

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 15<sup>th</sup> day of September, 2015, 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.

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

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 September 1, 2015.
2. Approval of claims.
3. Approval of the August 2015 Reconciliation Report.

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

Mayor Ward opened the Budget Hearing and Budget Summary for the 2015-2016 Fiscal Year. Brian Blobaum of Blobaum & Busboom, P.C. explained the budget process. Blobaum stated the budget document itself sets the dollar amount of property tax request that the City will be levying on properties for the coming year for the General Fund and the Bond Fund (this hearing is the only time we can set the property tax request); and the budget also sets the overall expenditure limit for the City of Fairbury for the entire year, October 1, 2015 – September 30, 2016, (which includes all funds, with one single dollar limit). Blobaum stated all the extra data of spreadsheets and line items are internal numbers that are put together. The total of those creates a legal limit (which is controlled by budget statutes); so we're not limited by line item or by fund, we're limited by the total. The expenditure limit can be extended at a later date, if we publish and have another hearing; but the property tax is final with this hearing. Blobaum stated the overall property tax asking for this budget, which was published, in the General Fund for the 2015-2016 Fiscal Year is \$541,440.00 which requires a levy of \$.47; and in the Bond Fund is \$221,732.00 which requires a levy of \$.19 for a total of \$.66, for a total tax asking of \$763,172.00, compared with the prior year of \$741,856.00 which is a 2.87% total increase from the prior year. (Last year the General Fund was \$520,124.00 and the Bond Fund was \$221,732.00) Blobaum stated technically if we look at the valuation change that has

happened for the City of Fairbury this last year, we had some growth of new properties added to the tax rolls which those properties will pick up roughly 1% of that increase, .95%; which would leave a 1.92% increase on the prior existing properties. Blobaum stated this is a rather conservative increase. Blobaum stated the overall expenditure limit, the total of all funds including the Enterprise Funds (utility funds), is \$22,415,290.00 compared to what we estimate the expenditures will be for the current year including the utility funds would be \$14,929,420.00; obviously that being higher – we’re setting up that expenditure limit to be as large as we possibly can including all of our reserve funds and utility funds (this is a large portion of that difference). The total of expenditures for 2012-2013 were \$14,386,864.00 and expenditures for 2013-2014 were \$15,210,824.00. Blobaum stated when he met with the Finance Committee going over budgets, they try to compare what this budget is, compared to prior budgets and not counting what he calls re-budgeted and cash reserves, such as the LB840 monies, fire equipment, and grant funds, etc. – this particular budget appears to budget to reduce our cash reserves by approximately \$452,564.00, not counting the LB840 monies, fire equipment, and grant funds, etc. which is the highest amount we have had in the last four years. In comparison, in 2014-2015 we budgeted to reduce cash reserves by \$149,927.00 and we’re estimating to be approximately a \$44,022.00 increase; in 2013-2014 we budgeted to reduce cash reserves by \$88,426.00 and actually reduced cash reserves by \$284,304.00 (\$265,916.00 of this decrease was LB840 fund); in 2012-2013 we budgeted to reduce cash reserves by \$191,028.00 and actually increased cash reserves by \$179,680.00. Blobaum stated this budget won’t be as favorable a result as we’ve had in the last several years but it is usually better than what is budgeted. The current cash reserves should be approximately \$1,960,000.00 of which about \$349,000.00 is reserved. (The reserved funds are LB840 - \$271,000.00; Fire Equip - \$35,000.00; and Grants and Trust Funds - \$43,000.00.) Some cash reserve is necessary, in the early 1980’s the reserve was as low as about \$400,000.00. In the 1990’s, the reserve reached as high as about \$1,500,000.00. Last year’s actual cash reserve was near \$1,700,000.00. Available projected cash reserves in the General (non-utility) Funds, at about \$1,611,000.00 would be near the highest. City Administrator Collin Bielser stated the \$450,000.00 reduction in cash reserves – if you look back at previous years, have had similar reductions not as great but turned out positive – that is responsible budgeting in practice by our department heads. Bielser stated that number is also inflated a little because it includes the new sales tax for the half-cent; this budget is projecting that we will bring in about \$300,000.00 and this budget shows spending the entire amount in one year which is unlikely. No one else addressed the Council during the public hearing. Mayor Ward declared the hearing closed.

