



# CITY OF FREMONT NEBRASKA

## REGULAR CITY COUNCIL MEETING MINUTES August 08, 2023 - 7:00 PM City Council Chambers 400 East Military, Fremont NE

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**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 Lathrop, Vaughan, Von Behren, Ganem and Sookram present; Ellis, Dinkins and Jensen Absent 5 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 August 8, 2023 Regular Meeting. Motion made by Sookram, Seconded by Von Behren to adopt current agenda for the August 8, 2023 Regular Meeting. Voting Yea: Ganem, Sookram, Vaughan, Lathrop, Von Behren. Motion carried.

### **PUBLIC HEARINGS:**

2. Resolution 2023-186 for approval of Class C liquor license application of Maricarmen Venegas dba 415 Bar & Grill, at 415 S. Main St. 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 2023-186. Voting Yea: Ganem, 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 Lathrop to approve consent agenda items 3-6 and 9-12. Voting Yea: Ganem, Sookram, Vaughan, Lathrop, Von Behren. Motion carried.

3. Motion to approve July 26, 2023 through August 8, 2023 claims and authorize checks to be drawn on the proper accounts
4. Receive Report of the Treasury

5. Dispense with and approve July 25, 2023 City Council Meeting Minutes
6. Resolution 2023-187 approving request of Five-0-Five Brewing Co. for Street Closure on 4th Street between Park St. and Main St. for Oktoberfest and Crossfit Kohana Husker Party, authorizing Mayor to sign agreement and Special Designated License
7. Receive Local Option Economic Development Fund (LB840) Quarterly Report. Motion made by Vaughan, Seconded by Von Behren to receive Local Option Economic Development Fund (LB840) Quarterly Report. Voting Yea: Ganem, Sookram, Vaughan, Lathrop, Von Behren. Motion carried.
8. Resolution 2023-188 approving the Special Conditions documents for Release of Funds of the Nebraska Affordable Housing Trust Fund Grant. Motion made by Sookram, Seconded by Ganem to approve Resolution 2023-188. Voting Yea: Ganem, Sookram, Vaughan, Lathrop, Von Behren. Motion carried.
9. Resolution 2023-189 authorizing Northeast Nebraska Economic Development District (NENEDD) Housing Reuse Service Agreement amendment to adopt Exhibit #1 to reflect hourly rate increases
10. Resolution 2023-190 confirming stop loss coverage renewal with QBE at \$175,000 Individual Stop Loss and \$50,000 Aggregate Stop Loss
11. Resolution 2023-193 request Authorization to purchase Durag Opacity Monitoring Equipment for Lon D Wright Power Plant
12. Mayor agenda item - Resolution 2023-195 approving an application for the Pilot Program for Continuing Authority Projects in Small or Disadvantaged Communities funding opportunity and authorizing the Mayor to sign the related grant documents

**NEW BUSINESS:** Requires individual associated action

13. Resolution 2023-191 authorizing Mayor to approve policy and agreements for Fremont Transit Program: Drug & Alcohol Testing Policy, Nebraska Department of Transportation Grant Agreement and TripMaster Software License Agreement. Motion made by Sookram, Seconded by Vaughan to approve Resolution 2023-191. Voting Yea: Ganem, Sookram, Vaughan, Lathrop, Von Behren. Motion carried.
14. Ordinance 5651 for approval of Utility Salary Ordinance. Motion made by Vaughan, Seconded by Sookram to introduce and hold first reading of Ordinance 5651. Voting Yea: Ganem, Sookram, Vaughan, Lathrop, Von Behren. Motion carried. City Clerk provided first reading of the Ordinance.
15. Ordinance 5652 for approval of Government Salary Ordinance. Motion made by Ganem, Seconded by Sookram to introduce and hold first reading of Ordinance 5652. Voting Yea: Ganem, Sookram, Vaughan, Lathrop, Von Behren. Motion carried. City Clerk provided first reading of the Ordinance.
16. Ordinance 5650 Adding Article 12 – Natural Gas System to Chapter 3 and removing Chapter 10, Article 9, SEC. 10-903. Motion made by Vaughan, Seconded by Sookram to introduce and hold first reading of Ordinance 5650. Voting Yea: Ganem, Sookram,



Vaughan, Lathrop, Von Behren. Motion carried. City Clerk provided first reading of the Ordinance.

17. Resolution 2023-192 awarding the contract to Siemens Industry Inc. for Purchase of Shelter Aisle 15kV Switchgear. Motion made by Sookram, Seconded by Vaughan to continue the item. Voting Yea: Ganem, Sookram, Vaughan, Lathrop, Von Behren. Motion carried.
18. Mayor agenda item - Resolution 2023-194 approving membership to the Tech Hubs Program Consortium and authorizing the Mayor to sign the letter of commitment. Motion made by Sookram, Seconded by Von Behren to approve Resolution 2023-194. Voting Yea: Ganem, Sookram, Vaughan, Lathrop, Von Behren. Motion carried.
19. Executive session for strategy session to discuss pending litigation and labor negotiations. Moved by Vaughan, seconded by Ganem to go into executive session for strategy session to discuss pending litigation and labor negotiations 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 strategy session to discuss pending litigation and labor negotiations and for the further reason that the executive session is necessary for the protection of the public interest. Voting Yea: Lathrop, Vaughan, Von Behren, Ganem and Sookram. Motion carried. The Mayor stated that the motion to go into executive session for strategy session to discuss pending litigation and labor negotiations 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 strategy session to discuss pending litigation and labor negotiations. No official actions or votes will be taken during the executive session. Time in: 7:30 p.m. Moved by Sookram, seconded by Vaughan to come out of executive session where no official actions or votes were taken. Voting Yea: Lathrop, Vaughan, Von Behren, Ganem and Sookram. Motion carried. Time out: 7:51 p.m.

**ADJOURNMENT** Motion made by Vaughan, seconded by Ganem to adjourn; time: 7:52 P.M. Voting Yea: Lathrop, Vaughan, Von Behren, Ganem and Sookram. Motion carried.

Agenda posted at the Municipal Building on August 2, 2023 and online at [www.fremontne.gov](http://www.fremontne.gov). Agenda distributed to the Mayor and City Council on August 2, 2023. This meeting is preceded by publicized notice in the Fremont Tribune on August 5, 2023 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 AUGUST 8, 2023.

  
Tyler Ficken, City Clerk

  
Joey Spellerberg, Mayor