

The Mayor and Council of the City of Fairbury met in the Council Chambers located at 612 D Street, Fairbury, Nebraska, on the 17<sup>th</sup> day of March 2020, at 7:30 PM. Mayor Ward 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 Ward as required by law.

Roll call found the following Council Members present- Doug Brown, Tim Polson, Phil Rogge, Brian Schmidt, Ed Friesen, Roger Bailey, Rick Carmichael and Kelly Davis. Absent: none

Mayor Ward called for the submittal of forms to request future agenda items. No forms were submitted during the meeting.

Mayor Ward read the Consent Agenda:

1. Approval of the Minutes of the Regular Meeting of March 3, 2020.
2. Approval of Claims.
3. Consider the appointment of Mick Gill to the Reuse Committee (CDBG).

Davis moved to approve the minutes of the regular meeting of March 3, 2020, claims and the appointment of Mick Gill to the reuse committee (CDBG). Motion was seconded by Schmidt. On roll call vote: Polson, Rogge, Brown, Friesen, Carmichael, Bailey, Schmidt, and Davis voting “yes.” Motion carried.

Next item of business: **Public Hearings/Presentations**- None

Mayor Ward introduced the first item of current business, “Consider recommendation from Public Works Committee to allow for the Heritage to block off I Street south of 17<sup>th</sup> Street and 17<sup>th</sup> Street east of I Street for a car show on May 13<sup>th</sup> from 4:30PM – 7:30PM.” With no further questions Rogge motioned to allow the Heritage to block off I Street south of 17<sup>th</sup> Street and 17<sup>th</sup> Street east of I Street for a car show on May 13<sup>th</sup> from 4:30PM – 7:30PM. Motion was seconded by Friesen. On roll call vote: Brown, Polson, Rogge, Schmidt, Carmichael, Friesen, Bailey and Davis voting “yes.” Motion carried.

The next item of business, “Consider granting the request from Hope Crisis Center to use different areas of the City Park from 8:15AM-10:15AM on Saturday, April 25, 2020 for the 16<sup>th</sup> annual “Put your foot down against sexual assault” run/walk with barricades being placed at the three entrances to the City Park.” With no further questions Davis motioned to approve the request from Hope Crisis Center to use different areas of the City Park from 8:15AM-10:15AM on Saturday, April 25, 2020 for the 16<sup>th</sup> annual “Put your foot down against sexual assault” run/walk with barricades being placed at the three entrances to the City Park. Motion was seconded by Carmichael. On roll call vote: Brown, Polson, Rogge, Carmichael, Schmidt, Friesen, Bailey and Davis voting “yes.” Motion carried.

The next item of business, “Consider recommendation from the Public Works committee regarding city wide clean up April 20-24.” Laura Bedlan discussed with council that she would like to tweak the process that has been established over the past several years. She has had discussion with the City of Beatrice and their process and would like to mimic their approach. The idea behind the city-wide cleanup is to remove large items. Many residents have begun putting items out that can be placed on regular trash pickup service. Many people are also rummaging through piles citizens have put out and leaving a mess behind after taking out what they want. This year we would like to go to a scheduled appointment pickup basis. Residents will be able to sign up via phone or the city website and then be assigned a pickup date. Items will not be picked up unless an appointment has been made. The transfer station will also be open to residents during this week free of charge. Mattresses will not be picked up, but the City will have a roll off available for residents to utilize. Bedlan does realize that there will be a learning curve this year for citizens and is planning on reaching out to local press to push out the new protocol, put information on the website and post the information around town. Rogge motioned to approve the new roll out for the residential city-wide cleanup April 20-21-22-23-24 of 2020. Motion was seconded by Schmidt. On roll call vote: Brown, Carmichael, Polson, Rogge, Schmidt, Friesen, Bailey and Davis voting “yes.” Motion carried.

The next item of business, “Consider recommendation from the Public Works committee regarding BUSINESS city wide clean up April 27-May 1.” Laura Bedlan discussed with council that the City would provide 1 ton of free dumping at the Transfer Stations for Businesses in the City Limits for the week of April 27-May 1, 9AM – 4PM. Rogge motioned to approve the recommendation from the Public Works committee regarding BUSINESS city wide clean up April 27-May 1. Motion was seconded by Schmidt. On roll call vote: Brown, Carmichael, Polson, Rogge, Schmidt, Friesen, Bailey and Davis voting “yes.” Motion carried.

