

The Mayor and Council of the City of Fairbury met in the Council Chambers located at 612 D Street, Fairbury, Nebraska, on the 6th day of July 2021, 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- Tim Polson, Phil Rogge, Brian Schmidt, Kelly Davis, Dusty Schmidt, and Bradley Kuzelka. Absent: Doug Brown & John Ebke

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 June 15, 2021
2. Approval of Claims \$896,846.89
3. Consider the re-appointment of Kristin Vaughn to the Library Board

Rogge moved to approve the minutes of the regular meeting of Council on June 15, 2021, \$896,846.89 in claims and the re-appointment of Kristin Vaughn to the Library Board. Motion was seconded by B.Schmidt. On roll call vote: Rogge, Polson, Davis, Kuzelka, D. Schmidt, and B.Schmidt voting “yes.” Motion carried.

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

Optimist Presentation for donation to the City of Fairbury Waterpark Concessions for August 2, 2021. Diane Schutte, president of the Optimist club discussed with Council that the Optimist Club is always looking for ways to give back to the youth of the community. The group has been in Fairbury for 66 years. This year they would like to donate \$200 to the Waterpark concession stand, providing 1 ticket to each patron on August 2, 2021, to redeem for an ice cream. This would tie in with the already scheduled free swim day.

Justin Starck with Olsson was present to update Council regarding the wastewater treatment plant upgrade progress. Currently it is at 30% completion of design. The most recent design review meeting was held June 3, 2021 in which discussions were held regarding possible process modifications and efficiencies. Headworks were selected, grit removal was discussed along with discussion of the replacement of the final clarifier. A UV disinfection system will also be added.

Public Hearing regarding a Request for a Conditional Use Permit (CU-2021-003) from Richard Bridgmon, 921 8th Street, Fairbury, Nebraska. The request is to allow for the construction of an accessory building on a lot without a primary structure in the R-2 – medium density zoning district as provided for in Article 4, Section 4.12 and Article 6, Section 6.01 of the Zoning Ordinance of the City of Fairbury, Nebraska – 2013 Edition. The Legal description of the property is described as: East 15 feet

of lot 12 and west 35 feet of lot 13, block 2 King's Addition, Fairbury, Jefferson County, Nebraska. Bedlan discussed with Council that the requirement for district have been reviewed by planning commission and recommend approval. Richard Bridgmon was present to answer any questions.

Next item of business: **Current Business**

Mayor Brown introduced the first item of current business, "Bid opening for city property." One bid had been submitted to the City Offices. With that, Mayor Brown opened the sealed bid and read aloud. Aaron Hasselbring/Tooleys' bid was in the amount of \$3100.00. With no further questions, Rogge moved to accept the bid submitted by Aaron Hasselbring/Tooley's in the amount of \$3100.00. Motion was seconded by B. Schmidt. On a roll call vote: Polson, D. Schmidt, Rogge, Kuzelka, Davis, and B.Schmidt voting "yes." Motion carried.

Mayor Brown introduced the next item of current business, "Consider recommendation from the Planning Commission regarding the request for a conditional use permit (CU-2021-003) from Richard Bridgmon at 921 8th Street, Fairbury Nebraska to allow for construction of an accessory building on a lot without a primary structure in the R-2, medium density zoning district." Mr. Bridgmon was asked if he had spoken with the neighbors and if there was any kickback, the color and material of the building were also questioned. With no further questions B. Schmidt motioned to approve conditional use permit (CU-2021-003) from Richard Bridgmon, 921 8th Street, Fairbury, Nebraska in the R-2 – medium density zoning district as provided for in Article 4, Section 4.12 and Article 6, Section 6.01 of the Zoning Ordinance of the City of Fairbury, Nebraska – 2013 Edition. The Legal description of the property is described as: East 15 feet of lot 12 and west 35 feet of lot 13, block 2 King's Addition, Fairbury, Jefferson County, Nebraska. Motion was seconded by Davis. On a roll call vote: D. Schmidt, Polson, Rogge, Kuzelka, Davis, and B. Schmidt voting "yes." Motion carried.

