

KEARNEY CITY COUNCIL

AGENDA

City Council Chambers, 18 East 22nd Street

September 27, 2011

7:00 p.m.

I ROUTINE BUSINESS

1. Invocation by Pastor Rebecca Craig from First Lutheran Church.
2. Pledge of Allegiance.
3. Announcement on Open Meetings Act.
4. Roll call.
5. Oral Communication – Presentation by Golden K Kiwanis Club.

II UNFINISHED BUSINESS

None.

III PUBLIC HEARINGS

1. Conduct a public hearing for the purpose of revising the City of Kearney Budget for the 2010-2011 Fiscal Year and consider **Ordinance No. 7673**.
2. Conduct a public hearing on the automatic renewal of the liquor license held by John P. Richards, dba Play Pen Lounge in connection with their Class C-22144 liquor license located at 9 West 21st Street and consider **Resolution No. 2011-123**.
3. Conduct a public hearing on the automatic renewal of the liquor license held by Mongolian Grill of Omaha LLC dba Mongolian Grill in connection with their Class C-85854 liquor license located at 5012 3rd Avenue, Suite 178 and consider **Resolution No. 2011-124**.
4. **WITHDRAWN-LICENSE HOLDER HAS COMPLIED.** Conduct a public hearing on the automatic renewal of the liquor license held by Gale Dady, dba Dad's Tavern in connection with their Class C-09081 liquor license located at 1910 Central Avenue and consider **Resolution No. 2011-125**.
5. **WITHDRAWN-LICENSE HOLDER HAS COMPLIED.** Conduct a public hearing on the automatic renewal of the liquor license held by Veterans F W #759 in connection with their Class C-09025 liquor license located at 2215 1st Avenue and consider **Resolution No. 2011-126**.

IV CONSENT AGENDA *

1. Approve Minutes of Regular Meeting held September 13, 2011 and the Minutes of an Emergency Meeting held September 21, 2011.
2. Approve the Claims.
3. Receive recommendations of Planning Commission and set October 10, 2011 at 7:00 p.m. as date and time for hearing on those applications where applicable.
4. Accept the bid received from Windy Prairie Systems in the amount of \$42,100 for the purchase and installation of a kiosk at the Kearney Cemetery.
5. Approve the application for a Special Designated License submitted by Sports Fans LLC, dba Fanatics in connection with their Class C-78257 liquor license to dispense beer, wine and distilled spirits in the Extension Building located at the Buffalo County Fairgrounds, 3807 Avenue N on October 15, 2011 from 12:00 p.m. until 1:00 a.m. for a fund raiser/reception.
6. Approve setting October 11, 2011 at 7:00 p.m. as time and date for the Board of Equalization to assess costs in connection with Paving Improvement District Nos. 2010-938, 2010-939, 2010-940, 2010-941; Water District Nos. 2010-559, 2010-560; Sanitary Sewer District Nos. 2010-499, 2010-500.
7. Approve the Agreement and Permit for Aeronautical Services at the Kearney Regional Airport between the City of Kearney and Aurora Coop Elevator, dba Buffalo Air Service and adopt **Resolution No. 2011-127.**
8. Approve the Tenant Use and Operations Agreement for Loading Dock located at the Kearney Regional Airport between the City of Kearney and Aurora Coop Elevator, dba Buffalo Air Service and adopt **Resolution No. 2011-128.**
9. Approve Application and Certificate for Payment No. 4 in the amount of \$362,513.92 submitted by Paulsen, Inc. and approved by Miller & Associates for the 2010 Part 5 Improvements – Bid B consisting of Paving Improvement District No. 2010-944 commencing at a point 250 feet east of 11th Avenue and from a point 250 feet west of 11th Avenue in and including all of 56th Street, and 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. 2011-129.**
10. Approve Application and Certificate for Payment No. 6 in the amount of \$78,332.76 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. 2011-130.**

