

The Mayor and Council of the City of Fairbury met in the Council Chambers located at 612 D Street, Fairbury, Nebraska, on the 2nd day of June 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 (late attendance), Brian Schmidt, Roger Bailey, Rick Carmichael, Ed Friesen, 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 May 19, 2020
2. Approval of Claims, \$54227.97
3. Consider appointment of Peter Renn to the Citizens Advisory Review Committee (CAR)

Friesen moved to approve the minutes of the regular meeting of May 5, 2020 and the claims in the amount of \$54,227.97, and the appointment of Peter Renn to the Citizens Advisory Review Committee (CAR). Motion was seconded by Carmichael. On roll call vote: Polson, Carmichael, Bailey, Friesen, Schmidt, Brown, and Davis voting “yes.” Motion carried.

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

Mayor Ward introduced the first item of current business, “Discuss and consider property purchase by Community Redevelopment Authority (610 D Street).” The CRA met and would like to purchase the property at 610 D Street which is located just south of the City Offices. The proposal is that the CRA will purchase the property and the City would be responsible for future maintenance/demo costs associated with the property thereafter. Polson questioned the plan for the property and Renn explained that no set plan was yet in place nor would there be an immediate need to act if the City did agree to taking on the costs after purchase. It was discussed that opportunities for the property may include a green space, parking for the City Offices, or a resell to another business. There are files in the office which have potentially met the retention period, but would need disposed of accordingly. The cost of the property in which the CRA would be responsible for would be \$7500 if the owner completes the disposal of files or \$5000 if the City would complete this process. With no further questions Friesen moved to have the CRA move forward with the purchase at \$5000 with the City taking on the future maintenance and or demo costs associated with the property and disposal of any records inside the

property. Motion was seconded by Carmichael. On roll call vote: Brown, Polson, Rogge, Friesen, Carmichael, Schmidt, Bailey, and Davis voting “yes.” Motion Carried.

Mayor Ward introduced the next item of current business, “Consider 2020 Pool Season.” Friesen discussed that it should be the decision of the parents to allow their children to go to the pool. The kids have had many things taken from them this summer and we should try our best to get back to normal operations and have the pool open even if it is a shortened season. Carmichael noted that both Beatrice and Lincoln are opening. He asked the capacity of our pool following the 25% DHM, Renn addressed it was 80 patrons. City Attorney Dave Bargaen noted that pool specific guidelines have not been handed down from the Governor’s Office at this time but should be coming soon. He did advise that upon opening that patrons sign a waiver to release liability. Friesen suggested getting the pool up and ready and then we can address any changes that may come, as it seems to change daily. Laura Bedlan commented that the tables and chairs would be removed. Renn asked to have 3 weeks to get the pool and staff ready for opening day. With no further questions Friesen moved to begin preparations to open the pool with a target date of June 24, 2020 and address the logistics: hours, rules, admission fees etc. at the next Council meeting which will be held on June 16, 2020. Motion was seconded by Carmichael. On roll call vote: Polson, Rogge, Carmichael, Schmidt, Bailey, Brown, Friesen, and Davis voting “yes.” Motion Carried.

Mayor Ward introduced the next item of current business, “Consider City property usage and related agreements, waivers, and other documents regarding COVID-19. Discussion was held on the documents presented regarding the Legion Ball program and the Softball Association. The League provided template forms for all municipalities to use that each can tailor to their own needs. Lana Likens discussed her concerns with the ability to get the required insurance documents needed from their insurance company. City Attorney Dave Bargaen along with Kelly Davis both advised that the document requested by the City was a standard practice document for insurance companies. The documents require each participant, coach, player, manager to sign the waiver and the organization to enter into an agreement with the City that states the organization is responsible for enforcing the DHM guidelines and adhere to them. Phil Rogge questioned if there were any provisions within the DHM for media to cover the events, currently the DHM does not provide this provision. (No action was taken. Item will need to be passed via Resolution.)

RESOLUTIONS AND ORDINANCES:

The next item of business, “Consider adoption of Resolution 1122 to use LB840 Local option sales tax revenues under the approved economic development plan and the “Downtown Design Challenge Grant” program for Melissa Bennet (Belle Rose’) at 402 ½ E Street in the amount of \$3000.00. With no further questions Friesen moved to adopt Resolution 1122 1122 to use LB840 Local option sales tax revenues under the approved economic development plan and the “Downtown Design Challenge Grant” program for Melissa Bennet (Belle Rose’) at 402 ½ E Street in the amount of \$3000.00. Motion was seconded by

Polson. On roll call vote: Brown, Polson, Rogge, Friesen, Carmichael, Schmidt, Bailey, and Davis voting “yes.” Motion carried.

The next item of business, “Consider adoption of Resolution 1123 – Resolution of the City Council of the City of Fairbury regarding the use of Municipal property for sports or other recreations activities during the COVID-19 Pandemic, and related documents.” With no further questions Friesen moved to remove item #8 exhibit 2, utilities section and add verbiage to allow for each organization to be responsible to collect all necessary waivers and documents requested by the city as stated in Resolution 1123. Motion was seconded by Polson. On roll call vote: Brown, Polson, Rogge, Friesen, Carmichael, Schmidt, Bailey, and Davis voting “yes.” Motion carried.

Reports: City Administrator- City Administrator Renn updated Council that several trees that were planted last year at Crystal Springs have died. They will be replaced this fall. Camping will be allowed beginning next week with restrictions: no tent camping, no bathroom facilities and the sites will be limited. Renn also reported that the Library would be opening with reduced hours of 10AM-6PM and allowing only 10 patrons in at one time.

Motion was made by Friesen to enter executive session at 8:40PM for the protection of the public interest in the subject matter of contracts. Motion seconded by Polson. On roll call vote: Brown, Carmichael, Polson, Rogge, Schmidt, Friesen, Bailey, and Davis voting “yes.” Motion carried.

No decision made. Motion was made by Friesen to enter regular session at 8:55PM. Motion seconded by Polson. On roll call vote: Brown, Carmichael, Polson, 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 Friesen. On roll call vote: Brown, Carmichael, Polson, Rogge, Schmidt, Friesen, Bailey, and Davis voting “yes.” Motion carried. The meeting adjourned at 8:56 PM.

Homer L. Ward, Mayor

Date

Erin Reimer, City Clerk

Date