



CITY OF FREMONT NEBRASKA

COMMUNITY DEVELOPMENT AGENCY MEETING MINUTES

January 14, 2020 – 7:00 P.M.

City Council Chambers 400 East Military,
Fremont NE

1. Meeting called to order. After the Pledge of Allegiance, the Chair called the meeting of 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.
2. Roll call. Roll call showed Members McClain, Ellis, Kuhns, Bechtel, Yerger, Jensen, Jacobus and Legband present. 8 Members present.
3. Public hearing and Resolution 2020-001 to approve redevelopment plan for Fremont Mall Rehabilitation including a request for designation as an enhanced employment area and imposition of a one percent occupation tax on sales. Member Jensen moved, seconded by Member Legband to continue the item indefinitely. Ayes: McClain, Ellis, Kuhns, Bechtel, Yerger, Jensen, Jacobus, Legband. Motion carried
4. Adjournment. Moved by Member Jacobus seconded by Member Kuhns to adjourn the meeting. Ayes: McClain, Ellis, Kuhns, Bechtel, Yerger, Jensen, Jacobus, Legband. Motion carried. Meeting adjourned at 7:03p.m.

CITY COUNCIL MEETING MINUTES

January 14, 2020

City Council Chambers 400 East Military, Fremont NE
REGULAR MEETING – 7:00 P.M.

REGULAR MEETING:

1. Meeting called to order. 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, Kuhns, Bechtel, Yerger, Jensen, Jacobus and Legband present. 8 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)
4. Motion to adopt current agenda for January 14, 2020 Regular Meeting. Council Member Jacobus moved, seconded by Council Member Yerger to amend to consolidate items 27 and 28. Ayes: McClain, Ellis, Kuhns, Bechtel, Yerger, Jensen, Jacobus, Legband. Motion carried. Council Member Jensen moved, seconded by Council Member Legband to adopt the agenda for January 14, 2020 Regular Meeting as amended. Ayes: McClain, Ellis, Kuhns, Bechtel, Yerger, Jensen, Jacobus, Legband. Motion carried.

PUBLIC HEARINGS:

