

Public Works Committee Meeting
Tuesday, January 16, 2024 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. Discussion of close out of 22nd Street Box Culvert Project.

3.B. Discussion on the 1 and 6-Year Street Plan.

3.C. Consider a recommendation to the City Council on the Lease Renewal Agreement from ALLO Crete, LLC.

3.D. Consider a recommendation to the City Council on the Amendment to the Application For Special Exception Permit SEP23-01 from Tillman Infrastructures for a Telecommunications tower.

3.E. Consider a recommendation to the City Council on the Airport CIP Data Sheets.

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.



CHANGE ORDER

Project: Project 2 of 2 East 22nd St

Contractor: General Excavating
6701 Cornhusker Hwy
Lincoln, NE. 68507

Change Order No.: 2
Date: 12/27/2023
Engineers Project No.: Project 2 of 2 East 22nd St
Contract Date: Mar-22

We hereby request approval of changes in the plans, specifications, or work not included in the plans or contract described as follows:

1. New Contract Items

CO 2-1 - Pipe Railing Infill Panels

After installation of the Pipe Railing Fence on the new structure the City of Crete Building and Safety department had reviewed the site. Following their review, they had concerns with the gap between the bottom rail and top of structure and this being a potential safety issue. After review a 4" x 4" welded wire mesh infill panel was proposed to reduce the gap and eliminate the potential safety concerns. A price was requested from the contractor for installation of 12 panels inserted between the existing vertical posts along the top of the new structure. The price submitted was reviewed and found to be acceptable. The unit price shown has been adjusted to include the prime contractor's 5% markup allowed per the NDOT Standard Specifications.

The agreed lump sum unit price shall be full compensation for all material, labor, equipment, tools and incidentals necessary to complete the work of adjusting the previously installed pipe railing and installation of the required panels.

CO 2-2 - Liquidated Damages

Per the contract Bid Documents, Article 4 - Time of Completion, the contractor was granted 110 calendar days from the start of construction or a completion date of June 30, 2023. If the contractor failed to meet this requirement the City of Crete shall have the the right to impose damages at a rate of \$650.00/ day that the work remains incomplete on the project site. The amount charged for damages is for expenses incurred by the City due to the failure of the Contractor to complete the work within the stipulated time period

Construction of the project began December 15, 2022, and the roadway was opened to traffic on August 18, 2023 with final seeding work being completed around September 20, 2023. From the time period of December 15, 2022 to August 18, 2023 the Contractor used a total of 246 calendar days totaling an overrun of 136 CD @ \$650.00 = \$88,400.00. Based on the required June 30, 2023 completion this resulted in an overrun of 49 CD. 49 CD @ \$650.00 = \$31,850.00 in potential damages. When averaging the two damage assessments the result was an average of \$60,125.00 in potential damages.

As the work was progressing, some additional work became necessary - relocation of the watermain. This work required approximately 14 days to complete. 14 CD @ \$650.00 = \$9,100.00.

The NET DAMAGES all considered are \$51,025.00. After considering the additional work required to construct the watermain on the project, the City of Crete has elected to impose damages of \$45,000.00 due to the Contractors failure to meet the completion deadlines required for the project.

<u>Item No.</u>	<u>Description</u>	<u>Plan Qty.</u>	<u>Unit Cost</u>	<u>As-Built Qty.</u>	<u>Overrun</u>	<u>Underrun</u>
CO 2-1	Pipe Railing Infill Panels	0.00 LS	\$7,336.56	1.00 LS	\$7,336.56	
CO 2-2	Liquidated damages	0.00 LS	\$45,000.00	1.0 LS		\$ (45,000.00)
NET						\$ (37,663.44)

Due to the addition of Change Order Items, the total project cost will be decreased by -\$37,663.44

NOT VALID UNTIL SIGNED BY THE OWNER, ENGINEER AND CONTRACTOR

Original Contract Sum.....	\$842,112.80
Net change by previously authorized Change Orders.....	\$41,555.00
The Contract Sum prior to this Change Order was.....	\$883,667.80
The Contract Sum will be Increased/Decreased	-\$37,663.44
The new Contract Sum including Change Order will be.....	\$846,004.36

Engineer Speece Lewis Engineers, Inc.	Contractor General Excavating	Owner City of Crete
Address 906 South 26th Street Lincoln, NE 68510	Address 6701 Cornhusker Hwy Lincoln, NE. 68507	Address 243 East 13th St. Crete, NE 68333

