



CITY COUNCIL REGULAR MEETING

December 5th, 2023 at 6:00 PM
Crete City Hall, 243 East 13th Street

MINUTES

Notice of the meeting was given by posting, the appointed method for giving notice as shown by the attached notice, at the following locations:

City Hall, 243 East 13th Street
Post Office, 1242 Linden Avenue
City Bank and Trust, 1135 Main Avenue

Advance notice of the meeting was also given to committee members. 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. All proceedings shown were taken while the meeting was open to the attendance of the public.

1. Open Meeting

2. Roll Call

Tom Crisman: Present
Anthony Fitzgerald: Present
Kyle Frans: Present
Ashley Newmyer: Present
Dan Papik: Present
Dale Strehle: Present

Present: 6.

3. Consent Agenda

3.A. Approve Meeting Minutes

Approved Meeting Minutes Carried with a motion by Dale Strehle and a second by Dan Papik.

Tom Crisman: Aye, Anthony Fitzgerald: Aye, Kyle Frans: Aye, Ashley Newmyer: Aye, Dan Papik: Aye, Dale Strehle: Aye

Aye: 6, No: 0

3.A.1. November 21, 2023 City Council Minutes

- 3.A.2. November 21, 2023 Public Safety Committee Minutes**
- 3.A.3. November 21, 2023 Public Works Committee Minutes**
- 3.B. Accept the City Treasurer's Report**
- 3.C. Approve the Payment of Claims Against the City**
- 3.D. Approve the Downtown Revitalization Project Drawdown #5 in the amount of \$50,337.72.**
- 3.E. Approve Norris Public Power District Invoice# 10922 for the amount of \$11,552.83.**

4. Items of Business

4.A. Mayor's Appointment of Finance Director

Approved Wendy Thomas as Finance Director.

Approved Mayor's Appointment of Finance Director. Carried with a motion by Dan Papik and a second by Anthony Fitzgerald.

Tom Crisman: Aye, Anthony Fitzgerald: Aye, Kyle Frans: Aye, Ashley Newmyer: Aye, Dan Papik: Aye, Dale Strehle: Aye

Aye: 6, No: 0

4.B. Mayor's Appointment of City Clerk.

Approved Nancy Tellez as City Clerk.

Approved Mayor's Appointment of City Clerk. Carried with a motion by Dan Papik and a second by Anthony Fitzgerald.

Tom Crisman: Aye, Anthony Fitzgerald: Aye, Kyle Frans: Aye, Ashley Newmyer: Aye, Dan Papik: Aye, Dale Strehle: Aye

Aye: 6, No: 0

4.C. Mayor's Appointment of JEO Consulting Group as City Engineer through 2024.

Approved Mayor's Appointment of JEO Consulting Group as City Engineer through 2024. Carried with a motion by Dan Papik and a second by Anthony Fitzgerald.

Tom Crisman: Aye, Anthony Fitzgerald: Aye, Kyle Frans: Aye, Ashley Newmyer: Aye, Dan Papik: Aye, Dale Strehle: Aye

Aye: 6, No: 0

4.D. Consider the resignation of City Clerk-Treasurer Jerry Wilcox.

Approved the resignation of City Clerk-Treasurer Jerry Wilcox. Carried with a motion by Dale Strehle and a second by Dan Papik.

Tom Crisman: Aye, Anthony Fitzgerald: Aye, Kyle Frans: Aye, Ashley Newmyer: Aye, Dan Papik: Aye, Dale Strehle: Aye

Aye: 6, No: 0

Jerry Wilcox's last day will be on December 11th 2023.

4.E. Consider the Maintenance Agreement No. 57 between the Nebraska Department of Transportation and the Municipality of Crete.

City Administrator Tom Ourada explained that this is an agreement that is entered into regularly by the city.

Approved the Maintenance Agreement No. 57 between the Nebraska Department of Transportation and the Municipality of Crete. Carried with a motion by Dale Strehle and a

second by Dan Papik.

Tom Crisman: Aye, Anthony Fitzgerald: Aye, Kyle Frans: Aye, Ashley Newmyer: Aye, Dan Papik: Aye, Dale Strehle: Aye

Aye: 6, No: 0

4.F. Consider enacting Ordinance No. 2188 Relating To The Vacation Of Streets Or Alleys; To Vacate Whittier Avenue North of Burlington Estates Plat.

City Administrator Tom Ourada explained that is to vacate a portion of an alley north of the Burlington Estates plat which had been approved at the last council meeting. This would preserve the utility easements to the property that will be vacated.

