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## **CITY COUNCIL REGULAR MEETING**

April 4, 2023 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**

Tom Crisman: Present  
Kyle Frans: Present  
Jack Oelschlager: Present  
Dan Papik: Present  
Dale Strehle: Present

Present: 5

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

Approve Consent Agenda Carried with a motion by Dale Strehle and a second by Dan Papik.

Tom Crisman: Aye, Kyle Frans: Aye, Jack Oelschlager: Aye, Dan Papik: Aye, Dale Strehle: Aye  
Aye: 5, No: 0

3.A. Approve Meeting Minutes

3.A.1. March 21, 2023 City Council Meeting

3.A.2. March 21, 2023 Public Safety Committee Meeting

3.A.3. March 21, 2023 Personnel Committee Meeting

3.A.4. March 21, 2023 Legislative Development Committee Meeting

- 3.A.5. March 21, 2023 Finance Committee Meeting
- 3.B. Accept the City Treasurer's Report
- 3.C. Approve the Payment of Claims Against the City

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

##### **4.A. Adjourn City Council to a meeting of the Community Development Agency (CDA).**

Adjourn City Council to a meeting of the Community Development Agency (CDA).

Carried with a motion by Dale Strehle and a second by Dan Papik.

Tom Crisman: Aye, Kyle Frans: Aye, Jack Oelschlager: Aye, Dan Papik: Aye, Dale Strehle: Aye  
Aye: 5, No: 0

##### **4.A.1. Consider Resolution CDA23-01: Recommending the approval of a blight and substandard declaration and general redevelopment plan pursuant to the Nebraska Community Development Law.**

City Attorney Alison J Borer explained JEO Consulting Group prepared this blight study for an area on the east side of Crete, with properties generally along the north and south sides of East 13th Street east of Iris Ave. The law determines the language of blighted areas and this area meets the qualifications; the Planning Commission held a hearing and recommended the council move forward. This establishes a development area for TIF (tax increment financing) purposes, but does not approve any specific projects. This is a general guide for redevelopment projects in the area and certain area within the study would need to be annexed to be eligible for TIF.

Adopt Resolution CDA23-01: Recommending the approval of a blight and substandard declaration and general redevelopment plan pursuant to the Nebraska Community Development Law. Carried with a motion by Jack Oelschlager and a second by Dale Strehle.

Tom Crisman: Aye, Kyle Frans: Aye, Jack Oelschlager: Aye, Dan Papik: Aye, Dale Strehle: Aye  
Aye: 5, No: 0

##### **4.A.2. Adjourn the CDA to the City Council meeting.**

Adjourn the CDA to the City Council meeting. Carried with a motion by Dale Strehle and a second by Dan Papik.

Tom Crisman: Aye, Kyle Frans: Aye, Jack Oelschlager: Aye, Dan Papik: Aye, Dale Strehle: Aye  
Aye: 5, No: 0

##### **4.B. Public Hearing to hear testimony in favor of and/or opposition to the declaration of an area of the City (the "Subject Area") as blighted and substandard and in need of redevelopment pursuant to the Nebraska Community Development Law.**

Open the Public Hearing at 6:07pm. Carried with a motion by Dan Papik and a second by Dale Strehle.

Tom Crisman: Aye, Kyle Frans: Aye, Jack Oelschlager: Aye, Dan Papik: Aye, Dale Strehle: Aye  
Aye: 5, No: 0

Liz Cody, Park and Recreation Director, asked if there is a percentage of the city that can be designated as blighted and substandard? City Attorney Alison J Borer mentioned that up to 35% of the city can be designated as blighted and substandard. With this designation we will get confirmation that it remains under that percentage.

Close the Public Hearing at 6:08pm. Carried with a motion by Dale Strehle and a second by Dan Papik.

Tom Crisman: Aye, Kyle Frans: Aye, Jack Oelschlager: Aye, Dan Papik: Aye, Dale Strehle: Aye  
Aye: 5, No: 0

**4.B.1. Consider Resolution 2023-06: Declaring a portion of the City of Crete, Nebraska to be blighted and substandard.**

Introduced and adopt Resolution 2023-06: Declaring a portion of the City of Crete, Nebraska to be blighted and substandard. Carried with a motion by Dale Strehle and a second by Dan Papik.

