

COMMUNITY DEVELOPMENT AGENCY
August 30, 2016
7:00 p.m.

The Chairman 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 Committee Members Legband, Landholm, Schaller, Anderson, Eairleywine and Kuhns present. 6 Members present.

Resolution for Redevelopment Agreement - Yager Redevelopment Project (mixed use / retail). Committee Member Schaller moved, seconded by Committee Member Kuhns to approve Resolution 2016-011. Roll call vote. Committee members Legband, Landholm, Schaller, Anderson, Eairleywine, and Kuhns voting aye. 6 ayes. Motion carried.

Resolution for consent to transfer 23rd and Yager Hotel project to Fremont Lodging Investments, LLC an affiliate of K2 Hospitality, LLC. Committee Member Eairleywine moved, seconded by Committee Member Legband to approve Resolution 2016-012. Roll call vote. Committee members Legband, Landholm, Schaller, Anderson, Eairleywine, and Kuhns voting aye. 6 ayes. Motion carried.

Moved by Committee Member Landholm seconded by Committee Member Schaller to adjourn the meeting. Roll call vote: 6 ayes. Motion carried. Meeting adjourned at 7:09 p.m.

CITY COUNCIL MEETING
August 30, 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 Legband, Landholm, Schaller, Anderson, Eairleywine and Kuhns present. 6 Members present.

Ordinance approving request of Dodd Engineering and Surveying LLC, for zoning change of approximately 4.5 acres located at 1800 Deer Run from AG Agricultural to R-1 Single-Family Residential. Mayor Getzschman opened the public hearing. Mayor Getzschman closed the public hearing. Council Member Eairleywine moved seconded by Council Member Schaller to correct the address to 1800 Deer Run. Roll call vote. Council Members Legband, Landholm, Schaller, Anderson, Eairleywine, and Kuhns voting aye. 6 ayes. Motion carried. Council Member Schaller moved, seconded by Council Member Anderson to introduce the ordinance. Roll call vote. Council Members Legband, Landholm, Schaller, Anderson, Eairleywine, and Kuhns voting aye. 6 ayes. Motion carried. City Clerk provided first reading. Council Member Legband moved, seconded by Council Member Schaller to suspend the rules and move to final reading. Council Members Legband, Landholm, Schaller, Anderson, Eairleywine, and Kuhns voting aye. 6 ayes. Motion carried. City Clerk provided final reading. Mayor Getzschman called for a vote on final reading. Council Members Legband, Landholm, Schaller, Anderson, Eairleywine, and Kuhns voting aye. 6 ayes. Ordinance approved.

Ordinance approving request of Dodd Engineering and Surveying LLC, for zoning change of approximately 3.0 acres located at 1915 N. Diers Parkway from AG Agricultural to R-2 Moderate-Density Residential. Mayor Getzschman opened the public hearing. Mayor Getzschman closed the public hearing. Council Member Eairleywine moved seconded by Council Member Anderson to correct the address to 1915 N. Diers Parkway. Roll call vote. Council Members Legband, Landholm, Schaller, Anderson, Eairleywine, and Kuhns voting aye. 6 ayes. Motion carried. Council Member Schaller moved, seconded by

Council Member Landholm to introduce the ordinance. Roll call vote. Council Members Legband, Landholm, Schaller, Anderson, Eairleywine, and Kuhns voting aye. 6 ayes. Motion carried. City Clerk provided first reading.

Public Hearing and Resolution on Community Development Block Grant Comprehensive Development Phase I Planning Study Grant. Mayor Getzschman opened the public hearing. Mayor Getzschman closed the public hearing. Council Member Legband moved, seconded by Council Member Schaller to approve Resolution 2016-143. Roll call vote. Council Members Legband, Landholm, Schaller, Anderson, Eairleywine, and Kuhns voting aye. 6 ayes. Motion carried.

Moved by Council Member Kuhns seconded by Council Member Schaller to approve items 7 through 9, 11, 14 through 44, and 46. Roll Call Vote. Council Members Legband, Landholm, Schaller, Anderson, Eairleywine, and Kuhns voting aye. 6 ayes. Motion carried.