Introduce Ordinance No. 2188 and move that the statutory rule requiring three separate readings be suspended. Carried with a motion by Dale Strehle and a second by Dan Papik.

Tom Crisman: Aye, Anthony Fitzgerald: Aye, Kyle Frans: Aye, Ashley Newmyer: Aye, Dan Papik: Aye, Dale Strehle: Aye

Aye: 6, No: 0

Enact Ordinance No. 2188 Relating To The Vacation Of Streets Or Alleys; To Vacate Whittier Avenue North of Burlington Estates Plat. Carried with a motion by Dale Strehle and a second by Dan Papik.

Tom Crisman: Aye, Anthony Fitzgerald: Aye, Kyle Frans: Aye, Ashley Newmyer: Aye, Dan Papik: Aye, Dale Strehle: Aye

Aye: 6, No: 0

4.G. Council review of City Administrator Tom Ourada representative vote on the Fourth Amended and Restated Articles of Incorporation.

City Administrator Tom Ourada explained that this is from the Nebraska Municipal Power Pool and Municipal Energy Agency of Nebraska and is for the restructuring of the schedule M agreement which has existed since 1970's. The City would have to find resources at whatever price it may be able to find if the power resources fall. With the new schedule M there are available resources the power pool can bring online. Ourada stated the new agreement is in the City's best interests.

Approved the review of City Administrator Tom Ourada representative vote on the Fourth Amended and Restated Articles of Incorporation. Carried with a motion by Dale Strehle and a second by Dan Papik.

Tom Crisman: Aye, Anthony Fitzgerald: Aye, Kyle Frans: Aye, Ashley Newmyer: Aye, Dan Papik: Aye, Dale Strehle: Aye

Aye: 6, No: 0

4.H. Consider Ordinance No. 2189 Amending the Wage Scale on Street, Wastewater, and Water Operator, and Customer Service Rep and Cemetery Sexton.

City Administrator Tom Ourada explained that when they looked at wages and used the data to set the wages there had been some disparity between departments. There has been trouble hiring recently. This is for some of the Public Works positions of Street, Wastewater, and Water operator, and Customer Service Rep and Cemetery Sexton.

Introduce Ordinance No. 2189 and move that the statutory rule requiring three separate readings be suspended. Carried with a motion by Tom Crisman and a second by Kyle Frans.

Tom Crisman: Aye, Anthony Fitzgerald: Aye, Kyle Frans: Aye, Ashley Newmyer: Aye, Dan Papik: Aye, Dale Strehle: Aye
Aye: 6, No: 0

Enact Ordinance No. 2189 Amending the Wage Scale on Street, Wastewater, and Water Operator, and Customer Service Rep and Cemetery Sexton. Carried with a motion by Tom Crisman and a second by Kyle Frans.

Tom Crisman: Aye, Anthony Fitzgerald: Aye, Kyle Frans: Aye, Ashley Newmyer: Aye, Dan Papik: Aye, Dale Strehle: Aye
Aye: 6, No: 0

4.I. Consider the Danko Emergency Equipment Co. Proposal for Fire Apparatus in the amount of \$146,485.00.

Fire Chief Tod Allen explained that the department has already purchased a Dodge 5500 chassis to accommodate a new grass rig. There are several items that are needed in this unit that will make it effective for the department's use.

Approved the Danko Emergency Equipment Co. Proposal for Fire Apparatus in the amount of \$146,485.00. Carried with a motion by Dan Papik and a second by Anthony Fitzgerald.

Tom Crisman: Aye, Anthony Fitzgerald: Aye, Kyle Frans: Aye, Ashley Newmyer: Aye, Dan Papik: Aye, Dale Strehle: Aye
Aye: 6, No: 0

4.J. Consider Resolution 2023-28 Setting Public Hearing for the purchase of 1209 and 1211 Main Ave.

City Administrator Tom Ourada explained that this is for the adjoining downtown buildings for sale where the city is concerned with fixing the current exterior damage and also helping with development of usable space.

Adopt Resolution 2023-28 Setting Public Hearing for the purchase of 1209 and 1211 Main Ave. Carried with a motion by Anthony Fitzgerald and a second by Dale Strehle.

Tom Crisman: Aye, Anthony Fitzgerald: Aye, Kyle Frans: Aye, Ashley Newmyer: Aye, Dan Papik: Aye, Dale Strehle: Aye
Aye: 6, No: 0

4.K. Consider Resolution 2023-29 setting a Public Hearing for the expansion and purchase of park facilities south Crete.

