

CITY OF CRETE, NEBRASKA
CITY COUNCIL REGULAR MEETING
August 3, 2021

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
2. Roll Call

Dan
Papik: Present
Travis
Sears: Present
Dale
Strehle: Present
Present: 3.

3. Items of Business

- A. Discuss potential asphalt overly projects for various locations, including Linden Ave. from 13th to 14th Streets.

City Administrator Tom Ourada informed the council that doing an asphalt overlay on Linden Avenue only would be fairly expensive. If we were to add a few other streets to the project, it would take the price down considerably. Ourada suggested adding 12th Street due to it being a detour when 13th is being used. The timeline of the asphalt overlay for Linden and 12th Street would be spring. Committee member Travis Sears inquired about possibly getting it done this fall. Ourada agreed to speak with Gilmore Associates regarding a quicker turnaround and go from there.

- B. Discuss setting a street name for former County Road 2400.

Set the street name for former County Road 2400 south of E. 13th to the far property line of Fairway to 'Redbud Avenue'. Carried with a motion by Travis Sears and a second by Dan Papik.

Dan Papik: Aye, Travis Sears: Aye, Dale Strehle: Aye
Aye: 3, No: 0

In order to go in sequence with surrounding streets, former County Road 2400 needs to be the name of a tree that begins with the letter 'Q' or the letter 'R'. City Administrator Tom Ourada read a list of different tree names for the committee to choose from. The final choice was 'Redbud'.

- C. Discuss the status of the USDA water improvement projects for West Crete Addition, the new city water well, and the remaining water main improvements.

Approve moving forward with getting the design of the remediation and preliminary design of the water well and the water mains. Carried with a motion by Travis Sears and a second by Dan Papik.

Dan Papik: Aye, Travis Sears: Aye, Dale Strehle: Aye
Aye: 3, No: 0

City Administrator Tom Ourada went over the price of the water improvement projects for West Crete Addition, the new city water well, and the remaining water main improvements. He would like permission to go ahead with the design of the remediation and preliminary design of the well and the water mains. Ourada brought up the infrastructure bill and said that if it goes through, there will be a separate section for water which will help us fund the projects.

- D. Discuss and provide a recommendation to the City Council on appointing Matt Reed, Distributed Resources and Generation Specialist for NMPP Energy, as special engineer for the City's solar power project.

Recommend to the City Council to appoint Matt Reed, Distributed Resources and Generation Specialist for NMPP Energy, as special engineer for the City's solar power project. Carried with a motion by Travis Sears and a second by Dan Papik.

Dan Papik: Aye, Travis Sears: Aye, Dale Strehle: Aye
Aye: 3, No: 0

City Administrator Tom Ourada brought up wanting to put solar panels where we are putting the new water well. This would involve entering into a contract with someone to put up the solar panels and to buy the solar power from them for 20 years, contingent on the contract that is drawn up. Ourada suggests appointing Matt Reed as our special engineer so he can evaluate the bids for the project when they come in.

- E. Discuss and provide a recommendation to the City Council on enacting Ordinance 2136: An ordinance vacating Linden Avenue from 19th Street to 20th Street.

Recommend to the City Council to vacate and retain title to Linden Avenue from 19th Street to 20th Street. Carried with a motion by Travis Sears and a second by Dan Papik.

Dan Papik: Aye, Travis Sears: Aye, Dale Strehle: Aye
Aye: 3, No: 0

City Administrator Tom Ourada met with a property owner, who agreed to sell his bisecting property near Northward Park to the City for \$1. Vacating Linden Avenue from 19th Street to 20th Street and retaining its title would allow for the City to extend Northward Park, adding a family area with picnic tables and grills and also an entrance to the park.

- 4. Officers' Reports
- 5. Adjournment

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)

Estimate for Budget

Date 7/7/2021

Attn: Trenton Griffin

Ref: Linden Street Estimate
Crete, NE

Scope: Mill and Pave 1 City Block of Linden Street with NDOT SLX Asphalt Mix

Traffic Control	Lump Sum	\$	1500.00
2" Asphalt Mill and Overlay	8500 SF @ \$3.00/SF	\$	25500.00
		\$	27000.00

Alternate Scope: Mill and Pave Approximately 3 City Blocks with NDOT SLX

Traffic Control	Lump Sum	\$	2000.00
2" Asphalt Mill and Overlay	25500 SF @ \$2.25/SF	\$	57375.00
		\$	59375.00

Alternate Scope 2: Mill and Pave Approximately 5 City Blocks with NDOT SLX

Traffic Control	Lump Sum	\$	2500.00
2" Asphalt Mill and Overlay	42500 SF @ \$1.95/SF	\$	82875.00
		\$	85375.00

Proposal is for the listed items only.