5. Ordinance 5517 to create a clean energy assessment district; to establish definitions; to provide for the financing, administration, and collections, to promote energy efficiency improvements and renewable energy systems known as Property Assessed Clean Energy (PACE) District (second reading). Mayor Getzschman opened the public hearing. Mayor Getzschman closed the public hearing after receiving comments from the public. Council Member Jacobus moved, seconded by Council Member Ellis to amend the Ordinance to make sure the board is subject to the open meetings act and noticed to the public. Ayes: Ellis, Yerger, Jensen, Jacobus. Nay: McClain, Kuhns, Bechtel, Legband. Motion failed. Council Member Kuhns moved, seconded by Council Member Legband to hold second reading of the Ordinance. Ayes: McClain, Kuhns, Bechtel, Jensen, Legband. Nays: Ellis, Yerger, Jacobus. Motion carried. City Clerk provided second reading.
6. Resolution 2020-001 to approve redevelopment plan for Fremont Mall Rehabilitation including a request for designation as an enhanced employment area and imposition of a one percent occupation tax on sales. Council Member Yerger moved, seconded by Council Member McClain to continue the item indefinitely. Ayes: McClain, Ellis, Kuhns, Bechtel, Yerger, Jensen, Jacobus, Legband. Motion carried.
7. Ordinance 5521 for a Change of Zone from UR, Urban Residential to SC, Suburban Commercial property generally located on the west side of N. Clarkson St. between the hospital access road and 30th Streets (first reading). Council Member Jensen moved, seconded by Council Member McClain to receive letter from Bloom Optical into the record. Ayes: McClain, Ellis, Kuhns, Bechtel, Yerger, Jensen, Jacobus, Legband. Motion carried. Mayor Getzschman opened the public hearing. Mayor Getzschman closed the public hearing after receiving comments from the public. Council Member Yerger moved, seconded by Council Member Legband to introduce and hold first reading of the Ordinance. Ayes: McClain, Ellis, Kuhns, Bechtel, Yerger, Jensen, Jacobus, Legband. Motion carried. City Clerk provided first reading.
8. Ordinance 5522 for a Change of Zone from R, Rural to PD, Planned Development to develop up to 290 multifamily dwelling units, 113 attached single family units consisting of duplex, triplex and row house designs along with commercial uses known as Bluestem Commons property generally located at the southwest corner of Luther Road and County Road T. Council Member Jacobus moved, seconded by Council Member McClain to continue the item to the January 28, 2020 City Council Meeting. Ayes: McClain, Ellis, Kuhns, Bechtel, Yerger, Jensen, Jacobus, Legband. Motion carried.
9. Resolution 2020-002 for a Preliminary Plat generally consisting of 5 multifamily residential lots, 2 commercial lots, and 113 attached single family lots and 3 out lots for Bluestem Commons property generally located at the southwest corner of Luther Road and County Road T. Council Member Jensen moved, seconded by Council Member Kuhns to continue the item to the January 28, 2020 City Council Meeting. Ayes: McClain, Ellis, Kuhns, Bechtel, Yerger, Jensen, Jacobus, Legband. Motion carried.
10. Resolution 2020-003 for a Final Plat generally consisting of 2 out lots, 63 attached single family, and 3 multifamily lots for Bluestem Commons property generally located at the southwest corner of Luther Road and County Road T. Council Member Jacobus moved, seconded by Council Member Yerger to continue the item to the January 28, 2020 City Council Meeting. Ayes: McClain, Ellis, Kuhns, Bechtel, Yerger, Jensen, Jacobus, Legband. Motion carried.
11. Ordinance 5523 to amend Section 11-920 of the City of Fremont UDC to amend the definitions of Front Yard, Side Yard, Street Side Yard and Rear Yard. Council Member Jensen moved, seconded by Council Member Legband to receive proposed amendment language to Ordinance 5523. Ayes: McClain, Ellis, Kuhns, Bechtel, Yerger, Jensen, Jacobus, Legband. Motion carried. Council Member Jacobus moved, seconded by Council Member Jensen to amend the Ordinance language to reflect the received document. Ayes: McClain, Ellis, Kuhns, Bechtel, Jensen, Jacobus, Legband. Nay: Yerger. Motion carried. Mayor Getzschman opened the public hearing. Mayor Getzschman closed the public hearing after receiving comments from the public. Council Member Kuhns moved, seconded by Council Member Legband to introduce and hold first reading of the Ordinance as amended. Ayes: McClain, Ellis, Kuhns, Bechtel, Jensen, Jacobus, Legband. Nay: Yerger. Motion carried. City Clerk provided first

reading.

CONSENT AGENDA: Council Member McClain moved, seconded by Council Member Jensen to approve consent agenda items 12-14 and 16. Ayes: McClain, Ellis, Kuhns, Bechtel, Yerger, Jensen, Jacobus, Legband. Motion carried.

12. Motion to approve December 31, 2019 through January 14, 2020 claims and authorize checks to be drawn on the proper accounts
13. Receive Report of the Treasury
14. Dispense with and approve December 30, 2019 City Council Meeting Minutes
16. Motion authorizing Mayor to sign Deed of Reconveyance, Kudrna, 1236 N. Platte Avenue

ITEMS REMOVED FROM THE CONSENT AGENDA FOR SEPARATE DISCUSSION:

15. Resolution 2020-004 authorizing the Mayor to execute an agreement with NE/IA Agronomic Services for Biosolids management. Council Member Jensen moved, seconded by Council Member Ellis to amend the Resolution to include that the Utility and Infrastructure Board approved the item unanimously by those present on December 10, 2019. Ayes: McClain, Ellis, Bechtel, Yerger, Jensen, Jacobus. Nay: Kuhns, Legband. Motion carried. Council Member Yerger moved, seconded by Council Member Jacobus to approve the Resolution as amended. Ayes: McClain, Ellis, Kuhns, Bechtel, Yerger, Jensen, Jacobus, Legband. Motion carried.
17. Resolution 2020-005 extending the term of the Fremont Lottery Operator Agreement for a five year period ending February 25, 2025. Council Member Yerger moved, seconded by Council Member Jacobus to approve Resolution 2020-005. Ayes: McClain, Ellis, Kuhns, Bechtel, Yerger, Jensen, Jacobus, Legband. Motion carried.
18. Resolution 2020-006 authorizing Mayor to sign Comprehensive Annual Banner Permit with the Nebraska Department of Transportation, (NDOT). Council Member Jacobus moved, seconded by Council Member Ellis to amend the Resolution to include that the Utility and Infrastructure Board approved the item unanimously by those present on December 10, 2019. Ayes: McClain, Ellis, Kuhns, Bechtel, Yerger, Jensen, Jacobus. Nay: Legband. Motion carried. Council Member Yerger moved, seconded by Council Member Jacobus to approve the Resolution as amended. Ayes: McClain, Ellis, Kuhns, Bechtel, Yerger, Jensen, Jacobus, Legband. Motion carried.
19. Resolution 2020-007 to approve contract with CenturyLink to upgrade the VIPER 911 system. Council Member Jensen moved, seconded by Council Member Legband to approve Resolution 2020-007. Ayes: McClain, Ellis, Kuhns, Bechtel, Jensen, Jacobus, Legband. Abstention: Yerger. Motion carried.
20. Move to appoint Dominic Savio as Police Sergeant per Mayor recommendation. Council Member Jacobus moved, seconded by Council Member Kuhns to appoint Dominic Savio as Police Sergeant per Mayor recommendation. Ayes: McClain, Ellis, Kuhns, Bechtel, Yerger, Jensen, Jacobus, Legband. Motion carried.
21. Resolution 2020-008 levying a special tax and assessment against Lot 13, Block 4, Northside to the (owner: Atlantica, LLC) to pay the costs of weed and debris removal. No action was taken.
22. Resolution 2020-009 authorizing purchase of 2020 Ford F-150 4x4 crew cab Pickup Truck. Council Member Jensen moved, seconded by Council McClain to amend the Resolution to include that the Utility and Infrastructure Board approved the item unanimously by those present on December 10, 2019. Ayes: McClain, Ellis, Kuhns, Bechtel, Yerger, Jensen, Jacobus, Legband. Motion carried. Council Member McClain moved, seconded by Council Member Jensen to approve Resolution 2020-

009 as amended. Ayes: McClain, Ellis, Kuhns, Bechtel, Yerger, Jensen, Jacobus, Legband. Motion carried.

23. Resolution 2020-010 to purchase a new Jet Truck from Mid-Iowa Solid Waste Equipment. Council Member McClain moved, seconded by Council Legband to amend the Resolution to include that the Utility and Infrastructure Board approved the item unanimously by those present on December 10, 2019. Ayes: McClain, Ellis, Kuhns, Bechtel, Yerger, Jensen, Jacobus, Legband. Motion carried. Council Member McClain moved, seconded by Council Member Jensen to approve Resolution 2020-010 as amended. Ayes: McClain, Ellis, Kuhns, Bechtel, Yerger, Jensen, Jacobus, Legband. Motion carried.

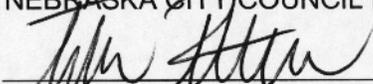
UNFINISHED BUSINESS: requires individual associated action

