



CITY OF
FREMONT
NEBRASKA

REGULAR CITY COUNCIL MEETING AGENDA
May 12, 2020 - 7:00 PM
City Council Chambers 400 East Military, Fremont NE

Videoconference Meeting Participation Notice

In the interest of public health and safety, this meeting will be conducted online through the Zoom link below. Citizens may also call into the meeting with the phone number below.

<https://zoom.us/j/91116734882>

Or iPhone one-tap :

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Webinar ID: 911 1673 4882

International numbers available: <https://zoom.us/u/a0LCLtcJi>

Please note: Zoom requires a name and an email address to participate via computer, tablet or smartphone. Please enter your first name and enter attendee@fremontne.gov as your email address.

If you participate by telephone, no identification is required. To request to make a comment during a public hearing or public comment period, please press *9 to electronically raise your hand allowing the Mayor to call on you. Once called upon you will be notified that you are unmuted. Press *6 to unmute your phone and press *6 to mute your phone when you are finished speaking, or wait to be muted by the host.

Zoom Tutorial:

https://support.zoom.us/hc/en-us/articles/206618765-Zoom-Video-Tutorials?_ga=2.150510262.1497980210.1584968460-1067452037.1584536802

Any documents to be received into the record must be submitted to the City Clerk by 4:30 PM on the day prior to the meeting.

MEETING CALLED TO ORDER

ROLL CALL

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

1. Motion to adopt current agenda for May 12, 2020 Regular Meeting

CONSENT AGENDA: All items in the consent agenda are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member or a citizen so requests, in which event the item will be removed from the consent agenda and considered separately.

2. Motion to approve April 29, 2020 through May 12, 2020 claims and authorize checks to be drawn on the proper accounts
3. Dispense with and approve May 5, 2020 Special City Council Meeting Minutes
- [4.](#) Resolution 2020-084 accepting the Fee Continuation proposal for professional auditor services through 2022 from BKD, LLP
- [5.](#) Resolution 2020-095 approving the request of the Fremont Area Alzheimer's Collaboration to use a portion of the City's Parking Lot at the northeast corner of North Park and Military Avenues
- [6.](#) Motion to appoint Aaron Paden to replace and complete Ann Prince's term on Park Board
- [7.](#) Motion to receive Quarterly Financial Statements
- [8.](#) Motion to receive Report of the Treasury
- [9.](#) Motion to approve request by John C. Fremont Days to use City properties for annual festival
- [10.](#) Motion to appoint Connie Giese to replace Dian Hillis as the Park Board representative on the Ridge Cemetery Association Board
- [11.](#) Resolution 2020-096 awarding contract to Wiese Plumbing & Excavating Inc. for Installation of Electrical Conduits - SE Beltway Relocations
- [12.](#) Resolution 2020-097 authorizing the Mayor to execute an agreement with Thompson Construction for the Watermain Encasement - SE Beltway project

UNFINISHED BUSINESS: Requires individual associated action

- [13.](#) Ordinance 5532 to amend Section 11-601 of the Fremont Municipal Code to address development standards to exclude Planned Unit Development Districts (second reading)

14. Ordinance 5533 pertaining to pay plan for officers and employees (proposed addition of Library Technology Specialist classification) (first reading)
15. Council Members Jensen, McClain & Legband item - Ordinance 5530 to amend Section 2-108 of the Fremont Municipal Code to include a rule limiting the time for discussion and debate of agenda items (final reading)
16. Ordinance 5528 for a change of zone from R, Rural to PD, Planned Development for property commonly known as Bluestem Commons (second reading)

NEW BUSINESS: Requires individual associated action

17. Resolution 2020-098 authorizing \$5,000,000 additional expenditure for the SE Beltway project
18. Resolution 2020-099 authorizing the issuance of a conditional use permit for public assembly (church) in a LI, Light Industrial District on property generally located at 2407 Colorado Avenue
19. Resolution 2020-100 authorizing the issuance of a conditional use permit for property generally located at 1249 E. 23rd Street for the purposes of expanding a nonstandard use into a required yard
20. Councilmember Jacobus item - Receive and approve City Councilmembers' nominations to the temporary Animal Control Citizen's Advisory Board and empower the Board to act as an "Authorized City Representative" to investigate DCHS compliance with City's animal control contract.
21. Councilmember Jacobus item - Executive Session to discuss threatened or potential litigation

ADJOURNMENT

Agenda posted at the Municipal Building on May 6, 2020 and online at www.fremontne.gov. Agenda distributed to the Mayor and City Council on May 6, 2020. This meeting is preceded by publicized notice in the Fremont Tribune and the agenda, including notice of study session, is displayed in the Municipal Building and is open to the public. The official current copy is available at City Hall, 400 East Military, City Clerk's Office. The City Council reserves the right to go into Executive Session at any time. A copy of the Open Meeting Law is posted in the City Council Chambers for review by the public. The City of Fremont reserves the right to adjust the order of items on this agenda.

§2-109 Audience / Participant; Rules of Conduct.

The following rules are established for audience members and participants at a Council meeting:

1. At the discretion of the presiding officer, any person may address the Council, on any agenda item; however, questions to City officials or staff, other speakers, or members of the audience are not permitted and will not be answered.
2. Any person wishing to address the Council shall first state their name and address
3. Remarks shall be limited to five minutes unless extended or limited by the Presiding Officer or majority vote of the Council.
4. No person will be permitted to address the Council more than once during discussion of a particular agenda item. Rebuttal comments are not permitted.
5. Repetitive or cumulative remarks may be limited or excluded by the Presiding Officer or majority vote of the Council.
6. Profanity or raised voice is not permitted.

7. Applause, booing, or other indications of support or displeasure with a speaker are not permitted.
8. Any person violating these rules may be removed from the Council Chambers.

The following additional rules are established and applicable for public participants at an Open Public Comment Period or Study Session meeting:

9. At the direction of the presiding officer, Open Public Comment Period Speaker Topics will be limited to those not covered by a published agenda for any Study Session, or any regular City Council meeting.
10. A priority to speak at Open Public Comment Periods and Study Session shall be given to those speakers who reside within the City limits, or within the ETJ (Extra-Territorial Jurisdiction – a two (2) mile radius of the City limits) of Fremont, and then, as time allows, to those who do not.
11. Member of the public wishing to speak at a Study Session will be required to limit their comments to those that are directly related to the Publicly Noticed Study Session agenda topic(s).
12. Written letters addressed to the City Council will be accepted, as will comment cards that will be made available and collected from those who attend Open Public Comment Period and Study Session meetings who do not wish to speak publicly, but have an issue or concern that they believe the Council should be made aware of.

STAFF REPORT

TO: Honorable Mayor and City Council
FROM: Jody Sanders, CPA, Director of Finance
DATE: May 12, 2020
SUBJECT: Auditor continuation

Recommendation: Approve Resolution 2020-084 accepting the Fee Continuation proposal for professional auditor services through 2022 from BKD, LLP

Background: The City engaged BKD, LLP in 2016 for four annual audits, with 2019 being the final year under that agreement. Looking to the next few years, the City will undoubtedly have single audit requirements, at least in 2020 for the federal funds received from the 2019 flood event. It is important to have consistent, high quality, audit reports with few or no findings to maintain eligibility for federal and state grants. As the City has learned over the years, a change in auditors often results in differing professional opinions as to the accounting treatment of various transactions and balances, causing audit findings, including significant deficiencies. Accordingly, after discussions at a City Staff meeting with the Mayor and two City Councilmembers in attendance, I requested the City's auditing firm of BKD LLP present a proposal to continue services for another three years.

Auditing Standards recommend auditor rotation, or at least partner rotation every five years or so. Because of the size of the firm, the City has been assigned two different partners and two different directors in the last four years. Only one member of the original team continues on the engagement, although she has been promoted to a more senior role.

The Utility and Infrastructure Board considered this item at the April 28, 2020 meeting and voted 5-0 to recommend approval of Resolution 2020-084 by the City Council.

Fiscal Impact: \$53,000 for the 2020 audit
 \$55,050 for the 2021 audit, assuming a single audit is required
 \$57,200 for the 2022 audit, assuming a single audit is required

The 2021 budget, to pay for the 2020 audit has \$50,000 for the General Audit and single audit, with the Keno attestation services budget of \$3,500.

The 2020 audit fee is 7.72 percent higher, but the increase is less than four percent in the remaining two years. In reviewing audit fees of Nebraska cities of our size and complexity, the fees do appear to be reasonable.

April 15, 2020

Ms. Jody Sanders
Director of Finance
City of Fremont
400 E. Military Ave.
Fremont, NE 68025

Dear Ms. Sanders:

Thank you for the opportunity to present our fee quote for continued professional services to the City of Fremont ("the City"). We value our current relationship with you and are excited about the opportunity to continue to serve as your independent accountants. We believe our public sector industry expertise, coupled with our current understanding of your operations and personnel, makes us uniquely qualified to continue meeting your needs.

Your Investment

BKD knows our clients do not like fee surprises, and neither do we. Our goal is to be candid and timely, and we strive to answer your questions about fees upfront. Our fees may increase if our duties or responsibilities change because of new rules, regulations or accounting standards. We will consult with you should this happen.

City of Fremont			
	2020	2021	2022
Financial Statement Audit	\$45,500	\$47,300	\$49,200
Compliance Audit in accordance with the Uniform Guidance	\$4,000	\$4,150	\$4,300
Keno Attestation Services	\$3,500	\$3,600	\$3,700

The fees above include travel costs, if any, and an administrative fee of four percent to cover items such as copies, postage and other delivery charges, supplies, technology-related costs such as computer processing, software licensing, research and library databases and other expense items.

Furthermore, our fees above are based on auditing a maximum of one major federal program each year. If additional major programs are required, our fees will increase by \$4,000 per additional major program.

We appreciate the opportunity to continue working on this important area of service for the City. I will call you soon to answer questions you may have about this fee proposal, or you may reach me at 402.473.7600 or by email at clindner@bkd.com.

Sincerely,



Chris J. Lindner, CPA, CGFM
Partner

Why Choose BKD

Delivering Value

It is important to monitor expenditures and receive exceptional value for your investments. However, informed consumers understand value is about more than just price. Value from a professional CPA and advisory firm is about the quality of the work and the merit of the advice. Expect BKD's work to be accurate and insightful. We stand behind it. Our Public Company Accounting Oversight Board (PCAOB) inspections and American Institute of CPAs (AICPA) peer reviews demonstrate the firm's record of excellence.

As evidenced by our inclusion in the **INSIDE Public Accounting** Best of the Best Firms list for the last nine years (as of August 2019), we also offer long-term consistency, exceptional performance and a national network of support and resources. BKD is large enough to help you address a variety of financial issues. At the same time, we pride ourselves on hard work and low overhead, which keep our fees competitive. With our reputation, size, service and experience, you can consider us a good value.



Thought Leadership

BKD advisors are serious about reinforcing their positions as thought leaders in the industries they serve. To help keep you informed about emerging issues in your industry, as well as changes in regulations and accounting and tax methods, we provide **BKD Thoughtware**® webinars, seminars, tailored training sessions, podcasts and articles. Many of these are eligible for continuing professional education (CPE) credit.

Unmatched Client Service®

You want trusted advisors who will deliver exceptional client service, focus on your needs and take the time to address your unique challenges. BKD understands. We take our commitment so seriously, we penned five standards of Unmatched Client Service and supporting guidelines in **The BKD Experience: Unmatched Client Service**, a book that articulates the firm's philosophy and sets expectations for serving clients. Those five standards are Integrity First, True Expertise, Professional Demeanor, Responsive Reliability and Principled Innovation.

RESOLUTION NO. 2020-084

A Resolution of the City Council of the City of Fremont, Nebraska, continuing the audit engagement of BKD, LLP for financial statement audit services for the fiscal years ending September 30, 2020, 2021, and 2022, and additional fees for compliance audits (single audit) as required by federal regulation, and Keno annual agreed-upon procedures for the calendar years 2020, 2021, 2022.

WHEREAS, the City's current audit firm of BKD, LLP has satisfactorily provided audit services since 2016; and

WHEREAS, the City expects to require compliance audit (single audits) in the future; and

WHEREAS, the Staff has discussed continuing the audit engagement with the current audit firm of BKD, LLP, and requested a proposal from the firm for audit services for the fiscal years ending September 30, 2020, 2021, and 2022 and Keno annual agreed-upon procedures for the calendar years 2020, 2021, and 2022 ;

NOW, THEREFORE BE IT RESOLVED That the Mayor and City Council accept the audit proposal for financial statement audit services from BKD, LLP for the fiscal years ending September 30, 2020, 2021, and 2022 in the amount of \$145,000, additional fees for compliance audits (single audit) as noted in the proposal and Keno annual agreed-upon procedures for the calendar years 2020, 2021, 2022 in the amount of \$10,800.

PASSED AND APPROVED THIS 12th DAY OF MAY, 2020.

Scott Getzschman, Mayor

ATTEST:

Tyler Ficken, City Clerk

STAFF REPORT

TO: HONORABLE MAYOR AND CITY COUNCIL
FROM: Brian Newton, City Administrator
DATE: May 12, 2020
SUBJECT: Fremont Area Alzheimer's Collaboration – Farmer's Market

Recommendation: Approve resolution 2020-095

Background: The City has received a request for use of the parking lot on the northeast corner of North Park and Military Avenues from the Fremont Area Alzheimer's Collaboration to use a portion of the lot on Thursday afternoons from 4:00 p.m. to 7:00 p.m., June 15, 2020 to November 27, 2020, for a Farmer's Market. A portion of the proceeds to vendors will be given to Alzheimer's Association.

Staff recommends granting the use of the parking lot as long as they maintain required social distancing measures.

Fiscal Impact: None

PARKING SPACE AGREEMENT

This Parking Space Agreement (Agreement) is made and entered into on the 26th day of March 2019, by and between the City of Fremont (Owner) and Fremont Area Alzheimer's Collaboration (Lessee) (collectively Parties).

1. RECITALS

1.1. Licensee wishes to lease public parking spaces from Owner for the following purpose(s):

1.1.1. Farmer's Market; and

1.2. Owner is willing to lease the following public parking space(s):

1.2.1. Portion of the City Parking Lot on corner of North Park and Military Avenues; and

1.3. Therefore, in consideration of the foregoing recitals and of the mutual covenants, terms, conditions and remuneration herein provided, and the rights and obligations created hereunder, the Parties agree as follows:

2. DEFINITIONS

2.1. For the purposes of this Agreement, the following terms, phrases, words, and their derivations, shall have the meaning given herein, unless more specifically defined within a specific Article or Section of this Agreement. When not inconsistent with the context, words used in the present tense include the future tense, words in the plural number include the singular number, and words in the singular number include the plural number. The words "shall" and "will" are mandatory and "may" is permissive. Words not defined shall be given their common and ordinary meaning.

2.2. Parking space: means a space authorized for public parking on a public street or in a public parking lot.

2.3. Owner's Facilities: means all public streets or public parking lots owned by the City.

3. SCOPE

3.1. Grant of Lease. Subject to the provisions of this Agreement, Owner hereby grants to Lessee a lease authorizing the use of Owner's facilities to Lessee for the purpose(s) stated above.

3.2. No Interference With Core Utility Service Requirements. Nothing contained in this Agreement shall limit Owner's right to use its facilities to fulfill its own public service requirements consistent with its obligations under relevant law.

3.3. Access to Right-of-Way. Owner shall grant Lessee nondiscriminatory access to its rights-of-way. This obligation extends to rights-of-way Owner owns and/or has the right to authorize the use by the Lessee. For rights-of-way to which Owner does not have the right to authorize the use by the Lessee, Lessee shall obtain such consent as is necessary from the owner of the right-of-way.

4. TERM

4.1. This Agreement shall continue in force and effect from June 15, 2020 to November 27, 2020. The agreement may be terminated by either party for cause at anytime upon 10-day written notice to the notice to the other party. The Lessee shall have a 10-day grace period to cure the cause of the default. If the cause is not cured to the satisfaction of the Owner within the grace period, the agreement shall terminate 10-days thereafter.

5. ASSIGNMENT OF RIGHTS

5.1. Lessee may not assign or transfer this Agreement unless approved in writing by the Owner.

6. INDEMNIFICATION

6.1. Damage. Lessee agrees to take reasonable care to avoid damaging Owner's Facilities and property of others.

6.1.1. Lessee agrees to reimburse Owner for all reasonable costs incurred by Owner for the physical repair of damage to Owner's Facilities caused by Lessee's negligence.

8. INSURANCE

8.1. Insurance. Lessee shall carry insurance to protect the Parties hereto from and against any claims, demands, actions, judgements, costs, expenses and liabilities of every kind and nature which may arise or result, directly or indirectly, from or by reason of such loss, injury or damage. The amount of such insurance against liability due to damage to property shall be no less than \$1,000,000.00 as to any one accident and \$1,000,000.00 in aggregate; and against liability due to injury to or death of persons no less than \$1,000,000.00 as to any one person and \$1,000,000.00 to any one accident. Lessee shall also carry Workmen's Compensation insurance as required by applicable Nebraska Statutes. Lessee shall provide certificates of insurance to the Owner verifying the coverages required under this agreement and that it will not cancel or change any such policy except after thirty days notice to the Owner.

9. APPLICABLE LAW

9.1. The provisions of this Agreement are subject to the laws of the State of Nebraska.

10. HEADINGS

10.1. The headings in this Agreement are inserted for convenience of reference only and shall in no way be considered in the interpretation of this Agreement.

Lessee - Fremont Area Alzheimer's Collaboration

By: 

Name: Dan Kauble

Title: Chairman

Date: May 12, 2020

Owner - City of Fremont

By: _____

Name: Scott Getzschman

Title: Mayor

Date: May 12, 2020

RESOLUTION NO. 2020-095

A Resolution of the City Council of the City of Fremont Nebraska, approving the request of the Fremont Area Alzheimer's Collaboration to use a portion of the City's Parking Lot at the northeast corner of North Park and Military Avenues.

Whereas, the Fremont Area Alzheimer's Collaboration has requested the use a portion of the City's Parking Lot at the northeast corner of North Park and Military Avenues for a Farmer's Market on Thursday afternoons from 4:00 p.m. to 7:00 p.m., June 15, 2020 to November 27, 2020; and

Whereas, this resolution is contingent upon Fremont Area Alzheimer's Collaboration providing a certificate of insurance naming the City of Fremont as additional insured.

NOW THEREFORE BE IT RESOLVED, that the Mayor and City Council approve Fremont Area Alzheimer's Collaboration to use a portion of the City's Parking Lot at the northeast corner of North Park and Military Avenues for a Farmer's Market on Thursday afternoons from 4:00 p.m. to 7:00 p.m., June 15, 2020 to November 27, 2020, as long as the required COVID-19 social distancing measure are maintained.

PASSED AND APPROVED THIS 12th DAY OF MAY, 2020

SCOTT GETZSCHMAN, MAYOR

ATTEST:

TYLER FICKEN, CITY CLERK

STAFF REPORT

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: Tyler Ficken, City Clerk

DATE: May 12, 2020

SUBJECT: Park Board Member Appointment.

RECOMMENDATION: Approve the request.

Background: Appoint Aaron Paden to replace and complete Ann Prince's term (1/2022) on Park Board. Ann is moving her family to Elkhorn and will not meet the residency requirements to serve on Park Board. We wish Ann the best as she takes on her new roles as a teacher and head girls' basketball coach at the new Elkhorn North High School. Thank you Ann for your years of service to the Park Board.

Fiscal Impact: None.

STAFF REPORT

TO: Honorable Mayor and City Council
FROM: Jody Sanders, CPA, Director of Finance
DATE: May 12, 2020
SUBJECT: Quarterly financial reports.

Recommendation: Move to receive second quarter 2020 financial reports

Background: The following internally-produced year to date financial reports provide interim reporting to the City Council of the City's, including the utility funds, financial activity as of the end of the preceding quarter. The Council continues to receive the monthly Report of the Treasury on the agenda for the first council meeting of each month.

Fiscal Impact: The fiscal impact is reflected within the reports. As a reminder, for many City revenue sources, no revenue is shown for the first two months, as those receipts relate to activity in the prior fiscal year, so comparisons to budget are less helpful than comparisons with the prior year. With six months of the fiscal year complete, normal percent of budgeted expenditures should be 50%.

General fund notes: Property taxes received 2020 YTD are \$86,000 more than YTD 2019, or 9.42 percent more than last year. This result is surprising because the budgeted receipts were expected to increase slightly for 2020; however, looking forward, the YTD receipts exceed the prior year receipts by \$252,000 in April 2020 collections. Franchise taxes are lower this year, down nearly six percent. Business taxes, up 12.6% from 2019, show an increase in all categories in 2020, except telecommunications. Intergovernmental charges are down five percent, due in part to no deployment of a School Resource Officer to Fremont Public Schools for a portion of the year. The Charges for services category, is showing a substantial (22%) increase, led by Building permits increasing by \$140,000, Waste Transfer Station tipping fees increasing \$89,000, and Fire/Ambulance billing receipts at an increase of \$41,000. The increase in donations is due to the Debby Durham Family Grants to the Police department in 2020. Interest income is higher as some two-year investments matured during March. Other income for 2019 includes the proceeds of the sale of the Dodge County Humane Society.

The only departments that have spent more than 50% of budgeted operating expenditures is the City Council, due to the timing of the League of Municipality dues payment, and Administration, due to the emergency repairs at the Rod and Gun Club site (\$111,621). YTD results suggest that Staff is doing a good job staying within their operating budgets. On the second page, capital project activity for the second quarter includes the balance of the Zuercher contract for the records management system and other equipment purchases at the police department, the retro fitting of a power load and power cot for the older ambulance in the fire department and other firefighting equipment,

Staff Report
Second quarter Financial Statements through March 2020
May 12, 2020

and the renovation at the City Auditorium. The Change in General Fund balance is \$1,161,883 lower than year-to-date results in FY 2019. Note that the 2020 budgeted use of fund balance is nearly double the budgeted amount for 2019.

Sales Tax collections through March are 4.2 percent higher than last year's receipts at this time and exceed budgeted projections by 13%. Charges for Service revenues YTD is \$3,770 more than last year due to the timing of rental receipts. Interest revenue is down due to the maturity of two-year investments in 2019. Other receipts include proceeds from the sale of land at the Technology Park and loan repayments. Expenditures in 2020 include loan advances of \$165,000 under the LB840 program. Note the large increase in transfers out in the prior year for the Street Fund to contribute to the first Southeast Beltway project payment of \$6,670,000. The next payment is due July 1, 2020.

The Street fund's Motor vehicle tax is 6.7 percent more than 2019. Intergovernmental revenue includes a \$109,000 increase in Gas Tax receipts and a \$5,000 increase in state funding. Expenditures overall are \$202,000 higher than prior year in street maintenance, due to budgeted heavy equipment purchases totaling \$210,000. Street improvements have decreased from prior year, with the 2019 Southeast Beltway payment accounting for this change as the first payment was made in the first quarter of 2019.

In the Other Funds, The Community Development Agency revenues and expenditures are up due to additional TIF projects' valuation increases. Keno revenues are down \$34,500 from YTD revenues last year. The Airport Fund's revenue is more than 2019 revenue due to the receipt of federal funding for the apron project. The City Employee Insurance fund is showing improvement over budget with revenues offset by YTD expenses resulting in a current excess of \$85,500, even with claims higher year-to-date compared to 2019. Both the CEI fund and Workers Compensation fund expenditures are within budgeted amounts.

On the governmental balance sheet, General Fund (GF) unassigned fund balance is just under \$8 million, with just under \$1.4 million of GF fund balance committed for code enforcement/defense, as well as over \$6 million committed by the City Council for capital improvement projects. Other governmental fund balances can also be found on Page 2 of this Balance Sheet.

In the Electric Fund, Year to date (YTD) , this fund has recognized a 146% of the Change in Net Position budgeted for the fiscal year, which appears to be slow start when compared with last fiscal year to date. Compared to last year, there is a 67.7% decrease in the off system sales, while net purchased power costs remain level compared to 2019. Overall, YTD consumption is 6.14 percent more than 2019, and revenues were 8.11 percent higher, with Large Volume leading with a \$1,477,700 increase. Expenses are within budgeted amounts for the year. Production expense is less than prior year, due to lower fuel costs with reduced off system sales, and the

Staff Report
Second quarter Financial Statements through March 2020
May 12, 2020

increase on the distribution department is due to the amortization expense for the transmission line placed into service.

In the Water Fund : YTD fund has recognized 81.4 percent of the budgeted Change in Net Position for 2020, compared to 11 percent last year. Revenues increased from the prior year, resulting in an increase of \$200,000, but still lagging behind budget. The increase in revenues was led by Commercial usage, with Costco not online in 2019. YTD expenses for departments came in under budget, including the Production department with a \$110,000 year over year increase due to the 23.75% increase in commercial consumption.

The Waste Water (Sewer) Fund YTD this fund has recognized a negative 79 percent of the budgeted Change in Net Position for 2020, compared to a positive 10 percent in 2019. (Note that the negative is caused by the budgeted loss in 2020.) Overall revenue increased 40.9 percent from last year. A change in loadings at the commercial customer type, as well as increased input with Costco online explains the revenue increase. Expenses are all well within budget YTD, as the increase in administrative and general was budgeted for bond interest payments.

The Gas Fund YTD: The second quarter of the year finds the Gas Fund has recognized a negative 446 percent of the budgeted Change in Net Position for 2020, compared to a positive 2,471 percent in 2019. Halfway through the fiscal year finds the Gas Fund with a gain of \$941,720 compared to 2019 of \$659,243. While the current year consumption is down only 1.37 percent for all classes of customers, revenues decreased 13 percent. This is due to a significant decrease in Interruptible and Plant II volumes and milder temperatures mitigated by an increase in Commercial volumes, as Costco was online in 2020. Gas purchase expense is down \$1,711,000 for the year, and is the only activity with expenses exceeding budget YTD. The YTD budget is simply 6/12 of the total budget; the City does not budget by the month.

The Utilities' Statement of Net Position shows each fund's net position (compared to the governmental term "fund balance") and the restrictions on the net position.

The March Collection Activity Report for Utility Billing, as prepared by Administrative Services Director, Jan Rise, is also attached for your review.

