

The Mayor and Council of the City of Fairbury met in regular session in the Council Chambers located at 612 D Street, Fairbury, Nebraska, on the 1st day of April, 2014, at 7:30 p.m. Mayor Homer L. Ward called the meeting to order.

Notice of meeting was given in advance thereof by publication in the Fairbury Journal News, Fairbury, Nebraska, the designated method of giving notice, as shown by affidavit of publication. The Open Meetings Act was posted in the meeting room and pointed out by Mayor Ward as required by law.

Roll call found the following Council Members present: Doug Brown, Rick Carmichael, Roger Bailey, Tim Polson, Phil Rogge, Ed Friesen, Brad Kuzelka, and Kelly Davis.

Mayor Ward called for the submittal of forms to request future agenda items. No forms were submitted during the meeting.

Mayor Ward read the Consent Agenda:

1. Approval of the minutes of the regular meeting of March 18, 2014.
2. Approval of claims.

Rogge moved to approve the consent agenda. Motion seconded by Brown. On roll call, Polson, Bailey, Carmichael, Brown, Rogge, Friesen, Kuzelka, and Davis voted "yes." Motion carried.

Brown moved to approve the recommendation from the Personnel Committee to have the Library Director offer the position of Library Clerk Aide to the part-time employee. If the part-time employee does not want the position of Library Clerk Aide, the Library Director can then advertise for the position of Library Clerk Aide. Motion seconded by Friesen. On roll call, Polson, Bailey, Carmichael, Brown, Rogge, Friesen, Kuzelka, and Davis voted "yes." Motion carried.

Rogge moved to approve Mayor Ward proclaiming April 1, 2014 as National Service Recognition Day and encourage residents to recognize the positive impact of national service in our City; to thank those who serve; and to find ways to give back to their communities. Motion seconded by Friesen. On roll call, Polson, Bailey, Carmichael, Brown, Rogge, Friesen, Kuzelka, and Davis voted "yes." Motion carried.

Kuzelka moved to approve the recommendation from the Public Works Committee authorizing Mayor Ward to sign the Parking Lot Lease Agreement between Blue Valley Community Action, Inc. (BVCA) and the City of Fairbury located at 703 5th Street; legally described as Lot Seven and the West Half of Lot Eight, Block Fifteen, Original Town of Fairbury, Jefferson County, Nebraska, except the North thirty-five feet thereof. Motion seconded by Carmichael. Rogge stated this is basically an agreement between the City and BVCA that the lot located at 703 5th Street will become a parking lot. Rogge stated as rent for the premises, the City agrees to release the lien it currently holds on the premises for nuisance abatement and demolition work in the amount of \$9,250.00; the

release of the lien shall be the only rental payment the City makes to BVCA under this lease. On roll call, Polson, Bailey, Carmichael, Brown, Rogge, Friesen, Kuzelka, and Davis voted "yes." Motion carried.

Rogge moved to approve the recommendation from the Public Works Committee to designate May 5-9, 2014 for the Fairbury Business Cleanup Week. Motion seconded by Polson. Friesen stated the City will provide one ton of free dumping at the transfer station for businesses in the city limits. On roll call, Polson, Bailey, Carmichael, Brown, Rogge, Friesen, Kuzelka, and Davis voted "yes." Motion carried.

Friesen moved to adopt Resolution No. 937 amending Resolution No. 804 levying and assessing various fees, bonds or deposits, by adding a Non-Sufficient Fund Check Fee in the amount of \$25.00. Motion seconded by Rogge. Mayor Ward stated this fee has been increased from \$10.00. Rogge stated the City is pretty economical on the fees the City charges; maybe some of the fees should be adjusted sometime. On roll call, Polson, Bailey, Carmichael, Brown, Rogge, Friesen, Kuzelka, and Davis voted "yes." Motion carried.

Rogge moved to adopt Resolution No. 938 authorizing Mayor Ward to release liens levied by the City on 1020 3rd Street, Fairbury, Nebraska for nuisance abatement as of April 1, 2014. Motion seconded by Carmichael. City Administrator Joseph Parker stated we have a pretty solid third party that may purchase the property at 1020 3rd Street, would have the structure razed and would then have the property for their future use, if the City releases their mowing liens in the amount of \$600.00. On roll call, Polson, Bailey, Carmichael, Brown, Rogge, Friesen, Kuzelka, and Davis voted "yes." Motion carried.

Mayor Ward read by title Ordinance No. 3039: AN ORDINANCE AMENDING THE CITY OF FAIRBURY ORDINANCE NO. 3027 AND 3035 TO ESTABLISH RATES, FEES, CHARGES AND COLLECTIONS FOR THE USE OF ELECTRICITY, PURSUANT TO CITY CODE § 53.58, AND REPEALING ORDINANCE NO. 2969; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS AND TO PROVIDE FOR THE EFFECTIVE DATE THEREOF. Rogge moved to give 2nd reading to Ordinance No. 3039. Motion seconded by Polson. On roll call, Polson, Bailey, Carmichael, Brown, Rogge, Friesen, Kuzelka, and Davis voted "yes." Motion carried.

Within the committee reports, Phil Rogge complimented the clean-up efforts of the houses that were razed. Rogge stated everyone did a great job; the Street and Alley Department working together with the Utility Department to get the water lines and electrical all cleared out. Rogge stated having these houses gone are really an improvement to our community.

Bailey moved to adjourn the meeting. Motion seconded by Brown. On roll call, Polson, Bailey, Carmichael, Brown, Rogge, Friesen, Kuzelka, and Davis voted "yes." Motion carried. Meeting adjourned at 7:41 p.m.

Homer L. Ward, Mayor

ATTEST: Sharyl Preston, City Clerk