Mayor Brown introduced the next item of current business, "Consider recommendation from the public works committee regarding game center accessory deposits." Rogge stated that public works had met earlier and recommends the deposits as presented. With no further questions, Rogge moved to approve the recommendation from the public works committee regarding game center accessory deposits. Motion was seconded by B. Schmidt. On a roll call vote: Polson, D. Schmidt, Rogge, Kuzelka, Davis, and B. Schmidt voting "yes." Motion carried.

Mayor Brown introduced the next item of current business, "Consider recommendation from public works regarding installation of traffic signage at 17th and E Street." Public works met earlier and recommended moving forward. With no further questions Rogge motioned to approve the recommendation from public works regarding installation of traffic signage at 17th and E Street. Motion was seconded by Davis. On a roll call vote: Polson, D. Schmidt, Rogge, Kuzelka, Davis, and B. Schmidt voting "yes." Motion carried.

Mayor Brown introduced the next item of current business, "Consider recommendation from public works regarding removal of a 15-minute parking sign on the west side of G Street between 4th and 5th Streets." Public works met earlier and recommended moving forward. With no further questions, Rogge motioned to approve the recommendation from public works regarding removal of a 15-minute parking sign on the west side of G Street between 4th and 5th Streets. Motion was seconded by Davis. On a roll call vote: Polson, D. Schmidt, Rogge, Kuzelka, Davis, and B. Schmidt voting "yes." Motion carried.

Mayor Brown introduced the next item of current business, “Consider authorizing Mayor Spencer Brown to sign change order #6 for project 016-3570, water system improvement in the amount of \$486,212.74 for the cancellation of the water transmission project bid sections 1A and 2.” Justin Starck with Olsson went over the change order with Council. The remaining balance due to Van Kirk is \$487,708.24 which includes a portion of the park project. The amount due on the change order is \$486,212.74 which is derived from the cancelled sections of the water systems project. With no further questions, Davis motioned to authorize Mayor Spencer Brown to sign change order #6 for project 016-3570, water system improvement in the amount of \$486,212.74 for the cancellation of the water transmission project bid sections 1A and 2. Motion was seconded by Davis. On a roll call vote: Polson, D. Schmidt, Rogge, Kuzelka, Davis, and B. Schmidt voting “yes.” Motion carried.

Mayor Brown introduced the next item of current business, “Consider Mayor Spencer Brown’s recommendation regarding the City Administrator contract.” Mayor Brown relayed to Council that Mr. Robert Messbarger would serve the city well and was a strong candidate for the position. With no further questions, B. Schmidt motioned to approve the recommendation regarding the City Administrator contract and appointment of Robert Messbarger as the City Administrator, with an effective date of his contract beginning July 20, 2021. Motion was seconded by Davis. On a roll call vote: Polson, D. Schmidt, Rogge, Kuzelka, Davis, and B. Schmidt voting “yes.” Motion carried.

Mayor Brown introduced the next item of current business, “Consider contractor agreement between the city of Fairbury and Mary (Maria) Renn and authorizing Mayor Spencer Brown to sign the contract agreement. Mayor Brown stated that Mary has been deeply involved in the open projects the city has and it would be beneficial to have her continue to push them forward. With no further questions, B. Schmidt motioned to approve the contractor agreement between the city of Fairbury and Mary (Maria) Renn and authorized Mayor Spencer Brown to sign the contract agreement. Motion was seconded by Davis. On a roll call vote: Polson, D. Schmidt, Rogge, Kuzelka, Davis, and B. Schmidt voting “yes.” Motion carried.

