

The Mayor and Council of the City of Fairbury met in the Council Chambers located at 612 D Street, Fairbury, Nebraska, on the 4TH day of May 2021, 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- Doug Brown, Tim Polson, Phil Rogge, Brian Schmidt, John Ebke, Kelly Davis, and Bradley Kuzelka. Absent: Rick Carmichael

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 April 20, 2021
2. Approval of Claims \$537,485.97
3. Consider appointment of John Ebke to the Personnel Committee

Rogge moved to approve the minutes of the regular meeting of Council on April 20, 2021, \$537,485.97 in claims, and appoint John Ebke to the Personnel Committee. Motion was seconded by Schmidt. On roll call vote: Rogge, Polson, Ebke, Davis, Brown, Kuzelka, and Schmidt voting “yes.” Motion carried.

Next item of business: **Public Hearings/Presentations: NONE**

Next item of business: **Current Business**

Mayor Brown introduced the first item of current business, “Consider approval of a contract gardener for the parks department from May 10, 2021 thru September 7, 2021.” Mayor Brown discussed with Council that the candidate for this position, Robert Keller, would be primarily take care of the park entrances. This contract if for labor only and the City will assume all costs for materials needed. Rogge questioned if the candidate could potentially take care of the square as well, Mayor Brown this is a possibility for the Downtown Revitalization Study and was not presented to the candidate. Kuzelka mentioned that in the past the entrances were maintained by volunteers and the ongoing maintenance faltered. The Contract Gardener is to be compensated monthly (June 8, 2021-July 6, 2021-August 3, 2021-Septemeber 7, 2021 @ \$1000/payment). With no further questions, Schmidt motioned to approve a contract gardener for the parks department from May 10, 2021 thru September 7, 2021. Motion was seconded by Davis. On a roll call vote: Polson, Brown, Ebke, Davis, Kuzelka, Rogge and Schmidt voting “yes.” Motion carried.

Mayor Brown introduced the next item of current business, “Consider approval of interlocal agreement between Little Blue NRD and the City of Fairbury and authorizing Mayor Spencer Brown to execute the agreement.” Attorney Dave Bargaen addressed Council stating there were only minor language changes since the City last water source agreement was proposed. The City had approved prior knowing the LBNRD also had an upcoming meeting and may ask for changes. Bargaen sees no problems with the changes as presented. With no further questions, Rogge moved to approve the interlocal agreement between Little Blue NRD and the City of Fairbury and authorizing Mayor Spencer Brown to execute the agreement. Motion was seconded by Polson. On a roll call vote: Polson, Brown, Rogge, Ebke, Kuzelka, Davis, and Schmidt voting “yes.” Motion carried.

Mayor Brown introduced the next item of current business, “Consider recommendation from the Public Works Committee regarding a request from the Farmers Market Committee for the use of Conrad Park every Saturday from 7am-12pm, May 1, 2021 to October 30, 2021 for a farmers market.” Councilperson Rogge said that Public Works had met earlier to discuss the topic and recommends approving. With no further questions Rogge motioned to approve public works committee regarding a request from the Farmers Market Committee for the use of Conrad Park every Saturday from 7am-12pm, May 1, 2021 to October 30, 2021 for a farmers market. Motion was seconded by Schmidt. On a roll call vote: Polson, Brown, Rogge, Ebke, Kuzelka, Davis, and Schmidt voting “yes.” Motion carried.

RESOLUTIONS AND ORDINANCES:

Ordinance 3096 – An ordinance of the City of Fairbury, Nebraska to establish sewer rates; to repeal conflicting ordinances or sections thereof; providing for publication in pamphlet form, and for an effective date of this ordinance. With no further questions, Schmidt moved to give ordinance 3096 its second reading. Motion was seconded by Rogge. On a roll call vote: Polson, Brown, Kuzelka, Rogge, Ebke, Davis, and Schmidt voting “yes.” Motion carried.

Reports/Discussion:

City Administrator- Renn informed Council that the front office secretary/stenographer position has been extended and accepted by Crystal Floyd. She will begin May 17, 2021. She has placed the information regarding the Owner-Occupied Rehab Grant opportunity on the website along with cash incentives offered by NMPP for utility users.

Mayor- Mayor Brown announced that he had received the resignation of City Administrator Mary Renn.

Committee- None

Discuss contract negotiating position and potential litigation regarding water project cancellation.

Motion by Polson to discuss contract negotiating position and potential litigation regarding water project cancellation @ 7:42PM. Motion was second by Davis. On a roll call vote: Polson, Brown, Rogge, Kuzelka, Ebke, Davis, and Schmidt voting “yes.” Motion carried.

No decision made.

Davis motioned to enter regular session at 8:27PM. Second by Ebke. On a roll call vote: Polson, Brown, Rogge, Kuzelka, Ebke, Davis, and Schmidt voting “yes.” Motion carried.

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

The meeting adjourned at 8:29 PM.

Spencer Brown, Mayor

Date

Erin Reimer, City Clerk

Date