



## CITY COUNCIL REGULAR MEETING

TUESDAY, MAY 13, 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 May 13, 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 Jon Porter, Jack Dailey, Marcus Johnson, and Jason Tisthammer.

City staff present were City Administrator Andrew Devine, Deputy clerk Sharon Ketteler, City Attorney Darren Wright, and Water Commissioner/Building Inspector/Nuisance Officer Warren Myers.

### MAYOR'S COMMENTS

Mayor Jarecki reminded everyone to be careful when mowing grass not to let grass clippings in the street as it ends up in the storm sewers, which can eventually plug the system.

The Eli Porter Memorial playground has opened to the public. The dedication is scheduled for June 12, 2025.

### APPROVAL OF MINUTES

#### 1. APPROVAL OF MINUTES OF THE APRIL 8, 2025 CITY COUNCIL MEETING

Councilman Johnson made a motion to approve the minutes of the April 8, 2025 City Council Meeting, seconded by Porter. Voting Yea: Tisthammer, Dailey, Johnson, Porter. Voting Nay: None. Motion carried.

## OLD BUSINESS

### 2. CONSIDER APPROVAL TO SUBMIT APPLICATION FOR THE WALTER SCOTT FAMILY FOUNDATION GRANT AND AUTHORIZING THE MAYOR TO SIGN ALL GRANT CONTRACT DOCUMENTS

Michelle Olson, on behalf of the Cardinal Cage Committee, was present to review the Walter Scott Family Foundation grant application. Ms. Olson provided copies of the project budget and a copy of the completed application for Clerk Devine to submit onto the portal. This grant allows us to apply for 40% of the total project cost of \$615,000; which is about \$246,000. The grant requires that we have 60% of the project funds raised, which we have done. It could potentially be 3 months before we hear back from the foundation whether or not we have been awarded the grant. Clerk Devine thanked Ms. Olson for her hard work on a very well-written grant application.

Councilman Johnson made a motion to approve application for the Walter Scott Family Foundation 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.

## NEW BUSINESS

### 3. CONSIDER CONFIRMATION OF APPOINTMENTS OF CASSIE OLSON AND EMMA BOUNDS TO THE ALBION LIBRARY BOARD

Councilman Porter made a motion to confirm the appointments of Cassie Olson and Emma Bounds to the Albion Library Board, seconded by Johnson. Voting Yea: Tisthammer, Dailey, Johnson, Porter. Voting Nay: None. Motion carried.

### 4. CONSIDER STREET CLOSURE REQUEST OF DOWNTOWN STREETS FOR COMMUNITY EVENTS

- SMOKE N CHROME ON MAIN COMMITTEE TO TEMPORARILY CLOSE DOWNTOWN STREETS FOR CAR SHOW ON JUNE 14, 2025 FROM 6:30 AM TO 3:00 PM
- ALBION/BOONE CENTRAL ALUMNI COMMITTEE TO TEMPORARILY CLOSE 4<sup>TH</sup> STREET BETWEEN CHURCH AND MAIN STREETS FOR ALBION/BOONE CENTRAL ALUMNI FESTIVAL AND STREET DANCE FROM JUNE 14, 2025 TO 8:00 AM TO 8:00 AM ON JUNE 15<sup>TH</sup>, 2025.
- ALBION AREA ARTS COUNCIL TO TEMPORARILY CLOSE 4<sup>TH</sup> STREET FROM CHURCH STREET THROUGH THE MAIN STREET INTERSECTION AND A PORTION OF MAIN STREET WEST OF 4<sup>TH</sup> STREET ON JULY 3, 2025 FROM 12:00 PM TO 10:00 PM;
- ALBION ARTS COUNCIL SUMMER CONCERT SERIES TO TEMPORARILY CLOSE A PORTION OF 4<sup>TH</sup> STREET FROM THE ALLEY BETWEEN CHURCH AND MAIN STREET AND THE AEDC/VENUE PROPERTIES TO THE MINI PARK AND HWY 14 BREWING PROPERTIES ON JULY 10, 2025, JULY 17, 2025, JULY 24, 2025 FROM 4PM TO 10PM, AND JULY 31, 2025 FROM 4 PM TO 10 PM
- LORI KROHN TO CLOSE CHURCH STREET FROM 5<sup>TH</sup> STREET TO 3<sup>RD</sup> STREETS FROM 9:30 AM TO 11:30 AM ON JULY 4<sup>TH</sup>, 2025 FOR AN INDEPENDENCE DAY KIDDIE PARADE
- ALBION CHAMBER OF COMMERCE TO TEMPORARILY CLOSE DOWNTOWN STREETS ON DECEMBER 4, 2025 FROM 5:30 PM TO 7:00 PM FOR A HOLIDAY LIGHT PARADE

Administrator Devine noted these are all annual community events that have requested temporary downtown street closures.