Preliminary (Unaudited)
City of Fremont - General Fund
Statement of Revenues and Expenditures
As of March 31, 2020

4/29/20
12:16 PM
1. 1

	CURRENT YTD MARCH 2020	FISCAL YEAR 2019-2020 BUDGET	FISCAL YEAR % BUDGET EXPENDED 2019-2020	PRIOR YEAR YTD MARCH 2019	FISCAL YEAR 2018-2019 BUDGET	FISCAL YEAR % BUDGET EXPENDED 2018-2019
Revenue by Type						
Taxes						
Property	995,293	6,045,466	16.46	909,609	5,981,702	15.21
In Lieu of Tax	-	9,000	-	4,008	9,000	44.53
Franchise	71,748	275,000	26.09	76,194	250,000	30.48
Business	762,598	1,646,500	46.32	677,377	1,610,000	42.07
Intergovernmental	296,159	1,526,658	19.40	311,432	2,019,776	15.42
Charges for Services	1,503,890	3,037,619	49.51	1,232,623	2,765,000	44.58
Donations	50,658	617,000	8.21	3,028	565,000	.54
Interest	160,906	200,000	80.45	138,001	25,000	552.00
Other	6,244	3,205,000	.19	236,178	6,002,000	3.93
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Total Revenue	3,847,496	16,562,243	23.23	3,588,450	19,227,478	18.66
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Operating Expenditures by Activity						
Council	87,447	142,891	61.20	86,146	122,214	70.49
Administration						
City Administrator	141,217	316,032	44.68	132,366	317,973	41.63
Administration	855,708	1,109,189	77.15	648,638	1,276,601	50.81
Human Resources	75,753	167,081	45.34	80,252	162,919	49.26
Information Technologies	333,322	666,640	50.00	257,636	515,264	50.00
City Attorney	98,549	343,734	28.67	164,752	218,494	75.40
City Clerk	86,398	194,970	44.31	81,928	181,340	45.18
Inspections	212,094	476,325	44.53	227,411	468,494	48.54
Sanitation	674,109	1,617,896	41.67	603,526	1,607,037	37.56
Public Works						
Engineering	179,461	602,812	29.77	194,723	493,940	39.42
Planning Commission	5	1,100	.45	12	100	12.00
Planning	75,986	444,832	17.08	57,295	165,281	34.67
Police						
Police	2,380,776	5,615,160	42.40	2,363,709	5,275,789	44.80
Fire						
Fire	1,515,057	3,277,937	46.22	1,455,129	3,296,857	44.14
Reserve	-	18,795	-	-	15,201	-
Civil Defense	6,691	20,396	32.81	9,517	21,307	44.67
Parks						
Facilities	120,332	329,498	36.52	134,768	369,471	36.48
Parks	579,124	1,360,865	42.56	513,705	1,365,756	37.61
Recreation	120,440	401,761	29.98	121,606	433,409	28.06
Splash Station	19,569	327,669	5.97	23,136	314,923	7.35
Ronin	1,538	99,791	1.54	2,033	81,668	2.49
Cemetery	55,066	172,685	31.89	52,619	143,903	36.57
Library	457,102	1,117,881	40.89	502,771	1,053,142	47.74
Grant Appropriations	-	600,000	-	-	539,000	-
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Total Operating Expenditures	8,075,744	19,425,940	41.57	7,713,678	18,440,083	41.83

Preliminary (Unaudited)
 City of Fremont - General Fund
 Statement of Revenues and Expenditures
 As of March 31, 2020

4/29/20
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	CURRENT YTD MARCH 2020	FISCAL YEAR 2019-2020 BUDGET	FISCAL YEAR % BUDGET EXPENDED 2019-2020	PRIOR YEAR YTD MARCH 2019	FISCAL YEAR 2018-2019 BUDGET	FISCAL YEAR % BUDGET EXPENDED 2018-2019
Capital Expenditures by Activity						
Administration						
City Administrator	-	5,000	-	-	-	-
Sanitation	-	27,800	-	-	-	-
Public Works						
Engineering	-	54,000	-	-	-	-
Police						
Police	103,564	2,190,371	4.73	149,285	842,853	17.71
Fire						
Fire	118,016	444,000	26.58	311,044	68,476	454.24
Civil Defense	-	130,000	-	-	-	-
Parks						
Facilities	1,198,339	4,122,000	29.07	44,298	3,465,000	1.28
Parks	87	311,175	.03	67,684	191,150	35.41
Splash Station	-	173,000	-	-	2,623,000	-
Ronin	-	49,000	-	-	-	-
Cemetery	-	20,000	-	-	10,000	-
Library	478	121,000	.40	-	2,630,000	-
Total Capital Expenditures	1,420,484	7,647,346	18.57	572,311	9,830,479	5.82
Principal Payments on Debt	222,509	222,510	100.00	216,113	216,112	100.00
Interest on Long-Term Debt	27,538	27,538	100.00	33,935	33,936	100.00
Total Expenditures	9,746,275	27,323,334	35.67	8,536,037	28,520,610	29.93
Excess/(Deficiency)of Revenues Over Expenditures	(5,898,779)	(10,761,091)	-	(4,947,587)	(9,293,132)	-
Other Financing Sources (Uses)						
Transfers in	4,105,084	8,720,718	47.07	4,187,850	7,811,440	53.61
Transfers out	(140,624)	(3,867,334)	3.64	(12,699)	(1,606,750)	.79
Net transfers	3,964,460	4,853,384	-	4,175,151	6,204,690	-
Net change in fund balance	(1,934,319)	(5,907,707)	-	(772,436)	(3,088,442)	-

ADDITIONAL INFORMATION:
 Provision of Fund Balance for
 Fiscal Year 2019 was \$2,452,228, of
 which \$1,393,951 is Carried Over
 for Illegal Immigration & Levee

Preliminary (Unaudited)
City of Fremont - Special Revenue/Sales Tax Fund
Statement of Revenues and Expenditures
As of March 31, 2020

4/24/20
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	CURRENT YTD MARCH 2020	FISCAL YEAR 2019-2020 BUDGET	FISCAL YEAR % BUDGET EXPENDED 2019-2020	PRIOR YEAR YTD MARCH 2019	FISCAL YEAR 2018-2019 BUDGET	FISCAL YEAR % BUDGET EXPENDED 2018-2019
Revenue by Type						
Taxes						
Sales	2,708,506	7,200,000	37.62	2,599,048	6,834,000	38.03
Charges for Services	9,307	19,800	47.01	5,537	-	-
Interest	58,975	62,800	93.91	113,571	43,150	263.20
Other	225,040	44,000	511.45	505,782	-	-
Total Revenue	3,001,828	7,326,600	40.97	3,223,938	6,877,150	46.88
Expenditures by Activity						
Public Safety-Fire	2,451	6,000	40.85	140,506	-	-
Infrastructure	-	-	-	8	-	-
Street Improvements	-	-	-	8	-	-
Economic Enhancement (LB 840)	191,611	2,016,000	9.50	466,885	2,019,000	23.12
Total Expenditures	194,062	2,022,000	9.60	607,407	2,019,000	30.08
Excess/(Deficiency) of Revenues Over Expenditures	2,807,766	5,304,600	-	2,616,531	4,858,150	-
Other Financing Sources (Uses)						
Transfers out	(2,352,588)	(8,909,107)	26.41	(8,721,257)	(10,451,506)	83.44
Net transfers	(2,352,588)	(8,909,107)	-	(8,721,257)	(10,451,506)	-
Net change in fund balance	455,178	(3,604,507)	-	(6,104,726)	(5,593,356)	-

Preliminary (Unaudited)
City of Fremont - Street Fund
Statement of Revenues and Expenditures
As of March 31, 2020

4/24/20
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	CURRENT YTD MARCH 2020	FISCAL YEAR 2019-2020 BUDGET	FISCAL YEAR % BUDGET EXPENDED 2019-2020	PRIOR YEAR YTD MARCH 2019	FISCAL YEAR 2018-2019 BUDGET	FISCAL YEAR % BUDGET EXPENDED 2018-2019
Revenue by Type						
Taxes						
Motor Vehicle	244,224	600,000	40.70	228,822	575,000	39.80
Intergovernmental	1,950,818	3,604,495	54.12	1,839,483	3,510,109	52.41
Charges for Services	20,170	40,000	50.43	10,990	30,000	36.63
Interest	84,118	84,000	100.14	71,888	30,000	239.63
Other	23,954	8,000,000	.30	1,407	4,000,000	.04
Total Revenue	2,323,284	12,328,495	18.84	2,152,590	8,145,109	26.43
Expenditures by Activity						
Public Works						
Streets	1,496,865	10,887,573	13.75	1,294,372	7,045,945	18.37
Streets Improvement	340,253	13,292,225	2.56	6,956,015	13,042,739	53.33
Total Expenditures	1,837,118	24,179,798	7.60	8,250,387	20,088,684	41.07
Excess/(Deficiency) of Revenues Over Expenditures	486,166	(11,851,303)	-	(6,097,797)	(11,943,575)	-
Other Financing Sources (Uses)						
Transfers in	246,408	7,903,000	3.12	6,448,562	6,279,114	102.70
Net transfers	246,408	7,903,000	-	6,448,562	6,279,114	-
Net change in fund balance	732,574	(3,948,303)	-	350,765	(5,664,461)	-

Preliminary (Unaudited)
City of Fremont - All Other Funds
Summarized Statement of Revenues and Expenditures
As of March 31, 2020

	CURRENT YTD MARCH 2020	FISCAL YEAR 2019-2020 BUDGET	FISCAL YEAR % BUDGET EXPENDED 2019-2020	PRIOR YEAR YTD MARCH 2019	FISCAL YEAR 2018-2019 BUDGET	FISCAL YEAR % BUDGET EXPENDED 2018-2019
REVENUE BY FUND						
COMMUNITY DEVELOPMENT AGY	147,761	3,134,088	4.71	93,672	1,133,350	8.27
DEBT SERVICE	60,961	369,620	16.49	56,996	373,279	15.27
KENO	327,024	822,900	39.74	361,522	654,000	55.28
PUBLIC USE	198,413	1,000	19,841.30	719	1,000	71.90
ECONOMIC ENHANCEMENT	475	700	67.86	613	400	153.25
AIRPORT	57,546	139,400	41.28	48,519	144,400	33.60
CDBG	54,571	1,510,000	3.61	19,215	1,500,000	1.28
ENHANCED 911	434,152	1,159,887	37.43	492,025	1,260,037	39.05
DRUG TASK FORCE	9,760	20,000	48.80	-	-	-
WIRELESS E911	47,737	87,575	54.51	45,062	82,100	54.89
SPECIAL PROJECTS	625	1,375,500	.05	660	-	-
IMPROVEMENTS	40,342	22,000	183.37	53,445	6,000	890.75
#1 BUSINESS IMPROVEMENT DISTRICT	20,963	48,246	43.45	16,503	48,216	34.23
CITY EMPL INS BENEFIT	2,848,764	5,953,710	47.85	3,259,624	7,049,189	46.24
WORKERS COMPENSATION	375,931	755,000	49.79	325,948	755,000	43.17
EMPLOYEE WELLNESS	1,653	3,505	47.16	3,095	3,503	88.35
TOTAL REVENUE	4,626,678	15,403,131	30.04	4,777,618	13,010,474	36.72
EXPENDITURES BY FUND						
COMMUNITY DEVELOPMENT AGY	90,232	3,129,157	2.88	67,784	1,064,300	6.37
DEBT SERVICE	20,174	348,285	5.79	21,962	343,515	6.39
KENO	49,298	254,068	19.40	63,134	236,850	26.66
ECONOMIC ENHANCEMENT	-	100,000	-	-	100,000	-
AIRPORT	74,587	1,402,418	5.32	66,421	1,704,646	3.90
CDBG	9,709	1,502,000	.65	7,839	1,500,000	.52
ENHANCED 911	445,653	1,225,050	36.38	485,733	1,358,751	35.75
DRUG TASK FORCE	-	26,000	-	-	40,000	-
SPECIAL PROJECTS	28,853	1,485,000	1.94	12,937	-	-
IMPROVEMENTS	2,600	752,700	.35	2,590	750,000	.35
#1 BUSINESS IMPROVEMENT DISTRICT	13,827	47,000	29.42	14,568	47,000	31.00
CITY EMPL INS BENEFIT	2,763,203	6,361,159	43.44	2,019,811	7,209,573	28.02
WORKERS COMPENSATION	267,991	805,000	33.29	366,521	760,944	48.17
EMPLOYEE WELLNESS	4,127	4,700	87.81	3,100	3,500	88.57
TOTAL EXPENDITURES	3,770,254	17,442,537	21.62	3,132,400	15,119,079	20.72

Preliminary (Unaudited)
 City of Fremont - All Other Funds
 Summarized Statement of Revenues and Expenditures
 As of March 31, 2020

4/24/20
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	CURRENT YTD MARCH 2020	FISCAL YEAR 2019-2020 BUDGET	FISCAL YEAR % BUDGET EXPENDED 2019-2020	PRIOR YEAR YTD MARCH 2019	FISCAL YEAR 2018-2019 BUDGET	FISCAL YEAR % BUDGET EXPENDED 2018-2019
EXCESS/ (DEFICIENCY) OF REVENUES OVER EXPENDITURES	856,424	(2,039,406)	-	1,645,218	(2,108,605)	-

OTHER FINANCING SOURCES (USES)						
TRANSFERS IN	73,541	1,565,163	4.70	46,798	1,738,714	2.69
TRANSFERS OUT	(399,932)	(823,163)	48.58	(246,807)	(579,714)	42.57

NET TRANSFERS	(326,391)	742,000	-	(200,009)	1,159,000	-

NET CHANGE IN FUND BALANCE	530,033	(1,297,406)	-	1,445,209	(949,605)	-
=====						

Preliminary (Unaudited)
 City of Fremont - Governmental Funds & Internal Service Fund
 Balance Sheet - Fund Basis
 As of March 31, 2020

4/29/20
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	General Fund	Sales Tax/ Special Revenue Fund	Street Fund	Community Development Agency	Other Governmental Funds	Total Governmental Funds	Internal Service Funds (CEI/WC/EW)
ASSETS							
Cash and Cash Equivalents	\$ 4,448,677	\$ 8,732,710	\$ 4,759,901	\$ 189,135	\$ 2,615,384	\$ 20,745,808	\$ 2,398,364
Investments	12,175,000	3,000,000	4,100,000	-	2,210,000	21,485,000	3,750,000
County treasurer cash	-	-	-	-	-	-	-
Receivables							
Special Assessments	-	-	-	-	362,393	362,393	-
Accounts, net of allowance for doubtful accounts	402,256	-	64,143	-	-	466,398	-
Notes receivable, net of allowance for doubtful accounts	-	1,678,196	-	-	1,087,752	2,765,949	-
Interest	169,840	20,365	48,097	-	49,094	287,396	20,900
Property tax	182,482	-	-	-	25,279	207,761	-
Business tax	59,827	-	-	-	-	59,827	-
Other tax	-	-	-	-	-	-	-
TIF bonds receivable	-	-	-	225,398	-	225,398	-
Due from other governments	11,466	-	-	-	-	11,466	-
Due from other funds	876,170	126,898	5,579	-	125,286	1,133,933	-
Prepaid Expenses	-	-	-	-	-	-	-
Total assets	\$ 18,325,718	\$ 13,558,169	\$ 8,977,720	\$ 414,533	\$ 6,475,188	\$ 47,751,329	\$ 6,169,264
LIABILITIES							
Accounts payable	\$ 601,727	\$ 1,125	\$ 52,536	-	\$ 14,280	\$ 669,668	\$ 52,660
Accrued expenses	-	-	-	-	200	200	7,777
Due to other governments	3,716	-	-	-	-	3,716	-
Due to other funds	298,782	2,237	5,732	391,782	476,977	1,175,509	-
TIF bonds payable	-	-	-	-	-	-	-
Customer Deposits	25,026	-	-	-	-	25,026	-
Unearned revenue	-	-	-	-	6,000	6,000	-
Total liabilities	929,251	3,362	58,268	391,782	497,457	1,880,119	60,437
DEFERRED INFLOWS OF RESOURCES							
Unavailable revenue-property taxes	129,803	-	-	-	21,955	151,759	-
Unavailable revenue-other local tax	-	-	-	-	237,295	237,295	-
Unavailable revenue-fees and other	361,492	20,364	112,240	225,398	174,192	893,686	-
Unavailable revenue-notes	-	-	-	-	-	-	-
Total deferred inflows	491,295	20,364	112,240	225,398	433,442	1,282,740	-

Preliminary (Unaudited)
 City of Fremont - Governmental Funds & Internal Service Fund
 Balance Sheet - Fund Basis
 As of March 31, 2020

4/29/20
 11:02 AM
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	General Fund	Sales Tax/ Special Revenue Fund	Street Fund	Community Development Agency	Other Governmental Funds	Total Governmental Funds	Internal Service Funds (CEI/WC/EW)
FUND BALANCES (DEFICIT)							
Nonspendable:							
Permanent fund principal	-	-	-	-	125,000	125,000	-
Prepaid expenses	-	-	-	-	-	-	-
Notes receivable	-	-	-	-	-	-	-
Restricted for:							
Debt service	-	-	-	-	171,665	171,665	-
Street Improvements	-	1,881,463	8,807,213	-	-	10,688,676	-
Public safety	-	1,694,553	-	-	403,897	2,098,450	-
Infrastructure	-	1,784,617	-	-	-	1,784,617	-
Property tax relief	-	662,486	-	-	-	662,486	-
Economic Development	-	7,511,323	-	-	649,462	8,160,785	-
Capital/special projects	-	-	-	-	2,646,121	2,646,121	-
Federal programs	-	-	-	-	946,899	946,899	-
Community betterment	-	-	-	-	550,974	550,974	-
Committed for:							
Code enforcement/defense	1,384,012	-	-	-	-	1,384,012	-
Capital improvement projects	6,060,723	-	-	-	-	6,060,723	-
Assigned for:							
Budget stabilization	1,472,124	-	-	-	-	1,472,124	-
Other	-	-	-	-	50,272	50,272	-
Unassigned	7,988,310	-	-	(202,647)	-	7,785,663	6,108,827
Total fund balances	16,905,171	13,534,442	8,807,213	(202,647)	5,544,290	44,588,469	6,108,827
Total liabilities, deferred inflows of resources and fund balances	\$ 18,325,717	\$ 13,558,169	\$ 8,977,721	\$ 414,533	\$ 6,475,189	\$ 47,751,329	\$ 6,169,264
	1	-	(1)	-	(1)	-	-

FREMONT DEPARTMENT OF UTILITIES
ELECTRIC SYSTEM
FINANCE ACTIVITY
FOR QUARTER ENDED 3/31/20

4/24/20
10:14 AM
1. 1

	CURRENT YEAR ACTUAL Current Quarter	CURRENT YEAR ACTUAL Year-To-Date	PRIOR YEAR ACTUAL Current Quarter	PRIOR YEAR ACTUAL Year-To-Date	CURRENT YEAR BUDGET Year-To-Date	ANNUAL BUDGET	% BUDGET
REVENUE IN DOLLARS							
Operating Revenue	9,942,218	19,699,876	10,115,493	20,355,022	25,063,830	50,127,694	39.30
Less Operating Expense	9,072,395	17,409,801	8,623,588	17,587,082	22,623,576	45,248,866	38.48
Net Operating Revenue	869,823	2,290,075	1,491,905	2,767,940	2,440,254	4,878,828	46.94
Nonoperating Revenue	317,762	474,362	110,330	263,394	422,496	845,000	56.14
Less Nonoperating Expense	797,746	1,198,110	844,039	1,090,009	1,120,476	2,240,947	53.46
Net Nonoperating Revenue	(479,984)	(723,748)	(733,709)	(826,615)	(697,980)	(1,395,947)	51.85
Net Operating Revenue	869,823	2,290,075	1,491,905	2,767,940	2,440,254	4,878,828	46.94
Net Nonoperating Revenue	(479,984)	(723,748)	(733,709)	(826,615)	(697,980)	(1,395,947)	51.85
Net Revenue	389,839	1,566,327	758,196	1,941,325	1,742,274	3,482,881	44.97
Interfund Transfer In	140,624	140,624	12,699	12,699	147,000	294,000	47.83
Interfund Transfer Out	(605,361)	(1,210,724)	(605,163)	(1,210,337)	(1,719,048)	(3,438,112)	35.21
Net Interfund Transfer	(464,737)	(1,070,100)	(592,464)	(1,197,638)	(1,572,048)	(3,144,112)	34.04
Change in Net Position	(74,898)	496,227	165,732	743,687	170,226	338,769	146.48
EXPENSE IN DOLLARS							
Production	4,488,910	8,555,720	4,772,963	9,997,888	12,364,554	24,729,474	34.60
Distribution	1,190,359	2,328,355	678,700	1,312,487	2,739,480	5,479,311	42.49
Administrative & General	1,256,708	2,080,449	1,234,750	1,924,903	2,244,120	4,489,196	46.34
Depreciation	1,468,298	2,930,548	1,378,268	2,747,836	2,971,500	5,943,025	49.31
Subtotal	8,404,275	15,895,072	8,064,681	15,983,114	20,319,654	40,641,006	39.11
Purchased Power	1,465,866	2,712,839	1,402,946	2,693,977	3,424,398	6,848,807	39.61
Cost of Inventory Sold	-	-	-	-	-	-	-
Total Expenses	9,870,141	18,607,911	9,467,627	18,677,091	23,744,052	47,489,813	39.18
INFORMATIONAL ONLY, all amounts included above:							
PAYROLL IN DOLLARS *							
Regular	1,786,864	3,507,059	1,754,808	3,520,209	4,210,098	8,420,306	41.65
Overtime	170,555	321,452	132,374	265,939	317,490	635,000	50.62
Total Payroll	1,957,419	3,828,511	1,887,182	3,786,148	4,527,588	9,055,306	42.28
Off System Sales	367,448	1,036,887	1,213,231	3,213,702	2,499,996	5,000,000	20.74
Late Payment Revenue	42,988	89,920	44,546	88,982	99,996	200,000	44.96
Fixed Asset/Capital WIP	-	-	(25,379)	14,643	-	-	-

FREMONT DEPARTMENT OF UTILITIES
WATER SYSTEM
FINANCE ACTIVITY
FOR QUARTER ENDED 3/31/20

4/24/20
10:15 AM
1. 1

	CURRENT YEAR ACTUAL Current Quarter	CURRENT YEAR ACTUAL Year-To-Date	PRIOR YEAR ACTUAL Current Quarter	PRIOR YEAR ACTUAL Year-To-Date	CURRENT YEAR BUDGET Year-To-Date	ANNUAL BUDGET	% BUDGET
REVENUE IN DOLLARS							
Water Sales	986,950	2,039,032	861,954	1,839,053	2,202,996	4,406,000	46.28
Tap Fees	-	-	-	-	-	-	-
Total Operating Revenue	986,950	2,039,032	861,954	1,839,053	2,202,996	4,406,000	46.28
Less Operating Expense	816,359	1,639,629	812,591	1,524,673	1,850,586	3,701,478	44.30
Net Operating Revenue	170,591	399,403	49,363	314,380	352,410	704,522	56.69
Nonoperating Revenue	39,302	44,225	6,189	11,740	39,600	79,200	55.84
Less Nonoperating Expense	34,735	58,407	38,968	63,341	55,302	110,600	52.81
Net Nonoperating Revenue	4,567	(14,182)	(32,779)	(51,601)	(15,702)	(31,400)	45.17
Net Operating Revenue	170,591	399,403	49,363	314,380	352,410	704,522	56.69
Net Nonoperating Revenue	4,567	(14,182)	(32,779)	(51,601)	(15,702)	(31,400)	45.17
Net Revenue	175,158	385,221	16,584	262,779	336,708	673,122	57.23
Interfund Transfer In	2,164	2,164	2,996	2,996	65,550	131,108	1.65
Interfund Transfer Out	(61,596)	(123,202)	(73,446)	(146,901)	(239,856)	(479,727)	25.68
Net Interfund Transfer	(59,432)	(121,038)	(70,450)	(143,905)	(174,306)	(348,619)	34.72
Change in Net Position	115,726	264,183	(53,866)	118,874	162,402	324,503	81.41
EXPENSE IN DOLLARS							
Production	218,146	426,315	165,892	313,031	473,940	948,016	44.97
Distribution	175,778	367,009	240,628	398,115	403,398	806,906	45.48
Administrative & General	196,174	382,619	195,056	377,335	420,276	840,599	45.52
Depreciation	260,996	522,093	249,983	499,533	608,274	1,216,557	42.92
Total Expense	851,094	1,698,036	851,559	1,588,014	1,905,888	3,812,078	44.54
INFORMATIONAL ONLY, all amounts included above:							
PAYROLL IN DOLLARS *							
Regular	95,649	204,257	114,765	213,628	216,648	433,312	47.14
Overtime	17,365	23,829	41,827	46,973	9,996	20,000	119.15
Total Payroll	113,014	228,086	156,592	260,601	226,644	453,312	50.32
Fixed Asset/Capital WIP	-	-	-	-	-	-	-

FREMONT DEPARTMENT OF UTILITIES
 SEWER SYSTEM
 FINANCE ACTIVITY
 FOR QUARTER ENDED 3/31/20

4/24/20
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	CURRENT YEAR ACTUAL Current Quarter	CURRENT YEAR ACTUAL Year-To-Date	PRIOR YEAR ACTUAL Current Quarter	PRIOR YEAR ACTUAL Year-To-Date	CURRENT YEAR BUDGET Year-To-Date	ANNUAL BUDGET	% BUDGET
REVENUE IN DOLLARS							
Sewer Rentals	1,997,176	3,829,436	1,279,565	2,716,349	3,220,134	6,440,291	59.46
Tap Fees	-	-	-	-	-	-	-
Total Operating Revenue	1,997,176	3,829,436	1,279,565	2,716,349	3,220,134	6,440,291	59.46
Less Operating Expense	1,271,808	2,425,007	1,171,506	2,255,107	3,120,162	6,240,619	38.86
Net Operating Revenue	725,368	1,404,429	108,059	461,242	99,972	199,672	703.37
Nonoperating Revenue	63,757	356,559	49,897	85,840	145,596	291,200	122.44
Less Nonoperating Expense	10,132	644,983	107,650	194,974	609,630	1,219,271	52.90
Net Nonoperating Revenue	53,625	(288,424)	(57,753)	(109,134)	(464,034)	(928,071)	31.08
Net Operating Revenue	725,368	1,404,429	108,059	461,242	99,972	199,672	703.37
Net Nonoperating Revenue	53,625	(288,424)	(57,753)	(109,134)	(464,034)	(928,071)	31.08
Net Revenue	778,993	1,116,005	50,306	352,108	(364,062)	(728,399)	(153.21)
Interfund Transfer In	1,734	1,734	2,402	2,402	52,536	105,080	1.65
Interfund Transfer Out	(90,825)	(181,652)	(120,120)	(240,242)	(281,646)	(563,302)	32.25
Net Interfund Transfer	(89,091)	(179,918)	(117,718)	(237,840)	(229,110)	(458,222)	39.26
Change in Net Position	689,902	936,087	(67,412)	114,268	(593,172)	(1,186,621)	(78.89)
EXPENSE IN DOLLARS							
Production	531,632	984,264	501,388	934,404	1,144,608	2,289,365	42.99
Collection	155,639	271,028	136,716	250,653	361,182	722,463	37.51
Administrative & General	172,605	971,307	260,900	505,495	983,112	1,966,269	49.40
Depreciation	422,064	843,391	380,152	759,529	1,240,890	2,481,793	33.98
Total Expense	1,281,940	3,069,990	1,279,156	2,450,081	3,729,792	7,459,890	41.15
INFORMATIONAL ONLY, all amounts included above:							
PAYROLL IN DOLLARS *							
Regular	231,599	440,499	207,102	405,612	503,436	1,006,890	43.75
Overtime	14,231	22,993	14,909	24,528	24,996	50,000	45.99
Total Payroll	245,830	463,492	222,011	430,140	528,432	1,056,890	43.85
Fixed Asset/Capital WIP	-	-	-	-	-	-	-

FREMONT DEPARTMENT OF UTILITIES
 GAS SYSTEM
 FINANCE ACTIVITY
 FOR QUARTER ENDED 3/31/20

4/24/20
 10:15 AM
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	CURRENT YEAR ACTUAL Current Quarter	CURRENT YEAR ACTUAL Year-To-Date	PRIOR YEAR ACTUAL Current Quarter	PRIOR YEAR ACTUAL Year-To-Date	CURRENT YEAR BUDGET Year-To-Date	ANNUAL BUDGET	% BUDGET
REVENUE IN DOLLARS							
Operating Revenue	5,577,666	8,875,559	6,482,213	10,184,749	7,793,742	15,587,500	56.94
Less Operating Expense	4,266,028	7,826,120	4,971,185	9,444,667	7,606,020	15,212,256	51.45
Net Operating Revenue	1,311,638	1,049,439	1,511,028	740,082	187,722	375,244	279.67
Nonoperating Revenue	16,713	53,114	15,313	42,226	25,998	52,000	102.14
Less Nonoperating Expense	-	-	-	-	-	-	-
Net Nonoperating Revenue	16,713	53,114	15,313	42,226	25,998	52,000	102.14
Net Operating Revenue	1,311,638	1,049,439	1,511,028	740,082	187,722	375,244	279.67
Net Nonoperating Revenue	16,713	53,114	15,313	42,226	25,998	52,000	102.14
Net Revenue	1,328,351	1,102,553	1,526,341	782,308	213,720	427,244	258.06
Interfund Transfer In	-	-	-	-	-	-	-
Interfund Transfer Out	(80,412)	(160,833)	(61,530)	(123,065)	(319,152)	(638,324)	25.20
Net Interfund Transfer	(80,412)	(160,833)	(61,530)	(123,065)	(319,152)	(638,324)	25.20
Change in Net Position	1,247,939	941,720	1,464,811	659,243	(105,432)	(211,080)	(446.14)
EXPENSE IN DOLLARS							
Gas Purchase Expense	3,428,245	6,184,606	4,176,743	7,895,536	5,602,140	11,204,282	55.20
Distribution	369,705	729,945	372,736	715,203	935,448	1,871,040	39.01
Administrative & General	329,885	638,643	309,918	613,091	738,840	1,477,745	43.22
Depreciation	138,193	272,926	111,788	220,837	329,592	659,189	41.40
Total Expense	4,266,028	7,826,120	4,971,185	9,444,667	7,606,020	15,212,256	51.45
INFORMATIONAL ONLY, all amounts included above:							
PAYROLL IN DOLLARS *							
Regular	183,739	370,842	199,924	371,966	389,010	778,017	47.67
Overtime	4,013	9,429	7,988	14,405	7,500	15,000	62.86
Total Payroll	187,752	380,271	207,912	386,371	396,510	793,017	47.95
Late Payment Revenue	30,702	43,275	38,510	52,295	39,996	80,000	54.09
Fixed Asset/Capital WIP	4,455	4,455	-	-	-	-	-

COLLECTION ACTIVITY REPORT
Updated March 2020

Activity Month	Accounts Sent to Credit Bureau	Funds Collected	Funds Not Collected	Fees Paid	Net to Utility	Past Year Comparison Net to Utility	Past Year Comparison Accounts Sent to Credit Bureau
Mar-19	\$ 15,920.61	\$ 3,587.83	\$ 12,332.78	\$ 1,328.41	\$ 2,259.42	\$ 3,072.63	\$ 3,394.80
Apr-19	\$ 6,510.07	\$ 3,891.81	\$ 2,618.26	\$ 1,882.38	\$ 2,009.43	\$ 1,777.99	\$ 8,540.45
May-19	\$ 8,789.33	\$ 4,043.66	\$ 4,745.67	\$ 1,182.79	\$ 2,860.87	\$ 2,791.05	\$ 7,065.96
Jun-19	\$ 8,922.25	\$ 2,177.97	\$ 6,744.28	\$ 674.22	\$ 1,503.75	\$ 1,338.06	\$ 7,132.51
Jul-19	\$ 12,746.49	\$ 5,125.59	\$ 7,620.90	\$ 1,334.26	\$ 3,791.33	\$ 1,803.82	\$ 6,827.03
Aug-19	\$ 3,925.07	\$ 1,934.12	\$ 1,990.95	\$ 854.78	\$ 1,079.34	\$ 1,831.58	\$ 3,670.56
Sep-19	\$ 7,634.93	\$ 5,382.77	\$ 2,252.16	\$ 1,302.99	\$ 4,079.78	\$ 1,003.91	\$ 9,218.49
Oct-19	\$ 13,302.24	\$ 1,150.63	\$ 12,151.61	\$ 1,190.95	\$ (40.32)	\$ 1,781.11	\$ 5,804.00
Nov-19	\$ 10,856.03	\$ 1,947.17	\$ 8,908.86	\$ 901.88	\$ 1,045.29	\$ 1,788.27	\$ 7,447.50
Dec-19	\$ 6,179.50	\$ 3,402.85	\$ 2,776.65	\$ 962.58	\$ 2,440.27	\$ 2,635.24	\$ 5,562.69
Jan-20	\$ 10,721.09	\$ 3,774.58	\$ 6,946.51	\$ 680.67	\$ 3,093.91	\$ 738.16	\$ 4,169.01
Feb-20	\$ 6,308.59	\$ 7,170.78	\$ (862.19)	\$ 1,234.08	\$ 5,936.70	\$ 1,068.34	\$ 2,931.05
Mar-20	\$ 2,426.77	\$ 3,136.01	\$ (709.24)	\$ 896.46	\$ 2,239.55	\$ 2,259.42	\$ 15,920.61
Total	\$ 98,322.36	\$ 43,137.94	\$ 55,184.42	\$ 13,098.04	\$ 30,039.90	\$ 20,816.95	\$ 84,289.86
	12 Month Averages	12 Month Percentages				12 Month Averages	
	\$ 8,193.53	43.87%	56.13%	30.36%	69.64%	\$ 1,734.75	\$ 7,024.16

Notations:

Precollect fee is \$3.75 per account sent to Credit Bureau.

Full collect fee ranges from 33% to 50% of collected amount.

STAFF REPORT

TO: Honorable Mayor and City Council
FROM: Jody Sanders, CPA, Director of Finance
DATE: May 14, 2020
SUBJECT: Report of Treasury

Recommendation: Move to receive Report of the Treasury

Background: This statement reports the bank account balances at the end of the prior month, and is available by the first council meeting of each month so it gives the Council up-to-the-month timely information regarding cash reserve balances.

More detailed information regarding the CD and CDAR investments are available on the City's website under Government.

Fiscal Impact: As noted in the report. The City's total decreased \$133,000 from March balances, which is reasonable as project payments continued through April, while property tax collections are typically lighter before the May 1 due. The Utility total decreased by \$1,590,000, as project payments continue at the wastewater treatment plant and two trains of coals were delivered.

