

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 5th day of April, 2016, 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, Tim Polson, Phil Rogge, Brad Kuzelka, and Kelly Davis. Absent: 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 March 15, 2016.
2. Approval of claims.

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

Mayor Ward opened the public hearing regarding the proposed purchase by the City of Fairbury of real property located at 711 9th Street, Fairbury, Nebraska; legally described as Tax Lot 8, Block 8, W.G. McDowell's Subdivision to the City of Fairbury, Jefferson County, Nebraska. City Administrator Collin Bielser addressed the Council. Bielser stated the property located at 711 9th Street is on the City's list of properties to be demolished. The property owners expressed interest in donating the property to the City with the purchase price of \$1.00. The main reason the City is interested in this property is that the storm sewer main is underneath the property. If the City would own the property, this would prevent anyone from building over the storm sewer main in case the City would have to make any repairs to the storm sewer main. No one else addressed the Council during the public hearing. Mayor Ward declared the hearing closed.

Mayor Ward opened the public hearing reviewing the existing CDBG project in Fairbury: CDBG #14-HO-3S061 – Citywide Owner-Occupied Housing Rehabilitation Program. As part of the CDBG program, the requirement of a second public hearing sometime within the open project term is to be held by the City Council so the public can comment on any of the projects as they are ongoing; this is a requirement of the citizen's participation plan for each of the CDBG projects. Judi Meyer with Southeast Nebraska Development District (SEND) addressed the Council. Meyer stated

SENDD did not receive any written comments related to the grant. Margaret Brahm a recipient of the Citywide Owner-Occupied Housing Rehabilitation Program addressed the Council. Brahm thanked SENDD and the City for the work that was done on her house as part of the housing rehabilitation program and gave a brief background of her experience with SENDD and the contractor. No one else addressed the Council during the public hearing. Mayor Ward declared the hearing closed.

Mayor Ward opened the public hearing concerning an application to the Nebraska Department of Economic Development (NDED) for an Affordable Housing Program (AHP) Grant for Housing Rehabilitation including demolition as a support activity requesting \$252,000.00 in CDBG funds. Judi Meyer with Southeast Nebraska Development District (SENDD) office in Lincoln addressed the Council. Meyer stated she did not receive any written comments related to the grant. No one else addressed the Council during the public hearing. Mayor Ward declared the hearing closed.

Davis moved to adopt the amended City of Fairbury Housing Program Guidelines for a Housing Rehabilitation Program. Motion seconded by Bailey. Bielser stated the housing program guidelines were presented at the last City Council meeting. On roll call, Polson, Bailey, Carmichael, Brown, Rogge, Kuzelka, and Davis all voted "yes". Friesen absent. Motion carried.

Rogge moved to adopt the City of Fairbury Demolition Guidelines for the Nebraska Affordable Housing Program. Motion seconded by Carmichael. Bielser stated the demolition guidelines were presented at the last City Council meeting. The guidelines are related to the grant in order to continue the housing rehabilitation program. On roll call, Polson, Bailey, Carmichael, Brown, Rogge, Kuzelka, and Davis all voted "yes". Friesen absent. Motion carried.

Rogge moved to approve the recommendation from the Finance and Keno Committee and the Public Safety Committee to allow the Fire Department to purchase bunker gear for the new firemen. Motion seconded by Carmichael. On roll call, Polson, Bailey, Carmichael, Brown, Rogge, Kuzelka, and Davis all voted "yes". Friesen absent. Motion carried.

Kuzelka moved to approve the recommendation from the Public Works Committee to approve the request from Blue Valley Community Action to close 5th Street from directly west of the intersection of 5th & G Streets west to the front doors of American National Bank at 600 5th Street for a 50th Anniversary "Family Block Party" street dance on May 5, 2016 from 4:00 p.m. to 8:00 p.m. Rain date – May 6, 2016. Motion seconded by Polson. On roll call, Polson, Bailey, Carmichael, Brown, Rogge, Kuzelka, and Davis all voted "yes". Friesen absent. Motion carried.

Kuzelka moved to approve the recommendation from the Public Works Committee to approve the request from Blue Valley Community Action AmeriCorps, Youth Leadership and Fairbury Elks Club to close off G Street in front of 525 G from north of the alley to north of the intersection of 6th & G Streets and 6th Street from east of the intersection of 6th & G Street west to the northwest corner of the Elks Club for a "Mock

Accident and Town Hall Meeting” on April 27, 2016 from 4:00 p.m. to 8:00 p.m. Motion seconded by Rogge. On roll call, Polson, Bailey, Carmichael, Brown, Rogge, Kuzelka, and Davis all voted “yes”. Friesen absent. Motion carried.

Kuzelka moved to approve the recommendation from the Public Works Committee to approve the request from the Fairbury Public Library to hold a “Pool Party” for the Summer Reading Program and giving one day pool passes as a reward for participating in the program. Motion seconded by Rogge. (The City will give ten one day pool passes for the Summer Reading Program.) Polson moved to waive the fee for the pool party for the Summer Reading Program. Motion seconded by Bailey. On roll call, Polson, Bailey, Carmichael, Brown, Rogge, Kuzelka, and Davis all voted “yes”. Friesen absent. Motion carried. On roll call of the main motion, Polson, Bailey, Carmichael, Brown, Rogge, Kuzelka, and Davis all voted “yes”. Friesen absent. Motion carried.

Kuzelka moved to approve the recommendation from the Public Works Committee to approve the request from the Hope Crisis Center to use different areas of the City Park on April 23, 2016 from 8:00 a.m. to 10:30 a.m. for the 12th Annual “Put Your Foot Down Against Sexual Assault” Run/Walk with barricades being placed at the three entrances to the City Park. Motion seconded by Carmichael. On roll call, Polson, Bailey, Carmichael, Brown, Rogge, Kuzelka, and Davis all voted “yes”. Friesen absent. Motion carried.

