



JULY 10, 2012
CITY COUNCIL MEETING
City Council Chambers 400 East Military, Fremont NE
STUDY SESSION – 6:15 P.M.

1. Power Supply Study

PUBLIC COMMENT PERIOD 6:45 TO 7:00 P.M.
REGULAR MEETING – 7:00 P.M.

AGENDA

1. Meeting called to order
2. Roll call
3. Determination as to legality
4. Mayor comments

PUBLIC HEARINGS AND RELATED ACTION:

5. Public Hearing Class I Liquor License [application](#) for La Hacienda Mexican Restaurant LLC dba La Hacienda Mexican Restaurant, 3140 East Elk Lane ([staff report](#))
6. [Resolution](#) Class I Liquor License application for La Hacienda Mexican Restaurant LLC dba La Hacienda Mexican Restaurant, 3140 East Elk Lane ([staff report](#))

CONSENT AGENDA: All items in the consent agenda are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member or a citizen so requests, in which event the item will be removed from the consent agenda and considered separately.

7. Dispense with reading of minutes June 26, 2012
8. June 27 - July 10, 2012 [claims](#) ([staff report](#))
9. [Resolution](#) granting permission to consume alcohol on City property for Ron and Rhonda [Chada](#), Moller Center, July 27, 2012, wedding rehearsal dinner; Veronica [Hurtado](#), Moller Center, September 8, 2012, baptism([staff report](#))
10. [Resolution](#) approving Special Designated Permit applications for [DeSauce](#) Development, 541 N Broad, August 11, 2012, reception; [DeSauce](#) Development, 1710 W 16th, August 17, 2012, reception; [Whis's](#) End Zone Lounge, 845 S Broad, July 22, 2012 (alternate date), fund raiser, beer garden ([staff report](#))
11. Rescind appointment of Ron Vlach to Airport Advisory Committee and appoint Mike Kempenar for three year term ending June 2015 ([staff report](#))
12. Reappointment of Clayton Timperly, Dan Rosenbaum, Tom Smith, Martin Sears to the Board of Plumbers for two year term ending July 2014 ([staff report](#))
13. Reappointment of Mary Sendgraff to the Mechanical Examining Board for five year term ending June 2017 ([staff report](#))

AGENDA

CONSENT AGENDA CONTINUED:

14. Reappointment of Ervin Wulf, Tom Smith, Martin Sears to the Water Conditioning Board of Examiners for three year term ending June 2015 ([staff report](#))
15. Fremont Rotary Club [request](#) to close west lane of Airport Road for overflow parking for Fly-In Breakfast at Fremont Municipal Airport on August 26, 2012 from 7:30 a.m. to 11:30 a.m. ([staff report](#))
16. [Resolution](#) approving Real Estate Listing [Agreement](#) for development of the Fremont Technology Park ([staff report](#))
17. [Resolution](#) approving [request](#) of Irving Development to allow outdoor seating within fenced area at 414 N Main ([staff report](#))
18. [Resolution](#) approving request of Irving Development to allow awnings on building exterior at 406 and 408 N Main ([staff report](#))
19. [Resolution](#) approving request of Gifford Construction, LLC and Randal & Melissa Nieman to combine Lot 28, Block 6, Day Acres East 3rd Addition and the south 9 feet x 87.53 feet of Lot 1, Block 1, Brentwood Park 6th Addition (3209 Cherrywood Drive) ([staff report](#))
20. [Resolution](#) to accept and award [bids](#) for Main Street Reconstruction, 1st to 3rd (Paving District No. 548) ([staff report](#))
21. [Resolution](#) approving plans, specifications, estimate of costs and granting permission to advertise for bids for 23rd Avenue North and Lincoln Avenue Intersection Improvements ([staff report](#))
22. [Resolution](#) designating parking restrictions on Military Avenue, Christy to Luther Road ([staff report](#))
23. [Resolution](#) designating parking restrictions on 16th Street east and west of Luther Road ([staff report](#))
24. [Resolution](#) designating parking restrictions on Fremont Drive east of Johnson Road ([staff report](#))
25. [Resolution](#) approving payment to M.E. [Collins](#) Contracting Co., Inc. for Luther Road Turn Lane Improvements and [Fauss](#) Construction for Christensen Field Event Center Renovation ([staff report](#))
26. Reappointment Courtney Fedde and Larry Jirsak and appoint Jan Therien to the Library Board for four ending July 2016 ([staff report](#))
27. [Resolution](#) dissolving Fremont [Volunteer](#) Fire Department ([staff report](#))

REGULAR AGENDA: requires individual associated action staff report

28. Third reading [Ordinance](#) creating Paving District No.550 (Johnson Rd, Peterson to 16th St, west side) ([staff report](#))
29. Second reading [Ordinance](#) amending Zoning Ordinance No. 3939, Article 3, Civic Use Types ([staff report](#))
30. Second reading [Ordinance](#) amending Zoning Ordinance No. 3939, Article 5, pertaining to Wellhead Protection Area Regulations ([staff report](#))
31. [Resolution](#) approving progress payments for [Prudent](#) Technologies and [Terracon](#) ([staff report](#))
32. Salary [Ordinance](#) ([staff report](#))

STAFF REPORT

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: KIM VOLK, CITY CLERK

DATE: July 5, 2012

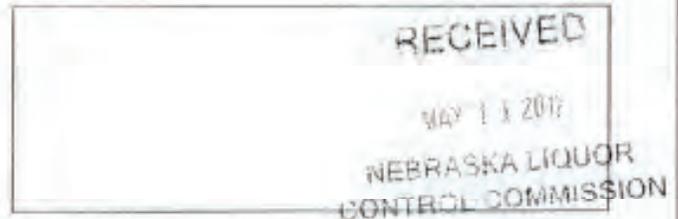
SUBJECT: CLASS I LIQUOR LICENSE APPLICATION

Recommendation: 1. Move to open the public hearing on the Class I Liquor License application for La Hacienda Mexican Restaurant LLC dba La Hacienda Mexican Restaurant, 3140 East Elk Lane 2. Receive testimony 3. Move to close the public hearing.

Background: See attached report from Planning, Public Works and Police Department. There are no issues with the application. This is new business.

**APPLICATION FOR LIQUOR LICENSE
RETAIL**

401 CENTENNIAL MALL, NORTH
PO BOX 95046
LINCOLN, NE 68509-5046
PHONE: (402) 471-2571
FAX: (402) 471-2814
Website: www.lcc.ne.gov

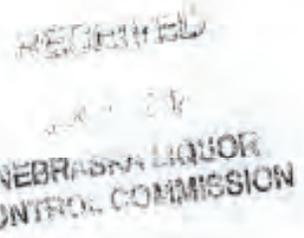


**CLASS OF LICENSE FOR WHICH APPLICATION IS MADE AND FEES
CHECK DESIRED CLASS(S)**

RETAIL LICENSE(S)

Application Fee \$400

- A BEER, ON SALE ONLY
- B BEER, OFF SALE ONLY
- C BEER, WINE, DISTILLED SPIRITS, ON AND OFF SALE
- D BEER, WINE, DISTILLED SPIRITS, OFF SALE ONLY
- I BEER, WINE, DISTILLED SPIRITS, ON SALE ONLY
- AB BEER, ON AND OFF SALE
- AD BEER ON SALE ONLY, BEER, WINE, DISTILLED SPIRITS OFF SALE
- IB BEER, WINE, DISTILLED SPIRITS ON SALE, BEER OFF SALE ONLY
- ID BEER, WINE, DISTILLED SPIRITS ON AND OFF SALE



- Class K Catering license (requires catering application form 106) \$100.00

Additional fees will be assessed at city/village or county level when license is issued

Class C license term runs from November 1 – October 31

All other licenses run from May 1 – April 30

Catering license (K) expires same as underlying retail license

TYPE OF APPLICATION BEING APPLIED FOR (CHECK ONE)

- Individual License (requires insert form 1)
- Partnership License (requires insert form 2)
- Corporate License (requires insert form 3a & 3c)
- Limited Liability Company (LLC) (requires form 3b & 3c)

NAME OF ATTORNEY OR FIRM ASSISTING WITH APPLICATION (if applicable)

Commission will call this person with any questions we may have on this application

Name _____ Phone number: _____

Firm Name _____

PREMISE INFORMATION

Trade Name (doing business as) LA Hacienda Mexican Restaurant

Street Address #1 3140 EAST Elk Lane

Street Address #2 _____

City Fremont County Dodge Zip Code 68025

Premise Telephone number 402 721 9989

Is this location inside the city/village corporate limits: YES NO

Mail address (where you want receipt of mail from the Commission)

Name LA Hacienda Mexican Restaurant LLC

Street Address #1 3140 EAST Elk Lane

Street Address #2 _____

City Fremont State NE Zip Code 68025

DESCRIPTION AND DIAGRAM OF THE STRUCTURE TO BE LICENSED

READ CAREFULLY

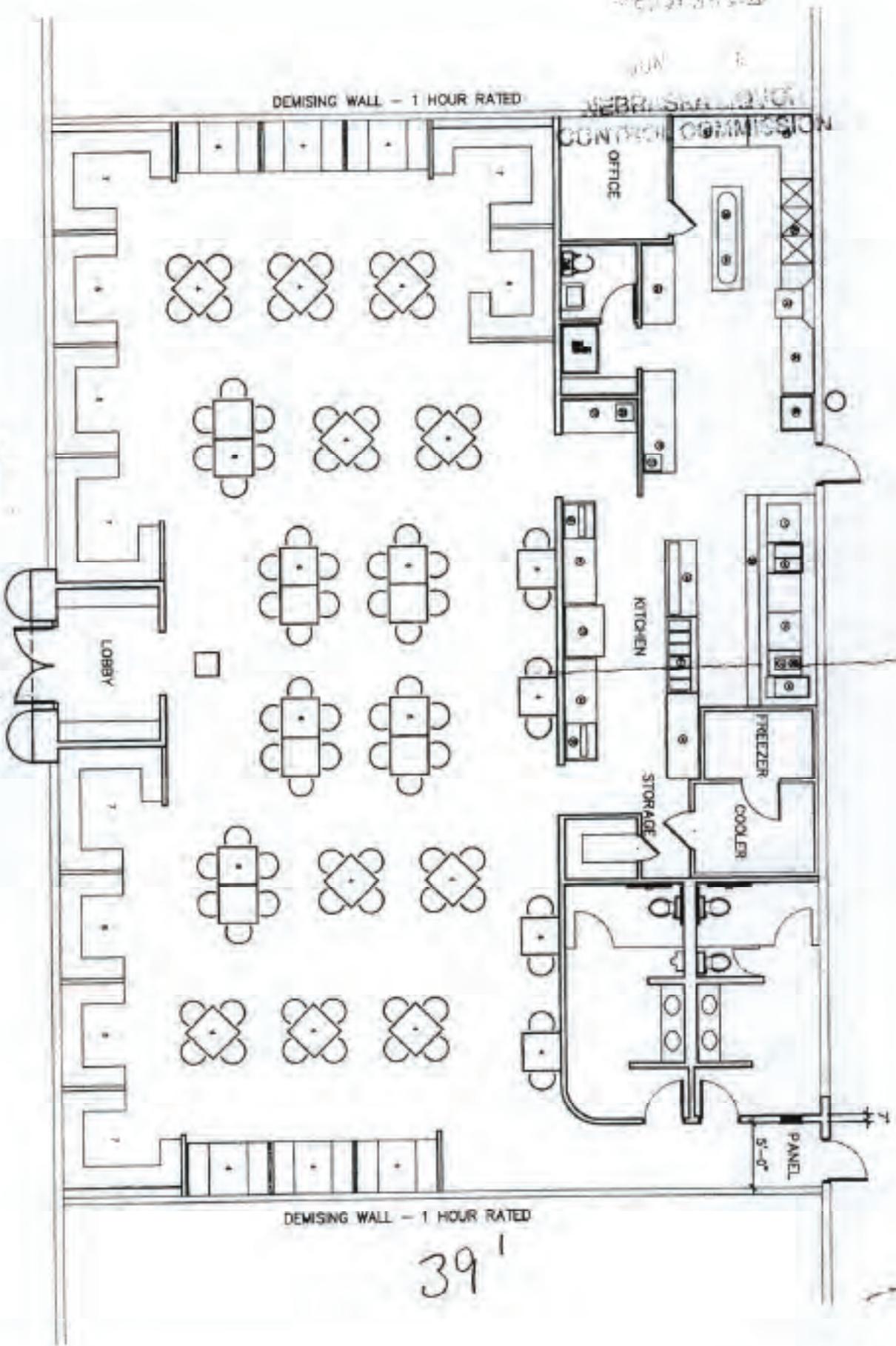
In the space provided or on an attachment draw the area to be licensed. This should include storage areas, basement, outdoor area, sales areas and areas where consumption or sales of alcohol will take place. If only a portion of the building is to be covered by the license, you must still include dimensions (length x width) of the licensed area as well as the dimensions of the entire building in situations. No blue prints please. Be sure to indicate the direction north and **number of floors** of the building.

**For on-premise consumption liquor licenses minimum standards must be met by providing at least two restrooms

Length 84 feet
Width 39 feet

PROVIDE DIAGRAM OF AREA TO BE LICENSED BELOW OR ATTACH SEPARATE SHEET

84'



APPLICANT INFORMATION

F. READ CAREFULLY. ANSWER COMPLETELY AND ACCURATELY.

Has anyone who is a party to this application, or their spouse, EVER been convicted of or plead guilty to any charge. Charge means any charge alleging a felony, misdemeanor, violation of a federal or state law; a violation of a local law, ordinance or resolution. List the nature of the charge, where the charge occurred and the year and month of the conviction or plea. Also list any charges pending at the time of this application. If more than one party, please list charges by each individual's name.

YES NO

If yes, please explain below or attach a separate page.

Name of Applicant	Date of Conviction (mm/yyyy)	Where Convicted (city & state)	Description of Charge	Disposition
NONE				RECEIVED
				MAY 1 2011
				NEBRASKA LIQUOR CONTROL COMMISSION

2. Are you buying the business of a current retail liquor license?

YES NO

If yes, give name of business and liquor license number _____

- a) Submit a copy of the sales agreement
- b) Include a list of alcohol being purchased, list the name brand, container size and how many
- c) Submit a list of the furniture, fixtures and equipment

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JUN 7 2011
NEBRASKA LIQUOR CONTROL COMMISSION

3. Was this premise licensed as a liquor licensed business within the last two (2) years?

YES NO

If yes, give name and license number _____

4. Are you filing a temporary operating permit to operate during the application process?

YES NO

If yes:

- a) Attach temporary operating permit (form 125)
- b) Attach statement(s) from all beer wholesalers (in your particular geographical area) and all liquor wholesalers indicating that the seller is not delinquent or have any debts owed to the wholesalers.

5. Are you borrowing any money from any source, include family or friends, to establish and/or operate the business?

YES NO

If yes, list the lender _____

6. Will any person or entity, other than applicant, be entitled to a share of the profits of this business?

YES NO

If yes, explain. (All involved persons must be disclosed on application)

No silent partners

7. Will any of the furniture, fixtures and equipment to be used in this business be owned by others?

YES NO

If yes, list such item(s) and the owner.

8. Is premise to be licensed within 150 feet of a church, school, hospital, home for the aged or indigent persons or for veterans, their wives, children, or within 300 feet of a college or university campus?

YES NO

If yes, provide name and address of such institution and where it is located in relation to the premises (Neb. Rev. Stat. 53-177)

9. Is anyone listed on this application a law enforcement officer?

YES NO

If yes, list the person, the law enforcement agency involved and the person's exact duties

10. List the primary bank and/or financial institution (branch if applicable) to be utilized by the business

a) List the individual(s) who will be authorized to write checks and/or withdrawals on accounts at this institution.

UNKNOWN

12. List all past and present liquor licenses held in Nebraska or any other state by any person named in this application. Include license holder name, location of license and license number. Also list reason for termination of any license(s) previously held.

Martin Martinez Mendoca, ALABAMA, LIC # 000979720

Business Closed

13. List the alcohol related training and/or experience (when and where) of the person(s) making application. Those persons required are listed as followed:

- a) Individual, applicant only (no spouse)
- b) Partnership, all partners (no spouses)
- c) Corporation, manager only (no spouse)
- d) Limited Liability Company, manager only (no spouse)

Applicant Name	Date Trained (mm/yyyy)	Name of program where trained (name, city)
Martin Martinez Mendez	12/10/09 - 9/10	Experience in Restaurant

14. If the property for which this license is sought is owned, submit a copy of the deed, or proof of ownership. If leased, submit a copy of the lease covering the entire license year. Documents must show title or lease held in name of applicant as owner or lessee in the individual(s) or corporate name for which the application is being filed.

- Lease: expiration date June 9, 2015
- Deed
- Purchase Agreement

REBRASER
CONTROL COMMISSION

15. When do you intend to open for business? 7-1-2012

16. What will be the main nature of business? Full Service Restaurant

17. What are the anticipated hours of operation? 11:00 AM - 11:00 PM

18. List the principal residence(s) for the past 10 years for all persons required to sign, including spouses.

RESIDENCES FOR THE PAST 10 YEARS, APPLICANT AND SPOUSE MUST COMPLETE							
APPLICANT: CITY & STATE		YEAR FROM TO		SPOUSE: CITY & STATE		YEAR FROM TO	
Martin M. Mendez	Opp, AL	2001	2002	Beatha Martinece	Opp, AL	2001	2002
"	"	Dothan, AL	2003	"	"	Dothan, AL	03
"	"	Brewton, AL	2005	"	"	Brewton, AL	05
"	"	Andalusia, AL	2008	"	"	Andalusia, AL	08
"	"	Red Level, AL	2008	"	"	Red Level, AL	08
"	"	Andalusia, AL	2009	"	"	Andalusia, AL	09

If necessary attach a separate sheet.

The undersigned applicant(s) hereby consent(s) to an investigation of his/her background investigation and release present and future records of every kind and description including police records, tax records (State and Federal), and bank or lending institution records, and said applicant(s) and spouse(s) waive(s) any right or causes of action that said applicant(s) or spouse(s) may have against the Nebraska Liquor Control Commission, the Nebraska State Patrol, and any other individual disclosing or releasing said information. Any documents or records for the proposed business or for any partner or stockholder that are needed in furtherance of the application investigation of any other investigation shall be supplied immediately upon demand to the Nebraska Liquor Control Commission or the Nebraska State Patrol. The undersigned understand and acknowledge that any license issued, based on the information submitted in this application, is subject to cancellation if the information contained herein is incomplete, inaccurate or fraudulent.

Individual applicants agree to supervise in person the management and operation of the business and that they will operate the business authorized by the license for themselves and not as an agent for any other person or entity. Corporate applicants agree the approved manager will superintend in person the management and operation of the business. Partnership applicants agree one partner shall superintend the management and operation of the business. All applicants agree to operate the licensed business within all applicable laws, rules regulations, and ordinances and to cooperate fully with any authorized agent of the Nebraska Liquor Control Commission.

Must be signed in the presence of a notary public by applicant(s) and spouse(s). If partnership or LLC (Limited Liability Company), all partners, members and spouses must sign. If corporation all officers, directors, stockholders (holding over 25% of stock and spouses). Full (birth) names only, no initials.

Martin Martinez Mendoza
Signature of Applicant

BERTHA MARTINEZ
Signature of Spouse

Signature of Applicant

Signature of Spouse

State of ~~Nebraska~~ Alabama
County of Covington

County of Covington

The foregoing instrument was acknowledged before me this 4-27-12 by

The foregoing instrument was acknowledged before me this 4-27-12 by

Martin Martinez Mendoza
Linda A. Palmer
Notary Public signature

Bertha Martinez
Linda A. Palmer
Notary Public signature

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AFix Seal Here

In compliance with the ADA, this manager insert form 3c is available in other formats for persons with disabilities. A ten day advance period is required in writing to produce the alternate format.

**APPLICATION FOR LIQUOR LICENSE
LIMITED LIABILITY COMPANY (LLC)
INSERT - FORM 3b**

NEBRASKA LIQUOR CONTROL COMMISSION
301 CENTENNIAL MALL (SOUTH)
PO BOX 95046
LINCOLN, NE 68509-5046
PHONE: (402) 471-2571
FAX: (402) 471-2814
Website: www.lcc.ne.gov

Office Use
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MAY 10 2012
NEBRASKA LIQUOR
CONTROL COMMISSION
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- 1) All members and spouses must be listed
- 2) Managing member or contact member must sign
- 3) Managing member and spouse must file fingerprint cards.
Spouse may file affidavit of nonparticipation in lieu of fingerprint cards.

Attach copy of Articles of Organization (Articles must show barende receipt by Secretary of State's Office)

Name of Registered Agent: Martin Martinez Mendez

Name of Limited Liability Company that will hold license as listed on the Articles of Organization
LA Asenda Mexican Restaurant LLC

LLC Address: 3140 East Elk Lane

City: Fremont State: NE Zip Code: 68025

LLC Phone Number: 402 721 9909 LLC Fax Number: N/A

Name of Managing/Contact Member
Name and information of contact member must be listed on following page

Last Name: Gonzales Orozco First Name: SILVANO MI: _____

Home Address: 2451 N NYE AVE, APT 308 City: Fremont

State: NE Zip Code: 68026 Home Phone Number: 2

Silvano Gonzales Orozco
Signature of Managing/Contact Member

State of Nebraska
County of Dodge

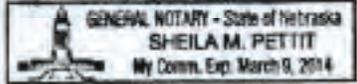
The foregoing instrument was acknowledged before me this

5/10/12
date

by Silvano Gonzales Orozco
name of person acknowledged

Sheila M. Pettit
Notary Public signature

Affix Seal Here



List names of all members and their spouses (even if a spousal affidavit has been submitted)

Last Name: GONZALEZ OROZCO First Name: SILVANO MI: _____

Social Security Number: [REDACTED] Date of Birth: 12-20-68

Spouse Full Name (indicate N/A if single): ROSARIO M ALVAREZ

Spouse Social Security Number: [REDACTED] Date of Birth: 9-17-72

Percentage of member ownership 50

Last Name: MARTINEZ MENDOZA First Name: MARTINO MI: _____

Social Security Number: [REDACTED] Date of Birth: 12-25-63

Spouse Full Name (indicate N/A if single): BERTHA M. MARTINEZ

Spouse Social Security Number: [REDACTED] Date of Birth: 4-1-66

Percentage of member ownership 50

Last Name: _____ First Name: _____ MI: _____

Social Security Number: _____ Date of Birth: _____

Spouse Full Name (indicate N/A if single): _____

Spouse Social Security Number: _____ Date of Birth: _____

Percentage of member ownership _____

Last Name: _____ First Name: _____ MI: _____

Social Security Number: _____ Date of Birth: _____

Spouse Full Name (indicate N/A if single): _____

Spouse Social Security Number: _____ Date of Birth: _____

Percentage of member ownership _____

Is the applying Limited Liability Company controlled by another Corporation/Company?

YES

NO

If yes, name of corporation/company _____

Submit organizational chart

Submit articles of incorporation or authorization to do business in the state of Nebraska from Secretary of State's office

Indicate the company's tax year with the IRS (Example January through December)

Starting Date: 1-1- Ending Date: 12-31

Is this a Non Profit Corporation?

YES

NO

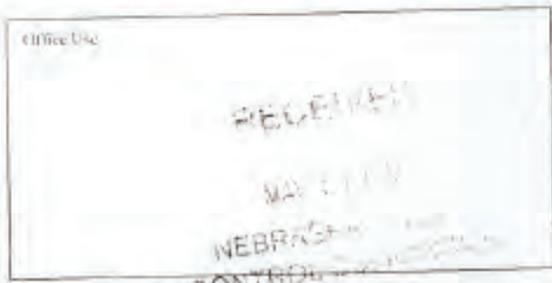
If yes, provide the Federal ID #. 45-3531121

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VERA
COMMERCIAL COMMISSION

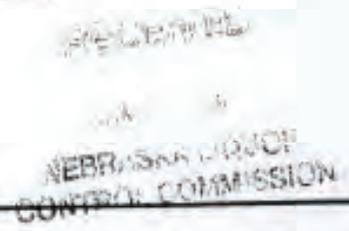
**MANAGER APPLICATION
INSERT - FORM 3c**

NEBRASKA LIQUOR CONTROL COMMISSION
301 CENTENNIAL MALL SOUTH
PO BOX 95046
LINCOLN, NE 68509-5046
PHONE: (402) 471-2571
FAX: (402) 471-2814
Website: www.lcc.ne.gov



Corporate manager, including spouse, are required to adhere to the following requirements.
If spouse filed affidavit of non-participation fingerprints and proof of citizenship not required

- 1) Must be a citizen of the United States
- 2) Must be a Nebraska resident (Chapter 2 - 006)
- 3) Must provide a copy of birth certificate, naturalization paper or US passport
- 4) Must submit their fingerprints (2 cards per person)
- 5) Must be 21 years of age or older
- 6) Applicant may be required to take a training course



Corporation/Limited Liability Corporation (LLC) information

Name of Corporation/LLC: LA Asenda Mexican Restaurant LLC

Premise information

Premise License Number: _____
(if new application leave blank)

Premise Trade Name/DBA: LA Asenda Mexican Restaurant

Premise Street Address: 3140 East Elk Lane

City: Fremont State: NE Zip Code: 68025

Premise Phone Number: 402-721-9909

The individual whose name is listed in the president or contact member category on either insert form 3a or 3b must sign their name below.

Silvana Gonzalez Orozco
CORPORATE OFFICER SIGNATURE
(Faxed signatures are acceptable)

Manager and spouse must review and answer the questions below
PLEASE PRINT CLEARLY

1. **READ PARAGRAPH CAREFULLY AND ANSWER COMPLETELY AND ACCURATELY.**

Has anyone who is a party to this application, or their spouse, EVER been convicted of or plead guilty to any charge. Charge means any charge alleging a felony, misdemeanor, violation of a federal or state law; a violation of a local law, ordinance or resolution. List the nature of the charge, where the charge occurred and the year and month of the conviction or plea. Also list any charges pending at the time of this application. **If more than one party, please list charges by each individual's name.**

YES NO If yes, please explain below or attach a separate page.

NONE

2. Have you or your spouse ever been approved or made application for a liquor license in Nebraska or any other state? **IF YES, list the name of the premise.**

YES NO

3. Do you, as a manager, have all the qualifications required to hold a Nebraska Liquor License? Nebraska Liquor Control Act (§53-131.01)

YES NO

4. Have you filed the required fingerprint cards and **PROPER FEES** with this application? (The check or money order must be made out to the **Nebraska State Patrol for \$38.00 per person**)

YES NO

5. List the training and/or experience (when and where)

Date:	Where:
2000-2012	La Hacienda Mexican Florida

PERSONAL OATH AND CONSENT OF INVESTIGATION

The above individual(s), being first duly sworn upon oath, deposes and states that the undersigned is the applicant and/or spouse of applicant who makes the above and foregoing application that said application has been read and that the contents (hereof and all statements contained therein are true. If any false statement is made in any part of this application, the applicant(s) shall be deemed guilty of perjury and subject to penalties provided by law. (See §§3-131.01) Nebraska Liquor Control Act.

The undersigned applicant hereby consents to an investigation of his/her background including all records of every kind and description including police records, tax records (State and Federal), and bank or lending institution records, and said applicant and spouse waive any rights or causes of action that said applicant or spouse may have against the Nebraska Liquor Control Commission and any other individual disclosing or releasing said information to the Nebraska Liquor Control Commission.

The undersigned understand and acknowledge that any license issued, based on the information submitted in this application, is subject to cancellation if the information contained herein is incomplete, inaccurate, or fraudulent.

Silvano Gonzalez
Signature of Manager Applicant

MET 3/1/14
NEBRASKA LIQUOR CONTROL COMMISSION
Rocio Alvarado
Signature of Spouse

State of ~~Nebraska~~ Alabama

County of Covington

County of St. Charles

The foregoing instrument was acknowledged before me this 4-27-13 by

The foregoing instrument was acknowledged before me this 2-11 by

Silvano Gonzalez

Lila AbDala
Notary Public signature

Taylor Whitaker

Taylor Whitaker
Notary Public signature

Affix Seal Here

Affix Seal Here


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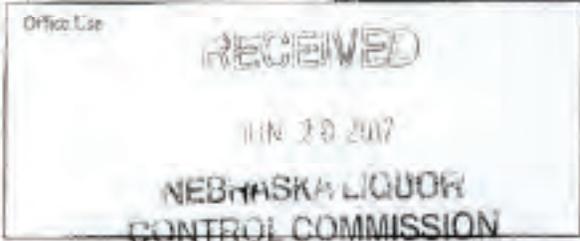
NEBRASKA LIQUOR CONTROL COMMISSION

Revised 9/2008

In compliance with the ADA, this manager insert form 3c is available in other formats for persons with disabilities. A ten day advance period is required in writing to produce the alternate format.

**SPOUSAL AFFIDAVIT OF
NON PARTICIPATION INSERT**

NEBRASKA LIQUOR CONTROL COMMISSION
301 CENTENNIAL MALL SOUTH
PO BOX 35140
LINCOLN, NE 68509-5046
PHONE (402) 471-2571
FAX (402) 471-3814
Website: www.klc.ne.gov



I acknowledge that I am the spouse of a liquor license holder. My signature below certifies that I will have not have any interest, directly or indirectly, in the operation or profit of the business (SS3-125(1)(j)) of the Liquor Control Act. I will not tender, make sales, serve patrons, stock shelves, write checks, sign invoices or represent myself as the owner or in any way participate in the day to day operations of this business in any capacity. I understand my fingerprint will not be required, however, I am obligated to sign and disclose any information on all applications needed to process this application.

BERTHA M MARTINEZ

Signature of spouse asking for waiver
(Spouse of individual listed below)

Bertha M. Martinez Mendez

Printed name of spouse asking for waiver

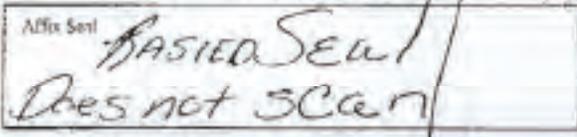
State of Alabama

County of Covington

June 14, 2012
date

Louise L. Ruben
Notary Public signature

The foregoing instrument was acknowledged before me this
by Bertha M. Martinez Mendez
name of person acknowledged



I acknowledge that I am the spouse of the above listed individual. I understand that my spouse and I are responsible for compliance with the conditions set out above. If it is determined that the above individual has violated (SS3-125(1)(j)) the Commission may suspend or revoke the liquor license.

Martin M. Martinez
Signature of individual involved with application
(Spouse of individual listed above)

MARTIN M. Martinez
Printed name of applying individual

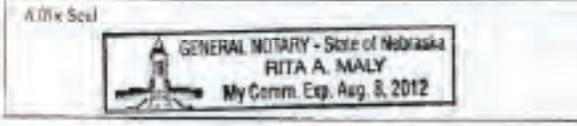
State of Dodge Nebraska

County of Dodge

June 19, 2012
date

Rita A. Maly
Notary Public signature

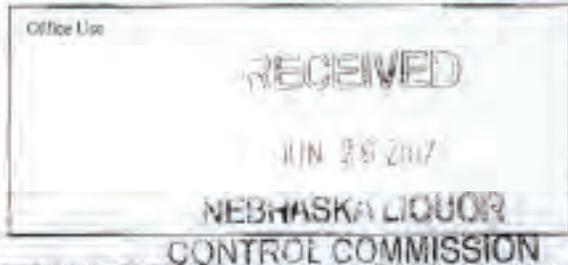
The foregoing instrument was acknowledged before me this
by MARTIN M. MARTINEZ
name of person acknowledged



In compliance with the ADA, this spousal affidavit of non participation is available in other formats for persons with disabilities. A 30 day advance period is requested in writing to produce the alternate format.

SPOUSAL AFFIDAVIT OF NON PARTICIPATION INSERT

NEBRASKA LIQUOR CONTROL COMMISSION
301 CENTENNIAL MALL SOUTH
PO BOX 32046
LINCOLN, NE 68505-3046
PHONE (402) 471-2571
FAX (402) 471-2814
Website: www.lcc.ne.gov



I acknowledge that I am the spouse of a liquor license holder. My signature below confirms that I will have not had any interest, directly or indirectly in the operation or profit of the business (§53-125(13)) of the Liquor Control Act. I will not and I do not make sales, serve patrons, stock shelves, write checks, sign invoices or represent myself as the owner or in any way participate in the day-to-day operations of this business in any capacity. I understand my fingerprints will not be required, however, I am obligated to sign and disclose any information on all applications needed to process this application.

Silvano Gonzalez Orozco
Signature of spouse asking for waiver

Silvano Gonzales Orozco
Printed name of spouse asking for waiver

(Spouse of individual listed below)
State of Nebraska
County of Dodge

The foregoing instrument was acknowledged before me this June 19, 2012 by Silvano Gonzales Orozco
name of person acknowledged

Rita A. Maly
Notary Public signature



I acknowledge that I am the spouse of the above listed individual. I understand that my spouse and I are responsible for compliance with the conditions set out above. If it is determined that the above individual has violated (§53-125(13)) the Commission may choose to revoke the liquor license.

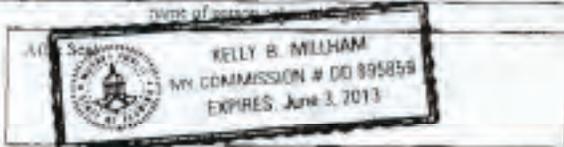
Rosario Alvarez
Signature of individual involved with application
(Spouse of individual listed above)

Rosario Alvarez
Printed name of applying individual

State of Florida
County of Santa Rosa
June 13, 2012
date

The foregoing instrument was acknowledged before me this Rosario Alvarez
name of person acknowledged

Kelly B. Millham
Notary Public signature



In compliance with the ADA, this spousal affidavit of non participation is available in other formats for persons with disabilities. A ten day advance period is requested in writing to produce the alternate format.

Page 1

AMENDED ARTICLES OF ORGANIZATION
LIMITED LIABILITY COMPANY

Submit in Duplicate

John A. Gale, Secretary of State
Room 1301 State Capitol, P.O. Box 94608
Lincoln, NE 68509
(402) 471-4079
<http://www.sos.state.ne.us>



Exact Name of Limited Liability Company _____

La Asenda Mexican Restaurant LLC

Please check the item or items that are being amended and provide the appropriate information as changed by the amendment:

Name of Limited Liability Company _____

La Hacienda Mexican Restaurant LLC

Purpose of Limited Liability Company _____

Period of duration is _____

Change in stated capital _____

Change to any other statement in the articles of organization _____

(attach additional pages if needed)

This change to the articles of organization was made pursuant to an affirmative vote of the majority in interest of the members or in such manner as specifically provided in the articles of organization.

DATED 5/24/2012

Silvano Gonzalez
Signature of Authorized Representative

Silvano Gonzalez
Printed Name of Authorized Representative

FILING FEE: \$15.00 plus \$5.00 per additional page
Revised 12/2011

Neb. Rev. Stat. 21-2628

Page 1

**CERTIFICATE OF REVIVAL OR RENEWAL
LIMITED LIABILITY COMPANY**

John A. Gale, Secretary of State
Room 1301 State Capitol, P.O. Box 94608
Lincoln, NE 68509
<http://www.sos.state.ne.us>



Submit in Duplicate

Name of Limited Liability Company LA ASENIJA MEXICAN RESTAURANT
The company was dissolved by the Secretary of State on 6/2 2011 LLC
Date Year

for (check one)

- A. Failure to file biennial report
- B. Nonpayment of fees
- C. Failure to maintain a registered agent/ registered office
- D. Expiration of existence

The above named grounds for dissolution either did not exist or have been eliminated and the company name complies with the requirements of Neb. Rev. Stat. 21-2604.

DATED 5/24 2012

Silvante Gonzalez
Signature of Authorized Representative

Silvante Gonzalez
Printed Name of Authorized Representative

FILING FEE: \$115.00

CERTIFICATE OF REINSTATEMENT

I, JOHN A. GALE, Secretary of State, do hereby cancel the certificate of dissolution and reinstate the above named limited liability company as a company in good standing to do business in the State of Nebraska, and further state that the grounds for dissolution of the company did not exist or have been eliminated.

IN TESTIMONY WHEREOF, I do hereby affix the Great Seal of the State of Nebraska.

(State Seal)

Revised 07/14/2006

Neb. Rev. Stat. 21-2611

Page 1

ARTICLES OF ORGANIZATION
LIMITED LIABILITY COMPANY

Submit in Duplicate

John A. Gale, Secretary of State
Room 1305 State Capitol, P.O. Box 94608
Lincoln, NE 68509
(402) 471-4079
<http://www.nol.org/home/SOS/>



Name of Limited Liability Company La Asenda Mexican Restaurant LLC

Period of Duration perpetual (may be perpetual)

Purpose for which the limited liability company is organized _____
To engage in any lawful act or activity for which a limited liability company may be organized
under the Nebraska Limited Liability Company Act.

Principal place of business in Nebraska:

3140 East Elk Lane Fremont NE 68025
Street Address City Zip

Name and address of registered agent in Nebraska:

Registered Agent Name: Silvano Gonzalez

Address: 3140 East Elk Lane, Fremont NE 68025
Street Address City Zip

The total amount of cash contributed to stated capital of the LLC \$2,000.00

Description and agreed value of property other than cash contributed to stated capital:

Description of Property	Agreed Value
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Page 2

LLC ARTICLES OF ORGANIZATION (Continued)

Page 2

Total additional contributions agreed to be made by all members and the times at which, or events upon the happening of which such contributions shall be made:

None

Members shall or shall not have the right to admit additional members (check)

If additional members are allowed the terms and conditions of admission:

Upon the terms and conditions agreed upon by the members and as set forth in the operating agreement of the company:

The company will be managed by managers or members (check one). List the name and address of the managers or, if the management is reserved to the members, the name and address of the members:

Name	Address
Silvano Gonzalez	c/o:
	La Asenda Mexican Restaurant LLC
	3140 East Elk Lane
	Fremont, Nebraska 68025

Attach additional pages if needed for additional managers or members. If the LLC has more than one class of membership please attach additional pages with the name or description of each class of membership and the names and addresses of the members in each class.

Page 3

LLC ARTICLES OF ORGANIZATION (Continued)

Page 3

Any other provisions, not inconsistent with law, which the members elect to set out in the articles of organization for the limited liability company:

Four horizontal lines for additional provisions.

Only one signature is required, additional persons may sign:

Signature
LegalZoom.com, Inc. (Organizer)
By: Karla Figueroa, Authorized Officer
Printed Name

Signature
Printed Name

FILING FEE: \$100.00 plus \$5.00 per page and \$10.00 for certificate of organization

Revised 12/20/2006

Neb. Rev. Stat. 21-2606

FREMONT CENTER LEASE AGREEMENT

This Lease, dated for reference purposes only the 31st day of May, 2012, is made and entered into between Fremont Center, LLC. (Lessor or Landlord) and La Hacienda Mexican Restaurant, LLC, jointly and severally (Lessee or Tenant).

1. **Leased Premises:** Lessor leases to Lessee and Lessee agrees to take the Leased Premises, which are located on the property legally described as:
- Fremont Center
3140 East Elk Lane, Suite 300
Fremont, NE 68025

(hereinafter referred as the "Shopping Center").

Exhibit A depicts the Leased Premises which contains approximately 5,000 square feet (hereinafter referred as the "Premises").

Total Shopping Center Square Footage: 10,500 sq. ft.

Tenant Fraction: $(5,000/10,500) = 47.60\%$

2. **Lease Term:** The "Initial Term" of this Lease shall be for Five (5) Years and Three (3) months beginning on June 1, 2012 (hereinafter referred to as the "Commencement Date"). The extensions and renewals thereof shall hereinafter be referred to as the "Term" of this Lease.
3. **Financial Statements:** Lessee hereby agrees to provide to Lessor a financial statement of principals whether Lessee is a sole proprietor, partnership, corporation, company, etc., prior to the signing of said lease by Lessor and annually thereafter upon the written request of Lessor.
4. **Acceptance and Occupancy:** Occupancy of the Leased Premises by the Lessee shall constitute acceptance by the Lessee.
5. **Rental:** Lessee shall and hereby agrees to pay the Lessor without demand, deduction, or setoff, at such place or places as the Lessor may designate from time to time in writing, rent in advance for said Leased Premises the sum of Three Hundred Eighty Seven Thousand Five Hundred Dollars and 00/100 (\$387,500.00) payable in monthly installments as follows:

First 3 months after Commencement Date:	0.00 per month
For the period Year 1	\$6,250.00 per month
For the period Year 2	\$6,354.17 per month
For the period Year 3	\$6,458.33 per month
For the period Year 4	\$6,562.00 per month
For the period Year 5	\$6,666.67 per month

said rental to be payable monthly in advance, on the first day of each successive month, at the office of Lamb Real Estate, P.O. Box 540847, Omaha, NE 68154-0847 or such other place as the Lessor shall direct.

6. **Security Deposit:** Contemporaneously with the execution of this Lease, Lessee shall deposit with Lessor the sum of Six Thousand Two Hundred Fifty Dollars and 00/100 (\$6,250.00) as security for the performance by Lessee of each and every obligation hereunder to be performed by Lessee. In the event of any default by Lessee, Lessor may apply all or any part of such security deposit to cure the default or to reimburse Lessor for any sum which Lessor may spend by reason of such default. In the event of any such application or retention, Lessee shall, on demand, pay to Lessor the sum so applied, or retained, which shall be added to the security deposit, so that same shall be restored to its original amount. If, at the end of this lease term, Lessee shall not be in default of any provision under this Lease, the security deposit, or any balance thereof, shall be returned to the Lessee, without interest.
7. **Late Charge:** If the monthly rental is not received by Lessor on or before the 16th day of each month, Lessee agrees to pay Lessor a late charge in the amount of \$525.00.
8. **Business Use:** The Leased Premises shall be used and occupied for the operation of a Mexican Restaurant and for no other purpose. Lessee agrees continuously and uninterrupted (except when prevented from doing so by reason of fire or other casualty) to conduct its business in the Leased Premises during the lease term and any extension thereof. Lessee agrees promptly to comply with all laws, ordinances, rules, and regulations affecting the Leased Premises and promulgated by duly constituted governmental authorities affecting the cleanliness, safety, use and occupation of the Leased Premises and any business thereon, and shall pay all costs involved in such compliance.

42. **Advertising:** Intentionally Delete

43. **Signs and Trade Fixtures.** Tenant shall install upon the exterior of the Premises and remove therefrom, at Tenant's expense, signs relating solely to Tenant's business in the Premises which comply with all applicable laws, ordinances, and governmental regulations and which will cause no damage to the Premises; provided, that any such signs comply with the sign criteria as attached hereto as Exhibit "D". Tenant shall be allowed its prorata share of signage on the monument sign to be built by Landlord.

44. **Severability.** If any provision of this Lease should be held to be invalid or unenforceable, the validity and enforceability of the remaining provisions of this Lease shall not be affected thereby.

In Witness whereof, the parties execute this Lease as of the date written to the left of the signatures below.

Dated this 9th day of June, 2010

LANDLORD:

Fremont Center, LLC, a Nebraska Limited Liability Company

By: Made M Lamb
Its Manager

TENANT:
Martin Martinez Mendoza

Dated this _____ day of April, 2010.

By: Martin martinez mendoza

TENANT:
Silvano Gonzalez

Dated this _____ day of April, 2010.

By: Silvano Gonzalez

RECEIVED

JUN 10 2010
NEBRASKA QUORUM CONTROL COMMISSION

LIQUOR APPLICATION REPORT

DATE: 6/26/2012

DUE DATE: 7/5/2019

APPLICANT: La Hacienda Mexican Restaurant LLC

ADDRESS: 3140 East Elk Lane

REQUESTED LICENSE OR ACTION: Class I

DESIGNATION OF ADJACENT STREET (LOCAL, COLLECTOR, MINOR OR MAJOR ARTERIAL, EXPRESSWAY): Collector

STREET WIDTH AND PROFILE: 37' wide with curb and gutter, 2 lanes, parking both sides.

