

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

Committee Chair Jack Oelschlager called the meeting to order at 4:53pm.

2. Roll Call

Ryan Hinz: Present

Jack

Oelschlager: Present

Dale Strehle: Present

Present: 3.

3. Items of Business

- A. Discuss and provide a recommendation to the City Council on approving a new pumper/tanker purchase from the bids received on July 2, 2020.

Recommend City Council accept low bid from Heiman Fire Equipment. Carried with a motion by Dale Strehle and a second by Ryan Hinz.

Ryan Hinz: Aye, Jack Oelschlager: Aye, Dale Strehle: Aye

Aye: 3, No: 0

B. Discuss and provide a recommendation to the City Council on enacting Ordinance 2109: An ordinance relating to civil service.

Recommend City Council enact Ordinance 2109 amending City Code related to civil service. Carried with a motion by Ryan Hinz and a second by Dale Strehle.

Ryan Hinz: Aye, Jack Oelschlager: Aye, Dale Strehle: Aye  
Aye: 3, No: 0

4. Officers' Reports

5. Adjournment

The meeting was adjourned at 5:10pm.

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.

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City Clerk

(S E A L)

BID

6-24, 2020

THIS BID IS BEING SUBMITTED TO:

Honorable Mayor and City Council  
City of Crete  
P.O. Box 86  
243 East 13th Street  
Crete, NE 68333-0086

IDENTIFICATION: Fire Truck  
Crete Fire & Rescue Department  
City of Crete, Nebraska

The undersigned, in compliance with your Advertisement for Bids for furnishing a Fire Truck, having examined the Specifications and being familiar with the equipment to be furnished, hereby propose to furnish such equipment in accordance with the Contract Documents for the sum set forth in the following Bid Schedule.

BID SCHEDULE

BASE BID:

Provide for the furnishing and delivery of a new complete vehicle equipped as specified in the Specifications. (LUMP SUM)

Three hundred Seventy thousand Nine hundred twenty dollars DOLLARS (\$ 317,920.00)

Bidders shall note that wherever a specific manufacturer or model is listed in the bidding documents, an item of another manufacturer or model will be allowed if that item is functionally equal to the named brand and model such that no change in any related equipment is required. Acceptance of all such equal products shall be at the sole discretion of the Owner.

If it is necessary to bid alternate equipment or to take exceptions to the specifications as set forth, this must be so stated in your Bid. For each item, please place an X in the appropriate space (Yes\_\_ No\_\_) to signify whether or not you are in complete compliance with the specification. Failure to follow the format or answer the specification may cause your Bid to be disqualified. If you need extra space to describe your product, please feel free to attach extra sheets. When doing this, be sure your description references the appropriate question number.

NOTE: Bidders shall not add any conditions or qualifying statements to this Bid as otherwise the Bid may be declared irregular as not being responsive to the Advertisement for Bids.

OFFICIAL ADDRESS:

25814 Rudolph Circle  
Sioux Falls, S.D. 57107

Telephone: 605-543-5510

Fax No.: 605-543-5543

Email Address: janlarsen@heimanfire.com

Delivery of Units:

Heiman Fire  
By Jan Larson  
Title G.M.



**DANKO EMERGENCY EQUIPMENT Co.**  
 302 East 4<sup>th</sup> Street • PO Box 218 • Snyder, NE 68664-0218  
 (402) 568-2200 • Fax (877) 568-2443 • trucksales@danko.net

**PROPOSAL FOR FIRE APPARATUS**

07/02/2020

TO: City of Crete Fire & Rescue Department  
Crete, NE

Dear Sirs:

We hereby propose and agree to furnish, after your acceptance of this proposal and the proper execution and approval of the accompanying contact, the following apparatus:

1-Danko 3,000 Gallon Pumper/Tanker, as per Danko specifications	\$228,175.00
1-Freightliner M2 106 Regular Cab Chassis, as per chassis specifications	\$99,690.00
TOTAL	\$327,865.00

All of which are to be built in accordance with the specifications attached, and which are made a part of this agreement and contract to deliver same by 210-275 calendar days after receipt of signed and accepted contract to deliver same at Danko Emergency Equipment, Co. Proposal subject to all causes beyond our control, for the sum of:  
 Three hundred twenty seven thousand eight hundred sixty five dollars and no/00-----

(\$ 327,865.00 ) F.O.B. Crete, NE.

Terms: Final payment will be made within thirty (30) days after delivery and acceptance of the equipment.

All payments of any nature must be paid directly from the customer to Danko Emergency Equipment Company in Snyder, Nebraska.

The amount named in this proposal shall remain firm for a period of 45 days from the date of same.