Mayor Ward opened the Public Hearing concerning setting of the final tax request for the 2015-2016 Fiscal Year for the General Fund at \$541,440.00 and the Bond Fund at \$221,732.00. Blobaum stated this hearing is a special hearing that is required when the exact dollar amount of property tax request has changed from the prior year; we have to set the new dollar amounts. Blobaum stated this year we are not changing the dollar amount of the Bond Fund that being \$221,732.00 which is the same as the year before. Blobaum stated the General Fund has increased slightly to \$541,440.00

from last year's amount of \$520,124.00. No one else addressed the Council during the public hearing. Mayor Ward declared the hearing closed.

Mayor Ward opened the Public Hearing concerning the Proprietary Budget and Budget Summary for the City of Fairbury Utilities for May 1, 2015 to April 30, 2016. Larry Naiman Assistant Superintendent of Utilities addressed the Council. Naiman stated this is 27+ years that he has come before the City Council to discuss the Proprietary Budget. Naiman stated this budget document originated from the time when the tax lids were imposed on municipals. Naiman stated this budget is a cash out balance of spending down to a balance of \$500,000.00. Naiman stated the budget statement summary sheet shows the actual revenues and expenses for the fiscal years of 2013 and 2014, projected amounts for 2015, and projected amounts for the next year's 2016 fiscal year budget; the utility fiscal year ends April 30. Naiman stated for 2015, the projected revenues for electric, water, and sewer were \$9,407,398.00; the projected expenditures were \$9,880,145.00 with a utility loss of \$472,747.00 with the Water Department and the Sewer Department showing a profit and the electric utility with a loss. Naiman stated projecting for 2016 in anticipation of how applying what rate increases are there now, plus an anticipation of what revenues might be from the sales of utilities, the total revenues predicted for 2016 are \$10,427,778.00 and the total expenditures, with the capital improvements added in the amount of \$4,333,324.00, which allows us to spend down to a cash balance of \$500,000.00; with the total expenditures then being \$14,586,712.00. Naiman stated the 2015 projected revenues for the Electric Department were \$7,980,998.00 and the expenditures were \$8,763,028.00 showing a loss of \$782,030.00 which still needs to be audited. The 2016 projected budget shows \$3,158,324.00 added to the capital improvements. The 2015 projected revenues for the Water Department were \$893,800.00 and the expenditures were \$686,013.00 showing a profit of \$207,787.00. Naiman stated with the Water Department we do have a NDEQ revolving loan that will term out in 2025 which was for the water filtration plant; this was almost a one million dollar loan with a 20% grant – loan forgiveness – the original loan was approximately \$865,000.00. Naiman stated we expend about \$51,000.00 per year out of water revenue dedicated to pay this loan, which was a mandate. The 2015 projected revenues for the Sewer Department were \$532,600.00 and the expenditures were \$431,104.00 showing a profit of \$101,496.00. Also in addition, the Sewer Department paid about \$63,000.00 for the sewer camera – so will make this amount a little less. Naiman stated there is an outstanding loan with the waste water treatment with the NDEQ for the mandated expansion of the waste water treatment plant – a two million dollar loan which will term out in 2019 with an annual payment of about \$145,000.00. If you are a customer in Fairbury paying a rate on water and a rate on sewer, about \$9.00 every month of that minimum bill has to go to pay down the debt service for the water and the sewer NDEQ loans. Naiman stated with any loan comes a loan covenant – with the NDEQ revolving loan for the waste water treatment plant, you pledged that you would collect a 10% margin over your expenses as part of your loan covenant payment; occasionally, but not often, he does have to submit the audited amounts to DEQ to show them that we are doing that and also with the water system – that water loan also when they come to do the sanitary survey each year they have to submit a copy of our rate ordinances along with a copy of the audit. Naiman stated they have

submitted the information for a rate review for the water and sewer; sometime later this year they will have the information for review. No one else addressed the Council during the public hearing. Mayor Ward declared the hearing closed.

Brown moved to adopt the 2015-2016 Fiscal Year Budget as published. Motion seconded by Carmichael. On roll call, Bailey, Carmichael, Brown, Friesen, Rogge, Kuzelka, and Davis all voted "yes". Polson absent. Motion carried.

