



CITY COUNCIL REGULAR MEETING

July 16th, 2024 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

Tom Crisman: Present

Anthony Fitzgerald: Present

Kyle Frans: Present

Ashley Newmyer: Present

Dan Papik: Present

Dale Strehle: Present

Present: 6.

3. Consent Agenda

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

Tom Crisman: Aye, Anthony Fitzgerald: Aye, Kyle Frans: Aye, Ashley Newmyer: Aye, Dan

Papik: Aye, Dale Strehle: Aye

Aye: 6, No: 0

3.A. Approve Meeting Minutes

3.A.1. July 2nd, 2024 City Council Minutes

3.A.2. July 2nd, 2024 Legislative & Economic Development Minutes

3.A.3. July 2nd, 2024 Park and Rec Minutes

3.A.4. July 2nd, 2024 Public Safety Minutes

3.B. Accept the City Treasurer's Report

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

3.D. Approve Jordan Kwiatkowski, Dalton Steelman, Jeff Downs, Ethan Henrichs, Matthew Bakker and Elijah Clarke as new volunteer members of the Fire Department.

3.E. Mayor's Appointment of Dennis Bargman to the Housing Authority

4. Items of Business

4.A. Public Hearing on the Class I Liquor License Application from Blue River Arts Council, Inc.

The public hearing opened at 6:02 p.m. Shaylene Smith with the Blue River Arts Council explained that they are applying for a Class I liquor license for special events.

Opened the Public Hearing on the Class I Liquor License Application from Blue River Arts Council, Inc. Carried with a motion by Dale Strehle and a second by Dan Papik.

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

Aye: 6, No: 0

The public hearing closed at 6:03 p.m.

The Public Hearing on the Class I Liquor License Application from Blue River Arts Council, Inc. Carried with a motion by Dale Strehle and a second by Dan Papik.

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

Aye: 6, No: 0

4.B. Consider the Class I Liquor License Application from the Blue River Arts Council, Inc.

Mayor Bauer explained that they are making a recommendation to the Liquor Control Commission, and they are the ones that give out the Liquor License.

Approved to recommend to the Liquor Control Commission the Class I Liquor License Application from the Blue River Arts Council, Inc. Carried with a motion by Dale Strehle and a second by Dan Papik.

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

Aye: 6, No: 0

4.C. Public Hearing on Blighted and Substandard Declaration of the downtown area

Opened the Public Hearing at 6:04 p.m.

City Administrator Tom Ourada explained that ten years ago the City of Crete and Planning Commission voted to have a Blighted and Substandard declaration for the downtown area. The

Blighted and Substandard Area (SBA) designations are valid for 10 years before they need to be either revised or renewed. This will need to be renewed prior to the City being able to apply for 2024 DTR grant funding.

Opened the Public Hearing on Blighted and Substandard Declaration of the downtown area Carried with a motion by Dale Strehle and a second by Dan Papik.

Tom Crisman: Aye, Anthony Fitzgerald: Aye, Kyle Frans: Aye, Ashley Newmyer: Aye, Dan Papik: Aye, Dale Strehle: Aye
Aye: 6, No: 0

Closed the Public Hearing at 6:06 p.m.

Closed the Public Hearing on Blighted and Substandard Declaration of the downtown area Carried with a motion by Dale Strehle and a second by Dan Papik.

Tom Crisman: Aye, Anthony Fitzgerald: Aye, Kyle Frans: Aye, Ashley Newmyer: Aye, Dan Papik: Aye, Dale Strehle: Aye
Aye: 6, No: 0

4.D. Consider Resolution 2024-10 Blighted area re-designation

Adopted Resolution 2024-10 Blighted area re-designation Carried with a motion by Anthony Fitzgerald and a second by Dan Papik.

Tom Crisman: Aye, Anthony Fitzgerald: Aye, Kyle Frans: Aye, Ashley Newmyer: Aye, Dan Papik: Aye, Dale Strehle: Aye
Aye: 6, No: 0

4.E. Consider the Tobacco License Application from Smokin' Liquor LLC

Approved Tobacco License Application from Smokin' Liquor LLC Carried with a motion by Dan Papik and a second by Anthony Fitzgerald.

