

CITY COUNCIL MEETING  
CITY COUNCIL CHAMBERS 400 EAST MILITARY, FREMONT NEBRASKA  
June 26, 2018  
7:00 p.m.

After Study Session and Pledge of Allegiance, 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 showed Council Members Anderson, Kuhns, McClain, Landholm, Jacobus, Bechtel, Legband and Schaller present. 8 Council Members present.

Ordinance to rezone from R Rural to GI General Industrial by Dana Leland, owner of property located at 4173 North Yager Road (first reading). 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 hold first reading of the Ordinance. Ayes: Anderson, Kuhns, McClain, Landholm, Jacobus, Bechtel, Legband and Schaller. Motion carried. City Clerk provided first reading of the Ordinance.

Resolution for request of Calvin Hinz on behalf of Eden and Cyndi Whitten for conditional use permit for UR zone for assisted living at 915 North H Street. Mayor Getzschman opened the public hearing. Council Member Schaller moved, seconded by Council Member Jacobus to receive into the record a document titled Shiloh Place. Ayes: Anderson, Kuhns, McClain, Landholm, Jacobus, Bechtel, Legband and Schaller. Motion carried. Mayor Getzschman closed the public hearing after receiving comments from the public. Council Member Kuhns moved, seconded by Council Member Legband to approve Resolution 2018-134. Ayes: Anderson, Kuhns, McClain, Landholm, Jacobus, Bechtel, Legband and Schaller. Motion carried.

Ordinance to consider amendments to Chapter 9 of the Fremont Municipal Code pertaining to Building Regulations. Council Member Landholm moved, seconded by Council Member Anderson to receive a revised version of the Ordinance. Ayes: Anderson, Kuhns, McClain, Landholm, Jacobus, Bechtel, Legband and Schaller. Motion carried. Mayor Getzschman opened the public hearing. Mayor Getzschman closed the public hearing after receiving comments from the public. Council Member Jacobus moved, seconded by Council Member Legband to amend the Ordinance to reflect the received version. Ayes: Anderson, Kuhns, McClain, Landholm, Jacobus, Bechtel, Legband and Schaller. Motion carried. Council Member Legband moved, seconded by Council Member Jacobus to hold first reading of the amended Ordinance. Ayes: Anderson, Kuhns, McClain, Landholm, Jacobus, Bechtel, Legband and Schaller. Motion carried. City Clerk provided first reading.

Ordinance to consider amendments to Chapter 11 of the Fremont Municipal Code pertaining to subdivision and site development regulations, hereinafter referred to as the Unified Development Code of the City of Fremont (first reading). Clarify fencing materials and requirements in §11-614.02 (Residential Districts), and §11-615.02 (Non-Residential Districts). Mayor Getzschman opened the public hearing. Mayor Getzschman closed the public hearing after receiving comments from the public. Lot area and open space standards in Article 6, Section 11-602, Table 11-602.01. Mayor Getzschman opened the public hearing. Council Member Jacobus moved, seconded by Council Member Anderson to receive document titled Open Space Exhibit. Ayes: Anderson, Kuhns, McClain, Landholm, Jacobus, Bechtel, Legband and Schaller. Mayor Getzschman closed the public hearing after receiving comments from the public. Council Member Jacobus moved, seconded by Council Member Landholm to receive seven color photographs of areas with high water. Ayes: Anderson, Kuhns, McClain, Landholm, Jacobus, Bechtel, Legband and Schaller. Motion carried. To allow Child Care Centers as conditional use in residential areas and to specify conditional use requirements in 11-504.02 and Table 11-502.02. Mayor Getzschman opened the public hearing. Mayor Getzschman closed the public hearing after receiving comments from the public. To consider allowing bars/taverns, alcohol sales

and restaurants in the GI and LI districts by conditional use permit in Table 11-502.03 and 11-504.03. Mayor Getzschman opened the public hearing. Mayor Getzschman closed the public hearing after receiving comments from the public. Minimum Street Frontage requirements and Minimum Lot Sizes in the City of Fremont Zoning Ordinance, Article 6, Section 11-603, Table 110603.01.01. 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 hold first reading of the Ordinance. Ayes: Anderson, Kuhns, McClain, Landholm, Jacobus, Bechtel, Legband and Schaller. Motion carried. City Clerk provided first reading.

