

The Mayor and Council of the City of Fairbury met in the Council Chambers located at 612 D Street, Fairbury, Nebraska, on the 18TH 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 May 4, 2021
2. Approval of Claims \$998,063.32

Rogge moved to approve the minutes of the regular meeting of Council on May 4, 2021 and \$998,063.32 in claims. 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:**

Downtown Revitalization Plan- final presentation by Miller and Associates. Shared final copies to council and presentation of same to public. Jenny Kozal- Community Planner, 2 phases- closing our planning phase, 2nd is implementation (250-400K) of CDBG with 25% local match, application is due September 15, 2021. Strong public support is needed to better chances of receiving the grant. There are 5 sections to consider- community overview, existing conditions, public input, need and opportunities, and implementation. During the public input meeting Fairbury community members focused on 3 main topics: Beautification, infrastructure, and empty spaces. Short term goals include sidewalk repair, creation of downtown business group, extend business hours downtown and more. Long term: hike/bike trail expansion, bump-out improvements, and outdoor gather space. The implementation of the goals in the DTR plan will depend on funding availability and on-gong efforts for determining priority projects.

2nd Public Hearing regarding the Community Development Block Grant opportunity for Downtown Revitalization Planning Study-public hearing- no public input. Opened/closed

Public Hearing to consider the sufficiency of petition 2021-01 to pave I Street from 17th Street to 563.03ft South and to determine whether there is any reason or grounds to deny the petition. Sandra Stelling- has been working on this over a year ago, church voted to move forward in September of 2020. Did get all signatures needed. It is difficult to get into parking lot from the gravel road. Davis- ¾ of

block is what is in question, there are many other roads that need attention and need to focus on our current paved streets. Stelling- church has put up a playground by public and used daily. The church has planned and budgeted to pay for street and would like it to move forward. Brown- intersection needs re-worked and it is not budgeted as City dollars. John McKee- (1610 H Street) lone property owner and second largest in tax base- expressed his opposition of the petition. This is a dead-end street, and he does not use I street to access his property nor is he benefited by this project. Attorney Bargaen-No discretions to deny district per statute. Steps would be to approve district, notice of new district, give 3 readings to ordinance-then public can have public input. 60% frontage gets petition approved, 50% frontage against and it does not pass.

Public Hearing regarding a Request for a Conditional Use Permit (CU-2021-001) from Spencer Brown at 1204 Tilden Street, Fairbury, Nebraska. The request is to allow for an accessory building on a lot without a primary structure in the R-2 – medium density zoning district as provided for in Article 4, Section 4.12 and Article 6, Section 6.01 of the Zoning Ordinance of the City of Fairbury, Nebraska – 2013 Edition. The Legal description of the property is described as: Lot 2, Baker Addition, Fairbury, Jefferson County, Nebraska. Bedlan discussed with Council that the requirement for district have been reviewed by planning commission and recommend approval.

Next item of business: **Current Business**

Mayor Brown introduced the first item of current business, “Notice of Vacancy for Councilperson, Ward 3.” Council person Rick Carmichael of Ward 3 has issued a notice to the Council and Mayor announcing his resignation from Council. The remaining term is 1 year and 7 months.

Mayor Brown introduced the next item of current business, “Consider sale of city property PID #480087571, fraction east of railroad, lots 3&4, Block 33, Original town to private party.” Business owner in downtown district in interested in purchasing. Land adjacent was sold by County. A resolution of the sale will need to be posted in order to sale property, can give preference to adjoining landowner. Looking to improve business and will be beneficial to City as well. With no further questions Davis moved to approve the sale of city property PID #480087571, fraction east of railroad, lots 3&4, Block 33, Original town to private party. Motion was seconded by Schmidt. 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 Planning Commission regarding the request for a conditional use permit (CU-2021-001) from Spencer Brown at 1204 Tilden Street, Fairbury Nebraska to allow for an accessory building on a lot without a primary structure int eh R-2, medium density zoning district.” With no further questions Rogge motioned to approve conditional use permit (CU-2021-001) from Spencer Brown at 1204 Tilden Street, Fairbury Nebraska to allow for an accessory building on a lot without a primary structure int eh R-2, medium density zoning district. Motion was seconded by Polson. 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. Renn asked to change effective date to July 1. With no further questions, Davis moved to give ordinance 3096 its third reading. Motion was seconded by Ebke. On a roll call vote: Polson, Brown, Kuzelka, Rogge, Ebke, Davis, and Schmidt voting “yes.” Motion carried.

Ordinance 3097 – An ordinance of the City of Fairbury, Nebraska to create street improvement district No. 2021-01 in the City of Fairbury, Nebraska, authorizing the construction of street improvements therein funded by a levy of special assessments, and ordering the publication of the ordinance in pamphlet form. sewer rates; to repeal conflicting ordinances or sections thereof; providing for publication in pamphlet form. With no further questions, Rogge moved to give ordinance 3097 its first reading. Motion was seconded by Ebke. On a roll call vote: Polson, Brown, Kuzelka, Rogge, Ebke, Davis, and Schmidt voting “yes.” Motion carried.

Resolution 1149 approving the final downtown revitalization plan as presented by Miller and Associates Consulting Engineers, P.C. With no further questions, Schmidt moved to approve the final downtown revitalization plan as presented by Miller and Associates Consulting Engineers, P.C give ordinance 3097 its first reading. Motion was seconded by Brown. 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 NDOT reviewed application for street superintendent request moved from Class B to A and changed allocation from \$2000 to \$4000, received in 2021.

Mayor- None

Committee- None

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

The meeting adjourned at 8:45 PM.

Spencer Brown, Mayor

Date

Erin Reimer, City Clerk

Date