Rogge moved to approve the Proprietary Budget and Budget Summary for the City of Fairbury Utilities for May 1, 2015 to April 30, 2016 as presented. Motion seconded by Davis. On roll call, Bailey, Carmichael, Brown, Friesen, Rogge, Kuzelka, and Davis all voted "yes". Polson absent. Motion carried.

Mayor Ward read from the agenda "consider Blue Rivers Area Agency on Aging funding request of a "local match" of \$1,900.00 for public transportation services for July 2015-June 2016. City Administrator Collin Bielser stated Blue Rivers Area Agency on Aging had sent a letter back in June requesting \$1,900.00, which is a local match for their public transportation services. The federal government reimburses a bulk for their transportation costs and the State of Nebraska does as well and the remaining component is a local match. Apparently in the past some counties and cities have been asked to match and some have not. The \$1,900.00 is based on population. Bielser stated he received an update after the City Council packets went out, that Jefferson County has contributed \$17,500.00. Bielser stated the public transportation service is a valuable service to the community; they provide a lot of trips both locally and to Lincoln at an affordable cost to people. Bielser stated the local match is not specifically earmarked, but the payment can be taken from existing resources and we will then have a better idea of an anticipated cost for next year. Bailey moved to approve the funding request from Blue Rivers Area Agency on Aging of a "local match" in the amount of \$1,900.00 for public transportation services for July 2015-June 2016. Motion seconded by Brown. On roll call, Bailey, Carmichael, Brown, Friesen, Rogge, Kuzelka, and Davis all voted "yes". Polson absent. Motion carried.

Kuzelka moved to approve the recommendation from the Public Works Committee to approve the request from Fairbury Public Schools to block off D Street from directly north of the alley on the east and west side of D Street to directly south of 6<sup>th</sup> Street for an Elementary Family Fun Night Block Party on September 24, 2015 from 4:30 p.m. to 7:30 p.m. Motion seconded by Rogge. On roll call, Bailey, Carmichael, Brown, Friesen, Rogge, Kuzelka, and Davis all voted "yes". Polson absent. Motion carried.

Mayor Ward opened the hearing for the Nuisance Declaration Appeal for properties owned by Kathleen Thaemert, located at 813 A Street; legally described as Lot 6, Brainard Addition, City of Fairbury, Jefferson County, Nebraska and 928 A Street; legally described as West ½ of Lots 9 and 10, Huber Addition, City of Fairbury, Jefferson County, Nebraska. Kathleen Thaemert addressed the Council. Mayor Ward limited Thaemert to three minutes for her presentation. Thaemert stated all she is asking for is a little more time. Thaemert stated she started as soon as the City

notified her; she has 2/3 mowed at 813 A Street because the farthest back 1/3 is full of sticks, concrete block, broken bricks, glass, shingles; the same is true for 928 A Street there is a lot of concrete chunks, also found a cell phone, a dresser drawer, etc. you can't mow that. Thaemert stated she digs out the weeds, if you've looked at it lately, it is looking good but I need an extension on the time to pick out all the sticks and the sidewalk is disintegrated, it is nothing but rubble; you couldn't mow that, it would destroy a mower. Thaemert stated she is not neglecting the properties she has been working on them spring and summer; she just needs a little more time to get all those pieces out – drive by it sometime, it is looking pretty good from what she has done. There is a lot of rubble there, in fact she hired someone to mow a couple properties but he broke his lawnmower. Thaemert stated she has an article from the Lincoln Journal from last Sunday – making good use of landscape debris; that is why she digs out weeds because they destroy the good lawn grass. If you take a look at 613 3<sup>rd</sup> Street, she took eighteen trash barrels of weeds out of there and still didn't get them all before the City mowed; so it's not like she's neglecting them. She composts them on her ag zoned property; it makes good compost and it improves the soil – so weeds are good for something –that's why she doesn't leave them in the lawn and she doesn't like to use chemicals if she can help it because a great many towns in Nebraska are over the legal limit for a lot of toxic chemicals – so that is why she does it the way she does it. Thaemert stated if you go by 613 3<sup>rd</sup> Street you will see that no weeds have grown back because she gets them out by the root and it does take a little longer but if she didn't do that, weeds would totally crowd out the good grass. Thaemert stated she does need to deal with the sidewalk rubble it is all over. Mayor Ward stated you have no solution for it. Thaemert stated she does have a solution – have you seen the property lately. Council member Phil Rogge stated he seen the property this morning. Thaemert asked if he had seen what she has done. Rogge stated all he sees is weeds, can't see any brick or any of those things; all that he's seen is the weeds that are over twelve inches high. Thaemert stated she started on the south. City Attorney David Barga suggested the City present its evidence of what the conditions are like on the property and then Ms. Thaemert will be allowed to respond to the City's testimony. Barga asked Chad Sprunk to come forward to answer questions.

