



**CITY OF
FREMONT
NEBRASKA**

COMMUNITY DEVELOPMENT AGENCY & REGULAR CITY COUNCIL MEETING MINUTES

July 28, 2020 - 7:00 PM

City Council Chambers 400 East Military, Fremont NE

COMMUNITY DEVELOPMENT AGENCY AGENDA

7:00 PM

MEETING CALLED TO ORDER. 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, Yerger, Jensen, Jacobus and Legband present. 7 members present. Bechtel absent.

PUBLIC HEARING

1. Resolution 2020-010 recommending approval and adopting an amendment to the Redevelopment Plan for the Morningside Road Redevelopment Area for the RD leasing Redevelopment Project and a cost-benefit analysis for the RD Leasing Redevelopment Project. Mayor Getzschman opened the public hearing. Mayor Getzschman closed the public hearing after receiving comments from the public. Motion made by Legband, Seconded by Kuhns to approve resolution 2020-010. Voting Yea: Ellis, McClain, Jensen, Legband, Kuhns Voting Nay: Yerger, Jacobus. Motion carried.
2. Resolution 2020-011 approving the Redevelopment Agreement for the Rd Leasing Redevelopment Project and authorizing the issuance of tax increment financing indebtedness. Motion made by Legband, seconded by McClain to approve Resolution 2020-011. Voting Yea: Ellis, McClain, Jensen, Legband, Kuhns, Jacobus Voting Nay: Yerger. Motion carried.

ADJOURNMENT. Motion made by McClain, seconded by Kuhns to adjourn; time: 7:51 P.M. Voting Yea: Yerger, Ellis, McClain, Jensen, Legband, Kuhns, Jacobus. Motion carried.

CITY COUNCIL REGULAR MEETING AGENDA

7:00 PM – Following the preceding Meeting

MEETING CALLED TO ORDER. After the Pledge of Allegiance 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, Yerger, Jensen, Jacobus and Legband present. 7 Council Members present. Bechtel absent.

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 July 28, 2020 Regular Meeting. Motion made by Jacobus, Seconded by Yerger to approve the agenda with item #21 being moved to the end of the agenda. Voting Yea: Yerger, Ellis, McClain, Jensen, Legband, Jacobus Voting Nay: Kuhns. Motion carried

PUBLIC HEARINGS:

2. Resolution 2020-145 approving the Class I Liquor License for Heladeria Reinita Restaurant at 414 N. Main Street. Mayor Getzschman opened the public hearing. Mayor Getzschman closed the public hearing after receiving comments from the public. Motion made by Yerger, Seconded by Kuhns to approve Resolution 2020-145. Voting Yea: Yerger, Ellis, McClain, Jensen, Legband, Kuhns, Jacobus. Motion carried.
3. Resolution 2020-146 approving and adopting an amendment to the Redevelopment Plan for the Morningside Road Redevelopment Area for the RD leasing Redevelopment Project and a cost-benefit analysis for the RD Leasing Redevelopment Project. Mayor Getzschman opened the public hearing. Mayor Getzschman closed the public hearing after receiving comments from the public. Motion made by Jacobus, Seconded by Legband to approve Resolution 2020-146. Voting Yea: Ellis, McClain, Jensen, Legband, Kuhns, Jacobus Voting Nay: Yerger. Motion carried.
4. Resolution 2020-147 approving the Redevelopment Agreement for the Rd Leasing Redevelopment Project and authorizing the issuance of tax increment financing indebtedness. Motion made by Jacobus, Seconded by Legband to move item #4 after item #17 on the agenda. Voting Yea: Ellis, McClain, Jensen, Legband, Kuhns, Jacobus Voting Nay: Yerger. Motion carried. Motion made by Legband, seconded by Jacobus to approve Resolution 2020-147. Voting Yea: Ellis, McClain, Jensen, Legband, Kuhns, Jacobus Voting Nay: Yerger. Motion carried.
5. Ordinance 5540 for Change of Zone from R, Rural to GC, General Commercial on property generally located at the northwest intersection of Highway 77/275 and W. County Road S. Mayor Getzschman opened the public hearing. Mayor Getzschman closed the public hearing after receiving comments from the public. Motion made by Jensen, Seconded by Yerger to introduce and hold first reading of Ordinance 5540. Voting Yea: Yerger, Ellis, McClain, Jensen, Legband, Kuhns, Jacobus. Motion carried. City Clerk provided first reading.
6. Resolution 2020-155 approving a Conditional Use Permit for soil excavation to be used for the construction of the south beltway on property generally located south of Old Highway

275, north of Hills Farm Road and west of a line extended southward from Luther Road. Mayor Getzschman opened the public hearing. Mayor Getzschman closed the public hearing after receiving comments from the public. Motion made by Kuhns, Seconded by Legband to approve resolution 2020-155. Voting Yea: Yerger, Ellis, McClain, Jensen, Legband, Kuhns, Jacobus. Motion carried.

