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## **CITY COUNCIL REGULAR MEETING**

May 3, 2022 at 6:00 PM

Crete City Hall, 243 East 13<sup>th</sup> Street

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### **MINUTES**

Notice of the meeting was given by posting and publishing in The Crete News, the appointed method for giving notice as shown by the Proof of Publication attached to the minutes. Advance notice of the meeting was also given to the Mayor and City Council. Pursuant to Section 84-1412(8) of the Nebraska Open Meetings Act, the City has posted a current copy of the Open Meetings Act, Laws of the State of Nebraska in the back of the Council Chambers. Additional copies are available to read. The City may consider items listed on the agenda in random order. All proceedings shown were taken while the meeting was open to the attendance of the public.

Those in attendance pledged allegiance to the flag.

#### **1. Open Meeting**

#### **2. Roll Call**

Kyle Frans: Present  
Ryan Hinz: Present  
Jack Oelschlager: Present  
Dan Papik: Present  
Travis Sears: Present  
Dale Strehle: Present

Present: 6.

#### **3. Consent Agenda**

Approve the consent agenda as presented. Carried with a motion by Dale Strehle and a second by Travis Sears.

Kyle Frans: Aye, Ryan Hinz: Aye, Jack Oelschlager: Aye, Dan Papik: Aye, Travis Sears: Aye, Dale Strehle: Aye

Aye: 6, No: 0

#### **3.A. Approve Meeting Minutes**

##### **3.A.1. April 19, 2022 City Council meeting**

##### **3.A.2. April 19, 2022 Parks & Recreation Committee Meeting**

##### **3.A.3. April 19, 2022 Personnel Committee Meeting**

**3.A.4. April 19, 2022 Public Safety Committee Meeting**

**3.A.5. April 5, 2022 Public Works Committee Meeting**

**3.A.6. April 19, 2022 Public Works Committee Meeting**

**3.B. Accept the City Treasurer's Report**

**3.C. Approve the Payment of Claims Against the City**

**3.D. Mayor Appointments**

**3.D.1. Reappoint Manny Dimas to Seat 2 of the Civil Service Commission with a term ending May 1, 2024.**

#### **4. Items of Business**

**4.A. Consider approving a livestock exception permit to allow Wranglers 4-H Club to have horses at the Tuxedo Park arena from May 1, 2022 to July 17, 2022.**

City Administrator Tom Ourada explained that multi-day livestock permits need to be approved by the Council. The Public Safety Committee met on this and recommended approving the permit.

Approve the livestock exception permit to allow Wranglers 4-H Club to have horses at the Tuxedo Park arena from May 1, 2022 to July 17, 2022. Carried with a motion by Jack Oelschlager and a second by Ryan Hinz.

Kyle Frans: Aye, Ryan Hinz: Aye, Jack Oelschlager: Aye, Dan Papik: Aye, Travis Sears: Aye, Dale Strehle: Aye

Aye: 6, No: 0

**4.B. Consider approving a special event permit with street and alley closures for the Saline County Fair parade on July 16, 2022 from 1:30 to 3:00 pm.**

City Administrator Tom Ourada informed the Council that this application met all criteria from Public Works, Police, and NDOT. The Public Safety Committee met on this and recommended approving the permit.

Recommend approving the special event permit with street and alley closures for the Saline County Fair parade on July 16, 2022 from 1:30 to 3:00 pm. Carried with a motion by Jack Oelschlager and a second by Ryan Hinz.

Kyle Frans: Aye, Ryan Hinz: Aye, Jack Oelschlager: Aye, Dan Papik: Aye, Travis Sears: Aye, Dale Strehle: Aye

Aye: 6, No: 0

**4.C. Consider entering into a professional services agreement with Speece Lewis, in an amount not to exceed \$80,000, for project management services on the 22nd Street Culvert Project.**

The Public Works Committee met on this and are going to have City Administrator Tom Ourada negotiate for a lower amount.

Table this item until the next Council meeting to allow the City Administrator to renegotiate the contract. Carried with a motion by Dale Strehle and a second by Travis Sears.