Please note at the bottom of the second page that the City has several CDARs investments. The Certificate of Deposit Account Registry Service (**CDARS**) is a program that allows the public to spread money around various banks. The purpose of **CDARS** is to help people who invest in certificate of deposits (CDs) to stay below the Federal Deposit Insurance Corporation (FDIC) insurance limits at any given bank. These are listed separately, as they are exclusively insured separate and apart from FDIC coverage provided at each bank. These investment amounts are not included in the totals on the worksheet.

City of Fremont
 Report of Treasury - Cash and Investment Bank Balances
 April 30, 2020

Account Name	Statement ending balances					
	First National Bank - Fremont	First State Bank	Pinnacle Bank of Fremont	Cornerstone Bank, Columbus	NE Land National Bank, North Platte	Nebraska Public Investment Trust
Governmental						
<u>Checking/Money Market</u>						
City Treasurer	\$ 8,887,239					
City Treasurer-M Mkt	\$ 1,559,292					
SID #4	\$ 61,285					
Special Revenue		\$ 281,046				
Infrastructure - Sales Tax						\$ 4,319
Insured M MKT ** -Sales Tax		\$ 7,170,939				
Public Safety - Sales Tax						\$ 945,646
Streets - Sales Tax						\$ 227,513
Streets - M Mkt			\$ 418,711			
Community Development Agy	\$ 285,286					
Keno			\$ 347,680			
CDBG Clearing	\$ 21,405					
CDBG Program Income	\$ 100,087					
E911	\$ 257,338					
Drug Task	\$ 32,389					
Employee Benefits			\$ 2,433,134			
Total Checking/Money Market	\$ 11,204,321	\$ 7,451,986	\$ 3,199,524	\$ -	\$ -	\$ 1,177,478
<u>CD Investments</u>						
General fund	\$ 250,000		\$ 7,500,000	\$ 200,000	\$ 2,000,000	
Sales Tax/Infrastructure fund						
Sales Tax/Streets fund						
Sales Tax/LB840 fund			\$ 3,000,000			
Street fund	\$ 1,000,000	\$ -	\$ 3,100,000			
KENO fund			\$ 200,000			
Trust Fund	\$ 100,000		\$ 60,000			
E911			\$ 250,000			
Special assessment Fund			\$ 750,000			
Employee Benefits	\$ 1,000,000		\$ -	\$ 1,000,000		
Work Comp	\$ 750,000		\$ -			
Total CD Investments	\$ 3,100,000	\$ -	\$ 14,860,000	\$ 1,200,000	\$ 2,000,000	\$ -
Total Governmental deposits	\$ 14,304,321	\$ 7,451,986	\$ 18,059,524	\$ 1,200,000	\$ 2,000,000	\$ 1,177,478
					Grand total	\$ 44,193,309

City of Fremont
 Report of Treasury - Cash and Investment Bank Balances
 April 30, 2020

Statement ending balances

Account Name	First National Bank - Fremont	First State Bank	Pinnacle Bank of Fremont	Cornerstone Bank, Columbus	NE Land National Bank, North Platte	Nebraska Public Investment Trust
Proprietary Funds						
<u>Checking/Money Market</u>						
Combined Utilities Fund	\$ 14,911,989					
Electric Fund	\$ 607					
Comb Util Funds/Construction	\$ 6,999,342					
Electric Funds						\$ 2,033,448
Water Project Bond Acct	\$ 80,572					
Department of Utilities			\$ 678,150			
Sewer Improvement	\$ 3,391					
Sewer Funds						\$ 315,649
Gas Fund						\$ 760,384
Electric Fund				\$ 150		
Total Checking/Money Market	\$ 21,995,901	\$ -	\$ 678,150	\$ 150	\$ -	\$ 3,109,481
<u>CD Investments</u>						
Electric	\$ 750,000	\$ 2,000,000	\$ 8,996,000	\$ 4,500,000		
Water	\$ 175,000		\$ 500,000	\$ 200,000		
Sewer			\$ 250,000			
Gas			\$ 1,000,000			
Total CD Investments	\$ 925,000	\$ 2,000,000	\$ 10,746,000	\$ 4,700,000	\$ -	\$ -
Total Proprietary deposits	\$ 22,920,901	\$ 2,000,000	\$ 11,424,150	\$ 4,700,150	\$ -	\$ 3,109,481
					Grand total	\$ 44,154,683
Grand total, all funds	\$ 37,225,223	\$ 9,451,986	\$ 29,483,674	\$ 5,900,150	\$ 2,000,000	\$ 4,286,959
					Grand total	\$ 88,347,991
CITY CDARS CERTIFICATES				\$ 750,000		\$ 3,225,000
DU CDARS CERTIFICATES	\$ -		\$ -	\$ 2,900,000	\$ -	\$ 2,600,000

STAFF REPORT

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: Kim Koski, Director of Parks & Recreation

DATE: May 12, 2020

SUBJECT: Request by John C. Fremont Days to use City properties for annual festival.

RECOMMENDATION: Approve the request.

Background: Don Cunningham, John C. Fremont Days Board President, would like to request the use of City properties on July 10, 11 and 12, 2020 for the annual John C. Fremont Days festival. Specific properties would be Clemmons Park, John C Fremont Park, Christensen Field, Splash Station, Splash Station grounds and Ronin Pool.

This is all contingent on Covid-19 restrictions and social distancing requirements being lifted during this time frame.

This request was approved by Park Board, 4-0 on May 5, 2020.

Fiscal Impact: None.

April 29, 2020

To the Fremont Park and Recreation Board:

On behalf of the John C Fremont Days's Board of Directors, may we use the following city properties on July 10th, 11th and 12th of this year: Clemmons Park, City Park, Splash Station (balloon glow area and pool, if available) Ronin Pool and the Christensen Field arena (rodeo)? Our Board has chosen to continue our preparations in hopes we may host this year's events.

Thank you for your support.

Don Cunningham
JCF Days Board President

STAFF REPORT

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: Tyler Ficken, City Clerk

DATE: May 12, 2020

SUBJECT: Park Board Member Appointment to Ridge Cemetery Association.

RECOMMENDATION: Approve the request.

Background: Appoint Connie Giese to replace Dian Hillis as the Park Board representative on the Ridge Cemetery Association Board. Hillis' term expires December, 2020. Hillis' schedule does not allow her to attend noon meetings. Giese has a flexible schedule that will allow her to attend meetings.

Fiscal Impact: None.

STAFF REPORT

TO: Honorable Mayor and Fremont City Council
FROM: Alan Kaspar, Director of Electrical Engineering
Troy Schaben, Assistant City Administrator Utilities
DATE: May 12, 2020
SUBJECT: Electrical Conduit Installation – NDOT SE Beltway Relocations

Recommendation: Approve resolution awarding contract for Installation of Electrical Conduits to Wiese Plumbing & Excavating Inc.

Background:

Multiple overhead electrical lines need to be relocated to accommodate construction of the NDOT SE Beltway Project. The majority of these relocations will be from overhead to underground, requiring trenching and boring work for conduit installations.

Bids were solicited and received for the installation of these electrical conduits. Three bids were received:

Bidder	Capitol City Electric	Wiese Plumbing & Excavating	TJ Cable & Underground
Proposal Price	\$128,400.00	\$125,404.25	\$206,725.00

Staff finds Wiese Plumbing and Excavating Inc. to be the lowest responsible bidder and recommends award of the contract.

The Utility & Infrastructure Board approved this recommendation with a 5-0 vote at their meeting on April 28th, 2020.

Note: Notice to Proceed will not be given to the Contractor until the City has received Notice to Proceed from the State of Nebraska.

Fiscal Impact:

None, the State of Nebraska will reimburse the City for utility relocation work.

RESOLUTION NO. 2020-096

A Resolution of the City Council of the City of Fremont, Nebraska, awarding the contract to Wiese Plumbing & Excavating Inc. for Installation of Electrical Conduits in the amount of \$125,404.25

WHEREAS, the City of Fremont sought and received proposals for the installation of electrical conduits; and,

WHEREAS, The Utility & Infrastructure Board approved this recommendation with a 5-0 vote at their meeting on April 28, 2020.

NOW, THEREFORE BE IT RESOLVED, the Mayor and City Council of the City of Fremont award the contract to Wiese Plumbing & Excavating Inc. for Installation of Electrical Conduits in the amount of \$125,404.25, contingent upon the Nebraska Department of Transportation issuing the City a Notice to Proceed.

PASSED AND APPROVED THIS 12th DAY OF MAY, 2020.

Scott Getzschman, Mayor

ATTEST:

Tyler Ficken, City Clerk

STAFF REPORT

TO: Honorable Mayor and City Council
FROM: Keith Kontor Water/Wastewater Superintendent
DATE: May 12, 2020
SUBJECT: Water Main encasement – Nebraska Department of Transportation (NDOT) SE Beltway Project

Recommendation: Recommend to City Council to approve resolution for Water Main Encasement – SE Beltway project

Background: Bids were solicited for installing a 42” casing on approximately 1720’ of 30” water main in areas affected by the SE Beltway project. This is for protection of the water main within the scope of the project. Bid documents were requested by three contractors, with two submitting bids. Thompson Construction was the lowest responsible bid. Staff recommends awarding the project to Thompson Construction.

Passed by Utility and Infrastructure Board by a vote of 5-0 on April 28, 2020.

Contractor will not be given a Notice to Proceed, until a Notice to Proceed is received from the NDOT.

Thompson Construction	\$896,800.00
Sawyer Construction	\$2,034,000.00

Fiscal Impact: None, the City will be reimbursed by the NDOT

RESOLUTION NO. 2020-097

A Resolution of the City Council of the City of Fremont, Nebraska authorizing the Mayor to execute an agreement with Thompson Construction for the Water main Encasement – SE Beltway project.

WHEREAS, the City of Fremont sought bids for a contractor to install water main casing to protect current water mains within the SE Beltway project.

WHEREAS, the Utility and Infrastructure Board reviewed the bids and recommends approval of the agreement by a vote of 5-0 on April 28, 2020

NOW, THEREFORE BE IT RESOLVED, that the Mayor and City Council accept the recommendation of the Utility and Infrastructure Board and authorize the Mayor to execute an agreement with Thompson Construction, contingent upon the Nebraska Department of Transportation issuing the City a Notice to Proceed.

PASSED AND APPROVED THIS 12th DAY OF MAY, 2020.

Scott Getzschman, Mayor

ATTEST:

Tyler Ficken, City Clerk

STAFF REPORT

TO: Honorable Mayor and City Council
FROM: Jennifer L. Dam, AICP, Planning Director
DATE: May 12, 2020
SUBJECT: Change to Section 11-601.A of the UDC

Recommendation: Hold second reading of Ordinance 5532

Background:

The City Attorney proposes the following red-lined change to Section 11-601.A in order to provide clarity:

11-601.A *Purpose*. The purpose of this article is to establish the general standards for the character, scale, density (residential), and intensity (nonresidential and mixed use) of development that is allowed within each zoning district set out in Section 11-403, *Zoning Districts*, except Planned Developments. See Section 11-405.07.D for standards of Planned Developments.

Changes are not proposed to section 11-405 regarding criteria for planned developments. Planned developments must currently meet those standards.

The initial drafting of the Unified Development Code began in 2013. At that time the draft code proposed more housing types and zoning districts than the Unified Development Code that was finally adopted and took effect in 2019. In 2013, the proposed residential zoning districts included Agriculture (AG), Rural Residential (RR), Suburban Residential (SR), Neighborhood Conservation (NC), General Residential (GR), High Density Residential (HR), and Urban Residential (UR). Some of the drafts included a planned development overlay district and some did not.

The above mentioned draft included “Lot/Neighborhood Types” of single family detached, zero lot line, cluster planned, manufactured home, duplex, townhouse, executive townhouse, executive apartment, urban townhouse, and, urban loft. There was not a category called “multi-family.” The code didn’t define any of the above. Additionally, there was a “Planned” lot/neighborhood type specified in the Rural Residential, Suburban Residential, and General Residential districts, but there was not a separate “Planned Development” district proposed in the draft.

Table 15-402.03, which later became Table 11-602.03 in the adopted code, refers to a mix of housing types in cluster, planned and traditional neighborhoods. However, when the code was adopted the “executive townhouse, executive apartment, urban townhouse and urban loft were removed. A “planned neighborhood” is referenced, but not defined in the drafts. It is mentioned in the tables analogous to 11-601.A, even when the draft did not contain a planned development district.

The table was ill-defined in the drafts, and remains ill-defined in the adopted UDC.

The existing sections of the UDC, 11-405 related to planned developments, and 11-601 to 11.602.03 are attached for reference. Also attached are excerpts from one of the drafts of the UDC to provide context.

Exhibit A, Planned Development District Requirements (emphasis added to sections)

Sec. 11-405.07. - Planned Development (PD) District.

- A. *General Purpose and Description.* The purpose of the planned development regulations is to encourage flexibility in the use and development of land in order to promote its most appropriate use; to provide a high level of urban amenities; to preserve the quality of the natural environment; and to provide flexibility in the development of land subject to development standards coordinated with the provisions of necessary public services and facilities.
- B. *Pre-Application Review.* Prior to filing an application, the application shall be reviewed by the zoning administrator. Zoning administrator review is for the purpose of providing information to the applicant prior to their entering into binding contractual commitments or incurring substantial expense in the preparation of plans, surveys or other data.
- C. *Application of Planned Development (PD) District Provisions.* An application for a planned development district is considered the same as a zoning change, and is therefore made to the planning commission and city council in the same manner that an application for zoning change is made according to these regulations.
 1. The application for PD zoning shall be accompanied by a development site plan, the appropriate filing fee, along with a list of supplemental development regulations, which will become a part of the amending ordinance and be referenced on the zoning map. Changes in the development site plan or supplemental development regulations shall be considered the same as changes in the zoning map. The proposed application and site plan shall be processed as required except that minor changes, which do not cause any of the following circumstances to occur, may be authorized by the zoning administrator, or his/her designee:
 - a. A five percent or greater increase in the gross floor areas of structures;
 - b. Any substantial and material changes in external effects on adjacent property, such as noise, heat, light, glare and vibration;
 - c. A five percent or greater increase in the height of structures;
 - d. A five percent or greater reduction in the originally approved setbacks from property lines; and/or
 - e. A five percent or greater reduction in the ratio of off-street parking and loading spaces.
 2. The zoning administrator may prepare a written report analyzing the development site plan, and such report may be provided to the planning commission and the applicant prior to the public hearing. Upon recommendation by the planning commission, the request shall be forwarded to the city council for consideration.
 3. Approval of a PD district shall constitute an amendment to the zoning ordinance. Designation of a property as a PD district, in accordance with an approved development plan, shall supersede all existing and prior zoning classifications. Such property shall for zoning purposes be identified by the letters "PD" followed by an identifying number, said number coinciding with the ordinance enacting the same.
- D. *Standards.* All PD districts shall, at a minimum, satisfy the following standards and requirements:
 1. *Uses Permitted.* The development plan shall specify, both for the project as a whole and/or for subareas within the project, as appropriate, those principal and accessory uses as are to be permitted, identified as permitted uses, conditional uses, and prohibited uses. The city council may include or exclude uses from the development plan or include uses with attached conditions as appropriate to achieve the intent of these provisions.

In making its determinations of the uses to be permitted within the PD district, the city council may consider the compatibility and relationship of uses within the project, the compatibility and relationship of permitted uses adjoining or in proximity to the PD district, the appropriateness of

permitted uses for the area in general and their overall impact on the community, and the consistency of the permitted uses with other adopted plans and policies.

2. ***Intensity of Development.*** The development plan shall contain provisions to regulate the intensity of development within the PD district. Such provisions may apply to the project as a whole or to subareas within the project, as appropriate.
 - a. For residential development, the density of residential dwelling units within a PD district shall be computed in accordance with a formula identified as part of the development plan. Such density formula shall be accompanied by supporting documentation and logic behind the density formula.

The permitted number of dwelling units may be distributed in any manner over the residential portion of the project consistent with the intent and provisions of these regulations. The development plan shall specify distribution of residential density for the project as a whole or for subareas within the project as appropriate. In making its determination regarding the distribution of residential densities, the city council may consider compatibility of residential densities with other uses within the district as well as outside the district, the impact of residential densities on public facilities and services, and the consistency with the master plan, the comprehensive plan, and/or other adopted plans and policies.
 - b. For non-residential development, the intensity of development may be regulated:
 1. By specifying an appropriate FAR;
 2. By specifying maximum square footage or gross leasable area;
 3. By specifying setbacks, height and bulk restrictions; or
 4. By a combination of such restrictions for the project as a whole or for components or subareas within the project.
3. ***Bulk, Area and Height Requirements.*** The development plan shall specify bulk, area and height restrictions for the project as a whole and for subareas and/or components of the project as appropriate. The city council may impose alternate or additional standards or restrictions to achieve the intent of these regulations. In making its determination regarding such standards or restrictions, the city council may consider the character and scale of the proposed development as it relates to other uses and structures both within the district and outside the district, the general character and scale of similar developments within the area of the proposal, and the consistency with adopted plans and policies.
4. ***Public Facilities.*** The development plan shall specify conditions, restrictions and standards relating to the timely provisions of necessary public facilities as appropriate. The city council may impose conditions, restrictions and standards as appropriate to achieve the intent of these regulations. In making its determination regarding such conditions, restrictions and standards, the city council may consider the adequacy of existing facilities, the timely provision of adequate facilities and the overall cost to the community.
5. ***Access to Public Thoroughfares.*** The development plan shall specify the location and general design of ingress and egress to the project along with access restrictions as appropriate. The city council may impose such access standards and restrictions as necessary to protect the integrity and function of the city's thoroughfare system and to otherwise achieve the intent of these regulations. In making its determination regarding such access standards and restriction, the council may consider the classification and function of the thoroughfare system, existing and projected traffic volumes, the condition and design of the affected thoroughfares, the effect of the proposed development on traffic flow and circulation patterns on other adopted plans and policies.
6. ***Off-Street Parking and Loading Requirements.*** Unless specifically modified by the development plan, the off-street parking and loading requirements contained within these regulations shall apply. Reductions in off-street parking and loading standards shall be approved only if it can be

demonstrated that parking demand will be less due to density and/or occupancy characteristics of the project and/or the availability of public transportation.

7. *Signs.* Unless specifically modified by the development plan, the sign regulations contained within these regulations shall apply. Modifications to the sign regulations shall be approved only if the general intent to the sign regulations regarding size, location, illumination, structural integrity and relation to surrounding uses is satisfied.
8. *Perimeter Treatment.* The development plan shall specify any special treatment of perimeter areas designed to mitigate the impact of the project upon adjoining properties and/or to achieve an appropriate transition between land uses and densities. The city council may impose those standards and requirements for perimeter treatment it deems necessary to protect adjoining properties from adverse effects and to achieve an appropriate transition of land uses and densities.

E. *Application process.*

1. *Procedure.* Applications for PD district designation shall be processed pursuant to a three-step review process as specified in this subsection. The three-step procedure shall include:
 - a. A pre-application conference with the zoning administrator;
 - b. A preliminary development plan (planning commission); and
 - c. A final development plan (city council).
2. *Pre-application conference.* The pre-application conference is an informal procedure to assist the applicant in meeting various requirements of the city and to provide an early preview of the application.
3. *Preliminary development plan.* Upon satisfying the pre-application conference requirement, an applicant may submit an application to the planning commission. The following information shall, at a minimum, be included in the application:
 - a. A legal description of the site proposed for PD designation, including a statement regarding present ownership and present zoning;
 - b. A master conceptual plan that indicates lot or tract locations and dimensions; density per gross and per net acres in the development and in each land use component, if appropriate; the intensity of land use in the development and each land use component, if appropriate; the amount of land in common area open space, recreation use or public use, if appropriate; and the treatment of project boundaries;
 - c. Written text which includes supporting graphics describing the overall concept of the plan; the uses included and any limitations upon uses; building types and prototypical site layouts, if appropriate; provisions for maintenance of common areas; any proposed agreements, dedications or easements; any proposed private covenants and restrictions; and any other information required by this subsection or pertinent to a determination of compliance with this subsection;
 - d. A circulation plan that indicates roads adjoining the property; the location of access from public roads into the project; and vehicular and pedestrian circulation systems within the project (the circulation plan may be included as part of the master conceptual plan);
 - e. An improvement plan that indicates water supply and distribution facilities as well as the source of the water supply; sewage collection and disposal including method and location of sewage discharge; methods and facilities for the management of storm water runoff; improvements to streets and roads; and any other physical improvements required to support the project;
 - f. A statistical summary that indicates the number of acres in the project; the number of acres allocated to each land use within the project; the gross and net residential density within the project and within each land use component of the project; and floor area, FAR's, open space

ratios, and other data relating the intensity of the development to the site size and location;
and

- g. A parking analysis showing that the total parking demand for uses in the Planned Development District does not exceed the total supply of available parking spaces.
 - h. The following elements may be required at the request of the planning commission:
 - 1. A sign plan which indicates the location, size and design and other pertinent provisions relating to signs within the project;
 - 2. A parking plan which shows the number of parking spaces as well as their general location and design; and/or
 - 3. An environmental impact statement indicating possible problem areas within the site as well as solutions to these problems as intended by the developer.
4. *Final development plan.* The city council, after public hearing and proper notice to all parties affected, and after recommendation from the planning commission, shall review the planned development zoning request for final approval.

Exhibit B 11.602.01- 11.602.03

Sec. 11-602.01. - Development standards.

- A. *Generally.* The minimum or average lot size, minimum open space ratio, maximum gross density, minimum area of development, and utility requirements for each district and neighborhood type are as set out in Table 11-602.01., *Residential Development Standards* .
- B. *Application.* These standards apply to all subdivisions or resubdivisions of property and to all residential developments including but not limited to single-family detached, single-family attached, and multiple family developments.
- C. *Interpretation of Table.* The table may be interpreted as follows:
 - 1. District and Neighborhood Type sets out the zoning districts (shaded in gold) and the individual neighborhood types permitted within them.
 - 2. Minimum or Average Lot Size sets out the minimum or average lot size that is used to establish the gross density for each neighborhood type. (See Table 11-602.02.01., *Single-Family Detached Lot and Building Standards* and Table 11-602.02.02., *Single-Family Attached and Multiple Family Lot and Building Standards* for the lot dimensions, setbacks, and building heights and coverage ratios.)
 - 3. Repealed.
 - 4. Maximum Gross Density sets out the maximum number of dwelling units per acre for each district and neighborhood type.
 - 5. Minimum Area of Development sets out the minimum area of land required to develop a neighborhood.
 - 6. Utility Requirement sets out whether on-site utilities (well and septic) are allowed or whether public utilities are required for each neighborhood type. This requirement is based on the minimum lot size and gross density of development.

Table 11-602.01. Residential Development Standards				
District and Neighborhood Type	Development Standards			
	Minimum or Average Lot Size	Maximum Gross Density	Minimum Area of Development	Utility Requirement
Farm	20 ac.	0.05	n/a	Public ²
Acreage	10 ac.	0.10	n/a	Public ²
Ranchette	3 ac.	0.33	n/a	Public ²
Planned	1 ac.	1.00	3 acres	Public
Lake	n/a ³	1.00	3 acres	Public ²
Estate	3 ac.	0.33	n/a	Public ²
Cluster	1 ac.	1.00	3 acres	Public
Planned	14,000 sf.	3.11	1 acre	Public
Standard I	11,000 sf.	3.69	23,610 sf.	Public

Standard II	8,000 sf.	4.27	20,403 sf.	Public
Duplex	4,500 sf.	4.84	18,000 sf.	Public
Townhouse	3,500 sf.	5.42	24,111 sf	Public
Multifamily	2,750 sf.	6.00	1 acre	Public
Auto-Urban Residential (AR), Suburban Commercial (SC), General Commercial (GC), and Campus/University (CU)				
Cluster	1 ac.	1.00	3 acre	Public
Planned	12,000 sf.	3.63	1 acre	Public
Standard I	8,750 sf.	5.30	17,500 sf.	Public
Standard II	5,750 sf.	6.98	12,481 sf.	Public
Duplex	3,250 sf.	8.65	10,072 sf.	Public
Townhouse	2,500 sf.	10.33	12,651 sf	Public
Multifamily	1,750 sf.	12.00	21,780 sf.	Public
Urban Residential (UR), and Downtown Commercial (DC)				
Planned	10,000 sf.	4.36	1 acre	Public
Standard I	6,750 sf.	8.28	13,500 sf.	Public
Standard II	3,500 sf.	12.21	7,135 sf.	Public
Duplex	2,250 sf.	16.14	5,398 sf.	Public
Townhouse	1,500 sf.	20.07	6,511 sf.	Public
Multifamily	1,000 sf.	24.00	10,890 sf.	Public
Mobile Home (MH)				
Mobile Home ⁴	4,500 sf.	9.68	3 acres. ^{4,5}	Public

TABLE NOTES:

1. In certain circumstances, a greater open space ratio may be required to protect floodplains. In each district, the planned neighborhood offers the highest density with the greatest amount of open space for resource protection purposes. See Section 11-405.02., Floodway (FW) Overlay and Flood Fringe (FF) Overlay Districts.
2. On-site utilities (well and septic) are allowed where approved by the zoning administrator as part of the site plan approval process.
3. Unit area requirements shall be set forth by a Condominium or Property Owners Association as part of Condominium or Property Owners Declaration, and shall be governed by the same, so long as all other development standards identified herein are satisfied.
4. The maximum size of a mobile home park or subdivision is 15 acres.
5. Tornado shelters shall be provided in mobile home parks and subdivisions. The shelter(s) shall be built according to the recommendations of the Civil Defense authority and of sufficient size to meet the specific needs of the park and its residents.

Sec. 11-602.02. - Lot and building standards for individual housing types.

The lot and building standards for each district and housing type are set out in Table 11-602.02.01., *Single-Family Detached Lot and Building Standard*; and Table 11-602.02.02., *Single-Family Attached and Multiple Family Lot and Building Standards*.

Table 11-602.02.01. Single-Family Detached Lot and Building Standards									
District and Neighborhood Type	Minimum						Maximum		
	Lot Dimension		Setbacks				Building		Impervious Coverage Ratio
	Area ¹	Width ¹	Front Yard	Side Yard	Street Yard	Rear Yard	Height	Coverage Ratio	
Rural (R)									
Farm	20 ac.	600'	50'	15'	25'	25'	45'	5%	10%
Acreage	10 ac.	500'	50'	15'	25'	25'	45'	5%	10%
Ranchette	3 ac.	250'	50'	15'	25'	25'	35'	15%	20%
Planned	1 ac.	125'	50'	12'	25'	25'	35'	25%	30%
Lake	N/A ²						35'	25%	30%
Suburban Residential (SR)									
Estate	3 ac.	250'	50'	15'	25'	25'	35'	15%	20%
Cluster	1 ac.	125'	50'	12'	25'	25'	35'	25%	30%
Planned	14,000 sf.	90'	35'	8'	18'	18'	35'	35%	40%
Standard I	11,000 sf.	70'	25'	5'	13'	15'	35'	40%	50%
Standard II	8,000 sf.	55'	20'	5'	10'	15'	35'	40%	50%
Auto-Urban Residential (AR), Suburban Commercial (SC), General Commercial (GC), and Campus/University (CU)									
Cluster	1 ac.	100'	50'	12'	25'	25'	35'	25%	30%
Planned	12,000 sf.	75'	35'	8'	18'	18'	35'	35%	40%
Standard I	8,750 sf.	55'	25'	5'	13'	15'	35'	40%	50%
Standard II	5,750 sf.	40'	20'	5'	10'	15'	35'	40%	50%
Urban Residential (UR), and Downtown Commercial (DC)									
Planned	10,000 sf.	65'	25'	5'	13'	15'	35'	35%	40%
Standard I	6,750 sf.	45'	20'	5'	10'	15'	35'	40%	50%
Standard II	3,500 sf.	30'	15'	5'	8'	10'	35'	40%	50%

Mobile Home (MH)									
Mobile Home (Single-Wide)	4,500 sf.	45'	15'	6'	10'	10'	20'	40%	50%
Mobile Home (Double-Wide)	5,500 sf.	55'	15'	6'	10'	10'	20'	40%	50%
Mobile Home (Triple-Wide)	6,500 sf.	65'	15'	6'	10'	10'	20'	40%	50%

TABLE NOTES:

- For single-family detached housing types, lot area and lot width are measured per dwelling.
- Unit building standards shall be set forth by a Condominium or Property Owners Association as part of Condominium or Property Owners Declaration, and shall be governed by the same, so long as all other development standards identified herein are satisfied.

(Ord. No. 5443, 4-24-18)

Table 11-602.02.02. Single-Family Attached and Multiple Family Lot and Building Standards									
District and Neighborhood Type	Minimum						Maximum		
	Lot Dimension		Setbacks				Building		Impervious Coverage Ratio
	Area ¹	Width ₁	Front Yard	Side Yard	Street Yard	Rear Yard	Height	Coverage Ratio	
Suburban Residential (SR)									
Duplex	4,500 sf.	35'	25'	5'	13'	15'	35'	40%	50%
Townhouse	3,500 sf.	30'	20'	0'	10'	15'	35'	55%	60%
Multifamily	2,750 sf.	90'	35'	8'	18'	18'	35'	65%	70%
Auto-Urban Residential (AR), Suburban Commercial (SC), General Commercial (GC), and Campus/University (CU)									
Duplex	3,250 sf.	27'	25'	5'	13'	20'	35'	40%	50%
Townhouse	2,500 sf.	20'	20'	0'	10'	15'	35'	55%	60%
Multifamily	1,750 sf.	75'	35'	8'	18'	18'	45'	65%	70%
Urban Residential (UR), and Downtown Commercial (DC)									
Duplex	2,250 sf.	22'	20'	5'	10'	15'	35'	40%	50%
Townhouse	1,500 sf.	20'	20' ³	0'	10' ³	15'	35'	55%	60%

Multifamily	1,000 sf.	65'	25' ³	5'	13' ³	15'	55'	65%	70%
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TABLE NOTES:

1. For duplex and townhouse types, lot area and lot width are measured per unit.
2. A setback of 20 feet is required from the building line to the face of garage doors.
3. Townhouses and multifamily dwellings may be required to be built on the front and side property line (the "build-to lines"), in accordance with subsection 11-503.01.D. *DC District Setbacks* , and subsection 11-624.03.O., *Relationship to Adjacent Properties* .

Sec. 11-602.03. - Mix of housing types in planned neighborhoods.

Planned neighborhoods shall include a mix of housing types, subject to the number of dwelling units in the development. Set out in Table 11-602.03., *Housing Mix Requirements*, is the mix of housing types that are allowed in planned neighborhoods. When calculating the percentage of each housing type in a proposed development, normal rounding is allowed. Individual housing types that may be included in the mix are set out in Table 11-602.02.01., *Single-Family Detached Lot and Building Standards* and Table 11-602.02.02., *Single-Family Attached and Multiple Family Lot and Building Standards* above.

