

CITY OF CRETE, NEBRASKA
CITY COUNCIL REGULAR MEETING

June 4, 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

3. Petitions - Communications - Citizen Concern

4. Special Order of Business

4.A. Amend City Code 6-106 Livestock; Prohibited; Exception

David Bauer: Present

Brian Carnes: Present

Kyle Frans: Present

Ryan Hinz: Present

Jack Oelschlager: Present

Dale Strehle: Present

Present: 6.

Approve amending City Code 6-106 prohibited livestock exceptions. 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.B. Legion Baseball Request for Temporary Closings of Izaak Walton Rd.

Approve temporary closing of Izaak Walton Rd for upcoming baseball events. 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.C. Danko Emergency Equipment Change Order Removing Trade-in - Contract Increase of \$10,000

Approve change order with Danko Emergency Equipment removing the trade-in. 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.D. Purchase Agreement with Hickman Fire and Rescue Selling 2005 Type III Ambulance for \$10,000

Approve entering into a purchase agreement with City of Hickman selling 2005 type III ambulance. 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.E. Extend Permitted Fireworks Sales and Discharge Dates

Table extending permitted fireworks sales and discharge dates to June 18, 2019 meeting. Failed with a motion by Ryan Hinz and a second by Jack Oelschlager.

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

Aye: 3, No: 3

Kyle Frans: Aye, Jack Oelschlager: Aye, Dale Strehle: Aye

Approve extending dates of fireworks sales and discharge period to seven days and tabled the city code amendment language to the next City Council meeting for attorney review. 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

Mayor Foster voted No, breaking the tied vote.

4.F. Saline County Ag Society Request for SDL, Extended Outdoor Area and Waiver

Approve Saline County Ag Society's request for SDL extended outdoor area and Waiver. 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

4.G. Transfer of Facilities Agreement with NPPD

Approve Transfer of Facilities Agreement with NPPD upon attorney final approval. 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.H. Olsson Agreement for \$1,000 Conceptual Site Plan and Opinion of Costs for Iris Avenue sidewalks

Approve agreement with Olsson Eng. Of \$1,000 for conceptual site plan for Iris Ave. sidewalks. 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. Ordinance 2083 Amend City Code 3-223 Municipal Water Department; Rates

Approve Ordinance 2083 for Final Reading. 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

Adopted Ordinance 2083 amending City Code 3-223 Municipal Water Dept Rates. 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

5.B. Ordinance 2086 Amending City Code 6-106 Prohibited Livestock Exceptions

Waive the requirement of three readings for Ordinance 2083. 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

Adopted Ordinance 2086 amending City Code 6-106 Prohibited Livestock Exceptions. Carried with a motion by Jack Oelschlager 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 2087 Amending City Codes 6-337 and 6-338 Fireworks Hours of Sale and Discharge

Table Ordinance 2087 amending city codes 6-337 and 6-338 Fireworks Hours of Sale and Discharge to the June 18, 2019 City Council meeting. 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, Jack Oelschlager: Aye, Dale Strehle: Aye

Aye: 6, No: 0

6. Officers' Reports

Asst. Fire Chief James Yost reported that all the new radios have been placed into service and that ALS is going well, with more calls than anticipated. City Administrator Tom Ourada reported that the W. 13th railroad crossing work has been delayed. He reported the cemetery sign has been installed and that the lion fountain for city park will ship this Thursday. Mayor Foster handed out a city organizational chart and stated that council members could direct questions to him or Tom Ourada. Council President Dave Bauer commented on the slow progress of the DTR project so far this spring. Council Member Ryan Hinz commented on the potential impact of increasing population due to new housing development.

7. Consent Agenda

Approve the Consent Agenda items. 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. City Council Meeting Minutes of May 21, 2019

7.B. City Council Committee Meeting Minutes

7.B.1. Public Safety Committee Meeting Minutes of May 21, 2019

7.B.2. Legislative Development Committee Meeting Minutes of May 21, 2019

7.B.3. Personnel Committee Meeting Minutes of May 21, 2019

7.B.4. Finance Committee Meeting Minutes of May 21, 2019

7.B.5. Public Works Committee Meeting Minutes of May 21, 2019

7.C. City Treasurer's Report

7.D. Claims Against the City

8. Executive Session Regarding a Pending Legal Matter

Enter Executive Session including Wendy Elston, Atty Pigsley, Shelby Brown, Jerry Wilcox, Judi Meyer, Tom Ourada regarding a pending legal matter. 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

Exit Executive Session. 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

City Council entered Executive Session at 6:36pm. City Council exited Executive Session at 7:05pm with no action taken.

9. Adjournment

Motion to adjourn. 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

The meeting was adjourned at 7:06pm.

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)