

CITY OF CRETE, NEBRASKA
CITY COUNCIL REGULAR MEETING

July 7, 2020

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

Brian Carnes: Present

Kyle Frans: Present

Ryan Hinz: Present

Jack Oelschlager: Present

Travis Sears: Present

Dale Strehle: Present

Present: 6.

Mayor Dave Bauer called the meeting to order at 6:00pm.

2. Roll Call

3. Consent Agenda

Approve the Consent Agenda items. Carried with a motion by Dale Strehle and a second by Travis Sears.

Brian Carnes: Aye, Kyle Frans: Aye, Ryan Hinz: Aye, Jack Oelschlager: Aye, Mike Pavelka: Aye, Travis Sears: Aye, Dale Strehle: Aye

Aye: 7, No: 0

3.A. Approve Meeting Minutes

3.A.1. Legislative and Economic Development Committee Meeting Minutes of June 16, 2020.

3.A.2. Parks and Recreation Committee Meeting Minutes of June 16, 2020.

3.A.3. Public Works Meeting Minutes of June 16, 2020.

3.A.4. City Council Meeting Minutes of June 16, 2020.

3.A.5. City Council Meeting Minutes of June 23, 2020.

3.B. Accept the City Treasurer's Report

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

3.C.1. Pitney Bowes Purchase Agreement of \$14,349 for Relay 4500.

3.C.2. C & C Consultants Invoice of \$2,100 for noise abatement testing and design for the Crete Public Library.

4. Items of Business

4.A. Consider adopting an updated Patron Code of Conduct policy for the Crete Public Library.

Adopt updated Crete Public Library Patron Code of Conduct Policy. Carried with a motion by Ryan Hinz and a second by Jack Oelschlager.

Brian Carnes: Aye, Kyle Frans: Aye, Ryan Hinz: Aye, Jack Oelschlager: Aye, Mike Pavelka: Aye, Travis Sears: Aye, Dale Strehle: Aye

Aye: 7, No: 0

4.B. Consider renewing membership with SENDD for \$4,500 and paying additional optional dues of \$2,091 for housing assistance.

Approve renewal of the SENDD annual membership fees and optional housing dues. Carried with a motion by Ryan Hinz and a second by Jack Oelschlager.

Brian Carnes: Aye, Kyle Frans: Aye, Ryan Hinz: Aye, Jack Oelschlager: Aye, Mike Pavelka: Aye, Travis Sears: Aye, Dale Strehle: Aye

Aye: 7, No: 0

4.C. Consider authorizing the Mayor to enter into contracts with Municode for agenda management software and online code hosting services in an amount not to exceed \$10,000.

Authorize the Mayor to enter into contracts with Municode for agenda management software and services not to exceed \$10,000. Carried with a motion by Ryan Hinz and a second by Kyle Frans.

Brian Carnes: Aye, Kyle Frans: Aye, Ryan Hinz: Aye, Jack Oelschlager: Aye, Mike Pavelka: Aye, Travis Sears: Aye, Dale Strehle: Aye

Aye: 7, No: 0

4.D. Consider enacting Ordinance 2106: An ordinance relating to pools and spas.

Introduce Ordinance 2106 and waive the requirement of reading on three separate days. Carried with a motion by Ryan Hinz and a second by Kyle Frans.

Brian Carnes: Aye, Kyle Frans: Aye, Ryan Hinz: Aye, Jack Oelschlager: Aye, Mike Pavelka: Aye, Travis Sears: Aye, Dale Strehle: Aye

Aye: 7, No: 0

Enact Ordinance 2106 amending City Code related to pools and spas. Carried with a motion by Ryan Hinz and a second by Jack Oelschlager.

Brian Carnes: Aye, Kyle Frans: Aye, Ryan Hinz: Aye, Jack Oelschlager: Aye, Mike Pavelka: Aye, Travis Sears: Aye, Dale Strehle: Aye

Aye: 7, No: 0

4.E. Consider enacting Ordinance 2107: An ordinance relating to building and zoning code enforcement.

Introduce Ordinance 2107 and waive the requirement of reading on three separate days. Carried with a motion by Ryan Hinz and a second by Travis Sears.

Brian Carnes: Aye, Kyle Frans: Aye, Ryan Hinz: Aye, Jack Oelschlager: Aye, Mike Pavelka: Aye, Travis Sears: Aye, Dale Strehle: Aye

Aye: 7, No: 0

Enact Ordinance 2107 amending City Codes related to building and zoning code enforcement. Carried with a motion by Ryan Hinz and a second by Travis Sears.

Brian Carnes: Aye, Kyle Frans: Aye, Ryan Hinz: Aye, Jack Oelschlager: Aye, Mike Pavelka: Aye, Travis Sears: Aye, Dale Strehle: Aye

Aye: 7, No: 0

4.F. Consider approving Eric Stehlik's request to close the front entryway to Tuxedo Park from July 13 to July 19 for 4-H activities.

Deny the request to close front entryway to Tuxedo Park from July 13 through July 19 and propose the requester work with the City to identify a better way to meet the needs of both parties. Carried with a motion by Travis Sears and a second by Brian Carnes.

Brian Carnes: Aye, Kyle Frans: Aye, Ryan Hinz: Aye, Jack Oelschlager: Aye, Mike Pavelka: Aye, Travis Sears: Aye, Dale Strehle: Aye

Aye: 7, No: 0

Erik Stehlik was present to provide information and respond to questions. He described some of the actions the group would take in order to meet the Governor's health directives.

4.G. Consider approving an SDL for Kramer Bar to hold a private event in a fenced area adjacent to the 4-H building at Tuxedo Park on July 27-28.