Table 11-602.03. Housing Mix Requirements			
Number of Dwelling Units in Planned Neighborhoods	Number of Housing Types	Percentage of Any Housing Type	
	Minimum	Maximum	Minimum
Less than 15	1	100	20
16 to 30	2	75	25
31 to 89	3	55	15
90 to 149	4	50	10
150 or more	4	50	10

Exhibit C- excerpt from online draft of the UDO- Note the highlighted paragraphs were not included in the adopted UDC

Sec. 15-402 Standards for New Neighborhoods

- A. **Purpose.** The purpose of this Section is to set out the standards for the development of new residential neighborhoods.
- B. **Application.** The development yield and lot and building standards for each residential district are determined as follows:
1. *Development Yield.*

Application. The standards set out in Subsection [15-402.01.](#), *Development Standards*, shall be used to determine the buildable area and maximum number of dwelling units that may be developed for each district and neighborhood type. This is derived by multiplying the size (in acres) of the parcel proposed for development by the required minimum open space and maximum gross density.

 - a. *Standards.* The standards set out in Table [15-402.01.](#), *Residential Development Standards* include:
 1. Minimum or average lot size;
 2. Minimum open space ratio;
 3. Maximum gross density;
 4. Minimum area of development; and
 5. Utility requirements.
 2. *Lot and Building Dimensions.*
 - a. *Standards.* The standards set out in Table [15-402.02.01](#), *Single-Family Detached Lot and Building Standards* and Table [15-402.02.02](#), *Single-Family Attached and Multiple Family Lot and Building Standards* which include:
 1. Minimum lot area and width;
 2. Minimum front, interior and street side, and rear yard setbacks; and
 3. Maximum building height and coverage ratio.
 - b. *Application.* Once the total allowable number of dwelling units is determined for the applicable district and neighborhood type, the lot and building standards for the applicable housing type establish the required dimensions for their construction. ***(This paragraph not included in adopted version)***
 3. *Accessory Buildings and Structures.* Set out in Subsection [15-414.03.](#), *Accessory Buildings and Structures*, and Section [15-416](#), *Height and Area Exceptions*, are additional standards and exceptions that may apply in both new and established neighborhoods.

15-402.01. Development Standards.

- A. **Generally.** The maximum gross density and average lot size, open space, and utility requirements for each district and neighborhood type are as set out in Table 15-402.01., *Residential Development Standards*.
- B. **Application.** These standards apply to all subdivisions or resubdivisions of property that create at least two buildable lots and to all single-family attached or multiple family developments with at least two dwelling units on a single parcel. ***(The adopted UDC has different language)***

C. Use of Neighborhood and Housing Types. Each low density residential district (including RR, SR, and GR) includes alternative neighborhood types and the high density residential (HR) District includes alternative housing types. Any neighborhood or housing type within a district may be developed by-right, subject to the standards of this Section. The allowable housing types in each district are set out in Table 15-402.02.01, Single-Family Detached Lot and Building Standards and Table 15-402.02.02, Single-Family Attached and Multiple Family Lot and Building Standards. **(This paragraph was not included in the adopted UDC)**

15-402.02. Lot and Building Standards for Individual Housing Types.

The lot and building standards for each district and housing type are set out in Table 15-402.02.01, *Single-Family Detached Lot and Building Standards* and Table 15-402.02.02, *Single-Family Attached and Multiple Family Lot and Building Standards*.

A. Low Density Residential. Single-family detached dwellings are permitted in the AG, RR, SR, and GR Districts. The lot area and width; front, interior and street side, and rear setbacks; building height and coverage ratio; and impervious coverage ratio are established for each neighborhood type within these districts. Zero lot line dwellings are permitted in cluster and planned developments in the GR District.

B. Moderate and High Density Residential. Single-family attached and multiple family dwellings are permitted in the cluster and planned neighborhoods in the GR District, as well as in the HR and UR Districts. The lot area and width; front, interior and street side, and rear setbacks; building height and coverage ratio; and impervious coverage ratio are established for each neighborhood type in the GR District and each housing type in the HR and UR Districts. **(These paragraphs were not included in the adopted UDC)**

15-402.03. Mix of Housing Types in Cluster and Planned Neighborhoods.

Cluster neighborhoods may and planned and traditional neighborhoods shall include a mix of the housing types, subject to the number of dwelling units in the development. Set out in Table 15-402.03., *Housing Mix Requirements*, is the mix of housing types that are allowed in cluster and required in planned and traditional neighborhoods. When calculating the percentage of each housing type in a proposed development, normal rounding is allowed. Individual housing types that may be included in the mix are set out in Table 15-402.02.01, Single-Family Detached Lot and Building Standards and Table 15-402.02.02, Single-Family Attached and Multiple Family Lot and Building Standards above. **(Highlighted areas not included in the UDC)**

ORDINANCE NO. 5532

AN ORDINANCE OF THE CITY OF FREMONT, NEBRASKA, AMENDING EXHIBIT B OF ORDINANCE 5427, SPECIFICALLY PORTIONS OF THE UNIFIED DEVELOPMENT CODE (UDC), CHAPTER 11, ZONING, SUBDIVISION AND SITE DEVELOPMENT EXHIBIT B; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council for the City of Fremont, Nebraska, seeks to promote the health, safety, morals, and the general welfare of the community; and

WHEREAS, a request for amendments to Exhibit B of Ordinance 5427 was filed with the offices of the Department of Planning, City of Fremont (City); and

WHEREAS, the City has determined that the changes are necessary; and

WHEREAS, a public hearing on the proposed amendment to Exhibit B of Ordinance 5427 was held by the Planning Commission on April 20, 2020 and subsequently by the City Council on April 28, 2020; and

WHEREAS, the City has determined that such proceedings were in compliance with *Neb. Rev. Stat.* §19-904 pertaining to zoning regulations and restrictions;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FREMONT, NEBRASKA, AS FOLLOWS:

SECTION 1. Amendment to Chapter 11 section 11-601.A of the Fremont Municipal Code pertaining to the standards of development to exclude Planned Developments is hereby adopted as attached in Exhibit A.

SECTION 2. REPEALER. That any other section of said ordinance in conflict with this ordinance is hereby repealed.

SECTION 3. SEVERABILITY. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance, or application hereof, is for any reason held invalid or unconstitutional by any Court, such portion or application shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions or application hereof.

SECTION 4. EFFECTIVE DATE. This Ordinance shall take effect and be in force from and after its passage, approval, and publication as required by law.

PASSED AND APPROVED THIS 26th DAY OF May, 2020

Scott Getzschman, Mayor

ATTEST:

Tyler Ficken, City Clerk

EXHIBIT A

Sec. 11-601. - Purpose and Application.

A. *Purpose.* The purpose of this article is to establish the general standards for the character, scale, density (residential), and intensity (nonresidential and mixed use) of development that is allowed within each zoning district set out in Section 11-403, *Zoning Districts*, except Planned Developments. See Section 11-405.07.D for standards of Planned Developments.

B. *Application.* This article establishes regulations for lots or tracts proposed for development or redevelopment, which is organized for new and established residential neighborhoods and nonresidential and mixed use development.

Staff Report

TO: Mayor and City Council
FROM: Jennifer McDuffee, Director of Human Resources
DATE: May 12, 2020
SUBJECT: Salary Ordinance for Government Officers and Employees
(proposed addition of Library Technology Specialist classification)

Recommendation: Hold first reading of Ordinance 5533 and request Council suspend the rules and move to final reading.

Background:

The salary ordinance needs to be adjusted to add a classification for Library Technology Specialist. This position will replace the IT Specialist-Library classification.

The pay grade was established using a salary comparison study performed by Capital City Concepts (CCC).

The pay grade has been adjusted to 19.5, based on a change in the wage information from another municipality.

We are requesting that this be placed on final reading so that we may proceed with recruiting for this position as soon as possible.

Concerns brought up at the April 28, 2020 Council Meeting are addressed below.

1. Concern: The job titles of the positions used in the salary array are not the same and do not include the term "technology" in them.

Response: Municipals assign job titles and they are under no obligation to classify or name similar positions in a similar manner. Two positions with the same job title can have vastly different responsibilities in different organizations and two positions with similar responsibilities can have completely different job titles. Therefore, job titles are not controlling when considering job match. By statute, the elements of job match are outlined in Statue 48-818 as follows:

...the Commission of Industrial Relations shall establish rates of pay and conditions of employment which are comparable to the prevalent wage rates paid and conditions of employment maintained for the same or similar work of workers exhibiting like or similar skills under same or similar working conditions. (emphasis added)

2. Concern: The positions used are not comparable to the Fremont Library Technology Specialist.

Response: State statute mandates that job matches must support at least a seventy percent match based on duties and time spent performing those duties.

CCC has confirmed that the positions listed in the array meet the seventy percent requirement. The position description for the Information System (IS) Manager at North Platte does not meet the seventy percent match.

3. Concern: The salary is not consistent with comparable positions.

Response: CCC is confident in the recommendation provided and would defend the recommendation if legally challenged.

Based upon the information provided by the City's consultant and my experience as a Human Resource Professional, I respectfully request that council approve the salary ordinance as presented. The proposed pay grade for the Library Technology Specialist classification is reasonable, is supported by a third-party evaluation, and is legally defensible.

Fiscal Impact: Will vary based on starting wage of candidate hired. This expense is within the approved budget.

City of FREMONT			
EXHIBIT 3			
		Hourly Wage	
Input Point		Minimum	Maximum
COLUMBUS NE	LIBRARIAN I	\$22.03	\$29.75
GRAND ISLAND NE	LIBRARIAN I	\$24.76	\$33.16
HASTINGS NE	LIBRARY P.R. COORDINATOR	\$18.24	\$25.69
KEARNEY NE	LIBRARIAN/ TECHNOLOGY L.C.	\$20.92	\$29.41
LaVISTA NE	LIBRARIAN II	\$22.21	\$28.60
PAPILLION NE	LIBRARIAN I-tech services	\$19.53	\$25.67
NORFOLK NE	LIBRARY TECH SPECIALIST	\$21.65	\$30.10
	Mean	\$21.33	\$28.91
	Median	\$21.65	\$29.41
	Midpoint	\$21.49	\$29.16

ORDINANCE NO. 5501

An Ordinance of the City of Fremont, Nebraska pertaining to pay plan for officers and employees, repealing Ordinance No. 5468 and all other ordinances and parts of ordinances in conflict herewith; providing for publication in pamphlet form and providing for an effective date.

Be it ordained by the Mayor and City Council of Fremont, Nebraska:

SECTION I. That the following schedule of Pay Grades be used for pay purposes in place of those originally stated in all other ordinances and parts of ordinances in conflict herewith are hereby repealed.

SECTION II. That the Class Title and Pay Grade of each non union position for the City shall be as follows:

	Job Title	Pay Grade	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8
Non-union Exempt Classifications	Assistant City Administrator - Utilities	40.0	57.8544	60.7504	63.7835	66.9756	70.3265	73.8435	77.5341	81.4050
	Power Plant Superintendent	37.5	51.2392	53.7956	56.4893	59.3132	62.2814	65.4013	68.6727	72.1104
	Director of Finance	35.5	46.4728	48.7982	51.2392	53.7956	56.4893	59.3132	62.2814	65.4013
	City Attorney	35.5	46.4728	48.7982	51.2392	53.7956	56.4893	59.3132	62.2814	65.4013
	Director of Electrical Engineering	33.0	41.1214	43.1724	45.3318	47.5994	49.9826	52.4813	55.1028	57.8544
	Mechanical Engineer	33.0	41.1214	43.1724	45.3318	47.5994	49.9826	52.4813	55.1028	57.8544
	Assistant Power Plant Supt	32.5	40.1464	42.1543	44.2627	46.4728	48.7982	51.2392	53.7956	56.4893
	Water/Wastewater Superintendent	32.5	40.1464	42.1543	44.2627	46.4728	48.7982	51.2392	53.7956	56.4893
	Administrative Services Director	31.5	38.2327	40.1464	42.1543	44.2627	46.4728	48.7982	51.2392	53.7956
	Director of Human Resources	31.5	38.2327	40.1464	42.1543	44.2627	46.4728	48.7982	51.2392	53.7956
	Director of Information Systems	31.5	38.2327	40.1464	42.1543	44.2627	46.4728	48.7982	51.2392	53.7956
	Distribution Superintendent	31.0	37.2937	39.1642	41.1214	43.1724	45.3318	47.5994	49.9826	52.4813
	Gas System Superintendent	30.0	35.5172	37.2937	39.1642	41.1214	43.1724	45.3318	47.5994	49.9826
	Senior Accountant	28.5	33.0256	34.6792	36.4127	38.2327	40.1464	42.1543	44.2627	46.4728
	Wastewater Treatment Superintendent	27.5	31.4585	33.0256	34.6792	36.4127	38.2327	40.1464	42.1543	44.2627
	Network Systems Administrator	27.0	30.6857	32.2168	33.8272	35.5172	37.2937	39.1642	41.1214	43.1724
	Accountant	26.5	29.9634	31.4585	33.0256	34.6792	36.4127	38.2327	40.1464	42.1543
Water and Sewer Superintendent	26.5	29.9634	31.4585	33.0256	34.6792	36.4127	38.2327	40.1464	42.1543	
Safety Manager	25.5	28.5335	29.9634	31.4585	33.0256	34.6792	36.4127	38.2327	40.1464	
Stores Supervisor	25.0	27.8329	29.2270	30.6857	32.2168	33.8272	35.5172	37.2937	39.1642	

	Job Titles	Pay Grade	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step7	Step 8
Non Union Hourly	Power Plant Electrical Supervisor	30.5	36.4127	38.2327	40.1464	42.1543	44.2627	46.4728	48.7982	51.2392
	Power Plant Maintenance Supervisor	30.0	35.5172	37.2937	39.1642	41.1214	43.1724	45.3318	47.5994	49.9826
	Power Plant Shift Supervisor	29.5	34.6792	36.4127	38.2327	40.1464	42.1543	44.2627	46.4728	48.7982
	Electric Metering and Service Supervisor	27.5	31.4585	33.0256	34.6792	36.4127	38.2327	40.1464	42.1543	44.2627
	Fuel Handling Supervisor	27.0	30.6857	32.2168	33.8272	35.5172	37.2937	39.1642	41.1214	43.1724
	Line Crew Supervisor	27.0	30.6857	32.2168	33.8272	35.5172	37.2937	39.1642	41.1214	43.1724
	Gas Crew Supervisor	26.5	29.9634	31.4585	33.0256	34.6792	36.4127	38.2327	40.1464	42.1543
	Tree Trimming Supervisor	24.5	27.1758	28.5335	29.9634	31.4585	33.0256	34.6792	36.4127	38.2327
	Water/Sewer Supervisor	24.0	26.5113	27.8329	29.2270	30.6857	32.2168	33.8272	35.5172	37.2937
	Wastewater Supervisor	24.0	26.5113	27.8329	29.2270	30.6857	32.2168	33.8272	35.5172	37.2937
	WWTP Laboratory Technician	22.0	24.0417	25.2477	26.5113	27.8329	29.2270	30.6857	32.2168	33.8272
	Network/PC Technician	21.5	23.4712	24.6409	25.8760	27.1758	28.5335	29.9634	31.4585	33.0256
	Automotive Maintenance Supervisor	21.0	22.8935	24.0417	25.2477	26.5113	27.8329	29.2270	30.6857	32.2168
	Human Resources Technician II	19.0	20.7627	21.8029	22.8935	24.0417	25.2477	26.5113	27.8329	29.2270
	Accounting Associate	18.5	20.2789	21.2900	22.3517	23.4712	24.6409	25.8760	27.1758	28.5335
	Utility Office Associate II (3/4-time)	15.5	17.5129	18.3869	19.3111	20.2789	21.2900	22.3517	23.4712	24.6409
	Accounting Assistant	15.0	17.0724	17.9247	18.8273	19.7735	20.7627	21.8029	22.8935	24.0417
Custodian- 3/4 time	11.0	14.0538	14.7471	15.4835	16.2638	17.0724	17.9247	18.8273	19.7735	

SECTION III.

That the Class Title and Pay Grade of each union position for the City shall be as follows:

	Job Titles	Pay Grade	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step7	Step 8
IBEW Union Classifications	Environmental Engineering Technician	27.5	31.4585	33.0256	34.6792	36.4127	38.2327	40.1464	42.1543	44.2627
	Power Plant Operator III	27.5	31.4585	33.0256	34.6792	36.4127	38.2327	40.1464	42.1543	44.2627
	Power Plant Statistical Technician II	27.5	31.4585	33.0256	34.6792	36.4127	38.2327	40.1464	42.1543	44.2627
	Instrument & Control Technician	27.0	30.6857	32.2168	33.8272	35.5172	37.2937	39.1642	41.1214	43.1724
	Senior Engineering Associate	26.5	29.9634	31.4585	33.0256	34.6792	36.4127	38.2327	40.1464	42.1543
	Environmental Engineering Assistant	26.0	29.2270	30.6857	32.2168	33.8272	35.5172	37.2937	39.1642	41.1214
	Power Plant Operator II	26.0	29.2270	30.6857	32.2168	33.8272	35.5172	37.2937	39.1642	41.1214
	Electrician II	25.5	28.5335	29.9634	31.4585	33.0256	34.6792	36.4127	38.2327	40.1464
	Senior Electrical Technician	25.5	28.5335	29.9634	31.4585	33.0256	34.6792	36.4127	38.2327	40.1464
	Lineworker First Class	25.0	27.8329	29.2270	30.6857	32.2168	33.8272	35.5172	37.2937	39.1642
	Gas Leak Surveyor	24.5	27.1758	28.5335	29.9634	31.4585	33.0256	34.6792	36.4127	38.2327

	Job Titles	Pay Grade	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step7	Step 8
IBEW Union Classifications	Gas Service Worker	24.5	27.1758	28.5335	29.9634	31.4585	33.0256	34.6792	36.4127	38.2327
	Measurement Technician	24.5	27.1758	28.5335	29.9634	31.4585	33.0256	34.6792	36.4127	38.2327
	Power Plant Mechanic II	24.5	27.1758	28.5335	29.9634	31.4585	33.0256	34.6792	36.4127	38.2327
	Power Plant Operator I	24.5	27.1758	28.5335	29.9634	31.4585	33.0256	34.6792	36.4127	38.2327
	Gas System Worker/Welder	23.5	25.8760	27.1758	28.5335	29.9634	31.4585	33.0256	34.6792	36.4127
	Power Plant Statistical Technician I	23.0	25.2477	26.5113	27.8329	29.2270	30.6857	32.2168	33.8272	35.5172
	Corrosion Technician/ Drafter	22.5	24.6409	25.8760	27.1758	28.5335	29.9634	31.4585	33.0256	34.6792
	Fuel Handler	22.5	24.6409	25.8760	27.1758	28.5335	29.9634	31.4585	33.0256	34.6792
	Gas System Worker II	22.5	24.6409	25.8760	27.1758	28.5335	29.9634	31.4585	33.0256	34.6792
	Engineering Associate	22.0	24.0417	25.2477	26.5113	27.8329	29.2270	30.6857	32.2168	33.8272
	Water Treatment Technician	22.0	24.0417	25.2477	26.5113	27.8329	29.2270	30.6857	32.2168	33.8272
	Power Plant Mechanic I	21.5	23.4712	24.6409	25.8760	27.1758	28.5335	29.9634	31.4585	33.0256
	Wastewater Plant Mechanic II	21.5	23.4712	24.6409	25.8760	27.1758	28.5335	29.9634	31.4585	33.0256
	Lineworker Apprentice	21.0	22.8935	24.0417	25.2477	26.5113	27.8329	29.2270	30.6857	32.2168
	Utility Tree Trimmer	21.0	22.8935	24.0417	25.2477	26.5113	27.8329	29.2270	30.6857	32.2168
	Electrician I	20.5	22.3517	23.4712	24.6409	25.8760	27.1758	28.5335	29.9634	31.4585
	Gas System Worker I	20.5	22.3517	23.4712	24.6409	25.8760	27.1758	28.5335	29.9634	31.4585
	Water and Sewer Serviceworker II	20.5	22.3517	23.4712	24.6409	25.8760	27.1758	28.5335	29.9634	31.4585
	Utility Equipment Mechanic II	20.0	21.8029	22.8935	24.0417	25.2477	26.5113	27.8329	29.2270	30.6857
	Stores Associate	19.0	20.7627	21.8029	22.8935	24.0417	25.2477	26.5113	27.8329	29.2270
	Wastewater Plant Mechanic I	19.0	20.7627	21.8029	22.8935	24.0417	25.2477	26.5113	27.8329	29.2270
	Utility Equipment Mechanic I	19.0	20.7627	21.8029	22.8935	24.0417	25.2477	26.5113	27.8329	29.2270
	Wastewater Plant Operator II	19.0	20.7627	21.8029	22.8935	24.0417	25.2477	26.5113	27.8329	29.2270
	Customer Services- Lead	18.5	20.2789	21.2900	22.3517	23.4712	24.6409	25.8760	27.1758	28.5335
	Water and Sewer Serviceworker I	18.5	20.2789	21.2900	22.3517	23.4712	24.6409	25.8760	27.1758	28.5335
	Utility Maintenance Worker II	16.5	18.3869	19.3111	20.2789	21.2900	22.3517	23.4712	24.6409	25.8760
	Wastewater Plant Operator I	16.5	18.3869	19.3111	20.2789	21.2900	22.3517	23.4712	24.6409	25.8760
	Customer Billing Assistant	15.5	17.5129	18.3869	19.3111	20.2789	21.2900	22.3517	23.4712	24.6409
	Customer Services Associate	15.5	17.5129	18.3869	19.3111	20.2789	21.2900	22.3517	23.4712	24.6409
	Utility Office Associate II	15.5	17.5129	18.3869	19.3111	20.2789	21.2900	22.3517	23.4712	24.6409
Utility Worker I	15.0	17.0724	17.9247	18.8273	19.7735	20.7627	21.8029	22.8935	24.0417	
Customer Services Assistant	14.5	16.6753	17.5129	18.3869	19.3111	20.2789	21.2900	22.3517	23.4712	

	Job Titles	Pay Grade	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step7	Step 8
IBEW Union Classifications	Power Plant Service Worker	14.5	16.6753	17.5129	18.3869	19.3111	20.2789	21.2900	22.3517	23.4712
	Utility Office Associate I	14.0	16.2638	17.0724	17.9247	18.8273	19.7735	20.7627	21.8029	22.8935
	Custodian	11.0	14.0538	14.7471	15.4835	16.2638	17.0724	17.9247	18.8273	19.7735

	Class Title		Hourly Wage	
Temporary/ Seasonal	Utility Worker		9.00 -18.00	
	Custodian- Part time		9.00 -12.70	
	Utility & Infrastructure Board Members		\$75/mo	

SECTION IV. All ordinances and parts of ordinances in conflict herewith are repealed.

SECTION V. The above salary adjustments are effective October 1, 2019. Employees whose current pay is above their current pay grade shall have their salaries frozen.

SECTION VI. That this ordinance be effective from and after its passage and publication according to law.

SECTION VII. This ordinance shall be published in pamphlet form by the City Clerk.

PASSED AND APPROVED THIS _____ DAY OF _____, 2019.

Scott Getzschman, Mayor

ATTEST:

Tyler Ficken, City Clerk

ORDINANCE NO. 5533

An Ordinance of the City of Fremont, Nebraska pertaining to pay plan for officers and employees, repealing Ordinance No. 5500 and all other ordinances and parts of ordinances in conflict herewith; providing for publication in pamphlet form and providing for an effective date.

Be it ordained by the Mayor and City Council of Fremont, Nebraska:

SECTION I. That the following schedule of Pay Grades be used for pay purposes in place of those originally stated in all other ordinances and parts of ordinances in conflict herewith are hereby repealed.

SECTION II. That the Class Title and Pay Grade of each non union position for the City shall be as follows:

	Job Title	Pay Grade	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8
Subsection A. Non Union Exempt	City Administrator	45.5	75.7079	79.4934	83.4681	87.6415	92.0235	96.6247	101.4559	106.5287
	Assistant City Administrator-City	37.5	51.2404	53.7969	56.4908	59.3147	62.2827	65.4028	68.6743	72.1120
	Director of Public Works	34.0	43.1734	45.3327	47.6006	49.9837	52.4827	55.1041	57.8557	60.7516
	City Engineer	33.5	42.1552	44.2640	46.4739	48.7993	51.2404	53.7969	56.4908	59.3147
	Police Chief	33.0	41.1224	43.1734	45.3327	47.6006	49.9837	52.4827	55.1041	57.8557
	Fire Chief	31.0	37.2946	39.1650	41.1224	43.1734	45.3327	47.6006	49.9837	52.4827
	Director of Planning	30.5	36.4135	38.2335	40.1473	42.1552	44.2640	46.4739	48.7993	51.2404
	Director of Parks and Recreation	30.0	35.5180	37.2946	39.1650	41.1224	43.1734	45.3327	47.6006	49.9837
	Library Director	27.5	31.4592	33.0264	34.6802	36.4135	38.2335	40.1473	42.1552	44.2640
	Assistant Fire Chief	26.5	29.9641	31.4592	33.0264	34.6802	36.4135	38.2335	40.1473	42.1552
	Chief Building Inspector	26.5	29.9641	31.4592	33.0264	34.6802	36.4135	38.2335	40.1473	42.1552
	Civil Engineer	26.0	29.2277	30.6863	32.2175	33.8279	35.5180	37.2946	39.1650	41.1224
	City Clerk	25.5	28.5342	29.9641	31.4592	33.0264	34.6802	36.4135	38.2335	40.1473
	Superintendent of Public Services	25.5	28.5342	29.9641	31.4592	33.0264	34.6802	36.4135	38.2335	40.1473
Recreation Superintendent	23.5	25.8765	27.1763	28.5342	29.9641	31.4592	33.0264	34.6802	36.4135	
Director of Communications	21.0	22.8939	24.0424	25.2482	26.5121	27.8336	29.2277	30.6863	32.2175	

	Job Title	Pay Grade	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8
Subsection B. Non Union Hourly	Police Lieutenant	27.0	30.6863	32.2175	33.8279	35.5180	37.2946	39.1650	41.1224	43.1734
	Executive Asst- Comm & Grants	23.5	25.8765	27.1763	28.5342	29.9641	31.4592	33.0264	34.6802	36.4135
	Park Maintenance Supervisor	23.0	25.2482	26.5121	27.8336	29.2277	30.6863	32.2175	33.8279	35.5180
	Building Inspector II	21.5	23.4716	24.6415	25.8765	27.1763	28.5342	29.9641	31.4592	33.0264
	Fire Captain/EMT-P	21.5	23.4716	24.6415	25.8765	27.1763	28.5342	29.9641	31.4592	33.0264
	Job Title	Pay Grade	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8
	IT Specialist-Library	21.5	23.4716	24.6415	25.8765	27.1763	28.5342	29.9641	31.4592	33.0264

Automotive Maintenance Supv	21.0	22.8939	24.0424	25.2482	26.5121	27.8336	29.2277	30.6863	32.2175
Street Construction Supervisor	21.0	22.8939	24.0424	25.2482	26.5121	27.8336	29.2277	30.6863	32.2175
City Attorney Investigator	20.0	21.8034	22.8939	24.0424	25.2482	26.5121	27.8336	29.2277	30.6863
Building Inspector I	19.5	21.2905	22.3523	23.4716	24.6415	25.8765	27.1763	28.5342	29.9641
Library Technology Specialist	19.5	21.2905	22.3523	23.4716	24.6415	25.8765	27.1763	28.5342	29.9641
Legal Secretary	18.0	19.7740	20.7633	21.8034	22.8939	24.0424	25.2482	26.5121	27.8336
Human Resources Technician I	17.0	18.8277	19.7740	20.7633	21.8034	22.8939	24.0424	25.2482	26.5121
Cemetery Sexton	16.5	18.3875	19.3117	20.2795	21.2905	22.3523	23.4716	24.6415	25.8765
Events Maintenance Supervisor	16.5	18.3875	19.3117	20.2795	21.2905	22.3523	23.4716	24.6415	25.8765
Evidence/Equipment Tech	16.5	18.3875	19.3117	20.2795	21.2905	22.3523	23.4716	24.6415	25.8765
Senior Center Director	16.0	17.9250	18.8277	19.7740	20.7633	21.8034	22.8939	24.0424	25.2482
Deputy City Clerk	15.5	17.5133	18.3875	19.3117	20.2795	21.2905	22.3523	23.4716	24.6415
Senior Office Associate	15.0	17.0730	17.9250	18.8277	19.7740	20.7633	21.8034	22.8939	24.0424
Dispatcher I- Part-time	HD1	16.1933	17.0780	17.9624	18.8471	19.7318	20.6163	21.5009	22.3857
Transfer Station Cashier-Part-time	11.0	14.0540	14.7475	15.4842	16.2641	17.0730	17.9250	18.8277	19.7740
Custodian- Part time	HT1	10.0071	10.5075	11.0329	11.5846	12.1637	12.7719	13.4104	14.0809
Library Aide- Part time	HT1	10.0071	10.5075	11.0329	11.5846	12.1637	12.7719	13.4104	14.0809

Subsection C. Temporary/ Seasonal Hourly	Admissions Attendant
	Admissions Supervisor
	Aquatic Supervisor
	Concessions Attendant
	Concessions Supervisor
	Custodian Helper
	After Hour Custodian Helper
	Head Guard
	Head Water Safety Instructor
	Library Aide
	Lifeguard (w/CPO)
	Lifeguard I
	Lifeguard II
	Office Trainee
	Park Ranger
	Rec: Arts & Crafts Instructor
	Rec: Baseball/ Softball Instruct
	Recreation: Chief Instructor
Recreation Leader	

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Rec: Playground Asst Director	9.00-9.50
Recreation: Playground Director	9.00-10.00
Recreation: Playground Leader	9.00-9.50
Rec:Umpire/Scorekeeper Supv	9.00-9.50
Relief Dispatcher	10.50-12
Reserve Police Officer	15.00-20.00
Reserve Firefighter	9.00
Senior Center Assistant Manager	9.00-11.25
Splash Station: Head Maint	10.00-12.00
Splash Station: Maintenance Asst	9.00-12.00
City Utility Worker	9.00-12.70

Subsection D. Temporary and Part-Time Hourly	City Council Member	\$500/mo
	City Physician	\$50/mo
	City Prosecutor	\$377.75/mo
	Mayor	\$1000/mo
	Civil Defense Director	\$333/mo

SECTION III. That the Class Title and Pay Grade of each union position for the City shall be as follows:

	Job Title	Pay Grade	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	
Subsection E. AFSCME Hourly	Engineering Associate II	23.0	25.2482	26.5121	27.8336	29.2277	30.6863	32.2175	33.8279	35.5180	
	Librarian II	22.5	24.6415	25.8765	27.1763	28.5342	29.9641	31.4592	33.0264	34.6802	
	Engineering Associate	22.0	24.0424	25.2482	26.5121	27.8336	29.2277	30.6863	32.2175	33.8279	
	Librarian I	19.0	20.7633	21.8034	22.8939	24.0424	25.2482	26.5121	27.8336	29.2277	
	Heavy Equipment Mechanic	18.5	20.2795	21.2905	22.3523	23.4716	24.6415	25.8765	27.1763	28.5342	
	Equipment Mechanic I	17.5	19.3117	20.2795	21.2905	22.3523	23.4716	24.6415	25.8765	27.1763	
	Maintenance Worker III	17.0	18.8277	19.7740	20.7633	21.8034	22.8939	24.0424	25.2482	26.5121	
	Equipment Operator	16.5	18.3875	19.3117	20.2795	21.2905	22.3523	23.4716	24.6415	25.8765	
	Maintenance Worker II	15.5	17.5133	18.3875	19.3117	20.2795	21.2905	22.3523	23.4716	24.6415	
	Senior Office Associate	15.0	17.0730	17.9250	18.8277	19.7740	20.7633	21.8034	22.8939	24.0424	
	Office Associate	13.5	15.8814	16.6756	17.5133	18.3875	19.3117	20.2795	21.2905	22.3523	
	Library Assistant III	13.0	15.4842	16.2641	17.0730	17.9250	18.8277	19.7740	20.7633	21.8034	
		Job Title	Pay Grade	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8
		Code Enforcement Assistant	11.5	14.4008	15.1230	15.8814	16.6756	17.5133	18.3875	19.3117	20.2795
	Library Assistant II	11.5	14.4008	15.1230	15.8814	16.6756	17.5133	18.3875	19.3117	20.2795	
	Custodian	11.0	14.0540	14.7475	15.4842	16.2641	17.0730	17.9250	18.8277	19.7740	
	Transfer Station Cashier	11.0	14.0540	14.7475	15.4842	16.2641	17.0730	17.9250	18.8277	19.7740	

Library Assistant I	8.0	12.1332	12.7396	13.3824	14.0540	14.7475	15.4842	16.2641	17.0730
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	Job Title	Pay Grade	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8
Subsection F. FOP Union	Police Sergeant	PS1	27.6184	28.8201	30.0218	31.2234	32.4251	33.6267	34.8286	36.0303
	Police Detective	PT1	22.9093	24.1767	25.4438	26.7115	27.9788	29.2462	30.5138	31.7810
	Police Officer	PO1	22.1614	23.3800	24.5984	25.8168	27.0351	28.2537	29.4721	30.6904
	Dispatcher I	PD1	16.3915	17.2870	18.1822	19.0776	19.9731	20.8685	21.7640	22.6595
	Dispatcher I- Lead	PD2	17.2396	18.0999	19.0114	19.9669	20.9659	22.0161	23.1172	24.2770

	Job Title	Pay Grade	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8
Subsection G. IAFF Union	Fire Lieutenant/EMT-P or I *	FP6	19.9025	20.8050	21.7529	22.7462	23.7849	24.8804	26.0270	27.2305
	Firefighter/EMT-P or I *	FP5	17.2058	17.9724	18.7783	19.6234	20.5133	21.4480	22.4273	23.4515
	Firefighter/EMT	F05	15.0331	15.7851	16.5758	17.4050	18.2779	19.1948	20.1555	21.1604

SECTION IV. All ordinances and parts of ordinances in conflict herewith are repealed.

