

CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS 400 EAST MILITARY, FREMONT NEBRASKA
October 30, 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 Schaller, McClain, Landholm, Jacobus, Bechtel, Legband, Anderson and Kuhns present. 8 Council Members present.

Resolution 2018-228 for Class I Liquor License Application of Taco Smack, 1743 E. Military Avenue. 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 Resolution 2018-228. Ayes: McClain, Legband, Landholm, Jacobus, Kuhns, Schaller, Bechtel, Anderson. Motion carried.

Ordinance 5478 to rezone the property generally described as 1762 Hills Farm Road, Fremont, Nebraska, from R Rural to GI General Industrial. 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 hold first reading of the Ordinance. Ayes: McClain, Legband, Landholm, Jacobus, Kuhns, Schaller, Bechtel, Anderson. Motion carried. City Clerk provided first reading.

Moved by Council Member Schaller seconded by Council Member McClain to approve items eight, ten through twelve and fifteen through nineteen of the consent agenda. Ayes: McClain, Legband, Landholm, Kuhns, Bechtel, Schaller, Anderson, Jacobus. Motion carried.

8. Resolution 2018-210 to approve the 1 year extension of the maintenance contract for the Shortel administrative phone system for the PSAP Communications Center and Police Department
10. Motion to approve the request of Archbishop Bergan Catholic School to use Fourth Street from C Street to Union Street on November 16, 2018 from 5:00 p.m. to midnight for a Knight Event Dinner and Auction
11. Resolution 2018-234 Motion to approve the request from Main Street Fremont to use Schwesers Parking Lot and three parking spaces on 6th Street & Park Street
12. Resolution 2018-235 Equitable Sharing Agreement and Certification with Department of Justice
15. Resolution 2018-238 to consider master fee schedule update
16. Resolution 2018-239 to approve the renewal of Maintenance Agreement No. 11, and all related documents, with the Nebraska Department of Roads
17. Resolution 2018-240 Final to approve Sawyers Construction Co. Final Acceptance of Construction of the 2018 Pavement Rehab Project by authorizing the Mayor to sign Final Pay Application No. 3 and Final Change Order.
18. Resolution 2018-241 traffic committee recommendation to Approve Resolutions to authorize placement of signs.
19. Resolution 2018-243 to approve bid from Fauss Construction for Friendship (Senior) Center Floor Replacement.

Motion to approve October 10, 2018 through October 30, 2018 claims and authorize checks to be drawn on the proper accounts. Council Member Legband moved, seconded by Council Member Schaller to approve October 10, 2018 through October 30, 2018 claims and authorize checks to be drawn on the proper accounts. Ayes: McClain, Legband, Landholm, Kuhns, Bechtel, Schaller, Anderson. Abstention: Jacobus. Motion carried.

Motion to dispense with and approve October 9, 2018 minutes. Council Member Jacobus moved, seconded by Council Member Legband to approve amending the agenda to remove duplicative motion carried on pages three and four of the minutes. Ayes: McClain, Legband, Landholm, Kuhns, Bechtel, Schaller, Anderson, Jacobus. Motion carried. Council Member McClain moved, seconded by Council Member Jacobus to approve the minutes as amended. Ayes: McClain, Legband, Landholm, Kuhns, Bechtel, Schaller, Anderson, Jacobus. Motion carried.

Motion to receive and file Keep Fremont Beautiful annual report & renew service agreement. Council Member Schaller moved, seconded by Council Member Anderson to receive report for the record and renew the service agreement. Ayes: McClain, Legband, Landholm, Kuhns, Bechtel, Schaller, Anderson, Jacobus. Motion carried.

Resolution 2018-236 to amend CPEP resolution 2018-215 for gas supply. Council Member Landholm moved, seconded by Council Member Jacobus to approve Resolution 2018-236. Ayes: McClain, Legband, Landholm, Kuhns, Bechtel, Schaller, Anderson, Jacobus. Motion carried.

