

The Mayor and Council of the City of Fairbury met in the Council Chambers located at 612 D Street, Fairbury, Nebraska, on the 21st day of April 2020, at 7:30 PM. Pursuant to Executive Order 20-03 issued by the Governor of the State of Nebraska, this meeting was also held online via Zoom. 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, Roger Bailey, Rick Carmichael and Kelly Davis. Absent: Ed Friesen

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 April 7, 2020.
2. Approval of Claims.

Bailey moved to approve the minutes of the regular meeting of April 7, 2020 and the claims. Motion was seconded by Carmichael. On roll call vote: Polson, Rogge, Brown, Carmichael, Bailey, Schmidt, and Davis voting “yes.” Motion carried.

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

*808 B Street- Beatrice Health and Rehab represent Cindy Brinkmann, owner of 808 B Street. She would like to convey her property to the City of Fairbury to assist her to be able to qualify for Medicaid. This property is currently scheduled for abatement and demo. Cindy has written a letter to Council stating that she is of sound mind. Discussion arose that in the past these properties have not been released of their liens from the City nor has the City taken ownership. The City is not in the real estate business nor should it be. The proper channel would be to tear down, file lien and recoup cost. Other discussion incurred on acquiring the property to better control the future of the lots. A mow to own program was also discussed along with purchasing of tax sales certificates. Public hearing was closed at 8PM.

*LB840 Gift Card Multiplier Program- The LB840 Committee has presented a program to help with small business economic recovery in the City. The efforts would allocate \$30,000 towards the program. Eligible businesses would be able to get a dollar for dollar match for gift card purchases up to \$1000. There is no end date for the program, program would end upon depletion of the allotted \$30,000. This program is designed to assist businesses negatively effected by CoVid-19, such as retailers, restaurants, and service providers that have fixed, permanent addresses. The cities match would go directly to the business owner to the customer purchasing the gift card. There is no application and business owner would only need to provide documentation for proof of sale to be eligible for the match. Approximately 65 businesses would be eligible. Those not included - ag, manufacturing, prescription drugs, groceries, and home business. The public hearing was closed at 8:12PM.

*Use of Community Development Block Grant- Economic Development Program Income Revolving Loan Fund (CDBG-EDRLF). Trey Ertmer with SENDD discussed with council that we have some loan payback funds that are sitting in our account that must be re-allocated per Nebraska Department of Economic Development by June 30 or we must return the dollars. This amount is estimated to be \$40,000. The City can repurpose these funds to the Storm Sewer Improvements Projects which includes \$385,000 of CDBG funds. Both the repurposed funds and the CDBG funds will be combined with a local match provided by the City of Fairbury with eh total project of approximately \$4 million. We have the option to add these funds toward the water projects that we have already been approved for. Public hearing closed at 815PM.

*Downtown Design Challenge Grant- Tom Bliss discussed an application for funding under the approved Economic Development Plan for Melissa Bennet, Belle Rose, in the amount of \$3000 using LB840 funds. The property in question is located at 412 & 412 ½ E street. Belle Rose' is completing \$40,000 in renovations including the replacement of the roof, windows, and tuckpointing. Public hearing closed at 8:20PM.

Mayor Ward introduced the first item of current business, "Consider City acquisition of property located at 808 B Street, Fairbury, Nebraska, contingent on the City Attorney's approval of required documentation, and authorize Mayor Ward to execute all necessary and appropriate documents on behalf of the City of Fairbury for the same." With no further questions Schmidt motioned to move forward with the acquisition of the property at 808 B Street in contingent of clean title search. Motion was seconded by Bailey. On roll call vote: Brown, Polson, Rogge, Carmichael, and Davis voting "no." Schmidt and Bailey voting "yes." MOTION FAILED.

RESOLUTIONS AND ORDINANCES:

The next item of business, "Consider adoption of Resolution 1117 to levy as assess costs of nuisance abatement against certain properties." With no further questions Rogge motioned to approve resolution 1117 to levy as assess costs of nuisance abatement against certain properties. Motion was seconded by Carmichael. On roll call vote: Brown, Polson, Rogge, Carmichael, Schmidt, Bailey and Davis voting "yes." Motion carried.

The next item of business, "Consider adoption of Resolution 1118 to use LB840 local option sales tax revenues under the approved economic development plan and the "downtown design challenge grant program." With no further questions, Bailey moved to approve resolution 1118 to use LB840 local option sales tax revenues under the approved economic development plan and the downtown design challenge grant program. Motion was seconded by Rogge. On roll call vote: Brown, Polson, Rogge, Carmichael, Schmidt, Bailey and Davis voting "yes." Motion carried.

The next item of business, "Consider adoption of Resolution 1119 to use LB840 local option sales tax revenues under the approved economic development plan for a "gift card multiplier" program. With no further questions, Davis moved to approve resolution 1119 adopting the gift card multiplier program with an allotment of \$30,000 towards the program with each business eligible for a \$1000 match. Motion was seconded by Rogge. On roll call vote: Brown, Polson, Rogge, Carmichael, Schmidt, Bailey and Davis voting "yes." Motion carried.

The next item of business, "Consider adoption of Resolution 1120 to repurpose all current ED program funds for the use of community development block grant-economic development program income revolving loan fund (CDBG-EDRLF) for the City of Fairbury, Nebraska for use of program income of a prior community development block grant for economic development-storm water project. With no further questions Brown motion to adopt resolution 1120 to repurpose the estimated \$40,000 in the ED program towards the Storm Sewer Project. Motion was seconded by Rogge. On roll call vote: Brown, Polson, Rogge, Carmichael, Schmidt, Bailey and Davis voting "yes." Motion carried.

Reports: City Administrator- City Administrator Renn updated to Council that Crystal Springs is now open. The City is still encouraging social distancing and camping is still not allowed. There are no electrical services or water at this time.

Potential Litigation:

Bailey motion to enter executive session to protect the public interest. Motion seconded by Brown. All in favor and entered executive session at 8:27PM

With no decision made, Rogge motioned to enter regular session. Motion was seconded by Carmichael. All in favor and entered regular session at 8:55PM.

Mayor Ward then entertained a motion to adjourn. Polson moved to adjourn. Motion seconded by Carmichael. On roll call vote: Brown, Carmichael, Polson, Rogge, Schmidt, Bailey and Davis voting “yes.” Motion carried. The meeting adjourned at 8:57 PM.

Homer L. Ward, Mayor

Date

Erin Reimer, City Clerk

Date