

KEARNEY CITY COUNCIL

AGENDA

City Council Chambers, 18 East 22nd Street

January 28, 2014

5:30 p.m.

I ROUTINE BUSINESS

1. Invocation/Moment of Silence.
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. Conduct a public hearing on the application for a Class D-105991 liquor license submitted by Hy-Vee, Inc., dba Hy-Vee Gas #1323 located at 5204 2nd Avenue, consider the manager application for Scott Schlatter, and consider **Resolution No. 2014-19**.
2. Conduct a public hearing on the application for a Class IK-105992 liquor license submitted by Hy-Vee, Inc., dba Hy-Vee Restaurant #1323 located at 5212 3rd Avenue, consider the manager application for Scott Schlatter, and consider **Resolution No. 2014-20**.
3. Conduct a public hearing on the application for a Class C-105993 liquor license (restricted to promotional tastings) submitted by Hy-Vee, Inc., dba Hy-Vee #1323 located at 5212 3rd Avenue, consider the manager application for Scott Schlatter, and consider **Resolution No. 2014-21**.

IV CONSENT AGENDA *

1. Approve Minutes of Regular Meeting held January 14, 2014.
2. Approve the Claims.
3. Receive recommendations of Planning Commission and set February 11, 2014 at 5:30 p.m. as date and time for hearing on those applications where applicable.

4. Approve the application for a Special Designated License submitted by Gary Wach, dba Three Brothers Vineyard & Winery in connection with their Class YK-079473 liquor license to dispense wine in the Exposition Building located at the Buffalo County Fairgrounds, 3807 Avenue N, on February 19, 2014 from 2:00 p.m. until 11:00 p.m. for a sampling/tasting event.
5. Approve the application for a Special Designated License submitted by Ryan Puls, dba The Speakeasy in connection with their Class IB-102074 liquor license to dispense beer, wine and distilled spirits in the Extension Building located at the Buffalo County Fairgrounds, 1400 East 34th Street, on March 1, 2014 from 4:00 p.m. until 12:30 a.m. for a fund raiser.
6. Adopt **Resolution No. 2014-22** approving the recommendation submitted by the Fire Chief to include the following as members of the Kearney Volunteer Fire Department: Robert Cinatl, Matthew Foster, Shaun Mewes, and Jonathan Schroeder.
7. Appointment of Randy Buschkoetter to serve on the Kearney Visitors Bureau, the appointment of Stanley Clouse and Bruce Lear to serve on the Buffalo County Economic Development Council, and the appointment of Jonathan Nikkila, Bob Lammers and Ron Hendrickson to serve on the Joint Airport Zoning Board.
8. Approve the Plans and Specifications for the construction of the 2014 Part I Improvements consisting of Sanitary Sewer District No. 2014-510 beginning at the southeast corner of Remington Heights Second Addition, northwesterly in an easement along the south side of Block Three, Remington Heights Second to the west line of Remington Heights Second, then northerly along the west line of Remington Heights Second to the north line of Remington Heights Second, then westerly and following the north line of the Southeast Quarter of Section 24, Township 9 North, Range 16 West to the northwest corner of the Southeast Quarter of Section 24 and set the bid opening date for February 18, 2014 at 2:00 p.m.
9. Approve the Plans and Specifications for the Meadowlark Hills Maintenance Building Repair and set the bid opening date for February 18, 2014 at 2:00 p.m.
10. Adopt **Resolution No. 2014-23** approving Application and Certificate for Payment No. 3 in the amount of \$178,283.46 submitted by Midlands Contracting and approved by Miller & Associates for the 2013 Part 1 – Bid A Improvements consisting of Water District No. 2013-570 and 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.

11. Approve and Plans and Specifications for the 2014 Part 3 Improvements; 16th Street and 5th Avenue and set the bid opening date for February 19, 2014 at 2:00 p.m.
12. Adopt **Resolution No. 2014-24** appointing Ed Berglund to fulfill the term vacated on the Planning Commission.
13. Adopt **Resolution No. 2014-25** on the appointment of the following to serve as members on the Archway Advisory Committee: Tami Hellman, Jason Everett, Art Hansen, Stephen England, Jinny Turman.
14. Accept the bids received for the purchase of an automated side load refuse compactor truck for the Utilities Department and award the bid to Elliott Equipment in the amount of \$236,500.
15. Adopt **Resolution No. 2014-26** approving T-Hangar A-6 Lease Agreement between the City of Kearney and Justin Dix for storage purposes 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 *

1. Approve **Ordinance No. 7867** creating Sanitary Sewer District No. 2014-510 beginning at the southeast corner of Remington Heights Second Addition, northwesterly in an easement along the south side of Block Three, Remington Heights Second to the west line of Remington Heights Second, then northerly along the west line of Remington Heights Second to the north line of Remington Heights Second, then westerly and following the north line of the Southeast Quarter of Section 24, Township 9 North, Range 16 West to the northwest corner of the Southeast Quarter of Section 24.
2. Amend Ordinance No. 7855 granting a Conditional Use Permit to co-locate telecommunications equipment for wireless communications on property zoned District Ag, Agricultural District and described as part of the Northwest Quarter of the Northwest Quarter and the north five acres of the Southwest Quarter of the Northwest Quarter all located in Section 31, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska lying west of the railroad tracks (1711 East 39th Street) and adopt **Ordinance No. 7855A**.
3. Approve **Ordinance No. 7868** authorizing the issuance of Combined Utilities Revenue Bonds of the City of Kearney, Nebraska in the principal amount of up to \$1,200,000 for the purpose of paying the costs of improvements to the City's sanitary sewer system; authorizing the issuance of said bond in the form of a promissory note to evidence a loan from the Nebraska Department of Environmental Quality; approving the execution and delivery of a loan contract with the Nebraska Department of Environmental Quality; approving related documents with respect to said loan; prescribing the form, terms and details of said bond; 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 bond and interest

thereon; providing for the collection, segregation and application of the revenues of the City's waterworks plant and water system, sewage disposal plant and sanitary sewer system and electric distribution system; approving execution of related documents; entering into a contract on behalf of the City with the holder of said bond; and determining that interest on said bond shall not be excludable from gross income for purposes of federal income taxation.

VI REGULAR AGENDA

1. Receive and accept the City of Kearney Annual Financial Report prepared by the accounting firm of McDermott & Miller.
2. Open Account Claim to NPPD - \$10,625.41.

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