Project areas to be closed off to traveling public with Type 3 Barricades.

Each Scope includes 1 Phase. Each Scope would take approximately 2 Days.

*Final billing will reflect the installed quantity, additional mobilization and any changes to the original scope.

Justin J. England
Cather Construction
402-464-2113 o
402-429-7615 c
jenglan1@yahoo.com

We Hereby Propose to furnish labor and materials complete in accordance with the above specifications, for the sum of _____
With payment to be made as follows: 30 days upon completion.

AUTHORIZED SIGNATURE _____

NOTE: We may withdraw this proposal if not accepted within 30 days.

Cather & Son's Construction, Inc.

P.O. Box 29199, Lincoln, NE 68529
phone (402) 464-2113 fax (402) 464-6759

ACCEPTANCE OF PROPOSAL – The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

AUTHORIZED SIGNATURE _____ Date accepted _____

ENVIRONMENTAL ASSESSMENT DOCUMENT

A. Project Identification:

Applicant: City of Crete

Project No.: D311654

City: Crete **County:** Saline **State:** NE

Total Project and DWSRF Loan Amount: \$2,023,370

B. Community Description:

Location and Population: Crete is located in Saline County in southeast Nebraska, twenty five miles southwest of Lincoln along State Highway 33. The community has a population of 6,960 according to the 2010 census.

Current Water System Facilities: In April 2017, a Water System Preliminary Engineering Report completed by the City's engineer evaluated the City's current needs for water supply and distribution system improvements. The PWS currently consists of six municipal supply wells (Nos. #1 (Well 331), #3 (Well 391), #4 (Well 551, inactive), #5 (Well 651), #6 (Well 721) & #7 (Well 661)), two water treatment plants for iron and manganese removal (small plant at Well #1 and large plant at Well #5), a 1,000,000 gallon capacity water tower, a 1,000,000 gallon ground level storage tank, a 3,000 gallon pressure tank, one booster station and a distribution system.

C. Project Description: The purpose for the project is to address the pumping capacity of the existing municipal supply wells and replace aged/undersized water mains. Currently, the system does not have the capacity to meet the peak day water demands with the largest producing well out of service. The City has a significant percentage of small diameter (4 inches or less) water mains within the system that can cause operational problems and result in complaints from system users. The proposed project will include a new water supply well, wellhouse and generator, transmission main connecting the new well to the distribution system and replacement of distribution mains within the City. The improvements will assure that the City can provide an adequate supply of safe drinking water to Crete's residents on a continuous basis, a requirement of DHHS regulations.

D. Alternatives Considered:

Seven alternatives were considered to address the water system needs in the 2017 preliminary engineering report, including:

1. New well and transmission main;
2. New well and treatment plant expansion
3. Existing WTP improvements

4. West water main loop installation
5. East water main loop installations
6. Storage tank improvements
7. GIS mapping

Evaluation and Selection of the Alternative: The 2017 Water System Preliminary Engineering Report ranked the alternatives based on evaluations of past operational performances, discussions with the city staff, and on-site facility investigations. Priority 1 alternatives would need immediate consideration. Priority 2 alternatives should be planned and budgeted for within the next 5 years. Priority 3 alternatives should be planned and budgeted for within the next 10-20 years.

Alternatives 1 and 3 were ranked as Priority 1 projects. Alternatives 4, 5 and 7 were ranked as Priority 2 projects. Alternatives 5 and 6 were ranked as Priority 3 projects.

The City has decided to proceed with Alternative 1, new well and transmission main, and continuing replacement of aged and undersized water mains within the distribution system.

E. Environmental Impact Summary:

Primary

Construction: Temporary impacts caused by construction include noise and dust, a limited potential for soil erosion, and fuel/oil spills. A well site inspection and well site approval is required from DHHS prior to construction of the well. Review and approval of plans and specifications for a construction permit will be required from the Engineering Services Program of the DHHS.

