

KEARNEY CITY COUNCIL

AMENDED AGENDA

City Council Chambers, 18 East 22nd Street

August 27, 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 - Recognition of visitors.

II UNFINISHED BUSINESS

None.

III PUBLIC HEARINGS

1. **Postponed August 13, 2013**. Conduct a public hearing on the Applications submitted by Buffalo Surveying (Applicant) for Marvin Taylor and Bryan and Susan Slater (Owner) to (1) vacate property described as Lots 4 through 12, inclusive, Lots 63 through 71, inclusive, Lots 78 through 86, inclusive, Lots 137 through 145, inclusive, Lots 152 through 160, inclusive, and Lot 267, all in Cottage Addition to the City of Kearney, Buffalo County, Nebraska, together with part of Lot 1, Rainbow Acres Addition, an addition to the City of Kearney, Buffalo County, Nebraska and consider **Ordinance No. 7824**; and (2) the Final Plat and Subdivision Agreement for Taylor Addition, an addition to the City of Kearney, Buffalo County, Nebraska for property described as Lots 4 through 12, inclusive, Lots 63 through 71, inclusive, Lots 78 through 86, inclusive, Lots 137 through 145, inclusive, Lots 152 through 160, inclusive, and Lot 267, all in Cottage Addition to the City of Kearney, Buffalo County, Nebraska, together with that part of Lot 1, Rainbow Acres Addition, an addition to the City of Kearney, Buffalo County, Nebraska (south of 16th Street and Avenue M) and consider **Resolution No. 2013-141**.
2. Conduct a public hearing on the proposed acquisition for a sanitary sewer easement of a tract of land located in the Northeast Quarter of Section 27, Township 9 North, Range 16 West of the 6th P.M., City of Kearney, Buffalo County Nebraska (under 17th Avenue from 16th Avenue Place and 51st Street Place) and consider **Resolution No. 2013-154**.
3. Conduct a public hearing on the proposed acquisition for a sanitary sewer easement of a tract of land located in part of Lot 1, Smith Addition to the City of Kearney, Buffalo County,

Nebraska (under 17th Avenue from 16th Avenue Place and 51st Street Place) and consider **Resolution No. 2013-155**.

IV CONSENT AGENDA *

1. Approve Minutes of Regular Meeting held August 13, 2013.
2. Approve the Claims.
3. Receive recommendations of Planning Commission and set September 10, 2013 at 7:00 p.m. as date and time for hearing on those applications where applicable.
4. Adopt **Resolution No. 2013-156** declaring the intent to issue tax-exempt bonds pertaining to the 2013 Part 1 Improvements consisting of Paving Improvement District No. 2013-962, Water District No. 2013-570, Sanitary Sewer District No. 2013-508 for 50th Street from 11th Avenue to 17th Avenue, 51st Street Place from 15th Avenue Place to 16th Avenue Place, all of 14th Avenue Place, all of 15th Avenue Place, all of 16th Avenue Place, all of Loveland Drive all in Fountain Hills Fifth Addition, 11th Avenue from 48th Street north to the north lot line of Lot 10 of Block 3, Fountain Hills Third Addition; Sanitary Sewer Connection District No. 2013-1 beginning at the intersection of the centerlines of 16th Avenue Place and 51st Street Place as platted in Fountain Hills Fifth Addition west to the west line of 17th Avenue, thence north to the northeast corner of Lot 1, Smith Addition; and Sanitary Sewer Connection District No. 2013-2 in a sanitary sewer easement located in part of Outlot A, Fountain Hills Sixth Addition; and part of the Northwest Quarter of Section 26, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska; and 11th Avenue as platted in Fountain Hills Second Addition.
5. Approve setting September 10, 2013 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. 2011-946, 2011-949A, 2011-950, 2012-951, 2012-952; Water District Nos. 2011-562, 2012-563, 2012-564, Water Connection District No. 2011-1; Sanitary Sewer District Nos. 2011-502, 2012-503, 2012-504, Sanitary Sewer Connection District No. 2011-1.
6. Adopt **Resolution No. 2013-157** approving the Developer Constructed Infrastructure Agreement between the City of Kearney and Kearney Properties, LLC for water and sanitary sewer improvements for Lot 1 of Block Three, Western Nebraska Property Development Addition.
7. Adopt **Resolution No. 2013-158** approving the Agreement for Lot 1, Bosselman Second Addition between the City of Kearney and RTS Business Holdings Inc. pertaining to the construction of a car wash facility located at 4215 2nd Avenue.
8. Adopt **Resolution No. 2013-159** accepting the bid received for the 2013 Part 8 Improvements consisting of Paving Improvement District No. 2013-961 for 57th Street from Avenue Q east to 57th Street Place and award the bid to Dan Roeder Concrete in the amount of \$89,257.00.
9. Adopt **Resolution No. 2013-160** approving the final allocation of levy authority in the amount of \$147,900 for the Community Redevelopment Authority of the City of Kearney

for fiscal year 2013-2014 and the final allocation of levy authority in the amount of \$45,857 for Offstreet Parking District No. 1 for fiscal year 2013-2014.

10. Adopt **Resolution No. 2013-161** approving Application and Certificate for Payment No. 2 in the amount of \$51,087.69 submitted by Blessing, LLC and approved by Miller & Associates for the 2012 Part 6 Improvements; Phase 2 consisting of Paving Improvement District No. 2012-956 for 56th Street from 2nd Avenue west to 6th Avenue.
11. Adopt **Resolution No. 2013-162** approve Change Order No. 3 showing a deduct in the amount of \$5,609.20, Application and Certificate for Payment No. 4-Final in the amount of \$92,022.03, and accept the Certificate of Substantial Completion 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.
12. Adopt **Resolution No. 2013-163** authorizing the funding to coordinate marketing and communication efforts associated with the development of the Central Nebraska Veterans Home at Kearney.
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 at the Great Platte River Road Archway located at 3060 East 1st Street on September 18, 2013 from 5:30 p.m. until 10:00 p.m. for a reception.
14. 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 at the Great Platte River Road Archway located at 3060 East 1st Street on September 28, 2013 from 5:00 p.m. until 1:00 a.m. for a reception.
15. 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 September 28, 2013 from 5:00 p.m. until 1:00 a.m. for a reception.
16. Adopt **Resolution No. 2013-164** approving the Recreational Use Agreement between the City of Kearney and Nebraska Public Power District to develop a half-mile segment of the Canal Tailrace for recreational activities, including kayaking, canoeing and tubing activities.
17. Approve the application to extend Conditional Use Permit No. 1979-06 granted to Susan Underhill to locate a Day Care Facility at 2803 Avenue I for a period of one year.

* ***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. Open Account Claim: **NPPD - \$116,293.40.**

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

ADDENDUM NO. 1

IV CONSENT AGENDA *

18. Approve the application for a Special Designated License submitted by Earn & Return Investments, dba The Cellar Bar & Grill in connection with their I-064728 liquor license to dispense beer, wine and distilled spirits in Lot 13 located on the UNK Campus, 2508 12th Avenue on September 21, October 5, October 19, 2013 from 11:00 a.m. until 4:00 p.m. for a football tailgate prior to UNK football games.