs, seconded by Sutherland to approve the minutes of the March 19, 2012 meeting as written. Briggs had a question from the minutes where the Green County Landfill had offered to bring in a truck box to put the garbage in and whether or not this will work. Blumer stated that they will be discussing this at their meeting next week. Motion carried.

PRESIDENT'S MOMENT: Nothing at this time.

PUBLIC APPEARANCES: Scott Sowl was present to ask about the condition of a property in his neighborhood not being cleaned up. This will be referred to the police department who will pursue it.

TREE CITY USA: Jeff Roe was present to present the village with their flag and award for our eighth year in the program. He gave the items to Hanson and congratulated the village for continuing in this program. Hanson signed the Arbor Day Proclamation. The Board thanked Roe for coming tonight.

COMMITTEE AND COMMISSION REPORTS: The following committee and commission reports were read and placed on file:
Police, Fire, License 3-27-12
Street and Utility 4-02-12
Plans Commission 4-05-12

OPERATOR'S LICENSE: Motion by Briggs, seconded by Detra to approve an operator's license for Alex Capesius. Carried.

MEMORIAL DAY REQUESTS: The Chamber of Commerce requested the following street closings for the Yesteryear weekend: May 25 – North Water Street from East Main Street to Oak Street from 6:00 p.m. to 2:00 a.m.; and May 26 – North Water Street will be closed from East Main Street to Madison Street from 9:00 a.m. to 6:00 p.m. Motion by Briggs, seconded by Blumer to approve these closings. Carried.

CLASS "B" LIQUOR LICENSE: Tim Porter expressed some concerns over the length of time that was recommended by the Police, Fire, and License committee for them to take over ownership of the business formerly known as the Pitstop located at 103-107 North Water Street. The reason is there are some issues that must be taken care of by the previous owner that is currently holding up the sale. It was explained that the committee recommended 45 days, and the village board will be meeting again within that time if this recommendation needed to be amended. However, if they are able to get the purchase through within those 45 days, then there will be no problem. Motion by Briggs, seconded by Blumer to approve the Class "B" Combination license to Tim Porter contingent on his purchasing the property located at 103-107 North Water Street within 45 days from tonight's meeting. Carried. Again, if there is an issue that takes the purchase longer than this time, the board will revisit it at that time.

WWTF PAY REQUEST AND NEW REQUEST: Motion by Sutherland, seconded by Althaus to approve the pay request in the amount of \$10,450 from Iowa-Grant Trucking for mobilization. Carried.

Sutherland also explained that there is a request from Iowa-Grant Trucking for an additional \$48,000 to pay for the soil screening, as the dirt that they were told to use in the Industrial Park is not screenable. Mead and Hunt has taken two separate sieve analysis' to make sure that this soil is able to be screened, and both tests have shown it to be. Nelson stated that the soil is too moist – it may meet the specifications, however it is too wet and will not dry out. Should they use this soil to put under the liner at the construction site, and it got wet, it would not make an appropriate base. Some questions were asked and comments made about this soil, and the fact that the contractor gave their bid with the price that they did, and some board members felt that they should be held to it. However, Nelson took the word of the information given with the specs when he gave his bid. They are now finding that the soil is not workable. They found a nearby pit that would sell to them for \$3.95/ton, which the board felt was very high. After much discussion, Sowl suggested that the contractors contact a local private property owner who has an old sand pit on their property that would be close for hauling and may have the correct type of soil. It was decided that the contractors will contact these property owners and see if there is something that could be worked out. Astfalk was questioned about the loan if we could get more money than what we have been approved for. He stated that there is a 5% contingency that allows an additional \$26,422 to be borrowed, but that is it. So the village will not have sufficient funds to pay any additional amounts over the bid amount. After more discussion, it was suggested that Iowa-Grant Trucking check with this private owner or other pits to see if they can find a more suitable price for the sand, and to contact the village when they come up with an answer. The village board will call a special meeting if this is needed to make the decision.

BOARDS ON DAM: Sutherland explained that the committee recommended that the Public Works Employees place the boards on the dam no later than two weeks before fishing season begins (the first Saturday in May) and will be removed near to November or as weather permits. Sowl stated that the concern is not as much the date as it is the speed of which it is done. It needs to be done gradually, so as to not kill off the spawn. Motion by Sutherland, seconded by Briggs to place the boards on the dam up to a minimum of two weeks prior to fishing season and the November date to be determined by weather and that this is

to be done gradually – open the gates to let the water level lower slowly and put the boards on over a two day period. Carried.

AS NEEDED EMPLOYEE: Sutherland stated that recently two of our public works employees have had medical issues that put them on some restricted work. The committee felt that it may be necessary to hire an as needed employee should these issues cause the crew to get behind. Motion by Sutherland, seconded by Blumer to hire part time as needed employees if this situation arises again. Carried.

BRUSH PICK UP: It was announced that the Brush Pick-up will be held on Friday, May 11th. Advertising will be done.

PUBLIC HEARING RECOMMENDATION: There was no quorum at the Plans Commission held on April 5th, so the public hearing requested by Jack McKibbin for a variance to his property line to build a garage couldn't make a decision. The hearing was held, and there was a neighboring property owner that was concerned over the setback. Much discussion was held on the pros and cons of allowing this variance. After more discussion, a motion was made by Briggs, seconded by Blumer to allow the rebuilding of the garage on the existing foundation for this garage and no closer to the property line than this foundation currently is. Carried. It was explained that there would be some room to build toward the east if he wanted to make the garage longer, but they will not grant a variance to build any further north than the existing garage.

VALLEY PARK DRIVEWAY: The owners of the Valley Park Home are requesting a "U" shaped driveway, and then need to get access to their garage. However, there was no one in attendance to the Plans Meeting to describe what their thoughts were so no action was taken.

ALBANY UNITED METHODIST CHURCH REQUEST: Dave Pluss was present in behalf of the AUMC to ask that they could begin with the site work and retention pond so they don't get too far behind in their building schedule. They are still waiting for the state approved plans for the plumbing and HVAC before they can begin on the structure.

Motion by Blumer, seconded by Sutherland to allow the building permit to be given to the AUMC with the contingency that at this time they are only to do site work and the retention pond at this time with no structure building until all plans are state approved. Mead and Hunt has approved the storm water plans. Carried.

LEGION LAND FOR SALE: The Albany Legion has offered the land directly across North Water Street from the Village Hall for sale to the village. Briggs is concerned that possibly their asking price is a bit high for a small piece of land like that. Even though the members feel that it's important that the village own this property, they do not want to pay more than it is worth. After some discussion, a motion was made by Briggs and seconded by Detra to offer the Legion \$10,000 for the land located west of the village hall across North Water Street (between North Water Street and the Sugar River). A letter will be sent with this offer. Carried.

BILLS: Motion by Sutherland, seconded by Blumer to pay the bills as presented. Carried.

FUTURE ITEMS: Detra asked if the new door for the meeting room has been ordered and if the prices for the other door have been received. Runaas explained that they had not been received yet.

Briggs commended the police department for watching traffic along Mineral Street.

Keepers explained that there is a meeting at the Green County Treasurer's office on Wednesday morning regarding the tax collection program. Keepers feels that it would be beneficial for both her and Michelle Brewer to attend, so the office could be closed for some time in the morning. The consensus of the board members was that this would be fine.

ADJOURN: Motion by Briggs, seconded by Blumer to adjourn. Carried.

8:00 p.m.

LAURIE K. KEEPERS, Clerk
Village of Albany