



CITY COUNCIL REGULAR MEETING

June 20th, 2023 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

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

Present: 4, Absent: 1.

3. Consent Agenda

Approved Consent Agenda Carried with a motion by Dan Papik and a second by Anthony Fitzgerald.

Tom Crisman: Aye, Anthony Fitzgerald: Aye, Dan Papik: Aye, Dale Strehle: Aye
Aye: 4, No: 0

3.A. Approve Meeting Minutes

3.A.1 June 6th 2023 Council Meeting Minutes

- 3.A.2 June 6th 2023 Finance Committee Meeting Minutes**
- 3.A.3 June 6th 2023 Public Safety Committee Meeting Minutes**
- 3.B. Accept the City Treasurer's Report**
- 3.C. Approve the Payment of Claims Against the City**
- 3.D. Mayor's appointment of James Dux to the Airport Advisory Board.**

4. Items of Business

4.A. Mayor's appointment of Ward III Council Member.

Approved Mayor's appointment of Ward III Council Member and standing committees. Carried with a motion by Dan Papik and a second by Tom Crisman.
Tom Crisman: Aye, Anthony Fitzgerald: Aye, Dan Papik: Aye, Dale Strehle: Aye
Aye: 4, No: 0

4.B. Public Hearing to hear testimony in favor of, in opposition to and to answer questions in relation to a proposed special exception use permit requested by Sandhills Energy LLC to erect a utility facility in the form of a Solar Farm on parcel number 760147235, Crete, Saline County, Nebraska.

Opened Public Hearing at 6:06pm to hear testimony in favor of, in opposition to and to answer questions in relation to a proposed special exception use permit requested by Sandhills Energy LLC to erect a utility facility in the form of a Solar Farm on parcel number 760147235, Crete, Saline County, Nebraska. Carried with a motion by Dale Strehle and a second by Dan Papik.
Tom Crisman: Aye, Anthony Fitzgerald: Aye, Ashley Newmyer: Aye, Dan Papik: Aye, Dale Strehle: Aye
Aye: 5, No: 0

City Administrator Tom Ourada stated that this is a triangular piece of city property that would be used for a solar farm and a new municipal water well. The City also has a long term power purchase contract with Sandhills at a very attractive rate.

Closed Public Hearing at 6:08pm to hear testimony in favor of, in opposition to and to answer questions in relation to a proposed special exception use permit requested by Sandhills Energy LLC to erect a utility facility in the form of a Solar Farm on parcel number 760147235, Crete, Saline County, Nebraska. Carried with a motion by Dale Strehle and a second by Dan Papik.
Tom Crisman: Aye, Anthony Fitzgerald: Aye, Ashley Newmyer: Aye, Dan Papik: Aye, Dale Strehle: Aye
Aye: 5, No: 0

4.C. Consider the special exception use permit requested by Sandhills Energy LLC to erect a utility facility in the form of a Solar Farm on parcel number 760147235, Crete, Saline County, Nebraska.

City Administrator Tom Ourada explained that the Public Works Committee, City Attorney John Zimmer and himself reviewed the eight application findings required. They found which ones did not apply and which ones did not impact anything and the ones that applied in favor.

Approved the special exception use permit requested by Sandhills Energy LLC to erect a utility facility in the form of a Solar Farm on parcel number 760147235, Crete, Saline County, Nebraska. Carried with a motion by Dale Strehle and a second by Dan Papik.

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

Aye: 5, No: 0

Council member Dale Strehle mentioned that all of the committee questions were answered by City Administrator Tom Ourada.

4.D. Approve payment of claims to Crete Ace Hardware in the amount of \$2,688.29.

The claims against the City usually go in the Consent Agenda. However, since council member Dan Papik has a conflict as he is the business owner he is abstaining from the vote on this item. He is able to vote on all the items that are listed on the Consent Agenda.

Approved payment of claims to Crete Ace Hardware in the amount of \$2,688.29. Carried with a motion by Dale Strehle and a second by Anthony Fitzgerald.

Dan Papik: Abstain (With Conflict), Tom Crisman: Aye, Anthony Fitzgerald: Aye, Ashley Newmyer: Aye, Dale Strehle: Aye

Aye: 4, No: 0, Abstain (With Conflict): 1

4.E. Consider the Saline County Fair Parade Application SE23-03.

Council member Anthony Fitzgerlad stated that Chief of Police Gary Young had explained the parade route and its advantages for efficient traffic control.

