

## CITY COUNCIL MEETING

June 28, 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, Johnson, Kuhns, Eairleywine, Schaller and Anderson present. 8 Council Members present.

Mayor Getzschman opened the public hearing for Ordinance approving a request of Kevin and Lori Yount, the owners of approximately 4.5 acres located at 1510 S Main St., for approval of a Zoning Change from RR Rural Residential to GC General Commercial. Mayor Getzschman closed the public hearing. Moved by Member Kuhns seconded by Member Anderson to introduce the Ordinance. Roll Call Vote. Members Legband, Landholm, Johnson, Kuhns, Eairleywine, Schaller, Anderson and Bixby voting Aye. 8 Ayes. Motion carried. City Clerk provided first reading by title.

Moved by Council Member Eairleywine seconded by Council Member Legband to approve items 5 through 7, 9 through 14, and 15 through 16 of the Consent Agenda. Roll Call Vote. Council Members Bixby, Legband, Landholm, Johnson, Kuhns, Eairleywine, Schaller and Anderson voting Aye. 8 Ayes. Motion carried.

5. Dispense with and approve June 14, 2016 minutes
6. Approval of June 15 through June 28, 2016 claims
7. Resolution to allow consumption of alcohol on City property (Titan Machinery)
9. Resolution for contract renewal from GIS Workshop
10. Resolution to accept the service agreement to implement Text –to-911 capabilities for the Fremont/Dodge County 911 Center
11. Resolution allowing Mayor to sign Motorola change order
12. Resolution to authorize execution of a hold harmless agreement with Nebraska Department of Motor Vehicles to conduct motorcycle license skills test in parking lot of Memorial Field Stadium
13. Local Option Review Team Board appointments (Jennifer Bixby / elected) (Rich Oliva / at large, Rob George / at large) (Bill Vobejda / GFDC)
14. Receive May Financial Statements
16. Consider Resolution to award purchase of GIS and GPS surveying equipment from A&D Technical Supply Co. for \$32,013
17. Consider Resolution to award coal combustion residuals marketing agreement to Nebraska Ash Company

Resolution to appoint Brian Newton as interim City Administrator authorizing official bond and authorization to sign checks. Moved by Council Member Schaller seconded by Council Member Legband to receive resolution from Dianne Brown. Roll Call Vote. Council Members Bixby, Legband, Landholm, Johnson, Kuhns, Eairleywine, Schaller and Anderson voting Aye. 8 Ayes. Motion carried. Moved by Council Member Johnson seconded by Council Member Bixby to appoint Brian Newton as interim City Administrator authorizing official bond and authorization to sign checks. Roll Call Vote. Council Members Bixby, Legband, Landholm, Johnson, Kuhns, Eairleywine, Schaller and Anderson voting Aye. 8 Ayes. Motion carried.

Creative Collective request to move Artisan Market to 6th St. between Park Ave. and Main St. Moved by Council Member Schaller seconded by Council Member Kuhns to approve Creative Collective request to move Artisan Market to 6th St. between Park Ave. and Main St. Roll Call Vote. Council Members Bixby, Legband, Landholm, Johnson, Kuhns, Eairleywine, Schaller and Anderson voting Aye. 8 Ayes. Motion carried.

Final reading of Ordinance approving a request of Ed Christoffersen, on behalf of JDJ Investments for approval of a Voluntary Annexation Petition. The City Clerk gave final reading of Ordinance approving a request of Ed Christoffersen, on behalf of JDJ Investments for approval of a Voluntary Annexation Petition. Roll Call Vote. Council Members Bixby, Legband, Landholm, Johnson, Kuhns, Eairleywine, Schaller and Anderson voting Aye. 8 Ayes. Ordinance carried.

Final reading of Ordinance approving a request of RML Investments, Inc., owner of approximately 7,800 square feet located at 1820 W 23rd St., for approval of a Zoning Change from R-2 Moderate-Density Residential to LI Limited Industrial. The City Clerk gave final reading of Ordinance approving a request of RML Investments, Inc., owner of approximately 7,800 square feet located at 1820 W 23rd St., for approval of a Zoning Change from R-2 Moderate-Density Residential to LI Limited Industrial. Roll Call Vote. Council Members Bixby, Legband, Landholm, Johnson, Kuhns, Eairleywine, Schaller and Anderson voting Aye. 8 Ayes. Ordinance carried.

