

REGULAR MEETING OF THE CHAIRPERSON AND BOARD OF TRUSTEES  
OF FAIRMONT NEBRASKA

MONDAY, NOVEMBER 10, 2008

The Regular Meeting of the Chairperson and Board of Trustees was convened in open and public session on Monday, November 10, 2008 at 7:00 p.m. at the Fairmont Village Hall, 635 6<sup>th</sup> Ave, Fairmont NE. Notice of the meeting was given in advance according to proper notification. Chairperson David R. Seggerman called the meeting to order. Clerk Linda J. Carroll recorded minutes. Board members present upon roll call were: Gene R. Fischer, Donald A. Moses, Jack R. Slocum, Dennis R. Melby and Chairperson Seggerman. Visitors to the meeting: Steve McLeish, Bill Pfenning, Butch Long, Stan Nichols, Matt Kalin, John Krajewski and Tylor Bottorff. Chairperson Seggerman noted that a copy of the Open Meetings Act was posted on the bulletin board in the council meeting room for public inspection and review. Melby moved and Slocum seconded to approve the minutes from the October 13, 2008 meeting. Voting aye: Melby, Slocum, Fischer, Moses, and Seggerman. Motion carried. September 31, 2008 Treasurer's Report was placed on file.

**PUBLIC FORUM**

Stan Nichols inquired about nuisance abatement codes. Marshal McLeish explained the village can abate a nuisance in two manners once notice is given: 1) Go onto the property, abate the nuisance and assess the cost of the abatement to the property; or 2) file a complaint and issue a citation.

**ELECTRIC DISTRIBUTION IMPROVEMENTS**

Matt Kalin, Project Engineer, JEO Consulting Group, Inc reviewed information for the upcoming electric upgrade project consisting of 8 blocks. Matt reviewed the Scope of Services for project which will be designated 2008 Fairmont Electrical Distribution System Improvements Phase V & VI. The 10 year electric distribution plan generated in 2000 will be updated to a six year plan. Projects will be set for work to begin in the spring of 2009. Fischer moved and Melby seconded to enter into an agreement with JEO Consulting Group, Inc for 2008 Fairmont Electrical Distribution System Improvements Phase V & VI. Voting aye: Fischer, Melby, Moses, Slocum and Seggerman. Motion carried.

**ELECTRIC RATE STUDY**

John Krajewski, Project Engineer, JEO Consulting Group, Inc. reviewed information in the November 2008 Retail Rate Analysis Update. Items discussed: 1) Recent cost increases associated with purchased power, delivery, operational, maintenance and capital expenses; 2) Cost of service analysis for rate classes, summer and winter rate; 3) Rate comparisons with other electric utility providers; 4) Review of new rates.

Seggerman introduced ORDINANCE #08-464 AN ORDINANCE OF THE VILLAGE OF FAIRMONT, NEBRASKA, ESTABLISHING RATES TO BE CHARGED BY FAIRMONT LIGHT AND WATER DEPARTMENT FOR ELECTRICAL SERVICES TO THE PUBLIC AND REPEALING ALL OTHER RATES OR ORDINANCES AND PART OF ORDINANCES IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE.

Fischer moved and Slocum seconded to suspend the statutory rule requiring the ordinance be read on three different days so Ordinance #08-464 might be introduced, read by title and then moved for final passage on the same day, without the same being read in full. Voting aye: Fischer, Slocum, Moses, Melby and Seggerman. Motion carried. Melby moved and Slocum seconded to pass and adopt Ordinance #08-464. Voting aye: Melby,

Slocum, Fischer, Moses and Seggerman. Motion carried. Ordinance #08-464 passed and adopted. Rates will be in effect with the January 2009 billing.

### **STREET IMPROVEMENT STUDY**

Tylor Bottorff, Project Manager, JEO Consulting Group, Inc. reviewed the Scope of Services for the Village of Fairmont Street Improvement Study and Report for Community Development Block Grant (CDBG) #08-PP-002. Melby moved and Fischer seconded to approve the Village of Fairmont Street Improvement Study and Report for CDBG #08-PP-002 contingent upon Southeast Nebraska Development Dist approval and release of funds by Department of Economic Development. Voting aye: Melby, Fischer, Moses, Slocum and Seggerman. Motion carried.