7. Resolution 2020-154 to approve request for a Conditional Use Permit to install two private camper pads at the Rod & Gun Club. Mayor Getzschman opened the public hearing. Mayor Getzschman closed the public hearing after receiving comments from the public. Motion made by Yerger, seconded by Jacobus to approve Resolution 2020-154. Voting Yea: Yerger, Ellis, McClain, Jensen, Legband, Kuhns, 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 Jensen, seconded by Jacobus to approve consent agenda items 8 to 10, 14 and 15. Voting Yea: Yerger, Ellis, McClain, Jensen, Legband, Kuhns, Jacobus. Motion carried.

8. Motion to approve July 15, 2020 through July 28, 2020 claims and authorize checks to be drawn on the proper accounts
9. Dispense with and approve July 14, 2020 City Council Meeting Minutes
10. Motion to approve request for use of John C. Fremont Park for Concerts in the Park
11. Motion to approve the recommendation of the Mayor to reappoint Amber Barton, Ryan Fiala and Katie Carlson to the Housing Rehabilitation Board for terms ending June 2024. Motion made by Legband, Seconded by Kuhns to reappoint Amber Barton, Ryan Fiala and Katie Carlson to the Housing Rehabilitation Board for terms ending June 2024. Voting Yea: Yerger, Ellis, McClain, Jensen, Legband, Kuhns, Jacobus. Motion carried.
12. Motion to approve the recommendation of the Mayor to appoint Janet Larson to the Utility and Infrastructure Board for a term ending June 2025. Motion made by Jacobus, Seconded by Legband to approve the recommendation of the Mayor to appoint Janet Larson to the Utility and Infrastructure Board for a term ending June 2025. Voting Yea: Ellis, McClain, Jensen, Legband, Kuhns, Jacobus Voting Nay: Yerger. Motion carried.
13. Resolution 2020-148 for sale of City property rights for Hwy 77, Southeast Beltway which lies within the limits of the Beltway Project. Motion made by Yerger, seconded by Jacobus to amend the resolution replacing sale with termination of temporary easement property rights. Voting Yea: Yerger, Ellis, Jacobus. Voting Nay: McClain, Jensen, Legband, Kuhns. Motion failed. Motion made by Legband, seconded by McClain to approve Resolution 2020-148. Voting Yea: Mayor Getzschman, McClain, Jensen, Legband, Kuhns Voting Nay: Yerger, Ellis, Jacobus. Motion carried.
14. Motion authorizing the City Clerk to sign Special Designated License Local Recommendation form for event for Burtonian Enterprises LLC dba Tin Lizzy Tavern
15. Motion to approve the recommendation of Council Member Legband to appoint Janet Stewart to the temporary Animal Control Citizens Advisory Board

16. Resolution 2020-149 awarding the bid for the new police cruiser upfitting to Jones Automotive of Omaha. Motion made by Yerger, Seconded by Legband to approve Resolution 2020-149. Voting Yea: Yerger, Ellis, McClain, Jensen, Legband, Kuhns, Jacobus. Motion carried.

UNFINISHED BUSINESS: Requires individual associated action

17. Ordinance 5536 to annex Lot 3 Morningside Industrial Park, generally located on the northeast corner of Morningside and Howard Streets (final reading). Motion made by Yerger, Seconded by Legband to hold final reading of Ordinance 5536. Voting Yea: Yerger, Ellis, McClain, Jensen, Legband, Kuhns, Jacobus. Motion carried. City Clerk provided final reading. Mayor Getzschman called for a final vote on the Ordinance. Voting Yea: Yerger, Ellis, McClain, Jensen, Legband, Kuhns, Jacobus. Motion carried. Ordinance 5536 is approved.

