

The Mayor and Council of the City of Fairbury met in regular session in the Council Chambers located at 612 D Street, Fairbury, Nebraska, on the 3rd day of October 2017, at 7:30 p.m. Mayor Ward called the meeting to order.

Notice of meeting was given in advance thereof by publication in the Fairbury Journal News, Fairbury, Nebraska, the designated method of giving notice, as shown by affidavit of publication. 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, Roger Bailey, Tim Polson, Phil Rogge, Ed Friesen Brad Kuzelka, and Kelly Davis. Council Member Rick Carmichael absent.

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 September 19, 2017.
2. Approval of Claims.

Rogge moved to approve the Consent Agenda. Motion seconded by Polson. On roll call, Brown, Bailey, Polson, Rogge, Friesen, Kuzelka, and Davis voting “yes”. Motion carried.

Mayor Ward then introduced the first item of Current Business, “Consider 2017-2018 Fiscal Year Budget for the City of Fairbury.” Rogge moved to approve the 2017-2018 Fiscal Year Budget as presented. Motion seconded by Carmichael. On roll call, Brown, Carmichael, Bailey, Polson, Rogge, Friesen, Kuzelka, and Davis voting “yes”. Motion carried.

The next item of business, “Consider Authorizing Mayor Ward to Sign the Water/Wastewater Advisory Committee Pre-Application for Water System Improvements” was introduced. Bailey moved to authorize Mayor Ward to sign the pre-application. Motion seconded by Polson. On roll call, Brown, Carmichael, Bailey, Polson, Rogge, Friesen, Kuzelka, and Davis voting “yes”. Motion carried.

Next, “Consider Public Works Committee Recommendation Regarding a City Sidewalk Grant Program” was introduced by Public Works Committee Chair Kuzelka. Kuzelka noted the Public Works Committee recommends the Council approve the creation of the sidewalk program and made that in the form of a motion. Motion seconded by Kelly. On roll call, Brown, Carmichael, Bailey, Polson, Rogge, Friesen, Kuzelka, and Davis voting “yes”. Motion carried.

Next, the Governing Body considered current business item, “Consider Recommendation of the Public Works Committee Authorizing Mayor Ward to Sign a Community Building and Gymnasium Usage Contract with Cornerstone Community Church.” Again, Kuzelka noted the Public Works Committee recommends the Council approve authorizing Mayor Ward to sign the usage contract with Cornerstone Community Church and made that in the form of a motion. Motion seconded by Bailey. On roll call, Brown, Bailey, Polson, Rogge, Friesen, Kuzelka, and Davis voting “yes”. Carmichael abstained. Motion carried.

Under Resolutions and Ordinances, Mayor Ward introduced “Resolution No. 1051 Setting the 2017-2018 Property Tax Request at \$576,856 for the General Fund and \$366,895 for the Bond Fund.” Friesen moved to approve Resolution No. 1051. Motion seconded by Rogge. On roll call, Brown, Carmichael, Bailey, Polson, Rogge, Friesen, Kuzelka, and Davis voting “yes”. Motion carried.

“Resolution No. 1052 Designating Depositories of the City of Fairbury and Approving the Pledge of Assets as Security from Said Banks,” was considered next. Rogge moved to approve Resolution No. 1052. Motion seconded by Friesen. On roll call, Brown, Carmichael, Bailey, Polson, Rogge, Friesen, Kuzelka, and Davis voting “yes”. Motion carried.

“Resolution No. 1053 Adopting a Program Income Reuse Plan, Including Minimum Standards under the Affordable Housing Program through the Nebraska Department of Economic Development” was introduced. Administrator Bielser explained the reason for the changes. Friesen moved to adopt Resolution No. 1053. Motion seconded by Carmichael. On roll call, Brown, Carmichael, Bailey, Polson, Rogge, Friesen, Kuzelka, and Davis voting “yes”. Motion carried.

Mayor Ward then presented “Resolution No. 1054 Amending the Housing Rehabilitation Program Guidelines for the Community-wide Housing Rehabilitation Program, Including Minimum Standards under the Affordable Housing Program through the Nebraska Department of Economic Development.” Again Administrator Bielser explained the reason for the changes. Polson moved to adopt Resolution No. 1054. Motion seconded by Carmichael. On roll call, Brown, Carmichael, Bailey, Polson, Rogge, Friesen, Kuzelka, and Davis voting “yes”. Motion carried.

