

## CITY COUNCIL MEETING

February 27, 2018

7:00 p.m.

After the Pledge of Allegiance and Study Session, the Mayor called the meeting of the Community Development Agency 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 Members McClain, Legband, Landholm, Jacobus, Schaller, Anderson, Kuhns and Bechtel present. 8 Council Members present.

Public Hearing and Resolution for Redevelopment Agreement - Nebraska Irrigated Seeds Project. Chairman Getzschman opened the public hearing. Chairman Getzschman closed the public hearing after receiving comment. Member Landholm moved, seconded by Member Legband to approve Resolution 2018-002. Ayes: McClain, Legband, Landholm, Jacobus, Schaller, Anderson, Kuhns, Bechtel. Motion carried.

Consider authorizing Community Development Agency Chairperson to sign Certificate of Completion for Fountain Springs Estates, LLC. Member Legband moved, seconded by Member Kuhns to authorize Community Development Agency Chairperson to sign Certificate of Completion for Fountain Springs Estates, LLC. Ayes: McClain, Legband, Landholm, Jacobus, Schaller, Anderson, Kuhns, Bechtel. Motion carried.

Moved by Member Anderson seconded by Member Jacobus to adjourn the meeting. Ayes: McClain, Legband, Landholm, Jacobus, Schaller, Anderson, Kuhns and Bechtel. Nays: none. Motion carried. Meeting adjourned at 7:11 p.m.

The Mayor called the meeting of the City Council 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 McClain, Legband, Landholm, Jacobus, Schaller, Anderson, Kuhns and Bechtel present. 8 Council Members present.

Public Hearing and Resolution for Redevelopment Agreement - Nebraska Irrigated Seeds Project. Mayor Getzschman opened the public hearing. Mayor Getzschman closed the public hearing after receiving comments from the public. Council Member Schaller moved, seconded by Council Member Landholm to receive into the record an item titled "TIF on the Agenda...". Ayes: McClain, Legband, Landholm, Jacobus, Schaller, Anderson, Kuhns, Bechtel. Motion carried. Council Member Kuhns moved, seconded by Council Member Schaller to approve Resolution 2018-043. Ayes: McClain, Legband, Landholm, Jacobus, Schaller, Anderson, Kuhns, Bechtel. Motion carried.

Executive Session to discuss threatened or potential litigation. Moved by Council Member Schaller, seconded by Council Member McClain to go into executive session for the purpose of discussing a strategy with respect to threatened or potential litigation and for the further reason that the executive session is necessary for the protection of the public interest. The Mayor stated a motion had been made and seconded to go into executive session for the purpose of discussing a strategy session with respect to 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 Mayor 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. Ayes: McClain, Kuhns, Legband, Landholm, Jacobus, Schaller, Bechtel, Anderson. Motion carried. The Mayor 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 a strategy session with

respect to real estate purchase. No official actions or votes will be taken during the executive session. Time in: 7:18 p.m.

Moved by Council Member Schaller, seconded by Council Member Legband to come out of executive session. Ayes: McClain, Kuhns, Legband, Landholm, Jacobus, Schaller, Bechtel, Anderson. Motion carried. Time out: 7:29 p.m.

Public hearing and Ordinance to consider rezone of property generally located as part of the Northwest Quarter of Section 19, Township 17 North, Range 9 East of the 6th P.M., Dodge County, Nebraska from RR Rural Residential to GC General Commercial. Mayor Getzschman opened the public hearing. Council Member Landholm moved, seconded by Council Member Kuhns to receive into the record a petition titled "SunRidge Place Housing Development – Fremont Nebraska", a letter from Planning Director Troy Anderson dated December 7, 2017 and photographs of the SunRidge Place property. Ayes: McClain, Kuhns, Legband, Landholm, Jacobus, Schaller, Bechtel, Anderson. Motion carried. Council Member Jacobus moved, seconded by Council Member Kuhns to receive into the record a legal opinion letter titled "Whether a Particular Interest is Sufficient to Disqualify Mayor Scott Getzschman from voting on an Action". Ayes: McClain, Kuhns, Legband, Landholm, Jacobus, Schaller, Bechtel, Anderson. Motion carried. Council Member Legband moved, seconded by Council Member Kuhns to receive into the record a letter titled "Military and Luther Proposed Development", and a document titled "Fremont East Bypass Land Use Plan". Ayes: McClain, Kuhns, Legband, Landholm, Jacobus, Schaller, Bechtel, Anderson. Motion carried. Mayor Getzschman closed the public hearing after receiving comments from the public. Council Member Schaller moved, seconded by Council Member Kuhns to approve first reading of the Ordinance. Ayes: Legband, Landholm, Kuhns, Schaller, Anderson. Nays: McClain, Jacobus, Bechtel. Motion carried. City Clerk provided first reading of the Ordinance

