

KEARNEY CITY COUNCIL

AGENDA

City Council Chambers, 18 East 22nd Street

June 26, 2012

7:00 p.m.

I ROUTINE BUSINESS

1. Invocation by Pastor Stephen Price-Gibson, First Presbyterian Church.
2. Pledge of Allegiance.
3. Announcement on Open Meetings Act.
4. Roll call.
5. Oral Communication
 - Presentation on the Economic Impact of Nonprofit Arts and Culture Organizations

II UNFINISHED BUSINESS

None.

III PUBLIC HEARINGS

1. Conduct a public hearing on the application for a Class I-98563 liquor license submitted by Fu Hing, LLC, dba Gourmet House Japanese Cuisine located at 1325 2nd Avenue, Suite D, consider the manager application for Peng Jin Cai, and consider **Resolution No. 2012-95**.
2. Conduct a public hearing to receive input on multiple Community Development Block Grants (08-CR-004, 09-CR-004, 09-CR-104, 09-CR-204 and 10-CR-004) that the City has received over the past several years.
3. Conduct a public hearing on acquiring an interest in real property by purchase, dedication or eminent domain for a permanent sanitary sewer utility ingress/egress easement of a tract of land being part of Lot 4 of Block One and Outlot B, Spruce Hollow Estates Addition to the City of Kearney, Buffalo County, Nebraska and consider **Resolution No. 2012-96**.
4. Conduct a public hearing on acquiring an interest in real property by purchase, dedication or eminent domain for a permanent sanitary sewer utility ingress/egress easement of a tract of land being part of Lot 5 of Block One, Spruce Hollow Estates Addition to the City of Kearney, Buffalo County, Nebraska and consider **Resolution No. 2012-97**.

IV CONSENT AGENDA *

1. Approve Minutes of Regular Meeting held June 12, 2012.

2. Approve the Claims.
3. Receive recommendations of Planning Commission and set July 10, 2012 at 7:00 p.m. as date and time for hearing on those applications where applicable.
4. Adopt **Resolution No. 2012-98** accepting the public improvements constructed under, and in accordance with, the terms of the Developer Constructed Infrastructure Agreement for Lots 1 through 27 of Block 1, Lots 1 through 9 of Block Two, Lots 1 through 6 of Block 3, Lots 1 through 4 of Block 4, Lots 1 through 14 of Block 5, Lots 1 through 6 of Block 6, and Outlot A, all in Fountain Hills First Addition.
5. Adopt **Resolution No. 2012-99** approving the Employment Agreement between the City of Kearney and Michael Morgan.
6. Adopt **Resolution No. 2012-100** approving the Developer Constructed Infrastructure Agreement between the City of Kearney and Richard Poston, Trustee of the Richard L. Poston Revocable Trust and Stephen Beall for the construction of public infrastructure for Lots 2 and 3 of Block Five and Lots 1 through 4 of Block Six, Eastbrooke Eighth Addition; Lots 7 through 12 of Block One, Eastbrooke Eleventh Addition; and Lots 1 through 4 of Block Six, Eastbrooke Twelfth Addition.
7. Approve the application submitted by Terry Broadfoot from Broadfoot Sand & Gravel to extend Conditional Use Permit No. 2000-07 to operate a clay extraction operation at 70th Street and 30th Avenue for a period of two years.
8. Adopt **Resolution No. 2012-101** approving Change Order No. 1 showing an increase in the amount of \$7,196.00, Application and Certificate for Payment No. 2 in the amount of \$192,812.40 submitted by Dan Roeder Concrete and approved by Miller & Associates for the 2011 Part 7 Improvements; 5th Avenue from North Railroad Street to 25th Street.
9. Adopt **Resolution No. 2012-102** approving Application and Certificate for Payment No. 1 in the amount of \$122,169.11 submitted by Blessing LLC and approved by Miller & Associates for the 2011 Part 9 Improvements consisting of Paving Improvement District No. 2011-949 for 50th Street from 17th Avenue west to the west line of Hoehner Estates Third Addition, Paving Improvement District No. 2011-950 for 17th Avenue from 49th Street Place north 522.66± feet, Water Connection District No. 2011-1 and Sanitary Sewer Connection District No. 2011-1 in 50th Street from the east line of 17th Avenue west 627.11± feet.
10. Approve the Plans and Specifications for the Masonry Cleaning and Restoration project for the City of Kearney/Buffalo County Law Enforcement Center and set the bid opening date for July 19, 2012 at 2:00 p.m.
11. Approve the application for a Special Designated License submitted by Alley Rose Inc. of Kearney, NE, dba Alley Rose in connection with their Class IK-21763 catering liquor license to dispense beer, wine and distilled spirits inside the KRave Underground located in the Kaufmann Center, 2202 Central Avenue on July 21, 2012 from 7:00 p.m. until 1:00 a.m. for a reception.
12. Approve the application for a Special Designated License submitted by Alley Rose Inc. of Kearney, NE, dba Alley Rose in connection with their Class IK-21763 catering liquor license to dispense beer, wine and distilled spirits inside the KRave Underground located in the Kaufmann Center, 2202 Central Avenue on July 28, 2012 from 4:00 p.m. until 12:00 a.m. for a reception.

