

KEARNEY CITY COUNCIL

AGENDA

City Council Chambers, 18 East 22nd Street

February 24, 2009

7:00 p.m.

I ROUTINE BUSINESS

1. Invocation by Reverend Shannon Montgomery, Pastor-Student from UNK.
2. Pledge of Allegiance.
3. Announcement on Open Meetings Act.
4. Roll call.
5. Oral Communication - Recognition of visitors
 - **Presentation by the Police Department on the Senior Volunteer Program.**

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. Final Listening Session for citizens to comment on the City possibly purchasing of the FirstTier Event Center to ensure long-term stability and viability of the facility as an event center and the adoption of a one percent food and beverage occupation tax.

IV CONSENT AGENDA *

1. Approve Minutes of Regular Meeting held February 10, 2009 and Special Meeting held February 17, 2009.
2. Approve the Claims.
3. Receive recommendations of Planning Commission and set March 10, 2009 at 7:00 p.m. as date and time for hearing on those applications where applicable.
4. Approve the Plans and Specifications for the 2009 Part I Improvements – 5th Avenue Asphalt Overlay Project and set the bid opening date for March 17, 2009 at 2:00 p.m.
5. Approve the bid received for the AIP Project No. 3-31-0045-20 which consists of the Crack Seal, Slurry Seal and Runway/Taxiway Markings Project at the Kearney Regional Airport and approve **Resolution No. 2009-18** awarding the bid to Maxwell Asphalt of Salt Lake

City, Utah in the amount of \$673,722.50 subject to approval by F.A.A. and the Nebraska Department of Aeronautics.

6. Approve the application for a Special Designated License submitted by Veterans FW #759 in connection with their Class C-09025 liquor license to dispense beer and distilled spirits in the Exhibit Building located at the Buffalo County Fairgrounds, 3807 Avenue N on March 13, 14, 2009 from 10:00 a.m. until 9:00 p.m. and on March 15, 2009 from 12:00 a.m. until 4:00 p.m. for a bike show/swap meet.
7. Approve Change Order No. 5 showing a decrease in the amount of \$1,959.00 and Application and Certificate for Payment No. 2 in the amount of \$208,818.00 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. 2009-19.**
8. Approve the application for deferral of special assessments submitted by Arlene Wiederspan in connection with Paving Improvement District No. 2008-930 for 48th Street from the east right-of-way line of 11th Avenue to the east line of Lot 1, Block Four, Windsor Estates Seventh Addition.
9. Approve the request submitted by the UNK Loper Programming and Activities Council to conduct the 7th Annual Fun 5K Run/Walk on April 25, 2009 beginning at 9:00 a.m. The route will begin at UNK Foster Field, east in the right lane of eastbound traffic on University Drive, south on the sidewalk parallel with 9th Avenue, west on the sidewalk parallel with 25th Street, north and east in the right lane of the eastbound traffic on University Drive (near softball fields) and following University Drive to 9th Avenue, south on the sidewalk parallel with 9th Avenue to 27th Street, west on 27th Street and ending at UNK Foster Field.
10. Approve the bids received for the purchase of a front-wheel assist tractor with cab along with mounted loader and grapple to be used by the Water Production Division and award the bid to Fairbanks International in the amount of \$36,900.00.
11. Approve Application and Certificate for Payment No. 10 in the amount of \$302,094.11 submitted by Starostka Group and approved by Miller & Associates for the Northwest Well Field Improvements; Phase II - Water Transmission Main and approve **Resolution No. 2009-20.**
12. Approve Application and Certificate for Payment No. 1 in the amount of \$92,523.35 submitted by Midlands Contracting and approved by Miller & Associates for the 2008 Part 11 Improvements – Bid A consisting of Water District No. 2008-552 for 4th Street from 6th Avenue to the west boundary of Cash-Wa Second Addition and approve **Resolution No. 2009-21.**
13. Approve the Hold Harmless Agreement and License for Limited Use between the City of Kearney and Farmers and Merchants Bank for the purpose of training police officers on vacant property owned by the Bank and approve **Resolution No. 2009-22.**

* ***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. Third and Final 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).
2. Open Account Claims: **Stan Clouse - \$20.34, NPPD - \$61,418.46, Platte Valley State Bank - \$48,218.02, School District #7 - \$1,458.85**

VII REPORTS

VIII ADJOURN

Mayor Stanley Clouse
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Vice-President Randy Buschkoetter
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Council Member Don Kearney
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Council Member Bruce Lear
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City Manager Michael Morgan
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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

ADDENDUM NO. 1

IV CONSENT AGENDA

14. Approve the Grant Agreement between the City of Kearney and the Federal Aviation Administration in conjunction with AIP Project 3-31-0045-20 (Phase 1 – Part A) for the rehabilitation of Runway 18/36 and Taxiways A & C at the Kearney Regional Airport and approve **Resolution No. 2009-23**.

VI REGULAR AGENDA

3. Council to discuss the possible acquisition of the FirstTier Event Center.