City Attorney David Barga: Please state your name and occupation

Sprunk: Chad Sprunk, Chief of Police, Fairbury

Barga: Do you also serve on the Board of Health

Sprunk: Yes sir

Barga: What is your position on the Board of Health

Sprunk: Secretary

Barga: In that position of the Board of Health, what are some of your responsibilities

Sprunk: One of the responsibilities is to go and check out the complaints that come in the City offices, photograph them and bring them back to the Board of Health Board; they then go through them as a committee to determine if they are a nuisance or not

Barga: Complaints regarding properties, is that right

Sprunk: Yes sir

Bargen: Would those complaints be for nuisance properties

Sprunk: Yes sir

Bargen: What is the purpose of your testimony this evening

Sprunk: Ms. Thaemert's property located at 813 A and 928 A, tall grass

Bargen: Let's look at 813 A Street first.

I have handed you a stack of documents, Exhibits 1 through 7, do you see that

Sprunk: Yes sir

Bargen: What is Exhibit 1

Sprunk: Exhibit 1 is the Notice of Appeal Hearing that was sent to Ms. Thaemert

Bargen: How do you know what Exhibit 1 is

Sprunk: That was personally delivered to her

Bargen: Who delivered this to her

Sprunk: I did

Bargen: How do you know that you did

Sprunk: on Exhibit 2 there is a copy of an envelope with his signature on it indicating that he is the one that served it

Bargen: On Exhibit 1 do you recognize who signed that

Sprunk: Yes

Bargen: Who was that

Sprunk: Sharyl Preston, City Clerk

Bargen: This appeal hearing is the reason we're here this evening, is that correct

Sprunk: Yes sir

Bargen: Are these appeal hearings set up because the property owner requests those

Sprunk: Yes sir

Bargen: What is Exhibit 3

Sprunk: Exhibit 3 is the nuisance paperwork that was issued to Ms. Thaemert on that property

Bargen: Have you seen this before

Sprunk: Yes sir

Bargen: When was that

Sprunk: On August 18, it was filled out

Bargen: Did you participate in filling this out

Sprunk: Yes

Bargen: How so

Sprunk: I filled it out

Bargen: Did you observe conditions on the property that matched what is filled out on Exhibit 3

Sprunk: Yes sir

Bargen: What conditions are those

Sprunk: The grass was extremely tall

Bargen: How tall was the grass

Sprunk: My ruler only went to 18" and it was above that

Bargen: Did you personally observe the conditions on the property

Sprunk: Yes

Bargen: Exhibit 3 is signed, do you see that

Sprunk: Yes sir

Bargen: Who is it signed by

Sprunk: Mayor Ward

Bargen: Who is Mayor Ward

Sprunk: Code Enforcement Authority for the Health Board

Bargen: Exhibit 3 was this then served to Ms. Thaemert

Sprunk: Yes

Bargen: By whom if you know

Sprunk: Officer Schoenrock

Bargen: And how do you know that

Sprunk: There is a copy of the envelope that was turned into me after he served it

Bargen: Is that Exhibit 6

Sprunk: Yes sir

Bargen: After the Notice of Nuisance was served on Ms. Thaemert is that when the appeal hearing was requested. Is that right

Sprunk: Yes

Bargen: Are there photographs that back up what you observed on the property

Sprunk: Yes sir

Bargen: What documents are those in the stack

Sprunk: Exhibit 4 and Exhibit 5

Bargen: What do Exhibits 4 and 5 depict

Sprunk: Exhibit 4 shows a photograph from approximately the middle of the street facing the property showing how tall the grass is and Exhibit 5 shows a picture of the 18" ruler inside the grass itself