7. Dispense with and approve August 9, 2016 minutes
8. Approval of August 10 through August 30, 2016 claims and authorize checks to be drawn on the proper accounts
9. Approval of Cement/Asphalt/Excavation worker application as presented subject to fulfillment of all licensing requirements (Brad Meck, B&B Concrete Construction Inc.)
11. Receive Year to Date Financial Reports for July 2016
13. Appointment of Nicholas Harvey as Police Officer
14. Resolution for Class C Liquor License Renewals 2016-2017
15. Resolution approving CDBG Downtown Revitalization Program award recommendations
16. Resolution for Special Assessment nuisance lien Paul M. Boyd 1450 N. Clarkson
17. Resolution for Special Assessment nuisance lien Roadlands LTD for 150 S. Main
18. Resolution for Special Assessment nuisance lien Lester Ladd ETUX 22nd & Irving
19. Resolution for Bridge Inspection Services Agreement, Fremont 2016 Bi-annual Bridge Inspection Program
20. Approve acknowledgement of the Tort Claim filed by Annette Gardner
21. Approve acknowledgement of the Tort Claim filed by Fay Nelson
22. Approve acknowledgement of the Tort Claim filed by Barb Sheppers
23. Approve acknowledgement of the Tort Claim filed by Betty Modlin
24. Approve acknowledgement of the Tort Claim filed by David Drickey
25. Approve acknowledgement of the Tort Claim filed by Donna Cass
26. Approve acknowledgement of the Tort Claim filed by Douglas Rohloff
27. Approve acknowledgement of the Tort Claim filed by Heidi Neuhaus
28. Approve acknowledgement of the Tort Claim filed by James and Betty Feldhaus
29. Approve acknowledgement of the Tort Claim filed by Janie and Dean Baugh

30. Approve acknowledgement of the Tort Claim filed by Jeff Bittinger
31. Approve acknowledgement of the Tort Claim filed by Joan Marquis and Rick Orona
32. Approve acknowledgement of the Tort Claim filed by Maxine Turner
33. Approve acknowledgement of the Tort Claim filed by Ray and Myrna Meister
34. Approve acknowledgement of the Tort Claim filed by Oscar Hernandez
35. Approve acknowledgement of the Tort Claim filed by Richard Beran
36. Approve acknowledgement of the Tort Claim filed by Ronald and Cindy Weakland
37. Approve acknowledgement of the Tort Claim filed by Ronald Preissler
38. Approve acknowledgement of the Tort Claim filed by Daniel Layman
39. Approve acknowledgement of the Tort Claim filed by Linda Hultgren
40. Approve acknowledgement of the Tort Claim filed by TJ and Jessica Marsh
41. Approve acknowledgement of the Tort Claim filed by David and Jeanette Walter
42. Approve acknowledgement of the Tort Claim filed by Jorge Marroquin
43. Approve acknowledgement of the Tort Claim filed by James Anderson
44. Resolution to approve a three-year centrifuge maintenance agreement with FL Smidth
45. Resolution to approve a one-year extension of the pebble lime supply agreement with Mississippi Lime
46. Resolution to approve an outside City limits water/wastewater connection for MBEE, LLC. at 1804 Old Highway 8

Resolution for update of NDOR Fremont Urban Area Map. Council Member Legband moved, seconded by Council Member Kuhns to approve Resolution 2016-144. Roll call vote. Council Members Legband, Landholm, Schaller, Anderson, Eairleywine, and Kuhns voting aye. 6 ayes. Motion carried.

Appointment of Peter Kafonek as Firefighter EMT. Council Member Anderson moved, seconded by Council Member Eairleywine to appoint Kafonek as Firefighter EMT. Roll call vote. Council Members Legband, Landholm, Schaller, Anderson, Eairleywine, and Kuhns voting aye. 6 ayes. Motion carried.

Appointment of Nicholas Harvey as Police Officer. Council Member Eairleywine moved, seconded by Council Member Kuhns to appoint Nicholas Harvey as Police Officer. Roll call vote. Council Members Legband, Landholm, Schaller, Anderson, Eairleywine, and Kuhns voting aye. 6 ayes. Motion carried.

Resolution to approve a one-year extension of the pebble lime supply agreement with Mississippi Lime. Council Member Landholm moved, seconded by council Member Kuhns to approve resolution 2016-151. Roll call vote. Council Members Legband, Landholm, Schaller, Anderson, Eairleywine, and Kuhns voting aye. 6 ayes. Motion carried.

Resolution naming newly constructed street from Luther to Johnson Road Jack Sutton Drive. Council Member Legband moved, seconded by Council Member Eairleywine to approve Resolution 2016-154. Roll

call vote. Council Members Legband, Landholm, Schaller, Anderson, Eairleywine, and Kuhns voting aye. 6 ayes. Motion carried.

