

**Legislative & Economic Development Committee Meeting**  
**Tuesday, August 2, 2022 5:00 PM**  
**Crete City Hall**  
**243 E 13th Street**  
**Crete, NE 68333**

**1. Open Meeting**

- In accordance with Nebraska law, a copy of the Open Meetings Act can be found in the back of the Council Chambers.
- Items listed on the agenda may be considered in any order.

**2. Roll Call**

- Attendance of members will be recorded to determine the presence of a quorum for official actions.

**3. Items of Business**

- The Committee may discuss or limit discussion on, hear testimony in favor of or in opposition to, or take action to provide a recommendation to the City Council on any matter presented under this title.

3.A. Provide a recommendation to the City Council on approving the updated library policies.

3.B. Provide a recommendation to the City Council on enacting Ordinance 2150: An ordinance relating to the sale and discharge of fireworks.

3.C. Provide a recommendation to the City Council on enacting Ordinance 2151: An ordinance relating to the annexation of property south of 29th Street and Betten Drive.

3.D. Provide a recommendation to the City Council on amending City Code Chapter 2, Article 3, Section 2-301 to reflect state statute.

**4. Officers' Reports**

- Reports may be given by the Mayor, Officers, Departments, or Councilmembers concerning the current operations of the City.
- No action can be taken on matters presented under this title except to answer any questions or to refer the matter for further action.

**5. Adjournment**

**Disclaimers & Notices**

- The Council may enter into closed session to discuss any matter on this agenda when it is determined that a closed session is clearly necessary for the protection of the public interest or the prevention of needless injury to the reputation of an individual (if such individual has not requested a public meeting) or as otherwise allowed by law. Any closed session shall be limited to the subject matter for which the closed session was called. If the motion to close passes, then immediately prior to the closed session the Mayor shall restate on the record the limitation of the subject matter of the closed session.
- The City of Crete assures that no person shall on the grounds of race, color, national origin, age, disability, handicap or sex, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity of the City receiving Federal financial assistance. To report discrimination, contact the City Clerk's office.
- The complete agenda with attachments is available at [www.crete.ne.gov](http://www.crete.ne.gov).

## **Collections Development Policies**

The library collection will reflect the needs and interests of the community. A variety of resources will be offered on this analysis of need. The library collection will be kept relevant to community interests through purchases, acceptable donations, and withdrawals.

The library subscribes to the [Library Bill of Rights](#) of the American Library Association and to the [Freedom to View Statement](#) prepared by the American Library Association and the American Book Publisher's Council. This statement was originally drafted by the Freedom to View Committee of the American Film and Video Association (formerly the Educational Film Library Association) and was adopted by the AFVA Board of Directors in February 1979. This statement was updated and approved by the AFVA Board of Directors in 1989.

### Selection Policies

- The library will provide materials to meet the diverse needs of this community. Selection will be made on the basis of requests, interest in current topics, and need. Material selection will be completed by the appropriate library staff based on community interests. A balanced collection will be maintained in-so-far as the interests of the community are being met. Materials may be defined as print or non-print items.
- The standard selection tools will be used whenever possible in choosing materials. These include, but are not limited to: Library Journal, School Library Journal, and Booklist.
- The library will not attempt to furnish materials needed for normal courses of study offered by the schools. The public library has materials for self-study, but is not designed to furnish reading required for academic study.
- The library will strive to remain informed of other sources of books and media which are publicly available to avoid unnecessary duplication.
- Materials which are no longer useful in the light of stated objectives of the library will be systematically withdrawn from the collection according to accepted professional practices including the use of the Continuous Review, Evaluation and Weeding (CREW) guidelines. If not saleable, such materials will be offered to another institution or recycled. Items will be withdrawn from the collection on a regular basis, according to established standards. These standards include, but are not limited to, patron demand, relevancy to current interests, and copyright date of material (particularly non-fiction).
- The library collection is made useful by the acquisition of new resources. Donations which are relevant to the current collection are also added to enhance the library's resources.
- No one group or individual will unduly influence the acquisition or withdrawal of library resources. In the event that a patron has an objection to library resources, library staff will provide he/she with the Request for Reconsideration of Library Material form. Upon the patron's completion of this form, it will be forwarded to the Library Reconsideration Committee for further review. Anonymous complaints in writing or any other means will not be considered. No action will be taken to remove or restrict access to any materials until a final decision has been made by the Reconsideration Committee. The Reconsideration Committee will be comprised of the Library Director, Youth Librarian and the Library Advisory Board. The Reconsideration Committee will review the Request for Reconsideration and will provide a written response. The decision of the Reconsideration Committee will be final.

