



# CITY COUNCIL REGULAR MEETING

TUESDAY, FEBRUARY 11, 2025 at 7:30 PM

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

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## MINUTES

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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 February 11, 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

Council President, Marcus Johnson, called the meeting to order and informed the public about the location of the current copy of the Open Meetings Act posted and provided for the public in the Council Chambers.

### ROLL CALL

Present were Council President Marcus Johnson and Council Members Jack Dailey, Jason Tisthammer, and Jon Porter.

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

Council President Johnson made a motion to excuse the absence of Mayor Jarecki, seconded by Porter. Voting Yea: Tisthammer, Dailey, Johnson, Porter. Voting Nay: None. Motion carried.

### APPROVAL OF MINUTES

#### 1. APPROVAL OF MINUTES OF THE JANUARY 14, 2025 CITY COUNCIL MEETING

Councilman Porter made a motion to approve the minutes of the January 14, 2025 City Council meeting; seconded by Tisthammer. Voting Yea: Porter, Dailey, Tisthammer, Johnson. Voting Nay: None. Motion carried.

### OLD BUSINESS

#### 2. NONE

## NEW BUSINESS

### **3. CONSIDER APPROVAL OF PROPOSAL FROM CHOYESKI CONCRETE AND CONSTRUCTION FOR THE DESIGN AND ERECTION OF A PRE-ENGINEERED STEEL BUILDING AS SPECIFIED FOR THE CARDINAL CAGE PROJECT**

Clerk Devine stated that last month the city formally advertised for requests of proposal for this project. Only 1 bid was received. Devine provided a copy of the bid tabulation which showed the bid met all requirements as specified. The required security deposit had also been provided. Ed Knott, representative for the Cardinal Cage Project, explained they have been working the past 6 – 8 months with Mike Choyeski of Belgrade, Nebraska, who is a Sentinel dealer. The building design they chose is 60' X 100' with 20' sidewalls. The bid of \$135,949.93 includes insulation.

Councilman Dailey made a motion to approve proposal from Choyeski Concrete and Construction for the design and erection of a pre-engineered steel building as specified for the Cardinal Cage Project, seconded by Porter. Voting Yea: Dailey, Johnson, Tisthammer, Porter. Voting Nay: None. Motion carried.

### **4. CONSIDER APPROVAL TO SUBMIT APPLICATION FOR THE NEBRASKA CIVIC AND COMMUNITY CENTER FINANCING FUND GRANT AND AUTHORIZING THE MAYOR TO SIGN ALL GRANT CONTRACT DOCUMENTS**

Michelle Olson, on behalf of the Cardinal Cage Committee, explained the CCCFF grant application she is working on for the Cardinal Cage project. They are requesting \$325,000 for Phase 2 of the project. They are calling it the Albion Recreation Center in order to fit into one of the four categories of the grant. Ms. Olson noted that no funds can be charged prior to notification of the award. So, construction of Phase 1 would need to be on hold until notice of award. Olson stated that 50% of the award would be given up front, and the remaining funds would be given when invoices are submitted. The grant is highly competitive, and we are missing a few items that would enhance the application such as a Community Survey and a Feasibility Study. However, Olson stated it is a great grant and is still worth applying.

Councilman Porter made a motion to approve application for the Nebraska Civic and Community Center Financing Fund Grant and authorizing the mayor to sign all grant contract documents, seconded by Dailey. Voting Yea: Porter, Johnson, Dailey, Tisthammer. Voting Nay: None. Motion carried.

### **5. CONSIDER PROPOSAL OF THE FRIENDS OF THE TRAIL COMMITTEE TO PURSUE A "GENERATION" TRAIL LINK FROM THE EXISTING TRAIL TO THE GOOD SAMARITAN SOCIETY CAMPUSES AND BOONE BEGINNINGS**

Larry Bird spoke on behalf of the Trail Committee. They are proposing to link the recreational trail from the existing trail by the southwest corner of the hospital to the Good Samaritan Society Campuses and Boone Beginnings. Most of the proposed trail would be on city right-of-way. The Trail Committee provided a map of the proposed route for council review. Mr. Bird explained that by extending the trail, it would provide a safer route for young children at Boone Beginnings and residents at the Good Samaritan campuses to reach Fuller Park. They already have some funds for the project. They will apply for grant funds if the city approves the "Generation" trail and Good Samaritan approves extending the trail onto their property.

