



CITY COUNCIL REGULAR MEETING

July 5, 2023 at 6:00 PM

Crete City Hall, 243 East 13th Street

MINUTES

Notice of the meeting was given by posting, the appointed method for giving notice as shown by the attached notice, at the following locations:

City Hall, 243 East 13th Street

Post Office, 1242 Linden Avenue

City Bank and Trust, 1135 Main Avenue

Advance notice of the meeting was also given to committee members. 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. All proceedings shown were taken while the meeting was open to the attendance of the public.

1. Open Meeting

2. Roll Call

Ashley Newmyer: Absent

Tom Crisman: Present

Anthony Fitzgerald: Present

Kyle Frans: Present

Dan Papik: Present

Dale Strehle: Present

Present: 5, Absent: 1.

3. Consent Agenda

3.A. Approve Meeting Minutes

3.A.1. June 20, 2023 Public Safety Committee Meeting minutes

3.A.2. June 20, 2023 Leg.Econ.Development Committee Meeting minutes

3.A.3. June 20, 2023 Finance Committee Meeting minutes

3.A.4. June 20, 2023 City Council Meeting minutes

3.B. Accept the City Treasurer's Report

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

3.D. Approve the Mayor's appointment of Jodeen Schwisow to the Crete Housing Authority for a term of June 1, 2028.

3.E. Approve Cline Williams invoices totalling \$45,205.68

3.F. Approve Isis Theater Renovation Change orders #007 & #008 in the amounts of \$5,146 & \$7,503 respectfully.

4. Items of Business

4.A. Public Hearing for Retail Liquor License from PWR & DWD Rental Properties, LLC DBA Old Main Bar & Grill 1103 Main Avenue, Crete, NE.

Opened Public Hearing at 6:02 p.m. for Retail Liquor License from PWR & DWD Rental Properties, LLC DBA Old Main Bar & Grill 1103 Main Avenue, Crete, NE. Carried with a motion by Dale Strehle and a second by Dan Papik.

Tom Crisman: Aye, Anthony Fitzgerald: Aye, Kyle Frans: Aye, Dan Papik: Aye, Dale Strehle: Aye

Aye: 5, No: 0

Closed the Public Hearing at 6:03 p.m. for Retail Liquor License from PWR & DWD Rental Properties, LLC DBA Old Main Bar & Grill 1103 Main Avenue, Crete, NE. Carried with a motion by Dale Strehle and a second by Dan Papik.

Tom Crisman: Aye, Anthony Fitzgerald: Aye, Kyle Frans: Aye, Dan Papik: Aye, Dale Strehle: Aye

Aye: 5, No: 0

4.B. Consider the application for a Retail Liquor License from PWR & DWD Rental Properties, LLC DBA Old Main Bar & Grill 1103 Main Avenue, Crete, NE.

Approved the application for a Retail Liquor License from PWR & DWD Rental Properties, LLC DBA Old Main Bar & Grill 1103 Main Avenue, Crete, NE. Carried with a motion by Dale Strehle and a second by Dan Papik.

Tom Crisman: Aye, Anthony Fitzgerald: Aye, Kyle Frans: Aye, Dan Papik: Aye, Dale Strehle: Aye

Aye: 5, No: 0

4.C. Public Hearing to hear testimony in favor of, in opposition to and to answer questions in relation to a proposed zoning change from C-1 to R-3 from Dittmer & Dittmer, LLC. a parcel of land being a portion of land located in the North 1/2, of the northeast 1/4 section 26, T8N, R4E of the 6th P.M., Crete, Saline County, Nebraska.

Opened the Public Hearing at 6:04 p.m. to hear testimony in favor of, in opposition to and to answer questions in relation to a proposed zoning change from C-1 to R-3 from Dittmer & Dittmer, LLC. a parcel of land being a portion of land located in the North 1/2, of the northeast 1/4 section 26, T8N, R4E of the 6th P.M., Crete, Saline County, Nebraska. Carried with a motion by Dale Strehle and a second by Dan Papik.

Tom Crisman: Aye, Anthony Fitzgerald: Aye, Kyle Frans: Aye, Dan Papik: Aye, Dale Strehle: Aye

Aye: 5, No: 0

Closed the Public Hearing at 6:05 p.m. to hear testimony in favor of, in opposition to and to answer questions in relation to a proposed zoning change from C-1 to R-3 from Dittmer & Dittmer, LLC. a parcel of land being a portion of land located in the North 1/2, of the northeast

1/4 section 26, T8N, R4E of the 6th P.M., Crete, Saline County, Nebraska. Carried with a motion by Dale Strehle and a second by Dan Papik.

