CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS 400 EAST MILITARY, FREMONT NEBRASKA
July 10, 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.

Moved by Council Member Schaller seconded by Council Member Landholm to approve items 4 through 8 and 10 of the consent agenda. Ayes: Anderson, Kuhns, Jacobus, Landholm, Legband, McClain, Schaller, Bechtel. Motion carried.

4. Move to approve June 27, 2018 through July 10, 2018 claims and authorize checks to be drawn on the proper accounts (staff report)

5. Receive Report of the Treasury (staff report)

6. Dispense with and approve June 26, 2018 minutes

7. Approve the recommendation of the Mayor to appoint Lori Dahl to the Library Board for a four year term ending July 2022 (staff report)

8. Resolution awarding project to JEO Consultants for ARC Flash Study at Wastewater Treatment Plant (staff report)

10. Approve tower lease with Verizon/American Tower (staff report)

Resolution authorizing the Mayor to sign letter requesting contract end date extension until September 3, 2018 for Nebraska Affordable Housing Trust Fund #15-TFHO-15038. Council Member Schaller moved, seconded by Council Member Legband to amend the Resolution the change the extension date to March 3, 2019. Ayes: McClain, Legband, Landholm, Jacobus, Kuhns, Schaller, Bechtel, Anderson. Motion carried. Council Member Legband moved, seconded by Council Member Anderson to approve the Resolution 2018-144 as amended. Ayes: McClain, Legband, Landholm, Jacobus, Kuhns, Schaller, Bechtel, Anderson. Motion carried.

Approve the recommendation of the Mayor to make appointments to the Board of Adjustment for terms ending September 2020. Council Member Jacobus made a motion to amend and appoint Ken Molacek only for a term on the Board of Adjustment for a term ending September 2020. Motion died due to the lack of a second. Council Member Schaller moved, seconded by Council Member Landholm to approve the appointment of Ken Molacek as presented and continue the appointment of Ron Vlach to the next Council Meeting. Ayes: McClain, Legband, Landholm, Jacobus, Kuhns, Schaller, Bechtel, Anderson. Motion carried.

Approve amendment to real estate purchase agreement with Readytech-go Inc. Council Member Kuhns moved, seconded by Council Member Schaller to approve amendment to real estate agreements with Readytech-go Inc. as presented. Ayes: McClain, Legband, Landholm, Jacobus, Kuhns, Schaller, Bechtel, Anderson. Motion carried.

Resolution to approve Supplemental Agreement No. 1 for the Cloverly Road/Highway 77 Project. Council Member Landholm moved, seconded by Council Member Bechtel to approve Resolution 2018-145. Ayes: McClain, Legband, Landholm, Jacobus, Kuhns, Schaller, Bechtel, Anderson. Motion carried.

Resolution to approve Supplemental Agreement No. 5 for professional services for the Johnson Road Trail Project. Council Member Jacobus moved, seconded by Council Member McClain to approve Resolution 2018-146. Ayes: McClain, Legband, Landholm, Jacobus, Kuhns, Schaller, Bechtel, Anderson. Motion carried.

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 (second reading). Council Member Jacobus moved, seconded by council Member Landholm to amend the fencing portion of the Ordinance as presented by the Planning Director. Ayes: McClain, Legband, Landholm, Jacobus, Kuhns, Schaller, Bechtel, Anderson. Motion carried. Council Member Schaller moved, seconded by Council Member Landholm to receive into the record a document titled Open Space Food for Thought. Ayes: McClain, Legband, Landholm, Jacobus, Kuhns, Schaller, Bechtel, Anderson. Motion carried. Council Member Jacobus moved, seconded by Council Member Kuhns to receive into the record a document titled Fremont Comprehensive Plan Excerpts Regarding Open Space. Ayes: McClain, Legband, Landholm, Jacobus, Kuhns, Schaller, Bechtel, Anderson. Motion carried. Council Member Schaller moved, seconded by Council Member Legband to amend as per the staff recommendation the Bars and Restaurants section of the Ordinance. Ayes: McClain, Legband, Landholm, Jacobus, Kuhns, Schaller, Bechtel, Anderson. Motion carried. Council Member Legband moved, seconded by Council Member Schaller to hold second reading of the Ordinance. Ayes: McClain, Legband, Landholm, Jacobus, Kuhns, Schaller, Bechtel, Anderson. Motion carried. City Clerk provided second reading.

