

KEARNEY CITY COUNCIL

AGENDA

City Council Chambers, 18 East 22nd Street

May 26, 2015

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:
Oath of Office to Police Officers Cody Bolte and Nathan Dennis.

II UNFINISHED BUSINESS

None.

III PUBLIC HEARINGS

1. **Postpone until June 9, 2015.** Conduct a public hearing on the Applications submitted by Miller & Associates for DT Development and First Baptist Church of Kearney: (1) to vacate part of Lot 1, Spruce Hollow Estates Fourth Addition, part of Outlot B, Lots 1 and 2 of Block Four, Spruce Hollow Estates Fifth Addition, additions to the City of Kearney, Buffalo County, Nebraska and consider **Ordinance No. 7989**; and vacate an easement being part of Lot 1, Spruce Hollow Estates Fourth Addition, part of Outlot B, part of Lots 1 and 2 of Block Four, Spruce Hollow Estates Fifth Addition, additions to the City of Kearney, Buffalo County, Nebraska and consider **Ordinance No. 7990**; (2) to rezone from District R-1, Urban Residential Single-Family District (Low Density) and District R-2, Urban Residential Mixed-Density District to District R-2/PD, Urban Residential Mixed-Density/Planned Development Overlay District property described as a tract of land being Lot 1, Spruce Hollow Estates Fourth Addition to the City of Kearney, Buffalo County, Nebraska (east of 11th Avenue between West 57th Street Place and West 58th Street) and consider **Ordinance No. 7991**.
2. **Postpone until June 9, 2015.** Conduct a public hearing on the Application submitted by Miller & Associates for DT Development, Inc. for the Final Plat and Subdivision Agreement for Spruce Hollow Estates Sixth Addition, an addition to the City of Kearney, Buffalo County, Nebraska, for property described as a tract of land being part of the Southwest Quarter of Section 23, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (east of 11th Avenue between West 57th Street Place and West 58th Street) and consider **Resolution No. 2015-82**.

3. **Postpone until June 9, 2015.** Conduct a public hearing on the Application submitted by Miller & Associates for DT Development, Inc. for Planned District Development Plan Approval to construct 15 single family condominium dwelling units on property to be zoned R-2/PD, Urban Residential Mixed-Density/Planned Development Overlay District and described as a tract of land being part of the Southwest Quarter of Section 23, Township 9 North, Range 16 West of 6th P.M., Buffalo County, Nebraska (east of 11th Avenue between West 57th Street Place and west of 58th Street) and consider **Resolution No. 2015-83.**

IV CONSENT AGENDA *

1. Approve Minutes of Regular Meeting held May 12, 2015.
2. Approve the Claims.
3. Receive recommendations of Planning Commission and set June 9, 2015 at 5:30 p.m. as date and time for hearing on those applications where applicable.
4. Adopt **Resolution No. 2015-106** removing parking on the west side of Kea West Avenue from 11th Street south to the City limits.
5. 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 Exposition Building (alternate location is Exhibit Building) located at the Buffalo County Fairgrounds, 3807 Avenue N, on June 13, 2015 from 6:00 p.m. until 1:00 a.m. for a dance.
6. Accept the bids received for 2015 Part 1 Improvements; 19th Street and Sidewalks/Ramps (CDBG 14-CR-004) and adopt **Resolution No. 2015-107** awarding the bid to Dan Roeder Concrete in the amount of \$194,689.50.
7. Accept the bids received for 2015 Part 4 Improvements consisting of Paving Improvement District No. 2015-972 for 29th Street from 6th Avenue to 8th Avenue and adopt **Resolution No. 2015-108** awarding the bid to Blessing Construction in the amount of \$554,294.65.
8. Accept the bids received for 2015 Part 8 Improvements consisting of Paving Improvement District No. 2015-973, Water District No. 2015-577, Sanitary Sewer District No. 2015-515 for 3rd Street from 3rd Avenue westerly to the west line of Lot 1, Block One, Younes Center Third Addition; Paving Improvement District No. 2015-974 and Water District No. 2015-578 for 4th Avenue from Talmadge Street to the 3rd Street as platted in Younes Center Third Addition and adopt **Resolution No. 2015-109** awarding the bid to Dan Roeder Concrete in the amount of \$845,939.25.
9. Accept the bids received for the construction of the Household Hazardous Waste Facility and adopt **Resolution No. 2015-110** awarding the bid to RMV Construction Company in the amount of \$525,227.96.