Environmental: The construction contracts will require that the contractors return the area to its original or better condition. The new well house and well will occupy a very small area of land (<2,000 square feet) and will have little, if any, effect on area species as all infrastructure improvements are along a right-of-way or on areas presently farmed.

The proposed project was reviewed by numerous Federal and State agencies for environmental impacts. The engineer stated that no conservation conditions were required based on consultation with Nebraska Game and Parks Commission (NGPC). Nebraska State Historic Preservation Office issued a 'no historic properties affected' determination. Nebraska Department of Natural Resources (NeDNR) indicated no existing or proposed jurisdictional dams, stream gages, or surface water rights within the proposed project area. NeDNR did indicate the proposed project is located within a regulated floodplain and/or floodway and indicated the floodplain coordinator will need to be contacted.

NeDNR noted that three public supply wells are within the 1,000-foot spacing for the proposed project. The City's engineer noted that the proposed well site has been approved through a variance from DHHS Drinking Water Program. The U.S. Fish and Wildlife Service stated that based on the information provided, the project may be considered in compliance with the Endangered Species Act. The Nebraska Natural Resources Conservation Service responded with no comment on the project. Nebraska Department of Environment and Energy advised of several permits that may be required for construction of the project.

Financial: The City is eligible for a 30-year loan with interest and fee rates of 0.0 % and 15% forgiveness assistance. The revenues from Crete's water utility will be dedicated to repay the loan. The projected annual DWSRF Debt Service (including 10% coverage) is \$63,062. From a review of estimate costs, it is estimated that monthly water rates may need to be raised \$1.93. The typical monthly residential water bill would increase to approximately \$24.70 per month based on 5,000 gallons of water use, based on current rates.

Secondary:

Population Impacts: The purpose of the project is to address the pumping capacity of the existing municipal supply wells and replace undersized and aged distribution mains. The new well will provide the City with sufficient groundwater source capacity to meet maximum day demand with its largest well out of service, in the event one of the existing wells is taken out of service. The capacity will meet the needs of the existing population of 6,960 residents and any reasonable growth in population.

Land Use and Trends: The well location is southwest of the City along County Road 2225. The transmission main will run along the right-of-way and connect to the City's distribution system southeast and northwest of the well location, effectively looping water mains on the south and west of the City. The well site has been approved by the DHHS. Distribution main replacement will take place within the City at the location of existing water mains. The Natural Resources Conservation Service was contacted via mailing and responded stating they had no comment on the proposed project.

Environmental: The project should have no effect on the availability of water quantity in the area, as the new well is being sited to meet NDNR and DHHS requirements. Even though the new well does not meet setback criteria, a well site approval was obtained from DHHS Drinking Water Program. The minimal amount of solid waste generated by the project will be disposed in a licensed landfill. No safety, vibration, noise, or aesthetic considerations were identified other than the normal noise and disruptions associated with well and water main construction.

Environmental Justice: The project will not produce any environmental justice concerns. All structures will be placed in areas previously disturbed through farming or now on City owned property and the services provided by the project will be available to everyone in Crete, equally. No segment of the community's population is impacted disproportionately from related effects.

Mitigation measures necessary to eliminate adverse environmental effect:

Proper construction techniques will be utilized to minimize soil erosion and other potential impacts of construction. Traffic flow may be affected by construction when water main construction is being done along the road right-of-ways; however, safety control measures (i.e., signs, etc.), if needed, will be implemented. A National Pollutant Discharge Elimination (NPDES) Construction Stormwater permit for runoff associated with construction activity and a Stormwater Pollution Prevention Plan will be required by NDEE for this project if more than one acre of land is disturbed. The City can designate the General Contractor as the authorized representative on the stormwater permit notice of intent submitted to the NDEE. Authorization of stormwater runoff from the construction activity must be in place prior to commencing construction.

Irreversible and irretrievable commitment of resources: The resources committed to the project include the equipment, materials and energy used in construction.

F. Measures Taken to Ensure Environmental Soundness:

Public Involvement: A Public Hearing was held on May 4, 2021 by the City Council on the proposed project, with 40 days advanced posted notice. A presentation was made by the City Administrator on the scope of the project, likely impact to water rates, and preliminary engineering report.

Public Opposition or Opinions: There were no comments noted in the hearing minutes from City residents in attendance and no other input was noted from the public.

