

CITY OF
FREMONT
NEBRASKA PATHFINDERS

CITY COUNCIL MEETING MINUTES

March 12, 2019

REGULAR MEETING:

1. Meeting called to order. After the Pledge of Allegiance, the Mayor 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.
2. Roll call. Roll call showed Council Members McClain, Ellis, Yerger, Jensen, Jacobus, Kuhns and Legband present. 7 Council Members present.
3. 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)

CONSENT AGENDA:

Moved by Council Member McClain seconded by Council Member Legband to approve items five through seven, and nine through eleven of the consent agenda. Ayes: McClain, Ellis, Kuhns, Yerger, Jensen, Jacobus, Legband. Motion carried.

5. Receive Report of the Treasury
6. Dispense with and approve February 26, 2019 City Council Meeting Minutes
7. Receive and file Fire Department Annual Report
9. Consideration of excavation/asphalt/concrete license application
10. Resolution 2019-040 authorizing staff to execute a purchase agreement with Sid Dillon Ford of Ceresco Nebraska for a Ford F-350 Pickup with Fiberglass Utility Box
11. Consider reappointments to the Citizen Advisory Review Committee (LB 840)

ITEMS REMOVED FROM THE CONSENT AGENDA FOR SEPARATE DISCUSSION:

4. Motion to approve February 27, 2019 through March 12, 2019 claims and authorize checks to be drawn on the proper accounts. Council Member Kuhns moved, seconded by Council Member McClain to approve the February 27, 2019 through March 12, 2019 claims and authorize checks to be drawn on the proper accounts. Ayes: McClain, Ellis, Kuhns, Yerger, Jensen, Legband. Abstention: Jacobus. Motion carried.
8. Resolution 2019-042 accepting and awarding the proposal of Access Systems, for replacing outdated hardware and software to facilitate printer management at Keene Memorial Library and all other public access networks. Council Member Kuhns moved, seconded by Council Member Jacobus to approve Resolution 2019-042. Ayes: McClain, Ellis, Kuhns, Yerger, Jensen, Jacobus, Legband. Motion carried.

UNFINISHED BUSINESS: requires individual associated action

12. Council Member Yerger item - Resolution 2019-022 regarding providing direction to the City Engineer for design of Luther Road extension south of Morningside Road. Council Member Legband moved, seconded by Council Member McClain to receive document titled "Luther Road Extension Presentation to City Council". Ayes: McClain, Ellis, Kuhns, Yerger, Jensen, Jacobus, Legband. Motion carried. Council Member Yerger moved, seconded by Council Member Jensen to receive drawing titled "Alternative Option of Intersection for Deerfield is Opened" and e-mails. Ayes: McClain, Ellis, Kuhns, Yerger, Jensen, Jacobus, Legband. Motion carried. Council Member Jacobus moved, seconded by Council Member Jensen to receive into the record a petition titled "Luther Road Extension; (South of Morningside Road), Deerfield Subdivision Intersection Openings; and Drainage Ditch Project – Fremont Nebraska". Ayes: McClain, Ellis, Kuhns, Yerger, Jensen, Jacobus, Legband. Motion carried. Council Member Jacobus moved, seconded by Council Member Yerger to receive drawings titled "Premier Estates Nursing Home", "Somers Point", and "Deer Pointe Villas". Ayes: McClain, Ellis, Kuhns, Yerger, Jensen, Jacobus, Legband. Motion carried. Council Member Jacobus moved, seconded by Council Member Legband to receive an updated version of Resolution 2019-022. Ayes: McClain, Ellis, Kuhns, Yerger, Jensen, Jacobus, Legband. Motion carried. Council Member Yerger moved, seconded by Council Member Jacobus to amend the received updated version of Resolution 2019-022 to adopt option 3 which includes a 38 ft wide road on the centerline with buried pipe rather than open ditch and insert into the fourth line and the City Engineer is hereby instructed to implement the option 3 street extension plan that does not offset Luther Road, south of Morningside Road to the west of the right-of-way centerline between Deerfield and Morningside subdivisions, and striking the rest. Ayes: McClain, Ellis, Kuhns, Yerger, Jensen, Jacobus, Legband. Motion carried. Council Member Legband moved, seconded by Council Member Jacobus to approve the received and amended version of Resolution 2019-022. Ayes: McClain, Ellis, Kuhns, Yerger, Jensen, Jacobus, Legband. Motion carried.
13. Council Member Ellis item - Resolution 2019-039 to accept the SlingStudio device video solution recommendation and authorize the City's IT Department to purchase up to \$3,000.00 of equipment necessary to facilitate video streaming of the City Council Meetings. Council Member Legband moved, seconded by Council Member Jacobus to approve Nick's Resolution which amends Resolution 2019-039 for under \$15,000. Ayes: McClain, Ellis, Kuhns, Yerger, Jensen, Jacobus, Legband. Motion carried.

