



CITY COUNCIL REGULAR MEETING

TUESDAY, AUGUST 12, 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 August 12, 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 Jason Tisthammer, Jon Porter, Jack Dailey, and Marcus Johnson.

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, Library Director Staci Wright, and Police Chief Brent Lipker.

MAYOR'S COMMENTS

None.

APPROVAL OF MINUTES

1. APPROVAL OF MINUTES OF THE JULY 29, 2025 CITY COUNCIL MEETING

Councilman Johnson made a motion to approve the minutes of the July 29, 2025 Special City Council meeting; seconded by Porter. Voting Yea: Dailey, Johnson, Porter, Tisthammer. Voting Nay: None. Motion carried.

OLD BUSINESS

2. CONSIDER REQUEST OF RAY BARNES TO ADD OUTDOOR SEATING AREA WITH ALCOHOL SERVICE ON PUBLIC RIGHT OF WAY/SIDEWALK ALONG NORTH 4TH STREET FOR THE NEST

This request was discussed at the July 8, 2025 city council meeting and action postponed since Ray Barnes was unable to attend that meeting. During that discussion, Councilman Porter had suggested moving the seating area approximately 15' further north in case a handicap parking spot would be

placed on the southeast corner in the future. Mr. Barnes was present and provided the council with an updated drawing, which angled the fencing by the front and back steps to allow at least 48" from fence to curb in all areas. Mr. Barnes stated that the fence would be approximately 3' high. Clerk Devine stated that the city would need to draft a Grant of Right-of-Way document for this type of use of the sidewalk.

Councilman Johnson made a motion to approve request of Ray Barnes to add outdoor seating area with alcohol service on public right-of-way/sidewalk along North 4th Street, and to authorize the Mayor to sign the Grant of Right-of-Way; seconded by Tisthammer. Voting Yea: Porter, Johnson, Dailey, Tisthammer. Voting Nay: None. Motion carried.

NEW BUSINESS

3. CONSIDER ALBION AIRPORT AUTHORITY REQUEST FOR CITY TAX ALLOCATION FOR FISCAL YEAR 2025-2026

The Albion Airport Authority is requesting \$32,753 for City Tax Allocation for the fiscal year 2025-2026. This is 3.5% higher than last year.

Councilman Johnson made a motion to approve the Albion Airport Authority request for City Tax Allocation of \$32,753 for fiscal year 2025-2026; seconded by Dailey. Voting Yea: Porter, Tisthammer, Johnson, Dailey. Voting Nay: None. Motion carried.

4. CONSIDER APPROVAL OF NENEDD CONDUCTING A COMMUNITY ATTITUDE SURVEY FOR THE CITY OF ALBION AND AEDC

Shelby Kelley explained that Northeast Nebraska Economic Development District (NENEDD) will be helping AEDC to conduct a community survey free of charge to help determine the needs and wants of the community. This will also be a good resource for investors and new businesses. Devine added that the survey also helps to support grant applications and prioritize capital improvement projects.

Councilman Johnson made a motion to approve NENEDD conducting a community attitude survey for the City of Albion and AEDC, seconded by Porter. Voting Yea: Johnson, Dailey, Porter, Tisthammer. Voting Nay: None. Motion carried.

5. CONSIDER AEDC REQUEST TO RELEASE of \$94,000 IN ECONOMIC DEVELOPMENT SALES TAX FUNDS FOR ECONOMIC DEVELOPMENT PROGRAM ACTIVITIES:

- **\$94,000 TO ASSIST WITH LAND PURCHASE AT 508 S 9TH STREET, ALBION, NE.**

AEDC Board Member Tony Levander explained they have the opportunity to purchase property that is currently run-down. This would work toward their goal of increasing the housing supply. Clerk Devine noted that the Citizens Advisory Committee reviewed this request on August 5, 2025 and recommended approval.

Councilman Johnson made a motion to approve economic development sales tax fund release to AEDC in the amount of \$94,000 in economic development sales tax funds for economic development program activities as presented; seconded by Porter. Voting Yea: Johnson, Porter, Tisthammer, Dailey. Voting Nay: None. Motion carried.

6. CONSIDER AGREEMENT RENEWAL WITH BOONE COUNTY MINISTERIAL ASSOCIATION IN REGARD TO UTILITY DISCONNECTION PREVENTION PROGRAM

Council members reviewed the renewal Agreement and funding report from Pastor Elizabeth Goehring of the Ministerial Association.

Councilman Tisthammer made a motion to approve the agreement with Boone County Ministerial Association in regard to establishment of Utility Disconnection Prevention Program, seconded by Johnson. Voting Yea: Dailey, Porter, Johnson, Tisthammer. Voting Nay: None. Motion carried.