Coordination and Documentation with Other Agencies and Special Interest Groups:

Facility Planning: City of Crete, Nebraska 2017 Water System Preliminary Engineering Report, April 2017

Federal: U.S. Department of the Army, Corps of Engineers, March 3, 2021, letter

U.S. Fish & Wildlife Service, March 3, 2021, letter

National Park Service, March 3, 2021, via online email portal

State: Nebraska Department of Environment and Energy, March 3, 2021, letter

Nebraska Department of Natural Resources, March 3, 2021, letter

Nebraska Game and Parks Commission, March 3, 2021 letter

Nebraska State Historical Society, March 3, 2021, letter
Nebraska Natural Resources Conservation Service, March 3, 2021,
letter
Nebraska State Fire Marshal, March 3, 2021, letter
Lower Big Blue NRD, March 3, 2021, letter

Consulting Engineers:JEO Consulting Group, Inc.

Public Groups: City of Crete Residents

- G. Positive Effects to be Realized from the Proposed Project:** The project will allow Crete to maintain compliance with the Nebraska Safe Drinking Water Act and ensure future water availability. As such, the project is considered reasonable, not contrary to conservation or the public welfare, and is a beneficial use of resources by the City of Crete.
- H. Reasons for Concluding there will be no Significant Impacts:** Review of the preliminary engineering report and supporting information indicates that the project will result in no significant impact on the environment. Federal and State agencies reported no impact will result to threatened and endangered species, historical, farming, or groundwater resources. All necessary permits for construction will be obtained from the appropriate agencies (i.e., NDEE, etc.), if necessary.



Reviewing Engineer

June 24, 2021

Date

FNSI DISTRIBUTION LIST
CRETE, NEBRASKA

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USDA RURAL DEVELOPMENT
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ENVIRONMENTAL PROTECTION AGENCY
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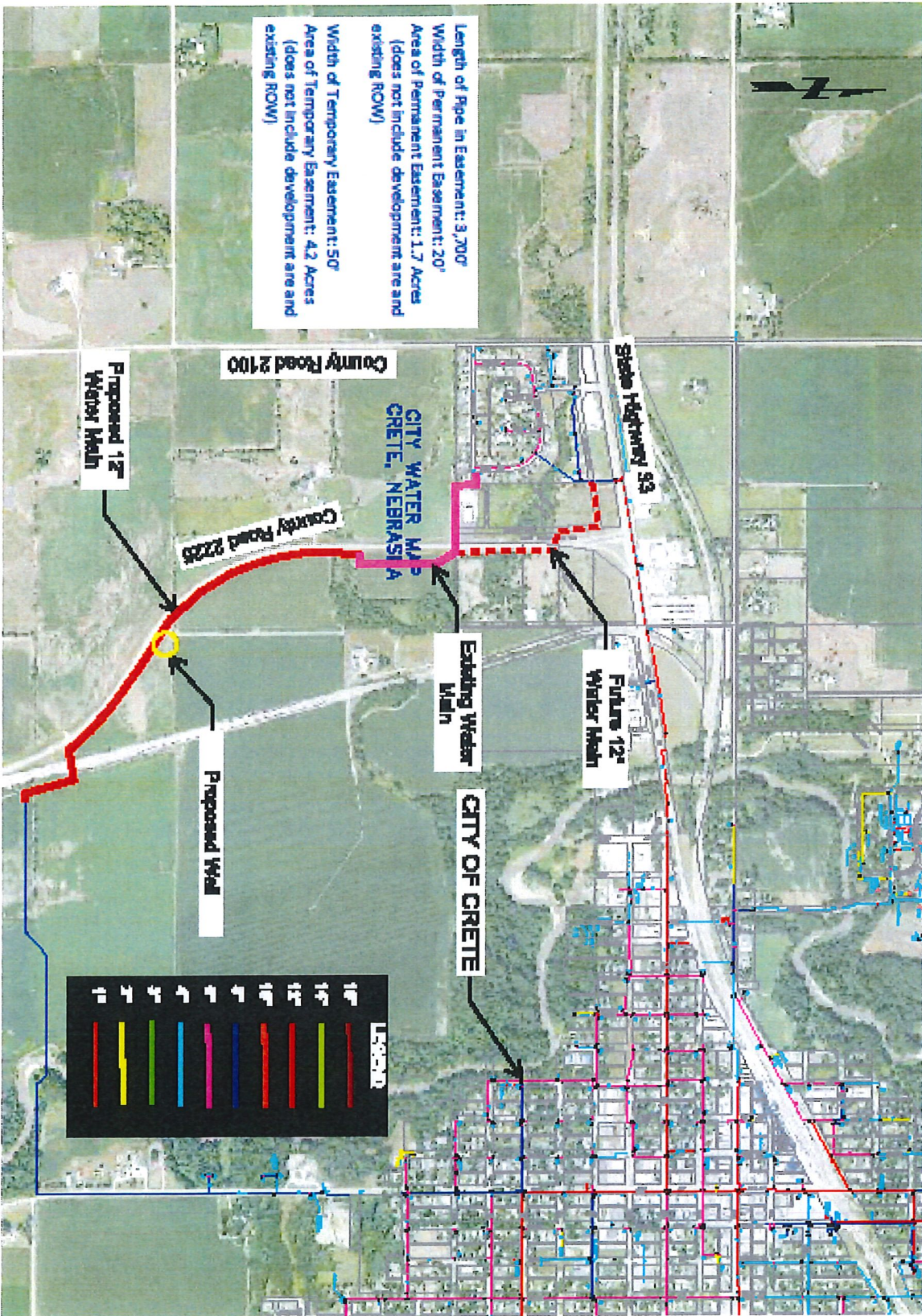
DEPARTMENT OF THE ARMY
John Moeschen
State Program Manager
US Army corps of Engineers
Nebraska State Office, Suite 1
8901 South 154th Street
Omaha, NE 68138-3621

