

CITY OF CRETE, NEBRASKA  
CITY COUNCIL REGULAR MEETING

January 2, 2019

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

Mayor Roger Foster called the meeting to order at 6:00pm.

2. Roll Call

David Bauer: Present  
Brian Carnes: Present  
Kyle Frans: Present  
Ryan Hinz: Present  
Jack Oelschlager: Present  
Dale Strehle: Present

Present: 6.

3. Petitions - Communications - Citizen Concern

Maricela Flores of 750 West 13th Street addressed the City Council about the condition of the railroad crossing on West 13th Street. She is concerned about the safety issues that are caused by the condition of the crossing.

Mayor Foster stated that the BNSF Railroad was contacted about the condition of the crossing in the spring of 2018. The recent appearance of the material needed to repair the crossing is promising.

4. Special Order of Business

4.A. Public Hearing Regarding Amending Zoning Chapter 11 Article 2 Adding Submission Requirements for Composting Facility Request

Open a public hearing at 6:03 pm Carried with a motion by Kyle Frans and a second by Jack Oelschlager.

David Bauer: Aye, Brian Carnes: Aye, Kyle Frans: Aye, Ryan Hinz: Aye, Jack Oelschlager: Aye, Dale Strehle: Aye

Aye: 6, No: 0

Close the public hearing at 6:06 pm Carried with a motion by Dale Strehle and a second by Kyle Frans.

David Bauer: Aye, Brian Carnes: Aye, Kyle Frans: Aye, Ryan Hinz: Aye, Jack Oelschlager: Aye, Dale Strehle: Aye

Aye: 6, No: 0

There were no comments from the public written or in person regarding the proposed amendments to the zoning regulations for special exceptions.

4.B. CCI Request for Special Exception Use Extension

January 2, 2019 Table this item until the next regular City Council meeting Carried with a motion by David Bauer and a second by Dale Strehle.

David Bauer: Aye, Brian Carnes: Aye, Kyle Frans: Aye, Ryan Hinz: Aye, Jack Oelschlager: Aye, Dale Strehle: Aye  
Aye: 6, No: 0

4.C. Advanced Life Saving Tiered Response Agreement

January 2, 2019 Approve the tiered response agreement with CAMC for ALS services for a period of one year from the date fully implemented with a review beginning in six months and agreements developed with departments outside Saline County for intercept billing Carried with a motion by Jack Oelschlager and a second by Dale Strehle.

David Bauer: Aye, Brian Carnes: Aye, Kyle Frans: Aye, Ryan Hinz: Aye, Jack Oelschlager: Aye, Dale Strehle: Aye  
Aye: 6, No: 0

4.D. BVH Change Authorization #1 for Library Furnishings Services

Approve Change Authorization No. 1 with BVH for library furnishing design work at a cost not to exceed \$17,600 Carried with a motion by David Bauer and a second by Kyle Frans.

David Bauer: Aye, Brian Carnes: Aye, Kyle Frans: Aye, Ryan Hinz: Aye, Jack Oelschlager: Aye, Dale Strehle: Aye  
Aye: 6, No: 0

4.E. Interlocal Cooperation Agreement with Seward County for Legal Services

Approve the three month interlocal agreement with Seward County for legal services at a cost of \$13,000 Carried with a motion by David Bauer and a second by Kyle Frans.

David Bauer: Aye, Brian Carnes: Aye, Kyle Frans: Aye, Ryan Hinz: Aye, Jack Oelschlager: Aye, Dale Strehle: Aye  
Aye: 6, No: 0

4.F. Tuxedo Park Restroom Proposed Design

Approve the development of plans, specifications and an engineers estimate for the construction of a new restroom facility at the Tuxedo Park Softball complex Carried with a motion by Brian Carnes and a second by Jack Oelschlager.

David Bauer: Aye, Brian Carnes: Aye, Kyle Frans: Aye, Ryan Hinz: Aye, Jack Oelschlager: Aye, Dale Strehle: Aye  
Aye: 6, No: 0

4.G. Vacation Accrual Limits

Approve amending the Employee Rules and Regulations to provide for a maximum vacation accrual of 280 hours for non-bargaining unit employees of the City Carried with a motion by Kyle Frans and a second by Ryan Hinz.

