

Legislative/ Development Committee Meeting
Tuesday, December 19, 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 the Change Request -COR 014 from Kingery Construction Co. in the amount of \$3,203.00 for the Crete Isis Theatre Phase 1.
- 3.B. Consider a recommendation to the City Council on the Change Order No. 001 from Kingery Construction Co. for the Crete Isis theater renovation- Phase 2 in the amount of \$100,000.
- 3.C. Consider a recommendation to the City Council on Resolution 2023-33 to purchase the property located at South 1/2 of Lot 5 & Pt of North 1/2 of Lot 6 Block 1 Crete, Saline County, Nebraska
- 3.D. Consider a recommendation to the City Council on the LB840 application for funds from the City of Crete.

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.

KINGERY CONSTRUCTION CO.

201 N 46TH STREET
LINCOLN, NE 68503-3712
Ph : (402)465-4400

Letter of Transmittal

To: Ryan Hier
TACK ARCHITECTS
Ph: (402)826-7484

Transmittal #: 151
Date: 12/7/2023
Job: 11-22-6723 CRETE ISIS THEATRE PHASE I

Subject: Change Request - COR 014: Drywall / Tectum / Cabinet Changes

- WE ARE SENDING YOU**
- Attached
 - Under separate cover via the following items:
 - Shop drawings
 - Prints
 - Plans
 - Samples
 - Copy of letter
 - Change order
 - Specifications
 - Change Request

Document Type	Copies	Date	No.	Description
Change Request	1	12/4/23	COR 014	Drywall / Tectum / Cabinet Changes

THESE ARE TRANSMITTED as checked below:

- For approval
- For your use
- As requested
- For review and comment
- FOR BIDS DUE
- Approved as submitted
- Approved as noted
- Returned for corrections
- Other
- PRINTS RETURNED AFTER LOAN TO US
- Resubmit ___ copies for approval
- Submit ___ copies for distribution
- Return ___ corrected prints

Remarks:

Copy To:

From: Mark Riley (KINGERY CONSTRUCTION)

Signature: Mark Riley

KINGERY CONSTRUCTION CO.

201 N 46TH STREET
LINCOLN, NE 68503-3712
Ph : (402)465-4400

Change Request

To: Ryan Hier
TACK ARCHITECTS
Ph: (402)826-7484

Number: COR 014
Date: 12/4/23
Job: 11-22-6723 CRETE ISIS THEATRE PHASE I
Phone:

Description: Drywall / Tectum / Cabinet Changes

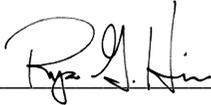
We are pleased to offer the following specifications and pricing to make the following changes:

Cost for material increase in the Tectum , delete install of the tin ceiling by drywall sub, delete vapor barrier at exterior walls, delete the ticket counter cabinets and add to install slots in the ice machine cabinet lower doors.

The total amount to provide this work is \$3,203.00
(Please refer to attached sheet for details.)

If you have any questions, please contact me at 402/465-4400.

Submitted by: Mark Riley
KINGERY CONSTRUCTION CO.

Architect  Date 12/11/2023
Owner _____ Date _____

KINGERY CONSTRUCTION CO.

201 N 46TH STREET
LINCOLN, NE 68503-3712
Ph : (402)465-4400

**Change Request COR 014 Price Breakdown
Continuation Sheet**

Description: Drywall / Tectum / Cabinet Changes

Description	Labor	Material	Equipment	Subcontract	Other	Price
Tectum Cost Increase				\$4,555.00		\$4,555.00
Credit for Metal Clg. Install				\$-1,000.00		\$-1,000.00
Credit for Vapor Barrier				\$-110.00		\$-110.00
Credit for Ticket Counter Material		\$-912.00				\$-912.00
Cut in Vent Slots in Ice Mach. Cab Doors		\$323.00				\$323.00
PROJECT MANAGER	\$110.00					\$110.00

Subtotal: \$2,966.00

Fee \$2,966.00 7.99% \$237.00

Total: \$3,203.00



J&H Specialty Contracting Inc.
5440 N. 57th. Street
Lincoln NE 68507
Phone: 402-466-0144 Fax: 402-466-0146

Project Information:

Name: Isis Theatre Renovation ASI 03
Location: Crete, NE

Contractor Submitted To: Kingery Construction

Contact: Mark Riley

Dated: 5/12/23

ASI 03

Revise Tectum Sizes (material only change order)