Tom Crisman: Aye, Kyle Frans: Aye, Jack Oelschlager: Aye, Dan Papik: Aye, Dale Strehle: Aye  
Aye: 5, No: 0

**4.C. Public Hearing to hear testimony in favor of and/or opposition to action on a general redevelopment plan for the Subject Area.**

Opened Public Hearing at 6:10pm. Carried with a motion by Dale Strehle and a second by Dan Papik.

Tom Crisman: Aye, Kyle Frans: Aye, Jack Oelschlager: Aye, Dan Papik: Aye, Dale Strehle: Aye  
Aye: 5, No: 0

Craig Snyder, 2100 East 13th St, said he agreed with a letter (attached with agenda) sent by Gary Lothrop, not wanting his properties, currently outside the city limits, designated in this manner; and also asked about the redevelopment plan. City Attorney Alison J Borer stated that the redevelopment document is attached and includes general guidelines for the area; developers who have project proposals for this area in the future would bring those to the CDA for hearing, recommendations, etc. The TIF process requires an area to be declared blighted and substandard. City Administrator Tom Ourada clarified a redevelopment area could include property outside the city limits. However, TIF can only be applied to projects within the city limits.

Closed Public Hearing at 6:14pm. Carried with a motion by Dan Papik and a second by Dale Strehle.

Tom Crisman: Aye, Kyle Frans: Aye, Jack Oelschlager: Aye, Dan Papik: Aye, Dale Strehle: Aye  
Aye: 5, No: 0

**4.C.1. Consider Resolution 2023-07: Approving a general redevelopment plan for the City of Crete, Nebraska.**

Introduced and adopt Resolution 2023-07: Approving a general redevelopment plan for the City of Crete, Nebraska. Carried with a motion by Dale Strehle and a second by Dan Papik.

Tom Crisman: Aye, Kyle Frans: Aye, Jack Oelschlager: Aye, Dan Papik: Aye, Dale Strehle: Aye  
Aye: 5, No: 0

**4.D. Consider on first reading Ordinance 2168: An ordinance to annex Area #1 into the corporate limits of the City of Crete, Nebraska.**

City Administrator Tom Ourada explained Area #1 is the Fred Brown property, now owned by Mary Farrington Brown, and is a requested annexation for certain city services. A requested annexation allows the city to skip several statutory requirements in the approval process, including hearings. City Attorney Allison J Borer added that the Planning Commission recommended this annexation.

Introduced Ordinance 2168 and move that it be approved for its first reading and that its title be read and approved. Carried with a motion by Dale Strehle and a second by Dan Papik.

Tom Crisman: Aye, Kyle Frans: Aye, Jack Oelschlager: Aye, Dan Papik: Aye, Dale Strehle: Aye  
Aye: 5, No: 0

#### **4.E. Resolution 2023-05 Annexation Area #5**

City Administrator Tom Ourada explained this is the Alan and Cindy Wanek property, and this annexation was not requested by the owners. It is surrounded on three sides by property in the city limits and will follow the regular annexation process. City Attorney Alison J Borer stated that the first step for the city council to approve a resolution on this annexation is that this property is already served by all utilities except sanitary sewer and the item will go to the Planning Commission.

Adopt Resolution 2023-05 Annexation Area #5 Carried with a motion by Dale Strehle and a second by Dan Papik.

Tom Crisman: Aye, Kyle Frans: Aye, Jack Oelschlager: Aye, Dan Papik: Aye, Dale Strehle: Aye  
Aye: 5, No: 0

#### **4.F. Consider the Prohibited Animal Exception Application for 4H Horse Shows.**

Council member Jack Oelschlager mentioned that this is an annual event and was recommended by the Public Safety Committee.

Approve Prohibited Animal Exception Application for 4H Horse Shows. Carried with a motion by Jack Oelschlager and a second by Kyle Frans.

