



CITY OF FREMONT NEBRASKA

COMMUNITY DEVELOPMENT AGENCY, BOARD OF EQUALIZATION & CITY COUNCIL MEETING MINUTES

February 25, 2020 - 6:30 PM (Public Comment)
City Council Chambers 400 East Military, Fremont NE

COMMUNITY DEVELOPMENT AGENCY AGENDA

7:00 PM

MEETING CALLED TO ORDER. After the Pledge of Allegiance, the Chair called the meeting of the Community Development Agency to order and stated that a copy of the open meeting law is posted continually for public inspection located near the entrance door by the agendas.

ROLL CALL. Roll call showed Members McClain, Ellis, Kuhns, Bechtel, Yerger, Jensen, Jacobus and Legband present. 8 members present.

1. Resolution 2020-001 forwarding a proposed redevelopment plan amendment (WholeStone Farms Redevelopment Project) to the planning commission for purposes of its review, public hearing and recommendation regarding said plan's conformity with the comprehensive plan. Member Kuhns moved, seconded by Member Jacobus to amend the Resolution number to 2020-002. Voting Yea: Yerger, Ellis, McClain, Jensen, Legband, Bechtel, Kuhns, and Jacobus. Motion carried. Motion made by Kuhns, Seconded by Jensen to approve Resolution 2020-002 as amended. Voting Yea: Yerger, Ellis, McClain, Jensen, Legband, Bechtel, Kuhns, Jacobus. Motion carried.

ADJOURNMENT. Member Legband moved, seconded by Member Jensen to adjourn at 7:14 p.m. Ayes: McClain, Kuhns, Bechtel, Legband, Ellis, Yerger, Jensen, Jacobus. Motion carried.

BOARD OF EQUALIZATION

7:00 PM – Following the preceding Meeting

MEETING CALLED TO ORDER. The Chair called the meeting of the Community Development Agency to order and stated that a copy of the open meeting law is posted continually for public inspection located near the entrance door by the agendas.

ROLL CALL. Roll call showed Members McClain, Ellis, Kuhns, Bechtel, Yerger, Jensen, Jacobus and Legband present. 8 members present.

3. Hold public hearing and consider complete cost and schedule of Assessments for Business Improvement District #1. The Chair opened the public hearing. The Chair closed

the public hearing after receiving comments from the public. Motion by Jensen, seconded by Legband to receive redline request spreadsheet and two additional requests. Voting Yea: Yerger, Ellis, McClain, Jensen, Legband, Bechtel, Kuhns, Jacobus. Motion carried. Motion made by Jacobus, seconded by Legband to approve the exemptions in the blue section marked red with the exception of 309-311 E. 8th. Voting Yea: McClain, Kuhns, Bechtel, Yerger, Jensen, Jacobus, Legband. Abstention: Ellis. Motion carried. Motion made by Jacobus to deny request for property 405-413 N. Main. The motion died due to lack of a second. Motion made by Kuhns, seconded by Legband to approve the 50% exemption request for property 405-413 N. Main. Voting Yea: McClain, Kuhns, Bechtel, Yerger, Jensen, Legband. Voting Nay: Jacobus. Abstention: Ellis. Motion carried. Motion made by Yerger to deny the exemption request for 141 E. Military motion dies due to lack of a second. Motion made by Jacobus, seconded by Jensen to approve 50% exemption for property 141 E. Military. Voting Yea: McClain, Kuhns, Bechtel, Yerger, Jensen, Jacobus, Legband. Abstention: Ellis. Motion carried. Motion made by Jacobus, seconded by Kuhns to approve 50% exemption for property 124 E. 6th. Voting Yea: McClain, Kuhns, Bechtel, Jensen, Jacobus, Legband. Voting Nay: Yerger. Abstention: Ellis. Motion carried. Motion made by Jacobus, seconded by Yerger to deny exemption request for 309-311 E. 8th St. Voting Yea: McClain, Kuhns, Bechtel, Yerger, Jensen, Jacobus, Legband. Abstention: Ellis. Motion carried. Motion made by Legband, seconded by Jacobus to approve the exemptions in the yellow section marked red. Voting Yea: McClain, Kuhns, Bechtel, Yerger, Jensen, Jacobus, Legband. Abstention: Ellis. Motion carried. Motion made by Jacobus, seconded by Legband to deny exemption for property 338 N. Main. Voting Yea: McClain, Kuhns, Bechtel, Yerger, Jensen, Jacobus, Legband. Abstention: Ellis. Motion carried. Motion made by Jacobus, seconded by Jensen to approve 50% exemption for property 310 E. Military. Voting Yea: McClain, Bechtel, Yerger, Jensen, Jacobus, Legband. Voting Nay: Kuhns. Abstention: Ellis. Motion carried. Motion made by Jacobus, seconded by Yerger to deny exemption request for property 330 N. Main. Voting Yea: McClain, Bechtel, Yerger, Jensen, Jacobus, Kuhns. Voting Nay: Legband. Abstention: Ellis. Motion carried. Motion made by Jacobus, seconded by Legband to approve 25% exemption for 120 N. D St. Voting Yea: McClain, Bechtel, Yerger, Jensen, Jacobus, Legband. Abstention: Kuhns. Abstention: Ellis. Motion carried.

