

KEARNEY CITY COUNCIL

AGENDA

City Council Chambers, 18 East 22nd Street

February 23, 2016

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

III. PUBLIC HEARINGS

1. POSTPONED JANUARY 12, 2016. Conduct a public hearing on the Applications submitted by Buffalo Surveying for Fountain Hills Properties, LLC to (1) vacate Lots 1 through 18, inclusive, Lots 43 through 48 inclusive, and part of Outlot A, all in Block 2; and Lots 1 through 12 inclusive, and part of Outlot B, Block 3, all in Fountain Hills Third Addition and consider Ordinance No. 8063; and (2) for the Final Plat and Subdivision Agreement for Fountain Hills Eighth Addition, an addition to the City of Kearney, Buffalo County, Nebraska, for property as described above (4803-4827 and 4903-4917 10th Avenue) and consider Resolution No. 2016-1.
2. POSTPONED JANUARY 12, 2016. Conduct a public hearing on the Application submitted by Brungardt Engineering for Fountain Hills Properties, LLC for Revised Planned District Development Plan Approval for the proposed construction of single story townhomes on property zoned District R-3/PD, Urban Residential Multi-Family (Medium Density)/Planned Development Overlay District and described as a tract of land being part of the Southeast Quarter of the Northwest Quarter of Section 26, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (northeast corner of 10th Avenue and 11th Avenue) and consider Resolution No. 2016-2.
3. Conduct a public hearing on the $\frac{1}{2}\%$ Sales Tax Capital Improvement Plan for the City of Kearney, Nebraska.
4. Conduct a public hearing on the adoption of the One & Six Year Street Improvement Plan and consider Resolution No. 2016-26.

IV. CONSENT AGENDA *

1. Approve Minutes of Regular Meeting held February 9, 2016.
2. Approve the Claims.
3. Receive recommendations from Planning Commission and set March 8, 2016 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 Kearney Dawn Rotary to dispense beer and wine at the Museum of Nebraska Art, 2401 Central Avenue on Friday, March 11, 2016 from 4:00 p.m. until 11:00 p.m. for a fund raiser.
5. Adopt Resolution No. 2016-27 approving the Lease Termination and Surrender Agreement with Baldwin Filters, Inc. regarding the leasing of land located at 4980 Airport Road for warehouse and office use.
6. Adopt Resolution No. 2016-28 approving T-Hangar B-1 Lease Agreement between the City of Kearney and Roger Carlson for storage purposes at the Kearney Regional Airport.
7. Adopt Resolution No. 2016-29 on the intent to issue tax exempt bonds for the 2015 Part Improvements consisting of Paving Improvement District No. 2015-972 for 29th Street from 6th Avenue to 8th Avenue and the 2015 Part 5 Improvements consisting of Paving Improvement District No. 2015-981 for Central Avenue from 12th Street to 18th Street.
8. Approve the application for a Special Designated License submitted by Juan Lazo, dba El Tropic 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 Friday, March 25, 2016 from 6:00 p.m. until 1:00 a.m. for a dance.
9. Adopt Resolution No. 2016-30 approving Change Order No. 2 showing an increase in the amount of \$1,181.00, Application and Certificate for Payment No. 6 in the amount of \$34,773.75 submitted by RMV Construction and approved by Miller & Associates for the Household Hazardous Waste Collection Facility.
10. Adopt Resolution No. 2016-31 approving Application and Certificate for Payment No. 8 in the amount of \$103,538.04 submitted by Blessing Construction 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.
11. Adopt Resolution No. 2016-32 approving Change Order No. 1 showing a decrease in the amount of \$52,188.25, Application and Certificate for Payment No. 4-Final in the amount of \$89,848.63 and accept the Certificate of Substantial Completion submitted by Dan Roeder Concrete and approved by Miller & Associates for the 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.

