



## CITY COUNCIL MEETING

TUESDAY, MAY 12, 2026 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 12, 2026 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 Jack Dailey, Marcus Johnson, Jason Tisthammer, and Jon Porter.

City staff present were City Administrator Andrew Devine, City Attorney Darren Wright, Deputy Clerk Sharon Ketteler, Police Officer Michael Lipker, and Economic Development and Housing Director Shelby Kelley.

### MAYOR'S COMMENTS

Mayor Jarecki stated that today is election day and hoped everyone had taken time to vote. The Mayor reported that City-Wide Clean-Up days will be May 27th and 28th. The Mayor reminded pedestrians to practice safety when walking around town.

### APPROVAL OF MINUTES

#### 1. APPROVAL OF MINUTES OF THE APRIL 14, 2026 CITY COUNCIL MEETING

Councilman Porter made a motion to approve the minutes of the April 14, 2026 City Council Meeting, seconded by Dailey. Voting Yea: Dailey, Johnson, Porter, Tisthammer. Voting Nay: None. Motion carried.

### OLD BUSINESS

#### 2. UPDATE REGARDING CARDINAL CAGE LICENSE AND MANAGEMENT AGREEMENT FOR USE OF MUNICIPAL PROPERTY FOR APPROVAL

The City is still waiting to determine who will be the formally named party to the agreement. No action taken.

### **3. CONSIDER DOG PARK PROPOSAL FROM 23 TAILS**

Rori Erickson, Director of 23 Tails, Inc. had previously provided a written report on the Community Dog Park Proposal for council review. Ms. Erickson was available to review the proposal and answer any questions or concerns. Clerk Devine asked if there would be an access road on the north end? Ms. Erickson confirmed there would be. Mayor Jarecki reminded Ms. Erickson to get permission from the County Road Superintendent to construct the access road. Ms. Erickson stated that Jeff Jarecki offered to draw up a lease agreement at no charge. Councilman Porter made a motion to entertain a lease agreement in the future, seconded by Johnson. Voting Yea: Johnson, Porter, Tisthammer, Dailey. Voting Nay: None. Motion carried.

## **NEW BUSINESS**

### **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 20, 2026 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 8:00 AM JUNE 20, 2026 TO TO 8:00 AM ON JUNE 21, 2026.
- ALBION CHAMBER OF COMMERCE TO TEMPORARILY CLOSE 4<sup>TH</sup> STREET FROM CHURCH STREET THROUGH THE MAIN STREET INTERSECTION ON JULY 4, 2026 FROM 1:00 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 9, 2026, JULY 16, 2026, JULY 23, 2026 FROM 4 PM TO 10 PM, AND JULY 30, 2026 FROM 5 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>, 2026 FOR AN INDEPENDENCE DAY KIDDIE PARADE
- ALBION CHAMBER OF COMMERCE TO TEMPORARILY CLOSE DOWNTOWN STREETS ON DECEMBER 3, 2026 FROM 5:30 PM TO 7:00 PM FOR A HOLIDAY LIGHT PARADE

Albion Arts Council Committee Member, Jill Nore, reported that July 2, 2026 should also be included in the street closure for the Concert Series. Councilman Johnson made a motion to approve street closure requests as presented, including July 2, 2026 for the Concert Series, seconded by Porter. Voting Yea: Tisthammer, Dailey, Johnson, Porter. Voting Nay: None. Motion carried.

### **5. REVIEW ANNUAL AUDIT REPORT FOR FISCAL YEAR ENDED SEPTEMBER 30, 2025 – AMGL, CPAS**

Clerk Devine presented council members with the full financial statement packet and benchmarking provided by AMGL. Accountant Jamie Clemans of AMGL joined the meeting by teleconference to review the audit documents with the Mayor and Council. Ms. Clemans stated there were no disagreements with management on any financial accounting reporting or auditing matters. In the general disbursement test, the firm found 1 disbursement that was not listed on the Airport Authority's claims list in the month the check was written. Clemans expressed the importance of listing all claims for proper approval each month. The Unrestricted Net Position for Government Wide and Business-Type Activities decreased quite a bit this year highly due to spending down for capital projects. The Property Tax revenues were up this year due to higher valuation and levy rates. Grants and contributions were up this year highly due to the Cardinal Cage contributions. The Unassigned Fund Balance was zero last year

