

CITY OF CRETE, NEBRASKA
CITY COUNCIL REGULAR MEETING

April 16, 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 6:17pm.

2. Roll Call

Jack Oelschlager: Absent

Dale Strehle: Absent

David Bauer: Present

Brian Carnes: Present

Kyle Frans: Present

Ryan Hinz: Present

Present: 4, Absent: 2.

3. Petitions - Communications - Citizen Concern

4. Special Order of Business

4.A. CPS Youth in Governance Team Presentation

4.B. CCI Request for Siting Approval Final Public Hearing

Open Public Hearing regarding CCI Request for Siting Approval. Carried with a motion by David Bauer and a second by Brian Carnes.

David Bauer: Aye, Brian Carnes: Aye, Kyle Frans: Aye, Ryan Hinz: Aye

Aye: 4, No: 0

Close Public Hearing Carried with a motion by Brian Carnes and a second by Kyle Frans.

David Bauer: Aye, Brian Carnes: Aye, Kyle Frans: Aye, Ryan Hinz: Aye

Aye: 4, No: 0

Mayor Foster presented the exhibits relative to the siting request and stated they are available to the public.

4.C. Sampson Change Order Nos. 6 and 7

Approve Sampson Change Orders numbers 6 and 7. 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

Aye: 4, No: 0

4.D. Crete Water Rate Study Presentation by JEO

Table water rate presentation until April 16, 2019 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

Aye: 5, No: 0

Dane Simonson with JEO presented the information.

4.E. Policies and Procedures Manual Section 3.05 Issue Regarding Overtime Pay

Table action on amending Policies and Procedures Manual Section 3.05 for further information. 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
Aye: 4, No: 0

4.F. Change of Title to HR Coordinator

Change the title from HR Director to HR Coordinator and approve the associated job description. 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
Aye: 4, No: 0

4.G. Exhibit A for Concrete - 4 DTR Project Sites

Approve the concrete work for 4 DTR project sites. Carried with a motion by Ryan Hinz and a second by Kyle Frans.

David Bauer: Aye, Brian Carnes: Aye, Kyle Frans: Aye, Ryan Hinz: Aye
Aye: 4, No: 0

4.H. Exhibit A Contract #4 for 1214-22 Main

Approve a contract for Downtown Renovation at 1214-22 Main. Carried with a motion by Ryan Hinz and a second by David Bauer.

David Bauer: Aye, Brian Carnes: Aye, Kyle Frans: Aye, Ryan Hinz: Aye
Aye: 4, No: 0

4.I. Lease Agreement with Tuxedo Raceway/Team Dice Promotions

Approve a 1-year lease agreement with Team Dice Promotions for the Tuxedo Raceway. Carried with a motion by Brian Carnes and a second by Kyle Frans.

David Bauer: Aye, Brian Carnes: Aye, Kyle Frans: Aye, Ryan Hinz: Aye
Aye: 4, No: 0

4.J. Tuxedo Park Infield Services Agreement

Table an agreement for Tuxedo Park Infield Services. Carried with a motion by Brian Carnes and a second by Ryan Hinz.

David Bauer: Aye, Brian Carnes: Aye, Kyle Frans: Aye, Ryan Hinz: Aye
Aye: 4, No: 0

4.K. Confirm Mayor's Re-appointments of Brian Stork and Chad Menagh to the Police Retirement Advisory Board with terms ending 12/01/2022

Confirm the Mayor's re-appointments of Brian Stork and Chad Menagh to the Police Retirement Advisory Board. 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
Aye: 4, No: 0

5. Resolutions & Ordinances

5.A. Resolution 2019-11 Appointments to MEAN

Pass Resolution 2019-11 appointing City positions on MEAN Board. Carried with a motion by Ryan Hinz and a second by Brian Carnes.

David Bauer: Aye, Brian Carnes: Aye, Kyle Frans: Aye, Ryan Hinz: Aye
Aye: 4, No: 0

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

Approve Ordinance 2056 amending 11-221 adding Composting Facility as Special Exception Use for Final Reading. 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
Aye: 4, No: 0

Adopt Ordinance 2056 amending 11-221 adding Composting Facility as a Special Exception Use. 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
Aye: 4, No: 0

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

Approve Ordinance 2057 amending 11-211 adding Composting Facility definition for Final Reading. 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
Aye: 4, No: 0

Adopt Ordinance 2057 amending 11-211 adding Composting Facility definition. 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
Aye: 4, No: 0

5.D. City Council Decision Regarding CCI Compliance with Local Siting Requirements

Approve a Certification of Compliance with Local Siting Requirements for Crete Core Ingredients. 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
Aye: 4, No: 0

Approve Mayor to sign Findings of Fact regarding CCI Request for Siting. 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
Aye: 4, No: 0

The City Council considered the statutory Findings of Fact regarding a composting facility siting request, as prepared by City Attorney Wendy Elston. Lori Calub with HDR responded to several questions from City Council members.

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

Approve Ordinance 2072 amending 11-230 adding Part E.9. Composting for Final Reading. 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
Aye: 4, No: 0

Adopt Ordinance 2072 amending 11-230 adding Part E.9. Composting. 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
Aye: 4, No: 0

5.F. Ordinance 2079 Amend City Code 3-225 Correct Clerical Error Regarding Water Fees

Introduce Ordinance 2079 Amend City Code 3-225 correcting clerical error of water tap fees and waived the statutory requirement of three readings. 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

Aye: 4, No: 0

Adopt Ordinance 2079 Amend City Code 3-225 correcting clerical error of water tap fees. 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

Aye: 4, No: 0

5.G. Ordinance 2080 Amend City Code 3-325 Part E Correct Clerical Error Regarding Sewer Fees

Introduce Ordinance 2080 Amend City Code 3-325 correcting clerical error of sewer tap fees and waived the statutory requirement of three readings. 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

Aye: 4, No: 0

Adopt Ordinance 2080 Amend City Code 3-325 correcting clerical error of sewer tap fees. 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

Aye: 4, No: 0

5.H. Ordinance 2081 Amend City Code 9-201 to Correct Clerical Error Regarding Permit Fees

Introduce Ordinance 2081 Amend City Code 9-201 correcting clerical error regarding permit fees and waived the statutory requirement of three readings. 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

Aye: 4, No: 0

Adopt Ordinance 2081 Amend City Code 9-201 correcting clerical error regarding permit fees. 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

Aye: 4, No: 0

6. Officers' Reports

Building Inspector Brad Bailey reported on homes damaged by the flooding. City Clerk Judi Meyer reported on the status of the Downtown Renovation project. City Administration Tom Ourada reported that the street construction around the library would begin next week and other paving would begin the last week of April. Council President Dave Bauer reported that some of the new downtown benches, garbage cans, and flower pots would be placed the first week of May.

7. Consent Agenda

Approve the Consent Agenda items. 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

Aye: 4, No: 0

7.A. City Council Meeting Minutes

7.A.1. City Council Meeting Minutes of April 2, 2019

7.B. City Council Committee Meeting Minutes

7.B.1. Personnel Committee Meeting Minutes of April 2, 2019

7.B.2. Public Works Committee Meeting Minutes of April 2, 2019

7.C. City Treasurer's Report

7.D. Claims Against the City

8. Adjournment

Motion to adjourn. 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
Aye: 4, No: 0

The meeting adjourned at 7:22pm.

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)