



CITY OF FREMONT NEBRASKA

REGULAR CITY COUNCIL MEETING MINUTES
January 31, 2023 - 7:00 PM
Public Comment – 6:30 PM
City Council Chambers 400 East Military, Fremont NE

CITY COUNCIL REGULAR MEETING AGENDA

MEETING CALLED TO ORDER Following the Pledge of Allegiance, Mayor Spellerberg called the City Council Meeting to order and stated that a copy of the open meeting law is posted continually for public inspection located near the entrance door by the agendas.

ROLL CALL Roll call showed Members Ellis, Lathrop, Vaughan, Jensen, Von Behren, Ganem and Sookram present; 7 members present.

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 the January 31, 2023 Regular Meeting. Motion made by Jensen, Seconded by Sookram to adopt current agenda for the January 31, 2023 Regular Meeting. Voting Yea: Ellis, Ganem, Jensen, Sookram, Vaughan, Lathrop, Von Behren. Motion carried

APPOINTMENTS:

2. Move to consent to the Mayor's appointment of Tad Dinkins to represent Ward 1 of the City of Fremont for a term expiring December 2024 a. Oath of Office for appointed Council Member. Motion made by Jensen, Seconded by Ganem to consent to the Mayor's appointment of Tad Dinkins to represent Ward 1 of the City of Fremont for a term expiring December 2024. Voting Yea: Ellis, Ganem, Jensen, Sookram, Vaughan, Lathrop, Von Behren. Motion carried. City Attorney Jacott administered the Oath of office.
3. Move to consent to the Mayor's reappointment of Scott Brown to the Building Code Advisory and Appeals Board to a 5-year term. Motion made by Sookram, seconded by Lathrop to consent to the Mayor's reappointment of Scott Brown to the Building Code Advisory and Appeals Board to a 5-year term. Voting Yea: Ellis, Ganem, Dinkins, Jensen, Sookram, Vaughan, Lathrop, Von Behren. Motion carried.

4. Move to consent to the Mayor's reappointments of Chuck Johannsen and Michelle Wiese to the Citizens Advisory Review Committee of the City for 2-year terms. Motion made by Ganem, seconded by Vaughan to consent to the Mayor's reappointments of Chuck Johannsen and Michelle Wiese to the Citizens Advisory Review Committee of the City for 2-year terms. Voting Yea: Ellis, Ganem, Dinkins, Jensen, Sookram, Vaughan, Lathrop, Von Behren. Motion carried.
5. Move to consent to the Mayor's appointment of Lori Lathrop to the Local Option Review Team for a 2-Year term. Motion made by Von Behren, Seconded by Sookram to consent to the Mayor's appointment of Lori Lathrop to the Local Option Review Team for a 2-Year term. Voting Yea: Ellis, Ganem, Dinkins, Jensen, Sookram, Vaughan, Von Behren
Voting Abstaining: Lathrop. Motion carried.
6. Move to consent to the Mayor's appointment of Stan Darling to the Planning Commission to fill an unexpired term ending April 2025. Motion made by Vaughan, Seconded by Von Behren to consent to the Mayor's appointment of Stan Darling to the Planning Commission to fill an unexpired term ending April 2025. Voting Yea: Ellis, Ganem, Dinkins, Jensen, Sookram, Vaughan, Lathrop, Von Behren. Motion carried.

PUBLIC HEARINGS:

7. Ordinance 5637 Charles Diers, LLC request for a Change of Zone from R, Rural to AR, Auto Urban Residential on property generally located at the southeast corner of Luther Rd. and E. 23rd Street, Fremont, Dodge County, Nebraska. Mayor Spellerberg opened the public hearing. Mayor Spellerberg closed the public hearing after receiving comments from the public. Motion made by Jensen, Seconded by Sookram to introduce and hold first reading of Ordinance 5637. Voting Yea: Ellis, Ganem, Dinkins, Jensen, Sookram, Vaughan, Lathrop, Von Behren. Motion carried. City Clerk provided first reading of the Ordinance.
8. Ordinance 5638 Charles Diers, LLC request to annex property generally located at the Elkhorn Drive and Deer Crossing, Fremont, Dodge County, Nebraska. Mayor Spellerberg opened the public hearing. Mayor Spellerberg closed the public hearing after receiving comments from the public. Motion made by Vaughan, Seconded by Sookram to introduce and hold first reading of the Ordinance. Voting Yea: Ellis, Ganem, Dinkins, Jensen, Sookram, Vaughan, Lathrop, Von Behren. Motion carried. City Clerk provided first reading of the Ordinance.
9. Resolution 2023-009 Christopher Gold and H Rentals, LLC to approve a Conditional Use Permit for an Auto Sales Establishment generally located at 3303 N. Broad Street, Fremont, NE. Mayor Spellerberg opened the public hearing. Mayor Spellerberg closed the public hearing after receiving comments from the public. Motion made by Vaughan, seconded by Jensen to approve Resolution 2023-009. Voting Yea: Ellis, Dinkins, Jensen, Sookram, Vaughan, Lathrop, Von Behren. Voting Abstaining: Ganem. Motion carried.
10. Resolution 2023-010 Ronald Sawyer and Tim Ogborn request for a Conditional Use Permit to allow auto sales in a Light Industrial district on property generally located at 346 S. Broad Street, Fremont, Nebraska. Mayor Spellerberg opened the public hearing. Mayor Spellerberg closed the public hearing after receiving comments from the public. Motion made by Jensen, Seconded by Sookram to receive drawings into the record. Voting Yea: Ellis, Ganem, Dinkins, Jensen, Sookram, Vaughan, Lathrop, Von Behren. Motion

carried. Motion made by Jensen, Seconded by Sookram to approve Resolution 2023-010. Voting Yea: Ellis, Ganem, Dinkins, Jensen, Sookram, Vaughan, Lathrop, Von Behren. Motion carried.

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. Motion made by Sookram, seconded by Ganem to approve consent agenda items 11-14, 16, 18-21 & 23. Voting Yea: Lathrop, Ellis, Dinkins, Jensen, Von Behren, Ganem, Vaughan, Sookram. Motion carried.

11. Motion to approve January 11, 2023 through January 31, 2023 claims and authorize checks to be drawn on the proper accounts
12. Dispense with and approve January 10, 2023 City Council Meeting Minutes and January 14, 2023 Special City Council Meeting Minutes
13. Receive December 2022 animal reports
14. Resolution 2023-011 authorizing the City Staff to purchase one (1) set of boiler tubes for Cleaver Brooks Boiler for Anaerobic Lagoon Heating Boiler
15. Resolution 2023-012 approving the use of Masonic Park August 11-13, 2023 by Fremont Dairy Queen to hold Dairy Queen Days. Motion made by Sookram, seconded by Dinkins to approve Resolution 2023-012. Voting Yea: Ellis, Ganem, Dinkins, Jensen, Sookram, Vaughan, Lathrop, Von Behren. Motion carried.
16. Motion to authorize the Mayor to sign Deeds of Reconveyance for 345 N. M St. and 1250 N. Irving St. for completing CDBG Loan requirements
17. Resolution 2023-014 authorizing the City of Fremont Fire Department to purchase a Braun Ambulance from Braun Industries through Sourcewell to replace the fire departments 2008 Marque Ambulance. Motion made by Ganem, Seconded by Sookram to approve 2023-014. Voting Yea: Ellis, Ganem, Dinkins, Jensen, Sookram, Vaughan, Lathrop, Von Behren. Motion carried.
18. Resolution 2023-015 authorizing the Mayor to sign the Principal Data Security Amendments for the City's retirement plans
19. Motion to receive Traffic Committee Report
20. Resolution 2023-016 for contract 22-TFRH-15032 for Nebraska Affordable Housing Trust Fund Grant for Rental Rehabilitation project
21. Resolution 2023-017 authorizing city staff to submit EDA Grant Application
22. Resolution 2023-018 approving the request of John C. Fremont Committee to allow vendors to stay overnight in vendor's encampment at JCF Park. Motion made by Von Behren, seconded by Jensen to approve Resolution 2023-018. Voting Yea: Ellis, Ganem, Dinkins, Jensen, Sookram, Vaughan, Lathrop, Von Behren. Motion carried.

