

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 September 2022, at upon completion of the 7:30 PM. budget hearing meeting- 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, John Ebke, Doug Brown, and Bradley Kuzelka. Absent: Dusty Schmidt

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 16, 2022
2. Approval of Claims \$1,125,114.46
3. Consider appointment of Laura Bedlan as authorized representative for the federally declared disaster #4641-Dr
4. Consider appointment of Mick Vocelka as the 5th member of the Community Redevelopment Authority
5. Consider appointment of Michaela Call to the Planning and Zoning Commission
6. Ratify holding of public hearing concerning setting of the final tax request for 2022-2023 fiscal year for the general fund and the bond fund on September 6, 2022

B. Schmidt moved to approve the minutes of the regular meeting of Council on August 16, 2022, \$1,125,114.46 in claims, appointment of Laura Bedlan as authorized representative for the federally declared disaster #4641-DR, appointment of Mick Vocelka to CRA, and appointment of Michaela Call to the planning commission. Motion was seconded by Rogge. On roll call vote: Rogge, Polson, Kuzelka, Davis, Brown, Ebke and B.Schmidt voting “yes.” Motion carried.

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

Public Hearing: Concerning Setting of the Final Tax Request for the 2022-2023 Fiscal Year for the General Fund at \$683,081.00 and the Bond Fund at \$420,189.00. The public hearing was opened at 7:35 p.m. Mr. Brian Blobaum again addressed the Council and referred to his earlier comments, stating the total levy for the 2022-2023 year would see a decrease to .689020 cents from the prior year of .741840 cents. No public comment was received.

Public Hearing: Regarding the issuance of Class C liquor license to Cody Moyer, MBI Properties, LLC dba On the Bricks Venue, 508 E Street. One the Bricks is applying for a Class C license. No public comment.

Public Hearing: regarding consideration of an application to the Nebraska Department of Economic Development (NDED) for a Community Development Block Grant (CDBG) for Development of a commercial façade and interior rehabilitation program for downtown buildings- SENDD. Tom Bliss with SENDD was present to discuss the application process. The city had previously applied for Phase 2 of the grant last year and was denied due to being shy 1 point to qualify. The first phase was the planning phase and has already been completed. SENDD is re-working the application from last year focusing on projects the city has done without the use of grant dollars. If awarded this grant there are no match dollars for the city as the participants are responsible. Deadline for grant application is September 15, 2022.

Next item of business: **Current Business**

Mayor Brown introduced the first item of current business, “Consider approval of license status of Class C liquor license for Cody Moyer, MBI Properties, LLC dba On the Brick Venue.” With no further questions, Rogge motioned to approve the license status of Class C liquor license for Cody Moyer, MBI Properties, LLC dba On the Brick Venue. Motion was seconded by B. Schmidt. On a roll call vote: Brown, Ebke, Polson, Rogge, Kuzelka, Davis, and B. Schmidt voting “yes.” Motion carried.

Mayor Brown introduced the next item of current business, “Consider approval of SDL request from Tooley’s on behalf of On the Bricks Venue for 10/29/2022, 11/12/2022, and 11/26/2022.” With no further questions, Davis motioned to approve the SDL request from Tooley’s on behalf of On the Bricks Venue for 10/29/2022, 11/12/2022, and 11/26/2022. Motion was seconded by Ebke. On a roll call vote: Brown, Ebke, Polson, Rogge, Kuzelka, Davis, and B. Schmidt voting “yes.” Motion carried.

Mayor Brown introduced the next item of current business, “Consider approval for the LBVWS to create a Heartland Bank checking account.” The minimum amount needed to open an account is \$50. The city would cost share that with LBNRD. The city contribution would be \$35.72. With no further questions, B. Schmidt motioned to approve the LBVWS to create a Heartland Bank checking account utilizing the cost sharing split with LBNRD, with the city responsible for \$35.72. Motion was seconded by Brown. On a roll call vote: Brown, Ebke, Polson, Rogge, Kuzelka, Davis, and B. Schmidt voting “yes.” Motion carried.

Mayor Brown introduced the next item of current business, “Consider pay request #2 for the water resource recovery improvements project #18-021-03172, BRB Contractors, for a total amount of \$147,212.74.” With no further questions, B. Schmidt motioned to approve pay request #2 for the water resource recovery improvements project #18-021-03172, BRB Contractors, for a total amount of \$147,212.74. Motion was seconded by Davis. On a roll call vote: Brown, Ebke, Polson, Rogge, Kuzelka, Davis, and B. Schmidt voting “yes.” Motion carried.

Mayor Brown introduced the next item of current business, “Consider approval of finance committee’s recommendation for health insurance options.” The League of Municipalities has created a “pool” for municipalities to potentially join for health insurance benefits. With the option the city would still be meeting the insurance requirements of the union agreement and would be staying with the current provider of Blue Cross and Blue Shield. As Dan Duren with Benefit Management presented to the finance committee, the city would see an overall savings of 19.43% or an \$8,000/month savings by joining the leagues LIGHT program for insurance coverage. With no further questions, Polson motioned to approve the finance committee’s recommendation for health insurance options. Motion was

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

Mayor Brown introduced the next item of current business, “Consider 2022-2023 fiscal year budget for the City of Fairbury.” With no further questions, Rogge moved to approve the 2022-2023 fiscal year budget for the City of Fairbury. Motion was seconded by Ebke. On a roll call vote: Polson, Brown, Davis, Ebke, Rogge, Kuzelka, and B.Schmidt voting “yes.” Motion carried.