Polson moved to authorize Mayor Ward to sign the Real Estate Purchase Agreement for the property located at 711 9th Street. Motion seconded by Carmichael. On roll call, Polson, Bailey, Carmichael, Brown, Rogge, Kuzelka, and Davis all voted “yes”. Friesen absent. Motion carried.

Rogge moved to authorize Mayor Ward to sign the proclamation celebrating Arbor Day and planting a tree in McNish Park on April 29, 2016. Motion seconded by Carmichael. On roll call, Polson, Bailey, Carmichael, Brown, Rogge, Kuzelka, and Davis all voted “yes”. Friesen absent. Motion carried.

Brown moved to approve the 2016 Certification Package for historical property “aircraft” on loan from the National Museum of the United States Air Force located at the Fairbury Airport and also authorizing Mayor Ward to sign the necessary documents. Motion seconded by Rogge. On roll call, Polson, Bailey, Carmichael, Brown, Rogge, Kuzelka, and Davis all voted “yes”. Friesen absent. Motion carried.

Polson moved to approve the recommendation from the Finance and Keno Committee authorizing Mayor Ward to sign the City of Fairbury County/City Lottery License Renewal Application Form 50G for 2016-2018. Motion seconded by Carmichael. On roll call, Polson, Bailey, Carmichael, Brown, Rogge, Kuzelka, and Davis all voted “yes”. Friesen absent. Motion carried.

Polson moved to approve the recommendation from the Finance and Keno Committee authorizing Mayor Ward to sign Zeilinger Keno's County/City Lottery Operator License Renewal Application Form 50G-I for 2016-2018. Motion seconded by Brown. On roll call, Polson, Bailey, Carmichael, Brown, Rogge, Kuzelka, and Davis all voted "yes". Friesen absent. Motion carried.

Polson moved to approve the recommendation from the Finance and Keno Committee authorizing Mayor Ward to sign Griffey's Steak House and Lounge, Tooley's Lounge, and Chuckles County/City Lottery Sales Outlet License Renewal Application Forms 50G-II for 2016-2018. Motion seconded by Kuzelka. On roll call, Polson, Bailey, Carmichael, Brown, Rogge, Kuzelka, and Davis all voted "yes". Friesen absent. Motion carried.

Rogge moved to approve the Special Designated Liquor License application for Michael Murman, Glacial Till Vineyard & Winery, LLC for a Beer, Wine, Distilled Spirits Sampling/Tasting, on/off sale event to be held at Stagecoach Mall Antiques and Tasting Room located at 508 E Street, Fairbury, Nebraska on May 6, 2016 from 11:00 a.m. to 11:00 p.m. Motion seconded by Bailey. On roll call, Polson, Bailey, Carmichael, Brown, Rogge, Kuzelka, and Davis all voted "yes". Friesen absent. Motion carried.

Rogge moved to adopt Resolution No. 1013 authorizing Mayor Ward to sign all documents necessary for the Nebraska Affordable Housing Program (NAHP) Funds. Motion seconded by Carmichael. Rogge thanked Margaret Brahm for her positive comments relating to her experience with the housing rehab program. Rogge stated it's nice to know of a government program that works. On roll call, Polson, Bailey, Carmichael, Brown, Rogge, Kuzelka, and Davis all voted "yes". Friesen absent. Motion carried.

Mayor Ward read by title Ordinance No. 3060: AN ORDINANCE OF THE CITY OF FAIRBURY, NEBRASKA, VACATING A PORTION OF E STREET LOCATED WEST OF BLOCK THREE AND EAST OF BLOCK FOUR, GROSS HEIRS ADDITION, GENERALLY LOCATED AT 1606 E STREET. Polson moved to give 3rd reading of Ordinance No. 3060. Motion seconded by Rogge. On roll call, Polson, Bailey, Carmichael, Brown, Rogge, Kuzelka, and Davis all voted "yes". Friesen absent. Motion carried. Carmichael moved for final passage of Ordinance No. 3060. Motion seconded by Polson. On roll call, Polson, Bailey, Carmichael, Brown, Rogge, Kuzelka, and Davis all voted "yes". Friesen absent. Motion carried.

Mayor Ward read by title Ordinance No. 3061: AN ORDINANCE AMENDING 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. 3039; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS AND TO PROVIDE FOR THE EFFECTIVE DATE THEREOF. Rogge moved to give 2nd reading of Ordinance No. 3061. Motion seconded by Polson. On roll call, Polson, Bailey, Carmichael, Brown, Rogge, Kuzelka, and Davis all voted "yes". Friesen absent. Motion carried.

Within the City Administrator's report, Collin Bielser stated he has asked a representative from the Department of Economic Development (DED) to give a brief presentation to the City Council, at a later meeting, regarding a certified economic development community. It will be good for the City to pursue this designation; it will put the City more on the map and show what Fairbury has to offer. Bielser stated the street study process will start in May or June and will be completed mid-summer.

Within the Mayor's report, Mayor Ward stated about a year ago a group of people volunteered to do some work on the fun park. The Fairbury Civic Foundation had carry-over funds from when the fun park was built. The Fairbury Civic Foundation reimbursed the Park Department \$5,246.49 which was spent on renovation and repairs for the Frontier Fun Park. The City didn't have to pay out any dollars for the fun park project.

Rogge moved to adjourn the meeting. Motion seconded by Polson. On roll call, Polson, Bailey, Carmichael, Brown, Rogge, Kuzelka, and Davis all voted "yes". Friesen absent. Motion carried. Meeting adjourned at 8:03 p.m.

Homer L. Ward, Mayor

ATTEST: Sharyl Preston, City Clerk