By _____ By _____ By _____

Date _____ Date _____ Date _____

1-Year Plan - 2024
Crete, Nebraska

PRIORITY NO.	PROJECT NO.	DESCRIPTION	TOTAL ESTIMATED CONSTRUCTION COST	GENERAL OBLIGATION COST
1	309	On Iris Avenue between South High School Drive and Eastgate Avenue Construct lighted 10' wide 5" pedestrian underpass with drainage, heated walkway, and camera security		
2	303	On Iris Avenue from 18th Street School Drive to East 29th Street & On East 29th Street from Iris Avenue to Betten Drive - 5000' total Construct 10' wide 5" P.C. concrete lighted ADA accessible trail.		
3	301	On East 15th Boswell Avenue to Iris Avenue Remove existing concrete; construct 7" P.C. concrete paving 32' - 41' wide with 5' sidewalks		
4	304	Alley Between 12th & 13th and between Norman and Oak Remove existing concrete and construct 7" P.C. concrete paving 20' wide.		
5	300	On 21st Street from Norman Avenue to Oak Avenue & On Oak Avenue from 21st Street to 22nd Street Construct 7" P.C. concrete paving 32' wide with storm sewer		
6	305	On Oak Avenue from 20th Street to 21st Street Construct 7" P.C. concrete paving 32' wide with storm sewer		
7	282	On 21st Street from Linden Avenue to Kingwood Avenue Construct 7" P.C. concrete paving 32' wide with storm sewer		
8	278	On Linden Avenue, from 20th to 21st Avenue Construct 7" P.C. concrete paving 32' wide with storm sewer	\$287,568	\$143,107
9	302	On 13th Street at Iris Avenue Construct 9" P.C. concrete 100' roundabout and storm sewer		
10	306	On Iris Avenue at 18th Street School Intersection Construct 9" P.C. concrete 100' roundabout and storm sewer		
11	308	On Boswell from 20th Street North to past Walnut Creek over State Highway 33 and Burlington Northern Railroad Construct 10' Aerial Pedestrian Walkway		
12	288	Tuxedo Park Bridge to Tuxedo Park Walk Bridge Construct 350' 5" P.C. concrete 8' trail walkway/bikeway		