Tom Crisman: Aye, Anthony Fitzgerald: Aye, Kyle Frans: Aye, Ashley Newmyer: Aye, Dan Papik: Aye, Dale Strehle: Aye
Aye: 6, No: 0

4.F. Consider Pine Ridge 3rd Addition Preliminary Plat

City Administrator Tom Ourada explained that this is more of a re plat of an existing subdivision. This involves four lots if it would have been three it would have been an administrative subdivision. This is moving the cul-de-sac and moving and shortening the roadway. By City code and state law they have to do a re plat. The preliminary plat meets all the requirements and went to the Planning Commission and they did vote to recommend it to the City Council.

Approved Pine Ridge 3rd Addition Preliminary Plat Carried with a motion by Dale Strehle and a second by Dan Papik.

Anthony Fitzgerald: Abstain (With Conflict), Tom Crisman: Aye, Kyle Frans: Aye, Ashley Newmyer: Aye, Dan Papik: Aye, Dale Strehle: Aye
Aye: 5, No: 0, Abstain (With Conflict): 1

4.G. Consider Pine Ridge 3rd Addition Final Plat

Approved the Pine Ridge 3rd Addition Final Plat Carried with a motion by Dale Strehle and a second by Dan Papik.

Anthony Fitzgerald: Abstain (With Conflict), Tom Crisman: Aye, Kyle Frans: Aye, Ashley Newmyer: Aye, Dan Papik: Aye, Dale Strehle: Aye
Aye: 5, No: 0, Abstain (With Conflict): 1

4.H. Consider the Crete Police Department applying for fiscal year 24/25 Special Traffic Enforcement Programs (STEP) grant.

Chief of Police Gary Young stated that they would like to apply for the Special Traffic Enforcement Programs (STEP) grant. Last year they applied for the first time and it allows them to do a lot of other activities such as safety messages during the pumpkin festival and during the Cinco de Mayo event. It enhances their ability to be out there and covers the overtime.

Approved to authorize the Crete Police Department applying for fiscal year 24/25 Special Traffic Enforcement Programs (STEP) grant. Carried with a motion by Dan Papik and a second by Tom Crisman.

Tom Crisman: Aye, Anthony Fitzgerald: Aye, Kyle Frans: Aye, Ashley Newmyer: Aye, Dan Papik: Aye, Dale Strehle: Aye
Aye: 6, No: 0

4.I. Consider approving payment of claims to Crete Ace Hardware in the amount of \$1,881.42

Approved payment of claims to Crete Ace Hardware in the amount of \$1,881.42 Carried with a motion by Dale Strehle and a second by Anthony Fitzgerald.

Dan Papik: Abstain (With Conflict), Tom Crisman: Aye, Anthony Fitzgerald: Aye, Kyle Frans: Aye, Ashley Newmyer: Aye, Dale Strehle: Aye
Aye: 5, No: 0, Abstain (With Conflict): 1

4.J. Consider the Old Main Bar and Grill LB840 Reimbursement

City Administrator Tom Ourada stated that this is for reimbursable expenses and the owners intend on rebuilding.

Approved the Old Main Bar and Grill LB840 Reimbursement Carried with a motion by Anthony Fitzgerald and a second by Kyle Frans.

Tom Crisman: Aye, Anthony Fitzgerald: Aye, Kyle Frans: Aye, Ashley Newmyer: Aye, Dan Papik: Aye, Dale Strehle: Aye
Aye: 6, No: 0

4.K. Consider Resolution 2024-11 Gap Paving Assessment Hearing

City Attorney Anna Burge explained that the hearing date will be Tuesday, August 20th 2024 at 6:00 p.m. and the Mayor and City Council will sit as a Board of Equalization and Assessment to equalize, levy and assess the costs of construction and improvement in each of such projects.

Adopted Resolution 2024-11 Gap Paving Assessment Hearing for Tuesday, August 20th 2024 Carried with a motion by Dale Strehle and a second by Dan Papik.

Tom Crisman: Aye, Anthony Fitzgerald: Aye, Kyle Frans: Aye, Ashley Newmyer: Aye, Dan Papik: Aye, Dale Strehle: Aye
Aye: 6, No: 0

4.L. Consider Ordinance 2209 amending the sale of tobacco to 21

City Attorney Anna Burge explained that this is to adjust City code to what the state has already done.

Introduce Ordinance 2209 and waive it be read on three separate days. Carried with a motion by Dan Papik and a second by Tom Crisman.

