

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 2<sup>nd</sup> day of December, 2014, at 7:30 p.m. Mayor 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.

City Attorney David Barga administered the Oath of Office to newly elected City Council members: Timothy Polson – Ward I, Bradley Kuzelka – Ward II, and Rick Carmichael – Ward III. (Philip Rogge – Ward IV was absent.)

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

Mayor Ward called for nominations for the office of City Council President. Doug Brown nominated Ed Friesen. Nomination seconded by Kelly Davis. There being no further nominations, Mayor Ward declared the nominations closed. The vote was cast by secret ballot. City Clerk Sharyl Preston read the ballots.

Final tally: Friesen – 6. Friesen abstained. Preston announced the City Council President will be Ed Friesen.

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 November 18, 2014.
2. Approval of claims.

Mayor Ward stated the claims will be considered separate from the minutes. Bailey moved to approve the minutes of the regular meeting of November 18, 2014. Motion seconded by Friesen. On roll call, Polson, Bailey, Carmichael, Brown, Friesen, Kuzelka, and Davis voted “yes.” Rogge absent. Motion carried.

Kuzelka moved to approve the claims with the exception of the invoice from Kirk’s Diesel Service; wants to get clarification of items on the invoice. Motion seconded by Carmichael. On roll call, Polson, Bailey, Carmichael, Brown, Friesen, Kuzelka, and Davis voted “yes.” Rogge absent. Motion carried.

Friesen moved to set the public hearing regarding amendments to the Fairbury Zoning and Subdivision Regulations – 2013 Edition for December 16, 2014 at 7:30 p.m. Motion seconded by Polson. On roll call, Polson, Bailey, Carmichael, Brown, Friesen, Kuzelka, and Davis voted “yes.” Rogge absent. Motion carried.

Brown moved to approve the recommendation from the Personnel Committee to approve the appointment of Josh Jacobi as Full Time Police Officer. Motion seconded by Carmichael. On roll call, Polson, Bailey, Carmichael, Brown, Friesen, Kuzelka, and Davis voted "yes." Rogge absent. Motion carried. Jacobi was sworn into office by City Attorney David Barga, who administered the Oath of Office to Jacobi.

Mayor Ward read from the agenda "consider complaint regarding Time Warner Cable". No one present to address the Council. No action taken.

Friesen moved to approve the recommendation from the Historic Preservation Commission to pay out the full obligation, including the project revisions, on the Oregon Trail Development, LLC (LB840) Downtown Design Challenge Grant projects located at: 506 E Street in the amount of \$1,601.11, 508 E Street in the amount of \$1,601.12, 510 E Street in the amount of \$3,000.00 and 512 E Street in the amount of \$1,601.12. Motion seconded by Bailey. On roll call, Polson, Bailey, Carmichael, Brown, Friesen, Kuzelka, and Davis voted "yes." Rogge absent. Motion carried.

Brown moved to approve the recommendation from the Personnel Committee to allow the Sanitation Department to hire Mark (Simon) York. Motion seconded by Carmichael. On roll call, Polson, Bailey, Carmichael, Brown, Friesen, Kuzelka, and Davis voted "yes." Rogge absent. Motion carried.

Polson moved to adopt Resolution No. 965 obligating LB840 funds to Bruce Livingston – Livingston Enterprises, Inc. at 504 4<sup>th</sup> Street for a "Downtown Design Challenge Grant" in the amount of \$3,000.00. Motion seconded by Friesen. On roll call, Polson, Bailey, Carmichael, Brown, Friesen, Kuzelka, and Davis voted "yes." Rogge absent. Motion carried.

Mayor Ward read by title Ordinance No. 3047. AN ORDINANCE AMENDING CITY OF FAIRBURY ORDINANCES NO. 3027 and 3035 TO ESTABLISH AN AVOIDED COST BUY-BACK RATE FOR CUSTOMER-OWNED GENERATION (NET METERING RATE), TO REPEAL CONFLICTING ORDINANCES OR SECTIONS OF ORDINANCES, AND TO PROVIDE FOR THE EFFECTIVE DATE THEREOF. Carmichael moved to give 2<sup>nd</sup> reading to Ordinance No. 3047. Motion seconded by Polson. On roll call, Polson, Bailey, Carmichael, Brown, Friesen, Kuzelka, and Davis voted "yes." Rogge absent. Motion carried.

Within the Committee reports, Brad Kuzelka stated the Fairbury Pool & Aquatic Committee will be meeting on December 9, 2014.

Carmichael moved to adjourn the meeting. Motion seconded by Polson. On roll call, Polson, Bailey, Carmichael, Brown, Friesen, Kuzelka, and Davis voted "yes." Rogge absent. Motion carried. Meeting adjourned at 7:45 p.m.

Homer L. Ward, Mayor

ATTEST: Sharyl Preston, City Clerk