6 Year Plan 2024 - 2030
Crete, Nebraska

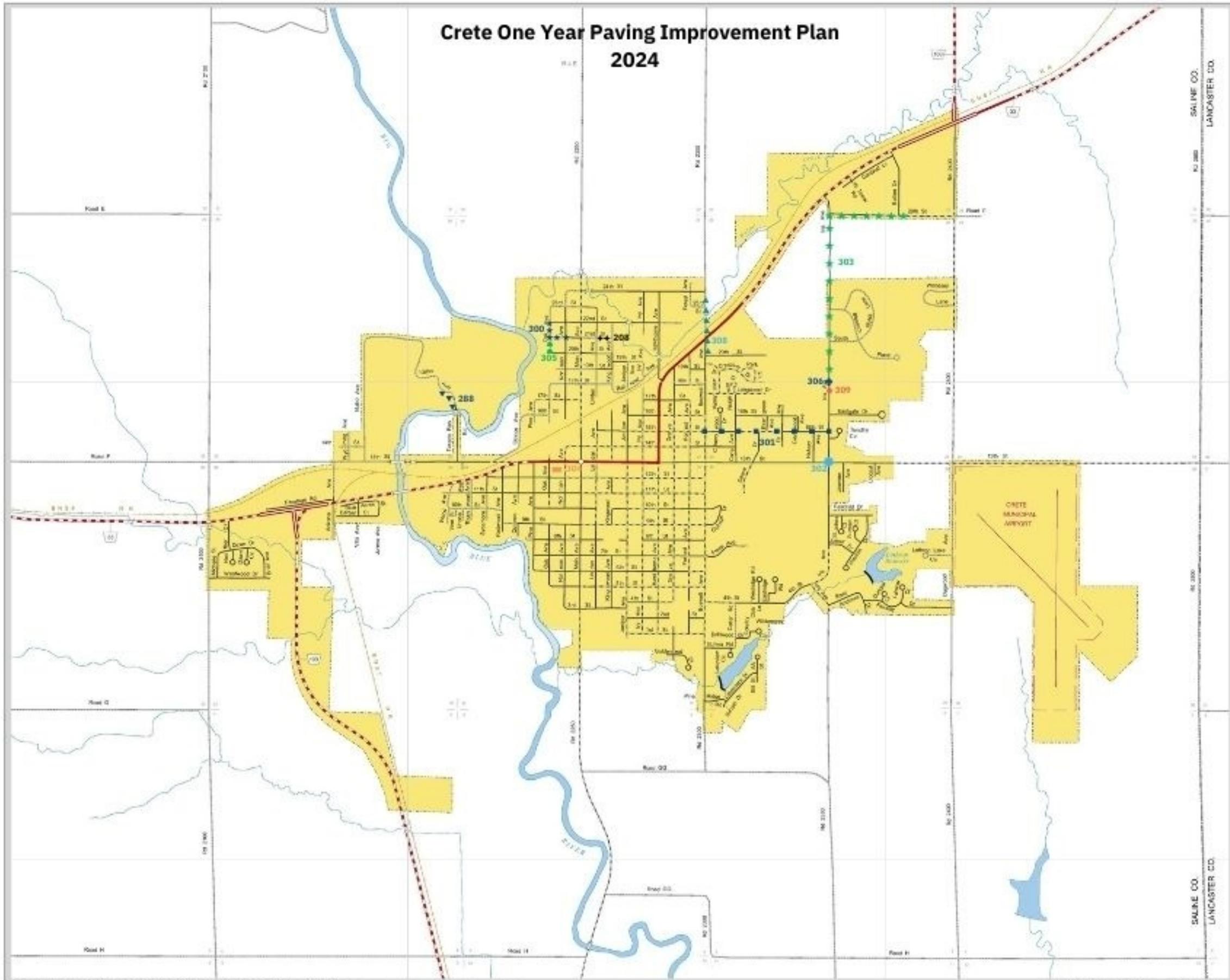
PRIORITY NO.	PROJECT NO.	DESCRIPTION	TOTAL ESTIMATED CONSTRUCTION COST	GENERAL OBLIGATION COST
1	272	In Westwoods subdivision Remove and reconstruct entire roadway 32' wide 7" P.C. concrete paving with curb and gutter, 5' sidewalks & re-compact and reset manholes to grade	\$1,776,000	\$643,200
2	265	On East 13th Street, from Jasmine Avenue to East City Limits Remove existing concrete; construct 9" P.C. concrete paving 32' wide with 5' sidewalks	\$956,484	\$279,720
3	271	On North Main Avenue, from BNRR tracks to 24th Street Mill and overlay 2" asphalt 24' wide from existing edge including intersection approaches.	\$158,400	\$158,400
4	290	West 12th Street west of Arizona Avenue Construct 9" P.C. concrete 25' wide 825' long	\$144,000	\$0
5	208	On 20th Street, from Linden Avenue to Kingwood Avenue Construct 7" P.C. concrete paving 32' wide with storm sewer		

Crete One Year Paving Improvement Plan 2024

CRETE
SALINE COUNTY
NE & RAS KA
POPULATION 7,099
2022



- CRETE HIGHWAYS**
 - Interstate Highway
 - Cracked Highway
 - Multiple Lane Undivided Highway
 - Concrete Block Surface
 - Asphalt Concrete Surface
 - Gravel or Gravel Base
- CITY STREETS AND COUNTY ROADS**
 - Cracked Street
 - Concrete Block Surface
 - Asphalt Concrete Surface
 - Gravel or Gravel Base
 - Interroad
 - P.F. Drive
- Interstate Numbered Road**
- U.S. Numbered Road**
- State Numbered Road**
- State Numbered Spur**
- State Numbered Loop**
- Street Name**
- County Seat**
- City Center**
- Corporations**



