

KEARNEY CITY COUNCIL

AGENDA

City Council Chambers, 18 East 22nd Street

October 23, 2012

7:00 p.m.

I ROUTINE BUSINESS

1. Invocation by Pastor John Gosswein from Family of Christ Lutheran Church.
2. Pledge of Allegiance.
3. Announcement on Open Meetings Act.
4. Roll call.
5. Oral Communication
 - **Presentation by Golden K Kiwanis Club.**
 - **Presentation by Barney Insurance on City of Kearney Insurance Program.**

II UNFINISHED BUSINESS

None.

III PUBLIC HEARINGS

None.

IV CONSENT AGENDA *

1. Approve Minutes of Regular Meeting held October 9, 2012.
2. Approve the Claims.
3. Receive recommendations of Planning Commission and set November 13, 2012 at 7:00 p.m. as date and time for hearing on those applications where applicable.
4. Adopt **Resolution No. 2012-190** approving the T-Hangar B-10 Lease Agreement between the City of Kearney and JD Air for storage purposes at the Kearney Regional Airport.
5. Approve the application submitted by Tom McCoy for Post 52 American Legion to conduct the Veterans Day Parade on November 10, 2012 beginning at 10:00 a.m. with the parade starting at Railroad Street, north on Central Avenue and ending at the parking lot located north of the Museum of Nebraska Art. The staging area will include the temporary closing of the following streets beginning at 6:00 a.m.: Railroad Street from the west side of

Avenue B to the east side of 5th Avenue, 1st Avenue, 3rd Avenue and 4th Avenue from Railroad Street north to 21st Street.

6. Adopt **Resolution No. 2012-191** approving Change Order No. 1 showing a decrease in the amount of \$10,086.00, Application and Certificate for Payment No. 3-Final in the amount of \$186,037.70, and accept the Certificate of Substantial Completion 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.
7. Adopt **Resolution No. 2012-192** approving Application and Certificate for Payment No. 2 in the amount of \$44,441.53 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.
8. Adopt **Resolution No. 2012-193** approving the Developer Constructed Infrastructure Agreement for Prairie View Apartments between the City of Kearney and Franssen Properties Inc. for the construction of a water main.
9. Adopt **Resolution No. 2012-194** appointing Pam Pearson to fulfill the term of Michelle Carlson on the Golf Advisory Board.
10. Reject the bid received for the 2012 Part 8 Improvements; Ted Baldwin Park Shelter.

* *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. 7753** amending Section 10-207 “Sewer Use Charges” of Article 2 “Sewers” of Chapter 10 “Utilities” of the Code of the City of Kearney to eliminate the reference to the rates and use changes for property served directly or indirectly by the sanitary sewerage system for the years 2006, 2007, 2008, 2009, 2010 and to adjust the fees as set forth in the City of Kearney Comprehensive Fee Schedule; and Section 10-317 “Rates and Charges” of Article 3 “Water” of Chapter 10 “Utilities” of the Code of the City of Kearney to adjust the fees as set forth in the City of Kearney Comprehensive Fee Schedule.
2. Approve **Ordinance No. 7754** amending Section 5-212 “Collection Regulations; Rates and Charges” of Article 2 “Garbage and Trash” of Chapter 5 “Health and Sanitation” of the Code of the City of Kearney to eliminate the schedule of charges for collection of refuse and garbage for each property served for the years 2006, 2007, 2008, 2009, and 2010 and to adjust the fees as set forth in the City of Kearney Comprehensive Fee Schedule.

VI REGULAR AGENDA

1. Consider accepting the Kearney Housing Agency Annual Report submitted by Executive Director Elaine Wiseman.
2. Consider the manager application for Marcella Lemuz submitted by Four Cactuses, LLC, dba El Maguey Mexican Restaurant in connection with their Class I-098485 liquor license located at 1104 2nd Avenue.
3. Consider revising the ½ Cent Sales Tax Capital Improvement Plan.
4. Open Account Claims: **NPPD - \$102,901.32.**

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