

Legislative/Development Committee Meeting
Tuesday, October 17, 2023 5:00 PM
Crete City Hall
243 E 13th Street
Crete, NE 68333

1. Open Meeting

- In accordance with Nebraska law, a copy of the Open Meetings Act can be found in the back of the Council Chambers.
- Items listed on the agenda may be considered in any order.

2. Roll Call

- Attendance of members will be recorded to determine the presence of a quorum for official actions.

3. Items of Business

- The Committee may discuss or limit discussion on, hear testimony in favor of or in opposition to, or take action to provide a recommendation to the City Council on any matter presented under this title.
- 3.A. Consider a recommendation to the City Council on approval of a CDBG contract amendment to extend the contract end date to November 2024 for the completion of the City's Downtown Revitalization project.
- 3.B. Consider a recommendation to the City Council on Ordinance No. 2180 Relating to Business Registration; To Amend Section 10-301.
- 3.C. Consider a recommendation to the City Council on Ordinance NO. 2181 Relating To Business Registration; To Amend Section 10-302.

4. Officers' Reports

- Reports may be given by the Mayor, Officers, Departments, or Councilmembers concerning the current operations of the City.
- No action can be taken on matters presented under this title except to answer any questions or to refer the matter for further action.

5. Adjournment

Disclaimers & Notices

- The Council may enter into closed session to discuss any matter on this agenda when it is determined that a closed session is clearly necessary for the protection of the public interest or the prevention of needless injury to the reputation of an individual (if such 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 immediately prior to the closed session the Mayor 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.



October 17, 2023

Steve Charleston
Nebraska Department of Economic Development
245 Fallbrook Blvd, Suite 002
Lincoln, NE 68521

RE: City of Crete – CDBG #20-DTR-002
Request for Contract Amendment

Dear Mr. Charleston:

At our meeting on October 17, 2023, the City Council approved to request a contract extension for this project and authorized my signature on extension documents. This amendment will extend the original contract end dates from November 4, 2023 to November 4, 2024.

The City of Crete respectfully requests your approval of a CDBG contract amendment to extend the contract end date to November 4, 2024 for the completion of the City's Downtown Revitalization project. This amendment will allow the city to continue to allow businesses time to finish their projects that were delayed due to the pandemic, limited supply of contractors and materials, rescinded applications, and additional unexpected barriers, such as legal issues with a contractor.

As Mayor of the City of Crete, Nebraska, I certify the following:

- This amendment request was approved at the Board meeting on October 17, 2023.
- The extension will allow the business owners and City to complete the final stages of the project.
- No additional matching funds or budget amendment are required for the proposed amendment.
- The proposed amendment does not include a new activity.

Please contact myself or Kelly Gentrup (kgentrup@senndd.org) with the Southeast Nebraska Development District (SENDD) at (402) 475-2560 for additional information.

Thank you for your consideration of this request.

Sincerely,

David Bauer
Mayor

Enclosed: CDBG Contract Amendment Request Form; Implementation Schedule

CDBG CONTRACT AMENDMENT REQUEST FORM

This form must be completed and submitted to the Nebraska Department of Economic Development when making a contract amendment request. Complete the sections for each type of amendment requested. Along with this form, you are required to submit all attachments identified under the applicable amendment type.

CDBG Grant # _____ Grantee _____

DED Program Representative _____

By completing this form, I confirm that this project is current on all reporting requirements.	
Name, Organization _____	
Email _____	
Requesting Amendment # _____	Date of Last Project Status Report (PSR): _____

Extension of Contract End Date

Original Contract End Date _____
Current Contract End Date including any previously approved extensions _____
Proposed Contract End Date _____

Required Attachments

Attachment 1: Letter from the Chief Elected Official including:

1. Certification that the local governing body has approved the extension.
2. Identification and reasons for the proposed amendment, including:
 - a. Changes to the nature of the project requiring the amendment;
 - b. Steps implemented to avoid any future amendment requests for the same reasons.
3. Where additional local matching funds are required due to this extension, certification that such funds are available.

Attachment 2: Revised implementation schedule showing completion of major milestones for all activities.

Decrease in proposed accomplishments

Original Proposed Accomplishments _____ Amended Proposed Accomplishments _____

Required Attachments

Attachment 1: A letter from the Chief Elected Official including:

1. Certification that the local governing body has approved the decrease in proposed accomplishments;
2. Identification and reasons for the proposed amendment; including
 - a. Changes to the nature of the project requiring the amendment;
 - b. Steps implemented to avoid any future amendment requests for the same reasons.
3. If additional local matching funds are required due to this decrease, certification that such funds are available.

