

CITY OF CRETE, NEBRASKA
CITY COUNCIL REGULAR MEETING

October 20, 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 Ryan Hinz called the meeting to order at 5:52pm.

2. Roll Call

Kyle Frans: Present

Ryan Hinz: Present

Jack

Oelschlager: Present

Present: 3.

Also present: City Administrator Tom Ourada, City Clerk Judi Meyer, Finance Director Jerry Wilcox, City Attorney Kyle Manley, Building Inspector Brad Bailey, Mayor Dave Bauer, other members of City Council, members of the public.

3. Items of Business

A. Report on the legality of video gaming machines.

Tom Ourada reported that the gaming machines located in Crete are fully licensed and taxed. The City may lawfully charge an additional city tax on the machines. Committee members requested that city staff research and suggest tax rate at the next committee meeting.

B. Discuss eliminating 30-day or longer hotel/motel stays from the calculation on the hotel occupation tax.

Mr. Patel, owner of the Crete Inn, stated that he is losing income because potential customers choose to stay at private residential rentals where no tax is charged.

- C. Discuss and provide a recommendation to the City Council on enacting Ordinance 2114: An ordinance relating to the administration of the city code.

Recommend City Council adopt Ordinance 2114 relating to administration of the City Code. Carried with a motion by Jack Oelschlager and a second by Kyle Frans.

Kyle Frans: Aye, Ryan Hinz: Aye, Jack Oelschlager: Aye
Aye: 3, No: 0

- D. Discuss adopting a citizen request form to place items on committee or council meeting agendas.

Table adopting a citizen request form to place items on committee or council meeting agendas. Carried with a motion by Kyle Frans and a second by Jack Oelschlager.

Kyle Frans: Aye, Ryan Hinz: Aye, Jack Oelschlager: Aye
Aye: 3, No: 0

4. Officers' Reports

5. Adjournment

The meeting was adjourned at 6:15pm.

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)

ORDINANCE NO. 2114

AN ORDINANCE OF THE CITY OF CRETE, NEBRASKA RELATING TO ADMINISTRATION OF THE CITY CODE; TO AMEND SECTION 1-308 OF THE CRETE CITY CODE TO ASSIGN ADMINISTRATION AND MAINTENANCE OF THE CITY CODE TO THE CITY ATTORNEY .

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

Section 1. That Chapter 1, Article 3, Section 1-308 of the Crete City Code shall be amended to read as follows:

§1-308 APPOINTED OFFICER; CITY ATTORNEY.

- (1) The City Attorney shall be the legal advisor of the Mayor, City Council, and other city officers, departments, and agencies. The City Attorney shall be is under the direct supervision of the City Administrator and shall not engage in the private practice of law.
- (2) The City Attorney shall:
 - (a) commence, prosecute, and defend all suits and actions necessary to be commenced, prosecuted, or defended on behalf of the City or that may be ordered by the City Council;
 - (b) He or she shall attend all meetings of the City Council and give them his or her opinion upon any matters submitted to him or her, either orally or in writing as may be required;
 - (c) He or she shall draw all ordinances, resolutions, contracts, and other documents requested by the Mayor and City Council or the City Administrator. The City Attorney will not engage in a private outside law practice; and,
 - (d) correlate, administer, and maintain codified publications of all general and permanent ordinances enacted by the City Council.
- (3) The City Attorney, in administering the codified publications, shall not alter the sense, meaning, or effect of any ordinance enacted by the City Council, but may:
 - (a) renumber or rearrange sections and parts of sections;
 - (b) change reference numbers to agree with renumbered or rearranged chapters, articles, sections, and parts of sections;
 - (c) substitute the proper chapter, article, or section numbers for the terms this chapter, this article, the preceding section, this ordinance, and like terms;
 - (d) strike out figures where they are merely a repetition of written words;
 - (e) change fonts, formatting, capitalization, and other typographical elements for the purpose of uniformity, legibility, and readability; and,
 - (f) correct manifest clerical or typographical errors.
- (4) The Mayor and City Council shall have the right to pay the City Attorney additional compensation for legal services performed by him or her for the City or to employ additional legal assistance and to pay for such legal assistance out of the funds of the City.

Section 2. That the changes specified in the above sections shall be codified as part of the Crete City Code as stated herein.

Section 3. That all ordinances or parts of ordinances in conflict herewith shall be repealed and that any partial repeal shall not affect the other parts of ordinances or codified sections that can be given effect without the repealed parts.

Section 4. 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 20th day of October 2020.

Mayor

ATTEST:

City Clerk



REQUEST FOR FUTURE AGENDA ITEM

If you have a specific topic that you would like the City Council to discuss at a future meeting, please list your name, address, telephone number, and the specific topic. The item will be reviewed and possibly scheduled for a future meeting, or forwarded to City staff for appropriate action.

Name: _____

Address: _____

Telephone #: _____

Date of Request: _____

Description of Requested Topic: _____