23. Resolution 2023-023 accepting bid and authorizing staff to award bid of Gifford Realty Inc. for City of Fremont Administration Building Improvements
24. Move to approve the template for a fifty-year land lease agreement for 1306 N Ridge Road with the United States of America. Motion made by Jensen, Seconded by Sookram to receive draft lease template into the record. Voting Yea: Ellis, Ganem, Dinkins, Jensen, Sookram, Vaughan, Lathrop, Von Behren. Motion carried. Motion made by Vaughan, Seconded by Ganem to approve the template for a fifty-year land lease agreement for 1306 N Ridge Road with the United States of America. Voting Yea: Ellis, Ganem, Dinkins, Jensen, Sookram, Vaughan, Lathrop, Von Behren. Motion carried.

NEW BUSINESS: Requires individual associated action

25. Resolution 2023-019 affirming Emergency Declaration for Repairs to Rail Support. Structural Steel on the Lon D. Wright Power Plant Fuel Handling Receiving Equipment Motion made by Von Behren, Seconded by Sookram to approve Resolution 2023-019. Voting Yea: Ellis, Ganem, Dinkins, Jensen, Sookram, Vaughan, Lathrop, Von Behren. Motion carried.
26. Ordinance 5636 repealing and replacing Ordinance No. 5503 amending rates, minimum charges and surcharges for the use of the Municipal Sanitary System. Motion made by Sookram, seconded by Vaughan to introduce and hold first reading of Ordinance 5636. Voting Yea: Ellis, Ganem, Jensen, Sookram, Vaughan, Lathrop, Von Behren Voting Nay: Dinkins. Motion carried. City Clerk provided first reading of the Ordinance.
27. Keene Memorial Library Annual Report. Motion made by Sookram, Seconded by Ganem to receive Keene Memorial Library Annual Report. Voting Yea: Ellis, Ganem, Dinkins, Jensen, Sookram, Vaughan, Lathrop, Von Behren. Motion carried.
28. Resolution 2023-021 approving the 2023 Federal Aviation Administration Airport Capital Improvement Plan, Fremont, Dodge County, Nebraska. Motion made by Sookram, seconded by Jensen to approve Resolution 2023-021. Voting Yea: Ellis, Ganem, Dinkins, Jensen, Sookram, Vaughan, Lathrop, Von Behren. Motion carried.
29. Resolution 2023-022 accepting and awarding bid to M.E. Collins Contracting Co., LLC for the Bell Street Viaduct Rehabilitation Project. Motion made by Sookram, Seconded by Von Behren to approve Resolution 2022-022. Voting Yea: Ellis, Ganem, Dinkins, Jensen, Sookram, Vaughan, Lathrop, Von Behren. Motion carried.
30. Resolution 2023-013 authorizing GDS and Associates to develop the Integrated Resource Plan for the City of Fremont Department of Utilities. Motion made by Sookram, seconded by Jensen to approve Resolution 2023-013. Voting Yea: Ellis, Ganem, Dinkins, Jensen, Sookram, Vaughan, Lathrop, Von Behren. Motion carried.

ADJOURNMENT Motion made by Jensen, seconded by Sookram to adjourn; time: 9:19 P.M. Voting Yea: Lathrop, Ellis, Von Behren, Vaughan, Jensen, Ganem, Sookram, Dinkins. Motion carried.

Agenda posted at the Municipal Building on January 25, 2023 and online at www.fremontne.gov. Agenda distributed to the Mayor and City Council on January 25, 2023. This meeting is preceded by publicized notice in the Fremont Tribune on the last Thursday of the preceding month and the

agenda, including any notice of study session or public hearing, 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 the agenda.

APPROVED AND ACCEPTED AS THE OFFICIAL COPY OF THE FREMONT, NEBRASKA
REGULAR CITY COUNCIL MEETING MINUTES FOR THE JANUARY 31, 2023.

Tyler Ficken, City Clerk

Joey Spellerberg, Mayor