REGULAR MEETING
Crete City Council
City Hall Council Chambers

February 1, 2011

Mayor Roger Foster called the regular meeting of the City Council to order at 7:00 p.m. 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 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. If one is needed during this meeting, please advise. As each agenda item is considered; if there are any questions concerning the agenda item, please advise. 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.

Mayor Foster presided and City Clerk Jerry Wilcox recorded the minutes.

Those in attendance pledged allegiance to the flag.

AGENDA ITEM 1 - ROLL CALL (Attendance of the Council members will be recorded to determine the presence of a quorum for official actions.)

Answering roll call were the following council members: Jack Oelschlager, Chuck Vyhnalek, Dave Bauer, Dale Strehle, Tom Busboom and Travis Sears.

AGENDA ITEM 2 - 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.)

None.

AGENDA ITEM 3 - 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.)

A. Public Hearing – One and Six Year Street Improvement Plan

Council President Busboom made a motion to open a public hearing to hear testimony in favor of, in opposition to and to answer questions in relation to the proposed street improvement plan. Council member Vyhnalek seconded the motion. Voting aye: Oelschlager, Vyhnalek, Bauer, Strehle, Busboom and Sears. Voting no: None. Absent: None. Motion carried.

Public Works Director Tom Ourada presented the One and Six Year Street Improvement plans to the City Council. Bowell Avenue Improvements have been added to the six year list of improvements in order to get it on the list of projects that would be eligible for state funds. A portion of airport road was also added.

Planning Commission Chairperson Dave Hansen reported that the planning commission reviewed the plan and had no recommendation for changes.

Council member Busboom made a motion to close the hearing. The motion was seconded by Council member Oelschlager. Voting aye: Oelschlager, Vyhnalek, Bauer, Strehle, Busboom and Sears. Voting no: None. Absent: None. Motion carried.

B. Mayor's Appointment – Reserve Police Officer

Council President Busboom presented the name of John Patsch to be appointed by the Mayor as a reserve police officer. Mr. Patsch has been an officer for the City of Crete prior to taking a position training officers in Afghanistan.

Council member Vyhnalek made a motion to approve the appointment of John Patsch as a reserve police officer. The motion was seconded by Council member Oelschlager. Voting aye: Oelschlager, Vyhnalek, Bauer, Strehle, Busboom and Sears. Voting no: None. Absent: None. Motion carried.

John Patsch read and signed the oath of office and was congratulated by the Mayor.

C. Non-Class C Liquor License Renewals

The non-class C liquor licenses within the City of Crete are due for annual renewal. Notices of the renewals were published in the Crete News. No objections or protests were received or present at the meeting. No action is required.

D. Black Hills Energy SCADA Agreement

Black Hills Energy personnel were again unable to make it to the meeting due to weather and requested that this be tabled until the next meeting.

Council member Bauer made a motion to table agenda items D and E until the next meeting. The motion was seconded by Council member Strehle. Voting aye: Oelschlager, Vyhnalek, Bauer, Strehle, Busboom and Sears. Voting no: None. Absent: None. Motion carried.

E. Black Hills Energy Transportation Agreement

The item was tabled in the previous motion.

F. CDBG Economic Development Application

The SENDD office has requested that a public hearing be scheduled for approval of an application by Novel Chemical Solutions for a CDBG Economic Development Loan for operation capital. Dave Symonsbergen and Andrea Holmes were present to explain that the capital would be used to hire personnel to add a product line to the Novel Chemical Solutions operations in Crete.

Council member Bauer made a motion to set a public hearing for February 15, 2011 at 7:05 PM on the CDBG application. The motion was seconded by Council member Vyhnalek. Voting aye: Oelschlager, Vyhnalek, Bauer, Strehle, Busboom and Sears. Voting no: None. Absent: None. Motion carried.

G. Mayor's Appointments

Council President Busboom presented the name of Ken Marvin of 1860 Arthur Drive to be appointed by the Mayor to the Economic Development Advisory Board. The Mayor would also like to name Shaylene Smith as the chairperson of the board.

Council member Bauer made a motion to approve the appointments. The motion was seconded by Council member Oelschlager. Voting aye: Oelschlager, Vyhnalek, Bauer, Strehle, Busboom and Sears. Voting no: None. Absent: None. Motion carried.

I. West 13th Street Parking

The Public Works Committee reviewed the parking on West 13th Street and recommends that there be no parking on the south side of West 13th Street from the BNSF crossing to Tuxedo Park Road.