7. CONSIDER CONFIRMATION OF MAYORAL APPOINTMENT AND HIRING OF DUSTIN MARTIN AS POLICE OFFICER FOR THE ALBION POLICE DEPARTMENT

Dustin Martin has years of experience in law enforcement and is fully certified. He has also received extra training in areas of supervision and technology. Mr. Martin has accepted an offer of employment as an Albion City Police Officer to begin on August 25, 2025.

Councilman Johnson made a motion to confirm the hiring and Mayoral Appointment of Dustin Martin as Police Officer for the Albion Police Department, seconded by Dailey. Voting Yea: Porter, Johnson, Tisthammer, Dailey. Voting Nay: None. Motion carried.

RESOLUTIONS

8. CONSIDER INTRODUCTION AND ACTION ON RESOLUTION 107 (25) – AMENDING AND ADOPTING THE CITY OF ALBION MASTER FEE SCHEDULE

A draft of the potential resolution regarding revised Master Fee Schedule was previously distributed to the Mayor and City Council in their agenda packets. Clerk Devine noted a few items that were added to the fee schedule including outside city limits grass dump and burn site fees.

Councilman Johnson made a motion to introduce and approve Resolution 107(25) Amending and adopting the City of Albion Master Fee Schedule, seconded by Porter. Voting Yea: Johnson, Porter, Tisthammer, Dailey. Voting Nay: None. Motion carried.

9. CONSIDER INTRODUCTION AND ACTION ON RESOLUTION 109 (25) – CALLING FOR REDEMPTION AT PAR PLUS ACCRUED INTEREST THE SEWER IMPROVEMENT BOND ANTICIPATION NOTE, SERIES 2025.

Jay Spearman – Public Finance, Northland Securities, was present to explain that the Bond Anticipation Note, Series 2025 that the city purchased in January, 2025 for \$200,000 for a sewer improvement project had a maturity date of December 15, 2025. It can be called in early for redemption since the sewer project is substantially complete. The city can then move forward with permanent financing. The call will not be initiated until they have actually sold the new bonds. Spearman anticipates the closing of the bonds to be sometime in September. The new bonds will be out for 15 years and will mature in 2041. They are predicting 4.9 percent interest rate; but the rate will be set when we go to market with the bonds. If after five years the interest rates are lower, we can refinance the bonds.

Councilman Johnson made a motion to introduce and approve Resolution 109(25) Calling for redemption at par plus accrued interest the Sewer Improvement Bond Anticipation Note, Series 2025; seconded by Dailey. Voting Yea: Porter, Johnson, Tisthammer, Dailey. Voting Nay: None. Motion carried.

ORDINANCES

10. CONSIDER 2ND AND/OR 3RD READING AND FINAL PASSAGE OF ORDINANCE 342 (25) AN ORDINANCE RELATING TO A LEVY OF SPECIAL ASSESSMENT FOR THE UNPAID UTILITY BILL OF JOANNE STAUB, 539 S 1st STREET and 539 ½ S 1st STREET, ALBION, NEBRASKA.

The first reading was approved at the July 8, 2025 City Council meeting. Mayor Jarecki instructed Clerk Devine to read the second reading of the ordinance. Councilman Johnson made a motion to approve the second reading of Ordinance 342(25) and to suspend the statutory rules requiring the readings to be held at three separate meetings, seconded by Tisthammer. Voting Yea: Johnson, Porter, Tisthammer, Dailey. Voting Nay: None. 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 and for final passage and adoption, seconded by Johnson. Johnson called the question. Mayor Jarecki sought further comment. With no further comment Mayor Jarecki declared Ordinance 342(25) having been read by title three different times, the rules have been suspended, the question is, "Shall Ordinance 342(25) finally pass?" Voting Yea: Dailey, Porter, Tisthammer, Johnson. Voting Nay: None. Motion carried.

11. CONSIDER INTRODUCTION, AND/OR 1ST, 2ND, 3RD READINGS, AND/OR FINAL PASSAGE OF ORDINANCE 344 (25) AN ORDINANCE AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION SEWER BONDS, SERIES 2025, OF THE CITY OF ALBION, NEBRASKA, IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED TWO HUNDRED SIXTY THOUSAND DOLLARS (\$260,000) TO PAY THE COSTS OF CONSTRUCTING ADDITIONS AND IMPROVEMENTS TO THE SEWER UTILITY IN SEWER IMPROVEMENT DISTRICT NOS. 2024-1, 2024-2, 2024-3, AND 2024-4 OF THE CITY.

Administrator Devine explained that as the sewer project was coming to an end, he anticipated the need for extra funds to complete the project. Brad Slaughter – Public Finance, Northland Securities recommended that if it was possible for the city to wait until it was time to call the bonds, then we could increase the final bond financing. Therefore, the issuance of General Obligation Sewer Bonds, Series 2025 of the City of Albion will be in the amount of \$260,000 instead of \$200,000.