SPEED LIMIT: 30 M.P.H.

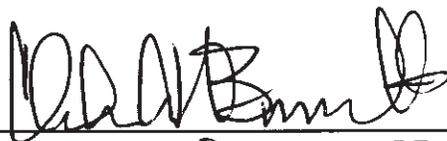
AVERAGE DAILY TRAFFIC COUNT: 13,190 23rd Street & Luther Road

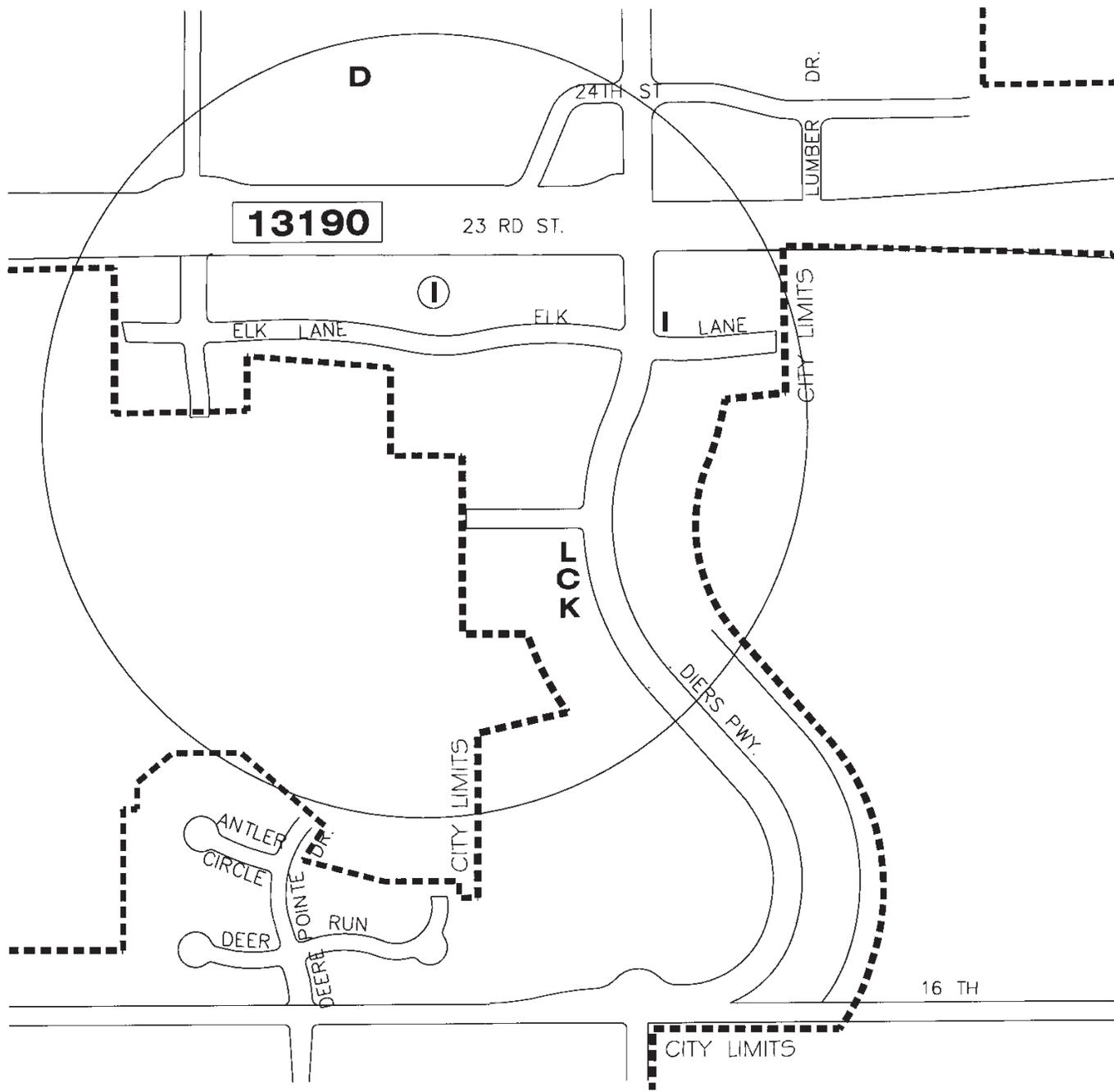
ACCIDENT REPORT AT ADJACENT INTERSECTION: 4 in 2010.

ANALYSIS OF TRAFFIC

EFFECTS: None

SIGNED


CITY ENGINEER



License Class

A	I
B	K
C	L
D	W

(A) = Applicants Location

S = "School"

= = "School Crossing"

[Box] = Average Daily Traffic

Fremont Police Department
Liquor License Application Investigative Report

Date 6/24/2012

Name of Business: LaHacienda Mexican Restaurant
Business Address: 3140 East Elk Lane Fremont, NE 68025
Business Phone #: (402)721-9909
Business Owner (s):

SILVANO GONZALEZ OROZCO
MARTIN MARTINEZ

Business Owner's Address (s): 2451 N NYE AVE APT 308
FREMONT NE 68025
Owner's Daytime Phone Number: (850) 377-0436

1. Type of Investigation :
- Purchase of Business
 - Upgrade of Existing License (From ___ to ___)
 - Expansion of Present Business
 - Renewal - Long Form
 - New and additional License
 - Transfer of Location
 - Manager / Employees

2. Type of License: Class - A B C D J I K Other I

3. Type of Business:
- Hotel / Motel
 - Liquor / On / Off Sale only
 - Restaurant / Food Service
 - Entertainment
 - Other _____

4. Type of Ownership:
- Corporation (LLC)
 - Partnership
 - Individual

5. Financial Information :

	<u>N/A</u>	Previous Years Gross Sales
	<u>\$ 200,000</u>	Estimated Annual Payroll
	<u>\$ 600,000</u>	Estimated Gross Income
(Estimation)	<u>90</u>	% Food <u>10</u> % Liquor

6. Premise Information: Commercial Industrial Residential

_____ Traffic _____

130 Estimated Seating Capacity 100 Estimated # of Customers per day

Premise days of operation: S M T W T F S

Premise hours of operation: 11:00AM to 11:00PM

7. Type of Food Service: _____ Microwave _____ Grill Kitchen

8. Employees: # 4 Full Time # 8 Part Time

Are any of the employee's under 21 years of age? No

Have any of the employees ever been arrested and/or convicted of any criminal offense? No

9. Manager Information: Silvano Gonzales Orozco
Address: 2451 N. Nye Avenue, #308 Fremont, NE 68025
Phone # (850) 377-0436
Drivers License # H13592725 State NE
Length of time as manager: New

Is anyone other than the manager responsible for the daily operation of the business?
MARTIN MARTINEZ for first Two months

10. Number of Licenses within competitive distance:
ONLY ONE (Applying for)

11. Does the establishment have gaming?
No

12. Does the establishment sell tobacco products?
No

13. Has this establishment's owners or any employee of this establishment ever been before the Nebraska Liquor Control Commission in a disciplinary hearing? No

14. Please give the approximate number of police service calls to this establishment during the last year. N/A (NEW BUSINESS)

15. Is anyone other than those individuals previously listed, drawing a percentage of the profits of this establishment? No

16. Please enclose copy of lease agreement.

Date received by Fremont Police Department

06-27-12

Date of Completed Investigation

06-27-12

Signature of Investigating Officer

Edward J. Watts #213

Date of Hearing by Governing Body

Governing Body Recommendation:

Signature of Applicant

Silvano Gonzalez Orozco

Date

6/26/12

Printed Name of Applicant

Silvano GONZALEZ OROZCO

Notary

Rita A. Malý



Falsification of any part of this application may result in criminal and civil penalties.

LIQUOR APPLICATION REPORT

PLANNING REPORT

DATE: 3 July, 2012

DUE DATE: 3 July, 2012

IS (xx) IS NOT () WITHIN THE CORPORATE LIMITS OF THE MUNICIPALITY

IF NOT, DO NOT PROCEED – NOTIFY THE MUNICIPAL CLERK’S OFFICE

AND RETURN THIS FORM

GENERAL INFORMATION:

APPLICANT: *La Hacienda Restaurant*

LOCATION: *3140 East Elk Lane*

REQUESTED LICENSE OR ACTION: Class I liquor license

ANNEXATION DATE: N/A

ORDINANCE NUMBER: N/A

EXISTING ZONING: GC - General Commercial District

EXISTING LAND USE: GC - General Commercial District

ADJACENT LAND USE AND ZONING:

NORTH: GC - General Commercial District

SOUTH: GC - General Commercial District

EAST: GC - General Commercial District

WEST: GC - General Commercial District

GENERAL NEIGHBORHOOD/AREA LAND USES:

Commercial

ANALYSIS OF NEIGHBORHOOD EFFECTS: NONE

SIGNED 

STAFF REPORT

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: KIM VOLK, CITY CLERK

DATE: July 5, 2012

SUBJECT: CLASS I LIQUOR LICENSE APPLICATION

Recommendation: 1. Move to recommend approval of application. 2. Approve Resolution recommending approval of the Class I Liquor License application for La Hacienda Mexican Restaurant LLC dba La Hacienda Mexican Restaurant, 3140 East Elk Lane

Background: Council will need to select an option as presented in the Resolution.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FREMONT, NEBRASKA CONSIDERING THE APPLICATION OF THE CLASS I LIQUOR LICENSE FOR LA HACIENDA MEXICAN RESTAURANT LLC DBA LA HACIENDA MEXICAN RESTAURANT, 3140 EAST ELK LANE, FREMONT, NEBRASKA.

WHEREAS, an application was filed by La Hacienda Mexican Restaurant LLC dba La Hacienda Mexican Restaurant, 3140 East Elk Lane, Fremont, Nebraska for a class I liquor license; and,

WHEREAS, a public hearing notice was published in the Fremont Tribune as required by state law on June 29, 2012; and,

WHEREAS, a public hearing was held on July 10, 2012 for the purpose of discussing such liquor license application,

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF FREMONT, NEBRASKA, that:

- The City of Fremont hereby recommends approval of the above identified liquor license application.
- The City of Fremont hereby makes no recommendation as to the above identified liquor license application.
- The City of Fremont hereby makes no recommendation as to the above identified liquor license application with the following stipulations: _____

_____.
- The City of Fremont hereby recommends denial of the above identified liquor license application for the following reasons: _____

_____.

PASSED AND APPROVED THIS _____ DAY OF _____, 2012.

SCOTT GETZSCHMAN, MAYOR

ATTEST:

Kimberly Volk, MMC, City Clerk

STAFF REPORT

TO: Honorable Mayor and City Council

FROM: Jody Sanders, Director of Finance

DATE: July 5, 2012

SUBJECT: Claims

Recommendation: Move to approve June 27 – July 10, 2012 claims and authorize checks to be drawn on the proper accounts except project progress payments.

Background: Council will review claims via email July 5, 2012 .

Fiscal Impact: Claims total \$1,399,644.88 (Project payments not included)

PROGRAM: GM339L

AS OF: 06/30/2012 CHECK DATE: 06/30/2012

City of Fremont

Employee Benefits

BANK: 01

VEND NO	SEQ#	VENDOR NAME	BNK	CHECK/DUE DATE	ACCOUNT NO	ITEM DESCRIPTION	CHECK AMOUNT	EFT, EPAY OR HAND-ISSUED AMOUNT	
0005708	00	REGIONAL CARE INC							
06/25/12	MANUAL	000641	01	06/25/2012	060-0660-441.70-01	06/25/12 AUTO CLAIMS	CHECK #: 100200	2,031.17	
06/26/12	MANUAL	000645	01	06/26/2012	060-0660-441.70-01	06/26/12 MANUAL CLAIMS	CHECK #: 100201	60,334.81	
VENDOR TOTAL *							.00	62,365.98	
0003405	00	WORKERS' COMPENSATION FUND							
JUN '12	MANUAL	000665	01	06/30/2012	061-0662-441.70-01		CHECK #: 17289	61,785.05	
JUN '12	MANUAL	000666	01	06/30/2012	061-0662-441.70-04		CHECK #: 17289	289.93	
JUN '12	MANUAL	000667	01	06/30/2012	061-0662-441.70-06		CHECK #: 17289	3,018.96	
JUN '12	MANUAL	000668	01	06/30/2012	061-0662-441.70-07		CHECK #: 17289	2,143.47	
VENDOR TOTAL *							.00	67,237.41	
01 Employee Benefits							BANK TOTAL *	.00	129,603.39
							HAND ISSUED TOTAL ***	129,603.39	
							TOTAL EXPENDITURES ****	.00	129,603.39
GRAND TOTAL *****								129,603.39	

Prepared 7/03/12, 8:12:03
Pay Date 7/05/12
Primary FIRST NATIONAL BANK

CITY of FREMONT
Direct Deposit Register

Page 41
Program PR530L

Account Number	Employee Name	Social Security	Deposit Amount
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Final Total 232,984.04 Count 333

PROGRAM: GM339L
 City of Fremont
 General Fund

AS OF: 07/05/2012 CHECK DATE: 07/03/2012

BANK: 00

VEND NO INVOICE NO	SEQ# VOUCHER NO	VENDOR NAME P.O. NO	BNK	CHECK/DUE DATE	ACCOUNT NO	ITEM DESCRIPTION	CHECK AMOUNT	EFT, EPAY OR HAND-ISSUED AMOUNT
0000584 20120705	00	CEI PR0705	00	07/05/2012	001-0000-201.00-00	PAYROLL SUMMARY	EFT:	182,654.17
						VENDOR TOTAL *	.00	182,654.17
0004234 20120705	00	DEPARTMENT OF UTILITIES C S PR0705	00	07/05/2012	001-0000-201.00-00	PAYROLL SUMMARY	EFT:	2,269.83
						VENDOR TOTAL *	.00	2,269.83
0005193 20120705	00	DEPARTMENT OF UTILITIES PAYROLL PR0705	00	07/05/2012	001-0000-201.00-00	PAYROLL SUMMARY	EFT:	45,831.95
						VENDOR TOTAL *	.00	45,831.95
0004629 20120705	00	INTERNAL REVENUE SERVICE **EFT** PR0705	00	07/05/2012	001-0000-201.00-00	PAYROLL SUMMARY	70,171.35	
						VENDOR TOTAL *	70,171.35	
0005477 20120705	00	LAUGHLIN TRUSTEE, KATHLEEN A PR0705	00	07/05/2012	001-0000-201.00-00	PAYROLL SUMMARY	84.00	
						VENDOR TOTAL *	84.00	
0001274 20120705	00	NATIONWIDE RETIREMENT SOLUTIONS PR0705	00	07/05/2012	001-0000-201.00-00	PAYROLL SUMMARY	1,308.00	
						VENDOR TOTAL *	1,308.00	
		00 General Fund				BANK TOTAL *	71,563.35	230,755.95
						EFT/EPAY TOTAL ***		230,755.95
						TOTAL EXPENDITURES ****	71,563.35	230,755.95
					GRAND TOTAL	*****		302,319.30

BANK: 00

VEND NO INVOICE NO	SEQ# VOUCHER NO	VENDOR NAME P.O. NO	BNK	CHECK/DUE DATE	ACCOUNT NO	ITEM DESCRIPTION	CHECK AMOUNT	EFT, EPAY OR HAND-ISSUED AMOUNT
0000956 152257	00	A & A DRUG CO INC PI6646 025395	00	07/10/2012	001-1206-422.30-33	BLANKET PURCHASE ORDER	42.95	
VENDOR TOTAL *							42.95	
0000959 64069/3 64098/3 64230/3 64056/3 064001/3 64031/3 064112/3 64338/3 64351/3 64351/3 64352/3 64352/3 64328/3 64143/3 64302/3	00	ACE HARDWARE PI6503 023528 PI6647 025396 PI6648 025396 PI6736 025396 PI6782 025396 PI6521 025396 PI6783 025396 PI6785 025396 PI6786 025396 PI6787 025396 PI6788 025396 PI6789 025396 PI6784 025396 PI6522 025396 PI6737 025396	00	07/10/2012	001-1206-422.30-56 001-1206-422.30-63 001-1206-422.30-33 001-1206-422.30-56 001-2026-451.30-49 001-2027-452.30-49 001-2027-452.30-49 001-2027-452.30-32 001-2027-452.20-60 001-2027-452.30-56 001-2027-452.20-60 001-2027-452.30-56 001-2042-440.30-49 012-2025-431.30-79 012-2025-431.30-79	BLANKET PURCHASE ORDER BLANKET PURCHASE ORDER	15.96 1.32 8.99 3.99 12.45 41.47 33.47 22.45 49.60 25.99 49.60 55.94 3.99 22.96 17.94	
VENDOR TOTAL *							366.12	
0002952 383211 383211 383559 383560 388236	00	ALAMAR UNIFORMS PI6704 026448 PI6705 026448 PI6706 026448 PI6707 026448 PI6918 026756	00	07/10/2012	001-1209-421.30-68 001-1209-421.30-79 001-1209-421.30-68 001-1209-421.30-68 001-1209-421.20-17	GENERAL GENERAL GENERAL GENERAL GENERAL	298.93 63.98 523.13 622.30 49.49	
VENDOR TOTAL *							1,557.83	
0004072 103565 104230 103604 103646 103546 103645 103836 103901 103973 103992 104093 104153 104171 104359	00	ALBERS AUTO PARTS LLC PI6791 025400 PI6811 025447 PI6556 025447 PI6558 025447 PI6555 025447 PI6557 025447 PI6559 025447 PI6560 025447 PI6561 025447 PI6562 025447 PI6680 025447 PI6751 025447 PI6752 025447 PI6812 025447	00	07/10/2012	001-1206-422.30-63 001-1209-421.30-63 001-2027-452.30-56 001-2027-452.30-63 012-2025-431.30-56 012-2025-431.30-63 012-2025-431.30-56 012-2025-431.30-33 012-2025-431.30-52 012-2025-431.30-79 012-2025-431.30-63 012-2025-431.30-63 012-2025-431.30-63 012-2025-431.30-56	BLANKET PURCHASE ORDER BLANKET PURCHASE ORDER	16.99 35.68 35.50 109.86 27.64 5.76 36.44 5.99 30.48 71.88 24.75 12.02 21.90 11.38	
VENDOR TOTAL *							446.27	
0002869 00004366	00	AQUA-CHEM INC PI6702 026283	00	07/10/2012	001-2028-451.30-32	GENERAL	230.15	

PROGRAM: GM339L

AS OF: 07/10/2012 CHECK DATE: 07/10/2012

City of Fremont

General Fund

BANK: 00

VEND NO INVOICE NO	SEQ# VOUCHER NO	VENDOR NAME P.O. NO	BNK	CHECK/DUE DATE	ACCOUNT NO	ITEM DESCRIPTION	CHECK AMOUNT	EFT, EPAY OR HAND-ISSUED AMOUNT
0002869	00	AQUA-CHEM INC						
00004396		PI6710 026508	00	07/10/2012	001-2028-451.30-56	GENERAL	525.20	
00004365		PI6591 026654	00	07/10/2012	001-2030-451.30-33	GENERAL	303.84	
00004364		PI6701 026282	00	07/10/2012	001-2030-451.30-32	GENERAL	1,076.85	
						VENDOR TOTAL *	2,136.04	
0005740	00	ARDON'S REFRIGERATION INC						
20928		PI6698 026138	00	07/10/2012	001-2030-451.20-60	GENERAL	112.50	
20928		PI6699 026138	00	07/10/2012	001-2030-451.20-99	GENERAL	21.45	
20928		PI6700 026138	00	07/10/2012	001-2030-451.30-56	GENERAL	202.85	
						VENDOR TOTAL *	336.80	
0000983	00	ARPS RED-E-MIX INC						
95741		PI6684 025451	00	07/10/2012	012-2025-431.30-69	BLANKET PURCHASE ORDER	247.00	
95757		PI6685 025451	00	07/10/2012	012-2025-431.30-69	BLANKET PURCHASE ORDER	247.00	
95829		PI6814 025451	00	07/10/2012	012-2025-431.30-69	BLANKET PURCHASE ORDER	301.50	
95886		PI6815 025451	00	07/10/2012	012-2025-431.30-69	BLANKET PURCHASE ORDER	281.00	
95902		PI6816 025451	00	07/10/2012	012-2025-431.30-69	BLANKET PURCHASE ORDER	258.25	
						VENDOR TOTAL *	1,334.75	
0004546	00	AUTOMATIC TRUCK & EQUIPMENT						
062112		PI6725 026746	00	07/10/2012	012-2025-431.30-63	FIELD PURCHASE ORDER	350.00	
						VENDOR TOTAL *	350.00	
0003298	00	AUTOZONE INC						
1652176168		PI6649 025397	00	07/10/2012	001-2042-440.30-44	BLANKET PURCHASE ORDER	6.60	
						VENDOR TOTAL *	6.60	
0005217	00	A1 LOCK SHOP						
0004795		PI6678 025442	00	07/10/2012	012-2025-431.20-60	BLANKET PURCHASE ORDER	45.00	
0004795		PI6679 025442	00	07/10/2012	012-2025-431.30-49	BLANKET PURCHASE ORDER	84.60	
						VENDOR TOTAL *	129.60	
0002763	00	BAKER & TAYLOR BOOKS						
2027068310		PI6826 025495	00	07/10/2012	001-2031-455.20-14	BLANKET PURCHASE ORDER	2.42	
2027068310		PI6827 025495	00	07/10/2012	001-2031-455.30-51	BLANKET PURCHASE ORDER	384.75	
2027072205		PI6828 025495	00	07/10/2012	001-2031-455.20-14	BLANKET PURCHASE ORDER	2.18	
2027072205		PI6829 025495	00	07/10/2012	001-2031-455.30-51	BLANKET PURCHASE ORDER	287.25	
5012054430		PI6830 025495	00	07/10/2012	001-2031-455.30-51	BLANKET PURCHASE ORDER	131.98	
						VENDOR TOTAL *	808.58	
0003423	00	BAKER & TAYLOR ENTERTAINMENT						
I461179CM		PI6836 025502	00	07/10/2012	001-2031-455.30-51	BLANKET PURCHASE ORDER	26.45-	
I464345CM		PI6837 025502	00	07/10/2012	001-2031-455.30-51	BLANKET PURCHASE ORDER	12.35-	
I73330820		PI6838 025502	00	07/10/2012	001-2031-455.30-51	BLANKET PURCHASE ORDER	26.60	
I78874890		PI6839 025502	00	07/10/2012	001-2031-455.30-51	BLANKET PURCHASE ORDER	256.60	
						VENDOR TOTAL *	244.40	
0004311	00	BAUER BUILT INC						

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VEND NO INVOICE NO	SEQ# VOUCHER NO	VENDOR NAME P.O. NO	BNK	CHECK/DUE DATE	ACCOUNT NO	ITEM DESCRIPTION	CHECK AMOUNT	EFT, EPAY OR HAND-ISSUED AMOUNT
0004311	00	BAUER BUILT INC						
880015148		PI6523 025398	00	07/10/2012	001-1209-421.20-60	BLANKET PURCHASE ORDER	12.00	
880015148		PI6524 025398	00	07/10/2012	001-1209-421.30-63	BLANKET PURCHASE ORDER	4.50	
880015165		PI6593 026697	00	07/10/2012	001-1209-421.20-60	FIELD PURCHASE ORDER	28.00	
880015165		PI6594 026697	00	07/10/2012	001-1209-421.30-63	FIELD PURCHASE ORDER	419.00	
880015280		PI6738 025398	00	07/10/2012	012-2025-431.20-60	BLANKET PURCHASE ORDER	10.00	
880015280		PI6739 025398	00	07/10/2012	012-2025-431.30-56	BLANKET PURCHASE ORDER	4.50	
						VENDOR TOTAL *	478.00	
0006132	00	BERGGREN, JERRY						
#01 201206-206		PI6901 026622	00	07/10/2012	001-2031-455.40-13	GENERAL	5,226.00	
						VENDOR TOTAL *	5,226.00	
0005162	00	BLT PLUMBING HEATING & A/C INC						
6103		PI6504 025366	00	07/10/2012	001-2027-452.20-60	BLANKET PURCHASE ORDER	67.50	
6103		PI6505 025366	00	07/10/2012	001-2027-452.30-32	BLANKET PURCHASE ORDER	90.00	
6141		PI6730 025366	00	07/10/2012	001-2027-452.20-60	BLANKET PURCHASE ORDER	101.25	
6141		PI6731 025366	00	07/10/2012	001-2027-452.30-49	BLANKET PURCHASE ORDER	3.99	
6146		PI6732 025366	00	07/10/2012	001-2030-451.20-60	BLANKET PURCHASE ORDER	45.00	
6146		PI6733 025366	00	07/10/2012	001-2030-451.30-32	BLANKET PURCHASE ORDER	45.00	
6108		PI6904 026639	00	07/10/2012	001-2031-455.20-60	GENERAL	180.00	
6108		PI6905 026639	00	07/10/2012	001-2031-455.30-49	GENERAL	479.00	
						VENDOR TOTAL *	1,011.74	
0005876	00	BMI (BROADCAST MUSIC INC)						
22392625		PI6931 026797	00	07/10/2012	001-2030-451.20-99	GENERAL	320.00	
						VENDOR TOTAL *	320.00	
0004035	00	BOMGAARS SUPPLY INC						
1674919		PI6525 025399	00	07/10/2012	001-2027-452.30-56	BLANKET PURCHASE ORDER	87.30	
1676007		PI6740 025399	00	07/10/2012	001-2027-452.30-33	BLANKET PURCHASE ORDER	74.96	
1676612		PI6741 025399	00	07/10/2012	001-2027-452.30-49	BLANKET PURCHASE ORDER	101.23	
1674506		PI6651 025399	00	07/10/2012	012-2025-431.30-49	BLANKET PURCHASE ORDER	2.78	
1677174		PI6790 025399	00	07/10/2012	012-2025-431.30-79	BLANKET PURCHASE ORDER	3.18	
1674384		PI6650 025399	00	07/10/2012	029-2034-466.30-79	BLANKET PURCHASE ORDER	32.99	
						VENDOR TOTAL *	302.44	
0006138	00	BOOZE, ERIN						
061112		PI6607 026713	00	07/10/2012	001-2029-451.20-99	BLANKET PURCHASE ORDER	43.80	
						VENDOR TOTAL *	43.80	
0006135	00	BOVILL, LOGAN						
061112		PI6604 026710	00	07/10/2012	001-2029-451.20-99	BLANKET PURCHASE ORDER	27.40	
						VENDOR TOTAL *	27.40	
0003427	00	BRODART CO						
B2496398		PI6884 025694	00	07/10/2012	001-2031-455.20-14	BLANKET PURCHASE ORDER	2.00	
B2496398		PI6885 025694	00	07/10/2012	001-2031-455.30-51	BLANKET PURCHASE ORDER	74.65	
B2500557		PI6886 025694	00	07/10/2012	001-2031-455.20-14	BLANKET PURCHASE ORDER	2.78	

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0003427	00	BRODART CO						
B2500557		PI6887 025694	00	07/10/2012	001-2031-455.30-51	BLANKET PURCHASE ORDER	180.77	
B2502755		PI6888 025694	00	07/10/2012	001-2031-455.20-14	BLANKET PURCHASE ORDER	6.03	
B2502755		PI6889 025694	00	07/10/2012	001-2031-455.30-51	BLANKET PURCHASE ORDER	413.34	
						VENDOR TOTAL *	679.57	
0006143	00	BUSSA, HANNAH						
061812		PI6612 026718	00	07/10/2012	001-2029-451.20-99	BLANKET PURCHASE ORDER	74.85	
061912		PI6613 026718	00	07/10/2012	001-2029-451.20-99	BLANKET PURCHASE ORDER	65.20	
						VENDOR TOTAL *	140.05	
0006137	00	CADY, FALECIA						
062112		PI6606 026712	00	07/10/2012	001-2029-451.20-99	BLANKET PURCHASE ORDER	136.00	
						VENDOR TOTAL *	136.00	
0006146	00	CATE, HUTTON						
061112		PI6617 026721	00	07/10/2012	001-2029-451.20-99	BLANKET PURCHASE ORDER	16.80	
061812		PI6618 026721	00	07/10/2012	001-2029-451.20-99	BLANKET PURCHASE ORDER	41.10	
						VENDOR TOTAL *	57.90	
0004208	00	CDW GOVERNMENT INC						
M259127		PI6726 026748	00	07/10/2012	001-1011-419.20-65	BLANKET PURCHASE ORDER	1,124.76	
						VENDOR TOTAL *	1,124.76	
0000584	00	CEI						
9497 JUL 12 WC		000653	00	07/10/2012	001-1015-415.10-26	JULY 12 WC	EFT:	14,767.25
9497 JUL 12 WC		000654	00	07/10/2012	012-2025-431.10-26	JULY 12 WC	EFT:	1,166.50
						VENDOR TOTAL *	.00	15,933.75
0001024	00	CHRISTENSEN LUMBER INC						
CLC00130121-001		PI6792 025401	00	07/10/2012	001-2027-452.30-49	BLANKET PURCHASE ORDER	44.48	
						VENDOR TOTAL *	44.48	
0004394	00	CLIA LABORATORY PROGRAM						
12/12-12/14 FEE		PI6762 026733	00	07/10/2012	001-1206-422.20-35	GENERAL	150.00	
						VENDOR TOTAL *	150.00	
9999999	00	COLE, KRISTI						
35493 COLE		000642	00	07/10/2012	001-2029-347.00-00	KRISTI COLE/CANCEL ZOO	8.00	
						VENDOR TOTAL *	8.00	
0003311	00	COLLINS CONTRACTING CO INC, M E						
#1 P13912		PI6929 026782	00	07/10/2012	012-2032-431.45-20	FIELD PURCHASE ORDER	76,516.38	
						VENDOR TOTAL *	76,516.38	
0005994	00	CONSOLIDATED MANAGEMENT CO						
201999		PI6908 026646	00	07/10/2012	001-1209-421.20-13	GENERAL	93.00	
						VENDOR TOTAL *	93.00	

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0001885 2351248	00	CORNHUSKER INTERNATIONAL TRUCKS INC PI6728 026759	00	07/10/2012	012-2025-431.30-63	FIELD PURCHASE ORDER	779.81	
						VENDOR TOTAL *	779.81	
0002915 227580	00	CREDIT BUREAU SERVICES INC PI6570 025474	00	07/10/2012	001-1209-421.20-99	BLANKET PURCHASE ORDER	4.00	
						VENDOR TOTAL *	4.00	
0001643 90084579 851793 852238	00	CULLIGAN OF OMAHA PI6569 025470 PI6818 025470 PI6819 025470	00	07/10/2012	001-1209-421.20-99	BLANKET PURCHASE ORDER BLANKET PURCHASE ORDER BLANKET PURCHASE ORDER	21.00 27.00 27.00	
						VENDOR TOTAL *	75.00	
0006016 061212	00	DAUGHERTY, GAGE PI6603 026709	00	07/10/2012	001-2029-451.20-99	BLANKET PURCHASE ORDER	74.85	
						VENDOR TOTAL *	74.85	
0006141 061212	00	DEGROFF, LANE PI6611 026716	00	07/10/2012	001-2029-451.20-99	BLANKET PURCHASE ORDER	53.80	
						VENDOR TOTAL *	53.80	
0006140 061912	00	DEJEAN, NICK PI6610 026715	00	07/10/2012	001-2029-451.20-99	BLANKET PURCHASE ORDER	94.40	
						VENDOR TOTAL *	94.40	
9999999 37963 DELEON	00	DELEON, FLAVIO DIAZ 000658	00	07/10/2012	001-0000-202.04-00	FLAVIO DIAZ DELEON/C AUD	100.00	
						VENDOR TOTAL *	100.00	
0002201 XFT6K9F55	00	DELL MARKETING LP PI6590 026638	00	07/10/2012	001-1016-414.40-90	BLANKET PURCHASE ORDER	893.90	
						VENDOR TOTAL *	893.90	
0003225 7622 7623 7622 7622 7622	00	DEPARTMENT OF UTILITIES PI6859 025553 PI6863 025553 PI6860 025553 PI6861 025553 PI6862 025553	00	07/10/2012	001-1015-415.20-42 001-1015-415.20-41 001-1016-412.10-10 001-1016-412.10-14 001-1016-412.10-22	BLANKET PURCHASE ORDER BLANKET PURCHASE ORDER BLANKET PURCHASE ORDER BLANKET PURCHASE ORDER BLANKET PURCHASE ORDER	480.97 40,416.67 3,133.26 676.00 230.55	
						VENDOR TOTAL *	44,937.45	
0001063 522118032 522117969	00	DIAMOND VOGEL PAINT CTR PI6636 026744 PI6652 025410	00	07/10/2012	012-2025-431.30-76 012-2025-431.30-76	FIELD PURCHASE ORDER BLANKET PURCHASE ORDER	880.20 220.05	
						VENDOR TOTAL *	1,100.25	
0002897 103877P	00	DIERS INC PI6563 025449	00	07/10/2012	001-1209-421.30-63	BLANKET PURCHASE ORDER	44.55	

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0002897	00	DIERS INC						
298054		PI6564 025449	00	07/10/2012	001-1209-421.20-60	BLANKET PURCHASE ORDER	49.95	
298054		PI6565 025449	00	07/10/2012	001-1209-421.30-63	BLANKET PURCHASE ORDER	5.00	
297828		PI6595 026698	00	07/10/2012	001-1209-421.20-60	FIELD PURCHASE ORDER	333.25	
297828		PI6596 026698	00	07/10/2012	001-1209-421.30-63	FIELD PURCHASE ORDER	400.09	
						VENDOR TOTAL *	832.84	
0003359	00	DODGE COUNTY HUMANE SOCIETY						
JULY 2012		PI6854 025544	00	07/10/2012	001-1410-421.20-99	GENERAL	4,383.32	
						VENDOR TOTAL *	4,383.32	
0001070	00	DODGE COUNTY REGISTER OF DEEDS						
201203432		PI6856 025546	00	07/10/2012	001-1003-415.20-33	BLANKET PURCHASE ORDER	10.50	
201203434		PI6858 025546	00	07/10/2012	001-1003-415.20-33	BLANKET PURCHASE ORDER	6.00	
201203433		PI6857 025546	00	07/10/2012	032-0787-490.20-33	BLANKET PURCHASE ORDER	5.50	
201203431		PI6855 025546	00	07/10/2012	041-2098-431.20-33	BLANKET PURCHASE ORDER	11.00	
						VENDOR TOTAL *	33.00	
0001511	00	DON'S PIONEER UNIFORM						
50939		PI6755 025781	00	07/10/2012	001-1206-422.30-68	GENERAL	280.00	
50939		PI6756 026251	00	07/10/2012	001-1206-422.30-68	GENERAL	789.90	
						VENDOR TOTAL *	1,069.90	
0006001	00	DREDGE, JORDAN						
061812		PI6602 026708	00	07/10/2012	001-2029-451.20-99	BLANKET PURCHASE ORDER	61.15	
						VENDOR TOTAL *	61.15	
0006145	00	DYKMAN, ADAM						
061112		PI6616 026720	00	07/10/2012	001-2029-451.20-99	BLANKET PURCHASE ORDER	16.80	
						VENDOR TOTAL *	16.80	
0005757	00	EAC SUBMISSIONS						
1175		PI6729 026762	00	07/10/2012	001-1206-422.20-65	BLANKET PURCHASE ORDER	174.60	
						VENDOR TOTAL *	174.60	
0002959	00	EGAN SUPPLY CO						
180219		PI6634 026737	00	07/10/2012	001-2026-451.20-99	GENERAL	4.00	
180219		PI6635 026737	00	07/10/2012	001-2026-451.30-49	GENERAL	152.36	
						VENDOR TOTAL *	156.36	
0000948	00	ELKHORN FENCE CO						
12-081		PI6718 026683	00	07/10/2012	001-2027-452.30-49	GENERAL	621.50	
						VENDOR TOTAL *	621.50	
0005749	00	FARNER-BOCKEN COMPANY						
1333885		PI6568 025469	00	07/10/2012	001-2030-451.30-41	BLANKET PURCHASE ORDER	1,634.07	
1343647		PI6817 025469	00	07/10/2012	001-2030-451.30-41	BLANKET PURCHASE ORDER	1,038.71	
						VENDOR TOTAL *	2,672.78	

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0002050 NEFRE89582	00	FASTENAL COMPANY PI6804 025419	00	07/10/2012	012-2025-431.30-56	BLANKET PURCHASE ORDER	6.60	
						VENDOR TOTAL *	6.60	
0004758 #6 R14711	00	FAUSS CONSTRUCTION INC PI6891 025813	00	07/10/2012	040-2037-452.45-13	FIELD PURCHASE ORDER	70,163.93	
						VENDOR TOTAL *	70,163.93	
0006017 061912	00	FIELDER, BRIAN PI6598 026705	00	07/10/2012	001-2029-451.20-99	BLANKET PURCHASE ORDER	67.50	
						VENDOR TOTAL *	67.50	
0004176 5679 5679	00	FIELDMASTER INFIELD GROOMER PI6927 026779 PI6928 026779	00	07/10/2012	001-2029-451.20-99 001-2029-451.30-56	GENERAL GENERAL	31.67 264.70	
						VENDOR TOTAL *	296.37	
0001102 067656	00	FOOD-4-LESS PI6847 025519	00	07/10/2012	001-2031-455.30-41	BLANKET PURCHASE ORDER	14.83	
						VENDOR TOTAL *	14.83	
0002884 12769	00	FREMONT AREA CHAMBER OF COMMERCE PI6902 026628	00	07/10/2012	001-1015-415.30-99	BLANKET PURCHASE ORDER	239.00	
						VENDOR TOTAL *	239.00	
0001107 233517 032912 061312	00 063012	FREMONT AREA MEDICAL CENTER PI6810 025439 ACHEY PI6675 025439 AVALOS PI6676 025439	00	07/10/2012	001-1206-422.30-33 001-1209-421.20-35 001-1209-421.20-99	BLANKET PURCHASE ORDER BLANKET PURCHASE ORDER BLANKET PURCHASE ORDER	750.59 306.25 59.25	
						VENDOR TOTAL *	1,116.09	
0005875 061912	00 NOTT	FREMONT CARDIOVASCULAR SP PI6576 025578	00	07/10/2012	001-1206-422.20-35	GENERAL	113.00	
						VENDOR TOTAL *	113.00	
0001112 29579 29579 29537 29578 29578 29536 29536	00	FREMONT ELECTRIC INC PI6769 025367 PI6770 025367 PI6508 025367 PI6767 025367 PI6768 025367 PI6506 025367 PI6507 025367	00	07/10/2012	001-2026-451.20-60 001-2026-451.30-48 001-2027-452.20-60 001-2029-451.20-60 001-2029-451.30-48 029-2034-466.20-60 029-2034-466.30-49	BLANKET PURCHASE ORDER BLANKET PURCHASE ORDER BLANKET PURCHASE ORDER BLANKET PURCHASE ORDER BLANKET PURCHASE ORDER BLANKET PURCHASE ORDER BLANKET PURCHASE ORDER	35.00 8.79 52.50 70.00 187.06 52.50 15.80	
						VENDOR TOTAL *	421.65	
0001117 8453	00	FREMONT LOCK & KEY LLC PI6727 026757	00	07/10/2012	001-1209-421.30-79	GENERAL	32.70	
						VENDOR TOTAL *	32.70	

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0001124	00	FREMONT PRINTING CO						
12737	PI6620	026725	00	07/10/2012	001-1002-415.30-35	BLANKET PURCHASE ORDER	32.95	
12737	PI6621	026725	00	07/10/2012	001-1003-415.30-35	BLANKET PURCHASE ORDER	32.95	
12737	PI6622	026725	00	07/10/2012	001-1004-416.30-35	BLANKET PURCHASE ORDER	32.95	
12737	PI6623	026725	00	07/10/2012	001-1004-424.30-35	BLANKET PURCHASE ORDER	32.95	
12737	PI6624	026725	00	07/10/2012	001-1007-415.30-35	BLANKET PURCHASE ORDER	32.95	
12737	PI6625	026725	00	07/10/2012	001-1016-412.30-35	BLANKET PURCHASE ORDER	32.95	
12737	PI6626	026725	00	07/10/2012	001-1209-421.30-35	BLANKET PURCHASE ORDER	1,416.85	
12737	PI6627	026725	00	07/10/2012	001-1305-430.30-35	BLANKET PURCHASE ORDER	131.80	
12737	PI6628	026725	00	07/10/2012	001-2027-452.30-35	BLANKET PURCHASE ORDER	197.70	
12737	PI6629	026725	00	07/10/2012	001-2029-451.30-35	BLANKET PURCHASE ORDER	32.95	
12737	PI6630	026725	00	07/10/2012	001-2031-455.30-35	BLANKET PURCHASE ORDER	98.85	
12747	PI6909	026665	00	07/10/2012	001-2031-455.30-35	GENERAL	97.25	
12737	PI6631	026725	00	07/10/2012	001-2042-440.30-35	BLANKET PURCHASE ORDER	32.95	
12737	PI6632	026725	00	07/10/2012	012-2025-431.30-35	BLANKET PURCHASE ORDER	98.85	
						VENDOR TOTAL *	2,304.90	
0001131	00	FREMONT TRIBUNE						
71679	PI6642	025390	00	07/10/2012	001-1003-415.20-33	BLANKET PURCHASE ORDER	33.71	
71684	PI6643	025390	00	07/10/2012	001-1003-415.20-33	BLANKET PURCHASE ORDER	6.87	
71696	PI6644	025390	00	07/10/2012	001-1003-415.20-33	BLANKET PURCHASE ORDER	51.06	
71714	PI6778	025390	00	07/10/2012	001-1003-415.20-33	BLANKET PURCHASE ORDER	2.55	
71673	PI6641	025390	00	07/10/2012	001-1206-422.20-33	BLANKET PURCHASE ORDER	55.24	
71708	PI6777	025390	00	07/10/2012	001-1206-422.20-33	BLANKET PURCHASE ORDER	2.95	
71630	PI6510	025390	00	07/10/2012	001-2021-412.20-33	BLANKET PURCHASE ORDER	8.51	
71632	PI6511	025390	00	07/10/2012	001-2021-412.20-33	BLANKET PURCHASE ORDER	9.16	
71638	PI6512	025390	00	07/10/2012	001-2021-412.20-33	BLANKET PURCHASE ORDER	8.51	
71640	PI6513	025390	00	07/10/2012	001-2021-412.20-33	BLANKET PURCHASE ORDER	3.93	
71642	PI6514	025390	00	07/10/2012	001-2021-412.20-33	BLANKET PURCHASE ORDER	3.93	
71648	PI6515	025390	00	07/10/2012	001-2021-412.20-33	BLANKET PURCHASE ORDER	4.58	
71671	PI6639	025390	00	07/10/2012	001-2021-412.20-33	BLANKET PURCHASE ORDER	9.82	
71672	PI6640	025390	00	07/10/2012	001-2021-412.20-33	BLANKET PURCHASE ORDER	8.84	
71714	PI6779	025390	00	07/10/2012	001-2021-412.20-33	BLANKET PURCHASE ORDER	5.11	
71689	PI6735	025390	00	07/10/2012	001-2027-452.20-33	BLANKET PURCHASE ORDER	4.58	
60001370	062312	PI6775 025390	00	07/10/2012	001-2029-451.20-33	BLANKET PURCHASE ORDER	930.50	
60001370	062312	PI6776 025390	00	07/10/2012	001-2030-451.20-33	BLANKET PURCHASE ORDER	650.00	
71714	PI6780	025390	00	07/10/2012	001-2031-455.20-33	BLANKET PURCHASE ORDER	2.55	
71714	PI6781	025390	00	07/10/2012	029-2034-466.20-33	BLANKET PURCHASE ORDER	2.55	
						VENDOR TOTAL *	1,804.95	
0002924	00	FREMONT WASTE TRANSFER						
JUNE 2012	000655		00	07/10/2012	001-2027-452.20-99	JUNE 2012	162.82	
JUNE 2012	000656		00	07/10/2012	012-2025-431.20-99	JUNE 2012	14.00	
						VENDOR TOTAL *	176.82	
0006136	00	FRINK, JACOB						
061912	PI6605	026711	00	07/10/2012	001-2029-451.20-99	BLANKET PURCHASE ORDER	67.50	
						VENDOR TOTAL *	67.50	