Tom Crisman: Aye, Kyle Frans: Aye, Jack Oelschlager: Aye, Dan Papik: Aye, Dale Strehle: Aye  
Aye: 5, No: 0

#### **4.G. Consider an application for LB840 Economic Development funding for Isis Theater Renovation by BRAC.**

City Administrator Tom Ourada explained that the Blue River Arts Council followed the LB840 process with this application and a recommendation was made to the Legislative and Economic Development Committee. In committee discussion, he noted that if the city had embarked on this project, improvements would likely only include the marquee, screen and HVAC, with the approach that we would do what would be necessary to make the theater operable, and we included the estimated sales tax expense, which we would not have had to pay. All of this was the basis of the award amount of \$351, 158.54. There are stipulations in case of default, in that the property, all inclusive, would return to the city so they can control the destiny of that building; BRAC would also recognize the city's contributions to enabling the project and that they will actively support the renewal of the LB840 program when it sunsets.

Council Member Dan Papik stated that Shaylene Smith shared information with the Committee, and there is still some apprehension, they will keep moving forward and recognize BRAC's work in the past four years.

Mayor Dave Bauer also applauded the BRAC committee for all their work raising funds.

Approve application for LB840 Economic Development funding for Isis Theater Renovation by BRAC. Carried with a motion by Dan Papik and a second by Tom Crisman.

Tom Crisman: Aye, Kyle Frans: Aye, Jack Oelschlager: Aye, Dan Papik: Aye, Dale Strehle: Aye  
Aye: 5, No: 0

**4.H. Consider an application for LB840 Economic Development funding for a marquee at The 1206.**

City Administrator Tom Ourada explained that he worked with Justin Jones and Elaine Woods on the marquee design. They went through and vetted the application thoroughly. It went to the Legislative and Economic Development Committee. Council Member Dan Papik stated that the committee picked this up and it is their recommendation the council approve the application.

Approve application for LB840 Economic Development funding for a marquee at The 1206. Carried with a motion by Dan Papik and a second by Tom Crisman.

Tom Crisman: Aye, Kyle Frans: Aye, Jack Oelschlager: Aye, Dan Papik: Aye, Dale Strehle: Aye  
Aye: 5, No: 0

**4.I. Consider an ambulance rate increase.**

Fire Chief Tod Allen stated that the department hasn't made a rate increase since 2017. The ambulance rates are what funds the fire station building. The proposed rates are in line with other departments that use the same billing service.

Approve an ambulance rate increase of 10%. Carried with a motion by Jack Oelschlager and a second by Tom Crisman.

Tom Crisman: Aye, Kyle Frans: Aye, Jack Oelschlager: Aye, Dan Papik: Aye, Dale Strehle: Aye  
Aye: 5, No: 0

**4.J. Consider the purchase of 5 sets of turnout gear for the Fire Department at a cost of \$18,515.**

Fire Chief Tod Allen explained that compliance with turnout gear maintains that it be less than 10 years old. The department has a routine of replacing 3-5 sets of gear nearly every year to maintain compliance. In this purchase, per item costs are as follows: coats \$2,716 each, pants \$2,125.

Approve the purchase of 5 sets of turnout gear for the Fire Department at a cost of \$24,205. Carried with a motion by Jack Oelschlager and a second by Tom Crisman.

Tom Crisman: Aye, Kyle Frans: Aye, Jack Oelschlager: Aye, Dan Papik: Aye, Dale Strehle: Aye  
Aye: 5, No: 0

**4.K. Consider Fire Department tanker repairs in the amount of \$4,342.65.**

Fire Chief Tod Allen stated that the pump panel was fixed after it was damaged and the truck is back in service.

Approve Fire Department tanker repairs in the amount of \$4,342.65. Carried with a motion by Jack Oelschlager and a second by Tom Crisman.

Tom Crisman: Aye, Kyle Frans: Aye, Jack Oelschlager: Aye, Dan Papik: Aye, Dale Strehle: Aye  
Aye: 5, No: 0

**4.L. Consider amending the Master Fee Schedule to change pool party rates.**

Council member Kyle Frans chair of the Park and Recreation committee, stated that they discussed fees at other pools, and recommended an increase to \$250 for pool parties and to keep other rates the same to stay affordable.

Approve amending the Master Fee Schedule to change pool party rates to \$250.00  
Carried with a motion by Kyle Frans and a second by Dale Strehle.