Resolution 2018-237 to consider Superior agreement. Council Member Jacobus moved, seconded by Council Member McClain to approve Resolution 2018-237. Ayes: McClain, Legband, Landholm, Kuhns, Bechtel, Schaller, Anderson, Jacobus. Motion carried.

Ordinance 5469 a request by Mark Boschult on behalf of Boschult Engineering Co. for change of zoning at 340 West 22nd Street, Fremont, NE, for the remaining area of block 14 not already zoned general commercial east of Fremont Rental property, from SC Suburban Commercial to GC General Commercial to allow the existing 2 story concrete/masonry structure and surrounding buildings to be used as storage facility. Adjacent property to the west already zoned GC General Commercial. Council Member Schaller moved, seconded by Council Member Jacobus to hold second reading of the Ordinance. Ayes: McClain, Legband, Landholm, Kuhns, Bechtel, Schaller, Anderson, Jacobus. Motion carried. City Clerk provided second reading of the Ordinance.

Ordinance 5471 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 ("UDC"), particularly amendments to Section 11-706.05 Lots. C. Access and Frontage, particularly 4. Outlots AND Section 11-920 Definitions, particularly Outlot. Council Member Landholm moved, seconded by Council Member Legband to approve second reading of the Ordinance. Ayes: McClain, Legband, Landholm, Kuhns, Bechtel, Schaller, Anderson, Jacobus. Motion carried. City Clerk provided second reading of the Ordinance.

Ordinance 5472 a request by Steve Dodd on behalf of Don Peterson and Associates Real Estate Co. for approval of a Voluntary Annexation of Sunridge Place First Addition, consisting of 20.57 acres located between Military Avenue, Jack Sutton Drive, Luther Road & Johnson Drive. Council Member Kuhns moved, seconded by Council Member Legband to approve second reading of the Ordinance. Ayes: McClain, Legband, Landholm, Kuhns, Bechtel, Schaller, Anderson, Jacobus. Motion carried. City Clerk provided second reading of the Ordinance.

Ordinance 5473 consider a request by Steve Dodd on behalf of Don Peterson and Associates Real Estate Co. for approval of a Voluntary Annexation of Sunridge Place Second Addition, consisting of 28.58 acres located between Military Avenue, Jack Sutton Drive, Luther Road & Johnson Drive. Council Member Anderson moved, seconded by Council Member Legband to approve second reading of the Ordinance.

Ayes: McClain, Legband, Landholm, Kuhns, Bechtel, Schaller, Anderson, Jacobus. Motion carried. City Clerk provided second reading of the Ordinance.

Ordinance 5475 consider a request by Marie Hammang for approval of a Voluntary Annexation of Morningside Crossing, consisting of 35.00 acres located on the Northeast corner of Morningside Rd, Johnson Rd. Council Member Landholm moved, seconded by Council Member Kuhns to approve second reading of the Ordinance. Ayes: McClain, Legband, Landholm, Kuhns, Bechtel, Schaller, Anderson, Jacobus. Motion carried. City Clerk provided second reading of the Ordinance.

Ordinance 5476 to remove fees from the Municipal code and reference the Fremont Master fee schedule with amendment. Council Member Schaller moved, seconded by Council Member Legband to remove the section amending Occupancy License fee. Ayes: McClain, Legband, Landholm, Kuhns, Bechtel, Schaller, Anderson, Jacobus. Motion carried. Council Member Schaller moved, seconded by Council Member Kuhns to hold second reading of the Ordinance. Ayes: McClain, Legband, Landholm, Kuhns, Bechtel, Schaller, Anderson, Jacobus. Motion carried. City Clerk provided second reading of the Ordinance. Council Member Schaller moved, seconded by Council Member Kuhns to suspend the rules and move to final reading of the Ordinance. Ayes: McClain, Legband, Landholm, Kuhns, Bechtel, Schaller, Anderson. Nay: Jacobus. Motion carried. City Clerk provided final reading of the Ordinance. Mayor Getzschman called for a final vote on the Ordinance. Ayes: McClain, Legband, Landholm, Kuhns, Bechtel, Schaller, Anderson, Jacobus. Motion carried. Ordinance 5476 approved.