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VEND NO INVOICE NO	SEQ# VOUCHER NO	VENDOR NAME P.O. NO	BNK	CHECK/DUE DATE	ACCOUNT NO	ITEM DESCRIPTION	CHECK AMOUNT	EFT, EPAY OR HAND-ISSUED AMOUNT
0004897	00	GALE						
96486777		PI6831 025498	00	07/10/2012	001-2031-455.30-51	BLANKET PURCHASE ORDER	239.56	
96532305		PI6832 025498	00	07/10/2012	001-2031-455.30-51	BLANKET PURCHASE ORDER	51.73	
96556647		PI6833 025498	00	07/10/2012	001-2031-455.30-51	BLANKET PURCHASE ORDER	47.23	
96556983		PI6834 025498	00	07/10/2012	001-2031-455.30-51	BLANKET PURCHASE ORDER	217.40	
96557811		PI6835 025498	00	07/10/2012	001-2031-455.30-51	BLANKET PURCHASE ORDER	19.46	
						VENDOR TOTAL *	575.38	
0004197	00	GENERAL RADIOLOGY PC						
042712	EMP#200	PI6677 025440	00	07/10/2012	001-1206-422.20-35	BLANKET PURCHASE ORDER	49.50	
						VENDOR TOTAL *	49.50	
0001139	00	GERHOLD CONCRETE CO INC						
50274981		PI6566 025450	00	07/10/2012	012-2025-431.30-69	BLANKET PURCHASE ORDER	49.30	
50275454		PI6681 025450	00	07/10/2012	012-2025-431.30-69	BLANKET PURCHASE ORDER	574.00	
50275455		PI6682 025450	00	07/10/2012	012-2025-431.30-69	BLANKET PURCHASE ORDER	132.00	
50275616		PI6683 025450	00	07/10/2012	012-2025-431.30-69	BLANKET PURCHASE ORDER	132.00	
50276021		PI6753 025450	00	07/10/2012	012-2025-431.30-69	BLANKET PURCHASE ORDER	287.24	
50276022		PI6754 025450	00	07/10/2012	012-2025-431.30-69	BLANKET PURCHASE ORDER	193.50	
50276159		PI6813 025450	00	07/10/2012	012-2025-431.30-69	BLANKET PURCHASE ORDER	389.00	
						VENDOR TOTAL *	1,757.04	
9999999	00	GROSSE, DEAN						
39875	GROSSE	000669	00	07/10/2012	001-0000-202.04-00	DEAN GROSSE/SENIOR CENTER	50.00	
						VENDOR TOTAL *	50.00	
0005623	00	HANSEN, EMMIE						
060512		PI6600 026707	00	07/10/2012	001-2029-451.20-99	BLANKET PURCHASE ORDER	16.80	
062112		PI6601 026707	00	07/10/2012	001-2029-451.20-99	BLANKET PURCHASE ORDER	149.20	
						VENDOR TOTAL *	166.00	
0005530	00	HOMETOWN LEASING						
45783630	0812	PI6694 025535	00	07/10/2012	001-1015-415.20-70	GENERAL	195.00	
45783227	0812	PI6693 025534	00	07/10/2012	001-1209-421.20-70	GENERAL	19.37	
45783207	0812	PI6692 025534	00	07/10/2012	001-2031-455.20-70	GENERAL	36.44	
						VENDOR TOTAL *	250.81	
0001868	00	HOTSY EQUIPMENT CO						
238549		PI6696 026137	00	07/10/2012	012-2025-431.20-60	FIELD PURCHASE ORDER	169.00	
238549		PI6697 026137	00	07/10/2012	012-2025-431.30-56	FIELD PURCHASE ORDER	356.55	
						VENDOR TOTAL *	525.55	
0000477	00	HOUSTON EQUIPMENT CO INC, STAN						
44096		PI6584 026540	00	07/10/2012	012-2025-431.30-69	FIELD PURCHASE ORDER	1,961.16	
						VENDOR TOTAL *	1,961.16	
0006123	00	HUSKER AUTO GROUP INC						
21111388	062812	PI6760 026537	00	07/10/2012	012-2025-431.40-20	FIELD PURCHASE ORDER	22,500.00	
						VENDOR TOTAL *	22,500.00	

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VEND NO INVOICE NO	SEQ# VOUCHER NO	VENDOR NAME P.O. NO	BNK	CHECK/DUE DATE	ACCOUNT NO	ITEM DESCRIPTION	CHECK AMOUNT	EFT, EPAY OR HAND-ISSUED AMOUNT
0001167	00	HY-VEE						
2109761976		PI6545 025422	00	07/10/2012	001-2029-451.30-41	BLANKET PURCHASE ORDER	35.43	
2109793564		PI6546 025422	00	07/10/2012	001-2029-451.30-41	BLANKET PURCHASE ORDER	214.87	
2109815983		PI6547 025422	00	07/10/2012	001-2029-451.30-41	BLANKET PURCHASE ORDER	11.52	
2110108637		PI6746 025422	00	07/10/2012	001-2029-451.30-79	BLANKET PURCHASE ORDER	19.96	
2110109120		PI6747 025422	00	07/10/2012	001-2029-451.30-41	BLANKET PURCHASE ORDER	60.65	
						VENDOR TOTAL *	342.43	
0005072	00	ICMA MEMBERSHIP						
359396		SHOTKOSKPI6930 026800	00	07/10/2012	001-1002-415.20-13	BLANKET PURCHASE ORDER	917.00	
						VENDOR TOTAL *	917.00	
0006114	00	INDRA MOWING LLC						
87		PI6578 026361	00	07/10/2012	001-2027-452.20-99	GENERAL	1,990.00	
88		PI6896 026361	00	07/10/2012	001-2027-452.20-99	GENERAL	1,842.00	
						VENDOR TOTAL *	3,832.00	
0003543	00	INFORMATION TODAY INC						
1419911-B1		PI6926 026776	00	07/10/2012	001-2031-455.30-51	GENERAL	356.55	
						VENDOR TOTAL *	356.55	
0003621	00	INGRAM LIBRARY SERVICES						
05212595		PI6840 025504	00	07/10/2012	001-2031-455.20-14	BLANKET PURCHASE ORDER	9.07	
05212595		PI6841 025504	00	07/10/2012	001-2031-455.30-51	BLANKET PURCHASE ORDER	16.35	
05235399		PI6842 025504	00	07/10/2012	001-2031-455.20-14	BLANKET PURCHASE ORDER	8.29	
05235399		PI6843 025504	00	07/10/2012	001-2031-455.30-51	BLANKET PURCHASE ORDER	12.87	
05294096		PI6844 025504	00	07/10/2012	001-2031-455.20-14	BLANKET PURCHASE ORDER	9.14	
05294096		PI6845 025504	00	07/10/2012	001-2031-455.30-51	BLANKET PURCHASE ORDER	57.64	
						VENDOR TOTAL *	113.36	
0000485	00	INTERSTATE BATTERY SYSTEM						
66128359		PI6686 025453	00	07/10/2012	001-2027-452.30-63	BLANKET PURCHASE ORDER	104.95	
66128359		PI6687 025453	00	07/10/2012	001-2029-451.30-63	BLANKET PURCHASE ORDER	104.95	
						VENDOR TOTAL *	209.90	
0001426	00	JEO CONSULTING GROUP INC						
69073		PI6899 026484	00	07/10/2012	001-2028-451.40-13	GENERAL	2,427.55	
69020		PI6895 026191	00	07/10/2012	012-2032-431.45-20	FIELD PURCHASE ORDER	6,710.00	
						VENDOR TOTAL *	9,137.55	
0005789	00	KASPAR TREE FARMS INC						
2013		PI6577 026336	00	07/10/2012	001-2027-452.30-79	GENERAL	10,530.00	
						VENDOR TOTAL *	10,530.00	
0006119	00	KERN, CYNTHIA L						
061412		PI6580 026408	00	07/10/2012	001-2027-452.20-99	GENERAL	420.00	
062112		PI6581 026408	00	07/10/2012	001-2027-452.20-99	GENERAL	408.00	
						VENDOR TOTAL *	828.00	

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VEND NO INVOICE NO	SEQ# VOUCHER NO	VENDOR NAME P.O. NO	BNK	CHECK/DUE DATE	ACCOUNT NO	ITEM DESCRIPTION	CHECK AMOUNT	EFT, EPAY OR HAND-ISSUED AMOUNT
0004542	00	KIMBALL MIDWEST						
2485770		PI6585 026611	00	07/10/2012	001-1209-421.30-63	FIELD PURCHASE ORDER	140.32	
2485770		PI6586 026611	00	07/10/2012	012-2025-431.30-56	FIELD PURCHASE ORDER	70.22	
2485770		PI6587 026611	00	07/10/2012	012-2025-431.30-63	FIELD PURCHASE ORDER	70.22	
						VENDOR TOTAL *	280.76	
0005896	00	KRAMES STAYWELL LLC						
6802842		PI6890 025702	00	07/10/2012	001-2029-451.30-51	GENERAL	125.97	
						VENDOR TOTAL *	125.97	
0005064	00	KS SAFETY SOLUTIONS						
124		PI6742 025403	00	07/10/2012	001-2027-452.30-79	BLANKET PURCHASE ORDER	43.80	
						VENDOR TOTAL *	43.80	
0005803	00	LANG, JOHN						
062012		PI6703 026384	00	07/10/2012	024-0772-490.20-99	GENERAL	90.00	
						VENDOR TOTAL *	90.00	
0002898	00	LARSEN INTERNATIONAL						
T68392		PI6526 025413	00	07/10/2012	001-1206-422.30-63	BLANKET PURCHASE ORDER	12.96	
T68394		PI6527 025413	00	07/10/2012	012-2025-431.30-63	BLANKET PURCHASE ORDER	209.91	
T68393		PI6653 025413	00	07/10/2012	012-2025-431.30-63	BLANKET PURCHASE ORDER	248.91	
T68400		PI6654 025413	00	07/10/2012	012-2025-431.30-63	BLANKET PURCHASE ORDER	47.90-	
T68493		PI6655 025413	00	07/10/2012	012-2025-431.30-63	BLANKET PURCHASE ORDER	50.40	
						VENDOR TOTAL *	474.28	
0001215	00	LOU'S SPORTING GOODS						
AAG747779-AG05		PI6757 026447	00	07/10/2012	001-1209-421.30-79	GENERAL	60.00	
AAG74779-AQ07		PI6758 026447	00	07/10/2012	001-1209-421.30-79	GENERAL	17.50	
AAQ749774-AQ00		PI6759 026447	00	07/10/2012	001-1209-421.30-79	GENERAL	8.00-	
AAN747848-AN07		PI6708 026499	00	07/10/2012	001-2029-451.30-52	GENERAL	187.00	
AA742844-AN02		PI6709 026499	00	07/10/2012	001-2029-451.30-52	GENERAL	5.50	
						VENDOR TOTAL *	262.00	
0006147	00	MCKEONE, CODY						
061812		PI6619 026722	00	07/10/2012	001-2029-451.20-99	BLANKET PURCHASE ORDER	20.55	
						VENDOR TOTAL *	20.55	
0001229	00	MENARDS - FREMONT						
50270		PI6660 025414	00	07/10/2012	001-1001-413.30-31	BLANKET PURCHASE ORDER	7.99	
49559		PI6657 025414	00	07/10/2012	001-1011-419.30-56	BLANKET PURCHASE ORDER	73.95	
49510		PI6656 025414	00	07/10/2012	001-2026-451.30-49	BLANKET PURCHASE ORDER	43.45	
49738		PI6658 025414	00	07/10/2012	001-2026-451.30-49	BLANKET PURCHASE ORDER	9.31-	
49761		PI6659 025414	00	07/10/2012	001-2026-451.30-49	BLANKET PURCHASE ORDER	32.27	
50983		PI6793 025414	00	07/10/2012	001-2026-451.30-49	BLANKET PURCHASE ORDER	46.24	
50247		PI6529 025414	00	07/10/2012	001-2027-452.30-32	BLANKET PURCHASE ORDER	17.54	
50247		PI6530 025414	00	07/10/2012	001-2027-452.30-49	BLANKET PURCHASE ORDER	11.42	
50862		PI6532 025414	00	07/10/2012	001-2027-452.30-49	BLANKET PURCHASE ORDER	24.44	
52009		PI6743 025414	00	07/10/2012	001-2027-452.30-58	BLANKET PURCHASE ORDER	85.78	

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VEND NO INVOICE NO	SEQ# VOUCHER NO	VENDOR NAME P.O. NO	BNK	CHECK/DUE DATE	ACCOUNT NO	ITEM DESCRIPTION	CHECK AMOUNT	EFT, EPAY OR HAND-ISSUED AMOUNT
0001229	00	MENARDS - FREMONT						
52754		PI6794 025414	00	07/10/2012	001-2027-452.30-49	BLANKET PURCHASE ORDER	214.95	
53644		PI6796 025414	00	07/10/2012	001-2027-452.30-49	BLANKET PURCHASE ORDER	171.96	
50623		PI6531 025414	00	07/10/2012	001-2029-451.30-49	BLANKET PURCHASE ORDER	55.85	
50977		PI6533 025414	00	07/10/2012	001-2029-451.30-79	BLANKET PURCHASE ORDER	119.94	
52385		PI6744 025414	00	07/10/2012	001-2029-451.30-79	BLANKET PURCHASE ORDER	123.71	
52978		PI6795 025414	00	07/10/2012	001-2029-451.30-79	BLANKET PURCHASE ORDER	142.65	
50209		PI6528 025414	00	07/10/2012	001-2030-451.30-49	BLANKET PURCHASE ORDER	56.68	
52265		PI6661 025414	00	07/10/2012	012-2025-431.30-32	BLANKET PURCHASE ORDER	5.60	
						VENDOR TOTAL *	1,225.11	
0003583	00	MICROMARKETING LLC						
443709		PI6846 025512	00	07/10/2012	001-2031-455.30-51	BLANKET PURCHASE ORDER	41.60	
						VENDOR TOTAL *	41.60	
0003076	00	MID-AMERICAN RESEARCH CHEMICAL CORP						
0472263-IN		PI6915 026741	00	07/10/2012	029-2034-466.30-79	FIELD PURCHASE ORDER	493.11	
						VENDOR TOTAL *	493.11	
0006126	00	MIDWEST MINI MELTS						
15792		PI6900 026570	00	07/10/2012	001-2030-451.30-41	BLANKET PURCHASE ORDER	1,029.25	
						VENDOR TOTAL *	1,029.25	
0002069	00	MIDWEST OUTDOOR POWER LLC						
24700		PI6674 025434	00	07/10/2012	012-2025-431.30-56	BLANKET PURCHASE ORDER	7.50	
						VENDOR TOTAL *	7.50	
0001702	00	MIDWEST RADIATOR LLC						
47087		PI6597 026703	00	07/10/2012	012-2025-431.30-63	FIELD PURCHASE ORDER	585.00	
						VENDOR TOTAL *	585.00	
0001839	00	MIDWEST TURF & IRRIGATION						
3594338-00		PI6714 026673	00	07/10/2012	001-2027-452.30-56	GENERAL	1,198.16	
3594338-00		PI6715 026673	00	07/10/2012	001-2042-440.30-56	GENERAL	1,014.29	
3594338-01		PI6716 026673	00	07/10/2012	001-2042-440.30-56	GENERAL	101.20	
						VENDOR TOTAL *	2,313.65	
0005792	00	MOTION PICTURE LICENSING CORP						
503783285		PI6913 026724	00	07/10/2012	001-2031-455.20-93	GENERAL	161.62	
						VENDOR TOTAL *	161.62	
0005038	00	MUNICIPAL EMERGENCY SERVICE-FREMONT						
00316213		PI6567 025456	00	07/10/2012	001-1206-422.30-33	BLANKET PURCHASE ORDER	146.38	
00321019		PI6688 025456	00	07/10/2012	001-1206-422.20-60	BLANKET PURCHASE ORDER	74.00	
00321019		PI6689 025456	00	07/10/2012	001-1206-422.30-56	BLANKET PURCHASE ORDER	58.90	
						VENDOR TOTAL *	279.28	
0004429	00	NEBR ASSOC TRANSPORTATION PROVIDERS						
2012 FEE		PI6766 026773	00	07/10/2012	025-2074-433.20-99	FIELD PURCHASE ORDER	70.00	

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VEND NO INVOICE NO	SEQ# VOUCHER NO	VENDOR NAME P.O. NO	BNK	CHECK/DUE DATE	ACCOUNT NO	ITEM DESCRIPTION	CHECK AMOUNT	EFT, EPAY OR HAND-ISSUED AMOUNT
0001020	00	O'REILLY AUTOMOTIVE INC						
						VENDOR TOTAL *	893.84	
0005346 576318	00	OAKSTONE PUBLISHING LLC PI6912 026688 00	00	07/10/2012	063-0663-480.20-93	BLANKET PURCHASE ORDER	273.24	
						VENDOR TOTAL *	273.24	
0002888 646943-0 645317-0 647302-0 646368-0 645357-0 646943-0 645217-0 647304-0 646611-0 645217-0 646946-0	00	OFFICENET PI6849 025536 00 PI6722 026696 00 PI6853 025539 00 PI6920 026760 00 PI6721 026695 00 PI6850 025536 00 PI6719 026687 00 PI6852 025538 00 PI6924 026768 00 PI6720 026687 00 PI6851 025537 00	00	07/10/2012	001-1004-424.20-70 001-1016-414.30-31 001-1206-422.20-70 001-1206-422.30-31 001-1209-421.30-31 001-1305-430.20-70 001-2029-451.30-31 001-2029-451.20-70 001-2029-451.30-31 001-2030-451.30-31 001-2031-455.20-70	BLANKET PURCHASE ORDER BLANKET PURCHASE ORDER BLANKET PURCHASE ORDER GENERAL GENERAL BLANKET PURCHASE ORDER GENERAL BLANKET PURCHASE ORDER GENERAL GENERAL BLANKET PURCHASE ORDER	29.03 31.50 94.25 32.90 759.87 29.04 2.49 103.29 306.95 36.95 27.96	
						VENDOR TOTAL *	1,454.23	
0002971 M58622	00	OMAHA DOOR & WINDOW CO INC PI6583 026536 00	00	07/10/2012	001-2028-451.30-49	BLANKET PURCHASE ORDER	561.40	
						VENDOR TOTAL *	561.40	
0001842 KP2233	00	OMAHA TRACTOR INC PI6922 026764 00	00	07/10/2012	001-2027-452.30-56	FIELD PURCHASE ORDER	269.35	
						VENDOR TOTAL *	269.35	
0001477 9407-120531	00	OMAHA WORLD-HERALD PI6575 025529 00	00	07/10/2012	001-2027-452.20-33	BLANKET PURCHASE ORDER	244.81	
						VENDOR TOTAL *	244.81	
0004088 1121	00	OMAHA'S HENRY DOORLY ZOO PI6713 026671 00	00	07/10/2012	001-2029-451.20-16	GENERAL	522.50	
						VENDOR TOTAL *	522.50	
0001625 CO65208712	00	OTIS ELEVATOR CO PI6574 025491 00	00	07/10/2012	001-1209-421.20-65	GENERAL	124.77	
						VENDOR TOTAL *	124.77	
0001268 107284 107284	00	P & H ELECTRIC INC PI6588 026615 00 PI6589 026615 00	00	07/10/2012	001-2028-451.20-60 001-2028-451.30-49	GENERAL GENERAL	810.00 27.30	
						VENDOR TOTAL *	837.30	
0001269 14831	00	PAPA TRUCKING AND GRADING INC PI6917 026751 00	00	07/10/2012	001-2027-452.30-73	GENERAL	1,127.61	
						VENDOR TOTAL *	1,127.61	

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VEND NO INVOICE NO	SEQ# VOUCHER NO	VENDOR NAME P.O. NO	BNK	CHECK/DUE DATE	ACCOUNT NO	ITEM DESCRIPTION	CHECK AMOUNT	EFT, EPAY OR HAND-ISSUED AMOUNT
0001276	00	PEST-TROL						
14743		PI6552 025437	00	07/10/2012	001-2026-451.20-99	BLANKET PURCHASE ORDER	187.00	
14743		PI6553 025437	00	07/10/2012	001-2027-452.20-99	BLANKET PURCHASE ORDER	42.00	
14743		PI6554 025437	00	07/10/2012	001-2029-451.20-99	BLANKET PURCHASE ORDER	31.00	
						VENDOR TOTAL *	260.00	
9999999	00	PETERSON, DOREEN						
39917		PETERSON 000670	00	07/10/2012	001-0000-202.04-00	DOREEN PETERSON/MOLLER	50.00	
						VENDOR TOTAL *	50.00	
0006090	00	PHIL CHALMERS ENTERPRISES						
082812		TRAININGPI6582 026411	00	07/10/2012	001-1209-421.20-13	GENERAL	338.00	
						VENDOR TOTAL *	338.00	
0005545	00	PLATTE MECHANICAL INC						
14037		PI6763 026770	00	07/10/2012	001-1209-421.20-11	GENERAL	30.00	
14037		PI6764 026770	00	07/10/2012	001-1209-421.20-60	GENERAL	225.00	
14037		PI6765 026770	00	07/10/2012	001-1209-421.30-33	GENERAL	87.49	
						VENDOR TOTAL *	342.49	
0002919	00	PLATTE VALLEY EQUIPMENT LLC						
556261		PI6550 025429	00	07/10/2012	001-2027-452.30-56	BLANKET PURCHASE ORDER	107.51	
556581		PI6808 025429	00	07/10/2012	001-2027-452.30-56	BLANKET PURCHASE ORDER	293.28	
556417		PI6672 025429	00	07/10/2012	012-2025-431.30-56	BLANKET PURCHASE ORDER	16.70	
556470		PI6673 025429	00	07/10/2012	012-2025-431.30-63	BLANKET PURCHASE ORDER	37.27	
						VENDOR TOTAL *	454.76	
0006084	00	PRUDENT TECHNOLOGIES INC						
112033		PI6894 025983	00	07/10/2012	040-2037-415.45-13	BLANKET PURCHASE ORDER	72,896.03	
						VENDOR TOTAL *	72,896.03	
0002876	00	RAWHIDE CHEMOIL INC						
144683		PI6520 025393	00	07/10/2012	001-1206-422.30-44	BLANKET PURCHASE ORDER	462.89	
144681		PI6519 025393	00	07/10/2012	001-2042-440.30-44	BLANKET PURCHASE ORDER	762.37	
						VENDOR TOTAL *	1,225.26	
0001943	00	ROSE EQUIPMENT INC						
AI45234		PI6592 026679	00	07/10/2012	012-2025-431.30-56	FIELD PURCHASE ORDER	1,335.41	
						VENDOR TOTAL *	1,335.41	
0001304	00	SAWYER CONSTRUCTION CO						
061312		PI6551 025431	00	07/10/2012	001-2027-452.30-69	BLANKET PURCHASE ORDER	105.00	
						VENDOR TOTAL *	105.00	
0001305	00	SAWYER GAS N WASH INC						
62812-28		PI6809 025433	00	07/10/2012	001-1004-424.20-99	BLANKET PURCHASE ORDER	9.95	
						VENDOR TOTAL *	9.95	
0006144	00	SCHUMACHER, EMMA						

PROGRAM: GM339L

AS OF: 07/10/2012

CHECK DATE: 07/10/2012

City of Fremont

General Fund

BANK: 00

VEND NO INVOICE NO	SEQ# VOUCHER NO	VENDOR NAME P.O. NO	BNK	CHECK/DUE DATE	ACCOUNT NO	ITEM DESCRIPTION	CHECK AMOUNT	EFT, EPAY OR HAND-ISSUED AMOUNT
0006144	00	SCHUMACHER, EMMA						
061912		PI6614 026719	00	07/10/2012	001-2029-451.20-99	BLANKET PURCHASE ORDER	54.30	
062112		PI6615 026719	00	07/10/2012	001-2029-451.20-99	BLANKET PURCHASE ORDER	27.00	
						VENDOR TOTAL *	81.30	
0001079	00	SEARS MD, MARTIN F						
061912	EMP#141	PI6516 025392	00	07/10/2012	001-1206-422.20-35	BLANKET PURCHASE ORDER	231.00	
061912	EMP#141	PI6517 025392	00	07/10/2012	001-1206-422.20-35	BLANKET PURCHASE ORDER	30.00	
061912	EMP#141	PI6518 025392	00	07/10/2012	001-1206-422.20-35	BLANKET PURCHASE ORDER	233.00	
						VENDOR TOTAL *	494.00	
0001308	00	SHERWIN-WILLIAMS CO						
5789-7		PI6548 025426	00	07/10/2012	001-2027-452.30-49	BLANKET PURCHASE ORDER	210.54	
5814-3		PI6549 025426	00	07/10/2012	001-2027-452.30-49	BLANKET PURCHASE ORDER	40.68	
5927-3		PI6749 025426	00	07/10/2012	001-2027-452.30-49	BLANKET PURCHASE ORDER	242.30	
6100-6		PI6807 025426	00	07/10/2012	001-2029-451.30-49	BLANKET PURCHASE ORDER	40.59	
6071-9		PI6806 025426	00	07/10/2012	012-2025-431.30-56	BLANKET PURCHASE ORDER	34.60	
						VENDOR TOTAL *	568.71	
0005761	00	SPIES, DANIEL						
061812		PI6599 026706	00	07/10/2012	001-2029-451.20-99	BLANKET PURCHASE ORDER	27.00	
						VENDOR TOTAL *	27.00	
9999999	00	SPIES, KELLI						
062612	SPIES	000644	00	07/10/2012	001-1206-422.20-99	KELLI SPIES/CREDIT MNGMNT	79.44	
						VENDOR TOTAL *	79.44	
0003276	00	STANLEY SECURITY SOLUTIONS INC						
902086216		PI6897 026461	00	07/10/2012	001-2027-452.20-99	GENERAL	34.59	
902086216		PI6898 026461	00	07/10/2012	001-2027-452.30-49	GENERAL	751.02	
						VENDOR TOTAL *	785.61	
0003375	00	STATE OF NEBRASKA - CELLULAR						
759217		PI6695 025545	00	07/10/2012	001-1015-415.20-12	BLANKET PURCHASE ORDER	958.66	
759274		PI6691 025494	00	07/10/2012	001-1209-421.20-70	GENERAL	704.00	
						VENDOR TOTAL *	1,662.66	
0004033	00	STATEWIDE EMS CONFERENCE						
062612	PETERS	PI6633 026732	00	07/10/2012	001-1206-422.20-13	FIELD PURCHASE ORDER	165.00	
						VENDOR TOTAL *	165.00	
0005494	00	SUNGARD PUBLIC SECTOR INC						
51994		PI6579 026369	00	07/10/2012	001-1011-419.20-13	BLANKET PURCHASE ORDER	320.00	
						VENDOR TOTAL *	320.00	
0006133	00	SWEPPER PARTS SALES INC						
6295		PI6916 026743	00	07/10/2012	012-2025-431.30-56	FIELD PURCHASE ORDER	833.86	
6304		PI6921 026761	00	07/10/2012	012-2025-431.30-56	FIELD PURCHASE ORDER	598.80	
						VENDOR TOTAL *	1,432.66	

PROGRAM: GM339L
 City of Fremont
 General Fund

AS OF: 07/10/2012 CHECK DATE: 07/10/2012

BANK: 00

VEND NO INVOICE NO	SEQ# VOUCHER NO	VENDOR NAME P.O. NO	BNK	CHECK/DUE DATE	ACCOUNT NO	ITEM DESCRIPTION	CHECK AMOUNT	EFT, EPAY OR HAND-ISSUED AMOUNT
0000324 24797 24797	00	SYLVAN STUDIO PI6906 026644	00	07/10/2012	001-2029-451.20-99	GENERAL	13.38	
		PI6907 026644	00	07/10/2012	001-2029-451.30-79	GENERAL	150.00	
VENDOR TOTAL *							163.38	
0002848 T297503 T298318	00	TERRACON CONSULTANTS INC PI6892 025817	00	07/10/2012	040-2037-415.45-13	BLANKET PURCHASE ORDER	32,558.61	
		PI6893 025817	00	07/10/2012	040-2037-415.45-13	BLANKET PURCHASE ORDER	11,500.00	
VENDOR TOTAL *							44,058.61	
9999999 35448	00	TIERNEY, TABITHA TIERNEY 000643	00	07/10/2012	001-2029-347.00-00	TABITHA TIERNEY/ZOO TRIP	15.00	
VENDOR TOTAL *							15.00	
0003598 0113917	00 0712	TIME WARNER CABLE PI6848 025527	00	07/10/2012	001-1011-419.20-12	GENERAL	103.39	
VENDOR TOTAL *							103.39	
0005179 28249 116125 116322	00	TRACTOR SUPPLY CREDIT PLAN PI6671 025417	00	07/10/2012	001-2042-440.30-49	BLANKET PURCHASE ORDER	9.98	
		PI6537 025417	00	07/10/2012	012-2025-431.30-79	BLANKET PURCHASE ORDER	199.99	
		PI6538 025417	00	07/10/2012	012-2025-431.30-79	BLANKET PURCHASE ORDER	20.00	
VENDOR TOTAL *							189.97	
0001345 062712	00	TRADE 'N' POST PI6925 026772	00	07/10/2012	001-2027-452.30-56	GENERAL	55.00	
VENDOR TOTAL *							55.00	
0001350 488993	00	TROPHY CASE PI6748 025423	00	07/10/2012	001-2029-451.30-79	BLANKET PURCHASE ORDER	66.00	
VENDOR TOTAL *							66.00	
9999999 38035	00	TTT TTT TTT 000646	00	07/10/2012	001-0000-202.04-00	TTT TTT-S WILKENING/MOLLR	50.00	
VENDOR TOTAL *							50.00	
0006012 061912	00	VANEK, CARLIE PI6638 026754	00	07/10/2012	001-2029-451.20-99	BLANKET PURCHASE ORDER	65.20	
VENDOR TOTAL *							65.20	
0006139 061412 061912	00	VITAMVAS, RILEY PI6608 026714	00	07/10/2012	001-2029-451.20-99	BLANKET PURCHASE ORDER	13.70	
		PI6609 026714	00	07/10/2012	001-2029-451.20-99	BLANKET PURCHASE ORDER	67.20	
VENDOR TOTAL *							80.90	
0005211 0016868 0016868	00	WATCHGUARD VIDEO PI6711 026598	00	07/10/2012	001-1209-421.20-11	GENERAL	8.00	
		PI6712 026598	00	07/10/2012	001-1209-421.30-33	GENERAL	150.00	
VENDOR TOTAL *							158.00	

BANK: 00

VEND NO INVOICE NO	SEQ# VOUCHER NO	VENDOR NAME P.O. NO	BNK	CHECK/DUE DATE	ACCOUNT NO	ITEM DESCRIPTION	CHECK AMOUNT	EFT, EPAY OR HAND-ISSUED AMOUNT
0001374	00	WHITMER WELDING SUPPLIES INC						
251819		PI6539 025420	00	07/10/2012	001-1206-422.30-32	BLANKET PURCHASE ORDER	57.15	
252026		PI6540 025420	00	07/10/2012	001-1206-422.30-32	BLANKET PURCHASE ORDER	92.10	
252196		PI6541 025420	00	07/10/2012	001-1206-422.30-32	BLANKET PURCHASE ORDER	30.95	
252544		PI6542 025420	00	07/10/2012	001-1206-422.30-32	BLANKET PURCHASE ORDER	44.05	
253456		PI6805 025420	00	07/10/2012	001-1206-422.30-44	BLANKET PURCHASE ORDER	15.89	
253332		PI6544 025420	00	07/10/2012	001-2027-452.30-32	BLANKET PURCHASE ORDER	49.45	
253209		PI6543 025420	00	07/10/2012	001-2030-451.30-32	BLANKET PURCHASE ORDER	28.15	
						VENDOR TOTAL *	317.74	
0005116	00	WIESE PLUMBING & EXCAVATING INC						
7497		PI6509 025368	00	07/10/2012	001-2026-451.20-60	BLANKET PURCHASE ORDER	185.00	
7557		PI6914 026734	00	07/10/2012	001-2028-451.40-13	GENERAL	2,215.00	
7550		PI6734 025368	00	07/10/2012	001-2030-451.20-60	BLANKET PURCHASE ORDER	106.00	
7560		PI6773 025368	00	07/10/2012	001-2030-451.20-60	BLANKET PURCHASE ORDER	79.50	
7590		PI6774 025368	00	07/10/2012	001-2030-451.20-60	BLANKET PURCHASE ORDER	79.50	
7485		PI6771 025368	00	07/10/2012	001-2031-455.20-60	BLANKET PURCHASE ORDER	53.00	
7485		PI6772 025368	00	07/10/2012	001-2031-455.30-49	BLANKET PURCHASE ORDER	15.00	
						VENDOR TOTAL *	2,733.00	
0003614	00	WILDLIFE LEARNING ENCOUNTERS						
070912		PI6761 026692	00	07/10/2012	001-2031-455.20-99	GENERAL	525.00	
						VENDOR TOTAL *	525.00	
0005115	00	WRIGHT, NANCY L						
061312		PI6571 025476	00	07/10/2012	001-1209-421.20-99	BLANKET PURCHASE ORDER	25.00	
061812		PI6572 025476	00	07/10/2012	001-1209-421.20-99	BLANKET PURCHASE ORDER	43.75	
061812		PI6573 025476	00	07/10/2012	001-1209-421.20-99	BLANKET PURCHASE ORDER	25.00	
						VENDOR TOTAL *	93.75	
0005285	00	ZELAZNY, JERRY						
3024		PI6903 026630	00	07/10/2012	001-2027-452.30-56	GENERAL	350.00	
						VENDOR TOTAL *	350.00	
0006151	00	ZOOK, ROBERT						
3		PI6919 026758	00	07/10/2012	001-2031-455.20-99	GENERAL	420.00	
						VENDOR TOTAL *	420.00	
		00 General Fund				BANK TOTAL *	430,735.27	15,933.75

PROGRAM: GM339L

AS OF: 07/10/2012

CHECK DATE: 07/10/2012

City of Fremont

Employee Benefits

BANK: 01

VEND NO	SEQ#	VENDOR NAME	BNK	CHECK/DUE	ACCOUNT	ITEM	CHECK	EFT, EPAY OR	
INVOICE	VOUCHER	P.O.		DATE	NO	DESCRIPTION	AMOUNT	HAND-ISSUED	
NO	NO	NO						AMOUNT	
0005077	00	FORT DEARBORN LIFE INSURANCE CO							
JULY 2012	PI6883	025658	01	07/10/2012	060-0660-441.70-08	BLANKET PURCHASE ORDER	4,169.71		
VENDOR TOTAL *							4,169.71		
0005708	00	REGIONAL CARE INC							
07/02/12	MANUAL000661		01	07/02/2012	060-0660-441.70-01	07/02/12 AUTO CLAIMS	CHECK #: 100202	3,718.57	
07/02/12	MANUAL000662		01	07/02/2012	060-0660-441.70-03	JULY 2012 ADMIN FEES	CHECK #: 100203	5,627.00	
07/02/12	MANUAL000663		01	07/02/2012	060-0660-441.70-02	JULY 2012 REINSURANCE	CHECK #: 100203	41,657.22	
07/02/12	MANUAL000664		01	07/02/2012	060-0660-441.70-05	JULY 2012 PPO FEES	CHECK #: 100203	1,330.00	
07/05/12	MANUAL000672		01	07/05/2012	060-0660-441.70-01	07/05/12 MANUAL CLAIMS	CHECK #: 100204	59,596.46	
VENDOR TOTAL *							.00	111,929.25	
0005078	00	SUN LIFE FINANCIAL							
JULY 2012	PI6882	025657	01	07/10/2012	060-0660-441.70-06	BLANKET PURCHASE ORDER	3,071.33		
VENDOR TOTAL *							3,071.33		
01 Employee Benefits							BANK TOTAL *	7,241.04	111,929.25

PROGRAM: GM339L

AS OF: 07/10/2012

CHECK DATE: 07/10/2012

City of Fremont

Special Revenue

BANK: 02

VEND NO	SEQ#	VENDOR NAME	BNK	CHECK/DUE	ACCOUNT	ITEM	CHECK	EFT, EPAY OR
INVOICE	VOUCHER	P.O.		DATE	NO	DESCRIPTION	AMOUNT	HAND-ISSUED
NO	NO	NO						AMOUNT
0003361	00	CITY OF FREMONT						
APR/MAY12	ST CT000647		02	07/10/2012	011-0000-207.00-00	APR/MAY '12 ST CAPITAL TR	117,484.21	
9498	000650		02	07/10/2012	011-2055-495.99-00	JULY 2012 POLICE	54,166.67	
9498	000651		02	07/10/2012	011-2055-495.99-00	JULY 2012 FIRE	54,166.67	
9498	000652		02	07/10/2012	011-2057-495.99-00	JULY 2012	157,166.67	
VENDOR TOTAL *							382,984.22	
02 Special Revenue			BANK TOTAL *				382,984.22	

PROGRAM: GM339L

AS OF: 07/10/2012

CHECK DATE: 07/10/2012

City of Fremont

Keno Fund

BANK: 04

VEND NO	SEQ#	VENDOR NAME	INVOICE NO	VOUCHER NO	P.O. NO	BNK	CHECK/DUE DATE	ACCOUNT NO	ITEM DESCRIPTION	CHECK AMOUNT	EFT, EPAY OR HAND-ISSUED AMOUNT	
0003361	00	CITY OF FREMONT										
MAR-MAY12	KENOCT000648					04	07/10/2012	020-0000-207.00-00	MAR-MAY '12 KENO CAP TFRS	36,765.82		
9492	000649					04	07/10/2012	020-2066-495.99-00	JULY 2012 KENO LIBRARY	3,333.33		
VENDOR TOTAL *										40,099.15		
0002924	00	FREMONT WASTE TRANSFER										
JUNE 2012	000657					04	07/10/2012	020-2066-490.60-21	JUNE 2012	74.01		
VENDOR TOTAL *										74.01		
04 Keno Fund										BANK TOTAL *	40,173.16	

PROGRAM: GM339L

AS OF: 07/10/2012 CHECK DATE: 07/10/2012

City of Fremont

E911

BANK: 09

VEND NO	SEQ#	VENDOR NAME	BNK	CHECK/DUE	ACCOUNT	ITEM	CHECK	EFT, EPAY OR
INVOICE	VOUCHER	P.O.		DATE	NO	DESCRIPTION	AMOUNT	HAND-ISSUED
NO	NO	NO						AMOUNT
0001759	00	ATS "THE BEEPER PEOPLE"						
4386261		PI6690 025485	09	07/10/2012	033-0789-421.20-12	BLANKET PURCHASE ORDER	308.39	
						VENDOR TOTAL *	308.39	
0002675	00	CENTURYLINK (QWEST)						
4026440105		0612PI6645 025391	09	07/10/2012	035-0789-421.20-12	BLANKET PURCHASE ORDER	1,794.60	
						VENDOR TOTAL *	1,794.60	
			09	E911		BANK TOTAL *	2,102.99	

BANK: 10

VEND NO INVOICE NO	SEQ# VOUCHER NO	VENDOR NAME P.O. NO	BNK	CHECK/DUE DATE	ACCOUNT NO	ITEM DESCRIPTION	CHECK AMOUNT	EFT, EPAY OR HAND-ISSUED AMOUNT	
0003816	00	CITY OF BLAIR							
1978		PI6823 025486	10	07/10/2012	034-0790-421.20-13	BLANKET PURCHASE ORDER	70.32		
1978		PI6824 025486	10	07/10/2012	034-0790-421.20-32	BLANKET PURCHASE ORDER	6,500.95		
1978		PI6825 025486	10	07/10/2012	034-0790-421.20-32	BLANKET PURCHASE ORDER	195.89		
VENDOR TOTAL *							6,767.16		
0003909	00	FIRST NATIONAL BANK OMAHA							
22264189	062812	PI6821 025483	10	07/10/2012	034-0790-421.30-44	BLANKET PURCHASE ORDER	65.59		
23055263	062812	PI6822 025483	10	07/10/2012	034-0790-421.30-44	BLANKET PURCHASE ORDER	41.83		
VENDOR TOTAL *							107.42		
0004650	00	INTERSTATE ALL BATTERY CENTER							
1710299002620		PI6723 026739	10	07/10/2012	034-0790-421.30-31	GENERAL	67.98		
VENDOR TOTAL *							67.98		
0004512	00	NEXTEL COMMUNICATIONS							
232074087-115		PI6820 025482	10	07/10/2012	034-0790-421.20-12	BLANKET PURCHASE ORDER	330.86		
VENDOR TOTAL *							330.86		
10 Drug Task Force							BANK TOTAL *	7,273.42	
							HAND ISSUED TOTAL ***	111,929.25	
							EFT/EPAY TOTAL ***	15,933.75	
							TOTAL EXPENDITURES ****	870,510.10	127,863.00
GRAND TOTAL *****								998,373.10	

STAFF REPORT

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: KIM VOLK, CITY CLERK

DATE: July 5, 2012

SUBJECT: CONSUME ALCOHOL

Recommendation: Approve Resolution permitting consumption of alcohol on City property

Background: Per State Statute permission to consume on public property must be approved local government.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF FREMONT, NEBRASKA, APPROVING CONSUMPTION OF ALCOHOLIC BEVERAGES ON CITY PROPERTY AS FOLLOWS: MOLLER CENTER (7/27/12, 9/8/12)

Requestor:	Date:	Purpose:	City Property:
Ron and Rhonda Chada	July 27, 2012	wedding rehearsal dinner	Moller Center
Veronica Hurtado ,	September 8, 2012	baptism	Moller Center

PASSED AND APPROVED THIS _____ DAY OF _____, 2012

Scott Getzschman, Mayor

ATTEST:

Kimberly Volk, MMC, City Clerk

CITY OF
FREMONT
NEBRASKA A PARTNERED CITY

PERMISSION TO CONSUME ALCOHOL ON CITY PROPERTY FORM
RETURN FORM **IMMEDIATELY** TO THE OFFICE OF THE CITY CLERK. EMAIL, FAX OR MAIL THE FORM:
CITY CLERK, 400 EAST MILITARY, FREMONT NE 68025 FAX: 402.727.2778
KIM.VOLK@FREMONTNE.GOV OR LYNNE.MCINTOSH@FREMONTNE.GOV

You cannot consume alcohol on City property without City Council approval. City Council meets the 2nd and last Tuesday of every month. Agenda deadline is Thursday before the meeting.

On behalf of Ron & Rhonda Chada, I respectfully request permission
Organization or Individual

to consume alcohol beverages on July 27, 12 at Moller Center
Date Location

for a rehearsal dinner for wedding
Type of Event

****Please indicate which facility you will be renting****

Christensen Field or City Auditorium

I understand that I must contract with a retail liquor license holder to procure a **special designated permit** from the City Council and the Nebraska Liquor Control Commission. The City Council meets the 2nd and last Tuesday of every month. The alcohol caterer can advise you of necessary time frames or you can call the City Clerk's office with questions regarding Special Designated Permits at 402/727-2633. I further understand that I must hire security for the event in the number as required by the Parks and Recreation Department and the Chief of Police. The security must be hired at least two weeks prior to the event.

Moller Center

I understand that I have been designated as the individual responsible for ensuring that minors are not served alcoholic beverages at this event. If there is an exchange of money for alcohol or setups or the event is open to the public (not by invitation only) and liquor is consumed on any basis, you need a Special Designated Permit from the City Council and the Nebraska Liquor Control Commission as described above.