13. Approve the application for a Special Designated License submitted by Alley Rose Inc. of Kearney, NE, dba Alley Rose in connection with their Class IK-21763 catering liquor license to dispense beer, wine and distilled spirits in the West Tower Dining Room located at the Good Samaritan Hospital, 10 East 31st Street on August 11, 2012 from 6:00 p.m. until 10:00 p.m. for a reception.
 14. Approve setting July 10, 2012 at 7:00 p.m. as the time and date to meet as the Board of Equalization to assess costs in connection with Paving Improvement District Nos. 2010-942, 2010-943, 2010-944, 2010-945; Water District No. 2010-561; and Sanitary Sewer District No. 2010-501.
 15. Adopt **Resolution No. 2012-103** approving T-Hangar A-2 Lease Agreement between the City of Kearney and Buck Enterprises, dba Thrifty Car Rental.
 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 in the Ag Pavilion located at the Buffalo County Fairgrounds, 3807 Avenue N, on July 21, 2012 from 3:00 p.m. until 12:00 a.m. for a reunion.
 17. 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 Exposition Building and in an area what is designated on the diagram as a beer garden, demo arena and rodeo arena which is all adjacent to the Exposition Building located at the Buffalo County Fairgrounds, 3807 Avenue N, on July 26, 27, 28, 29, 2012 from 12:00 p.m. until 12:00 a.m. for the Buffalo County Fair.
- * *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 **Ordinance No. 7731** authorizing the issuance of Combined Utilities Revenue Refunding Bonds, Series 2012, of the City of Kearney, Nebraska, in the aggregate principal amount of \$7,900,000 for the purpose of providing for the payment and redemption of the City's outstanding Combined Utilities Revenue Bonds, Series 2006; 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 2006 Bonds.

2. Consider the Joint City of Kearney-City of Minden Building Inspection Services Interlocal Agreement allowing the City of Kearney to provide building inspection services to the City of Minden and consider **Resolution No. 2012-104.**
3. Consider the redevelopment project (Levander's Body Shop, LLC) for Redevelopment Area #5 for an area described as Lot 4, Great Western Addition to the City of Kearney, Buffalo County, Nebraska (2807 Avenue N) and adopt **Resolution No. 2012-105.**
4. Consider the redevelopment project (Sixth Street Development, LLC) for Redevelopment Area #5 for an area described as Lot 1, Great Western Second Addition to the City of Kearney, Buffalo County, Nebraska (2803 Avenue N) and adopt **Resolution No. 2012-106.**
5. Consider the redevelopment project (Old Towne Enterprises, LLC) for Redevelopment Area #5 for an area described as Lot 7, Glacier Park Addition to the City of Kearney, Buffalo County, Nebraska (east of Junction Park and south of the railroad) and adopt **Resolution No. 2012-107.**
6. Open Account Claims: **Goodwill Industries - \$7.22, NPPD - \$75,983.53**

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