

KEARNEY CITY COUNCIL

AGENDA

City Council Chambers, 18 East 22nd Street

March 23, 2010

7:00 p.m.

I ROUTINE BUSINESS

1. Invocation by Dave Madden, Cornerstone Berean Church
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

None.

III PUBLIC HEARINGS

1. Conduct a public hearing on the proposed acquisition of a tract of land being part of the Northeast Quarter of the Northeast Quarter of Section 9, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska and approve **Resolution No. 2010-53** accepting the Warranty Deed granted by Cornerstone Berean Church.
2. Conduct a public hearing on the proposed acquisition of a tract of land being part of the Southwest Quarter of the Southwest Quarter of Section 3, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska and approve **Resolution No. 2010-54** accepting the Warranty Deed granted by RHOJCOAMT Partnership.
3. Conduct a public hearing on the proposed acquisition for a Temporary and Permanent Sanitary Sewer Easement granted by RHOJCOAMT Partnership for a tract of land being part of the Southwest Quarter of the Southeast Quarter, part of the Southeast Quarter of the Southwest Quarter, and part of the Southwest Quarter of the Southwest Quarter of Section 3, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska and approve **Resolution No. 2010-55**.
4. Conduct a public hearing on the proposed acquisition for a Temporary and Permanent Trail Right-of-Way and Utility Easement granted by Southside Real Estate, LLC for a tract of land being that part of Lot 1, Interstate Second Addition to the City of Kearney, an addition located in Government Lot 5 of Section 11, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska and approve **Resolution No. 2010-56**.
5. Conduct a public hearing on the proposed acquisition of tracts of land: Temporary and Permanent Trail Right-of-Way Easement granted by TN Promotions, LLC for a tract for a tract

of land being that part of Lot 1, Interstate Second Addition to the City of Kearney, an addition located in Government Lot 5 of Section 11, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska and approve **Resolution No. 2010-57.**

6. Conduct a public hearing concerning an application to the Department of Economic Development for Community Development Block Grant Funds pertaining to the World Theatre project and approve **Resolution No. 2010-58.**

IV CONSENT AGENDA *

1. Approve Minutes of Regular Meeting held March 9, 2010.
2. Approve the Claims.
3. Receive recommendations of Planning Commission and set April 13, 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 KEARNEY INVESTMENT CORP., dba Holiday Inn in connection with their Class CK-17964 catering liquor license to dispense beer, wine and distilled spirits inside the Museum of Nebraska Art and in a tent located north of the building, 2401 Central Avenue, on April 10, 2010 from 5:00 p.m. until 11:00 p.m. for a reception.
5. Approve the application for deferral of special assessments submitted by Kelly Rapp and Lauren Striker-Rapp in connection with Paving Improvement District Nos. 2010-938 and 2010-939, Water District No. 2010-559 and Sanitary Sewer District No. 2010-499 pertaining to Park View Estates Fifth Addition for property described as part of the Northwest Quarter of the Northwest Quarter of Section 11, Township 8 North, Range 16 West of the 6th P.M. and part of the Southwest Quarter of the Southwest Quarter of Section 2, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska.
6. Approve the request submitted by Terry Broadfoot to extend Conditional Use Permit No. 2000-03 to operate a gravel mining operation located $\frac{3}{4}$ mile west of Fort Kearny Inn and south of I-80 for a period of five years.
7. Approve the revised Kearney Public Library Policy Manual and approve **Resolution No. 2010-59.**
8. Approve the request submitted by the Kearney Public Schools and the Human Performance Lab at UNK to conduct the 2nd Annual PATH Walk/Run on April 24, 2010 beginning at 8:45 a.m. The route will begin at UNK Foster Field, east on 28th Street, south on 6th Avenue, west of 26th Street, south on 15th Avenue, west of 25th Street, south on 19th Avenue, west of 24th Street, north on Country Club land to the hike/bike trail, east on hike/bike trail to University Drive, north through parking lot and ending at UNK Foster Field.
9. Approve the request submitted by the Kearney Hub, the Viaero Event Center, and the Kearney Volunteer Fire Department, in conjunction with Kidz Explore, to block off the west end of Platte Road in front of the Viaero Event Center, 609 Platte Road, on April 24, 2010 from 9:00 a.m. until 5:00 p.m. and on April 25, 2010 from 12:00 p.m. until 5:00 p.m.
10. Approve Application and Certificate for Payment No. 4 in the amount of \$36,344.17 submitted by Midlands Contract 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. 2010-60.**