I have read and understand the printed requirements for the facility that I have indicated above:

Rhonda Chada
Print Name

Rhonda Chada
Signature

1721 N Sheridan North Platte, NE 69101 308-532-9016
Address City State & Zip Phone

CITY OF
FREMONT
NEBRASKA

PERMISSION TO CONSUME ALCOHOL ON CITY PROPERTY FORM
RETURN FORM **IMMEDIATELY** TO THE OFFICE OF THE CITY CLERK. EMAIL, FAX OR MAIL THE FORM:
CITY CLERK, 400 EAST MILITARY, FREMONT NE 68025 FAX: 402.727.2778
KIM.VOLK@FREMONTNE.GOV OR LYNNE.MCINTOSH@FREMONTNE.GOV
You cannot consume alcohol on City property without City Council approval. City Council meets the 2nd
and last Tuesday of every month. Agenda deadline is Thursday before the meeting.

On behalf of VERONICA HURTADO, I respectfully request permission
Organization or Individual
to consume alcohol beverages on SEPT 8, 2012 at MOLLER CENTER
Date Location
for a BAPTISM
Type of Event

****Please indicate which facility you will be renting****

Christensen Field or City Auditorium

I understand that I must contract with a retail liquor license holder to procure a **special designated permit** from the City Council and the Nebraska Liquor Control Commission. The City Council meets the 2nd and last Tuesday of every month. The alcohol caterer can advise you of necessary time frames or you can call the City Clerk's office with questions regarding Special Designated Permits at 402/727-2633. I further understand that I must hire security for the event in the number as required by the Parks and Recreation Department and the Chief of Police. The security must be hired at least two weeks prior to the event.

Moller Center

I understand that I have been designated as the individual responsible for ensuring that minors are not served alcoholic beverages at this event. If there is an exchange of money for alcohol or setups or the event is open to the public (not by invitation only) and liquor is consumed on any basis, you need a Special Designated Permit from the City Council and the Nebraska Liquor Control Commission as described above.

I have read and understand the printed requirements for the facility that I have indicated above:

_____	<u>Verónica Hurtado</u>
Print Name	Signature
<u>809 S. BROAD LOT 34</u>	<u>402-238-8431</u>
Address City State & Zip	Phone

STAFF REPORT

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: KIM VOLK, CITY CLERK

DATE: July 5, 2012

SUBJECT: SPECIAL DESIGNATED PERMITS

Recommendation: Approve Resolution approving special designated permit application

Background: The Police Department does not have any issues with the request. Event will be monitored for compliance with all rules and regulations.

RESOLUTION NO.

A Resolution of the City Council of the City of Fremont, Nebraska, approving Special Designated Permit application for DeSauce Developments (8/11/12, 8/17/12); Whis's End Zone (7/22/12).

RESOLVED: That the Fremont City Council approve the Special Designated Permit application as outlined herein:

<u>Requestor</u>	<u>Property</u>	<u>Date</u>	<u>Purpose</u>
DeSauce Developments	541 North Broad	August 11, 2012	reception
DeSauce Developments	1710 West 16th	August 17, 2012	reception
Whis's End Zone Lounge	845 South Broad	July 22, 2012	fundraiser, beer garden

PASSED AND APPROVED THIS _____ DAY OF _____, 2012

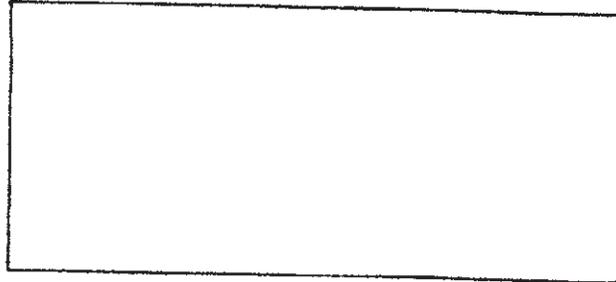
Scott Getzschman, Mayor

ATTEST:

Kimberly Volk, MMC, City Clerk

APPLICATION FOR SPECIAL DESIGNATED LICENSE

NEBRASKA LIQUOR CONTROL COMMISSION
301 CENTENNIAL MAIL SOUTH
PO BOX 95046
LINCOLN, NE 68509-5046
PHONE: (402) 471-2571
FAX: (402) 471-2814
Website: www.lcc.ne.gov/



RETAIL LICENSE HOLDERS

NON PROFIT APPLICANTS Non Profit Status (check one that best applies)
Municipal Political Fine Arts Fraternal Religious Charitable Public Service

COMPLETE ALL QUESTIONS

1. Type of alcohol to be served and/or consumed: Beer Wine Distilled Spirits

2. Liquor license number and class (i.e. C-55441) (If you're a nonprofit organization leave blank) CK43172

3. Licensee name (last, first,), corporate name or limited liability company (LLC) name (As it reads on your liquor license)
NAME: Desance Development/Wooden Windmill Inspiro
ADDRESS: 1155 - 50 - Broad
CITY Fremont ZIP 68025

4. Location where event will be held; name, address, city, county, zip code
BUILDING NAME Love Opera House
ADDRESS: 541 W. Broad CITY Fremont
ZIP 68025 COUNTY and COUNTY # Dodge # 5

- a. Is this location within the city/village limits? YES NO
- b. Is this location within the 150' of church, school, hospital or home for aged/indigent or for veterans their wives? YES NO
- c. Is this location within 300' of any university or college campus? YES NO

5. Date(s) and Time(s) of event (no more than six (6) consecutive days on one application)

Date <u>9-11-12</u>	Date _____				
Hours <u>8:00 AM</u>	Hours _____				
From _____	From _____	From _____	From _____	From _____	From _____
To <u>1:00 AM</u>	To _____				

a. Alternate date: _____

b. Alternate location: _____
 (Alternate date or location must be specified in local approval)

6. Indicate type of activity to be carried on during event:
 Dance Reception Fund Raiser Beer Garden Sampling/Tasting Other _____

7. Description of area to be licensed
 Inside building, dimensions of area to be covered IN FEET 200' x 110'
 Outdoor area dimensions of area to be covered IN FEET _____ x _____
 (not square feet or acres)

INCLUDE SKETCH IF OUTDOOR AREA

If outdoor area, how will premises be enclosed?

Fence type of fence; snow fence chain link cattle panel other _____

Tent

Other : explain _____

8. How many attendees do you expect at event? 200

9. If over 150 attendees. Indicate the steps that will be taken to prevent underage persons from obtaining alcohol beverages. (Attach separate sheet if needed)
Security - Bands - Special cups

10. Will premises to be covered by license comply with all Nebraska sanitation laws? YES NO

a. Are there separate toilets for both men and women? YES NO

11. Where will you be purchasing your alcohol? Wholesaler Retailer Both BYO

12. Will there be any games of chance operating during the event? YES NO

If so, describe activity _____

NOTE: Only games of chance approved by the Department of Revenue, Charitable Gaming Division are permitted. All other forms of gambling are prohibited by State Law: There are no exceptions for Non Profit Organizations or any events raising funds for a charity. This is only an application for a Special Designated License under the Liquor Control Act and is not a gambling permit application.

13. Any other information or requests for exemptions: _____

14. Name and telephone number/cell phone number of immediate supervisor. This person will be at the location of the event when it occurs, able to answer any questions from Commission and/or law enforcement before and during the event, and who will be responsible for ensuring that any applicable laws, ordinances, rules and regulations are adhered to.

Print name of Event Supervisor Tia K Mentzer

Signature of Event Supervisor Tia K Mentzer

Phone of Event Supervisor: Before 402-719-4248 During same

Consent of Authorized Representative/Applicant

15. I declare that I am the authorized representative of the above named license applicant and that the statements made on this application are true to the best of my knowledge and belief. I also consent to an investigation of my background including all records of every kind including police records. I agree to waive any rights or causes of action against the Nebraska Liquor Control Commission, the Nebraska State Patrol or any other individual releasing said information to the Liquor Control Commission or the Nebraska State Patrol. I further declare that the license applied for will not be used by any other person, group, organization or corporation for profit or not for profit and that the event will be supervised by persons directly responsible to the holder of this Special Designated License.

sign here

Tia K Mentzer Catering Mgr. 7-1-12
Authorized Representative/Applicant Title Date

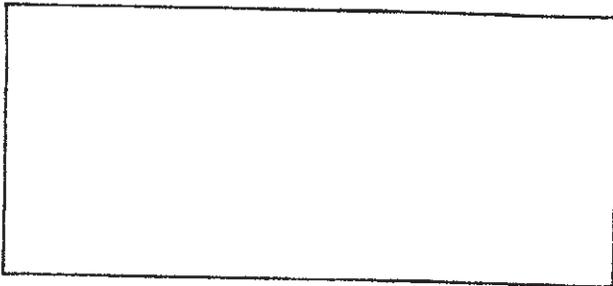
Tia K Mentzer
Print Name

This individual must be listed on the application as an officer or stockholder unless a letter has been filed appointing an individual as the catering manager allowing them to sign all SDL applications.

The law requires that no special designated license provided for by this section shall be issued by the Commission without the approval of the local governing body. For the purposes of this section, the local governing body shall be the city or village within which the particular place for which the special designated license is requested is located, or if such place is not within the corporate limits of a city or village, then the local governing body shall be the county within which the place for which the special designated license is requested is located.

APPLICATION FOR SPECIAL DESIGNATED LICENSE

NEBRASKA LIQUOR CONTROL COMMISSION
301 CENTENNIAL MALL SOUTH
PO BOX 95046
LINCOLN, NE 68509-5046
PHONE: (402) 471-2571
FAX: (402) 471-2814
Website: www.lcc.ne.gov/



RETAIL LICENSE HOLDERS

NON PROFIT APPLICANTS Non Profit Status (check one that best applies)
Municipal Political Fine Arts Fraternal Religious Charitable Public Service

COMPLETE ALL QUESTIONS

1. Type of alcohol to be served and/or consumed: Beer Wine Distilled Spirits

2. Liquor license number and class (i.e. C-55441)
(If you're a nonprofit organization leave blank) CK 43172

3. Licensee name (last, first,), corporate name or limited liability company (LLC) name
(As it reads on your liquor license)

NAME: Desauce Development Wooden Windmill (Inspro)

ADDRESS: 1155 So. Broad

CITY Fremont ZIP 68025

4. Location where event will be held; name, address, city, county, zip code

BUILDING NAME Christensen Field Main

ADDRESS: Linden & Ridge Rd. CITY Fremont

ZIP 68025 COUNTY and COUNTY # Dodge #5

- a. Is this location within the city/village limits? YES NO
- b. Is this location within the 150' of church, school, hospital or home for aged/indigent or for veterans their wives? YES NO
- c. Is this location within 300' of any university or college campus? YES NO

5. Date(s) and Time(s) of event (no more than six (6) consecutive days on one application)

Date <u>8-17-12</u>	Date _____				
Hours <u>8⁰⁰ AM</u>	Hours _____				
From _____	From _____	From _____	From _____	From _____	From _____
To <u>1⁰⁰ AM</u>	To _____				

a. Alternate date: _____

b. Alternate location: _____
 (Alternate date or location must be specified in local approval)

6. Indicate type of activity to be carried on during event:
 Dance Reception Fund Raiser Beer Garden Sampling/Tasting Other _____

7. Description of area to be licensed
 Inside building, dimensions of area to be covered IN FEET 150' x 120'
 Outdoor area dimensions of area to be covered IN FEET _____ x _____
 (not square feet or acres)

INCLUDE SKETCH IF OUTDOOR AREA

If outdoor area, how will premises be enclosed?

Fence type of fence; snow fence chain link cattle panel other _____

Tent

Other explain _____

8. How many attendees do you expect at event? 100

9. If over 150 attendees. Indicate the steps that will be taken to prevent underage persons from obtaining alcohol beverages. (Attach separate sheet if needed)

10. Will premises to be covered by license comply with all Nebraska sanitation laws? YES NO

a. Are there separate toilets for both men and women? YES NO

11. Where will you be purchasing your alcohol? Wholesaler Retailer Both BYO

12. Will there be any games of chance operating during the event? YES NO

If so, describe activity _____

NOTE: Only games of chance approved by the Department of Revenue, Charitable Gaming Division are permitted. All other forms of gambling are prohibited by State Law: There are no exceptions for Non Profit Organizations or any events raising funds for a charity. This is only an application for a Special Designated License under the Liquor Control Act and is not a gambling permit application.

13. Any other information or requests for exemptions: _____

14. Name and telephone number/cell phone number of immediate supervisor. This person will be at the location of the event when it occurs, able to answer any questions from Commission and/or law enforcement before and during the event, and who will be responsible for ensuring that any applicable laws, ordinances, rules and regulations are adhered to.

Print name of Event Supervisor Tia K Mentzer

Signature of Event Supervisor Tia K Mentzer

Phone of Event Supervisor: Before 402 719-4248 During same

Consent of Authorized Representative/Applicant

15. I declare that I am the authorized representative of the above named license applicant and that the statements made on this application are true to the best of my knowledge and belief. I also consent to an investigation of my background including all records of every kind including police records. I agree to waive any rights or causes of action against the Nebraska Liquor Control Commission, the Nebraska State Patrol or any other individual releasing said information to the Liquor Control Commission or the Nebraska State Patrol. I further declare that the license applied for will not be used by any other person, group, organization or corporation for profit or not for profit and that the event will be supervised by persons directly responsible to the holder of this Special Designated License.

sign here

Tia K Mentzer
Authorized Representative/Applicant

Catering
Title

7-1-12
Date

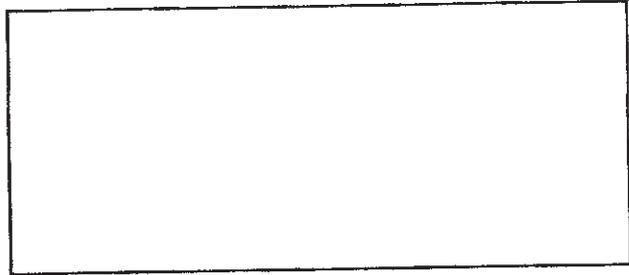
Tia K Mentzer
Print Name

This individual must be listed on the application as an officer or stockholder unless a letter has been filed appointing an individual as the catering manager allowing them to sign all SDL applications.

The law requires that no special designated license provided for by this section shall be issued by the Commission without the approval of the local governing body. For the purposes of this section, the local governing body shall be the city or village within which the particular place for which the special designated license is requested is located, or if such place is not within the corporate limits of a city or village, then the local governing body shall be the county within which the place for which the special designated license is requested is located.

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Website: www.lcc.ne.gov/



RETAIL LICENSE HOLDERS

NON PROFIT APPLICANTS Non Profit Status (check one that best applies)
Municipal Political Fine Arts Fraternal Religious Charitable Public Service

COMPLETE ALL QUESTIONS

1. Type of alcohol to be served and/or consumed: Beer Wine Distilled Spirits

2. Liquor license number and class (i.e. C-55441) CL-50538
(If you're a nonprofit organization leave blank)

3. Licensee name (last, first,), corporate name or limited liability company (LLC) name
(As it reads on your liquor license)

NAME: Whis's END ZONE Lounge INC.
ADDRESS: 845 So. Broad St.
CITY Freemont NE ZIP 68025

4. Location where event will be held; name, address, city, county, zip code

BUILDING NAME Whis's END ZONE Lounge INC.
ADDRESS: 845 So Broad St CITY Freemont NE
ZIP 68025 COUNTY and COUNTY # Dodge

- a. Is this location within the city/village limits? YES NO
- b. Is this location within the 150' of church, school, hospital or home for aged/indigent or for veterans their wives? YES NO
- c. Is this location within 300' of any university or college campus? YES NO

5. Date(s) and Time(s) of event (no more than six (6) **consecutive** days on one application)

Date Hours From To	Date Hours From To	Date Hours From To	Date Hours From To	Date Hours From To	Date Hours From To
7-21-12 10:00 a.m. 4:00 p.m.					

a. Alternate date: July 22nd ~~times~~ times From NOON - 4:00 p.m.

b. Alternate location: SAMS - Whis' 6ND ZONE
 (Alternate date or location must be specified in local approval)

6. Indicate type of activity to be carried on during event:

Dance Reception Fund Raiser Beer Garden Sampling/Tasting Other Poker Run For
Muscular Dystrophy

7. Description of area to be licensed

Inside building, dimensions of area to be covered IN FEET Already Licensed
 Outdoor area dimensions of area to be covered IN FEET _____ x _____
 (not square feet or acres)

INCLUDE SKETCH IF OUTDOOR AREA

If outdoor area, how will premises be enclosed?

Fence type of fence; snow fence chain link cattle panel other construction fence

Tent

Other explain _____

8. How many attendees do you expect at event? 700-800 NO MORE THAN 250-300 PEOPLE AT
ONE TIME, THEY COME & GO IN DIFFERENT

9. If over 150 attendees. Indicate the steps that will be taken to prevent underage persons from obtaining alcohol beverages. (Attach separate sheet if needed) Intervals

Check I.D.'s AS NEEDED, wrist Bands, One People

10. Will premises to be covered by license comply with all Nebraska sanitation laws? YES NO

a. Are there separate toilets for both men and women? YES NO

11. Where will you be purchasing your alcohol? Wholesaler Retailer Both BYO

12. Will there be any games of chance operating during the event? YES NO
 If so, describe activity Poker Card Draw

NOTE: Only games of chance approved by the Department of Revenue, Charitable Gaming Division are permitted. All other forms of gambling are prohibited by State Law: There are no exceptions for Non Profit Organizations or any events raising funds for a charity. This is only an application for a Special Designated License under the Liquor Control Act and is not a gambling permit application.

13. Any other information or requests for exemptions: NO

14. Name and telephone number/cell phone number of immediate supervisor. This person will be at the location of the event when it occurs, able to answer any questions from Commission and/or law enforcement before and during the event, and who will be responsible for ensuring that any applicable laws, ordinances, rules and regulations are adhered to.

Print name of Event Supervisor Brian Whister

Signature of Event Supervisor Brian Whister

Phone of Event Supervisor: Before (402) 720-1391 During SAME

Consent of Authorized Representative/Applicant

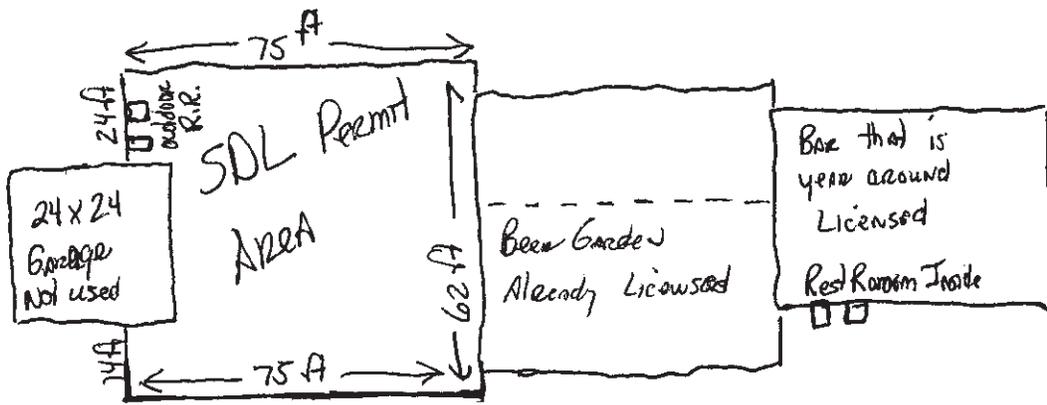
15. I declare that I am the authorized representative of the above named license applicant and that the statements made on this application are true to the best of my knowledge and belief. I also consent to an investigation of my background including all records of every kind including police records. I agree to waive any rights or causes of action against the Nebraska Liquor Control Commission, the Nebraska State Patrol or any other individual releasing said information to the Liquor Control Commission or the Nebraska State Patrol. I further declare that the license applied for will not be used by any other person, group, organization or corporation for profit or not for profit and that the event will be supervised by persons directly responsible to the holder of this Special Designated License.

sign here Brian Whister Owner / Operator 5-31-12
Authorized Representative/Applicant Title Date

Brian J Whister
Print Name

This individual must be listed on the application as an officer or stockholder unless a letter has been filed appointing an individual as the catering manager allowing them to sign all SDL applications.

The law requires that no special designated license provided for by this section shall be issued by the Commission without the approval of the local governing body. For the purposes of this section, the local governing body shall be the city or village within which the particular place for which the special designated license is requested is located, or if such place is not within the corporate limits of a city or village, then the local governing body shall be the county within which the place for which the special designated license is requested is located.



STAFF REPORT

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: KIM VOLK, CITY CLERK

DATE: JULY 5, 2012

SUBJECT: AIRPORT ADVISORY COMMITTEE

Recommendation: Move to approve the recommendation of the Mayor to rescind the appointment made June 26, 2012 of Ron Vlach to the Airport Advisory Committee and appoint Mike Kempenar to the Airport Advisory Committee for a three year term ending June 2015.

Background: Mr. Vlach's current term on the Airport Advisory Committee does not expire until June 2013. Mr. Kempenar's term expired June 2012. By reappointing Mr. Kempenar, the committee will be at the allowed nine members.

STAFF REPORT

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: KIM VOLK, CITY CLERK

DATE: JULY 5, 2012

SUBJECT: BOARD OF PLUMBERS

Recommendation: Move to approve the recommendation of the Mayor to reappoint Clayton Timperly, Dan Rosenbaum, Tom Smith, and Martin Sears to the Board of Plumbers for a two year term ending July 2014.

Background: Reappointments have the recommendation of Chief Building Inspector Hansen.

STAFF REPORT

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: KIM VOLK, CITY CLERK

DATE: JULY 5, 2012

SUBJECT: MECHANICAL EXAMINING BOARD

Recommendation: Move to approve the recommendation of the Mayor to reappoint Mary Sendgraff to the Mechanical Examining Board for a five year term ending June 2017.

Background: Reappointment has the approval of Chief Building Inspector Hansen.

STAFF REPORT

TO: Mayor and City Council
FROM: Kimberly Volk, City Clerk
DATE: July 5, 2012
SUBJECT: Water Conditioning Board of Examiners

Recommendation: Move to approve the recommendation of the Mayor to reappoint Ervin Wulf, Tom Smith and Martin Sears to the Water Conditioning Board of Examiners for a three year term ending June 2015

Background: Reappointments have the approval of Chief Building Inspector Hansen.

STAFF REPORT

TO: Honorable Mayor and City Council

FROM: John Schmitz, Parks and Recreation

DATE: June 27th, 2012

SUBJECT: Rotary Fly-In Breakfast

Recommendation: Staff recommends providing the services as requested by the Rotary Club

Background: The Rotary Club has annually sponsored this fly-in breakfast for the past several years. Proceeds for this event sponsor youth programs in Fremont...including some facilitated by the Parks and Recreation Department. This has been a very good event in the past and it supports a good cause.

Fiscal Impact: The total fiscal impact is approximately \$500 in in-kind services.

June 20, 2012

Dale Shotkoski
Fremont City Administrator
400 East Military Avenue
Fremont NE 68025

Re: Fremont Rotary Club Fly- In Breakfast

Dear Dale:

On Sunday, August 26, 2012, the Fremont Rotary Club will be sponsoring a Fly In Breakfast from 7:30 to 11:30 a.m. in association with Fremont Aviation, Inc. with the net proceeds being used to support area youth activities and projects.

I'm writing to request permission from the City to allow patrons to park on Airport Road and on public property adjacent to the public road if necessary, in the event the parking in the airport area becomes full. In the past, the Parks and Recreation Department has been extremely helpful in organizing the tables and chairs. The Fremont Street Department has furnished 10 – 12 cones to be placed in the middle of Airport Road west lane. The City has also provided four large trash cans with liners. Would you kindly place this matter on the agenda and provide me with notice of the applicable council meeting so I can appear on behalf of Rotary, if necessary.

We are hopeful that this event will promote youth, general aviation, and also supplement other activities which may be planned in the Fremont area for the same day. Any assistance which the City can provide will be greatly appreciated by all. Thank you and I look forward to hearing from you.

Any assistance which the City can provide would be greatly appreciated by all.

Thank you for your time and attention to this matter.

Sincerely yours,



Steve Tellatin, Rotary Fly In Co-Chair
1425 North Park Ave
Fremont, NE 68025
402-727-1922

*amended
7/6/2012
to Aug 24
from Aug 2*

STAFF REPORT

TO: Honorable Mayor and City Council

FROM: Jan Rise, Administrative Services Director

DATE: July 3, 2012

SUBJECT: Listing Agreement with CB Richard Ellis/MEGA for marketing the Fremont Technology Park (Community Development Block Grant Project 10-ED-009)

Recommendation: Approve Resolution.

Background: The City of Fremont was awarded a \$982,892 economic development grant from the Nebraska Department of Economic Development (DED) in April 2011 for the purchase of property for the Technology Park. The land was purchased in May 2011. Fiber was extended to the property this spring, and extension of the electric and water distribution systems are currently under construction.

Under terms and conditions of the Community Development Block Grant contract, the City has until April 2016 to complete the process of sale or lease of the Technology Park in whole or part to a benefitting business or businesses. The benefitting businesses will have three (3) years to create the minimum of 31 new jobs. Each of those jobs must be maintained for one (1) year. The contract term with the DED ends April 2020.

The Engineering Site Master Plan and Marketing Plan are nearing completion. It is recommended in the Marketing Plan prepared by Olsson and Associates that the City contract with a real estate broker for marketing the Fremont Technology Park for sale or lease.

The Greater Fremont Development Council (GFDC) has interviewed prospective brokers with expertise in the development of technology sites. The GFDC Executive Board is recommending that the City enter into a listing agreement for one year with CB Richard Ellis/MEGA for marketing the Fremont Technology Park.

Representatives of GFDC will attend the Council meeting if there are questions regarding the selection of the brokerage firm or contract terms.

Fiscal Impact: Commission deducted from lease or sale price of property

RESOLUTION NO. _____

A Resolution of the City Council of the City of Fremont, Nebraska, approving the listing agreement with CB Richard Ellis/MEGA for marketing the Fremont Technology Park and authorizing the Mayor to execute all related documents.

RESOLVED, that the Fremont City Council approve the listing agreement with CB Richard Ellis/MEGA for marketing the Fremont Technology Park and authorize the Mayor to execute all related documents.

PASSED AND APPROVED THIS ____ DAY OF _____, 2012.

Scott Getzschman, Mayor

ATTEST:

Kimberly Volk, MMC
City Clerk

COMMERCIAL REAL ESTATE LISTING CONTRACT FOR SALE

(This is a legally binding contract. If not understood, seek legal advice.)

1. CB Richard Ellis|MEGA, Broker

2. APPOINTMENT OF BROKER: In consideration of Broker's agreement to list and offer for sale the Property described below, and to use its efforts to find a Buyer therefore, Seller (whether one or more) hereby agrees with Broker for the purpose and pursuant to the terms set forth herein, with the Seller's Limited Agent to be the agent signing below and such other affiliated licensees of Broker as may be assigned by Broker in writing, herein collectively referred as Seller's Limited Agents. All responsibilities and duties of Broker shall also be the responsibilities and duties of the Seller's Limited Agent. The purpose of this Agreement is to engage the efforts of Broker to accomplish the sale of real Property described as:

Fremont Technology Park – 80 acre business park, lots are platted and zoned Light Industrial (L1).

also known as: (Street address) _____

City Fremont State Nebraska (Zip) 68025

3. LISTING PERIOD: This contract shall begin July 1st, 2012, and expire June 30th, 2013

4. PRICE AND TERMS: The offering price for the Property shall be NINETY-NINE THOUSAND PER ACRE (\$2.27 PER SQUARE FOOT) ON ANY LOTS in the following terms: CASH or other terms that are agreeable to the Seller.

5. COMMISSION: Seller agrees to pay Broker a cash commission of six percent (6%). Said commission shall be reduced to five percent (5%) only if there are no other broker(s)/agent(s), other than Chad R. Hansen, involved in the transaction. Should a sale be made at a per acre purchase price of less than THIRTY-FIVE THOUSAND DOLLARS PER ACRE, the commission payable shall be a flat rate equal to Two Thousand Dollars per Acre, prorata. This commission shall be payable on the happening of any one or more of the following events: (a) if a sale or exchange is made, or Buyer found, who is ready, willing and able to purchase or exchange the Property (or, if the Seller is not a natural person, if a Buyer is found who is ready, willing and able to purchase an interest in Seller to obtain ownership of the Property), before the expiration date of this listing, by Broker, Seller or any other person at the above price and terms or for any other price and terms the Seller may agree to accept, or (b) if a Buyer is found who executes an option to purchase or a lease with option to purchase ("Option") and if the Option is subsequently exercised, whether or not the Option is exercised during the term of this listing agreement, by Broker, Seller, or any other person at the above price and terms or for any other price and terms Seller may agree to accept, or (c) if within six (6) months after the expiration date of this listing Seller sells, exchanges or options the Property (providing the option is subsequently exercised) to anyone due to Broker's efforts or advertising done under this listing, or (d) if after the expiration or termination of this listing, and the Seller subsequently lists the Property with another Broker, Broker shall provide a written list of active prospects within 15 days after the expiration of this listing, and Seller shall pay Broker the stated commission if a contract for sale, exchange or options executed within 180 days after the expiration of this listing to any party or affiliate thereof on this list, and subsequently closes. Broker may accept compensation when Broker or licensee affiliated with the Broker other than Seller's Limited Agent, serves as a Buyers Agent. The Broker shall also provide a written list of parties involved in active transactions to the Seller, within 15 days of the termination or expiration of this agreement, that are in the process of being completed and the Seller shall pay the Broker the stated commission if a sale/lease is consummated with any of the listed parties or affiliate thereof. In all other cases, Broker will not accept compensation from the Buyer, the Buyer's Agent or any entity participating in or providing services for the sale of the Property without written agreement of the Seller.

6. LEASE: If Seller agrees to lease the Property during the above listing period, and a lease is negotiated during said period or afterward (as defined in 5 above) to a lessee to whom it was submitted by Broker, Seller or any other person during said listing period, Seller agrees to pay Broker a cash commission of SIX PERCENT (6%), One Half of said commission shall be payable to Broker at the time such lease is executed and One Half (the balance) shall be payable upon the earlier of Tenant Occupancy or Rent Commencement, for the term of the lease and any extensions and renewals thereof, for such leasing services. After execution of said lease, this sale listing shall nonetheless continue until expiration date, except any sale will be subject to the terms of such lease.

7. EQUAL OPPORTUNITY: The Property, as required by law, is offered without respect to race, color, religion, sex, handicap or disability, familial status, national origin, or age.

8. PERSONAL PROPERTY: The following personal property shall be included in the sale N/A

9. SELLER'S CERTIFICATION: Seller represents that to the best of his knowledge, information and belief the following describes the true condition of the Property: (a) there is no evidence of wood infestation in the building (b) the lower level or basement level under such structure is free from leakage or seepage of water, (c) there are no structural defects, either latent or apparent; (d) there are no known conditions present or existing with respect to the Property, which may give rise to or create Environmental Hazards or Liabilities, or violation of Health and Safety regulations, and there are no enforcement actions pending or threatened in connection therewith. Seller agrees to inform Seller's Limited Agent if he discovers any such Environmental Hazards or Liabilities or violation of Health and Safety regulations, during the term of this Listing Contract or any extension thereof, and to provide Seller's Limited Agent with full information with respect thereto. Seller agrees to maintain until delivery of possession, the heating, air conditioning, water heater, sewer, plumbing and electrical systems and any

deducted, Seller shall receive one-half (1/2) and Broker one-half (1/2), not as liquidated damages, but to apply to damages which the Seller and Broker may suffer as a result of the default by Buyer. In no event, however, will the Broker's share exceed the commission agreed upon herein.

12. CLOSING: Seller agrees that the closing of any such sale made by Broker may be handled by an Escrow Agent and that the fee charged by said Escrow Agent shall be equally divided between Buyer and Seller.

13. LEASES: The Property is subject to the following leases (if none, state none):

Suite#	Tenant	Rent	Exp. Date	Options/Notes
Ag lease	Farmer			
(farm lease has provision for damages should the land be sold)				

14. TITLE AND CONVEYANCE: Seller represents that he has good valid and marketable title to the Property. Seller agrees to furnish a title insurance commitment showing marketable title to complete said sale and to pay any expense incurred in perfecting the title in case the same is found defective, and convey within **30** days from date of acceptance of offer, the Property by general warranty deed, or **none other** executed by all persons having any interest therein, and clear of all encumbrances except **standard utilities and services**. Possession to be given at closing.

15. LOAN INFORMATION: Seller authorizes his mortgage lender to release all pertinent information to Broker relative to the status of his mortgage loan with _____ # _____.

16. COOPERATION: Seller or Landlord acknowledges and agrees that, in order to find a Seller or Tenant for the Property, Broker may co-operate with other brokers and in doing so Broker is authorized to share the cash commission referred to above as is customary or as otherwise agreed upon by Broker and the co-operating broker.

17. KEYS: Seller grants Seller's Limited Agent permission use a key(s) to the Property. Seller acknowledges that: (a) key(s) available to Seller's Limited Agent will permit access to the Property by Seller's Limited Agent and other cooperating Agents together with potential Buyers; (b) Seller will maintain in force adequate insurance to protect Seller in the event of any damage, loss or claims arising from entry to Property by persons through the above use of the key and agrees to hold the Broker harmless from any loss, claim, or damage resulting therefrom; (c) Seller will obtain and provide to Broker written permission from the occupant of the Property, if it is a person other than the Seller, allowing showings as described above, after giving occupant notice.

18. MISCELLANEOUS:

- (1) "For Sale" sign is permitted.
- (2) Broker may process, advertise and distribute this listing to cooperative brokers, including through any multiple listing service in which Broker participates.
- (3) Seller agrees to refer to Broker all inquiries which Seller may receive during the continuance of this contract.
- (5) Broker shall use its best efforts at all times upon Seller's behalf, and proceed with diligent efforts to secure a Buyer under terms and conditions acceptable to Seller.
- (6) Seller also agrees to reimburse Broker or Supplier for actual marketing costs incurred during the term of this Agreement, upon receipt of invoice and documentation supporting expenditures, which costs shall be approved in writing by Seller prior to expenditure. Standard marketing shall be Broker's sole expense and not subject to reimbursement. Standard marketing includes: photo of the property, picture data sheet, mailing to outside brokers, presentation to CB Richard Ellis|MEGA brokers, property booklet if needed, and a listing page on the CBRE|MEGA Loopnet and CoStar websites.

19. AGENT'S DUTIES AND RESPONSIBILITIES:

1. A licensee representing a Seller or Landlord as a Seller's Agent or a Landlord's Agent shall be a limited agent with the following duties and obligations:
 - a. To perform the terms of the written agreement made with the client;
 - b. To exercise reasonable skill and care for the client;
 - c. To promote the interests of the client with the utmost good faith, loyalty, and fidelity, including:
 - i. Seeking a price and terms which are acceptable to the client, except that the licensee shall not be obligated to seek additional offers to purchase the Property while the Property is subject to a contract for sale or to seek additional offers to lease the Property while the Property is subject to a lease or letter of intent to lease;
 - ii. Presenting all written offers to and from the client in a timely manner regardless of whether the Property is subject to a contract for sale or a letter of intent to lease;
 - iii. Disclosing in writing to the client all adverse material facts actually known by the licensee; and
 - iv. Advising the client to obtain expert advice as to material matters about which the licensee knows but the specifics of which are beyond the expertise of the licensee;
 - d. To account in a timely manner for all money and property received;
 - e. To comply with all requirements of sections 76-2401 to 76-2430, the Nebraska Real Estate License Act, and any rules and regulations promulgated pursuant to such sections or act; and
 - f. To comply with any applicable federal, state and local laws, rules, regulations, and ordinances, including

b. A Seller's or Landlord's Agent owes no duty to conduct an independent inspection of the Property for the benefit of the customer and owes no duty to independently verify the accuracy or completeness of any statement made by the client or any independent inspector.

4. A Seller's or Landlord's Agent may show alternative properties not owned by the client to prospective buyers or tenants and may list competing properties for sale or lease without breaching any duty or obligation to the client.

5. a. A Seller or Landlord may agree in writing with a Seller's or Landlord's Agent that other designated brokers may be retained and compensated as subagents.

b. Any designated Broker acting as a subagent on the Seller's or Landlord's behalf shall be a limited agent with the obligations and responsibilities set forth in subsections (1) through (4) of this section.

20. DUAL AGENT'S DUTIES & RESPONSIBILITIES:

1. A licensee may act as a Dual Agent only with the informed consent of all parties to the transaction. The informed consent is evidenced by a written agreement pursuant to Section 76-2422.

2. A Dual Agent shall be a limited agent for both the Seller and Buyer or the Landlord and Tenant and shall have the duties and obligations required by Sections 76-2417 and 76-2418 unless otherwise provided for in this section.

3. Except as provided in subsections (4) and (5) of this section, a Dual Agent may disclose any information to one client that the licensee gains from the other client if the information is relevant to the transaction or client.

4. The following information shall not be disclosed by a Dual Agent without the informed written consent of the client to whom the information pertains:

a. That a Buyer or Tenant is willing to pay more than the purchase price or lease rate offered for the Property;

b. That a Seller or Landlord is willing to accept less than the asking price or lease rate for the Property;

c. What the motivating factors are for any client buying, selling or leasing the Property;

d. That a client will agree to financing terms other than those offered.

5. a. A Dual Agent shall not disclose to one client any confidential information about the other client unless the disclosure is required by statute, rule or regulation or failure to disclose the information would constitute fraudulent misrepresentation.

b. No cause of action for any person shall arise against a Dual Agent for making any required or permitted disclosure.

c. A Dual Agent does not terminate the Dual Agency relationship by making any required or permitted disclosure.

6. In a Dual-Agency relationship there shall be no imputation of knowledge or information between any client and the Dual Agent or among persons within an entity engaged as a Dual Agent.

21. ACKNOWLEDGMENT: Seller accepts this listing and agrees to the items hereof this day and date written. Receipt of a copy of this agreement is acknowledged.

22. REMARKS:

The following company is an exclusion to this listing agreement for a period of 180 days: Sycamore Leaf Solutions

Signed this _____ day of _____, 2012.

(Seller Name Typed/Printed)

CB Richard Ellis|MEGA
(Name of Broker or Firm)

(Seller) (Soc.Sec.#)

11213 Davenport Street, Suite 300 **402-334-8877**
(Broker Address) (Office Phone)

(Seller) (Soc.Sec.#)

Omaha, **NE** **68154**
(City) (State) (Zip)

(Seller Address)

Chad R. Hansen **402 697 5899**
(Seller's Limited Agent Name Typed/Printed) (Office Phone)

(City) (State) (Zip)

(Seller's Limited Agent Name Typed/Printed) (Office Phone)

(402)

(Seller Home Phone) (Office Phone)

By

STAFF REPORT

TO: Mayor and City Council

FROM: Rian Harkins, AICP; Planning Director

DATE: 2 July 2012

SUBJECT: Request of Coffee Bistro/Irving Development to allow for outdoor seating on the sidewalk in the Central Business District. (414 N Main Street)

Recommendation: Staff recommends approval.

Request: The applicant seeks approval of the use of seven feet of the sidewalk in front of their business at 414 N Main Street.

Background: As part of the proposed renovations of the interior of the building, the applicant desires to add outdoor seating in the front of their building. The outdoor seating would be within a fenced area that extends seven feet from the building into the sidewalk. Approximately six feet of sidewalk would remain for pedestrians.

Staff anticipates no fiscal impact from this action.

A Resolution of the City Council of the City of Fremont, Nebraska, approving request to construct a fenced outdoor seating area that encroaches into the public right-of-way at 414 North Main

RESOLVED: That the City Council approve request to construct a fenced outdoor seating area that encroaches into the Main Street public right-of-way at 414 North Main Street with the following findings and/or conditions:

1. The City Council finds that:
 - a. Said improvements not injurious to the public health, safety and welfare of the City;
 - b. The improvements do not constitute a traffic hazard; and,
2. The Owner of the property shall provide public liability insurance coverage in the amount of \$1,000,000 for the improvements with the City as the named insured;
3. The City Council may, at any time, order any improvements for which a variance was granted, relocated so that it does not overhang or occupy the right-of-way. The owner of such improvements shall comply within thirty (30) days from the date of the City Council order and the owner shall pay all expenses of relocating said improvements.

PASSED AND APPROVED THIS ____ DAY OF _____, 2012

ATTEST:

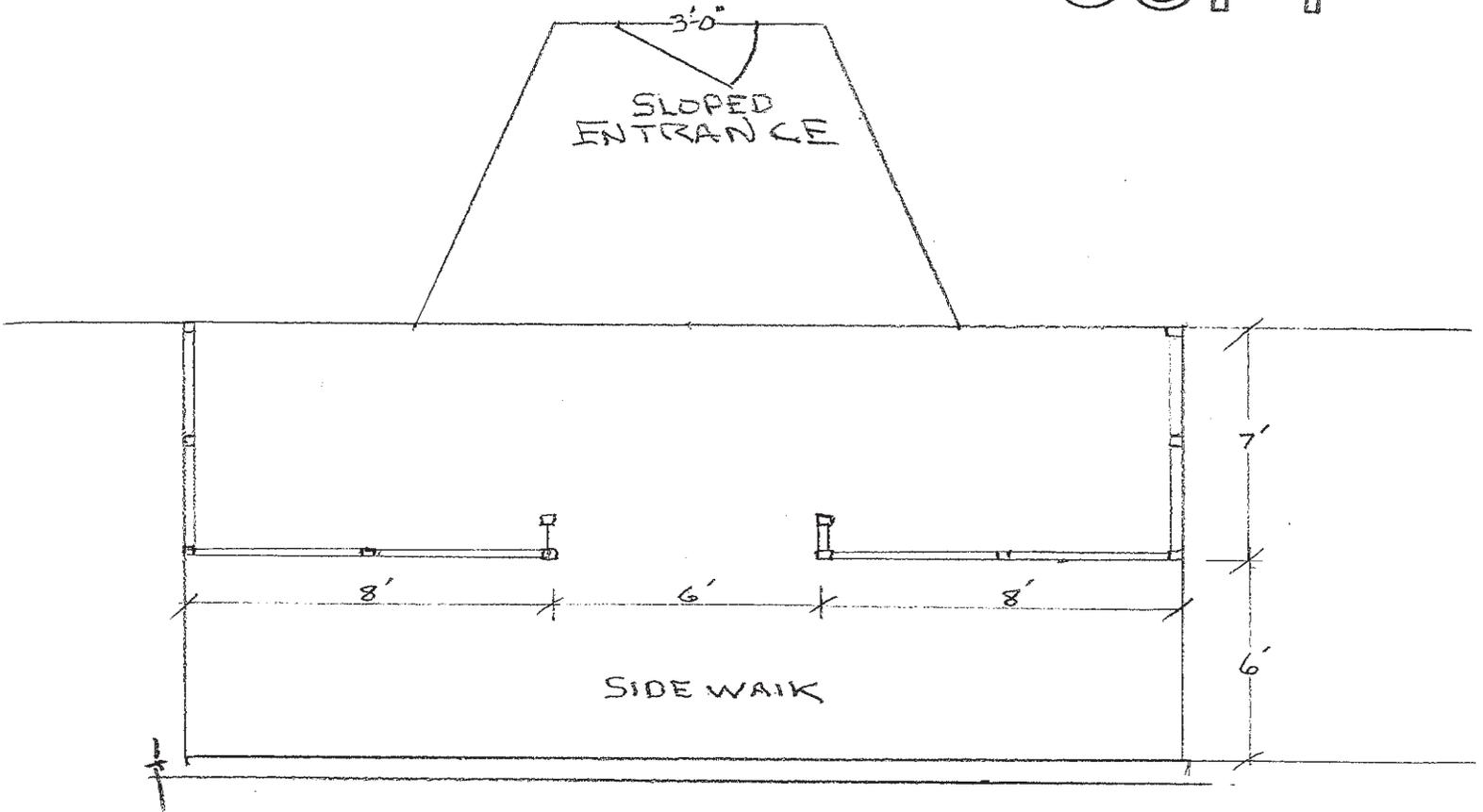
Kimberly Volk, MMC
City Clerk

SCOTT GETZSCHMAN, MAYOR

414 NORTH MAIN STREET

OUT DOOR SEATING AREA fenced

COPY



MAIN STREET
FREMONT, NE
SCALE 1/4" = 1'-0"

STAFF REPORT

TO: Mayor and City Council
FROM: Rian Harkins, AICP; Planning Director
DATE: 2 July 2012

SUBJECT: Request of Irving Development to allow for awnings that protrude into the sidewalk in the Central Business District. (406-408 N Main Street)

Recommendation: Staff recommends approval.

