

KEARNEY CITY COUNCIL

AGENDA

City Council Chambers, 18 East 22nd Street

July 27, 2010

7:00 p.m.

I ROUTINE BUSINESS

1. Invocation by Reverend Jerry Ness from St. Luke's Episcopal Church.
2. Pledge of Allegiance.
3. Announcement on Open Meetings Act.
4. Roll call.
5. Oral Communication - Recognition of visitors.

II UNFINISHED BUSINESS

None.

III PUBLIC HEARINGS

None.

IV CONSENT AGENDA *

1. Approve Minutes of Regular Meeting held July 13, 2010.
2. Approve the Claims.
3. Approve the Employment Agreement between the City of Kearney and Michael Morgan and approve **Resolution No. 2010-136**.
4. Approve the Developer Constructed Infrastructure Agreement for Good Samaritan Hospital Fourth Subdivision to abandon existing water mains, sanitary sewer mains, storm sewer mains and street paving and to construct new water mains, sanitary sewer mains, storm sewer mains and street paving within said subdivision and approve **Resolution No. 2010-137**.
5. Approve the Memorandum of Understanding between the City of Kearney and the Nebraska Department of Roads for Illicit Discharge Detection and Elimination along State Highways and approve **Resolution No. 2010-138**.
6. Approve the application for a Special Designated License submitted by Becker Enterprises, Inc., dba Bill's Liquor in connection with their Class C-82254 liquor license to dispense beer, wine and distilled spirits in a tent located in the parking lot at 204 East 25th Street, Suite 2, on August 26, 2010 from 2:00 p.m. until 12:00 a.m. for a customer appreciation function.
7. Repeal Resolution No. 2009-190 and approve **Resolution No. 2010-139** correcting the legal description pertaining to the redevelopment project (Younes Conference Center) in Redevelopment

Areas #2 and #8 for an area described as a tract of land being part of Lot 1, Interstate Fifth Addition and a part of Lot B, Interstate Subdivision, all in the City of Kearney, Buffalo County, Nebraska (south of Talmadge Street and 650 feet west of 3rd Avenue).

8. Approve the application for a Special Designated License submitted by JUAN LAZO, dba El Tropicito in connection with their IBK-37623 catering liquor license to dispense beer and distilled spirits in the Exhibit Building located at the Buffalo County Fairgrounds, 3807 Avenue N, on August 21, 2010 from 6:00 p.m. until 1:00 a.m. for a dance.
9. Approve **Resolution No. 2010-140** appointing members to fill the vacancies/expiration on the following Boards/Commissions: Advisory Board of Park & Recreation Commissioners, Airport Advisory Board, Board of Adjustment, Community Redevelopment Authority, Downtown Improvement Board, Golf Advisory Board, Kearney Housing Agency, Library Advisory Board and Planning Commission.
10. Approve Application and Certificate for Payment No. 4 in the amount of \$619,363.69 submitted by Midlands Contracting 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. 2010-141**.
11. Approve Application and Certificate for Payment No. 3 in the amount of \$75,571.20 submitted by Blessing, LLC and approved by Miller & Associates for the 2010 Part 1 Improvements consisting 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. 2010-142**.
12. Approve Change Order No. 1 showing a decrease in the amount of \$2,502.50, Application and Certificate for Payment No. 3-Final in the amount of \$4,822.72, and accept the Certificate of Substantial Completion submitted by Midlands Contracting and approved by Miller & Associates for the 2009 Part 14 Improvements consisting of Water Connection District No. 2009-3 and Sewer Connection District No. 2009-1 for 17th Street from Avenue K to Avenue M and approve **Resolution No. 2010-143**.
13. Approve Application and Certificate for Payment No. 1 in the amount of \$26,109.53 submitted by Midlands Contracting and approved by Miller & Associates for the 2010 Part 2 Improvements – Bid A consisting of 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. 2010-144**.
14. Approve Change Order No. 2 showing an increase in the amount of \$1,525.75, Application and Certificate for Payment No. 1-Final in the amount of \$173,076.25, and accept the Certificate of Substantial Completion submitted by Dan Roeder Concrete, Inc. and approved by Miller & Associates for the 2009 Part 14 Improvements consisting of the 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. 2010-145**.
15. Approve the application for a Special Designated License submitted by Justin J. Bilby, dba Rock 'N Horse Lounge in connection with their Class CK-77614 catering liquor license to dispense beer, wine and distilled spirits in the Extension Building located at the Buffalo County Fairgrounds, 3807 Avenue N, on August 28, 2010 from 4:00 p.m. until 1:00 a.m. for a reception.

* ***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. 7607** authorizing the issuance of two separate Combined Utilities Revenue Bonds of the City of Kearney, Nebraska in the respective drawable principal amounts of \$400,000 for wastewater treatment works and \$240,000 for public water supply systems for the purpose of paying the costs of improvements to the City's combined utilities; authorizing the issuance of said bonds in the form of two separate promissory notes to evidence two separate loans from the Nebraska Department of Environmental Quality; approving the execution and delivery of two separate loan contracts with the Nebraska Department of Environmental Quality; approving related documents with respect to said loans; prescribing the form, terms and details of said bonds; pledging and hypothecating the revenue and earnings of the waterworks plant and water system, sewage disposal plant and sanitary sewer system and electric distribution system of said City for the payment of said bonds and interest thereon; providing for the collection, segregation and application of the revenues of the City's waterworks plant and water system, sewage disposal plant and sanitary sewer system and electric distribution system; approving execution of related documents; entering into a contract on behalf of the City with the holders of said bonds; determining that interest on said bond shall not be excludable from gross income for purposes of federal income taxation.

VI REGULAR AGENDA

1. Consider the Proposals received to demolish at least four structures (house at 925 East 27th Street, garage at 224 East 26th Street, 4-plex and garage at 1920 5th Avenue, St. Luke's at 2400 East 32nd Street) in the City limits and approve **Resolution No. 2010-146** awarding the bid.
2. Open Account Claims: **NPPD - \$84,221.52, Platte Valley State Bank - \$50,312.85, School District #7 - \$917.95**

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