Ordinance 5477 Utilities Bond Issuance. Council Member Legband moved, seconded by Council Member Landholm to amend the Ordinance to include a rate not to exceed 4.6%. Ayes: McClain, Legband, Landholm, Kuhns, Bechtel, Schaller, Anderson, Jacobus. Motion carried. Council Member Schaller moved, seconded by Council Member Legband to introduce the Ordinance. Ayes: McClain, Legband, Landholm, Kuhns, Bechtel, Schaller, Anderson, Jacobus. Motion carried. City Clerk provided first reading of the Ordinance. Council Member Schaller moved, seconded by Council Member Legband to suspend the rules and move to final reading. Ayes: McClain, Legband, Landholm, Kuhns, Bechtel, Schaller, Anderson, Jacobus. Motion carried. City Clerk provided final reading. Mayor Getzschman called for a final vote on the Ordinance. Ayes: McClain, Legband, Landholm, Kuhns, Bechtel, Schaller, Anderson, Jacobus. Motion carried. Ordinance 5477 approved.

Resolution 2018-227 to approve franchise and pole attachment agreements with Cox Communications. Council Member Jacobus moved, seconded by Council Member Legband to amend the franchise agreement to correct the address for the City. Ayes: McClain, Legband, Landholm, Kuhns, Bechtel, Schaller, Anderson, Jacobus. Motion carried. Council Member Bechtel moved, seconded by Council Member Legband to approve Resolution 2018-227. Ayes: McClain, Legband, Landholm, Kuhns, Bechtel, Schaller, Anderson, Jacobus. Motion carried.

Resolution 2018-229 to approve Southeast Beltway Preliminary Financial Agreement. Council Member Legband moved, seconded by Council Member Kuhns to approve Resolution 2018-229. Ayes: McClain, Legband, Landholm, Kuhns, Bechtel, Schaller, Anderson, Jacobus. Motion carried.

Resolution 2018-230 Dodge County Humane Society Purchase Agreement. Council Member Kuhns moved, seconded by Council Member Legband to approve Resolution 2018-230. Ayes: McClain, Legband, Landholm, Kuhns, Bechtel, Schaller, Anderson. Nay: Jacobus. Motion carried.

Resolution 2018-231 to award Fiscal Year 2019, Round One, Keno Funds. Council Member Kuhns moved, seconded by Council Member Landholm to approve Resolution 2018-231. Ayes: McClain, Legband, Landholm, Kuhns, Bechtel, Schaller, Anderson, Jacobus. Motion carried.


Resolution 2018-232 to approve Midland University Lease Amendment for Moller Field. Council Member Jacobus moved, seconded by Council Member Legband to approve Resolution 2018-232. Ayes: McClain, Legband, Landholm, Kuhns, Bechtel, Schaller, Anderson, Jacobus. Motion carried.

Resolution 2018-233 to approve Expedition League, Midland, Team & City Lease Agreement for Moller Field. Council Member Legband moved, seconded by Council Member Jacobus to amend the agreement to include the Team Corporate Name at .402 Sports and Entertainment LLC. Ayes: McClain, Legband, Landholm, Kuhns, Bechtel, Schaller, Anderson, Jacobus. Motion carried. Council Member Legband moved, seconded by Council Member Jacobus to approve Resolution 2018-233. Ayes: McClain, Legband, Landholm, Kuhns, Bechtel, Schaller, Anderson, Jacobus. Motion carried.

Moved by Council Member Landholm seconded by Council Member Anderson to adjourn the meeting. Ayes: Schaller, Kuhns, McClain, Legband, Landholm, Jacobus, Bechtel, Anderson. Motion carried. Meeting adjourned at 9:00 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 October 26, 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 NOVEMBER AS THE OFFICIAL COPY OF THE FREMONT, NEBRASKA CITY COUNCIL MINUTES FOR OCTOBER 30, 2018.


Tyler Ficken, City Clerk


Scott Getzschman, Mayor