Request: The applicant seeks approval for the installation of awnings at the locations noted above.

Background: As part of the proposed renovations of the of the building(s), which are part of the Downtown Façade Improvement program, the applicant desires to add awnings to the front of their building. The awnings would protrude into the right-of-way, which requires approval of the City Council.

Staff anticipates no fiscal impact from this action.

A Resolution of the City Council of the City of Fremont, Nebraska, approving request to erect an awning that encroaches into the public right-of-way at 406 and 408 North Main

RESOLVED: That the City Council approve request to erect a permanent rigid awning sign that encroaches into the Main Street public right-of-way at 406 and 408 North Main Street with the following findings and/or conditions:

1. The City Council finds that:
 - a. Said improvements not injurious to the public health, safety and welfare of the City;
 - b. The improvements do not constitute a traffic hazard; and,
2. The Owner of the property shall provide public liability insurance coverage in the amount of \$1,000,000 for the improvements with the City as the named insured;
3. The City Council may, at any time, order any improvements for which a variance was granted, relocated so that it does not overhang or occupy the right-of-way. The owner of such improvements shall comply within thirty (30) days from the date of the City Council order and the owner shall pay all expenses of relocating said improvements.

PASSED AND APPROVED THIS ____ DAY OF _____, 2012

ATTEST:

Kimberly Volk, MMC
City Clerk

SCOTT GETZSCHMAN, MAYOR

STAFF REPORT

TO: Mayor and City Council

FROM: Rian Harkins, AICP; Planning Director

DATE: 2 July 2012

SUBJECT: Lot Combination of 28, Block 6, Day Acres East 3rd Addition with the south 9 feet x 87.53 feet of Lot 1, Block 1, Brentwood 6th Addition (3209 Cherrywood Drive) (Nieman)

Recommendation: Staff recommends approval.

Request: The applicant seeks approval of a lot combination at the address listed above in order to assist in the finalization of a refinancing package for his property.

Background: The property is located at the intersection of Maplewood Drive and Cherrywood Drive, and is currently zoned R-1 Single Family Residential. All of the adjacent properties are zoned R-1 Single Family Residential and are auto urban residential in nature according to the comprehensive plan.

The Planning Commission voted 6-0 to approve this item on 18 June 2012, along with the lot split of the adjacent property. This resolution will help the property owner and Dodge County clarify property tax information.

Findings: The proposed lot combination will continue to allow the property to meet the intent of the R-1 Single Family Residential zoning district, and is in conformance with the proposed Comprehensive Plan, Blueprint for Tomorrow.

A Resolution of the City Council of the City of Fremont, Nebraska, approving the request to combine south 9 feet x 87.53 feet of Lot 1, Block 1, Brentwood 6th Park Addition and Lot 28, Block 6, Day Acres East 3rd Addition, Fremont, Dodge County, Nebraska, into one lot

RESOLVED: That Randal & Melissa Nieman, owner of Lot 28, Block 6, Day Acres East 3rd Addition, Fremont, Dodge County, Nebraska, desires to combine two lots into one lot as follows:

Tract 1: Lot 28, Block 6, Day Acres East 3rd Addition, Fremont, Dodge County, Nebraska,

and;

Tract 2: The south 9 feet x 87.53 feet of Lot 1, Block 1, Brentwood Park 6th Addition Fremont, Dodge County, Nebraska

The combination of the property is hereby approved subject to the following conditions:

1. Existing easements
2. Receipt of proper easements
3. The capping of necessary utility services

and the Mayor and City Clerk are hereby directed to sign this Resolution on behalf of the City Council.

PASSED AND APPROVED THIS ____ DAY OF _____, 2012

ATTEST:

Kimberly Volk, MMC
City Clerk

SCOTT GETZSCHMAN, MAYOR

STAFF REPORT

TO: Mayor and City Council
FROM: Clark Boschult, City Engineer
DATE: July 5, 2012
SUBJECT: Main Street Reconstruction Bids, Main Street – 1st to 3rd

Recommendation: Approve Resolution

Background: Consider Resolution to accept and award bids for Main Street Reconstruction, Street Improvement Paving District No. 548 (Main – 1st to 3rd). Work involves sidewalk replacement modifications to the intersection sidewalk curbs and storm sewer.

Fiscal Impact: Funds are budgeted for this project. The city will be responsible for curb replacement, storm sewer modifications and intersection sidewalk costs. Private property owners will be assessed for the standard width sidewalk cost fronting their properties.

RESOLUTION NO. _____

A Resolution of the City Council of the City of Fremont, Nebraska, to accept and award bid for Main Street Reconstruction, 1st to 3rd, to Sawyer Construction, Fremont, Nebraska in the amount of \$220,547.50.

WHEREAS, the Mayor and Council, by a resolution approved the plans, specifications, estimate of costs, and instructed the City Clerk to advertise for Main Street Reconstruction, 1st to 3rd, and

WHEREAS, said bids were publicly opened, read and tabulated in the Council Chambers on the 3rd day of July, 2012, at the hour of 10:00 a.m.

NOW THEREFORE BE IT RESOLVED: That the bid of **Sawyer Construction, Fremont, Nebraska** in the amount of **\$220,547.50** be accepted as the Lowest and Best Bid; and, the Mayor and City Council be and are authorized to enter into contract with said firm for Main Street Reconstruction (Paving District No. 548 – Main, 1st to 3rd).

PASSED AND APPROVED THIS ____ DAY OF _____, 2012

SCOTT GETZSCHMAN, MAYOR

ATTEST:

Kimberly Volk, MMC
City Clerk

BID TAB



FREMONT, NEBRASKA
2012 DOWNTOWN IMPROVEMENTS
STREET IMPROVEMENT PAVING DISTRICT NO. 548

11717 Burt Street, Ste. 210
Omaha, NE 68154
402-934-3680

JEO PROJECT NO. 090894.01

LETTING DATE & TIME: July 3, 2012 @ 10:00 a.m.

OPINION OF COST: \$300,000

BIDDER	TOTAL GROUP "1"
Sawyer Construction Fremont, Nebraska	\$220,547.50
Fauss Construction, Inc. Hooper, Nebraska	\$236,860.80
M.E. Collins Contracting Co., Inc. Wahoo, Nebraska	\$261,676.00
Precision Enterprises, Inc. Omaha, Nebraska	\$273,397.10

STAFF REPORT

TO: Mayor and City Council
FROM: Clark Boschult, City Engineer
DATE: July 5, 2012
SUBJECT: Intersection Improvements 23rd Avenue North and Lincoln

Recommendation: Approve Resolution

Background: Consider Resolution approving plans, specifications, estimate of costs and granting permission to advertise for bids for 23rd Avenue North and Lincoln Avenue Intersection Improvements. Work involves relocation of 23rd Avenue North east of Lincoln Avenue to align with 23rd Avenue North west of Lincoln Avenue.

Currently traffic flow and intersection operation is limited as the east frontage road approach is too close to 23rd Street and does not align with the west frontage road.

Fiscal Impact: Funds for construction costs are available in the Street Fund.

RESOLUTION NO. _____

A Resolution of the City Council of the City of Fremont, Nebraska, approving plans, specifications, estimate of cost and granting permission to advertise for bids for 23rd Avenue North and Lincoln Avenue Intersection Improvements

BE IT RESOLVED: That the Specifications and Estimate of costs be approved, and permission be granted to advertise for bids for 23RD AVENUE NORTH AND LINCOLN AVENUE INTERSECTION IMPROVEMENTS, for a total estimated cost of \$134,000.

PASSED AND APPROVED THIS ____ DAY OF _____, 2012

SCOTT GETZSCHMAN, MAYOR

ATTEST:

Kimberly Volk, MMC
City Clerk

STAFF REPORT

TO: Mayor and City Council
FROM: Clark Boschult, City Engineer
DATE: July 5, 2012
SUBJECT: Parking Restrictions Military and Luther Road

Recommendation: Approve Resolution

Background: Consider Resolution designating parking restrictions on Military Avenue from Christy to Luther Road.

Parking will be prohibited from Christy to Luther Road to allow for a center left turn lane in Military Avenue.

RESOLUTION NO. _____

A Resolution of the City Council of the City of Fremont, Nebraska designating parking restrictions on Military Avenue, Christy to Luther Road

BE IT RESOLVED: That the following locations shall be designated as follows:

A. "No Parking"

1. The north and south side of Military Avenue from the east line of Christy Lane to the west line of Luther Road

PASSED AND APPROVED THIS ____ DAY OF _____, 2012

SCOTT GETZSCHMAN, MAYOR

ATTEST:

Kimberly Volk, MMC
City Clerk

STAFF REPORT

TO: Mayor and City Council
FROM: Clark Boschult, City Engineer
DATE: July 5, 2012
SUBJECT: Parking Restrictions 16th and Luther

Recommendation: Approve Resolution

Background: Consider Resolution designating parking restrictions on 16th Street east and west of Luther Road.

Parking will be prohibited on 16th approximately one half block east and west of Luther Road to allow for a center left turn lane in 16th Street.

A Resolution of the City Council of the City of Fremont, Nebraska designating parking restrictions on 16th Street east and west of Luther Road

BE IT RESOLVED: That the following locations shall be designated as follows:

A. "No Parking"

1. The north and south side of 16th Street from the west line of Luther Road west 170 feet
2. The north and south side of 16th Street from the east line of Luther Road east 210 feet

PASSED AND APPROVED THIS ____ DAY OF _____, 2012

SCOTT GETZSCHMAN, MAYOR

ATTEST:

Kimberly Volk, MMC
City Clerk

STAFF REPORT

TO: Mayor and City Council
FROM: Clark Boschult, City Engineer
DATE: July 5, 2012
SUBJECT: Parking Restrictions Fremont Drive – Johnson Road East

Recommendation: Approve Resolution

Background: Consider Resolution designating parking restrictions on Fremont Drive east of Johnson Road.

These restrictions were jointly developed by Fremont Public Schools consulting traffic engineers (Lamp, Rynearson), Fremont Public Schools staff and City staff.

The parking restrictions allow for center left turn lanes in both North and South Fremont Drive from Johnson Road east approximately one block and designate bus loading zones in constructed recess parking areas near the new 5/6 Middle School Building. Johnson Road will be painted to include four (4) lanes, two (2) in each direction of traffic.

A Resolution of the City Council of the City of Fremont, Nebraska designating parking restrictions on Fremont Drive east of Johnson Road

BE IT RESOLVED: That Fremont Drive shall be designated as “No Parking, 8:30 a.m. to 2:30 p.m., School Days” except for the following locations which shall be designated as follows:

- A. “No Parking”
 - 1. North side of North Fremont Drive from the east line of Johnson Road east 420 feet
 - 2. South side of North Fremont Drive from the east line of Johnson Road east 140 feet
 - 3. North side of South Fremont Drive from the east line of Johnson Road east 650 feet
 - 4. South side of South Fremont Drive from 350 feet east to 650 feet east of the east line of Johnson Road
 - 5. Within 15 feet of a fire hydrant
 - 6. Within 30 feet of a driveway or crosswalk

- B. “No Parking, Bus Loading Zone”
 - 1. The south side of North Fremont Drive from 140 feet to 420 feet east of the east line of Johnson Road
 - 2. The south side of South Fremont Drive from 50 feet to 350 feet east of the east line of Johnson Road

PASSED AND APPROVED THIS ____ DAY OF _____, 2012

SCOTT GETZSCHMAN, MAYOR

ATTEST:

Kimberly Volk, MMC
City Clerk

STAFF REPORT

TO: Mayor and City Council
FROM: Clark Boschult, City Engineer
DATE: July 5, 2012
SUBJECT: Payments

Recommendation: Approve Resolution

Background: Consider Resolution approving payments as follows:

<u>Contractor</u>	<u>Request</u>	<u>Project</u>	<u>Amount</u>
M.E. Collins Contracting Company, Inc.	PR-1	Luther Road Turn Lane Improvements (P-139-12)	\$76,516.38
Fauss Construction	PR-6	Christensen Field Event Center Renovation (R-147-11)	\$70,163.93

RESOLUTION NO. _____

A Resolution of the City Council of the City of Fremont, Nebraska, approving payment to M.E. Collins Contracting Company, Inc. and Fauss Construction

RESOLVED: That the Fremont City Council approves the following contract payments and that a check be drawn in the amount listed on the proper account to the respective contractor listed.

<u>Contractor</u>	<u>Request</u>	<u>Project</u>	<u>Amount</u>
M.E. Collins Contracting Company, Inc.	PR-1	Luther Road Turn Lane Improvements (P-139-12)	\$76,516.38
Fauss Construction	PR-6	Christensen Field Event Center Renovation (R-147-11)	\$70,163.93

PASSED AND APPROVED THIS _____ DAY OF _____, 2012

Scott Getzschman, Mayor

ATTEST:

Kimberly Volk, MMC
City Clerk

Jun. 26. 2012 1:32PM. CITY OF FREMONT/DEPT OF UTILITY

No. 4154 P. 2

APPLICATION FOR PAYMENT

PROJECT: Luther Road Turn Lane Improvements
CONTRACTOR: M.E. Collins Contracting Co., Inc.
980 East 25th Street
Wahoo, NE 68066

REQUEST NO: 1
PROJECT NO: P-139-12
DATE: 6/26/12
SHEET: 1 of 3

TOTAL COMPLETED TO-DATE \$86,018.20
Retainage 10% \$8,501.82
Total Earned Less Retainage \$76,516.38
Less Previous Payments
Current Requested Payment \$76,516.38

CONTRACT AMOUNT

SUMMARY PREVIOUS PAYMENTS

Original Contract \$208,428.20
Change Order No.1
Change Order No.2
Change Order No.3
Change Order No.4
Adjusted Contract

Payment No. 1
Payment No. 2
Payment No. 3
Payment No. 4
Payment No. 5
TOTAL TO DATE

Pay Request No. 1
in the amount of \$ 76,516.38
is hereby recommended
for Payment.

The undersigned contractor certifies that to the best of the contractor's knowledge, information and belief, the work covered by this and all previous Applications for Payment have been completed in accordance with Contract Documents; that all amounts have been paid by the contractor for work for which previous Certificates for Payment were issued and payments received from the Owner; and, that current payment shown herein is now due.

CITY OF FREMONT, NEBRASKA
[Signature]
City Engineer
6-28-12
Date

M.E. COLLINS CONTRACTING COMPANY, INC.
[Signature]
By
June 27, 2012
Date

APPLICATION AND CERTIFICATE FOR PAYMENT

AIA DOCUMENT G702

PAGE ONE OF TWO PAGES

TO OWNER: City of Fremont
400 East Military,
Fremont, Ne 68025

PROJECT: Christensen Field Renovation
1710 West 16th Street
Fremont, NE

Application No: Six (6)
PERIOD TO: May 25-12
CONTRACT FOR:
Renovation

Distribution to:
 OWNER
 ARCHITECT
 CONTRACTOR

FROM CONTRACTOR:
Fauss Construction Inc.
1059 County Road 20, Hooper, Ne 68031

VIA ARCHITECT: Alley Poyner Macchietto
1516 Cuming Street
Omaha, Ne 68102

CONTRACT DATE: 11/22/2011

PROJECT NOS: APMA 09006

CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for Payment, as shown below, in connection with the Contract.
Continuation Sheet, AIA Document G703, is attached.

- | | |
|--|--------------|
| 1. ORIGINAL CONTRACT SUM..... | \$698,000.00 |
| 2. Net change by Change Orders..... | \$80,132.92 |
| 3. CONTRACT SUM TO DATE..... | \$778,132.92 |
| 4. TOTAL COMPLETED & STORED TO DATE
(Column G on G703) | \$664,160.92 |
| 5. RETAINAGE: | |
| a. <u>10</u> % of Completed Work
(Column D + E on G703) | \$66,416.09 |
| b. _____ of Stored Materials
(Column F on G703) | |
| Total Retainage (Line 5a + 5b or
Total in Column I of G703) | \$66,416.09 |
| 6. TOTAL EARNED LESS RETAINAGE.....
(Line 4 less Line 5 total) | \$597,744.83 |
| 7. LESS PREVIOUS CERTIFICATES FOR PAYMENT
(Line 6 from prior Certificate) | 527,580.92 |
| 8. CURRENT PAYMENT DUE..... | 70,163.93 |
| 9. BALANCE TO FINISH, PLUS RETAINAGE.....
(Line 3 less Line 6) | \$180,388.09 |

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Change orders approved in previous months by Owner	68236	
Total approved this month	11896.92	
TOTALS	80132.92	0
Net change by Change Orders	80132.92	

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payment received from the Owner, and that current payment shown herein is now due.

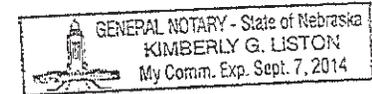
CONTRACTOR:

By: [Signature] Date: 25-May-12

State of Nebraska
County of: Dodge

Subscribed and sworn to before me this 25th day of May, 2012

Notary Public: [Signature]
My Commission expires September 7, 2014



ARCHITECT'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising the above application, the Architect certifies to the Owner that to the best of the Architect's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED..... \$ 70,163.93
(Attach explanation if amount certified differs from the amount applied for. Initial all figures on this Application and on the Continuation Sheet that are changed to conform to the amount certified.)

Architect: [Signature]
By: [Signature]

Date: 01-12-12

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

STAFF REPORT

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: KIM VOLK, CITY CLERK

DATE: JULY 5, 2012

SUBJECT: LIBRARY BOARD

Recommendation: Move to approve the recommendation of the Mayor to reappoint Courtney Fedde and Larry Jirsak and appoint Jan Thieren to the Library Board for a four year term ending July 2016.

Background: Reappointments and appointment has the recommendation of Library Director Davenport.

STAFF REPORT

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: PAUL PAYNE, CITY ATTORNEY

DATE: July 5, 2012

SUBJECT: FREMONT VOLUNTEER FIRE DEPARTMENT

Recommendation: Pass resolution causing the dissolution of the FVFD, disposing of the property of the FVFD, and indicating the City of Fremont's position regarding the disposition of all funds held in trust by the FVFD .

Background: The proposed resolution will allow the City of Fremont to officially dissolve the FVFD. There is currently only one member, Don Nelson, of the FVFD and the organization has not fulfilled its statutory duties and has also failed to meet the basic requirements of its bylaws for several years.

Upon the dissolution of the FVFD, the distribution of both the FVFD Trust money and personal property currently held by the FVFD must be decided. The disposition of the money held in Trust is controlled by the Nebraska Attorney General's Office under Neb. Rev. Stat. §35-901. The Attorney General's Office would like to be informed of the City of Fremont's position regarding the distribution of the Trust assets. The disposition of any remaining property not controlled by the Attorney General's Office is subject to the City Council's discretion. Considering the local historical significance of some of those items, it is my recommendation that the City of Fremont retain ownership of those items in order that they may be displayed locally or loaned to interested museums.

Included in the back up material for this Resolution, please find enclosed letters from the Nebraska Attorney General's Office, Donald Nelson's Attorney, James Egr, the "*History of the Fremont Fire Department*" by Arnold Hahn, the 2005 Constitution and Bylaws of the Fremont Volunteer Firefighters, and a list of personal property prepared by Donald Nelson.

RESOLUTION NO. _____

A Resolution of the City Council of the City of Fremont to dissolve the Fremont Volunteer Fire Department (“FVFD”), to effect the disposition of FVFD property, and to indicate the City’s position regarding the disbursement of all funds held in Trust by the FVFD.

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF FREMONT, NEBRASKA:

WHEREAS, The FVFD has served the Fremont community since 1868, and

WHEREAS, FVFD no longer meets the requirements of its own bylaws or Nebraska Statute to be a legal entity, and

WHEREAS, Fremont Fire Department has already assumed all duties for fire protection in the Fremont city limits, and

WHEREAS, FVFD is hereby officially dissolved, and

WHEREAS, The FVFD has certain property and approximately \$19,000 in a trust account and the disposition of the trust account and other property needs to be resolved, and

WHEREAS, All FVFD property, not subject to the control of the Nebraska Attorney General, is hereby declared to be the property of the City of Fremont, and

WHEREAS, the City has been informed of the last remaining member of the FVFD, Donald R. Nelson’s intent to donate to the Memorial Garden of the Nebraska Fire Fighter’s Museum and Education Center in Kearney, Nebraska the money held in Trust. The approximate cost for the names and the memorial pedestal or bricks is \$9,600.00. The balance of the monies would go to the Museum for its various uses in refurbishing apparatus, acquiring apparatus, replacing displays and updating, acquiring education displays for “hands on” interaction, and cost of operations. The Nebraska Fire Fighters’ Museum and Education Center is a qualified 501(c)(3) tax free and qualified charity under the Internal Revenue Code.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF FREMONT, NEBRASKA, that the Mayor is hereby authorized to sign this resolution dissolving the FVFD; declaring all property of the FVFD as property of the City of Fremont, and authorizes disbursement of the funds held in trust, approximately \$19,000 with \$9,600 of said funds to be used for Memorial Garden pedestal/bricks and the remainder of funds donated to the Nebraska Fire Fighters’ Museum and Education Center.

Passed and approved this _____ day of _____, 2012.

Scott Getzschman, Mayor

ATTEST:

Kimberly Volk, MMC, City Clerk

COPY



STATE OF NEBRASKA
Office of the Attorney General

2115 STATE CAPITOL BUILDING
LINCOLN, NE 68509-8920
(402) 471-2682
TDD (402) 471-2682
CAPITOL FAX (402) 471-3297
TIERONE FAX (402) 471-4725

JON BRUNING
ATTORNEY GENERAL

AUDREY L. SAUTTER
ASSISTANT ATTORNEY GENERAL

June 18, 2012

Mr. James M. Eger, Esq.
465 4th Street
P.O. Box 46
David City, NE 68632

RE: Fremont Volunteer Fire Department Trust Fund

Dear Mr. Eger,

Thank you for your letter dated May 2, 2012, concerning the Fremont Volunteer Fire Department Trust Fund. Under the Uniform Trust Code, the Attorney General has a specific role concerning trusts that are charitable in nature. The Nebraska Uniform Trust Code, Neb. Rev. Stat. § 30-3810, provides that the Attorney General has the rights of a qualified beneficiary with respect to charitable trusts having its principal place of administration in Nebraska.

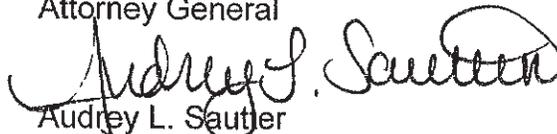
Therefore, our office is requesting you to provide the following information to assist us in our review of the proposed distribution of Fremont Volunteer Department Trust Fund (hereinafter "Fund") assets. Please respond to the following questions and/or provide the following documents by July 16, 2012.

1. Indicate who is presently controlling and/or administering the Fund;
2. Provide any written agreements or other documents describing or detailing the purpose or operation of the Fund;
3. Provide any documents describing or detailing the establishment of the Fund;
4. Provide an itemized list of all assets held by the Fund;
5. Provide any and all account activity statements on any accounts held by the Fund from 2008 to the present;
6. Provide any documents supporting the dissolution of the Fremont Volunteer Fire Department;
7. Describe the relationship between the Fremont Volunteer Fire Department and the city of Fremont;
8. Indicate whether the city of Fremont has been informed of the Fund's plan to distribute its assets to the Nebraska Fire Fighters' Museum and Education Center in Kearney, Nebraska; and,

9. If the city of Freemont has been notified, please indicate what the city's position is with regard to the proposed distribution of assets.

Thank you in advance for your cooperation. Should you have any questions or concerns, please do not hesitate to contact the undersigned directly at (402) 471-1279. Otherwise, we look forward to your response.

Sincerely,
JON BRUNING
Attorney General


Audrey L. Sautler
Assistant Attorney General

James M. Egr
465 4th Street
P.O. Box 46
David City NE 68632
(402) 367-3139 - Fax (402) 367-3900
jamesegr@egrbirkel.com

COPY

May 2, 2012

Nebraska Attorney General's Office
2115 State Capitol Building
Lincoln, Nebraska 68509

Attn: Audrey Sautter
Assistant Attorney General

Re: Fremont Volunteer Fire Department
Trust Fund Matter

Dear Ms. Sautter,

Pursuant to our telephone conversation of a week or so ago, I am writing concerning the monies in the Fremont Volunteer Fire Department Trust Fund that comes under Section 35-901 of the Revised Statutes of Nebraska.

Pursuant to Section 35-901, the Fremont Volunteer Fire Department put the monies raised by them from various activities into their account titled "Fremont Volunteer Fire Department Trust Fund". The said statute was enacted to prevent monies that were not tax dollars, but were from fundraisers, gifts, donations, etc. from coming under the Nebraska Budget Act. The statute was amended when their arose questions from the Bellevue Volunteer Fire Department's Fund and the City of Bellevue. Ultimately, the statute was amended to address monies from charging for services, monies that exceeded receipts and expenses in a twelve (12) month period of \$100,000.00, and to provide the separation of charges in the accounting of the political subdivision and that use of monies from charges could only be used for fire and rescue matters and purchases. The so-called "Bellevue Bill" was the result of problems between the Volunteer Fire Departments and the City of Bellevue. How do I know? I was involved as one (1) of the lobbyists for Nebraska State Volunteer Firefighter's Association (N.S.V.F.A.) and our discussions with Senator Lathrop.

Now, the Fremont Volunteer Fire Department (FVFD) Trust Fund had or did not have the following receipts:

- (1) NO money in the fund was ever tax dollars.
- (2) Money did come from fines collected from its members for missing parades, missing practices, missing meetings; the typical type of things for such organizations.
- (3) Money came from dances. The dance or any fundraising events NEVER were for equipment, fire and/or rescue purposes; they were to benefit the firefighters themselves as I will address below.
- (4) Raffle sale proceeds.

The expenditures from the Fund were usually as follows:

- (A) Purchase FVFD shirts for the members.
- (B) Purchase FVFD jackets for the members.
- (C) Pay for continuing education that the City of Fremont declined to pay.
- (D) Pay for the costs of those attending the N.S.V.F.A. Annual Fire School in Grand Island, Nebraska.
- (E) Pay the cost of attending the N.S.V.F.A. Annual Conference; formerly Annual Convention and Annual Meeting.
- (F) It is my understanding that equipment, apparatus, and fire and rescue items were NOT purchased from the Fund.

The Fund has approximately \$19,000.00 dollars in it, which is very small compared to Bellevue VFD's \$1.5 million! The FVFD will no longer exist because the City of Fremont has decided it no longer needs a VFD in light of its paid Fire Department. Budget constraints brought about the demise because the City could save the workers' Compensation coverage cost and the Nebraska State Statute 35-108 required \$10,000.00 group term life insurance coverage for each FVFD member, and because of the impracticality of maintaining a VFD for a city the size of Fremont and the size of its paid Fire Department.

The FVFD would like to expend the monies in the Fund as follows:

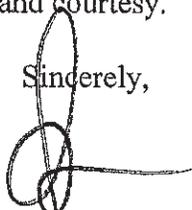
- (I) To memorialize the FVFD's members who have served at the Memorial Garden of the Nebraska Fire Fighters' Museum And Education Center in Kearney, Nebraska. The Museum is near the "Arch" and its Memorial Garden has various methods of listing fire department members living and deceased and so forth. This would be a logical expense because in a few years and after the FVFD members die few people will remember Fremont ever had a Volunteer Fire Department. The approximate cost for the names and the memorial pedestal or bricks is \$9,600.00.

- (ii) The balance of the Fund monies would go to the Museum for its various uses in refurbishing apparatus, acquiring apparatus, replacing displays and updating, acquiring education displays for "hands on" interaction, and cost of operations. The Nebraska Fire Fighters' Museum and Education Center IS a qualified 501(c)(3) tax free and qualified charity under the Internal Revenue Code.
- (iii) There will be legal fees for my services, which should not exceed \$1,500.00, UNLESS FVFD must go through the Trust proceedings we did for Elkhorn VFD and those costs ran over \$4,500.00.

I respectfully submit that because of the amount in the Fund, the nature of the source of the Fund monies, the reasons for the fundraisers (to benefit the firefighter themselves) as stated above), and the use of the monies as stated above, it would NOT BE NECESSARY to go through the County Court proceedings we did for the Elkhorn VFD. Please do not hesitate to contact me with any questions.

Thank you for your time, attention, and courtesy.

Sincerely,

A handwritten signature in black ink, appearing to be 'James M. Egr', with a stylized, looping initial 'J' and a horizontal line extending to the right.

James M. Egr

JME/b

cc: Don Nelson

James M. Egr
465 4th Street
P.O. Box 46
David City NE 68632
(402) 367-3139 - Fax (402) 367-3900
jamesegr@egrbirkel.com

June 19, 2012

Fremont Volunteer Fire Department
2215 Parkview Drive
Fremont, NE 68025

Attn: Don Nelson

Re: Fremont Volunteer Fire
Department Trust Fund

Dear Don,

Finally, please find enclosed the June 18, 2012 letter from the Attorney General's Office (A.G.) About the requested information. The following are the points raised and things I need from you or clarification of the items:

- (1) I assume YOU are the one presently controlling and/or administering the Fund. Please confirm.
- (2) I assume there are NO written agents because it was established under Section 35-901 of the Nebraska Statutes. Please confirm this.
- (3) I assume that there is NOTHING describing or detailing the establishment of the Fund other then setting up the accounts pursuant to Section 35-901 of the Nebraska Statute. Please confirm this.
- (4) YOU MUST GIVE ME A LIST OF ASSETS. NAMELY, TYPE OF ACCOUNT, THE ACCOUNT NUMBER, THE BANK.
- (5) YOU NEED TO SEND ME COPIES OF ALL BANK ACCOUNT RECORDS FROM 2008 TO THE PRESENT. THIS IS A MUST FROM THE A.G.'S OFFICE. WE NEED ALL BANK RECORDS AND NPAIT RECORDS

- (6) We need something to show the Fremont VFD does not exist. I suspect the City Council of Fremont did some type of Motion not to have a VFD. Talk with the City Attorney about this and get the necessary documentation. If there is no documentation, the City Attorney WILL HAVE TO HAVE THE CITY ADDRESS IT.
- (7) I would suspect that on the relationship of the VFD and City of Fremont it was because they had an Ordinance Creating the V.F.D. The City Attorney WILL NEED to provide the City Ordinance or Code Book Section that established the V.F.D. or some type of clarification or letter.
- (8) As to distributing the assets, I would think a letter from the City Attorney would suffice that the Council knows about the proposed distribution and they have no objection. If the City has not been informed, they DO NEED TO BE INFORMED; they DO NEED to pass an appropriate Resolution and get me a copy.
- (9) This is taken care of by a letter from the City Attorney and/or Resolution copy saying they APPROVE THE PROPOSED DISTRIBUTION.

PLEASE NOTE THAT I NEED THIS A.S.A.P. SO I CAN GET IT BACK BEFORE
JULY 16, 2012

Should the City Attorney have any questions, please have him contact me.

Don, I did warn you this could be a process that takes time because of the A.G.'s position on these funds.

Please do not hesitate to contact me with any questions.

Thank you for your time and prompt attention and matters in this letter.

Sincerely,



James M. Egr

JME/d
Enc.

HISTORY OF THE FREMONT FIRE DEPARTMENT

by Arnold H. Hahn

Fremont, Nebraska was founded in the year 1856 on the banks of the Platte River. It lies in a valley five miles wide with bluffs on the north and south. It is thirty-five miles west of the Missouri River and ninety-two miles north of the Kansas-Nebraska boundary line. The City of Fremont was founded ten years before Nebraska gained statehood. A group of settlers traveling westward stopped and rested overnight on the north banks of the Platte River. These people decided to stay there because it would be a resting place for the settlers who were traveling westward. More settlers traveling westward stopped and made Fremont their home. The population in the year 1870 was 1,200 people.

In the latter part of 1864 the citizens realized they needed some form of fire protection, other than a bucket brigade. An organization was formed and called the Fremont Volunteer Company. This company would meet regularly and discuss ways and means of having better fire protection and equipment. This company continued until the year 1868 when the Frontier Hook and Ladder Company was formed. They purchased a wagon and equipped it with ladders which hung on the sides and some were placed on the top; on the sides were hanging buckets, which were used to help put out a fire. The citizens, knowing that the water level in the City was about six feet, had wells or cisterns dug in the middle of each intersection.

These cisterns would fill up with water and on the top of each cistern was placed an iron manhole cover.

In about the year 1870 a "Mud Sucker" and some hose were purchased. (A mud sucker resembled a railroad hand-car with handles that worked up and down. In the center of the platform were two pistons which would fill up with water and then force it out into the hose.) Whenever there was a fire the Mud Sucker would be pulled to one of these cisterns by hand and a suction hose would be placed in the cistern and a 2½" hose attached to the Mud Sucker and strung to the fire. Four men would start to pump the handles up and down and that way got water to the fire.

Records also show that a wagon was bought and filled with hose. This wagon was pulled to the fire by the men.

As the population grew, more Volunteer Companies were formed:

The Engine Company on February 7, 1872

The Manufacturers Hose Company on December 4, 1874

The J. C. Cleveland Chemical Company on September 10, 1883

The Mechanic Hose Company on May 17, 1886

The William G. Mercer Hose Company on February 26, 1890

The annual meeting of 1890 of the Fremont Volunteer Companies shows that the membership of all of the companies was 182. Now that all of the Volunteer Companies were formed, a meeting was called on April 21, 1891 to form the Board of Directors of the Volunteer Fire Department. The Board of

Directors consisted of a President and Vice-president, who were elected annually by the Fremont Fire Department Volunteers in the month of April. Their term of office was for one year when another election was held. The Board of Directors consisted of sixteen members, two from each of the seven companies, a president and a vice-president. The sixteen members elected a secretary and treasurer from the sixteen members, who also served for one year. The Board of Directors was the governing body of all of the Volunteers.

In the year 1880, the population of Fremont had increased to 3,013 and on September 5, 1880 the first water mains were laid and hydrants placed at intersections. This called for additional equipment and the records show that two wagons were purchased for hose, one wagon for ladders, one chemical wagon and two reel hose carts. Still all the equipment was pulled by hand to a fire.

The cornerstone for the City Hall, at the corner of 4th and Park Avenue, was placed in the year 1888. (From a 1892 History of the Elkhorn Valley) we quote: "Moved to the new City Hall in 1889 ---- Finest hose teams in the West ---- Magnificent headquarters ---- Fresconing and furniture cost over \$1,200.00 ---- Citizens liberally supplies this room with costly pictures and the upholstered furniture." All of the offices of the City of Fremont moved into this building.

In the year 1890 the population was 5,747. This called for improvement of transportation of equipment of the Fire

Department. They now have as shown by the records: four hose wagons, 1 hook and ladder wagon, 2 chemical wagons, and four hose reel carts. Instead of the men pulling the equipment by hand, they were now pulled by teams of horses. They had an unique way of getting the citizens to pull the equipment to the fire. When the new City Hall was built, they erected a tower in which a bell was placed. When the bell would ring it announced a fire. Any citizen who had a team of horses, whether on a dray wagon, a hack, or other transportation, heard this bell they would rush to the Fire Station, unhook the team of horses and hook it onto a piece of fire equipment and pull it to the fire. The citizens who got their team of horses hooked to a wagon and to the fire, received pay. Records show that the citizens would fight to get to pull a wagon to the fire.

In the year 1900 the population of Fremont was 7,241 and the annual report of April, 1900 to the members of the department showed they had one new hose cart, one hook and ladder wagon, two chemical wagons, three hose wagons, and four reel carts. In the same year, the town was divided into six wards: Military Avenue being the dividing line, north and south, and Main Street being the dividing line, east and west. Ward One, being the North East; Ward Two, being the North West; Ward Three, being the South West and Ward Four, being the South East. Ward Five was the uptown business district and Ward Six was the factory district. Whenever there was a fire, the bell would ring for a minute, then stop for a few seconds and then give one ring for Ward One, two rings for Ward Two, etc. The records show that one of the hose reel carts were placed in each ward. This gave them a means of protection as there were always some

Volunteers in that Ward that would get the cart out of the building and take it to the fire. This would be followed by the wagons drawn by horses from the Fire Station.

In the year 1910, the population in Fremont was 8,916. The Board of Directors of the Fire Department informed the City Council that they should be thinking of buying an Auto Wagon (as they were called at that time). They were now manufacturing Auto Wagons and the Department started to modernize their fire equipment. The contract was signed in 1910 and the Auto Wagon was delivered in 1911. This was the first motor driven fire truck in the State of Nebraska; a Wilcox Hose and Chemical truck. In the year 1911, the City Hall had no heat in the truck room and when the truck arrived, the Board of Directors and the City Council rented a garage that was heated and hired one man for \$65.00 per month to run the truck. This man, as the records show, was the first paid man in the Fire Department. In 1915, a "White" truck was bought; it being a Hose and Chemical truck. In 1919, a "Dart" truck was bought for use as a Hook and Ladder truck. In 1922, a "American La France" truck was bought; it being a Model 39 Triple Combination Pump truck. It was purchased for \$10,000. Other equipment was bought as needed and in 1946 the first squad was bought through donations and it was used until 1962, when a new squad was bought.

In July, 1937 the seven volunteer fire companies were reduced to four companies, which we still have to date. Each

of the four companies are made up of twenty-one members.

Our old City Hall, being built in the year 1888, needed a lot of repairs. It was decided by the City Council that a new fire station should be built and plans were in the making and in January, 1968 open house was held in the new building costing \$240,000.00.

As of now we have the following pieces of equipment: 2 American La France Pumpers, 1 American La France Aerial Ladder truck, 1 Squad Car, 1 F.W.D. Rural Farm truck, and 1 Utility truck. We also have a Fire Chief car, and a car for the Fire Inspector. We have at present a Fire Chief, a Fire Inspector and 24 firefighters. The three Fire Captains are included in the 24 firefighters.

The population of Fremont in 1968 is about 25,000.

The
Constitution
and
Bylaws

of the

Fremont Volunteer
Firefighters

As adopted by a vote of the membership at the August 1, 2005 meeting
of the Fremont Volunteer Firefighters.

Article I

The name of this organization shall be the "Fremont Volunteer Firefighters" of Fremont, Nebraska.

Article II

This organization is hereby formed for the purpose of protecting property from destruction by fire and from theft and damage in case of fire and for the preservation of life in time of fire or other emergency through emergency medical services and to engage in other civic enterprises as deemed for the welfare of the community.

Article III

- A) Regular meetings and drills shall be held as follows:
 - Meeting - 1st Monday of every month at 7:00 p.m.
 - Drill - 2nd Monday of every month at 7:00 p.m.
- B) Fifty (50) percent of the total membership shall constitute a quorum for the transaction of department business.
- C) In the absence of a quorum a committee of three (3) persons, other than officers, shall be able to authorize only the payment of bills.
- D) The annual meeting shall be held following the regular April meeting. All officers shall be elected at this meeting.
- E) Department business shall be conducted in the following manner;
 - 1) Roll Call and Collection of Fines and Dues
 - 2) Proposals for Membership
 - 3) Reading of Minutes of Last Meeting
 - 4) Treasurers Report
 - 5) Report of Committees
 - 6) Old Business
 - 7) New Business
 - 8) Bills against the Organization
 - 9) Business for the Good of the Organization
 - 10) Correspondence
- F) Robert's Rules shall be in effect at all meetings

Article IV

- A) The organization shall consist of not more than 40 active members.
- B) Qualifications for Membership;
 - 1) Shall be at least 18 years of age.
 - 2) Shall live within twenty (20) minutes of the city of Fremont.
 - 3) Shall have resided in said area for at least one year.
- C) Applications for membership shall be completed fully and turned into the membership committee for first approval. Upon first approval the Secretary shall notify the applicant of the next meeting date for the applicant to be present for final approval by the department.
- D) Each new member shall serve a probationary period of not less than six (6) months after which they may be dropped or retained at the discretion of the department.
- E) All new members shall have completed, or will complete, a basic firemanship course or greater, at their earliest opportunity and shall maintain a current CPR certificate.
- F) The department shall consist of Class 1, Class 2, Social, and Honorary members as follows;
 - 1) A class 1 member is a member in good standing that passes a city physical, and the annual agility test.
 - 2) A class 2 member is a member in good standing that passes a city physical, but does not pass the annual agility test.
 - 3) A social member is a member that retires with at least ten (10) years of active service. They pay annual dues of \$4.00 a year to attend social functions only.
 - 4) An honorary member is any person that retires, career or volunteer and does not pay any dues.
- G) With a positive letter of recommendation from the previous fire department The one year residency and probation period shall be waived.

Article V

- A) The officers shall consist of President, vice-president, Secretary, and Treasurer. They shall be elected at the annual meeting for a term of one year. A member shall have at least two (2) years of active service to be eligible for office.
- 1) It shall be the duty of the President to preside at all meetings, appoint committees, call special meetings, to countersign all orders of the Treasurer for payment, and to head the budget committee.
 - 2) It shall be the duty of the vice-president to perform the duties of the President in their absence. The vice-president shall head Junior Fire Patrol and the Annual Ball.
 - 3) It shall be the duty of the Secretary to maintain a current roster, keep the roll of meetings and drills, keep the minutes of the meetings. For their services they are exempt from dues and shall receive a donation of \$200.00 yearly, to be paid at the annual meeting in April.
 - 4) It shall be the duty of the Treasurer to collect fines and dues, pay all orders of the department, keep account of all moneys and report such at meetings, maintain a bond as such as necessary, and to serve on the budget committee. For their services they are exempt from dues and shall receive a donation of \$200.00 yearly to be paid at the annual meeting in April.
- B) Any officer may resign their office by presenting their resignation in writing at any regular meeting, except for the Secretary-treasurer who shall give at least one (1) months notice; such that if their books and accounts are found to be in order, their resignation may be accepted.
- C) Any officer that absents themselves for three consecutive meetings without an excuse shall forfeit their office.
- D) Should any vacancy occur in the department, that vacancy shall be filled by special election at the next regular meeting.

Article VI

- A) It shall be the duty of all active members to;
1. Maintain the training standards of their class as set by the city of Fremont fire department.

2. Respond to all general alarms.
 3. Attend at least seventy five percent of meetings and drills in a calendar year.
 4. Pay regular dues and maintain a good standing.
- B) It shall be the duty of any member, knowing of the death or hospitalization of a fellow firefighter (past or present), to report such to the secretary for a matter of record.
- C) Any member whose name has been stricken from the active roll wishing to regain active status shall be voted on by secret ballot at a regular meeting.
- D) Any member that refuses to obey the orders of a superior officer shall be arraigned before the department and may be disciplined by a 3/4 vote of the members present.
- E) Any and all charges against a member shall be made in writing and signed by the person making the charges. The secretary shall notify the accused of the allegations and advise them to attend the next regular meeting to answer the charges.

Article VII

- A) All active member shall pay monthly dues of \$1.00 and if not paid within three months shall be considered in arrears.
- B) Department Fines shall be as follows;
- | | |
|--|--------|
| 1. Absence from a general alarm | \$1.00 |
| 2. Leaving a fire, drill or meeting without Permission | \$1.00 |
| 3. Absence from memorial services | \$1.00 |
| 4. Absence from the annual meeting | \$1.00 |
| 5. Use of profane or indecent language | \$0.50 |
| 6. Failure to bring fire gear to drill | \$1.00 |
- C) For being under the influence of alcohol or drugs at any drill, fire or while operating department equipment the person shall be sent from the ranks and the case will come before the department at the next regular meeting. The person may be disciplined by 3/4 vote of the members present at that meeting.

