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## CITY COUNCIL REGULAR MEETING

March 7, 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

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

Present: 4, Absent: 2.

#### 3. Consent Agenda

Remove the Mayor's appointment of Liz Cody as Parks and Recreation Director out of the consent agenda and table it until the next Council meeting. Carried with a motion by Tom Crisman and a second by Jack Oelschlager.

Tom Crisman: Aye, Jack Oelschlager: Aye, Dan Papik: Aye, Dale Strehle: Aye  
Aye: 4, No: 0, Absent: 2.

Approve the consent agenda, taking out 3E. Carried with a motion by Dale Strehle and a second by Dan Papik.

Tom Crisman: Aye, Jack Oelschlager: Aye, Dan Papik: Aye, Dale Strehle: Aye

Aye: 4, No: 0, Absent: 2.

**3.A. Approve Meeting Minutes**

**3.A.2. February 21, 2023 Finance Committee Meeting minutes**

**3.A.3. February 21, 2023 Public Safety Committee Meeting minutes**

**3.A.4. February 21, 2023 City Council Meeting minutes**

**3.B. Accept the City Treasurer's Report**

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

**3.D. Approve the corporate manager liquor application for Casey's Retail Company.**

**4. Items of Business**

**4.A. Public hearing on the annexation of Area #6 into the corporate limits of the City of Crete.**

Open the public hearing at 6:03 pm. Carried with a motion by Dale Strehle and a second by Tom Crisman.

Tom Crisman: Aye, Jack Oelschlager: Aye, Dan Papik: Aye, Dale Strehle: Aye

Aye: 4, No: 0, Absent: 2.

Attorney Alison Janecek Borer explained that the proposed property is contiguous to the city limits on three sides and meets all requirements to be annexed. The land owners have plans to develop the land and have requested the annexation.

Resident Lynn Forrester, of 1225 Jasmine Avenue, expressed concerns about the appearance of the potential development. She also stated that she was worried about the area being turned into a racetrack by future residents of the new development. She questioned the need for the City to annex more land for the development of housing.

City Administrator Tom Ourada and Mayor Dave Bauer acknowledged Forrester's concerns, explaining that with all of the local growth we're seeing, housing is our main concern. This development will provide much needed space for residents to make Crete their home. Addressing the racetrack concern, Ourada clarified that there is no current plan to connect Jasmine to Iris Avenue, but that this hearing is strictly regarding the annexation itself. There will be plenty of time to consider the concerns raised when the developers submit their final plans.

There were no other comments on the annexation.

Close the public hearing at 6:13 pm. Carried with a motion by Dale Strehle and a second by Dan Papik.

Tom Crisman: Aye, Jack Oelschlager: Aye, Dan Papik: Aye, Dale Strehle: Aye

Aye: 4, No: 0, Absent: 2.

**4.B. Consider approving Ordinance 2164: An ordinance to annex Area #6 into the corporate limits of the City of Crete for its second reading.**

AN ORDINANCE OF THE CITY OF CRETE, NEBRASKA TO ANNEX CERTAIN LAND INTO THE CORPORATE LIMITS OF THE CITY OF CRETE, NEBRASKA; AND RELATED MATTERS.

Approve Ordinance 2164 for its second 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, Jack Oelschlager: Aye, Dan Papik: Aye, Dale Strehle: Aye

Aye: 4, No: 0, Absent: 2.

#### **4.C. Consider enacting Ordinance 2165: An ordinance creating gap paving Street Improvement Districts.**

City Administrator Tom Ourada informed the Council that this ordinance affirms previous actions taken in the last year for gap paving plans on the north side of town. The Finance Committee met on this and recommended enacting the ordinance to create the improvement districts.