Tom Crisman: Aye, Anthony Fitzgerald: Aye, Kyle Frans: Aye, Dan Papik: Aye, Dale Strehle: Aye

Aye: 5, No: 0

4.D. Consider enacting Ordinance # 2173 To Amend The Zoning Ordinance from Dittmer & Dittmer, L.L.C.

City Administrator Tom Ourada explained that this is for a subdivision of a property that overlaps C1- R3. They would like to rezone in order for the 3 acre tract to be the same.

Introduced Ordinance # 2173 To Amend The Zoning Ordinance from Dittmer & Dittmer, L.L.C. and waive the rule it be read on three different days. Carried with a motion by Dale Strehle and a second by Dan Papik.

Tom Crisman: Aye, Anthony Fitzgerald: Aye, Kyle Frans: Aye, Dan Papik: Aye, Dale Strehle: Aye

Aye: 5, No: 0

Enact Ordinance # 2173 To Amend The Zoning Ordinance from Dittmer & Dittmer, L.L.C. Carried with a motion by Dale Strehle and a second by Dan Papik.

Tom Crisman: Aye, Anthony Fitzgerald: Aye, Kyle Frans: Aye, Dan Papik: Aye, Dale Strehle: Aye

Aye: 5, No: 0

4.E. Public Hearing to hear testimony in favor of, in opposition to and to answer questions in relation to a proposed zoning change from C-2 to R-3 from Crete Lumber & Farm Supply for Parcels 760009570, 76012991, 7601148366, all in blocks 21 and 168, Original Town, City of Crete, Saline County, Nebraska.

City Administrator Tom Ourada explained that is for a proposed zoning change from C-2 to R-3 from Crete Lumber & Farm Supply. They are looking to build multifamily housing. This did go to the Planning Commission and they voted to recommend it be approved.

Opened the Public Hearing at 6:08 p.m. to hear testimony in favor of, in opposition to and to answer questions in relation to a proposed zoning change from C-2 to R-3 from Crete Lumber & Farm Supply for Parcels 760009570, 76012991, 7601148366, all in blocks 21 and 168, Original Town, City of Crete, Saline County, Nebraska. Carried with a motion by Dale Strehle and a second by Dan Papik.

Tom Crisman: Aye, Anthony Fitzgerald: Aye, Kyle Frans: Aye, Dan Papik: Aye, Dale Strehle: Aye

Aye: 5, No: 0

Closed the Public Hearing at 6:10 p.m. to hear testimony in favor of, in opposition to and to answer questions in relation to a proposed zoning change from C-2 to R-3 from Crete Lumber & Farm Supply for Parcels 760009570, 76012991, 7601148366, all in blocks 21 and 168, Original Town, City of Crete, Saline County, Nebraska. Carried with a motion by Dale Strehle and a second by Dan Papik.

Tom Crisman: Aye, Anthony Fitzgerald: Aye, Kyle Frans: Aye, Dan Papik: Aye, Dale Strehle: Aye

Aye: 5, No: 0

4.F. Consider enacting Ordinance # 2174 To Amend The Zoning Ordinance from Crete Lumber & Farm Supply.

Introduced Ordinance # 2174 To Amend The Zoning Ordinance from Crete Lumber & Farm Supply and waive the rule it be read on three different days. Carried with a motion by Dale Strehle and a second by Dan Papik.

Tom Crisman: Aye, Anthony Fitzgerald: Aye, Kyle Frans: Aye, Dan Papik: Aye, Dale Strehle: Aye

Aye: 5, No: 0

Enact Ordinance # 2174 To Amend The Zoning Ordinance from Crete Lumber & Farm Supply. Carried with a motion by Dale Strehle and a second by Dan Papik.

Tom Crisman: Aye, Anthony Fitzgerald: Aye, Kyle Frans: Aye, Dan Papik: Aye, Dale Strehle: Aye

Aye: 5, No: 0

4.G. Consider the Application for a Permit to Occupy City of Crete Right-of-Way from Allo Communications at PON: CRE-01-01.

City Administrator Tom Ourada explained that anytime there are multiple right-of-way requests they need council approval. This also went to the Public Works Committee.

Approved the Application for a Permit to Occupy City of Crete Right-of-Way from Allo Communications at PON: CRE-01-01. Carried with a motion by Dale Strehle and a second by Dan Papik.