Adopt Resolution 2023-29 setting a Public Hearing for the expansion and purchase of park facilities south Crete. Carried with a motion by Ashley Newmyer and a second by Kyle Frans.

Tom Crisman: Aye, Anthony Fitzgerald: Aye, Kyle Frans: Aye, Ashley Newmyer: Aye, Dan Papik: Aye, Dale Strehle: Aye
Aye: 6, No: 0

4.L. Consider enacting Ordinance No. 2190 Authorizing The Issue Of A Drinking Water Revenue Bond, Series 2023.

City Administrator Tom Ourada explained that this is a component of a large grant and loan agreement received by the City. City Attorney Anna Burge and Bond Council Mike Rogers

worked on this.

Introduce Ordinance No. 2190 and move that the statutory rule requiring three separate readings be suspended. Carried with a motion by Ashley Newmyer and a second by Dale Strehle. Tom Crisman: Aye, Anthony Fitzgerald: Aye, Kyle Frans: Aye, Ashley Newmyer: Aye, Dan Papik: Aye, Dale Strehle: Aye
Aye: 6, No: 0

Enact Ordinance No. 2190 Authorizing The Issue Of A Drinking Water Revenue Bond, Series 2023. Carried with a motion by Dale Strehle and a second by Ashley Newmyer. Tom Crisman: Aye, Anthony Fitzgerald: Aye, Kyle Frans: Aye, Ashley Newmyer: Aye, Dan Papik: Aye, Dale Strehle: Aye
Aye: 6, No: 0

4.M. Consider entering the Nestle Agreement.

City Administrator Tom Ourada stated that this is an agreement between the City of Crete and Nestle in a three-way cost share with Saline County for paving on North Boswell Ave.

Approved entering the Nestle Agreement. Carried with a motion by Dale Strehle and a second by Dan Papik. Tom Crisman: Aye, Anthony Fitzgerald: Aye, Kyle Frans: Aye, Ashley Newmyer: Aye, Dan Papik: Aye, Dale Strehle: Aye
Aye: 6, No: 0

4.N. Consider a 3-way stop at 15th Street and Glenwood Ave.

City Administrator Tom Ourada explained that there had been discussions from meeting with Mayor Bauer and with school officials and he suggested a controlled intersection where school property intersected with existing sidewalks at 15th street and Glenwood.

Approved a 3-way stop at 15th Street and Glenwood Ave. Carried with a motion by Dale Strehle and a second by Dan Papik. Tom Crisman: Aye, Anthony Fitzgerald: Aye, Kyle Frans: Aye, Ashley Newmyer: Aye, Dan Papik: Aye, Dale Strehle: Aye
Aye: 6, No: 0

4.O. Consider a paving district 15th Street Iris Avenue to Boswell Ave.

City Administrator Tom Ourada explained the council has asked to look at ways to complete these street projects and this section of 15th street is bad. Ourada recommended they create a street improvement district and move toward discussion on ways the project could be assessed.

Approved a paving district 15th Street Iris Avenue to Boswell Ave. Carried with a motion by Dale Strehle and a second by Dan Papik. Tom Crisman: Aye, Anthony Fitzgerald: Aye, Kyle Frans: Aye, Ashley Newmyer: Aye, Dan Papik: Aye, Dale Strehle: Aye
Aye: 6, No: 0

4.P. Consider the policy manual change on Street Operator response time from 20 minutes to 30 minutes.

City Administrator Tom Ourada explained that he talked with Mayor Bauer and the Street Department has a job opening that they have not been able to fill with qualified people; this would widen the labor pool and this would only be for the Street Department.

Approved the policy manual change on Street Operator response time from 20 minutes to 30 minutes. Carried with a motion by Tom Crisman and a second by Kyle Frans.

Tom Crisman: Aye, Anthony Fitzgerald: Aye, Kyle Frans: Aye, Ashley Newmyer: Aye, Dan Papik: Aye, Dale Strehle: Aye
Aye: 6, No: 0

4.Q. Discussion of acquisition of Norris customer conforming with NPRB regulations.

City Administrator Tom Ourada explained that Nebraska is governed by the Power Review Board in terms of municipal and rural utilities and the city annexed this property and filled with the board to acquire it for city utilities. There is a formula used to transfer property for this purpose and the city has a determined cost payable to Norris Public Power to bring this property into city utility coverage.

Approved the acquisition of Norris customer conforming with NPRB regulations. Carried with a motion by Dale Strehle and a second by Dan Papik.

