

CITY OF CRETE, NEBRASKA  
CITY COUNCIL REGULAR MEETING  
March 19, 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

4. Special Order of Business

4.A. Public Hearing Regarding Zoning District Change from R-4 to C-3

City Council 3/19/19 - Open a public hearing at 6:07 PM Carried with a motion by David Bauer 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

City Council 3/19/19 - Close the public hearing at 6:08 PM 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: No

Aye: 5, No: 1

Dale Strehle: No

City Administrator Ourada explained the options regarding the zoning change.

Council member Bauer reviewed the history of zoning changes for this property.

City Administrator Ourada noted that the Planning Commission recommended approval of the change.

4.B. Barkdoll Petition to Amend Zoning from R4 to C3

City Council 3/19/19 - Deny the request for a zoning change from R-4 to C-3 on parcel 760147713 as recommended by the Public Works Committee 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.C. Public Hearing Regarding Rezoning Fairway Addition from R-1 to R-2

City Council 3/19/19 - Open a public hearing at 6:11 PM 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

City Council 3/19/19 - Close the public hearing at 6:14 PM Carried with a motion by David Bauer 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

City Administrator Ourada explained the situation with the zoning of Fairway Addition being put on the map as R-1 at some time. The lots and set backs do not meet R-1 zoning requirements so this change would make it R-2 as it was intended to be and everything would meet requirements.

4.D. Petition to Rezone Fairway Addition from R-1 to R-2

City Council 3/19/19 - Approve the zoning change from R-1 to R-2 for the Fairway Addition as recommended by the Public Works Committee 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, Jack Oelschlager: Aye, Dale Strehle: Aye

Aye: 6, No: 0

4.E. Public Hearing Regarding Amending Zoning Regulation 11-230

City Council 3/19/19 - Open a public hearing at 6:15 PM 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

City Council 3/19/19 - Close the public hearing at 6:17 PM 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, Jack Oelschlager: Aye, Dale Strehle: Aye

Aye: 6, No: 0

Craig Reinsch of Olsson Associates explained the special exception requirements for composting that are being proposed. Several versions have been scrubbed by engineers for the City and industry. The requirements are intended to protect the City and residents from the composting operations.

Mayor Foster noted that 2 letters of opposition to any composting are attached to the agenda.

4.F. Culver Request for Administrative Subdivision

City Council 3/19/19 - Approve the administrative subdivision as recommended by the Public Works Committee 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.G. Request for Administrative Subdivision Cardinal Lane Commercial 3rd Addition

City Council 3/19/19 - Approve the administrative subdivision as recommended by the Public Works Committee 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. Request for Release of Easement Cardinal Lane

City Council 3/19/19 - Approve the easement changes in the Cardinal Lane Administrative Subdivision as recommended by the Public Works Committee 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.I. Elected Official Representative for Seward/Saline Waste Management Agency Meetings

City Council 3/19/19 - Appoint Council member Oelschlager as representative to the Seward/Saline County Solid Waste Agency board as recommended by the Public Works Committee 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.J. City of Crete Parks and Recreation Request for \$3,699.98 of LB840 grant funds for Tourism/Promotion

City Council 3/19/19 - Approve the request for LB840 tourism funds of \$3,699.98 by the City Parks Department for portable bleachers at Tuxedo Park as recommended by the Legislative/Development Committee Carried with a motion by Ryan Hinz 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.K. Tuxedo Raceway Request for \$750 of LB840 grant funds for Tourism/Promotion.

City Council 3/19/19 - Approve the request for LB840 tourism funds of \$750 by Tuxedo Park Raceway for the Cornhusker State Games as recommended by the Legislative/Development Committee Carried with a motion by Ryan Hinz 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.L. Innovative Community Health Institute LLC Request for \$69,251 of LB840 grant funds for Professional/Employee Recruitment.

