



CITY OF FREMONT NEBRASKA

CITY COUNCIL MEETING MINUTES

August 27, 2019

City Council Chambers 400 East Military, Fremont NE

PUBLIC COMMENT – 6:30 P.M.

REGULAR MEETING – 7:00 P.M.

AGENDA

REGULAR MEETING:

1. Meeting called to order. After Public Comment and 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 Ellis, Kuhns, Bechtel, Yerger, Jensen, Jacobus and Legband present. McClain absent. 7 Councilmembers 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)

PUBLIC HEARINGS:

4. Public Hearing and Ordinance 5502 adopting the 2019-2021 biennial budget statement termed the Appropriation Bill (first reading). Council Member Legband moved, seconded by Council Member Jensen to introduce and hold first reading of Ordinance 5502. Ayes: Ellis, Kuhns, Bechtel, Yerger, Jensen, Jacobus. Legband. Nays: none. Motion carried. City Clerk provided first reading of the Ordinance.
5. Public Hearing to set the final City tax rate request for 2019-2021 fiscal year at a different amount than the prior year tax request. Mayor Getzschman opened the public hearing. Mayor Getzschman closed the public hearing after receiving comments from the public.
 - a. Resolution 2019-168 setting property tax request at \$6,740,275.40 for fiscal year 2020 and \$7,027,611.31 for fiscal year 2021 (final action September 10, 2019). Council Member Yerger moved, seconded by Council Member Legband to continue Resolution 2019-168 to the September 10, 2019 Council Meeting. Ayes: Ellis, Kuhns, Bechtel, Yerger, Jensen, Jacobus, Legband. Motion carried.
 - b. Resolution 2019-169 Consider approval of an additional 1% increase in base limitation on restricted fund authority for 2019-2021 biennial budget period (final action September 10, 2019). Council Member Jensen moved, seconded by Council Member Legband to continue Resolution 2019-169 to the September 10, 2019 Council Meeting. Ayes: Ellis, Kuhns, Bechtel, Yerger, Jensen, Jacobus, Legband. Motion carried.

CONSENT AGENDA: Moved by Council Member Legband seconded by Council Member Jacobus to approve items 6, 7, & 9 of the consent agenda. Ayes: Ellis, Kuhns, Bechtel, Yerger, Jensen, Jacobus, Legband. Motion

carried.

6. Motion to approve July 31, 2019 through August 13, 2019 claims and authorize checks to be drawn on the proper accounts (staff report)
7. Dispense with and approve August 13, 2019 City Council/Community Development Agency Meeting Minutes, and August 20, 2019 Study Session Minutes
9. Resolution 2019-165 for Class C Liquor License Renewals 2019-2020 (staff report)

ITEMS REMOVED FROM THE CONSENT AGENDA FOR SEPARATE DISCUSSION:

8. Resolution 2019-167 of the City Council of the City of Fremont Nebraska, approving the request of Run Nebraska, LLC to close street(s) as requested. Council Member Jacobus moved, seconded by Council Member Legband to receive executed contract from requestor into the record. Ayes: Ellis, Kuhns, Bechtel, Yerger, Jensen, Jacobus, Legband. Motion carried. Council Member Yerger moved, seconded by Council Member Legband to amend the Resolution to remove language regarding the contract and replacing it with a requirement that the City be listed as additional insured. Ayes: Ellis, Kuhns, Bechtel, Yerger, Jensen, Jacobus, Legband. Motion carried. Council Member Yerger moved, seconded by Council Member Jacobus to approve Resolution 2019-167 as amended. Ayes: Ellis, Kuhns, Bechtel, Yerger, Jensen, Jacobus, Legband. Motion carried.

UNFINISHED BUSINESS: requires individual associated action

10. Ordinance 5497 amending Ordinance 5270 correcting the legal description of the approve planned unit development on property generally located at 1615 E. Military Ave. (final reading). Council Member Jacobus moved, seconded by Council Member Yerger to continue the item to the next City Council Meeting. Ayes: Ellis, Bechtel, Yerger, Jacobus. Nays: Legband, Jensen, Kuhns. Motion failed. Council Member Bechtel moved, seconded by Council Member Legband to approve final reading of the Ordinance. Ayes: Ellis, Kuhns, Bechtel, Jensen, Legband. Nays: Yerger, Jacobus. Motion carried. City Clerk provided final reading of the Ordinance. Mayor Getzschman called for a final vote on the Ordinance. Ayes: Kuhns, Bechtel, Jensen, Legband, Getzschman. Nays: Ellis, Yerger, Jacobus. Ordinance 5497 approved.
11. Ordinance 5498 to amend Section 5-902, Storage of Dismantled, Wrecked, Junked and Inoperable Motor Vehicle (final reading). Council Member Yerger moved, seconded by Council Member Ellis to continue the item to the September 10, 2019 City Council Meeting. Ayes: Ellis, Kuhns, Yerger, Jacobus. Nays: Legband, Jensen, Bechtel. Motion failed. Council Member Jensen moved, seconded by Council Member Legband to hold final reading of the Ordinance. Ayes: Kuhns, Bechtel, Jensen, Legband, Getzschman. Nays: Jacobus, Yerger, Ellis. Motion carried. City Clerk provided final reading of the Ordinance. Mayor Getzschman called for a final vote on the Ordinance. Ayes: Kuhns, Bechtel, Jensen, Legband, Getzschman. Nays: Ellis, Yerger, Jacobus. Ordinance 5498 approved.
12. Council Member Yerger Item – Ordinance 5499 to amend Fremont Municipal Code Section 2-106 Agenda for Meetings. Council Member Yerger moved, seconded by Council Member Jacobus to continue the item to the October 8, 2019 City Council Meeting. Ayes: Ellis, Kuhns, Bechtel, Yerger, Jensen, Jacobus, Legband. Motion carried.