Tom Crisman: Aye, Anthony Fitzgerald: Aye, Kyle Frans: Aye, Dan Papik: Aye, Dale Strehle: Aye

Aye: 5, No: 0

4.H. Consider the Application for a Permit to Occupy City of Crete Right-of-Way from Allo Communications at PON: CRE-01-03.

Approved the Application for a Permit to Occupy City of Crete Right-of-Way from Allo Communications at PON: CRE-01-03. Carried with a motion by Dale Strehle and a second by Dan Papik.

Tom Crisman: Aye, Anthony Fitzgerald: Aye, Kyle Frans: Aye, Dan Papik: Aye, Dale Strehle: Aye

Aye: 5, No: 0

4.I. Consider Ordinance NO. 2175 Relating to Wages and Salaries; To Amend Ordinance NO. 2157 To Adjust The Wages And Salaries Of City Officers and Non-Bargaining Unit Employees Of The City of Crete.

City Administrator Tom Ourada explained these changes are for two different positions. The Airport Manager position and for the Office Manager position to be salaried. This also went to the Personnel Committee.

Introduced Ordinance NO. 2175 Relating to Wages and Salaries; To Amend Ordinance NO. 2157 To Adjust The Wages And Salaries Of City Officers and Non-Bargaining Unit Employees Of The City of Crete and waive the rule it be read on three different days. Carried with a motion by Tom Crisman and a second by Kyle Frans.

Tom Crisman: Aye, Anthony Fitzgerald: Aye, Kyle Frans: Aye, Dan Papik: Aye, Dale Strehle: Aye

Aye: 5, No: 0

Enact Ordinance NO. 2175 Relating to Wages and Salaries; To Amend Ordinance NO. 2157 To Adjust The Wages And Salaries Of City Officers and Non-Bargaining Unit Employees Of The City of Crete. Carried with a motion by Tom Crisman and a second by Kyle Frans.

Tom Crisman: Aye, Anthony Fitzgerald: Aye, Kyle Frans: Aye, Dan Papik: Aye, Dale Strehle: Aye

Aye: 5, No: 0

4.J. Consider a recommendation to the City Council on the purchase of BodyWorn Cameras and Rocket Communications Bundle in the amount of \$125,000 from the Police Department.

Chief of Police Young explained that this purchase would be for BodyWorn Cameras and Rocket Communications Bundle. They will help get better coverage and protect everyone involved.

City Administrator Tom Ourada stated that they will be using ARPA reserve funds that were earmarked for the police department for the down payment and then capital outley money for the rest of the five years.

Approved the purchase of BodyWorn Cameras and Rocket Communications Bundle in the amount of \$125,000 from the Police Department. Carried with a motion by Dan Papik and a second by Tom Crisman.

Tom Crisman: Aye, Anthony Fitzgerald: Aye, Kyle Frans: Aye, Dan Papik: Aye, Dale Strehle: Aye

Aye: 5, No: 0

4.K. Consider the Application and Certificate for Payment from General Excavating in the amount of \$97,286.44 for all the work through 6/24/2023.

City Administrator Tom Ourada explained this was the approved application for payment of the triple box culvert on 22nd St. This did go to the Public Works Committee.

Approved the Application and Certificate for Payment from General Excavating in the amount of \$97,286.44 for all the work through 6/24/2023. Carried with a motion by Dale Strehle and a second by Dan Papik.

Tom Crisman: Aye, Anthony Fitzgerald: Aye, Kyle Frans: Aye, Dan Papik: Aye, Dale Strehle: Aye

Aye: 5, No: 0

4.L. Consider Claim: 96A139963 to accept the revised ACV settlement offer of \$5,992.37 from Dairyland Insurance.

City Administrator Tom Ourada stated that a new vote from the finance committee to appeal the settlement and negotiate a final settlement.

Approved to have the City Attorney communicate with Dairyland Insurance regarding the ACV value and negotiate a final settlement. Carried with a motion by Kyle Frans and a second by Dale Strehle.

Tom Crisman: Aye, Anthony Fitzgerald: Aye, Kyle Frans: Aye, Dan Papik: Aye, Dale Strehle: Aye

Aye: 5, No: 0

4.M. Consider the Department of Public Works Utility Account Write offs in the amount of \$34,290.37.

City Administrator Tom Ourada explained that these are from accounts the collection agency and attorney consider uncollectable. They sent letters and tried to get payment but they were unable.

Approved the Department of Public Works Utility Account Write offs in the amount of \$34,290.37. Carried with a motion by Kyle Frans and a second by Dale Strehle.

