

KEARNEY CITY COUNCIL

AGENDA

City Council Chambers, 18 East 22nd Street

January 27, 2009

7:00 p.m.

I ROUTINE BUSINESS

1. Invocation (President or Designee of KMA).
2. Pledge of Allegiance.
3. Announcement on Open Meetings Act.
4. Roll call.
5. Oral Communication - Recognition of visitors.

II UNFINISHED BUSINESS

None.

III PUBLIC HEARINGS

None.

IV CONSENT AGENDA *

1. Approve Minutes of Regular Meeting held January 13, 2009.
2. Approve the Claims.
3. Receive recommendations of Planning Commission and set February 10, 2009 at 7:00 p.m. as date and time for hearing on those applications where applicable.
4. Approve Application and Certificate for Payment No. 1 in the amount of \$158,148.00 submitted by Hausmann Construction and approved by Wilkins Hinrichs Stober for the construction of the Peterson Senior Activity Center located at the E.K. and Mary Yanney Heritage Park and approve **Resolution No. 2009-2**.
5. Approve Change Order No. 3 showing a decrease in the amount of \$491.00, Change Order No. 4 showing an increase in the amount of \$1,074.00, Change Order No. 5 showing an increase in the amount of \$2,053.00, Change Order No. 6 showing a decrease in the amount of \$390.00 submitted by Smeal Fire Apparatus Co. for the Fire Pumping Apparatus for the Kearney Volunteer Fire Department and approve **Resolution No. 2009-3**.
6. Approve the recommendation submitted by the Fire Chief to include the following as members of the Kearney Volunteer Fire Department: Jeff Benson, Matt Branch, Travis Checketts, Daniel Follmer, Zach Oliverius, Joel Suggitt, Josh Thom and approve **Resolution No. 2009-4**.

7. Repeal Resolution No. 2008-225 and accept 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 – 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. 2009-5**.
 8. Approve Application and Certificate for Payment No. 6 in the amount of \$39,229.20 submitted by Paulsen, Inc. and approved by Kirkham Michael for the construction of the Airport Road Relocation Project and approve **Resolution No. 2009-6**.
 9. Approve the recommendation from the Police Department on the purchase of five patrol vehicles from Tincher Ford and Mercury from Plattsmouth, Nebraska in the amount of \$124,730.00.
 10. Approve the Certificate of Substantial Completion submitted by Starostka Group and approved by Miller & Associates for the Northwest Well Field Improvements; Phase II – Water Transmission Main and approve **Resolution No. 2009-7**.
 11. Accept the report from the City Clerk on the sufficiency of objection/protest filed in connection with Paving Improvement District No. 2008-934 for 18th Street from 8th Avenue to 9th Avenue.
 12. Approve the Stipulation of Settlement Agreement between the City of Kearney and Bart and Darla Langenberg in connection with the 2007 Part II Improvements – 39th Street and 2nd Avenue Traffic Signalization and Turn Lane Improvements Project and approve **Resolution No. 2009-8**.
- * ***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. 7501** – Repeal Ordinance No. 7497 creating Paving Improvement District No. 2008-934 for 18th Street from 8th Avenue to 9th Avenue. *(Pertains to Consent Agenda Item 11)*

VI REGULAR AGENDA

1. Receive and accept the City of Kearney Annual Financial Report prepared by the accounting firm of McDermott & Miller.
2. Consider **Resolution No. 2009-9** on the intent to annex the following tracts of land: a tract of land being part of Government Lots 1, 4 and 5 and part of the Southeast Quarter of the Northwest Quarter and part of the Northeast Quarter of the Southwest Quarter, all located in Section 32, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska; AND a tract of land being part of the Southeast Quarter of the Northwest Quarter and part of the Northeast Quarter of the Southwest Quarter of Section 32, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska; AND Lot 1, Vantage Industrial Park 2nd Addition, an addition being part of the Southeast Quarter of the Northwest Quarter of Section 32, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska, and also Lots 1 and 2, Vantage Industrial Park Addition, an addition being part of the Southeast Quarter of the Northwest Quarter and part of the Northeast Quarter of the Southwest Quarter of Section 32,

Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska; AND the South 330 feet of the North Half of the South Half of the Northeast Quarter and the South Half of the South Half of the Northeast Quarter; AND that part of the Northwest Quarter of the Southeast Quarter all being located in Section 32, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska; AND a tract of land being part of Lot 1, Vantage Industrial Park Addition, an addition being part of the Southeast Quarter of the Northwest Quarter and part of the Northeast Quarter of the Southwest Quarter of Section 32, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (located north of East Highway 30 between Antelope Avenue and Cherry Avenue) and to set the public hearing date for February 10, 2009 at 7:00 p.m.

- 3. Review the One & Six Year Street Improvement Plan and set the public hearing for February 10, 2009 to adopt the One & Six Year Street Improvement Plan.
- 4. Consider the request to place 3 or 4-way stop sign located at 35th Street and Avenue A and parking concerns adjacent to the Kearney Catholic High School.
- 5. Consider adoption of **Ordinance No. 7502** repealing in its entirety Section 8-1901 "Carrying Concealed Weapons" of Article 19 "Offenses Against Public Health and Safety" of the Code of the City of Kearney.
- 6. Consider the recommendation from the Park & Recreation Advisory Board on the request submitted by the Kearney Slow Pitch Softball Association to transfer the administration and supervision of the adult slow pitch softball program.
- 7. Open Account Claims: **NPPD - \$60,815.22, Platte Valley State Bank - \$49,341.49, School District #7 - \$2,391.80**

VII REPORTS

- 1. Report by City staff on City of Kearney priority Bills.

VIII ADJOURN

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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