Councilman Porter made a motion to approve temporary street closure requests as presented, seconded by Johnson. Voting Yea: Tisthammer, Dailey, Johnson, Porter. Voting Nay: None. Motion carried.

## RESOLUTIONS

### 5. **CONSIDER RESOLUTION SERIES 105(25) 1-20 DECLARING NUISANCES**

Nuisance Officer Warren Myers presented the council with reports and photos of twenty nuisances focused mainly on weeds, grass, and worthless vegetation. Mr. Myers had delivered courtesy notices to approximately 40 property owners last week encouraging them to address the nuisances. As of today, 20 were still in violation of the city nuisance code. Council members reviewed the reports and photos. Councilman Porter made a motion to introduce and approve Resolution Series 105(25) 1-20 Declaring nuisances, seconded by Johnson. Voting Yea: Johnson, Tisthammer, Dailey, Porter. Voting Nay: None. Motion carried.

## ORDINANCES

### 6. **CONSIDER INTRODUCTION 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.**

Councilman Johnson made a motion to introduce 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. Mayor Jarecki instructed Clerk Devine to read the ordinance by title for the first time. Councilman Porter made a motion to approve the first reading of Ordinance 341(25), seconded by Johnson. Voting Yea: Tisthammer, Dailey, Johnson, Porter. Voting Nay: None. Motion carried.

## REPORTS

### 7. **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 city financial reports for council review. Devine added that pool staff have been hired. The pool manager will be Camden Moser, along with assistant managers, Natalie Schrad and Joshua Erickson. Devine will have a meeting with the pool managers next week. Devine asked Warren Myers to update the council on removal of the grass pile. Myers explained that he had received a call from Jeff Shanle of Fullerton requesting to remove the city's grass pile to be used for his compost. He would remove the grass for free. Devine stated that this would save the city approximately \$11,000 a year that we had been paying to have it removed. No action taken.

## **8. CONSIDER BILLS FOR APPROVAL**

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

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

### **\*CONSIDER CHANGE ORDER NO. 1 OF OBRIST & COMPANY INCLUDING A ONE-TIME CONTRACT EXTENTION OF ONE MONTH AND AN INCREASE IN THE CONTRACT AMOUNT OF \$41,970.00 FOR REQUIRED CHANGES IN ACTUAL WORK DUE TO UNKNOWN AND UNFORESEEN CIRCUMSTANCES**

Councilman Porter stated that he, Sewer Commissioner Corey Zoubek, and Water Commissioner Warren Myers met earlier to go over the Change Order Estimate from Obrist & Company. Porter explained to the other council members each line item that had a discrepancy, and also missing credits the city should have received. Porter also reviewed adjustments that Obrist & Company made that were different from the original bid. Some of these changes were not authorized by the city; however, Obrist & Company included a charge for it in the Change Order. Porter asked that JEO review the Change Order and do a reconciliation of the incorrect items.

Councilman Porter made a motion to reject Change Order #1 of Obrist & Company including a 1-time, 1-month contract extension and increase of \$41,970.00; seconded by Johnson. Voting Yea: Dailey, Tisthammer, Johnson, Porter. Voting Nay: None. Motion carried.

Following review and discussion of the 1-month extension request, the council and city staff did not estimate the additional work incorporated into the project to require a full month's extension. Councilman Porter made a motion to grant a 14-day contract extension of substantial completion and final payment, seconded by Johnson. Voting Yea: Dailey, Johnson, Porter, Tisthammer. Voting Nay: None. Motion carried.

Councilman Johnson made a motion to postpone Pay Application #3 of Obrist & Company in the amount of \$243,296.90 for payment; and to review upon corrected Pay Application, seconded by Porter. Voting Yea: Johnson, Porter, Dailey, Tisthammer. Voting Nay: None. Motion carried.

## **ITEMS TO BE PUT ON NEXT MEETING AGENDA**

### **9. Next Regular Meeting: June 10, 2025 - 7:30 p.m.**

\*Employee Evaluations

\*Review and Approval of Fire Department Roster

\*Annual Report of Delinquent Utility Accounts

### **10. Public Comment for Future Consideration**

None.

## **ADJOURN**

Councilman Johnson made a motion to adjourn the meeting at 8:49 p.m., seconded by Porter. Voting Yea: Tisthammer, Johnson, Porter, Dailey. 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