



CITY OF FREMONT NEBRASKA

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

MEETING CALLED TO ORDER

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

ROLL CALL

Roll call showed Members McClain, Ellis, Kuhns, Bechtel, Yerger, Jensen, Jacobus and Legband present. 8 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 May 12, 2020 Regular Meeting. Motion made by Yerger, Seconded by Ellis to continue items 11, 12, 14, 17, 18 and 19 one at a time. Voting Yea: Yerger, Ellis, Jacobus Voting Nay: McClain, Jensen, Legband, Bechtel, Kuhns. Motion failed. Motion made by Legband, Seconded by Kuhns to continue items 11, 12, 14, 17, 18 and 19 to the May 26, 2020 City Council Meeting. Voting Yea: McClain, Jensen, Legband, Bechtel, Kuhns Voting Nay: Yerger, Ellis, Jacobus. Motion carried. Motion made by Legband, Seconded by Kuhns to adopt the agenda for the May 12, 2020 City Council Meeting as amended. Voting Yea: McClain, Jensen, Legband, Bechtel, Kuhns Voting Nay: Yerger, Ellis, Jacobus. 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 Jacobus, Seconded by Kuhns to approve items 2, 3, 6, 9 and 10 of the consent agenda. Voting Yea: Yerger, Ellis, McClain, Jensen, Legband, Bechtel, Kuhns, Jacobus. Motion carried.

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. Motion made by Yerger, Seconded by Jacobus to add the language "for the three years" after the figure \$145,000. Voting Yea: Yerger, Ellis, McClain, Jensen, Legband, Bechtel, Kuhns, Jacobus. Motion carried. Motion made by Jensen, Seconded by Legband to approve Resolution 2020-084 as amended. Voting Yea: Yerger, Ellis, McClain, Jensen, Legband, Bechtel, Kuhns, Jacobus. Motion carried.
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. Motion made by Yerger, Seconded by Jacobus to amend the agreement to correct the date in the first paragraph to May 12, 2020, and add times and dates under section 3.1 by it stating " subject to provisions of this agreement owner hereby grants to lessee the authorizing use of owner's facilities on Thursdays from 4 p.m. to 7 p.m. June 15, 2020 through November 27, 2020 to lessee for the purpose stated above. Voting Yea: Yerger, Ellis, McClain, Jensen, Legband, Bechtel, Kuhns, Jacobus. Motion carried. Motion made by Yerger, Seconded by Jacobus to approve Resolution 2020-095 and the agreement as amended. Voting Yea: Yerger, Ellis, McClain, Jensen, Legband, Bechtel, Kuhns, Jacobus. Motion carried.
6. Motion to appoint Aaron Paden to replace and complete Ann Prince's term January 2022 on Park Board
7. Motion to receive Quarterly Financial Statements. Motion made by Jacobus, Seconded by McClain to receive the Quarterly Financial Statements. Voting Yea: Yerger, Ellis, McClain, Jensen, Legband, Bechtel, Kuhns, Jacobus. Motion carried.
8. Motion to receive Report of the Treasury. Motion made by Yerger, Seconded by Jensen to receive the Report of the Treasury. Voting Yea: Yerger, Ellis, McClain, Jensen, Legband, Bechtel, Kuhns, Jacobus. Motion carried.
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; Hillis term expires December 2020
11. Resolution 2020-096 awarding contract to Wiese Plumbing & Excavating Inc. for Installation of Electrical Conduits for SE Beltway Relocations. Continued to May 26, 2020.
12. Resolution 2020-097 authorizing the Mayor to execute an agreement with Thompson Construction for the Water main Encasement - SE Beltway project. Continued to May 26, 2020.

UNFINISHED BUSINESS: Requires individual associated action

13. Ordinance 5532 to amend 11-601 to address development standards to exclude Planned Unit Development Districts. Motion made by Jacobus, Seconded by Legband to hold second reading of Ordinance 5532. Voting Yea: Yerger, Ellis, McClain, Jensen, Legband, Bechtel, Kuhns, Jacobus. Motion carried. City Clerk provided second reading.

