



CITY OF FREMONT NEBRASKA

REGULAR CITY COUNCIL MEETING
August 25, 2020 - 7:00 PM
Public Comment – 6:30 PM
City Council Chambers 400 East Military, Fremont NE
MINUTES

CITY COUNCIL REGULAR MEETING AGENDA

7:00 PM

MEETING CALLED TO ORDER. Following 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 Members McClain, Ellis, Kuhns, Yerger, Jensen and Jacobus present. 6 members present. Legband and 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 August 25, 2020 Regular Meeting. Motion made by Jensen, Seconded by Yerger to adopt current agenda for the August 25, 2020 Regular Meeting. Voting Yea: Yerger, Ellis, McClain, Jensen, Kuhns, Jacobus. Motion carried.

PUBLIC HEARINGS:

2. Resolution 2020-167 of the City Council of the City of Fremont, Nebraska, to approve the Howard Court Preliminary Plat on property legally described as Lot 3, Morningside Industrial Park. Motion made by Yerger, Seconded by Jacobus to amend the Resolution to correct from final to preliminary in the final paragraph. Voting Yea: Yerger, Ellis, McClain, Jensen, Kuhns, Jacobus. Motion carried. Mayor Getzschman opened the public hearing. Mayor Getzschman closed the public hearing after receiving comments from the public. Motion made by Yerger, Seconded by Jensen to approve Resolution 2020-167 as amended. Voting Yea: Yerger, Ellis, McClain, Jensen, Kuhns, Jacobus. Motion carried.
3. Resolution 2020-168 of the City Council of the City of Fremont, Nebraska, to approve the Howard Court Final Plat on property legally described as Lot 3, Morningside Industrial Park. Motion made by Jacobus, Seconded by Yerger to continue the item to the

September 8, 2020 City Council Meeting. Voting Yea: Yerger, Ellis, McClain, Jensen, Jacobus Voting Nay: Kuhns. Motion carried.

4. Resolution 2020-169 approving a Conditional Use Permit for the expansion of a non-standard use to allow the construction of a 92,070 square foot canopy and to allow the continuation of the existing non-standard setbacks and landscaping. 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 2020-169. Voting Yea: Yerger, Ellis, McClain, Jensen, Kuhns, Jacobus. Motion carried.
5. Resolution 2020-170 approving a Conditional Use Permit for the expansion of a non-standard use to allow the construction of a 27,216 square foot canopy and to allow the continuation of the existing non-standard setbacks and landscaping. Mayor Getzschman opened the public hearing. Mayor Getzschman closed the public hearing after receiving comments from the public. Motion made by Jensen, Seconded by McClain to Approve Resolution 2020-170. Voting Yea: Yerger, Ellis, McClain, Jensen, 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 Jacobus, Seconded by McClain to approve consent agenda items 10 & 12. Voting Yea: Yerger, Ellis, McClain, Jensen, Kuhns, Jacobus. Motion carried.

6. Motion to approve August 12, 2020 through August 25, 2020 claims and authorize checks to be drawn on the proper accounts. Motion made by Yerger, Seconded by McClain. Voting Yea: Yerger, Ellis, McClain, Jensen, Kuhns Abstaining: Jacobus. Motion carried.
7. Dispense with and approve August 11, 2020 City Council Meeting Minutes. Motion made by Jacobus, Seconded by Yerger to amend the minutes to add New Business above item #22. Voting Yea: Yerger, Ellis, McClain, Jensen, Kuhns, Jacobus. Motion carried. Motion made by McClain, Seconded by Jacobus to approve the minutes as amended. Voting Yea: Yerger, Ellis, McClain, Jensen, Kuhns, Jacobus. Motion carried.
8. Motion to allow a fountain to be installed in the lake at Johnson Park. Motion made by Yerger, Seconded by Jensen to allow a fountain to be installed in the lake at Johnson Park. Voting Yea: Yerger, Ellis, McClain, Jensen, Kuhns, Jacobus. Motion carried.
9. Receive Traffic Committee Report and consider Resolution 2020-171 authorizing placement of stop sign at the intersection of Washington and South Union Streets. Motion made by Jensen, Seconded by Yerger to receive Traffic Committee Report and approve Resolution 2020-171. Voting Yea: Yerger, Ellis, McClain, Jensen, Kuhns, Jacobus. Motion carried.
10. Resolution 2020-172 authorizing the Mayor to sign the Motorola Flash Encryption Upgrade Quote
11. Resolution 2020-173 awarding the contract to Dutton-Lainson Company for Purchase of Steel Transmission Structures. Motion made by Yerger, Seconded by Jacobus to amend the resolution to add whereas statement to provide that WholeStone Farms has agreed to

reimburse the City of 63.63%, or \$96,078.92, to purchase the steel transmission structures. Voting Yea: Yerger, Ellis, McClain, Jensen, Kuhns, Jacobus. Motion carried. Motion made by Jacobus, Seconded by Yerger to approve Resolution 2020-173 as amended. Voting Yea: Yerger, Ellis, McClain, Jensen, Kuhns, Jacobus. Motion carried.