Resolution to authorize traffic control signage, Jack Sutton Drive. Council Member Kuhns moved, seconded by Council Member Schaller to approve Resolution 2016-155. Roll call vote. Council Members Legband, Landholm, Schaller, Anderson, Eairleywine, and Kuhns voting aye. 6 ayes. Motion carried.

Ordinance to set speed limit on Jack Sutton Drive at 30 miles per hour. Council Member Eairleywine moved seconded by Council Member Legband to introduce the ordinance. Roll call vote. Council Members Legband, Landholm, Schaller, Anderson, Eairleywine, and Kuhns voting aye. 6 ayes. Motion carried. City Clerk provided first reading. Council Member Anderson moved, seconded by Council Member Schaller to suspend the rules and move to final reading. Council Members Legband, Landholm, Schaller, Anderson, Eairleywine, and Kuhns voting aye. 6 ayes. Motion carried. City Clerk provided final reading. Mayor Getzschman called for a vote on final reading. Council Members Legband, Landholm, Schaller, Anderson, Eairleywine, and Kuhns voting aye. 6 ayes. Ordinance approved.

Resolution for Redevelopment Agreement - Yager Redevelopment Project (mixed use / retail). Council Member Kuhns moved, seconded by Council Member Legband to approve Resolution 2016-156. Roll call vote. Council Members Legband, Landholm, Schaller, Anderson, Eairleywine, and Kuhns voting aye. 6 ayes. Motion carried.

Final reading Ordinance approving a request of MBEE, LLC, the owner of approximately 4.2 acres located at 1804 Old Highway 8, for approval of a Zoning Change from R-4 High-Density Residential to LI Limited Industrial. City Clerk provided final reading. Mayor Getzschman called for a vote on final reading. Roll call vote. Council Members Legband, Landholm, Schaller, Anderson, Eairleywine, and Kuhns voting aye. 6 ayes. Ordinance approved.

Public Hearing and Resolution approving a request of Dodd Engineering & Surveying, LLC, on behalf of MBEE, LLC, owners of approximately 8.4 acres located at 1804 Old Highway 8, for approval of a Conditional Use Permit for a Recycling Center. Mayor Getzschman opened the public hearing. Mayor Getzschman closed the public hearing. Council Member Schaller moved, seconded by Council Member Kuhns to approve Resolution 2016-157. Roll call vote. Council Members Legband, Landholm, Schaller, Anderson, Eairleywine, and Kuhns voting aye. 6 ayes. Motion carried.

Resolution approving request of Dodd Engineering and Surveying LLC, for final plat of approximately 4.5 acres located at 1800 Deer Run to be known as Deer Pointe Fourth Addition. Council Member Landholm moved, seconded by Council Member Legband to approve Resolution 2016-158. Roll call vote. Council Members Legband, Landholm, Schaller, Anderson, Eairleywine, and Kuhns voting aye. 6 ayes. Motion carried.

Resolution approving request of Olsson Associates agent, on behalf of owner of approximately 83.9 acres located at 3400 N. Luther Rd., for replat to be known as Ritz Lake Replat 3. Council Member Eairleywine moved, seconded by Council Member Legband to approve Resolution 2016-159. Roll call vote. Council Members Legband, Landholm, Schaller, Anderson, Eairleywine, and Kuhns voting aye. 6 ayes. Motion carried.

Final reading of Ordinance for revision of government salary 2016-2017. City Clerk provided final reading. Mayor Getzschman called for a vote on final reading. Roll call vote. Council Members Legband, Landholm, Schaller, Anderson, Eairleywine, and Kuhns voting aye. 6 ayes. Ordinance approved.

Final reading of Ordinance for Department of Utilities salary 2016-2017. City Clerk provided final reading. Mayor Getzschman called for a vote on final reading. Roll call vote. Council Members Legband, Landholm, Schaller, Anderson, Eairleywine, and Kuhns voting aye. 6 ayes. Ordinance approved.

Final reading of Ordinance to amend subdivision Ordinance related to providing for drainage of subdivision lots. Council Member Kuhns moved, seconded by Council Member Legband to approve amendment as presented. Roll call vote. Council Members Legband, Landholm, Schaller, Anderson,

Eairleywine, and Kuhns voting aye. 6 ayes. Motion carried. City Clerk provided final reading. Mayor Getzschman called for a vote on final reading. Roll call vote. Council Members Legband, Landholm, Schaller, Anderson, Eairleywine, and Kuhns voting aye. 6 ayes. Ordinance approved.

Moved by Council Member Kuhns seconded by Council Member Legband to adjourn the meeting. Roll call vote: 8 ayes. Motion carried. Meeting adjourned at 8:30 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