SECTION V. The above salary adjustments are effective May 27, 2020. Employees whose current pay is above their current pay grade shall have their salaries frozen.

SECTION VI. That this ordinance be effective from and after its passage and publication according to law.

SECTION VII. This ordinance shall be published in pamphlet form by the City Clerk.

PASSED AND APPROVED THIS _____ DAY OF _____, 2020.

Scott Getzschman, Mayor

ATTEST:

Tyler Ficken, City Clerk

REPORT

TO: Honorable Mayor and City Council

FROM: Council Representative Mark Jensen
Council Representative Linda McClain
Council Representative Mark Legband

DATE: April 14, 2020

SUBJECT: Proposed changes to **Section 1:** Chapter 2, Article 1, SEC. - 2-108
Meeting; rules of conduct

Recommendation: Approve, waive 1st and 2nd readings and move to final reading of Ordinance ____.

Background:

Over the past year, Fremont City Council meetings have become routinely long and excessively cumbersome. Recently, votes to end at 11:00 to 11:30 pm have caused carryover of items. We have become unable to move forward with the important business of the City in an efficient and timely manner.

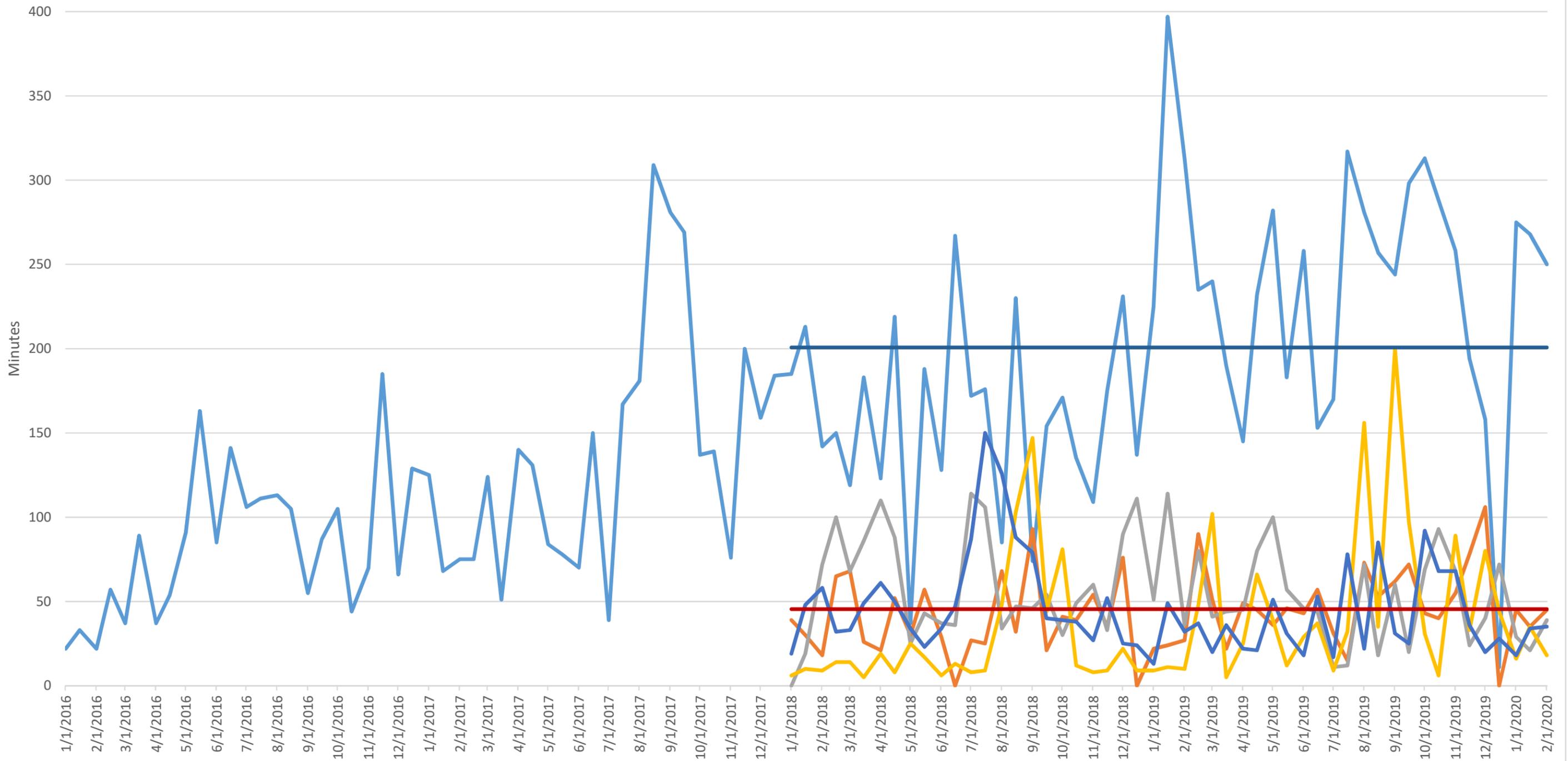
A small minority of Council members monopolize large blocks of time without regard for efficiency of the meeting. This situation at times inhibits others on Council from feeling they can participate without extending and slowing down the meetings even further. Citizens of Fremont pay for legal services at these meetings at a cost of \$200 an hour. We should be respectful of that fact and work to become more efficient.

The public and interested parties also endure unnecessary hardships in not having their issues or concerns heard in a reasonable and timely manner. Citizens with employment or other time constraints are dissuaded from participating in local government at least in part because of the length of our Council meetings. Late night meetings and held over items are contrary to openness and transparency in government.

This proposal would provide for procedures to conduct our meetings in a more equal, timely and efficient manner. This would benefit all of Fremont.

Fiscal Impact: Possible savings in some legal fees.

Lengths of City Council Meetings in Nebraska in Minutes (Populations 20,000 to 30,000)



Fremont Hastings Norfolk North Platte Columbus Peer Average as of 1/1/2018 Fremont Average as of 1/1/2018

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF FREMONT, NEBRASKA, REPEALING AND REPLACING CHAPTER 2, ARTICLE 1, SECTION 2-108 OF THE FREMONT MUNICIPAL CODE AND ALL OTHER ORDINANCES OR PART OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE, PROVIDING WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FREMONT, NEBRASKA, THAT:

SECTION 1: Chapter 2, Article 1, Sec. 2-108. - Meeting; rules of conduct.

The business and proceedings of the meeting of the Council shall be conducted in accordance with the following rules:

- (1) No electronic communication with, among, or between council members and staff or any other person shall be permitted during the Council meeting.
- (2) The presiding officer may refer back to any order of business after passing it, if there is no objection from any Council Member.
- (3) The presiding officer shall preserve order at all meetings. All questions of order shall be decided by the presiding officer, subject to appeal to the Council. In such appeal, a Council Member shall state briefly what in their opinion the ruling should have been and upon this appeal being seconded, the question of the appeal shall be called by the presiding officer.
- (4) When a question is being called by the presiding officer, no Council Member shall leave the Council Chambers.
- (5) Upon request of any Council Member, any motion or resolution shall be reduced to writing before being acted upon.
- (6) The minutes of the meeting shall show the Council Member who offered or introduced a motion, resolution, or ordinance and the Council Member seconding the same.
- (7) The individual votes cast by Council Members upon any question shall be taken and recorded in the minutes.
- (8) The Council may reprimand or censure any of its members for improper behavior as Council Members. Any resolution, ordinance, or motion may be withdrawn by its introducer or mover with consent of the Council Member seconding same, before same is voted upon.
- (9) Motions to reconsider may only be made by a Council Member who voted with the majority, but such motion to reconsider must be made before the expiration of the third (3rd) regular meeting after the consideration of the same question.
- (10) The presiding officer may reasonably limit the time during which any person not a member of the Council may address a Council meeting.
- (11) The presiding officer may express their opinion on any subject being discussed or debated by the Council.
- (12) When a blank is to be filled and different sums or times are proposed, the question shall be called on the largest sum and longest time first.

(13) When a question is under debate by the Council, no motion shall be made, entertained or seconded, except the following privileged motions: First, the previous question; second, to table; third, to adjourn. Each of the privileged motions shall be decided without any debate.

(14) During general debate or debate on a particular agenda item, no Council Member shall be allowed to speak more than once upon any particular agenda item until every other Council Member desiring to do so shall have spoken. No Council Member shall be allowed to speak more than twice upon any particular agenda item.

(15) During discussion, general debate, or debate on any particular agenda item, each Council Member shall confine his or her remarks to a total of five (5) minutes.

(16) Debate and discussion for any particular agenda item shall not exceed forty (40) minutes. Once forty (40) minutes have elapsed, the particular agenda item shall either be voted upon or continued by Motion of any Council Member.

(17)(14) Any rule of the Council may be suspended by a three-fourths (¾) vote of the members present.

SECTION II. REPEAL OF CONFLICTING ORDINANCES. That any other ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION III. EFFECTIVE DATE. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law. This ordinance shall be published in pamphlet form on _____, 2020 and distributed as a City Ordinance.

PASSED AND APPROVED THIS ____ DAY OF _____, 2020:

Scott Getzschman, Mayor

Attest:

Tyler Ficken, City Clerk

ORDINANCE NO. 5530

AN ORDINANCE OF THE CITY OF FREMONT, NEBRASKA, REPEALING AND REPLACING CHAPTER 2, ARTICLE 1, SECTION 2-108 OF THE FREMONT MUNICIPAL CODE AND ALL OTHER ORDINANCES OR PARTY OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE, PROVIDING WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FREMONT, NEBRASKA, THAT:

SECTION 1: Chapter 2, Article 1, Sec. 2-108. - Meeting; rules of conduct.

The business and proceedings of the meeting of the Council shall be conducted in accordance with the following rules:

- (1) No electronic communication with, among, or between council members and staff or any other person shall be permitted during the Council meeting.
- (2) The presiding officer may refer back to any order of business after passing it, if there is no objection from any Council Member.
- (3) The presiding officer shall preserve order at all meetings. All questions of order shall be decided by the presiding officer, subject to appeal to the Council. In such appeal, a Council Member shall state briefly what in their opinion the ruling should have been and upon this appeal being seconded, the question of the appeal shall be called by the presiding officer.
- (4) When a question is being called by the presiding officer, no Council Member shall leave the Council Chambers.
- (5) Upon request of any Council Member, any motion or resolution shall be reduced to writing before being acted upon.
- (6) The minutes of the meeting shall show the Council Member who offered or introduced a motion, resolution, or ordinance and the Council Member seconding the same.
- (7) The individual votes cast by Council Members upon any question shall be taken and recorded in the minutes.
- (8) The Council may reprimand or censure any of its members for improper behavior as Council Members. Any resolution, ordinance, or motion may be withdrawn by its introducer or mover with consent of the Council Member seconding same, before same is voted upon.
- (9) Motions to reconsider may only be made by a Council Member who voted with the majority, but such motion to reconsider must be made before the expiration of the third (3rd) regular meeting after the consideration of the same question.
- (10) The presiding officer may reasonably limit the time during which any person not a member of the Council may address a Council meeting.
- (11) The presiding officer may express their opinion on any subject being discussed or debated by the Council.
- (12) When a blank is to be filled and different sums or times are proposed, the question shall be called on the largest sum and longest time first.

(13) When a question is under debate by the Council, no motion shall be made, entertained or seconded, except the following privileged motions: First, the previous question; second, to table; third, to adjourn. Each of the privileged motions shall be decided without any debate.

(14) During general debate or debate on a particular agenda item, no Council Member shall be allowed to speak more than once upon any particular agenda item until every other Council Member desiring to do so shall have spoken. No Council Member shall be allowed to speak more than twice upon any particular agenda item.

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~~(17)~~(14) Any rule of the Council may be suspended by a three-fourths (¾) vote of the members present.

SECTION II. REPEAL OF CONFLICTING ORDINANCES. That any other ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION III. EFFECTIVE DATE. This ordinance shall take effect and be in force from and after its passage, approval, and publication according to law. This ordinance shall be published in pamphlet form on _____, 2020 and distributed as a City Ordinance.

PASSED AND APPROVED THIS ____ DAY OF _____, 2020:

Scott Getzschman, Mayor

Attest:

Tyler Ficken, City Clerk

STAFF REPORT

TO: Honorable Mayor and City Council
FROM: Jennifer L. Dam, AICP, Planning Director
DATE: May 12, 2020
SUBJECT: Revised Bluestem Commons Planned Development

Recommendation: Hold Second Reading.

Background:

The City Council held first reading on this item on March 10, 2020 and the developer requested that the Planned Development, Preliminary Plat and Final Plat be held over until the changes to Section 11-601 of the Unified Development Code were brought forward by the City Attorney.

The Planned Development Agreement, Preliminary Plat and Final Plat will be scheduled on the May 26, 2020 agenda so that all of the related actions can take place at the same meeting.

The developer has submitted revisions to the Bluestem Commons Planned Development by adding six (6) detached single family lots along Luther Road. The revised planned development is now proposed to contain 4 housing types: single family detached, duplex, townhouse and multi-family. The proportions of buildings meet the housing type requirements in Section 11-602.03, with a minimum of 10% of the buildings of one type and a maximum of 50% of a type.

Prior revisions moved the apartment buildings to the north and west portion of the property, removed the commercial lots at the intersection of County Road T and Luther Road, and revised the street and lot layout. The clubhouse site is proposed to be a mixed use by incorporating neighborhood commercial uses into the clubhouse.

An agreement for the Planned Development will be required as a part of this approval and is expected to be on the May 26, 2020 agenda.

History:

Initially, the Planning Commission held public hearings on November 18, 2019 and again on December 16, 2019. The Planning Commission did not act on the request in November and voted to recommend denial of the Planned Development with a 5-4 vote in December. The Planning Commissioners expressed concern about the design of the attached units and the density of the proposed project.

In response to the concerns expressed at the November 18, 2019 Planning Commission meeting, the proposed development was been revised to move the apartment buildings that were along Luther Rd an additional 20' to the west to provide an additional area for a landscape berm, landscape screen, and buffering along N. Luther Rd. In addition, the developer reduced the maximum number of multi-family apartment units from 288 to 272. The entire site plan, number of units and landscaping have been redesigned in the new plan.

At the February 18th Planning Commission meeting, the commission voted 5-1 to approve the revised planned development.

Review of Revised Proposal:

This is a request for a change of zone from R, Rural to PD, Planned Development. On property generally described as:

THE NORTH 1406.00 FEET OF THE NORTHEAST QUARTER OF SECTION 12, TOWNSHIP 17 NORTH, RANGE 8 EAST OF THE 6TH P.M., DODGE COUNTY, NEBRASKA, LYING EAST OF THE ABANDONED CHICAGO AND NORTHWESTERN RAILWAY COMPANY RIGHT OF WAY.

The property is zoned R, Rural. The property to the north, west and south are zoned R, Rural. The Ritz Lake subdivision is to the east which is zoned PD, Planned Development.

The revised planned development is proposed to contain 4 housing types: single family detached, duplex, townhouse and multi-family.

The proposal contains 6 single family detached lots; 54 duplex lots (27 buildings); 66 row house lots (18 buildings); and; 8 apartment buildings each containing between 30 and 34 units (maximum of 272 units). Six townhouse lots were replaced with single family detached lots.

Based on the proportion of buildings, the mix of housing types is as follows:

<u>Housing Type</u>	<u>No. of Buildings</u>	<u>% of Total</u>
Single Family Detached	6	10.2%
Duplex	27	45.8%
Townhouse (3+ units)	18	30.5%
Multi-family (apartment)	8	13.5%
Total	59	100%

The single family, duplex, triplex and row house lots meet or exceed the minimum lot sizes in the UR, Urban Residential District.

The housing consists of single family, multi-family, two-family, three family and row-house housing with four or more units. Additionally, the narrative associated with the Planned Development indicates that there will be more than four elevations for the units. This meets the requirements of Section 11-602.03.

The commercial area at the corner of County Road T and Luther Road has been removed. Instead, an interior lot is provided that is proposed to contain a mix of commercial uses, a clubhouse and green space area to serve the development. These uses will be contained in one building.

The commercial/clubhouse building will have a maximum floor area ratio of .17 for a one story building or .34 for a two story building. The maximum gross building area would be 15,000 square feet for a one story building or 30,000 square feet for a two story building.

The narrative states that the commercial uses would be restricted to the

following: Permitted uses shall include but are not limited to:

- Convenience Store/neighborhood market
- Restaurant/Coffee Shop (NO drive-thru window/automobile queueing lanes)
- Laundromat/dry cleaning
- Child Care Center
- Mail Services
- Office (Medical/Urgent Care, Insurance Agent, Lawyer, Accounting, Real Estate)
- Retail Service Establishment (Boutique Commercial, Salon/Spa)

Conditional uses shall include but are not limited to:

- General Merchandise Retail Sales Establishment
- Mixed Use
- Farmers' Market
- Financial services/Check Cashing
- Bar/Tavern

Prohibited uses shall include but are not limited to:

- Adult establishments
- Auto Sales and Service Establishments
- Automotive Repair Services/Car Wash
- Small Animal Veterinary Services
- Animal Grooming Facilities
- Financial Institutions (with drive-thru window/auto queueing lanes)
- Restaurant / Fast food (with drive-thru window/auto queueing lanes)
- Funeral Establishment/Funeral Home
- Small Animal Boarding Facilities
- Service Station

The Planning Commission will need to review and the City Council will need to approve an amendment to the PD if conditional uses are proposed.

An outlot with a storm water retention cell and a trail is located in the southwest corner of the property. The retention cell will be oversized to accommodate a "100 year" storm

event.

The overall design of the proposed Planned Development provides alternative housing types with amenities to appeal to a broad section of the Fremont market.

A homeowner's association will be established to maintain the outlots, detention cell and trail.

The Public Works Director had no comments on the revised plan.

The developer has provided easements as requested by the Utilities Department. Bicycle parking is shown on the site plan.

The Public Works Director previously noted that the sidewalks along outlots and common areas should be part of the public improvements and addressed in the subdivision agreement.

The police chief has no objections.

The proposal is consistent with the land use designation in the Comprehensive Plan and is consistent with neighboring uses.

The Future Land Use Map from the Comprehensive Plan shows the area as future residential use.

While the Comprehensive Plan does not designate mixed use districts, it does make reference to "Suburban Village" type development. A Suburban Village development is described as follows:

"Outside of Downtown Fremont and along the major corridors, commercial uses should be designed at a neighborhood scale in clustered nodes. Rather than linear strips, these village centers will have much smaller building footprints than businesses found on 23rd Street, and they typically cater to neighborhood conveniences such as drug stores, professional services, and boutique retail uses.... Proposed locations include smaller commercial centers surrounded by neighborhoods.

Development types

- Mixed use (on single sites and within individual structures)
- Attached residential dwellings
- Live/work units
- Commercial retail
- Office
- Public/institutional
- Entertainment
- Parking structures
- Parks, plazas and civic spaces." (page 2.10)

The future land use section of the plan (page 2.24) describes policies for "Smaller

neighborhood commercial and mixed use villages.” The policies include:

- “Smaller, neighborhood commercial and mixed use suburban villages should be sited in locations throughout the community. This type of development contrasts with the concentration of strip shopping malls along 23rd street, which have large building footprints and proportionately large parking lots, and thus, visual impacts.
- Sites for the suburban villages should be located at the intersections of collector or arterial streets and at the edge of neighborhood areas. Some villages may be integrated within neighborhoods where suitable sites exist and conditions are appropriate to balance compatibility with convenience...
- Village centers should have liberal open space and landscaping to enhance the neighborhood feel and to buffer between commercial and residential uses.
- Each village should be pedestrian focused and connected to the neighborhood sidewalk and trail system.”

The proposed development adheres to the Comprehensive Plan principle that there should be “Diverse housing types and price points to accommodate a broad demographic and socioeconomic composition.”

A recommended action in the Comprehensive Plan was to “pre-zone areas to the north and to the east (U.S. 30 bypass plus the U.S. 30 and 23rd Street interchange) to encourage multiple housing types offering higher-density housing options, more efficient land use, and preservation of open space.”

The proposal is consistent with the policies in the Comprehensive Plan regarding affordable housing. Specifically, it adheres to the following policies:

- Regulatory and procedural impediments to affordable housing development should be evaluated and mitigated, when appropriate, to encourage developments of this nature.
- New multi-family housing developments should integrate affordable housing units so that their design complements the surrounding context.

The proposal is consistent with the policies related to compact, contiguous community form in the Comprehensive Plan. Those policies include:

- ”The City will grow contiguously to manage the efficiency of public services and municipal infrastructure provision, to maintain a compact and well defined community form, and to oblige its fiscal responsibility.”

The proposed subdivision adheres to the goal of placing development in areas where adequate public services and utility capacity are in place. Additionally, the proposed subdivision extends existing infrastructure and is designed to accommodate future growth to the north.

- ”The street, sidewalk, and trail network should be continuous and citywide, connecting eastern neighborhoods and amenities to western ones, and northern

neighborhoods and amenities to southern ones.”

The proposed development will install sidewalks along Luther and County Road A system of sidewalks and trails is proposed in the interior of the development.

•“The development pattern should promote walking and bicycling within neighborhoods and to neighborhood commercial centers and corridors.”

The proposed development includes sidewalks and trails, including sidewalk connections to the proposed commercial areas.

The proposal is consistent with the Comprehensive Plan policies regarding the character preservation of street, block and school patterns. Those policies include:

•“The future land use plan and necessary zoning changes will guide future development character, which addresses the design and intensity of development, the arrangement of buildings and parking areas, and the preservation of open space. “

The proposed development is consistent with the future land use plan. The layout complies with zoning regulations. A substantial amount of open space is preserved.

•“The character of existing areas will be protected by requiring development of a compatible character or adequately transitioning and buffering areas of different character.”

The proposed development is separated from adjacent residential development by Luther Road, a collector street. Additionally, the proposal includes a 30 foot landscaped buffer strip adjacent to the apartment units that abut Luther Road. This is also consistent with the Land Use Planning Framework goal for streetscape and intersection improvements in this corridor.

•“New streets must provide direct connections to already developed areas by way of continuing collector streets and providing access to and through the development.”

The proposed development provides street connections as required.

This proposal is consistent with the Comprehensive Plan policies regarding land use compatibility and buffering. Those policies include:

•“New development will be compatible with existing and well-established neighborhoods through appropriate use, site design, and patterns of development.”

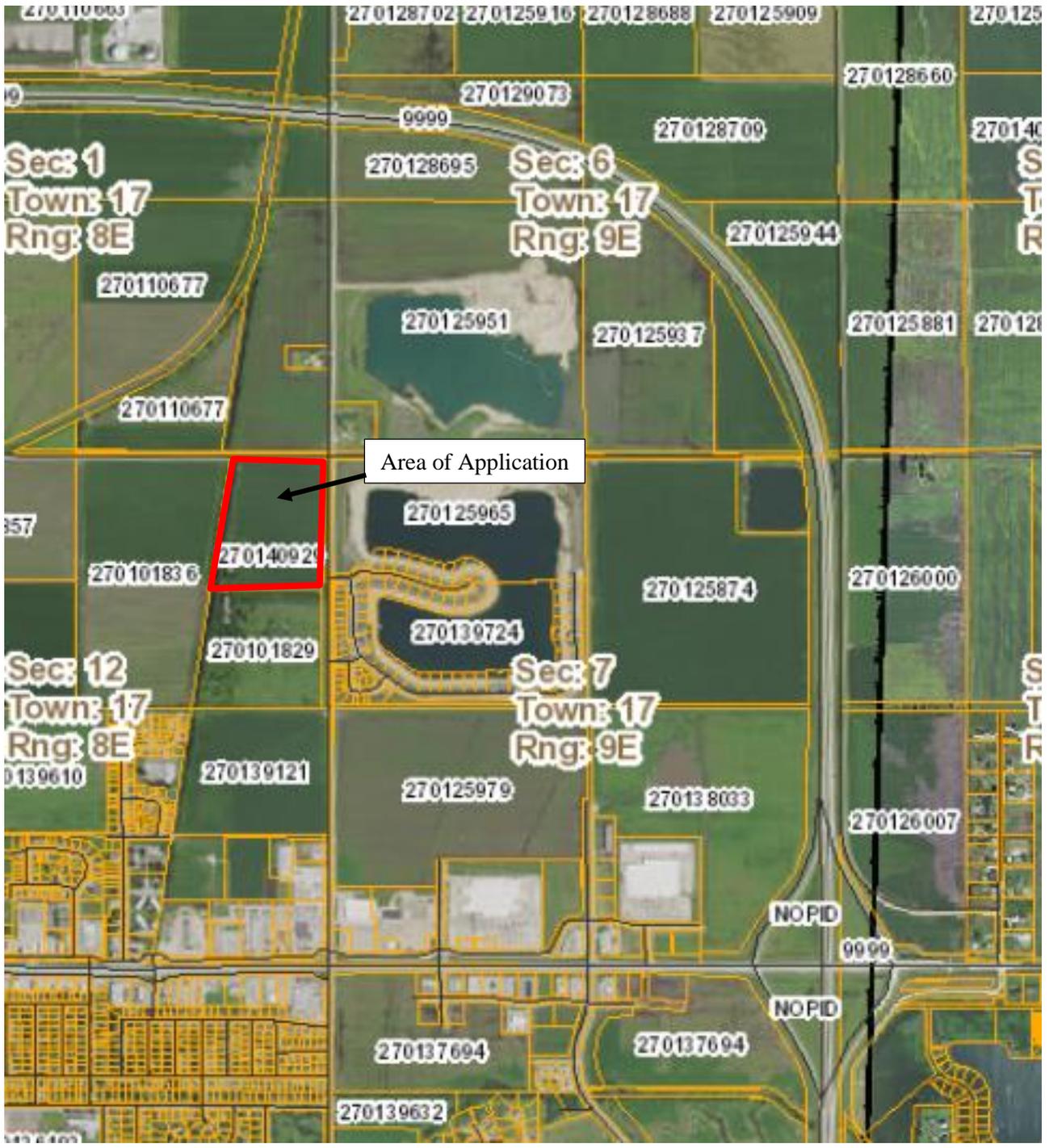
The proposed development places the more dense apartments approximately 340 feet north of the south property line and then to the northwest. The densest portion of the development will be screened from Luther Road with a 30 foot wide landscaped buffer area with berms. Additionally, the most intense portion of the development is located across from the bermed area of existing development, providing additional screening.

•“Development patterns should provide for transitions and buffering between various

development types (e.g. residential and industrial). Where land uses of incompatible character abut, there should be adequate bufferyards to separate them. Pocket parks and linear greenways function as an effective screening and buffering tool between differing land use character types. Less intense nonresidential development may be appropriate next to residential development with suburban character standards used to mitigate adverse impacts.”

The proposed development is consistent with this policy.

Fiscal Impact: None at this time.