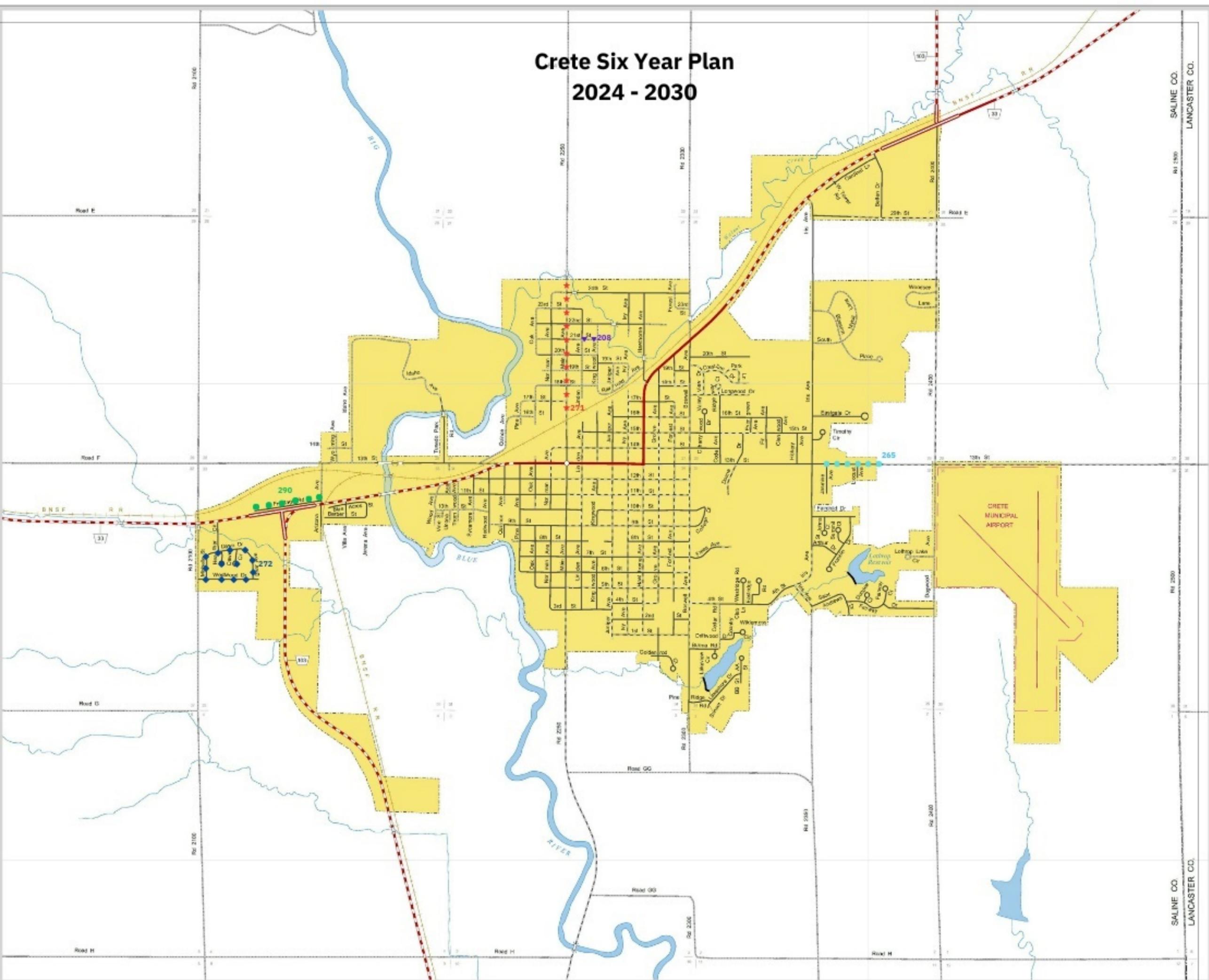
NEBRASKA
Good Life. Great Journey.
DEPARTMENT OF TRANSPORTATION

Crete Six Year Plan 2024 - 2030

CRETE
SALINE COUNTY
NE BRAS KA
POPULATION 7,099
2022



- STATE HIGHWAYS**
- Interstate Highway
- Divided Highway
- Multiple Lane Undivided Highway
- Concrete/Brick Surface
- Asphalt/Bituminous Surface
- Gravel or Cracked Rock
- CITY STREETS AND COUNTY ROADS**
- Divided Street
- Concrete/Brick Surface
- Asphalt/Bituminous Surface
- Gravel or Cracked Rock
- Unimproved
- Paved
- Interstate Numbered Route
- U.S. Numbered Route
- State Numbered Route
- State Numbered Spur
- State Numbered Link
- Street Name
- County Seat
- City Center
- Corporate Limits



SALINE CO. LANCASTER CO. SALINE CO. LANCASTER CO. SALINE CO. LANCASTER CO.



This map is to be used for information only and is not intended to show ownership or to be definitive in which roads are public under Nebraska Law. The Nebraska Department of Transportation is not responsible for the accuracy of the information and assumes no liability for errors or omissions. Any inaccuracies should be reported to NDOT.

CORPORATE LIMITS AS OF 2022 - STATE HIGHWAYS CORRECTED TO 2022

LEASE RENEWAL AGREEMENT

This Lease Renewal Agreement (“Agreement”) is made as of this __day of January, 2024, by and between the city of Crete, a Nebraska municipality (“Landlord”), and ALLO Crete, LLC, a Nebraska limited liability company (“Tenant”).