4. Resolution 2020-001 levying a special tax and assessment in the amount of \$271.95 against Lot 13, Block 4, Northside (owner: Atlantica, LLC) to pay the costs of weed and debris removal and assessment. Motion made by Legband, seconded by McClain to approve Resolution 2020-001. Voting Yea: Yerger, Ellis, McClain, Jensen, Legband, Bechtel, Kuhns, Jacobus. Motion carried.

ADJOURNMENT. Member Jensen moved, seconded by Member McClain to adjourn at 8:10 p.m. Ayes: McClain, Kuhns, Bechtel, Legband, Ellis, Yerger, Jensen, Jacobus. Motion carried.

CITY COUNCIL REGULAR MEETING AGENDA

7:00 PM – Following the preceding Meeting

MEETING CALLED TO ORDER. The Mayor called the meeting of the City Council to order and stated that a copy of the open meeting law is posted continually for public inspection located near the entrance door by the agendas.

ROLL CALL. Roll call showed Members McClain, Ellis, Kuhns, Bechtel, Yerger, Jensen, Jacobus and Legband present. 8 members present.

MAYOR COMMENTS

(There will be no discussion from the Council or the public regarding comments made by the Mayor. Should anyone have questions regarding the comments, please contact the Mayor after the meeting)

4. Motion to adopt current agenda for February 25, 2020 Regular Meeting. Motion made by Yerger, Seconded by McClain. Voting Yea: Yerger, Ellis, McClain, Jensen, Legband, Bechtel, Kuhns, Jacobus. Motion carried.

BUSINESS FROM PREVIOUS MEETING:

5. Request to postpone annual report from Library Board. Motion made by Yerger, Seconded by Kuhns to postpone annual report from Library Board to second meeting in April. Voting Yea: Yerger, Ellis, McClain, Jensen, Legband, Bechtel, Kuhns, Jacobus. Motion carried.
6. Resolution 2020-038 to enter agreement with Nebraska State Patrol to subscribe to MACH mobile mapping product. Motion made by Jensen, Seconded by Legband to approve Resolution 2020-038. Voting Yea: Yerger, Ellis, McClain, Jensen, Legband, Bechtel, Kuhns, Jacobus. Motion carried.
7. Motion to approve a subdivision agreement with Mesner Development for the Hidden Brook Subdivision. Motion made by Yerger, seconded by Kuhns to amend section 4a5 of the agreement to include cul-de-sac. Voting Yea: Yerger, Ellis, McClain, Jensen, Legband, Bechtel, Kuhns, Jacobus. Motion carried. Motion made by Legband, Seconded by Jensen to approve subdivision agreement with Mesner Development for the Hidden Brook Subdivision as amended. Voting Yea: Yerger, Ellis, McClain, Jensen, Legband, Bechtel, Kuhns, Jacobus. Motion carried.

PUBLIC HEARINGS:

8. Ordinance 5527 to annex WholeStone Farms property. Mayor Getzschman opened the public hearing. Mayor Getzschman closed the public hearing after receiving comments. Motion made by Legband, Seconded by Jensen to introduce and hold first reading of Ordinance 5527. Voting Yea: Yerger, Ellis, McClain, Jensen, Legband, Bechtel, Kuhns, Jacobus. Motion carried. City Clerk provided first reading.

CONSENT AGENDA: Council Member McClain moved, seconded by Council Member Legband to approve Consent Agenda items 11, 14-16, 18, and 20-21. Voting Yea: McClain, Ellis, Kuhns, Bechtel, Yerger, Jensen, Jacobus, Legband. Motion carried.