Tom Crisman: Aye, Kyle Frans: Aye, Jack Oelschlager: Aye, Dan Papik: Aye, Dale Strehle: Aye  
Aye: 5, No: 0

**4.M. Consider a bid to make park improvements on the site of the old library.**

City Administrator Tom Ourada explained that the original design was done last year and bids came in quite high. The council rejected those bids, opting to wait until spring. One bid was received this year that was barely reasonable, but workable. This project would reconstruct an exit drive on the east side of City Hall around to 12th Street and make room for a playground expansion with parking in the area of the old library.

Approve a bid in the amount of \$185,384 to make park improvements on the site of the old library. Carried with a motion by Kyle Frans and a second by Dale Strehle.

Tom Crisman: Aye, Kyle Frans: Aye, Jack Oelschlager: Aye, Dan Papik: Aye, Dale Strehle: Aye  
Aye: 5, No: 0

**4.N. Consider authorizing the Police Department to apply for a mini-grant to participate in "Click it or Ticket".**

Police Chief Gary Young explained these types of grants pay the costs of officers on overtime for special traffic enforcement.

Approve authorizing the Police Department to apply for a mini-grant to participate in "Click it or Ticket". Carried with a motion by Jack Oelschlager and a second by Dan Papik.

Tom Crisman: Aye, Kyle Frans: Aye, Jack Oelschlager: Aye, Dan Papik: Aye, Dale Strehle: Aye  
Aye: 5, No: 0

**4.O. Request of Eugene Wit to address the City Council.**

Crete resident Eugene Wit addressed the Council regarding nuisance properties.

**4.P. Consider Transferring the Sertoma Building at Tuxedo Park to the Saline County Ag Society.**

City Administrator Tom Ourada explained that the Ag Society is interested in acquiring the building and can use it. The city received the building from Sertoma for \$1 and already has two other rental buildings/spaces that operate now. Ourada will speak with the City attorney about the process for transferring ownership.

Approve transfer of the Sertoma building at Tuxedo Park to the Saline County Ag Society. Carried with a motion by Kyle Frans and a second by Dan Papik.

Tom Crisman: Aye, Kyle Frans: Aye, Jack Oelschlager: Aye, Dan Papik: Aye, Dale Strehle: Aye  
Aye: 5, No: 0

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

**6. Officers' Reports**

- Library Director Joy Stevenson stated that Jeff Barnes, author and photographer, will present "Marking Nebraska" on Tuesday, April 18<sup>th</sup> at 2pm at the library. Stevenson also mentioned that in preparation for the Summer Reading Program the library is working on having food trucks every Thursday night in the parking lot starting June 1<sup>st</sup> to kick off the program.

- Fire Chief Todd Allen explained that they are now using fire land uniforms. He stated that in February they had 63 calls, 26 medical, 18 transfers, 10 fire calls, and 4 car wrecks. In March they had 65 calls.
- Police Chief Gary Young stated Police Officer Noah Zach started this week and they are getting him prepared. He will be going to the academy on April 30<sup>th</sup>.
- Park and Recreation Director Liz Cody explained that she is working with Aaron Steffensmeier and Dan Dunaway on parks and the pool.
- Council member Dale Strehle mentioned he has seen many properties that the City is working on cleaning up. As other neighbors see what is happening that will motivate them to voluntarily clean up.
- Council member Dan Papik stated that he appreciates Eugene Wit addressing the City Council to share his information. Papik also thanked the Arts Council for all their hard work.
- City Administrator Tom Ourada reported the following:
  - City hired a new HR Coordinator.
  - Met with an architect about renovating the Community Center.
  - City has been helping Allo find a storefront. They have connected them with a former DTR recipient.
  - Carried out a City-wide cyber security presentation.
  - Ourada and Mayor Bauer spoke with Ann Richart, Aeronautics Director, about management at the airport and possibility of privatizing.
  - Spoke with business owner about moving business to Crete from another town into a newly constructed building.
  - Gave an update on the budget.
  - Would like to revisit the south Crete property acquisition.
- Mayor Dave Bauer commented that he appreciates Eugene Wit addressing the City Council and asking questions to get facts about what the City is working on. There are a lot of success with housing, and partnerships with Doane, the schools, and more in the community. He has heard from people about comments that are posted on social media without checking the facts. He would like to encourage people to call the City or go to the meetings to find out the facts.

## 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.

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City Clerk-Treasurer

(S E A L)