

The Council of the City of Fairbury met in the Council Chambers located at 612 D Street, Fairbury, Nebraska, on the 20<sup>th</sup> day of January 2026, at 7:30 PM. Mayor Davis called the meeting to order.

Notice of the meeting was given in advance thereof, and the Open Meetings Act was posted in the meeting room and pointed out by Mayor Davis as required by law.

Roll call found the following Council Members present- Jaime McDaniel, Tim Polson, John Ebke, Brian Schmidt, Charles Endorf, Phil Rogge, Brad Kuzelka, and Rod Coil. Absent: None

Mayor Davis called for the submittal of forms to request future agenda items. No forms were submitted during the meeting.

Mayor Davis called for individuals seeking to speak during the public comment period. NONE

**Mayor Davis read the Consent Agenda**

1. Approval of the minutes of the regular meeting of January 6, 2026.
2. Approval of claims.
3. Consider reappointment of Jaime McDaniel to the Community Redevelopment Authority, effective February 2, 2026, ending February 2, 2031.
4. Consider reappointment of April Stone to the Community Redevelopment Authority, effective February 2, 2026, ending February 2, 2031.
5. Consider re-appointment of Wayne Buehler to the Board of Adjustment Committee, term ending January 20, 2029

Ebke moved to approve the minutes of the regular meeting of the Council on January 6, 2026, \$714,801.87 in claims, the reappointment of Jaime McDaniel to the Community Redevelopment Authority, the reappointment of April Stone to the Redevelopment Authority, striking the reappointment of Wayne Buehler to the Board of Adjustments. Motion was seconded by Rogge. On roll call vote: Polson, Ebke, B. Schmidt, Coil, Rogge, Kuzelka, and Endorf, voting "yes." McDaniel- abstaining, Motion carried.

**Next item of business:**

Public Hearing concerning the city of Fairbury, Nebraska 1- & 6-year street improvement plan for 2026-2031. The one-year plan consists of 13 projects with an estimate of \$5,250,888.41. The 6-year plan consists of 10 projects with an estimated cost of \$6,536,098.58. General maintenance as recommended in the 2016 pavement management system includes armor coat and crack sealing, both procedures will continue with an annual cost budgeted at \$60,000. The 20<sup>th</sup> Street I-K project was awarded a CDBG grant in the amount of \$440,000 and has moved to the priority list, grant is a 80/20 funding source.

Presentation of the EPA Brownfield Grant application to clean up the former Fairbury Iron and Metal site. L Bedlan discussed the grant application is due January 28, 2026, with award notifications anticipated in June of 2026. The city recently acquired the property formerly known as Fairbury Iron and Metal along with a former Rock Island Railroad right of way. The site is being considered (after clean-up) for expansion of the trail system and extended park. The vision is to include a low maintenance area taking into consideration the flood plain/way. This grant would assist with clean-up only and has an estimated completion date of September 2028 if the grant is awarded.

**Next item of business: Current Business**

Mayor Davis introduced the first item of current business, "Agenda request of Kathy Herman regarding the removal of the city's rental inspection program." Kathy Herman, local resident and landlord had concerns related to the current city of Fairbury rental inspection program that stemmed from a landlord

meeting with the mayor and code enforcement officer, held on December 1, 2025. Stating the current policy was put in place in 2015, current landlords have concerns with: qualifications and inefficiencies in the rental inspection checklist, no ability to regulate tenant behaviors, inconsistencies amongst rental inspection related to time per rental, the integrity of the checklist (mechanical systems, foundations, and liability of tenant-controlled items. Ms. Herman also addressed the non-participation of the program from landlords and had concerns why the requirements of the program only affected rentals and also had constitutional concerns. In ending, Ms. Herman asked the council to consider the concerns raised and review the program as it is currently being enforced.

