

KEARNEY CITY COUNCIL

AGENDA

City Council Chambers, 18 East 22nd Street

February 23, 2010

7:00 p.m.

I ROUTINE BUSINESS

1. Invocation by Ron Wubben from the Salvation Army.
2. Pledge of Allegiance.
3. Announcement on Open Meetings Act.
4. Roll call.
5. Oral Communication - Recognition of visitors.
 - **Boy Scouts 100th Anniversary**

II UNFINISHED BUSINESS

1. Approve the Non-Owned Corporate Hangar T-925 Lease between the City of Kearney and Otis Air Service and approve **Resolution No. 2010-9**.
2. Consider the bids received for the construction of the 2009 Part 12 Improvements consisting of Water Connection District No. 2009-4 and Sanitary Sewer Connection District No. 2009-2 in 11th Street from the existing main in 11th Street and Kea West Avenue to 30th Avenue, 30th Avenue between North Railroad Street and 11th Street, and 16th Street from 30th Avenue east to its terminus and approve **Resolution No. 2010-33** awarding the bid to Midlands Contracting, Inc. in the amount of \$2,269,439.00.

III PUBLIC HEARINGS

1. Conduct a public hearing on the application for a Class I-87967 liquor license submitted by BRICK STREET ENTERPRISES INC., dba Tru Café located at 2100 Central Avenue, consider the manager application for Roberta Loescher, and approve **Resolution No. 2010-35**.
2. Conduct a public hearing on the application for a Class C-87969 liquor license submitted by DAAKE JAM INC dba Platte Valley Brewery located at 14 East Railroad Street which includes the beer garden on the east side of the building, consider the manager application for Adam Daake, and approve **Resolution No. 2010-36**.
3. Conduct a public hearing on the ½¢ Sales Tax Capital Improvement Plan for the City of Kearney, Nebraska.

4. Conduct a public hearing on the adoption of the One & Six Year Street Improvement Plan and approve **Resolution No. 2010-37.**

IV CONSENT AGENDA *

1. Approve Minutes of Regular Meeting held February 9, 2010.
2. Approve the Claims.
3. Receive recommendations of Planning Commission and set March 9, 2010 at 7:00 p.m. as date and time for hearing on those applications where applicable.
4. Approve the Agreement between the City of Kearney and the Museum of Nebraska Art to block off the parking on the east side of Central Avenue from 24th Street to 25th Street, the north side of 24th Street from Avenue A to Central Avenue on April 9 and 10, 2010 from 4:00 p.m. until 11:00 p.m.; and to block off the parking lot located north of the Museum of Nebraska Art, 2401 Central Avenue beginning at 7:00 a.m. April 7, 2010 until 5:00 p.m. on April 12, 2010 in connection with their Biennial fundraiser.
5. 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.
6. 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.
7. Approve the request submitted by Seth VanHorn on behalf of the Special Olympics National Final Leg Torch Run to block off the parking lot located north of the Museum of Nebraska Art located at 2401 Central Avenue on July 15, 2010 from 7:00 a.m. until 12:00 p.m.
8. Approve Application and Certificate for Payment No. 3 in the amount of \$59,460.82 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. 2010-38.**
9. Approve Change Order No. 1 showing a decrease in the amount of \$21,412.75, Application and Certificate for Payment No. 1-Final in the amount of \$83,962.25, and the Certificate of Substantial Completion submitted by Midlands Contracting and approved by Miller & Associates for the 2009 Part 2 Improvements – Manhole Rehabilitation Project and approve **Resolution No. 2010-39.**
10. Affirm Redevelopment Area #4 which includes the Central Business District be redesignated and continue to be deemed to be “blighted and substandard” and approve **Resolution No. 2010-40.**

11. Approve the bids received for the purchase of a towable compost turner to be used at the Kearney Area Solid Waste Agency Landfill and award the bid to Vermeer High Plains from Lincoln, Nebraska in the amount of \$139,800.00.
12. Approve the T-Hangar C-3 Lease Agreement between the City of Kearney and Mark Markes and approve **Resolution No. 2010-41**.

* *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. 7573** amending the City Code by adding a new Article 16 entitled "Construction and Post-construction Stormwater Code" to Chapter 9 "Public Works" providing a purpose and intent; providing definitions; setting forth liability responsibilities; setting forth responsibility for administration; providing severability, applicability and prohibitions; providing general requirements for construction activities; providing requirements for the building phase of development; requiring construction stormwater pollution prevention plan; providing requirements for utility construction; providing post-construction requirement of permanent BMPs; providing certificate of permanent BMP's; requiring ongoing inspection and maintenance of permanent BMPs; setting forth technical standards, specifications, and guidance; authorization of enforcement personnel; providing for right of entry and sampling; setting forth violations, enforcement and penalties; setting forth action without prior notice and other legal action.
2. Consider **Ordinance No. 7574** amending the following sections of Chapter 9 "Public Works" of the Code of the City of Kearney: to amend Section 9-204 "Advisory Note" of Article 2 "Building Code Generally" to adopt the International Building Code, 2009 Edition; to amend Section 9-210 "International Building Code; Adoption" of Article 2 "Building Code Generally" to adopt the International Building Code, 2009 Edition; to amend Section 9-211 "International Property Maintenance Code; Adopted" of Article 2 "Building Code Generally" to adopt the International Property Maintenance Code, 2009 Edition; to amend Section 9-801 "International Property Maintenance Code; Adopted" of Article 8 "Housing" to adopt the International Property Maintenance Code, 2009 Edition; to amend Section 9-909 "Limitation on Number of Occupants" of Article 9 "Manufactured Homes" to adopt the International Building Code, 2009 Edition; to amend Section 9-912 "Duties of Owner, Manager and Licensee Generally" of Article 9 "Manufactured Homes" to adopt the International Building Code, 2009 Edition and the International Property Maintenance Code, 2009 Edition; to amend Section 9-1016 "Uniform Plumbing Code; Adopted" to adopt the Uniform Plumbing Code, 2009 Edition; and to amend Section 9-1017 "Amendments to Uniform Plumbing Code" to adopt the Uniform Plumbing Code, 2009 Edition.

3. Open Account Claims: **NPPD - \$50,719.17, Platte Valley State Bank - \$49,644.03, School District #7 - \$1,964.45**

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