

## CITY COUNCIL MEETING

July 10, 2012

7:00 P.M.

After the study session and the Pledge of Allegiance, the Mayor called the meeting to order. Roll call vote showed Council Members Johnson, Stange, Navarrette, Fairleywine, Bixby, Anderson, Hoppe and Gitt present - 8 present, 0 absent.

The Deputy City Clerk read a notice that this meeting was preceded by publicized notice in the Fremont Tribune and the agenda displayed in the Municipal Building and online at [www.fremontne.gov](http://www.fremontne.gov) and distributed to the Mayor and Council on July 6, 2012 and is open to the public. The Deputy City Clerk also stated a copy of the agenda was kept continually current and available to the public at the office of the City Clerk, 400 East Military and a copy of the open meeting law is posted continually for public inspection located near the entrance door by the agendas. Moved by Council Member Bixby, seconded by Council Member Navarrette to approve the legality of the meeting. Roll call vote: 8 ayes. Motion carried.

Moved by Council Member Stange, seconded by Council Member Hoppe to open the public hearing on the Class I Liquor License application for La Hacienda Mexican Restaurant dba La Hacienda Mexican Restaurant, 3140 East Elk Lane. Roll call vote: 8 ayes. Motion carried.

There being no testimony, moved by Council Member Johnson, seconded by Council Member Stange to close the public hearing. Roll call vote: 8 ayes. Motion carried.

Moved by Council Member Gitt, seconded by Council Member Anderson to recommend approval of the Class I Liquor License application for La Hacienda Mexican Restaurant dba La Hacienda Mexican Restaurant, 3140 East Elk Lane. Roll call vote: 8 ayes. Motion carried.

Moved by Council Member Gitt, seconded by Council Member Hoppe to approve Resolution No. 2012-119 approving Class I Liquor License application for La Hacienda Mexican Restaurant dba La Hacienda Mexican Restaurant, 3140 East Elk Lane. Roll call vote: 8 ayes. Motion carried.

Moved by Council Member Anderson, seconded by Council Member Gitt to approve the consent agenda. Roll call vote: 8 ayes. Motion carried.

- Dispense with reading of minutes June 26, 2012
- June 27 - July 10, 2012 claims
- Resolution No. 2012-120 granting permission to consume alcohol on City property for Ron and Rhonda Chada, Moller Center, July 27, 2012, wedding rehearsal dinner and Veronica Hurtado, Moller Center, September 8, 2012, baptism
- Resolution No. 2012-121 approving Special Designated Permit application for DeSauce Development, 541 North Broad, August 11, 2012, reception; DeSauce Development, 1710 West 16th, August 17, 2012, reception; Whis's End Zone Lounge, 845 South Broad, July 22, 2012, fundraiser/beer garden
- Rescind appointment made June 26, 2012 of Ron Vlach to Airport Advisory Committee and appoint Mike Kempenar for a three year term ending June 2015
- Reappoint Clayton Timperly, Dan Rosenbaum, Tom Smith, Martin Sears to the Board of

Plumbers for two year term ending July 2014

- Reappoint Mary Sendgraff to the Mechanical Examining Board for five year term ending June 2017
- Reappoint Ervin Wulf, Tom Smith, Martin Sears to the Water Conditioning Board of Examiners for three year term ending June 2015
- 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.
- Resolution No. 2012-122 approving real estate listing agreement with CB Richard Ellis/Mega for development of the Fremont Technology Park
- Resolution No. 2012-123 approving request of Irving Development for right-of-way encroachment at 414 North Main for outdoor seating within fenced area
- Resolution No. 2012-124 approving request of Irving Development for right-of-way encroachment at 406 and 408 North Main to allow awnings on building exterior
- Resolution No. 2012-125 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 6th Addition (3209 Cherrywood Drive) into one lot
- Resolution No. 2012-126 to accept and award bid for Main Street Reconstruction, 1st to 3rd (Paving District No. 548)
- Resolution No. 2012-127 approving plans, specifications, estimate of costs and grant permission to advertise for bids for 23rd Avenue North and Lincoln Avenue Intersection Improvements
- Resolution No. 2012-128 designating parking restrictions on Military Avenue, Christy to Luther Road
- Resolution No. 2012-129 designating parking restrictions on 16th Street east and west of Luther Road
- Resolution No. 2012-130 designating parking restrictions on Fremont Drive east of Johnson Road
- Resolution No. 2012-131 approving project payment #1 to M.E. Collins Contracting Co., Inc. in the amount of \$76,516.38 for Luther Road Turn Lane Improvements and project payment #6 to Fauss Construction in the amount of \$70,163.93 for Christensen Field Event Center Renovation
- Reappoint Courtney Fedde and Larry Jirsak and appoint Jan Therien to Library Board for four year term ending July 2016

The Deputy City Clerk gave the third reading, by title only, of an ordinance creating Paving District No. 550 Johnson Road, Peterson Avenue to 16<sup>th</sup> Street, west side. Roll call vote: 8 ayes. Ordinance No. 5246 passed.

The Deputy City Clerk gave the second reading, by title only, of an Ordinance amending Zoning Ordinance No. 3939, Article 3, pertaining to Civic Use Types. The third reading will be at the next regular Council meeting.

The Deputy City Clerk gave the second reading, by title only, of an Ordinance amending Zoning Ordinance No. 3939, Article 5, pertaining to Wellhead Protection Area Regulations. The third reading will be at the next regular Council meeting.

Moved by Council Member Hoppe, seconded by Council Member Johnson to approve Resolution No. 2012-133 approving project payment #Final to Prudent Technologies in the amount of \$72,896.03 for Lead-Impacted Soil Remediation at former Izaak Walton shooting range for Brownfield cleanup project. Roll call vote: 8 ayes. Motion carried.

Moved by Council Member Hoppe, seconded by Council Member Johnson to approve Resolution No. 2012-134 denying project payment #Final to Terracon Consultants Inc. in the amount of \$44,058.61 for Lead-Impacted Soil Remediation at former Izaak Walton shooting range for Brownfield cleanup project. Roll call vote: 6 ayes, 2 nays (Bixby and Stange). Motion carried.

Moved by Council Member Johnson, seconded by Council Member Bixby to suspend the rules and place on final reading an ordinance amending salary and pay for employees and officers of the City of Fremont. Roll call vote: 8 ayes. The Deputy City Clerk gave the final reading, by title only, of the Ordinance. Roll call vote: 8 ayes. Ordinance No. 5247 passed.

Moved by Council Member Hoppe, seconded by Council Member Navarrette to approve Resolution No. 2012-132 dissolving the Fremont Volunteer Fire Department. Roll call vote: 8 ayes. Motion carried.

Moved by Council Member Gitt, seconded by Council Member Bixby to adjourn the meeting. Roll call vote: 8 ayes. Meeting adjourned at 8:10 p.m.

Scott Getzschman, Mayor

Attest: Lynne McIntosh, CMC, Deputy City Clerk

I, Lynne McIntosh, the undersigned Deputy 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 for 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 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 meetings of said body were provided advance notification of the time and place of said 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.

Lynne McIntosh, CMC, Deputy City Clerk