

# **KEARNEY CITY COUNCIL**

## **AGENDA**

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

**September 25, 2012**

**7:00 p.m.**

### **I ROUTINE BUSINESS**

1. Invocation by Pastor Donald Franks from Church of God Prophecy.
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. **Postponed September 11, 2012.** Conduct a public hearing on the Application submitted by Paul Brungardt (Applicant) and Coal Chute Park, LLC (Owner) for Planned District Development Plan Approval for an apartment complex development on property zoned District C-1/PD, Limited Commercial/Planned Development Overlay District for property described as all of Lot 1 and part of Lot 2 of Block One, Northridge Retirement Subdivision, a subdivision being part of the East Half of the Northeast Quarter of Section 27, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (southwest corner of 56th Street and 17th Avenue) and consider **Resolution No. 2012-148.**
2. Conduct a public hearing on the proposed acquisition of a Permanent Water and Sanitary Sewer Easement for Lot 1 of Block Two, Northacre Sixth Addition to the City of Kearney, Buffalo County, Nebraska (6112 4th Avenue) and consider **Resolution No. 2012-161.**

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

1. Approve Minutes of Regular Meeting held September 11, 2012 and Special Meeting held September 18, 2012.
2. Approve the Claims.

3. Receive recommendations of Planning Commission and set October 9, 2012 at 7:00 p.m. as date and time for hearing on those applications where applicable.
4. Adopt **Resolution No. 2012-162** accepting the water and sanitary sewer infrastructure for Lot 1 of Block Two, Northacre Sixth Addition to the City of Kearney, Buffalo County, Nebraska (6112 4th Avenue).
5. Adopt **Resolution No. 2012-163** approving the Developer Constructed Infrastructure Agreement between the City of Kearney and Starostka Group Unlimited Inc., for the construction of water and sanitary sewer for Lot 1 of Block One and Lot 1 of Block Two, Starostka View Addition to the City of Kearney, Buffalo County, Nebraska (west of the intersection of Avenue L and 66th Street Place).
6. Adopt **Resolution No. 2012-164** approving Change Order No. 1 showing a decrease in the amount of \$2,915.50, Application and Certificate for Payment No. 3-Final in the amount of \$41,259.28, and accept the Certificate of Substantial Completion submitted by Midlands Contracting, Inc. and approved by Miller & Associates for the 2011 Part 6 Improvements – Bid A consisting of Water District No. 2011-562 and Sewer District No. 2011-502 for Country Club Lane from the south lot line of Lot 1 of Block Two, Aspen Meadows Second north to the north lot line of Lot 1 of Block One, Aspen Meadows Second; 37th Street from the west line of Country Club Lane to the west line of Lot 2 of Block Four, Meadowlark Estates Addition; and 25th Avenue Place from the north line of 37th Street to its terminus in a cul-de-sac.
7. Adopt **Resolution No. 2012-165** approving Application and Certificate for Payment No. 2 in the amount of \$148,038.09 submitted by Paulsen, Inc. and approved by Miller & Associates for the 2011 Part 6 Improvements – Bid B consisting of Paving Improvement District No. 2011-946 for Country Club Lane from the south lot line of Lot 1 of Block Two, Aspen Meadows Second north to the north lot line of Lot 1 of Block One, Aspen Meadows Second; 37th Street from the west line of Country Club Lane to the west line of Lot 2 of Block Four, Meadowlark Estates Addition; and 25th Avenue Place from the north line of 37th Street to its terminus in a cul-de-sac.
8. Adopt **Resolution No. 2012-166** approving Change Order No. 1 showing an increase in the amount of \$6,018.38, Application and Certificate for Payment No. 1-Final in the amount of \$207,109.38, and accept the Certificate of Substantial Completion submitted by Blessing, LLC and approved by Miller & Associates for the 2010 Part 4 Improvements; Yanney Park Parking Lot.
9. Adopt **Resolution No. 2012-167** approving Application and Certificate for Payment No. 1 in the amount of \$28,446.75 submitted by Midlands Contracting, Inc. and approved by Miller & Associates for the 2012 Part 1 Improvements – Bid A consisting of Water District No. 2012-563 and Sanitary Sewer District No. 2012-503 for 13th Street Place from 17th Avenue to its terminus in a cul-de-sac; Water District No. 2012-564 and Sanitary Sewer District No. 2012-504 for 12th Street Place from 17th Avenue to its terminus in a cul-de-sac.
10. Adopt **Resolution No. 2012-168** approving Change Order No. 1 showing a decrease in the amount of \$21,297.03, Application and Certificate for Payment No. 4-Final in the

amount of \$153,014.69, and accept the Certificate of Substantial Completion 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.

11. Adopt **Resolution No. 2012-169** approving Change Order No. 12 showing an increase in the amount of \$2,213.00 submitted by JLC, Inc. and approved by Wilkins Hinrichs Stober Architects in connection with the Kearney Public Library Addition & Renovation Project.
12. Adopt **Resolution No. 2012-170** approving the Tenant Use and Operations Agreement for Loading Dock at the Kearney Regional Airport between the City of Kearney and Buffalo Air Service.
13. Adopt **Resolution No. 2012-171** approving the Agreement and Permit for Aeronautical Services at the Kearney Regional Airport between the City of Kearney and Buffalo Air Service.
14. Adopt **Resolution No. 2012-172** approving the Developer Constructed Infrastructure Agreement between the City of Kearney and D & M Cowpoke Inc. for the construction of storm sewer and paving for Lot 1, Elken Subdivision, Buffalo County, Nebraska (7310 2nd Avenue).
15. Approve the Plans and Specifications for the 2012 Part 8 Improvements; Ted Baldwin Park Shelter and set the bid opening date for October 16, 2012 at 2:00 p.m.
16. Approve amending the time for Marketplace to temporarily close 24th Street from 1st Avenue to Avenue A, excluding intersections, on September 27, 2012 from 10:00 a.m. until 10:00 p.m.
17. Adopt **Resolution No. 2012-173** adopting the Central Platte Natural Resources District Multi-Jurisdiction Hazard Mitigation Plan.
18. 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 13, 2012 from 3:00 p.m. until 12:00 a.m. for a reception.
19. 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 20, 2012 from 3:00 p.m. until 12:00 a.m. for a reception.
20. 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 27, 2012 from 3:00 p.m. until 12:00 a.m. for a reception.

- 21. Adopt **Resolution No. 2012-174** approving the Use and Operations Agreement for Hangar T-385 between the City of Kearney and Otis Air Service for commercial storage of aircraft at the Kearney Regional Airport.

\* *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. 7742** authorizing the issuance and sale of Bond Anticipation Notes of the City of Kearney, Nebraska, in the principal amount of \$555,000 for the purpose of providing interim financing for the costs of constructing street improvements in Paving Improvement District Nos. 2011-949 and 2011-950 of said City pending the issuance of permanent General Obligation Various Purpose Bonds of the City; prescribing the form of said notes; agreeing to issue the City's General Obligation Various Purpose Bonds to pay the notes at maturity or to pay the notes from other available funds; entering into a contract on behalf of the City with the holders of said notes.
- 2. Open Account Claims: **NPPD - \$144,329.01.**

## 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](http://www.cityofkearney.org)