10. Approve the recommendation from the Development Services Division on the annual renewal of the following manufactured home court licenses until May 31, 2016:
 - Countryside Mobile Park, 1920 15th Avenue
 - Merriweather Mobile Home Village, 914 West 17th Street
 - Rodeo Court, 2414 West 24th Street
 - R-Villa East, 2500, 2719, 2803 West 24th Street
 - R-Villa West, 2500, 2719, 2803 West 24th Street
 - R-Villa South, 2500, 2719, 2803 West 24th Street
 - Villa Park, 2703 West 24th Street
11. Adopt **Resolution No. 2015-111** approving Application and Certificate for Payment No. 2 in the amount of \$100,671.55 submitted by Dan Roeder Concrete and approved by Miller & Associates for the 2014 Part 10 Improvements – Bid B consisting of Paving Improvement District No. 2014-966 for 17th Street from Avenue M east to the east lot line of Lot 5, Block Two, Marlatt Addition.
12. Adopt **Resolution No. 2015-112** approving Change Order No. 4 for an increase in the amount of \$8,202.30, Application and Certificate for Payment No. 8 in the amount of \$194,572.17 submitted by Blessing, LLC and approved by Miller & Associates for the 2014 Part 2 Improvements consisting of Paving Improvement District No. 2014-964 for Central Avenue from 31st Street to a point 150 feet south of 26th Street and 26th Street from Central Avenue to Avenue C.
13. Adopt **Resolution No. 2015-113** approving Application and Certificate for Payment No. 7 in the amount of \$592,856.77 submitted by Midlands Contracting and approved by Miller & Associates for 2014 Part 7 Improvements consisting of Paving Improvement District No. 2014-968 for 4th Street from 3rd Avenue to 6th Avenue and Sanitary Sewer Connection District No. 2014-1 commencing at a point near the Kearney RV Park located at 315 Avenue M, northward and westward in an easement, Landon Street if extended, thence northward through Riverside Addition and Kreutz Addition to 4th Street, thence westward to Central Avenue.
14. Adopt **Resolution No. 2015-114** approving Change Order No. 1 for an increase in the amount of \$40,765.12 submitted by Blessing, LLC and approved by Miller & Associates for the 2014 Part 11 Improvements consisting of Paving Improvement District No. 2014-969 for 11th Street from a point 109.74 feet west of 30th Avenue, thence east for a distance of 2,440.08 feet; Paving Improvement District No. 2014-970 for 27th Avenue from 11th Street south a distance of 850[±] feet as platted in Lot 1, Bearcat Corner; and Paving Improvement District No. 2014-971 for 30th Avenue from 11th Street south a distance of 1,500[±] feet as platted in Lot 1, Bearcat Corner.
15. Adopt **Resolution No. 2015-115** approving Application and Certificate for Payment No. 3 in the amount of \$57,350.00 submitted by Midlands Contracting and approved by Miller & Associates for the UV Disinfection Building at the Platte River Well Field.
16. Adopt **Resolution No. 2015-116** approving the Minimum Standards and Rules and Regulations for Commercial Aviation Services at the Kearney Regional Airport.
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 at Country House, 5605 Avenue K on June 10, 2015 from 3:00 p.m. until 11:00 p.m. for a business reception.

18. 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 in the Ag Pavilion located at the Buffalo County Fairgrounds, 3807 Avenue N on June 13, 2015 from 3:00 p.m. until 1:00 a.m. for a reception.
19. 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 in the Exhibit Building located at the Buffalo County Fairgrounds, 3807 Avenue N on June 20, 2015 from 3:00 p.m. until 1:00 a.m. for a reception.
20. 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 in the Ag Pavilion located at the Buffalo County Fairgrounds, 3807 Avenue N on June 20, 2015 from 3:00 p.m. until 1:00 a.m. for a reception.
21. 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 at Kearney Powersports located at 511 South 2nd Avenue on June 26, 2015 from 5:00 p.m. until 11:00 p.m. for a beer garden.
22. 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 in the Exhibit Building located at the Buffalo County Fairgrounds, 3807 Avenue N on June 27, 2015 from 3:00 p.m. until 1:00 a.m. for a reception.
23. 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 in the Ag Pavilion located at the Buffalo County Fairgrounds, 3807 Avenue N on June 27, 2015 from 3:00 p.m. until 1:00 a.m. for a reception.

* *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. 7999** vacating a tract of land being part of Lots 13 and 14, Avenue B, and 1st Street of Proposed Industrial Subdivision, located in the South Half of Section 21 and part of the North Half of Section 28, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (north of 56th Street, approximately one half mile east of Cherry Avenue).

VI REGULAR AGENDA

1. Open Account Claim to NPPD - \$83,739.60.

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