



CITY COUNCIL REGULAR MEETING

TUESDAY, JUNE 10, 2025 at 7:30 PM

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

MINUTES

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 June 10, 2025 at Albion City Hall, 420 West Market St., Albion, NE. 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. The meeting was recorded using an audio recording device and such recording is available for inspection at the office of the City Clerk.

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

Present were Mayor James Jarecki and Council Members Marcus Johnson, Jason Tisthammer, and Jon Porter. Absent was Jack Dailey.

City staff present were City Administrator Andrew Devine, Deputy Clerk Sharon Ketteler, City Attorney Darren Wright, Water Commissioner/Building Inspector Warren Myers, Utility Clerk Amber Wynn, Police Chief Brent Lipker, and Economic Development and Housing Director Shelby Kelley.

Councilman Porter made a motion to excuse the absence of Councilman Jack Dailey, seconded by Johnson. Voting Yea: Tisthammer, Porter, Johnson. Voting Nay: None. Motion carried.

MAYOR'S COMMENTS

None.

APPROVAL OF MINUTES

1. CONSIDER APPROVAL OF THE MINUTES OF THE MAY 13, 2025 CITY COUNCIL MEETING

Councilman Johnson made a motion to approve the minutes of the May 13, 2025 City Council meeting, seconded by Porter. Voting Yea: Johnson, Porter, Tisthammer. Voting Nay: None. Absent: Jack Dailey. Motion carried.

OLD BUSINESS

2. CONSIDER APPROVAL OF A SIDEWALK EASEMENT BY THE EVANGELICAL LUTHERAN GOOD SAMARITAN SOCIETY d/b/a GOOD SAMARITAN – ALBION, TO THE CITY OF ALBION, NEBRASKA TO CONSTRUCT AND MAINTAIN A PUBLIC SIDEWALK AS PART OF THE ALBION WALKING TRAIL SYSTEM

At the February 11, 2025 City Council meeting, council members approved a proposal by Larry Bird, on behalf of the Trail Committee, to pursue a “Generation” trail link from the existing trail to the Good Samaritan Society Campuses and Boone Beginnings. Most of the trail will be on city right-of-way, however, a small section of the trail will go outside of the right-of-way making it necessary to obtain an easement from Good Samaritan-Albion. City Attorney Wright provided a copy of maps of the area involved and the easement agreement and reviewed it with the council.

Councilman Johnson made a motion to approve the easement agreement by the Evangelical Lutheran Good Samaritan Society d/b/a Good Samaritan-Albion, to the City of Albion, Nebraska to construct and maintain a public sidewalk as part of the Albion Walking Trail System and to authorize the Mayor to execute such instrument; seconded by Porter. Voting Yea: Porter, Johnson, Tisthammer. Voting Nay: None. Absent: Dailey. Motion carried.

NEW BUSINESS

3. CONFIRM THE APPROVED ALBION VOLUNTEER FIRE DEPARTMENT ROSTER FOR INSURANCE BENEFITS

Fire Chief Bruce Benne provided a copy of the Albion Volunteer Fire Department roster for council review.

Councilman Porter made a motion to confirm the approved Albion Volunteer Fire Department roster as presented, seconded by Johnson. Voting Yea: Tisthammer, Johnson, Porter. Voting Nay: None. Absent: Dailey. Motion carried.

4. CONSIDER REQUEST OF THE ALBION LOCKER FOR A GRANT OF RIGHT OF WAY TO PLACE FREEZER UNITS

Larry Swerczek was present to explain the request of the Albion Locker for the city to grant right-of-way to place two condensing units on the north sidewalk of the locker building. The condensing units are used to cool the meat freezers inside the building. Mr. Swerczek provided a drawing of where the units would be placed and stated there would still be approximately 9' of sidewalk width after the 42" and 46" units were in place. It was also noted that this sidewalk ends at the east end of the building and rarely gets used. Swerczek stated that the current condensing units are inside the building in a small, closed area and they get too hot. The large compressor located on top of the building helps to cool the condensing units, but these have had to be replaced six times in recent years and are quite expensive.

Councilman Porter made a motion to approve the request for grant of right-of-way as requested and to authorize the Mayor to execute such instrument, seconded by Tisthammer. Voting Yea: Johnson, Porter, Tisthammer. Voting Nay: None. Absent: Dailey. Motion carried.

5. CONSIDER REQUEST TO CLOSE 4TH STREET NORTH OF MAIN STREET FROM 2PM TO 10PM ON JUNE 28, 2025, JULY 12, 2025, AND JULY 19, 2025

Ray Barnes of "The Nest" had previously provided the council with a map of the area of street he would like to close off on three Saturdays to provide outdoor games near his business. These events would coincide with "Cruise Night" that the Albion Chamber is hosting.

Councilman Porter made a motion to approve request to close 4th Street north of Main Street to the alley from 2:00 p.m.-10:00 p.m. on June 28, July 12, and July 19, 2025; seconded by Johnson. Voting Yea: Porter, Tisthammer, Johnson. Voting Nay: None. Absent: Dailey. Motion carried.

RESOLUTIONS

6. NONE

ORDINANCES

7. CONSIDER SECOND AND THIRD READINGS AND/OR FINAL PASSAGE OF ORDINANCE 341(25) AN ORDINANCE RELATING TO A LEVY OF SPECIAL ASSESSMENT FOR THE UNPAID UTILITY BILL OF JIM HIGHTREE, 819 WEST MAIN STREET, ALBION, NEBRASKA.

