

PLANNING COMMISSION MINUTES

February 19, 2018

4:30 p.m. Study Session

5:00 o'clock pm. Regular Meeting

After the study session, Chairman Dev Sookram 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 Chairman Sookram, Commissioners Barton, Nielsen, Bowen, Carlson, Gifford, Horeis, Sawyer present, Commissioner Borisow absent. Eight Commissioners present – a quorum was established.

Chairman Sookram read the item, dispense with reading and approve the minutes of the January 15, 2019 Regular Meeting as prepared into the record and asked if there were any questions about the minutes.

Commissioner Barton inquired about an e-mail question received about the minutes.

Interim City Attorney Oliver Glass stated that this was his first Planning Commission meeting at the City level and my understanding is or that way I think this should work is that if someone has an issue or a claim, they need to come up and speak on that, or if you can't or you feel like you have a question or need advice, I'd be glad to render advice.

Chairman Sookram stated that if there was anybody with an issue on the minutes to please come up.

Susan Jacobus spoke as a concerned citizen.

Chairman Sookram asked if everyone has read the minutes, and if the Commissioners wanted to discuss if there was enough information in the minutes.

Alan Fanning spoke as a concerned citizen.

John Shower spoke as a concerned citizen.

Chairman Sookram asked if anyone else wanted to speak. He then asked the Commissioners if they wanted to table the minutes.

Interim City Attorney Oliver Glass stated that he's looked at a lot of minutes over the years at the County level and other meetings, and wasn't present at any of the prior meetings of the Planning Commission and has not listened to any of the recordings. He went on to say that he couldn't speak as to the accuracy, but did brief them before he came today. It shows that on several of them if not most of them that there was no discussion, but a roll call vote. The minutes under the law don't have to reflect every statement of every person at that particular meeting. When he first started helping out here he made sure that they are recorded, and they are recorded, and his understanding according to the law is that they have to be available to people and people have the ability to come listen to the recordings, so the actual minutes don't have to convey every word or thought that was stated at that particular meeting. That does not mean that I am verifying or authenticating the minutes of these meetings. He believes they fit the statutory framework of minutes that need to be included as people have the ability to come listen to the recordings, so

they are made available. They were published but so were the recordings, at least to my knowledge, they were available to the public.

Building Official Don Simon asked the legal secretary if she knew if they were available.

Assistant City Administrator – City Shane Wimer stated that he understands that they are on the website. The last City Planner didn't record those but they were available, but he doesn't know where they are at right now or where they are published at, but he knows that they were all recorded.

Commissioner Sookram inquired if there was the gap because of losing our planner, or were they not available.

Interim City Attorney Oliver Glass stated that his understanding was that they were given, but it's not his personal knowledge.

Building Official Don Simon stated that Robin will go check.

Chairman Sookram inquired if the main complaint was that the detail wasn't enough.

Interim City Attorney Oliver Glass stated that the taker of the minutes or the clerk... and then inquired who was taking them today.

Building Official Don Simon stated that the City Planner was recording them before and typing them. That the City Planner was diligent about getting things done and on a timely basis. That he is recording them today and the legal secretary was taking the minutes.

Susan Jacobus spoke about the minutes and locating them.

Legal secretary Robin White advised Commissioners of the Planning Commission and the public as to the location of the recordings by visiting the City's website www.fremontne.gov, then at the bottom of the homepage, there is a link for archived documents, then under search the archives, select the planning commission audio. Under there, all she could find was 2014 audio.

Commissioner Sookram asked if we had a lapse in this time, do we table them and go back in and review them?

Assistant City Administrator City, Shane Wimer stated that he wasn't sure, but he believes that Mr. Newton typed them. He actually thought that they were done and posted, but if they were not finished, that we would go back and listen to the tapes and have those typed up and posted.

Commissioner Sookram inquired if this was a complaint on both of them, the January 29th as well. After the discussion, Sookram entertained a motion by Commissioner Gifford and seconded by Commissioner Horeis to table approving the minutes for January 15, 2018 and January 29, 2018 until the March 19, 2018 meeting. A roll call vote showed all Commissioners present voting aye – the motion carried unanimously.

After the vote, Chairman Sookram stated that the minutes will be reviewed and then resubmitted next month.

Moved by Commissioner Gifford, seconded by Commissioner Barton to go into executive session for the purpose of discussing threatened or potential litigation and for the further reason that the executive session is necessary for the protection of the public interest. The Commissioner stated a motion had been made and seconded to go into executive session for the purpose of discussing threatened or potential 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 Commissioner stated the pending motion was to go into executive session for the purpose of discussing threatened or potential litigation and for the further reason that the executive session is necessary for the protection of the public interest. Roll call vote: 8 ayes. Motion carried. The Commissioner stated a motion to go into executive session purpose of discussing threatened or potential 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 threatened or potential litigation. No official actions or votes will be taken during the executive session. Time in: 5:19 p.m. Moved by Commissioner Nielsen, seconded by Commissioner Carlson to come out of executive session. Roll call vote: 8 ayes. Motion carried. Time out: 5:37 p.m.

