

KEARNEY CITY COUNCIL

AGENDA

City Council Chambers, 18 East 22nd Street

June 24, 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 concerning submitting an application to the Nebraska Department of Economic Development for a Community Development Block Grant for community revitalization activities and consider **Resolution No. 2014-114**.
2. Conduct a public hearing to receive input concerning a Community Development Block Grant received in 2012; Grant No. 12-DTR-104 for downtown revitalization activities.

IV CONSENT AGENDA *

1. Approve Minutes of Regular Meeting held June 10, 2014.
2. Approve the Claims.
3. Receive recommendations of Planning Commission and set July 8, 2014 at 5:30 p.m. as date and time for hearing on those applications where applicable.
4. Approve setting July 8, 2014 at 5:30 p.m. as the time and date to meet as the Board of Equalization to assess costs in connection with Paving Improvement District Nos. 2012-953, 2012-954, 2012-955A, 2013-961; Water District Nos. 2012-565, 2012-566, 2012-567; and Sewer District Nos. 2012-505A, 2012-506.
5. Approve the application submitted by Terry Broadfoot from Broadfoot Sand & Gravel to extend Conditional Use Permit No. 2000-07 to operate a clay extraction operation at 70th Street and 30th Avenue for a period of two years.

6. Adopt **Resolution No. 2014-115** approving Application and Certificate for Payment No. 8 in the amount of \$82,218.90 submitted by Midlands Contracting and approved Miller & Associates for the 2013 Part 1 Improvements – Bid A consisting of 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.
7. Adopt **Resolution No. 2014-116** approving Application and Certificate for Payment No. 3 in the amount of \$515,662.20 submitted by Paulsen, Inc. and approved Miller & Associates for the 2013 Part 1 Improvements – Bid B consisting of Paving Improvement District No. 2013-962 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.
8. Adopt **Resolution No. 2014-117** approving T-Hangar C-9 Lease Agreement between the City of Kearney and Gary Barth for storage purposes at the Kearney Regional Airport.
9. Adopt **Resolution No. 2014-118** accepting the storm sewer constructed for Lot 2, Oak Park Center, an addition to the City of Kearney, Nebraska.
10. Adopt **Resolution No. 2014-119** approving the Peterson Senior Activity Center Annual Nutrition Service Contract between the City of Kearney and Community Action Partnership of Mid-Nebraska.
11. Adopt **Resolution No. 2014-120** approving the Developer Constructed Infrastructure Agreement between the City of Kearney and GGR, LLC for the construction of paving, water, sanitary sewer and storm sewer for Meadowlark Ridge Estates.
12. Approve the Special Event Permit submitted by the University of Nebraska Kearney to conduct the Homecoming/Band Day Parade scheduled for September 20, 2014 beginning at 10:00 a.m. commencing in the MONA parking lot, south on Central Avenue to Railroad Street, west on Railroad Street to 3rd Avenue, north on 3rd Avenue to 21st Street, west on 21st Street to 8th Avenue, south on 8th Avenue to 20th Street, west of 20th Street and concluding in the West Company parking lot. The following streets will temporarily be closed for the line-up area: Avenues C, D and E from the south side of 25th Street to Railroad Street, 22nd, 23rd and 24th Streets from Avenue A to Avenue D and to authorize the towing of any vehicles by the Kearney Police Department within the designated area and will be an expense to the owners of such vehicles.
13. Approve the Special Event Permit submitted by the Big Red Express to temporarily close Railroad Street from 1st Avenue to Avenue A, 1st Avenue, Central Avenue and Avenue A from Railroad Street to 21st Street from 1:00 p.m. until 3:30 p.m. and to authorize the towing

of any vehicles by the Kearney Police Department within the designated area and will be an expense to the owners of such vehicles.

14. Adopt **Resolution No. 2014-121** approving Application and Certificate for Payment No. 4 in the amount of \$140,564.46 submitted by Blessing, LLC and approved by Miller & Associates for the 2013 Part 7 Improvements; Downtown Lighting Improvements.
15. Adopt **Resolution No. 2014-122** approving Change Order No. 2 for a decrease in the amount of \$11,933.25, Application and Certificate for Payment No. 7-Final in the amount of \$35,687.58, and accept the Certificate of Substantial Completion submitted by Blessing, LLC and approved by Miller & Associates for the 2012 Part 9 Improvements; CDBG Sidewalks in the Emerson School Area.
16. Adopt **Resolution No. 2014-123** approving Application and Certificate for Payment No. 2 in the amount of \$625,182.39 submitted by Midlands Contracting and approved by Miller & Associates for the 2014 Part 1 Improvements consisting of Northeast Trunk Sanitary Sewer 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.
17. Adopt **Resolution No. 2014-124** accepting the bids received for the 2014 Part 6 Improvements consisting of Paving Improvement District No. 2014-965 for Avenue N from 25th Street north to the north line of Lot 3, Hartman & Dryden's, an addition to the City of Kearney and award the bid to Blessing, LLC in the amount of \$872,819.97.
18. Adopt **Resolution No. 2014-10A** amending the legal description for an area determined to be blight and substandard and in need of redevelopment and referred to as Redevelopment Area #12.
19. Adopt **Resolution No. 2014-125** approving Application and Certificate for Payment No. 1-Final in the amount of \$61,464.00 and accept the Certificate of Substantial Completion submitted by RMV Construction and approved by Miller & Associates for the Meadowlark Hills Maintenance Building Repair.
20. Approve the recommendation from the Development Services Division on the annual renewal of the manufactured home court license for L & M Mobile Home Park located at 1110 Central Avenue until May 31, 2015.
21. Adopt **Resolution No. 2014-126** approving Application and Certificate for Payment No. 1-Final in the amount of \$26,320.00 and accept the Certificate of Substantial Completion submitted by GD Concrete Construction and approved by Miller & Associates for the Yanney Park Cope Amphitheater Trail/Driveway.
22. Adopt **Resolution No. 2014-127** calling for the redemption of Combined Utilities Revenue Refunding Bonds, Series 2009 in the principal amount of \$755,000.
23. Approve the extension of Conditional Use Permit No. 2011-09 granted to Werner Construction, Inc. and Kappas Enterprises, LLC to operate a construction batch plant on property described as Government Lots 1, 2, 3 and 4 in Section 9, Township 8 North, Range

15 West of the 6th P.M., Buffalo County, Nebraska (east side of Cherry Avenue, north of Wastewater Treatment Plant), said extension to be limited to six months past the length of the Phase II project.

* *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. 7905** amending Chapter 9 “Public Works” of the City Code as follows: Section 9-734 “Electrical Code; Adopted” of Article 7 “Electricity” to adopt the National Electrical Code 2014 Edition; amend Section 9-736.1 “Service Masts as Supports” to adopt the National Electrical Code 2014 Edition; to delete in its entirety Section 9-753 “Section 403.102. Amended; Motor Disconnect, Location”.
2. Approve **Ordinance No. 7906** amending Section 4-601 “Fireworks; Definitions” of Article 6 “Fireworks” of Chapter 4 “Fire Regulations” of the City Code to delete gold or silver sparklers and to allow wooden sparklers to coincide with State law.

VI REGULAR AGENDA

1. Open Account Claim to NPPD - \$83,447.04.

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