Approved the Saline County Fair Parade Application SE23-03. Carried with a motion by Anthony Fitzgerald and a second by Dan Papik.

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

Aye: 5, No: 0

4.F. Consider Resolution No. 2023-12 related to the closing of Nebraska Highway 33 for the Saline County Fair Parade.

City Administrator Tom Ourada stated that the Nebraska Department of Transportation requires a resolution and proof of insurance anytime there is use of the highway.

Introduced and approved Resolution No. 2023-12 related to the closing of Nebraska Highway 33 for the Saline County Fair Parade. Carried with a motion by Dan Papik and a second by Anthony Fitzgerald.

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

Aye: 5, No: 0

4.G. Consider the Change Order Request No.005 from Kingery Construction Co. in the amount of \$42,679.00 for the Crete Isis Theater Phase I.

The Executive Director of the Blue River Arts Council, Shaylene Smith, explained the structural steel is necessary for the retractable screen and the new marquee and those contracts are already signed. Plans now call for leaving eaves exposed, making additional cross-bracing necessary while the contractor is already there. They already have this funding available.

Approved the Change Order Request No.005 from Kingery Construction Co. in the amount of \$42,679.00 for the Crete Isis Theater Phase I. Carried with a motion by Dale Strehle and a second by Dan Papik.

Tom Crisman: Aye, Anthony Fitzgerald: Aye, Ashley Newmyer: Aye, Dan Papik: Aye, Dale Strehle: Aye
Aye: 5, No: 0

4.H. Consider the request for increased DTR funds in the amount of \$9,500 from 1229 Main Ave.

City Administrator Tom Ourada stated that this request is from Jaime Casteñeda and has been fully reviewed by the Southeast Nebraska Development District. Council member Anthony Fitzgerald commented that the Community Development Committee have reviewed the additional costs and reasons for the increases.

Approved the request for increased DTR funds in the amount of \$9,500 from 1229 Main Ave. Carried with a motion by Anthony Fitzgerald and a second by Tom Crisman.

Tom Crisman: Aye, Anthony Fitzgerald: Aye, Ashley Newmyer: Aye, Dan Papik: Aye, Dale Strehle: Aye
Aye: 5, No: 0

4.I. Consider the request for increased DTR funds in the amount of \$11,000 from 1302 Main Ave, \$9,000 from 1314-1316 Main Ave, and \$1,000 from 120 E 13th St.

City Administrator Tom Ourada mentioned that this request was from Mary Moser and was reviewed by various staff changes from SENDD and the City of Crete.

Approved the request for increased DTR funds in the amount of \$11,000 from 1302 Main Ave, \$9,000 from 1314-1316 Main Ave, and \$1,000 from 120 E 13th St. Carried with a motion by Anthony Fitzgerald and a second by Dale Strehle.

Tom Crisman: Aye, Anthony Fitzgerald: Aye, Ashley Newmyer: Aye, Dan Papik: Aye, Dale Strehle: Aye
Aye: 5, No: 0

4.J. Consider a contract amendment for construction inspection for 22nd Street Box Culvert from Speece Lewis Engineers.

City Administrator Tom Ourada explained that this request was from the design and inspection engineer not the contractor and it increased the costs from construction day overruns up to \$48,500.

Council member Dale Strehle stated that this is needed to get the project done but they are disappointed at how long it has taken to complete.

Approved a contract amendment for construction inspection for 22nd Street Box Culvert from Speece Lewis Engineers. Carried with a motion by Dale Strehle and a second by Dan Papik.

Tom Crisman: Aye, Anthony Fitzgerald: Aye, Ashley Newmyer: Aye, Dan Papik: Aye, Dale Strehle: Aye
Aye: 5, No: 0

4.K. Consider approving the Police Department to apply for the TC Energy Build Strong Grant.

Chief of Police Gary Young explained that Saline County is switching radio systems, which includes the city's fire department, as part of the change. The police department must install a mini trunking system for interoperability with about \$10,000 is able to pay for it and is working with the fire department to split the cost

Approved the Police Department to apply for the TC Energy Build Strong Grant. Carried with a motion by Dan Papik and a second by Tom Crisman.

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

Aye: 5, No: 0

4.L. Consider Resolution 2023-13 authorizing the City of Crete to become a participant of the Nebraska CLASS Trust; and the Declaration of Trust and Interlocal Agreement.