### Gifts, Memorials & Bequests

- Any donations will be accepted by the Mayor and City Council on behalf of the City of Crete acting within the ordinances of the City and provisions of the state laws.
- The library accepts unrestricted gifts of books, periodicals and toys, with the understanding that these items will be added to the library collection only when considered appropriate by the Director. The City retains the right to refuse any donation that is not considered appropriate.

- The same principles of selection that are applied to purchases for the library will be applied to gifts and donations. Items that do not meet the selection criteria will be made available to the public at no charge, donated , or recycled.
- Papers and records of organizations that are deemed by the Library Board to have local area historical importance may be accepted or forwarded to the Benne Memorial Museum.
- Memorabilia, regalia, plaques and other such materials will not be accepted for permanent display or storage.

*Approved by the Crete City Council, July 2022*

## **Confidentiality of Library Records Policies**

The Nebraska Public Records Statutes (Neb. Rev. Stat. §§ 84-712 to 84-712.09) authorize the Crete Public Library to withhold from the public all records or portions of records which, when examined with or without other records, reveal the identity of any library patron using the Library's materials or services. All registration and circulation records of the Library, except statistical reports, shall be treated as confidential information that may be withheld under Neb. Rev. Stat. § 84-712.05(13). The Library will also treat information displayed on its computers or printers as confidential.

As used in this section, the term "registration records" includes any information which a library requires a patron to provide in order to become eligible to borrow books and other materials, and the term "circulation records" includes all information which identifies the patrons borrowing particular books and other materials and using library technology.

### Procedures for Maintaining Confidentiality of Library Records

- Library staff members that receive an oral request for information pertaining to library records will immediately refer the person making the request to the Director. The Director shall then explain the confidentiality policy and advise the requestor that, if they still wish to request the records, a written public records request must be filed with the City Clerk. All written requests for information shall be forwarded to the City Clerk for the City Administrator and City Attorney to review.
- Upon receiving a written request for access to or copies of confidential library records, the City Attorney shall provide a written denial of the request within four business days after receipt of the request, which shall include:
  - A description of the contents of the records withheld and a statement of the specific reasons for the denial, including citations to the particular statute and subsection thereof expressly providing the exception;
  - The name of the public official responsible for the decision to deny the request; and
  - Notification to the requester of any administrative or judicial right of review.
- The City Clerk shall maintain a file of all letters of denial of requests for records.
- If the City or the Library receives a judicial order or subpoena for confidential records, the City Administrator shall be notified and may consult with the City Attorney to determine the legal options the City and the Library have to ensure the registration and circulation records remain confidential.
- Any threats or unauthorized demands (i.e. those not supported by a judicial order or subpoena) concerning registration, circulation, and other public records identifying the names of library users shall be reported to the City Administrator.
- Any problems relating to the privacy of registration, circulation, and other public records identifying the names of library users which are not provided for above shall be referred to the Director.

*Approved by the Crete City Council, July 2022*

## ORDINANCE NO. 2150

**AN ORDINANCE OF THE CITY OF CRETE, NEBRASKA RELATING TO FIREWORKS; TO AMEND SECTIONS 6-337 AND 6-338 OF THE CRETE MUNICIPAL CODE TO CHANGE THE DATES AND HOURS THAT FIREWORKS MAY BE SOLD AND DISCHARGED.**

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

**Section 1.** That Chapter 6, Article 3, Section 6-337 of the Crete Municipal Code shall be amended to read as follows:

**6-337 Fireworks; dates and hours of sale; signs required.**

- (1) Conditioned upon payment of the occupation tax required to be paid by Section 10-901, fireworks permitted within the municipality may be sold at retail from June 28 through July 4 of each year, during the following times:

June 28 through July 2	8:00 A.M. to 10:00 P.M.
<del>July 3</del>	<del>8:00 A.M. to Midnight.</del>
July <u>3 &amp; 4</u>	8:00 A.M. to 11:00 P.M.

