



---

## CITY COUNCIL REGULAR MEETING

August 15<sup>th</sup>, 2023 at 6:00 PM  
Crete City Hall, 243 East 13<sup>th</sup> 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

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

Present: 5, Absent: 1.

#### 3. Consent Agenda

Approve Consent Agenda as presented. 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, Dale Strehle: Aye

Aye: 5, No: 0

#### 3.A. Approve Meeting Minutes

- 3.A.1. August 1, 2023 Finance Committee Minutes
- 3.A.2. August 1, 2023 Public Safety Committee Minutes
- 3.A.3. August 1, 2023 City Council Meeting Minutes
- 3.A.4. August 7, 2023 Planning Commission Minutes
- 3.A.5. August 10, 2023 Airport Advisory Board Minutes
- 3.A.6. July 5, 2023 Public Works Committee Minutes
- 3.A.7. July 18, 2023 Public Works Committee Minutes
- 3.A.8. August 1, 2023 Public Works Committee Minutes
- 3.B. Accept the City Treasurer's Report
- 3.C. Approve the Payment of Claims Against the City
- 3.D. Approve Cline Williams invoices totalling \$9,632.06

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

##### **4.A. Consider authorizing to apply for the Rural and Tribal Assistance Pilot Program.**

City Administrator Tom Ourada stated that this item was going to be at the last council meeting. However, the deadline for the application was before the council meeting. The application was submitted on August 14th 2023 for \$360,000 for planning activities for a pedestrian bridge over highway 33 and the railroad. There is no matched requirement and this item did go to the finance committee.

Authorized to apply for the Rural and Tribal Assistance Pilot Program. Carried with a motion by Tom Crisman and a second by Kyle Frans.

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

Aye: 5, No: 0

##### **4.B. Consider the Belohavy Estates Administrative Subdivision.**

City Administrator Tom Ourada explained that this is a straightforward subdivision replotting two lots.

City Attorney Anna Burge stated that this is an extension on the back of lot 4ft on the set back in order to bring into compliance.

Approved the Belohavy Estates Administrative Subdivision. Carried with a motion by Dale Strehle and a second by Tom Crisman.

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

Aye: 5, No: 0

Mayor Bauer added that the 4ft of property was purchased privately.

##### **4.C. Consider the Contractor's Application for Payment from Constructors, Inc. for Project No. 23-015 in the amount of \$232,336.90.**

City Administrator This is for the Northside paving project.

Approved the Contractor's Application for Payment from Constructors, Inc. for Project No. 23-015 in the amount of \$232,336.90. 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, Dale Strehle: Aye

Aye: 5, No: 0

**4.D. Consider renewing the membership with Southeast Nebraska Development District.**

City Administrator Tom Ourada stated that there are no reasons not to renew membership with SENDD. There are some projects coming up that SENDD is going to be helping with.

Approved renewing the membership with Southeast Nebraska Development District.  
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, Dale Strehle: Aye

Aye: 5, No: 0

**4.E. Consider approving the payment of claims to ACE Hardware in the amount of \$1,364.25.**

Approved the payment of claims to ACE Hardware in the amount of \$1,364.25. Carried with a motion by Dale Strehle and a second by Tom Crisman.

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

Aye: 5, No: 0

**4.F. Consider adopting Resolution 2023-16: A resolution authorizing the Mayor to sign the Nebraska Board of Public Roads Classifications and Standards Municipal Annual Certification of Program Compliance.**

City Administrator Tom Ourada explained that this is something that is done every year in order to receive the allocation for having a qualifying street program.

Introduced and adopted Resolution 2023-16: A resolution authorizing the Mayor to sign the Nebraska Board of Public Roads Classifications and Standards Municipal Annual Certification of Program Compliance. 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, Dale Strehle: Aye

Aye: 5, No: 0

**4.G. Consider Ordinance No.2176; An Ordinance of the City of Crete, Nebraska Relating to Annexation; To annex certain contiguous or adjacent land in part of the SE 1/4 of the NW 1/4 of Section 33, T8N, R4E; and to extend the corporate limits of the City.**

City Administrator Tom Ourada stated that this is to annex the 4 ft.

Approved the first reading of Ordinance No.2176; An Ordinance of the City of Crete, Nebraska Relating to Annexation; To annex certain contiguous or adjacent land in part of the SE 1/4 of the NW 1/4 of Section 33, T8N, R4E; and to extend the corporate limits of the City.

Carried with a motion by Dale Strehle and a second by Kyle Frans.

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

Aye: 5, No: 0

**4.H. Consider the Preliminary Plat for Butterfly Acres.**

City Administrator Tom Ourada stated that this went to the Planning Commission. Mike Decker with Civil Design explained that these are 3 acre properties that will have individual sewer and water.