9. Motion to approve February 12, 2020 through February 25, 2020 claims and authorize checks to be drawn on the proper accounts. Motion made by Jacobus, Seconded by Legband to approve February 12, 2020 through February 25, 2020 claims. Voting Yea: Yerger, Ellis, McClain, Jensen, Legband, Bechtel, Kuhns, Jacobus. Motion carried.

10. Receive fiscal year-end financial statements. Motion made by Jacobus, Seconded by Legband to receive fiscal year-end financial statements. Voting Yea: Yerger, Ellis, McClain, Jensen, Legband, Bechtel, Kuhns, Jacobus. Motion carried.
11. Dispense with and approve February 11, 2020 City Council Meeting Minutes, and February 18, 2020 Emergency City Council Meeting Minutes.
12. Resolution 2020-041 approving non Class C liquor license renewals. Motion made by Yerger, Seconded by Legband to approve Resolution 2020-041. Voting Yea: Yerger, McClain, Jensen, Legband, Kuhns Voting Abstaining: Ellis, Bechtel, Jacobus. Motion carried.
13. Resolution 2020-042 authorizing and awarding the bid to R&D Construction for all labor, materials and construction of an awning at the entrance of the Fremont Friendship Center. Motion made by Jensen, Seconded by Yerger to approve Resolution 2020-042. Voting Yea: Yerger, Ellis, McClain, Jensen, Legband, Bechtel, Kuhns, Jacobus. Motion carried.
14. Move to approve the recommendation of the Mayor to re-appoint Sheri Kment to the Library Board.
15. Resolution 2020-043 of the City Council of the City of Fremont, Nebraska, to enter into an Interlocal Agreement with Colfax County Nebraska to join 911 systems in to a co-hosted system.
16. Resolution 2020-045 to terminate the City's League Association of Risk Management (LARM) Pool membership for liability and non-Utility property insurance coverage.
17. Resolution 2020-044 to contract for professional services to provide the City assistance in marketing its property and liability coverage for its 2020-2021 renewal. Motion made by Kuhns, Seconded by Jacobus to approve Resolution 2020-044. Voting Yea: Yerger, Ellis, McClain, Jensen, Legband, Bechtel, Kuhns, Jacobus. Motion carried.
18. Resolution 2020-046 consenting to the vacation of a portion of Park Street from Cathy street to Judy Drive, and communicating the same to the Dodge County Board of Supervisors.
19. Resolution 2020-047 to approve St. Patrick's Church request for the use of and street closures for its 49th Annual St. Patrick's Festival on Sunday, June 7, 2020, from 11:00 A.M. to 7:00 P.M. for their annual parish festival. Motion made by Yerger, seconded by Jensen to receive updated map and Resolution. Voting Yea: Yerger, Ellis, McClain, Jensen, Legband, Bechtel, Kuhns, Jacobus. Motion carried. Motion made by Yerger, seconded by Jacobus to amend the resolution as received. Voting Yea: Yerger, Ellis, McClain, Jensen, Legband, Bechtel, Kuhns, Jacobus. Motion carried. Motion made by Jacobus, Seconded by Legband to approve Resolution 2020-047 as amended. Voting Yea: Yerger, Ellis, McClain, Jensen, Legband, Bechtel, Kuhns, Jacobus. Motion carried.
20. Resolution 2020-048 to authorize signing of the Year-End Certification of the City Street Superintendent for the calendar year of 2019 for State of Nebraska street incentive payments.

21. Resolution 2020-049 of the City Council of the City of Fremont, Nebraska, to designate Mark Vyhldal as the Fremont Street Superintendent for the calendar year of 2020 for State of Nebraska street incentive payments.
22. Mayor Getzschman item – Resolution 2020-054 accepting and awarding the proposal of GovConnection Inc. for add on licenses, VMware maintenance agreement and server infrastructure to lifecycle existing servers. Motion made by Kuhns, Seconded by Yerger to approve Resolution 2020-054. Voting Yea: Yerger, Ellis, McClain, Jensen, Legband, Bechtel, Kuhns, Jacobus. Motion carried.

UNFINISHED BUSINESS: Requires individual associated action

23. Ordinance 5518 repealing and replacing Chapter 3, Article 7 Section 3-701 of the Fremont Municipal Code titled Municipal Library; operation and funding (first reading).