Kyle Frans: Aye, Ryan Hinz: Aye, Jack Oelschlager: Aye, Dan Papik: Aye, Travis Sears: Aye, Dale Strehle: Aye

Aye: 6, No: 0

**4.D. Consider entering into contracts with Stryker in the amount of \$10,052.88 for Lifepak defibrillator maintenance at the Fire Station and Wildwood Pool.**

City Administrator Tom Ourada and the City Attorney looked over these contracts and, after a few minor changes, found no issues. The Public Safety Committee met on this and recommended entering into the contracts.

Approve entering into contracts with Stryker in the amount of \$10,052.88 for Lifepak defibrillator maintenance at the Fire Station and Wildwood Pool. Carried with a motion by Jack Oelschlager and a second by Kyle Frans.

Kyle Frans: Aye, Ryan Hinz: Aye, Jack Oelschlager: Aye, Dan Papik: Aye, Travis Sears: Aye, Dale Strehle: Aye

Aye: 6, No: 0

**4.E. Consider changing parking spaces along 13th Street near the intersection of 13th Street and Norman Avenue.**

City Administrator Tom Ourada informed the Council that this item was discussed by the Public Safety Committee at a prior meeting. Their recommendation was to first try placing a 'Compact Car Parking Only' sign on the parking spaces along 13th Street in front of Gold Star Martial Arts to see if that would help the visibility issues at that intersection before removing any parking spaces.

Authorize the Street Department to place a 'Compact Car Parking Only' sign to the parking spaces along 13th Street in front of Gold Star Martial Arts at the intersection of 13th Street and Norman Avenue. Carried with a motion by Jack Oelschlager and a second by Travis Sears.

Kyle Frans: Aye, Ryan Hinz: Aye, Jack Oelschlager: Aye, Dan Papik: Aye, Travis Sears: Aye, Dale Strehle: Aye

Aye: 6, No: 0

**4.F. Consider amending the Master Fee Schedule to add avoided cost rates for solar and wind cogeneration and to change how the variable rate for residential and commercial sewer service is calculated.**

City Administrator Tom Ourada informed the Council that this amendment of avoided cost rates for solar and wind will happen each time the wholesale costs change. The Finance Committee inquired about whether or not there was a way to avoid having to amend the fee schedule each time it changes, and at this time, there is not. However, the way the variable rate for residential and commercial sewer service is calculated changed from using the lowest 3 of 5 winter months, to using the lowest 3 months of the whole year. As so, the Finance Committee recommended approving the amendment to the Master Fee Schedule.

Approve amending the Master Fee Schedule to add avoided cost rates for solar and wind cogeneration and to change how the variable rate for residential and commercial sewer service is calculated. Carried with a motion by Travis Sears and a second by Dan Papik.

Kyle Frans: Aye, Ryan Hinz: Aye, Jack Oelschlager: Aye, Dan Papik: Aye, Travis Sears: Aye, Dale Strehle: Aye

Aye: 6, No: 0

**4.G. Consider changing the zoning of the north one-half of Lot 1, Block A Wily Reems Development Tract from R-2 to C-3; the south one-half of Lot 1, Block A Wily Reems Development Tract from R-2 to I-1; and parcel 760144999 from R-2 to I-1.**

City Administrator Tom Ourada explained that this first went to the Planning Commission, who recommended approving the zoning changes. Ourada also stated that this change conforms to our 2014 Comprehensive Plan. It follows city ordinances and state statutes regarding zone changes, and will allow the purchasers, Blue River Meats, to move and expand their business. The Legislative and Economic Development Committee met on this and also recommended approving the zoning changes.

Approve changing the zoning of the north one-half of Lot 1, Block A Wily Reems Development Tract from R-2 to C-3; the south one-half of Lot 1, Block A Wily Reems Development Tract from R-2 to I-1; and parcel 760144999 from R-2 to I-1. Carried with a motion by Ryan Hinz and a second by Dale Strehle.

Kyle Frans: Aye, Ryan Hinz: Aye, Jack Oelschlager: Aye, Dan Papik: Aye, Travis Sears: Aye, Dale Strehle: Aye

Aye: 6, No: 0

#### **4.H. Consider enacting Ordinance 2148: An ordinance relating to established neighborhood and new development design standards.**

Both the Planning Commission and the Legislative and Economic Development Committee met on this ordinance and would like more time to review it before taking any action. This will allow for any necessary changes to be made prior to adopting it. It was mutually recommended to table the item to review it further.

