



# CITY OF FREMONT NEBRASKA

## SPECIAL JOINT CITY COUNCIL AND PLANNING COMMISSION MEETING & REGULAR CITY COUNCIL MEETING MINUTES

June 28, 2022 - 5:30 PM

City Council Chambers 400 East Military, Fremont NE

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### SPECIAL JOINT CITY COUNCIL AND PLANNING COMMISSION MEETING MINUTES

**MEETING CALLED TO ORDER** Mayor Spellerberg called the Special 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 Ellis, Ganem, Yerger, Sookram, Legband, Jensen and Vaughan present. 7 members present. Gibson absent.

1. Overview of sign and development standards proposed by Houseal Lavigne. The Council was provided a presentation and held discussion on sign and development standards.

**ADJOURNMENT** Motion made by Vaughan, seconded by Legband to adjourn; time: 6:24 P.M. Voting Yea: Yerger, Ellis, Legband, Ganem, Sookram, Vaughan, Jensen. Motion carried.

### CITY COUNCIL REGULAR MEETING AGENDA

**MEETING CALLED TO ORDER** Following the Pledge of Allegiance, Mayor Spellerberg called the Regular 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 Ellis, Ganem, Yerger, Sookram, Legband, Jensen and Vaughan present. 7 members present. Gibson absent.

1. Motion to adopt current agenda for the June 28, 2022 Regular Meeting. Motion to adopt current agenda for the June 28, 2022 Regular Meeting. Motion made by Vaughan, Seconded by Jensen to move item #15 to the first item following the consent agenda. Voting Yea: Ganem, Jensen, Legband, Sookram, Vaughan, Yerger. Voting Nay: Ellis. Motion carried. Motion made by Jensen, Seconded by Legband to adopt current agenda for the June 28, 2022 Regular Meeting as amended. Voting Yea: Ellis, Ganem, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried.

## **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)*

## **PUBLIC HEARINGS:**

2. Resolution 2022-102 recommending approval of Class C liquor license application of BluShore LLC. dba LakeShore Marina Convenience Store, at 1440 W. Military Ave. Mayor Spellerberg opened the public hearing. Mayor Spellerberg closed the public hearing after receiving comments from the public. Motion made by Ganem, Seconded by Sookram to approve Resolution 2022-102. Voting Yea: Ellis, Ganem, Jensen, Legband, Sookram, Vaughan, Yerger. 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 Yerger, seconded by Legband to approve consent agenda items 3-5, 7 & 8. Voting Yea: Ellis, Ganem, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried.

3. Motion to approve June 15, 2022 through June 28, 2022 claims and authorize checks to be drawn on the proper accounts
4. Dispense with and approve June 14, 2022 Regular City Council Meeting Minutes
5. Receive May 2022 animal reports
6. Move to approve the appointment by the Mayor to appoint Dr. Todd Eberle as City Physician. Motion made by Jensen, seconded by Legband to continue the item. Voting Yea: Ellis, Ganem, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried.
7. Motion authorizing Special Designated License Local Recommendation for an outdoor event for Whis's End Zone Lounge at 845 S. Broad St.
8. Resolution 2022-103 approving request of Fremont Rotary Club to use the Fremont Municipal Airport for a Fly-in Breakfast

**NEW BUSINESS:** Requires individual associated action

15. Report on Status of detention cell berm at Fremont Technology Park and selection of preferred alternative with consideration of Resolution 2022-108. Motion made by Yerger, Seconded by Ellis to continue the item until after City Administration meets with the Home Owners Association. Voting Yea: Ellis, Ganem, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried.

**UNFINISHED BUSINESS:** Requires individual associated action


9. Council Member Yerger item - Motion to approve the scheduling of a formal study session for June 21, 2022 at 6:00 PM at City Hall. No action was taken.

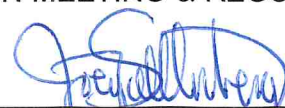
**NEW BUSINESS:** Requires individual associated action

10. Resolution 2022-104 approving the request residents to close Nelson Lane from N. Wyoming Ave. to Hogan Lane on July 2, 2022. Motion made by Yerger, Seconded by Vaughan to amend the Resolution 2022-104 to include in the whereas and now therefore section of the resolution that the closure will occur from Noon to Midnight on July 2, 2022 and that fireworks will only be used on private property. Voting Yea: Ellis, Ganem, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried. Motion made by Vaughan, Seconded by Ellis to approve Resolution 2022-104 as amended. Voting Yea: Ellis, Ganem, Jensen, Sookram, Vaughan Voting Nay: Legband, Yerger. Motion carried.
11. Ordinance 5621 amending Section 6-432 Penalties of the Fremont Municipal Code (staff requests moving to final reading). Motion made by Legband, Seconded by Sookram to introduce and hold first reading of Ordinance 5621. Voting Yea: Ellis, Ganem, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried. City Clerk provided first reading of the Ordinance.
12. Resolution 2022-105 to approve the Master Fee Schedule for the City of Fremont and to authorize staff to assess those fees accordingly. Motion made by Legband, Seconded by Ganem to continue the item to the next City Council Meeting. Voting Yea: Ellis, Ganem, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried.
13. Resolution 2022-106 Interlocal agreement with Dodge County and Lower Platte North Natural Resources District for a flood reduction assessment. Motion made by Yerger, Seconded by Ganem to receive resolution document into the record. Voting Yea: Ellis, Ganem, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried. Motion made by Yerger, Seconded by Legband to amend the now therefore statement to read that the City will not expend more that \$20,000.00. Voting Yea: Ellis, Ganem, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried. Motion made by Yerger, Seconded by Jensen to approve Resolution 2022-106 as amended. Voting Yea: Ellis, Ganem, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried.
14. Resolution 2022-107 Authorizing Mayor to Sign the Consent Agreement/Final Order with the Environmental Protection Agency. Moved by Yerger, seconded by Ganem to go into executive session to discuss 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 for potential litigation and for the further reason that the executive session is necessary for the protection of the public interest. Voting Yea: Ellis, Ganem, Yerger, Legband Voting Nay: Jensen, Sookram, Vaughan. Motion failed. Motion made by Jensen, Seconded by Vaughan to approve Resolution 2022-107. Voting Yea: Ellis, Ganem, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried.

**ADJOURNMENT** Motion made by Vaughan, seconded by Sookram to adjourn; time: 8:51 P.M. Voting Yea: Yerger, Ellis, Legband, Ganem, Sookram, Vaughan, Jensen. Motion carried

APPROVED AND ACCEPTED AS THE OFFICIAL COPY OF THE FREMONT, NEBRASKA SPECIAL JOINT CITY COUNCIL AND PLANNING COMMISSION MEETING & REGULAR CITY COUNCIL MEETING MINUTES FOR JUNE 28, 2022.

  
Tyler Ficken, City Clerk

  
Joey Spellerberg, Mayor