“Resolution No. 1055 A Resolution of the City of Fairbury Correcting the Numbering of a Previously Adopted Resolution” was announced. Bailey moved to adopt Resolution No. 1055. Motion seconded by Carmichael. On roll call, Brown, Carmichael, Bailey, Polson, Rogge, Friesen, Kuzelka, and Davis voting “yes”. Motion carried.

Following Resolution No. 1055, the second reading of “Ordinance No. 3071: An Ordinance of the City of Fairbury, Nebraska, Authorizing the Issuance of General Obligation Swimming Pool Bonds, Series 2017, of the City of Fairbury, in the Principal Amount of up to One Million Five Hundred Thousand Dollars (\$1,500,000) to Pay a Portion of the Cost of Removing the City’s Current Swimming Pool and Preparing the Site, Constructing a New Swimming Pool (Aquatic Center) on Said Site, Including Construction of a Bath House, Providing the Necessary Equipment and Apparatus for such Pool; and Providing for Other Park Improvements; Prescribing the Form of Said Bonds; Providing for the Levy of Taxes to Pay the Same After the Application of Other Funds Available Therefor; and Providing for Publication of the Ordinance in Pamphlet Form,” was presented for consideration. Phil Lorenzen with D.A. Davidson explained aspects of Ordinance No. 3071. City Attorney Bargen then provided guidance to the City Council on how to approve the Ordinance. Council member Carmichael moved for passage on second reading of Ordinance No. 3071. Council member Bailey seconded the motion for passage of Ordinance No. 3071 on second reading. Council member Carmichael then moved that said Ordinance No. 3071 be amended as set out in Section 1 subsection (b) (c) and (d) to read as follows:

- (b) The true interest cost of the bonds shall not exceed two and sixty hundredths percent (2.6%)
- (c) Underwriter's discount shall not exceed one and twenty-five hundredths percent (1.25%) of the stated principal amount of the Bonds; provided however, the bonds may also be issued at an original issue discount of not to exceed 1.25% of their par amount as may be set out in the Designation:
- (d) The longest maturity of the bonds shall not be later than October 15, 2030.

Council Member Friesen seconded the motion to amend Ordinance No. 3071 and upon roll call vote; Brown, Carmichael, Bailey, Polson, Rogge, Friesen, Kuzelka, and Davis voting "yes". Motion carried.

Council member Carmichael then moved that the statutory rule requirement an ordinance to be fully and distinctly read on three different days be suspended. Council member Brown seconded the motion to suspend the rules and upon roll call vote; Brown, Carmichael, Bailey, Polson, Rogge, Friesen, Kuzelka, and Davis voting "yes". Motion carried.

Thereupon said Ordinance No. 3071 was then read by title and Council member Bailey moved for its final passage as amended, which motion was seconded by Council member Carmichael. Upon roll call vote; Brown, Carmichael, Bailey, Polson, Rogge, Friesen, Kuzelka, and Davis voting "yes". Motion carried.

Following Ordinance No. 3071, the second reading of Ordinance No. 3072 was introduced. "An Ordinance of the City of Fairbury, Nebraska to Extend the Boundaries of the City and Include within the Corporate Limits of, And to Annex into the City of Fairbury, Nebraska, a Tract of Land That is Contiguous and Adjacent to the Current Municipal Limits as More Fully Described Herein; Directing the Same to be Recorded by the Jefferson County Register of Deeds; to Provide for the Repeal of Conflicting Ordinances or Sections; to Provide for the Effective Date Thereof; and Order the Publication of Ordinance in Pamphlet Form," The developer and owner of the parcel considered for annexation, Mr. Bob Brackle, explained to the Governing Body that he would like to be part of the City, and he feels it is the right thing to do. Discussion ensued about the annexation process, and surrounding areas that are currently developed but aren't within the City's limits. It was noted that Mr. Brackle would receive the following City services; water, electric, and sanitation. Following discussion, Rogge moved to approve the second reading of Ordinance No. 3072. Motion seconded by Kuzelka. Upon roll call vote; Brown, Carmichael, Polson, Rogge, Friesen, Kuzelka, and Davis voting "yes". Bailey "no". Motion carried.

Under reports, Administrator Bielser reported that the Community Redevelopment Authority had been awarded a housing study grant from the Nebraska Investment Finance Authority.

City Clerk Carissa Lufkin reported that the next Pool Steering Committee meeting would be September 28, 2017, at 6:00 p.m. in the City Council chambers.

With no further reports, Mayor Ward entertained a motion to adjourn. Rogge moved to adjourn. Motion seconded by Polson. Upon roll call vote; Brown, Carmichael, Bailey, Polson, Rogge, Friesen, Kuzelka, and Davis voting "yes". Motion carried.