### **CLAIMS**

Seggerman moved and Melby seconded to pay the following claims: Gen fund: AMERITAS-retirement \$1,171.44; AQUILA-ut. \$280.70; BARBUR FLORAL-flowers \$65; BARCO MUN. PRODUCTS INC.-sup. \$117.87; BLUE CROSS/BLUE SHIELD-ins. \$4,057.28; BURTON ENT.-refuse \$55; CENTRAL STATES LAB-sup. \$671.85; CROSS DILLON TIRES-sup. \$90.51; DELLA ROSE-reim. sup. \$409.37; DPL ENTERPRISES-gravel \$829.71; DRUMMOND-sup. \$133.20; DUTTON-LAINSON-sup. \$47.64; EAKES-sup. \$41.66; EMC INS.-ins. \$460; FAIRMONT LIGHT & WATER-ut. \$2,852.49;FAIRMONT PUBLIC LIB.-budget alloc. \$11,780; FAIRMONT RURAL FIRE DIST.-transfer \$10,000;FAMILY MARKET-sup. \$550.96; FARMERS COOP-fuel \$628.95; FARMERS STATE BANK-payroll w.h. \$3,081.26; FILLMORE CENTRAL SCHOOL-licenses\$600; FIRST CONCORD GROUP-ins. Pretax & 125 plan \$811.71; GENEVA CARQUEST-sup. \$30.92; GREAT PLAINS ONE-CALL-locates \$10.75; HAWKINS WATER TREAT.-chem. \$374.39;LINDA CARROLL-reim. mile \$70.20; MARC-sup. \$622.17; MOMAR-sup. \$2,371.67; MUNICIPAL SUPPLY INC.-\$669.19; NEBR. PUBLIC POWER DIST.-wholesale power chgs \$15,638.48; NEBR. RURAL WATER ASSN.-workshop \$250; NEBRASKA PUBLIC HEALTH ENV.-lab analysis \$452; PAYROLL-less ded \$11,678.05; PERENNIAL-subtransmission \$1,629.92; PITNEY BOWES-sup. \$153.97; PLATTE VALLEY COMM.-pager \$202; RON & JERRY-rep. \$80.34; RUHL'S WELL REPAIR-rep. \$1,155.31; SARGENT DRILLING-motor \$15,899.60; STATE OF NEBR. DEPT. OF REV.-sales tax & payroll tax \$2,332.56; STAYBRIDGE SUITES-lodging \$160; STEVE MCLEISH-reim. sup. \$109.98; TED'S OK TIRE-rep. \$142.22; TERRY EHRISMAN-reim. exp. \$236.82; THE NEBR. SIGNAL-pub. \$158.79; TRUE VALUE-rep. \$20.76; U S CELLULAR-ut. \$52.32; U S POST OFFICE-postage \$242; UTILITY SERVICE CO.-lettering \$3,000; VANDE HEY RALEIGH ROOF TILE-sup. \$195.15; WANDA MOSES-contract labor \$29.48;WEST BROTHERS INC.-sup. \$196.67; WINDSTREAM-ut. \$531.68; YORK HEATING & A/C-rep. \$55.67; YORK WHOLESALE & SUPPLY-sup. \$57.90. Voting aye: Seggerman, Melby, Fischer, Moses and Slocum. Motion carried.

### **CORRESPONDENCE**

The board reviewed following correspondence:

- 1) Monthly report from Mark Morgan, Fairmont Planning Commission representative;
- 2) Community Connections newsletter;
- 3) Local housing issue meeting Monday, Nov. 17<sup>th</sup> at 6:30 p.m. at Fairview Manor;
- 4) Reviewed request from Mark Morgan for placement of speed limit signs on the east end of "F" street and placement of a yield sign or stop sign at the intersection of F Street and 14<sup>th</sup> Ave. Board instructed Utility Sup. Long to put a speed limit sign in that area if there currently is not a posted speed limit sign in that area. No action taken on yield or stop sign request.