- 12.** Adopt Resolution No. 2016-33 approving Application and Certificate for Payment No. 2 in the amount of \$48,605.11 submitted by Midlands Contracting and approved by Miller & Associates for the 2015 Part 12 Improvements – Bid A consisting of Water District No. 2015-580 and Sanitary Sewer District No. 2015-517 for 9th from 10th Street south to its terminus in a cul-de-sac; Water District No. 2015-581 and Sanitary Sewer District No. 2015-518 for 10th Street from 9th Avenue east to the east lot line of Lot 1 of Block Two, Jean Michel of Chateau Marteau.
- 13.** Adopt Resolution No. 2016-34 approving Application and Certificate for Payment No. 1 in the amount of \$3,505.96 submitted by Blessing Construction and approved by Miller & Associates for the 2015 Part 12 Improvements – Bid B consisting of Paving Improvement District No. 2015-978 for 9th from 10th Street south to its terminus in a cul-de-sac; and Paving Improvement District No. 2015-979 for 10th Street from 9th Avenue east to the east lot line of Lot 1 of Block Two, Jean Michel of Chateau Marteau.
- 14.** Approve the Plans and Specifications for the 2015 Part 15 Improvements consisting of Paving Improvement District No. 2015-975 for Landon Street from Central Avenue east to the east line of Lot 1, Gangwish Addition and set the bid opening date for March 15, 2016 at 2:00 p.m.
- 15.** Adopt Resolution No. 2016-35 approving Change Order No. 2 showing a decrease in the amount of \$2,434.25, Application and Certificate for Payment No. 3-Final in the amount of \$15,338.30, and accept the Certificate of Substantial Completion 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.
- 16.** Adopt Resolution No. 2016-36 approving Use and Operations Agreement for Annex A in T-926 located at the Kearney Regional Airport between the City of Kearney and Rodgers Helicopter Services.
- 17.** Authorize the Mayor to send a letter of no recommendation to the Nebraska Liquor Control Commission on the Class I-116260 liquor license application submitted by Angus Burgers & Shakes LLC, dba Angus Burgers & Shakes to be located at 421 West Talmadge Street, Suite 3.
- 18.** Authorize the Mayor to send a letter of no recommendation to the Nebraska Liquor Control Commission on the application for a Restricted Farm Winery License (Class YK-116242) submitted by McFarland Family Farms LLC, dba Mac's Creek Wine Bar to be located at 421 West Talmadge Street, Suite 1.

19. Approve the recommendation to purchase a new 5-Cubic Yard Truck, Dump Body, Snow Plow, and Snow Plow Hitch for the Public Works Department submitted by Nebraska Truck Center in the amount of \$125,203.00.
 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 Exhibit Building located at the Buffalo County Fairgrounds, 3807 Avenue N on Saturday, March 12, 2016 from 10:00 a.m. until 10:00 p.m., and on Sunday, March 13, 2016 from 11:00 a.m. until 10:00 p.m. for a bike show.
 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 in the Ag Pavilion located at the Buffalo County Fairgrounds, 3807 Avenue N on Saturday, March 12, 2016 from 11:00 a.m. until 12:00 a.m. for a cage fight.
 22. Adopt Resolution No. 2016-37 approving the Developer Constructed Infrastructure Agreement between the City of Kearney and Brent and Peggy Henderson for the construction of paving, water and sanitary sewer improvements for Lots 1, 2 and 3, East 11th Industrial Park, an addition to the City of Kearney, Buffalo County, Nebraska.
 23. Adopt Resolution No. 2016-38 approving the Developer Constructed Infrastructure Agreement between the City of Kearney and Camron Inc. for the construction of paving, water and sanitary sewer improvements for Lots 3, 4, 5, 6, 7 of Block One; Lot 1 of Block Two; Lots 1 and 14 of Block Three; and Lot 1 of Block Four, Fox Creek, an addition to the City of Kearney, Buffalo County, Nebraska.
 24. Adopt Resolution No. 2016-39 approving the Joint City of Kearney-Buffalo County Agreement for the 2016 Aerial Photography and Geographic Information System (GIS).
- * *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 *

VI. REGULAR AGENDA

1. Consider Resolution No. 2016-40 approving the redevelopment project submitted by BK Development for Redevelopment Area #5 for an area described as Lots 3 through 8, inclusive, of Block 1; Lots 11, 12, 23, 24 of Block 2; and Lots 1 through 16, inclusive, of Block 3, all in Fuller and Daley Second Addition, an addition to the City of Kearney, Buffalo County, Nebraska (north of 16th Street and west of 11th Avenue).
2. Open Account Claim to NPPD - \$106,364.57.

VII. REPORTS

VIII. ADJOURN

Mayor Stanley Clouse
4907 Linden Drive Place
627-6730 cell
238-5210 office
mayor@kearneygov.org

Vice-President Randy Buschkoetter
1110 13th Avenue
234-5553 home
440-0358 cell
citycouncil@kearneygov.org

Council Member Bruce Lear
4803 Avenue L Place
234-5354 home
237-2724 office
citycouncil@kearneygov.org

Council Member Bob Lammers
8 Crestview Place
236-5273 home
234-2577 office
citycouncil@kearneygov.org

Council Member Jonathan Nikkila
4 Regency Place
224-4309 cell
citycouncil@kearneygov.org

City Manager Michael Morgan
18 East 22nd Street
233-3214 office
mmorgan@kearneygov.org

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