Council member Bauer made a motion to approve the no parking recommendation. The motion was seconded by Council member Vyhnalek. Voting aye: Oelschlager, Vyhnalek, Bauer, Strehle, Busboom and Sears. Voting no: None. Absent: None. Motion carried.

J. Sokol Hall Halloween Festival

The Public Works Committee reviewed the closing of streets for the Sokol Hall Halloween Festival. Businesses were contacted and some changes were suggested on where to have the street dance. The committee recommends that the City work with the Sokol Hall to make the streets available for the Halloween Festival and allow closing of the streets for the festival. The specific streets will be determined at a later date.

Nate Walenta, Cassi Hier and Bruce Cerny of Sokol Hall were present and stated that the suggested changes would work very well for what is planned. They also asked if there would be a problem with a special liquor license for the street dance.

Council member Busboom made a motion to approve the closing of the streets to be determined at a later date and that the special liquor license would be considered. The motion was seconded by Council member Vyhnalek. Voting aye: Oelschlager, Vyhnalek, Bauer, Strehle, Busboom and Sears. Voting no: None. Absent: None. Motion carried.

AGENDA ITEM 4 - 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.)

A. Resolution 2011-06 – One and Six Year Street Improvement Plan

Council President Bauer made a motion to introduce and approve Resolution 2011-06. The Clerk was directed to read the resolution by title.

BE IT RESOLVED: That the Mayor of the City is authorized to sign this resolution on behalf of the City Council and the City Council hereby approves the proposed one and six year plan.

The motion was seconded by Council member Vyhnalek. Voting aye: Oelschlager, Vyhnalek, Bauer, Strehle, Busboom and Sears. Voting no: None. Absent: None. Motion carried.

AGENDA ITEM 5 - OFFICERS' REPORTS: (The following listed reports may be given 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.)

Police Chief Steve Hensel reported that two interns from Doane College would soon be working at the station. He also reported that the recent robbery at the C-store emphasized the importance of training. He also summarized the training planned for the near future.

Public Works Director Tom Ourada reported that: 1) The new table in the Council chambers was constructed by Brian Schmidt and Mike Kalkwarf. They did an excellent job at a very reasonable expense. 2) The recent snow storm has been handled very well by City personnel again. 3) The Recreation Department has been working on a new micro t-ball program and Doane students have volunteered to be disc jockeys for the youth night program. 4) The Advisory Board and Council Committee have both approved the application form and fees for the civic center. They also approved Sertoma to hold their annual Vegas Night at the civic center.

Council member Oelschlager reported that Nestle Purina would like to give the City Council a tour of the facilities and the improvements that have been made on March 3, 2011 at 5:00 PM.

City Clerk Jerry Wilcox stated that if Council members were interested in the League Mid Winter Conference, registrations need to be made before the next meeting.

Mayor Roger Foster reported that the eMeeting training would be scheduled for February 23rd or 24th in the evening. He also asked that an executive session be held at the end of the meeting to discuss Council meeting safety.

Planning Commission Chairperson Dave Hansen updated the City Council on the quadrant study that has been done by the Planning Commission. Two zoning changes were a result of the study. This study will be considered complete.

AGENDA ITEM 6 - 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.)

Council member Busboom moved to approve Consent Agenda items A, B, filing of the treasurer's receipts for audit and approval of the regular claims as endorsed by the Finance Committee. Council member Sears seconded the motion. Voting aye: Oelschlager, Vyhnalek, Bauer, Strehle, Busboom and Sears. Voting no: None. Absent: None. Motion carried.

A. Council Minutes

1. January 18, 2011

B. Committee Minutes

1. Public Works January 17, 2011

2. Civic Center January 21, 2011

3. Public Works January 24, 2011
4. Finance January 24, 2011
C. Treasurer's Receipts – January 2011
D. Regular Claims (as endorsed by Finance Committee) Total $252,170.68