- D) To receive an excused absence from a meeting or drill the member shall notify the President or Secretary / Treasurer prior to the meeting or drill. If not possible the member must notify the Secretary/Treasurer within 24 hours or they will be considered absent. Only the following excuses shall be accepted for absence;
- E)
1. Illness of the member or member's immediate family
 2. Work.
 3. School
 4. Death
- F) Department Drills may be made-up within the month by contacting the Department Training officer.
- G) Longevity Awards shall be given as follows;
- | | | |
|-----|----------|-----------------------|
| 1. | 1 year | Name Badge |
| 2. | 5 years | Tie Tack or Lapel Pin |
| 3. | 10 years | Flashlight |
| 4. | 15 years | Belt Buckle |
| 5. | 20 years | Ring |
| 6. | 25 years | Watch |
| 7. | 30 years | Plaque and Year Tags |
| 8. | 35 years | Coat |
| 9. | 40 years | |
| 10. | 50 years | |

Article VIII

- A) Members driving personal vehicles shall receive a fair and equitable reimbursement for mileage to and from all schools, conventions and out of town meetings as set by the city office.
- B) All members attending such activities as a representative of the fire department shall have all registration fees paid by the department.
- C) Verification of registration and, in the case of schools, a passing mark, will be required to receive compensation.
- D) When a school, conference or convention requires an overnight stay, motel costs shall be paid by the department.

- E) No member shall receive compensation for advanced training until they have completed their probation period and basic firemanship or greater training.

Article IX

Any amendments, additions, or deletions to this constitution and by-laws must be submitted to all members, in writing, at least one month prior to the meeting at which they shall be voted on.

It shall require at least $\frac{3}{4}$ vote of all members of the department to pass any such amendment, addition, or deletion to this constitution and by-laws

FREMONT VOLUNTEER FIRE DEPARTMENT
Current Inventory – April 3, 2012

1938 Diamond T – used for parades
All records from 1926 to the present time
2-wheel trailer
Water fighting barrel and cables
Popcorn popper
American Flag, flag pole and base
Nebraska State Volunteer Firefighters Association flag pole and base
Artistic Firefighter Artwork (4)
(2) Electric roasters
(2) Memorial plaques
Cemetery Memorial Markers and flag for each firefighter's grave
Ridge Cemetery Volunteer Firefighters lot
Hook & Ladder lot at Ridge Cemetery
Television and VCR
(2) Brass straight tip nozzles for water fighting
(2) Black straight tip nozzles for water fighting
Water fighting trophies
(13) Blazers
(6) White shirts with Fremont Volunteer Firefighter on back
(4) Red jackets with Fremont Volunteer Firefighter on back
(3) Red winter jackets
(9) T-shirts with Fremont Volunteer Firefighter on back
(4) Flashlights
(20) License plates
(1) Fire Extinguisher, 1912

Bugles

(1) 1885
(1) 1902 (Nebraska State Volunteer Firemen's Association)
(1) 1894 (JC Cleland Hose Company)

Plaques

82nd Annual Convention – Nebraska State Volunteer Firemen's Association, 1964
95th Annual Convention – Nebraska State Volunteer Firemen's Association, 1972
Golden Glove Champions, 1940
Golden Glove Champions, 1947 (Omaha World Herald Merit Award)
AK-SAR-BEN Award of Merit, 1961
AK-SAR-BEN Award of Merit, 1975
Nebraska State Volunteer Firefighters Association Award of Merit, Ladies Auxiliary, 1981-1982
Nebraska State Volunteer Firefighters Association Award of Merit, Ladies Auxiliary, 1972-1973
Nebraska State Volunteer Firefighters Association Award of Merit, Ladies Auxiliary, 1983-1984

STAFF REPORT

TO: Mayor and City Council
FROM: Clark Boschult, City Engineer
DATE: July 5, 2012
SUBJECT: Street Improvement Paving District No. 550

Recommendation: 3rd reading of Ordinance

Background: Consider Ordinance creating Paving District No. 550 (Johnson Road, Peterson Avenue to 16th Street, west side). Improvements including adding one lane on the west with curbing and storm sewer.

Fiscal Impact: The cost of paving and storm sewer exclusive of intersections will be levied against the abutting property owners as a special assessment.

ORDINANCE NO. _____

AN ORDINANCE CREATING STREET IMPROVEMENT PAVING DISTRICT NO. 550 OF THE CITY OF FREMONT, NEBRASKA; AND ORDERING THE CONSTRUCTION OF STREET IMPROVEMENTS THEREIN; PROVIDING FOR PUBLICATION OF NOTICE OF THE CREATION OF SAID PAVING DISTRICT; AND, PROVIDING WHEN THIS ORDINANCE WILL BE IN FULL FORCE AND EFFECT.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FREMONT, NEBRASKA:

SECTION I. That Paving District No. 550 is hereby created and constituted in the City of Fremont, Nebraska.

SECTION II. That said Paving District comprises and includes the improvement of the west side of Johnson Road from the south line of Day Acres Fourth Addition to the south line of 16th Street and includes all lands lying west of the west margin of said street to a depth of 150.0 feet from the margin thereof which includes Lots 3 thru 14 inclusive, Block 2, Day Acres Fourth Addition and Lot 1, St. Patrick Catholic Church Addition, all in Fremont, Dodge County, Nebraska. Said district being created for the purposes of paving the said street with portland cement concrete.

SECTION III. That authority is granted to assess the entire cost of said improvements, exclusive of intersections and spaces opposite alleys and any width in excess of 16 feet, against the property benefited within the margins of said proposed paving district.

SECTION IV. If the owners of record title representing a majority of the front footage in a district whose property abuts or adjoins one continuous or extended thoroughfare or more, as aforesaid and who are such owners at the time the ordinance creating the district is published, shall file with the City Clerk within twenty (20) days from the first publication of said notice, written objections to the paving of a district, said work shall not be done in said district under said ordinance, but said ordinance shall be repealed. If objections are not filed against any district in the time and manner aforesaid, the Mayor and Council shall forthwith proceed to construct such paving.

SECTION V. Notice of the creation of said district shall be published as provided by law in the Fremont Tribune, a legal newspaper published and of general circulation in the City of Fremont, Nebraska.

PASSED AND APPROVED THIS _____ DAY OF _____, 2012

SCOTT GETZSCHMAN, MAYOR

ATTEST:

KIMBERLY VOLK, MMC, CITY CLERK

STAFF REPORT

TO: Mayor and City Council
FROM: Rian Harkins, Planning Director
DATE: July 5, 2012
SUBJECT: Zoning Ordinance Amendment

Recommendation: Hold 2nd reading of Ordinance.

Request: Modify the following sections of the zoning ordinance to accommodate developer requests and/or the proposed comprehensive plan.

Background: To accommodate the proposed future land use plan as well as a property owner/developed request, staff developed these code amendments in order to accommodate potential development.

The amendment is as follows:

Article 3, Use Types

Amend a definition found in the civic uses (new words in the definition are in bold letters):

Section 305, Civic Use Types

J. Emergency Residential Services

A facility exclusively for or the exclusive use of a building to provide a protective sanctuary for victims of crime, abuse, **or mental illness**, including emergency housing during crisis intervention for victims of rape, abuse, physical beating, **or mental illness**.

The Planning Commission voted 6-0 to approve this item on 18 June 2012.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF FREMONT, NEBRASKA, TO AMEND ARTICLE 3 PERTAINING TO OVERLAY DISTRICT REGULATIONS OF ZONING ORDINANCE NO. 3939 OF THE CITY OF FREMONT, NEBRASKA, PROVIDE FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM AND, PROVIDING WHEN THIS ORDINANCE WILL BE IN FULL FORCE AND EFFECT.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FREMONT, NEBRASKA;

SECTION I. That Article 3 of Zoning Ordinance No. 3939 of the City of Fremont be amended to read as follows:

3

ARTICLE THREE

USE TYPES

301 Purpose

Article Three shall be known as the Use Types. The purpose of the Use Types is to establish a classification system for land uses and a consistent set of terms defining uses permitted or conditionally permitted within various zoning districts. The Use Types section also provides a procedure for determining the applicable use type of any activity not clearly within any defined use type.

302 Determinations

a. Classification of Uses

In the event of any question as to the appropriate use types of any existing or proposed use or activity, the Zoning Administrator of the City of Fremont shall have the authority to determine the appropriate use type. A determination of the Zoning Administrator may be appealed to the Board of Adjustment. In making such determinations, the Zoning Administrator and Board of Adjustment shall consider such characteristics or specific requirements of the use in common with those included as examples of use types. Those examples, when included in use type descriptions, are intended to be illustrative, as opposed to exclusive lists.

b. Records

The Zoning Administrator shall make all such determinations of appropriate use types in writing. The record of the determination shall contain a report explaining the reasons for the determination.

303 **Agricultural Use Types**

Agricultural use types include the on-site production and sale of plant and animal products by agricultural methods.

a. Horticulture

The growing of horticultural and floricultural specialties, such as flowers, shrubs, or trees intended for ornamental or landscaping purposes. This definition may include accessory retail sales under certain conditions. Typical uses include wholesale plant nurseries and greenhouses.

b. Crop Production

The raising and harvesting of tree crops, row crops for field crops on an agricultural or commercial basis. This definition may include accessory retail sales under certain conditions.

c. Animal Production

The raising of animals or production of animal products, such as eggs or dairy products on an agricultural or commercial basis on a site which is also used for crop production or where grazing of natural vegetation is the major feed source; or the raising of animals for recreational use. Typical uses include grazing, ranching, dairy farming, and poultry farming.

d. Commercial Feedlots

The use of a site for the confined feeding or holding of livestock or poultry within buildings, lots, pens, or other close quarters which are not used for crop production or where grazing of natural vegetation is not the major feed source. Livestock and poultry shall include any animal or fowl, which are used primarily for use as food or food products for human consumption, or for laboratory or testing, purposes. A Commercial Feedlot does not include areas which are used for the raising of crops or other vegetation, and upon which livestock are allowed to graze or feed.

e. Livestock Sales

The use of a site for the temporary confinement and exchange or sale of livestock. Typical uses include sales barns.

304 **Residential Use Types**

Residential use types include uses providing wholly or primarily non-transient living accommodations. They exclude institutional living arrangements providing 24-hour skilled nursing or medical care, forced residence, or therapeutic settings.

a. Single-Family Residential

The use of a site for one dwelling unit, occupied by one family. Mobile home units are not a single-family use type. See below categories for such units.

1. Single-Family Residential (Detached): A single-family residential use in which one dwelling unit is located on a single lot, with no physical or structural connection to any other dwelling unit.
2. Single-Family Residential (Attached): A single-family residential use in which one dwelling unit is located on a single lot and is attached by a common vertical wall to only one other adjacent dwelling unit on another single lot.

b. Duplex Residential

The use of a legally described lot for two dwelling units, each occupied by one family within a single building, excluding manufactured or mobile home units, but including modular housing units.

c. Two-Family Residential

The use of a site for two dwelling units, each occupied by one family, each in a separate building, excluding a mobile home unit.

d. Townhouse Residential

The use of a site for three or more attached dwelling units, each occupied by one family and separated by vertical sidewalls extending from foundation through roof without openings. Each townhouse unit must have at least two exposed exterior walls.

e. Multiple-Family Residential

The use of a site for three or more dwelling units within one building not otherwise defined as townhouse units.

f. Downtown Residential

The use of upper levels above street level of a building within the Central Business District of the City of Fremont for single- or multiple-family residential uses.

g. Group Residential

The use of a site for a residence by more than four unrelated persons, not defined as a family, on a weekly or longer basis.

h. Manufactured Home Residential

Use of a site for one or more manufactured home dwellings, as defined in Section 216.

i. Mobile Home Park

Use of a site under single ownership for one or more mobile home units. Generally, the land on which mobile homes are placed in a Mobile Home Park is leased from the owner of the facility.

j. Mobile Home Subdivision

Division of a tract of land into lots that meet all the requirements of the City of Fremont's subdivision ordinance for the location of mobile homes. Generally, a lot within a Mobile Home Subdivision is owned by the owner of the mobile home placed upon such lot.

k. Retirement Residence

A building or group of buildings which provide residential facilities for more than four residents of at least sixty years of age, or households headed by a householder of at least sixty-two years of age. A retirement residence may provide a range of residential building types and may also provide support services to residents, including but not limited to food service, general health supervision, medication services, housekeeping services, personal services, recreation facilities, and transportation services. The retirement residence may accommodate food preparation in independent units or meal service in one or more common areas. Retirement residences may include additional health care supervision or nursing care.

l. Residential Cluster

A housing development consisting of three or more buildings on a single plot of ground which is not subdivided into customary streets or lots, or where existing or contemplated streets or lot layouts make it impractical to apply the requirements of these regulations to the individual building units in such housing projects. Residential clusters are generally intended to be applied to lake or resort residential settings.

305 Civic Use Types

Civic use types include the performance of utility, educational, recreational, cultural, medical, protective, governmental, and other uses which are strongly vested with social importance.

a. Administration

Governmental offices providing administrative, clerical or public contact services that deal directly with the citizen, together with incidental storage and maintenance of necessary vehicles. Typical uses include federal, state, county, and city offices.

b. Cemetery

Land used or intended to be used for the burial of the dead and dedicated for cemetery purposes, including columbariums, crematoria, mausoleums and mortuaries when operated in conjunction with and within the boundary of such cemetery.

c. Clubs

Uses providing meeting, recreational, or social facilities for a private, nonprofit or noncommercial association, primarily for use by members and guests.

1. Clubs (Recreational): Clubs, which provide indoor and/or outdoor athletic facilities, with or without social or meeting facilities. Typical uses include country clubs, private or nonprofit community or recreation centers, and private golf courses and driving ranges.
2. Clubs (Social): Clubs, which provide primarily social or meeting facilities. Typical uses include private social clubs and fraternal organizations.

d. College and University Facilities

An educational institution of higher learning, which offers a course of study designed to culminate in the issuance of a degree, certified by a generally recognized accrediting organization.

e. Convalescent Services

A use providing bed care and inpatient services for persons requiring regular medical attention but excluding a facility providing surgical or emergency medical services and excluding a facility providing care for alcoholism, drug addiction, mental disease, or communicable disease. Typical uses include nursing homes.

f. Cultural Services

A library, museum, or similar registered nonprofit organizational use displaying, preserving and exhibiting objects of community and cultural interest in one or more of the arts and sciences.

g. Day Care Services (Limited)

This Use Type includes all classifications of day care facilities regulated by the State of Nebraska that operate providing care for not more than six (6) children. This term includes nursery schools, preschools, day care centers for children or adults, and similar uses but excludes public and private primary and secondary educational facilities.

h. Day Care Services (General)

This Use Type includes all classifications of day care facilities regulated by the State of Nebraska that operate providing care for more than six (6) children. This term includes nursery schools, preschools, day care centers for children or adults, and similar uses but excludes public and private primary and secondary educational facilities.

i. Detention Facilities

A publicly operated or contracted use providing housing and care for individuals legally confined, designed to isolate those individuals from the community.

j. Emergency Residential Services

A facility exclusively used for or the exclusive use of a building to provide a protective sanctuary for victims of crime, abuse, mental illness, including emergency housing during crisis intervention for victims of rape, abuse, physical beatings, or mental illness.

k. Group Care Facility

A facility licensed or approved by the State of Nebraska or other appropriate agency, which provides for the care and short or long-term, continuous multi-day occupancy of more than three unrelated persons who require and receive therapy or counseling on site as part of an organized and therapeutic ongoing program for any of the purposes listed below. Such facilities shall exclude those uses defined as group homes. Group Care Facilities include facilities which provide for the:

1. Adaptation to living with, or rehabilitation from, the handicaps of physical disability.
2. Adaptation to living with, or rehabilitation from, the handicaps of emotional or mental disorder; or of mental retardation if such facility has an overnight occupancy of more than eight persons.
3. Rehabilitation from the effects of drug or alcohol abuse.
4. Supervision while under a program alternative to imprisonment, including but not limited to pre-release, work release, and probationary programs.

l. Group Home

A facility licensed by the State of Nebraska in no more than eight persons, not including resident managers or house parents, who are unrelated by blood, marriage, or adoption reside while receiving therapy, training, or counseling for the purpose of adaptation to living with or rehabilitation from cerebral palsy, autism, or mental retardation.

m. Guidance Services

A use providing counseling, guidance, recuperative, or similar services to persons requiring rehabilitation assistance as a result of mental illness, alcoholism, detention, drug addiction, or similar condition on a daytime care basis.

n. Health Care

A facility providing medical, psychiatric, or surgical service for sick or injured persons exclusively on an outpatient basis including emergency treatment, diagnostic services, training, administration and services to outpatients, employees, or visitors.

o. Hospital

A facility providing medical, psychiatric, or surgical service for sick or injured persons primarily on an inpatient basis, including emergency treatment, diagnostic services, training, administration, and services to patients, employees, or visitors.

p. Maintenance Facilities

A public facility supporting maintenance, repair, vehicular or equipment servicing, material storage, and similar activities including street or sewer yards, equipment service centers, and similar uses having characteristics of commercial services or contracting or industrial activities.

q. Park and Recreation Services

Publicly owned and operated parks, playgrounds, recreation facilities including publicly owned community centers, and open spaces.

r. Postal Facilities

Postal services, including post offices, bulk mail processing or sorting centers operated by the United States Postal Service.

s. Primary Educational Facilities

A public, private, or parochial school offering instruction at the elementary school level in the branches of learning study required to be taught in schools within the State of Nebraska. A building or site established as a Primary Educational Facility on the effective date of this Ordinance shall be considered to remain in such use even if it later offers instruction at the junior high, middle school, or high school level.

t. Public Assembly

Facilities owned and operated by a public agency or a charitable nonprofit organization accommodating major public assembly for recreation, sports, amusement, or entertainment purposes. Typical uses include civic or community auditoriums, sports stadiums, convention facilities, fairgrounds, incidental sales, and exhibition facilities.

u. Religious Assembly

A use located in a permanent building and providing regular organized religious worship and religious education incidental thereto (excluding private primary or private secondary educational facilities, community recreational facilities, day care facilities, and incidental parking facilities). A property tax exemption obtained pursuant to Property Tax Code of the State of Nebraska shall constitute prima facie evidence of religious assembly use.

v. Safety Services

Facilities for conduct of public safety and emergency services including police and fire protection services and emergency medical and ambulance services.

w. Secondary Educational Facilities

A public, private, or parochial school offering instruction at the junior high or high school level in the branches of learning and study required to be taught in the schools of the State of Nebraska.

x. Utilities (Major)

Any above ground structures or facilities, other than lines, poles, and other incidental facilities, used for the production, generation, transmission or delivery of electricity, gas, or energy media, communications, electric or electronic signals; or the production, delivery, collection, storage, or treatment of water and sewage; or other services which are precedent to development and/or use of land.

306 Office Use Types

Office use types include uses providing for administration, professional services, and allied activities. These uses often invite public clientele but are more limited in external effects than commercial uses.

a. Corporate Offices

Use of a site for administrative, processing, or research offices, which generally does not provide service to clientele from Fremont and the surrounding region. Corporate offices are destinations for commuters drawn from a relatively wide region around Fremont, as well as from the community itself. Typical uses include corporate headquarters offices, telemarketing, or information processing offices.

a.1 Emergency Corporate Office

Use of a site for an Emergency Corporate (E.C.) office providing administrative, processing or financial services. This use does not invite public clientele and does not involve walk-in or drive-in services. External effects to the surrounding area are limited. Such sites are to be used only in the event of a disaster (fire, tornado, etc) at the normal operating site. Typical uses include corporate headquarters, telemarketing or information processing. The parking requirement standard for telemarketing may be reduced to provide a minimum of one space for two (2) work stations as part of a conditional use.

b. General Offices

Use of a site for business, professional, or administrative offices who may invite clients from both local and regional areas . Typical uses include real estate, insurance, management, travel, or other business offices; organization and association offices; or professional offices.

c. Financial Services

Provision of financial and banking services to consumers or clients. Walk-in and drive-in services to consumers are provided on site. Typical uses include banks, savings and loan associations, savings banks, and loan companies. An ATM (Automatic Teller Machine) which is not accompanied on-site by an office of a its primary financial institution is considered within the Personal Services Use Type.

d. Medical Offices

Use of a site for facilities, which provide diagnoses and outpatient care on a routine basis, but which does not provide prolonged, in-house medical or surgical care. Medical offices are operated by doctors, dentists, or similar medical practitioners licensed for practice in the State of Nebraska.

307 Commercial Use Types

Commercial uses include the sale, rental, service, and distribution of goods; and the provision of services other than those classified under other use types.

a. Agricultural Sales and Service

Establishments or places of business engaged in sale from the premises of feed, grain, fertilizers, farm equipment, pesticides and similar goods or in the provision of agriculturally related services with incidental storage on lots other than where the service is rendered. Typical uses include nurseries, hay, farm implement dealerships, feed and grain stores, and tree service firms.

b. Automotive and Equipment Services

Establishments or places of business primarily engaged in sale and/or service of automobiles, trucks, or heavy equipment. The following are considered automotive and equipment use types:

1. Automotive Rental and Sales: Sale or rental of automobiles, noncommercial trucks, motorcycles, motor homes, recreational vehicles or boats, including incidental storage, maintenance, and servicing. Typical uses include new and used car dealerships; motorcycle dealerships; and boat, trailer, and recreational vehicle dealerships.
2. Auto Services: Provision of fuel, lubricants, parts and accessories, and incidental services to motor vehicles; and washing and cleaning and/or repair of automobiles, noncommercial trucks, motorcycles, motor homes, recreational vehicles, or boats, including the sale, installation, and servicing of equipment and parts. Typical uses include service stations, car washes, muffler shops, auto repair garages, tire sales and installation, wheel and brake shops, and similar repair and service activities but exclude dismantling, salvage, or body and fender repair services.
3. Body Repair: Repair, painting, or refinishing of the body, fender, or frame of automobiles, trucks, motorcycles, motor homes, recreational vehicles, boats, tractors, construction equipment, agricultural implements, and similar vehicles or equipment. Typical uses include body and fender shops, painting shops, and other similar repair or refinishing garages.
4. Equipment Rental and Sales: Sale or rental of trucks, tractors, construction equipment, agricultural implements, mobile homes, and similar heavy equipment, including incidental storage, maintenance, and servicing. Typical uses include truck dealerships, construction equipment dealerships, and mobile home sales establishments.
5. Equipment Repair Services: Repair of trucks, tractors, construction equipment, agricultural implements, and similar heavy equipment. Typical uses include truck repair garages, tractor and farm implement repair services, and machine shops, but exclude dismantling, salvage, or body and fender repair services.

c. Bed and Breakfast

A lodging service that provides overnight or short-term accommodations to guests or visitors, usually including provision of breakfast. Bed and breakfasts are usually located in large residential structures that have been adapted for this use. For the purpose of this definition, bed and breakfasts are always owned and operated by the resident owner or resident manager of the structure, include no more than eight units, and accommodate each guest or visitor for no more than 7 consecutive days during any one-month period.

d. Business Support Services

Establishments or places of business primarily engaged in the sale, rental or repair of equipment, supplies and materials or the provision of services used by office, professional and service establishments to the firms themselves but excluding automotive, construction and farm equipment. Typical uses include office equipment and supply firms, small business machine repair shops or hotel equipment and supply firms, messenger and delivery services, custodial or maintenance services, and convenience printing and copying.

e. Business or Trade Schools

A use providing education or training in business, commerce, language, or other similar activity or occupational pursuit, and not otherwise defined as a home occupation, college or university, or public or private educational facility.

f. Campground

Facilities providing camping or parking areas and incidental services for travelers in recreational vehicles or tents, which accommodate each guest or visitor for no more than 7 consecutive days during any one month period.

g. Cocktail Lounge

A use engaged in the preparation and retail sale of alcoholic beverages for consumption on the premises, including taverns, bars, cocktail lounges, and similar uses other than a restaurant as that term is defined in this section.

h. Commercial Recreation (Indoors)

Private businesses, or other organizations which may or may not be commercial by structure or by nature, which are primarily engaged in the provision or sponsorship of sports, entertainment, or recreation for participants or spectators and which generally occur within the walls of a structure. Typical uses include theaters, private dance halls, billiard or bowling centers, game arcades, or private skating facilities.

i. Commercial Recreation (Outdoors)

Private businesses, or other organizations which may or may not be commercial by nature, which are primarily engaged in the provision or sponsorship of sports, entertainment, or recreation for participants or spectators and which generally occur outside of the walls of a structure. Typical uses include commercial driving ranges, miniature golf facilities, amusement parks, commercial aquatics facilities, and drive-in theaters.

j. Communications Services

Establishments primarily engaged in the provision of broadcasting and other information relay services accomplished through the use of electronic and telephonic mechanisms but excludes those classified as Utilities. Typical uses include television studios, telecommunication service centers, telegraph service offices, or film and sound recording facilities. Broadcast towers, and their minor ancillary ground structures are classified as "Miscellaneous Use Types."

k. Construction Sales and Services

Establishments or places of business primarily engaged in the retail or wholesale sale, from the premises, of materials used in the construction of buildings or other structures other than retail sale of paint, fixtures and hardware. This use type excludes those uses classified under Automotive and Equipment Services. Typical uses include building materials sales, or tool and equipment rental or sales.

l. Consumer Services

Establishments which provide services, primarily to individuals and households, but excluding Automotive Use Types. Typical uses include automated banking machines, appliance repair shops, watch or jewelry repair shops, or musical instrument repair shops.

m. Convenience Storage

Storage services primarily for personal effects and household goods within enclosed storage areas having individual access but excluding use of such areas as workshops, hobby shops, manufacturing, or commercial activity. Typical uses include mini-warehousing.

n. Food Sales

Establishments or places of business primarily engaged in the retail sale of food or household products for home consumption. Food Sales establishments may include the sale of non-food items. However, The sales of non-food items may account for no more than the lesser of 25% of the sales area or 10,000 square feet of the Food Sales establishment. Typical uses include groceries, delicatessens, meat markets, retail bakeries, and candy shops.

1. Convenience Food Sales: Establishments occupying facilities of less than 10,000 square feet; and characterized by sales of specialty foods or a limited variety of general items, and by the sales of fuel for motor vehicles.
2. Limited Food Sales: Establishments occupying facilities of less than 10,000 square feet; and characterized by sales of specialty foods or a limited variety of general items, but excluding the accessory sale of fuel for motor vehicles. Typical uses include delicatessens, meat markets, retail bakeries, candy shops, small grocery stores.
3. General Food Sales: Establishments selling a wide variety of food commodities and related items, using facilities larger than 10,000 but less than 40,000 square feet. Typical uses include grocery stores and locker plants.
4. Supermarkets: Establishments selling a wide variety of food commodities, related items, and often providing a variety of non-food goods and services, using facilities larger than 40,000 square feet. Typical uses include large grocery stores.

o. Funeral Services

Establishments engaged in undertaking services such as preparing the human dead for burial, and arranging and managing funerals. Typical uses include funeral homes or mortuaries.

p. Gaming Facilities

Establishments engaged in the lawful, on-site operation of games of chance that involve the risk of money for financial gain by patrons. Gaming facilities shall include the accessory sale of liquor and food, pursuant to regulations of the City of Fremont and/or the State of Nebraska.

q. Kennels

Boarding and care services for dogs, cats and similar small mammals or large birds; or any premises on which three or more animals included under this definition over four months of age are kept and maintained. Typical uses include boarding kennels, ostrich raising facilities; pet motels, or dog training centers.

r. Laundry Services

Establishments primarily engaged in the provision of laundering, cleaning or dyeing services other than those classified as Personal Services. Typical uses include bulk laundry and cleaning plans, diaper services, or linen supply services.

s. Liquor Sales

Establishments or places of business engaged in retail sale for off-premise consumption of alcoholic beverages. Typical uses include liquor stores, bottle shops, or any licensed sales of liquor, beer or wine for off-site consumption.

t. Lodging

Lodging services involving the provision of room and/or board, but not meeting the classification criteria of Bed and Breakfasts. Typical uses include hotels, apartment hotels, and motels.

u. Personal Improvement Services

Establishments primarily engaged in the provision of informational, instructional, personal improvements and similar services of a nonprofessional nature. Typical uses include driving schools, health or physical fitness studios, music schools, reducing salons, dance studios, handicraft and hobby instruction.

v. Personal Services

Establishments or places of business primarily engaged in the provision of services of a personal nature. Typical uses include beauty and barbershops; seamstress, tailor, or shoe repair shops; photography studios; television or electronics repair; or dry cleaning stations serving individuals and households. Personal Services include establishments providing for the administration of massage or massage therapy carried out by persons licensed by the State of Nebraska under the provisions of chapters 148, 148A, 148B, 150, 150A, 151, 152, 157, or 158 of the Code of Nebraska when performing massage services as a part of the profession or trade for which licensed or persons performing massage services under the direction of a person so licensed; or persons performing massage services or therapy pursuant to the written direction of a licensed physician.

w. Pet Services

Retail sales, incidental pet health services, and grooming and boarding, when totally within a building, of dogs, cats, birds, fish, and similar small animals customarily used as household pets. Typical uses include pet stores, small animal clinics, dog bathing and clipping salons, and pet grooming shops, but exclude uses for livestock and large animals.

x. Research Services

Establishments primarily engaged in research of an industrial or scientific nature. Typical uses include electronics research laboratories, space research and development firms, testing laboratories, or pharmaceutical research labs.

y. Restaurants

A use engaged in the preparation and retail sale of food and beverages; including the sale of alcoholic beverages when conducted as a secondary feature of the use, producing less than 50 per cent of the establishment's gross income.

1. Restaurant (Drive-in or Fast Food): An establishment, which principally supplies food and beverages in disposable containers and is characterized by high automobile accessibility and on-site accommodations, self-service, and short stays by customers.
2. Restaurant (General): An establishment characterized by table service to customers and/or accommodation to walk-in clientele, as opposed to Drive-in or Fast Food Restaurants. Typical uses include cafes, coffee shops, and restaurants.

z. Restricted (or Adult Entertainment) Businesses

Any business activity which offers the opportunity to view sexual activities or view or touch anatomical areas for entertainment purposes in a manner that offends contemporary standards in the community of Fremont, depicts or describes sexual conduct in a patently offensive way, and lacks serious literary, artistic, political, or scientific value. This category includes the sale or viewing of visual or print materials that meet these criteria. Typical uses include retail services or stores which are distinguished by an emphasis on activities or materials that emphasize sexual content; businesses which offer live performances characterized by exposure of specified anatomical areas; and adult theaters.

aa. Retail Services

Sale or rental with incidental service of commonly used goods and merchandise for personal or household use but excludes those classified more specifically by these use type classifications. Typical uses include department stores, apparel stores, furniture stores, or establishments providing the following products or services:

Household cleaning and maintenance products; drugs, cards, stationery, notions, books, tobacco products, cosmetics, and specialty items; flowers, plants, hobby materials, toys, and handcrafted items; apparel jewelry, fabrics and like items; cameras, photograph services, household electronic equipment, records, sporting equipment, kitchen utensils, home furnishing and appliances, art supplies and framing, arts and antiques, paint and wallpaper, hardware, carpeting and floor covering; interior decorating services; office supplies; mail order or catalog sales; bicycles; and automotive parts and accessories (excluding service and installation). General Retail Services include:

1. Limited Retail Services: Establishments providing retail services, occupying facilities of 3,000 square feet or less. Typical establishments provide for specialty retailing or retailing oriented to Fremont and its surrounding vicinity.
2. Medium Retail Services: Establishments providing retail services, occupying facilities between 3,001 and 10,000 square feet in a single establishment or multi-tenant facility. Typical establishments provide for specialty retailing or general-purpose retailing oriented to Fremont and its surrounding vicinity.
3. Large Retail Services: Establishments providing retail services, occupying facilities between 10,001 and 40,000 square feet in a single establishment or multi-tenant facility. Typical establishments provide for specialty retailing or general-purpose retailing oriented to Fremont and its surrounding vicinity.

4. Mass Retail Services: Establishments providing retail services, occupying facilities over 40,000 square feet in a single establishment or multi-tenant facility. Typical establishments provide for general-purpose retailing oriented to Fremont and the surrounding region.

bb. Stables and/or Riding Academies

The buildings, pens and pasture areas used for the boarding and feeding of horses, llamas, or other equine not owned by the occupants of the premises. This use includes instruction in riding, jumping, and showing or the riding of horses/equine for hire.

cc. Surplus Sales

Businesses engaged in the sale, including sale by auction, of used items or new items, which are primarily composed of factory surplus or discontinued items. Surplus sales uses sometimes include regular outdoor display of merchandise. Typical uses include flea markets, auction houses, factory outlets, or merchandise liquidators.

dd. Trade Services

Establishments or places of business primarily engaged in the provision of services that are not retail or primarily dedicated to walk-in clientele. These services often involve services to construction or building trades and may involve a small amount of screened, outdoor storage in appropriate zoning districts. Typical uses include shops or operating bases for plumbers, electricians, or HVAC (heating, ventilating, and air conditioning) contractors.

ee. Vehicle Storage (Short-term)

Short-term storage of operating or non-operating vehicles for a period of no more than 21 days. Typical uses include storage of private parking tow-aways or impound yards but exclude dismantling or salvage. Long-term storage beyond 21 days constitutes an Industrial Use Type.

ff. Veterinary Services

Veterinary services and hospitals for animals. Typical uses include pet clinics, dog and cat hospitals, pet cemeteries and crematoria, and veterinary hospitals for livestock and large animals.

308 Parking Use Types

a. Off-Street Parking

Parking use types include surface parking of motor vehicles on a temporary basis within a privately or publicly owned off-street parking facility.

b. Parking Structure

The use of a site for a multilevel building which provides for the parking of motor vehicles on a temporary basis, other than as an accessory to a principal use on the same site.

309 Industrial Use Types

Industrial use types include the on-site extraction or production of goods by nonagricultural methods, and the storage and distribution of products.

a. Construction Yards

Establishments housing facilities of businesses primarily engaged in construction activities, including incidental storage of materials and equipment on lots other than construction sites. Typical uses are building contractor's yards.

b. Custom Manufacturing

Establishments primarily engaged in the on-site production of goods by hand manufacturing, within enclosed structures, involving:

1. The use of hand tools, or
2. The use of domestic mechanical equipment not exceeding 2 horsepower, or
3. A single kiln not exceeding 8 KW or equivalent.

This category also includes the incidental direct sale to consumers of only those goods produced on site. Typical uses include ceramic studios, custom jewelry manufacturing, candle making shops.

c. Light Industry

Establishments engaged in the manufacture or processing of finished products from previously prepared materials, including processing, fabrication, assembly, treatment, and packaging of such products, and incidental storage, sales, and distribution. These establishments are characterized by having no major external environmental effects across property lines and include no unscreened or unenclosed outdoor storage. Typical uses include commercial bakeries, dressed beef processing plants, soft drink bottling, apparel assembly from fabrics, electronics, manufacturing, print shops and publishing houses.

d. General Industry

Enterprises engaged in the processing, manufacturing, compounding, assembly, packaging, treatment or fabrication of materials and products from prepared materials or from raw materials without noticeable noise, odor, vibration, or air pollution effects across property lines.

e. Heavy Industry

Enterprises involved in the basic processing and manufacturing of products, predominately from raw materials, with noticeable noise, odor, vibration, or air pollution effects across property lines; or a use or process engaged in the storage of or processes involving potentially or actually hazardous, explosive, flammable, radioactive, or other commonly recognized hazardous materials.

f. Recycling Collection

Any site which is used in whole or part for the receiving or collection of any post-consumer, nondurable goods including, but not limited to glass, plastic, paper, cardboard, aluminum, tin, or other recyclable commodities.

g. Recycling Processing

Any site which is used for the processing of any post-consumer, nondurable goods including, but not limited to glass, plastic, paper, cardboard, aluminum, tin, or other recyclable commodities.

h. Refuse Transfer Station

A facility to which solid waste is transported and stored temporarily within an enclosed structure, prior to being transported to a landfill or other permanent solid waste disposal facility.

i. Resource Extraction

A use involving on-site extraction of surface or subsurface mineral products or natural resources, excluding the grading and removal of dirt. Typical uses are quarries, borrow pits, sand and gravel operations, mining.

j. Salvage Services

Places of business primarily engaged in the storage, sale, dismantling or other processing of used or waste materials, which are not intended for reuse in their original forms. Typical uses include automotive wrecking yards, junkyards, or paper salvage yards.

k. Vehicle Storage (Long-term)

Long-term storage of operating or non-operating vehicles for a period exceeding 21 days. Typical uses include storage of private parking tow-aways or impound yards but exclude dismantling or salvage. Long-term storage of 21 days or less constitutes a Commercial Use Type.

l. Warehousing (Enclosed)

Uses including storage, distribution, and handling of goods and materials within enclosed structures. Typical uses include wholesale distributors, storage warehouses, and van and storage companies.

m. Warehousing (Open)

Uses including open air storage, distribution, and handling of goods and materials. Typical uses include monument yards, grain elevators, and open storage.

310 Transportation Use Types

Transportation use types include the use of land for the purpose of providing facilities supporting the movement of passengers and freight from one point to another.

a. Aviation Facilities

Landing fields, aircraft parking and service facilities, and related facilities for operation, service, fueling, repair, storage, charter, sales, and rental of aircraft, and including activities directly associated with the operation and maintenance of airport facilities and the provision of safety and security.

b. Railroad Facility

Railroad yards, equipment servicing facilities, and terminal facilities.

c. Transportation Terminal

Facility for loading, unloading, and interchange of passengers, baggage, and incidental freight or package express, including bus terminals, railroad stations, public transit facilities.

d. Truck Terminal

A facility for the receipt, transfer, short term storage, and dispatching of goods transported by truck.

311 Miscellaneous Type Uses

a. Alternative Energy Production Devices

The use of a site for the production of energy utilizing methods that do not involve the oxidation, combustion, or fission of primary materials. Typical uses include solar collector fields, geothermal energy installations, or water-powered mills or generating facilities.

b. Amateur Radio Tower

A structure(s) for the transmission or broadcasting of electromagnetic signals by FCC licensed Amateur Radio operators.

c. Communications Tower

A structure(s) for the transmission or broadcasting of radio, television, radar, or microwaves, ordinarily exceeding the maximum height permitted in its zoning district. Typical uses include broadcasting towers and cellular communications towers.

d. Construction Batch Plant

A temporary demountable facility used for the manufacturing of concrete, asphalt, or other paving materials intended for specific construction projects.

e. Landfill (Non-putrescible Solid Waste Disposal)

The use of a site as a depository for solid wastes that do not readily undergo chemical or biological breakdown under conditions normally associated with land disposal operations. Typical disposal material would include ashes, concrete, paving wastes, rock, brick, lumber, roofing materials and ceramic tile.

f. Landfill (Putrescible and Non-putrescible Solid Waste Disposal)

The use of a site as a depository for any solid waste except hazardous and toxic waste as defined by the Federal Environmental Protection Agency and/or the State of Nebraska. Typical disposal material would include non-putrescible wastes; and putrescible wastes such as vegetation, tree parts, agricultural wastes (garbage) and manure.

g. Wind Energy Conservation System (WECS)

Any device, which converts wind energy to a form of usable energy, including wind charges, windmills, or wind turbines.

SECTION III. REPEAL OF CONFLICTING ORDINANCES. That the original Article Six of the Fremont Zoning Ordinance, Ordinance No. 3939, and any other ordinances of the City of Fremont in conflict herewith are hereby repealed.

SECTION IV. PUBLICATION IN PAMPHLET FORM. This Ordinance shall be published in pamphlet form and distributed as a City Ordinance.

SECTION V. EFFECTIVE DATE. This ordinance shall take effect and be in force from and after its passage, approval, and publication as required by law.

PASSED AND APPROVED THIS ____ DAY OF _____, 2012

ATTEST:

Kimberly Volk, MMC
City Clerk

SCOTT GETZSCHMAN, MAYOR

STAFF REPORT

TO: Mayor and City Council
FROM: Rian Harkins, Planning Director
DATE: July 5, 2012
SUBJECT: Zoning Ordinance Amendment

Recommendation: Hold 2nd reading of Ordinance.

Request: Modify the following sections of the zoning ordinance to accommodate developer requests and/or the proposed comprehensive plan.

Background: To accommodate the proposed future land use plan as well as a property owner/developed request, staff developed these code amendments in order to accommodate potential development.

The amendment is as follows: **Article 5, Special and Overlay Districts**

Amend the Wellhead Protection Area District to allow the following conditional uses:
(New conditional uses are listed below in bold letters)

Section 574 Wellhead Protection Area Regulations

b.) Conditional Users

1.) Resource Extraction

2.) Communications tower

3.) WECS

4.) Campground

5.) Storage of agricultural chemical and/or petroleum productions for personal use only in excess of a 1,000 gallon limit.

6.) Clubs (Recreational)

The Planning Commission voted 6-0 to approve this item on 18 June 2012.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF FREMONT, NEBRASKA, TO AMEND ARTICLE 5 PERTAINING TO OVERLAY DISTRICT REGULATIONS OF ZONING ORDINANCE NO. 3939 OF THE CITY OF FREMONT, NEBRASKA, PROVIDE FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM AND, PROVIDING WHEN THIS ORDINANCE WILL BE IN FULL FORCE AND EFFECT.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FREMONT, NEBRASKA;

SECTION I. That Article 5 of Zoning Ordinance No. 3939 of the City of Fremont be amended to read as follows:

5

ARTICLE FIVE

SPECIAL AND OVERLAY DISTRICTS

501 General Purpose

Special and Overlay Districts recognize the presence of special community characteristics that traditional zoning districts do not adequately address. Special Districts provide for base districts that allow multiple land uses and flexible development, with the requirement that a specific plan for the area be submitted by applicants. Overlay Districts are used in combination with base districts to modify or expand base district regulations. Overlay Districts are adapted to special needs of different parts of the City of Fremont.

The Overlay Districts are designed to achieve the following objectives:

- a. To recognize special conditions in specific parts of the City which require specific regulation.
- b. To provide flexibility in development and to encourage innovative design through comprehensively planned projects.

MU MIXED USE DISTRICT

502 Purpose

The MU Mixed Use District is intended to accommodate projects which combine several compatible land uses into an integrated development. The MU District may also be used to pre-designate parts of the city which are appropriate for a mixture of residential, commercial, office, and accessory uses. The District permits mixing residential areas with workplaces and services. Development in the MU

District must accommodate transportation systems, pedestrian and bicycle movement, and surrounding environments.

503 Permitted Uses

Each ordinance establishing an MU District establishes the use types permitted within its boundaries.

504 Site Development Regulations

- a. The minimum area of any MU District is one acre.
- b. Prior to the issuance of any building permits or other authorization, all projects in the MU District shall receive approval by the City Council, following a recommendation by the Planning Commission. This approval may be granted for a specific plan for the development of an MU District in lieu of a plan for individual projects, provided that any subsequent developments are consistent with the specific plan.
- c. Applications for approval must contain at a minimum the following information:
 1. A detailed site map, including:
 - (a) a boundary survey
 - (b) site dimensions
 - (c) contour lines at no greater than five foot intervals
 - (d) adjacent public rights of way, transportation routes, and pedestrian or bicycle systems
 - (e) description of adjacent land uses
 - (f) utility service to the site and easements through the site
 - (g) description of other site features, including drainage, soils, or other considerations that may affect development.
 2. A development plan, including:
 - (a) a site layout, including the location of proposed buildings, parking, open space, and other facilities
 - (b) location, capacity, and conceptual design of parking facilities
 - (c) description of the use of individual buildings
 - (d) description of all use types to be included in the project or area, and maximum floor area devoted to each general use
 - (e) maximum height of buildings
 - (f) schematic location and design of open space on the site, including a landscaping plan

- (g) vehicular and pedestrian circulation plan, including relationship to external transportation systems
 - (h) schematic building elevations and sections if required to describe the project
 - (i) grading plans
 - (j) proposed sewer and utility improvements
 - (k) location, sizes, and types of all proposed signage.
3. Specific proposed development regulations for the project, including:
 - (a) the specific use types permitted within the proposed district
 - (b) maximum floor area ratios
 - (c) front, side, and rear yard setbacks
 - (d) maximum height
 - (e) maximum building and impervious coverage
 - (f) design standards applicable to the project.
 4. A traffic impact analysis, if required by the City.