May 5, 2020

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Omaha, NE 68154
[P] 402.496.2498
[F] 402.496.2730
LampRyne arson.com

Ms. Jennifer Dam, AICP
Planning Director
City of Fremont Planning & Development Department
400 East Military Avenue
Fremont, NE 68026

REFERENCE: Bluestem Commons
 Planned Development – Project Narrative
 Job No. 0119078.01-002

Dear Ms. Dam:

Submitted herewith is the Bluestem Commons Project Narrative for the Planned Development Rezoning Application, as required by the City of Fremont PD Response Letter and Unified Development Code Section 11.405.07.

PROJECT NARRATIVE – as required by City of Fremont UDC – Section 11.405.07

The Fremont Community Housing project is a proposed PD – Planned Development located on the northeast side of the City of Fremont, consisting of approximately 34 acres at the southwest corner of County Road T and Luther Road. The existing zoning is R – Rural with adjacent zoning, consisting of R – Rural to the north, west, south, and the Ritz Lake subdivision to the east, which is zoned PD.

The overall concept of the proposed PD is to create a multi-product residential housing community consisting of multi-family (apartment buildings), townhomes (3 – 5 attached units), single family detached, and duplexes, complemented with a centrally located multi-use clubhouse building and amenity space. The multi-family buildings will include a minimum of 30 units and maximum of 34 units for each building. The development is proposed to be constructed in two (2) phases and provide a mix of residential product types supporting a range of incomes. These housing types are focused on maintaining price points accessible to employees of expanding Fremont businesses, either by renting or through ownership.

The residential housing types listed above are the only permitted uses within the residential lots located throughout the development.

Proposed commercial uses are to be implemented only as additional leasable space within the centrally located clubhouse/leasing office building and are focused on supporting the residential community.

Commercial uses within the clubhouse building shall be as follows:

Permitted uses shall include but are not limited to:

- Restaurant/Coffee Shop (NO drive-thru window/automobile queuing lanes)
- Laundromat / Dry Cleaning
- Child Care Center
- Mail Services
- Retail Service Establishment (Boutique Commercial, Salon/Spa)
- Convenience Store/Neighborhood Market
- Office (Medical/Urgent Care, Insurance Agent, Lawyer, Accounting, Real Estate)

Conditional uses shall include but are not limited to:

- General Merchandise Retail Sales Establishment
- Mixed Use
- Farmers' Market
- Bar/Tavern
- Financial Services/Check Cashing

Prohibited uses shall include but are not limited to:

- Adult establishments
- Auto Sales and Service Establishments
- Automotive Repair Services/Car Wash
- Small Animal Veterinary Services
- Animal Grooming Facilities
- Financial Institutions (with drive-thru window/auto queuing lanes)
- Restaurant / Fast food (with drive-thru window/auto queuing lanes)
- Funeral Establishment/Funeral Home
- Small Animal Boarding Facilities
- Service Station

Intensity of Development - Residential

Residential density for the Bluestem Commons development is summarized in the table below.

<u>Category</u>	<u>Area (ac.)</u>	<u>No. of Units</u>	<u>Density, Units Per Acre</u>	<u>Max. Density, Units Per Acre – Urban Residential (Table 11-602.01)</u>	<u>Max. Density, units per acre (Table 11-602.01) + 10% Affordable Housing Bonus</u>
Multi-Family	13.43	276	20.55	24	26.40
Single-Family	14.27	132	9.25	16.14 (Duplex) 20.07 (Townhouse)	18.75 (Duplex) 22.08 (Townhouse)
Total	33.43	408	12.20	12.21	13.43

Notes

*Total area includes all internal street right-of-way, Clubhouse/Amenity lot, and Outlots A and B.

Overall residential density of the project is within the maximum allowed per UDC Table 11-602.01.

Intensity of Development – Non-Residential

Maximum Floor Area Ratio (FAR) for the non-residential uses within the clubhouse/leasing office building (Block 6, Lot 1) are 0.17 for one-story buildings and 0.34 for two-story buildings. Additional non-residential use regulators are noted on the PD Site Plan.

Mix of Housing Types

The mix of housing types for the Bluestem Commons development is summarized in the table below.

<u>Housing Type</u>	<u>No. of Buildings</u>	<u>% of Total</u>
Multi-Family (Apartments)	8	13.5%
Townhouse (3 – 5 attached units)	18	30.5%
Single Family – Detached	6	10.2%
Duplex	27	45.8%
Total	59	100%

Multi-Family – Apartments

The multi-family apartments are a mix of studios, 1, 2, and 3-bedroom units. The buildings are proposed slab on grade and there are 15 garages with six (6) dwelling units on the ground floor and 12 dwelling units on both the 2nd and 3rd floors. Based on building materials and design at the time of construction, the elevations shown in Figure 1 below are representational and subject to change as necessary.

Figure 1.

Front Elevation



Left Elevation



Right Elevation



Rear Elevation



Duplexes

The duplexes are proposed to be a mix of both 1 and 2-story homes, as well as a mix of slab on grade and basements, all approximately 31' x 61' per unit. Based on building materials and design at the time of construction, the elevations shown below in Figure 2 are representational and subject to change as necessary.

Figure 2.

Duplex A: 1-Story, Exterior Garage



Duplex B: 1-Story, Interior Garage



Duplex C: 2-Story, Interior Garage



Townhomes (3 – 5 attached units)

The townhomes include a mix between triplexes and row houses consisting of 3, 4, and 5 attached units available. All row house options are proposed to be 2-story homes, slab on grade, approximately 25' x 42' per unit. There will be a mix of triplexes throughout the project with varying dimensions consisting of both 1 and 2-story homes, slab on grade and basements. Triplexes utilizing the elevations shown below will have the same 25' x 42' dimension per unit. There will also be triplexes utilizing the elevations shown above with the duplex examples and will have the same 31' x 61' dimension per unit. Based on building materials and design at the time of construction, the elevations shown below in Figure 3 are representational and subject to change as necessary.

Figure 3.



Single Family Residential – Detached

The detached single-family homes are proposed to be 2-story homes, with a mix of slab on grade and basements, all approximately 26' x 48' (depths to vary between 40' and 60'). Based on building materials and design at the time of construction, the elevation shown below in Figure 4 is representational and subject to change as necessary.

Figure 4.



Clubhouse/ Leasing Office and Commercial Use Building

A clubhouse/office building with commercial space is the only other proposed and permitted building within the residential lot area throughout the development. The proposed building is currently shown as a single story, slab on grade building with its own parking lot, centrally located with various amenities connected or within proximity to it. Based on building materials and design at the time of construction, the plan view and elevation shown below in Figure 5 are representational and subject to change as necessary.

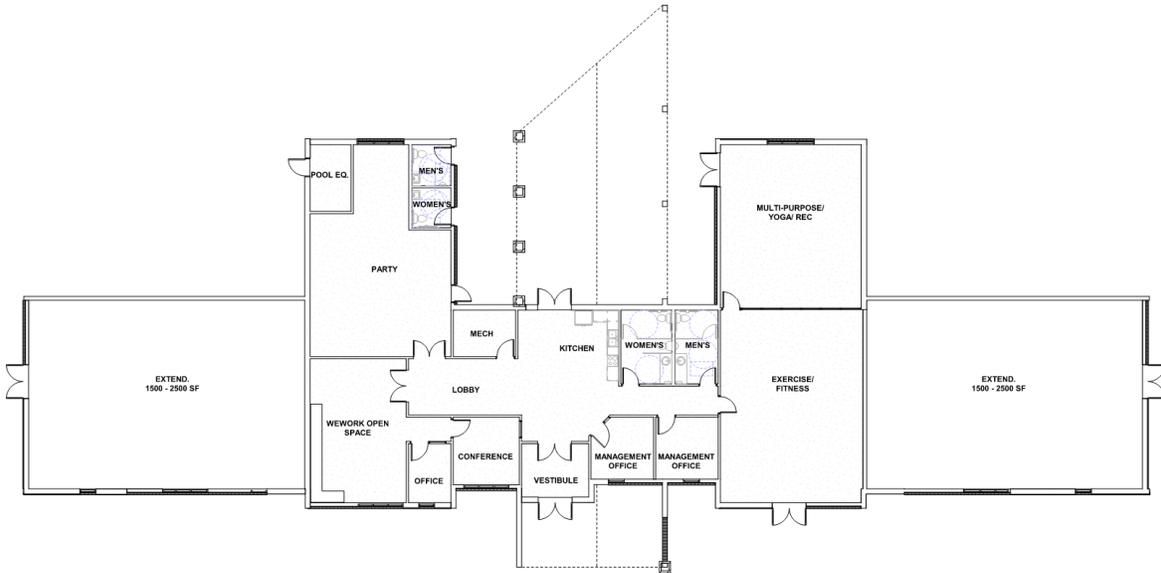
The clubhouse is meant to help support the community, with a programmatic management style to support residents and foster engagement/interaction (e.g. specified times for food truck events, trivia and movie nights, etc.). The clubhouse may also serve as a specific transit station/hub location for various city employers wishing to provide a means of transportation for larger groups of their employees.

Commercial space will be available for leasing opportunities and consist of approximately 50% of the building square footage. Permitted, conditional, and prohibited commercial uses are listed on page 2 of this narrative, however, certain neighborhood oriented commercial uses will be allowed with an administrative site plan approval as necessary.

Noncommercial uses within the clubhouse building shall include but are not limited to:

- General offices
- Fitness center
- Multi-purpose room
- Conference center and work space rooms
- Common lounge

Figure 5.
Plan View



Front Elevation



Amenity spaces to be accessible to all residents are intended to be centrally located adjacent to the clubhouse building and shall include but not be limited to the following:

Phase 1 and/or 2

- Sundeck
- BBQ, picnic area, and play structures
- Dog park / dog run
- Walking trail and outdoor trails around the lake

Additional amenities being considered

- Sports courts/fields
- Playground equipment
- Workplace transportation
- Swimming pool

Dedications & Easements

Land along both County Road T and Luther Road is being dedicated to the City of Fremont for public right-of-way purposes, which will update Luther Road to a 120' wide R.O.W. and County Road T to an 80' wide R.O.W. Easements have been created for private storm and sanitary sewer lines as well as a sanitary lift station. Please reference the plat documents for all dedications and easements.

Sanitary Improvement District

A Sanitary & Improvement District (SID) will be formed for the construction of public infrastructure. The SID will be responsible for maintenance of public sewers, water mains, streets, Outlots A and B, and for the private park in Outlot A (as shown on the preliminary plat). A neighborhood association will be formed through covenants and be responsible for maintenance of the areas around the clubhouse and amenity space, as well as the main entrance monument signs.

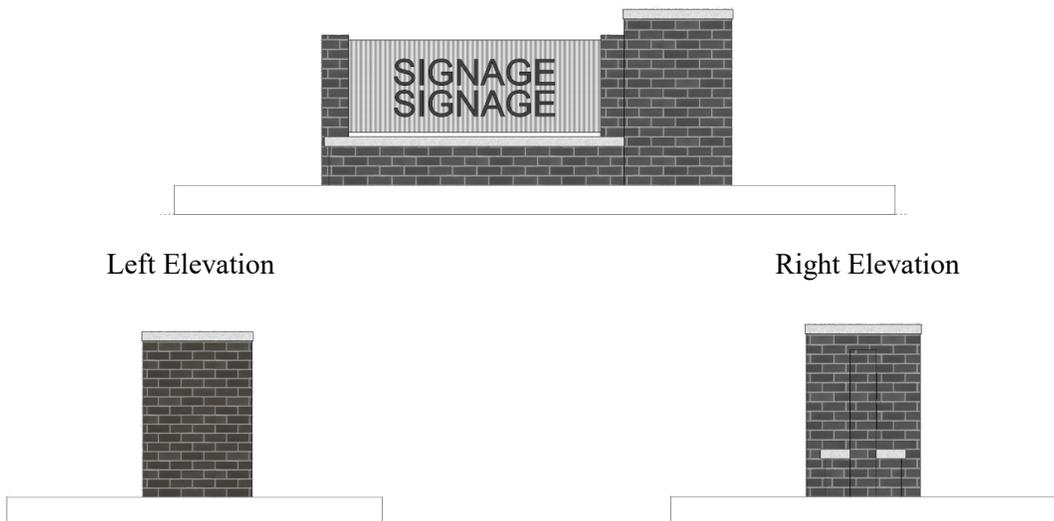
Monument and Neighborhood Signage

A neighborhood sign with complementary landscaping is proposed within Outlot B at the corner of County Road T and Luther Road and will be maintained by the SID as noted above. This sign will be located to comply with sight triangle requirements and shall meet all other UDC signage requirements.

Two (2) monument signs are proposed for the development, each to be located within the roadway medians at both main entrances to the development. Phase 1 would include a sign within the median at the intersection of 36th Street and Luther Road, while Phase 2 would add the other sign in the median at Big Bluestem Road and County Road T. Conceptually, the signs are 6' high by 14' long. Based on building materials and design at the time of construction, the elevations shown below in Figure 6 are representational and subject to change as necessary.

The owners acknowledge signs are not currently allowed within street ROW's per the UDC and anticipate requesting permission from the City Council to locate them within the medians as noted above and as shown on the PD Site Plan. This request is being made to take advantage of the fill required to elevate Big Bluestem Road and 36th Street. Locating the signs within the medians would help elevate them high enough to minimize flooding potential and would be the most visually advantageous to help clearly identify the development for vehicles travelling in both directions. Locating the signs within the medians with proposed landscaping and concrete curbing will also help protect them. All maintenance required will be the neighborhood association's responsibility. The signs will be located to comply with sight triangle requirements and shall meet all other UDC signage requirements.

Figure 6.
Front/Rear Elevation



ZONING
 EXISTING ZONING: R - RURAL
 PROPOSED ZONING: PD - PLANNED DEVELOPMENT

OVERALL DEVELOPMENT
 TOTAL SITE AREA 34.41 ACRES
 BUILDING AREA COVERAGE 7.46 ACRES 21.7%
 IMPERVIOUS COVERAGE 9.15 ACRES 26.6%
 PERVIOUS COVERAGE 17.80 ACRES 51.7%

SINGLE FAMILY DETACHED
 6 LOTS (BLOCK 8, 1-6)
 MINIMUM LOT WIDTH 36'
 FRONT YARD SETBACK 20'
 REAR YARD SETBACK 15'
 INTERIOR SIDE YARD SETBACK 5'
 STREET SIDE YARD SETBACK 10'

TOWNHOUSE (3-5 UNITS ATTACHED)
 72 LOTS (BLOCK 1: 2-11, BLOCK 2: 1-21, BLOCK 3: 1-32, BLOCK 5: 3-5,
 8-10, BLOCK 8: 17-19)
 MINIMUM LOT WIDTH 25'
 FRONT YARD SETBACK 20'
 REAR YARD SETBACK 15'
 INTERIOR SIDE YARD SETBACK 5'
 STREET SIDE YARD SETBACK 10'

DUPLEX
 54 LOTS (BLOCK 4: 1-24, BLOCK 5: 1-2, 6-7, 11-12, BLOCK 6: 2-15,
 BLOCK 8: 7-16)
 MINIMUM LOT WIDTH 36'
 FRONT YARD SETBACK 20'
 REAR YARD SETBACK 15'
 INTERIOR SIDE YARD SETBACK 5'
 STREET SIDE YARD SETBACK 10'

MULTI-FAMILY (APARTMENT BUILDINGS A-H)
 THE SIZE AND SHAPE OF ALL APARTMENT BUILDINGS ARE REPRESENTATIVE AND SUBJECT TO CHANGE. EACH APARTMENT BUILDING AS SHOWN HAS AN APPROXIMATE AREA FOOTPRINT OF 13,200 SF AND CONSISTS OF 3 FLOORS TOTALING 30 UNITS (14 UNITS MAXIMUM) WITH A MIX OF STUDIO, 1 BEDROOM, 2 BEDROOM, AND 3 BEDROOM UNITS.

- GROUND FLOOR HAS 15 GARAGES AND 6 UNITS
 - FLOORS 1 AND 2 HAVE 12 UNITS PER FLOOR

3 TOTAL LOTS - 276 UNITS MAXIMUM
 FRONT YARD SETBACK 25'
 REAR YARD SETBACK 15'
 INTERIOR SIDE YARD SETBACK 5'
 STREET SIDE YARD SETBACK 13'

PARKING CALCULATIONS
 MULTI-FAMILY: BLOCK 1 - LOT 1 (BUILDINGS A - D)
 180 SPACES REQUIRED (INCLUDING 6 ACCESSIBLE SPACES)
 240 SPACES DESIRED
 241 SPACES PROVIDED VIA PARKING LOT (INCLUDES 8 ACCESSIBLE SPACES)
 9 BICYCLE PARKING SPACES REQUIRED
 20 BICYCLE PARKING SPACES PROVIDED

MULTI-FAMILY: BLOCK 6 - LOT 16 (BUILDINGS E & F)
 90 SPACES REQUIRED (INCLUDING 4 ACCESSIBLE SPACES)
 120 SPACES DESIRED
 131 SPACES PROVIDED VIA PARKING LOT (INCLUDES 4 ACCESSIBLE SPACES)
 5 BICYCLE PARKING SPACES REQUIRED
 10 BICYCLE PARKING SPACES PROVIDED

MULTI-FAMILY: BLOCK 7 - LOT 1 (BUILDINGS G & H)
 90 SPACES REQUIRED (INCLUDING 4 ACCESSIBLE SPACES)
 120 SPACES DESIRED
 133 SPACES PROVIDED VIA PARKING LOT (INCLUDES 4 ACCESSIBLE)
 5 BICYCLE PARKING SPACES REQUIRED
 10 BICYCLE PARKING SPACES PROVIDED

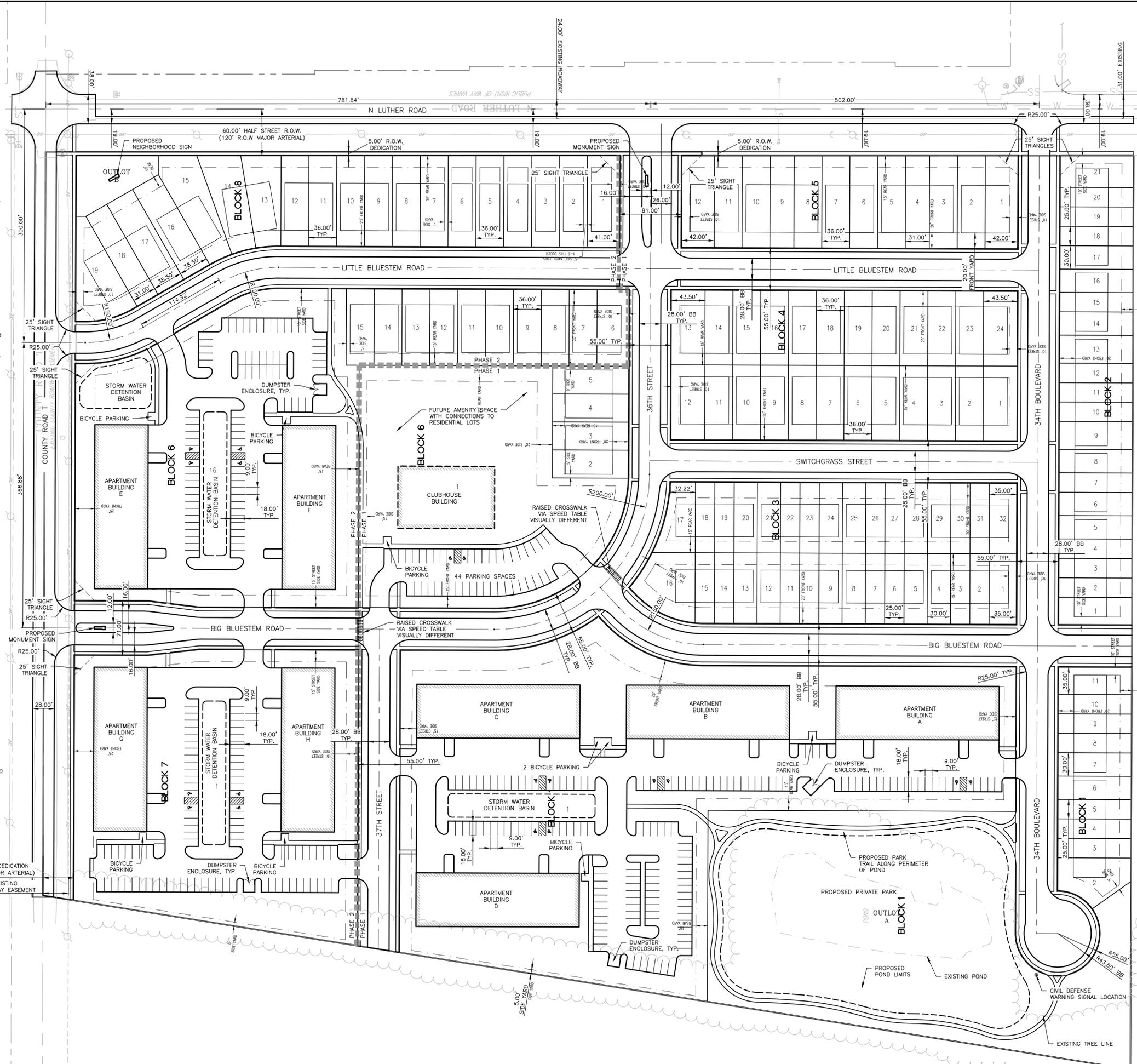
CLUBHOUSE/OFFICE/COMMERCIAL (APPROXIMATE 10,000 SF BUILDING)
 10,000 SF GROSS FLOOR AREA @ 50% PARKING FLOOR AREA = 5,000 PFA
 OFFICE USE: 1,000 PFA @ 1/300 = 3 SPACES
 CLUBHOUSE USE: 1,500 PFA @ 1/100 = 15 SPACES
 COMMERCIAL USE: 2,500 PFA @ 1/100 = 25 SPACES
 TOTAL SPACES REQUIRED = 43 (INCLUDING 2 ACCESSIBLE SPACES)
 44 SPACES PROVIDED (INCLUDES 2 ACCESSIBLE)

CLUBHOUSE/OFFICE/COMMERCIAL LOT
 THE SIZE AND SHAPE OF THE BUILDING IS REPRESENTATIVE AND SUBJECT TO CHANGE.

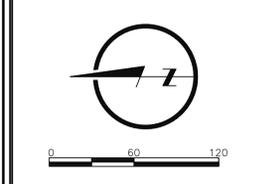
FLOOR AREA RATIO (FAR) 0.17 (1-STORY)
 0.34 (2-STORY)
 MAX. BUILDING GROSS AREA 15,000 SF (1-STORY)
 30,000 SF (2-STORY)
 35'
 MIN. STREET FRONTAGE 60'
 FRONT YARD SETBACK 15'
 REAR YARD SETBACK 20'
 INTERIOR SIDE YARD SETBACK 10'
 STREET SIDE YARD SETBACK 15'

3 BICYCLE PARKING SPACES REQUIRED
 5 BICYCLE PARKING SPACES PROVIDED

STREET IMPROVEMENTS
 STOP SIGNS ARE TO BE PLACED AT ALL ENTRANCE POINTS ONTO LUTHER ROAD AND COUNTY ROAD T AS WELL AS SIDE STREET POINTS ENTERING ONTO 40TH STREET AND BIG BLUESTEM ROAD.



LAMP RYNEARSON
 14710 W. DODGE RD, STE. 100
 OMAHA, NE 68154
 402.496.2498
 LampRyNearson.com



**SITE LAYOUT DEVELOPMENT PLAN
 PLANNED DEVELOPMENT RESUBMITTAL
 REZONING APPLICATION**

**BLUESTEM COMMONS
 FREMONT, DODGE COUNTY, NEBRASKA**

811
 Know what's below.
 Call before you dig.

REVISIONS

DESIGNER / DRAFTER
 MICHAEL SHARP / MAJOR MARTINEZ
 DATE
 05/04/2020
 PROJECT NUMBER
 0119078.01
 BOOK AND PAGE

SHEET
 1 OF 4

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ORDINANCE NO. 5528

AN ORDINANCE OF THE CITY OF FREMONT, NEBRASKA, AMENDING ORDINANCE NO. 5427 AS IT PERTAINS TO THE ZONING MAP, TO REZONE THE PROPERTY GENERALLY DESCRIBED HEREIN AS GENERALLY LOCATED AT COUNTY ROAD T AND N. LUTHER ROAD, FREMONT, NEBRASKA, FROM R RURAL TO PD PLANNED DEVELOPMENT, PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council for the City of Fremont, Nebraska, seeks to promote the health, safety, morals, and the general welfare of the community; and

WHEREAS, a request for Zoning Change was filed with the offices of the Department of Planning, City of Fremont (City); and

WHEREAS, the owner desires zoning district designation of PD Planned Development; and

WHEREAS, a public hearing on the proposed Zoning Change was held by the Planning Commission on February 18, 2020, and subsequently by the City Council on March 10, 2020; and

WHEREAS, the City has determined that such proceedings were in compliance with Neb. Rev. Stat. §19-904 pertaining to zoning regulations and restrictions;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FREMONT, NEBRASKA, AS FOLLOWS:

SECTION I. ZONING. That paragraph “b” of Article 406 of Ordinance No. 5427 as it pertains to the Official Zoning Map is changed to rezone the following described real estate, from R Rural to PD Planned Development:

THE NORTH 1406.00 FEET OF THE NORTHEAST QUARTER OF SECTION 12, TOWNSHIP 17 NORTH, RANGE 8 EAST OF THE 6TH P.M., DODGE COUNTY, NEBRASKA, LYING EAST OF THE ABANDONED CHICAGO AND NORTHWESTERN RAILWAY COMPANY RIGHT OF WAY.

SECTION 2. REPEALER. That part of the official zoning map referred to in Paragraph “b” of Article 406 of Ordinance No. 5427 or any other section of said ordinance in conflict with this ordinance is hereby repealed.

SECTION 3. SEVERABILITY. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance, or application hereof, is for any reason held invalid or unconstitutional by any Court, such portion or application shall be deemed a

separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions or application hereof.

SECTION 4. EFFECTIVE DATE. This Ordinance shall take effect and be in force from and after its passage, approval, and publication as required by law.

PASSED AND APPROVED THIS 26th DAY OF MAY, 2020

Scott Getzschman, Mayor

ATTEST:

Tyler Ficken, City Clerk

STAFF REPORT

TO: Honorable Mayor and Fremont City Council
FROM: Brian Newton, City Administrator
DATE: May 12, 2020
SUBJECT: NDOT SE Beltway

Recommendation: Approve resolution 2020-098 contributing an additional \$5,000,000 to Nebraska Department of Transportation (NDOT) for the SE Beltway

Background:

Since 2016, the City has worked with NDOT to build the SE Beltway south of Fremont. In 2018, the City agreed to contribute \$20 million towards the project so the Beltway could be completed by 2023.

Recently NDOT solicited bids for construction and received four bids. The lowest bid was received from Graham Construction for \$61,911,453.77, which is approximately \$20 million higher than what NDOT estimated. In addition, NDOT's costs for right-of-way procurement, utilities, and engineering was higher than expected as well. NDOT estimates that the total project cost will be \$72.3 million if the Graham bid is accepted.

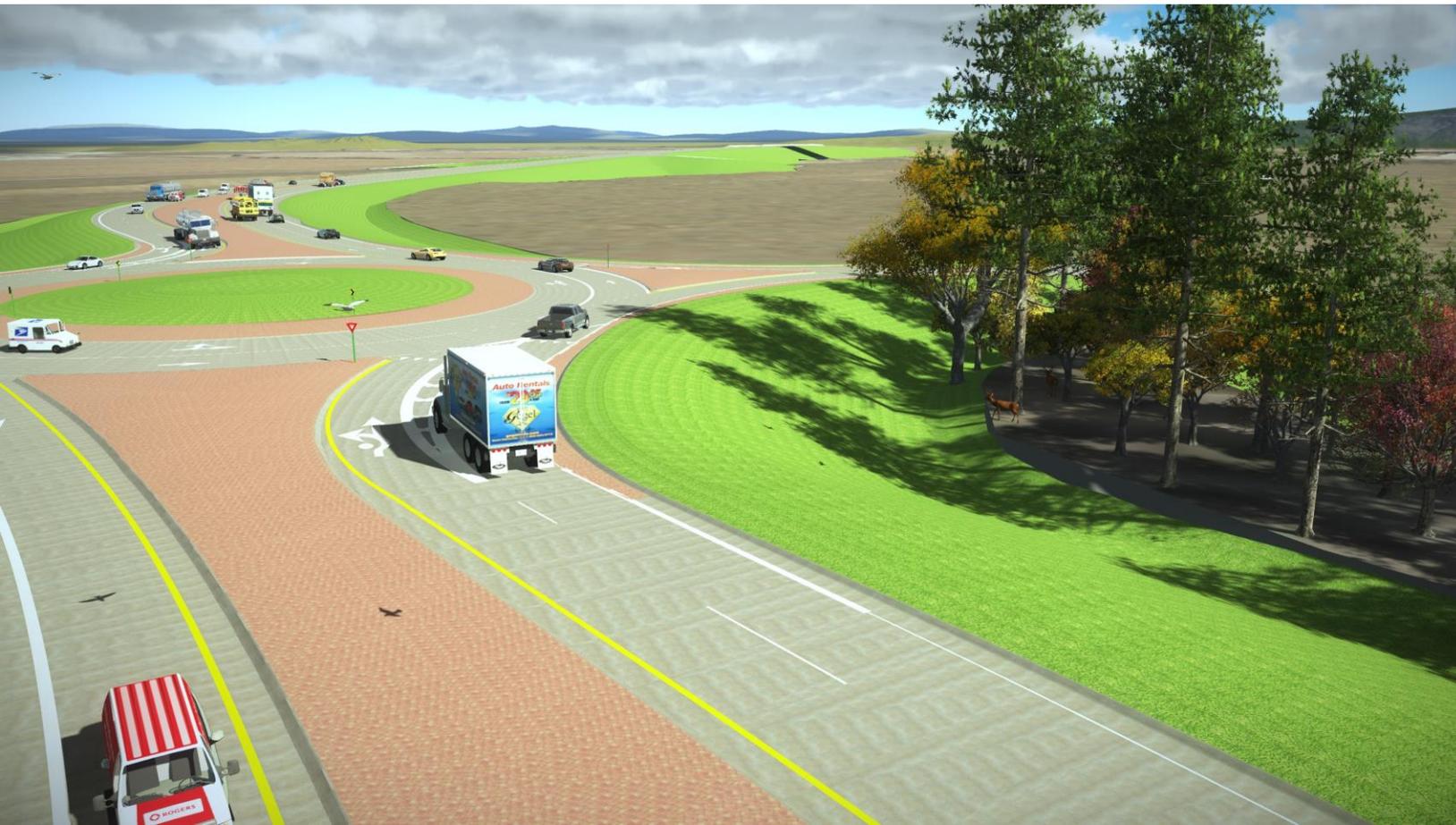
NDOT approached the City about making an additional \$10 million contribution towards the additional costs for the project, which NDOT said was necessary before they would accept the bid from Graham and move forward with the project. Not wanting NDOT to reject the bid and scrap the project, the City reached out to Dodge County, Costco, Wholestone Farms, and Fremont Beef to form a public/private partnership to fund the additional costs of the beltway.