Councilman Johnson made a motion to approve proposal of the Friends for the Trail Committee to pursue a "Generation" Trail Link from the existing trail to the Good Samaritan Society Campuses and Boone Beginnings, seconded by Porter. Voting Yea: Porter, Johnson, Dailey, Tisthammer. Voting Nay: None. Motion carried.

- 6. CONSIDER AEDC REQUEST TO RELEASE \$35,836.00 IN ECONOMIC DEVELOPMENT SALES TAX FUNDS FOR ECONOMIC DEVELOPMENT PROGRAM ACTIVITIES:**
- **\$18,800 FOR WATER AND SEWER SERVICE LINE INSTALLATION AT SOUTH PARK SUBDIVISION,**
  - **\$17,036 TO PAY LOUP POWER FOR ELECTRICAL SERVICE INSTALLATION AT SOUTH PARK SUBDIVISION.**

Shelby Kelley, Economic Development and Housing Director, stated that the Citizens Advisory Committee met on January 28, 2025 to review the request. CAC recommended approval of the request of sales tax funds to pay Obrist Plumbing for installation of Water & Sewer lines; and Loup Power for installation of Electric lines for the South Park Subdivision. AEDC Board Member, Andy Roberts added that they are moving quickly on the project. They have gotten bids for the dirt work and concrete for the street. Their goal is to have the street completed by June 1, 2025 so they can move forward with Rural Workforce Housing to put two homes on those lots. The plan is for one slab house and one house with a basement.

Councilman Porter made a motion to approve Economic Development sales tax fund release to AEDC in the amount of \$35,836.00 for Economic Development program activities as presented, seconded by Johnson. Voting Yea: Porter, Johnson, Tisthammer, Dailey. Voting Nay: None. Motion carried.

- 7. CONSIDER APPROVAL OF LAND PURCHASE AGREEMENT WITH ALBION DEVELOPMENT COMPANY, INC. FOR PROPERTY LEGALLY DESCRIBED AS LOTS 13 AND 14, BLOCK 2, F.C. HAWK'S ADDITION TO ALBION, BOONE COUNTY, NEBRASKA**

Clerk Devine explained that the \$1 million grant the city was awarded from Rural Community Recovery was in partnership with AEDC. Part of the funds are to be used to expand Clark Street Park. AEDC owns the two lots east of the park. The city needs to get a purchase agreement approved and executed so we can close on the purchase before the end of March to meet the Rural Community Recovery Grant requirements. The appraisal of the two lots was \$40,750. At next month's city council meeting we will address a covenant for the entire property that states it will remain recreational use for at least 20 years.

Councilman Dailey made a motion to approve the Land Purchase Agreement with Albion Development Company, Inc. for property legally described as Lots 13 and 14, Block 2, F.C. Hawk's Addition to Albion, Boone County, Nebraska; seconded by Johnson. Voting Yea: Tisthammer, Porter, Dailey, Johnson. Voting Nay: None. Motion carried.

- 8. CONSIDER APPROVAL OF AGREEMENT BETWEEN THE CITY OF ALBION AND JEO CONSULTING GROUP FOR PROFESSIONAL SERVICES ASSOCIATED WITH THE RURAL COMMUNITY RECOVERY PROGRAM GRANT PROJECTS**

Clerk Devine stated the City of Albion solicited for design of the trail extension, the Clark Street Park expansion layout, and design of the pavilion/restroom building. Only 1 bid was received and that was from JEO Consulting Group. The original bid was for \$197,900; however, after discussing the scope with Andrew Wilshusen, Project Manager for JEO, they were able to reduce the agreement to \$184,900. Mr. Wilshusen was present to review the agreement with the council. He explained the services would include survey of the park, trail alignment and design, layout and design of the picnic shelter and restrooms, and utilities for the facility. It also includes putting together bidding documents and providing construction services. There will be one highway crossing of the trail, so they will coordinate with the DOT for approval and any signage that would be needed. Wilshusen stated they would complete the topographic survey and design this year and put the bidding out by this fall; with the plan for construction to begin in the spring of 2026.

Councilman Johnson made a motion to approve agreement between the City of Albion and JEO Consulting Group for professional services associated with the Rural Community Recovery Program Grant, seconded by Tisthammer. Voting Yea: Porter, Johnson, Dailey, Tisthammer. Voting Nay: None. Motion carried.

**9. CONSIDER MEMORANDUM OF UNDERSTANDING WITH THE BOONE COUNTY SHERIFF'S DEPARTMENT IN REGARD TO PART TIME CITY POLICE DEPARTMENT EMPLOYMENT OF SHERIFF DEPARTMENT EMPLOYEES**

City Attorney Wright explained that the first draft of the MOU, which was included in the agenda packet, was presented to the County Commissioners yesterday. They requested to have verbiage added that would prevent them from being liable if something were to happen to one of their officers while they were working for the city. Attorney Wright provided a copy of the revised MOU for council review and explained the changes made. Wright added that the County Commissioners did approve the MOU with the changes.

