

KEARNEY CITY COUNCIL

AGENDA

City Council Chambers, 18 East 22nd Street

December 23, 2008

7:00 p.m.

I ROUTINE BUSINESS

1. Invocation – Reverend Shannon Montgomery, Student at UNK.
2. Pledge of Allegiance.
3. Announcement on Open Meetings Act.
4. Roll call.
5. Oral Communication - Recognition of visitors
Firefighter Service Awards: Brad Anderson – 15 years, Chris Vasquez – 15 years, Trenton Snow – 10 years, Matt Noffke – 5 years, Brad Norton – 5 years, Jared Pettit – 5 years, Loren Richards – 5 years.

II UNFINISHED BUSINESS

None.

III PUBLIC HEARINGS

1. Conduct a public hearing on the Application for a Class CK-83704 Catering Liquor License submitted by THE GARAGE PRODUCTION COMPANY, dba "The Garage" located at 15 East 24th Street and the Manager Application for Heath Smallcomb and approve **Resolution No. 2008-224.**
2. Conduct a public hearing on the proposed acquisitions for a Permanent Hike and Bike Trail Easement of the following: TRACT A – The Evangelical Lutheran Good Samaritan Society for a tract of land being the north 20.0 feet of Lot 2, Prairie View Gardens, an addition to the City of Kearney, Buffalo County, Nebraska; TRACT B – Good Samaritan Hospital for a tract of land being the north 20.0 feet of the east 75.0 feet of Lot 3, Prairie View Gardens, an addition to the City of Kearney, Buffalo County, Nebraska; and TRACT C – Lighthouse Point Subdivision Homeowners Association for a tract of land being a 20.0 foot strip of land being part of Lot 5 of Block 1, Lighthouse Point, an addition to the City of Kearney, Buffalo County, Nebraska and approve **Resolution No. 2008-225.**

IV CONSENT AGENDA *

1. Approve Minutes of Regular Meeting held December 9, 2008.
2. Approve the Claims.
3. Receive recommendations of Planning Commission and set January 13, 2009 at 7:00 p.m. as date and time for hearing on those applications where applicable.
4. Approve T-Hangar B-4 Lease Agreement between the City of Kearney and Central Nebraska Spinal Surgery Center/David Alvarado Benavides and approve **Resolution No. 2008-226.**

5. Approve the application to extend Conditional Use Permit No. 2001-03 submitted by Carol Letcher of Beadle LLC and Ron Blessing of Blessing Construction to continue the Resource Extraction and Stockpiling Operation located $\frac{3}{4}$ mile north of 56th Street on the west side of Avenue N for a period of one year.
6. Approve the Intergovernmental Agreement between the City of Kearney and the Nebraska Department of Environmental Quality regarding the implementation of storm water management and approve **Resolution No. 2008-227**.
7. Approve the following Agricultural Leases at the Kearney Regional Airport from January 1, 2009 until December 31, 2009: B & B Bendfeldt Farms, L.L.C. and Brenda Bendfeldt (229 irrigated acres); David R. Fleming (383 non-irrigated acres); David R. Fleming (272 irrigated acres); Donald D. Hendrickson (347 irrigated acres and 11 non-irrigated acres); Gary Henderson (34 irrigated acres); Lee Potter (62 irrigated acres); Thomas L. Larsen and Theodore A. Larsen (127 under pivot irrigation acres and 9 non-irrigated acres) and approve **Resolution No. 2008-228**.
8. Approve Change Order No. 6 showing a decrease in the amount of \$3,450.60, Application and Certificate for Payment No. 6 in the amount of \$25,205.33 submitted by Blessing, LLC and approved by Brungardt Engineering for the construction of the E.K. & Mary Yanney Heritage Park North Parking Lot Addition and approve **Resolution No. 2008-229**.
9. Approve Change Order No. 3 showing an increase in the amount of \$17,315.78, Application and Certificate for Payment No. 7-Final in the amount of \$93,473.97, and the Certificate of Substantial Completion submitted by Siel Construction, Inc. and approved by Miller & Associates in connection with the Landfill Construction – Cell 7 Project and approve **Resolution No. 2008-230**.
10. Approve Change Order No. 3 showing a decrease in the amount of \$10,000.00, Application and Certificate for Payment No. 10-Final in the amount of \$21,876.00, and the Certificate of Substantial Completion submitted by Central Contracting Corp. and approved by Miller & Associates for the construction of the Kearney Area Landfill Tipping Station located at 6711 West 56th Street and approve **Resolution No. 2008-231**.
11. Approve Change Order No. 1 showing an increase in the amount of \$9,617.90, Application and Certificate for Payment No. 4 in the amount of \$142,738.84 submitted by Blessing, LLC and approved by Miller & Associates in connection with the 2008 Part III Improvements consisting of Paving Improvement District No. 2007-915 for 14th Street from 6th Avenue to 9th Avenue; Paving Improvement District No. 2007-916 for 9th Avenue from 13th Street to 14th Street; Paving Improvement District No. 2007-917 for 9th Avenue from 16th Street to 19th Street and approve **Resolution No. 2008-232**.
12. Approve Application and Certificate for Payment No. 3 in the amount of \$25,640.67 submitted by Wilke Contracting, Inc. and approved by Miller & Associates in connection with the 2007 Part 5 Improvements consisting of bridge work on 4th Street between 2nd Avenue and 3rd Avenue and approve **Resolution No. 2008-233**.
13. Approve Application and Certificate for Payment No. 7 in the amount of \$10,767.00 submitted by Eriksen Construction Co., Inc. and approved by Miller & Associates in connection with the Northwest Well Field Improvements; Phase III - Water Conditioning Facility and Control System and approve **Resolution No. 2008-234**.
14. Approve the bids received for the 2008 Part 7 Improvements consisting of Water District No. 2008-553 for 56th Street from the southwest corner of Lot 11 of Block 6, Eastbrooke Eighth Addition east to the southeast corner of Lot 1 of Block 7, Eastbrooke Eighth Addition; and Sewer District No. 2008-494 in a 20-foot sanitary sewer easement located along the south side of Block 3, Bel Air Third Addition and approve **Resolution No. 2008-235** awarding the bid to Judds Brothers Construction from Lincoln, Nebraska in the amount of \$379,370.00.

