

**CITY OF CRETE, NEBRASKA  
CITY COUNCIL REGULAR MEETING  
December 17, 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. Assisted listening devices are also available. If needed, please advise.

The City Council may consider items listed on the agenda in random order.

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.

Brian Carnes: Present  
Kyle Frans: Present  
Ryan Hinz: Present  
Jack Oelschlager: Present  
Travis Sears: Present  
Dale Strehle: Present  
Present: 6.

**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.

Greg Holdren, Manager of the Eagles Club commented that Iris Avenue near the schools gets very slick when it snows and requested additional efforts be made there when school is in session. Mr. Holdren also requested the City Council review the new overnight parking ban, as it negatively impacts his night shift staff and his customers. Mayor Bauer referred the matter to the Public Safety Committee.

**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. Public Hearing: Hear and discuss public input regarding a proposed zoning change for the western half of the block between 10th and 11th Streets and Thornwood and Sycamore Avenues from I-1 to C-2.

**Change from I-1 Light Industrial to C-2 General Commercial**

**Location: Lots 7-12 Blk 162, City of Crete, Saline County, 743 W 11<sup>th</sup> St. (<0.8 ACRES)**

**Lots 5-6 Blk 162, City of Crete, Saline County, 1021 Sycamore Ave., (<0.25 ACRES)**

Open Public Hearing regarding proposed zoning change from I-1 to C-2 at 10th & 11th Streets and Thornwood and Sycamore Avenues. Carried with a motion by Bud Clouse and a second by Scott Kuncl.

Bud Clouse: Aye, Dave Hansen: Aye, Ryan Jindra: Aye, Scott Kuncl: Aye, Drew Rische: Aye, Sharon Scusa: Aye

Aye: 6, No: 0

Close Public Hearing. Carried with a motion by Bud Clouse and a second by Drew Rische.

Bud Clouse: Aye, Dave Hansen: Aye, Ryan Jindra: Aye, Scott Kuncl: Aye, Drew Rische: Aye, Sharon Scusa: Aye

Aye: 6, No: 0

Open public hearing regarding proposed zoning change at 10th & 11th Streets and Thornwood and Sycamore Avenues. Carried with a motion by Travis Sears and a second by Jack Oelschlager.

Brian Carnes: Aye, Kyle Frans: Aye, Ryan Hinz: Aye, Jack Oelschlager: Aye, Travis Sears: Aye, Dale Strehle: Aye

Aye: 6, No: 0

Close public hearing. Carried with a motion by Travis Sears and a second by Jack Oelschlager.

Brian Carnes: Aye, Kyle Frans: Aye, Ryan Hinz: Aye, Jack Oelschlager: Aye, Travis Sears: Aye, Dale Strehle: Aye

Aye: 6, No: 0

The public hearing was opened at 6:09pm. The public hearing was closed at 6:10pm. No public comments were received.

4.B. Public Hearing: Hear and discuss public input regarding amendments to the Crete Comprehensive Plan. Jeff Ray with JEO will be present to provide information and respond to questions.

Open public hearing regarding amendments to the Crete Comprehensive Development Plan. Carried with a motion by Travis Sears and a second by Jack Oelschlager.

Brian Carnes: Aye, Kyle Frans: Aye, Ryan Hinz: Aye, Jack Oelschlager: Aye, Travis Sears: Aye, Dale Strehle: Aye

Aye: 6, No: 0

Close public hearing. 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, Travis Sears: Aye, Dale Strehle: Aye

Aye: 6, No: 0

Amend the Crete Comprehensive Development Plan as presented. 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, Travis Sears: Aye, Dale Strehle: Aye

Aye: 6, No: 0

The public hearing was opened at 6:10pm. The public hearing was closed at 6:17pm. Jeff Ray with JEO presented information. No public comments were received.

4.C. Review and consider payment of Carkoski Construction Change Order #1 for \$250.00 and Pay Application #1 for \$59,797.00 for back lot reconstruction at the police station.

Approve Carkoski Construction change order #1 for \$250 and pay application #1 for \$59,797 for parking lot reconstruction at the police station. Carried with a motion by Dale Strehle and a second by Travis Sears.  
Brian Carnes: Aye, Kyle Frans: Aye, Ryan Hinz: Aye, Jack Oelschlager: Aye, Travis Sears: Aye, Dale Strehle: Aye  
Aye: 6, No: 0

4.D. Consider authorizing the Mayor to sign the NDOT Certificate of Compliance, which certifies that all roadway surface maintenance has been accomplished per NDOT Maintenance Agreement #57.

Authorize the Mayor to sign the NDOT Certificate of Compliance with Maintenance Agreement No. 57 for 2019. 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, Travis Sears: Aye, Dale Strehle: Aye  
Aye: 6, No: 0

4.E. Discuss and consider granting an amnesty on outstanding library fines.  
Amnesty would be for fines only. Patrons would still be responsible for damaged and missing books.

Approve the library's request to grant amnesty on outstanding library fines prior to opening new library building. 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, Travis Sears: Aye, Dale Strehle: Aye  
Aye: 6, No: 0

Amnesty is for fines only, and doesn't waive fees for lost or damaged books.

