

CITY COUNCIL MEETING  
May 10, 2016  
7:00 p.m.

After the Pledge of Allegiance and Study Session, the Mayor called the meeting to order and stated a copy of the open meeting law is posted continually for public inspection located near the entrance door by the agendas. Roll call showed Council Members Bixby, Legband, Landholm, Schaller, Johnson, Kuhns, and Anderson present. Roll call showed Council Member Fairleywine absent. 7 Council Members present.

Public Hearing on Resolution for application of Moonshine Hole LLC for addition to liquor license. Mayor Getzschman opened the public hearing. Mayor Getzschman closed the public hearing with no comments from the public being made.

Resolution 2016-075 to approve application of Moonshine Hole LLC for addition to liquor license. Council member Kuhns moved, seconded by Councilmember Johnson to approve the resolution with the recommendation to approve the application as presented. Roll call vote. Bixby, Legband, Landholm, Schaller, Johnson, Kuhns, and Anderson voting Aye. 7 Ayes. Motion carried

Public Hearing on Nebraska Department of Economic Development Community Development Block Grant (CDBG) 13-CR-003. Mayor Getzschman opened the public hearing. Mayor Getzschman closed the public hearing with no comments from the public being made.

Public Hearing on Nebraska Department of Economic Development Community Development Block Grant (CDBG) 13-CR-103. Mayor Getzschman opened the public hearing. Mayor Getzschman closed the public hearing with no comments from the public being made.

Public Hearing on Nebraska Department of Economic Development Community Development Block Grant (CDBG) 14-CR-003. Mayor Getzschman opened the public hearing. Mayor Getzschman closed the public hearing with no comments from the public being made.

Public Hearing on Nebraska Department of Economic Development Community Development Block Grant (CDBG) 14-CR-103. Mayor Getzschman opened the public hearing. Mayor Getzschman closed the public hearing with no comments from the public being made.

Moved by Council Member Johnson seconded by Council Member Schaller to approve items 9 through 22, and remove item 23 from the consent agenda. Roll Call Vote. Council Members Bixby, Legband, Landholm, Johnson, Kuhns, Schaller, and Anderson voting Aye. 7 Ayes. Motion carried.

9. Dispense with and approve April 26, 2016 minutes
10. Report of the Treasury – April
11. Year to Date Financial Report
12. Resolution to allow consumption of alcohol on City property
13. Consideration of Cement/Asphalt/Excavation license applications
14. Resolution ENOA *contract for the 2016-2017 year*
15. Approval of April 27 through May 10, 2016 claims
16. Resolution to award One (1) Tracked Man Lift
17. Resolution to approve MainStreet of Fremont – Ilgenfritz parking lot closure request

18. Approve the recommendation of the Mayor to appoint Rol Horeis to a term on Planning Commission ending April 2019
19. Approve the recommendation of the Mayor to appoint Aaron Rix to a term on Planning Commission as an Extraterritorial Jurisdiction Representative ending April 2019
20. Approve the recommendation of the Mayor to appoint Brian Wiese to a term on Planning Commission ending April 2019
21. Resolution to award One (1) Compact Crawler Boom Lift (Backyard Machine)
22. Resolution for closure of various streets for John C. Fremont Days

Resolution for petition to change boundaries. Moved by Council Member Johnson seconded by Council Member Legband to receive into the record Laura Krebsbach's report titled "Submission of Objection and Formal Document for the Record". Roll call vote. Bixby, Legband, Landholm, Schaller, Johnson, Kuhns, and Anderson voting Aye. 7 Ayes. Motion carried. Council member Kuhns moved, seconded by Councilmember Johnson to approve Resolution 2016-081 regarding petition to change boundaries. Roll call vote. Bixby, Legband, Landholm, Schaller, Johnson, Kuhns, and Anderson voting Aye. 7 Ayes. Motion carried.

Second Reading of Ordinance for Zoning Change at 3000 N. Co. Rd. 20. The City Clerk gave second reading of Ordinance for Zoning Change at 3000 N. Co. Rd. 20 by title.

Second Reading of Ordinance for Zoning Ordinance Amendment – Crop Production Definition. The City Clerk gave second reading of Ordinance for Zoning Ordinance Amendment – Crop Production Definition by title.

Second Reading of Ordinance related the construction of sidewalks Municipal Code Chapter 8, Section 8-413. The City Clerk gave second reading of Ordinance related the construction of sidewalks Municipal Code Chapter 8, Section 8-413 by title.

Resolution to Award Contract to Sawyer Construction for North Hancock Street Reconstruction. Council member Johnson moved, seconded by Councilmember Legband to approve Resolution 2016-082. Roll call vote. Bixby, Legband, Landholm, Johnson, Kuhns, and Anderson voting Aye. Schaller voting Nay. 6 Ayes. Motion carried.

Ordinance to amend Subdivision Ordinance related to providing for drainage of subdivision lots. Council Member Bixby moved, seconded by Council Member Schaller to continue the introduction of the Ordinance. Roll call vote. Bixby, Legband, Landholm, Schaller, Johnson, Kuhns, and Anderson voting Aye. 7 Ayes. Motion carried.

Resolution for YMCA continued development Council Member Kuhns moved, seconded by Council Member Legband to continue the introduction of the Ordinance. Roll call vote. Bixby, Legband, Landholm, Schaller, Johnson, Kuhns, and Anderson voting Aye. 7 Ayes. Motion carried.

Executive Session to discuss litigation. Moved by Council Member Kuhns, seconded by Council Member Johnson to go into executive session for the purpose of discussing a strategy with respect to threatened litigation and for the further reason that the executive session is necessary for the protection of the public interest. The Mayor stated a motion had been made and seconded to go into executive session for the purpose of discussing a strategy session with respect to threatened litigation and for the further reason that the executive session is necessary for the protection of the public interest and asked for discussion. There being none, the Mayor stated the pending motion was to go into executive session for the purpose of discussing a strategy session with respect to

threatened litigation and for the further reason that the executive session is necessary for the protection of the public interest. Roll call vote: 7 ayes. Motion carried.

The Mayor stated a motion to go into executive session purpose of discussing a strategy session with respect to threatened litigation and for the further reason that the executive session is necessary for the protection of the public interest had been approved. Discussion will be limited to a strategy session with respect to threatened litigation. No official actions or votes will be taken during the executive session. Time in: 7:40 p.m.

Moved by Council Member Schaller, seconded by Council Member Anderson to come out of executive session. Roll call vote: 7 ayes. Motion carried. Time out: 8:15 p.m.

Moved by Council Member Legband seconded by Council Member Kuhns to adjourn the meeting. Roll call vote: 7 ayes. Motion carried. Meeting adjourned at 8:16 p.m.

I, Tyler Ficken, the undersigned City Clerk, hereby certify that the foregoing is a true and correct copy of the proceedings had and done by the Mayor and Council; that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and available for public inspection at the office of the Clerk; that such agenda items were sufficiently descriptive to give the public reasonable notice of the matters to be considered at the meeting; that such subjects were contained in said agenda at least twenty-four hours prior to said meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by the members of the public; that the said minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification concerning meeting and the subjects to be discussed at said meeting and that a current copy of the Nebraska Open Meetings Act was available and accessible to members of the public, posted during such meeting in the room in which such meeting was held.

Tyler Ficken, City Clerk