The first reading of Ordinance 341(25) was read and approved at the May 13, 2025 city council meeting. Mayor Jarecki instructed Clerk Devine to read the second reading of the ordinance. Councilman Porter made a motion to approve the second reading and to move that the statutory rules be suspended, seconded by Johnson. Voting Yea: Johnson, Porter, Tisthammer. Voting Nay: None. Absent: Dailey. Motion carried. Mayor Jarecki instructed Clerk Devine to read the third reading of the ordinance. Councilman Porter made a motion to approve the third reading of Ordinance 341(25) and to move for final passage and adoption, seconded by Johnson. Councilman Porter called the question. Mayor Jarecki sought comment. With no further comment Mayor Jarecki declared Ordinance 341(25) having been read by title three different times, the rules have been suspended, the question is, "Shall Ordinance 341(25) finally pass?" Voting Yea: Porter, Tisthammer, Johnson. Voting Nay: None. Absent: Dailey. Motion carried.

REPORTS

8. ACKNOWLEDGEMENT OF RECEIPT OF THE ANNUAL DELINQUENT UTILITY ACCOUNT REPORT

Council members reviewed the Annual Delinquent Utility Account Report provided by Utility Clerk, Amber Wynn. No action taken.

9. City Administrator Report

City Administrator report to the City Council regarding the status of various city departments, city activities, and city financial reports.

Administrator Devine had previously provided a written report for council review. No action taken.

10. CONSIDER BILLS FOR APPROVAL

***REVIEW MONTHLY BILLS REPORT AND CONSIDER FOR APPROVAL AND PAYMENT**

Councilman Porter made a motion to approve bills report for payment and affirm all paid claims as presented except for the Speed Services bills, seconded by Tisthammer. Voting Yea: Porter, Johnson, Tisthammer. Voting Nay: None. Absent: Dailey. Motion carried.

Councilman Johnson made a motion to pay Speed Services bills, seconded by Tisthammer. Voting Yea: Tisthammer, Johnson. Voting Nay: None. Abstain: Porter. Absent: Dailey. Motion carried.

***CONSIDER CHANGE ORDER NO. 1 OF OBRIST & COMPANY IN THE CONTRACT AMOUNT OF \$32,859.00**

Dale Bohac, engineer for JEO, was available to review the corrected change order with the council. This change order was first submitted to the council at last month's meeting but was not approved due to discrepancies that city staff and council members had in several items listed or omitted. There was discussion on several items but mainly on the boring on 4th and Fairview Streets. Mr. Bohac documented the change on his end, but didn't communicate it to the city. Porter stated that he didn't have a problem with the change but felt that Mr. Bohac should have provided city staff with proper documentation. It was discussed that another 6" valve needs to be credited on a future change order for Group E1.

Councilman Porter made a motion to approve Change Order #1 of Obrist & Company in the amount of \$32,859.00; seconded by Johnson. Voting Yea: Johnson, Porter, Tisthammer. Voting Nay: None. Absent: Dailey. Motion carried.

***CONSIDER CHANGE ORDER NO 2. OF OBRIST & COMPANY CHANGING THE CONTRACT SUBSTANTIAL COMPLETION DATE FROM JUNE 1, 2025 TO JULY 1, 2025**

A list of the main changes and additional work added to the project was provided to explain the request for changing the substantial completion date from June 1st to July 1st. This request had also been reviewed at last month's meeting but was not approved because of little explanation for the extension.

Councilman Porter made a motion to approve Change Order #2 of Obrist & Company changing the substantial completion date from June 1, 2025 to July 1, 2025; seconded by Johnson. Voting Yea: Johnson, Tisthammer, Porter. Voting Nay: None. Absent: Dailey. Motion carried.

***CONSIDER PAY APPLICATION #3 OF OBRIST & COMPANY IN THE AMOUNT OF \$478,761.52 FOR PAYMENT**

Councilman Porter made a motion to approve Pay Application #3 of Obrist & Company in the amount of \$478,761.52 for payment; seconded by Johnson. Voting Yea: Johnson, Porter, Tisthammer. Voting Nay: None. Absent: Dailey. Motion carried.

11. CONSIDER EMPLOYEE EVALUATIONS AND STEP-RAISES FOR APPROVAL

At 8:16 p.m. Councilman Porter made a motion to enter into closed session, seconded by Johnson. Voting Yea: Johnson, Tisthammer, Porter. Voting Nay: None. Absent: Dailey. Motion carried.

At 8:46 p.m. the recorder was turned back on and Clerk Devine stated that no action was taken while they were in closed session. Councilman Johnson made a motion to reconvene the open session of the

meeting, seconded by Porter. Voting Yea: Johnson, Porter, Tisthammer. Voting Nay: None. Absent: Dailey. Motion carried.

Councilman Porter made a motion to approve the employee evaluations of Shelby Kelley, Corey Zoubek, and Warren Myers; and to approve step raises of Shelby Kelley and Warren Myers; seconded by Tisthammer. Voting Yea: Johnson, Porter, Tisthammer. Voting Nay: None. Absent: Dailey. Motion carried.

ITEMS TO BE PUT ON NEXT MEETING AGENDA

12. Next Regular Meeting: July 8, 2025 7:30 p.m.

13. Public Comment for Future Consideration

Economic Development and Housing Director, Shelby Kelley, asked that if the city receives any bills from Obrist & Company for the South Park Subdivison installation of water and sewer service lines, to please forward to her.

ADJOURN

At 8:49 p.m. Councilman Johnson made a motion to adjourn the meeting, seconded by Porter. Voting Yea: Tisthammer, Johnson, Porter. Voting Nay: None. Absent: Dailey. Motion carried.

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 news 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.

James Jarecki, Mayor

ATTEST:

Sharon Ketteler, Deputy Clerk