

# **KEARNEY CITY COUNCIL**

## **AGENDA**

**City Council Chambers, 18 East 22nd Street**

**February 10, 2009**

**7:00 p.m.**

### **I ROUTINE BUSINESS**

1. Invocation – Father Charles Torpey, St. James Catholic Church
2. Pledge of Allegiance.
3. Announcement on Open Meetings Act.
4. Roll call.
5. Oral Communication - Recognition of visitors
  - **Recognition of Tom Henning, Chairman of the Air Transportation Committee**

### **II UNFINISHED BUSINESS**

1. REMAIN ON TABLE UNTIL STUDY COMPLETED – 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.

### **III PUBLIC HEARINGS**

1. Conduct a public hearing on the ½¢ Sales Tax Capital Improvement Plan for the City of Kearney, Nebraska.
2. Conduct a public hearing on the adoption of the One & Six Year Street Improvement Plan and approve **Resolution No. 2009-10**.
3. Conduct a public hearing on the proposed annexation of 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 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; 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 (located north of East Highway 30 between Antelope Avenue and Cherry Avenue).

#### **IV CONSENT AGENDA \***

1. Approve Minutes of Regular Meeting held January 27, 2009.
2. Approve the Claims.
3. Repeal Resolution No. 2008-158 and amend the Comprehensive Fee Schedule to provide calculated fees associated with plumbing permits based on square footage in residential houses and commercial projects will be based on a percentage of the plumbers cost of the work related to a project and approve **Resolution No. 2009-11**.
4. Approve the Amendment to the Fixed Base Operator Use and Operations Agreement for Hangar T-926 between the City of Kearney and Otis Air Service and approve **Resolution No. 2009-12**.
5. Approve the Amendment to the Use and Operations Agreement for Hangar T-385 between the City of Kearney and Otis Air Service for commercial storage of aircraft at the Kearney Regional Airport and approve **Resolution No. 2009-13**.
6. Approve the application submitted by Ronald Huss to extend Conditional Use Permit No. 1978-01 to locate a manufactured home for security purposes located at 1202 West 19th Street for a period of one year.
7. Approve the application submitted by Ronald Huss to extend Conditional Use Permit No. 2006-03 to stockpile snow and manure at 1202 West 19th Street for a period of one year.
8. Approve the Developer Constructed Infrastructure Agreement between the City of Kearney and DT Development, Inc. to provide paving, water and sanitary sewer to serve Lots 1 and 2 of Block 2, and Outlot A, Spruce Hollow Estates Third Addition, a subdivision of Buffalo County, Nebraska and approve **Resolution No. 2009-14**.
9. Approve **Resolution No. 2009-15** to support Buffalo County in pursuing and applying for Department of Homeland Security funds to assist in the financing and rehabilitation of an Emergency Operations Center located in the basement of the Correctional Center currently under construction and/or other suitable location.
10. Approve the purchase of a Four-Wheel Drive Loader to be used by the Transportation Division from Nebraska Machinery in the amount of \$158,292.00.
11. Approve the application for a Special Designated License submitted by Night Life Concepts, Inc., dba Cunningham's Journal in connection with their Class CK-59311 catering liquor license to dispense beer, wine and distilled spirits in the Ag Pavilion located at the Buffalo County Fairgrounds, 3807 Avenue N, on March 14, 2009 from 3:00 p.m. until 12:00 a.m. for a wedding reception.
12. Approve the Agreement submitted by Scott Morris with regard to annexing property located at 3212 East Highway 30 and approve **Resolution No. 2009-16**.

\* ***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 \*

None.

## VI REGULAR AGENDA

1. First Reading of **Ordinance No. 7503** annexing 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). *(Pertains to Public Hearing 3)*
2. Consider calling for the redemption of the 1998 Bonds and the 2001 Bonds and approve **Resolution No. 2009-17**.
3. Consider **Ordinance No. 7504** authorizing the issuance of Combined Utilities Revenue Refunding Bonds, Series, 2009 of the City of Kearney, Nebraska in the aggregate principal amount of \$6,335,000 for the purpose of providing for the payment and redemption of the City's outstanding Combined Utilities Revenue Refunding Bonds, Series 1998 in the principal amount of \$6,315,000 and the City's outstanding Combined Utilities Revenue Bonds, Series 2001 in the principal amount of \$760,000; directing the application of the proceeds of said bonds; prescribing the form, terms and details of said bonds; pledging and hypothecating the revenue and earnings of the waterworks plant and water system, sewage disposal plant and sanitary sewer system and electric distribution system of said City for the payment of said bonds and interest thereon; providing for the collection, segregation and application of the revenues of said waterworks plant and water system, sewage disposal plant and sanitary sewer system and electric distribution system; entering into a contract on behalf of the City with the holders of said bonds; directing the prepayment of the Series 1998 Bonds and the Series 2001 Bonds; and providing for publication on the ordinance in pamphlet form.
4. Consider the Plans and Specifications for the Harmon Park Fountain Improvements and set the bid opening date for March 3, 2009 at 2:00 p.m.
5. Open Account Claims: **NPPD - \$167.03, Platte Valley State Bank - \$45,358.21**

## VII REPORTS

## VIII ADJOURN

Mayor Stanley Clouse  
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Vice-President Randy Buschkoetter  
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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](http://www.cityofkearney.org)