505 Adoption of District

- a. The Planning Commission and City Council shall review and evaluate each Mixed Use District application. The City may impose reasonable conditions, as deemed necessary to ensure that a Mixed Use Development shall be compatible with adjacent land uses, will not overburden public services and facilities and will not be detrimental to public health, safety and welfare.
- b. The Planning Commission, after proper notice, shall hold a public hearing and act upon each application.
- c. The Planning Commission may recommend amendments to MU district applications.
- d. The recommendation of the Planning Commission shall be transmitted to the City Council for final action.
- e. The City Council, after proper notice, shall hold a public hearing and act upon any Ordinance establishing a MU Mixed Use District. Proper notice shall mean the same notice established for any other zoning amendment.
- f. An Ordinance adopting a Mixed Use District shall require a favorable simple majority of the City Council for approval.
- g. Upon approval by the City Council, the Development Plan shall become a part of the Ordinance creating or amending the MU District. All approved plans shall be filed with the City Clerk.

506 Amendments

The Zoning Administrator is authorized at his/her discretion to approve amendments to an approved development plan provided that:

- a. A written request is filed with the Zoning Administrator, along with information specifying the exact nature of the proposed amendment.
- b. The amendment is consistent with the provisions of this section.
- c. The amendment does not alter the approved site regulations of the development plan and does not materially alter other aspects of the plan, including traffic circulation, mixture of use types, and physical design.
- d. Any amendment not conforming to these provisions shall be submitted to the Planning Commission and City Council for action.

507-9 Reserved

PD PLANNED UNIT DEVELOPMENT DISTRICT

510 Purpose

The PD Planned Development Overlay District is intended to provide flexibility in the design of planned projects; to permit innovation in project design that incorporates open space and other amenities; and to insure compatibility of developments with the surrounding urban environment. Planned developments often involve groupings of buildings or sites that are designed as an integrated unit on land under unified control or ownership at the time of grant of development permission. The requirements of a PD run with the land regardless of the subsequent sale or conveyance of property. The PD District may be used in combination with any base district specified in this Ordinance. The PUD District, which is adopted by the City Council with the recommendation of the Planning Commission, assures specific development standards for each designated project.

511 Permitted Uses

Uses permitted in a PD Overlay District are those permitted in the underlying base district. A PD also may be combined with an MU Mixed Use District to allow a combination of use types not anticipated by conventional base districts.

512 Objectives of Planned Development Districts

In evaluating applications for PD Planned Development Overlay Districts, the Planning Commission and City Council shall consider the following general objectives.

a. Residential PD Districts

Residential PD Districts should be designed to produce more usable open space, provide better recreation opportunities, enhance pedestrian scale, protect or create neighborhood amenities and environmental features, and produce more attractive neighborhoods than those produced by conventional development techniques.

b. Commercial PD Districts

Commercial PD Districts should be designed to produce more attractive and functional clusters and commercial centers than the strip development that is frequently produced by the application of conventional zoning regulations. Techniques encouraged by PD Districts include consolidated access, shared parking, consistent architectural quality, improved pedestrian and trail access to commercial facilities, public space, and integrated landscaping and signage programs.

c. Industrial PD Districts

Industrial PD Districts should promote the establishment of industrial parks and to encourage groups of industrial buildings with integrated site design and architectural and landscaping themes.

d. PD Districts in Sensitive Contexts

PD Districts may be utilized to provide a high level of detail and define the requirements of project approval for developments proposed within settings that are so sensitive that normal zoning requirements, including landscaping and buffering requirements, do not provide sufficient protection for neighboring properties.

513 Site Development Regulations

Site Development Regulations are developed individually for each Planned Development District, but must comply with the minimum or maximum standards established for the base district, with the following exceptions:

- a. Lot area and lot width are not restricted, provided that the maximum density allowed for each base district is not exceeded.
- b. Maximum building coverage shall be the smaller of the allowed building coverage in the base district, or 60 percent.
- c. Setback requirements may be varied according to the specific Planned Development plan.

514 Access to Public Streets

Each PD District must abut a public street for at least 100 feet and gain access from that street.

515 Application Process

- a. Development Plan

The application for a Planned Development District shall include a Development Plan containing the following information:

- b. Application Requirements

An application for approval must contain at a minimum the following information:

- 1. A detailed site map, including:
 - (a) a boundary survey
 - (b) site dimensions
 - (c) contour lines at no greater than two foot intervals
 - (d) adjacent public rights of way, transportation routes, and pedestrian or bicycle systems
 - (e) description of adjacent land uses
 - (f) utility service to the site and easements through the site
 - (g) description of other site features, including drainage, soils, or other considerations that may affect development.
- 2. A development plan, including:
 - (a) A land use plan designating specific uses for the site and establishing site development regulations, including setback, height, building coverage, impervious coverage, density, and floor area ratio requirements.

- (b) a site layout, including the location of proposed buildings, parking, open space, and other facilities
 - (c) location, capacity, and conceptual design of parking facilities
 - (d) description of the use of individual buildings
 - (e) schematic architectural plans and elevations sufficient to indicate a building height, bulk, materials, and general architectural design.
 - (f) a site development and landscaping plan, showing building locations, or building envelopes; site improvements; public or common open spaces; community facilities; significant visual features; and typical landscape plans.
 - (g) vehicular and pedestrian circulation plan, including relationship to external transportation systems
 - (h) schematic building elevations and sections if required to describe the project
 - (i) grading plans
 - (j) proposed sewer and utility improvements
 - (k) location, sizes, and types of all proposed signage.
3. A statistical summary of the project, including gross site area, net site area, number of housing units by type, gross floor area of other uses, total amount of parking, and building and impervious surface percentages.

516 Adoption of District

- a. The Planning Commission and City Council shall review and evaluate each Planned Unit Development application. The City may impose reasonable conditions, as deemed necessary to ensure that a PD shall be compatible with adjacent land uses, will not overburden public services and facilities and will not be detrimental to public health, safety and welfare.
- b. The Planning Commission, after proper notice, shall hold a public hearing and act upon each application.
- c. The Planning Commission may recommend amendments to PD district applications.
- d. The recommendation of the Planning Commission shall be transmitted to the City Council for final action.
- e. The City Council, after proper notice, shall hold a public hearing and act upon any Ordinance establishing a PD Planned Unit Development Overlay District. Proper notice shall mean the same notice established for any other zoning amendment.
- f. An Ordinance adopting a Planned Development Overlay Zoning District shall require a favorable simple majority of the City Council for approval.
- g. Upon approval by the City Council, the Development Plan shall become a part of the Ordinance creating or amending the PD District. All approved plans shall be filed with the City Clerk.

517 Amendment Procedure

Major amendments to the Development Plan must be approved according to the same procedure set forth in Section 506.

518 Building Permits

The City shall not issue a building permit, certificate of occupancy, or other permit for a building, structure, or use within a PD District unless it is in compliance with the approved Development Plan or any approved amendments.

519 Termination of PUD District

If no substantial development has taken place in a Planned Development District for three years following approval of the District, the Planning Commission shall reconsider the zoning of the property and may, on its own motion, initiate an application for rezoning the property.

NC HISTORIC NEIGHBORHOOD CONSERVATION OVERLAY DISTRICT

520 Purpose

The NC Historic Neighborhood Conservation Overlay District enables the adoption of special performance and development standards in combination with site development regulations of a base district for areas of special historical or architectural significance within the City of Fremont. The District recognizes the importance of historically and architecturally significant districts to the character of Fremont and provides for their conservation.

521 Application and Use

The NC Overlay District provides an opportunity to establish and apply special development controls and standards for areas in Fremont with special physical or design characteristics. Examples of these standards may include but not be limited to:

- a. Variations or substitutions of development regulations, including revised minimum and maximum setbacks, lot sizes, heights, and other regulations, based on the unique characteristics of the neighborhood.
- b. Requirements for building design, materials, features, and orientations.
- c. Special requirements or permissions for signage.
- d. Limitations on maximum size and scale of buildings.
- e. Limitations on location of parking, driveways, and other features that have an impact on the fabric of a traditional neighborhood.

522 Procedure for Adoption

- a. Proposal

The creation of an NC Overlay District may be initiated by the Planning Commission, the City Council, or by petition of the owner or owners of 51% of the property area within the proposed district.

- b. Requirements for Application

An application for the creation of an NC Overlay District must include:

- 1. A statement describing the proposed district's special historical or architectural characteristics and stating the reasons for proposal of the district
- 2. A map indicating the boundaries of the proposed NC Overlay District, specifying the base district(s) included within these boundaries.
- 3. An inventory of the buildings or historically important sites located within the boundaries of the proposed district.
- 4. Supplemental site development regulations, design criteria, and performance standards that apply to the proposed district.

523 Adoption of District

- a. The Planning Commission, and City Council shall review and evaluate each NC Overlay District application.
- b. The Planning Commission, after proper notice, shall each hold public hearings and act upon each application.
- c. The Planning Commission may recommend amendments to NC district applications.
- d. The recommendation of the Planning Commission shall be transmitted to the City Council for final action.
- e. The City Council, after proper notice, shall hold a public hearing and act upon any Ordinance establishing an NC Historic Overlay District.
- f. The Ordinance adopting the NC District shall include a statement of purpose, a description of district boundaries, and a list of supplemental site development regulations and performance standards.
- g. An Ordinance adopting an NC Overlay District shall require a favorable vote of a simple majority of the City Council for approval.
- h. Upon approval by the City Council, each NC Overlay District shall be shown on the Zoning Map, identified sequentially by order of enactment and referenced to the enacting Ordinance.
- i. Any protest against an NC Overlay District shall be made and filed as provided by Nebraska state statutes, and amendments thereto.

524 Building Permits

Building or other development permits issued by the City in an NC District shall be consistent with the adopted NC District Ordinance and shall follow all procedures for review that are established by the City.

**525-
529 Reserved**

SC SPECIAL CORRIDOR OVERLAY DISTRICT

530 Purpose

The SC District recognizes the critical importance of certain major mixed use corridors to the overall urban fabric of the City of Fremont. Fremont’s comprehensive development plan addresses the importance of these corridors, which may include all or part of Military Avenue, Bell Street, Broad Street, and Main Street. Each of these corridors has a viable combination of residential and non-residential uses that promotes interesting, pedestrian oriented settings. However, development pressures for additional non-residential use, while reasonable, can affect the special character of these corridors. The SC Overlay District provides a performance-based system, which, when applied to selected corridors, combines requirements and incentives to assure that subsequent development complements corridor enhancement efforts.

531 Application

The SC Overlay District may be applied to urban corridors by recommendation of the Planning commission and action of the City Council. SC Districts may be applied to those corridors identified in the city’s comprehensive development plan.

532 Permitted Uses

Uses permitted in the SC Overlay District are those permitted in the base districts of properties within its boundaries.

533 Development Standards

Each use within the SC Overlay District shall comply with the development standards of its respective base district unless otherwise provided for by this section.

534 Project Evaluation

- a. All non-residential projects proposed for development in an SC Overlay District shall be required to achieve a minimum point score, based on the standards set forth below, prior to receiving approval for development or construction. Projects shall be evaluated by the Zoning Administrator, who shall maintain a written record of the evaluation. In order to receive approval, projects shall receive a minimum of 50 points.
- b. Administrative evaluations by the Zoning Administrator which result in the denial of a project approval may be appealed to the Board of Adjustment.

535 Evaluation Standards

- a. Landscaped Areas
 - 1. Base Standard: All projects must provide landscaping consistent with the minimum standards established in Article Eight.
 - 2. Performance Points: Projects earn one point for each foot of landscaping provided in addition to the minimum required standards.
- b. Parking Lot Landscaping

1. Base Standard: All parking lots accommodating 20 or more cars shall provide interior landscaping equal to 5% of the paved area of the parking lot.
2. Performance Points: Projects earn points based on the following table:

<u>Points</u>	<u>Action</u>
0	Project meets minimum standards
5	Project provides 1.25 times the base standard for interior landscaping.
10	Project provides 1.50 times the base standard for interior landscaping.
15	Project provides 2.00 times the base standard for interior landscaping.

c. Access from Corridors

1. Base Standard: Access to corridors is permitted as provided by the City Engineer.
2. Performance Points: Projects earn ten points if access is provided only by the midblock alley or from an intersecting street or adjacent alley, rather than directly from the corridor's major street.

d. Signage

1. Base Standard: Projects must meet the sign requirement set forth in Article 10.
2. Performance Points: Projects earn points based on the following table:

<u>Points</u>	<u>Action</u>
0	Total sign area = 80% to 100% of permitted sign area.
5	Total sign area = 70% to 80% of permitted sign area.
10	Total sign area = 60% to 70% of permitted sign area.
15	Total sign area = 50% to 60% of permitted sign area.
20	Total sign area = Less than 50% of permitted sign area.

3. Projects which provide all signage as monument or ground signs earn an additional ten points. All such signs must be located outside of vision clearance zones.

e. Parking in Street Yard Facing Corridors

1. Base Standard: A maximum of 80% of the project's parking may be located in the corridor's street yard, defined as the area between the horizontal face of the building parallel or generally parallel to the corridor. Areas with UC zoning, with a more restrictive standard, may claim credit under this provision.
2. Performance Points: Projects earn points based on the following table:

<u>Points</u>	<u>Action</u>
0	Between 70% and 80% of the project's parking is in the corridor's street yard.
5	Between 60% and 70% of the project's parking is in the corridor's street yard.
10	Between 50% and 60% of the project's parking is in the corridor's street yard.
15	Between 40% and 50% of the project's parking is in the corridor's street yard.
20	Less than 40% of the project's parking is in the corridor's street yard.

f. Impervious Coverage

1. Base Standard: Impervious coverage shall not exceed 80% for any development.
2. Performance Points: Projects earn points based on the following table:

<u>Points</u>	<u>Action</u>
0	Impervious coverage = 75% to 80%
5	Impervious coverage = 70% to 75%
10	Impervious coverage = 60% to 70%
15	Impervious coverage = 50% to 60%
20	Impervious coverage is less than 50%

g. Building Articulation

1. Base Standard: No requirement
2. Performance Points: Projects earn points based on the following table:

<u>Points</u>	<u>Action</u>
5	Building provides a minimum offset of 5 feet for every 100 feet of length of the facade parallel to the corridor's major street.
10	Building provides a minimum offset of 5 feet for every 75 feet of length of the facade parallel to corridor's major street.
15	Building provides a minimum offset of 5 feet for every 50 feet of length of the facade parallel to corridor's major street.

536 Development and Building Permits within the SC District

Developments may be approved in an SC Overlay District according to the following process:

- a. The applicant shall meet with the Zoning Administrator for the purpose of submitting a pre-application plan.
- b. The applicant shall apply for Project Evaluation on a form provided by the Zoning Administrator. The application shall include information required under the Site Plan approval process and other information necessary to permit complete evaluation of the project.
- c. The Zoning Administrator shall complete a written evaluation of the project based on the standards established in this section. The review shall determine the number of performance points awarded to the project. If the project earns the required number of points, the Zoning Administrator shall issue a Certificate of Approval for the project. All subsequent building and development permits shall be issued in conformance with the approved development plan.
- d. A denial of the project based on failure to earn the required number of points shall be transmitted to the applicant in writing. The applicant may either modify the project or appeal the decision of the Zoning Administrator to the Board of Adjustment.

TND TRADITIONAL NEIGHBORHOOD DEVELOPMENT DISTRICT

540 Purpose

The TND Traditional Neighborhood Design District is intended to encourage innovative mixed use residential environments that reflect the planning and development patterns in place when Fremont was initially developed. The TND District produces environments which manage automobiles but maintain a scale and set of linkages that promote pedestrian travel and civic space. These theories of urban design have been classified as “New Urbanism” although they transport the patterns of development of traditional Fremont into new settings. The TND regulations included in this section are intended to capture the essence of this design technique, while avoiding excessive requirements that will discourage the use of the concept. The Fremont regulations are intended to capture the general concept and vision of traditional neighborhood design, without being so prescriptive as to inhibit the use of the concept or discourage design flexibility.

541 Size

The minimum size of a TND District shall be 10 acres and the maximum size shall be 160 acres.

542 Application and Approval

- a. The application and adoption process shall be the same as those established by PD Planned Development Districts.
- b. All applications for a TND Subdivision must be accompanied by a TND Development Plan, in addition to other documents required by this Ordinance. This plan shall illustrate the distribution of land uses throughout the subdivision; the location and design of public spaces, streets, and alleys; the location and nature of special design features; architectural controls; and other information necessary to communicate the concept of the TND subdivision. The TND Subdivision Plan shall be a part of the approved subdivision. Subsequent building and development permits shall be issued by the City only in consistency with the TND Development Plan.
- c. Articles of incorporation and/or covenants for a homeowners' association or other provision assuring maintenance or operation of all common spaces shall be submitted with the TND application.

543 Permitted Land Uses

- a. Mixed Land Uses.
 - 1. Retail, service, civic, office, and various types of residential land uses may be combined within a TND development, notwithstanding the use regulations of the underlying zoning district. The distribution and location of land uses shall be consistent with the TND Plan submitted for the subdivision.
 - 2. The gross floor area of commercial area permitted within a TND shall not exceed 10,000 square feet per 100 people projected to live in the development. For the purpose of calculating projected population, the following factors shall be used:

Single-Family Detached:	3.5 people per unit
Single-Family Attached:	2.75 people per unit
Townhouses:	2.5 people per unit

Multi-family: 2.0 people per unit

3. Parks and community open spaces shall make up at least 10% of the total area of the TND development. Community open spaces may include private common spaces used by the residents of a specific component of the project or incorporated into project design.

544 Density

- a. The average site area per unit of a TND shall be established by the underlying zoning district. However, the density of individual parts of the TND may exceed the average density.
- b. Overall density permitted by the underlying zoning district of the TND may be increased as follows for specific amenities: 10% for the provision of a centrally located town square of at least one acre for each 25 acres of developed area (excluding dedicated rights-of-way or other public lands); 10% for the provision of approved ornamental lighting throughout the TND Subdivision; and 10% for the development of a central community boulevard. Cumulative density bonuses shall not exceed 25% of the density permitted by the underlying zoning district.

545 Lot Dimensions and Setbacks

- a. Lot Dimensions.

Individual lot size dimensions, including minimum width, may be reduced to 80% of the requirement of the underlying zoning district. Any savings on lot size shall be devoted to public space, including but not limited to town squares, small parks, greenways, and community facilities.

- b. Lot Setbacks

1. Lot setbacks may be varied from those otherwise specified for the zoning district. Typically, the front-yard setback should respect a build-to line that is not less than 5 feet or greater than 20 feet. Different setbacks may be incorporated as part of the TND district approval. Setback limits must be established on the preliminary and final plat.
2. The distance across a street from building face to building face shall not exceed 100 feet except along a community street or boulevard.
3. The setback from any garage entrance to any circulation way, including an alley, must be at least 20 feet unless the project design makes other specific provisions for dedicated off-street parking. Garage access from the rear of lots by way of an alley is encouraged.

546 Street System Design

- a. Street Continuity.

All streets within a TND District connect to other streets within the district, forming a continuous network. All streets and alleys shall terminate at other streets within the TND District and shall connect to other streets on the edge of the district.

- b. Street and Block Characteristics

1. The design of the street system shall create an open network that creates blocks with a length of no more than 660 feet.

2. Street loops and cul-de-sacs may be included as part of the street system design. However, no street with a single point of access onto a connecting street should be longer than 200 feet.
3. Street or right-of-way widths may be varied within for local streets within TND Subdivisions.

c. Community Streets and Boulevards.

Community streets and boulevards are streets that are designed as central open space features within a TND development. Characteristics of such a street include:

1. Alignment that generally runs more than 50% of the longest dimension of the development.
2. Orientation to a main activity center in the development, including parks and neighborhood greens, civic facilities, commercial activity centers, or designed landmarks.
3. Extensive street landscaping and parallel sidewalks and trails.
4. Thematic lighting and street furniture.
5. A street section which incorporates a median or wide sidewalk setbacks. A median's width should be equal to at least 1.00 times the width of either individual street channel. If the road channel is undivided, the distance between sidewalk and curb should be equal to at least 50% of the curb-to-curb width.

FP FLOODPLAIN/ FLOODWAY OVERLAY DISTRICT

550 Purpose

The Legislature of the State of Nebraska has delegated the responsibility to local governmental units to adopt zoning regulations designed to protect the public health, safety and general welfare. The Legislature, in Sections 31-1001 to 31-1022, R.R.S. 1943 (as amended), has further assigned the responsibility to adopt, administer, and enforce floodplain management regulations to the county, city or village with zoning jurisdiction over the flood-prone area.

It is the purpose of this ordinance to promote the public health, safety and general welfare and to minimize losses to property by applying the provisions of this ordinance to:

1. Restrict or prohibit uses which are dangerous to health, safety, or property in times of flooding or cause undue increases in flood heights or velocities.
2. Require that uses vulnerable to floods, including public facilities which serve such uses, be provided with flood protection at the time of initial construction.
3. Protect individuals from buying lands which are unsuitable for intended purposes because of flood hazard.
4. Assure that eligibility is maintained for property owners in the community to purchase flood insurance in the National Flood Insurance Program.

551 Findings Of Fact

a Flood Losses Resulting from Periodic Inundation

Flood hazard areas of the City of Fremont, Nebraska, are subject to inundation which results in loss of life or property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare.

1. General Causes of These Flood Losses

These flood losses are caused by (a) the cumulative effect of obstruction in floodways causing increases in flood heights and velocities, (b) the occupancy of flood areas by uses vulnerable to floods or hazardous to other which are inadequately elevated or otherwise protected from flood damages.

2. Methods Used to Analyze Flood Hazards

This ordinance uses a reasonable method of analyzing flood hazards which consists of a series of interrelated steps.

- (a) Selection of a base flood which is based upon engineering calculations which permit a consideration of such flood factors as its expected frequency of occurrence, the area inundated and the depth of inundation. The base flood selected for this ordinance is representative of large floods which are reasonably characteristic of what can be expected to occur on the particular streams subject to this ordinance. It is in the general order of a flood which could be expected to have a one (1 %) percent chance of occurrence in any one year, as delineated by applicable Flood Insurance Studies and the Federal Emergency

Management Administration's Flood Insurance Rate Maps and Flood Boundary and Floodway Map, or any subsequent effective Flood Insurance Studies, Rate Maps, and Flood Boundary and Floodway Maps issued after the effective date of this ordinance and adopted by Resolution of the City Council of the City of Fremont.

- (b) Calculation of water surface profiles based upon a hydraulic engineering analysis of the capacity of the stream channel and overbank areas to convey the base flood.
- (c) Computation of the floodway required to convey this flood without increasing flood heights more than 1 foot at any point.
- (d) Delineation of floodway encroachment lines within which no obstruction is permitted which would cause any increase in flood height.
- (e) Delineation of floodway fringe, i.e., that area outside the floodway encroachment lines but which still is subject to inundation by the base flood.

b. Land to Which Ordinance Applies

This ordinance shall apply to all lands within the jurisdiction of the City of Fremont identified on the Flood Insurance Rate map (FIRM) as numbered and unnumbered A zone within identified special flood hazard areas of this community and/or within the Overlay Districts FF and FW established in this ordinance. In all areas covered by this ordinance, no development shall be permitted except upon a permit to develop granted by the City Council or its duly designated representative under such safeguards and restrictions as the City Council may reasonably impose for the promotion and maintenance of the general welfare, health of the inhabitants of the community as contained in the City Code.

c. Enforcement Officer

The Zoning Administrator of the City of Fremont is hereby designated as the City Council's duly designated Enforcement Officer under this ordinance. Unless otherwise provided by the City Council, the Lower Platte North Natural Resources District shall assist the City of Fremont on interpretation of floodplain/floodway rules and regulations. The Enforcement Officer shall obtain comments from the NRD as part of his/her review of all proposed activity in this Overlay District.

d. Rules for Interpretation of District Boundaries

The boundaries of the floodway and floodway fringe overlay districts shall be determined by scaling distances on the official zoning map. Where interpretation is needed to the exact location of the boundaries of the districts as shown on the official zoning map, as for example where there appears to be a conflict between a mapped boundary and actual field conditions, the Enforcement Officer shall make the necessary interpretation. In such cases where the interpretation is contested, the Board of Adjustment will resolve the dispute. The regulatory flood elevation for the point in question shall be the governing factor in locating the district boundary on the land. The person contesting the location of the district boundary shall be given a reasonable opportunity to present his case to the Board and to submit his own technical evidence if he so desires.

e. Compliance

Within identified special flood hazard areas of this community, no development located within known flood hazard areas of the community shall be located, extended, converted or structurally altered without full compliance with the terms of this ordinance and other applicable regulations.

f. Abrogation and Greater Restrictions

It is not intended by this ordinance to repeal, abrogate or impair any existing easements, covenants or deed restrictions. However, where this ordinance imposes greater restrictions, the provision of this ordinance shall prevail. All other ordinances inconsistent with this ordinance are hereby repealed to the extent of the inconsistency only.

g. Interpretation

In their interpretation and application, the provisions of this ordinance shall be held to be minimum requirements and shall be liberally construed in favor of the City of Fremont and shall not be deemed a limitation or repeal of any other powers granted by state statute.

h. Warning and Disclaimer of Liability

The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on engineering and scientific methods of study. Larger floods may occur on rare occasions or the flood height may be increased by man-made or natural causes, such as ice jams and bridge openings restricted by debris. This ordinance does not imply that areas outside floodway and floodway fringe district boundaries or land uses permitted within such districts will be free from flooding or flood damages. This ordinance shall not create liability on the part of the City of Fremont or any officer or employee thereof for any flood damages that may result from reliance on this ordinance or any administrative decision lawfully made thereunder.

i. Severability

If any section, clause, provision or portion of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby.

j. Application for Appeal

Where a request for a permit to develop or a variance is denied by the Zoning Administrator, the applicant may apply for such permit or variance directly to the Board of Adjustment. Procedures for appeals to the Board of Adjustment shall proceed as set forth by Article 1208 of this Ordinance.

552 Development Permits and Administration

a. Permit Required

No person, firm, or corporation shall initiate any development or substantial improvement or cause the same to be done without first obtaining a separate permit for development as defined in this section.

b. Administration

1. The Zoning Administrator is hereby appointed to administer and implement the provisions of this ordinance.
2. Duties of the Zoning Administrator shall include, but not be limited to:
 - (a) Review of all development permits to assure that sites are reasonable, safe from flooding and that the permit requirements of this ordinance have been satisfied.

- (b) Review applications for proposed development to assure that all necessary permits have been obtained from those Federal, State or Local Governmental agencies from which prior approval is required.
- (c) Review all subdivision proposals and other proposed new development, including manufactured home parks or subdivisions, to determine whether such proposals will be reasonably safe from flooding.
- (d) Notify adjacent communities, the Nebraska Department of Natural Resources and the Lower Platte North Natural Resources District prior to any alteration or relocation of a watercourse, and shall submit evidence of such notification to the Federal Emergency Management Agency.
- (e) Assure that maintenance is provided within the altered or relocated portion of said watercourse so that the flood carrying capacity is not diminished.
- (f) Verify, record and maintain record of the actual elevation (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved structures in special flood hazard areas.
- (g) Verify, record and maintain record of the actual elevation (in relation to mean sea level) to which the new or substantially improved structures have been flood proofed.
- (h) When floodproofing is utilized for a particular structure, the Zoning Administrator shall be presented certification from a registered professional engineer or architect.

c. Application for Permit

To obtain a permit, the applicant shall first file an application in writing on a form furnished for that purpose. Every such application shall:

1. Identify and describe the work to be covered by the permit.
2. Describe the land on which the proposed development is to be done by lot, block, tract and house and street address, or similar description that will readily identify and definitely locate the proposed building or development.
3. Indicate the use or occupancy for which the proposed work is intended.
4. Be accompanied by plans for the proposed construction.
5. Be signed by the permittee or his authorized agent who may be required to submit evidence to indicate such authority.
6. Give such other information as reasonably may be required by the Zoning Administrator.

553 Establishment of Zoning Districts

The mapped flood plain area within the jurisdiction of this ordinance are hereby divided into the two following districts: A Floodway Overlay District (FW) and a Flood Fringe Overlay District (FF) as identified in the official Flood Insurance Study and accompanying maps. Within these districts, all uses not meeting the standards of this ordinance and those standards of the underlying zoning

district shall be prohibited. These zones shall be consistent with the numbered and unnumbered A Zones as identified on the official FIRM when identified in the Flood Insurance Study provided by the Federal Emergency Management Administration (FEMA).

554 Standards for Floodplain Development

- a. No permit for development shall be granted for new construction, substantial improvement or other improvements including the placement of manufactured homes within all numbered and unnumbered A Zones (including AE, AO and AH Zones) unless the conditions of this section are satisfied.
- b. All areas identified as unnumbered A Zones on the FIRM are subject to inundation of the base flood; however, the water surface elevation was not provided. The unnumbered A Zones shall be subject to all development provisions of this ordinance. If Flood Insurance Study Data is not available, the community shall utilize any base flood elevation data currently available within its area of jurisdiction. Further, in cases of proposed development within unnumbered "A" zones, the developer's engineer shall be required to conduct the necessary studies to determine the 100 year flood elevation and its extent in relation to such development.

That until a floodway has been designated, no development including landfill, may be permitted within the identified flood plain unless the applicant for the land use has demonstrated that the proposed use, when combined with all other existing and reasonably anticipated uses, will not increase the water surface elevation of the 100-year flood more than one (1') foot on the average cross-section of the reach in which the development or landfill is located as shown in the official Flood Insurance Study incorporated by reference herein.

- c. New construction, subdivision proposals, substantial improvement, prefabricated buildings, placement of manufactured homes and other development shall require:
 1. Design or anchorage to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads including the effect of buoyancy.
 2. New or replacement water supply systems and/or sanitary sewage systems designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters, and on-site waste disposal systems be located so as to avoid impairment or contamination.
 3. Construction with materials resistant to flood damage, utilizing methods and practices that minimize flood damages, and with electrical, heating, ventilation that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.
 4. All utility and sanitary facilities be elevated or floodproofed one foot above the regulatory flood elevation. Such floodproofing is permitted only for non-residential properties.
 5. Storage of Materials and Equipment
 - (a) The storage of processing of materials that are in time of flooding buoyancy, flammable, explosive, or could be injurious to human, animal or plant life is prohibited.
 - (b) Storage of other materials or equipment may be allowed if not subject to major damage by floods and firmly anchored to prevent flotation or if readily removable from the area within the time available after flood warning.

6. Subdivision proposals and other proposed new development, including manufactured home parks or subdivisions, be required to assure that:
 - (a) All such proposals are consistent with the need to minimize flood damage.
 - (b) All public utilities and facilities, such as sewer, gas, electrical and water systems are located, elevated and constructed to minimize or eliminate flood damage.
 - (c) Adequate drainage is provided so as to reduce exposure to flood hazards.
 - (d) Proposals for development (including proposals for manufactured home parks and subdivisions) of five (5) acres or fifty (50) lots, whichever is less, include within such proposals the regulatory base flood elevation.

555 Flood Fringe Overlay District: Regulations

a. Permitted Uses

Any use permitted in the underlying base district and Floodway District shall be permitted in the Flood Fringe District. No use shall be permitted in the district unless the standards of Article 554 and this Article are met.

b. Standards for the Flood Fringe Overlay District

1. Any new construction or substantial improvements of residential structures shall have the lowest floor, including basement elevated one foot above the base flood elevation.
2. Any new construction or substantial improvements of non-residential structures shall have the lowest floor, including basement, elevated one foot above the base flood elevation, or, together with attendant utility and sanitary facilities, shall be floodproofed so that below such a level the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydro-dynamic loads and effect of buoyancy. A registered professional engineer or architect shall certify that the standards of this subsection are satisfied. Such certification shall be provided to the Enforcement Official. Such floodproofing is permitted only for non-residential properties.
3. All new construction and substantial improvements that fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding shall be designated to automatically equalize hydro-static flood forces or exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by the registered professional engineer or architect or meet or exceed the following minimum criteria: A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided. The bottom of all openings shall be not higher than one foot above grade. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.
4. Within AH zones, adequate drainage paths around structures on slopes shall be required in order to guide floodwaters around and away from proposed structures.

5. Manufactured Homes

- (a) All manufactured homes shall be anchored to resist flotation, collapse, or lateral movement. Manufactured homes must be anchored in accordance with local building codes or FEMA guidelines. In the event that over-the-top frame ties to ground anchors are used, the following specific requirements (or their equivalent) shall be met:
 - (i) Over -the-top ties shall be provided at each of the four corners of the manufactured home with two additional ties per side at intermediate locations, and manufactured homes less than 50 feet long requiring one additional tie per side.
 - (ii) Frame ties shall be provided at each corner of the home with five additional ties per side at intermediate points, and manufactured homes less than 50 feet long requiring four additional ties per side.
 - (iii) All components of the anchoring system shall be capable of carrying a force of 4800 lbs.
 - (iv) Any additions to manufactured homes shall be similarly anchored.
- (b) All manufactured homes to be placed or substantially improved within special flood hazard areas on the community's FIRM on sites:
 - (1) Outside of a manufactured home park or subdivision,
 - (2) In a new manufactured home park or subdivision,
 - (3) In an expansion to an existing manufactured home park or subdivision, or
 - (4) In an exiting manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as the result of a flood,

shall be elevated on a permanent foundation such that the lowest floor of the manufactured home is at or above **one (1) foot** above the base flood elevation; and be securely anchored to an adequately anchored foundation system in accordance with the provisions of Article 555-b-5 (a).

- (c) All manufactured homes to be placed or substantially improved on sites in an existing manufactured home park or subdivision within special flood hazard areas on the community's FIRM that are not subject to the provisions of Article 555-b-5-(b) shall be elevated so that either:
 - (i) The lowest floor of the manufactured home is at or above **one (1) foot** above the base flood elevation, or
 - (ii) The manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than 36 inches in height above grade; and be securely anchored to an adequately anchored foundation system in accordance with the provisions of Article 555-b-5-(a).

6. Recreational Vehicles

All recreational vehicles placed on sites within the special flood hazard areas on the community's official map shall either (i) be on the site for fewer than 180 consecutive days, (ii) be fully licensed and ready for highway use, or (iii) meet the permit requirements and the elevation and anchoring requirements for "manufactured homes" of this ordinance. A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick-disconnect type utilities and security devices, and has no permanently attached additions.

c. AO Zones: Special Regulations

Located within the areas of special flood hazard established in this Ordinance are areas designated as AO Zones. These areas have special flood hazards associated with base flood depths of 1 to 3 feet where a clearly defined channel does not exist and where the path of flooding is unpredictable and indeterminate. Therefore, the following provisions apply with AO Zones:

1. All new construction and substantial improvements of residential structures have the lowest floor (including basement) elevated above the highest adjacent grade at least as high as 1 foot above the depth number specified in feet on the community's FIRM (at least two feet if no depth number is specified) or together with attendant utility and sanitary facilities be completely floodproofed to or above that level so that any space below that level is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydro-dynamic loads and effect of buoyancy. Such certification shall be provided to the Enforcement Official.
2. All new construction and substantial improvements of nonresidential structures shall:
 - (a) Have the lowest floor (including basement) elevated above the highest adjacent grade at least as high as 1 foot above the depth number specified in feet on the community's FIRM (at least two feet if no depth number is specified); or
 - (b) Together with attendant utility and sanitary facilities be completely floodproofed to or above that level so that any space below that level is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effect of buoyancy. Such certification shall be provided to the Enforcement Official.
3. Adequate drainage paths around structures on slopes shall be required in order to guide floodwaters around and away from proposed structures.

d. Floodproof Construction

Notwithstanding any other provisions, the provisions of the ordinance permitting construction of floodproofed residential basements in Zones A1-30, AH, AO and AE, shall become operative only after approval of an exception analysis of floodproof construction standards as outlined in Section 60.6 (c) of the National Flood Insurance Program Regulations, 44CFR Chapter 1 and declaration by the Mayor of the City of Fremont.

556 Floodway Overlay Districts

- a. Permitted Uses

Only uses having a low flood-damage potential and not obstructing flood flows shall be permitted within the Floodway District to the extent that they are not prohibited by any other ordinance and provided that they do not require structures, fill, or storage of materials or equipment. No use shall increase the flood levels of the base flood elevation. The following are recommended uses for the Floodway District:

1. Agricultural uses such as general farming, pasture, nurseries, forestry.
2. Accessory residential uses such as lawns, gardens, parking and play areas.
3. Nonresidential areas such as loading areas, parking, and airport landing strips.
4. Public and private recreational uses such as golf courses, archery ranges, picnic grounds, parks, wildlife and nature preserves. New placement of residential structures including manufactured homes is prohibited with the identified floodway (FW) area.

b. Standards for the Floodway Overlay District

New structures are prohibited. All encroachments, including fill, new construction, substantial improvements and other development must be prohibited unless certification by a registered professional engineer or architect is provided demonstrating that the development shall not result in any increase in water surface elevations along the floodway profile during occurrence of the base flood discharge. These uses are subject to the standards of Article 554 and 555. In Zone A unnumbered, obtain, review and reasonably utilize any flood elevation and floodway data available through Federal, State or other sources or Section 554-c-6(d) of this ordinance, in meeting the standards of this section.

557 Request For Variances From District Requirements

- a. The Board of Adjustment, as established by the City of Fremont, shall hear and decide appeal and requests for variances from the requirements of this ordinance.
- b. The Board of Adjustment shall hear and decide appeals when it is alleged that there is an error in any requirement, decision, or determination made by the Zoning Administrator in the enforcement or administration of this ordinance.
- c. Any person aggrieved by the decision of the Board of Adjustment or any taxpayer may appeal such decision to the District Court as provided by Nebraska State Statutes.
- d. In passing upon such applications, the Board of Adjustment shall consider all technical evaluation, all relevant factors, standards specified in other sections of this ordinance, and:
 1. The danger that materials may be swept onto other lands to the injury of others.
 2. The danger of life and property due to flooding or erosion damage.
 3. The susceptibility of proposed facility and its contents to flood damage and the effect of such damage on the individual owner.
 4. The importance of the services provided by the proposed facility to the community.
 5. The necessity to the facility of a waterfront location, where applicable.

6. The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use.
 7. The compatibility of the proposed use with existing and anticipated development.
 8. The relationship of the proposed use to the comprehensive plan and flood plain management program for that area.
 9. The safety of access to the property in time of flood for ordinance and emergency vehicles.
 10. The expected heights, velocity, duration, rate of rise and sediment transport of the flood waters and the effect of wave action, if applicable, expected at the site.
 11. The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems, and streets and bridges.
- e. Conditions for Variance
1. Generally, variances may be issued for new construction and substantial improvements to be erected on a lot of one half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level providing terms 2. through 6. below have been fully considered. As the lot size increases beyond the one-half acre, the technical jurisdiction required for issuing the variance increases.
 2. Variances may be issued for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places or the State Inventory of Historic Places, without regard to the procedures set forth in the remainder of this section.
 3. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.
 4. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
 5. In addition to the criteria for variances set forth in Article 1209 of this Ordinance, variances shall only be issued upon (i) a showing of good and sufficient cause, (ii) a determination that failure to grant the variance would result in exceptional hardship to the applicant, and (iii) a determination that the granting of the variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.
 6. Any applicant to whom a variance is granted shall be given a written notice over the signature of a community official that (1) the issuance of a variance to construct a structure below the base flood level will result in increased premium rates for flood insurance up to amounts as high as \$25.00 for \$100 of insurance coverage and (2) such construction below the base flood level increases risks to life and property. Such notification shall be maintained with the record of all variance actions as required by this ordinance.

a. Continuance of Nonconforming Uses

A structure or the use of a structure or premises which was lawful before the passage or amendment of the ordinance but which is not in conformity with the provisions of this ordinance may be continued subject to the following conditions:

1. No such use or substantial improvement of that use shall be expended, changed, enlarged, or altered in a way which increases its nonconformity.
2. If such use is discontinued for twelve (12) consecutive months, any future use of the building premises shall conform to this ordinance. The Utility Department shall notify the Building Inspector in writing of instances of nonconforming uses where utility services have been discontinued for a period of twelve (12) months.
3. Uses or adjuncts thereof which are or become nuisances shall not be entitled to continue a nonconforming uses.

b. Replacement of Residential Uses

If any residential nonconforming use of structure is destroyed by any means, including flood, it shall not be reconstructed if the cost is more than 50 percent of the market value of the structure before the damage occurred within those areas identified as floodway (FW). This limitation does not include the cost of any alteration to comply with existing state or local health, sanitary, building, or safety codes or regulations or the cost of any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places.

c. Replacement of Non-Residential Uses

If any non-residential nonconforming use of structure is destroyed by any means, including flood, it should not be reconstructed if the cost is more than 50 percent of the market value of the structure before the damage occurred except that if it is reconstructed in conformity with the provisions of this ordinance. This limitation does not include the cost of any alteration to comply with existing state or local health, sanitary, building, or safety codes or regulations or the cost of any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places.

559 Amendments

The regulations, restrictions and boundaries set forth in this ordinance may from time to time be amended, supplemented, changed, or appealed to reflect any and all changes in the National Flood Disaster Protection Act of 1973, provided, however, that no such action may be taken until after a public hearing in relation thereto, at which parties in interest and citizens shall have an opportunity to be heard. Notice of the time and place of such hearing shall be published in a newspaper of general circulation in Fremont, Nebraska. At least ten (10) days shall elapse between the date of this publication and the public hearings. A copy of such amendments will be provided to the Federal Emergency Management Agency. The regulations of this ordinance are in compliance with the National Flood Insurance Program Regulations as published in Title 44 of the Code of Federal Regulations and the 1983 Nebraska Flood Plan Management Act.

560 Definitions

Unless specifically defined below, words or phrases used in this ordinance shall be interpreted so as to give them the same meaning as they have in common usage and so as to give this ordinance its most reasonable application.

Actuarial Rates. Or "risk premium rates" are those rates established by the Federal Insurance Administrator pursuant to individual community studies and investigations which are undertaken to provide flood insurance in accordance with 42 U.S.C. 4014 and the accepted actuarial principles. Actuarial rates include provisions for operating costs and allowances.

Appeal. A request for a review of the Zoning Administrator's interpretation of any provision of this ordinance or a request for a variance.

Area of Shallow Flooding. A designated AO or AH zone on a community's Flood Insurance Rate Map (FIRM) with a one percent or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

Area of Special Flood Hazard. The land in the flood plain within a community subject to one percent or greater chance of flooding in any given year.

Base Flood. Means the flood having one percent chance of being equaled or exceeded in any given year.

Base Flood Elevation. Elevation indicated in the official flood plain study as the elevation of the 100-year flood.

Base Flood Protection Elevation. An elevation one foot higher than the water surface elevation of the base flood.

Basement. Means any area of the building having its floor subgrade (below ground level) on all sides.

Channel. A natural or artificial watercourse of perceptible extent, with a definite bed and banks to confine and conduct continuously or periodically flowing water. Channel flow, thus, is that water which is flowing within the limits of a defined channel.

Community. Any state or area or political subdivision thereof which has authority to adopt and enforce flood plain management regulations for the area within its jurisdiction.

Development. Any man-made change to improved or unimproved real estate, including but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.

Existing Construction (For the purposes of determining rates) structures for which the "start of construction" commenced before the effective date of the FIRM or before January 1, 1975, for FIRM's effective before that date. "Existing Construction" may also be referred to as "existing structures".

Existing Manufactured Home Park or Subdivision. Means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is complete before the effective date of the floodplain management regulations adopted by a community.

Expansion to an Existing Manufactured Home Park or Subdivision. Means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

Flood or Flooding. A general and temporary condition of partial or complete inundation of normally dry land areas from (1) the overflow of inland or tidal waters; (2) the unusual and rapid accumulation of runoff of surface waters from any source.