because we had higher budgetary stabilization. It is down this year at 2.29%. We still have good cash overall, but a significant portion is restricted for specific purposes. The Water and Sewer Funds show a continual negative from year to year meaning our operating expenses are higher than our revenue. This indicates we need to look at possible higher rate increases. We had some debt issued this year in the Water and Sewer departments, so our operating income has some depreciation expense. Our lower operating revenue, additional debt issued, and higher debt payments all affected the Debt Coverage Ratio. Ms. Clemans stated that the city has good cash reserves overall; although the amount of cash restrictions skewed these numbers down. Councilman Johnson made a motion to acknowledge and accept the annual audit report for the fiscal year ended September 30, 2025, seconded by Tisthammer. Voting Yea: Dailey, Johnson, Porter, Tisthammer. Voting Nay: None. Motion carried.

**6. CONSIDER COOPERATIVE PURCHASING CONTRACT FOR FIRE DEPARTMENT 2026 CHEVEROLET SILVERADO 2500HD CREWCAB WITH NATIONAL AUTO FLEET GROUP FOR APPROVAL**

Mark Tisthammer, representative for the Albion Volunteer Fire Department, was available to answer questions about the new purchase. The Fire Department was in need of a heavy duty pickup to replace the 1/2 ton pickup they currently have, which cannot sufficiently pull the trailers they need. They will put the 2013 Chevy 1/2 ton pickup out for bid to sell it. Councilman Johnson made a motion to approve the contract with National Auto Fleet Group in the amount of \$58,958.07 for the purchase of a 2026 Chevrolet Silverado 2500HD crewcab as specified by Quote #43255, seconded by Tisthammer. Voting Yea: Tisthammer, Dailey, Johnson, Porter. Voting Nay: None. Motion carried.

**7. CONSIDER RETAINER AGREEMENT WITH NAPOLI SHKOLNIK PLLC REGARDING RURAL WATER PFAs CLASS ACTION LAWSUIT**

Council members held lengthy discussion on whether or not it was necessary to participate in this class action lawsuit. The general consensus was that our risk of chronic PFAs contamination is very low and if it becomes a problem in our area in the future, there will most likely be other class action lawsuits available. Councilman Porter made a motion to indefinitely postpone retainer agreement with Napoli Shkolnik PLLC regarding Rural Water PFAs Class Action Lawsuit, seconded by Dailey. Voting Yea: Johnson, Tisthammer, Dailey, Porter. Voting Nay: None. Motion carried.

## **RESOLUTIONS**

**8. INTRODUCE AND CONSIDER FOR APPROVAL RESOLUTION 104 (26) A RESOLUTION ADOPTING AND APPROVING THE EXECUTION OF AN AGREEMENT WITH THE DEPARTMENT OF TRANSPORTATION OF THE STATE OF NEBRASKA FOR AGREEMENT NO. ZL2606, PROJECT NAME: STATE HIGHWAY N-91/SOUTH 10<sup>TH</sup> STREET**

Clerk Devine noted this resolution allows the city to work in the State's right-of-way at Highway 91 and 10th Street for recreational trail improvements. Councilman Johnson made a motion to introduce and approve Resolution 104(26), seconded by Tisthammer. Voting Yea: Porter, Tisthammer, Dailey, Johnson. Voting Nay: None. Motion carried.

**9. INTRODUCE AND CONSIDER FOR APPROVAL RESOLUTION 105 (26) A RESOLUTION ADOPTING AND APPROVING THE EXECUTION OF AN AGREEMENT WITH THE DEPARTMENT OF TRANSPORTATION OF THE STATE OF NEBRASKA FOR AGREEMENT NO. ZL2603, PROJECT NAME: RECTANGULAR FLASHING BEACON INSTALLATION INTERSECTION OF N-91 AND 10TH STREET**

Clerk Devine noted this resolution allows the city to install a crossing beacon at North Highway 91 and 10th Street for the purpose of crossing the highway on the recreational trail. Councilman Porter made a

motion to introduce and approve Resolution 105(26), seconded by Dailey. Voting Yea: Dailey, Tisthammer, Johnson, Porter. Voting Nay: None. Motion carried.