12. Motion to approve Cement/Asphalt/Excavate license application - Jurgens General Contracting Inc.

UNFINISHED BUSINESS: Requires individual associated action

13. 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 (final reading). Motion made by Jensen, Seconded by Kuhns to hold final reading of Ordinance 5540. Voting Yea: Yerger, Ellis, McClain, Jensen, 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, Kuhns, Jacobus. Ordinance 5540 is approved.
14. Ordinance 5541 to revise government salary pay plan (second reading). Motion made by Jacobus, seconded by Yerger to amend the Ordinance to remove COLA for positions grade 35 and above. Voting Yea: Yerger, Ellis, Jacobus Voting Nay: McClain, Jensen, Kuhns. Motion failed. Motion made by Kuhns, seconded by Jensen to hold second reading of Ordinance 5541. Voting Yea: Yerger, Ellis, McClain, Jensen, Kuhns Voting Nay: Jacobus. Motion carried. City Clerk provided second reading.
15. Ordinance 5542 to revise utility salary pay plan (second reading). Motion made by Jacobus, seconded by Yerger to amend the Ordinance to remove COLA for positions grade 35 and above. Voting Yea: Yerger, Ellis, Jacobus Voting Nay: McClain, Jensen, Kuhns. Motion failed. Motion made by Kuhns, seconded by McClain to hold second reading of Ordinance 5542. Voting Yea: Yerger, Ellis, McClain, Jensen, Kuhns Voting Nay: Jacobus. Motion carried. City Clerk provided second reading.

NEW BUSINESS: Requires individual associated action

16. Resolution 2020-174 approving ballot language for General Election question to issue negotiable bonds in the principal amount not to exceed Ten Million Three Hundred and Seventeen Dollars (\$10,317,000) for the purpose of constructing a Joint Law Enforcement Center. Motion made by Jacobus, Seconded by Ellis to add language providing that that the project would be in the vicinity of 29th and Yager Rd. Voting Yea: Yerger, Ellis, Kuhns, Jacobus Voting Nay: McClain, Jensen. Motion failed. Motion made by Kuhns, Seconded by Jensen to approve Resolution 2020-174. Voting Yea: McClain, Jensen, Kuhns Voting Nay: Yerger, Ellis, Jacobus. Motion failed.
17. Councilman Yerger Item - Animal Control – Citizen’s Advisory Board (ACCAB) monthly status report. Motion made by Yerger, Seconded by Jacobus to require a recurring monthly City Council agenda item for the purpose of receiving and discussing the monthly status of the “Animal Control Contract” investigation being conducted by the newly formed Animal Control – Citizen’s Advisory Board (ACCAB); this status report is to be presented by the Board, and received and discussed at the City Council meeting; it shall be scheduled for the Council’s first meeting of every month, starting in September, 2020 and continuing until the Board completes its assigned task; that being the investigation of “Animal Control Contract” compliance matters.”. Council Member Jacobus requested a

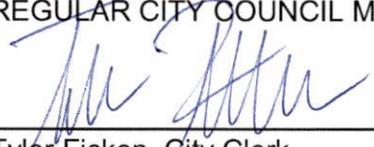
change to the motion to move the first report to the second City Council Meeting in September to allow the ACCAB to meet as scheduled. Council Member Yerger agreed to the request to change the motion. Yerger subsequently reversed his decision to amend the motion and Jacobus seconded. Voting Yea: Yerger, Ellis, McClain, Jensen, Kuhns, Jacobus. Motion carried.

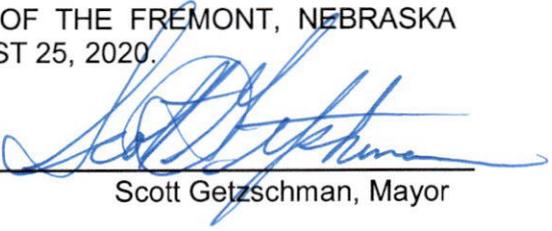
18. Motion to approve Letter of Support for North Bend Drainage District Cutoff Ditch. Motion made by Yerger, Seconded by McClain to approve Letter of Support for North Bend Drainage District Cutoff Ditch. Voting Yea: Yerger, Ellis, McClain, Jensen, Kuhns, Jacobus. Motion carried.
19. Resolution 2020-175 authorizing the Mayor to execute an Interlocal Agreement committing the City to a share of the local match for a grant to the North Bend Drainage District for improvements to the North Bend Cutoff Ditch. Motion made by Jensen, Seconded by Kuhns to approve Resolution 2020-175. Voting Yea: Yerger, Ellis, McClain, Jensen, Kuhns, Jacobus. Motion carried.
20. Motion to approve extension of medical & dental insurance plan administrative services with Blue Cross Blue Shield of Nebraska. Motion made by Yerger, Seconded by Ellis to approve extension of medical & dental insurance plan administrative services Option B with Blue Cross Blue Shield of Nebraska. Voting Yea: Yerger, Ellis, McClain, Jensen, Kuhns, Jacobus. Motion carried.
21. Motion to approve and confirm stop loss coverage with SunLife at \$200,000 Individual Stop Loss and \$50,000 Aggregate Stop Loss. Motion made by Jensen, Seconded by McClain to approve and confirm stop loss coverage with SunLife at \$200,000 Individual Stop Loss and \$50,000 Aggregate Stop Loss. Voting Yea: Yerger, Ellis, McClain, Jensen, Kuhns, Jacobus. Motion carried.

Council Member Jacobus moved, seconded by Council Member Jensen to reconsider item #16, but legal stated that the reconsideration was not on the agenda and action could not be taken. In accordance with Section 2-108(2) of the Municipal Code, Mayor Getzschman returned back to item #16. In accordance with Municipal Code Section 2-108(2), Yerger objected and terminated further discussion of the item.

ADJOURNMENT. Motion made by Yerger, seconded by Ellis to adjourn; time: 10:28 P.M. Voting Yea: Yerger, Ellis, McClain, Kuhns, Getzschman. Nays: Jensen and Jacobus. Motion carried.

APPROVED AND ACCEPTED AS THE OFFICIAL COPY OF THE FREMONT, NEBRASKA REGULAR CITY COUNCIL MEETING MINUTES FOR AUGUST 25, 2020.


Tyler Ficken, City Clerk


Scott Getzschman, Mayor