Respectfully Submitted  
 DANKO EMERGENCY EQUIPMENT CO.

David Knobbe  
 Title: Apparatus Sales Manager  
 Date: 07/02/2020

We agree to accept the above proposal

\_\_\_\_\_  
 (Customer Signature)  
 Title: \_\_\_\_\_  
 Date: \_\_\_\_\_

## ORDINANCE NO. 2109

**AN ORDINANCE OF THE CITY OF CRETE, NEBRASKA RELATING TO CIVIL SERVICE; TO REPEAL ALL EXISTING SECTIONS OF CHAPTER 2, ARTICLE 12 OF THE CITY CODE; AND TO ENACT A NEW CIVIL SERVICE CODE THAT CONFORMS WITH STATE LAW.**

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

**Section 1.** That all existing sections of Chapter 2, Article 12 of the Crete City Code shall be repealed in full.

**Section 2.** That Chapter 2, Article 12 of the Crete City Code shall be amended by adding a new section 2-1201 to read as follows:

**2-1201 Code, how cited.**

The provisions of this Article shall be known and may be cited as the Civil Service Code.

**Section 3.** That Chapter 2, Article 12 of the Crete City Code shall be amended by adding a new section 2-1202 to read as follows:

**2-1202 Definitions.**

For purposes of the Civil Service Code, unless the context otherwise requires, the definitions found in the Civil Service Act and those listed below shall apply:

- (1) “Appointing Authority” means the City Administrator of the City of Crete, Nebraska.
- (2) “Civil Service Act” means sections 19-1825 to 19-1848 of the Nebraska Revised Statutes and any updates and amendments thereto.
- (3) “Commission” means the Civil Service Commission of the City of Crete, Nebraska.
- (4) “Examinations” means all open competitive examinations and tests that are practical and consist only of subjects which will fairly and impartially determine the capacity of persons who are to be examined to perform the duties of a specific civil service position and may include, but not be limited to, tests of basic knowledge, physical fitness, manual skill, and psychological testing.
- (5) “Position” means an individual job which is designated by an official title and corresponding job description indicating the nature of work to be performed.
- (6) “Promotion” or “demotion” means changing from one position to another, accompanied by a corresponding change in rate of pay.

**Section 4.** That Chapter 2, Article 12 of the Crete City Code shall be amended by adding a new section 2-1203 to read as follows:

**2-1203 Civil Service Commission, creation.**

There shall be and there is hereby created, in and for the City of Crete, Nebraska, a Civil Service Commission, which shall exercise all of the power and authority granted to and perform all of the duties required by a civil service commission under the Civil Service Act and this Article.

**Section 5.** That Chapter 2, Article 12 of the Crete City Code shall be amended by adding a new section 2-1204 to read as follows:

**2-1204 Commission; appointment of members; removal.**

- (1) The Civil Service Commission shall consist of five (5) members who shall be appointed by the Mayor with the approval of the City Council. No person shall be appointed a member of the Commission who is not a citizen of the United States, a resident of the City of Crete for at least three years immediately preceding such appointment, and a registered elector of Saline County, Nebraska. At the time of appointment, no more than three members, including the one or ones to be appointed, shall be registered electors of the same political party.
- (2) Any member of the Commission may be removed from office by the Mayor for incompetency, dereliction of duty, malfeasance in office, or other good cause. No member of the Commission shall be removed until written charges have been made and provided to the Commission, due notice has been given to such member, and a full hearing has been held before the Mayor and the City Council. Any member so removed shall have the right to appeal the decision to the District Court of Saline County, which shall hear and determine such appeal as provided for in the Civil Service Act.

**Section 6.** That Chapter 2, Article 12 of the Crete City Code shall be amended by adding a new section 2-1205 to read as follows:

**2-1205 Commission; chairperson; secretary and chief examiner.**

- (1) Each December, the Commission shall meet and elect one of its members chairperson to serve for the following year. If the chairperson resigns or is removed from office, a successor shall be elected as the first item of business at the next meeting of the Commission.
- (2) The Commission shall appoint the Director of Human Resources, Human Resources Coordinator, or other agent of the Department of Human Resources as its secretary and chief examiner. The secretary and chief examiner shall keep all records of the Commission, preserve all reports made to it, superintend and keep a record of all examinations held by the Commission, and perform such other duties as the Commission may prescribe in its rules and regulations.

