

KEARNEY CITY COUNCIL

AGENDA

City Council Chambers, 18 East 22nd Street

August 25, 2009

7:00 p.m.

I ROUTINE BUSINESS

1. Invocation by Reverend Rebecca Hjelle, First United Methodist Church.
2. Pledge of Allegiance.
3. Announcement on Open Meetings Act.
4. Roll call.
5. Oral Communication:
 - **Recognize Jayne Meyer, Outgoing Member of the Downtown Improvement Board, and Larry Cihal and Richard Ritscher, Outgoing Members of the Planning Commission.**

II UNFINISHED BUSINESS

1. Postpone until November 30, 2009 the action on the renewal of the annual manufactured home court license for Wood River Trailer Court, 865 West 78th Street.

III PUBLIC HEARINGS

1. Conduct a public hearing concerning community revitalization activities in accordance with the Department of Economic Development's guidelines for a Community Development Block Grant to receive public input on a possible infrastructure improvement grant project located in the 1800 and 1900 blocks of south Central Avenue.

IV CONSENT AGENDA *

1. Approve Minutes of Regular Meeting held August 11, 2009.
2. Approve the Claims.
3. Receive recommendations of Planning Commission and set September 8, 2009 at 7:00 p.m. as date and time for hearing on those applications where applicable.
4. Approve the final allocation of levy authority in the amount of \$132,600.00 for the Community Redevelopment Authority of the City of Kearney for fiscal year 2009-2010 and the final allocation of levy authority in the amount of \$41,000.00 for Offstreet Parking District No. 1 for fiscal year 2009-2010 and approve **Resolution No. 2009-126**.
5. Approve the Plans and Specifications for the 2009 Part 9 Improvements for the construction of the 2nd Avenue Pedestrian Bridge and set the bid opening date for September 16, 2009 at 2:00 p.m.

6. Approve the Plans and Specifications for the South Parks Maintenance Building located at E.K. and Mary Yanney Heritage Park and set the bid opening date for September 16, 2009 at 2:00 p.m.
7. Approve the application for a Special Designated License submitted by KEARNEY BBQ CO., dba Skeeter Barnes in connection with their Class I-55865 liquor license to dispense beer, wine and distilled spirits in the Extension Building located at the Buffalo County Fairgrounds, 1400 East 34th Street, on September 26, 2009 from 4:00 p.m. until 12:00 a.m. for a reception.
8. Approve Application and Certificate for Payment No. 8 in the amount of \$174,366.90 submitted by Hausmann Construction and approved by Wilkins Hinrichs Stober Architects for the construction of the Peterson Senior Activity Center located at the E.K. and Mary Yanney Heritage Park and approve **Resolution No. 2009-127**.
9. Approve the recommendation from the Utilities Department on the purchase of a skid steer loader to be used in the Sanitation Division from Central Nebraska Bobcat of Kearney, Nebraska in the amount of \$30,550.33.
10. Approve continuing the Agreement between the City of Kearney and the law firm of Tye & Rademacher for legal services as City Attorney and approve **Resolution No. 2009-128**.
11. Approve Application and Certificate for Payment No. 1 in the amount of \$44,600.11 submitted by Midlands Contracting and approved by Miller & Associates for the 2009 Part 4 Improvements – Bid A consisting of Water District No. 2008-554 for 48th Street from the east lot line of Lot 7, Block 4 to the west lot line of Lot 10 of Block 4, Fountain Hills Third Addition; Water District No. 2008-555 for 10th Avenue Place from 48th Street to end of cul-de-sac; Water District No. 2008-556 in a 25-foot wide utility easement from the north line of 48th Street northeasterly to the north lot line of Lot 42 of Block 2, Fountain Hills Third Addition; Water District No. 2009-557 for 11th Avenue from the north line of 48th Street south to the north lot line of Lot 1 of Block 6, Fountain Hills First Addition; Sewer District No. 2008-495 for 48th Street from the west line of 11th Avenue to the east lot line of Lot 1 of Block 4, Fountain Hills Third Addition; AND in 10th Avenue Place from the south line of 48th Street to its terminus in a cul-de-sac; Sewer District No. 2008-496 in a 25-foot wide utility easement from the north line of 48th Street northeasterly to the north lot line of Lot 42 of Block 2, Fountain Hills Third Addition; Sewer District No. 2009-497 for 11th Avenue from the north line of 48th Street south to the north lot line of Lot 1 of Block 6, Fountain Hills First Addition and approve **Resolution No. 2009-129**.
12. Approve the Non-Owned Corporate Hangar Lease Agreement for T-922 and T-922A between the City of Kearney and The Buckle, Inc. and approve **Resolution No. 2009-130**.
13. Approve Application and Certificate for Payment No. 8-Final in the amount of \$40,954.18 and accept the Certificate of Substantial Completion submitted by Eriksen Construction Company and approved by Miller & Associates for the Northwest Well Field Improvements; Phase III - Water Conditioning Facility and Control System and approve **Resolution No. 2009-131**.
14. Approve Change Order No. 3 showing an increase in the amount of \$2,213.98, Application and Certificate for Payment No. 3-Final in the amount of \$45,391.11, accept the Certificate of Substantial Completion submitted by Concrete Workers, Inc. and approved by Miller & Associates for the 2009 Part 3 Improvements for the construction of sidewalks in southeast Kearney and approve **Resolution No. 2009-132**.
15. Approve the bids received for the 2009 Part 10 Improvements – Lighthouse Point to 17th Avenue Hike-Bike Trail and approve **Resolution No. 2009-133**.