Whereas Tenant and Landlord desire to renew the Original Ground Lease dated March 22, 2023 and as set forth in this Agreement;

Now, therefore, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. Term. The initial Term of the Ground Lease Agreement ends on January 31, 2024. Landlord and Tenant mutually agree to extend the Term of the Agreement on a month to month basis. The Agreement may be terminated by either party upon giving a 30-day notice to terminate the Lease.

2. Remainder of the Original Ground Lease Unchanged. Except as modified herein and consistent with the terms of such modification, the Ground Original Lease shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused this Lease Renewal Agreement to be executed as of the day and year first above written.

Tenant:
ALLO Crete, LLC

DocuSigned by:

By: _____
4CFC47257A1842B...

Its: President

Landlord:
City of Crete, a Nebraska municipality

By: _____

Its: Member



CITY OF CRETE
APPLICATION FOR
SPECIAL EXCEPTION PERMIT

Special Exception Fee \$160

DATE OF APPLICATION: 4/19/2023 APPLICATION #: SEP 23-01

ADDRESS OR LOCATION: Parcel ID: 760050759 (Also requesting E911 Address)

UNDER THE PROVISIONS OF SECTION 11-230 OF THE CITY OF CRETE ZONING REGULATIONS THE UNDERSIGNED HEREBY APPLIES FOR A SPECIAL EXCEPTION PERMIT TO:

Install 180' self-support telecommunications tower within 65'x65' compound area with 30' wide access and utility easement underground under 12' wide gravel access road approximately 185' in length to Hwy G.

ON THE PROPERTY DESCRIBED AS LOT(S) Parcel ID: 760050759

BLOCK ADDITION

PROPOSED DEVELOPMENT OF THE PROPERTY IS SHOWN AND PLANS ATTACHED HERETO. TYPE AND PROPOSED USE IS AS FOLLOWS:

Telecommunications tower proposing antennas to be built onto for cell phone usage.

APPLICANT NAME: Levi Potensky d/b/a Tillman Infrastructures

ADDRESS: 1997 Annapolis Exchange Pkwy, Suite 200, Annapolis, MD 21401

E-MAIL ADDRESS: Levi.Potensky@smartlinkgroup.com

TELEPHONE #: 443-995-5166 SIGNATURE: Levi Potensky

FOR OFFICIAL USE ONLY BELOW THIS LINE

DATE PUBLISHED & POSTED: May 24, 2023

DATE OF CITY COUNCIL HEARING: June 6, 2023

CONDITIONS: N/A

APPROVED: 5-0 DENIED:

COPY TO: BUILDING INSPECTOR: X DATE 5/3/2023

CITY CLERK: X DATE 5/3/2023

REPORT OF THE CITY COUNCIL, CITY OF CRETE, NEBRASKA

IN THE MATTER OF)
REQUEST FOR SPECIAL EXCEPTION PERMIT) FINDINGS OF FACT

SEP 23-01)
APPLICANT Tillman Infrastructures)

THIS MATTER came before the City Council on the request of the Applicant for Special Exception Permit Approval. Public Hearing was held on the 6th day of June, 2023. Notice of said item was publicized according to law.

UPON REVIEW of all the necessary facts and public comment, the City Council makes the following findings on the application for Special Exception Permit approval:

1. ✓ Ingress and egress to property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and in case of fire or catastrophe;
2. ✓ Off-street parking and loading areas where required, with particular attention to the items in 1 above and the economic, noise, glare or odor effects of the special exception on adjoining properties and properties generally in the district;
3. ✓ Refuse and service areas, with particular reference to the items in 1 above;
4. ✓ Utilities, with reference to locations, availability and compatibility;
5. ✓ Screening and buffering with reference to type, dimensions and character;
6. ✓ Sign, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect, and compatibility and harmony with properties in the district;
7. ✓ Required yards and other open space;
8. ✓ General compatibility with adjacent properties and other property in the district.

Additional Specific Findings of Fact: Engineered Fall Zone
included

WHEREFORE, THE CITY COUNCIL OF THE CITY OF CRETE, NEBRASKA,
regarding the request for special exception permit, does hereby:

Approve the Special Exception Permit Request

Deny the Special Exception Permit Request

DATED THIS 6th DAY OF June, 2023

BY:



Mayor

ATTEST:



City Clerk