Mat: \$3,666

Labor: 0 HR @ \$65 = \$0

PM: \$175 @ 1 HR

Estimator: \$300 @ 1 HR

Markup: \$414

Total ADD: \$4,555

Mark Riley

From: Jeff Herz <jeffh@jh-contracting.com>
Sent: Tuesday, October 24, 2023 11:23 AM
To: Mark Riley
Cc: Dillon Feldhacker; Aaron Erickson
Subject: Re: ISIS

the ACT (labor credit) \$1,000

(for tin ceiling install)

Mark Riley

From: Dillon Feldhacker <dillonf@jh-contracting.com>
Sent: Sunday, November 19, 2023 4:49 PM
To: Mark Riley; Jeff Herz
Cc: Aaron Erickson
Subject: Re: ISIS - Vapor Barrier Removed

Mark,

Cost credit to not install vapor barrier: (\$110)

Dillon Feldhacker

J&H Specialty Contracting Inc.

Director of Operations

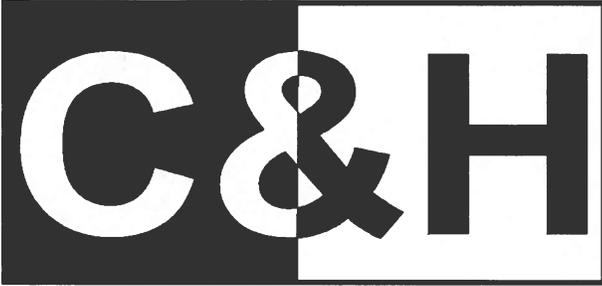
Project Manager

M: 402-639-0534

O: 402-466-0144

Address: 5440 N. 57th street Lincoln, NE 68507

dillonf@jh-contracting.com



CABINETS AND COUNTERTOPS, INC

391 County Road 2500 - Crete, NE 68333
Phone: 402-826-5887 - Fax: 402-826-5874
www.c-hcabinetsandcountertopsinc.com

Date: 12/1/2023 Price Request #: 5
Project: Crete Isis Theatre Renovation
Design Team: Tack Architects

Ticket Counter

omit ticket counter

deduct: \$ (912.22)

Circ 103

cut in vent slots and paint per plans

add: \$ 322.50



AWI ARCHITECTURAL
WOODWORK
INSTITUTE

Terms: Net 30
F.O.B. jobsite (tailgate delivery)
Bid good for 30 days

Page 1 Submitted by: *Bill Hansen*
Bill Hansen

Accepted By:



AIA® Document G701® – 2017

Change Order

PROJECT: (Name and address)
Isis Movie Theatre Renovation - Phase 2
139 W 13th Street
Crete, NE 68333

CONTRACT INFORMATION:
Contract For: General Construction

CHANGE ORDER INFORMATION:
Change Order Number: 001

Date: 10/03/2023

Date: 12/11/2023

OWNER: (Name and address)
City of Crete, Nebraska
243 E 13th Street, PO Box 86
Crete, NE 68333
Telephone Number: 402.826.4312

ARCHITECT: (Name and address)
TACKarchitects, Inc. Subchapter S
Corporations
2922 North 61st Street
Omaha, NE 68104
Telephone Number: 402.505.9778

CONTRACTOR: (Name and address)
Kingery Construction Co.
201 N 64th Street
Lincoln, NE 68503
Telephone Number: 402.465.4400

THE CONTRACT IS CHANGED AS FOLLOWS:

(Insert a detailed description of the change and, if applicable, attach or reference specific exhibits. Also include agreed upon adjustments attributable to executed Construction Change Directives.)

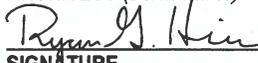
Per Owner Direction, the Contract Amount is to increase by a sum of \$100,000.

The original Contract Sum was	\$	310,000.00
The net change by previously authorized Change Orders	\$	0.00
The Contract Sum prior to this Change Order was	\$	310,000.00
The Contract Sum will be increased by this Change Order in the amount of	\$	100,000.00
The new Contract Sum including this Change Order will be	\$	410,000.00

The Contract Time will be unchanged by Zero (0) days.
The new date of Substantial Completion will be

NOTE: This Change Order does not include adjustments to the Contract Sum or Guaranteed Maximum Price, or the Contract Time, that have been authorized by Construction Change Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive.

NOT VALID UNTIL SIGNED BY THE ARCHITECT, CONTRACTOR AND OWNER.

