

The Mayor and Council of the City of Fairbury met in the Council Chambers located at 612 D Street, Fairbury, Nebraska, on the 15th 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, Bradley Kuzelka, and Kelly Davis. Absent: None

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 February 1, 2022
2. Approval of Claims \$369,439.72

Rogge moved to approve the minutes of the regular meeting of Council on February 15, 2022 and \$369,439.72 in claims. Motion was seconded by Ebke. On roll call vote: D.Schmidt, Davis, Brown, Polson, Ebke, Kuzelka, Rogge, and B.Schmidt voting “yes.” Motion carried.

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

Presentation: Annual Fairbury Public Library Report for October 1, 2020 thru September 30, 2021. Debbie Aden, Library Director was present to go over the year in review. Covid did curtail many 2020 events, but the library was able to have a successful summer reading program and sponsored 2 events at the Bonham: Magician, Adam White and the Henry Doorly Zoo exhibit which provided entertainment to 200+ guests. The story walk in the City Park was updated and the Carnegie side of the building received upgrades and repairs. The library saw 13611 patrons in total visits while also sponsoring adult and children’s programs. The eBook/audio book services did see a decrease as the company that provided these resources has now gone out of business.

Next item of business: **Current Business**

Mayor Brown introduced the first item of current business, “Consider approval of Drawdown #5- Storm water project- project #18-pw-002 in the amount of \$29,531.23, CDBG funded.” With no further questions, B. Schmidt motioned to approve Drawdown #5- Storm water project- project #18-pw-002 in the amount of \$29,531.23, CDBG funded. Motion was seconded by Davis. On a roll call vote: Rogge, Ebke, Davis, D. Schmidt, Polson, Kuzelka, Brown, and B. Schmidt voting “yes.” Motion carried.

Mayor Brown introduced the next item of current business, “Consider approval of Drawdown #6- Storm water project- project #18-pw-002 in the amount of \$15,427.08, CDBG funded.” With no further questions, B Schmidt motioned to approve Drawdown #6- Storm water project- project #18-pw-002 in the amount of \$15427.08, CDBG funded. Motion was seconded by Rogge. On a roll call vote: Rogge, Ebke, Davis, D. Schmidt, Kuzelka, Polson, Brown, and B. Schmidt voting “yes.” Motion carried.

Mayor Brown introduced the next item of current business, “Wastewater treatment plant upgrade project discussion and consideration to open bidding process.” Craig Reinsch with Olsson was present to discuss the project. Craig informed Council that the project is moving forward and is on schedule. They are currently waiting on the state fire marshal for permitting. The bidding schedule structure is set up to be a 5–6-week process. The bid would publish and run through March- have a bid opening 3/29 and a recommendation to council at the April 5, 2022, Council meeting. A pre-construction meeting would then take place in May and a substantial completion date is targeted for the end of 2023. With no further questions, Rogge motioned to approve the bidding process- publication on February 23, 2022, which will run for 5 weeks and open on March 29, 2022, and then recommend to council on April 5, 2022. Motion was seconded by Ebke. On a roll call vote: Rogge, Ebke, Davis, D. Schmidt, Kuzelka, Polson, Brown, and B. Schmidt voting “yes.” Motion carried.

Mayor Brown introduced the next item of current business, "Consider increased purchase amount of a software upgrade through HOA solutions regarding the wastewater treatment plant computer system." On January 18, 2022, council approved the purchase of a computer upgrade for the City's WWTP. The bid was approved, and city staff reached out to HOA to move forward. HOA then realized that the quoted software in fact would not be compatible and in acknowledging their mistake have offered to reduce the price of the needed upgrade from \$35,035 to \$29,623.50. The city has been with HOA for over 20 years, and they control the entirety of the SCADA system. With no further questions, B. Schmidt motioned to approve the increased purchase amount of a software upgrade through HOA solutions regarding the wastewater treatment plant computer system in the amount of \$29635.50. Motion was seconded by Kuzelka. On a roll call vote: Rogge, Ebke, Davis, D. Schmidt, Kuzelka, Polson, Brown, and B. Schmidt voting "yes." Motion carried.

Mayor Brown introduced the next item of current business, "Consider bids for the East Wells Hay lease." Mayor Brown opened and read aloud the 5 sealed bids the city received. The amounts are as follows: \$7825, \$4001.50, \$7700, \$7025, and \$8010, with the highest bid being from Dustin Rippe in the amount of \$8010.00. With no further questions, Kuzelka motioned to award the E Wells Hay lease to Dustin Rippe in the amount of \$8010. Motion was seconded by Rogge. On a roll call vote: Rogge, Ebke, Davis, D. Schmidt, Polson, Kuzelka, Brown, and B. Schmidt voting "yes." Motion carried.