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

Aye: 6, No: 0

Enact Ordinance 2209 amending the sale of tobacco to 21 Carried with a motion by Dan Papik and a second by Tom Crisman.

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

Aye: 6, No: 0

4.M. Consider CDBG grant for 2024-2025 gap and petition paving

City Administrator Tom Ourada stated that we recently became eligible for community development block grants with the low to moderate income designation. This changed from 48% to 56% a couple weeks ago. This became available and suggested to the Public Works committee that they allow us to apply for CDBG grant for 2024-2025 gap and petition paving projects.

Approved CDBG grant for 2024-2025 gap and petition paving Carried with a motion by Dale Strehle and a second by Dan Papik.

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

Aye: 6, No: 0

4.N. Consider JEO gap paving engineering proposal

City Administrator Tom Ourada stated that this is a proposal that JEO submitted for design and engineering and construction administration work for the gap paving projects that are likely due in 2025. Ourada stated that he thought it was high but it is in the range of what you would see from different engineers.

Approved JEO gap paving engineering proposal Carried with a motion by Dale Strehle and a second by Dan Papik.

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

Aye: 6, No: 0

4.O. Consider the Crete Isis Phase 2 COR# 07 in the amount of \$565.00

Shaylene Smith with the Blue River Arts Council provided current financial information to the Mayor and City Council and City Administrator Tom Ourada. Smith stated that the last time she was there they were about \$350,000 over and at this point they have it at about \$308,000 over. Smith also added that they would not have been able to be where they are able to open without the City's assistance with the seats. Smith stated that they purchased used seats about 4 years ago and sat in storage and had to be individually cleaned.

Smith added that these change orders are less than \$2,000 in total and are from things that were necessitated by the Fire Marshall.

Approved the Crete Isis Phase 2 COR# 07 in the amount of \$565.00 Carried with a motion by Dale Strehle and a second by Dan Papik.
Tom Crisman: Aye, Anthony Fitzgerald: Aye, Kyle Frans: Aye, Ashley Newmyer: Aye, Dan Papik: Aye, Dale Strehle: Aye
Aye: 6, No: 0

4.P. Consider the Crete Isis Phase 2 COR #08 in the amount of \$879.00

Approved the Crete Isis Phase 2 COR #08 in the amount of \$879.00 Carried with a motion by Dale Strehle and a second by Dan Papik.
Tom Crisman: Aye, Anthony Fitzgerald: Aye, Kyle Frans: Aye, Ashley Newmyer: Aye, Dan Papik: Aye, Dale Strehle: Aye
Aye: 6, No: 0

4.Q. Consider the Crete Isis CO#09 in the amount of \$406.00

Approved the Crete Isis CO#09 in the amount of \$406.00 Carried with a motion by Dale Strehle and a second by Dan Papik.
Tom Crisman: Aye, Anthony Fitzgerald: Aye, Kyle Frans: Aye, Ashley Newmyer: Aye, Dan Papik: Aye, Dale Strehle: Aye
Aye: 6, No: 0

4.R. Consider Ordinance 2210 amending to prohibit deposit returns for delinquent accounts

City Administrator Tom Ourada explained that this is a change due to current ordinance that allows deposits to be returned in two years regardless of the standing of the account. There are people that have had delinquent accounts that have had their deposits returned and then don't pay and have to pay another deposit. It can be very time-consuming to do this. This did go to the Public Works committee to consider just one delinquent account.

Introduce Ordinance 2210 and waive it be read on three separate days 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, Dan Papik: Aye, Dale Strehle: Aye
Aye: 6, No: 0

Enact Ordinance 2210 amending to prohibit deposit returns for delinquent accounts 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, Dan Papik: Aye, Dale Strehle: Aye
Aye: 6, No: 0

4.S. Consider the Crete Carrier Room Grant for the Southern 7 Association meeting

City Administrator Tom Ourada explained that this grant application for the Crete Carrier Room is for the Southern 7 Association meeting. City Clerks from other towns will come for a meeting and will be having a meal catered in from a local restaurant.

Approved the Crete Carrier Room Grant for the Southern 7 Association meeting Carried with a motion by Anthony Fitzgerald and a second by Tom Crisman.

