



CITY COUNCIL REGULAR MEETING

July 2nd, 2024 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

Tom Crisman:	Present
Anthony Fitzgerald:	Present
Kyle Frans:	Present
Ashley Newmyer:	Present
Dan Papik:	Present
Dale Strehle:	Present

Present: 6.

3. Consent Agenda

Approved the consent agenda Carried with a motion by Dale Strehle and a second by Dan Papik.
Tom Crisman: Aye, Anthony Fitzgerald: Aye, Kyle Frans: Aye, Ashley Newmyer: Aye, Dan Papik: Aye, Dale Strehle: Aye
Aye: 6, No: 0

3.A. Approve Meeting Minutes

3.A.1. June 26th 2024, Special City Council Minutes

3.B. Accept the City Treasurer's Report

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

4. Items of Business

4.A. Public Hearing on Ordinance 2207 Adding Garage Sale Imitations to City

Opened the Public Hearing on Ordinance 2207 Adding Garage Sale Imitations to City Code at 6:02 p.m.

Opened the Public Hearing on Ordinance 2207 Adding Garage Sale Imitations Carried with a motion by Dale Strehle and a second by Dan Papik.

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

Aye: 6, No: 0

City Administrator Tom Ourada stated that they took a look at this last year and didn't do it. However, there have been more complaints this year and did talk to the mayor about this. There are a number of different places where this is reoccurring. We did take a draft to the Planning Commission that said no more than one garage sale every two months. The Planning Commission didn't really care for that and we altered it to no more than 1 garage sale in a 4-month period or 3 garage sales in a 12-month period and no more than 3 days in length. The Planning Commission did vote to send this to the City Council.

Mayor Dave Bauer added that this is not for your typical garage sale. Some of what is happening are almost department store sales. Council member Tom Crisman asked what the mechanism for enforcing this would be. Ourada explained that it would be enforced by complaint and is somewhat tied to the next hearing. If we have a complaint of more than one garage sale in a four-month period then we deal with that through the City Attorney's office as a code violation or ordinance violation.

Closed the Public Hearing at 6:05 p.m.

Closed the Public Hearing on Ordinance 2207 Adding Garage Sale Imitations to City Code Carried with a motion by Dale Strehle and a second by Dan Papik.

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

Aye: 6, No: 0

4.B. Consider Ordinance 2207 Adding Garage Sale Limitations to City

Introduce Ordinance 2207 and waive it be read on three separate days. Carried with a motion by Dale Strehle and a second by Anthony Fitzgerald.

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

Aye: 6, No: 0

Enact Ordinance 2207 Adding Garage Sale Limitations to City Code Carried with a motion by Dale Strehle and a second by Anthony Fitzgerald.

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

Aye: 6, No: 0

4.C. Public Hearing on Ordinance 2208 Amending Temporary Signs

Opened the Public Hearing on Ordinance 2208 Amending Temporary Signs at 6:08 p.m.
Opened the Public Hearing on Ordinance 2208 Amending Temporary Signs Carried with a motion by Dale Strehle and a second by Dan Papik.

Tom Crisman: Aye, Anthony Fitzgerald: Aye, Kyle Frans: Aye, Ashley Newmyer: Aye, Dan Papik: Aye, Dale Strehle: Aye
Aye: 6, No: 0

City Administrator Tom Ourada stated that this is to amend the temporary sign portion of the code. This deals specifically with garage sale signs being placed no more than two days before the sale and have to be removed no more than two days after the sale. This one was specifically requested by the mayor. The Planning Commission did hear this and had some questions about enforcement. City employees would take down the signs that are in violation and the cost would be borne by the person having the garage sale. The Planning Commission did vote to pass this to the City Council.

Mayor Dave Bauer stated that the issue is that signs are being put up around the city where traffic can see them but then they don't come to take them down. Ourada added that people put them in the right of way and it is not legal to put them there and campaign signs are also not legal in the right of way. People also put signs in other people's property without their permission.

Council member Tom Crisman asked about the code mentioning not having signs attached to light poles and City Attorney Anna Burge added that is already previously included in the city code.

Council member Anthony Fitzgerald asked if there could be brochures made with information about garage sales and the signs.

The Public Hearing closed at 6:18 p.m.
Closed the Public Hearing on Ordinance 2208 Amending Temporary Signs Carried with a motion by Dale Strehle and a second by Dan Papik.
Tom Crisman: Aye, Anthony Fitzgerald: Aye, Kyle Frans: Aye, Ashley Newmyer: Aye, Dan Papik: Aye, Dale Strehle: Aye
Aye: 6, No: 0

4.D. Consider Ordinance 2208 Amending Temporary Signs

Introduce Ordinance 2208 and waive it be read on three separate days Carried with a motion by Dale Strehle and a second by Anthony Fitzgerald.

