

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 June 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.

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 18, 2021
2. Approval of Claims \$737,761.92
3. Consider appointment of Sharlyn Kroeker to the Downtown Revitalization Steering Committee

Rogge moved to approve the minutes of the regular meeting of Council on May 18, 2021, \$737,761.92 in claims and the appointment of Sharlyn Kroeker to the Downtown Revitalization Steering 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:**

Emergency Management Services Presentation on Emergency Alerts and Sirens: John McKee was present to discuss the age of the current sirens and operation of said. Many communities are doing away with the sirens, technology has taken us farther. 3 sirens were originally purchased in 1986, one more in 1990 and 2 more in 2012 with grant funding. This included placement of a siren at Crystal Springs. Jeff School and Circle Drive siren are old and there are no parts available to fix and repair and are not working. Batteries are hard to find and takes 4 batteries per siren to operate the newer ones, they are approximately \$80-\$130 per battery. Testing is performed every 3rd Saturday when weather permits. Sirens are not to be heard indoors they are to caution that outdoors. Alert sense is used to notify residents of communities as well. There are many other features to this tool other than weather, can be used as a reverse 911 system to alert for water issues or street closures, cost is \$2200 per year. The warning sirens are City owned.

Public Hearing regarding a Request for a Conditional Use Permit (CU-2021-002) from Roy Bartels, 622 B Street, Fairbury, Nebraska. The request is to allow for an accessory building on a lot without a primary structure in the R-3 – high 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: West 5 feet of Lot 5 and all of Lot 6, Block 9, Original

Town, Fairbury, Jefferson County, Nebraska. Bedlan discussed with Council that the requirement for district have been reviewed by planning commission and recommend approval. Susan Bartels was present to answer any questions.

Public Hearing regarding changes to sections of the Fairbury Zoning Regulations- 2013 edition. Specifically, Section 9.20 and 5.06 regarding outdoor storage containers. Bedlan discussed that planning and zoning has met and the small portions of section 5.06 is for clarification to allow in light and heavy industrial.

Next item of business: **Current Business**

Mayor Brown introduced the first item of current business, "Nomination of Dusty Schmidt 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 and the position needs to be filled. The remaining term is 1 year and 7 months. With no further questions, Davis moved to approve the nomination of Dusty Schmidt for Councilperson, Ward 3. 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 planning and zoning commission regarding changes to sections of the Fairbury Zoning Regulations- 2013 edition. Specifically, Section 9.20 and 5.06 regarding outdoor storage containers." With no further questions, Schmidt moved to approve the recommendation from planning and zoning commission regarding changes to sections of the Fairbury Zoning Regulations- 2013 edition. Specifically, Section 9.20 and 5.06 regarding outdoor storage containers. Motion was seconded by Ebke. 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-2021-002) from Roy Bartels at 622 B Street, Fairbury Nebraska to allow for an accessory building on a lot without a primary structure in the R-3, high density zoning district." With no further questions Rogge motioned to approve conditional use permit (CU-2021-002) from Roy Bartels at 622 B Street, Fairbury Nebraska to allow for an accessory building on a lot without a primary structure in the R-3, high density zoning district. 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 Public Works Committee regarding a contract with Three Pillars Media for the production of a promotional video." With no further questions, Rogge motioned to approve the recommendation from the Public Works Committee regarding a contract with Three Pillars Media to produce a promotional video. 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 City Administrator to pay for 2 test wells for the water sourcing project for \$2000 (\$1000 each) total or \$1428.60 for the City of Fairbury and \$571.40 for the Little Blue NRD per the interlocal agreement between the City of Fairbury and the Little Blue NRD. LBNRD has spoken with several landowners

and one is interested in selling 2 acres and we need to test and will the expense in question will cover crop damage. Testing will occur with Miller and Associates. With no further questions, Polson motioned to approve recommendation from City Administrator to pay for 2 test wells for the water sourcing project for \$2000 (\$1000 each) total or \$1428.60 for the City of Fairbury and \$571.40 for the Little Blue NRD per the interlocal agreement between the City of Fairbury and the Little Blue NRD. On a roll call vote: Polson, Brown, Rogge, Ebke, Kuzelka, Davis, and Schmidt voting “yes.” Motion carried.

RESOLUTIONS AND ORDINANCES:

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. ewer rates; to repeal conflicting ordinances or sections thereof; providing for publication in pamphlet form. With no further questions, Brown moved to give ordinance 3097 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.

Ordinance 3098 – An ordinance of the City of Fairbury, Nebraska amending the City of Fairbury Zoning Regulations regarding storage containers, (1st reading). With no further questions, Brown moved to give ordinance 3098 its first reading. Motion was seconded by Schmidt. On a roll call vote: Polson, Brown, Kuzelka, Rogge, Ebke, Davis, and Schmidt voting “yes.” Motion carried.

Resolution 1152 a resolution directing the sale of real property owned by the City of Fairbury, Fraction East of Railroad, Lots 3&4, Block 33, Original Town. With no further questions, Schmidt moved to approve Resolution 1152 a resolution directing the sale of real property owned by the City of Fairbury, Fraction East of Railroad, Lots 3&4, Block 33, Original Town. Motion was seconded by Ebke. On a roll call vote: Polson, Brown, Kuzelka, Rogge, Ebke, Davis, and Schmidt voting “yes.” Motion carried

Reports/Discussion:

City Administrator- None

Mayor- None

Committee- None

Mayor Brown then entertained a motion to adjourn. Rogge 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 8:02 PM.

Spencer Brown, Mayor

Date

Erin Reimer, City Clerk

Date