TACKarchitects
 ARCHITECT (Firm name)

 SIGNATURE
 Ryan G. Hier, AIA, Architect
 PRINTED NAME AND TITLE
 12/11/2023
 DATE

Kingery Construction Co
 CONTRACTOR (Firm name)

 SIGNATURE
 Mark C. Riley, Project Manager
 PRINTED NAME AND TITLE
 12/11/2023
 DATE

OWNER (Firm name)
 SIGNATURE
 PRINTED NAME AND TITLE
 DATE

RESOLUTION No. 2023-33

WHEREAS, the City of Crete has held public hearing on December 19, 2023 pursuant to Nebraska Revised Statute 18-1755, and

WHEREAS, the City Council of Crete has determined that it is in the best interest of the citizens of Crete to acquire the property located in downtown Crete for economic development, and

WHEREAS, the City will contract with Cardinal Holdings, Inc. on December 20, 2023 to purchase the property described on exhibit A, attached hereto and incorporated herein by reference, for the purchase price of \$185,000.00, and

WHEREAS, the City Council has determined that the purchase of the property is in the best interest of the City and the City Council is required to ratify and approve the purchase of the property pursuant to Nebraska Revised Statute 18-1755

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRETE, NEBRASKA:

That the City Council finds and determines that the purchase of the property listed on Exhibit A is in the best interest of the City and the City Council hereby ratifies and approves the purchase set forth herein.

Dated this 19th day of December, 2023

Attest:

Mayor

City Clerk

(Seal)

EXHIBIT A

CARDINAL HOLDINGS, LLC PROPERTY DESCRIPTION

South 1/2 of Lot 5 & Pt of North 1/2 of Lot 6 Block 1
Crete, Saline County, Nebraska



**ECONOMIC DEVELOPMENT PROGRAM
APPLICATION FOR FUNDS**

Please Type or Print Clearly and Answer Each Question *(If Question Does Not Apply – Mark N/A).*

Please Note: The Information Contained in this portion of the document is Public Information and will **NOT** be Considered Confidential.

A. APPLICANT INFORMATION:

Name of Entity Applying for Assistance: City of Crete

Business Address: 243 East 13th Street Crete NE 68333
(City) (State) (Zip Code)

Contact Person: Tom Ourada Telephone Number: 4028264312

Fax Number: 4028264334 Email Address: tom.ourada@crete.ne.gov

Federal Tax ID Number: 476006154

Type of Entity: Start-Up Buyout Existing

If Existing, Number of Years in Business in Crete: 100 years +

Business Classification: (Please Choose One)

- | | | |
|---|--|---|
| <input type="checkbox"/> Retail | <input type="checkbox"/> Manufacturing | <input type="checkbox"/> Research & Development |
| <input type="checkbox"/> Headquarter | <input type="checkbox"/> Telecommunications | <input type="checkbox"/> Tourism |
| <input type="checkbox"/> Warehouse/Distribution | <input checked="" type="checkbox"/> Government | <input type="checkbox"/> Other |

Business Type: (Please Choose One)

- | | | |
|---|---|--------------------------------------|
| <input type="checkbox"/> Proprietorship | <input type="checkbox"/> Corporation | <input type="checkbox"/> Partnership |
| <input type="checkbox"/> LLC | <input checked="" type="checkbox"/> Governmental Entity | <input type="checkbox"/> Other |

Does the Company have a Parent or Subsidiaries? Yes No

If Yes, Please List Name: _____

Address: _____
(City) (State) (Zip Code)

Ownership Identification: Please List all Officers, Directors, Partners, Owners, Co-owners and Stockholders.

Full Name	Title	Ownership Percentage
David A. Bauer	Mayor	
Tom Ourada	City Administrator	

Which type of assistance is the entity applying for?

Grant Loan Guarantee If so, Lender? _____ Other

Explain: We would like a grant to purchase the building but any sale would come back to the program

What is the general purpose of the request (must be an allowed LB840/Economic Dev. Plan Project)?

- New Development New Business Startup Building Renovation Public Works
 Professional/Employee Recruitment Promotion/Tourism Job Training
 Working Capital Low - Moderate Income Housing Workforce Housing
 Technology Plan Management Technical Assistance Equity Investment

Does the business qualify to receive any incentives from the State of Nebraska? Yes No DK

Has the business applied for any incentives from the State of Nebraska? Yes No

If yes, please explain: Downtown Revitalization Program Grants

Employee Information: (FTE = Full-Time Equivalent = 2,080 Hours/Per Year)

Number of Existing Full-Time Equivalent Employees: 70

Number of Full-Time Equivalent Positions to Be Created: Unknown

Will all of the Full-Time Equivalent Positions be Physically Located within the City of Crete, their Two- Mile Extraterritorial Jurisdiction or on Land Held in the Name of the City of Crete?