City Clerk-Treasurer Jerry Wilcox stated that this is an interlocal agreement between the City, other municipalities, and a third-party provider, which may be able to provide more competitive lending terms than local lenders. This third party works nationally and could provide the city with additional opportunities. This agreement doesn't mean the City has to use the third party; it merely provides for competition with local entities.

Introduced and adopted Resolution 2023-13 authorizing the City of Crete to become a participant of the Nebraska CLASS Trust; and the Declaration of Trust and Interlocal Agreement. Carried with a motion by Dale Strehle and a second by Dan Papik.

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

Aye: 5, No: 0

4.M. Consider the Omnify Cafeteria Renewal.

Mayor Dave Bauer stated that this is a renewal of the employee plan for deferred tax contributions towards things such as daycare and healthcare.

Approved the Omnify Cafeteria Renewal. Carried with a motion by Dale Strehle and a second by Dan Papik.

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

Aye: 5, No: 0

4.N. Consider the request from Dittmer & Dittmer for the Administrative Subdivision of Lot 2 of the East Ridge 1st Addition.

City Administrator Tom Ourada explained this administrative subdivision is similar to one approved at the last City Council meeting and is intended for individual ownership of the subdivided lots, which have completed two-unit residence/townhomes.

Approved the request from Dittmer & Dittmer for the Administrative Subdivision of Lot 2 of the East Ridge 1st Addition. Carried with a motion by Dale Strehle and a second by Dan Papik.

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

Aye: 5, No: 0

5. Petitions - Communications - Citizen Concerns

Steve Reisdorff commented on the following:

- Tax Increment Financing (TIF) and what he believes were misunderstandings about what it should be used for
- He believes the taxpayers' money has been given away for 15 years.
- He provided a copy of the statue 18-2116. Plan; approval; findings
- He commented on moving the dispatch center to Wilber and he believes the City could be saving \$300,000 a year and keep the services consolidated

Mayor Dave Bauer stated that City Attorney Alison J Borer had done a super job explaining the TIF process. The council did the right thing. We are expanding our community and local housing development is not keeping up with our demands.

Council member Anthony Fitzgerald mentioned that the other developer requesting TIF is a local builder and is partnering with an outside developer to build senior housing which is needed.

Theresa Vernon mentioned the plan to move the ballfields and also issues at Tuxedo Park.

Mayor Baurer stated that the City is still in discussions about other property. However, nothing is active currently and we do need to know about the park issues so we can find solutions.

6. Officers' Reports

○ Chief of Police Gary Young mentioned the following:

- Police Officer Audrey Arbuckle has won American Legion National Law Enforcement Officer of the Year, and received her state and regional honors recently; and will be going to North Carolina. She has also been asked to speak at a Jr. Cadet Legion Program.

○ Joy Stevenson, Library Director commented the following:

- Summer Reading Program has been going gangbusters; Youth Librarian Maridza Vasquez is doing a wonderful job.
- Thanked City Administrator Tom Ourada for allowing City employees to participate for the 2023 Reading with Friends program.
- The Food Truck Thursdays have been going well and they have a slot open for August. Will continue the rest of the summer.

○ Liz Cody, Parks and Recreation Director stated the following:

- Pool managers Luke Bonifas and MaShayla Burnett and swim coach Courtney have been growing and doing well.
- Regional Swim meet will be on July 1st 2023.
- Thanked Theresa Vernon for her comments. Tuxedo Park is an area that needs our attention.

○ Tom Ourada, City Administrator mentioned the following:

- Reminded that before the next council meeting bid opening for the Transformer. Will be learning what the market is and the delivery expected time.
 - FOP negotiations on the morning of June 28th 2023.
 - City Park expansion project will be starting on July 24th 2023.
 - Will be meeting to discuss possible airport privatization.
 - A financial policy has been put together and modeled somewhat after Hastings and Norfolk. Will be reviewed by the Mayor and then the Finance Committee.
 - Will be starting to work on the budget in early July with the department heads and Finance Committee.
- Mayor Dave Bauer
- Welcomed new council member Ashley Newmyer
 - Reminded everyone that the next regular meeting will be moved to July 5th in observance the July 4th holiday on Tuesday.
 - Reminded residents that it's easy to be brought down by negative things but there are lots of positives. The City of Crete is blessed by things that are happening. People want to come back to Crete and that is why we are having the housing problems.

7. Adjournment

Meeting adjourned

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)