- (2) Any person or business operating as a retailer of permissible fireworks shall prominently post a sign at or near each cash register at the retailer's location displaying the fireworks sale and discharge periods specified in this section and in Section 6-338.

**Section 2.** That Chapter 6, Article 3, Section 6-338 of the Crete Municipal Code shall be amended to read as follows:

**6-338 Fireworks; dates and hours of discharge; unlawful acts.**

- (1) The discharge, exploding, or use of fireworks within the municipality on any dates or times other than set out in this section shall be unlawful.
- (2) The discharge, exploding, or use of fireworks within the municipality shall be permitted only on the following dates and during the following hours:

June 28 through July 2	8:00 A.M. to 10:00 P.M.
<del>July 3</del>	<del>8:00 A.M. to Midnight.</del>
July <u>3 &amp; 4</u>	8:00 A.M. to 11:00 P.M.

- (3) It shall be unlawful, regardless of the date or time, for any person to discharge, fire, launch, or throw any fireworks or any object that is lighted to explode or that explodes upon contact with another object:
- (a) From or into any motor vehicle;
  - (b) Onto any street, highway, or sidewalk;
  - (c) At or near any person;

- (d) Into or upon any building;
- (e) Into or at any group of persons; or
- (f) At the location of and during the time of any pyrotechnics display authorized at a designated location by special permit under the ordinances of the Municipality, except by personnel authorized by said special permit.

**Section 3.** That the changes specified in the above sections shall be codified as part of the Crete Municipal Code as stated herein.

**Section 4.** That all ordinances, parts of ordinances, or code provisions in conflict herewith shall be repealed and that any partial repeal shall not affect the other parts of ordinances or codified sections that can be given effect without the repealed parts.

**Section 5.** That if any section, part, or provision of this ordinance is for any reason held invalid, the invalidity thereof shall not affect the validity of any other section, part, or provision of this ordinance.

**Section 6.** That 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 2nd day of August 2022.

\_\_\_\_\_  
Mayor

ATTEST:

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City Clerk



# Dittmer & Dittmer

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Members of the Planning Commission,

Dittmer & Dittmer would like to annex Parcel #760049874 to the City of Crete with the zoning change from C-2 to C-1

Dittmer & Dittmer would like to annex Parcel #760147708 to the City of Crete with the zoning change from C-2 to R-3

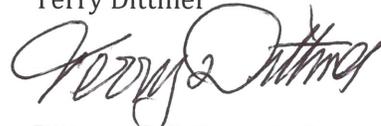
We also would like extend the property line through Parcel #760050201 to be included in the C-1 and R-3 zoning.

Ron Dittmer



Dittmer & Dittmer LLC.

Terry Dittmer



Dittmer & Dittmer LLC.

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**PETITION FOR ANNEXATION**

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TO THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CRETE, NEBRASKA:

Pursuant to Neb. Rev. Stat. § 16-117(7), the undersigned property owners hereby petition the City Council of the City of Crete, Nebraska to annex the following described real property into the corporate limits of the City of Crete:

All of the land that comprises the north one-half (N 1/2) of the Northeast Quarter (NE 1/4) of Section Twenty-Six (26), Township Eight North (8N), Range Four East (4E) of the Sixth Principal Meridian (6th P.M.), Saline County, Nebraska, which can be more particularly described as follows:

Beginning at the northeast corner of the Northeast Quarter (NE 1/4) of Section Twenty-Six (26), Township Eight North (8N), Range Four East (4E); thence west along the north section line of said Section Twenty-Six (26) a distance of approximately 2,676.43 feet to the northwest corner of said Northeast Quarter (NE 1/4); thence south along the west line of said Northeast Quarter (NE 1/4) a distance of approximately 1,323.33 feet to a point on the south line of the north one-half (N 1/2) of said Northeast Quarter (NE 1/4); thence east along said south line a distance of approximately 2,596.56 feet to a point on the west right-of-way line of County Road 2400; thence north along said right-of-way line a distance of approximately 239.40 feet; thence east along said right-of-way line a distance of 30.00 feet; thence north along said right-of-way line a distance of approximately 799.34 feet; thence west along said right-of-way line a distance of 30.00 feet; thence north along said right-of-way line a distance of approximately 220.85 feet; thence east along said right-of-way line a distance of approximately 69.45 feet to a point on the east section line of said Section Twenty-Six (26); thence north along said east section line a distance of approximately 60.00 feet to the northeast corner of said Section Twenty-Six (26), which is the point of beginning.