Tom Crisman: Aye, Anthony Fitzgerald: Aye, Kyle Frans: Aye, Ashley Newmyer: Aye, Dan Papik: Aye, Dale Strehle: Aye
Aye: 6, No: 0

Enact Ordinance 2208 Amending Temporary Signs Carried with a motion by Dale Strehle and a second by Anthony Fitzgerald.

Tom Crisman: Aye, Anthony Fitzgerald: Aye, Kyle Frans: Aye, Ashley Newmyer: Aye, Dan Papik: Aye, Dale Strehle: Aye
Aye: 6, No: 0

4.E. Consider the Southeast Nebraska Development District invoice in the amount of \$6,630.00

City Administrator Tom Ourada stated that this is for membership and that typically this is brought to the City Council to decide to continue with the membership. Ourada informed the

council that today SENDD let the City of Crete know that they are 100% LMI Low-and-moderate income and they would write the Community Development Block Grant for us and would enable us to get the \$450,000 to help offset some of the expenses for the 15th street project.

Approved the Southeast Nebraska Development District invoice in the amount of \$6,630.00 Carried with a motion by Dale Strehle and a second by Dan Papik.

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

Aye: 6, No: 0

4.F. Consider authorizing the Crete Fire Department to apply for the Gary Sinise Foundation Grant.

City Administrator Tom Ourada stated that this is for a grant they want to apply for to help fund the airbag replacements.

Approved to Authorize the Crete Fire Department to apply for the Gary Sinise Foundation Carried with a motion by Dan Papik and a second by Anthony Fitzgerald.

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

Aye: 6, No: 0

4.G. Consider Jack Cochnar's amendment to the Downtown Revitalization Program application for 142 W 13th St, Crete, NE.

City Administrator Tom Ourada added that this is an extension to a prior amendment or extension letter to a previous application. We had someone else not participating and that enabled us to use that money towards other projects. This was one of the applications that had increased funding costs.

Approved Jack Cochnar's amendment to the Downtown Revitalization Program application for 142 W 13th St, Crete, NE up to the allowed program amount. Carried with a motion by Anthony Fitzgerald and a second by Dale Strehle.

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

Aye: 6, No: 0

4.H. Consider the Saline County Ag Society Agreement.

City Attorney Anna Burge explained that this is the final draft of the Saline County Ag Society lease for Tuxedo Park. They have multiple buildings there and Burge explained that there was one correction on the date to July. The major changes are towards the end of the agreement, going over what happens if this agreement is terminated. Specifically, if the fair board is unable to move the buildings that are on Tuxedo Park property after a year, they have at 11 months they have to notify the City and request additional time. They do have to show a specific timeline of when they would have all the buildings moved. Burge explained that the biggest change that has caused some conversation has been that they are asking \$1,000 a year for the facility or they provide in kind services. For example, them volunteering and doing work out at Tuxedo Park throughout the year. In negotiating with their attorney, it was discussed that most

Ag Societies have to own their properties, and they have to deal with the maintenance of the property year-round. We did point it out the Ag Society that they do get to lease out the buildings year round and the City of Crete takes care of the snow removal on the roads. That \$1,000 quickly became a non-issue.

City Administrator Tom Ourada stated that this encouraged partnership.

Approved the Saline County Ag Society Agreement. Carried with a motion by Ashley Newmyer and a second by Kyle Frans.

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

Aye: 6, No: 0

4.I. Consider Application for Special Event Permit SE 24-02 from the Nebraska Extension 4-H for the BB Gun Show and Junior Trapshoot

Park and Recreation Committee Chair and City Council member Ashley Newmyer stated that they reviewed this and she moved to approve this contingent on the City of Crete being named as an additional insurer.

Approved the Application for Special Event Permit SE 24-02 from the Nebraska Extension 4-H for the BB Gun Show and Junior Trapshoot contingent on the City of Crete being named as additional insured. Carried with a motion by Ashley Newmyer and a second by Kyle Frans.

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

Aye: 6, No: 0

4.J. Consider Application for Prohibited Animal Exception PA24-02 from Nebraska Extension 4-H

Approved the Application for Prohibited Animal Exception PA24-02 from Nebraska Extension 4-H contingent on the City of Crete being named as additional insured. Carried with a motion by Ashley Newmyer and a second by Kyle Frans.

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

Aye: 6, No: 0

5. Petitions - Communications - Citizen Concerns

6. Officers' Reports

- Library Director Jessica Wilkinson stated the following:
 - Started the book sale on July 1st, 2024 and they are off to a good start.
 - Summer Reading Program Kick-off was on Saturday, June 29th, 2024 and there were over 100 children engaged in various activities.
 - An over night lock in will be a future event in August.
- Chief of Police Gary Young stated the following:

