

KEARNEY CITY COUNCIL

AGENDA

City Council Chambers, 18 East 22nd Street

October 27, 2009

7:00 p.m.

I ROUTINE BUSINESS

1. Invocation by Pastor Mike Lano, Trinity Presbyterian Church.
2. Pledge of Allegiance.
3. Announcement on Open Meetings Act.
4. Roll call.
5. Oral Communication - **Presentation of Firefighter Plaques:**
Firefighter I: Jeff Benson, Dan Follmer Zach Oliverius Josh Thom
Firefighter II: Brad Anderson Luke Bazyn, Andrew Bennett, Terry Eirich, Kelly Hardin, Ric Pulliam, Bob Reineke, Tony Rich, John Sydow, Jim Tacha, Jerry Thompson, Matt Ullman, George Wiedel.

II UNFINISHED BUSINESS

1. Postponed 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 for the Council to meet as the Board of Equalization to assess costs for 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; Paving Improvement District No. 2007-920 for the alley lying between 24th Street to 25th Street from 1st Avenue to 2nd Avenue; Paving Improvement District No. 2007-921 for the alley lying between 1st Avenue and 2nd Avenue from 23rd Street to 24th Street; Paving Improvement District No. 2007-922 for the alley lying between 25th Street and 26th Street from Central Avenue to Avenue A; Paving Improvement District No. 2007-923 for the alley lying between Central Avenue and Avenue A from 23rd Street to 24th Street; Paving Improvement District No. 2007-924 for the alley lying between Central Avenue and 1st Avenue from 23rd Street to 24th Street and approve **Resolution No. 2009-181**.

IV CONSENT AGENDA *

1. Approve Minutes of Regular Meeting held October 13, 2009 and Special Meeting held October 19, 2009.

2. Approve the Claims.
3. Receive recommendations of Planning Commission and set November 10, 2009 at 7:00 p.m. as date and time for hearing on those applications where applicable.
4. Approve Change Order No. 1 showing an increase in the amount of \$6,756.75, Application and Certificate for Payment No. 1-Final in the amount of \$44,281.75, and accept the Certificate of Substantial Completion submitted Dan Roeder Concrete and approved by Miller & Associates for the 2009 Part 11 Improvements consisting of Paving Improvement District No. 2009-936 for the alley lying between Avenue A and Avenue B from 25th Street and 26th Street and approve **Resolution No. 2009-182**.
5. Approve Application and Certificate for Payment No. 3 in the amount of \$69,426.86 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. 2009-183**.
6. Approve Change Order No. 1 showing an increase in the amount of \$4,990.70, Application and Certificate for Payment No. 2 in the amount of \$147,646.45 submitted by Blessing, LLC and approved by Miller & Associates for the 2008 Part 4 Improvements; 39th Street and 17th Avenue Intersection Improvements and approve **Resolution No. 2009-184**.
7. Approve the bid received for the 2009 Part 2 Improvements; Manhole Rehabilitation Project and approve **Resolution No. 2009-185** awarding the bid to Midlands Contracting in the amount of \$105,375.00.
8. 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 and wine at Cabela's, 3600 East Highway 30, on November 22, 2009 from 4:00 p.m. until 10:00 p.m. for a customer appreciation event.
9. Approve Change Order No. 11 showing an increase in the amount of \$10,220.00, Application and Certificate for Payment No. 10 in the amount of \$226,442.70 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. 2009-186**.
10. Approve Application and Certificate for Payment No. 2 in the amount of \$81,318.82 submitted by Dan Roeder Concrete and approved by Miller & Associates for the 2009 Part 4 Improvements – Bid B consisting of 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; Paving Improvement District No. 2008-931 for 10th Avenue Place from 48th Street to end of cul-de-sac; Paving Improvement District No. 2008-932 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; Paving Improvement District No. 2008-933 for 10th Avenue from the north line of 48th Street north to the north a distance of 293.98 feet to the northeast corner of Lot 24 of Block 3, Fountain Hills Third Addition and approve **Resolution No. 2009-187**.

11. Approve setting November 10, 2009 at 7:00 p.m. as time and date for the Board of Equalization to assess costs for the east 250 feet of Lot 1 of Block 3, Windsor Estates Seventh Addition to the City of Kearney, Buffalo County, Nebraska in connection with Paving Improvement District No. 2005-906 for 4th Avenue from 44th Street to 48th Street.
12. Award the bid to Nebraska Truck Center for the purchase of a new 5-cubic yard dump truck for the Transportation Division in the amount of \$95,390.00.
13. Approve Change Order No. 1 showing an increase in the amount of \$31,075.00, Change Order No. 2 showing an increase in the amount of \$12,681.95, Application and Certificate for Payment No. 9-Final in the amount of \$107,745.02, and accepting the Certificate of Acceptance submitted by Paulsen, Inc. and approved by Kirkham Michael for the construction of the Airport Road Relocation Project and approve **Resolution No. 2009-188**.
14. Accept the Corporation Warranty Deed granted to the City of Kearney by the Kearney Area Children's Museum and approve **Resolution No. 2009-189**.

* *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. Consider the Manager Application for Lena Younes submitted by Kearney Country Club in connection with their Class C-09051 liquor license located at 2800 19th Avenue.
2. Consider the redevelopment project for Redevelopment Areas #2 and #8 for an area described as a tract of land being part of Government Lot 5 and part of Government Lot 6 of Section 11, Township 8 North, Range 16 West of the 6th P.M., containing 8.99 acres, more or less, Buffalo County, Nebraska (south of Talmadge Street and 650 feet west of 3rd Avenue) and approve **Resolution No. 2009-190**.
3. Consider the Program Guidelines for the City of Kearney/Habitat for Humanity Neighborhood Stabilization Program and approve **Resolution No. 2009-191**.
4. Consider the Plans and Specifications for the Kearney Public Library Addition & Renovation Project and set the bid opening date for November 17, 2009 at 2:00 p.m.

5. Open Account Claims: **NPPD - \$68,821.68, Platte Valley State Bank - \$49,433.37, Stanley Clouse - \$352.75**

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