Moved by Council Member Schaller seconded by Council Member Legband to approve items 9, 11 and 12 of the consent agenda. Ayes: Anderson, Kuhns, Jacobus, Landholm, Legband, McClain, Schaller, Bechtel. Motion carried.

9. Dispense with and approve June 12, 2018 minutes
11. Resolution adopting hangar lease rates for hangars P-1 and P-2 at the Fremont Municipal Airport
12. Authorize Mayor to sign corrected Deed of Reconveyance, Yates, 245 South Nye

Move to approve June 13, 2018 through June 26, 2018 claims and authorize checks to be drawn on the proper accounts. Council Member Jacobus moved, seconded by Council Member Landholm to approve the June 13, 2018 through June 26, 2018 claims as presented. Ayes: Anderson, Kuhns, Jacobus, Landholm, Legband, McClain, Schaller, Bechtel. Motion carried.

Approve the recommendation of the Mayor to make appointment to the Board of Adjustment board for terms ending September 2020. Mayor Getzschman stated that Zach Carlson Extraterritorial Jurisdiction appointment would be removed from the list of appointments because State Statute allows only one member of the Planning Commission to serve on the Board of Adjustment. Council Member Legband moved, seconded by Council Member Landholm to approve the three appointments with Zach Carlson being removed. Ayes: Anderson, Kuhns, Jacobus, Landholm, Legband, McClain, Schaller, Bechtel. Motion carried.

Resolution approving the request of Main Street of Fremont to close Main Street 4th Street to 6th Street for Crazy Days Sidewalk Sale on July 28, 2018. Council Member Kuhns moved, seconded by Council Member Schaller to approve Resolution 2018-136. Ayes: Anderson, Kuhns, Jacobus, Landholm, Legband, McClain, Schaller, Bechtel. Motion carried.

Resolution to approve Change Order #2 with NPL Construction for Gas Extensions to Gallery 23. Council Member Schaller moved, seconded by Council Member McClain to approve Resolution 2018-137. Ayes: Anderson, Kuhns, Jacobus, Landholm, Legband, McClain, Schaller, Bechtel. Motion carried.

Resolution authorizing the Fremont Department of Utilities Staff to contract with HPI Mechanical Services for Unit 7 Turbine and Generator Inspection. Council Member Kuhns moved, seconded by Council Member Legband to approve Resolution 2018-138. Ayes: Anderson, Kuhns, Jacobus, Landholm, Legband, McClain, Schaller, Bechtel. Motion carried.

Resolution approving the request of Alzheimer's Association of Fremont to use the City's Parking Lot at 544 North Park Avenue. Council Member Kuhns moved, seconded by Council Member Schaller to approve Resolution 2018-139. Ayes: Anderson, Kuhns, Jacobus, Landholm, Legband, McClain, Schaller, Bechtel. Motion carried.

Resolution to approve release of mortgage on property located at 450 W. 10th Street, Fremont, Nebraska. Council Member Landholm moved, seconded by Council Member Jacobus to approve Resolution 2018-140. Ayes: Anderson, Kuhns, Jacobus, Landholm, Legband, McClain, Schaller, Bechtel. Motion carried.

