

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 19th 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, 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 April 5, 2016.
2. Approval of claims.
3. Approval of the March 2016 Reconciliation Report.
4. Approval of the resignation of Larry Naiman from the Tree Board.

Assistant Street Superintendent Laura Bedlan stated one of the claims is for payment on the post office alley that was done recently by Lottman Construction. Bedlan requests that the City Council approve this claim pending approval of the Street Superintendent. Friesen moved to approve the Consent Agenda with the exception of the Lottman Construction claim for the post office alley pending approval of the City's engineer. Motion seconded by Rogge. On roll call, Polson, Bailey, Carmichael, Brown, Friesen, Rogge, Kuzelka, and Davis all voted "yes". Motion carried.

Bailey moved to approve the proposal submitted from Gill Insurance Service, Inc. for various property and liability insurance coverage. Motion seconded by Carmichael. City Administrator Collin Bielser stated April 6, 2016 at noon was the deadline for bids to be submitted to the City Clerk for the property and liability coverage. The City received only one submittal from the City's current provider, Employers Mutual Casualty (EMC) on behalf of Gill Insurance. The premium increased approximately \$18,500.00; most of that is attributable to the workman's comp premium as the City has had some significant claims. Bielser stated he has already shared this information with department heads and at the City's internal staff safety meetings; the City will be working to bring down the workman's comp claims. Unfortunately, the experience modification rate (EMR) 1.37, stays with us for approximately three years. On roll call, Polson, Bailey, Carmichael, Brown, Friesen, Rogge, Kuzelka, and Davis all voted "yes". Motion carried. (The total premium bid from Gill Insurance was \$265,467.00)

Kuzelka moved to approve the recommendation from the Public Works Committee to approve the request from Barnhart Crane to close F Street from 8th to 9th Street from May 3 - May 9, 2016, for scheduling purposes, for Central Elementary School building repairs. Motion seconded by Rogge. Public Works Committee member Tim Polson stated the street closure should not interfere with the school buses. Public Works Committee member Kelly Davis stated the street closure will only be for one day within the timeframe of May 3 to May 9 as Barnhart Crane may get the equipment sooner than they anticipated. Barnhart Crane will give the City twenty-four hours' notice before they need the street to be closed. On roll call, Polson, Bailey, Carmichael, Brown, Friesen, Rogge, Kuzelka, and Davis all voted "yes". Motion carried.

Rogge moved to approve the Special Designated Liquor License applications 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 June 3, 2016, July 4, 2016, August 5, 2016, September 2, 2016, October 7, 2016, November 4, 2016, and December 2, 2016 from 11:00 a.m. to 11:00 p.m. Motion seconded by Brown. On roll call, Polson, Bailey, Carmichael, Brown, Friesen, Rogge, Kuzelka, and Davis all voted "yes". Motion carried.

Bailey moved to adopt Resolution No. 1014 requesting a Deed of Reconveyance be executed for purpose of releasing and extinguishing the lien and encumbrance of Deed of Trust executed by ABP Investments, Inc., and authorizing the Mayor to sign the Beneficiary's Request on said Deed of Reconveyance. Motion seconded by Carmichael. On roll call, Polson, Bailey, Carmichael, Brown, Friesen, Rogge, Kuzelka, and Davis all voted "yes". 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. Davis moved to give 3rd reading of Ordinance No. 3061. Motion seconded by Rogge. On roll call, Polson, Bailey, Carmichael, Brown, Friesen, Rogge, Kuzelka, and Davis all voted "yes". Motion carried. Carmichael moved for final passage of Ordinance No. 3061. Motion seconded by Bailey. On roll call, Polson, Bailey, Carmichael, Brown, Friesen, Rogge, Kuzelka, and Davis all voted "yes". Motion carried.

Within the City Administrator's report, Collin Bielser stated the quarterly nitrate testing results came back which ranged from 7.69 to 9.22. Bielser stated a Town Hall meeting will be held on May 5, 2016 at the Community Building from 4:00 p.m.–7:00 p.m. The Town Hall meeting is for the proposed Community Parks Master Plan and Pool Study. The engineers will give a presentation and will display the plans and answer any questions. Bielser stated he felt it was important to take time and recognize Larry Naiman as he is retiring the end of April. Larry started working for the City in 1979. Bielser stated Larry gives 100% to the City and took his job very passionately and was very dedicated; anyone that would put thirty-seven years into something like that deserves congratulations. Bielser stated one thing that he thought was interesting was that Larry served as the ADA Coordinator in the 90's. A town just recently got sued regarding ADA; our City Attorney David Bargaen called Collin and asked for the City's ADA plan – which the plan all started with Larry. Bielser stated we have been lucky to have Larry and will be unfortunate to see him to go; but Bielser wishes Larry congratulations. Mayor Ward also thanked Larry Naiman for the years he has spent with the City and we appreciate what Larry has done for the City.

Rogge moved to adjourn the meeting. Motion seconded by Friesen. On roll call, Polson, Bailey, Carmichael, Brown, Friesen, Rogge, Kuzelka, and Davis all voted "yes". Motion carried. Meeting adjourned at 7:46 p.m.

Homer L. Ward, Mayor

Sharyl Preston, City Clerk