Flood Fringe (FF). Is that area of the floodplain, outside of the floodway, that on the average is likely to be flooded once every 100 years (i.e., that has a one percent change of flood occurrence in any one year). Also referred to as Floodway Fringe.

Flood Insurance Rate Map (FIRM). An official map of a community, on which the Flood Insurance Study has delineated the Flood Hazard Boundaries and the zones establishing insurance rates applicable to the community.

Flood Insurance Study. The official report provided by the Federal Emergency Management Agency. The report contains flood profiles, as well as the Flood Boundary Floodway Map and the water surface elevation of the base flood.

Flood Plain Management. The operation of an overall program of corrective and preventative measures for reducing flood damage, including but not limited to, emergency preparedness plan, flood control works, and flood plain management regulations.

Flood Protection System. Those physical structural works constructed specifically to modify flooding in order to reduce the extent of the area within a community subject to a "special flood hazard". Such a system typically includes levees or dikes. These specialized modifying works are those constructed in conformance with sound engineering standards.

Floodproofing. Any combination of structural and non-structural additions, changes, or adjustments to structures, including utility and sanitary facilities, which would preclude the entry of water. Structural components shall have the capability of resisting hydrostatic and hydrodynamic loads and effect of buoyancy.

Floodplain. Any land area susceptible to being inundated by waters from any source (see definition of "flooding").

Floodway (FW) or Regulatory Floodway. The channel of a river or other watercourse and the adjacent portion of the flood plain that must be reserved in order to discharge the 100-year flood without cumulatively increasing the water surface elevation more than one foot at any point assuming equal conveyance reduction outside the channel from the two sides of the flood plain.

Freeboard. A factor of safety usually expressed in feet above a flood level for purposes of flood plain management. "Freeboard" tends to compensate for the many unknown factors that could contribute to flood heights greater than the heights calculated for a selected size flood and floodway conditions, such as wave action, clogged bridge openings, and the hydrological effect of urbanization of the watershed.

Highest Adjacent Grade. The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

Historic Structure. Any structure that is: (a) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register; (b) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district preliminarily determined by the Secretary to qualify as a registered historic district; (c) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or (d) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either: (1) By an approved state program as determined by the Secretary of the Interior or (2) Directly by the Secretary of the Interior in states without approved programs.

Lowest Floor. The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage, in an area other than a basement area, is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this ordinance.

Manufactured Home. A structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. For flood plain management purposes, the term "manufactured home" also includes park trailers, travel trailers, and other similar vehicles placed on a site for greater than 180 consecutive days. For insurance purposes, the term "manufactured home" does not include park trailers, travel trailers, and other similar vehicles.

Manufactured Home Park or Subdivision. A parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

New Construction. Structures for which the "start of construction or substantial improvement" is commenced on or after the effective date of the floodplain management regulations adopted by a community and includes any subsequent improvements to such structure.

New Manufactured Home Park or Subdivision. Means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by a community.

100-Year Flood. The base flood having a one percent chance of annual occurrence.

Overlay District. A district which additional requirements acts in conjunction with the underlying zoning district or districts. The original zoning district designation does not change.

Principally Above Ground. At least 51 percent of the actual cash value of the structure is above ground.

Recreational Vehicle. A vehicle which is (i) build on a single chassis; (ii) 400 square feet or less when measured at the largest horizontal projections; (iii) designed to be self-propelled or permanently towable by a light duty truck; and (iv) designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel or seasonal use.

Special Flood Hazard Area. The land in the floodplain within a community subject to one percent or greater chance of flooding in any given year.

Start of Construction. [For other than new construction or substantial improvements under the Coastal Barrier Resources Act (Pub. Law 97-348)]. Includes substantial improvement, and means the date the building permit was issued, providing the actual start of construction, repair, reconstruction, placement, or other improvement was within 180 days of the permit date. The actual start or other improvement was within 180 days of the permit date. The actual start means the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling, nor does it include the installation of street and/or walkways, nor does it include excavation for a basement, footings, or foundations or the erection of temporary forms, nor does it include the installation of the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not the alteration affects the external dimensions of the building.

Structure. A walled and roofed building that is principally above ground, as well as a manufactured home, and a gas or liquid storage tank that is principally above ground.

Substantial Damage. Means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

Substantial Improvement. Any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure either (1) before the improvement or repair is started, or (2) if the structure has been damaged and is being restored, before the damage occurred. For the purpose of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include either (1) any project for improvement of a structure to comply with existing state or local health, sanitary or safety code specifications which are solely necessary to assure safe living conditions, or (2) any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places.

Variance. A grant of relief to a person from the requirements of this ordinance which permits construction in a manner otherwise prohibited by this ordinance where specific enforcement would result in unnecessary hardship.

Violation. Means a failure of a structure or other development to be fully compliant with the community's floodplain management regulations.

WP - WELLHEAD PROTECTION AREA DISTRICT

570 Purpose

To assist operators of public water supply systems in providing protection for wells through regulation of land uses which have the potential for contamination of the groundwater sources serving the wells.

571 Application of District

This district shall be applied to Wellhead Protection Areas officially approved by the Nebraska Department of Environmental Quality for a twenty- (20) year time of travel recharge zone.

This Ordinance shall apply to all lands within the jurisdiction of the City of Fremont identified on the Wellhead Protection Area Map entitled: "Fremont (South Wellfield), Dodge County, Nebraska, drawn by the Nebraska Department of Environmental Quality, Wellhead Protection Program Map, dated September 2009, Exhibit A".

The public water supply operator shall place signs designating the boundaries of the Wellhead Protection Area where public roads cross the boundary.

572 Enforcement Officer

The Zoning Administrator of the City of Fremont is hereby designated as the City's duly designated Enforcement Officer under this Ordinance.

573 Interpretation of Boundaries

In the event the boundaries of any officially approved Wellhead Protection Areas do not follow easily identifiable boundaries such as roads, rivers, section lines, quarter section lines, or quarter-quarter section lines, the boundaries of such area shall be expanded to the nearest such line.

574 Wellhead Protection Area Regulations

a.) Permitted Uses

- 1.) Uses permitted in a WP District shall be those permitted in the AG Zoning District as permitted uses except for Emergency Residential, Day Care (limited), and Religious Assembly.
- 2.) Storage of agricultural chemicals and/or petroleum products for personal use only. (1,000 gallon limit).
- 3.) Animal production or occupancy limited to one animal unit per four acres.

b.) Conditional Uses

- 1.) Resource extraction
- 2.) Communications tower
- 3.) WECS

- 4.) Campground
- 5.) Storage of agricultural chemicals and/or petroleum products for personal use only in excess of 1,000 gallon limit.
- 6.) Clubs (Recreational)

575 Definitions

Wellhead Protection Area

The surface and subsurface area surrounding a water well or wellfield supplying a public water system through which contaminants are reasonably likely to move toward and reach such water well or wellfield.

Animal Unit

Animal unit shall mean a unit of measurement for any livestock operation calculated by adding the following numbers: The number of slaughter and feeder cattle multiplied by 1.0, plus the number of cow/calf pairs multiplied by 1.2, plus the number of mature dairy cattle multiplied by 1.4, plus the number of swine weighing 55 pounds or more multiplied by 0.4, plus the number of weaned pigs weighing less than 55 pounds multiplied by 0.04, plus the number of sheep multiplied by 0.1, plus the number of horses multiplied by 2.0, plus the number of chickens multiplied by 0.01, plus the number of turkeys multiplied by 0.02, plus the number of ducks multiplied by 0.2. For immature dairy cattle or species not listed, the number of animal units shall be calculated as the average weight of the animals, divided by 1,000 pounds, multiplied by the number of animals.

SECTION III. REPEAL OF CONFLICTING ORDINANCES. That the original Article Six of the Fremont Zoning Ordinance, Ordinance No. 3939, and any other ordinances of the City of Fremont in conflict herewith are hereby repealed.

SECTION IV. PUBLICATION IN PAMPHLET FORM. This Ordinance shall be published in pamphlet form and distributed as a City Ordinance.

SECTION V. EFFECTIVE DATE. This ordinance shall take effect and be in force from and after its passage, approval, and publication as required by law.

PASSED AND APPROVED THIS ____ DAY OF _____, 2012

ATTEST:

 Kimberly Volk, MMC
 City Clerk

 SCOTT GETZSCHMAN, MAYOR

STAFF REPORT

TO: Honorable Mayor and City Council
FROM: Jan Rise, Administrative Services Director
DATE: July 3, 2012
SUBJECT: Project Payment--Izaak Walton Trap Range Lead-Impacted Soil Remediation Project

Recommendation: Approve Resolution.

Background:

<u>Contractor</u>	<u>Request</u>	<u>Project</u>	<u>Amount</u>
Terracon Consultants, Inc.	Final—2 invoices	Lead-Impacted Soil Remediation at former Izaak Walton shooting range	\$44,058.61
Prudent Technologies, Inc.	Final	Lead-Impacted Soil Remediation at former Izaak Walton shooting range	\$72,896.03

Fiscal Impact: Brownfields grant funds and private funds

RESOLUTION NO. _____

A Resolution of the City Council of the City of Fremont, Nebraska, approving payment to Prudent Technologies, Inc. and Terracon Consultants, Inc.

RESOLVED, that the Fremont City Council approves the following contract payments and that a check be drawn in the amount listed on the proper account to Prudent Technologies, Inc. and Terracon Consultants, Inc.

<u>Contractor</u>	<u>Request</u>	<u>Project</u>	<u>Amount</u>
Prudent Technologies, Inc.	Final	Lead-Impacted Soil Remediation at former Izaak Walton shooting range	\$72,896.03
Terracon Consultants, Inc.	Final	Lead-Impacted Soil Remediation at former Izaak Walton shooting range	\$44,058.61

PASSED AND APPROVED THIS _____ DAY OF _____, 2012.

Scott Getzschman, Mayor

ATTEST:

Kimberly Volk, MMC
City Clerk



INVOICE

Izaak Walton Trap Range Lead-Impacted Soil Remediation

City of Freemont, Nebraska
 City Clerks Office, 2nd Floor
 400 East Military Avenue
 Fremont, NE 68052

Invoice No.:	112033
Invoice Date:	6/29/2012
Prudent Job No.:	G-411001
Billing Period	thru 04/17/2012
Terms	Net 10 Days

Application for Payment #0004

CLIN	Description	UOM	Contract QTY	% Complete	Complete to Date	Unit Price	Total
1	Mobilization	LS	1	100.00%	1	\$ 10,001.00	\$ 10,001.00
2	Silt Fence	LF	2,400	98.33%	2360	\$ 6.00	\$ 14,160.00
3	Site Preparation	LS	1	100.00%	1	\$ 10,000.00	\$ 10,000.00
4	Excavation, Treatment, T&D	CY	17,960	100.00%	26260	\$ 44.00	\$ 1,155,440.00
5	Final Grading	LS	1	100.00%	1	\$ 10,000.00	\$ 10,000.00
6	Demobilization	LS	1	100.00%	1	\$ 10,000.00	\$ 10,000.00
Completed To-Date							\$ 1,209,601.00
Less Previously Invoiced							\$ (1,172,201.00)
Plus Retainage withheld Invoice #3							\$ 35,496.03
<p>The undersigned contractor certified that to the best of the contractor's knowledge, information and belief, the work covered by this and all previous Applications for Payment have been completed in accordance with Contract Documents; that all amounts have been paid by the contractor for work for which previous Certificates for Payment were issued and payments received from the owner; and that current payment shown herein.</p>							
<p><i>Mark Zagler</i> 7/2/2012</p>							
						Invoice Total	\$ 72,896.03

Remit To:
 Prudent Technologies, Inc.
 8080 Ward Parkway, Suite 405
 Kansas City, MO 64114

Thank you for using Prudent Technologies, Inc.



July 2, 2012

City of Fremont
400 East Military Avenue
Fremont, Nebraska 68025

Attn: Ms. Jan Rise
P: 402.727.2624

Re: Approval of Contractor Invoice
Former Izaak Walton Trap Range Brownfields Cleanup
Fremont, Nebraska
Terracon Project No. 05107163

Dear Ms. Rise:

Terracon Consultants, Inc. (Terracon) has reviewed the final invoice submitted for payment from Prudent Technologies, Inc. (Prudent), invoice no. 112033, dated June 29, 2012 in the amount of \$72,896.03. The unit rates are consistent with the rates provided in Prudent's initial bid/estimate and representative of the amount of work completed at the site to date. In addition, Prudent has provided State of Nebraska Certificate of Contribution Status paperwork and Subcontractor Lien Release Certificates for all parties involved in the project as required by the City. Terracon approves this invoice and recommends full payment from the City of Fremont.

Thank you for the opportunity to be of continued services to you for this project. If you have any questions or comments, please contact us.

Sincerely,

Terracon Consultants, Inc.

Michaela T. Brewster
Senior Staff Geologist

Michael E. Hagemeister, P.E.
Senior Principal

Distribution: Addressee (1)

Terracon Consultants, Inc. 15080 A Circle Omaha, Nebraska 68144
P [402] 330 2202 F [402] 330 7606 terracon.com

05107163109 prudent invoice approval.docx

Geotechnical



Environmental



Construction Materials



Facilities



INVOICE

15080 A Circle
Omaha, NE 68144
402-330-2202

Project Mgr: Michaela Brewster

Project: Cleanup of Fmr Izaak Walton Trap Range
West 16th Street and County Road 20 1/4
EPA CA #BF98796501 (Brownfields Project)
Fremont, NE 68025

To: City Of Fremont NE
Attn: Jan Rise
400 East Military
Fremont, NE 68025

REMIT TO:	
Invoice Number: T297503	
Terracon Consultants, Inc.	
PO Box 843358	
Kansas City, MO 64184-3358	
Federal E.I.N.: 42-1249917	

Project Number:	05107163
Invoice Date:	4/09/2012
For Period:	12/25/2011 to 2/11/2012

Task 4 Services per Cooperative Agreement which includes project management implementation associated with field activities; client phone calls/emails/meetings; team meeting and conference calls; NDEQ and EPA agency liaison; community outreach; field activities and laboratory testing associated with soil excavation and disposal and monitoring; draft report preparation; and, submittal to the City and NDEQ.

Quantity	Description of Services	Rate	Total
Draft Remedial Action Report			
3.00 Hour(s)	Principal	\$152.00	\$456.00
5.00 Hour(s)	Staff Geologist	\$93.00	\$465.00
23.00 Hour(s)	Field Scientist	\$72.00	\$1,656.00
1.50 Hour(s)	Senior Administrative Staff	\$50.00	\$75.00
	Subtotal		\$2,652.00
Field Activities, Travel & Laboratory Fees			
279.75 Hour(s)	Field Scientist	\$72.00	\$20,142.00
1,716.00 Mile(s)	Mileage	\$0.650	\$1,115.40
\$28.17 Cost+	Postage	15%	\$32.40
\$2,264.40 Cost+	TestAmerica Laboratories	15%	\$2,604.06
	Subtotal		\$23,893.86
Project Management			
23.00 Hour(s)	Principal	\$152.00	\$3,496.00
7.50 Hour(s)	Project Geologist	\$105.00	\$787.50
18.00 Hour(s)	Staff Geologist	\$93.00	\$1,674.00
85.00 Mile(s)	Mileage	\$0.650	\$55.25
	Subtotal		\$6,012.75
Invoice Total			\$32,558.61

TERMS: DUE UPON PRESENTATION OF INVOICE



INVOICE

15080 A Circle
Omaha, NE 68144
402-330-2202

Project Mgr: Michaela Brewster

Project: Cleanup of Fmr Izaak Walton Trap Range
West 16th Street and County Road 20 1/4
EPA CA #BF98796501 (Brownfields Project)
Fremont, NE 68025

To: City Of Fremont NE
Attn: Jan Rise
400 East Military
Fremont, NE 68025

REMIT TO:
Invoice Number: T298318
Terracon Consultants, Inc.
PO Box 843358
Kansas City, MO 64184-3358
Federal E.I.N.: 42-1249917

Project Number:	05107163
Invoice Date:	4/11/2012
For Period:	2/12/2012 to 3/31/2012

Task 4 Services per Cooperative Agreement which includes project management implementation, field activities associated with post-contamination remediation; client phone calls/emails/meetings; team meeting and conference calls; NDEQ and EPA agency liaison; laboratory testing associated with soil excavation and disposal and monitoring; and final report preparation and submittal to the City and NDEQ.

Quantity	Description of Services	Rate	Total
-1.00	Deduction for agreed amount not to exceed	\$457.62	\$(457.62)
Field Activities, Travel & Laboratory Fees			
21.50 Hour(s)	Field Scientist	\$72.00	\$1,548.00
203.00 Mile(s)	Mileage	\$0.650	\$131.95
4.50 Hour(s)	Staff Geologist	\$93.00	\$418.50
\$1,005.80 Cost+	TestAmerica	15%	\$1,156.67
		Subtotal	\$3,255.12
Project Management			
170.00 Mile(s)	Mileage	\$0.650	\$110.50
11.00 Hour(s)	Principal	\$152.00	\$1,672.00
1.50 Hour(s)	Project Engineer	\$105.00	\$157.50
10.00 Hour(s)	Staff Geologist	\$93.00	\$930.00
2.75 Hour(s)	Staff Scientist	\$72.00	\$198.00
		Subtotal	\$3,068.00
Remedial Action Report			
10.00 Hour(s)	CAD Technician	\$70.00	\$700.00
16.00 Hour(s)	Principal	\$152.00	\$2,432.00
1.00 Hour(s)	Project Geologist	\$105.00	\$105.00
10.75 Hour(s)	Senior Administrative Staff	\$50.00	\$537.50
20.00 Hour(s)	Staff Geologist	\$93.00	\$1,860.00
		Subtotal	\$5,634.50

TERMS: DUE UPON PRESENTATION OF INVOICE



INVOICE

Invoice No.: T298318
Project No.: 05107163
Project: Cleanup of Fmr Izaak Walton Trap
Range
West 16th Street and County Road
20 1/4
Project Mgr: Michaela Brewster

Invoice Total	\$11,500.00
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STAFF REPORT

To: Honorable Mayor and City Council
From: Laurel Korman – Human Resources Manager
Date: July 5, 2012
Subject: Salary Ordinance

Recommendation: 1. Move to suspend rules and place on final reading. 2. Hold final reading. 3. Pass Ordinance

Background: 1. The Director of Communications (pay grade 21.0) will manage the City/County joint Communications Center.

2. The Chief Police Dispatcher position is no longer eligible to belong to the FOP union and will be responsible for dispatching police, sheriff, municipal fire and rural fire. The job title is being changed to Dispatcher II.

3. The Police Dispatcher job title is being changed to Dispatcher I.

4. The After Hour Custodian Helper will be assigned to work evenings, weekends, and holidays.

It is recommended that the City Council suspend the rules and pass on the first reading to assist in filling positions that will be involved in the joint Communications Center.

ORDINANCE NO. _____

An Ordinance of the City of Fremont, Nebraska pertaining to pay plan for officers and employees, repealing Ordinance No.5240 and all other ordinances and parts of ordinances in conflict herewith; providing for publication in pamphlet form and providing for an effective date. Be it ordained by the Mayor and City Council of Fremont, Nebraska:

SECTION I. That the following schedule of Pay Grades be used for pay purposes in place of those originally stated in all other ordinances and parts of ordinances in conflict herewith are hereby repealed.

SECTION II. That the Class Title and Pay Grade of each position for the City shall be as follows:

	Class Title	Pay Grade	Hourly Wage	Annual Wage
Subsection A. Exempt	General Manager	40.5	48.8042 - 68.6871	101,512.74 - 142,869.17
	City Administrator	39.0	45.3398 - 63.7967	94,306.78 - 132,697.14
	Assistant General Manager	37.5	42.1607 - 59.3340	87,694.26 - 123,414.72
	Power Plant Superintendent	36.5	40.1522 - 56.5054	83,516.58 - 117,531.23
	City Attorney	35.0	37.2999 - 52.4824	77,583.79 - 109,163.39
	Director of Public Works	34.0	35.5232 - 49.9867	73,888.26 - 103,972.34
	City Engineer	33.5	34.6853 - 48.8042	72,145.42 - 101,512.74
	Director of Finance	33.0	33.8355 - 47.6038	70,377.84 - 99,015.90
	Electrical Engineering Manager	33.0	33.8355 - 47.6038	70,377.84 - 99,015.90
	Operations/Environmental Engineer	33.0	33.8355 - 47.6038	70,377.84 - 99,015.90
	Police Chief	33.0	33.8355 - 47.6038	70,377.84 - 99,015.90
	Power Plant Operations Supervisor	32.5	33.0333 - 46.4807	68,709.26 - 96,679.86
	Administrative Services Director	31.5	31.4586 - 44.2643	65,433.89 - 92,069.74
	Distribution Superintendent	31.0	30.6861 - 43.1828	63,827.09 - 89,820.22
	Fire Chief	31.0	30.6861 - 43.1828	63,827.09 - 89,820.22
	Mechanical Engineer	31.0	30.6861 - 43.1828	63,827.09 - 89,820.22
	Director of Planning	30.5	29.9612 - 42.1607	62,319.30 - 87,694.26
	Civil Engineer	30.0	29.2243 - 41.1267	60,786.54 - 85,543.54
	Director of Parks and Recreation	30.0	29.2243 - 41.1267	60,786.54 - 85,543.54
	Information Systems Manager	29.0	27.8338 - 39.1658	57,894.30 - 81,464.86
	Customer Services/Customer Billing Mgr	28.5	27.1742 - 38.2388	56,522.34 - 79,536.70
	Human Resources Manager	28.5	27.1742 - 38.2388	56,522.34 - 79,536.70
	Gas System Supervisor	28.0	26.5086 - 37.2999	55,137.89 - 77,583.79
	Deputy Police Chief	27.5	25.8847 - 36.4204	53,840.18 - 75,754.43
	Library Director	27.5	25.8847 - 36.4204	53,840.18 - 75,754.43
	Wastewater Treatment Superintendent	27.5	25.8847 - 36.4204	53,840.18 - 75,754.43
	Accountant	26.5	24.6546 - 34.6853	51,281.57 - 72,145.42
	Water and Sewer Superintendent	26.5	24.6546 - 34.6853	51,281.57 - 72,145.42
	City Clerk/Treasurer	25.5	23.4780 - 33.0333	48,834.24 - 68,709.26
	Superintendent of Public Services	25.5	23.4780 - 33.0333	48,834.24 - 68,709.26
Stores Supervisor	25.0	22.9016 - 32.2251	47,635.33 - 67,028.21	
Recreation Superintendent	23.5	21.2913 - 29.9612	44,285.90 - 62,319.30	
Director of Communications	21.0	18.8372 - 26.5086	39,181.38 - 55,137.89	
Network/PC Technician	19.5	17.5179 - 24.6546	36,437.23 - 51,281.57	
Subsection B. Hourly	Power Plant Electrical Supervisor	29.0	27.8338 - 39.1658	57,894.30 - 81,464.86
	Power Plant Maintenance Supervisor	28.5	27.1742 - 38.2388	56,522.34 - 79,536.70
	Power Plant Shift Supervisor	28.5	27.1742 - 38.2388	56,522.34 - 79,536.70
	Electric Metering and Service Supervisor	27.0	25.2489 - 35.5232	52,517.71 - 73,888.26
	Instrument & Control Technician	27.0	25.2489 - 35.5232	52,517.71 - 73,888.26
	Line Crew Supervisor	27.0	25.2489 - 35.5232	52,517.71 - 73,888.26
	Power Plant Operator III	26.5	24.6546 - 34.6853	51,281.57 - 72,145.42
	Asst Wastewater Treatment Superintendent	25.5	23.4780 - 33.0333	48,834.24 - 68,709.26
	Chief Building Inspector	25.5	23.4780 - 33.0333	48,834.24 - 68,709.26
	Police Lieutenant	25.5	23.4780 - 33.0333	48,834.24 - 68,709.26
	Power Plant Operator II	25.5	23.4780 - 33.0333	48,834.24 - 68,709.26
	Senior Engineering Associate	25.5	23.4780 - 33.0333	48,834.24 - 68,709.26
	Electrician II	25.0	22.9016 - 32.2251	47,635.33 - 67,028.21
	Gas Crew Supervisor	25.0	22.9016 - 32.2251	47,635.33 - 67,028.21
	Senior Electrical Technician	25.0	22.9016 - 32.2251	47,635.33 - 67,028.21
	Detective Lieutenant	24.5	22.3609 - 31.4586	46,510.67 - 65,433.89
	Fuel Handling Supervisor	24.5	22.3609 - 31.4586	46,510.67 - 65,433.89
	Lineworker First Class	24.5	22.3609 - 31.4586	46,510.67 - 65,433.89
	Power Plant Mechanic II	24.0	21.8142 - 30.6861	45,373.54 - 63,827.09
	Gas Service Worker	24.0	21.8142 - 30.6861	45,373.54 - 63,827.09
	Engineering Associate II	23.0	20.7743 - 29.2243	43,210.54 - 60,786.54
	Environmental Engineering Assistant	23.0	20.7743 - 29.2243	43,210.54 - 60,786.54

	Class Title	Pay Grade	Hourly Wage	Annual Wage
Subsection B. Hourly	Park Maintenance Supervisor	23.0	20.7743 - 29.2243	43,210.54 - 60,786.54
	Power Plant Operator I	23.0	20.7743 - 29.2243	43,210.54 - 60,786.54
	Power Plant Statistical Technician II	23.0	20.7743 - 29.2243	43,210.54 - 60,786.54
	Tree Trimming Supervisor	23.0	20.7743 - 29.2243	43,210.54 - 60,786.54
	Corrosion Technician/ Drafter	22.5	20.2751 - 28.5349	42,172.21 - 59,352.59
	Gas Leak Surveyor	22.5	20.2751 - 28.5349	42,172.21 - 59,352.59
	Librarian II	22.5	20.2751 - 28.5349	42,172.21 - 59,352.59
	Measurement Technician	22.5	20.2751 - 28.5349	42,172.21 - 59,352.59
	Electrical Technician	22.0	19.7820 - 27.8338	41,146.56 - 57,894.30
	Engineering Associate	22.0	19.7820 - 27.8338	41,146.56 - 57,894.30
	Fuel Handler	22.0	19.7820 - 27.8338	41,146.56 - 57,894.30
	Gas System Worker II	22.0	19.7820 - 27.8338	41,146.56 - 57,894.30
	Senior Power Plant Laboratory Technician	22.0	19.7820 - 27.8338	41,146.56 - 57,894.30
	Water Treatment Technician	22.0	19.7820 - 27.8338	41,146.56 - 57,894.30
	WWTP Laboratory Technician	22.0	19.7820 - 27.8338	41,146.56 - 57,894.30
	Building Inspector	21.5	19.3125 - 27.1742	40,170.00 - 56,522.34
	Gas Meter Mechanic	21.5	19.3125 - 27.1742	40,170.00 - 56,522.34
	Automotive Maintenance Supervisor	21.0	18.8372 - 26.5086	39,181.38 - 55,137.89
	Power Plant Mechanic I	21.0	18.8372 - 26.5086	39,181.38 - 55,137.89
	Power Plant Statistical Technician I	21.0	18.8372 - 26.5086	39,181.38 - 55,137.89
	Street Construction Supervisor	21.0	18.8372 - 26.5086	39,181.38 - 55,137.89
	Wastewater Plant Mechanic II	20.5	18.3915 - 25.8847	38,254.32 - 53,840.18
	City Attorney Investigator	20.0	17.9398 - 25.2489	37,314.78 - 52,517.71
	Gas System Worker I	20.0	17.9398 - 25.2489	37,314.78 - 52,517.71
	Lineworker Apprentice	19.5	17.5179 - 24.6546	36,437.23 - 51,281.57
	Utility Tree Trimmer	19.5	17.5179 - 24.6546	36,437.23 - 51,281.57
	Librarian I	19.0	17.0841 - 24.0485	35,534.93 - 50,020.88
	Water and Sewer Serviceworker II	19.0	17.0841 - 24.0485	35,534.93 - 50,020.88
	Electrician I	18.5	16.6860 - 23.4780	34,706.88 - 48,834.24
	Heavy Equipment Mechanic	18.5	16.6860 - 23.4780	34,706.88 - 48,834.24
	Wastewater Plant Mechanic I	18.5	16.6860 - 23.4780	34,706.88 - 48,834.24
	Human Resources Technician II	18.0	16.2701 - 22.9016	33,841.81 - 47,635.33
	Legal Secretary	18.0	16.2701 - 22.9016	33,841.81 - 47,635.33
	Wastewater Plant Operator II	18.0	16.2701 - 22.9016	33,841.81 - 47,635.33
	Accounting Associate	17.5	15.8897 - 22.3609	33,050.58 - 46,510.67
	Dispatcher II	17.5	15.8897 - 22.3609	33,050.58 - 46,510.67
	Equipment Mechanic I	17.5	15.8897 - 22.3609	33,050.58 - 46,510.67
	Water and Sewer Serviceworker I	17.5	15.8897 - 22.3609	33,050.58 - 46,510.67
	Administrative Assistant	17.0	15.4916 - 21.8142	32,222.53 - 45,373.54
	Human Resources Technician I	17.0	15.4916 - 21.8142	32,222.53 - 45,373.54
	Maintenance Worker III	17.0	15.4916 - 21.8142	32,222.53 - 45,373.54
	Cemetery Sexton	16.5	15.1292 - 21.2913	31,468.74 - 44,285.90
	Equipment Operator	16.5	15.1292 - 21.2913	31,468.74 - 44,285.90
	Events Maintenance Supervisor	16.5	15.1292 - 21.2913	31,468.74 - 44,285.90
	Stores Associate	16.5	15.1292 - 21.2913	31,468.74 - 44,285.90
	Office Services Supervisor	16.0	14.7488 - 20.7743	30,677.50 - 43,210.54
	Senior Center Director	16.0	14.7488 - 20.7743	30,677.50 - 43,210.54
Wastewater Plant Operator I	16.0	14.7488 - 20.7743	30,677.50 - 43,210.54	
Deputy City Clerk	15.5	14.4101 - 20.2751	29,973.01 - 42,172.21	
Maintenance Worker II	15.5	14.4101 - 20.2751	29,973.01 - 42,172.21	
Accounting Assistant	14.0	13.3821 - 18.8372	27,834.77 - 39,181.38	
Customer Services Associate	14.0	13.3821 - 18.8372	27,834.77 - 39,181.38	
Senior Office Associate	14.0	13.3821 - 18.8372	27,834.77 - 39,181.38	
Customer Billing Assistant	13.5	13.0671 - 18.3915	27,179.57 - 38,254.32	
Gardener	13.5	13.0671 - 18.3915	27,179.57 - 38,254.32	
Maintenance Worker I	13.5	13.0671 - 18.3915	27,179.57 - 38,254.32	
Library Assistant III	13.0	12.7403 - 17.9398	26,499.82 - 37,314.78	
Nuisance Abatement Officer	13.0	12.7403 - 17.9398	26,499.82 - 37,314.78	
Power Plant Service Worker	13.0	12.7403 - 17.9398	26,499.82 - 37,314.78	
Customer Services Assistant	12.5	12.4432 - 17.5179	25,881.86 - 36,437.23	
Office Associate	12.5	12.4432 - 17.5179	25,881.86 - 36,437.23	
Library Assistant II	11.5	11.8489 - 16.6860	24,645.71 - 34,706.88	
Bus Driver	11.0	11.5637 - 16.2701	24,052.50 - 33,841.81	
Transfer Station Cashier	11.0	11.5637 - 16.2701	24,052.50 - 33,841.81	
Custodian	10.5	11.2845 - 15.8897	23,471.76 - 33,050.58	
Shop Assistant	10.0	11.0111 - 15.4916	22,903.09 - 32,222.53	
Parking Control Officer	8.5	10.2326 - 14.4101	21,283.81 - 29,973.01	
Library Assistant I	8.0	9.9831 - 14.0477	20,764.85 - 29,219.22	

	<u>Class Title</u>	<u>Pay Grade</u>	<u>Hourly Wage</u>	<u>Annual Wage</u>
Subsection C. Fire Hourly	Fire Captain	F08	16.8761 - 23.7423	46,510.53 - 65,433.78
	Fire Lieutenant	F06	14.2167 - 20.0065	39,181.23 - 55,137.91
	Firefighter/EMT	F05	12.2792 - 17.2842	33,841.48 - 47,635.26

	<u>Class Title</u>	<u>Pay Grade</u>	<u>Hourly Wage</u>	<u>Annual Wage</u>
Subsection D. Police Hourly	Police Sergeant	PS1	22.2407 - 29.0147	46,260.66 - 60,350.58
	Police Detective	PT1	18.0096 - 24.9841	37,459.97 - 51,966.93
	Police Officer	PO1	17.6780 - 24.4815	36,770.24 - 50,921.52
	Dispatcher I	CD1	13.5876 - 18.7837	28,262.21 - 39,070.10

	<u>Class Title</u>	<u>Hourly Wage</u>
Subsection E. Temporary and Part-Time Hourly	Bus Driver	10.0000 - 12.0000
	Custodian Helper	7.2500 - 10.5500
	After Hour Custodian Helper	10.0000 - 11.0000
	Head Water Safety Instructor	7.4000 - 9.6700
	Library Aide	6.7000 - 10.2500
	Lifeguard	7.2500 - 8.8700
	Lifeguard (Assistant Pool Manager)	8.4300 - 9.9400
	Office Trainee	7.2500 - 9.0500
	Park Ranger	7.4000 - 9.8300
	Pool Manager (Aquatics Supervisor)	7.6000 - 10.8000
	Recreation Leader	7.2500 - 9.5500
	Relief Dispatcher	10.4500 - 10.5500
	Reserve Police Officer	10.4500 - 10.5500
	Reserve Firefighter	8.0000 - 8.0000
Utility Worker	7.2500 - 12.7000	
Water Safety Instructor	7.2500 - 8.2200	

	<u>Class Title</u>	<u>Monthly Wage</u>
Subsection F. Temporary and Part-Time Hourly	Board of Public Works Member	\$75/mo
	City Council Member	\$250/mo
	City Physician	\$50/mo
	City Prosecutor	\$377.75/mo
	Civil Defense Director	\$600/mo
	Mayor	\$400/mo

SECTION III. All ordinances and parts of ordinances in conflict herewith are repealed.

SECTION IV. The above salary adjustments are effective August 1, 2012. Employees whose current pay is above their current pay grade shall have their salaries frozen.

SECTION V. That this ordinance be effective from and after its passage and publication according to law.

SECTION VI. This ordinance shall be published in pamphlet form by the City Clerk.

PASSED AND APPROVED THIS _____ DAY OF _____, 2012.

Scott Getzschman, Mayor

ATTEST:

Kimberly A. Volk, MMC, City Clerk

City of Fremont 2011 Salary Pay Grades and Steps

	Step A	Step B	Step C	Step D	Step E	Step F	Step G	Step H
GRADE 06.5	9.276	9.7453	10.2326	10.7496	11.2845	11.8489	12.4432	13.0671
GRADE 07.0	9.5077	9.9831	10.4822	11.0111	11.5637	12.1342	12.7403	13.3821
GRADE 07.5	9.7453	10.2326	10.7496	11.2845	11.8489	12.4432	13.0671	13.7208
GRADE 08.0	9.9831	10.4822	11.0111	11.5637	12.1342	12.7403	13.3821	14.0477
GRADE 08.5	10.2326	10.7496	11.2845	11.8489	12.4432	13.0671	13.7208	14.4101
GRADE 09.0	10.4822	11.0111	11.5637	12.1342	12.7403	13.3821	14.0477	14.7488
GRADE 09.5	10.7496	11.2845	11.8489	12.4432	13.0671	13.7208	14.4101	15.1292
GRADE 10.0	11.0111	11.5637	12.1342	12.7403	13.3821	14.0477	14.7488	15.4916
GRADE 10.5	11.2845	11.8489	12.4432	13.0671	13.7208	14.4101	15.1292	15.8897
GRADE 11.0	11.5637	12.1342	12.7403	13.3821	14.0477	14.7488	15.4916	16.2701
GRADE 11.5	11.8489	12.4432	13.0671	13.7208	14.4101	15.1292	15.8897	16.6860
GRADE 12.0	12.1342	12.7403	13.3821	14.0477	14.7488	15.4916	16.2701	17.0841
GRADE 12.5	12.4432	13.0671	13.7208	14.4101	15.1292	15.8897	16.686	17.5179
GRADE 13.0	12.7403	13.3821	14.0477	14.7488	15.4916	16.2701	17.0841	17.9398
GRADE 13.5	13.0671	13.7208	14.4101	15.1292	15.8897	16.686	17.5179	18.3915
GRADE 14.0	13.3821	14.0477	14.7488	15.4916	16.2701	17.0841	17.9398	18.8372
GRADE 14.5	13.7208	14.4101	15.1292	15.8897	16.686	17.5179	18.3915	19.3125
GRADE 15.0	14.0477	14.7488	15.4916	16.2701	17.0841	17.9398	18.8372	19.782
GRADE 15.5	14.4101	15.1292	15.8897	16.686	17.5179	18.3915	19.3125	20.2751
GRADE 16.0	14.7488	15.4916	16.2701	17.0841	17.9398	18.8372	19.782	20.7743
GRADE 16.5	15.1292	15.8897	16.686	17.5179	18.3915	19.3125	20.2751	21.2913
GRADE 17.0	15.4916	16.2701	17.0841	17.9398	18.8372	19.782	20.7743	21.8142
GRADE 17.5	15.8897	16.686	17.5179	18.3915	19.3125	20.2751	21.2913	22.3609
GRADE 18.0	16.2701	17.0841	17.9398	18.8372	19.782	20.7743	21.8142	22.9016
GRADE 18.5	16.686	17.5179	18.3915	19.3125	20.2751	21.2913	22.3609	23.478
GRADE 19.0	17.0841	17.9398	18.8372	19.782	20.7743	21.8142	22.9016	24.0485
GRADE 19.5	17.5179	18.3915	19.3125	20.2751	21.2913	22.3609	23.478	24.6546
GRADE 20.0	17.9398	18.8372	19.782	20.7743	21.8142	22.9016	24.0485	25.2489
GRADE 20.5	18.3915	19.3125	20.2751	21.2913	22.3609	23.478	24.6546	25.8847
GRADE 21.0	18.8372	19.782	20.7743	21.8142	22.9016	24.0485	25.2489	26.5086
GRADE 21.5	17.5179	18.3915	19.3125	20.2751	21.2913	22.3609	23.478	24.6546
GRADE 22.0	19.782	20.7743	21.8142	22.9016	24.0485	25.2489	26.5086	27.8338
GRADE 22.5	20.2751	21.2913	22.3609	23.478	24.6546	25.8847	27.1742	28.5349
GRADE 23.0	20.7743	21.8142	22.9016	24.0485	25.2489	26.5086	27.8338	29.2243
GRADE 23.5	21.2913	22.3609	23.478	24.6546	25.8847	27.1742	28.5349	29.9612
GRADE 24.0	21.8142	22.9016	24.0485	25.2489	26.5086	27.8338	29.2243	30.6861
GRADE 24.5	22.3609	23.478	24.6546	25.8847	27.1742	28.5349	29.9612	31.4586
GRADE 25.0	22.9016	24.0485	25.2489	26.5086	27.8338	29.2243	30.6861	32.2251
GRADE 25.5	23.478	24.6546	25.8847	27.1742	28.5349	29.9612	31.4586	33.0333
GRADE 26.0	24.0485	25.2489	26.5086	27.8338	29.2243	30.6861	32.2251	33.8355
GRADE 26.5	24.6546	25.8847	27.1742	28.5349	29.9612	31.4586	33.0333	34.6853
GRADE 27.0	25.2489	26.5086	27.8338	29.2243	30.6861	32.2251	33.8355	35.5232
GRADE 27.5	25.8847	27.1742	28.5349	29.9612	31.4586	33.0333	34.6853	36.4204
GRADE 28.0	26.5086	27.8338	29.2243	30.6861	32.2251	33.8355	35.5232	37.2999
GRADE 28.5	27.1742	28.5349	29.9612	31.4586	33.0333	34.6853	36.4204	38.2388
GRADE 29.0	27.8338	29.2243	30.6861	32.2251	33.8355	35.5232	37.2999	39.1658
GRADE 29.5	28.5349	29.9612	31.4586	33.0333	34.6853	36.4204	38.2388	40.1522
GRADE 30.0	29.2243	30.6861	32.2251	33.8355	35.5232	37.2999	39.1658	41.1267
GRADE 30.5	29.9612	31.4586	33.0333	34.6853	36.4204	38.2388	40.1522	42.1607
GRADE 31.0	30.6861	32.2251	33.8355	35.5232	37.2999	39.1658	41.1267	43.1828
GRADE 31.5	31.4586	33.0333	34.6853	36.4204	38.2388	40.1522	42.1607	44.2643
GRADE 32.0	32.2251	33.8355	35.5232	37.2999	39.1658	41.1267	43.1828	45.3398
GRADE 32.5	33.0333	34.6853	36.4204	38.2388	40.1522	42.1607	44.2643	46.4807
GRADE 33.0	33.8355	35.5232	37.2999	39.1658	41.1267	43.1828	45.3398	47.6038
GRADE 33.5	34.6853	36.4204	38.2388	40.1522	42.1607	44.2643	46.4807	48.8042

City of Fremont 2011 Salary Pay Grades and Steps

	Step A	Step B	Step C	Step D	Step E	Step F	Step G	Step H
GRADE 34.0	35.5232	37.2999	39.1658	41.1267	43.1828	45.3398	47.6038	49.9867
GRADE 34.5	36.4204	38.2388	40.1522	42.1607	44.2643	46.4807	48.8042	51.2464
GRADE 35.0	37.2999	39.1658	41.1267	43.1828	45.3398	47.6038	49.9867	52.4824
GRADE 35.5	38.2388	40.1522	42.1607	44.2643	46.4807	48.8042	51.2464	53.8136
GRADE 36.0	39.1658	41.1267	43.1828	45.3398	47.6038	49.9867	52.4824	55.1089
GRADE 36.5	40.1522	42.1607	44.2643	46.4807	48.8042	51.2464	53.8136	56.5054
GRADE 37.0	41.1267	43.1828	45.3398	47.6038	49.9867	52.4824	55.1089	57.8662
GRADE 37.5	42.1607	44.2643	46.4807	48.8042	51.2464	53.8136	56.5054	59.334
GRADE 38.0	43.1828	45.3398	47.6038	49.9867	52.4824	55.1089	57.8662	60.7601
GRADE 38.5	44.2643	46.4807	48.8042	51.2464	53.8136	56.5054	59.334	62.2991
GRADE 39.0	45.3398	47.6038	49.9867	52.4824	55.1089	57.8662	60.7601	63.7967
GRADE 39.5	46.4807	48.8042	51.2464	53.8136	56.5054	59.334	62.2991	65.4189
GRADE 40.0	47.6038	49.9867	52.4824	55.1089	57.8662	60.7601	63.7967	66.9817
GRADE 40.5	48.8042	51.2464	53.8136	56.5054	59.334	62.2991	65.4189	68.6871
Fire Captain (F08)	16.8761	17.7193	18.6073	19.5356	20.5088	21.5359	22.6122	23.7423
Fire Lieutenant(F06)	14.2167	14.9297	15.6788	16.4635	17.2842	18.1498	19.0557	20.0065
Firefighter/EMT(F05)	12.2792	12.8936	13.5395	14.2167	14.9297	15.6788	16.4635	17.2842
Police Sergeant (PS1)	22.2407	23.2084	24.1761	25.1438	26.1115	27.0792	28.0469	29.0147
Police Detective (PT1)	18.0096	19.0060	20.0023	20.9987	21.9950	22.9914	23.9877	24.9841
Police Officer (PO1)	17.6780	18.6499	19.6218	20.5938	21.5657	22.5376	23.5096	24.4815
Dispatcher I (PD1)	13.5876	14.3299	15.0722	15.8145	16.5568	17.2991	18.0414	18.7837