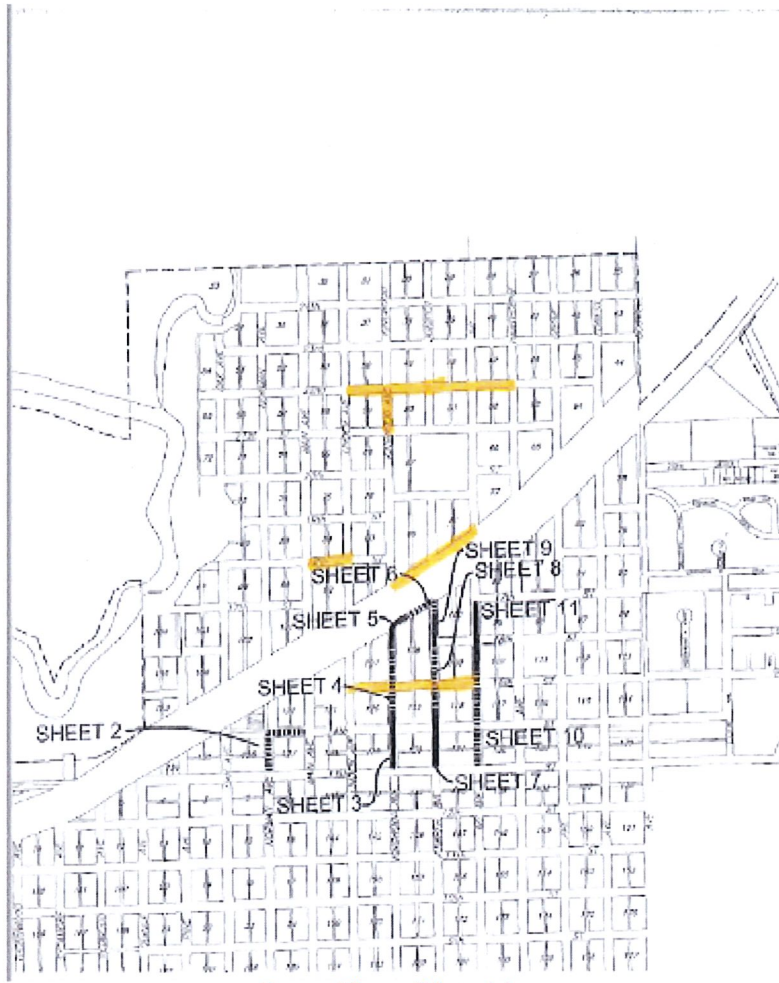
APPLICANT:
Dave Bauer, Mayor
City of Crete
243 East 13th Street
Crete, NE 68333