NEW BUSINESS: requires individual associated action

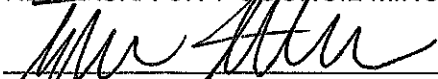
13. Resolution 2019-172 to sign a memorandum of understanding with Omaha Public Power District providing for connectivity for the Dodge County Radio System to the ORION Master Site. Council Member Jensen moved, seconded by Council Member Kuhns to approve Resolution 2019-172. Ayes: Ellis, Kuhns, Bechtel, Yerger, Jensen, Jacobus, Legband. Motion carried.

14. Ordinance 5500 to revise government salary pay plan (first reading).
15. Ordinance 5501 to revise utility salary pay plan (first reading).
16. Resolution 2019-174 to approve a change to the library card policy allowing a 6-month Internet only card for businesses to have access to the library's electronic resources for training and education purposes for their employees. Council Member Bechtel moved, seconded by Council Member Yerger to approve Resolution 2019-174. Ayes: Ellis, Kuhns, Bechtel, Yerger, Jensen, Jacobus, Legband. Motion carried.
17. Resolution 2019-175 authorizing Staff to sign Amendment #2 to the HDR contract for Wastewater Treatment Plant Improvements. Council Member Jacobus moved, seconded by Council Member Kuhns to approve Resolution 2019-175. Ayes: Ellis, Kuhns, Bechtel, Yerger, Jensen, Jacobus, Legband. Motion carried.
18. Resolution 2019-176 authorizing Staff to sign Amendment #3 to the HDR contract for Wastewater Treatment Plant Improvements – Construction Phase Services. Council Member Jensen moved, seconded by Council Member Kuhns to approve Resolution 2019-176. Ayes: Ellis, Kuhns, Bechtel, Yerger, Jensen, Jacobus, Legband. Motion carried.
19. Resolution 2019-173 authorizing the Mayor to sign Department of Homeland Security Cybersecurity and Infrastructure Security Agency (CISA) documents. Council Member Kuhns moved, seconded by Council Member Jacobus to amend the Resolution to remove language regarding action taken by the Utility and Infrastructure Board. Ayes: Ellis, Kuhns, Bechtel, Yerger, Jensen, Jacobus, Legband. Motion carried. Council Member Jacobus moved, seconded by Council Member Legband to approve Resolution 2019-173 as amended. Ayes: Ellis, Kuhns, Bechtel, Yerger, Jensen, Jacobus, Legband. Motion carried.
20. Resolution 2019-177 of the City Council of the City of Fremont, Nebraska, authorizing City of Fremont, Department of Utilities Staff to sign a purchase agreement with HDR Inc. Engineering for the Lon D. Wright Rail Track Extension Engineering. Council Member Yerger moved, seconded by Council Member Jensen to amend the Resolution to remove language regarding action taken by the Utility and Infrastructure Board. Ayes: Ellis, Kuhns, Bechtel, Yerger, Jensen, Jacobus, Legband. Motion carried. Council Member Yerger moved, seconded by Council Member Legband to approve Resolution 2019-177 as amended. Ayes: Ellis, Kuhns, Bechtel, Yerger, Jensen, Jacobus, Legband. Motion carried.
21. Resolution 2019-178 of the City Council of the City of Fremont, Nebraska to approve A & R Construction Co. Final Acceptance of Project of the N. Somers Ave Bridge Project by authorizing the Mayor to sign Final Pay Application No. 4 and Final Change Order. Council Member Yerger moved, seconded by Council Member Jacobus to approve Resolution 2019-178. Ayes: Ellis, Kuhns, Bechtel, Yerger, Jensen, Jacobus, Legband. Motion carried.
22. Resolution 2019-179 of the City Council of the City of Fremont, Nebraska to approve Yong Construction Corporation Change Orders No. 1 and No. 2 for additional construction for the 2019 Pavement Rehab Project. Council Member Yerger moved, seconded by Council Member Legband to approve Resolution 2019-179. Ayes: Ellis, Kuhns, Bechtel, Yerger, Jensen, Jacobus, Legband. Motion carried.
23. Resolution 2019-166 authorizing agreement for street and parking closure and authorizing the City Clerk to sign Special Designated License Local Recommendation form for Historic Downtown Fremont Fall Festival. Council Member Yerger move, seconded by Council Member Legband to amend the Resolution to remove the contingency for the parking lot agreement. Ayes: Kuhns, Bechtel, Yerger, Jensen, Jacobus, Legband. Abstention: Ellis. Motion carried. Council Member Jacobus moved, seconded by Council Member Yerger to approve Resolution 2019-166 as amended. Ayes: Kuhns, Bechtel, Yerger, Jensen, Jacobus, Legband. Abstention: Ellis. Motion carried.
24. Adjournment. Moved by Council Member Jacobus seconded by Council Member Yerger to adjourn the meeting. Ayes: Ellis, Bechtel, Yerger, Jensen, Jacobus, Kuhns, Legband. Motion carried. Meeting

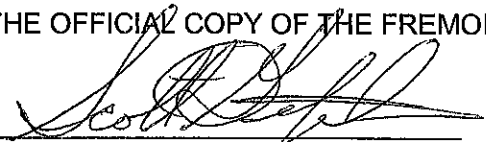
adjourned at 10:37 p.m.

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 August 23, 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 10TH DAY OF SEPTEMBER AS THE OFFICIAL COPY OF THE FREMONT, NEBRASKA CITY COUNCIL MINUTES FOR AUGUST 27, 2019.



Tyler Ficken, City Clerk



Scott Getzschman, Mayor