

KEARNEY CITY COUNCIL

AGENDA

City Council Chambers, 18 East 22nd Street

April 27, 2010

7:00 p.m.

I ROUTINE BUSINESS

1. Invocation by Rebecca Craig from First Lutheran Church.
2. Pledge of Allegiance.
3. Announcement on Open Meetings Act.
4. Roll call.
5. Oral Communication – Recognize Ethan Olson.

II UNFINISHED BUSINESS

None.

III PUBLIC HEARINGS

1. Conduct a public hearing on the application for a Class B liquor license submitted by CASEY'S RETAIL COMPANY, dba Casey's General Store #2884 located at 115 East 25th Street, consider the manager application for Tina Krings and approve **Resolution No. 2010-76.**
2. Conduct a public hearing concerning a tourism development application to the Department of Economic Development for Community Development Block Grant Funds for The World Theatre project and approve **Resolution No. 2010-77.**
3. Conduct a public hearing concerning a tourism development application to the Department of Economic Development for Community Development Block Grant Funds for the Archway Pawnee Earthlodge project and approve **Resolution No. 2010-78.**

IV CONSENT AGENDA *

1. Approve Minutes of Regular Meeting held April 13, 2010.
2. Approve the Claims.
3. Receive recommendations of Planning Commission and set May 11, 2010 at 7:00 p.m. as date and time for hearing on those applications where applicable.
4. Approve Change Order No. 17 showing an increase in the amount of \$929.00 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. 2010-79.**

5. Approve the Addendum to Building Agreement and Lease between the City of Kearney and the Loper Athletic Club for the new scoreboard located at Memorial Field and approve **Resolution No. 2010-80.**
6. Approve the Elizabeth Stratton Memorial 5K Run/Walk scheduled for August 14, 2010 starting at 8:30 a.m. and beginning at the Archway Monument, west on 1st Street, north on Avenue M, and east on the hike-bike trail back to the Archway Monument.
7. Approve the Developer Constructed Infrastructure Agreement between the City of Kearney and Prince of Peace Catholic Church for the construction of paving, water, sanitary sewer and storm sewer on a tract of land being part of Lot 1, Bent Bar C Subdivision East (north side of 56th Street and west of Country Club Lane) and approve **Resolution No. 2010-81.**
8. Accept the Certificate of Substantial Completion submitted by Anderson Bros. and approved by Miller & Associates on the KVFD Generator Replacement and approve **Resolution No. 2010-82.**
9. Approve Application and Certificate for Payment No. 1 in the amount of \$273,740.89 submitted by Midlands Contracting, Inc. and approved by Miller & Associates for 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. 2010-83.**
10. Accept the Certificate of Substantial Completion submitted by Sorensen Group, Inc. and approved by Miller & Associates for the Airport Signage and approve **Resolution No. 2010-84.**
11. Approve Application and Certificate for Payment No. 1 in the amount of \$7,384.55 submitted by Midlands Contracting, Inc. and approved by Miller & Associates for the 2009 Part 14 Improvements – Bid A consisting of Water Connection District No. 2009-3 and Sewer Connection District No. 2009-1 for 17th Street from Avenue K to Avenue M, paving of 17th Street from Avenue K to Avenue M, and paving of Avenue K from 17th Street to 18th Street and approve **Resolution No. 2010-85.**
12. Approve Change Order No. 1 showing a deduct in the amount of \$9,085.00, Application and Certificate for Payment No. 5-Final in the amount of \$28,351.50, and Certificate of Substantial Completion submitted by Midlands Contracting, Inc. 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. 2010-86.**
13. Approve the Temporary Early Retirement Incentive Program for budget year 2010-2011 and approve **Resolution No. 2010-87.**
14. Approve the request submitted by Seth Van Horn on behalf of the Torch Run Committee to conduct the Nebraska Special Olympics Torch Run on May 14, 2010 beginning at 2:30 p.m. The route will begin at 2nd Avenue and 56th Street, south on 2nd Avenue to 25th Street, east on 25th Street to 1st Avenue, south on 1st Avenue to North Railroad Street, east on North Railroad Street to Central Avenue, north on Central Avenue to 24th Street, east on 24th Street to Avenue A, south on Avenue A and ending in the parking lot south of the Chicken Coop.
15. Approve T-Hangar B-1 Lease Agreement between the City of Kearney and John Goodbrake/Exec Direct LLC for storage at the Kearney Regional Airport and approve **Resolution No. 2010-88.**

- 16. Approve the bids received 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 approve **Resolution No. 2010-89** awarding the bid to Midlands Contracting in the amount of \$515,988.00 for Bid A (Water and Sanitary Sewer) and to Blessing LLC in the amount of \$698,752.00 for Bid B (Paving).
 - 17. 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. 2010-90**.
 - 18. Approve the Interlocal Cooperation Act Agreement; Compact for Apprehension of Narcotics Dealers and Offenders (C.A.N.D.O.) between the cities of Franklin, Grand Island, Hastings, Holdrege, Kearney, Minden and the Sheriffs Office of the counties of Adams, Buffalo, Franklin, Hall, Kearney, Phelps and approve **Resolution No. 2010-91**.
- * *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. Second Reading of **Ordinance No. 7589** annexing the following tract of land to be included within the corporate limits: 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).
- 2. Consider **Ordinance No. 7593** authorizing the issuance of Highway Allocation Fund Pledge Bonds of the City of Kearney, Nebraska in the principal amount of \$1,750,000 for the purpose of paying the costs of constructing street improvements for the City; prescribing the form of said bonds; pledging funds to be received by the City from the State of Nebraska Highway Allocation Fund for the payment of said bonds; providing for the levy and collection of taxes to pay the same if necessary; authorizing the delivery of the bonds to the purchaser; providing for the disposition of bond proceeds; and ordering the ordinance published in pamphlet form.

3. Open Account Claims: NPPD - \$58,172.91, Platte Valley State Bank - \$47,924.95

VII REPORTS

VIII ADJOURN

Mayor Stanley Clouse
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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