Continue Resolution approving the request Final Plat of Dodd Engineering & Surveying, LLC, a parcel of land located in the NW1/4 of Section 19, Township 17 North, Range 9 East of the 6th p.m., Dodge County, Nebraska, to be known as Sunridge Place. Council Member Landholm moved, seconded by Council Member Jacobus to receive document titled Lower Platte North NRD Board of Directors. Ayes: Anderson, Kuhns, Jacobus, Landholm, Legband, McClain, Schaller, Bechtel. Motion carried. Council Member Jacobus moved, seconded by Council Member Legband to receive statement and photos from property owner at 210 N. Garden City Rd. Ayes: Anderson, Kuhns, Jacobus, Landholm, Legband, McClain, Schaller, Bechtel. Motion carried. Council Member Schaller moved, seconded by Council Member Kuhns to continue the item to the July 10, 2018 City Council Meeting. Ayes: Anderson, Kuhns, Jacobus, Landholm, Legband, McClain, Schaller, Bechtel. Motion carried.

Continue Ordinance annexing by voluntary petition approximately 15.58 acres, described as a parcel of land located in the NW1/4 of Section 19, Township 17 North, Range 9 East of the 6th p.m., Dodge County, Nebraska, and extending the corporate limits to include said real estate (final reading). Council Member Schaller moved seconded by Council Member Kuhns to continue the item to the July 10, 2018 City Council Meeting. Ayes: Anderson, Kuhns, Jacobus, Landholm, Legband, McClain, Schaller, Bechtel. Motion carried.

Resolution granting permission to apply for 2019 Nebraska Environmental Trust Grant for Electric Vehicle Incentive Program funds. Council Member Kuhns moved, seconded by Council Member Legband to approve Resolution 2018-141. Ayes: Anderson, Kuhns, Jacobus, Landholm, Legband, McClain, Schaller, Bechtel. Motion carried.

Resolution to award bid for Supervisory Control and Data Acquisition (SCADA) upgrade. Council Member Jacobus moved, seconded by Council Member Landholm to approve Resolution 2018-142. Ayes: Anderson, Kuhns, Jacobus, Landholm, Legband, McClain, Schaller, Bechtel. Motion carried.

Ordinance annexing by voluntary petition approximately 4.24 acres, described as a parcel of land in the NW1/4 NE1/4 of Section 18, Township 17 North, Range 9 East of the 6th p.m., Dodge County, Nebraska, and extending the corporate limits to include said real estate (final reading). Council Member Landholm moved, seconded by Council Member Kuhns to hold final reading of the Ordinance. Ayes: Anderson, Kuhns, Jacobus, Landholm, Legband, McClain, Schaller, Bechtel. Motion carried. City Clerk provided final reading. Mayor Getzschman called for a final vote on the Ordinance. Ayes: Anderson, Kuhns, Jacobus, Landholm, Legband, McClain, Schaller, Bechtel. Ordinance 5445 passed.

Ordinance to amend Chapter 3 to include pretreatment requirements for industrial customers discharging to anaerobic lagoons (second reading). Council Member Jacobus moved, seconded by Council Member Legband to hold second reading of the Ordinance. Ayes: Anderson, Kuhns, Jacobus, Landholm, Legband, McClain, Schaller, Bechtel. City Clerk provided second reading.

Ordinance to adopt Industrial Sewer Rate for customers with domestic and high-strength wastewater discharge (second reading). Council Member Kuhns moved, seconded by Council Member McClain to hold second reading of the Ordinance. Ayes: Anderson, Kuhns, Jacobus, Landholm, Legband, McClain, Schaller, Bechtel. City Clerk provided second reading.

Ordinance to create Sanitary Sewer District No. SD-704-18 from 18th to 19th between Broad Street and Park Ave. (second reading). Council Member Landholm moved, seconded by Council Member McClain to hold second reading of the Ordinance. Ayes: Anderson, Kuhns, Jacobus, Landholm, Legband, McClain, Schaller, Bechtel. City Clerk provided second reading.