Public hearing and Ordinance annexing by voluntary petition approximately 1.54 acres described as 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 and more generally located at 2860 W. 23rd Street. Mayor Getzschman opened the public hearing. Mayor Getzschman closed the public hearing after receiving comments from the public. Council Member Landholm moved, seconded by Council Member Kuhns to approve first reading of the Ordinance. Ayes: Legband, Landholm, Kuhns, Schaller, Anderson, McClain, Jacobus, Bechtel. Motion carried. City Clerk provided first reading of the Ordinance.

Public Hearing and Resolution approving the 2018 City of Fremont One Year-Six Year Street Improvement Plan. Mayor Getzschman opened the public hearing. Mayor Getzschman closed the public hearing after receiving comments from the public. Council Member Schaller moved, seconded by Council Member Kuhns to approve Resolution 2018-044. Ayes: Legband, Landholm, Kuhns, Schaller, Anderson, McClain, Jacobus, Bechtel. Motion carried.

Moved by Council Member Schaller seconded by Council Member Anderson to approve items 9, 10, 14 and 16 through 24, of the consent agenda. Ayes: Anderson, McClain, Legband, Landholm, Jacobus, Kuhns, Schaller, Bechtel. Motion carried.

9. Move to approve February 14, 2018 through February 27, 2018 claims and authorize checks to be drawn on the proper accounts.

10. Receive first quarter Financial Reports.

14. Resolution 2018-047 certifying Human Resources Director, City Clerk and Mayor as authorized signers for the City of Fremont Firefighters Pension Fund.

16. Resolution 2018-049 of the City Council of the City of Fremont, Nebraska approving temporary closure of the west lane of Main Street including adjacent sidewalk and parking area starting at 419 N. Main to 423 N Main Street.

17. Consider authorization of request for use of John C. Fremont Park on Saturday March 24, 2018 from 8am to 10:30pm for the annual MainStreet of Fremont Easter Egg Hunt.
18. Resolution 2018-050 of the City Council of the City of Fremont, Nebraska authorizing the City Administrator to execute a contract extension with Goree Backhoe and Excavating for Biosolids Hauling.
19. Resolution 2018-051 to purchase a Bobcat V519 Telehandler from Titan Machinery Inc.
20. Resolution 2018-052 to authorize Staff to sign Change Order #1 in the amount of \$65,000 to contract with Carsten Contracting, Inc., for Utility Extensions to Proposed Processing Plant site.
21. Resolution 2018-053 accepting and awarding bid of Gas Construction for Gallery 23 East Gas Extension in the amount of \$248,806.57.
22. Resolution 2018-054 awarding proposal of Gas Construction Inspections for Gallery 23 East in the amount of \$46,800.
23. Resolution 2018-055 accepting and awarding bid of Schlosser Enterprises for City of Fremont Mowing Services in the amount of \$3,465 per week.
24. Resolution 2018-056 authorizing the City Administrator to submit an open season bid for firm capacity from Northern Natural gas.