David Bauer: Aye, Brian Carnes: Aye, Kyle Frans: Aye, Ryan Hinz: Aye, Jack Oelschlager: Aye, Dale Strehle: Aye  
Aye: 6, No: 0

4.H. Letter of Intent to Apply for CCCFF

Approve application for the CCCFF grant to make improvements to the Isis Theater and authorize the Mayor to sign and send a letter of intent to apply Carried with a motion by David Bauer and a second by Kyle Frans.

David Bauer: Aye, Brian Carnes: Aye, Kyle Frans: Aye, Ryan Hinz: Aye, Jack Oelschlager: Aye, Dale Strehle: Aye  
Aye: 6, No: 0

Betsy Samuelson of SENDD addressed the City Council with some information regarding the request for CCCFF funding. The total project cost for repairs to the Isis Theater would be \$250,000 with the grant request for 50% of the cost, or \$125,000. SENDD will be developing the grant application and administering the funds if received.

Mayor Foster explained that the City has to own the facility in order for the funds to be obtained. The Blue River Arts Council will be a partner in the project and will reimburse the City for the matching funds and building purchase.

#### 4.I. Lincoln Airport Authority Agreement

Approve the agreement with Lincoln Airport Authority for use of the Lincoln Air Park for driver training for calendar year 2019 Carried with a motion by Jack Oelschlager and a second by Brian Carnes.

David Bauer: Aye, Brian Carnes: Aye, Kyle Frans: Aye, Ryan Hinz: Aye, Jack Oelschlager: Aye, Dale Strehle: Aye

Aye: 6, No: 0

#### 4.J. Mayor's Appointments

Approve the Mayor's appointment of Travis Sears to the Planning Commission for a term of April 1, 2020

Carried with a motion by Jack Oelschlager and a second by Kyle Frans.

David Bauer: Aye, Brian Carnes: Aye, Kyle Frans: Aye, Ryan Hinz: Aye, Jack Oelschlager: Aye, Dale Strehle: Aye

Aye: 6, No: 0

Approve the Mayor's appointment of Blaine Spanjer to the Airport Authority for a term of December 1, 2024

Carried with a motion by Jack Oelschlager and a second by Kyle Frans.

David Bauer: Aye, Brian Carnes: Aye, Kyle Frans: Aye, Ryan Hinz: Aye, Jack Oelschlager: Aye, Dale Strehle: Aye

Aye: 6, No: 0

#### 4.K. Flood Plain Mapping Proposal

Approve the Scope of Service Proposal by Olsson Associates for a Flood Plain Mapping Assessment at a cost not to exceed \$10,060 Carried with a motion by David Bauer and a second by Kyle Frans.

David Bauer: Aye, Brian Carnes: Aye, Kyle Frans: Aye, Ryan Hinz: Aye, Jack Oelschlager: Aye, Dale Strehle: Aye

Aye: 6, No: 0

### 5. Resolutions & Ordinances

#### 5.A. Resolution 2018-31 Establish Crete Fire and Rescue ALS Service for One Year

January 2, 2019 Introduce and approve Resolution 2018-31 establishing ALS services by Crete Fire and Rescue on a limited basis Carried with a motion by Jack Oelschlager and a second by Dale Strehle.

David Bauer: Aye, Brian Carnes: Aye, Kyle Frans: Aye, Ryan Hinz: Aye, Jack Oelschlager: Aye, Dale Strehle: Aye

Aye: 6, No: 0

#### 5.B. Ordinance 2056 Amending 11-221 Adding Composting Facility as Special Exception Use

January 2, 2019 Table Ordinance 2056 until the next regular City Council meeting Carried with a motion by David Bauer and a second by Ryan Hinz.

David Bauer: Aye, Brian Carnes: Aye, Kyle Frans: Aye, Ryan Hinz: Aye, Jack Oelschlager: Aye, Dale Strehle: Aye

Aye: 6, No: 0

5.C. Ordinance 2057 Amending 11-211 to Add Composting Facility Definition

January 2, 2019 Table Ordinance 2057 until the next regular City Council meeting Carried with a motion by David Bauer and a second by Ryan Hinz.