Said area of land, including any gaps and gores, contains approximately 79.22 acres and includes parcels 760049874, 760050201, and 760147708.

The undersigned petitioners hereby certify that they are the record owners of the property described above and have the authority to, and hereby do, petition to have the property annexed into the corporate limits of the City of Crete, Nebraska.

Dated the 19<sup>th</sup> day of July 2022.



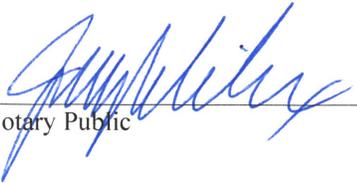
Petitioner

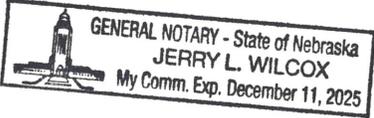


Petitioner

STATE OF NEBRASKA     )  
  ) ss.  
COUNTY OF SALINE     )

I hereby certify that the foregoing petition was acknowledged and executed before me by the Petitioners on the  
19<sup>th</sup> day of July 2022.

  
\_\_\_\_\_  
Notary Public



## **ORDINANCE NO. 2151**

**AN ORDINANCE OF THE CITY OF CRETE, NEBRASKA RELATING TO ANNEXATION; TO ANNEX CERTAIN CONTIGUOUS OR ADJACENT LAND IN THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 8 NORTH, RANGE 4 EAST; AND TO EXTEND THE CORPORATE LIMITS OF THE CITY.**

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

**Section 1.** That, pursuant to Neb. Rev. Stat. § 16-117(7), a petition was received from the record owners of the N 1/2 of the NE 1/4 of Section 26, Township 8N, Range 4E of the 6th P.M., Saline County, Nebraska to have such property included within the corporate limits of the City of Crete. Said property may be more particularly described as follows:

Beginning at the northeast corner of the Northeast Quarter (NE 1/4) of Section Twenty-Six (26), Township Eight North (8N), Range Four East (4E); thence west along the north section line of said Section Twenty-Six (26) a distance of approximately 2,676.43 feet to the northwest corner of said Northeast Quarter (NE 1/4); thence south along the west line of said Northeast Quarter (NE 1/4) a distance of approximately 1,323.33 feet to a point on the south line of the north one-half (N 1/2) of said Northeast Quarter (NE 1/4); thence east along said south line a distance of approximately 2,596.56 feet to a point on the west right-of-way line of County Road 2400; thence north along said right-of-way line a distance of approximately 239.40 feet; thence east along said right-of-way line a distance of 30.00 feet; thence north along said right-of-way line a distance of approximately 799.34 feet; thence west along said right-of-way line a distance of 30.00 feet; thence north along said right-of-way line a distance of approximately 220.85 feet; thence east along said right-of-way line a distance of approximately 69.45 feet to a point on the east section line of said Section Twenty-Six (26); thence north along said east section line a distance of approximately 60.00 feet to the northeast corner of said Section Twenty-Six (26), which is the point of beginning.

**Section 2.** That the land described above, including any gaps and gores, is contiguous or adjacent to the corporate limits of the City and of an urban or suburban character and shall hereby be annexed into the City of Crete.

**Section 3.** That the corporate limits of the City of Crete shall be extended to include all of the lands, lots, tracts, streets, roads, and highways bordered by, and including, 29th Street to the north, Farrington Acres Addition to the south, County Road 2400 to the east, and Iris Avenue to the west.

**Section 4.** That all ordinances or parts of ordinances in conflict herewith shall be repealed and that any partial repeal shall not affect the other parts of ordinances that can be given effect without the repealed parts.

**Section 5.** That 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 6th day of September 2022.

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Mayor

ATTEST:

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City Clerk