Approved the Preliminary Plat for Butterfly Acres. 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, Dale Strehle: Aye  
Aye: 5, No: 0

#### **4.I. Consider the renewal of the Union Bank and Trust Revised Defined Contribution Plan Services Agreements for the Civilian Employee and Police Officer Pension Plans with Union Bank and Trust.**

City Clerk-Treasurer Jerry Wicox explained that there have been updates to comply with the IRS changes. The fees are not changing and these are just updates from the IRS. These are administrative actions for the updates for cyber security and there was added language if there is ever litigation and how to proceed. The fee schedule is the same and there are no changes to the mutual funds.

Approved the renewal of the Union Bank and Trust Revised Defined Contribution Plan Services Agreements for the Civilian Employee and Police Officer Pension Plans with Union Bank and Trust. Carried with a motion by Tom Crisman and a second by Ashley Newmyer.

Tom Crisman: Aye, Anthony Fitzgerald: Aye, Kyle Frans: Aye, Ashley Newmyer: Aye, Dale Strehle: Aye  
Aye: 5, No: 0

#### **4.J. Consider the Substation Transformer and Switchgear bids.**

City Administrator Tom Ourada explained that this went to the Public Works Committee and he stated that he is currently working with EDA to apply for a grant for the Substation Transformer and Switchgear. If the bids are rejected, the rebid prices might be about 3-5% higher. It is well worth the risk to wait and apply for the grants.

Rejected the Substation Transformer and Switchgear bids. Carried with a motion by Dale Strehle and a second by Tom Crisman.

Tom Crisman: Aye, Anthony Fitzgerald: Aye, Kyle Frans: Aye, Ashley Newmyer: Aye, Dale Strehle: Aye  
Aye: 5, No: 0

#### **4.K. Consider the amended utility payment Agreement and Waiver Of Notice Policy**

City Administrator Tom Ourada explained that Human Resource Director Wendy Thomas and Office Manager/ Administrative Assistant Telisha Carnes have been working on the amended utility payment agreement and waiver of notice policy. Ourada and City Attorney Anna Burge looked at it and made some changes to it.

Approved the amended utility payment Agreement and Waiver Of Notice Policy 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, Dale Strehle: Aye

Aye: 5, No: 0

#### **4.L. Consider the LB840 Application from ALLO Crete, LLC.**

City Administrator Tom Ourada explained that ALLO Crete, LLC is seeking LB840 funds for their office renovations. ALLO had talked about having an office and were looking at different communities from around the area Crete, Milford and Seward. We told them that if they located an office here in Crete they might be able to receive assistance through LB840. ALLO Crete, LLC has signed a long-term lease at 1228 Main Ave #2, Crete. They plan to have about 7 employees and a base in the back for service crews.

Approved the LB840 Application from ALLO Crete, LLC. 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, Dale Strehle: Aye

Aye: 5, No: 0

#### **4.M. Consider the LB840 Application from Charpen Properties LLC.**

City Administrator Tom Ourada stated that Charpen Properties, LLC is applying for LB840 funds. They are located right around the corner from where ALLO Crete, LLC is going to be located. They are planning to have mix use of the building downtown with an apartment on top and a storefront. LB840 awards only up to 50% of the project.

Approved the LB840 Application from Charpen Properties LLC. 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, Dale Strehle: Aye

Aye: 5, No: 0

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

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

- Chief of Police Young reported the following:
  - The National Night Out in association with the Community Back to School Picnic at Doane University was very well attended.
  - A sprinkler system and new sod are being installed at the Police Station.
- Park and Recreation Director, Liz Cody reported the following:
  - The summer season is coming to a close and over 30 seasonal staff are through for the year and will be going back to school.
  - With the end of the pool season, repair and updates will begin. A new roof on the bathhouse is at the top of the list.
  - Flag Football registrations are ongoing.

- We are continuing to collaborate with partners for new programs and activities at Tuxedo Park.
- City Clerk-Treasurer Jerry Wilcox reported that the Class C liquor licenses in Crete were published for renewal and no objections were received prior to the deadline, so not action is necessary by the City Council.
- City Administrator, Tom Ourada reported the following:
  - The Finance Committee will meet on August 23<sup>rd</sup> 2023 at 4 PM.
  - The City Council will have a budget workshop on August 29<sup>th</sup> at 5 PM.
  - Will be working on grant and loan applications for a new water well and water main extensions. Water rates will be reviewed to be sure that they will be sufficient.
  - The Municipal Energy Agency of Nebraska, the City city's wholesale electricity supplier, will be having committee and board meetings in Kearney this week. The main topic will be new membership schedules that will address power supply for several decades. The City Council will be required to take action on the new agreements in the future.
  - We have two proposals to do a study for the Fire Station expansion. A decision will be made on which firm to use and the expansion will be included in the budget for next year.

#### **6.A. Class C Liquor License Automatic Renewals**

City Clerk-Treasurer Jerry Wilcox reported that the Class C liquor licenses in Crete were published for renewal and no objections were received prior to the deadline, so not action is necessary by the City Council.

#### **7. Adjournment**

6:55pm

---

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)