

KEARNEY CITY COUNCIL

AGENDA

City Council Chambers, 18 East 22nd Street

April 23, 2013

7:00 p.m.

I ROUTINE BUSINESS

1. Invocation/Moment of Silent Prayer.
2. Pledge of Allegiance.
3. Announcement on Open Meetings Act.
4. Roll call.
5. Oral Communication:
Oath of Office to Police Officer Matthew Young

II UNFINISHED BUSINESS

None.

III PUBLIC HEARINGS

1. **Postponed from March 26, 2013.** Conduct a public hearing on the Application submitted by Buffalo Surveying Corp. (Applicant) for Nancy Norwood (Owner) to rezone from District R-2, Urban Residential Mixed-Density District to District UC, Mixed Use Urban Corridor District property described as Lots 1, 2, 3, 4 of Block 29, Perkins & Harfords Addition to the City of Kearney, Buffalo County, Nebraska, excepting that part of said Lot 1 deeded to the State of Nebraska Department of Roads (202, 206, 208, 210 West 29th Street and 2824 2nd Avenue) and consider **Ordinance No. 7787**.
2. Conduct a public hearing on an application to the Department of Economic Development for a Nebraska Affordable Housing Program Grant for the construction of two new duplexes located at 1804 8th Avenue and consider **Resolution No. 2013-60**.

IV CONSENT AGENDA *

1. Approve Minutes of Regular Meeting held April 9, 2013.
2. Approve the Claims.
3. Receive recommendations of Planning Commission and set May 14, 2013 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 McFarland Family Farms LLC, dba Mac's Creek Vineyards & Winery in connection with their Class YK-056229 catering liquor license to dispense wine at the Great Platte River Road Archway Monument located at 3060 East 1st Street on July 1, 2013 from 4:00 p.m. until 10:00 p.m. for a sampling/tasting.
5. Approve the application for a Special Designated License submitted by Thunderhead Brewing Co. in connection with their Class LK-47920 catering liquor license to dispense beer and wine inside the Great Platte River Road Archway Monument and inside a 90'x75' fenced area located outside on the north side of Archway Monument, 3060 East 1st Street on July 1, 2013 from 5:00 p.m. until 10:00 p.m. for a sampling/tasting.
6. Approve the application for a Special Designated License submitted by Thunderhead Brewing Co. in connection with their Class LK-47920 catering liquor license to dispense beer and wine inside an enclosed 120' x 210' tent and fenced area in the parking lot located north of the Museum of Nebraska Art, 2401 Central Avenue on September 27, 2013 from 5:00 p.m. until 1:00 a.m. and on September 28, 2013 from 12:00 p.m. until 1:00 a.m. for Oktoberfest.
7. Adopt **Resolution No. 2013-61** approving Change Order No. 1 showing an increase in the amount of \$1,800.00, Application and Certificate for Payment No. 2 in the amount of \$93,354.45 submitted by Midlands Contracting and approved by Miller & Associates for the 2012 Part 6 Improvements – Bid A consisting of Water District No. 2012-565 for 52nd Street from 3rd Avenue and terminating 761 feet west, Water District No. 2012-566 in a Road and Utility Easement in Lot 4, Oak Park Center lying between 2nd Avenue and 3rd Avenue; Water District No. 2012-567 in a 66-foot Road and Utility Easement from the south line of the intersection of 56th Street and 4th Avenue and terminating at a point 325 feet southeasterly; Sanitary Sewer District No. 2012-505A in a Roadway and Utility Easement beginning at a point 136 feet west of 2nd Avenue on the south line of 56th Street and southerly terminating at the south line of Lot 4, Oak Park Center, and Sanitary Sewer District No. 2012-506 in a Roadway and Utility Easement beginning at the south line of the intersection of 56th Street and 4th Avenue and terminating at a point 325 feet southeasterly.
8. Adopt **Resolution No. 2013-62** approving Application and Certificate for Payment No. 1 in the amount of \$101,735.10 submitted by Blessing, LLC and approved by Miller & Associates for the 2012 Part 6 Improvements – Bid B consisting of Paving Improvement District No. 2012-954 for 52nd Street from 3rd Avenue and terminating 761 feet west; Paving Improvement District No. 2012-955A for 3rd Avenue, a Road and Utility Easement, from the north line of 52nd Street to the north line of Oak Park Center and east in a Roadway and Utility Easement to the west line of 2nd Avenue; Paving Improvement District No. 2012-956 for 56th Street from 2nd Avenue west to 6th Avenue.
9. Adopt **Resolution No. 2013-63** approving Change Order No. 2 showing a deduct in the amount of \$8,228.50, Application and Certificate for Payment No. 3-Final in the amount of \$33,448.38, and accept the Certificate of Substantial Completion submitted by Midlands Contracting and approved by Miller & Associates for the 2012 Part 2 Improvements consisting of Water Extension District No. 2012-1 for 56th Street from the existing water main located ½ mile east of Antelope Avenue eastward approximately 5,446 feet to connect to the existing water main, and Water District No. 2013-569 in 20th Street from

Avenue O east to the east line of Lot 8 of Block 13, Whiteaker's Grove Addition.