Table this item until it can be looked over better and any changes can be made before adopting it. Carried with a motion by Ryan Hinz and a second by Travis Sears.

Kyle Frans: Aye, Ryan Hinz: Aye, Jack Oelschlager: Aye, Dan Papik: Aye, Travis Sears: Aye, Dale Strehle: Aye

Aye: 6, No: 0

#### **4.I. Consider approving the payment of claims to ACE Hardware in the amount of \$1,749.51.**

Approve the payment of claims to ACE Hardware in the amount of \$1,749.51. Carried with a motion by Dale Strehle and a second by Travis Sears.

Dan Papik: Abstain (With Conflict), Kyle Frans: Aye, Ryan Hinz: Aye, Jack Oelschlager: Aye, Travis Sears: Aye, Dale Strehle: Aye

Aye: 5, No: 0, Abstain (With Conflict): 1

#### **5. Petitions - Communications - Citizen Concerns**

Citizen Shirely Mitchell voiced her concern about an electrical issue at a property she owns in Crete. There are two electrical meters on the property, one of which is a shop building that is being charged commercial rates. She stated the building is only used for storage and should not be charged at a commercial rate. City Administrator Tom Ourada explained that city ordinance states that residential properties can only have one electrical meter. If there is a second meter, it will be charged as commercial. Also, the Power Review Board also has rules on multiple electric meters and their use. The solution of having her property rewired into one meter was suggested, but it would be an added expense on Mitchell's part. The issue will be looked into farther to see what other solutions there could be.

Mitchell also commented on the deteriorated status of the railroad crossings in the city. Mayor Dave Bauer stated that we, as a city, are doing all that we possibly can to get them fixed.

The crossings are property of Burlington, who works at their own pace. Two of the crossings have been fixed so far; the West 13th Street crossing a couple years ago and the Hawthorne crossing was just finished this week. The City will stay on top of it to ensure the other crossing will be fixed, too. Crete residents are also welcomed to call Burlington, as well, to report the crossing conditions.

## **6. Officers' Reports**

- Lt. Gary Young reported forwarding a contract to the City Administrator and City Attorney regarding a trainer for a department K-9.
- Public Works Director Brian Stork reported:
  - General Excavation started work on the new lift station, but are being slowed down by all of the rain
  - Stevens & Smith Construction will start demo on the front steps of City Hall, followed by the red concrete on downtown sidewalks
- Community Assistance Director Nancy Tellez reported that 12 teams, 6 men's teams and 6 women's teams, participated in the Community World Cup soccer event on April 9-10. Nancy thanked all of the businesses involved, Doane University volunteers, Crete Parks and Recreation and other city staff for all of the resources they provided. The event raised money for the Doane equity fund to help cover registration costs for local youth programs
  - Mayor Dave Bauer thanked Nancy for all of the work she put into organizing and running the event
- City Administrator Tom Ourada reported:
  - Meeting with Bruce Filipi, County Highway Superintendent, to discuss the County's soft match for the Tuxedo Bridge; there was discussion about possible future joint projects as well
  - Asking HR Coordinator Wendy Thomas to facilitate CPR training for all city employees
  - Facility janitor is leaving; the position will be advertised and there is already interest in the position
  - Recent nuisance hearings, using the revised rules, went well; it is very similar to a court setting
  - Doane University's new president, Dr. Roger Hughes, seems like he will be a great advocate for the city
    - Mayor Bauer commented that Dr. Hughes has been easy to work with so far and has the best interests of the school and the city in mind
- Mayor Dave Bauer reminded all of Spring Cleanup week, May 1-7. He also commented on the Fire Department's excellent job cleaning off Main Street this last Sunday morning

## **7. Adjournment**

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Mayor

(SEAL)

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City Clerk-Treasurer

I, Jerry Wilcox, City Clerk for the City of Crete, hereby certify that the foregoing is a true and correct copy of the proceedings had and done by the Mayor and Council. I hereby certify that a copy of the Open Meetings Act was posted in the back of the Council Chambers. I certify 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 City Clerk. I certify that such subjects were contained in said agenda for at least twenty-four hours prior to said meeting and that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public. I certify that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting of the City Council. I certify that all news media requesting notification concerning meetings of the City Council were provided with advance notification of the time and place of said meeting and the subjects to be discussed.

(S E A L)

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City Clerk-Treasurer