



CITY OF FREMONT NEBRASKA

COMMUNITY DEVELOPMENT AGENCY & REGULAR CITY COUNCIL MEETING MINUTES
April 28, 2020 - 7:00 PM
City Council Chambers 400 East Military, Fremont NE

COMMUNITY DEVELOPMENT AGENCY AGENDA

7:00 PM

MEETING CALLED TO ORDER

After the Pledge of Allegiance, Mayor Getzschman called the Community Development Agency 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 McClain, Ellis, Kuhns, Bechtel, Yerger, Jensen, Jacobus and Legband present. 8 members present.

1. Resolution 2020-005 to forward a proposed Redevelopment Plan Amendment to the Planning Commission for DPA Auctions project. Resolution 2020-005 to forward a proposed Redevelopment Plan Amendment to the Planning Commission for DPA Auctions project. Motion made by Legband, Seconded by Jensen to approve Resolution 2020-005. Voting Yea: Yerger, Ellis, McClain, Jensen, Legband, Bechtel, Kuhns, Jacobus. Motion carried.

ADJOURNMENT.

Motion made by Jensen, Seconded by Legband to adjourn; time: 7:08 PM. Voting Yea: Yerger, Ellis, McClain, Jensen, Legband, Bechtel, Kuhns, Jacobus. Motion carried.

CITY COUNCIL REGULAR MEETING AGENDA

7:00 PM – Following the preceding Meeting

MEETING CALLED TO ORDER

Mayor Getzschman 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 Council Members McClain, Ellis, Kuhns, Bechtel, Yerger, Jensen, Jacobus and Legband present. 8 Council 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 April 28, 2020 Regular Meeting. Motion made by Legband, Seconded by Kuhns to adopt current agenda for April 28, 2020 Regular Meeting. Voting Yea: Yerger, Ellis, McClain, Jensen, Legband, Bechtel, Kuhns, Jacobus. Motion carried.

PUBLIC HEARINGS:

2. Resolution 2020-085 approving an application for a Class CCS Liquor License for Churchills, LLC., dba Churchills the Cigar Bar, 345 N. Main St. Mayor Getzschman opened the public hearing. Mayor Getzschman closed the public hearing after receiving comments from the public. Motion made by Legband, Seconded by Jacobus to approve Resolution 2020-085. Voting Yea: Yerger, Ellis, McClain, Jensen, Legband, Kuhns, Jacobus Voting Abstaining: Bechtel. Motion carried.
3. Ordinance 5532 to amend 11-601 to address development standards to exclude Planned Unit Development Districts. Mayor Getzschman opened the public hearing. Mayor Getzschman closed the public hearing after receiving comments from the public. Motion made by Jacobus, Seconded by Jensen to hold first reading of the Ordinance. Voting Yea: Getzschman, Jensen, Legband, Kuhns, Jacobus Voting Nay: Yerger, Ellis, McClain, Bechtel. Motion carried. City Clerk provided first reading.

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 by Kuhns, seconded by Jensen to approve consent agenda items 5, 11, 13, 15 and 16. Voting Yea: McClain, Ellis, Kuhns, Bechtel, Yerger, Jensen, Jacobus, Legband. Motion carried.

4. Motion to approve April 15, 2020 through April 28, 2020 claims and authorize checks to be drawn on the proper accounts. Motion made by Jacobus, Seconded by Ellis to continue payment to the Dodge County Humane Society until the May 12, 2020 City Council meeting. Voting Yea: Ellis, Jacobus Voting Nay: Yerger, McClain, Jensen, Legband, Bechtel, Kuhns. Motion failed. Motion made by Kuhns, Seconded by Legband to approve April 15, 2020 through April 28, 2020 claims and authorize checks to be drawn on the proper accounts. Voting Yea: Yerger, Ellis, McClain, Jensen, Legband, Bechtel, Kuhns Voting Abstaining: Jacobus. Motion carried.
5. Dispense with and approve April 21, 2020 City Council, Community Development Agency, and Board of Equalization Meeting Minutes
6. Motion authorizing the Mayor to sign the License Agreement with ApplicantOne for online application services. Motion made by McClain, Seconded by Jensen to authorize the Mayor to sign the License Agreement with ApplicantOne for online application services.

Voting Yea: Yerger, Ellis, McClain, Jensen, Legband, Bechtel, Kuhns, Jacobus. Motion carried.

