

The Mayor and Council of the City of Fairbury met in the Council Chambers located at 612 D Street, Fairbury, Nebraska, on the 17th day of August 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, Kelly Davis, Phil Rogge, Brian Schmidt, Dusty Schmidt, John Ebke, Doug Brown, and Bradley Kuzelka. 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 August 3, 2021
2. Approval of Claims \$362,384.64

Rogge moved to approve the minutes of the regular meeting of Council on August 3, 2021, and \$362,384.64 in claims. Motion was seconded by B Schmidt. On roll call vote: Rogge, Polson, D.Schmidt, Kuzelka, Davis, Brown, Ebke and B.Schmidt voting “yes.” Motion carried.

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

Public Hearing: Regarding the Community Development Block Grant opportunity for the Downtown Revitalization Project. Hearing was opened at 7:34pm, with no comment was closed at 7:37pm.

Public Hearing: Regarding a request for a Conditional Use Permit (CU-2021-004) from Shelby Blecha at 605 6th Street, Fairbury, Nebraska. The request is to allow for the construction of a Family Child Care Home II in the R-3 – High density zoning district as provided for in Article 5, Section 5.06, 5.10 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: Lot 7 excluding north 46.9’, and Lot 8 excluding north 46.9’ and east 4’, Block 13, Original Town, Fairbury, Jefferson County, Nebraska. Hearing was opened at 7:37pm. Shelby discussed with Council that this would be a full day preschool serving a meal and follow the school year calendar. During the summer there would be special camps held. The curriculum will follow the children’s interest and needs. The facility will be one room and be able to accommodate 12 children. Hearing closed @7:40pm

Next item of business: **Current Business**

Mayor Brown introduced the first item of current business, “Consider recommendation from the Planning & Zoning Commission regarding the request for a conditional use permit (CU-2021-004) from Shelby Blecha at 605 6th Street, Fairbury, Nebraska to allow for the construction of a Family Child Care Home II in the R-3 – high density zoning district of Fairbury Nebraska” Planning and Zoning recommends allowing the conditional use permit. With no further questions, Rogge moved to approve the recommendation from the Planning and Zoning Committee regarding a request for a conditional use permit (CU-2021-004) from Shelby Blecha at 605 6th Street, Fairbury, Nebraska to allow for the construction of a Family Child Care Home II in the R-3 – high density zoning district of Fairbury Nebraska. Motion was seconded by Ebke. On a roll call vote: Polson, Brown, Davis, Ebke, Rogge, Kuzelka, D. Schmidt, and B.Schmidt voting “yes.” Motion carried.

Mayor Brown introduced the next item of current business, “Consider approval of special designated liquor license (SDL) for the Fairbury Community Foundation- Fairbury Founders Day Celebration, 9/11/2021.” Concerns were raised that the celebrations in the past lent to items left behind in the early morning hours for the car show participants to navigate around and or clean up. This has been addressed and will be taken care of going forward. With no further questions, B Schmidt motioned to approve the special designated liquor license (SDL) for the Fairbury Community Foundation- Fairbury Founders Day Celebration, 9/11/2021. Motion was seconded by Davis. On a roll call vote: Brown, Ebke, Polson, Rogge, Kuzelka, D. Schmidt, Davis, and B. Schmidt voting “yes.” Motion carried.

Mayor Brown introduced the next item of current business, “Consider approval of special designated liquor license (SDL) for Tooley’s during the Museum car show, 9/12/21.” As the barricades are set there is no need to adjust for a fire lane. Abby Hasselbring also noted there would be a band. With no further questions, Ebke motioned to approve the special designated liquor license (SDL) for Tooley’s during the Museum car show, 9/12/21. Motion was seconded by B. Schmidt. On a roll call vote: Brown, Ebke, Polson, Rogge, Kuzelka, D. Schmidt, Davis, and B. Schmidt voting “yes.” Motion carried.

