

The Mayor and Council of the City of Fairbury met in the Council Chambers located at 612 D Street, Fairbury, Nebraska, on the 1st day of November 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- Tim Polson, Phil Rogge, Brian Schmidt, Doug Brown, Kelly Davis, John Ebke, Dusty Schmidt 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 October 18, 2022
2. Approval of Claims \$451,582.19

Rogge moved to approve the revised minutes of the regular meeting of Council on October 18, 2022, and \$451,582.19 in claims. Motion was seconded by Rogge. On roll call vote: Rogge, Ebke, Davis, D. Schmidt, Polson, Kuzelka, Brown, and B. Schmidt voting “yes.” Motion carried.

Next item of business: Public Hearings/Presentations:

Presentation- Little Blue Natural Resources District- Nitrate Presentation- Tyler Goeschel: Tyler spoke to council regarding the aquifer depth and water quality. The current well fields average roughly 5ppm for nitrates. The larger the aquifer the lower the nitrates typically. Tyler reviewed the water flow, the amount of water in the aquifer and different types of barriers within. He also indicated that the original parcel of land in the project would not be an option as water cannot transfer across NRD boundaries.

Presentation- Miller & Associates- Revised Water Sourcing Costs, Nitrates, and Funding Update- Chris Miller: Chris spoke to council regarding the nitrates. At the October 4, 2022, Council Meeting, council asked for the wells to be re-tested. The wells were retested and showed similar nitrate levels as the initial testing. Chris also discussed how the construction of the wells is also a factor in helping to control nitrates and described how Miller and Associates would design, with clay layers, bentonite packing, screening of the well in general, etc.

Public Hearing- 2nd Public Hearing related to CDBG 19-HO-36100 – Owner Occupied Rehab Grant Program: This hearing is a requirement of the city’s grant. Hearing was opened with no public comment. Closed upon adjournment of regular council meeting.

Next item of business: **Current Business**

Contract negotiation considerations were stricken from the agenda and moved to the November 15, 2022, Council meeting.

Mayor Brown introduced the first item of current business, “Consider approval to move forward with the Water Sourcing Project, to include filing an updated application to USDA and/or DWSRF for funding, updating the interlocal agreement as required by USDA and authorizing Mayor Brown to execute any and all documents related to the funding and Interlocal Agreement.” Council expressed concern with the follow-up with Crystal Springs as a source of water- what is the biofilm, where is it coming from, is it still there and is it treatable. It was also discussed to investigate re-casing our current East wells or look at drilling another well to pull from on the East well site (this was tried in the past and showed no water). More discussion lent to our current blending of waters in under the 10ppm threshold of the state. With no further questions Brown motioned to move forward with the Water Sourcing Project, to include filing an updated application to USDA and/or DWSRF for funding, updating the interlocal agreement as required by USDA and authorizing Mayor Brown to execute any and all

documents related to the funding and Interlocal Agreement. Motion was seconded by Polson. On a roll call vote: Brown and Polson “yes.” Motion carried. Rogge, Ebke, Davis, D. Schmidt, Kuzelka, and B. Schmidt voting “no” MOTION FAILS

Mayor Brown introduced the next item of current business, “Consider approval of a 9-month extension for the City of Fairbury’s current owner-occupied rehab grant, 19-HO-36100.” Issues causing the delays and need for a program extension include contractor and construction material shortages, price inflation, and staff turnover at SENDD. There are currently \$190,121.20 in CDBG housing rehab funds left to utilize for appropriate projects. Contractor availability and supply chain issues have begun to stabilize. With no further questions Davis motioned to approve the 9-month extension for the City of Fairbury’s current owner-occupied rehab grant, 19-HO-36100. Motion was seconded by B. Schmidt. On 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 authorizing Mayor Brown to sign the year-end certification of City Street Superintendent form for 2022.” This forms states that all items were met related to §39-2512- develop long range plan based on needs, develop annual plan design, budget, submit plans for local approval and implement the capital improvements and maintenance activities provided in the related plans, programs, and budget for the dates of January 1, 2022 – December 31, 2022. With no further questions, Rogge motioned to authorize Mayor Brown to sign the year-end certification of City Street Superintendent form for 2022. Motion was seconded by B. Schmidt. On roll call vote: Rogge, Ebke, Davis, D. Schmidt, Polson, Kuzelka, Brown, and B. Schmidt voting “yes.” Motion carried.

RESOLUTIONS AND ORDINANCES:

Resolution 1214- appointing Laura K Bedlan, license # S-1657, to serve as the City’s Street Superintendent Class A for the 2023 calendar year and authorizing the mayor to sign the necessary documents. With no further questions, B. Schmidt moved to approve Resolution 1214- appointing Laura K Bedlan, license # S-1657, to serve as the City’s Street Superintendent Class A for the 2023 calendar year and authorizing the mayor to sign the necessary documents. Motion was seconded by Kuzelka. On roll call vote: Rogge, Ebke, Davis, D. Schmidt, Polson, Kuzelka, Brown, and B. Schmidt voting “yes.” Motion carried.

Reports/Discussion: Mayor Brown informed Council that the 2 dump trucks for the street department and the utility service truck for the water department had been delivered.

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

The meeting adjourned at 8:50 PM.

Spencer Brown, Mayor

Date

Erin Reimer, City Clerk

Date