14. Ordinance 5533 pertaining to pay plan for officers and employees (proposed addition of Library Technology Specialist classification). Continued to May 26, 2020.
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). Council Member Kuhns moved to hold third and final reading. Council Member Kuhns withdrew his motion to allow an amendment. Motion made by Jensen, Seconded by Kuhns to amend Ordinance 5530 to include rule #18, allowing for the suspension of rules 14, 15 and 16 with a simple majority of the members present. Voting Yea: McClain, Jensen, Legband, Bechtel, Kuhns Voting Nay: Yerger, Ellis, Jacobus. Motion carried. Motion made by Yerger, Seconded by Jacobus to continue the item until the end of August. Voting Yea: Yerger, Ellis, Jacobus. Voting Nay: McClain, Jensen, Legband, Bechtel, Kuhns. Motion failed. Motion made by Kuhns, Seconded by Jensen to hold third and final reading of Ordinance 5530 as amended. Voting Yea: McClain, Jensen, Legband, Bechtel, Kuhns. Voting Nay: Yerger, Ellis, Jacobus. Motion carried. City Clerk provided final reading of the Ordinance. Mayor called for a final vote on the Ordinance. Motion made by Kuhns, Seconded by Jensen. Voting Yea: McClain, Jensen, Legband, Bechtel, Kuhns Voting Nay: Yerger, Ellis, Jacobus. Ordinance 5530 is approved.
16. Ordinance 5528 for a change of zone from R, Rural to PD, Planned Development for property commonly known as Bluestem Commons. Motion made by Jacobus, seconded by Kuhns to hold second reading of the Ordinance. Voting Yea: McClain, Ellis, Kuhns, Yerger, Jensen, Jacobus, Legband Voting Nay: Bechtel. Motion carried. City Clerk provided second reading.

NEW BUSINESS: Requires individual associated action

17. Resolution 2020-098 authorizing \$5,000,000 additional expenditure for the SE Beltway project. Continued to May 26, 2020.
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. Continued to May 26, 2020.
19. Resolution 2020-100 authorizing the issuance of a conditional use permit for generally located at 1249 E. 23rd Street for the purposes of expanding a nonstandard use into a required yard. Continued to May 26, 2020.
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. Motion made by Yerger, seconded by Jensen to receive two documents which include seven of the appointee names into the record; they include an email from Council Member McClain, and a document titled – City of Fremont Animal Control – Citizens Advisory Board from Council Member Jacobus. Voting Yea: Yerger, Ellis, McClain, Jensen, Legband, Bechtel, Kuhns, Jacobus. Motion carried. Council Member Legband moved, seconded by Council Member Jacobus to approve and appoint Rebecca Pence to the board. Voting Yea: Yerger, Ellis, McClain, Jensen, Legband, Bechtel, Kuhns, Jacobus. Motion carried.

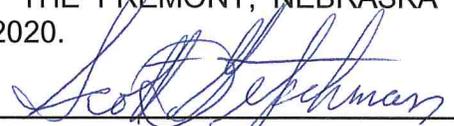
21. Councilmember Jacobus item – Executive Session to discuss threatened or potential litigation. Moved by Council Member Jacobus, seconded by Council Member Jensen to go into executive session to discuss threatened or potential litigation and for the further reason that the executive session is necessary for the protection of the public interest and asked for discussion. The Mayor stated that the pending motion was to go into executive session to discuss threatened or potential litigation and for the further reason that the executive session is necessary for the protection of the public interest. Voting Yea: Yerger, Ellis, McClain, Jensen, Legband, Bechtel, Kuhns, Jacobus. Motion carried. The Mayor stated that the pending motion to go into executive session to discuss threatened or potential litigation and for the further reason that the executive session is necessary for the protection of the public interest had been approved. Discussion will be limited to threatened or potential litigation. No official actions or votes will be taken during the executive session. Motion carried. Time in: 9:20 p.m. Moved by Council Member Jensen, seconded by Council Member Yerger to come out of executive session where no official actions or votes were taken. Voting Yea: Yerger, Ellis, McClain, Jensen, Legband, Bechtel, Kuhns, Jacobus. Motion carried. Time out 9:35 p.m.

ADJOURNMENT

Motion made by Kuhns, Seconded by Legband to adjourn; time: 9:37 PM. Voting Yea: Yerger, Ellis, McClain, Jensen, Legband, Bechtel, Kuhns, Jacobus. Motion carried.

APPROVED AND ACCEPTED AS THE OFFICIAL COPY OF THE FREMONT, NEBRASKA
REGULAR CITY COUNCIL MEETING MINUTES FOR MAY 12, 2020.


Tyler Ficken, City Clerk


Scott Getzschman, Mayor