Ordinance amending paragraph "B" of article 406 of Ordinance No. 3939 to rezone the property described herein, more generally located in the NW1/4 of Section 19, Township 17 North, range 9 East of the 6<sup>th</sup> p.m., Dodge County, Nebraska, from R Rural to AR Auto-Urban Residential (final reading). Council Member Legband moved, seconded by Council Member Landholm to receive items into the record: GIS Workshop Map displaying lot widths, sale brochure titled Omaha Easy Living – the Villas of Piney Creek, and a petition. Ayes: Anderson, Kuhns, Jacobus, Landholm, Legband, McClain, Schaller, Bechtel. Motion carried. Council Member Legband moved, seconded by Council Member McClain to receive items into the record: Character of the Neighborhood – Lot Size Comparison, and statement To Members of the Fremont City Council with petition. Ayes: Anderson, Kuhns, Jacobus, Landholm, Legband, McClain, Schaller, Bechtel. Motion carried. Council Member Kuhns moved, seconded by Council Member Anderson to hold final reading of the Ordinance. Ayes: Anderson, Kuhns, Jacobus, Landholm, Legband, McClain, Schaller. Nay: Bechtel. Motion carried. City Clerk provided final reading of the Ordinance. Mayor Getzschman called for a final vote on the Ordinance. Ayes: Anderson, Kuhns, Jacobus, Landholm, Legband, McClain, Schaller. Nay: Bechtel. Ordinance 5446 passed.

Ordinance amending paragraph "B" of article 406 of Ordinance No. 3939 to rezone the property described herein, more generally located in the NW1/4 of Section 19, Township 17 North, range 9 East of the 6<sup>th</sup> p.m., Dodge County, Nebraska, from R Rural to UR Urban Residential (final reading). Council Member Kuhns moved, seconded by Council Member Schaller to hold final reading of the Ordinance. Ayes: Anderson, Kuhns, Jacobus, Landholm, Legband, Schaller. Nays: McClain, Bechtel. Motion carried. City Clerk provided final reading of the Ordinance. Mayor Getzschman called for a final vote on the Ordinance. Ayes: Anderson, Kuhns, Jacobus, Landholm, Legband, Schaller. Nays: McClain, Bechtel. Ordinance 5447 passed.

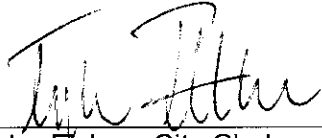
Ordinance amending paragraph "B" of article 406 of Ordinance No. 3939 to rezone the property described herein, more generally located in the SE1/4 NW1/4 of Section 19, Township 17 North, range 9 East of the 6<sup>th</sup> p.m., Dodge County, Nebraska, from R Rural to AR Auto-Urban Residential (final reading). Council Member Landholm moved, seconded by Council Member Schaller to hold final reading of the Ordinance. Ayes: Anderson, Kuhns, Jacobus, Landholm, Legband, McClain, Schaller. Nay: Bechtel. Motion carried. City Clerk provided final reading of the Ordinance. Mayor Getzschman called for a final vote on the Ordinance. Ayes: Anderson, Kuhns, Jacobus, Landholm, Legband, McClain, Schaller. Nay: Bechtel. Ordinance 5448 passed.

Moved by Council Member Landholm seconded by Council Member Kuhns to adjourn the meeting. Ayes: Anderson, Kuhns, McClain, Legband, Landholm, Jacobus, Schaller, Bechtel. Motion carried. Meeting adjourned at 11:12 p.m.

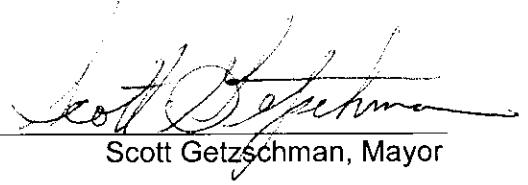
I, Tyler Ficken, the undersigned City Clerk, hereby certify that the foregoing is a true and correct copy of the proceedings had and done by the Mayor and Council; that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and 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 June 22, 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 10TH DAY OF JULY AS THE OFFICIAL COPY OF THE FREMONT, NEBRASKA CITY COUNCIL MINUTES FOR JUNE 26, 2018.



Tyler Ficken, City Clerk



Scott Getzschman, Mayor