Mayor Davis introduced the next item of current business, "Consideration and discussion of the Olsson master services agreement, work order #11, high service pump station electrical permanent line relocation, allowing the mayor to sign all related documents." Gregg DeFrain, Water Superintendent discussed that in order to expedite design to allow for the safe removal of the tile building located near the H Structure, the 2.5 block section is proposed to be removed from the Grid Resiliency grant and added to the water project. This needs to be expedited to allow for high service pump installation. The alternative is to shore up the tile building while the work is being completed and work around it, which does not seem fiscally responsible for putting funding into a building that will need to come down. With no further discussion, Schmidt motioned to approve the Olsson master services agreement, work order #11, high service pump station electrical permanent line relocation, allowing the mayor to sign all related documents, \$25,000. Motion was seconded by Ebke. On roll call vote, Ebke, Polson, Coil, Kuzelka, B. Schmidt, Endorf, McDaniel, and Rogge. "yes." Motion carried.

Mayor Davis introduced the next item of current business, "Consider advertising for Farm lease bids." This item was postponed.

Mayor Davis introduced the next item of current business, "Consideration and discussion related to the liquor license amendment of Tooley's addition of outdoor area on the south side of the building." Tooley's recently invested into their business adding a permanent beer garden to the south side of the building. With that, an amendment to the current liquor license is required. With no further questions, Rogge motioned to approve the liquor license amendment of Tooley's addition of outdoor area on the south side of the building. Motion was seconded by Ebke. On roll call vote, Ebke, Polson, Coil, Kuzelka, B. Schmidt, Endorf, McDaniel, and Rogge. "yes." Motion carried.

Mayor Davis introduced the next item of current business, "Consider approval of submittal for the EPA Brownfields grant to clean up the former Fairbury Iron and Metal site, allowing the mayor to execute all related documents." With no further discussion, Schmidt motioned to approve the application submittal, for the EPA Brownfields grant to clean up the former Fairbury Iron and Metal site, allowing the mayor to execute all related documents. Motion was seconded by Endorf. On roll call vote, Ebke, Polson, Coil, Kuzelka, B. Schmidt, Endorf, McDaniel, and Rogge. "yes." Motion carried.

Mayor Davis introduced the next item of current business, "Consider excusing the absence of council member:" all present.

## **RESOLUTIONS AND ORDINANCES:**

Resolution 1326- a resolution of the city of Fairbury, Nebraska approving the 1- & 6-year street improvement plan. With no further questions, Ebke motioned to approve resolution 1326- a resolution of the city of Fairbury, Nebraska approving the 1- & 6-year street improvement plan. Motion was seconded by Kuzelka. On roll call vote, Ebke, Polson, Coil, B. Schmidt, Kuzelka, Endorf, McDaniel, and Rogge. "yes." Motion carried.

Resolution 1327- to levy and assess costs of nuisance abatement against certain properties. With no further questions, Schmidt motioned to approve Resolution 1327- to levy and assess costs of nuisance abatement against certain properties. Motion was seconded by Ebke. On roll call vote, Ebke, Polson, Coil, B. Schmidt, Endorf, McDaniel, and Rogge. "yes." Motion carried.

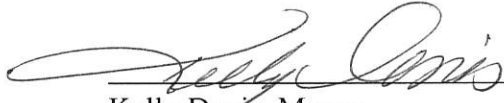
**Reports:**

Mayor's Report- Mayor Davis mentioned that most of the trail lights are wired in at the city park and they are a wonderful addition. A walkthrough to the QCT building was completed and a punch list of items have been compiled.

Committee Report

Report of Claims- no change

Mayor Davis then entertained a motion to adjourn. Ebke moved to adjourn. Motion was seconded by Rogge. On roll call vote, Ebke, Polson, Coil, B. Schmidt, Endorf, Kuzelka, McDaniel, and Rogge. "yes." Motion carried. The meeting adjourned at 8:03 PM.

  
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Kelly Davis, Mayor

2-3-2026  
Date

  
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Erin Reimer, City Clerk

2-3-2026  
Date