16. Approve setting September 8, 2009 at 7:00 p.m. as time and date for the Board of Equalization to assess costs for Paving Improvement District No. 2005-905, Water District No. 2005-541 and Sewer District No. 2005-484 for 47th Street Place from 6th Avenue to its terminus in a cul-de-sac; Paving Improvement District No. 2005-906, Water District No. 2005-542A and Sewer District No. 2005-485A for 4th Avenue from 44th Street north to 48th Street; Paving Improvement District No. 2008-925, Water District No. 2008-549 and Sewer District No. 2008-491 for 9th Street Place from west line of Block 1, Park View Estates Fourth to its terminus in a cul-de-sac; Paving Improvement District No. 2008-926, Water District No. 2008-550, Sewer District No. 2008-492 for 8th Street from the west line of Block 3, Park View Estates Fourth, thence to its terminus being the east line of Park View Estates Fourth, and together with 10th Avenue from 8th Street, thence south to its terminus being the south line of Park View Estates Fourth.

* *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. **TABLED FROM AUGUST 11, 2009. Ordinance No. 7535** to grant a Conditional Use Permit to Jeffrey and Lisa Overturf to haul gravel and sand off site to enable construction of a private lake on property zoned "District AG, Agricultural District" and described as being part of Government Lots 2 and 3, part of the North Half of the Northeast Quarter, all of Government Lot 4 and part of accretions in Section 9, Township 8 North, Range 16 West of the 6th P.M., all in Buffalo County, Nebraska (710 West 30th Avenue).
2. **TABLED FROM AUGUST 11, 2009. Ordinance No. 7536** to grant a Conditional Use Permit to Andersen Wrecking Company (Applicant) and James Andersen (Owner) to operate a scrap metal recycling facility on property zoned District M-2, General Industrial District and described as Lot 1, Classic Glacier, an addition to the City of Kearney, Buffalo County, Nebraska (south of 20th Street, west of current operation).
3. **TABLED FROM AUGUST 11, 2009. Ordinance No. 7537** to rezone from District R-3, Urban Residential Multi-Family District (Medium Density) to District C-O, Office District property described as Lot 20, Imperial Village 4th Addition, a subdivision of Lot 23, of Block 6, Imperial Village Addition to the City of Kearney, Buffalo County, Nebraska (46th Street and 2nd Avenue).
4. **TABLED FROM AUGUST 11, 2009. Ordinance No. 7538** to vacate Lots 6 and 7 of Block 4, Marianne Hunt 2nd Addition, an addition to the City of Kearney, Buffalo County, Nebraska (405 East 8th Street).
5. **TABLED FROM AUGUST 11, 2009. Ordinance No. 7539** to vacate part of Lot 1 and all of Lot 2 of Block 1, Interstate Third Addition, an addition to the City of Kearney, Buffalo County, Nebraska (108 3rd Avenue).
6. **TABLED FROM AUGUST 11, 2009. Ordinance No. 7540** to rezone from District M-1, Limited Industrial District to District C-2, Community Commercial District for a tract of land being part of Government Lot 5 located in Section 11, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (108 3rd Avenue).

7. Consider the 2009-2010 Comprehensive and Workers' Compensation Insurance Program for the City of Kearney and approve **Resolution No. 2009-134**.
8. Consider the redevelopment project for Redevelopment Area #10 for an area described as a tract of land being part of the Southwest Quarter of Section 3, Township 8 North, Range 16 West of the 6th P.M., containing 43.02 acres, more or less of which 0.92 acres, more or less, are presently being used for road purposes on the west side, all in Buffalo County, Nebraska (east of 30th Avenue, south of UPRR, north of 16th Street) and approve **Resolution No. 2009-135**.
9. Open Account Claims: **NPPD - \$164,057.16, Platte Valley State Bank - \$92,995.38, School District #7 - \$2,565.58, Stanley Clouse - \$70.50.**

VII REPORTS

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