Mayor Jarecki instructed Clerk Devine to read the ordinance for the first time. Councilman Porter made a motion to approve the first reading of Ordinance 344(25) and to suspend the statutory rules requiring the readings to be held at three separate meetings, seconded by Johnson. Voting Yea: Johnson, Porter, Tisthammer, Dailey. Voting Nay: None. Motion carried. Mayor Jarecki instructed Clerk Devine to read the ordinance for the second and third time. Councilman Porter made a motion to approve the second and third readings and final passage and adoption of Ordinance 344(25), seconded by Johnson. Johnson called the question. Mayor Jarecki sought further comment. With no further comment Mayor Jarecki declared Ordinance 344(25) having been read by title three different times, the rules have been suspended, the question is, "Shall Ordinance 344(25) finally pass?" Voting Yea: Dailey, Porter, Tisthammer, Johnson. Voting Nay: None. Motion carried.

REPORTS

12. 2025 Clean-Up Days Report - Amber Wynn

Utility Clerk Amber Wynn had previously provided the Mayor and Council with a written report on the 2025 Clean-Up Days in May. No action taken.

13. Annual Library Director Report – Staci Wright

Library Director Staci Wright was available to give a report on activities at the Library this past year. Sixty kids participated in the Summer Reading Program. Seventy-three hundred patrons utilized the Library. There were 22,600 items that went out last year. Circulation of items includes books, cake pans, DVD's, and magazines. Also, electronic books can be checked out through the Libby App. Approximately 800 people (the majority were children) participated in various programs at the Library this past year. The Library will be introducing two new programs this fall. A grant was received that will allow for a couple of speaker events that will be of interest to adults. New windows were recently installed to replace the original windows of the building. The Library received \$22,000 from an estate that will go towards renovating the basement for use as a community room. They are looking into grants to further cover the cost of the project. No action taken.

14. 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. Devine also updated the council on the Park on Clark/Trail project, stating that the project will need to be completed in phases, with the first focus being on the north side of the highway. An estimate from JEO Consulting Group for the shelter with restrooms came in extremely high at \$350/square foot. The City of Albion and AEDC will be fundraising for approximately \$150,000 in addition to the \$1.0 Million grant the city was awarded from the Rural Community Recovery Program to complete the Park on Clark/Trail project. They will be seeking other grant sources and possibly participate in the Big Give later this year. Devine mentioned that Valero and Boone County Area Foundation have also indicated interest in participating in funding the project. No action taken.

15. 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, except for bills from Speed Services; seconded by Tisthammer. Voting Yea: Porter, Johnson, Tisthammer, Dailey. Voting Nay: None. Motion carried.

Councilman Johnson made a motion to approve bills from Speed Services for payment, seconded by Dailey. Voting Yea: Johnson, Dailey, Tisthammer. Voting Nay: None. Abstaining: Porter. Motion carried.

***CONSIDER CHANGE ORDER NO. 3 OF OBRIST & COMPANY INCLUDING A DECREASE IN THE CONTRACT AMOUNT OF \$2,148.00**

The Change Order decreased the net amount of the contract price by \$2,148.00 due to adjustment of quantities. Councilman Dailey made a motion to approve Change Order #3 of Obrist & Company including a net decrease of the contract by \$2,148.00; seconded by Johnson. Voting Yea: Dailey, Tisthammer, Johnson, Porter. Voting Nay: None. Motion carried.

***CONSIDER PAY APPLICATION #4 OF OBRIST & COMPANY IN THE AMOUNT OF \$166,747.80**

This Pay Application includes everything except \$46,360.33 in retainage until the punch list items are satisfactorily completed. Councilman Johnson made a motion to approve Pay Application #4 of Obrist & Company in the amount of \$166,747.80 for payment; seconded by Porter. Voting Yea: Johnson, Porter, Dailey, Tisthammer. Voting Nay: None. Motion carried.

***CONSIDER APPROVAL OF CERTIFICATE OF SUBSTANTIAL COMPLETION OF OBRIST & COMPANY FOR 2023 WATER AND SANITARY SEWER IMPROVEMENTS**

Councilman Dailey made a motion to approve Certificate of Substantial Completion of Obrist & Company for the 2024 Water and Sanitary Sewer Improvements, seconded by Johnson. Voting Yea: Tisthammer, Porter, Johnson, Dailey. Voting Nay: None. Motion carried.

ITEMS TO BE PUT ON NEXT MEETING AGENDA

16. Special Meeting: August 26, 2025 7:30pm - Budget Workshop

- *Review Certified Valuation & Final Draft of 2025-26 Budget
- *Resolution and Ordinance for Final Sewer Project Bonds
- *ROW Occupation Permit Application from Midstates Data Transport dba Stealth Broadband
- *Revised ROW Grant for Albion Locker

17. Next Regular Meeting: September 9, 2025 7:30pm

18. Public Comment for Future Consideration

None.

ADJOURN

At 8:39 p.m. Councilman Dailey made a motion to adjourn the meeting, seconded by Johnson. 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.

James Jarecki, Mayor

ATTEST:

Sharon Ketteler, Deputy Clerk