



FAIRBURY

NEBRASKA

CITY OF FAIRBURY, NEBRASKA

COUNCIL AGENDA

Tuesday, January 4, 2022, 7:30 p.m.

All agenda items are for discussion and action will be taken as deemed appropriate. The City Council reserves the right to go into executive session in accordance with Section 84-1410.

1. CALL TO ORDER

1. Pursuant to Section 84-1412(8) of the Nebraska Open Meetings Act a current copy of the Opens Meeting Act is posted in the entry of this meeting room and is available for viewing by the public.
2. Roll Call

2. SUBMITTAL OF REQUESTS FOR FUTURE ITEMS

Individuals who have appropriate items for City Council consideration should complete the Request for Future Agenda Items form located near the entrance of the meeting room. If the issue can be handled administratively without Council action, notification will be provided. If the item is scheduled for a committee or Council meeting, notification of the date will be given.

3. CONSENT AGENDA

1. Approval of the Minutes of the Regular Meeting of December 21, 2021
2. Approval of Claims

4. PUBLIC HEARINGS & PRESENTATIONS

1. Fairbury Housing Authority 2021 Annual Report
2. Presentation of the 2021 Enterprise Funds Audit
3. Public Hearing regarding a Request for a Conditional Use Permit (CU-2021-005) from Industrial Tower West LLC and Mountain Tower & Land LLC at 300 and 310 5th St, Fairbury, Nebraska. The request is to allow for the construction of a wireless

communication tower in the C-1 – Downtown Commercial zoning district and the HD Historic Overlay district as provided for in Article 9, Section 9.03, Article 5, Section 5.06, Section 5.19 and Article 6 of the Zoning Ordinance of the City of Fairbury, Nebraska – 2013 Edition. The legal description of the property is described as: Lot 13, 14 & 15, Block 24, Original Town of Fairbury, Jefferson County , Nebraska.

4. Public Hearing regarding a Request for a Conditional Use Permit (CU-2021-006) from Industrial Tower West LLC and Mountain Tower & Land LLC. at 2337 K St, Fairbury, Nebraska. The request is to allow the construction of a wireless communication tower in the C-3 Highway Commercial zoning district as provided for in Article 9, Section 9.03, Article 5, Section 5.15 and Article 6 of the Zoning Ordinance of the City of Fairbury, Nebraska – 2013 Edition. The legal description of the property is described as; Lot 3, McLucas Subdivision to Fairbury, Jefferson County, Nebraska.
5. Public Hearing regarding changes to the Fairbury Zoning Regulations – 2013 Edition. Specifically, Section 5.06 the Land Use Categories Matrix, conditionally allowing for wireless telecommunication facilities & equipment, new towers in the R-2 Medium Density Residential zoning district
6. Public Hearing regarding changes to the Fairbury Zoning Regulations – 2013 Edition. Specifically, Section 4.12, 5.07.07, 5.08.07, 5.09.07, 5.10.07 and 5.11.07 amending the overall height of accessory structures in all of the residential zoning districts in the City of Fairbury.

5. CURRENT BUSINESS

1. Consider Recommendation from the Planning & Zoning Commission Regarding the request for a Conditional Use Permit (CU-2021-005) from Industrial Tower West LLC and Mountain Tower & Land LLC at 300 and 310 5th St, Fairbury, Nebraska. The request is to allow for the construction of a wireless communication tower in the C-1 – Downtown Commercial zoning district and the HD Historic Overlay district as provided for in Article 9, Section 9.03, Article 5, Section 5.06, Section 5.19 and Article 6 of the Zoning Ordinance of the City of Fairbury, Nebraska – 2013 Edition. The legal description of the property is described as: Lot 13, 14 & 15, Block 24, Original Town of Fairbury, Jefferson County, Nebraska
2. Consider Recommendation from the Planning & Zoning Commission Regarding the request for a Conditional Use Permit (CU-2021-006) from Industrial Tower West LLC and Mountain Tower & Land LLC. at 2337 K St, Fairbury, Nebraska. The request is to allow the construction of a wireless communication tower in the C-3 Highway Commercial zoning district as provided for in Article 9, Section 9.03, Article 5, Section 5.15 and Article 6 of the Zoning Ordinance of the City of Fairbury, Nebraska – 2013 Edition. The legal description of the property is described as; Lot 3, McLucas Subdivision to Fairbury, Jefferson County, Nebraska.

3. RESOLUTIONS AND ORDINANCES

1. Resolution No. 1181 – To levy and assess costs of nuisance abatement against certain properties
2. Resolution No. 1182 – To levy and assess costs of nuisance abatement against certain properties
3. Ordinance No. 3103 – An ordinance of the City of Fairbury, Nebraska to vacate a portion of Bacon Road from east of H Street to west of I Street, located between block 16 and block 21 of McDowell's 1st Addition to the City of Fairbury, Nebraska **(3rd Reading)**
4. Ordinance No. 3105 An ordinance of the City of Fairbury, Nebraska Amending the City of Fairbury Zoning Regulations Section 5.06 the Land Use Categories Matrix, conditionally allowing for wireless telecommunication facilities & equipment, new towers in the R-2 Medium Density Residential zoning district **(1st Reading)**
5. Ordinance No. 3106 An ordinance of the City of Fairbury, Nebraska Amending the City of Fairbury Zoning Regulations Section 4.12, 5.07.07, 5.08.07, 5.09.07, 5.10.07 and 5.11.07 amending the overall height of accessory structures in all of the residential zoning districts in the City of Fairbury **(1st Reading)**

4. REPORTS

1. City Administrator
2. Mayor
3. Committees

5. MOTION TO ADJOURN