

KEARNEY CITY COUNCIL

AGENDA

City Council Chambers, 18 East 22nd Street

December 22, 2009

7:00 p.m.

I ROUTINE BUSINESS

1. Invocation by Reverend Dave McDonald, Crossroads Church.
2. Pledge of Allegiance.
3. Announcement on Open Meetings Act.
4. Roll call.
5. Oral Communication – Recognition of visitors;
 - **Oath of Office – Police Officer Nedko Oreshkov.**
 - **Presentation of Kearney Volunteer Fire Department Service Awards: Gene Rains 30 years, Tony Rich 15 years, Andrea Weed 15 years, Brian Wolfe 15 years, Dave Pfeiffer 15 years, John Sydow 15 years, Corey Rossell 10 years, Sonny O'Connor 5 years, Ric Pulliam 5 years, Dan Spellman 5 years, and Dan Thompson 5 years.**
 - **Presentation from Kearney Volunteer Fire Department to Council.**

II UNFINISHED BUSINESS

1. Consider approval of 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 on the Application submitted by Richard Stacy from Miller & Associates (Applicant) for Rod Rasmussen and Lenny Lovitt (Owner) to rezone from District M-1, Limited Industrial District to District CBD, Kearney Center Mixed Use District for property described as Lots 527 and 528, Original Town of Kearney Junction now the City of Kearney, Buffalo County, Nebraska (115 East 21st Street).
2. Conduct a public hearing on the Application for a Class I-86142 Liquor License submitted by PAIR-A-DICE PROPERTIES VII, INC., dba Country Inn & Suites, located at 105 Talmadge Road, consider the Manager Application for Chelsey Kulhanek, and approve **Resolution No. 2009-212.**
3. Conduct a public hearing on the Application to the Department of Economic Development for a Community Development Block Grant in the amount of \$200,000.00 to be sub-granted to the Great Platte River Road Memorial Foundation to construct a replica Pawnee earth lodge and approve **Resolution No. 2009-213.**
4. Conduct a public hearing for the Council to meet as the Board of Equalization to assess costs for Water District No. 2008-553 for 56th Street from the southwest corner of Lot 11 of Block 6, Eastbrooke Eighth Addition east to the southeast corner of Lot 1 of Block 7, Eastbrooke Eighth

Addition; and for Sanitary Sewer District No. 2008-494 in a 20-foot sanitary sewer easement located along the south side of Block 3, Bel Air Third Addition and approve **Resolution No. 2009-214**.

5. Conduct a public hearing on the Application submitted by KEARNEY BBQ CO, dba Skeeter Barnes for a Catering License in conjunction with their Class I-55865 Liquor License located at 515 2nd Avenue and approve **Resolution No. 2009-219**.

IV CONSENT AGENDA *

1. Approve Minutes of Emergency Meeting held December 10, 2009.
2. Approve the Claims.
3. Receive recommendations of Planning Commission and set January 12, 2010 at 7:00 p.m. as date and time for hearing on those applications where applicable.
4. Approve the application for a Special Designated License submitted by Alley Rose, Inc., dba Alley Rose in connection with their Class IK-21763 catering liquor license to dispense beer, wine and distilled spirits in the Exhibit Building located at the Buffalo County Fairgrounds, 3807 Avenue N on January 23, 2010 from 6:00 p.m. until 12:00 a.m. for a reception.
5. Approve the following Agricultural Leases at the Kearney Regional Airport from January 1, 2010 until December 31, 2010: B & B Bendfeldt Farms, L.L.C. and Brenda Bendfeldt (229 irrigated acres); David R. Fleming (383 non-irrigated acres); David R. Fleming (272 irrigated acres); Gary Henderson (34 irrigated acres); Donald D. Hendrickson (347 irrigated acres and 11 non-irrigated acres); Ron Hendrickson (75 dryland hay acres); Lee Potter (62 irrigated acres); and approve **Resolution No. 2009-220**.
6. Approve the application to extend Conditional Use Permit No. 2001-03 submitted by Carol Letcher of Beadle LLC and Ron Blessing of Blessing Construction to continue the Resource Extraction and Stockpiling Operation located $\frac{3}{4}$ mile north of 56th Street on the west side of Avenue N for a period of one year.
7. Approve the Plans and Specifications for the One-Million Gallon Reservoir Demolition Project located at Memorial Field and set the bid opening date for January 11, 2010 at 2:00 p.m.
8. Approve Change Order No. 2 showing a decrease in the amount of \$25,135.95, Application and Certificate for Payment No. 5-Final in the amount of \$33,977.22, and accept the Certificate of Substantial Completion 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.**

2009-221.

9. Approve Change Order No. 1 showing an increase in the amount of \$12,018.50, Application and Certificate for Payment No. 4-Final in the amount of \$162,293.75, and accept the Certificate of Substantial Completion 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. 2009-222.**
 10. Approve Application and Certificate of Payment No. 1 in the amount of \$182,722.23 submitted by Midlands Contracting and approved by Miller & Associates for the 2009 Part 13 Improvements consisting of Water Connection District No. 2009-1 for 56th Street from Antelope Avenue west a distance of 2643.85± feet, Water Connection District No. 2009-2 for 56th Street from Antelope Avenue east a distance of 2637.55± feet and approve **Resolution No. 2009-223.**
 11. Award the demolition of residential structures in accordance with the Neighborhood Stabilization Program and approve **Resolution No. 2009-224.**
 12. Approve the Technical and Professional Services Contract between the City of Kearney and Miller & Associates for project planner assistance for community revitalization planning for 2009, 2010 and 2011 and approve **Resolution No. 2009-225.**
 13. Approve the Technical and Professional Services Contract between the City of Kearney and Miller & Associates for services with the CDBG Tourism Development Grant Administration in connection with the Great Platte River Road Memorial Foundation to construct a replica Pawnee earth lodge and approve **Resolution No. 2009-226.**
 14. Approve Change Order No. 14 showing an increase in the amount of \$621.00 and Change Order No. 15 showing an increase in the amount of \$1,711.00 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. 2009-227.**
- * *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 **Ordinance No. 7561** to rezone from District M-1, Limited Industrial District to District CBD, Kearney Center Mixed Use District for property described as Lots 527 and 528, Original Town of Kearney Junction now the City of Kearney, Buffalo County, Nebraska (115 East 21st Street). (*Pertains to Public Hearing 1*)

2. Consider the Application for Addition to Liquor License submitted by Eagles Fraternal Order 2722 located at 17 West 24th Street in connection with their Class C-11097 liquor license to include a 50' x 30' beer garden to the southeast of the current facility.
3. Consider the bids received for the Kearney Public Library Addition & Renovation Project and approve **Resolution No. 2009-228** awarding the bid to JLC, Inc. of York, Nebraska in the amount of \$4,548,220.00 and approving Change Order No. 1 showing a decrease in the amount of \$75,500.00 to the base bid.
4. Open Account Claims: **Platte Valley State Bank - \$100,652.71, School District #7 - \$14,757.15, Horizon Middle School - \$100.00, Sunrise Middle School - \$100.00, NPPD - \$933.05.**

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