Mayor Brown introduced the next item of current business, “Consider a request from the Fairbury High School to block the downtown square along with 4th Street from east of C to D street and D Street from the north side of 3rd Street to 4th Street for a homecoming parade on September 17th from 1 pm – 5 pm.” This will be the same set up as years past. With no further questions, Polson motioned to approve the request from the Fairbury High School to block the downtown square along with 4th Street from east of C to D street and D Street from the north side of 3rd Street to 4th Street for a homecoming parade on September 17th from 1 pm – 5 pm. Motion was seconded by B Schmidt. On a roll call vote: Brown, Ebke, Polson, Rogge, Kuzelka, D. Schmidt, 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 a request from Fairbury Community Foundation to place barricades around the courthouse on September 11 from 6 a.m. – 6 p.m. and in the 500 block of E Street directly north of 5th Street, directly south of 6th Street and at the entrance to the east and west alley between 5th and 6th Streets on E Street on September 11 from 6 a.m. to September 12 at 6 a.m. and to supply electric and sanitation services and waive vendors fees for the Founders Day event.” With no further questions, Rogge motioned to approve the recommendation from the Public Works Committee regarding a request from Fairbury Community Foundation to place barricades around the courthouse on September 11 from 6 a.m. – 6 p.m. and in the 500 block of E Street directly north of 5th Street, directly south of 6th Street and at the entrance to the east and west alley between 5th and 6th Streets on E Street on September 11 from 6 a.m. to September 12 at 6 a.m. and to supply electric and sanitation services and waive vendors fees for the Founders Day event. Motion was seconded by Polson. On a roll call vote: Brown, Ebke, Polson, Rogge, Kuzelka, D. Schmidt, 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 a request from Tooley’s Bar to place barricades in the 300 block of D Street directly south of 4th Street and directly north of the east and west alley between 3rd and 4th Streets on D Street for a beer garden on September 12th from 9 a.m. to 1 a.m.” With no further questions, Rogge motioned to approve the recommendation from the Public Works Committee regarding a request from Tooley’s Bar to place barricades in the 300 block of D Street directly south of 4th Street and directly north of the east and west alley between 3rd and 4th Streets on D Street for a beer garden on September 12th from 9 a.m. to 1a.m. Motion was seconded by B Schmidt. On a roll call vote: Brown, Ebke, Davis, Polson, Rogge, Kuzelka, D. Schmidt, and B. Schmidt voting “yes.” Motion carried

Mayor Brown introduced the next item of current business, “Consider recommendation from the Public Works Committee regarding professional services estimates and authorizing Mayor Brown to sign an engineering services agreement for professional services for the 2021-01 I Street improvement district project.” It was noted that Kirkham Michael’s bid was significantly lower than other bids received. With no further questions, Rogge motioned to approve the recommendation from the Public Works Committee regarding professional services estimates and authorizing Mayor Brown to sign an engineering services agreement for professional services for the 2021-01 I Street improvement district project. Motion was second by B Schmidt. On a roll call vote: Brown, Ebke, Davis, Polson, Rogge, Kuzelka, D. Schmidt, and B. Schmidt voting “yes.” Motion carried

Mayor Brown introduced the next item of current business, “Setting public hearing concerning setting the final tax request for 2021-2022 fiscal year for the general fund and the bond fund. (September 7, 2021)” With no further questions, Davis motioned to set the public hearing to set the final tax request for 2021-2022 fiscal year for the general fund and the bond fund for September 7, 2021. Motion was second by Rogge. On a roll call vote: Brown, Ebke, Davis, Polson, Rogge, Kuzelka, D. Schmidt, and B. Schmidt voting “yes.” Motion carried

RESOLUTIONS AND ORDINANCES:

Resolution 1161- Authorizing Chief Elected official to sign an application for CDBG funds (Downtown Revitalization Project). With no further questions, B Schmidt moved to approve Resolution 1161

Authorizing Chief Elected official to sign an application for CDBG funds (Downtown Revitalization Project). Motion was seconded by Rogge. On a roll call vote: Brown, Davis, Ebke, Polson, Rogge, Kuzelka, D. Schmidt, and B. Schmidt voting “yes.” Motion carried

Reports/Discussion:

City Administrator- American Rescue Plan funds were received in the amount of \$320,878.78.

Mayor- None

Committee- None

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

The meeting adjourned at 7:45 PM.

Spencer Brown, Mayor

Date

Erin Reimer, City Clerk

Date