11. Approve Change Order No. 1 showing a decrease in the amount of \$30,698.30, Application and Certificate for Payment No. 2-Final in the amount of \$23,241.15 and accept the Certificate of Substantial Completion submitted by Dan Roeder Concrete, Inc. and approved by Miller & Associates for the 2011 Part 2 Improvements consisting of Paving Improvement District No. 2010-942 for 18th Street from 8th Avenue to 9th Avenue; and Paving Improvement District No. 2010-943 for 7th Avenue from 18th Street to 19th Street and adopt **Resolution No. 2011-131**.
12. Approve the request submitted by the Kearney Family YMCA to conduct the Turkey Trot on November 24, 2011 beginning at 9:00 a.m. The route for the 2-Mile Run/Walk is to begin/finish at the YMCA, south on 6th Avenue, west on 35th Street, south on 7th Avenue, southeast through Harmon Park to the intersection of 29th Street and 5th Avenue, north on 5th Avenue, west to 33rd Street, north on 6th Avenue to YMCA. The route for the 5-Mile Run is to begin/end at YMCA, south on 6th Avenue, east on 33rd Street, south on 5th Avenue, west on 26th Street through Campus, north on 15th Avenue, west on hike/bike trail, north on Country Club Lane, east on 35th Street, north on 11th Avenue, east on 39th Street, north on 6th Avenue to YMCA.
13. Approve the request submitted by the Kearney Police Department/Buffalo County Sheriff's Office to temporarily block off Avenue B from North Railroad Street to 21st Street for the auction to be held on October 15, 2011 from 7:00 a.m. until 2:00 p.m.
14. Approve Change Order No. 8 showing an increase in the amount of \$17,146.00 submitted by JLC, Inc. and approved by Wilkins Hinrichs Stober Architects in connection with the Kearney Public Library Addition & Renovation Project and adopt **Resolution No. 2011-132**.
15. Approve the application with the Nebraska Game and Parks Commission Recreational Trails Program for \$150,000 for Rehabilitation of Trailhead Facilities and Trail Link at E.K. & Mary Yanney Heritage Park and adopt **Resolution No. 2011-133**.
16. Approve the application for a Special Designated License submitted by NIGHT LIFE CONCEPTS, INC., dba Cunningham's Journal in connection with their Class CK-59311 catering liquor license to dispense beer, wine and distilled spirits inside the Ag Pavilion located at the Buffalo County Fairgrounds, 3807 Avenue N, on October 22, 2011 from 5:00 p.m. until 12:00 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. Adopt **Ordinance No. 7674** amending Chapter 9 "Public Works" of the City Code as follows: Section 9-734 "Electrical Code; Adopted" of Article 7 "Electricity" to adopt the National Electrical Code 2011 Edition; amend Section 9-736.1 "Service Masts as Supports" to adopt the National Electrical Code 2011 Edition; amend Section 9-753 "Section 403.102. Amended; Motor Disconnect, Location" to adopt the National Electrical Code 2011 Edition.

2. Adopt **Ordinance No. 7675** amending Section 9-1048 "Examination and Licensing Requirements" of Article 10 "Plumbing Code" of Chapter 9 "Public Works" to allow part-time employees working under the supervision of a master plumber to be considered an apprentice level plumber.
3. Adopt **Ordinance No. 7676** amending Section 8-913 "Two-Hour Parking; Generally" of Article 9 "Stopping, Standing and Parking" of Chapter 8 "Police" to provide 2-hour parking in certain designated areas between the hours of 8:00 a.m. and 8:00 p.m., Monday through Friday.

VI REGULAR AGENDA

1. Place on third and final reading **Ordinance No. 7663** annexing the following tract of land to be included within the corporate limits: part of the Southwest Quarter of the Southwest Quarter of Section 2 and the Northwest Quarter of the Northwest Quarter of Section 11, all in Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (1316 West 11th Street).
2. Place on third and final reading **Ordinance No. 7664** annexing the following tract of land to be included within the corporate limits: part of Government Lot 3 in Section 7, Township 8 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (Avenue M and the North Channel of the Platte River).
3. Place on third and final reading **Ordinance No. 7665** annexing the following tract of land to be included within the corporate limits: land located in the Southwest Quarter of Section 7, Township 8 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (North Channel of the Platte River and Avenue M).
4. Open Account Claims: **NPPD - \$101,590.61, Platte Valley State Bank - \$54,002.78.**

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