

The Mayor and Council of the City of Fairbury met in the Council Chambers located at 612 D Street, Fairbury, Nebraska, on the 7th day of September 2021, 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, 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 17, 2021
2. Approval of Claims \$951,277.62

Rogge moved to approve the minutes of the regular meeting of Council on August 17, 2021, and \$951,277.62 in claims. Motion was seconded by Ebke. 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 change of Class B to Class D liquor license for Casey’s retail company DBA: Casey’s General Store #1193. Hearing was opened at 7:43pm, with no comment.

Public Hearing: Concerning Setting of the Final Tax Request for the 2021-2022 Fiscal Year for the General Fund at \$663,185.00 and the Bond Fund at \$420,189.00.” The public hearing was opened at 7:45 p.m. Mr. Brian Blobaum again addressed the Council and referred to his earlier comments, stating the total levy for the 2021-2022 year would see a decrease to .7410840 cents from the prior year of .754600 cents. No public comment was received.

Presentation: Regarding emergency alerts and sirens. John McKee with the Jefferson County Emergency Management presented information to Council regarding the existing sirens. He discussed that the information had not changed since the presentation he gave in June and went back over locations of the sirens, the feasibility, life span and other factors that affect the public outreach. He informed Council and the public that the city sirens are not civil defense sirens and are meant to be a warning to those who may be outdoors during potentially dangerous weather. Currently there are 2 sirens that are not in working order that could be considered for replacement. The other sirens will be reaching their life expectancy soon as well. A new siren would cost approximately \$23,000 and has an 8–9-month lead time for arrival. Federal Signal is a source to purchase as there are not many manufacturers of said sirens. Federal Signal does have technical support and also services neighboring communities. There are several options for sirens, it just depends on what the city is looking for;

broadcasting abilities, rotating, solar etc. Kenny Krause, fire chief, spoke in favor of the sirens. Citizen, Jean Kuzon, created a petition with 29 residents confirming the want of the sirens. She expressed her favor of having the sirens as well. Gordon Hopkins, Fairbury Journal News, took the podium to inquire of a funding source for the said siren replacement. No other public comment.

Presentation: Regarding American Rescue Plan Act Funds presented by Mary Renn. Renn had prepared a power point presentation on the funds to discuss the local dollar amount that was received and some potential qualified expenditures for those funds. The City of Fairbury received \$320,878.78 in August of 2021, which was based on population of our community. The eligible uses for these funds are laid out in guidelines issued by the federal government and are very broad. Possible projects for this funding could be; water source project, wastewater treatment plant project, public plaza and recreation areas investments or an upgrade to technology. There are many other avenues the city could explore as well. The funds can not be used to pay down existing debt service or to offset tax reductions. An initial annual project and expenditure report covering activity from the date of the award to September 20, 2021 is to be submitted to the treasury by October 31, 2021. Subsequent reports will be due annually on October 31 each year following. Renn also spoke briefly on the infrastructure investment and jobs act (IIJA) which includes \$550 billion which has been approved by the Senate and is waiting on the House approval that would provide dollars for: roads/bridges, transit, water infrastructure and broadband.

Next item of business: **Current Business**

Mayor Brown introduced the first item of current business, “Consider 2021-2022 fiscal year budget for the City of Fairbury.” With no further questions, Rogge moved to approve the 2021-2022 fiscal year budget for the City of Fairbury. 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 pay request for housing rehabilitation program #19-HO-36100, draw down #3, SENDD admin fees and NJC contracting fees in the amount of \$19,054.29, CDBG funded.” With no further questions, Davis motioned to approve the pay request for housing rehabilitation program #19-HO-36100, draw down #3, SENDD admin fees and NJC contracting fees in the amount of \$19,054.29, CDBG funded. 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 approval of license status of Class B to Class D liquor license for Casey’s retail company/DBA: Casey’s General Store #1193.” With no further questions, Rogge motioned to approve the license status of Class B to Class D liquor license for Casey’s retail company/DBA: Casey’s General Store #1193. Motion was seconded by Ebke. On a roll call vote: Brown, Ebke, Polson, Rogge, Kuzelka, D. Schmidt, Davis, and B. Schmidt voting “yes.” Motion carried.

RESOLUTIONS AND ORDINANCES:

Resolution 1163- Designating depositories of the City of Fairbury and approving the pledge of assets as security from said banks. With no further questions, Rogge moved to approve Resolution 1163- Designating depositories of the City of Fairbury and approving the pledge of assets as security from said

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

Resolution 1164- Setting the 2021-2022 property tax request at \$663,185.00 for the general fund and \$420,189.00 for the bond fund. With no further questions, B Schmidt moved to approve Resolution 1164- Setting the 2021-2022 property tax request at \$663,185.00 for the general fund and \$420,189.00 for the bond fund. On a roll call vote: Brown, Davis, Ebke, Polson, Rogge, Kuzelka, D. Schmidt, and B. Schmidt voting “yes.” Motion carried

Resolution 1165 to use LB840 local option sales tax revenues under the approved economic development plan and the “downtown design challenge grant” program- Newton family trust- 315 5th ST, \$3,000.00. With no further questions, Polson moved to approve Resolution 1165 to use LB840 local option sales tax revenues under the approved economic development plan and the “downtown design challenge grant” program- Newton family trust- 315 5th ST, \$3,000.00. Motion was seconded by B Schmidt. On a roll call vote: Brown, Davis, Ebke, Polson, Rogge, Kuzelka, D. Schmidt, and B. Schmidt voting “yes.” Motion carried

Resolution 1166 to use LB LB840 local option sales tax revenues under the approved economic development plan and the “downtown design challenge grant” program- MBI Properties- 504 E ST, \$30,000.00. With no further questions, Davis moved to approve Resolution 1166 to use LB LB840 local option sales tax revenues under the approved economic development plan and the “downtown design challenge grant” program- MBI Properties- 504 E ST, \$30,000.00. Motion was seconded by B Schmidt. On a roll call vote: Brown, Davis, Ebke, Polson, Rogge, Kuzelka, D. Schmidt, and B. Schmidt voting “yes.” Motion carried

Ordinance 3099- 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 3099 one reading at the September 7, 2021 council meeting. Motion was seconded by Polson. On a roll call vote: Brown, Davis, Ebke, Polson, Rogge, Kuzelka, D. Schmidt, and B. Schmidt voting “yes.” Motion carried. Brown motioned to approve Ordinance 3099- 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, D. Schmidt, and B. Schmidt voting “yes.” Motion carried

Ordinance 3100- An ordinance authorizing the execution and delivery of a loan agreement between the Nebraska Department of Environment and Energy and the City of Fairbury, Nebraska, and issuance, pursuant to said contract, of a promissory note of the City of Fairbury, Nebraska, in the principal amount of up to three million five hundred thousand and 00/100 dollars (\$3,500,000.00) for the purpose of constructing additions and improvements to the wastewater treatment system of the City as clean water

project; pledging and hypothecating the revenues and earnings of the sewer utility owned by the city for the payment of said note; and ordering the ordinance published in pamphlet form. City Administrator Messbarger noted that his was an ordinance needed on behalf of the NDEE. With no further questions, Rogge motioned to give Ordinance 3100 its' first reading. Motion was seconded by B Schmidt. On a roll call vote: Brown, Davis, Ebke, Polson, Rogge, Kuzelka, D. Schmidt, and B. Schmidt voting "yes." Motion carried

Reports/Discussion:

City Administrator- None

Mayor- None

Committee- None

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

The meeting adjourned at 8:50 PM.

Spencer Brown, Mayor

Date

Erin Reimer, City Clerk

Date