

The Mayor and Council of the City of Fairbury met in the Council Chambers located at 612 D Street, Fairbury, Nebraska, on the 1st day of February 2022, at 7:30 PM. Mayor Brown called the meeting to order.

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

Roll call found the following Council Members present: Phil Rogge, Brian Schmidt, Dusty Schmidt, John Ebke, Doug Brown, Tim Polson, and Kelly Davis. Absent: Bradley Kuzelka

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

Mayor Brown read the Consent Agenda:

1. Approval of the minutes of the regular meeting of January 18, 2022
2. Approval of Claims \$961,816.52
3. Consider appointment of Michael Gaston to the Community Redevelopment Authority (CRA)

Rogge moved to approve the minutes of the regular meeting of Council on January 18, 2022, \$961,816.52 in claims, and the appointment of Michael Gaston the Community Redevelopment Authority (CRA). Motion was seconded by B. Schmidt. On roll call vote: D.Schmidt, Davis, Brown, Polson, Ebke, Rogge, and B.Schmidt voting “yes.” Motion carried.

Next item of business: **Public Hearings/Presentations:**

Public Hearing regarding the semi-annual review (July 1, 2021, thru December 31, 2021) of the local option municipal sales tax (LB840) program. City Administrator Messbarger discussed with council that the Citizens Advisory Review Committee had met on January 10, 2022, to review and approve expenditures for the last 6 months of 2021. These same numbers are being provided to Council tonight.

Next item of business: **Current Business**

Mayor Brown introduced the first item of current business, “Consider the finance and keno committee’s recommendation of extending the City’s property and liability insurance coverage with Gill Insurance for an additional three years.” Finance and Keno met prior and recommend approving the request to extend 3 years. With no further questions, Polson motioned to approve the finance and keno committee’s recommendation of extending the City’s property and liability insurance coverage with Gill Insurance for an additional three years. Motion was seconded by Davis. On a roll call vote: Rogge, Ebke, Davis, D. Schmidt, Polson, Brown, and B. Schmidt voting “yes.” Motion carried.

Mayor Brown introduced the next item of current business, “Consider pole attachment contract between the City of Fairbury and Jefferson County.” This item was previously postponed for discussion. The city did not have a standard pole attachment contract or fee schedule. Staff worked to prepare said agreement and is now presenting to council for consideration and approval. Jefferson County is seeking the pole attachment contract to run fiber optic from their Law Enforcement Center to the Jefferson County Courthouse. The proposed rate in the contract includes a \$300 initial attachment fee per pole and a \$25 annual attachment fee per pole. With no further questions, B Schmidt motioned to approve the pole attachment contract between the City of Fairbury and Jefferson County. Motion was seconded by Davis. On a roll call vote: Rogge, Ebke, Davis, D. Schmidt, Polson, Brown, and B. Schmidt voting “yes.” Motion carried.

Mayor Brown introduced the next item of current business, “Consider the public works recommendation on 2022 waterpark season schedule and fees.” Public Works had met prior to Council tonight and discussed and reviewed the proposed dates and fees. There are no changes to the fees. The opening date is set for Saturday, May 28, 2022, and the closing date will either be Sunday, August 7, or August 14, dependent upon Fairbury Public Schools schedule of school beginning for the 2022-2023 school year. Free swim days are set for June 6th and August 1st. The pool will operate Sunday- Thursday 1pm-

8pm and Friday-Saturday 1pm-9pm. The waterpark will close early on July 4, 2022, at 5pm and will open late on the day of the Fairbury swim meet, TBD. With no further questions, Rogge motioned to approve the public works recommendation on 2022 waterpark season schedule and fees. Motion was seconded by Davis. On a roll call vote: Rogge, Ebke, Davis, D. Schmidt, Polson, Brown, and B. Schmidt voting “yes.” Motion carried.

Mayor Brown introduced the next item of current business, “Consider the public works committee recommendation on the 2022 city wide clean up.” Public works met prior to Council on February 1, 2022, discussing the proposed dates of the annual clean up. This year will mimic last years, and residents will still need to schedule a time for pickup. The dates of the cleanup are scheduled for Fairbury- April 25 thru April 27 and Jansen April 29th. With no further questions, Rogge motioned to approve the public works committee recommendation on the 2022 city wide clean up as presented. Motion was seconded by B. Schmidt. On a roll call vote: Rogge, Ebke, Davis, D. Schmidt, Polson, Brown, and B. Schmidt voting “yes.” Motion carried.