15. Approve Addendum to the South Central Area Law Enforcement Services (SCALES) Agreement to include the Aurora Police Department, the Holdrege Police Department and the Phelps County Sheriff's Office and approve **Resolution No. 2008-236**.

* ***Any item listed on the Consent Agenda may, by the request of any single Council member, be considered as a separate item under the Regular Agenda Section of the Agenda.***

V CONSENT AGENDA ORDINANCES *

1. **ORDINANCE NO. 7496** – Amend Article 4 "Bonds and Oaths" of Chapter 1 "Administration" of the City Code as follows: Section 1-401 "Bonds; Required" to reflect the changes in state law by providing the option of requiring a bond or evidence of equivalent insurance for municipal officers and Council Members; to amend Section 1-402 "Bonds; City Manager and Director of Finance and Administration" to provide the option of providing a bond or evidence of equivalent insurance for the Director of Finance and Administration and to reduce the amount of the bond required for the City Manager to \$5,000.00.
2. **ORDINANCE NO. 7497** – Create Paving Improvement District No. 2008-934 for 18th Street from 8th Avenue to 9th Avenue.
3. **ORDINANCE NO. 7498** – Create Paving Improvement District No. 2008-935 for a 20-foot wide alley lying between 2nd Avenue and 3rd Avenue from 12th Street to 13th Street.

VI REGULAR AGENDA

1. Consider the Agreements submitted by Nebco, Inc. (Kearney Crete & Block), A.I. Leasing, Inc. (Kearney Implement), and Cabela's Inc. with regard to annexing areas on the north side of East Highway 30 and approve **Resolution No. 2008-237**.
2. Open Account Claims: **NPPD - \$55,913.01, Platte Valley State Bank - \$48,742.30**

VII REPORTS

VIII ADJOURN

Mayor Stanley Clouse
4907 Linden Drive Place
236-6193 home
238-5210 office
mayor@kearneygov.org

Vice-President Randy Buschkoetter
1110 13th Avenue
234-5553 home
698-8106 office
citycouncil@kearneygov.org

Council Member Don Kearney
701 Huron Drive
237-3225 home
236-5411 office
citycouncil@kearneygov.org

Council Member Bruce Lear
4803 Avenue L Place
234-5354 home
234-2424 office
citycouncil@kearneygov.org

Council Member Bob Lammers
8 Crestview Place
236-5273 home
234-2577 office
citycouncil@kearneygov.org

City Manager Michael Morgan
18 East 22nd Street
233-3214 office
mmorgan@kearneygov.org

A current agenda is on file at the Office of the City Clerk at City Hall, 18 East 22nd Street, Kearney, Nebraska. For more information, call 233-3216 or visit our website at www.cityofkearney.org