AN ORDINANCE OF THE CITY OF CRETE, NEBRASKA CREATING STREET IMPROVEMENT PROJECT NOS. 2022-1, 2022-2, 2022-3, 2022-4, 2022-5, 2022-6, 2022-7, 2022-8, AND 2022-9 DEFINING THE BOUNDARIES AND LIMITS THEREOF; PROVIDING FOR PAVING, GRADING, CURBING, GUTTERING, AND OTHER NECESSARY AND INCIDENTAL WORK; PROVIDING FOR THE PAYMENT OF SUCH IMPROVEMENTS AND OTHER INCIDENTAL EXPENSES BY THE ISSUANCE OF WARRANTS, BOND ANTICIPATION NOTES AND BONDS; PROVIDING FOR ASSESSMENT OF THE COSTS OF SUCH IMPROVEMENTS AGAINST THE PROPERTY SPECIALLY BENEFITED THEREBY AND THE LEVY OF GENERAL TAXES; PROVIDING FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET OR ELECTRONIC FORM; AND RELATED MATTERS

Introduce Ordinance 2165 and move that the statutory rule requiring three separate readings be suspended. Carried with a motion by Dale Strehle and a second by Dan Papik. Tom Crisman: Aye, Jack Oelschlager: Aye, Dan Papik: Aye, Dale Strehle: Aye  
Aye: 4, No: 0, Absent: 2.

Enact Ordinance 2165: An ordinance creating gap paving Street Improvement Districts. Carried with a motion by Dale Strehle and a second by Dan Papik. Tom Crisman: Aye, Jack Oelschlager: Aye, Dan Papik: Aye, Dale Strehle: Aye  
Aye: 4, No: 0, Absent: 2.

#### **4.D. Consider enacting Ordinance 2166: An ordinance authorizing the issuance and sale of bond anticipation notes, series 2023, of the principal amount not to exceed \$2,300,000.**

Scott Keene, from Piper Sandler, explained that state statute doesn't allow cities to fund these types of projects upfront. Bond anticipation notes will be issued with a maturity date of April 2026 and are callable one year after issuance. They will be designated as bank-qualified, which lowers the borrowing rate. City Administrator Tom Ourada commented that the city evaluated the project with the budget to ensure bond payments could be made. The Finance Committee met on this and recommended enacting the ordinance.

AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF BOND ANTICIPATION NOTES, SERIES 2023, OF THE CITY OF CRETE, NEBRASKA, OF THE PRINCIPAL AMOUNT OF NOT TO EXCEED TWO MILLION THREE HUNDRED THOUSAND DOLLARS (\$2,300,000) FOR THE PURPOSE OF PROVIDING INTERIM FINANCING FOR A PORTION OF THE COSTS OF CONSTRUCTING IMPROVEMENTS IN STREET IMPROVEMENT PROJECT NOS. 2022-1, 2022-2, 2022-3, 2022-4, 2022-5, 2022-6, 2022-7, 2022-8 AND 2022-9 OF THE CITY PENDING THE ISSUANCE OF PERMANENT GENERAL OBLIGATION BONDS; PRESCRIBING THE FORM OF SAID NOTES; AGREEING TO ISSUE GENERAL OBLIGATION BONDS TO PAY THE NOTES AT MATURITY OR TO PAY THE NOTES FROM OTHER AVAILABLE FUNDS; ENTERING INTO A CONTRACT ON BEHALF OF THE CITY WITH THE HOLDERS OF SAID NOTES; AND ORDERING THIS ORDINANCE PUBLISHED IN PAMPHLET FORM.

Introduce Ordinance 2166 and move that the statutory rule requiring three separate readings be suspended. Carried with a motion by Dale Strehle and a second by Dan Papik. Tom Crisman: Aye, Jack Oelschlager: Aye, Dan Papik: Aye, Dale Strehle: Aye

Aye: 4, No: 0, Absent: 2.

Enact Ordinance 2166: An ordinance authorizing the issuance and sale of bond anticipation notes, series 2023, of the principal amount not to exceed \$2,300,000. Carried with a motion by Dale Strehle and a second by Dan Papik.