NEW BUSINESS: Requires individual associated action

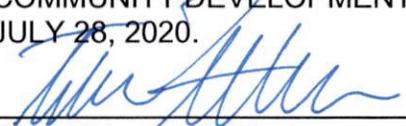
18. Resolution 2020-150 adopting agreement with Nebraska Department of Transportation, aeronautics division for grant no. 3-31-0029- 013-2020 to obtain federal non-development economic assistance for the airport under the provisions of the Federal Cares Act. Motion made by Jensen, Seconded by Legband to approve Resolution 2020-150. Voting Yea: Yerger, Ellis, McClain, Jensen, Legband, Kuhns, Jacobus. Motion carried.
19. Resolution 2020-151 approving the Agreement with Police Facility Design Group, for professional architectural services in construction design and administration for the Joint Law Enforcement Center Project. Motion made by Jacobus, Seconded by Yerger to receive into the record a document titled Fremont Police Station Poll. Voting Yea: Yerger, Ellis, McClain, Jensen, Kuhns, Jacobus Voting Nay: Legband. Motion carried. Motion made by Yerger, seconded by Jacobus to amend the last paragraph of the Resolution to reflect the 20% additional cost instead of 35% (change to \$86,429.71). Voting Yea: Yerger, Ellis, McClain, Jensen, Legband, Kuhns, Jacobus. Motion carried. Motion made by Jacobus, Seconded by Legband to approve Resolution 2020-151 as amended. Voting Yea: McClain, Jensen, Legband, Kuhns, Jacobus Voting Nay: Yerger, Ellis Motion carried.
20. Resolution 2020-152 approving the change order submitted by Cheever Construction to replace the windows at the City Auditorium. Motion made by Yerger, Seconded by Kuhns to approve Resolution 2020-152. Voting Yea: Yerger, Ellis, McClain, Jensen, Legband, Kuhns, Jacobus. Motion carried.
22. Executive session with respect to real estate purchase and potential litigation
Executive Session with respect to real estate purchase and with respect to Potential Litigation. Moved by Council Member Legband, seconded by Council Member McClain to go into executive session to discuss real estate purchase and with respect to 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 real estate purchase and with respect to 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, Kuhns, Jacobus. Motion carried. The Mayor stated that the pending motion to go into executive session to discuss real estate purchase and with respect to

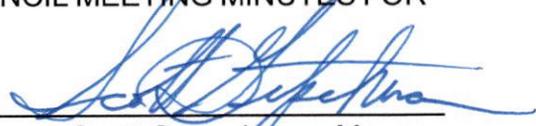
Potential Litigation and for the further reason that the executive session is necessary for the protection of the public interest had been approved. Discussion will be limited to real estate purchase and with respect to Potential Litigation. No official actions or votes will be taken during the executive session. Motion carried. Time in: 10:08 p.m. Moved by Council Member McClain, seconded by Council Member Jacobus to come out of executive session where no official actions or votes were taken. Voting Yea: Yerger, Ellis, McClain, Jensen, Legband, Kuhns, Jacobus. Motion carried. Time out 11:08 p.m.

23. Resolution 2020-156 to approve staff to purchase the residence at 1517 North Union Street Fremont Nebraska for future use by the City of Fremont Fire Department. Motion made by Jensen, Seconded by Legband to approve Resolution 2020-156. Voting Yea: Ellis, McClain, Jensen, Legband, Kuhns, Jacobus. Voting Nay: Yerger. Motion carried.
24. Council Member Jacobus item - Reconsideration of Resolution 2020-144 awarding the contract to Graybar Electric Company Inc. for Purchase of Substation Transformers. Item dies due to lack of a motion.
21. Resolution 2020-153 awarding the contract to Graybar Electric Company Inc. for Purchase of 72.5kV Power Circuit Breakers. Motion made by Jacobus, Seconded by Yerger to approve Resolution 2020-153. Voting Yea: Yerger, Ellis, McClain, Jensen, Legband, Kuhns, Jacobus. Motion carried.

ADJOURNMENT. Motion made by Jensen, seconded by Jacobus to adjourn; time: 11:15 P.M. Voting Yea: Yerger, Ellis, McClain, Jensen, Legband, Kuhns, Jacobus. Motion carried.

APPROVED AND ACCEPTED AS THE OFFICIAL COPY OF THE FREMONT, NEBRASKA COMMUNITY DEVELOPMENT AGENCY & REGULAR CITY COUNCIL MEETING MINUTES FOR JULY 28, 2020.


Tyler Ficken, City Clerk


Scott Getzschman, Mayor