The Dodge County Board of Supervisors voted to contribute \$1 million towards the additional costs of the beltway at the Supervisor's meeting on May 6. Costco, Wholestone Farms, and Fremont Beef will be asking their respective boards for funds to contribute toward the beltway in the near future.

Under the public/private partnership, the City would contribute \$5 million towards the additional costs for the beltway, and the collectively remaining partners would contribute the remaining \$5 million. NDOT has agreed to spread payments over three years.

Fiscal Impact:

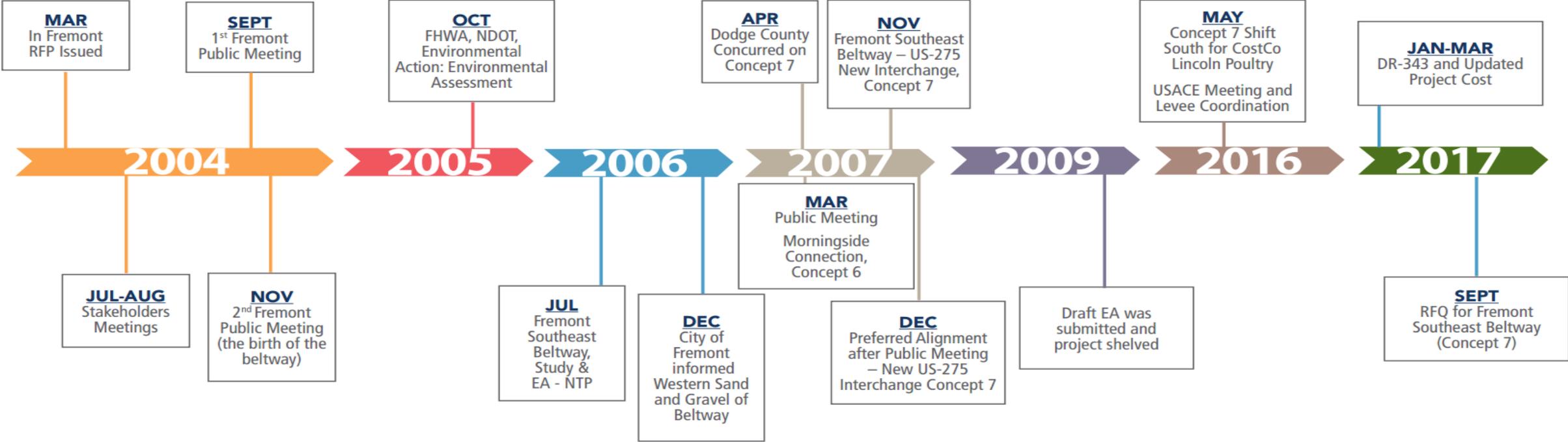
\$5,000,000 from City reserves.



PROJECT BACKGROUND



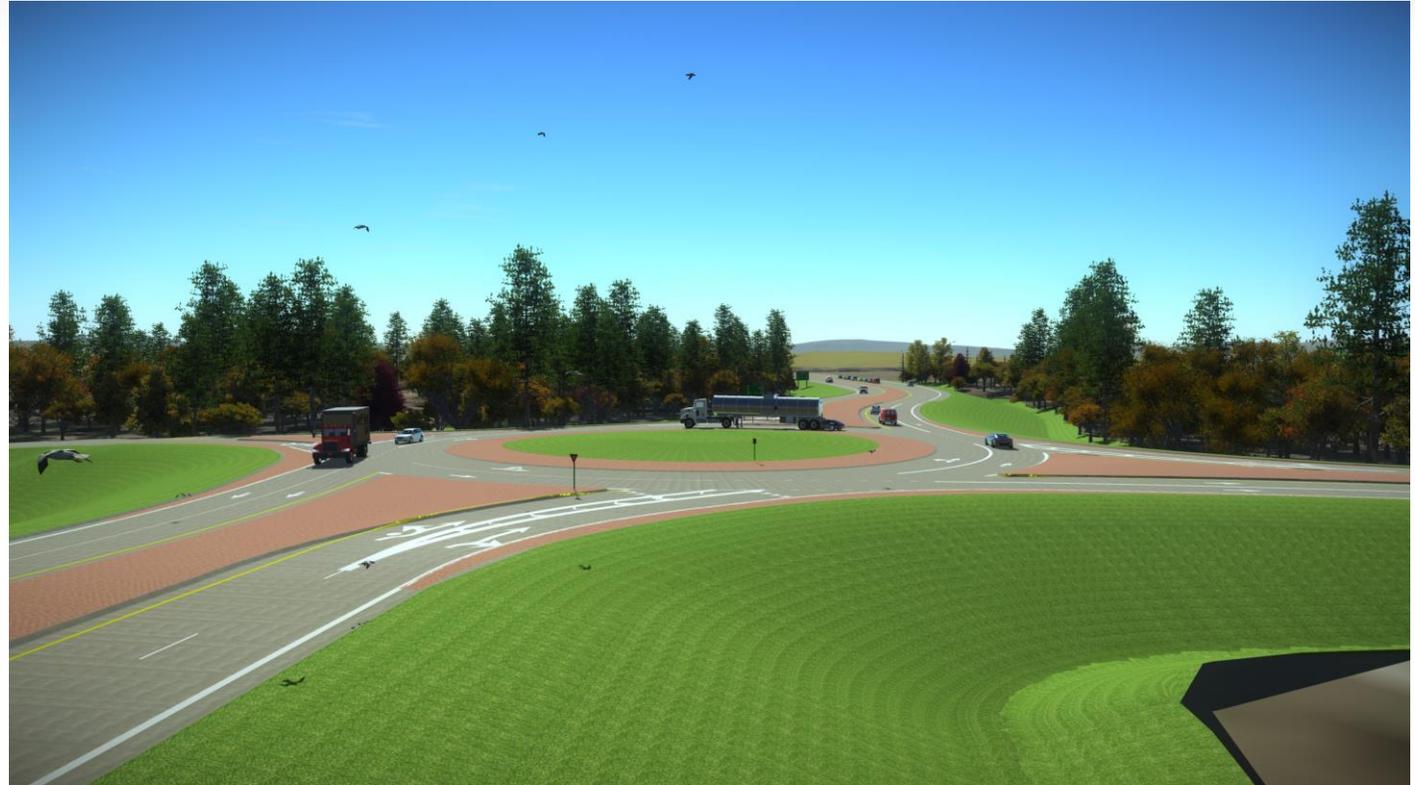
BELTWAY TIMELINE



SCHEDULE

FINAL DESIGN AND RIGHT OF WAY ACQUISITION BEGAN IN SPRING 2018 TO PREPARE FOR CONSTRUCTION IN THE SPRING OF 2020

UPON CONSTRUCTION AWARD, THE PROJECT WILL TAKE 3-YEARS TO COMPLETE



COST ESCALATION



REASONS FOR INCREASED COST:

- RECENT INFLATIONARY PRICES ON CAPITAL IMPROVEMENT PROJECTS
 - March 2019 Flood Event – Contractors & Suppliers responded to this emergency, but this unanticipated incident has led to increased bid prices
- PROPERTY VALUES WITHIN THE PROJECT AREA HAVE INCREASED FASTER THAN MARKET TRENDS
- INCREASED EARTHWORK QUANTITIES DUE TO MINING AND GRADING BY OTHERS.

VALUE ENGINEERING



IN AN EFFORT TO REDUCE COST, NDOT HIRED AN INDEPENDENT FIRM (JACOBS) IN APRIL 2019 TO PERFORM A VALUE ENGINEERING ANALYSIS.

THE STUDY INCLUDED EVALUATION OF THE VERTICAL PROFILE, INTERSECTIONS DESIGN, RIGHT-OF-WAY NEEDS, EARTH SHOULDERS, AND MEDIAN SURFACING.

THIS STUDY REDUCED PROJECT COST BY APPROXIMATELY \$3 MILLION

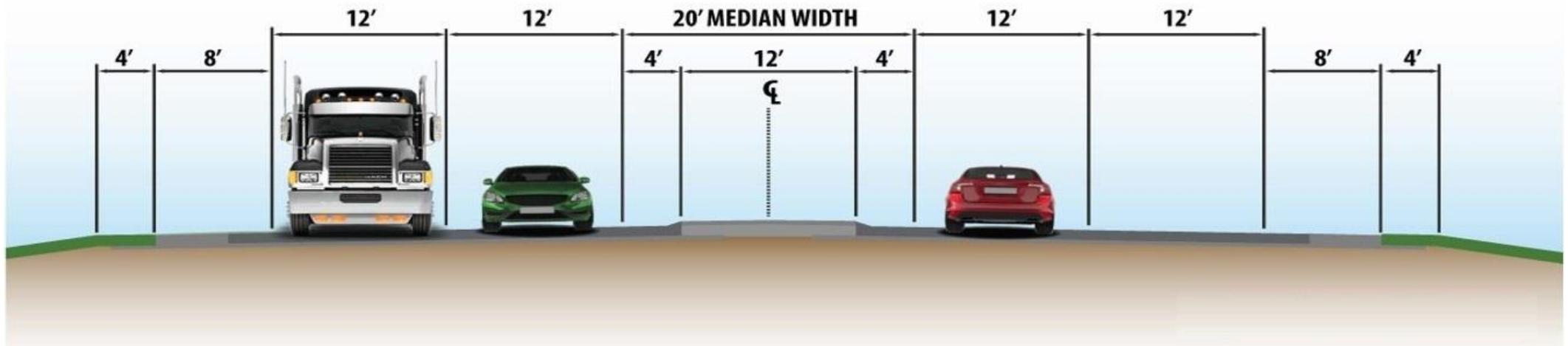
NECESSARY STEPS HAVE BEEN COMPLETED TO GET THE PROJECT READY FOR CONSTRUCTION

- Right of Way Acquisition
- Railroad Agreements
- United States Army Corps Permits
- Floodplain Permits
- Utility Relocations
- Tree Removal and Corridor Preparation
- Bid letting

SAFETY



BY CONSTRUCTING AN EXPRESSWAY ON THE OUTER BOUNDARY OF FREMONT, CONFLICTS BETWEEN LOCAL AND REGIONAL TRIPS ALONG HIGHWAY 77 THROUGH TOWN ARE REDUCED. ONE LARGE SAFETY BENEFIT IS ASSOCIATED WITH TRUCK TRAFFIC THROUGH FREMONT WHICH DOES NOT HAVE AN ORIGIN OR DESTINATION IN TOWN.



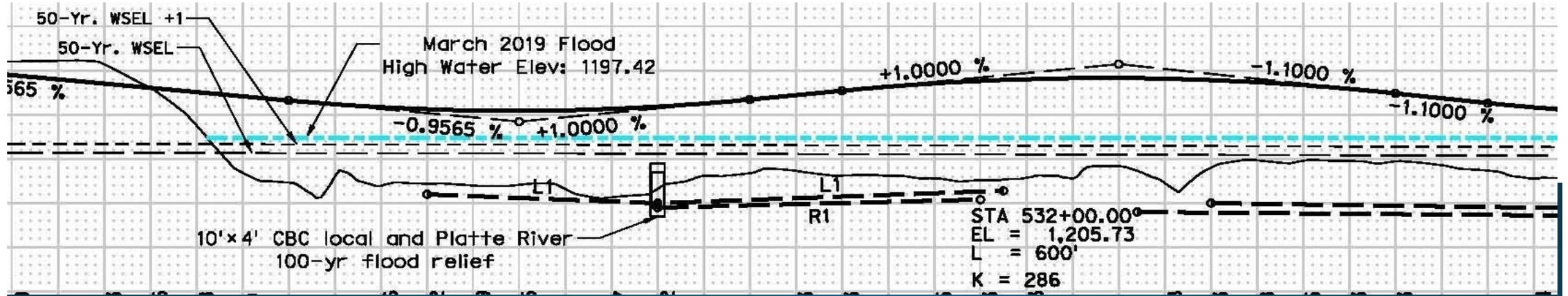
RELIABILITY



EVEN THOUGH THE PROJECT WAS DESIGNED TO CURRENT FLOODPLAIN STANDARDS, NDOT CONDUCTED AN ADDITIONAL ANALYSIS PROVING THE FREMONT SE BELTWAY WOULD NOT HAVE BEEN OVERTOPPED BY THE MARCH 2019 FLOOD EVENT.



MARCH FLOOD EVENT



PUBLIC ACCEPTANCE

THE LAST PUBLIC MEETING WAS HELD IN DECEMBER OF 2018. IT WAS WELL ATTENDED WITH THE VAST MAJORITY EXPRESSING THE NEED FOR THE PROJECT AND GLAD CONSTRUCTION WILL BEGIN SOON. IN ADDITION, SEVERAL EMERGENCY RESPONSE TEAM MEMBERS ALSO SHARED THEIR SUPPORT FOR THE PROJECT.





The Fremont Southeast Beltway Project is set to begin June 1, 2020 and has 1,095 calendar days (3 Years) to complete the project. Completion should be achieved by June 1, 2023. The calendar days allowed for the project may be extended for unforeseen work or additional work not contemplated in the contract.

The first phase of construction includes all of the new alignment of US-77 with the exception of the permanent connections to existing US-77 north of the Platte River Bridge. This is a lot of work and will take some time to complete. While the contractor will have a schedule of their work and how the construction will progress, in general the construction begins with construction of the culverts, bridges and grading. Temporary connections and/or temporary surfacing will be built to maintain access during construction. As portions of the final grading are completed, the contractor will begin constructing the foundation course upon which the pavement will be built. The pavement will be placed shortly thereafter.

The second phase builds partial access to US-77, completes the roundabout east of existing US-77, and the connection to old Highway 8.

Phase 3 completes the permanent connections to US-77, US-275 and other miscellaneous work.

Special provision in the contract which govern the contractor's coordination with the Poultry plant and adherence to the phasing shown in the plans are as follows:

SPECIAL PROSECUTION AND PROGRESS (General Requirements) The Contractor shall coordinate with NDOT and the Lincoln Poultry Processing Plant in Fremont to develop a plan for the surrounding highway system and county road system to ensure reliable routes and safe travel conditions for employees and delivery trucks throughout the duration of the project.

SPECIAL PROSECUTION AND PROGRESS (Phasing) the plans depict phasing sequences that are to be used in the construction of this project. Any deviation from these phasing sequences shall require the written approval of the Engineer.

Total Project Cost (with Graham bid included) = \$72.3 million
Breakdown:

ENGINEERING= \$2.3 million

RIGHT OF WAY=\$3.8 million

UTILITIES= \$2.1 million

CONSTRUCTION=\$61.9 million (Graham construction bid on March 26, 2020 is \$61,911,453.77)

CONSTRUCTION ENGINEERING=\$2.2 million

Preliminary (Unaudited)
 City of Fremont - Governmental Funds & Internal Service Fund
 Balance Sheet - Fund Basis
 As of March 31, 2020

	General Fund	Sales Tax/ Special Revenue Fund	Street Fund	Community Development Agency	Other Governmental Funds	Total Governmental Funds	Internal Service Funds (CBI/WC/EW)
ASSETS							
Cash and Cash Equivalents	\$ 4,448,677	\$ 8,732,710	\$ 4,759,901	\$ 189,135	\$ 2,615,384	\$ 20,745,808	\$ 2,398,364
Investments	12,175,000	3,000,000	4,100,000	-	2,210,000	21,485,000	3,750,000
County treasurer cash	-	-	-	-	-	-	-
Receivables							
Special Assessments	-	-	-	-	362,393	362,393	-
Accounts, net of allowance for doubtful accounts	402,256	-	64,143	-	-	466,398	-
Notes receivable, net of allowance for doubtful accounts	-	1,678,196	-	-	1,087,752	2,765,949	-
Interest	169,840	20,365	48,097	-	49,094	287,396	20,900
Property tax	182,482	-	-	-	25,279	207,761	-
Business tax	59,827	-	-	-	-	59,827	-
Other tax	-	-	-	-	-	-	-
TIF bonds receivable	-	-	-	225,398	-	225,398	-
Due from other governments	11,466	-	-	-	-	11,466	-
Due from other funds	876,170	126,898	5,579	-	125,286	1,133,933	-
Prepaid Expenses	-	-	-	-	-	-	-
Total assets	\$ 18,325,718	\$ 13,558,169	\$ 8,977,720	\$ 414,533	\$ 6,475,188	\$ 47,751,329	\$ 6,169,264
LIABILITIES							
Accounts payable	\$ 601,727	\$ 1,125	\$ 52,536	-	\$ 14,280	\$ 669,668	\$ 52,660
Accrued expenses	-	-	-	-	200	200	7,777
Due to other governments	3,716	-	-	-	-	3,716	-
Due to other funds	298,782	2,237	5,732	391,782	476,977	1,175,509	-
TIF bonds payable	-	-	-	-	-	-	-
Customer Deposits	25,026	-	-	-	-	25,026	-
Unearned revenue	-	-	-	-	6,000	6,000	-
Total liabilities	929,251	3,362	58,268	391,782	497,457	1,880,119	60,437
DEFERRED INFLOWS OF RESOURCES							
Unavailable revenue-property taxes	129,803	-	-	-	21,955	151,759	-
Unavailable revenue-other local tax	-	-	-	-	237,295	237,295	-
Unavailable revenue-fees and other	361,492	20,364	112,240	225,398	174,192	893,686	-
Unavailable revenue-notes	-	-	-	-	-	-	-
Total deferred inflows	491,295	20,364	112,240	225,398	433,442	1,282,740	-

City of Fremont - Governmental Funds & Internal Service Fund

Balance Sheet - Fund Basis

As of March 31, 2020

	General Fund	Sales Tax/ Special Revenue Fund	Street Fund	Community Development Agency	Other Governmental Funds	Total Governmental Funds	Internal Service Funds (CBI/WC/EW)
FUND BALANCES (DEFICIT)							
Nonspendable:							
Permanent fund principal	-	-	-	-	125,000	125,000	-
Prepaid expenses	-	-	-	-	-	-	-
Notes receivable	-	-	-	-	-	-	-
Restricted for:							
Debt service	-	-	-	-	171,665	171,665	-
Street Improvements	-	1,881,463 B	8,807,213 C	-	-	10,688,676	-
Public safety	-	1,694,553	-	-	403,897	2,098,450	-
Infrastructure	-	1,784,617	-	-	-	1,784,617	-
Property tax relief	-	662,486	-	-	-	662,486	-
Economic Development	-	7,511,323	-	-	649,462	8,160,785	-
Capital/special projects	-	-	-	-	2,646,121 D	2,646,121	-
Federal programs	-	-	-	-	946,899	946,899	-
Community betterment	-	-	-	-	550,974	550,974	-
Committed for:							
Code enforcement/defense & PD Bldg	1,384,012	-	-	-	-	1,384,012	-
Capital improvement projects	6,060,723	-	-	-	-	6,060,723	-
Assigned for:							
Budget stabilization	1,472,124	-	-	-	-	1,472,124	-
Other	-	-	-	-	50,272	50,272	-
Unassigned	7,988,310 A	-	-	(202,647)	-	7,785,663	6,108,827
Total fund balances	16,905,171	13,534,442	8,807,213	(202,647)	5,544,290	44,588,469	6,108,827
Total liabilities, deferred inflows							
of resources and fund balances	\$ 18,325,717	\$ 13,558,169	\$ 8,977,721	\$ 414,533	\$ 6,475,189	\$ 47,751,329	\$ 6,169,264
	1	-	(1)	-	(1)	-	-

- A. \$1,000,000 General Fund (001) Reserves, leaving a 36.7 percent reserve of General Fund operating expenses
- B. 1,000,000 Sales Tax Street Improvements Fund (011-2058) Reserves
- C. 1,500,000 Street Fund (012)Reserves
- D. 1,500,000 Special Assessments Fund Reserves (041). The origin of this fund's reserves is the Sales Tax Street Improvements Fund (2058).
\$5,000,000 In the past, 2058 would bear the total cost of projects that had portions assessed to landowners. The assessments collected would go into the Special Assessment Fund, but that fund did not reimburse 2058 for the assessed costs, making 041 reserves eligible to use on a roads project.

RESOLUTION NO. 2020-098

A Resolution of the City Council of the City of Fremont, Nebraska, approving a contribution of \$5 million to Nebraska Department of Transportation (NDOT) towards the additional costs of the SE Beltway.

WHEREAS, the City of Fremont agreed to contribute \$20 million to NDOT for the completion of the SE Beltway south of Fremont by the end of 2023; and,

WHEREAS, the bids NDOT received to build the SE Beltway exceeded cost estimates by \$20 million; and,

WHEREAS, NDOT asked the City to contribute \$10 million towards the additional costs of the SE Beltway; and,

WHEREAS, the City is partnering with Dodge County, Costco, Wholestone Farms and Fremont Beef to fund the additional \$10 million request by NDOT.

NOW, THEREFORE BE IT RESOLVED, the Mayor and City Council approve a contribution of \$5 million, split into three equal payments over three years, to NDOT towards the additional costs of the SE Beltway. The contribution is contingent on NDOT moving forward with construction of the SE Beltway.

PASSED AND APPROVED THIS 12th DAY OF MAY, 2020.

Scott Getzschman, Mayor

ATTEST:

Tyler Ficken, City Clerk

STAFF REPORT

TO: Honorable Mayor and City Council
FROM: Jennifer Dam, Planning Director
DATE: May 12, 2020
SUBJECT: Conditional Use Permit for a place of Public Assembly in the LI, Light Industrial District

Recommendation: Approve Resolution No. 2020-099

Background:

This is a request for a Conditional Use Permit for Public Assembly (church) located at 2407 Colorado Avenue.

The property was previously used by Oriental Trading.

The property is zoned LI, Light Industrial. Public Assembly requires a Conditional Use Permit in the LI district.

The property to the north is zoned AR, Auto-Urban Residential and is developed with single family attached and single family detached residential uses. The property to the east is zoned LI, Light Industrial and is developed with offices, a daycare and contractor office. The property to the south is zoned SC, Suburban Commercial and is developed with a drive. Further south is zoned LI, Light Industrial and is developed with the airport. The area to the west is zoned SC, Suburban Commercial and is developed with a storage facility.

There are not heavy industrial uses in the area that would negatively impact a public assembly use.

Section 11-504.02.I states:

Public Assembly facilities are permitted if it is demonstrated that:

1. "They are located greater than 300 feet from either GI or AV district boundaries, as measured from the boundary lines nearest each other, unless separated from such district by a type B bufferyard or a local, collector, or arterial roadway;"

Finding: The proposed church is more than 300 feet from a GI or AV

district.

2. "Primary access to the site is from a collector or arterial roadway; "

Finding: Access is from a collector roadway.

3. "Adequate precautions have been taken on behalf of the operator so as not to create an undue burden on neighboring properties via traffic, parking, and noise; and"

Finding: Parking is sufficient on the site. Traffic will exit south to 23rd Street unless someone lives in the area. The use should not create external noise.

4. "The use operates in accordance with all other applicable federal, state, and local laws and, if additional permits are required, such permits were obtained prior to beginning operation."

Finding: This is not applicable to the proposed use.

11-316.05.B Identifies criteria for approval of a Conditional Use Permit.

11-316.05.B.1 states that "the conditional use shall not be of a type that would tend to undermine the implementation of an adopted plan that includes the lot or tract proposed for development."

Finding: A church will not undermine the implementation of an adopted plan.

11-316.05.B.2 states "The conditional use shall be compatible with surrounding land uses and the natural environment, and will not materially detract from the character of the immediate area or negatively affect the planned or anticipated development or redevelopment trajectory."

Finding: The proposed church is compatible with the surrounding land uses.

11-316.05.B.3 states "There is no practicable alternative location where the use is permitted as-of-right within 1,000 feet of the lot or tract proposed for development, or if such a location exists, the proposed location is more favorable in terms of: a) providing a needed community service; b) providing a critical mass of jobs that are likely to pay more than the median wages for the region; c) providing a balance of land uses, ensuring that appropriate supporting activities, such as employment, housing, leisure-time, and retail centers are in close proximity to one another; or d) making more efficient use of public infrastructure, such as off-peak street capacity."

Finding: There is not a site within 1,000 feet where the use is permitted as-of-right.

11-316.06.B.4 states "The approval of the conditional use will not create a critical mass of similar conditional uses that is likely to discourage permitted uses by making the area less desirable."

Finding: The proposed use will not create a critical mass of similar uses.

11-316.06.B.5 states “The conditional use and any conditions of development shall adequately protect public health and safety against natural and man-made hazards which include, but are not limited to, traffic noise, water pollution, airport hazards, and flooding.”

Finding: The proposed use is a church. The traffic impacts are likely equal to when the building was used as an industrial facility.

11-316.06.B.6 states “The conditional use will not use an unfairly disproportionate share of public services that would compromise the delivery of those services to other uses in the vicinity. Applicable public services include, but are not limited to, utilities, police protection, fire protection, schools, parks, and libraries.”

Finding: The church will not disproportionately use public services.

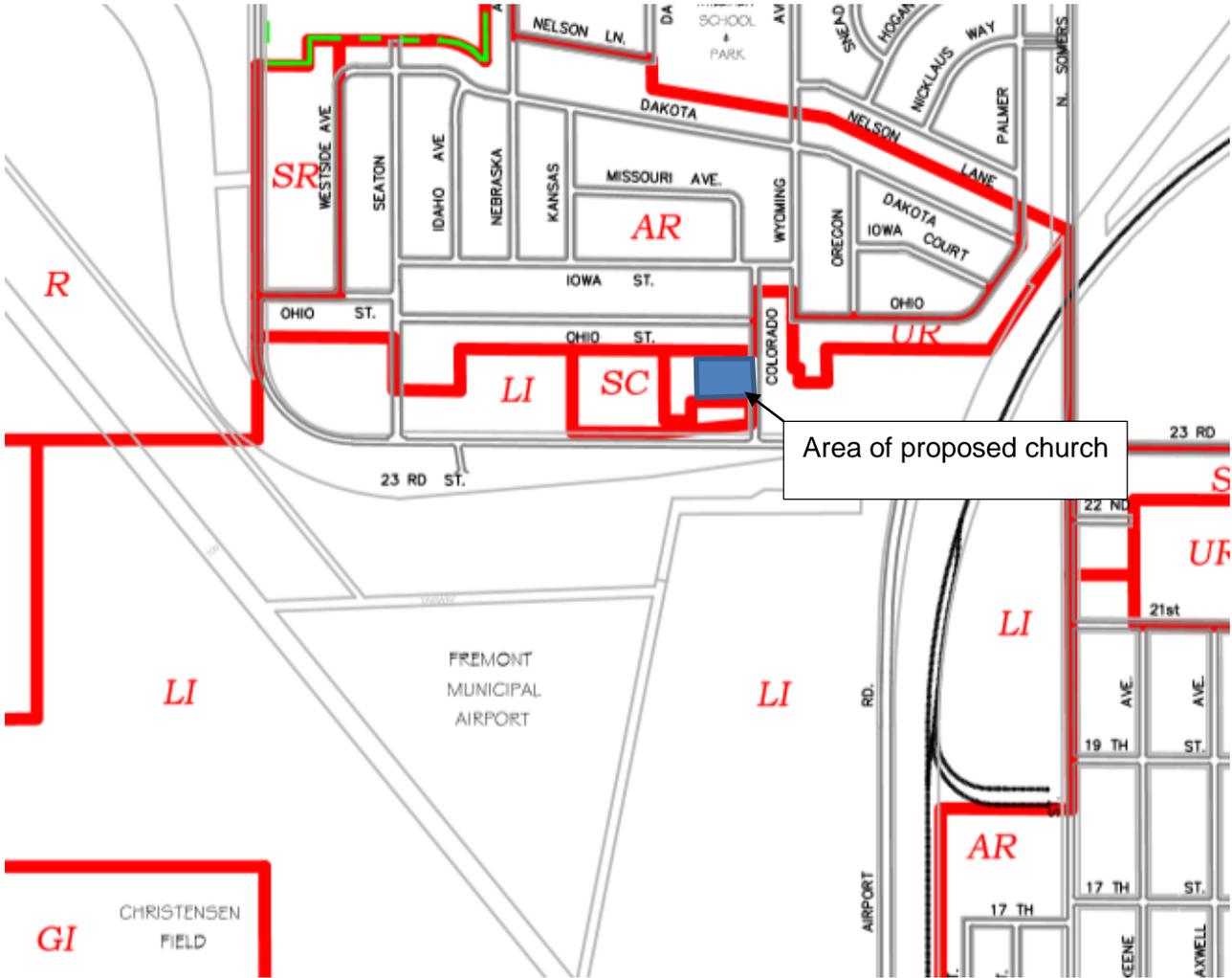
The Planning Commission held a public hearing on this item and voted 8-0 to recommend approval.

