

# **KEARNEY CITY COUNCIL**

## **AGENDA**

**City Council Chambers, 18 East 22nd Street**

**February 22, 2011**

**7:00 p.m.**

### **I ROUTINE BUSINESS**

1. Invocation by Father Josh Brown from St. James Catholic 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**

1. Conduct a public hearing on the  $\frac{1}{2}\%$  Sales Tax Capital Improvement Plan for the City of Kearney, Nebraska.
2. Conduct a public hearing on the adoption of the One & Six Year Street Improvement Plan and adopt **Resolution No. 2011-13**.
3. Conduct a public hearing on submitting an application to the Nebraska Department of Economic Development for the Downtown Revitalization Planning Grant and adopt **Resolution No. 2011-14**.
4. Conduct a public hearing on a proposed Amendment to the Community Development Block Grant Project No. 09-CR-204 to transfer funds for community revitalization activities for an area west to east from Avenue C to Avenue N and north to south from 31st Street to Railroad Street.
5. Conduct a public hearing on submitting an application to the Nebraska Department of Economic Development for the Community Revitalization Phase II Grant and adopt **Resolution No. 2011-15**.

### **IV CONSENT AGENDA \***

1. Approve Minutes of Regular Meeting held February 8, 2011.
2. Approve the Claims.

3. Receive recommendations of Planning Commission and set March 8, 2011 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 Corporation, dba Holiday Inn in connection with their Class CK-17964 catering liquor license to dispense beer, wine and distilled spirits in the Museum of Nebraska Art, 2401 Central Avenue, on April 16, 2011 from 5:00 p.m. until 10:00 p.m. for a reception.
  5. Approve the recommendation on awarding the bid submitted by Midwest Storage Solutions for the purchase of library shelving and associated services at the Kearney Public Library.
  6. Adopt **Resolution No. 2011-16** amending the Kearney Cemetery Rules and Regulations establishing a policy for the Regulation of Steel Rod Decorations.
  7. Approve Application and Certificate for Payment No. 1 in the amount of \$255,206.69 submitted by General Excavating and approved by Miller & Associates for the 2010 Part 5 Improvements – Bid A consisting of Water District No. 2010-561 commencing at the south line of 56th Street thence northerly to the north line of Spruce Hollow Boulevard in and including all 11th Avenue, 57th Street Place, 59th Street, 61st Street, 61st Street Place, 62nd Street Place and Spruce Hollow Boulevard; and Sanitary Sewer District No. 2010-501 commencing at the south line of 56th Street thence northerly to the north line of Spruce Hollow Boulevard in and including all 11th Avenue, 57th Street Place, 59th Street, 61st Street, 61st Street Place, 62nd Street Place and Spruce Hollow Boulevard and adopt **Resolution No. 2011-17**.
  8. Approve the Agricultural Lease at the Kearney Regional Airport between the City of Kearney and Don Hendrickson and adopt **Resolution No. 2011-18**.
- \* *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 calling for the redemption of the Combined Utilities Revenue Refunding Bonds, Series 2004B and adopt **Resolution No. 2011-19**.
2. Consider **Ordinance No. 7632** authorizing the issuance of Combined Utilities Revenue and Refunding Bonds, Series 2011, of the City of Kearney, Nebraska, in the aggregate principal amount of \$2,105,000 for the purpose of providing for the payment and redemption of the City's outstanding Combined Utilities Revenue Refunding Bonds, Series 2004B, in the principal amount of \$1,775,000 and for the purpose of paying the cost of maintaining, extending, enlarging and improving the waterworks plant and water system of the City; directing the application of the proceeds of said bonds; 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 said waterworks plant and water system, sewage disposal plant and sanitary sewer system and electric distribution system; entering into a contract on behalf of the City with the holders of said bonds; directing the prepayment of the Series 2004B Bonds.

3. Consider **Resolution No. 2011-20** adopting the Citizen Participation Plan setting forth the requirements for public notification and public involvement on various community improvement task forces regarding Community Development Block Grant activities.
4. Consider **Ordinance No. 7633** granting a non-exclusive franchise agreement to NebraskaLink, LLC to install, operate, maintain or otherwise locate telecommunication facilities on certain poles that are maintained as part of Kearney's electrical system with Nebraska Public Power District within the City of Kearney in accordance with the terms, conditions and provisions of Article 28 "Telecommunications" of Chapter 3 "Business Regulations" of the Code of the City of Kearney.
5. Consider the Acquisition Contract between the City of Kearney and the State of Nebraska Department of Roads in connection with the Kearney East Bypass project for property located in the Southeast Quarter and all accretions thereto of Section 8, the South Half of Section 5 and the Southwest Quarter of Section 4, all located in Township 8 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska and adopt **Resolution No. 2011-21**.
6. Consider **Ordinance No. 7634** selling a tract of land located in the Southeast Quarter and all accretions thereto of Section 8, Township 8 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska; and also a tract of land located in the South Half of Section 5, Township 8 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska; and also a tract of land located in the Southwest Quarter of Section 4, Township 8 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska.
7. Consider granting a Perpetual Conservation Easement to the State of Nebraska Department of Roads for property described as a tract of land located in the Southeast Quarter and all accretions thereto of Section 8, Township 8 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska; and part of accretion abutting Government Lot 6 located in the Southeast Quarter of Section 8, Township 8 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska; and part of accretion land located in the Southeast Quarter of Section 9 and the North Half of Section 16, Township 8 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska and adopt **Resolution No. 2011-22**.
8. Third Reading and final passage of **Ordinance No. 7629** annexing a tract of land being part of Government Lots 3 and 4 and part of accretion land adjacent to and abutting said Government Lots 3 and 4, all located in Section 7, Township 8 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (south of 11th Street east of Avenue M).
9. Consider Legislative Bills being introduced by the Nebraska Legislature concerning liquor consumption and violations which would impact the community, specifically, LB281, LB567 and LB641.
10. Open Account Claims: **NPPD - \$73,870.89, Platte Valley State Bank - \$51,993.15**

## VII REPORTS

## VIII ADJOURN

Mayor Stanley Clouse  
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Vice-President Randy Buschkoetter  
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Council Member Don Kearney  
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Council Member Bruce Lear  
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Council Member Bob Lammers  
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City Manager Michael Morgan  
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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](http://www.cityofkearney.org)