Yes No

If no, please explain: _____

Does the Company Employ Any Seasonal Employees? Yes No

If Yes, How Many: Usually over 30
 (Seasonal employees must work for at least three continuous months and the position must reoccur annually)

B. PROJECT INFORMATION:

Please provide a Brief Project Summary Description:

We would like to purchase the building(s) at 1206/1211 Main Avenue. The purpose is to support downtown revitalization in appearance and present opportunity in a three-fold approach.

One is to address the unsightly and unsafe window situation that we have been unable to resolve.

Two is to encourage downtown outside business economic development in that building.

Three is to present an opportunity to an existing business that is looking to expand and needs additional space and parking. In turn, we may work out a deal on another building to utilize for office space for an inquiry that we have received.

When the building is to be sold, the resulting cash funds would go back to the LB840 Program.

If the building relocation and swap were to occur, the resulting cash balance would be returned to LB840.

Use of Funds	Total Project Cost	Econ Dev Funds Requested
Land or Building Acquisition	\$ 185,000.00	\$ 185,000.00
Renovation/Rehabilitation	\$ 500,000.00	\$
New Construction	\$	\$
Machinery / Equipment Acquisition	\$	\$
Business / Employee Recruitment Activities	\$	\$
Technology Costs	\$ 50,000.00	\$
Small Business Development	\$ 50,000.00	\$
Working Capital (Includes Inventory)	\$ 100,000.00	\$
Job Training	\$	\$
Other	\$	\$
Total Project Cost	\$ 885,000.00	
	Total LB840 Funds Requested:	\$ 185,000.00

C. FUNDING SOURCES AND EQUITY INJECTION:

If Borrowing, Name of Lender: _____

Loan Amount: _____ Loan Term (Years): _____

Amount Injected Into the Project by Business/Partners/Owners:

Other Funding Source(s) and Amount(s): _____

C. PROJECT LOCATION:

Within the Crete City Limits?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Within the Crete Two-Mile Jurisdiction?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Land Owned by the City of Crete?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Not Located in Crete but for area benefit?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

If Not in City Jurisdiction, please explain local benefit:

D. ATTACHMENTS: - Please Include the Attachments that Apply to Your Entity – See *checklist Page 5.*

Please Note: The Information provided pursuant to this Section **Will** be Deemed Confidential and will not be Available for Public Disclosure.

- Business Plan: Brief Description of the Business
- Resumes of all Owners/Co-Owners/Directors/Partners/Stockholders
- For Existing Businesses – Three (3) Yearly Financial Statements
- For Existing Businesses – Current Financial Statements (Less Than Sixty (60) Days Old)
- For Existing Businesses - List of Current Obligations (Include Company Names and Amounts)
- For Start-Up Businesses – Current Business Plan
- For Start-Up Businesses – Three Year Projections
- Tax Returns – Previous Three (3) Years – Personal Tax Returns May be Required for Proprietorship
- Letter from Lending Institution if applicable
- If a Corporation, LLC or Other Legal Entity - Copy of Organizational Documents (Articles, Bylaws)
- Please Note that Other Financial Documents May Be Required

E. APPLICANT SIGNATURE:

I certify that the information contained in this application and all attachments are correct to the best of my knowledge. By signing below, I authorize the City of Crete or their contracted representative to check my credit and the credit of all who are listed within this application. I understand that I must update my credit information if my financial situation changes.



 Applicant's Signature

12-13-2023

 Date

United States Citizenship Attestation Form

For the purpose of complying with Neb. Rev. Stat. §§ 4-108 through 4-114, I attest as follows:

I am a citizen of the United States.

— OR —

I am a qualified alien under the federal Immigration and Nationality Act, my immigration status and alien number are as follows: _____, and I agree to provide a copy of my USCIS documentation upon request.

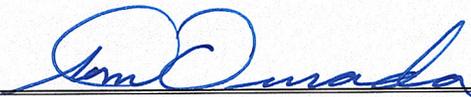
I hereby attest that my response and the information provided on this form and any related application for public benefits are true, complete, and accurate and I understand that this information may be used to verify my lawful presence in the United States.

PRINT NAME

Tom F Ourada

(first, middle, last)

SIGNATURE



DATE

December 14, 2023

1/19/2010

DOWNLOAD/SAVE

PRINT