Attachment 2: Revised implementation schedule showing completion of major milestones for all activities.

Amendment to Housing Program Guidelines

Required Attachments

Attachment 1: Letter from the Chief Elected Official including:

1. Certification that the local governing body has approved the amendment to the housing program guidelines;
2. Identification and reasons for the proposed amendment;
3. If additional local matching funds are required due to this amendment, certification that such funds are available.

Attachment 2: If the housing program guidelines amendment will affect major milestones, a revised implementation schedule showing completion of major milestones for all activities.

Attachment 3: A complete copy of the proposed revised housing program guidelines.

Budget/Sources and Uses Amendment

Original Contract Budget Approved

Activity Name	Activity Number	CDBG Funds	Other Funds	Total Funds
Total				

Proposed Budget After Amendment

Activity Name	Activity Number	CDBG Funds	Other Funds	Total Funds
Total				

Required Attachments

Attachment 1: Letter from the Chief Elected Official including:

1. Certification that the local governing body has approved the budget amendment;
2. Identification and reasons for the proposed budget amendment; including
 - a. Changes to the nature of the project requiring the amendment;
 - b. Steps implemented to avoid any future amendment requests for the same reasons.
3. If additional local matching funds are required due to this amendment, certification that such funds are available.
4. If the amendment includes a new activity, certification that the activity meets the national objective.

Attachment 2: Minutes from the public hearing held on the proposed amendment (required if reallocating more than 10% of the total original grant amount).

Attachment 3: If the budget amendment will affect major milestones, a revised implementation schedule showing completion of major milestones for all activities.

Attachment 4: Certification of re-evaluation of the environmental assessment (this form is included in the CDBG Administration Manual Chapter 6 – Environmental Review).

FOR DED USE ONLY			
<i>Program Representative Recommendation:</i> <input type="checkbox"/> <i>approve</i> <input type="checkbox"/> <i>deny</i> <input type="checkbox"/> <i>consultation</i>	<i>Initials</i>	<i>Date</i>	
	Signature		
Date amendment request received	Printed Name/Title		
<input type="checkbox"/> <i>approved</i> <input type="checkbox"/> <i>denied</i>	Date		

Crete, NE 20DTR002 Downtown Revitalization Project Implementation Schedule

General Administration: \$35,000.00

Activity	Time of Performance
Obtain Contract with SENDD	Quarter 1
Environmental Review & ROF	Quarter 1
Grant/Project Administration	Quarter 1 – 16
Market Program	Quarter 3 - 14
Prepare Reports	Quarter 2, 4, 6, 8, 10, 12 and 14
Review Apps	Quarter 3 - 6
Construction Oversight	Quarter 6 - 14
Close & Marketing	Quarter 14 - 16

Construction Management: \$10,000.00

Activity	Time of Performance
Davis Bacon Compliance	Quarter 6 – 14
Pre-Construction Conferences	Quarter 6 – 14
Conduct Employee Interviews	Quarter 6 – 14
Review Weekly Payrolls	Quarter 6 – 14
Prepare Final Wage Report	Quarter 14 – 16

Commercial Rehabilitation: \$400,000.00

Activity	Time of Performance
SHPO & Tier II reviews (as needed)	Quarter 6 – 14
Plans & Specs (when needed)	n/a
Award Construction Contracts	Quarter 6 – 14
Construction	Quarter 6 – 14

Recap of Project Progress

Business	CDBG	Expended	Match	Remaining
Paraiso – 1246 Main Ave	\$27,994.40	\$27,994.40	\$5,923.50	\$0.00
Allen Agency – 1140 Main Ave	\$8,682.27	\$8,682.27	\$2,223.54	\$0.00
Elle's on Main Street – 1103 Main Ave	\$34,000.00	\$34,000.00	\$14,572.11	\$0.00
Scott Skala – 1334 Main Ave	\$10,200.00	\$10,200.00	\$3,796.00	\$0.00
Ken Marvin – 1302 Linden Ave	\$20,000.00	\$20,000.00	\$22,450.67	\$0.00
Edward Jones – 1132 Main Ave	\$9,000.00	\$9,000.00	\$4,737.64	\$0.00
Jaime Castanada – 1229 Main Ave	\$29,666.40	\$29,666.40	\$7,416.60	\$0.00
New Beginnings – 1302 Main Ave	\$48,000.00	\$48,000.00	\$13,137.91	\$0.00
Ideal Nutrition – 120 E 13 th St	\$9,228.12	\$9,228.12	\$2,692.11	\$0.00
Studio C – 1318 Main Ave	\$9,148.93	\$9,148.93	\$2,307.04	\$0.00
Moser Accounting – 1314-1316 Main Ave	\$37,647.11	\$37,647.11	\$9,411.79	\$0.00
Jack Cochnar – 142 W 13 th st	\$47,616.00	\$0.00	\$0.00	\$47,616.00
Hanson, Hroch, and Kuntz – 1331 Main Ave	\$9,000.00	\$0.00	\$0.00	\$9,000.00
Rosa Ortega – 119 E 13 th St	\$12,000.00	\$0.00	\$0.00	\$12,000.00
Sarrah Gilpin – 125 W 13 th St	\$50,000.00	\$0.00	\$0.00	\$50,000.00
Shear Designs – 136 E 13 th St	\$13,000.00	\$0.00	\$0.00	\$13,000.00
Angie Diaz – 1202 Main Ave	\$50,000.00	n/a	n/a	n/a
Melvin Krupicka – 1228 Main Ave	\$20,000.00	n/a	n/a	n/a
Howard Doty – 130 E 13 th St	\$10,000.00	n/a	n/a	n/a
Havana Meats – 1114 Main Ave	\$29,000.00	n/a	n/a	n/a
Total	\$375,183.23	\$243,567.23	\$88,668.91	\$131,616.00