Chairman Sookram then read into the record consider a request of Dodd Engineering & Surveying, LLC, on behalf of Don Peterson and Associates Real Estate Co., Connie & Paul Barron, and Luanne & Gary Ehmcke, owners of approximately 4.8 acres described as a part of the Northwest Quarter of Section 19, Township 17 North, Range 9 East of the 6th P.M., Dodge County, Nebraska, for approval of a Zoning Change from RR Rural Residential to GC General Commercial.

Chairman Sookram read the item into the record.

Building Official Don Simon read Staff's Report.

Chairman Sookram stated that there would be a three minute time limit per person and asked that each person only speak one time on each item, then proceeded to open the floor to public hearing.

David Mitchel handed several items to the Commissioner that he wanted as part of the record.

Commissioner Sookram asked for a motion to receive them into the record. Commissioner Barton made the motion. Horeis seconded. A roll call vote showed all Commissioners present voting aye – the motion carried unanimously.

David Mitchel then spoke as a the representative for Don Peterson and Associates

Commissioner Horeis questioned why it would be more beneficial and David Mitchel answered.

Alan Fanning spoke as a concerned citizen.

Barbara Fanning spoke as a concerned citizen.

Sookram then proceeded to close the floor to public hearing and opened the floor to Commission discussion and action.

It was moved by Commissioner Sawyer and seconded by Commissioner Nielsen to approve the zoning change from RR Rural Residential to GC General Commercial. A roll call vote showed all Commissioners present voting. Seven ayes Barton, Sookram, Nielsen, Gifford, Sawyer, Carlson and Bowen, and Commissioner Horeis voted nay. Motion carried

Chairman Sookram asked if the item was going to be continued; Consider a request of Thomas L. Stamper and Teresa L. Stamper, owners of 2740 N. Yager, consisting of approximately 6.15 acres described as a tract of land located in lot 1, D. Schroeder's subdivision located in the northwest quarter of the southwest quarter of section 12, township 17 north, range 8 east of the 6th P.M., Dodge County, Nebraska, for approval of a zoning change from BP Business Park to GC General Commercial

Building Official Don Simon advised yes.

Chairman Sookram proceeded to ask for a motion to continue the item. He then advised that proper publication was not had in accordance to Nebraska Revised Statutes 19-905 public notice.

It was moved by Commissioner Barton and seconded by Commissioner Nielsen to continue this item until the March 19, 2018 Planning Commission Meeting. A roll call vote showed all Commissioners present voting. Eight ayes. Motion carried unanimously.

Chairman Sookram then read the item into record; Consider a petition for voluntary annexation by Bob Missel on behalf of Dodge County, owners of 2860 W. 23rd Street, consisting of approximately 1.54 acres, described as of a tract of land described as a part of a parcel of land being part of the Southeast Quarter of the Southwest Quarter of Section 9, Township 17 North, Range 8 East of the Sixth P.M., Dodge County, Nebraska,

Building Official Don Simon read Staff's Report.

Chairman Sookram proceeded to open the floor to public hearing.

Hearing none, Sookram then proceeded to close the floor to public hearing and opened the floor to Commission discussion and action.

It was moved by Commissioner Gifford and seconded by Commissioner Bowen to recommend approval of the Annexation. A roll call vote showed all Commissioners present voting aye – motion carried unanimously


The Commission then heard a presentation and received input on the City's 1 and 6 Year Street Improvement Plan

Director of Public Works, Dave Goedeken read the staff report and gave a presentation about the three parts of a one and six year plan. He went through the projects for 2017 and 2018. He went on to state that the 2017 signals are almost done. Commissioner Gifford asked questions about the 23rd and Yager intersection as well as the Brooks Hollow subdivision. Dave Goedeken

went on to state that studies are not in the report and the projects for 2019 may need to be rezoned because of environmental reasons as it's being reviewed by the State and Federal Government. The Planning Commission does not need to do anything other than receive the report of the one and six year plan unless they want changes.

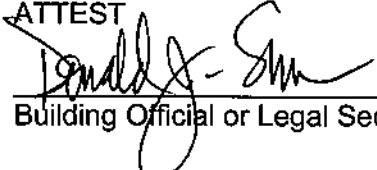
Adjournment. Hearing no other business, Chairman Sookram adjourned the meeting at approximately 615 p.m.

APPROVED



Dev Sookram, Chairman

ATTEST



Building Official or Legal Secretary