11. Approve the Plans and Specifications for the 2010 Part 2 Improvements consisting of Paving Improvement District No. 2010-938 for 8th Street from 16th Avenue east to the east line of Block One of Park View Estates Fifth Addition; Paving Improvement District No. 2010-939 for 16th Avenue from 8th Street to 11th Street; Paving Improvement District No. 2010-940 for 15th Avenue from 8th Street to 11th Street; Water District No. 2010-559 for 8th Street from 16th Avenue east to the east line of Block One of Park View Estates Fifth Addition; and for 15th Avenue from 8th Street to 11th Street; and for 16th Avenue from 8th Street to 11th Street; and Sanitary Sewer District No. 2010-499 for 8th Street from 16th Avenue east to the east line of Block One of Park View Estates Fifth Addition; and for 15th Avenue from 8th Street to 11th Street; and for 16th Avenue from 8th Street to 11th Street and set the bid opening date for April 21, 2010 at 2:00 p.m.
12. Approve Agreement for the Construction of Two Homes between the City of Kearney and the Kearney Area Habitat for Humanity in connection with the Neighborhood Stabilization Program grant and approve **Resolution No. 2010-61.**
13. Approve the Memorandum of Understanding between the City of Kearney and the World Theatre Foundation outlining the terms of the CDBG Tourism Development Grant and approve **Resolution No. 2010-62.**

* *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 *

1. Approve **Ordinance No. 7583** providing for the issuance of a Promissory Note in the amount of \$750,000 for the payment of claims against the City relating to capital expenditures for Airport Terminal Improvements; agreeing to pay the Notes and accrued interest from funds collected or to be collected upon current or subsequent tax levy and ordering the publication of the ordinance in pamphlet form.

VI REGULAR AGENDA

1. Consider the bids received for the Kearney Regional Airport Terminal Addition and Renovation Project and approve **Resolution No. 2010-63** awarding the bid to Central Contracting Corporation of Kearney, Nebraska in the amount of \$694,450.00 for the base bid and Alternates 1 through 4.
2. Consider the Plans and Specifications for the Kearney Regional Airport Terminal Parking Rehabilitation (AIP Project No. 3-31-0045-23) and set the bid opening date for April 6, 2010 at 2:00 p.m.
3. Consider **Resolution No. 2010-64** on the intent to annex the following tract of land: part of the East Half of the Northeast Quarter and part of the Northeast Quarter of the Southeast Quarter of Section 4, Township 8 North, Range 16 West of the 6th P.M., Buffalo County Nebraska described as: bound by a line beginning at a point on the east line of Section 4, which is 1320 feet south of the northeast corner of said Section 4, running thence west parallel with the north line of said Section a distance of 660 feet; thence south parallel with the east line of said Section to the north line of the right-of-way of the Union Pacific Railroad Company; thence in an

easterly direction along the north line of said right-of-way to the intersection with the east line of said Section 4; thence north along said east line to the place of beginning. Subject to public road right-of-way as recorded in the Road Record Books as filed in the Buffalo County Surveyor’s Office, except a tract of land deeded to the City of Kearney by Warranty Deed recorded June 23, 1999 as Inst. 1999-5083 (1930 and 2010 30th Avenue) and to set the public hearing date for April 13, 2010 at 7:00 p.m.

- 4. Consider the bids received for the for the 2010 Part 1 Improvements consisting of the paving of 16th Street from 30th Avenue east to its terminus and the paving of 30th Avenue from North Railroad Street and 11th Street and approve **Resolution No. 2010-65** awarding the bid to Blessing, LLC of Kearney, Nebraska in the amount of \$1,256,795.30.
- 5. Open Account Claims: **NPPD - \$43,202.41, Platte Valley State Bank - \$50,052.95, Stan Clouse - \$104.50, School District #7 - \$2,288.65**

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