Tom Crisman: Aye, Anthony Fitzgerald: Aye, Kyle Frans: Aye, Dan Papik: Aye, Dale Strehle: Aye

Aye: 5, No: 0

4.N. Consider the request from George A. Leavitt and Barbara J. Leavitt for the Administrative Subdivision of "Clover Ridge Addition" being a portion of the Northwest 1/4 of section 25 T8N R4E of the 6th P.M., Saline County, Nebraska.

City Administrator Tom Ourada stated that this request meets the requirements for an administrative subdivision. This also went to the Public Works Committee.

Approved the request from George A. Leavitt and Barbara J. Leavitt for the Administrative Subdivision of "Clover Ridge Addition" being a portion of the Northwest 1/4 of section 25 T8N R4E of the 6th P.M., Saline County, Nebraska. Carried with a motion by Dale Strehle and a second by Dan Papik.

Tom Crisman: Aye, Anthony Fitzgerald: Aye, Kyle Frans: Aye, Dan Papik: Aye, Dale Strehle: Aye

Aye: 5, No: 0

4.O. Consider approval for an award of LB840 funding for 1228 Main Avenue in the amount of \$7,275.00

City Administrator Tom Ourada explained that the City Attorneys reviewed the application and it met all the LB840 requirements. Allo Communications will be leasing the building.

Approved the award of LB840 funding for 1228 Main Avenue in the amount of \$7,275.00 Carried with a motion by Anthony Fitzgerald and a second by Tom Crisman.

Tom Crisman: Aye, Anthony Fitzgerald: Aye, Kyle Frans: Aye, Dan Papik: Aye, Dale Strehle: Aye

Aye: 5, No: 0

5. Petitions - Communications - Citizen Concerns

6. Officers' Reports

- Chief of Police Young stated the following:
 - Thanked Rod and Bryan for picking up unidentified radios. All city radios are being updated
 - The event on June 30th 2023 went smoothly and it was a good weekend.
- Mayor Dave Bauer stated that on the evening of the 4th of July people were able to burn fireworks when the rain stopped.
- Park and Recreation Director, Liz Cody stated the following:

- Group lessons, water aerobics, and infant/toddler lessons are continuing.
- Helped Boy Scouts with their swimming skill test
- Hosted a CCLC family swim event and more than 355 people showed up. The pool max is 200 and based on that they are now looking at two time slots for the Mayor's Day at the pool at 1pm and 3pm on Sunday, July 9th 2023.
- Swim league championships was hosted by RipTide Swim Team at Wildwood Pool but had to be canceled due to weather. There were over 300 cars and over 1,000 people.
- This weekend the last softball tournament took place at Tuxedo.
- Working to figure out a schedule so there are no conflicting usage of fields
- Has received comments that Tuxedo Park is a favorite camp ground
- Savannah Anderson introduced new Water Operator Elier Comendador
- City Administrator Tom Ourada stated the following:
 - Substation Transformer and Power Deliver Center bid opened last week and the council will see them before the next meeting
 - The engineer is reviewing the bids to make sure they are responsible bids
 - The first bid came in at 1.4 million dollars and the other in the \$800,000's
 - The 35 KV delivery center came in at about 2 million dollars
 - The lift station at 22nd St walk through
 - Comprehensive Plan Steering Committee next week
 - Dave Jurena is the new chairperson for the Planning Commission
 - Met with Schemmer regarding planning of the fire station improvements. They are knowledgeable on the USDA requirements and will be sending their proposal sometime this week. It will go to the Public Works Committee and then City Council.
 - Allo will be holding a ground breaking at City Hall on July 31st at 9:30 a.m.
 - Diann Nettiffee's last day is today. She had been a long time City employee. She will be the new Saline County Clerk.
 - Telisha Carnes is being promoted to Office Manager.
 - When the park construction is complete looking to have some new sign layouts. That will go to the Public Works Committee.
 - Revisiting bathroom space at City Park and looking at possibly modular bathrooms.
- Mayor Dave Bauer stated the following:
 - Thanked everyone involved in the 4th of July weekend.
 - Welcomed new employees and is happy for the advancement of Telisha Carnes. It's always good to be able to promote within the City.
 - There is an opening for Seward Saline Waste Compact Representative.
 - City Council member Dan Papik mentioned he would not be opposed to attend the meetings.

7. Adjournment

6:46 p.m.

Mayor

(SEAL)

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.

City Clerk-Treasurer

(S E A L)