Mayor Brown introduced the next item of current business, “Consider approval of the purchase of a wire trailer for the line department as proposed in purchase request memo #1.” The current wire trailer used by the electric department is aging and not able to perform duties as needed. The proposed trailer would allow the department to run T2 wire while being able to pull the wire under tension with the brake on the spool. The wire trailer being proposed for purchase is currently owned by JP Row Electrical Contractors who is retiring and is asking \$3500 for the trailer. A like model was recently sold for \$8,500. With no further questions, B. Schmidt motioned to approve the purchase of the wire trailer for the line department for \$3,500 from JP Row Electrical Contractors. Motion was seconded by Ebke. On a roll call vote: Polson, Brown, Davis, Ebke, Rogge, Kuzelka, and B.Schmidt voting “yes.” Motion carried.

Mayor Brown introduced the next item of current business, “Consider referring a 2022 Blight and Substandard study to the Fairbury Planning and Zoning Commission for review and recommendation.” On August 26, 2022, Marvin Consulting was consulted and asked to complete another study to research any additional substandard and blighted areas. To increase funding for TIF projects the city needs to stay under a 50% cap of blight in which we are, adding additional areas will potentially increase future funding for projects. With no further questions, David motioned to approve referring a 2022 Blight and Substandard study to the Fairbury Planning and Zoning Commission for review and recommendation. Motion was seconded by B. Schmidt. On a roll call vote: Polson, Brown, Davis, Ebke, Rogge, Kuzelka, and B.Schmidt voting “yes.” Motion carried.

Mayor Brown introduced the next item of current business, “Authorize the Mayor to sign all documents related to the City of Fairbury’s application for community development block grant (CDBG) funding (Exhibits C1, C2, and K1b and chief elected official).” With no further questions, Brown motioned to authorize the mayor to sign all documents related to the City of Fairbury’s application for community development block grant (CDBG) funding (Exhibits C1, C2, and K1b and chief elected official). Motion was seconded by Rogge. On a roll call vote: Polson, Brown, Davis, Ebke, Rogge, Kuzelka, and B.Schmidt voting “yes.” Motion carried.

Mayor Brown introduced the next item of current business, “Consider adopting the Downtown Revitalization Program Guidelines.” Tom Bliss with SENDD reiterated that phase I, the planning phase, had already been completed. The city had applied last year for Phase 2, but was denied, just short 1 point. It was noted that we could potentially have several applications approved over time. Some can be combined as a public work / DTR to provide sidewalk and curb cuts if written into the guidelines. With no further questions, Davis motioned to approve the adoption of the Downtown Revitalization Program Guidelines. Motion was seconded by B. Schmidt. On a roll call vote: Polson, Brown, Davis, Ebke, Rogge, Kuzelka, and B.Schmidt voting “yes.” Motion carried.

RESOLUTIONS AND ORDINANCES:

Resolution 1201- To Levy and Assess Costs of Nuisance Abatement against certain properties. With no further questions, Rogge moved to approve Resolution 1201- To Levy and Assess Costs of Nuisance Abatement against certain properties. Motion was seconded by Ebke. On a roll call vote: Brown, Davis, Ebke, Polson, Rogge, Kuzelka, and B. Schmidt voting “yes.” Motion carried

Resolution 1202- To Levy and Assess Costs of Nuisance Abatement against certain properties. With no further questions, B. Schmidt moved to approve Resolution 1202- To Levy and Assess Costs of Nuisance Abatement against certain properties. Motion was seconded by Rogge. On a roll call vote: Brown, Davis, Ebke, Polson, Rogge, Kuzelka, and B. Schmidt voting “yes.” Motion carried

Resolution 1204-Authorizing the execution of all contracts, documents, or other memoranda between the City of Fairbury and the Nebraska Department of Economic Development to accept an awarded grant (Exhibit B). With no further questions, Rogge motioned to approve Resolution 1204-Authorizing the execution of all contracts, documents, or other memoranda between the City of Fairbury and the Nebraska Department of Economic Development to accept an awarded grant (Exhibit B). Motion was seconded by B. Schmidt. On a roll call vote: Brown, Davis, Ebke, Polson, Rogge, Kuzelka, and B. Schmidt voting “yes.” Motion carried

Resolution 1205- Designating depositories of the city of Fairbury and approving the pledge of assets as security from said banks. With no further questions, Brown motioned to approve Resolution 1205- Designating depositories of the city of Fairbury and approving the pledge of assets as security from said banks. Motion was seconded by Rogge. On a roll call vote: Brown, Davis, Ebke, Polson, Rogge, Kuzelka, and B. Schmidt voting “yes.” Motion carried

Resolution 1206- Setting the 2022-2023 property tax request at \$683,081.00 for the general fund and \$420,189.00 for the bond fund. With no further questions, Polson moved to approve Resolution 1206- Setting the 2022-2023 property tax request at \$683,081.00 for the general fund and \$420,189.00 for the bond fund. On a roll call vote: Brown, Davis, Ebke, Polson, Rogge, Kuzelka, and B. Schmidt voting “yes.” Motion carried

Ordinance 3110- An ordinance to adopt the budget statement to be termed the annual appropriation bill; to approve sums for necessary expenses and liabilities; to provide for an effective date. With no further questions Brown moved to suspend the 3 readings and give Ordinance 3110 one reading at the September 6, 2022 council meeting. Motion was seconded by B. Schmidt. On a roll call vote: Brown, Davis, Ebke, Polson, Rogge, Kuzelka, and B. Schmidt voting “yes.” Motion carried. Polson motioned to approve Ordinance 3110- An ordinance to adopt the budget statement to be termed the annual appropriation bill; to approve sums for necessary expenses and liabilities; to provide for an effective

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

Reports/Discussion:

Mayor-Expressed gratitude to Laura Bedlan for all the work she has put in with CRA/TIF

City Administrator- None

Committee- None

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

The meeting adjourned at 8:06 PM.

Spencer Brown, Mayor

Date

Erin Reimer, City Clerk

Date