7. Resolution 2020-086 to sign agreement with Centurylink for regional connectivity. Motion made by Jacobus, Seconded by Yerger to add language providing the 35% and 65% split with the County. Voting Yea: Yerger, Ellis, McClain, Jensen, Legband, Bechtel, Kuhns, Jacobus. Motion carried. Motion made by Jacobus, Seconded by Legband to approve Resolution 2020-083 as amended. Voting Yea: Ellis, McClain, Jensen, Legband, Bechtel, Kuhns, Jacobus. Abstention: Yerger. Motion carried.
8. Resolution 2020-087 authorizing execution of an Agreement with Felsburg Holt and Ullevig (FHU) for on-call MS4 Compliance Assistance services for the NPDES Municipal Stormwater Permit and Fremont Stormwater Management Program. Motion made by Jensen, Seconded by Legband to approve Resolution 2020-087. Voting Yea: Yerger, Ellis, McClain, Jensen, Legband, Bechtel, Kuhns, Jacobus. Motion carried.
9. Motion authorizing the Mayor to sign the Memorandum of Understanding with the International Association of Firefighters Local 1015 regarding Administrative Emergency Paid Sick Leave due to COVID-19. Motion made by Kuhns, Seconded by Jacobus to authorize the Mayor to sign the Memorandum of Understanding with the International Association of Firefighters Local 1015 regarding Administrative Emergency Paid Sick Leave due to COVID-19. Voting Yea: Yerger, Ellis, McClain, Jensen, Legband, Bechtel, Kuhns, Jacobus. Motion carried.
10. Motion authorizing the Mayor to sign the IMA Broker Services Agreement. Motion made by Jacobus, Seconded by Yerger to change the agreement date from April 21 to April 28, 2020, and change paragraph seven from Colorado to Nebraska. Voting Yea: Yerger, Ellis, McClain, Jensen, Legband, Bechtel, Kuhns, Jacobus. Motion carried. Motion made by McClain, Seconded by Jacobus to authorize the Mayor to sign the IMA Broker Services Agreement as amended. Voting Yea: Yerger, Ellis, McClain, Jensen, Legband, Bechtel, Kuhns, Jacobus. Motion carried.
11. Resolution 2020-088 to enter in to an Interlocal Agreement with the Omaha Regional Interoperable Network (ORION) for cooperative use of the Wireless Area Network
12. Resolution 2020-089 approving the proposed Keno Grant awards as recommended by the Keno Advisory Committee. Motion made by Yerger, Seconded by Jensen to approve Resolution 2020-089. Voting Yea: Yerger, Ellis, McClain, Jensen, Legband, Bechtel, Kuhns, Jacobus. Motion carried.
13. Resolution 2020-090 authorizing Utility Staff to sign a purchase agreement and issue a purchase order to Burns & McDonnell Engineering for Professional Engineering Services for the Affordable Clean Energy Rule
14. Resolution 2020-091 for the reimbursement for the intersection pavement in Morningside Pointe. Motion made by Legband, Seconded by Kuhns to approve Resolution 2020-091. Voting Yea: Yerger, Ellis, McClain, Jensen, Legband, Bechtel, Kuhns, Jacobus. Motion carried.
15. Motion to make appointment to the Nebraska Regional Interoperability Network (NRIN) Governing Board

16. Motion with regard to concrete/excavate license application, Ogden Home Rehab, LLC
17. Resolution 2020-092 authorizing placement of stop signs in several locations, and receive Traffic Committee Report. Resolution 2020-092 authorizing placement of stop signs in several locations, and receive Traffic Committee Report. Motion made by Yerger, Seconded by Jacobus to approve Resolution 2020-092. Voting Yea: Yerger, Ellis, McClain, Jensen, Legband, Bechtel, Kuhns, Jacobus. Motion carried.

UNFINISHED BUSINESS: Requires individual associated action

18. Resolution 2020-070 to authorize and approve the Agreement with Civil Solutions, LLC. for professional consulting services in construction engineering and administration for the Bell Street Asphalt Overlay Project. Motion made by Yerger, Seconded by Legband to approve Resolution 2020-070. Voting Yea: Yerger, Ellis, McClain, Jensen, Legband, Bechtel, Kuhns, Jacobus. Motion carried.
19. Resolution 2020-075 authorizing the renewal of software support with GeoComm, Inc. Motion made by Yerger, Seconded by Kuhns to approve Resolution 2020-075. Voting Yea: Yerger, Ellis, McClain, Jensen, Legband, Bechtel, Kuhns, Jacobus. Motion carried.
20. Ordinance 5531 for a text change to section 11-502.02; 11-504.02 D; and 11-920 "C Terms" of the UDC to define cemetery, permit it as a limited use in R, SR, AR and UR districts and to stipulate conditions under which it is allowed (final reading). Motion made by Yerger, Seconded by Legband to hold final reading of the Ordinance. Voting Yea: Yerger, Ellis, McClain, Jensen, Legband, Bechtel, Kuhns, Jacobus. Motion carried. City Clerk provided final reading of the Ordinance. Mayor Getzschman called for a final vote on the Ordinance. Voting Yea: Yerger, Ellis, McClain, Jensen, Legband, Bechtel, Kuhns, Jacobus. Motion carried. Ordinance 5531 approved.
21. Resolution 2020-081 accepting and awarding the bid for the construction of the Luther Road South project. Motion made by Legband, Seconded by Kuhns to approve Resolution 2020-081. Voting Yea: Ellis, McClain, Jensen, Legband, Bechtel, Kuhns Voting Nay: Yerger, Jacobus. Motion carried.
22. Resolution 2020-083 to award architectural contract for the design of the Joint Law Enforcement Center. Motion made by Ellis, Seconded by Jensen to approve Resolution 2020-083 and move forward, but insert a pause after 15% at the schematic level and with that pause allow one month's time to go to the public with the schematic drawings, and with Council approval to subsequently move forward with design development. Voting Yea: Ellis, McClain, Jensen, Legband, Bechtel, Kuhns, Jacobus Voting Nay: Yerger. Motion carried.
23. 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. Motion made by Legband, Seconded by Kuhns to hold second reading of Ordinance 5530. Voting Yea: McClain, Jensen, Legband, Bechtel, Kuhns Voting Nay: Yerger, Ellis, Jacobus. Motion carried. City Clerk provided second reading.