BEATRICE CONCRETE CO.	ROCK	$115.26
BLACK HILLS ENERGY	NATURAL GAS	$173.71
CDW GOVERNMENT, INC.	SUPPLIES	$1,533.48
CITY OF CRETE HEALTH FUND	HEALTH INSURANCE	$20,348.65
CONSTELLATION ENERGY	NATURAL GAS	$0.60
CRETE POSTMASTER	POSTAGE	$638.79
CRETE TRUE VALUE HDW	SUPPLIES	$156.55
CULLIGAN WATER SERVICE	LAB SUPPLIES	$11.20
D.J. WELDING & MFG.	WELDING	$209.33
EAKES OFFICE PLUS	OFFICE SUPPLIES	$156.00
ELECTRIC FUND	UTILITIES	$9,444.89
GENE'S APPLIANCE SERVICE	LID SWITCH	$52.19
GRAINGER	PRESSURE SWITCHES	$44.90
HSBC BUSINESS SOLUTIONS	SUPPLIES	$1,082.40
HUSKER ELECTRIC SUPPLY CO.	SUPPLIES	$202.24
MCI MEGA PREFERRED	PHONE SERVICE	$12.23
MIDWEST OFFICE AUTOMATIONS	LEASED EQUIP	$11.44
NAPA AUTO PARTS	VEHICLE PARTS	$225.68
NeHHS LAB	LAB	$917.00
OLSSON ASSOCIATES	ENGINEERING	$2,237.03
ORSCHELN FARM AND HOME	SUPPLIES	$17.99
PAYROLL	WAGES	$51,796.09
POWERLINE PUBLISHING	DUES & MEMBERSHIPS	$12.00
RAILROAD MANAGEMENT CO	PIPELINE ENCROACHMENT	$772.50
SACK LUMBER CO.	PAINT SUPPLIES	$177.88
SEWARD ELECTRONICS	RADIO REPAIR	$839.22
SEWER FUND	UTILITIES	$26.19
SID DILLON	VEHICLE REPAIR	$43.45
TELEDYNE ISCO, INC.	EQUIPMENT	$1,160.00
THE LAW OFFICE, P.C.	LEGAL SERVICES	$1,114.80
TIME WARNER CABLE	SERVICES	$41.67
U.S. BANK	SUPPLIES	$41.12
USABLUEBOOK	SUPPLIES	$1,630.25
UTILITIES SECTION	MTG & TRNG	$400.00
WALKERS UNIFORM RENTAL	UNIFORMS	$74.90
WATER FUND	UTILITIES	$341.54
WESCO RECEIVABLES CORP	SUPPLIES	$3,663.60
TOTAL UTILITY FUNDS		**$99,726.77**
AARON HAAG	YOUTH BB TOURNAMENT	$60.00
SPOTLIGHT-MAGIC WAGON	BOOKS	$343.80
AIRPORT AUTHORITY	STORAGE	$50.00
AMANDA VANOURNY	YOUTH BB	$196.00
AMERICAN LIBRARY ASSOC	2011 DUES & MEMBERSHIPS	$180.00
AQUA PLUMBING	REPAIRS	$55.64
BEATRICE CONCRETE CO.	SAND	$143.71
BLACK HILLS ENERGY	NATURAL GAS	$1,671.12
BVCA	SERVICES	$248.00