## **ORDINANCES**

### **10. CONSIDER THIRD READING AND FINAL PASSAGE OF ORDINANCE 346 (26) AN ORDINANCE RELATING TO THE ANNEXATION OF THE MARILEE 1ST ADDITION TO THE CITY OF ALBION, BOONE COUNTY, NEBRASKA.**

The first reading of Ordinance 346(26) was approved at the March meeting. The second reading was approved at the April meeting. Mayor Jarecki instructed Clerk Devine to read the third reading of the ordinance. Councilman Dailey made a motion to approve the third reading of Ordinance 346(26) and move for final passage and adoption of the ordinance, seconded by Porter. Councilman Johnson called the question. Mayor Jarecki sought further comment. With no further comment Mayor Jarecki declared Ordinance 346(26) having been read by title at three separate meetings, the question is, "Shall Ordinance 346(26) finally pass?" Voting Yea: Dailey, Porter, Tisthammer, Johnson. Voting Nay: None. Motion carried.

### **11. CONSIDER INTRODUCTION AND PASSAGE OF ORDINANCE 348 (26) AN ORDINANCE OF THE CITY OF ALBION, NEBRASKA AMENDING ALBION MUNICIPAL CODE, CHAPTER 1, ARTICLE XII – PARKS AND SWIMMING POOL; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith; AND PROVIDING FOR THE EFFECTIVE DATE HEREOF.**

The primary reasons for updating this city code is to clarify that our campgrounds are not for permanent residency; and also to allow the city to revoke camping permits for any reason the city feels necessary. City Attorney Wright reviewed the draft of proposed changes to the parks and recreational areas in the Municipal Code book. A large part of the discussion among the group was the maximum number of consecutive nights a camper may stay. It was suggested to limit the stay to thirty days and inform campers of this rule when they first come in for a camping permit. If a camper wants to stay more than 30 days, they would be required to submit a written request to the city explaining why they want an extension. The request would then be reviewed to determine whether or not to authorize the extension. It was recommended that Attorney Wright amend the ordinance and present it at the next meeting. No action taken.

## **REPORTS**

### **12. 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 added that the city has three high school boys hired for the summer, but we really could use one more. He asked the group to let him know if they think of someone for this position. Devine explained that in the financial report the Parks department budget performance appears off due to a delay in reimbursement of grant money from the State Department of Economic Development. Devine stated that he and Chief Lipker met with Boone Central Superintendent, Chris Look, to discuss an improvement of traffic flow and safety during drop-off. It is very likely that the school will be installing a drop-off lane in front of the high school on 5<sup>th</sup> Street.

### **13. 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: Dailey, Porter, Tisthammer, Johnson. Voting Nay: None. Motion carried.

\*Consider Pay Application #3 of Gehring Construction for the Clark Park and Trail Project

Councilman Johnson made a motion to approve Pay Application #3 of Gehring Construction for the Clark Park and Trail Project in the amount of \$228,012.83, seconded by Dailey. Voting Yea: Dailey, Johnson, Porter, Tisthammer. Voting Nay: None. Motion carried.

### **14. CONSIDER EMPLOYEE EVALUATIONS FOR APPROVAL**

Councilman Johnson made a motion to approve the employee evaluations and step raises of Corey Zoubek and Brent Lipker, seconded by Porter. Voting Yea: Johnson, Porter, Tisthammer, Dailey. Voting Nay: None. Motion carried.

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

#### **15. Next Regular Meeting: June 9, 2026 - 7:30 p.m.**

\* Lighting for new trail

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

None.

### **ADJOURN**

At 9:24 p.m., Council member Johnson made a motion to adjourn the meeting, seconded by Tisthammer. Voting Yea: Tisthammer, Porter, Johnson, 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