

**CITY OF CRETE, NEBRASKA
CITY COUNCIL REGULAR MEETING
December 15, 2015**

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

The City Council has posted a 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, if anyone wishes one during this meeting, please advise.

As each agenda item is considered, if there are any questions concerning the agenda item please advise. The City Council may consider items listed on the agenda in random order. The City Council has assisted listening devices available, if needed please advise. Please stand and Pledge Allegiance to the Flag.

2. Roll Call

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

3. Petitions - Communications - Citizen Concern

No action can be taken by the council on matters presented under this title except to answer any question posed and/or to refer the matter for further action. Testimony may be limited to 3 minutes per person. Please do not repeat testimony that has already be heard.

4. Special Order of Business

The council may take action to hear testimony in favor of or in opposition to, discuss/limit discussion and take action to approve or disapprove any matter presented under this title.

4.A. Cinco de Mayo Festival

The Legislative/Development Committee has met with a group that would like to hold a Cinco de Mayo Festival in downtown Crete April 29, 30 and May 1, 2016

12/15/15 Approve to proceed with planning a Cinco De Mayo Festival in downtown Crete as proposed with regular updates on details by the organizers Carried with a motion by Judy Henning and a second by Kyle Frans.

David Bauer: Aye, Kyle Frans: Aye, Judy Henning: Aye, Jack Oelschlager: Aye, Travis Sears: Aye, Dale Strehle: Aye

Aye: 6, No: 0

4.B. 15th Street Closure

The Public Works Committee has reviewed a proposal to close 15th Street from the west side of Grove Avenue to the east side of the alley between Grove and Hawthorne Avenues

12/15/15 Close 15th Street from east side of Grove Avenue to the west side of the alley between Grove and Hawthorne Avenues temporarily to review for permanent closure Carried with a motion by David Bauer and a second by Travis Sears.

David Bauer: Aye, Kyle Frans: Aye, Judy Henning: Aye, Jack Oelschlager: Aye, Travis Sears: Aye, Dale Strehle: Aye
Aye: 6, No: 0

4.C. NESHAP On-site Compliance Audit

The Public Works Committee has reviewed a proposal by NAQS to conduct an on-site audit of NESHAP and RICE compliance at the power plant

12/15/15 Approve the proposal of NAQS to do training and audit of RICE and NESHAP compliance at a cost not to exceed \$4,900 Carried with a motion by David Bauer and a second by Travis Sears.

David Bauer: Aye, Kyle Frans: Aye, Judy Henning: Aye, Jack Oelschlager: Aye, Travis Sears: Aye, Dale Strehle: Aye
Aye: 6, No: 0

4.D. Substation Project Acceptance

Action to accept the completed project for the Substation Ground Grid Improvements

12/15/15 Approve acceptance of the completed work on the substation ground grid improvement project Carried with a motion by Dale Strehle and a second by Travis Sears.

David Bauer: Aye, Kyle Frans: Aye, Judy Henning: Aye, Jack Oelschlager: Aye, Travis Sears: Aye, Dale Strehle: Aye
Aye: 6, No: 0

4.E. Mobile Data Terminal

Action to purchase the last needed mobile data terminal for a patrol car as budgeted

12/15/15 Approve the purchase of the mobile data terminal without grant funds Carried with a motion by Dale Strehle and a second by Jack Oelschlager.

David Bauer: Aye, Kyle Frans: Aye, Judy Henning: Aye, Jack Oelschlager: Aye, Travis Sears: Aye, Dale Strehle: Aye
Aye: 6, No: 0

4.F. CDBG 15-DTR-002 Authorization to Request Grant Funds

Action by the City Council to authorize the Mayor and City Clerk to to request grant funds

12/15/15 Authorize the Mayor and City Clerk to request CDBG grant funds for the Downtown Revitalization Study Carried with a motion by Jack Oelschlager and a second by Dale Strehle.

David Bauer: Aye, Kyle Frans: Aye, Judy Henning: Aye, Jack Oelschlager: Aye, Travis Sears: Aye, Dale Strehle: Aye
Aye: 6, No: 0

4.G. Firefighter Appointment

The Fire and Rescue Department membership has reviewed applications for volunteer firefighter and recommend the addition of Paige Hervert to the insurance rolls

12/15/15 Approve adding Paige Hervert to the insurance rolls as a volunteer firefighter Carried with a motion by Jack Oelschlager and a second by Kyle Frans.