CONSULTING ENGINEER:
Dane Simonsen, P.E.
JEO Consulting Group, Inc.
2700 Fletcher Avenue
Lincoln, NE 68504

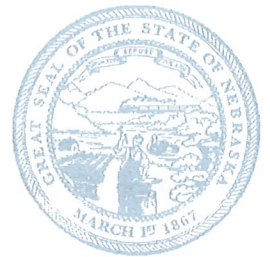
LOCAL NEWSPAPER
(Public Information Only not for Public Notice)
The Crete News
1201 Linden Avenue
Crete, NE 68333

LOWER BIG BLUE NATURAL RESOURCES DISTRICT
David Clabaugh, Manager
805 Dorsey Street
Beatrice, NE 68310-0826





Source: Gilmore & Associates



DRINKING WATER STATE REVOLVING LOAN FUND PROGRAM

FINDING OF NO SIGNIFICANT IMPACT

TO: All Interested Citizens, Government Agencies, and Public Groups

In accordance with the Nebraska Drinking Water State Revolving Fund environmental review process, which is based on the National Environmental Policy Act, an environmental review has been performed on the proposed agency action below.

This information reviews the environmental impact likely from a project. This project is planned to be federally funded through your tax dollars; therefore, you are entitled to take part in its review. If you have concerns about the environmental impact of this project, please provide them at this time. The Nebraska Department of Environment and Energy encourages public input in this decision-making process.

PROJECT NAME: New Well, Transmission Main, and Distribution System Improvements
APPLICANT: City of Crete, Nebraska
COUNTY: Saline County
POPULATION: 6,960
DWSRF PROJECT NUMBER: D311654
TOTAL PROJECT AMOUNT: \$2,023,370
PROPOSED DWSRF LOAN AMOUNT: \$1,719,865
PROPOSED DWSRF FORGIVENESS AMOUNT: \$303,505

The City of Crete has applied for funding for the above-referenced project through the Drinking Water State Revolving Fund (DWSRF) program jointly administered by the Nebraska Department of Health and Human Services (DHHS) and the Nebraska Department of Environment and Energy (NDEE). This project has Crete ranked as a low priority and is included on the Funding List in the DWSRF State Fiscal Year 2022 Intended Use Plan.

Crete is located in northeast Saline County in southeast Nebraska, twenty five miles southwest of Lincoln along State Highway 33. The community has a population of 6,960 according to the 2010 census. Crete has been issued a permit to operate a public water system (PWS) under the provisions of the Nebraska Safe Drinking Water Act and the Regulations Governing Public Water Supply Systems, Title 179.

In April 2017, a Water System Preliminary Engineering Report completed by the City's engineer evaluated the City's current needs for water supply and distribution system improvements. The PWS currently consists of six municipal supply wells (Nos. #1 (Well 331), #3 (Well 391), #4 (Well 551, inactive), #5 (Well 651), #6 (Well 721) & #7 (Well 661)), two water treatment plants for iron and manganese removal (small plant at Well #1 and large plant at Well

#5), a 1,000,000 gallon capacity water tower, a 1,000,000 gallon ground level storage tank, a 3,000 gallon pressure tank, one booster station and a distribution system.

The purpose for the project is to address the pumping capacity of the existing municipal supply wells and replace aged/undersized water mains. Currently, the system does not have the capacity to meet the peak day water demands with the largest producing well out of service. The City has a significant percentage of small diameter (4 inches or less) water mains within the system that can cause operational problems and result in complaints from system users. The proposed project will include a new water supply well, wellhouse and generator, transmission main connecting the new well to the distribution system and replacement of distribution mains within the City. The improvements will assure that the City can provide an adequate supply of safe drinking water to Crete's residents on a continuous basis, a requirement of DHHS regulations.

The proposed project was reviewed by numerous Federal and State agencies for environmental impacts. The engineer stated that no conservation conditions were required based on consultation with Nebraska Game and Parks Commission (NGPC). Nebraska State Historic Preservation Office issued a 'no historic properties affected' determination. Nebraska Department of Natural Resources (NeDNR) indicated no existing or proposed jurisdictional dams, stream gages, or surface water rights within the proposed project area. NeDNR did indicate the proposed project is located within a regulated floodplain and/or floodway and indicated the floodplain coordinator will need to be contacted. NeDNR noted that three public supply wells are within the 1,000-foot spacing for the proposed project. The City's engineer indicated that the proposed well site has been approved through a variance from DHHS Drinking Water Program. The U.S. Fish and Wildlife Service stated that based on the information provided, the project may be considered in compliance with the Endangered Species Act. The Nebraska Natural Resources Conservation Service responded with no comment on the project. Nebraska Department of Environment and Energy advised of several permits that may be required for construction of the project.