**Section 7.** That Chapter 2, Article 12 of the Crete City Code shall be amended by adding a new section 2-1206 to read as follows:

**2-1206 Civil service employees; qualifications; vacancies; hiring process.**

- (1) The Appointing Authority shall establish the minimum job qualifications, minimum qualifying standards for examinations, essential job functions, and job descriptions of each position subject to the Civil Service Act.
- (2) Whenever a position subject to the Civil Service Act becomes vacant, the Appointing Authority shall request the Commission provide a certified eligibility list of persons eligible for the position and may decline to fill such vacancy for an indefinite period.

- (a) Such certified eligibility list (i) shall include the names of all persons who have satisfactorily passed the required examinations for the vacant position and whose qualifications have been verified by the Commission and (ii) shall be ranked in order from highest to lowest based on composite scores calculated from the sum of each person's scores on the required examinations.
- (b) If the certified eligibility list contains fewer than three different names for each vacant position, the Appointing Authority shall direct the Department of Human Resources to begin an application and hiring process and may hire a temporary employee, pursuant to the Civil Service Act, to temporarily fill any vacant position.
- (3) The Department of Human Resources shall solicit applications for vacant positions and shall invite those applicants who meet the minimum job qualifications to participate in and take the required examinations for such positions.
- (4) The Commission shall determine the examinations required for each position subject to the Civil Service Act and shall proctor, score, and administer all required examinations at such dates and times as determined by the Appointing Authority. The Commission shall adopt and promulgate procedural rules and regulations to govern the manner in which examinations are held.
- (5) The Appointing Authority shall determine and be responsible for all aspects of the hiring and selection process for filling vacant positions, except for the selection and administration of examinations, and shall make all hiring or promotion decisions based solely on merit, efficiency, and fitness as determined by the results of the required examinations and the factors specified in the Civil Service Act.

**Section 8.** That Chapter 2, Article 12 of the Crete City Code shall be amended by adding a new section 2-1207 to read as follows:

**2-1207 Civil service employees; written accusations; disciplinary procedures.**

- (1) No person who has been permanently placed into civil service under the Civil Service Act and this Article shall be suspended, demoted, removed, or discharged except for cause and then only upon the written accusation of the police or fire chief, the Appointing Authority, or any citizen or taxpayer.
- (2) The written accusation shall set forth the alleged misconduct, charges, or grounds in sufficient detail as to allow the police or fire chief and the Appointing Authority to perform an investigation into its veracity and shall be filed with the Department of Human Resources, which shall cause a copy of the written accusation to be delivered to the police or fire chief and the Appointing Authority.
- (3) If, after an investigation, the police or fire chief and the Appointing Authority determine the written accusation has merit, discipline shall be imposed according to the Personnel Rules and Regulations of the City of Crete.

**Section 9.** That Chapter 2, Article 12 of the Crete City Code shall be amended by adding a new section 2-1208 to read as follows:

**2-1208 Civil service employees; appeal and investigation by Commission; public hearing.**

- (1) Any person suspended, demoted, removed, or discharged pursuant to this Article may, within ten days after being notified by the Appointing Authority of such disciplinary action, file a written demand for an appeal and investigation with the Department of Human Resources, which shall cause a copy of the written demand to be delivered to the Commission and the Appointing Authority.

- (2) The Appointing Authority shall provide the Commission and the appellant a certified copy of: the written accusation, any statements or evidence obtained as a result of the investigation performed by the police or fire chief and the Appointing Authority, and the imposed disciplinary action.
- (3) The Commission shall conduct an independent investigation to determine the sole question of whether or not the suspension, demotion, removal, or discharge was made in good faith for cause, which shall mean that the action was not arbitrary or capricious and was not made for political or religious reasons.
- (4) After such investigation, the Commission shall, not less than ten days or more than twenty days after the filing of the written demand for an investigation, hold a public hearing in accordance with the Civil Service Act. The Appointing Authority shall appear at the public hearing to present evidence and testimony in support of the imposed disciplinary action.
- (5) At the close of the public hearing or within a reasonable amount of time after the public hearing, the Commission shall make such findings as are provided for in the Civil Service Act and shall issue an order or judgment explaining its findings and directing the Appointing Authority to take appropriate action. Such order or judgment shall be certified in writing to and enforced by the Appointing Authority.
- (6) The Commission shall adopt and promulgate procedural rules and regulations to govern its investigations and public hearing proceedings.

**Section 10.** That the above sections shall be codified as part of the Crete City Code as stated herein.

**Section 11.** That all ordinances or parts of ordinances in conflict herewith are hereby repealed and that any partial repeal shall not affect the other parts of ordinances that can be given effect without the repealed parts.

**Section 12.** That this ordinance shall be published in pamphlet or book 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 this 7th day of July 2020.

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Mayor

ATTEST:

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City Clerk