Bargen: Do you know what day these pictures were taken

Sprunk: August 18

Bargen: How do you know that

Sprunk: It is time stamped

Bargen: Did you then subsequently return to the property and observe it later

Sprunk: Yes I did

Bargen: When was that

Sprunk: Today

Bargen: Did you take any photographs of the property

Sprunk: Yes sir

Bargen: Are those the last exhibits, Exhibit 7 and 8

Sprunk: Yes

Bargen: Tell us what Exhibit 7 and 8 show

Sprunk: Exhibit 7 shows the property estimated to be half way mowed and the last Exhibit shows the ruler in the portion that is not mowed and it is still exceeding 18 inches.

Bargen: So as you testified this evening the nuisance conditions still exist on the property

Sprunk: Yes

Bargen: Let's move then to 928 A Street. There are another stack of documents for that property. Are you familiar with 928 A Street

Sprunk: Yes sir

Bargen: How so

Sprunk: Once again went out on a complaint, observed the nuisance, photographed it, filled out the paperwork and took it to the Health Board

Bargen: What did you observe on the property

Sprunk: Very tall grass

Bargen: Did you have an opportunity to measure the grass

Sprunk: Yes I did

Bargen: How tall did you measure it to be

Sprunk: That one is also exceeding my ruler of eighteen inches

Bargen: What is Exhibit 1

Sprunk: Exhibit 1 is the Notice of Appeal Hearing for this property

Bargen: Is it signed by the City Clerk, Sharyl Preston

Sprunk: Yes sir

Bargen: What is Exhibit 2

Sprunk: A photocopy of the envelope for the return of service that I signed and turned into the City Clerk showing that this appeal was served to Ms. Thaemert

Bargen: So the Notice of Appeal hearing was served on Ms. Thaemert

Sprunk: Yes sir

Bargen: Who was it served by

Sprunk: Myself

Bargen: Was Exhibit 3 the document that was filled out by the Board of Health

Sprunk: I filled it out and presented it to the Board of Health

Bargen: This notice shows the nuisance conditions on the property

Sprunk: Yes sir

Bargen: Those conditions involved weeds and grass in excess of twelve inches. Is that correct

Sprunk: Yes sir

Bargen: Was this document served on Ms. Thaemert

Sprunk: Yes sir

Bargen: How do you know that

Sprunk: Once again on Exhibit 6 Officer Schoenrock served her personally on this property

Bargen: Exhibit 6 is the return of service

Sprunk: Yes sir

Bargen: And it is signed by Officer Schoenrock

Sprunk: Yes sir

Bargen: Did you have a chance to take photographs of this property at the time that you first observed the nuisance conditions

Sprunk: Yes sir

Bargen: Do Exhibits 4 and 5 depict what the property looked like when you observed it

Sprunk: Yes



Bargen: What do Exhibits 4 and 5 show

Sprunk: It shows the grass exceeding the twelve inches

Bargen: How do you know it exceeded twelve inches

Sprunk: On Exhibit 5 I placed my ruler inside the grass and you can see the grass exceeds the eighteen inch ruler

Bargen: Did you have a chance to observe this property after the first time you observed it for nuisance conditions

Sprunk: Yes sir

Bargen: When was that

Sprunk: This morning

Bargen: What did you observe

Sprunk: Once again tall grass, appears that it hasn't been mowed

Bargen: Do you see Exhibit 7 and 8 as part of this packet

Sprunk: Yes sir

Bargen: What do Exhibits 7 and 8 show

Sprunk: Exhibit 7 shows the property viewed from half way in the street, the grass and Exhibit 8 shows the ruler in the grass exceeding the eighteen inch ruler

Bargen: What date did you observe this

Sprunk: This morning at 9:15

Bargen: Is that date stamped on these photographs

Sprunk: Yes

Bargen: In your opinion, as far as you know to your knowledge, do nuisance conditions still exist on both of these properties

Sprunk: Yes sir

Bargen: Do you want to add anything to your testimony

Sprunk: On 813 A like she said, she or someone did attempt to mow it; however, at least half of it is still unmowed. On 928 A there were no attempts to mow; there is a little bare spot – but no attempts.