Dispense with and approve February 13, 2018 minutes. Council Member Jacobus moved, seconded by Council Member Legband to amend the minutes to include with the film incentive would cover expenditures up to 30% of actual local expenditures not to exceed \$440,000. Ayes: Legband, Landholm, Kuhns, Schaller, Anderson, McClain, Jacobus, Bechtel. Motion carried. Council Member Schaller moved, seconded by Council Member Landholm to approve the minutes as amended. Ayes: Legband, Landholm, Kuhns, Schaller, Anderson, McClain, Jacobus, Bechtel. Motion carried.

Resolution approving non Class C liquor license renewals. Council Member Legband moved, seconded by Council Member Kuhns to approve Resolution 2018-045. Ayes: Legband, Landholm, Kuhns, Schaller, Anderson, McClain, Jacobus. Abstention: Bechtel. Motion carried.

Resolution approving request of Keep Fremont Beautiful to use Ilgenfritz parking lot on April 28, 2018 for metal and electronics recycling. Council Member Kuhns moved, seconded by Council Member Legband to approve Resolution 2018-046. Ayes: Legband, Landholm, Kuhns, Schaller, Anderson, McClain, Jacobus, Bechtel. Motion carried.

Resolution authorizing the City Clerk to sign Special Designated License Local Recommendation forms for events by Burtonian Enterprises LLC., dba Tin Lizzy Tavern. Council Member Landholm moved, seconded by Council Member Kuhns to approve Resolution 2018-048. Ayes: Legband, Landholm, Kuhns, Schaller, Anderson, McClain, Jacobus. Abstention: Bechtel. Motion carried.

Resolution accepting and awarding the bid to TransAmerican Power Products, Inc. for Contract for Purchase of Steel Transmission Structures in the amount of \$61,432.00 and authorize staff to issue a contract and purchase order for the purchase. Council Member Jacobus moved, seconded by Council Member Landholm to approve Resolution 2018-057. Ayes: Legband, Landholm, Kuhns, Schaller, Anderson, McClain, Jacobus, Bechtel. Motion carried.

Resolution authorizing the Fremont Department of Utilities Staff to purchase a RT 45A – compact trencher with H314 digging attachment from Charles Machine Works, Inc. which has the NJPA contract #78238 which comes from Ditch Witch of Omaha, NE through the National Joint Power Alliance. Council Member Kuhns moved, seconded by Council Member Schaller to approve Resolution 2017-058. Ayes: Legband, Landholm, Kuhns, Schaller, Anderson, McClain, Jacobus, Bechtel. Motion carried.

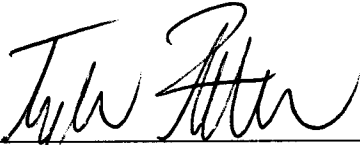
Resolution of the City Council of Fremont, Nebraska, striking certain provisions from the Fremont Lottery Operator Agreement. Council Member Landholm moved, seconded by Council Member Anderson to approve Resolution 2018-059. Ayes: Legband, Landholm, Kuhns, Schaller, Anderson, McClain, Jacobus. Abstention: Bechtel. Motion carried.

Discussion regarding the method and costs associated with disposing of yard waste materials at the transfer station. Discussion was held regarding the costs and processes of current and future yard waste disposal. No official action was taken.

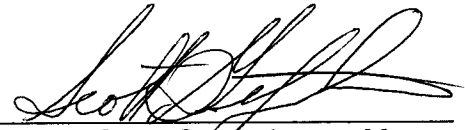
Moved by Council Member Kuhns seconded by Council Member Anderson to adjourn the meeting. Ayes: McClain, Legband, Landholm, Jacobus, Schaller, Anderson, Kuhns, Bechtel. Motion carried. Meeting adjourned at 9:15 p.m.

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 this meeting was preceded by publicized notice in the Fremont Tribune and the agenda, including notice of study session, were displayed in the Municipal Building and distributed to the Mayor and Council on February 9, 2018 and is open to the public; 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.

APPROVED AND ACCEPTED THIS 13th DAY OF FEBRUARY AS THE OFFICIAL COPY OF THE FREMONT, NEBRASKA CITY COUNCIL MINUTES FOR FEBRUARY 27, 2018.



Tyler Ficken, City Clerk



Scott Getzschman, Mayor