David Bauer: Aye, Kyle Frans: Aye, Judy Henning: Aye, Jack Oelschlager: Aye, Travis Sears: Aye, Dale Strehle: Aye

Aye: 6, No: 0

5. Resolutions & Ordinances

The Council may take action to hear testimony in favor of or opposition to, discuss/limit discussion and take action to approve or disapprove any matter presented under this title. The Council may take action to waive the statutory rule requiring reading on three separate dates on any ordinance being considered. The Council may take action to pass and approve any matter presented under this title.

5.A. Ordinance 1964 Amending 11-217, 11-218, 11-219

An ordinance amending zoning regulations to remove the Height Restrictions from all Commercial District Regulations, to add Mixed Use to the Permitted Principal Uses and Child Care Center to Special Exception Uses of the C-1 Central Commercial District Regulations and to add Child Care Centers to the Permitted Principal Uses in the C-2 General Commercial District Regulations. The Planning Commission and City Council held public hearings accordingly.

12/1/15 Open public hearing 12:03 Carried with a motion by Travis Sears and a second by Jack Oelschlager.

David Bauer: Aye, Judy Henning: Aye, Jack Oelschlager: Aye, Travis Sears: Aye, Dale Strehle: Aye
Aye: 5, No: 0

12/1/15 Close public hearing 12:05 Carried with a motion by Dale Strehle and a second by Travis Sears.

David Bauer: Aye, Judy Henning: Aye, Jack Oelschlager: Aye, Travis Sears: Aye, Dale Strehle: Aye
Aye: 5, No: 0

12/15/15 Introduce Ordinance 1964 and waive the rule requiring reading on three different days Carried with a motion by Dale Strehle and a second by Travis Sears.

David Bauer: Aye, Kyle Frans: Aye, Judy Henning: Aye, Jack Oelschlager: Aye, Travis Sears: Aye, Dale Strehle: Aye

Aye: 6, No: 0

12/15/15 Approve Ordinance 1964 on final reading Carried with a motion by Dale Strehle and a second by Travis Sears.

David Bauer: Aye, Kyle Frans: Aye, Judy Henning: Aye, Jack Oelschlager: Aye, Travis Sears: Aye, Dale Strehle: Aye

Aye: 6, No: 0

6. Officers' Reports

Reports may be given by Department Heads, Committees and Council members concerning current operations of the City. Questions may be asked and answered. No action can be taken by the Council on matters presented under this title except to answer any question posed and to refer the matter for further action.

Max - Certification application review looks good - DTR January Mayor - closed session Dan - Chamber - craft sale and Santa good - shop local

7. Consent Agenda

Council will consider approval of the following items. Explanation may occur for each item and the council may approve and or amend and approve the items listed.

Approve Carried with a motion by Dale Strehle and a second by David Bauer.

David Bauer: Aye, Kyle Frans: Aye, Judy Henning: Aye, Jack Oelschlager: Aye, Dale Strehle: Aye

Aye: 5, No: 0

7.A. City Council Meeting Minutes

7.A.1. December 1, 2015

7.B. City Council Committee Meeting Minutes

7.B.1. November 24, 2015 Parks and Recreation

7.B.2. December 1, 2015 Parks and Recreation

7.B.3. December 7, 2015 Legislative/Development

7.C. City Treasurer's Report

7.D. Claims Against the City

8. Adjournment

The city council will review the above matters and take such actions as they deem appropriate. The city council may enter into closed session to discuss any matter on this agenda when it is determined by the council that it is clearly necessary for protection of the public interest or the prevention of needless injury to the reputation of an individual and if such and 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 the presiding officer immediately prior to the closed session 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.

12/15/15 The Mayor, City Council, City Clerk and City Attorney enter closed session 6:40 PM for the protection of the public interest to discuss possible litigation Carried with a motion by Dale Strehle and a second by Jack Oelschlager.

David Bauer: Aye, Kyle Frans: Aye, Judy Henning: Aye, Jack Oelschlager: Aye, Dale Strehle: Aye
Aye: 5, No: 0

12/15/15 The Mayor and City Council return to open session 7:00 PM Carried with a motion by Dale Strehle and a second by Jack Oelschlager.

David Bauer: Aye, Kyle Frans: Aye, Judy Henning: Aye, Jack Oelschlager: Aye, Dale Strehle: Aye
Aye: 5, No: 0

12/15/15 Adjourn the meeting at 7:00 PM Carried with a motion by Dale Strehle and a second by Jack Oelschlager.

David Bauer: Aye, Kyle Frans: Aye, Judy Henning: Aye, Jack Oelschlager: Aye, Dale Strehle: Aye
Aye: 5, No: 0

Mayor

(SEAL)

City Clerk

I, Judi Meyer, 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)