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## **CITY COUNCIL REGULAR MEETING**

February 1, 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 items 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. December 7, 2021 Public Works Committee Meeting Minutes**

**3.A.2. December 21, 2021 Finance Committee Meeting Minutes**

**3.A.3. December 21, 2021 Legislative/Economic Development Committee Meeting Minutes**

- 3.A.4. December 21, 2021 Public Safety Committee Meeting Minutes**
- 3.A.5. December 21, 2021 Public Works Committee Meeting Minutes**
- 3.A.6. December 21, 2021 City Council Meeting Minutes**
- 3.A.7. January 4, 2022 City Council Meeting Minutes**
- 3.A.8. January 4, 2022 Finance Committee Minutes**
- 3.A.9. January 4, 2022 Public Safety Committee Minutes**
- 3.A.10. January 18, 2022 Legislative Development Committee Minutes**
- 3.A.11. January 18, 2022 City Council Meeting Minutes**
- 3.B. Accept the City Treasurer's Report**
- 3.C. Approve the Payment of Claims Against the City**
- 3.C.1. January 4, 2022 Claims Paid           \$1,770,787.13**
- 3.C.2. January 18, 2022 Claims Paid       \$ 500,868.82**
- 3.C.3. February 1, 2022 Claims to Pay   \$1,064,000.77 including:**
  - **Claim from James County for sewer service line work at 160 S. Grove Ave.**
  - **\$9,934.26 to Gilmore & Associates for engineering work on the 22nd Street Culvert and Lift Station Projects.**

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

##### **4.A. Review the annual independent audit report.**

Finance Committee Chair Travis Sears reported that Marcy Luth of AMGL reviewed the annual audit report with the Finance Committee via Zoom video call earlier today. She reviewed a spreadsheet of information comparing the audited information with previous years' information, other cities similar in size to the City of Crete and recommendations/targets by the firm for the City. The City is meeting all the parameters set out by the firm except for operating income for the water fund, which is being addressed with a water rate study. Also noted was that the valuation of the city is below the peer communities, so the property tax levy and state aid received is higher.

##### **4.B. Items from the January 4, 2022 City Council Meeting**

Due to some meeting notice publication irregularities, the past meeting actions will be acted on again.

##### **4.B.1. Consider approving the payment of \$120,357.00 to Dostals Construction Company for construction expenses on the Wildwood Pool splash pad.**

City Administrator Tom Ourada reported that this payment is for the work completed in the last quarter of 2021 on the new splash pad at the Wildwood Pool.

Approve the payment of \$120,357.00 to Dostals Construction Company for construction expenses on the Wildwood Pool splash pad. 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.B.2. Consider authorizing the purchase of an additional new police cruiser from AFL, LLC for \$36,516 and the installation of police vehicle equipment by Jones Automotive for \$11,064.08.**

City Administrator Tom Ourada reported that this vehicle may be used as a K-9 unit, but there are some answers still needed as far as the operations would be handled. The vehicle will be purchased regardless if it is a K-9 unit or not.

Authorize the purchase of an additional new police cruiser from AFL, LLC for \$36,516 and the installation of police vehicle equipment by Jones Automotive for \$11,064.08. 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.3. Consider authorizing the payment of up to \$3,500 to JEO Consulting Group for consulting services related to a new water rate study.**

City Administrator reported that the recent water rate change did not generate the income that was projected so an update to the study is required to adjust the rates further.

Authorize the payment of up to \$3,500 to JEO Consulting Group for consulting services related to a new water rate study. 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.B.4. Consider enacting Ordinance 2144: An ordinance authorizing and directing the issuance of sanitary sewer revenue refunding bonds.**

City Administrator Tom Ourada reported that a revenue bond to refinance the R-1 Series USDA Loan on the WWTP would save some interest funds over the life of the bonds. The R-2 and R-3 Series USDA Loans have lower interest rates and will not be refinanced with this issue.

Introduce Ordinance 2144 and waive the statutory rule for reading the ordinance by title on three different days. 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

Approve and enact Ordinance 2144 on final passage. 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.C. Items from the January 18, 2022 City Council Meeting**

Due to some meeting notice publication irregularities, the past meeting actions will be acted on again.

##### **4.C.1. Consider approving the payment of \$3,168.81 to Kingery Construction for demolition work on the Isis Theatre.**

City Administrator Tom Ourada reported that the Isis Theater remodel demolition work is now complete. The pay application is reviewed by the Blue River Arts Council and City staff before being presented for payment.

Approve the payment of \$3,168.81 to Kingery Construction for demolition work on the Isis Theatre. Carried with a motion by Ryan Hinz 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.C.2. Consider awarding projects for the second round of the Downtown Revitalization Program.**

City Administrator Tom Ourada reported that this final round of awards in the second DTR Grant Cycle have been reviewed by the committee and meet the requirements for the grant. These projects encompass 11 addresses on Main Avenue and 13th Street and will be noticeable this spring when completed.

Award projects for the second round of the Downtown Revitalization Program in the amount of \$184,000. Carried with a motion by Ryan Hinz and a second by Jack Oelschlager.

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

Aye: 6, No: 0

##### **4.C.3. Consider enacting Ordinance 2145: An ordinance relating to nuisances and city hearings.**

City Administrator Tom Ourada reported that this ordinance is very comprehensive and will make some changes to the nuisance and hearing procedures that will make the process more efficient for everyone involved.

Introduce Ordinance 2145 and waive the statutory rule to read the ordinance by title on three different days. Carried with a motion by Ryan Hinz and a second by Jack Oelschlager.

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

Aye: 6, No: 0

Approve and enact Ordinance 2145 on final passage. Carried with a motion by Ryan Hinz and a second by Jack Oelschlager.