Tom Crisman: Aye, Anthony Fitzgerald: Aye, Kyle Frans: Aye, Ashley Newmyer: Aye, Dan

Papik: Aye, Dale Strehle: Aye
Aye: 6, No: 0

4.T. Consider the SE24-04 for the 4-H and Open Archery Contest

City Administrator Tom Ourada explained that this is for a proposed archery event that was going to conflict with the car races. They submitted a permit application and altered where it would take place. It would still go on at the same time but in a different place, and they submitted a plan. This went for review to several offices, including Parks and Recreation and the Parks and Recreation committee.

Approved the SE24-04 for the 4-H and Open Archery Contest Carried with a motion by Ashley Newmyer and a second by Kyle Frans.

Tom Crisman: Aye, Anthony Fitzgerald: Aye, Kyle Frans: Aye, Ashley Newmyer: Aye, Dan Papik: Aye, Dale Strehle: Aye
Aye: 6, No: 0

4.U. Consider the Crete 20DTR002 Extension

City Administrator Tom Ourada stated this is the third extension request. There are several projects that are just finishing up and there is a little bit of money left over, and they would like to request to have it extended from August to October. They do have to have the project closed out before they apply for another round of Downtown Revitalization.

Approved the Crete 20DTR002 Extension Carried with a motion by Anthony Fitzgerald and a second by Tom Crisman.

Tom Crisman: Aye, Anthony Fitzgerald: Aye, Kyle Frans: Aye, Ashley Newmyer: Aye, Dan Papik: Aye, Dale Strehle: Aye
Aye: 6, No: 0

5. Petitions - Communications - Citizen Concerns

6. Officers' Reports

- Chief of Police Gary Young stated the following:
 - The Saline County Fair is in town this week.
 - Some of the funding they are using for highway safety is adding an other officer to the concert at the fair on Friday night.
 - Mayor Bauer asked Chief Young about permitted UTVs and prohibited recreational vehicle use in town. Chief Young stated they are finding mini bikes, four wheelers, three wheelers and it is a concern.
- Library Director Jessica Wilkinson stated the following:
 - Provided a monthly program report to the council members.

- There are three new patron computers and the Friends of the Crete Public Library will be funding three staff computers.
- They replaced heads on the soft water system and they had no water for a brief period.
- Assistant Fire Chief James Yost stated the following:
 - Introduced the six new members: Jordan Kwiatkowski, Dalton Steelman, Jeff Downs, who is a nurse practitioner, Ethan Henrichs, Elijah Clarke, and Matthew Bakker, who is coming back on after a break and has maintained his EMT certification
 - There are 42 total members. 38 live in the fire district and there are 4 associate members. There are 6 paramedics.
 - The department's annual BBQ and raffle is this Saturday, July 20th 2024 at the Saline County Fair.
 - They completed the pump testing of apparatus and then an outside company comes in to test specifications on five trucks at a cost of \$250 per truck.
 - The department responded to a fire on an attached garage on Doane Drive on Sunday, July 14th 2024. One firefighter was treated for heat exhaustion as a precaution and is doing well.
 - They are getting the Gary Sinise Foundation grant ready which they hope to use to replace rescue air bags for a total of \$8,900.
- Parks and Recreation Director Liz Cody stated the following:
 - The City of Crete and Crete Public Schools applied for the inflation reduction act funding and were approved. There are 1,000 trees logged into the database.
 - The deadline for Coed softball registration is July 19th, 2024
 - Interviewed a candidate for the groundskeeper position.
 - The pool staff would like to look at keeping the pool open an extra week past August 4th, 2024.
- City Administrator Tom Ourada stated the following:
 - The Public Works committee made a motion to not put the East 15th Street project back on the 1 and 6 year street improvement plan; the city sent two letters to property owners along the proposed route and 19 residents reached out opposed to a potential cost assessment plan. He suggested researching other ways to take on the needs of the street improvement.
 - The next budget cycle should allow the Community Development Block Grant to be available and he will work with the committee to move forward.
 - The City's electric load has not peaked yet and water usage is stable and we are not near capacity yet.
 - The west solar farm construction work is starting soon and the city's new west water well should also start soon.
 - Had a budget discussion with City department heads and presented the Finance Committee with current and projected budget data tonight.
 - The water well repairs at 13th and Iris took about two weeks and it is back to capacity.
 - They are looking for another date for the community event in September.

- Mayor Dave Bauer welcomed the six new firefighters.

7. Adjournment

Meeting adjourned at 6:40pm

Mayor

(SEAL)

City Clerk

I, Nancy Tellez, 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

(S E A L)