## **OLD BUSINESS**

### *THIRD AND FINAL READING ON ORDINANCE #08-463-DOG LIMITATION ORDINANCE VARIATION.*

Melby moved and Slocum seconded to pass Ordinance #08-463 AN ORDINANCE OF THE VILLAGE OF FAIRMONT, NEBRASKA TO AMEND ORDINANCE #04-435 TO PROVIDE FOR AN EXCEPTION FOR DOG KENNELS; TO REPEAL ALL ORDINANCES IN CONFLICT HEREWITH, AND TO PROVIDE FOR AN EFFECTIVE DATE FOR THIS ORDINANCE on third and final reading. Voting aye: Melby, Slocum, Fischer, Moses and Seggerman. Motion carried. Ordinance #08-463 passed and adopted.

### *VOLUNTEERS FOR ASSISTING WITH NUISANCE ABATEMENT PROPERTY*

Trustee Melby and Trustee Slocum will attempt to gather volunteers to assist the property owner of Lot 649 Fairmont Original Town.

### *E STREET FROM 11<sup>TH</sup> AVE TO 12<sup>TH</sup> AVE*

Trustee Melby and Trustee Slocum inspected E Street from 11<sup>th</sup> Ave to 12<sup>th</sup> Ave. Trees on the south side of E Street appear to be in the village right of way and their suggestion was to have the trees cleared away. Adjoining property owner will be contacted.

## **MARSHAL REPORT**

Marshal Steve McLeish reviewed monthly report. Items discussed: 1) Police activity; 2) Nuisance abatement on property- owner informed of violations, Village Attorney Campbell will write a complaint to fine the property owner; 3) Update on current nuisance abatement properties that the village is working with Inspector Hughes.

## **UTILITY SUP. REPORT**

Ut. Sup. Butch Long reviewed monthly report. Items discussed: 1) Fixing lights at tennis court; 2) Water tower inspection and cleaning inside scheduled to begin on November 24<sup>th</sup>; 3) West Brothers cut curbs out on property torn down; 4) Playground equipment- insurance company is requiring surface area under the playground equipment have a cushioning fill material installed; 5) Safety meetings and procedures; 6) Snow removal- Slocum moved and Melby seconded to authorize Ut. Sup. Butch Long to hire snow removal personnel as needed. Voting aye: Slocum, Melby, Fischer, Moses and Seggerman. Motion carried.

## **CLERK REPORT**

Clerk/Treas. Linda Carroll reviewed monthly report. Items discussed: 1) Safe Routes grant application- will be working with Public Health Solutions for the educational portion of the grant; 2) Reviewed window bids- Midwest Window Professionals- Lincoln \$7,804.88; Husker Enterprises, Inc (Irvin Stouffer) Bid 1 \$8,419.24 (vinyl) Bid 2 \$9,787.48 (wood face). Fischer moved and Moses seconded to authorize Trustee Melby to contact the contractors for additional information on the bids and to proceed with purchasing windows for the Village Hall building. Voting aye: Fischer, Moses, Slocum and Seggerman. Abstain: Melby. Motion carried.

## **RESOLUTION #2008-12 POLICY TO OPPOSE DISCRIMINATION OF HOUSING**

Board reviewed proposed Resolution to oppose discrimination of housing which is to be implemented with Community Development Block Grant (CDBG) programs. Moses moved and Fischer seconded to pass and adopt RESOLUTION #2008-12 TO ADOPT A POLICY OPPOSING DISCRIMINATION IN HOUSING. Voting aye: Moses, Fischer,

Slocum, Melby and Seggerman. Motion carried. Resolution #2008-12 passed and adopted.

**RESOLUTION #2008-13 SAFE ROUTES TO SCHOOL GRANT**

Fairmont will be submitting a Safe Routes to School Grant for assistance with providing a safe walkway from the north side of town to the middle school. Moses moved and Fischer seconded to pass and adopt RESOLUTION #2008-13 TO APPLY FOR ASSISTANCE FROM THE SAFE ROUTES TO SCHOOL PROGRAM. Voting aye: Moses, Fischer, Slocum, Melby and Seggerman. Motion carried. Resolution #2008-13 passed and adopted.

Moses moved and Melby seconded to adjourn the meeting at 10:00 p.m. Voting aye: Moses, Melby, Fischer, Slocum and Seggerman. Motion carried.

The next regular meeting will be Monday, December 8, 2008 at 7:00 p.m.

DAVID R. SEGGERMAN  
Chairperson

LINDA J. CARROLL, CMC  
Clerk/Treas.