10. Adopt **Resolution No. 2013-64** approving the selection of Miller & Associates to perform the duties as the General Administrator of the Nebraska Affordable Housing Program Grant as set forth in the grant application.
11. Adopt **Resolution No. 2013-65** approving the selection of Miller & Associates to perform the duties of the Housing Administrator of the Nebraska Affordable Housing Program Grant as set forth in the grant application.
12. Adopt **Resolution No. 2013-66** approving the Developer Constructed Infrastructure Agreement for the construction of paving, water, sanitary sewer and storm sewer for Starostka Estates Addition to the City of Kearney.
13. Adopt **Resolution No. 2013-67** approving the Developer Constructed Infrastructure Agreement for the construction of paving, water, sanitary sewer and storm sewer for Eastbrooke Fourteenth to the City of Kearney.
14. Approve the Agreement between the City of Kearney and Central Health Center to temporarily close the parking lot located north of the Museum of Nebraska Art from 6:00 a.m. September 26, 2013 until 5:00 p.m. October 1, 2013 for Oktoberfest.
15. Accept the bids received for the construction of a new hangar located at the Kearney Regional Airport and adopt **Resolution No. 2013-68** awarding the bid to Seneca Companies from Des Moines, Iowa in the total amount of \$1,259,000.00.
16. Accept the bids received for the construction of an Aircraft Rescue and Fire Fight (ARFF) Facility located at the Kearney Regional Airport and adopt **Resolution No. 2013-69** awarding the bid to Sampson Construction from Lincoln, Nebraska in the amount of \$1,677,000.29 subject to approval by the F.A.A. and the Nebraska Department of Aeronautics.
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-059311 catering liquor license to dispense beer, wine and distilled spirits inside an outdoor fenced area located in the parking lot of Kearney Powersports, 511 South 2nd Avenue, on May 23, 2013 from 4:00 p.m. until 11:00 p.m. for a beer garden (alternate location inside Kearney Powersports).
18. Accept the bids received for the 2012 Part 9 Improvements; Sidewalks/Ramps and adopt **Resolution No. 2013-70**.
19. Approve the application for a Special Designated License submitted by Juan Lazo, dba El Tropico in connection with their Class IBK-37623 catering liquor license to dispense beer and distilled spirits in the Exhibit Building (alternate location is Exposition Building) located at the Buffalo County Fairgrounds, 3807 Avenue N, on May 25, 2013 from 6:00 p.m. until 1:00 a.m. for a dance.

* ***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. 7799** repealing Ordinance No. 7785 and to sell a tract of land being part of the North Half of the Southeast Quarter, part of the North Half of the Southwest Quarter, part of Government Lot 1, and part of Government Lot 4 all located in Fractional Section 27, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska to Coal Chute Park, LLC.

VI REGULAR AGENDA

1. Second Reading of **Ordinance No. 7798** annexing the following tracts of land to be included within the corporate limits: 5110 17th Avenue, 5120 17th Avenue, 5308 17th Avenue, 5410 17th Avenue, 5514 17th Avenue, the northwest corner of 56th Street and 17th Avenue, and 2407 West 56th Street.
2. Consider the redevelopment project (Old Towne Enterprises) for Redevelopment Area #5 for an area described as Lot 8, Glacier Park Addition to the City of Kearney, Buffalo County, Nebraska (north side of South Railroad Street between Avenue A and Avenue B) and adopt **Resolution No. 2013-71**.
3. Consider the redevelopment project (TFD Investments) for Redevelopment Area #5 for an area described as Lots 6 and 7 of Block 3, Kearney Land & Investment Company's Choice Addition to the City of Kearney, Buffalo County, Nebraska (1804 8th Avenue) and adopt **Resolution No. 2013-72**.
4. Consider the redevelopment project (Cash-Wa Distributing) for Redevelopment Area #8 for an area described as Lot 1 of Block One and Lots 1, 2, 3 of Block Two, Cash-Wa Second Addition to the City of Kearney, Buffalo County, Nebraska (401 West 4th Street) and adopt **Resolution No. 2013-73**.
5. Open Account Claims: **NPPD - \$82,147.87**

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