

CITY OF CRETE, NEBRASKA
CITY COUNCIL REGULAR MEETING
November 5, 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

The City Council has posted a copy of the Open Meetings Act in the back of the council chambers and has additional copies available to read. If anyone wishes one during this meeting, please advise. The City Council also has assisted listening devices available. If needed, please advise.

The City Council may consider items listed on the agenda in random order. If there are any questions concerning an agenda item, please advise as the item is being considered.

Please stand for the Pledge of Allegiance.

Mayor Dave Bauer called the meeting to order at 6:00pm.

2. Roll Call

Attendance of Council members will be recorded to determine the presence of a quorum for official actions.

Travis Sears: Absent
Brian Carnes: Present
Kyle Frans: Present
Ryan Hinz: Present
Jack Oelschlager: Present
Dale Strehle: Present

Present: 5, Absent: 1.

3. Petitions - Communications - Citizen Concern

No action can be taken by the council on matters presented under this title except to answer any question posed and/or to refer the matter for further action. Testimony may be limited to 3 minutes per person. Please do not repeat testimony that has already be heard.

4. Special Order of Business

The council may take action to hear testimony in favor of or in opposition to, discuss/limit discussion and take action to approve or disapprove any matter presented under this title.

4.A. Review and consider payment of JEO Invoice #112619 for \$3,552.50 for engineering and design services related to the Wildwood Pool Splashpad.

Approve JEO Invoice #112619 totaling \$3,552.50 for Wildwood Pool improvements. Carried with a motion by Dale Strehle and a second by Brian Carnes.

Brian Carnes: Aye, Kyle Frans: Aye, Ryan Hinz: Aye, Jack Oelschlager: Aye, Dale Strehle: Aye
Aye: 5, No: 0

4.B. Consider authorizing Chief Hensel to purchase a new police vehicle with prior appropriated funds.

Approve the Police Department request to purchase new utility vehicle for \$35,783. Carried with a motion by Jack Oelschlager and a second by Ryan Hinz.

Brian Carnes: Aye, Kyle Frans: Aye, Ryan Hinz: Aye, Jack Oelschlager: Aye, Dale Strehle: Aye
Aye: 5, No: 0

4.C. Review and consider approving BVH Change Order #17122-05 totaling a net deduct of \$2,695.00 for construction services on the new Crete Library.

Includes Sampson Change Order Requests #14R, 17R, 18, 20, 21, 22R, 24

Approve BVH Change Order #17122-05 net deducting \$2,695.00 for library construction. Carried with a motion by Dale Strehle and a second by Brian Carnes.

Brian Carnes: Aye, Kyle Frans: Aye, Ryan Hinz: Aye, Jack Oelschlager: Aye, Dale Strehle: Aye
Aye: 5, No: 0

4.D. Review and consider approving General Excavating's Final Pay Application for \$16,589.00 for construction services on the Blue Acres Sewer Lift Station.

Approve the General Excavating final pay application for \$16,589.00 for Blue Acres Lift Station. Carried with a motion by Dale Strehle and a second by Kyle Frans.

Brian Carnes: Aye, Kyle Frans: Aye, Ryan Hinz: Aye, Jack Oelschlager: Aye, Dale Strehle: Aye
Aye: 5, No: 0

City Administrator Tom Ourada noted that the project came in well under the engineer's estimate.

4.E. Review and consider bids from Sid Dillon for replacement trucks and vans for the Public Works Department.

Approve the administration and Public Works Department's requests for purchase of replacement vans and trucks per Sid Dillon quote on state bid. Carried with a motion by Dale Strehle and a second by Brian Carnes.

Brian Carnes: Aye, Kyle Frans: Aye, Ryan Hinz: Aye, Jack Oelschlager: Aye, Dale Strehle: Aye
Aye: 5, No: 0

Tom Ourada stated that each vehicle is either a direct replacement or fills a demonstrated need, as one older vehicle will go to the new janitor and one newer vehicle goes to the building inspector/code enforcement official.

4.F. Review and discuss Ordinance 2098: An Ordinance to Amend the Fire Regulations to Allow Limited Open Burning.

Table discussion regarding proposed amendment to the City Code regarding fire regulations - limited open burning for further information. Carried with a motion by Ryan Hinz and a second by Brian Carnes.
Brian Carnes: Aye, Kyle Frans: Aye, Ryan Hinz: Aye, Jack Oelschlager: Aye, Dale Strehle: Aye
Aye: 5, No: 0

4.G. Review and consider adopting a new Library Reserve Fund policy required by the Daugherty Foundation Grant Program.

Adopt the proposed Library Reserve Fund Policy as presented. Carried with a motion by Brian Carnes and a second by Kyle Frans.
Brian Carnes: Aye, Kyle Frans: Aye, Ryan Hinz: Aye, Jack Oelschlager: Aye, Travis Sears: Aye, Dale Strehle: Aye
Aye: 6, No: 0

4.H. Review and discuss the issuance of a Community Redevelopment Revenue Note in the amount of \$1,585,000 payable to Crete Lodging, LLC for the Fairfield Hotel Project.