6A

BOOKSAMILLION.COM	BOOKS	$40.39
CAROL ADEN	REIMBURSEMENT	$28.17
CDW GOVERNMENT, INC.	SUPPLIES	$1,988.89
CITY OF CRETE HEALTH FUND	HEALTH INSURANCE	$25,837.30
CRETE AREA MEDICAL CENTER	SERVICES	$35.00
CRETE FOOD MART	SUPPLIES	$106.79
CRETE LUMBER & FARM	SUPPLIES	$8.00
CRETE TRUE VALUE HDW	SUPPLIES	$662.27
CRIST AUTO BODY REPAIR	TOWING	$145.50
CULLIGAN WATER SERVICE	WATER	$32.50
D.J. WELDING & MFG.	WELDING	$101.21
DAHLSTEN TRUCK LINC INC	CHEMICALS	$2,134.44
DAKOTA BUSINESS SYSTEMS	LEASED COPIER	$209.67
DANKO EMERGENCY EQUIP	BOOTS	$558.26
DAVID COFFEY	CONTRACT SERVICES	$444.00
DEBBIE LOPEZ	TRANSLATE	$75.00
DELL MARKETING L.P.	COMPUTER	$2,425.52
DODSON ELECTRIC	SUPPLIES	$273.55
DOUBLEDAY LARGE PRINT	BOOKS	$103.63
EAKES OFFICE PLUS	OFFICE SUPPLIES	$99.97
ELECTRIC FUND	UTILITIES	$9,571.65
EMC NATIONAL LIFE COMPANY	FIREMEN'S LIFE	$119.10
GALE GROUP	BOOKS	$228.31
GE MONEY BANK/AMAZON	SUPPLIES	$1,530.98
HUSKERS ILLUSTRATED	2 YR SUBSCRIPTION	$103.90
INGRAM BOOK COMPANY	BOOKS	$1,092.16
JESSICA MCLELLAN	YOUTH BB	$146.00
K.H.'S SPORT SHOP	YOUTH BB	$233.25
L & L AUTO PARTS	PARTS	$232.39
LANE SKAVDAHL	BASKETBALL TOURNAMENT	$125.00
LOTHROP ANIMAL CLINIC	BOARDING	$155.00
M & K ENTERPRISES	VEHICLE MAINT	$1,001.65
MAIL FINANCE	LEASE PMT	$74.00
MCI MEGA PREFERRED	PHONE SERVICE	$69.13
MIDWEST OFFICE AUTOMATIONS	LEASED EQUIP	$840.41
MUNICIPAL CLERK INSTITUTE	2011 NE CLERK INST	$400.00
NE CEMETERY ASSOCIATION	MEMBERSHIP & DUES	$40.00
NE DEPART OF ROADS	SIGN POSTS & HARDWARE	$559.12
NE EMERGENCY SERVICE	MEMBERSHIP & DUES	$15.00
NE FOREST SERVICE	MTG & TRNG	$80.00
NEBRASKA LIFE	BOOKS	$50.00
OCLC FOREST PRESS	SERVICES	$41.58
ORSCHELN FARM AND HOME	SUPPLIES	$31.95
PAMIDA DISCOUNT CENTER	SUPPLIES	$13.44
PAPER CRAFTS	2 YR SUBSCRIPTION	$31.97
PAYROLL	WAGES	$74,211.80
PLAINS EQUIPMENT GROUP	VEH/EQUIP OIL & GREASE	$9.60
POLICE CHIEFS ASSOC OF NE	MEMBERSHIP & DUES	$50.00
QUILL CORP.	OFFICE SUPPLIES	$200.08
RAY SUEPER	REIMBURSEMENT	$118.32

REVENUE FUNDS	GARBAGE FRANCHISE	$2,794.55
RYAN BAUMGARTNER	BASKETBALL	$62.00
SACK LUMBER CO.	SUPPLIES	$909.09
SAPP BROS. PETROLEUM, INC.	VEH OIL/GREASE	$344.70
SEWARD ELECTRONICS	RADIO REPAIR	$3,614.50
SEWER FUND	UTILITIES	$79.38
SID DILLON	VEH EQUIP REPAIRS	$397.81
SolutionOne	COPIER SERV	$130.21
STANLEY SECURITY	INSTALL CHARGES	$11,376.00
STAR	1 YR SUBSCRIPTION	$77.48
TELEVISION SERVICE CO.	SERVICES	$54.64
THE CHILD'S WORLD, INC	BOOKS	$1,112.55
THE LAW OFFICE, P.C.	LEGAL SERVICES	$743.20
THOMSON WEST	FAIR LABOR STAND HNDKB	$328.50
TIME WARNER CABLE	SERVICES	$126.11
UPSTART	UNIFORMS	$255.45
WATER FUND	UTILITIES	$364.45
WINDSTREAM	PHONE SERVICE	$39.17
TOTAL TAX FUNDS		**$152,443.91**

Executive Session

Council member Busboom made a motion for the Mayor, City Council, Police Chief and City Attorney to go into executive session at 8:00 PM to discuss City Council meeting safety. Council member Strehle seconded the motion. Voting aye: Oelschlager, Vyhnalek, Bauer, Strehle, Busboom and Sears. Voting no: None. Absent: None. Motion carried.

Council member Busboom made a motion for the Mayor, City Council, Police Chief and City Attorney to exit executive session at 8:10 PM. Council member Strehle seconded the motion. Voting aye: Oelschlager, Vyhnalek, Bauer, Strehle, Busboom and Sears. Voting no: None. Absent: None. Motion carried.

City Attorney Reisdorff stated that the Mayor and City Council met in executive session to discuss City Council meeting safety and no action was taken.

AGENDA ITEM 7 - ADJOURNMENT:

Council member Busboom moved that the meeting be adjourned at 8:10 PM. Council member Bauer seconded the motion. Voting aye: Oelschlager, Vyhnalek, Bauer, Strehle, Busboom and Sears. Voting no: None. Absent: None. Motion carried.

ATTEST:

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City Clerk Mayor

(S E A L)

I, Jerry L. 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 (S E A L)