Bargen: On the first property 813 A the nuisance condition still exists

Sprunk: Yes sir

Bargen: And also on 928 A

Sprunk: Yes sir

Bargen: Anything else

Sprunk: No sir

Bargen stated he didn't have anything further at this time. Ms. Thaemert asked to see the pictures that Sprunk took today. Thaemert stated she has until the time of this meeting to do things which she did at 813 A at 1:00 this afternoon so you wouldn't have seen that as the picture was done at 10:55 a.m. Council member Doug Brown stated, if I'm not mistaken, doesn't she have ten days from tonight to take care of this. Bargen stated that is correct. Thaemert stated she could do that. Thaemert stated what she don't see, so far here, is a picture of what I have done at 928 A – why wasn't that taken; I started on the southwest corner and moved northeast, why isn't that represented here. Bargen asked Thaemert if she had photographs of that being done; she could turn them in as evidence if she did have photographs. Thaemert stated she didn't take pictures, she has been too busy working. Bargen stated like Councilman Brown said if the resolution is approved this evening asking you to take care of these

issues, you have ten days from today to do that. Thaemert stated that is all that she is asking for, she is not debating the fact that it needs to be dealt with, I've been working on it all summer; but that should do it, fine. Mayor Ward asked for further discussion or comments. No one else addressed the Council during the appeal hearing. Mayor Ward declared this hearing closed.

Kuzelka moved to approve the recommendation from the Public Works Committee to approve the request from the Chamber of Commerce to block off the downtown square on October 31, 2015 from 4:30 p.m. – 7:15 p.m. for “Trunk or Treat”. Motion seconded by Rogge. On roll call, Bailey, Carmichael, Brown, Friesen, Rogge, Kuzelka, and Davis all voted “yes”. Polson absent. Motion carried.

Kuzelka moved to approve the recommendation from the Public Works Committee to approve the request from the Fairbury Chamber of Commerce to block off 4<sup>th</sup> Street from E Street to F Street for the Shamrock Shuffle 5K Run/Walk from 9:00 a.m.–2:00 p.m. on March 12, 2016. Motion seconded by Rogge. On roll call, Bailey, Carmichael, Brown, Friesen, Rogge, Kuzelka, and Davis all voted “yes”. Polson absent. Motion carried.

Rogge moved to approve the Special Designated Liquor License application for the Fairbury Chamber of Commerce for a “Pork ‘N’ Pints” Beer and Wine Tasting Festival to be held at the VFW located at 2337 K Street, Fairbury, Nebraska on April 9, 2016 from 5:00 p.m. to 10:00 p.m. Motion seconded by Carmichael. This will be held inside with Microbreweries and distributors represented, offering samples of their selected brews and wines and selling unopened bottles of wine. On roll call, Bailey, Carmichael, Brown, Friesen, Rogge, Kuzelka, and Davis all voted “yes”. Polson absent. Motion carried.

Bailey moved to adopt Resolution No. 988 setting the 2015-2016 property tax request at \$541,440.00 for the General Fund and at \$221,732.00 for the Bond Fund. Motion seconded by Carmichael. On roll call, Bailey, Carmichael, Brown, Friesen, Rogge, Kuzelka, and Davis all voted “yes”. Polson absent. Motion carried.

Friesen moved to adopt Resolution No. 989 designating depositories of the City of Fairbury and approving the pledge of assets as security from said banks. Motion seconded by Rogge. On roll call, Bailey, Carmichael, Brown, Friesen, Rogge, Kuzelka, and Davis all voted “yes”. Polson absent. Motion carried.

Friesen moved to adopt Resolution No. 990 ordering and directing Kathleen Thaemert to remedy said public nuisance on the property located at 813 A Street; legally described as Lot 6, Brainard Addition, City of Fairbury, Jefferson County, Nebraska. Motion seconded by Carmichael. On roll call, Bailey, Carmichael, Brown, Friesen, Rogge, Kuzelka, and Davis all voted “yes”. Polson absent. Motion carried.

Rogge moved to adopt Resolution No. 991 ordering and directing Kathleen Thaemert to remedy said public nuisance on the property located at 928 A Street; legally described as West ½ of Lots 9 & 10, Huber Addition, City of Fairbury, Jefferson County, Nebraska. Motion seconded by Kuzelka. On roll call, Bailey, Carmichael, Brown, Friesen, Rogge, Kuzelka, and Davis all voted “yes”. Polson absent. Motion carried.