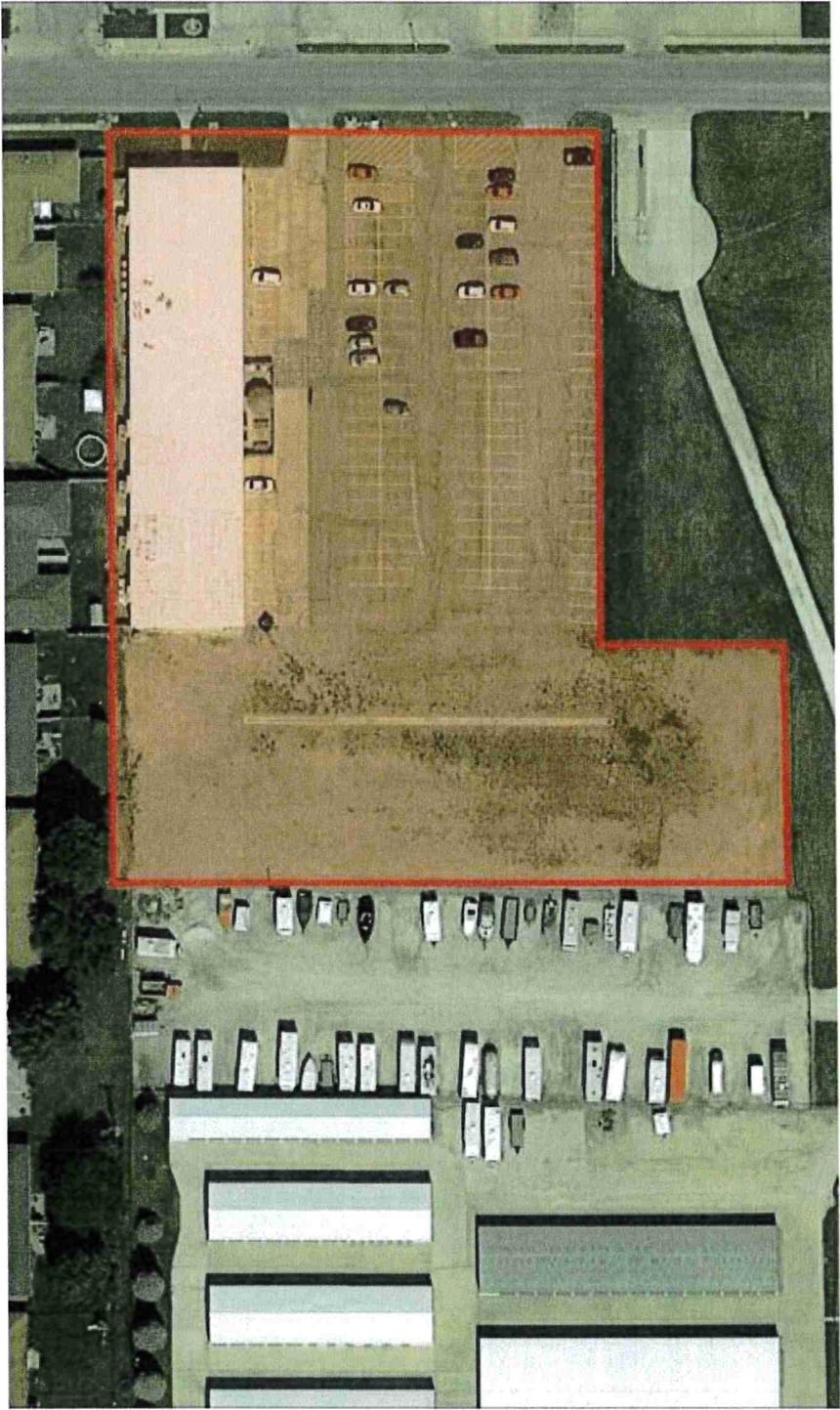
Fiscal Impact: N/A

Lifegate Church C.U.P. Vicinity Map



Lifegate Church C.U.P.
Surrounding Zoning





2407 Colorado Ave., Fremont, NE

Legal Description:

A tract of land located in the Southeast Quarter Southwest Quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$) of Section Ten (10), Township Seventeen (17) North, Range Eight (8) East of the 6th P.M., in Dodge County, Nebraska, more particularly described as follows:

Beginning at the Southeast corner of Lot One (1), Block Two (2), Washington Heights Second Addition to the City of Fremont, Dodge County, Nebraska; said point also being on the West margin of Colorado Avenue; thence South 00°08'03" East (assumed bearing) along said West margin 270.00 feet; thence South 90°00'00" West, 280 feet; thence South 00°08'03" East 90 feet;

thence South 90°00'00" West, 125 feet; thence North 00°08'03" West, 360 feet to a point on the

South margin of said Washington Heights Second Addition; thence North 90°00'00" East along said

South margin, 405.0 feet to the point of beginning.

Also described as Tax Lots 40, 74, 86 and part of Tax Lot 89 in said section.

City of Fremont Nebraska
Planning & Development
400 E. Military Ave.
Fremont, NE 68025

March 2, 2020

RE: Conditional Use Permit Application for 2407 Colorado Ave, Fremont, NE 68046

To whom it may concern,

We support Lifegate Church application for a Conditional Use Permit and recognize that we have a fully, executed Purchase Agreement for the sale of the property with Lifegate Church.

Thank you.

Steve Samek



RESOLUTION NO. 2020-099

A RESOLUTION OF THE CITY OF FREMONT, NEBRASKA, AUTHORIZING THE ISSUANCE OF A CONDITIONAL USE PERMIT FOR PUBLIC ASSEMBLY (CHURCH) IN A LI, LIGHT INDUSTRIAL DISTRICT ON PROPERTY GENERALLY LOCATED AT 2407 COLORADO AVENUE, FREMONT, NEBRASKA AND LEGALLY DESCRIBED AS:

A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER SOUTHWEST QUARTER (SE1/4 SW1/4) OF SECTION TEN (10), TOWNSHIP SEVENTEEN (17) NORTH, RANGE EIGHT (8) EAST OF THE 6TH P.M., IN DODGE COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:BEGINNING AT THE SOUTHEAST CORNER OF LOT ONE (1), BLOCK TWO (2), WASHINGTON HEIGHTS SECOND ADDITION TO THE CITY OF FREMONT, DODGE COUNTY, NEBRASKA; SAID POINT ALSO BEING ON THE WEST MARGIN OF COLORADO AVENUE; THENCE SOUTH 00°08'03" EAST (ASSUMED BEARING) ALONG SAID WEST MARGIN 270.00 FEET; THENCE SOUTH 90°00'00" WEST, 280 FEET; THENCE SOUTH 00°08'03" EAST 90 FEET; THENCE SOUTH 90°00'00" WEST, 125 FEET; THENCE NORTH 00°08'03" WEST, 360 FEET TO A POINT ON THE SOUTH MARGIN OF SAID WASHINGTON HEIGHTS SECOND ADDITION; THENCE NORTH 90°00'00" EAST ALONG SAID SOUTH MARGIN, 405.0 FEET TO THE POINT OF BEGINNING.

WHEREAS, the City Council for the City of Fremont, Nebraska, seeks to promote the health, safety, morals, and the general welfare of the community; and

WHEREAS, a request for approval of a Conditional Use Permit for the purposes of establishing a place of public assembly (church) in a LI, Light Industrial zoning district was filed with the offices of the Department of Planning, City of Fremont (City); and

WHEREAS, the City has determined that the subject property is currently zoned LI, Light Industrial; and

WHEREAS, a public hearing on the proposed Conditional Use Permit was held by the Planning Commission on April 20, 2020 and subsequently by the City Council on May 12, 2020; and

WHEREAS, the City has determined that such proceedings were in compliance with *Neb. Rev. Stat.* §19-904 pertaining to zoning regulations and restrictions;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FREMONT, NEBRASKA, AS FOLLOWS:

A conditional use permit for the purpose of allowing public assembly (church) in a LI, Light Industrial zoning district is hereby granted.

PASSED AND APPROVED THIS THE 12th DAY OF MAY, 2020.

Scott Getzschman, Mayor

ATTEST:

Tyler Ficken, City Clerk

Staff Report

TO: Honorable Mayor and City Council
FROM: Jennifer L. Dam, AICP, Planning Director
DATE: May 12, 2020
SUBJECT: Request to expand non-standard use at 1249 E 23rd St.

Recommendation: Approve Resolution 2020-100

Background:

The Ludvigsen Funeral Home is an existing building that is constructed up to the east lot line. They propose to expand the southern portion of the east side of the building to match the existing building line. The intent of the expansion is to add additional restroom facilities.

The property is zoned GC, General Commercial. The use on the property is a limited use in the GC zoning district.

The existing building is non-standard as to the setbacks it is built up to the property lines on the east side.

The proposed expansion will eliminate three parking spaces on the east side, however parking is available on the west side.

The property is approximately 90 percent impervious surface. The proposed expansion will not increase the amount of impervious coverage.

11-324-04 allows the granting of a Conditional Use Permit to expand a non-standard use provided that a decrease in the minimum requirements would not adversely affect the surrounding area and that the decrease is necessary to allow the structure to be enlarged, extended, structurally altered, converted, or reconstructed.

11-324-04 requires specific consideration of the effects on adjacent property, safety, traffic, or city utility service needs, the density of land use zoning for the subject property and adjacent property and the economic impact for the city.

The proposal will have a minimal impact to the property to the south.

The criteria established for approval in 11-316-05(B) are addressed below:

The proposed expansion will not undermine an adopted plan.

The proposed expansion is compatible with the surrounding land uses.

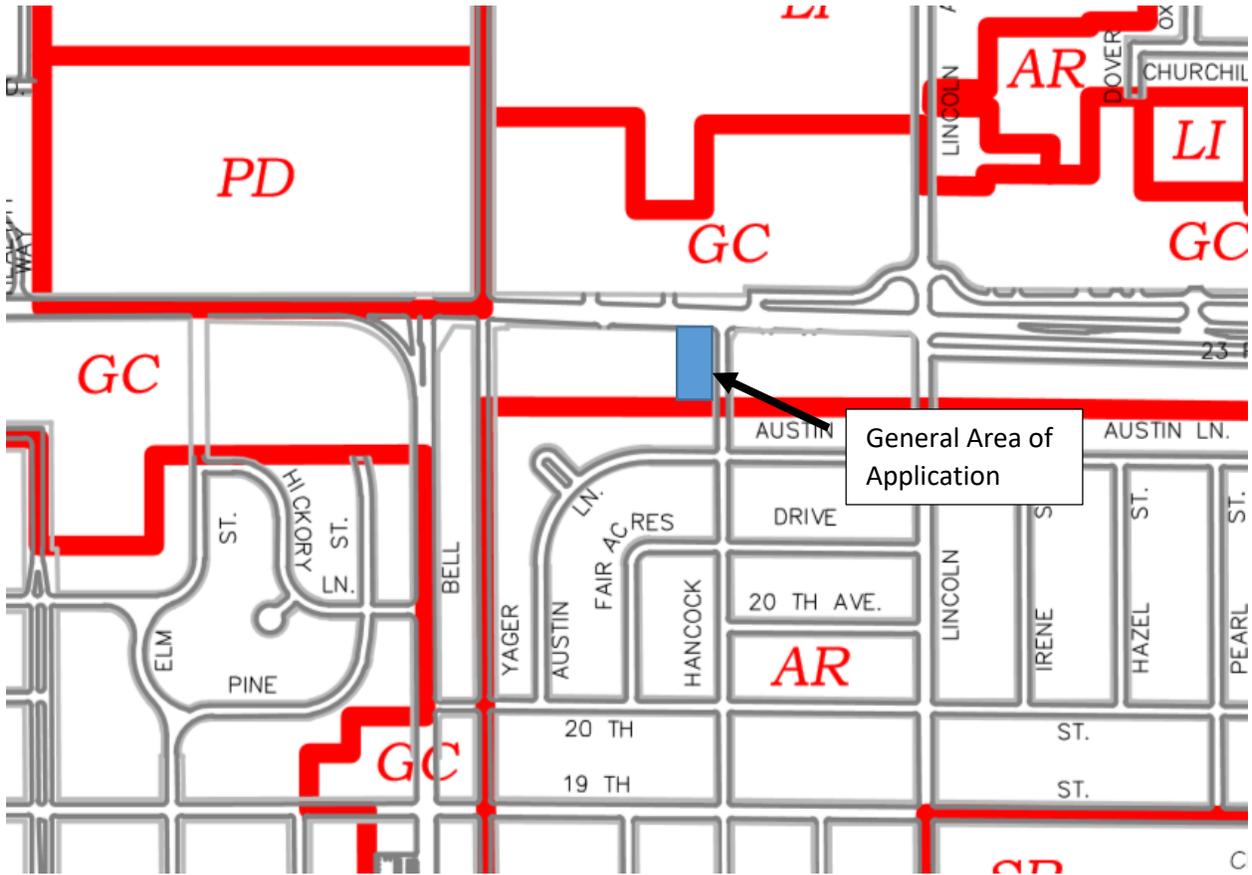
The proposed expansion is located in an area that fits with the flow of work in the existing building. It would be difficult to locate the expansion in a different area on the property.

Approval of this Conditional Use Permit will not create a critical mass of similar conditional uses and will not make the vicinity less desirable for permitted uses.

The conditional use will not use a disproportionate share of public services.

The Planning Commission held a public hearing on this item on April 20, 2020 and voted 8-0 to recommend approval of the conditional use permit.

Ludvigsen Mortuary Expansion Vicinity Map




Architectural
Innovations

March 16th, 2020

To: Jennifer Dam, Director of Planning
Planning Commission, City Council, Mayor Getzschman
All interested parties

RE: Request for Expansion of Nonconforming Use
Ludvigsen Mortuary
1249 East 23rd Street, Fremont, Nebraska

On behalf of Ludvigsen Mortuary, I am requesting an Expansion of Nonconforming Use Permit at their present location 1249 East 23rd Street.

Larry Ludvigsen was born and raised in Fremont, served in the Marine Corps, attended Midland Lutheran College, Dallas College of Mortuary Science and then opened Ludvigsen Mortuary in 1975. Larry has been part of this community and continues to operate Ludvigsen Mortuary with his Son Jon to this day.

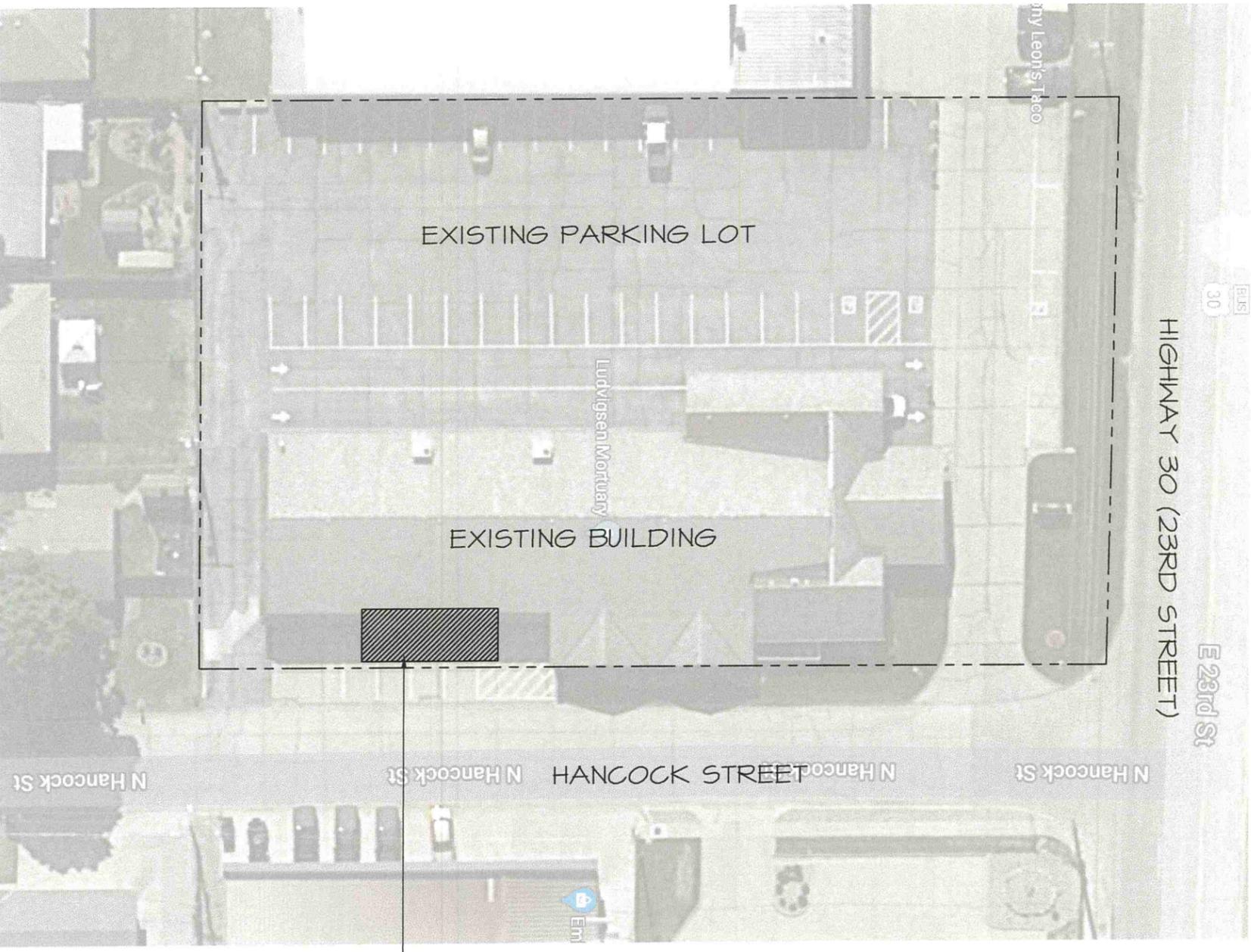
The original design only consisted of two single user restrooms for the public. The lack of restroom fixtures does not meet current public expectations nor does it meet current code. The current operation fully utilized all of the internal space therefore we are proposing to add three stall restrooms to the East side of the building. We are asking for an Expansion of Nonconforming use to allow this addition to align with the East edge of the existing building. The proposed addition would have a similar look to the Northern portion of the building that faces East.

Jon has reached out to the three residential neighbors South of the property, Embroidery Connection (Business directly East of proposed addition), and 30 Bowl (Business West of the property). None of the aforementioned neighbors had any issues with the proposed addition.

Please reach out to me with any questions or concerns

Sincerely,

Jerry Nelson, AIA



VICINITY MAP

SCALE: NO SCALE

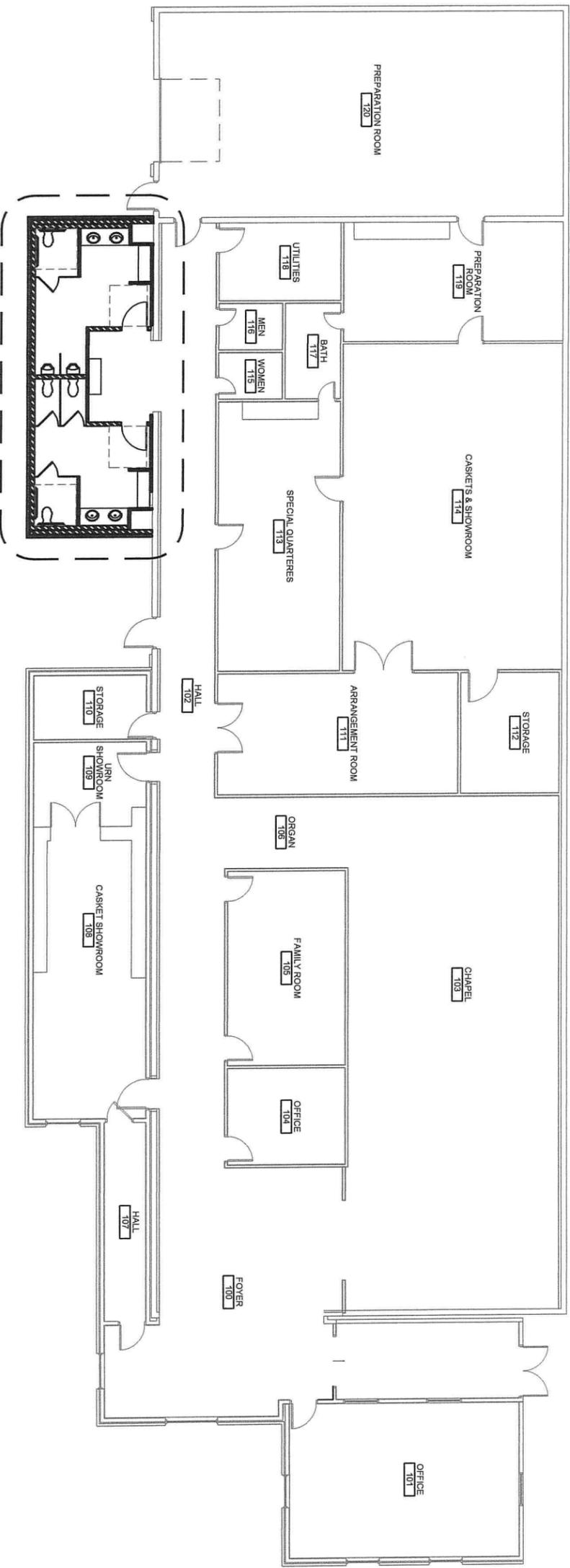
AREA OF DETAIL

PROPOSED ADDITION

AERIAL VIEW

SCALE: 1"=30'-0"

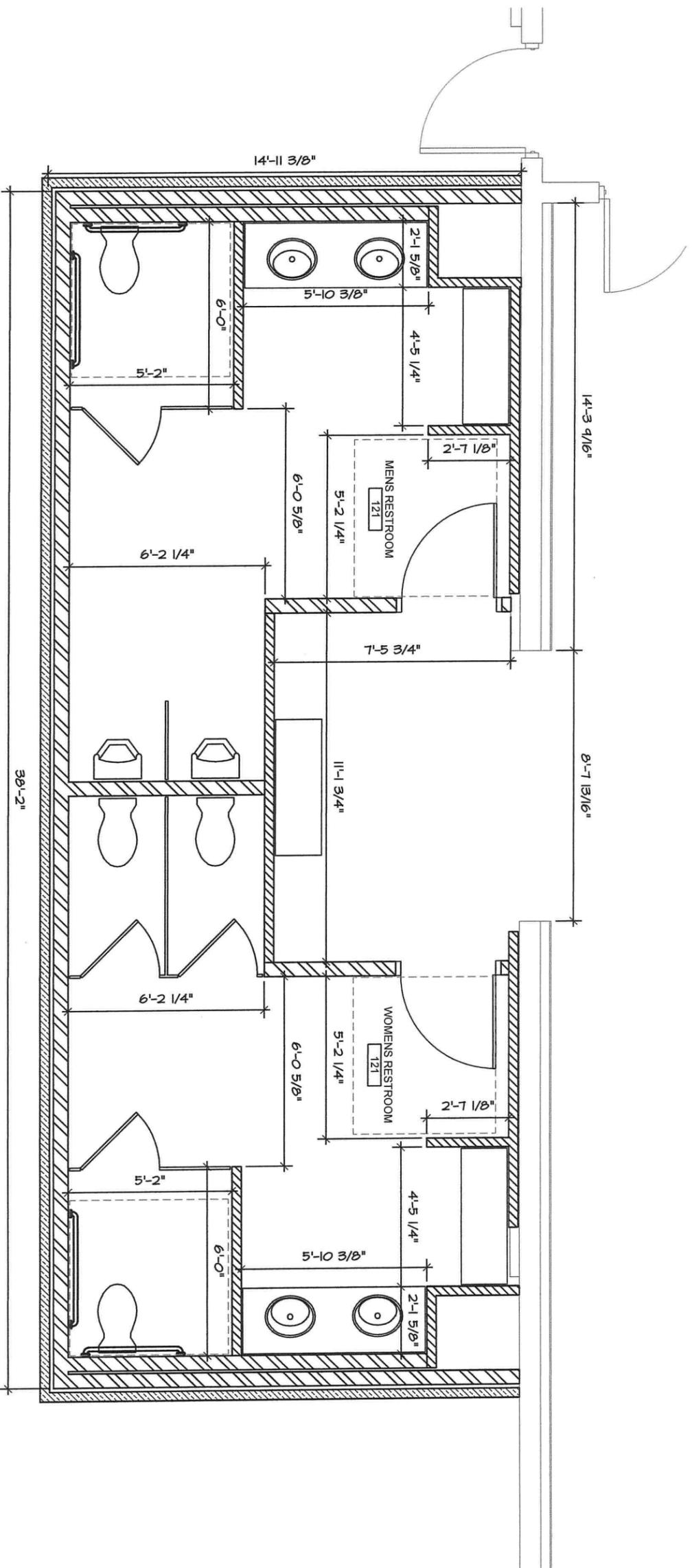
 Architectural Innovations
620 N 48TH STREET, SUITE 102 LINCOLN, NEBRASKA 68504 PHONE: (402) 467-4328 WWW.AILINCOLN.COM
LUDVIGSEN MORTUARY PROPOSED ADDITION 1249 EAST 23RD STREET 03-16-2020 A1.0



PROPOSED RESTROOM ADDITION


PROPOSED FLOOR PLAN
 SCALE: 1/16" = 1'-0"


Architectural Innovations
620 N 48TH STREET, SUITE 102 LINCOLN, NEBRASKA 68504 PHONE: (402) 467-4328 WWW.AILINCOLN.COM
LUDVIGSEN MORTUARY
PROPOSED ADDITION
1249 EAST 23RD STREET
03-16-2020
A1.1




PROPOSED BATHROOM PLAN
 SCALE: 1/4" = 1'-0"


**Architectural
 Innovations**
 620 N 48TH STREET, SUITE 102
 LINCOLN, NEBRASKA 68504
 PHONE: (402) 467-4328
 WWW.AILINCOLN.COM

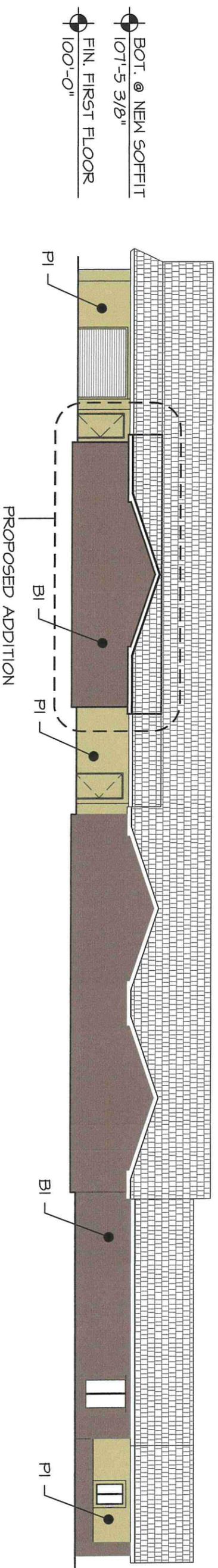
LUDVIGSEN MORTUARY

PROPOSED ADDITION

1249 EAST 23RD STREET

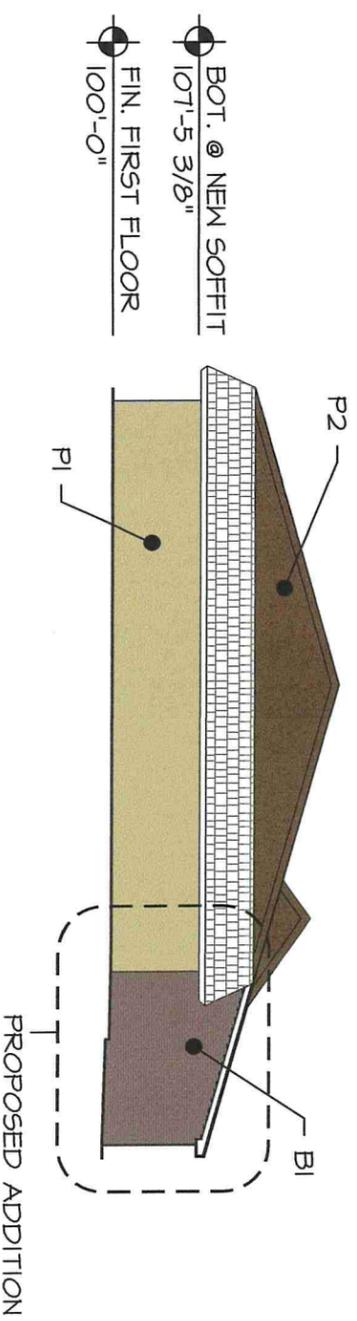
03-16-2020

A1.2



1. EAST ELEVATION

SCALE: 1/16" = 1'-0"



2. SOUTH ELEVATION

SCALE: 1/16" = 1'-0"

MATERIAL KEY

- P1 = EXISTING PAINT
- P2 = EXISTING PAINT
- B1 = BRICK


<h2>Architectural Innovations</h2>
<p>620 N 48TH STREET, SUITE 102 LINCOLN, NEBRASKA 68504 PHONE: (402) 461-4328 WWW.AILINCOLN.COM</p>
<p>LUDVIGSEN MORTUARY</p>
<p>PROPOSED ADDITION</p>
<p>1249 EAST 23RD STREET</p>
<p>03-16-2020</p>
<h1>A2.1</h1>

RESOLUTION NO. 2020-100

A RESOLUTION OF THE CITY OF FREMONT, NEBRASKA, AUTHORIZING THE ISSUANCE OF A CONDITIONAL USE PERMIT FOR ON PROPERTY LEGALLY DESCRIBED AS LOT 3, BLOCK 5 FAIRACRES 2ND ADDITION, GENERALLY LOCATED AT 1249 E. 23RD STREET FOR THE PURPOSES OF EXPANDING A NONSTANDARD USE INTO A REQUIRED YARD.

WHEREAS, the City Council for the City of Fremont, Nebraska, seeks to promote the health, safety, morals, and the general welfare of the community; and

WHEREAS, a request for approval of a Conditional Use Permit for the purposes of expanding a nonstandard use into a required yard on property legally described as lot 3, block 5 Fairacres 2nd addition, generally located at 1249 E. 23rd Street, Fremont, NE was filed with the offices of the Department of Planning, City of Fremont (City); and

WHEREAS, the City has determined that the subject property is currently zoned GC, General Commercial; and

WHEREAS, the existing building is non-standard in terms of the setback on the east side and the applicant wishes to expand a portion of the building to align with the setback of the existing building; and

WHEREAS, a public hearing on the proposed Conditional Use Permit was held by the Planning Commission on April 20, 2020 and subsequently by the City Council on May 12, 2020; and

WHEREAS, the City has determined that such proceedings were in compliance with *Neb. Rev. Stat.* §19-904 pertaining to zoning regulations and restrictions;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FREMONT, NEBRASKA, AS FOLLOWS:

A conditional use permit for the purpose of expanding a building into a required yard to align with the existing easternmost wall is hereby granted.

PASSED AND APPROVED THIS THE 12th DAY OF MAY, 2020.

Scott Getzschman, Mayor

ATTEST:

Tyler Ficken, City Clerk

Application Form

City of Fremont Animal Control Citizens Advisory Board

* Required

Description of Board

This is a temporary Animal Control Citizen's Advisory Board that will serve as an authorized city representative to investigate DCHS compliance with the city's animal control contract. This board will follow the Open Public meetings Act in which Robert's Rules will be strictly enforced. This board will present it's findings back to the City Council.

First Name *

Your answer

Last Name *

Your answer

Address *

Your answer

City, State & ZIP *

Your answer



Phone Number *

Your answer

Email Address *

Your answer

Place of employment *

Your answer

Have you served on a Board, Commission, or Committee before? * *

Yes

No

Knowledge of Roberts Rules *

1 2 3 4 5 6 7 8 9 10
None Expert



Knowledge of Open Meetings

	1	2	3	4	5	6	7	8	9	10	
None	<input type="radio"/>	Expert									

Explain special skills you bring to Board

Your answer

0/1000

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