Mayor Brown introduced the next item of current business, "Consider bids for the Sewer Plant Farm lease." Mayor Brown opened and read aloud the 5 sealed bids the city received. The amounts are as follows: \$39800, \$47862, \$33920, \$30625, and \$40852, with the highest bid being from Dustin Kenning in the amount of \$47862. With no further questions, Brown motioned to award the Sewer Plant Farm lease Dustin Kenning in the amount of \$47862. Motion was seconded by B. Schmidt. On a roll call vote: Rogge, Ebke, Davis, D. Schmidt, Polson, Kuzelka, Brown, and B. Schmidt voting "yes." Motion carried.

Mayor Brown introduced the next item of current business, "Consider bids for the Crystal Springs Wellhead Protection Farm lease." Mayor Brown opened and read aloud the 1 sealed bid the city received in the amount of \$9000 from Ross Boeckner. With no further questions, Polson motioned to award the Crystal Springs Wellhead Protection Farm to Ross Boeckner in the amount of \$9000. Motion was seconded by Ebke. On a roll call vote: Rogge, Ebke, Davis, D. Schmidt, Polson, Kuzelka, Brown, and B. Schmidt voting "yes." Motion carried.

Mayor Brown introduced the next item of current business, "Consider bids for the 3rd and Frederick, Street and Alley Farm lease." Mayor Brown opened and read aloud the 4 sealed bids the city received. The amounts are as follows: \$9501, \$9195, \$6460, and \$6650, with the highest bid being from Tracy Graves in the amount of \$9501. With no further questions, B. Schmidt motioned to award the 3rd and Frederick, Street and Alley Farm lease to Tracy Graves in the amount of \$9501. Motion was seconded by Davis. On a roll call vote: Rogge, Ebke, Davis, D. Schmidt, Polson, Kuzelka, Brown, and B. Schmidt voting "yes." Motion carried.

Mayor Brown introduced the next item of current business, "Consider bids for the Industrial Park Farm Lease." Mayor Brown opened and read aloud the 5 sealed bids the city received. The amounts are as follows: \$9005, \$8225, \$8670, \$11536, and \$12500, with the highest bid being from Tracy Graves in the amount of \$12500. With no further questions, Polson motioned to award the Industrial Park Farm Lease to Tracy Graves in the amount of \$12500. Motion was seconded by Ebke. On a roll call vote: Rogge, Ebke, Davis, D. Schmidt, Polson, Kuzelka, Brown, and B. Schmidt voting "yes." Motion carried.

Mayor Brown introduced the next item of current business, "Consider bids for the Fairbury Levee Hay Lease." No bids were received. With no further questions, Rogge motioned to extend the bid period for the Levee Hay lease. Motion was seconded by Brown. On a roll call vote: Rogge, Ebke, Davis, D. Schmidt, Polson, Kuzelka, Brown, and B. Schmidt voting "yes." Motion carried.

Mayor Brown introduced the next item of current business, "Consider contracting with Marvin Planning Consultants to complete a blighted and substandard study for the city." Currently the city is under the required 50% total area of substandard and blight. To designate additional areas blighted an increase funding opportunity for tax increment financing projects the city must first perform a study to determine which additional areas meet the statutory requirements. Marvin Planning has been utilized in the past for such studies and they have once again proposed a fixed fee for services of \$3000 to move forward with completion of the study. With no further questions, Rogge motioned to approve the Marvin Planning Consultants contract to complete a blighted and substandard study for the city. Motion was

seconded by Ebke. On a roll call vote: Rogge, Ebke, Davis, D. Schmidt, Polson, Kuzelka, Brown, and B. Schmidt voting “yes.” Motion carried.

RESOLUTIONS AND ORDINANCES:

Resolution 1185- To levy and assess costs of nuisance abatement against certain properties. With no further questions B Schmidt motioned to approve Resolution 1185- To levy and assess costs of nuisance abatement against certain properties. Motion was seconded by Rogge. On a roll call vote: Rogge, Brown, Ebke, Kuzelka, D. Schmidt, Davis, 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, Kuzelka, and B. Schmidt voting “yes.” Motion carried
The meeting adjourned at 8:10 PM.

Spencer Brown, Mayor

Date

Erin Reimer, City Clerk

Date