City Council 3/19/19 - Approve the request for LB840 professional recruitment funds of \$20,000 for Innovative Community Health Institute LLC in the form of a forgivable loan over 7 years with performance requirements Carried with a motion by Ryan Hinz 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.M. Interlocal Agreement for Rural Fire Grant

City Council 3/19/19 - Table this item until the next meeting as recommended by the Public Safety Committee 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.N. Add Brad Elder to the Fire Department Insurance Rolls

City Council 3/19/19 - Approve the addition of Brad Elder to the insurance rolls as a volunteer firefighter as recommended by the Fire and Rescue Department 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

#### 5. Resolutions & Ordinances

##### 5.A. Resolution 2019-09 Parking Restriction South Side City Park

City Council 3/19/19 - Introduce and approve Resolution 2019-09 restricting parking on the south side of City Park 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.B. Ordinance 2072 Amending 11-230 Adding Part E.9. Composting

City Council 3/19/19 - Introduce Ordinance 2072 and approve the title on first 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

#### 6. Officers' Reports

Building Inspector Brad Bailey reported that he will be inspecting approximately 50 structures that may have some flood damage.

Fire Chief Tod Allen reported that the department has trained on ALS procedures and is ready to respond when needed.

Council member Oelschlager thank all the employee for the work done during the flood.

Council members Hinz and Vyhnalek thanked the employees as well.

Mayor Foster asked for a closed session to discuss possible litigation. He also requested that a committee look into some relief on permit fees for those effected by the flood.

City Administrator Ourada reported on the following:

- City personnel spend an exorbitant amount of time on the rumor that the Highway 33 bridge would close, making Crete inaccessible.
- Another rumor that has no validity is that the flood gates did not get closed. He shared the timing of the closing and the water levels over the course of the flooding.
- The volunteer Fire Department was very helpful during the flood event and spent considerable time helping with the notification of residents.
- Parks and Recreation Director Dunaway oversaw the sheltering of several families that had to evacuate their homes due to flooding. The local motels were utilized for this.
- The WWTP operators did continuing shifts to handle the extra capacity from the flooding.
- The Police Department did a very good job dealing with the flooding.
- The Public Works office personnel acted as a call center on March 15th to free up the PD office and SE911 dispatch to handle emergencies.
- The NIMS training for everyone involved was very beneficial. We need to be sure that everyone is up to date on the required training.
- The gravel streets are going to be very expensive to maintain after this event. The City Council should consider staying the course with gap paving projects.
- The Flood Plain Map review being done will be very beneficial for the home owners of the City.

Council member Bauer asked about the potholes in the streets and if it would be beneficial to mark some of the bigger ones for safety.

Council member Carnes stated that after seeing the Mayor, City Administrator and Emergency Services operations during the flood, he feels very safe as a citizen.

Council member Strehle stated that the NIMS training and Emergency Operations Procedures in place worked very well and he feels that the City of Crete could handle any situation with this model.

#### 7. Consent Agenda

City Council 3/19/19 - Approve the consent agenda items as presented 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

#### 7.A. City Council Meeting Minutes

7.A.1. City Council Meeting Minutes of March 5, 2019

7.A.2. City Council Emergency Meeting Minutes of March 14, 2019

7.B. City Council Committee Meeting Minutes

7.B.1. Finance Committee Meeting Minutes of March 5, 2019

7.B.2. Parks and Recreation Committee Meeting Minutes of March 5 2019

7.B.3. Public Safety Committee Meeting Minutes of March 5, 2019

7.B.4. Personnel Committee Meeting Minutes of March 5, 2019

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

7.C. City Treasurer's Report

7.D. Claims Against the City

#### 8. Adjournment

City Council 3/19/19 - The Mayor, City Council, City Administrator, City Attorney, Police Chief and Finance Director go into closed session at 6:56 PM for the protection of the public interest to discuss possible litigation 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

City Council 3/19/19 - The Mayor and City Council return to open session at 7:05 PM 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

City Council 3/19/19 - Adjourn the meeting at 7:06 PM Carried with a motion by Dale Strehle 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

The City Council entered Executive Session at 6:56pm. The City Council exited Executive Session at 7:05pm. Mayor Foster stated the the Mayor and City Council met in closed session for the protection of the public interest to discuss possible litigation and no action was taken.

The meeting was adjourned at 7:06pm.

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.

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City Clerk-Treasurer

(S E A L)