David Bauer: Aye, Brian Carnes: Aye, Kyle Frans: Aye, Ryan Hinz: Aye, Jack Oelschlager: Aye, Dale Strehle: Aye

Aye: 6, No: 0

5.D. Ordinance 2062 Amending 3-1101 Through 3-1104 Municipal Ambulance Service

January 2, 2019 Introduce Ordinance 2062 and waive the rules requiring three readings on different days Carried with a motion by Jack Oelschlager and a second by Dale Strehle.

David Bauer: Aye, Brian Carnes: Aye, Kyle Frans: Aye, Ryan Hinz: Aye, Jack Oelschlager: Aye, Dale Strehle: Aye

Aye: 6, No: 0

January 2, 2019 Approve Ordinance 2062 on final reading Carried with a motion by Dale Strehle and a second by Jack Oelschlager.

David Bauer: Aye, Brian Carnes: Aye, Kyle Frans: Aye, Ryan Hinz: Aye, Jack Oelschlager: Aye, Dale Strehle: Aye

Aye: 6, No: 0

5.E. Ordinance 2072 Amending 11-230 Adding Part E.9. Composting

January 2, 2019 Table Ordinance 2072 until the next regular City Council meeting Carried with a motion by David Bauer and a second by Ryan Hinz.

David Bauer: Aye, Brian Carnes: Aye, Kyle Frans: Aye, Ryan Hinz: Aye, Jack Oelschlager: Aye, Dale Strehle: Aye

Aye: 6, No: 0

6. Officers' Reports

Dan Dunaway, Park and Recreation Director, reported that the youth basketball program will begin this week at the intermediate school.

Joy Stevenson, Library Director, reported that Nestle Purina donated \$15,000 for a large study room in the new library and that the Acklie Family Foundation donated \$150,000 for the Community Room. The Abel Family Foundation also donated \$20,000 for general construction. Doane University accounting students, through a program with the IRS, will be providing free tax return assistance at the Library beginning February 1st.

Steve Hensel, Police Chief, reported that a group of porch pirates were apprehended and most of the items returned to the rightful owners.

Council member Hinz thanked the Flores family for coming to address the City Council with their concerns and encouraged others to do the same.

Mayor Foster welcomed the Cub Scouts that were attending the meeting and will be meeting with them afterwards for questions. He requested a closed session after the regular meeting items to discuss contract negotiations.

Tom Ourada, City Administrator, reported that a window in the utility billing office was broken out with a rock, but entry was not made. He also reported that Well #5 is getting a new variable speed motor.

7. Consent Agenda

Approve the consent agenda items as presented Carried with a motion by David Bauer and a second by Dale Strehle.

David Bauer: Aye, Brian Carnes: Aye, Kyle Frans: Aye, Ryan Hinz: Aye, Jack Oelschlager: Aye, Dale Strehle: Aye

Aye: 6, No: 0

7.A. City Council Meeting Minutes

7.A.1. December 18, 2018

7.B. City Council Committee Meeting Minutes

7.B.1. Public Safety Meeting Minutes of December 18, 2018

7.B.2. Legislative Development Committee Meeting Minutes of December 18, 2018

7.B.3. Parks and Recreation Committee Meeting Minutes of December 18, 2018

7.C. City Treasurer's Report

7.D. Claims Against the City

8. Adjournment

The Mayor, City Council, City Administrator and City Treasurer go into closed session at 6:45 PM for the protection of the public interest to discuss contract negotiations Carried with a motion by Jack Oelschlager and a second by Brian Carnes.

David Bauer: Aye, Brian Carnes: Aye, Kyle Frans: Aye, Ryan Hinz: Aye, Jack Oelschlager: Aye, Dale Strehle: Aye

Aye: 6, No: 0

The Mayor and City Council return to open session at 6:55 PM Carried with a motion by Jack Oelschlager and a second by Dale Strehle.

David Bauer: Aye, Brian Carnes: Aye, Kyle Frans: Aye, Ryan Hinz: Aye, Jack Oelschlager: Aye, Dale Strehle: Aye

Aye: 6, No: 0

Prior to going into the closed session the Mayor stated that the Mayor, City Council, City Administrator and City Treasurer would go into closed session at 6:45 PM for the protection of the public interest to discuss contract negotiations.

After the closed session the Mayor stated that the Mayor, City Council, City Administrator and City Treasurer met in closed session to protect the public interest to discuss contract negotiations and not action was taken.

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)