Tom Crisman: Aye, Anthony Fitzgerald: Aye, Kyle Frans: Aye, Ashley Newmyer: Aye, Dan Papik: Aye, Dale Strehle: Aye
Aye: 6, No: 0

4.R. Consider the equipment rental rate.

City Administrator Tom Ourada explained the the City's Master Fee Schedule didn't have billable rates for some of the city equipment. This would be for the pickup trucks which are used in nuisance property cleanings.

Approved the equipment rental rate. Carried with a motion by Dale Strehle and a second by Dan Papik.

Tom Crisman: Aye, Anthony Fitzgerald: Aye, Kyle Frans: Aye, Ashley Newmyer: Aye, Dan Papik: Aye, Dale Strehle: Aye
Aye: 6, No: 0

4.S. Consider a grant application to the American Academy of Dermatology for \$8,000 in funds for the installation of a shade structure at Wildwood pool.

Park and Recreation Director, Liz Cody explained that they would like to apply for this grant to help get a shade structure for the pool. City Administrator Tom Ourada stated that the City has applied for this grant in the past for the existing shade structure.

Approved a grant application to the American Academy of Dermatology for \$8,000 in funds for the installation of a shade structure at Wildwood pool. Carried with a motion by Ashley Newmyer and a second by Dale Strehle.

Tom Crisman: Aye, Anthony Fitzgerald: Aye, Kyle Frans: Aye, Ashley Newmyer: Aye, Dan Papik: Aye, Dale Strehle: Aye
Aye: 6, No: 0

5. Petitions - Communications - Citizen Concerns

6. Officers' Reports

- Park and Recreation Director, Liz Cody stated the following:
 - Thanked the City Council for voting for Resolution 2023-29 setting a Public Hearing for the expansion and purchase of park facilities south Crete and for her applying for the grant through the American Academy of Dermatology.
 - Is working on a Local Arborist List/Tool that will also be available in Spanish.
 - There are signs to let people know that Camping Areas and Athletic Fields at Tuxedo Park are closed for winter.
 - Will be having a meeting with the Saline County Ag Society and has been in communication with the University of Nebraska extension office.
 - Food Bank of Lincoln distribution went well last month and will be working on having more signs so that people know where to center and exist.
- Library Director, Joy Stevenson stated the following:
 - Received confirmation from Doane University on the volunteer tax preparation program. They are still waiting on date information from the IRS.
- Chief of Police, Gary Young stated the following:
 - The City of Crete Police Department (1945 Forest Ave.) now offers Swap Zone from 8:00am to 7:00 pm which is a designated area where residents can safely meet others in person to complete transactions arranged online. Young thanked City Attorney Anna Burge, City Administrator Tom Ourada and Media Specialist Jenn Lampila for their help on making this possible.
 - There will be new Police Officer testing on Saturday.
 - Unloaded a pick up full of toys for the operation under the tree toy distribution on Saturday, December 16th at the High School.
- City Council member Tom Crisman asked if the hiring of another police officer now is going to just be until next year with the new contract or if they will be looking at reduction a year down the road. City Administrator Tom Ourada stated that there were two openings and a Sargent left. They will be filling one opening for a regular police officer. There could be a possibility of reduction but right now it fits in the budget.
- City Council members Kyle Frans, Ashley Newmyer, and Dale Strehle congratulated Finance Director Wendy Thomas and City Clerk Nancy Tellez and wished the best to Jerry Wilcox on his retirement as Clerk-Treasurer.
- City Administrator Tom Ourada stated the following:
 - Jerry Wilcox will be greatly missed. Wilcox has done a lot of work for the City of Crete. He trained 2 people who worked really hard and he sees things going from great to great.
 - There will be a Nuisance Board Hearing next week on Wednesday at 4pm.

- Getting things ready for some transitions and things will be busy with JEO.
 - There will be a paving district and likely an alley.
 - Supervisor Drug and Alcohol training started today and employee training will be next Friday, December 15th 2023.
 - Comprehensive Plan presentation by Confluence Staff at the next City Council meeting on Tuesday, December 19th 2023.
 - Comprehensive planners did reaffirm to the Planning Commission some of the best practices and some of the things the City should be considering that the City Council has already been doing.
- Mayor Dave Bauer stated that there are changes happening in the City and the City has excellent employees. Mayor Bauer stated being excited to work with JEO and Wendy Thomas and Nancy Tellez will do great things in their new positions. Jerry Wilcox was a great leader to them and helping them train and he will be on call to help. Bauer wished Wilcox the best.

7. Adjournment

Adjourned: 7:01 p.m.