Mayor Brown introduced the next item of current business, “Consider authorizing Mayor Spencer Brown to sign the engineering agreement between Miller and Associates and the Little Blue Water System (LBVWS), a joint entity between the City of Fairbury and the Little Blue NRD for engineering services for the water sourcing project.” City administrator Renn stated the signatory of the document should read the designated LBVWS representative for the City of Fairbury/City Administrator. With no further questions, Kuzelka motioned to have the designated LBVWS representative for the City of Fairbury to sign engineering agreement between Miller and Associates and the Little Blue Water System (LBVWS), a joint entity between the City of Fairbury and the Little Blue NRD for engineering services for the water sourcing project. Motion was seconded by Davis. On a roll call vote: Polson, D. Schmidt, Rogge, Kuzelka, Davis, and B. Schmidt voting “yes.” Motion carried.

RESOLUTIONS AND ORDINANCES:

Resolution 1155 of the City of Fairbury amending Resolution 1147, as amended by Resolution 1121, as amended by Resolution 804, as amended by Resolution 937, as amended by Resolution 960, levying and assessing various fees, bonds or deposits, by adding reference to the Isaac Game Center equipment sign out fees, and repealing Resolution 1147. With no further questions, Rogge moved to approve Resolution 1155 amending Resolution 1147, as amended by Resolution 1121, as amended by Resolution

804, as amended by Resolution 937, as amended by Resolution 960, levying and assessing various fees, bonds or deposits, by adding reference to the Isaac Game Center equipment sign out fees, and repealing Resolution 1147. Motion was seconded by B. Schmidt. On a roll call vote: Polson, D. Schmidt, Rogge, Kuzelka, Davis, and B. Schmidt voting “yes.” Motion carried.

Resolution 1156 of the City of Fairbury providing for traffic signage at 17th and E Street, within the municipality’s jurisdiction and repealing any resolutions in conflict herewith. With no further questions, Rogge moved to approve Resolution 1156 of the City of Fairbury providing for traffic signage at 17th and E Street, within the municipality’s jurisdiction and repealing any resolutions in conflict herewith. Motion was seconded by B. Schmidt. On a roll call vote: Polson, D. Schmidt, Rogge, Kuzelka, Davis, and B. Schmidt voting “yes.” Motion carried.

Resolution 1157 of the City of Fairbury approving the interlocal cooperation agreement between the City of Fairbury and the Little Blue Natural Resources District. With no further questions, B. Schmidt moved to approve Resolution 1157 of the City of Fairbury approving the interlocal cooperation agreement between the City of Fairbury and the Little Blue Natural Resources District. Motion was seconded by B. Kuzelka. On a roll call vote: Polson, D. Schmidt, Rogge, Kuzelka, Davis, and B. Schmidt voting “yes.” Motion carried.

Resolution 1158 of the City of Fairbury providing for the removal of a 15-minute parking sign on the west side of G Street between 4th and 5th Streets, within the municipality’s jurisdiction and repealing any resolutions in conflict herewith. With no further questions, Rogge moved to approve 1158 of the City of Fairbury providing for the removal of a 15-minute parking sign on the west side of G Street between 4th and 5th Streets, within the municipality’s jurisdiction and repealing any resolutions in conflict herewith. Motion was seconded by D. Schmidt. On a roll call vote: Polson, D. Schmidt, Rogge, Kuzelka, Davis, and B. Schmidt voting “yes.” Motion carried.

Ordinance 3098 – An ordinance of the City of Fairbury, Nebraska amending the City of Fairbury Zoning Regulations regarding storage containers, (2nd reading). With no further questions, B. Schmidt moved to give ordinance 3098 its second reading. Motion was seconded by Rogge. On a roll call vote: Polson, Kuzelka, Rogge, Davis, and Schmidt voting “yes.” Motion carried.

Reports/Discussion:

City Administrator- The City received a donation to support the upkeep of the City Park fountain.

Mayor- Expressed gratitude of the city staff for all involvement for the 4th of July weekend, the parks looked great, the fountain was flowing, and many compliments were received. Mosquito population was under control and the park drainage was pointed out along with the continuous sanitation service.

Committee- None

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

The meeting adjourned at 8:05 PM.

Spencer Brown, Mayor

Date

Erin Reimer, City Clerk

Date