Councilman Porter made a motion to approve Memorandum of Understanding with the Boone County Sheriff's Department regarding part time City Police Department employment of Sheriff's Department Employees, seconded by Johnson. Voting Yea: Tisthammer, Porter, Dailey, Johnson. Voting Nay: None. Motion carried.

**10. APPROVE AUTHORIZED SIGNORS FOR ALL CITY ACCOUNTS AT CORNERSTONE BANK**

Clerk Devine stated that a recent review of authorized signors for the City of Albion at Cornerstone Bank revealed a past council member still listed. Also, Marcus Johnson was only authorized to sign checks but needs to be able to sign all documents there; so an updated list of signors is necessary.

Councilman Porter made a motion to approve Mayor James Jarecki, Administrator/Clerk/Treasurer Andrew Devine, and Council President Marcus Johnson as authorized signors; and, to terminate any and all other previous named persons with signing authority at Cornerstone Bank; seconded by Dailey. Voting Yea: Dailey, Tisthammer, Porter, Johnson. Voting Nay: None. Motion carried.

**11. CONSIDER REQUEST OF CORANCO GREAT PLAINS, INC. TO OCCUPY CITY RIGHT OF WAY NEAR INTERSECTION OF 3<sup>RD</sup> AND CHURCH STREETS FOR THE PURPOSE OF SOIL VAPOR EXTRACTION OF PETROLEUM VAPORS FROM CONTAMINATED SOIL.**

Warren Myers explained that the Dental Clinic on 3<sup>rd</sup> and Church Streets noticed gas vapors present in the basement. Further investigation by the Nebraska Department of Environment and Energy discovered it was petroleum vapors in the soil from a previous filling station on that property. NDEE has hired Coranco Great Plains to remediate the contaminated soil with two remediation wells that will be housed in a 5'X8' cargo trailer. Coranco Great Plains is requesting to place the trailer in the city's right-of-way in a single parking stall for approximately 1 to 2 years. Pictures of the trailer and a sketch of the proposed placement were provided for council review. Discussion ensued.

Councilman Porter made a motion to approve request of Coranco Great Plains, Inc. to occupy city right-of-way near intersection of 3rd and Church Streets for the purpose of soil vapor extraction of petroleum vapors from contaminated soil for a period of up to 2 years; seconded by Tisthammer. Voting Yea: Porter, Johnson, Dailey, Tisthammer. Voting Nay: None. Motion carried.

## RESOLUTIONS

### 12. CONSIDER INTRODUCTION AND APPROVAL OF RESOLUTION 103(25) ADOPTING THE CITY OF ALBION, NEBRASKA PROCUREMENT POLICY AND CODE OF CONDUCT

Clerk Devine noted a similar resolution was approved last month for the Rural Community Recovery Program grant; however, the program requires specific wording for this type of grant. Devine reviewed the verbiage that was changed to meet requirements for the \$1,000,000 Rural Community Recovery Program grant that the city was awarded to renovate and expand Clark Street Park; and to link the recreational trail from Fuller Park to Clark Street Park and the Albion Sports Complex.

Councilman Johnson made a motion to introduce and approve Resolution 103(25) Adopting the City of Albion, Nebraska Procurement Policy and Code of Conduct; seconded by Porter. Voting Yea: Porter, Tisthammer, Dailey, Johnson. Voting Nay: None. Motion carried.

## REPORTS

### 13. 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 report for council review. Devine thanked Sharon Ketteler and Amber Wynn for organizing the Recognition Dinner held on January 31, 2025 at The Nest. No action taken.

### 14. CONSIDER BILLS FOR APPROVAL

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

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

## ITEMS TO BE PUT ON NEXT MEETING AGENDA

### 15. Next Regular Meeting: March 11, 2025 7:30 p.m.

- Annual Utility Report
- Covenant for Clark Street Park Property

### 16. Public Comment for Future Consideration

None.

## **ADJOURN**

At 8:34 p.m. Councilman Dailey made a motion to adjourn the meeting, seconded by Porter. Voting Yea: Johnson, Dailey, Porter, Tisthammer. Voting Nay: None. 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.

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James Jarecki, Mayor

ATTEST:

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Sharon Ketteler, Deputy Clerk