Final reading of Ordinance approving a request of Rodger & Debra Menn, owners of approximately 40.0 acres located at 361 W. Co. Rd. T, for approval of a Zoning Change from AG Agricultural to GC General Commercial. The City Clerk gave final reading of Ordinance approving a request of Rodger & Debra Menn, owners of approximately 40.0 acres located at 361 W. Co. Rd. T, for approval of a Zoning Change from AG Agricultural to GC General Commercial. Roll Call Vote. Council Members Bixby, Legband, Landholm, Johnson, Kuhns, Eairleywine, Schaller and Anderson voting Aye. 8 Ayes. Ordinance carried.

Final reading of Ordinance approving a request of Lilyan Scheinost, owner of approximately 16.9 acres located at 2284 Morningside Rd., for approval of a Zoning Change from AG Agricultural and GI General Industrial to LI Limited Industrial. The City Clerk gave final reading of Ordinance approving a request of Lilyan Scheinost, owner of approximately 16.9 acres located at 2284 Morningside Rd., for approval of a Zoning Change from AG Agricultural and GI General Industrial to LI Limited Industrial. Roll Call Vote. Council Members Bixby, Legband, Johnson, Kuhns, Eairleywine and Anderson voting Aye. Landholm and Schaller voting Nay. 6 Ayes. Ordinance carried.

Second reading of Ordinance to amend Subdivision Ordinance related to providing for drainage of subdivision lots. The City Clerk gave second reading of Ordinance to amend Subdivision Ordinance related to providing for drainage of subdivision lots by title.

Continuation of request for 2449 East 16th Street drive encroachment request. Moved by Council Member Bixby seconded by Council Member Johnson to waive 5 ft. radius requirement. Roll Call Vote. Council Members Bixby, Legband, Landholm, Johnson, Kuhns, Eairleywine, Schaller and Anderson voting Aye. 8 Ayes. Motion carried.

Second reading of Ordinance for consideration of a petition of the owners of approximately 57.3 acres described as the Roadway Subdivision, said Subdivision being located in the West half of the East half of Section 25, Township 17 North, Range 8 East of the 6th P.M., Dodge County, Nebraska, and more generally located at 1400 S Downing St., for annexation into the City of Fremont's corporate limits. The City Clerk gave second reading of Ordinance for consideration of a petition of the owners of approximately 57.3 acres described as the Roadway Subdivision, said

Subdivision being located in the West half of the East half of Section 25, Township 17 North, Range 8 East of the 6th P.M., Dodge County, Nebraska, and more generally located at 1400 S Downing St., for annexation into the City of Fremont's corporate limits by title.

Second reading of Ordinance for consideration of a petition of TJ Design Strategies, Ltd., on behalf of Costco Wholesale Corporation, agent for the owner, and Hills Farm, Inc., the owner of approximately 417.1 acres located in Section 25, Section 26, and Section 36 of Township 17 North, Range 8 East of the 6th P.M., Dodge County, Nebraska, and more generally located at 2200 S Downing St., for annexation into the City of Fremont's corporate limits. Many residents and nonresidents spoke in opposition to and in support of the item. Moved by Council Member Anderson seconded by Council Member Schaller to accept Greater Fremont Development Council Costco/Lincoln Premium Poultry Project Community Outreach Report. Roll Call Vote. Council Members Bixby, Legband, Landholm, Johnson, Kuhns, Earleywine, Schaller and Anderson voting Aye. 8 Ayes. Motion carried. Comments from the public concluded after approximately 80 minutes. The City Clerk gave second reading of Ordinance for consideration of a petition of TJ Design Strategies, Ltd., on behalf of Costco Wholesale Corporation, agent for the owner, and Hills Farm, Inc., the owner of approximately 417.1 acres located in Section 25, Section 26, and Section 36 of Township 17 North, Range 8 East of the 6th P.M., Dodge County, Nebraska, and more generally located at 2200 S Downing St., for annexation into the City of Fremont's corporate limits by title.

Second reading of Ordinance for consideration of a request of TJ Design Strategies, Ltd., on behalf of Costco Wholesale Corporation, agent for the owner, and Hills Farm, Inc., the owner of approximately 83.3 acres located at 2200 S Downing St., for approval of a Zoning Change from AG Agricultural to GI General Industrial. The City Clerk gave second reading of Ordinance for consideration of a request of TJ Design Strategies, Ltd., on behalf of Costco Wholesale Corporation, agent for the owner, and Hills Farm, Inc., the owner of approximately 83.3 acres located at 2200 S Downing St., for approval of a Zoning Change from AG Agricultural to GI General Industrial by title.

Moved by Council Member Landholm seconded by Council Member Schaller to adjourn the meeting. Roll call vote: 8 ayes. Motion carried. Meeting adjourned at 9:06 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