Projects Completed & Reimbursed: 10

Projects under Construction to be completed by year end: 3

Projects Completed but not reimbursed: 2

Projects experiencing delays due to contractor availability: 2

Projects with a rescinded application: 4

CDBG Award: \$400,000.00

CDBG Funds Expended to Date: \$243,567.23

CDBG Funds Allocated: \$375,183.23

Match Funds Expended: \$88,668.91

CDBG Funds Remaining from Allocated Projects: \$131,616.00

CDBG Funds Unallocated: \$24,816.77

Total Funds Remaining: \$156,432.77

Applications Pending: 1

ORDINANCE NO. 2180

AN ORDINANCE OF THE CITY OF CRETE, NEBRASKA RELATING TO BUSINESS REGISTRATION; TO AMEND SECTION 10-301 OF THE CRETE MUNICIPAL CODE TO INLCUDE BUSINESSES TRANSACTING IN THE CITY OF CRETE, NEBRASKA.

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

Section 1. That Chapter 10, Article 3, Section 10-301 of the Crete Municipal Code shall be amended as follows:

10-301 REGISTRATION REQUIRED; ANNUAL FEE.

Every person or business engaged or intending to engage in any calling, business, occupation, or profession by maintaining a business location or transacting business, ~~in whole or in part~~ within the limits of the City of Crete, Saline County, Nebraska, is required and pay an annual business registration fee.

PASSED AND ENACTED the ____ day of _____ 2023.

Mayor

ATTEST:

City Clerk



ORDINANCE NO. 2181

AN ORDINANCE OF THE CITY OF CRETE, NEBRASKA RELATING TO BUSINESS REGISTRATION; TO AMEND SECTION 10-302 OF THE CRETE MUNICIPAL CODE TO DEFINE TRANSACTING BUSINESS.

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

Section 1. That Chapter 10, Article 3, Section 10-302 of the Crete Municipal Code shall be amended as follows:

10-302 DEFINITIONS.

The following words, terms and phrases, when used in this article, shall have the meaning ascribed herein:

“Business” means a calling, occupation, profession, or activity engaged in with the object of gain, benefit, or advantage, either directly or indirectly. Business shall include charitable organizations and organizations performing a charitable purpose.

“Business location” means the premises, whether it be a personal residence, main location, or an outlet, branch, or other location thereof, temporary or otherwise, to which the public is expressly or impliedly invited for the purpose of transacting of business or where business is transacted by phone or using the internet and includes a location where business activities are carried on within the city or outside the city attributable to a location within the city.

“Transacting business” means to sell or lease any personal or real property, surplus personal or real property, or services on one’s behalf or on behalf of any third party as an agent, broker, dealer, or representative.

“Charitable organization” means an organization that is determined by the Internal Revenue Service to be exempt from federal income taxes.

“Charitable purpose” means a benevolent, philanthropic, patriotic, or eleemosynary purpose which does not result in personal gain to a sponsor, organizer, officer, director, trustee, or person with ultimate control of the organization.

“City” means the City of Crete, Saline County, Nebraska.

“License official” means a person designated by the City to administer the provisions of the article.

“Person” means any individual, firm, partnership, LLP, LLC, cooperative non-profit membership, corporation, joint venture, association, estate, trust, business trust, receiver, syndicate, holding company, or other group or combination acting as a unit, in the singular or plural, and the agent or employee having charge or control of a business in the absence of the principal.

PASSED AND ENACTED the ____ day of _____ 2023.

Mayor

ATTEST:

City Clerk