The next item of business, “Consider claim by Ron Southwick for items removed as part of nuisance abatement and services rendered.” Mr. Southwick was present to answer any questions that council may have. He discussed with council that he thought the process of the City nuisance abatement was a problem. Mr. Southwick was served with a nuisance and did not appeal within the designated 5 days and the City therefore cleaned up the property and billed Mr. Southwick (invoice had not been mailed at meeting time). Mr. Southwick upon receiving the notice claims that he did clean up the property which is why he did not contact the city nor file an appeal. He believes there was miscommunication between the parties and asked for his items to be returned. Mr. Southwick was permitted to retrieve his removed property from the scrap area but indicated upon retrieval that some of the property had been damaged and provided quotes to have the items repaired. City Attorney Dave Barga did express via teleconference that the City did follow procedure and gave proper notice prior to any materials being removed as part of the nuisance abatement procedure according to state statute and City municipal code. Motion by Friesen to deny the request to replace the claimed items and that Mr. Southwick be liable for the invoice in the amount of \$167.47 for services rendered. Motion was seconded by Brown. On roll

call vote: Brown, Polson, Rogge, Schmidt, Friesen, and Davis voting “yes.” Bailey and Carmichael voting “no.” Motion carried.

The next item of business, “Consider revising verbiage of notice of public nuisance conditions and requirement for action form, Section (7).” This must be passed by ordinance as we will also need to change the verbiage of the municipal code to follow. Initial motion by Friesen was withdrawn.

The next item of business, “Consider recommendations for city response to COVID-19.” With the situation of COVID-19 evolving rapidly any cities in Nebraska and throughout the country have taken precautions to keep their employees and staff safe. The City of Fairbury will cease all meetings and gathering and close public offices, facilities and buildings to the public effective at 8AM Wednesday, March 18, 2020. A motion by Friesen was made to ratify City Response to COVID-19 as presented. Seconded by Schmidt. On roll call vote: Brown, Polson, Rogge, Carmichael, Schmidt, Friesen, Bailey and Davis voting “yes.” Motion carried.

#### RESOLUTIONS AND ORDINANCES:

Mayor Ward introduced, “Consider resolution 1115 to appoint Mitch Siebe to serve as the alternate representative to the MNPP member’s council, the MEAN management committee, and director to the MEAN board of directors.” With no further questions, Brown moved to approve Resolution 1115. Motion was seconded by Bailey. On roll call vote: Brown, Polson, Carmichael, Rogge, Schmidt, Friesen, Bailey and Davis voting “yes.” Motion carried.

Mayor Ward introduced, “Consider resolution 1116 to levy and assess costs of nuisance abatement against certain properties.” With no further questions, Schmidt moved to approve Resolution 1116. Motion was seconded by Friesen. On roll call vote: Carmichael, Brown, Polson, Rogge, Schmidt, Friesen, Bailey and Davis voting “yes.” Motion carried.

Reports: City Administrator- Interim City Administrator Renn discussed the status of Crystal Springs. The intention was to re-open the park on 3-16-20 but the weather has still not cooperated therefore pushing back the re-open date. Brick chips are needing to be compacted and staff is not capable of doing this at this time with the current wet conditions.

#### EMPLOYMENT CONTRACT

The next item of business, “Consider employment agreement.” Mayor Ward discussed that Renn was able to have valuable time with Bielser before his departure and has stepped into the roll seamlessly. He has been satisfied with her work and performance over the last several months. Mayor Ward recommend appointing Interim City Administrator Renn to City Administrator effective March 17, 2020 with compensation of \$40.19/hour with a 3-year term contract. With no further questions, Brown

moved to approve the appointing of Interim City Administrator Renn to City Administrator effective March 17, 2020 with compensation of \$40.19/hour with a 3-year term contract. Seconded by Bailey. On roll call vote: Brown, Polson, Carmichael, Rogge, Schmidt, Friesen, Bailey and Davis voting “yes.” Motion carried.

Mayor Ward then entertained a motion to adjourn. Carmichael moved to adjourn. Motion seconded by Schmidt. On roll call vote: Brown, Carmichael, Polson, Rogge, Schmidt, Friesen, Bailey and Davis voting “yes.” Motion carried. The meeting adjourned at 8:30 PM.

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Homer L. Ward, Mayor

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Date

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Erin Reimer, City Clerk

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Date