- The City Council will be seeing an application the Crete Police Department would like to apply for fiscal year 24/25 for the Special Traffic Enforcement Programs (STEP) grant.
 - Chief Young provided a report on what happened on Friday, June 28th, 2024 at around 4:33 p.m. Southeast Communications began receiving calls regarding a shooting with multiple victims 1225 Crestline.
 - Officers formed a team and approached the area. As they approached, they could hear gun fire. The Officers learned from dispatch that all the victims were in the house at 1225 Crestline and the shooter was at 1810 Parklane. While the rescue was being conducted, the Nebraska State Patrol was notified and a request sent for their SWAT team and criminal investigation. Using the drone cameras, they saw a male in a bedroom who appeared deceased from a self-inflicted gunshot wound to the head. Much later in the evening, one of the adults at the police department noticed they had been struck by a pellet from a shotgun and was taken to CAMC for treatment. This created confusion about the number of the victims being 6 or 7. Lincoln Police Department assisted as victims were transferred to Bryan West. (The complete report available at the Clerk's Office)
 - The family has been in contact with agencies and thanked Mayor Bauer and Community Assistance Director Marilyn Schacht has been helping the family as well.
 - All the victims have been released from the hospital and thankful that Schacht has been helping the family.
 - The Crete Volunteer Fire Department was one of the first departments there.
- Mayor Dave Bauer stated that this was an example of the amazing work that the Crete Police Department and Crete Volunteer Fire Department carry out. Thanked all the other communities who helped. Bauer stated that when speaking to the families he reassured them that Crete is a good place to live and they are not alone the community is here to help and support them.
 - Council member Tom Crisman told Chief Young that they did a fine job and he is happy to work with them.
 - Council member Ashley Newmyer thanked Chief Young and Chief Allen.
 - Council member Dale Strehle thanked the police and fire departments and stated that he hopes and prays that both the victim's family and the shooter's family heal.
 - Council member Dan Papik thanked everyone that helped.
 - Council member Anthony Fitzgerald gave thanks and stated that its encouraging to see how they are making sure there are accurate accounts of what happened and that Crete is a safe community. The Crete Police Department, Crete Volunteer Fire Department and City Staff are the backbone of the City and help make it safe.
 - City Administrator Tom Ourada stated the following:
- The municipal equalization numbers came in and they are going down about \$6,300 but there is no growth. Last year they went up by about \$100,000 but the year before that they went down by about \$100,000. If we grew our property tax by 2 ½ % which is the max we are allowed by law and if the City Council does a super majority vote of the council. The 1% majority vote plus the 2 ½ % to take it to 3 ½ % that's \$44, 030. That doesn't leave a lot and there are a few other funding mechanisms. We have to wait and see what the county says about property tax. That's assuming that the valuations went up. They went up last year but the levy went down. We can't spend all of our tax authority. We have

constraints and there won't be a lot of latitude to do a lot of things from an operational stand point. There are some overages in departments which if we do have any excess in the budget that will be consumed by the overages in the departments.

- This is Finance Director's Wendy Thomas' first year and she is looking forward to the budget.
 - Will be meeting with the department heads so they can get an idea of what their expectations will be and then the City Council and Committees.
 - The incident that Chief Young spoke about were all city assets that worked with the other departments. Ourada spoke about how the City Council acted on the training and Emergency Operations Plan. They do train and we all train at different levels. The Fire Department trains with other agencies and the Police Department trains internally and with other agencies. There are people that think that you over react and there are people that think you don't train enough.
 - When this was taking place Ourada was getting frequent phone calls about what was happening from the Chief and relaying to Mayor Bauer.
 - Ourada told Chief Young that if they needed more City of Crete assets to let him know. They had plenty from their department and other departments. Chief Young did state they needed barricades and Street Supervisor Trenton Griffin mobilized to provide what they needed.
 - People speculate on the motive of the shooter and if he was targeting people. We do know that this person didn't seem to like anyone.
 - Talked about doing a community event during Welcoming Week in September and have all the community help with the planning. Have Crete capitalize on the good and not be known for that in 2024. Have t-shirts and business logos on them in Spanish and English.
 - Sent out letters about 15th Street paving. Heard back from 6 property owners.
 - Second letter sent out on Monday, July 1st 2024 about 15th Street clarifying that this has not been decided by the Mayor and Council.
 - Notified on July 1st 2024 that our Low Moderate-Income designation changed and is community wide. Instead of 46% LMI now we are 58% and city wide so anywhere in the city can qualify for a block grant.
 - Ourada mentioned he started doing the math and could possibly apply for \$450,000 to help provide some relief on 15th street.
 - Will be bringing this to the Public Works Committee and then City Council.
 - Ground breaking this week or next on property sold to a local developer that didn't ask for Tax Increment Financing or LB840. There will be several million dollars of investment there. We repaid that money that we got from the sale back into the LB840 fund. Reminded that next year the LB840 program sunsets. Can let it sunset or go through a vote to get it renewed.
- Mayor Dave Bauer stated that we could do this community event with a little twist and show that we are all one and get more community support. Bauer reminded everyone that Crete is a good community live in.

7. Adjournment

Meeting adjourned at 7:05 p.m.

Mayor

(SEAL)

City Clerk

I, Nancy Tellez, 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

(S E A L)