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 a recommendation to the Liquor Control Commission on a liquor manager application by David Holling for College Heights Country Club.**

City Administrator Tom Ourada reported that the Liquor Control Commission is looking for a recommendation by the City Council on a new manager for the College Heights Country Club Class C Liquor License.

Recommend the Liquor Control Commission approve a liquor license manager application by David Holling for College Heights Country Club. Carried with a motion by Dale Strehle 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.E. Consider approving the renewal of employee health and dental insurance coverage with Blue Cross & Blue Shield of Nebraska and Principal Financial.**

City Administrator reported that HR Coordinator Wendy Thomas has done a very good job of getting quotes on insurance coverage for the employee of the City. Representatives from Benefit Management reviewed the quotes with the Finance Committee earlier today.

Finance Committee Chair Travis Sears reported that after reviewing the information, the Finance Committee recommends that the employee health insurance renewal with BlueCross BlueShield of Nebraska be approved. They also recommend that the employee dental insurance renewal with Principal be approved.

Approve the renewal of employee health insurance coverage with Blue Cross & Blue Shield of Nebraska and employee dental insurance coverage with Principal Financial. 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.F. Consider approving Crete Public Schools request to hang banners from street poles around the Cardinal Welcome Center, Crete Elementary School, and Crete High School.**

City Administrator Tom Ourada reported that the public schools request is similar to requests in the past, each approved by different means. Council discussion led to a consensus that a comprehensive process of application and approval needs to be developed to address banners on city poles.

Forward consideration of Crete Public Schools request to hang banners from street poles around the Cardinal Welcome Center, Crete Elementary School, and Crete High School to the Public Works Committee. Carried with a motion by Travis Sears 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.G. Consider awarding \$75,869 of LB840 funds to Becker Industries, LLC to renovate 1236 Main Ave for a new Hotworx fitness studio.**

City Administrator Tom Ourada reported that City staff and the Legislative Development Committee have reviewed the LB840 application of Becker Industries. The request is for building renovations to house a Hotworx franchise.

Katie Becker, part owner, reported that the membership sales are over 50% of the goal that was set for opening in late spring 2022.

Legislative Development Committee Chair Ryan Hinz reported that the committee met and reviewed that application and after applying the matrix for award to the request, recommend an award of \$75,869 to Becker Industries LLC.

Award \$75,869 of LB840 funds to Becker Industries, LLC to renovate 1236 Main Ave for a new Hotworx fitness studio. Carried with a motion by Ryan Hinz and a second by Jack Oelschlager.

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 approving the payment of \$94,489.14 to Van Kirk Bros. Contracting for the West Crete Sewer Project.**

City Administrator Tom Ourada reported that there is only finish work to be completed on this project and there are still two change orders that have not been received yet.

Finance Committee Chair Travis Sears reported that the committee reviewed the application and recommends payment.

Approve the payment of \$94,489.14 to Van Kirk Bros. Contracting for the West Crete Sewer Project. 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.I. Consider awarding the contracts for the 22nd Street Culvert and Lift Station Projects to General Excavating of Lincoln, Nebraska.**

City Administrator Tom Ourada reported that the bids were over the engineer's estimate by over \$100,000. With the increase in materials and fuel, this was expected. The engineers recommend that both contracts be awarded to General Excavation for a total of \$1,238,478.60. The Public Works Committee Chair Dale Strehle reported that the committee reviewed the bids and recommendations. This project has needed to be done for a long time and recommends that the engineer's recommendations be approved.

Award the contracts for the 22nd Street Culvert and Lift Station Projects to General Excavating of Lincoln, Nebraska at a cost of \$1,283,478.60. 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.J. Consider adopting the 2022 Street Improvement Plan.**

City Administrator Tom Ourada reported that the 2022 Street Improvement Plan contains 13 projects. Project #1 was approved in the previous agenda item. Projects 2-11 are gap paving projects on the north side of the City. The total cost of the gap paving projects is approximately \$3,000,000 with approximately 1/2 of that being general obligation.

The Public Works Committee Chair Dale Strehle reported that the committee has reviewed the 2022 Street Improvement plan and recommend adopting the plan. The committee also would like to see gap paving projects 2-8 completed in 2022.

Adopt the 2022 Street Improvement Plan and work to have gap paving projects 2-8 completed in the current year. 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

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

#### **6. Officers' Reports**

Brian Stork, Public Works Director, reported the Street Department received a safety grant from LARM for \$500 for the purchase of traffic cones.

Joy Stevenson, Library Director, reported the following:

- The Dolly Parton's Imagination Library, spearheaded by the Friends of Crete Public Library, has 60 kids signed up in the first couple of days;
- Volunteer Income Tax Assistance program has 10 people signed up in two days and continues to be very well received;
- The library's Blind Date with a Book starts in February

Dan Papik, Council Member Ward 1, thanked Katie Becker for coming to the meeting and starting a new business in Crete.

Tom Ourada, City Administrator, reported the following:

- Work on a Railway Transportation Safety District will be started so that safety study can be done with possible results being a quiet zone and/or improved railroad crossings.
- The Tuxedo Park improvement planning meeting had to be postponed due to scheduling conflicts;
- Nestle has been contacted about the truck traffic on the highway, but we have not gotten a reply yet.
- The Public Works Committee substation engineer interviews are Wednesday and Friday at the Crete Carrier Community Room.
- There will be a wholesale electric rate increase of 2-3%, so meetings with MEAN representatives will be scheduled to discuss a possible retail rate review;

- The solar project can go to 3.8 MW, which would not fit on the City's property. Other property owners have been contacted about putting additional solar on the acres adjacent to the city owned property.

## **7. Adjournment**

The meeting adjourned at 6:45 PM.

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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.

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City Clerk-Treasurer

(S E A L)