Approve Kramer Bar request for SDL for interior and exterior area for private event at 4-H building in Tuxedo Park. Carried with a motion by Kyle Frans and a second by Ryan Hinz.

Brian Carnes: Aye, Kyle Frans: Aye, Ryan Hinz: Aye, Jack Oelschlager: Aye, Mike Pavelka: Aye, Travis Sears: Aye, Dale Strehle: Aye

Aye: 7, No: 0

Mike Roth with Kramer Bar was present to provide information and respond to questions. He stated that alcohol would be served inside the building, and that attendees could drink either inside or outside within the perimeter area as provided in the SDL.

4.H. Consider approving a new pumper/tanker purchase from the bids received on July 2, 2020.

Approve low bid from Heiman and purchase of pumper/tanker. Carried with a motion by Jack Oelschlager and a second by Ryan Hinz.

Brian Carnes: Aye, Kyle Frans: Aye, Ryan Hinz: Aye, Jack Oelschlager: Aye, Mike Pavelka: Aye, Travis Sears: Aye, Dale Strehle: Aye

Aye: 7, No: 0

James Yost with Crete FD was present to provide information and respond to questions. He stated that Heiman Fire was low bid and is the recommendation of the Fire Department.

4.I. Consider enacting Ordinance 2109: An ordinance relating to civil service.

Introduce Ordinance 2109 and waive the requirement of reading on three separate days. Carried with a motion by Jack Oelschlager and a second by Ryan Hinz.

Brian Carnes: Aye, Kyle Frans: Aye, Ryan Hinz: Aye, Jack Oelschlager: Aye, Mike Pavelka: Aye, Travis Sears: Aye, Dale Strehle: Aye

Aye: 7, No: 0

Enact Ordinance 2109 amending City Code related to Civil Service. Carried with a motion by Jack Oelschlager and a second by Ryan Hinz.

Brian Carnes: Aye, Kyle Frans: Aye, Ryan Hinz: Aye, Jack Oelschlager: Aye, Mike Pavelka: Aye, Travis Sears: Aye, Dale Strehle: Aye

Aye: 7, No: 0

4.J. Consider amending the Cather & Sons proposal to include an additional block of asphalt mill and overlay work with an estimated cost of \$18,000 and amending the related JEO engineering contract to include an additional \$2,300 in consulting fees.

Approve amendment of Cather and Sons contract to include an additional block of asphalt overlay with estimated cost of \$18,000 and JEO engineering contract addition of \$2,300. Carried with a motion by Dale Strehle and a second by Jack Oelschlager.

Brian Carnes: Aye, Kyle Frans: Aye, Ryan Hinz: Aye, Jack Oelschlager: Aye, Mike Pavelka: Aye, Travis Sears: Aye, Dale Strehle: Aye

Aye: 7, No: 0

City Administrator Tom Ourada reported that the unit price for the additional block is the same as that of the original contract.

4.K. Consider enacting Ordinance 2108: An ordinance relating to the sale of real estate owned by the city.

Introduce Ordinance 2108 and waive the requirement of reading on three separate days. Carried with a motion by Dale Strehle and a second by Travis Sears.

Brian Carnes: Aye, Kyle Frans: Aye, Ryan Hinz: Aye, Jack Oelschlager: Aye, Mike Pavelka: Aye, Travis Sears: Aye, Dale Strehle: Aye

Aye: 7, No: 0

Enact Ordinance 2108 related to the sale of real estate owned by the City. Carried with a motion by Travis Sears and a second by Jack Oelschlager.

Brian Carnes: Aye, Kyle Frans: Aye, Ryan Hinz: Aye, Jack Oelschlager: Aye, Mike Pavelka: Aye, Travis Sears: Aye, Dale Strehle: Aye

Aye: 7, No: 0

4.L. Consider confirming the Mayor's appointment of Larry Eberspacher and Judy Henning to the Cemetery Board.

Confirm Mayor's appointments of Larry Eberspacher and Judy Henning to the Cemetery Board. Carried with a motion by Brian Carnes and a second by Jack Oelschlager.

Brian Carnes: Aye, Kyle Frans: Aye, Ryan Hinz: Aye, Jack Oelschlager: Aye, Mike Pavelka: Aye, Travis Sears: Aye, Dale Strehle: Aye

Aye: 7, No: 0

4.M. Consider confirming the Mayor's appointment of Rick Brown and Brad Elder to the Tree Board.

Confirm Mayor's appointments of Rick Brown and Brad Elder to the Tree Board. Carried with a motion by Brian Carnes and a second by Jack Oelschlager.

Brian Carnes: Aye, Kyle Frans: Aye, Ryan Hinz: Aye, Jack Oelschlager: Aye, Mike Pavelka: Aye, Travis Sears: Aye, Dale Strehle: Aye

Aye: 7, No: 0

5. Petitions - Communications - Citizen Concerns

Theresa Vernon with the Fair Board expressed concerns regarding insurance requirements.

6. Officers' Reports

Council Member Brian Carnes stated that he wants the modified fair to be successful and believes the city is willing to help the hosts contain the activity area. Tom Ourada reported that he has been working to improve the acoustics around the library HVAC system. He also reported that the city is now requiring the wearing of masks by everyone.

7. Adjournment

Motion to adjourn. Carried with a motion by Dale Strehle and a second by Jack Oelschlager.

Brian Carnes: Aye, Kyle Frans: Aye, Ryan Hinz: Aye, Jack Oelschlager: Aye, Mike Pavelka: Aye, Travis Sears: Aye, Dale Strehle: Aye

Aye: 7, No: 0

The meeting was adjourned at 7:01pm.

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)