Tom Crisman: Aye, Jack Oelschlager: Aye, Dan Papik: Aye, Dale Strehle: Aye  
Aye: 4, No: 0, Absent: 2.

#### **4.E. Consider approving the Police Department to apply for the 'Drug Impaired High Visibility Enforcement Mobilization' Grant.**

Police Chief Gary Young stated that this is just like the other grants they apply for year-round, it just focuses more on drug impairment. The Public Safety Committee met on this and recommended approving PD to apply for the grant.

Approve the Police Department to apply for the 'Drug Impaired High Visibility Enforcement Mobilization' Grant. Carried with a motion by Jack Oelschlager and a second by Dan Papik.

Tom Crisman: Aye, Jack Oelschlager: Aye, Dan Papik: Aye, Dale Strehle: Aye  
Aye: 4, No: 0, Absent: 2.

#### **4.F. Consider approving payment of claims to Crete Ace Hardware in the amount of \$1,645.24.**

Table this item until the next Council meeting, due to not having a quorum for the vote. Carried with a motion by Dale Strehle and a second by Jack Oelschlager.

Tom Crisman: Aye, Jack Oelschlager: Aye, Dan Papik: Aye, Dale Strehle: Aye  
Aye: 4, No: 0, Absent 2.

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

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

- Human Resources Director Wendy Thomas introduced the new Wastewater Operator, Pete Fiumefreddo, who will start on Monday.
- Library Director Joy Stevenson reported the following:
  - The VITA program, helping residents with tax preparation, will go until April 16th.
  - Karen Gettert Shoemaker, author of "The Meaning of Names", will give a presentation on March 26th.
  - The 2023 'Crete Reads!' book selection is "The Orphan Collector". The author, Ellen Marie Wiseman, will give a virtual talk on October 22nd.
  - She filled out a questionnaire with over 200 questions for the Nebraska Library Commission to remain an accredited library.
- Police Chief Gary Young reported the following:
  - A 2011 sexual assault case was resolved due to the hard work of Sgt. Morehouse and the use of investigative software previously authorized by the Council.
  - Officer Audrey Arbuckle and K9 Hunk had their first day on the interstate, as a part of the interdiction activities also authorized by the Council. They had a sizable seizure, including two pounds of fentanyl and \$390,000 in cash.

- City Administrator Tom Ourada reported the following:
  - ALLO Fiber is looking for a storefront downtown.
  - Airport Manager, Shaun Krzycki, has informed the City that he will be leaving for an opportunity with a larger airport.
  - Spoke with Keith Gilmore regarding the park project next to City Hall, which was estimated at \$140,000. Gilmore talked with a contractor and got a bid at \$185,000, which the Council might want to consider.
  - Sent an interlocal agreement with Denton to the attorney for review. Denton's wastewater operator is needing hours at a more complex plant for certification, so they will be putting in some hours at the Crete plant.
  - We have hired a grade 4 licensed Wastewater Superintendent, who will start later in the month.
  - NMPP's annual conference is in Lincoln this month and elected officials are encouraged to attend.
  - Talked with HHS about a large grant/loan for the water system, but funding isn't available until October. This will address water quality issues and add a new water well.
  - Thanked Scott Keene and Mike Rogers, Gilmore Bell's bond council, for their work with the gap paving financing.
  - We have been working on a succession plan for Clerk-Treasurer, as he is retiring at the end of November. The plan is for Wendy to move to Finance Director and current Community Assistance Director Nancy Tellez will become the new City Clerk. We already have a commitment from someone who will start later this month as the new Community Assistance Director.
- Mayor Dave Bauer shared progress on the Meals on Wheels program coming back to Crete. Partners have met, but more delivery volunteers are needed to get it going.

#### **6.A. Annual Library Report**

Library Director Joy Stevenson touched on some highlights in her annual library report. Hours of operation increased, as have the number of library visits and the number of library programs. Also, the library's meeting rooms were used over 600 times this past year. The full report is attached to this agenda item for viewing.

#### **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)