24. Ordinance 5512 amending Chapter 3, Section 3-230 of the Fremont Municipal Code titled Municipal Sewerage System; charge and considerations for connections (second reading). Council Member Yerger moved, seconded by Council Member Jacobus to hold second reading of the Ordinance moving forward with options B & C. Ayes: McClain, Ellis, Kuhns, Yerger, Jensen, Jacobus, Legband. Nay: Bechtel. Motion carried. City Clerk provided second reading.
25. Mayor Getzschman item - Ordinance 5519 pertaining to the sale and conveyance of real estate, a portion of Lot 4 of the Nelson Business Park owned by the City of Fremont, Nebraska to Del Peterson and Associates, Inc., a Nebraska Corporation, pursuant to Nebraska law (final reading). Council Member Jensen moved, seconded by Council Member Legband to amend the purchase contract date to January 15, 2020. Ayes: McClain, Ellis, Kuhns, Bechtel, Yerger, Jensen, Jacobus, Legband. Council Member Yerger moved, seconded by Council Member Jacobus to hold final reading of the amended Ordinance 5519. Ayes: McClain, Ellis, Kuhns, Bechtel, Yerger, Jensen, Jacobus, Legband. Motion carried. City Clerk provided final reading. Mayor Getzschman called for a final vote on the Ordinance. Ayes: McClain, Ellis, Kuhns, Bechtel, Yerger, Jensen, Jacobus, Legband. Ordinance 5519 is approved.
26. Council Member Jacobus Item - Discussion and Motion to Reconsider and Revise Resolution 2019-229 of the City Council of the City of Fremont, Nebraska, passed November 12, 2019, approving a Conditional Use Permit for Four Triplex Dwelling Units on property generally located at Linden and K Streets (report). Council Member Jacobus moved, seconded by Council Member Yerger to reconsider Resolution 2019-229. Ayes: McClain, Ellis, Bechtel, Yerger, Jensen, Jacobus. Nays: Kuhns, Legband. Motion carried. Council Member Jacobus moved, seconded by Council Member Bechtel to open item for public comment. Ayes: McClain, Ellis, Kuhns, Bechtel, Yerger, Jensen, Jacobus, Legband. Motion carried. Council Member Jacobus moved, seconded by Council Member Yerger to receive into the record a document listing conditions for a Conditional Use Permit. Ayes: McClain, Ellis, Kuhns, Bechtel, Yerger, Jensen, Jacobus, Legband. Motion carried. Council Member Jensen moved, seconded by Council Member McClain to receive documents outlining legal notice requirements. Ayes: McClain, Ellis, Kuhns, Bechtel, Yerger, Jensen, Jacobus, Legband. Motion carried. Moved by Council Member Kuhns, seconded by Council Member McClain to go into executive session for the purpose of discussing 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 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. The Mayor stated the pending motion was to go into executive session for the purpose of discussing 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, Kuhns, Bechtel, Yerger, Jensen, Jacobus, Legband. Motion carried. The Mayor stated that there was a motion to go into executive session for the purpose of discussing 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 threatened or potential litigation; session will include the Planning Director. No official actions or votes will be taken during the executive session. Time in: 11:13 p.m. Moved by Council Member Jensen, seconded by Council Member Kuhns to come out of executive session where no official actions or votes were taken. Ayes: McClain, Ellis, Kuhns, Bechtel, Yerger,

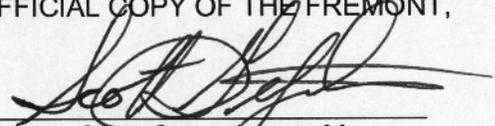
Jensen, Jacobus, Legband. Time out: 11:29 p.m. Council Member Jensen moved, seconded by Council Member Legband to approve Resolution 2019-229. Ayes: McClain, Ellis, Kuhns, Bechtel, Jensen, Jacobus, Legband. Nay: Yerger. Motion carried.

33. Adjournment. Moved by Council Member Legband seconded by Council Member Kuhns to adjourn the meeting. Ayes: McClain, Kuhns, Bechtel, Yerger, Jensen, Legband. Nays: Ellis, Jacobus. Motion carried. Meeting adjourned at 11:35 p.m.

APPROVED AND ACCEPTED THIS 28TH DAY OF JANUARY AS THE OFFICIAL COPY OF THE FREMONT, NEBRASKA CITY COUNCIL MINUTES FOR JANUARY 14, 2020.



Tyler Ficken, City Clerk



Scott Getzschman, Mayor

Documents received into the record can be found [here](#)