4.F. Review and consider adopting meeting room policies for the new library.

Approve library meeting room policies. 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, Travis Sears: Aye, Dale Strehle: Aye  
Aye: 6, No: 0

4.G. Review and consider accepting the Crete Housing Study.

Accept the Crete Housing Study as presented. Carried with a motion by Travis Sears and a second by Jack Oelschlager.  
Brian Carnes: Aye, Kyle Frans: Aye, Ryan Hinz: Aye, Jack Oelschlager: Aye, Travis Sears: Aye, Dale Strehle: Aye  
Aye: 6, No: 0

4.H. Discuss and consider disposition of existing Crete Public Library building

Approve New Horizons proposal for \$3,040 for asbestos removal and Brandt Excavating proposal for \$49,400 for demolition of the existing library building. 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, Travis Sears: Aye, Dale Strehle: Aye

Aye: 6, No: 0

Attachments:

Brandt Excavating Demolition Proposal totaling \$49,400.00

New Horizons Asbestos Abatement Proposal totaling \$3,040.00

4.I. Review and consider Draeger request for administrative subdivision.

Approve Draeger request for administrative subdivision. Carried with a motion by Dale Strehle and a second by Travis Sears.

Brian Carnes: Aye, Kyle Frans: Aye, Ryan Hinz: Aye, Jack Oelschlager: Aye, Travis Sears: Aye, Dale Strehle: Aye

Aye: 6, No: 0

4.J. Review and consider payment of Sampson pay application #14 totaling \$451,560.00 and #15 totaling \$367,655.00 for library construction.

Approve Sampson pay app #14 totaling \$451,560 and pay app #15 totaling \$367,655 for library construction. Carried with a motion by Dale Strehle and a second by Travis Sears.

Brian Carnes: Aye, Kyle Frans: Aye, Ryan Hinz: Aye, Jack Oelschlager: Aye, Travis Sears: Aye, Dale Strehle: Aye

Aye: 6, No: 0

4.K. Consider long-term stay request at Tuxedo Park from Kim Hintz for the period December 1, 2019 through January 31, 2020.

Approve Hintz long-term stay request at Tuxedo Park for December 1, 2019 through January 31, 2020. Carried with a motion by Kyle Frans and a second by Jack Oelschlager.

Brian Carnes: Aye, Kyle Frans: Aye, Ryan Hinz: Aye, Jack Oelschlager: Aye, Travis Sears: Aye, Dale Strehle: Aye

Aye: 6, No: 0

4.L. Discuss and recommend City Council authorize City Administrator to further review potential expansions of City Hall and procure consultant(s) as applicable.

Authorize the City Administrator to begin the process in order to procure a consultant for City Hall renovations. 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, Travis Sears: Aye, Dale Strehle: Aye

Aye: 6, 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 2019-36: A Resolution authorizing the Mayor to consent to the resettlement of refugees.

Pass Resolution 2019-36 regarding persons with refugee status. 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, Travis Sears: Aye, Dale Strehle: Aye

Aye: 6, No: 0

The City Administrator reported that the Nebraska Governor is considering this resolution. Both the state and the local entity must pass a resolution in order to be eligible for federal assistance funds for refugees. Refugee status is specifically defined by the federal government, and is different than immigrant status. Accepting resettled refugees is also different from what is referred to as "sanctuary" cities.

#### 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 Allen reported that the new ambulance is in, Dan Dunaway reported that youth basketball is ready to begin, and Joy Stevenson reported that the library will be closed from January 13-27 for the move. Jack Oelschlager reported that he received a request from a resident to review the need for stop sign(s) at 16th and Forest and would like this on the next Public Safety Committee agenda. Mayor Bauer requested the Council schedule a special meeting for Friday December 20 at 5:00pm for a special council meeting regarding the Casteel lawsuit. Tom Ourada reported on water/sewer review for upcoming housing development and the status of interviews for the new positions.

#### 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 Ryan Hinz.

Brian Carnes: Aye, Kyle Frans: Aye, Ryan Hinz: Aye, Jack Oelschlager: Aye, Travis Sears: Aye, Dale Strehle: Aye

Aye: 6, No: 0

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

7.A.1. City Council Special Meeting Minutes of November 27, 2019

7.A.2. City Council Meeting Minutes of December 3, 2019

## 7.B. City Council Committee Meeting Minutes

7.B.1. Legislative Development Committee Meeting Minutes of December 3, 2019

7.B.2. Public Safety Committee Meeting Minutes of December 3, 2019

7.B.3. Public Safety Meeting Minutes of December 11, 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](http://www.crete.ne.gov).

Motion to adjourn. Carried with a motion by Dale Strehle and a second by Travis Sears.

Brian Carnes: Aye, Kyle Frans: Aye, Ryan Hinz: Aye, Jack Oelschlager: Aye, Travis Sears: Aye, Dale Strehle:

Aye

Aye: 6, No: 0

The meeting was adjourned at 7:01pm.

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.

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City Clerk

(S E A L)