

KEARNEY CITY COUNCIL

AGENDA

City Council Chambers, 18 East 22nd Street

July 26, 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: Cruise Nite Update and Recognitions.

II. UNFINISHED BUSINESS

III. PUBLIC HEARINGS

1. WITHDRAWN BY APPLICANT. Conduct a public hearing on the Application submitted by Miller & Associates for Grand West, LLC for an amendment to the Land Use Map of the City of Kearney Comprehensive Development Plan from Medium Density Residential and Parks to Mixed Use 1 property described as a tract of land being a part of the East Half of the Northwest Quarter of Section 26, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (south of 55th Street and east of 11th Avenue) and consider Resolution No. 2016-93.
2. WITHDRAWN BY APPLICANT. Conduct a public hearing on the Application submitted by Miller & Associates for Grand West, LLC to rezone from District A, Agricultural District to District R-2/PD, Urban Residential Mixed-Density/Planned Development Overlay District and to District R-3/PD, Urban Residential Multi-Family (Medium Density)/Planned Development Overlay District property described as a tract of land being a part of the East Half of the Northwest Quarter of Section 26, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (south of 55th Street and east of 11th Avenue) and consider Ordinance No. 8079.
3. WITHDRAWN BY APPLICANT. Conduct a public hearing on the Application submitted by Miller & Associates for Grand West, LLC for the Final Plat and Subdivision Agreement for Fountain Hills Ninth Addition, an addition to the City of Kearney, Buffalo County, Nebraska, for property described as a tract of land being a part of the East Half of the Northwest Quarter of Section 26, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (south of 55th Street and east of 11th Avenue) and consider Resolution No. 2016-94.

4. WITHDRAWN BY APPLICANT. Conduct a public hearing on the Application submitted by Miller & Associates for Grand West, LLC for the annexation of Fountain Hills Ninth Addition, an addition to the City of Kearney, Buffalo County, Nebraska, for property described as a tract of land being a part of the East Half of the Northwest Quarter of Section 26, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (south of 55th Street and east of 11th Avenue) and consider Resolution No. 2016-95.
5. WITHDRAWN BY APPLICANT. Conduct a public hearing on the Application submitted by Miller & Associates for Grand West, LLC for Planned District Development Plan Approval for the construction of apartments, multi-family, duplexes and patio homes on property to be zoned District R-2/PD, Urban Residential Mixed-Density/Planned Development Overlay District and to District R-3/PD, Urban Residential Multi-Family (Medium Density)/Planned Development Overlay District and described as a tract of land being a part of the East Half of the Northwest Quarter of Section 26, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (south of 55th Street and east of 11th Avenue) and consider Resolution No. 2016-96.
6. Conduct a public hearing on the proposed adoption of the 2016 Comprehensive Development Plan for the City of Kearney and considered Resolution No. 2016-116.

IV. CONSENT AGENDA *

1. Approve Minutes of Special Meeting held July 7, 2016 and Minutes of Regular Meeting held July 12, 2016.
2. Approve the Claims.
3. Receive recommendations of Planning Commission and set August 9, 2016 at 5:30 p.m. as date and time for hearing on those applications where applicable.
4. Adopt Resolution No. 2016-117 approving Change Order No. 3 for an increase in the amount of \$4,898.00 and Change Order No. 4 for an increase in the amount of \$20,839.00 submitted by Sampson Construction and approved by Clark Enersen Partners for the construction of a new sports complex at Patriot Park.
5. Adopt Resolution No. 2016-118 appointing citizens to serve on the Advisory Board of Park & Recreation Commissioners, Airport Advisory Board, Board of Adjustment, Community Redevelopment Authority, Downtown Improvement Board, Kearney Housing Agency, Library Advisory Board, and Planning Commission.
6. Approve the Street/Sidewalk/Parking Lot Closure, Traffic Control and or Parking Restrictions Permit Application for the Fall Police Auction for the temporary closing of Avenue B from Railroad Street to 21st Street on August 27.
7. 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 inside the Exposition Building located at the Buffalo County Fairgrounds, 3807 Avenue N on Saturday, August 20, 2016 from 5:00 p.m. until 1:00 a.m. for a cage fighting event.

