

ORDINANCE NO. 2218

AN ORDINANCE OF THE CITY OF CRETE, NEBRASKA, TO ENACT THE CITY CODE OF THE CITY OF CRETE, CHAPTER 2, COMMITTEES, COMMISSIONS, AND BOARDS; ARTICLE 19, BUSINESS IMPROVEMENT BOARD; SECTIONS 2-1901 THROUGH 2-1904; PROVIDING FOR REPEAL OF ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; ORDERING THE PUBLICATION OF THE ORDINANCE IN PAMPHLET FORM, AND PROVIDING FOR A TIME WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRETE, NEBRASKA:

Section 1. That Chapter 2, Article 19, Section 2-1901 of the Crete Municipal Code be enacted to read as follows:

2-1901 Business Improvement Board; Established

The Mayor, by and with the consent of the City Council, shall appoint a Business Improvement Board, which shall consist of five property owners, residents, business operators, or users of space within the business area of the Main Avenue Business Improvement District.

Section 2. That Chapter 2, Article 19, Section 2-1902 of the Crete Municipal Code be enacted to read as follows:

2-1902 Business Improvement Board; Appointment of Members; Terms; Removal; Vacancy

- (1) The five members of the Business Improvement Board shall be appointed by the Mayor with the approval of the City Council.
- (2) Members shall serve a three-year term and shall be appointed on a staggered basis. Initially, two members of the Board shall be appointed for three-year terms, two members shall be appointed for two-year terms, and one member shall be appointed for a one-year term. Members may serve more than one term.
- (3) Any member of the Board may be removed from office by the Mayor for truancy, incompetency, dereliction of duty, malfeasance in office, or other good cause.
- (4) In the event of a vacancy, an appointment shall be made to fill the vacancy in the same manner as provided herein. The newly appointed member shall serve for the remainder of the unexpired term they are filling.

Section 3. That Chapter 2, Article 19, Section 2-1903 of the Crete Municipal Code be enacted to read as follows:

2-1903 Business Improvement Board; Organization; Meetings; Rules and Regulations

- (1) Each December, the Business Improvement Board shall meet and elect a chairperson and secretary to serve for the following year. If either officer resigns or is removed from office, a successor shall be elected as the first item of business at the next meeting of the Board.
- (2) The Board shall meet at least quarterly including the last month of each calendar year. The Board may also meet as necessary upon the call of the chairperson, Mayor, or City Administrator.
- (3) The secretary of the Board shall prepare, distribute, and keep agendas and minutes of each meeting of the Board and submit the agendas and minutes to the City Clerk within two business days of

board approval of the minutes

- (4) Three of the five members of the Board shall constitute a quorum for the transaction of business, and, unless otherwise provided for, three affirmative votes shall be required for action any motion or other matter acted upon by the Board.
- (5) The Board may adopt and promulgate parliamentary rules and procedures to govern its meetings.

Section 4. That Chapter 2, Article 19, Section 2-1904 if the Crete Municipal Code be enacted to read as follows:

2-1904 Business Improvement Board; Duties and Responsibilities

- (1) The Business Improvement Board shall have the duty and responsibility to review and make recommendations to the City Council for the establishment of plans for improvements in the business area.
- (2) In the event it is found that the improvements to be included in one business area offer benefits that cannot be equitably assessed together under the Business Improvement District Act (Neb. Rev. Stat §§ 19-4015-4038), more than one business area may be proposed.
- (3) The business improvement board may make recommendations to the City as to the use of any occupation tax funds collected.
- (4) The business improvement board shall also review and make recommendations to the City regarding changing the boundaries or the functions or ordinance provisions of the business improvement district.

Section 5. That the above section shall be codified as part of the Crete City Code as stated herein.

Section 6. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

Section 7. This ordinance shall be published in pamphlet, book, or electronic form and shall take effect and be in full force and effect from and after its passage, approval and publication, as provided by law.

PASSED AND ENACTED the 15th day of October 2024.

Mayor

ATTEST:

City Clerk

Seal