NEW BUSINESS: requires individual associated action

14. Resolution 2019-041 approving award contract to Burns McDonnell for the Airport Terminal project. Council Member Jensen moved, seconded by Council Member Legband to approve Resolution 2019-041. Ayes: McClain, Ellis, Kuhns, Yerger, Jensen, Jacobus, Legband. Motion carried.
15. Executive Session to discuss threatened or potential litigation. Moved by Council Member Kuhns, seconded by Council Member Legband to go into executive session for the purpose of discussing strategy session with regard to threatened or potential litigation and for the further reason that the executive session is necessary for the protection of the public interest. The Mayor stated a motion had been made and seconded to go into executive session for the purpose of discussing strategy session with regard to 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. There being none, the Mayor stated the pending motion was to go into executive session for the purpose of discussing strategy session with regard to threatened or potential litigation and for the further reason that the executive session is necessary for the protection of the public interest. Ayes: McClain, Ellis, Jensen, Yerger, Legband, Jacobus, Kuhns. Motion carried. The Mayor stated that there was a motion to go into executive session for the purpose of discussing strategy session with regard to 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 a strategy session with regard to threatened or potential litigation. No official actions or votes will be taken during the executive session. The Mayor stated that the executive session should include the City Attorney, City Administrator, and Assistant City Administrator-City. Time in: 10:38 p.m.

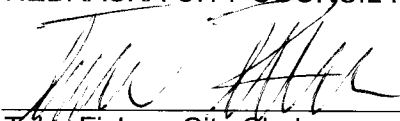
Moved by Council Member Jensen, seconded by Council Member Jacobus to come out of executive

session where no official actions or votes were taken. Ayes: McClain, Ellis, Jacobus, Jensen, Yerger, Legband, Kuhns. Motion carried. Time out: 10:44 p.m.

16. Adjournment. Moved by Council Member Yerger seconded by Council Member Jacobus to adjourn the meeting. Ayes: McClain, Ellis, Bechtel, Yerger, Jensen, Jacobus, Kuhns. Motion carried. Meeting adjourned at 10:45 p.m.

I, Tyler Ficken, the undersigned City Clerk, hereby certify that the foregoing is a true and correct copy of the proceedings had and done by the Mayor and Council; that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and available for public inspection at the office of the Clerk; that such agenda items were sufficiently descriptive to give the public reasonable notice of the matters to be considered at the meeting; that such subjects were contained in said agenda at least twenty-four hours prior to said meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by the members of the public; that the said minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that this meeting was preceded by publicized notice in the Fremont Tribune and the agenda, including notice of study session, were displayed in the Municipal Building and distributed to the Mayor and Council on March 8, 2019 and is open to the public; that all news media requesting notification concerning meeting and the subjects to be discussed at said meeting and that a current copy of the Nebraska Open Meetings Act was available and accessible to members of the public, posted during such meeting in the room in which such meeting was held.

APPROVED AND ACCEPTED THIS 26TH DAY OF MARCH AS THE OFFICIAL COPY OF THE FREMONT, NEBRASKA CITY COUNCIL MINUTES FOR MARCH 12, 2019.



Tyler Ficken, City Clerk



Scott Getzschman, Mayor