

The Mayor and Council of the City of Fairbury met in the Council Chambers located at 612 D Street, Fairbury, Nebraska, on the 20th day of July 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- Tim Polson, Phil Rogge, Brian Schmidt, Kelly Davis, John Ebke, Doug Brown, and Bradley Kuzelka. Absent: Dusty Schmidt

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 July 6, 2021
2. Approval of Claims \$376,775.90

Rogge moved to approve the minutes of the regular meeting of Council on July 6, 2021, and \$376,775.90 in claims. Motion was seconded by Ebke. On roll call vote: Rogge, Polson, Davis, Kuzelka, Brown, Ebke and B.Schmidt voting “yes.” Motion carried.

Swearing in of City Administrator Robert Messbarger was administered by City Attorney David Bargaen.

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

Public Hearing: regarding the semi-annual review (January 1, 2021-June 30, 2021) of the local option municipal sales tax (LB840) Program. Tom Bliss with Southeast Nebraska Development District was present to review the information. He stated that the Citizens Advisory Committee had met earlier in the month to review and approve the numbers. There is a remaining balance in the gift card multiplier program of \$91.90 and a few open projects have a small disbursement remaining to be paid out. The LVS and Newton Family Trust projects were approved in June of 2021 but have yet to see disbursement of funds.

Presentation: City Attorney David Bargaen with Rembolt Ludtke presented a check for \$1000 to Kids Connection as part of their annual community donation. Christmas in July as Mr. Bargaen referred to it with Covid not allowing for the donation last December. Paige Boeckner spoke about what Kids Connection is, where it is located and the programs that are offered. She was very thankful to receive the funds. Mackenzie Layton and Samantha Rose were also present on behalf of Kids Connection.

Next item of business: **Current Business**

Mayor Brown introduced the first item of current business, “Consider approval of barricades to be placed on the North and East entrance of the City Park during the Legion baseball district tournament July 23-July 27, 2021.” Public Works recommends allowing the barricades to help slow and direct traffic during the tournament. With no further questions, Rogge moved to allow the barricades to help slow and direct traffic during the tournament. Motion was seconded by B. Schmidt. On a roll call vote: Polson, Brown, Ebke, Rogge, Kuzelka, Davis, and B.Schmidt voting “yes.” Motion carried.

Mayor Brown introduced the next item of current business, “Consider approval of the assurances of compliance with Title VI of the Civil Rights Act of 1964 terms and conditions and authorize Mayor Spencer Brown to sign the Title VI terms and conditions.” This is a step that must be taken for the City to receive funding through the American Rescue Plan. With no further questions B. Schmidt motioned to approve the assurances of compliance with Title VI of the Civil Rights Act of 1964 terms and conditions and authorize Mayor Spencer Brown to sign the Title VI terms and conditions. Motion was seconded by Rogge. On a roll call vote: Brown, Ebke, Polson, Rogge, Kuzelka, Davis, and B. Schmidt voting “yes.” Motion carried.

Mayor Brown introduced the next item of current business, “Consider approval of the Non-Entitlement Unit (NEU) award terms and conditions and authorize mayor Spencer Brown to sign the NEU award

terms and conditions.” The is a step that must be taken for the City to receive funding through the American Rescue Plan. With no further questions, B. Schmidt motioned to approve the Non-Entitlement Unit (NEU) award terms and conditions and authorize mayor Spencer Brown to sign the NEU award terms and conditions. Davis Motion was seconded by Davis. On a roll call vote: Brown, Ebke, Polson, Rogge, Kuzelka, Davis, and B. Schmidt voting “yes.” Motion carried.

Mayor Brown introduced the next item of current business, “Consider approval to purchase a silver metallic 2018 Colorado work truck extended cab in the amount of \$23,000.00 plus tax and authorize Mayor Spencer Brown to sign any and all documents associated with the purchase of the truck.” This truck would be replacing the current truck the sewer department utilizes. With no further questions Rogge motioned to approve the purchase a silver metallic 2018 Colorado work truck extended cab in the amount of \$23,000.00 plus tax and authorize Mayor Spencer Brown to sign any and all documents associated with the purchase of the truck. Motion was seconded by Ebke. On a roll call vote: Brown, Ebke, Polson, Rogge, Kuzelka, Davis, and B. Schmidt voting “yes.” Motion carried

Mayor Brown introduced the next item of current business, “Consider approval of Black Diamond Exteriors, LLC roofing quote in the amount of \$4,200.00 to install 26” gauge metal roof on the Fire Hall.” D. Brown stated in comparison to the 24” gauge quote provided by Chappell he urged Council to look at both quotes as the 24” gauge from Chappell would come with a limited lifetime warranty and heavier metal that is often used on commercial buildings. With no further questions, Brown motioned to approve the Chappell Roofing bid in the amount of \$5,800.00 with the 24” gauge metal roofing installation for the Fire Hall. Motion was seconded by Kuzelka. On a roll call vote: Brown, Ebke, Polson, Rogge, Kuzelka, Davis, and B. Schmidt voting “yes.” Motion carried

RESOLUTIONS AND ORDINANCES:

Resolution 1159 appointing Robert Messbarger to serve as the representative to the NMPP member’s council, the MEAN management committee, and director to the MEAN board of directors. With no further questions, Rogge moved to approve Resolution 1159 appointing Robert Messbarger to serve as the representative to the NMPP member’s council, the MEAN management committee, and director to the MEAN board of directors. Motion was seconded by Ebke. On a roll call vote: Brown, Ebke, Polson, Rogge, Kuzelka, Davis, and B. Schmidt voting “yes.” Motion carried

Resolution 1160 approving the sale of a 1994 GMC Sonoma ½ ton SLE extended cab truck, VIN-1GTCS19Z4R8507058 through a listing on the online auction site known as Public Surplus and shall remain for sale through Public Surplus until sold or otherwise removed from the site by the City pursuant to Neb. Rev. Stat. 17-503.02. With no further questions, B. Schmidt moved to approve Resolution 1160 approving the sale of a 1994 GMC Sonoma ½ ton SLE extended cab truck, VIN-1GTCS19Z4R8507058 through a listing on the online auction site known as Public Surplus and shall remain for sale through Public Surplus until sold or otherwise removed from the site by the City pursuant to Neb. Rev. Stat. 17-503.02. Motion was seconded by Rogge. On a roll call vote: Brown, Ebke, Polson, Rogge, Kuzelka, Davis, and B. 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, (3rd reading). With no further questions, Davis moved to give ordinance 3098 its third and final reading and adoption. Motion was seconded by B. Schmidt. On a roll call vote: Brown, Ebke, Polson, Rogge, Kuzelka, Davis, and B. Schmidt voting “yes.” Motion carried

Reports/Discussion:

City Administrator- Informed Council that a dividend check was received from Resco in the amount of \$1533.00.

Mayor- None

Committee- None

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

The meeting adjourned at 7:52 PM.

Spencer Brown, Mayor

Date

Erin Reimer, City Clerk

Date