Mayor Ward read by title Ordinance No. 3054: AN ORDINANCE SETTING SALARIES FOR CITY POLICE DEPARTMENT EMPLOYEES COVERED BY CWA AGREEMENT; PROVIDING FOR THE EFFECTIVE DATE THEREOF; AND REPEALING CONFLICTING ORDINANCES. Friesen moved to give 3<sup>rd</sup> reading of Ordinance No. 3054. Motion seconded by Bailey. On roll call, Bailey, Carmichael, Brown, Friesen, Rogge, Kuzelka, and Davis all voted “yes”. Polson absent. Motion carried. Carmichael moved for the final passage of Ordinance No. 3054. Motion seconded by Rogge. On roll call, Bailey, Carmichael, Brown, Friesen, Rogge, Kuzelka, and Davis all voted “yes”. Polson absent. Motion carried.

Mayor Ward read by title Ordinance No. 3055: AN ORDINANCE SETTING SALARIES FOR CITY EMPLOYEES COVERED BY IBEW AGREEMENT; PROVIDING FOR THE EFFECTIVE DATE THEREOF; AND REPEALING CONFLICTING ORDINANCES. Friesen moved to give 3<sup>rd</sup> reading of Ordinance No. 3055. Motion seconded by Brown. On roll call, Bailey, Carmichael, Brown, Friesen, Rogge, Kuzelka, and Davis all voted “yes”. Polson absent. Motion carried. Friesen moved for the final passage of Ordinance No. 3055. Motion seconded by Carmichael. On roll call, Bailey, Carmichael, Brown, Friesen, Rogge, Kuzelka, and Davis all voted “yes”. Polson absent. Motion carried.

Mayor Ward read by title Ordinance No. 3056: AN ORDINANCE SETTING SALARIES FOR SUPERVISORS AND DEPARTMENT HEADS COVERED BY IUOE AGREEMENT; PROVIDING FOR THE EFFECTIVE DATE THEREOF; AND REPEALING CONFLICTING ORDINANCES. Kuzelka moved to give 3<sup>rd</sup> reading of Ordinance No. 3056. Motion seconded by Carmichael. On roll call, Bailey, Carmichael, Brown, Friesen, Rogge, Kuzelka, and Davis all voted “yes”. Polson absent. Motion carried. Bailey moved for the final passage of Ordinance No. 3056. Motion seconded by Rogge. On roll call, Bailey, Carmichael, Brown, Friesen, Rogge, Kuzelka, and Davis all voted “yes”. Polson absent. Motion carried.

Mayor Ward read by title Ordinance No. 3057: AN ORDINANCE AMENDING THE CITY OF FAIRBURY ZONING REGULATIONS-2013 EDITION TO ALLOW INDOOR RECREATIONAL FACILITIES AS A CONDITIONALLY PERMITTED USE IN THE C-1 DOWNTOWN COMMERCIAL DISTRICT. Rogge moved to give 2<sup>nd</sup> reading to Ordinance No. 3057. Motion seconded by Carmichael. On roll call, Bailey, Carmichael, Brown, Friesen, Rogge, Kuzelka, and Davis all voted “yes”. Polson absent. Motion carried.

Within the City Administrator's report, Collin Bielser stated the Fire Department received a \$3,500.00 donation, to be used for equipment, from Fairview Mills for mutual aid with the corn cob fire in Washington, Kansas. Bielser and the Mayor met with Gary Davis at Endicott Clay; they are in the beginning stages of an expansion and our electric distribution guys are down there this month moving some line to allow for more construction and will also be serving them with a greater load.

Within the Committee reports, Brad Kuzelka chairman of the Public Works Committee stated the Walmart drainage project will be starting soon.

Rogge moved to adjourn the meeting. Motion seconded by Carmichael. On roll call, Bailey, Carmichael, Brown, Friesen, Rogge, Kuzelka, and Davis all voted "yes". Polson absent. Motion carried. Meeting adjourned at 8:24 p.m.

Homer L. Ward, Mayor

ATTEST: Sharyl Preston, City Clerk