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, known as Sunridge Place and authorizing Mayor to sign subdivision agreement. Council Member Legband moved, seconded by Council Member Landholm to receive a revised Resolution to include language for the subdivision agreement. Ayes: McClain, Legband, Landholm, Jacobus, Kuhns, Schaller, Bechtel, Anderson. Motion carried. Council Member Landholm moved, seconded by council Member Legband to receive document titled Fremont, NE per Dodge County Assessor Records Howard Street to Luther Road. Ayes: McClain, Legband, Landholm, Jacobus, Kuhns, Schaller, Bechtel, Anderson. Motion carried. Council Member Kuhns moved, seconded by Council Member Legband to receive document titled Final Plat Issues/Errors Exhibit. Ayes: McClain, Legband, Landholm, Jacobus, Kuhns, Schaller, Bechtel, Anderson. Motion carried. Council Member Anderson moved, seconded by Council Member Legband to receive document titled Fremont UDC 11-315.04. Minor Changes to a Planned Development, Preliminary Plat, or Final Plat. Ayes: McClain, Legband, Landholm, Jacobus, Kuhns, Schaller, Bechtel, Anderson. Motion carried. Council Member Landholm moved, seconded by Council Member Schaller to receive various maps of the Sunridge Place property. Ayes: McClain, Legband, Landholm, Jacobus, Kuhns, Schaller, Bechtel, Anderson. Motion carried. Council Member Jacobus moved, seconded by Council Member Schaller to receive document titled Unidentified City (Taxpayer) Costs. Ayes: McClain, Legband, Landholm, Jacobus, Kuhns, Schaller, Bechtel, Anderson. Motion carried. Council Member Jacobus moved, seconded by Council Member Legband to amend the subdivision agreement to charge from lot to unit. Council Member Jacobus moved, seconded by Council Member Schaller to amend the resolution to include language for subdivision agreement. Ayes: McClain, Legband, Landholm, Jacobus, Kuhns, Schaller, Bechtel, Anderson. Motion carried. Council Member Kuhns moved, seconded by Council Member Landholm to approve Resolution 2018-147 as amended. Ayes: McClain, Legband, Landholm, Jacobus, Kuhns, Schaller, Anderson. Nay: Bechtel. Motion carried.

Ordinance annexing by voluntary petition approximately 15.58 acres (Sunridge Place), 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 Landholm moved, seconded by Council Member Legband to approve final reading of the Ordinance. Ayes: McClain, Legband, Landholm, Jacobus, Kuhns, Schaller, Bechtel, Anderson. Motion carried. City Clerk provided final reading. Mayor Getzschman called for a final vote on the Ordinance. Ayes: McClain, Legband, Landholm, Jacobus, Kuhns, Schaller, Bechtel, Anderson. Ordinance 5449 approved.

Resolution accepting and awarding a three-year contract to Ameritas Investment Corp. for municipal financial advisor services and authorizing the Mayor to sign the contract. Council Member Kuhns moved, seconded by council Member Schaller to approve Resolution 2018-148. Ayes: McClain, Legband, Landholm, Jacobus, Kuhns, Schaller, Bechtel, Anderson. Motion carried.

Ordinance to amend Chapter 3 to include pretreatment requirements for industrial customers discharging to anaerobic lagoons (final reading). Council Member Jacobus moved, seconded by Council Member Landholm to hold final reading of the Ordinance. Ayes: McClain, Legband, Landholm, Jacobus, Kuhns, Schaller, Bechtel, Anderson. Motion carried. City Clerk provided final reading. Mayor Getzschman called for a final vote on the Ordinance. Ayes: McClain, Legband, Landholm, Jacobus, Kuhns, Schaller, Bechtel, Anderson. Ordinance 5450 approved.

Ordinance to adopt Industrial Sewer Rate for customers with domestic and high-strength wastewater discharge (final reading). Council Member Jacobus moved, seconded by Council Member Anderson to amend the Ordinance to include language regarding contribution and CBOD. Ayes: McClain, Legband, Landholm, Jacobus, Kuhns, Schaller, Bechtel, Anderson. Motion carried. Council Member Jacobus moved, seconded by Council Member Landholm to approve final reading of the Ordinance as amended. Ayes: McClain, Legband, Landholm, Jacobus, Kuhns, Schaller, Bechtel, Anderson. Motion carried. City Clerk provided final reading of the Ordinance. Mayor Getzschman called for a final vote on the Ordinance. Ayes: McClain, Legband, Landholm, Jacobus, Kuhns, Schaller, Bechtel, Anderson. Ordinance 5451 approved.

Ordinance to create Sanitary Sewer District No. SD-704-18 from 18th to 19th between Broad Street and Park Ave. (final reading). Council Member Schaller moved, seconded by Council Member Legband to hold final reading of the Ordinance. Ayes: McClain, Legband, Landholm, Jacobus, Kuhns, Schaller, Bechtel, Anderson. Motion carried. City Clerk provided final reading of the Ordinance. Mayor Getzschman called for a final vote on the Ordinance. Ayes: McClain, Legband, Landholm, Jacobus, Kuhns, Schaller, Bechtel, Anderson. Ordinance 5452 approved.

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

Ordinance to consider amendments to Chapter 9 of the Fremont Municipal Code pertaining to Building Regulations (second reading). Council Member Schaller moved, seconded by Council Member Jacobus to approve second reading of the Ordinance. Ayes: McClain, Legband, Landholm, Jacobus, Kuhns, Schaller, Bechtel, Anderson. Motion carried. City Clerk provided second reading of the Ordinance.

Moved by Council Member Landholm seconded by Council Member Jacobus to adjourn the meeting. Ayes: Anderson, Kuhns, McClain, Legband, Landholm, Jacobus, Schaller, Bechtel. Motion carried. Meeting adjourned at 9:37 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 July 6, 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 31ST DAY OF JULY AS THE OFFICIAL COPY OF THE FREMONT, NEBRASKA CITY COUNCIL MINUTES FOR JULY 10, 2018.

Tyler Ficken, City Clerk

Scott Schaller, Council President