

CITY OF CRETE, NEBRASKA
CITY COUNCIL REGULAR MEETING

June 18, 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: 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

Mary Moser of 6800 W Panama Rd, Hallam commented that she is not in favor of the removal of parking spaces in front of businesses in order to make room for trees. She asked that the council reconsider placing trees in the downtown area. The City Administrator stated he would put the topic on the next Public Works Committee meeting agenda.

4. Special Order of Business

4.A. Public Hearing Regarding Request for Community Unit Plan

Open Public Hearing regarding request for Community Unit Plan. 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

Close Public Hearing. 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

The public hearing was opened at 6:08pm. Planning Commission Chair Dave Hansen reported that the Planning Commission was in favor of the proposed project. The public hearing was closed at 6:14pm. No public comments were received.

4.B. Crete Lumber Request for Community Unit Plan Approval

Approve Crete Lumber request for Community Unit Plan zoning at Hill Top View. Carried with a motion by Ryan Hinz 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.C. Public Hearing Regarding Preliminary Plat

Open Public Hearing regarding Fairway Development 1st Addition Preliminary Plat. 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

Close Public Hearing. 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

The Public Hearing was opened at 6:21pm. The Public Hearing was closed at 6:23pm. No public comments were received.

4.D. Fairway Development LLC Request for Preliminary Plat Approval

Approve Fairway Development LLC request for Fairway Development 1st Addition preliminary plat approval. 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.E. Public Hearing Annexation of Fairway Development 1st Addition

Open Public Hearing regarding Annexation of Fairway Development 1st Addition. 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

Close Public Hearing. 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

The Public Hearing was opened at 6:24pm. The Public Hearing was closed at 6:27pm. No public comments were received.

4.F. Fairway Development LLC Request for Annexation of Fairway Development 1st Addition

Approve Fairway Development LLC request for annexation of Fairway Development 1st Addition. 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.G. FES Agreement for \$3,900 for Annual Renewal for SOCS website

Approve FES Agreement for \$3,900 for annual renewal for SOCS website. Carried with a motion by Ryan Hinz 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.H. Crete Chamber of Commerce Requests Related to the Great Pumpkin Festival

Approve the Chamber of Commerce request for street closures related to the Mayor's Fun Run and Great Pumpkin Festival. 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

Chamber Director Kayleigh Schadwinkel reported on the proposed activities and locations for the 2019 Great Pumpkin Festival. She requested approval for street closures related to the Mayor's Fun Run and the festival.

4.I. Approve Fire Department 2019 Officers

Approve the Fire Department 2019 Officers. Carried with a motion by Jack Oelschlager 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

4.J. Approve New Firefighter Preston Zvolanek and Add to Insurance Rolls.

Approve addition of new firefighter Preston Zvolanek to the insurance rolls. 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.K. Request to NEMA to Update Crete Local Hazard Mitigation Plan

Approve request to NEMA to amend the Crete Local Hazard Mitigation Plan. 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.L. Exhibit A for DTR Project at 1246 Main

Approve DTR project at 1246 Main Ave. Carried with a motion by Ryan Hinz 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

4.M. Exhibit A for DTR Project at 1201 Linden

Approve DTR project at 1201 Linden Ave. Carried with a motion by Ryan Hinz 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

4.N. Consider Amending City Codes 6-337 and 6-338 to Extend Permitted Fireworks Sales Dates

Approve amending City Codes 6-337 and 6-338 to extend permitted fireworks sales and use dates. Failed with a motion by Ryan Hinz and a second by Brian Carnes.

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

Approve amending City Codes 6-337 and 6-338 to extend permitted fireworks sales and use dates and times as amended. 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

The council discussed the proposed days and hours for sales and use of fireworks. Upon failure of the motion, Council Members discussed a change to the proposed dates and times to 8:00am to midnight on July 3rd and 8:00am to 11:00pm on July 4th.

4.O. Sampson Change Order Requests #s 6, 7, 8

Approve BVH Change Order #3 related to Change Order Requests #s 6, 7, and 8 totaling \$5,626. 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

4.P. Miscellaneous Accounts Receivable Writeoffs

Approve the miscellaneous Accounts Receivable write-offs from 1997 through 2013 totaling \$18,996.48. 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 write-offs are requested in order to begin with corrected financials in the new software.

4.Q. Lincoln Area Economic Development Invoice for \$2,500 for Membership in Lincoln Partnership for Economic Development

Approve Lincoln Area Economic Development invoice for \$2,500 for membership in the Partnership for Economic Development. Carried with a motion by Ryan Hinz 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 stated that membership in the partnership provides Crete representation at a number of national conventions.

5. Resolutions & Ordinances

5.A. Ordinance 2087 Amending City Code 6-337

Introduce Ordinance 2087 as amended and waive the statutory requirement of readings on three separate days. Carried with a motion by Ryan Hinz 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

Adopt Ordinance 2087 as amended, amending City Code 6-337 Fireworks; Hours of Sale. Carried with a motion by Ryan Hinz 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

5.B. Ordinance 2088 Amending City Code 6-338

Introduce Ordinance 2088 as amended and waive the statutory requirement of readings on three separate days. Carried with a motion by Ryan Hinz and a second by Dale Strehle.

Brian Carnes: Aye, Ryan Hinz: Aye, Jack Oelschlager: Aye, Dale Strehle: Aye, Kyle Frans: No
Aye: 4, No: 1

Kyle Frans: No

Adopt Ordinance 2088 as amended, amending City Code 6-338 Fireworks; Discharge. Carried with a motion by Ryan Hinz and a second by Dale Strehle.

Brian Carnes: Aye, Ryan Hinz: Aye, Jack Oelschlager: Aye, Dale Strehle: Aye, Kyle Frans: No
Aye: 4, No: 1

Kyle Frans: No

5.C. Ordinance 2089 Annex Fairway Development 1st Addition

Introduce Ordinance 2089 Annexation of Fairway Development 1st Addition for its First Reading. 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

6. Officers' Reports

Parks and Recreation Director Dan Dunaway reported on the number of children involved in swimming lessons and summer sports. He reported that the new lion fountain is due to arrive on Wednesday, June 19. The existing fountain at City Park will be moved to North Ward Park. City Administrator Tom Ourada reported that the housing meeting held at earlier today at noon in coordination with the U.S. Dept. of Agriculture was very informative. He reported that he had discussed using LB840 funds for the splash pad reconstruction with the Economic Development Advisory Board at their June meeting. Mr. Ourada stated that

over fifty applications were received for the bookkeeper position. He also reported that a third Veteran's easel will be installed soon. He further stated that budget meetings with department heads would begin next week.

7. Consent Agenda

Approve the Consent Agenda items. 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

7.A. City Council Meeting Minutes

7.A.1. City Council Meeting Minutes of June 4, 2019

7.B. City Council Committee Meeting Minutes

7.B.1. Public Safety Committee Meeting Minutes of June 4, 2019

7.B.2. Parks and Recreation Committee Meeting Minutes of June 4, 2019

7.B.3. Legislative Development Committee Meeting Minutes of June 4, 2019

7.C. City Treasurer's Report

7.D. Claims Against the City

8. Adjournment

Motion to adjourn. 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

The meeting was adjourned at 7:11pm.

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)