Approve a Community Redevelopment Revenue Note of \$1,585,000 for Crete Lodging LLC for the Fairfield Hotel project. Carried with a motion by Brian Carnes and a second by Jack Oelschlager.
Brian Carnes: Aye, Kyle Frans: Aye, Ryan Hinz: Aye, Jack Oelschlager: Aye, Dale Strehle: Aye
Aye: 5, No: 0

4.I. Consider Alpha Pi Epsilon Fraternity Request for Fun Run
Location: Same route as UCC Fun Run

Approve Alpha Pi Epsilon Fraternity request to hold a benefit fun run on Nov. 17, 2019 at 3:00pm at UCC Church. Carried with a motion by Jack Oelschlager and a second by Dale Strehle.
Brian Carnes: Aye, Kyle Frans: Aye, Ryan Hinz: Aye, Jack Oelschlager: Aye, Dale Strehle: Aye
Aye: 5, No: 0

4.J. Review and consider approving Speece Lewis Proposal for NBIS Inspection of Structures for \$750.00.
Structure U062001220

Approve a Speece Lewis Proposal for NBIS Inspection of structures totaling \$750. Carried with a motion by Dale Strehle and a second by Ryan Hinz.
Brian Carnes: Aye, Kyle Frans: Aye, Ryan Hinz: Aye, Jack Oelschlager: Aye, Dale Strehle: Aye
Aye: 5, No: 0

5. Resolutions & Ordinances

The Council may take action to hear testimony in favor of or opposition to, discuss/limit discussion and take action to approve or disapprove any matter presented under this title. The Council may take action to waive the statutory rule requiring reading on three separate dates on any ordinance being considered. The Council may take action to pass and approve any matter presented under this title.

5.A. Resolution 2019-33: A Resolution authorizing the Mayor to sign the NDOT Year-End Certification of City Street Superintendent Form.

Pass Resolution 2019-33 authorizing Mayor to sign NDOT Certification of City Street Superintendent. Carried with a motion by Dale Strehle and a second by Jack Oelschlager.

Brian Carnes: Aye, Kyle Frans: Aye, Ryan Hinz: Aye, Jack Oelschlager: Aye, Dale Strehle: Aye
Aye: 5, No: 0

5.B. Resolution 2019-34: A Resolution authorizing the Community Development Agency to issue Tax Increment Indebtedness for the Fairfield Hotel Project in an amount not to exceed \$1,585,000.

Pass Resolution 2019-34 allowing Tax Increment Indebtedness for the Fairfield Hotel project not to exceed \$1,585,000. Carried with a motion by Dale Strehle and a second by Jack Oelschlager.

Brian Carnes: Aye, Kyle Frans: Aye, Ryan Hinz: Aye, Jack Oelschlager: Aye, Dale Strehle: Aye
Aye: 5, No: 0

5.C. Ordinance 2098: An Ordinance to Amend the Fire Regulations to Allow Limited Open Burning.

Table Ordinance 2098 amending City Code regarding fire regulations to allow limited open burning for further discussion. Carried with a motion by Brian Carnes and a second by Jack Oelschlager.

Brian Carnes: Aye, Kyle Frans: Aye, Ryan Hinz: Aye, Jack Oelschlager: Aye, Dale Strehle: Aye
Aye: 5, No: 0

6. Officers' Reports

Reports may be given by Department Heads, Committees and Council members concerning current operations of the City. Questions may be asked and answered. No action can be taken by the Council on matters presented under this title except to answer any question posed and to refer the matter for further action.

- Chief Hensel reported that an employment offer had been extended to our new CSO candidate. Chief Allen reported that the new ambulance VIN has been assigned and a core group has begun work on a new tanker spec. Tom Ourada reported that he would be out of the office for JOC meetings and the NMPP Board meeting. He also reported on the NEMA Property Buyout Meetings that the city is holding. Mr. Ourada asked the Council to consider committee meetings on off weeks for more in depth discussions of complex issues.

7. Consent Agenda

Council will consider approval of the following items. Explanation may occur for each item and the council may approve and or amend and approve the items listed.

Approve the Consent Agenda items. Carried with a motion by Dale Strehle and a second by Brian Carnes.

Brian Carnes: Aye, Kyle Frans: Aye, Ryan Hinz: Aye, Jack Oelschlager: Aye, Dale Strehle: Aye
Aye: 5, No: 0

7.A. City Council Meeting Minutes

7.A.1. October 15, 2019 City Council Minutes

7.B. City Council Committee Meeting Minutes

7.B.1. Legislative Development Committee Meeting Minutes of October 15, 2019

7.B.2. Public Safety Committee Meeting Minutes of October 15, 2019

7.B.3. Parks and Recreation Committee Meeting Minutes of October 15, 2019

7.C. City Treasurer's Report

7.D. Claims Against the City

8. Adjournment

The city council will review the above matters and take such actions as they deem appropriate. The city council may enter into closed session to discuss any matter on this agenda when it is determined by the council that it is clearly necessary for protection of the public interest or the prevention of needless injury to the reputation of an individual and if such and individual has not requested a public meeting, or as otherwise allowed by law. Any closed session shall be limited to the subject matter for which the closed session was called. If the motion to close passes, then the presiding officer immediately prior to the closed session shall restate on the record the limitation of the subject matter of the closed session. The City of Crete assures that no person shall on the grounds of race, color, national origin, age, disability, handicap or sex, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity of the City receiving Federal financial assistance. To report discrimination, contact the City Clerk's office. The complete agenda with attachments is available at www.crete.ne.gov.

Motion to adjourn. Carried with a motion by Dale Strehle and a second by Brian Carnes.

Brian Carnes: Aye, Kyle Frans: Aye, Ryan Hinz: Aye, Jack Oelschlager: Aye, Dale Strehle: Aye
Aye: 5, No: 0

The meeting was adjourned at 6:59pm.

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)