8. 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 inside the Extension Building located at the Buffalo County Fairgrounds, 3807 Avenue N on Saturday, September 3, 2016 from 3:00 p.m. until 1:00 a.m. for a reception.
9. 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 inside the Exhibit Building located at the Buffalo County Fairgrounds, 3807 Avenue N on Saturday, September 3, 2016 from 3:00 p.m. until 1:00 a.m. for a reception.
10. 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 inside the Ag Pavilion located at the Buffalo County Fairgrounds, 3807 Avenue N on Saturday, September 3, 2016 from 3:00 p.m. until 1:00 a.m. for a reception.
11. 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 inside the Ag Pavilion located at the Buffalo County Fairgrounds, 3807 Avenue N on Saturday, September 10, 2016 from 3:00 p.m. until 1:00 a.m. for a reception.
12. 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 inside the Extension Building located at the Buffalo County Fairgrounds, 3807 Avenue N on Saturday, September 17, 2016 from 3:00 p.m. until 1:00 a.m. for a reception.
13. Adopt Resolution No. 2016-119 approving the Developer Constructed Infrastructure Agreement for paving, storm sewer, water and sanitary sewer improvements to serve Lot 2, Sun West Fourth Addition between the City of Kearney and Sun Development Co.
14. Adopt Resolution No. 2016-120 approving the Agricultural Lease between the City of Kearney and Kirk Potter and Jason Potter to lease 40.8 acres of irrigated cropland located on a tract of land located in part of the West Half of the Northeast Quarter of Section 29, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska.
15. Adopt Resolution No. 2016-121 approving Change Order No. 1 for an increase in the amount of \$12,656.00, Application and Certificate for Payment No. 3 in the amount of \$77,048.78 submitted by Dan Roeder Concrete and approved by Miller & Associates for the 2015 Part 11 Improvements – Bid B consisting of Paving Improvement District No. 2015-976 for 17th Avenue from 11th Street south to the south lot line of Lot 3 of Block Three, Park View Estates Eighth Addition; Paving Improvement District No. 2015-977 for 8th Street from 17th Avenue east to 16th Avenue.
16. Adopt Resolution No. 2016-122 approving Application and Certificate for Payment No. 3 in the amount of \$275,709.09 submitted by Blessing, LLC and approved by Miller & Associates for the 2015 Part 5 Improvements consisting of Paving Improvement District No. 2015-981 for Central Avenue from 12th Street to 18th Street.

- 17.** Adopt Resolution No. 2016-123 approving Change Order No. 1 for an increase in the amount of \$1,168.00, Application and Certificate for Payment No. 2-Final in the amount of \$93,276.04, and accept the Certificate of Substantial Completion submitted by Midlands Contracting and approved by Miller & Associates for the 2015 Part 13 Improvements; Tech One Boulevard and Global Drive – Bid A (water and sanitary sewer).
- 18.** Adopt Resolution No. 2016-124 approving Application and Certificate for Payment No. 4 in the amount of \$246,008.03 submitted by Blessing, LLC and approved by Miller & Associates for the 2015 Part 2 consisting of Paving Improvement District No. 2014-967 for 49th Street from the west line of Lot 1, Block Four, Good Samaritan Society Kearney Village Subdivision, thence easterly to the south line of Lot 9, Block Four, Good Samaritan Society Kearney Village Subdivision, thence continuing northerly and easterly in 50th Street to the east line of Outlot B, Good Samaritan Society Kearney Village Subdivision and continuing easterly in 50th Street to a point located 140.38 feet east of the east line of Outlot B, Castle Ridge Fourth Addition.
- 19.** Adopt Resolution No. 2016-125 approving Application and Certificate for Payment No. 1 in the amount of \$181,004.31 submitted by Blessing Construction and approved by Olsson Associates for the 2015 Part 4 Improvements consisting of Paving Improvement District No. 2015-972 for 29th Street from 6th Avenue to 8th Avenue.
- 20.** Adopt Resolution No. 2016-126 approving Application and Certificate for Payment No. 1 in the amount of \$67,952.84 submitted by Blessing LLC and approved by Miller & Associates for the 2015 Part 13 Improvements; Tech One Boulevard and Global Drive – Bid B (paving).
- 21.** Accept the proposals received for the design of splash pad and shelter in northeast Kearney in the Eastbrooke Subdivision and select Outdoor Recreation Products as the Contractor for the splash pad in the amount of \$80,000.00, and select Fry & Associates as the Contractor for the shelter in the amount of \$32,954.00.
- 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 and distilled spirits in the parking lot located west of Cunningham Journal, 15 West 23rd Street on Friday, August 26, 2016 from 3:00 p.m. until 1:00 a.m. and Saturday, August 27, 2016 from 11:00 a.m. until 1:00 a.m. for Kearney BBQ on the Bricks event.
- 23.** Accept the bids received for a used Mobile Hydraulic Hammer to be used in the Public Works Department and award the bid to Logan Contractor Supply in the amount of \$95,000.00.
- 24.** Adopt Resolution No. 2016-127 approving the Developer Constructed Infrastructure Agreement between the City of Kearney and DT Development for paving, storm sewer, water and sanitary sewer improvements to serve Spruce Hollow Estates Sixth Addition.
- 25.** Adopt Resolution No. 2016-128 approving Application and Certificate for Payment No. 2 in the amount of \$199,459.35 submitted by Dan Roeder Concrete and approved by Miller & Associates 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.

- 26. Adopt Resolution No. 2016-129 approving the recommendation submitted by the Fire Chief to include Clint Smith as a member of the Kearney Volunteer Fire Department.

* *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. 8091 selling Avenue L as the same abuts Lots 1, 2, 3 and 4, Henthorn’s Subdivision to the City of Kearney to Ironside Self Storage.

VI. REGULAR AGENDA

- 1. Consider the Agreements for Hangar T-926, Hangar T-927, Hangar T-913, and T-Hangar B-09 between the City of Kearney and Kearney Aviation Center for Fixed Base Operations and storage at the Kearney Regional Airport and adopt Resolution No. 2016-130.
- 2. Open Account Claim to NPPD - \$117,433.12.

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