Mayor Brown introduced the next item of current business, “Consider the public works committee recommendation on the 2022 free dump days.” Public works met prior to Council on February 1, 2022, discussing the proposed dates of the free dump days. The scheduled dates for 2022 are May 2 thru May 6. With no further questions, Rogge motioned to approve the 2022 free dump days. Motion was seconded by B. Schmidt. On a roll call vote: Rogge, Ebke, Davis, D. Schmidt, Polson, Brown, and B. Schmidt voting “yes.” Motion carried.

Mayor Brown introduced the next item of current business, “Consider the public works committee recommendation on the agreement between the city of Fairbury and the American Legion for use of Quinn Field.” In the past there has been no written agreement, and this would ensure that each party is aware of their responsibilities and also provide a liability disclaimer. This agreement would establish consistency between the different youth organizations in the community that utilize the fields. The city will continue to perform basic maintenance, utilities, and insurance costs but provide no dollar allotment to the individual organization. Public works met earlier on February 1, 2022, and recommended the agreement. With no further questions, Rogge motioned to approve the public works committee recommendation on the agreement between the city of Fairbury and the American Legion for use of Quinn Field. Motion was seconded by B. Schmidt. On a roll call vote: Rogge, Ebke, Davis, D. Schmidt, Polson, Brown, and B. Schmidt voting “yes.” Motion carried.

Mayor Brown introduced the next item of current business, “Consider the public works committee recommendation on the agreement between the city of Fairbury and the Fairbury Area Softball Association for use of the softball complex.” In the past there has been no written agreement, and this would ensure that each party is aware of their responsibilities and also provide a liability disclaimer. This agreement would establish consistency between the different youth organizations in the community that utilize the fields. The city will continue to perform basic maintenance, utilities, and insurance costs but provide no dollar allotment to the individual organization. Public works met earlier on February 1, 2022, and recommended the agreement. With no further questions, Rogge motioned to approve the public works committee recommendation on the agreement between the city of Fairbury and the Fairbury Area Softball Association for use of the softball complex. Motion was seconded by B Schmidt. On a roll call vote: Rogge, Ebke, Davis, D. Schmidt, Polson, Brown, and B. Schmidt voting “yes.” Motion carried.

Mayor Brown introduced the next item of current business, “Consider the public works committee recommendation on the agreement between the city of Fairbury and the Fairbury Public Schools for the use of the softball complex and Quinn field.” In the past there has been no written agreement, and this would ensure that each party is aware of their responsibilities and also provide a liability disclaimer. This agreement would establish consistency between the different youth organizations in the community that utilize the fields. The city will continue to perform basic maintenance, utilities, and insurance costs but provide no dollar allotment to the individual organization. Public works met earlier on February 1, 2022 and recommended the agreement. With no further questions, Rogge motioned to approve the public works committee recommendation on the agreement between the city of Fairbury and the Fairbury Public Schools for use of Quinn field and the softball complex. Motion was seconded by B Schmidt. On a roll call vote: Rogge, Ebke, Davis, D. Schmidt, Polson, Brown, and B. Schmidt voting “yes.” Motion carried.

RESOLUTIONS AND ORDINANCES:

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 (2nd Reading). With no further questions, B. Schmidt motioned to give Ordinance 3106 its third and final reading. Motion was seconded by Polson. On a roll call vote: Rogge, Brown, Ebke, Davis, D. Schmidt, Polson, and B. Schmidt voting “yes.” Motion carried.

Reports/Discussion: none

Mayor Brown then entertained a motion to adjourn. Rogge moved to adjourn. Motion seconded by Ebke. On a roll call vote: Brown, Ebke, Rogge, Polson, Davis, D. Schmidt, and B. Schmidt voting “yes.” Motion carried

The meeting adjourned at 7:40 PM.

Spencer Brown, Mayor

Date

Erin Reimer, City Clerk

Date