The City is eligible for a 30-year loan with interest and fee rates of 0.0 % and 15% forgiveness assistance. The revenues from Crete's water utility will be dedicated to repay the loan. The projected annual DWSRF Debt Service (including 10% coverage) is \$63,062. From a review of estimate costs, it is estimated that monthly water rates may need to be raised \$1.93. The typical monthly residential water bill would increase to approximately \$24.70 per month based on 5,000 gallons of water use, based on current rates.

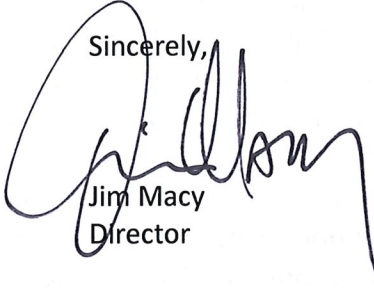
A Public Hearing was held on May 4, 2021 by the City on the proposed project, with 40 days advanced posted notice. A presentation was made by the City Administrator on the scope of the project. There were no comments noted in the hearing minutes from City residents or council members.

The proposed project is determined by DHHS to help the City maintain compliance with the Nebraska Safe Drinking Water Act. No significant environmental impacts have been identified that would result from the proposed action. All necessary permits for construction will be obtained from the appropriate agencies (i.e., NDEE, etc.). Consequently, a preliminary decision has been made that an Environmental Impact Statement will not be prepared.

The system last underwent a routine sanitary survey by DHHS in October of 2020, wherein six significant deficiencies and two minor deficiencies were identified. The significant and minor deficiencies identified in the October 2020 sanitary survey were corrected within one month. That completed survey is the first step of the Technical, Financial, and Managerial (TFM) program policy. The City will still be required to undergo an initial, and if necessary, a Final TFM Assessment by the DHHS, to ensure that their capabilities meet the requirements of the Safe Drinking Water Act. Also, their current Enforcement Targeting Tool score is 0, below the allowable 11 per issued U.S. Environmental Protection Agency guidance.

This action is taken on the basis of a careful review of the Environmental Assessment, the Water System Preliminary Engineering Report, and other supporting data that are on file with NDEE. The latter are available for public review upon request and the Environmental Assessment is attached. The NDEE will not take any administrative action for at least 30 calendar days from the date shown below. Persons having a comment on this determination are encouraged to submit directly to Cyril Martinmaas at 402 471-0513 or email cyril.martinmaas@nebraska.gov of DHHS, or Burton Pflueger at 402 471-1883 or email burton.pflueger@nebraska.gov of the Planning and Aid Division of NDEE.

Signed this 29th day of June, 2021

Sincerely,

Jim Macy
Director

Attachments: Environmental Assessment
Distribution List
Map

ORDINANCE NO. 2136

AN ORDINANCE OF THE CITY OF CRETE, NEBRASKA RELATING TO THE VACATION OF STREETS OR ALLEYS; TO VACATE A PORTION OF LINDEN AVENUE; AND TO RESERVE TITLE TO THE VACATED PROPERTY.

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

Section 1. That, pursuant to Neb. Rev. Stat. § 16-611, the following described street, alley, or right-of-way that was previously dedicated to the public shall be and is hereby vacated:

All of Linden Avenue that lies between Blocks 75 and 76, Original Town of Crete, from E. 19th Street to E. 20th Street.

Section 2. That the City of Crete shall reserve title to the entire vacated property and may sell, convey, exchange, or lease the property upon such terms and conditions as shall be deemed in the best interests of the City.

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 that can be given effect without the repealed parts.

Section 4. That if any section, part, or provision of this ordinance is for any reason held invalid, the invalidity thereof shall not affect the validity of any other section, part, or provision of this ordinance.

Section 5. That this ordinance shall be published in a newspaper of general circulation or 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 3rd day of August 2021.

Mayor

ATTEST:

City Clerk