- a. Council Member Yerger Item – Ordinance 5518 repealing and replacing Chapter 3, Article 7, - Library including Sections 3-701 to 3-707

Motion made by Yerger, seconded by Jacobus to Introduce and hold first reading of Ordinance 5518 with Board Amendments. Voting Yea: Ellis, Yerger, Jensen, Jacobus. Voting Nay: McClain, Kuhns, Bechtel, Legband. Motion failed. Motion made by Legband, seconded by Kuhns to introduce and hold first reading of Ordinance 5518. Voting Yea: McClain, Kuhns, Bechtel, Legband, Getzschman. Voting Nay: Ellis, Yerger, Jensen, Jacobus. Motion carried. City Clerk provided first reading.

24. Resolution 2020-050 for Implementation of City Council Policy for Prayer before Council Meetings. Motion made by Jacobus, Seconded by Yerger to approve Resolution 2020-050. Voting Yea: Yerger, Bechtel, Jacobus Voting Nay: Ellis, McClain, Jensen, Legband, Kuhns. Motion failed.
25. Ordinance 5521 for a Change of Zone from UR, Urban Residential to SC, Suburban Commercial property generally located on the west side of N. Clarkson St. between the hospital access road and 30th Streets (final reading). Motion made by Jensen, Seconded by Legband to hold final reading of Ordinance 5521. Voting Yea: Yerger, Ellis, McClain, Jensen, Legband, Bechtel, Kuhns, Jacobus. Motion carried. City Clerk provided final reading. Mayor Getzschman called for a final vote on the Ordinance. Voting Yea: Yerger, Ellis, McClain, Jensen, Legband, Bechtel, Kuhns, Jacobus. Ordinance 5521 passed.
26. Ordinance 5523 to amend Section 11-920 of the City of Fremont UDC to amend the definitions of Front Yard, Side Yard, Street Side Yard and Rear Yard (final reading). Motion made by Yerger, seconded by Jacobus to receive updated Ordinance language. Voting Yea: Yerger, Ellis, McClain, Jensen, Bechtel, Kuhns, Jacobus Voting Nay: Legband. Motion carried. Motion made by Jacobus, seconded by Yerger to amend the Ordinance to include the amended language. Voting Yea: Yerger, Ellis, McClain, Jensen, Legband, Bechtel, Kuhns, Jacobus. Motion carried. Motion made by Yerger, seconded by Jacobus to hold final reading of Ordinance 5523 as amended. Voting Yea: Yerger, Ellis, McClain, Jensen, Legband, Bechtel, Kuhns, Jacobus. Motion carried. City Clerk provided final reading. Mayor Getzschman called for a final vote on the Ordinance. Voting Yea:

Yerger, Ellis, McClain, Jensen, Legband, Bechtel, Kuhns, Jacobus. Motion carried.
Ordinance 5523 is passed.


NEW BUSINESS: Requires individual associated action


27. Resolution 2020-051 authorizing levying of assessments for Business Improvement District #1. Motion made by Legband, Seconded by Jensen, to receive the updated schedule of assessments. Voting Yea: Yerger, Ellis, McClain, Jensen, Legband, Bechtel, Kuhns, Jacobus. Motion carried. Motion made by Legband, seconded by Kuhns to amend and set the levy of the assessment at .001612. Voting Yea: Yerger, Ellis, McClain, Jensen, Legband, Bechtel, Kuhns, Jacobus. Motion carried. Motion made by Jensen, Seconded by Legband to approve Resolution 2020-051 as amended. Voting Yea: Yerger, Ellis, McClain, Jensen, Legband, Bechtel, Kuhns, Jacobus. Motion carried.

28. Resolution 2020-052 approving a Local Option Economic Development Loan for WholeStone Farms II, LLC, authorizing staff to negotiate a loan agreement, and authorizing the Mayor to sign the appropriate loan transactions. Motion made by Legband, Seconded by Kuhns to approve Resolution 2020-052. Voting Yea: Ellis, McClain, Jensen, Legband, Bechtel, Kuhns Voting Nay: Yerger, Jacobus. Motion carried.

ADJOURNMENT. Motion made by Legband, seconded by Bechtel to adjourn. Ayes: McClain, Kuhns, Bechtel, Legband, Getzschman. Nays: Ellis, Yerger, Jensen, Jacobus. Motion carried.

APPROVED AND ACCEPTED AS THE OFFICIAL COPY OF THE FREMONT, NEBRASKA
COMMUNITY DEVELOPMENT AGENCY BOARD OF EQUALIZATION & REGULAR CITY
COUNCIL MEETING MINUTES FOR FEBRUARY 25, 2020.


Tyler Ficken, City Clerk


Scott Getzschman, Mayor