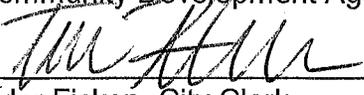
NEW BUSINESS: Requires individual associated action

24. Resolution 2020-093 approving waiver of utility penalties and disconnects for billing cycles March 15, 2020 through June 5, 2020. Motion made by Yerger, Seconded by Jacobus to approve resolution 2020-093. Voting Yea: Yerger, Ellis, McClain, Jensen, Legband, Bechtel, Kuhns, Jacobus. Motion carried.
25. Resolution 2020-066 to declare the City's intent to reimburse expenses from bond proceeds of the Highway Allocation Pledge Bonds. Motion made by Legband, Seconded by Kuhns to approve Resolution 2020-066. Voting Yea: Yerger, Ellis, McClain, Jensen, Legband, Bechtel, Kuhns, Jacobus. Motion carried.
26. Ordinance 5533 pertaining to pay plan for officers and employees. Motion made by Jensen, Seconded by Legband to change the effective date to May 13, 2020. Voting Yea: Yerger, Ellis, McClain, Jensen, Legband, Bechtel, Kuhns, Jacobus. Motion carried. Motion made by Yerger, Seconded by Ellis to continue the item to the next meeting. Voting Yea: Yerger, Ellis, McClain, Jensen, Legband, Bechtel, Kuhns, Jacobus. Motion carried.
27. Receive Library 2018-19 Annual Report. Motion made by Jensen, Seconded by Jacobus to receive Library 2018-19 Annual Report. Voting Yea: Yerger, Ellis, McClain, Jensen, Legband, Bechtel, Kuhns, Jacobus. Motion carried.
28. Receive MainStreet Fremont Executive Director Activities report. Motion made by Jacobus, Seconded by Legband to Receive MainStreet Fremont Executive Director Activities report. Voting Yea: Yerger, Ellis, McClain, Jensen, Legband, Bechtel, Kuhns, Jacobus. Motion carried.
29. Resolution 2020-094 authorizing the Mayor to sign agreement with WholeStone Farms, Inc. for Wastewater Engineering. Motion made by Jensen, Seconded by Legband to amend the agreement as read by Travis Jacott: Under Section 1 adding after the words thereto with such detail including at a minimum any invoices and supporting documentation including applicable task orders from HDR Engineering to the City with the gross amount shown on the invoice along with a separate cost schedule showing how the amounts are invoiced by HDR Engineering should be apportioned between engineering and costs that are not attributable (if there are such different costs) to the additional wastewater treatment facilities that support the Future (Two Shift) Wastewater Discharge Volumes, and continue with the remainder of paragraph 1. The other change in paragraph 7 striking the words and local, adding the words the Applicable Laws, adding by Wholestone, adding State, and adding found to be in violation of the Applicable Laws, Wholestone shall have the right to assert its own defenses against any allegations that it has violated Applicable Laws. Voting Yea: McClain, Jensen, Legband, Bechtel, Kuhns Voting Nay: Yerger, Ellis, Jacobus. Motion carried. Motion made by Jensen, Seconded by Legband to approve the amended Resolution 2020-094. Voting Yea: McClain, Jensen, Legband, Bechtel, Kuhns Voting Nay: Yerger, Ellis, Jacobus. Motion carried.
30. Receive and file 2019-2020 Tax Increment Financing Annual Report. Motion made by Kuhns, Seconded by Legband to Receive and file 2019-2020 Tax Increment Financing Annual Report. Voting Yea: Yerger, Ellis, McClain, Jensen, Legband, Bechtel, Kuhns, Jacobus. Motion carried.

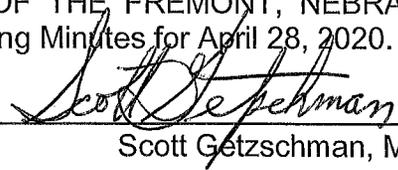
ADJOURNMENT

Motion made by Kuhns, Seconded by McClain to adjourn; time: 12:47 AM. Voting Yea: Yerger, Ellis, McClain, Jensen, Legband, Bechtel, Kuhns, Jacobus. Motion carried.

APPROVED AND ACCEPTED AS THE OFFICIAL COPY OF THE FREMONT, NEBRASKA
Community Development Agency & Regular City Council Meeting Minutes for April 28, 2020.



Tyler Ficken, City Clerk



Scott Getzschman, Mayor