

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 4th day of November, 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 October 21, 2014.
2. Approval of claims.
3. Approval of the appointment of Zachary Schacht to the Volunteer Fire Department.

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

Kuzelka moved to authorize Mayor Ward to sign the Memorandum of Understanding (MOU) between the State of Nebraska Department of Economic Development, the City of Fairbury, Nebraska and the Bonham Theatre Project. Motion seconded by Davis. David Taladay with Southeast Nebraska Development District (SEND) addressed the Council. Taladay stated this Memorandum of Understanding establishes the position of the State, the City and the Bonham Theatre responsibilities for administration of the project; allows the City to pass the money through to the Bonham Theatre under a future sub-recipient agreement and identifies the agreement between these three parties. Taladay stated the budget has been slightly reduced; essentially there were a couple items the state did not identify as eligible items – so this also reduces the match by the Bonham Theatre which will make it a little bit easier to work this part of the project. City Attorney David Barga stated this looks to be a standard contract for these projects. Barga stated the City is not on the hook for anything; if something goes wrong with the project, the City owes the funds back, but the Bonham Theatre owes the funds back to the City first. On roll call, Polson, Bailey, Carmichael, Brown, Rogge, Friesen, Kuzelka, and Davis voted "yes." Motion carried.

Rogge moved to authorize Mayor Ward to sign the CDBG Contract No. 14-TD-001 between the State of Nebraska Department of Economic Development and the City of Fairbury, Nebraska for a Tourism Development Project for the Bonham Theatre Project. Motion seconded by Carmichael. David Taladay with Southeast Nebraska Development District (SEND) addressed the Council. Taladay stated usually the Memorandum of Understanding comes as a first step, before the contract; but at this point this project is pretty fast-tracking towards the end so they sent both the MOU and the contract at the same time. This contract is the contract that finally obligates the City to take the funds from the State and identifies some of the same things as the MOU; but this is a contract between just the State and the City. On roll call, Polson, Bailey, Carmichael, Brown, Rogge, Friesen, Kuzelka, and Davis voted "yes." Motion carried.

Polson moved to postpone the consideration of estimates for the roof at the Fire Hall until the Finance Committee gathers more information. Motion seconded by Friesen. Polson stated the Finance Committee wants to talk to the two contractors to discuss their proposals since they are so different. On roll call, Polson, Bailey, Carmichael, Brown, Rogge, Friesen, Kuzelka, and Davis voted "yes." Motion carried.

Bailey moved to adopt Resolution No. 963 which adopts the revised Housing Rehabilitation Program Guidelines for the 2014 Citywide Housing Rehabilitation Program, including a revised Program Income Reuse Plan and Minimum Standards under the Affordable Housing Program through the Nebraska Department of Economic Development. Motion seconded by Polson. On roll call, Polson, Bailey, Carmichael, Brown, Rogge, Friesen, Kuzelka, and Davis voted "yes." Motion carried.

Mayor Ward read by title Ordinance No. 3045: AN ORDINANCE OF THE CITY OF FAIRBURY, NEBRASKA TO EXTEND THE BOUNDARIES OF THE CITY AND INCLUDE WITHIN THE CORPORATE LIMITS OF, AND TO ANNEX INTO THE CITY OF FAIRBURY, NEBRASKA A TRACT OF LAND THAT IS CONTIGUOUS AND ADJACENT TO THE CURRENT MUNICIPAL LIMITS AS MORE FULLY DESCRIBED HEREIN; DIRECTING THE SAME TO BE RECORDED BY THE JEFFERSON COUNTY REGISTER OF DEEDS; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES OR SECTIONS; TO PROVIDE FOR THE EFFECTIVE DATE THEREOF; AND ORDER THE PUBLICATION OF THE ORDINANCE IN PAMPHLET FORM. Polson moved to give 2nd reading to Ordinance No. 3045. Motion seconded by Kuzelka. On roll call, Polson, Bailey, Carmichael, Brown, Rogge, Friesen, Kuzelka, and Davis voted "yes." Motion carried.

Carmichael moved to adjourn the meeting. Motion seconded by Polson. On roll call, Polson, Bailey, Carmichael, Brown, Rogge, Friesen, Kuzelka, and Davis voted "yes." Motion carried. Meeting adjourned at 7:40 p.m.

Homer L. Ward, Mayor

ATTEST: Sharyl Preston, City Clerk