

# **KEARNEY CITY COUNCIL**

## **AGENDA**

**City Council Chambers, 18 East 22nd Street**

**May 23, 2023**

**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. Conduct a public hearing on the application submitted by Buffalo Surveying Corp. for CFT NV Developments, LLC, to 1) vacate Lot 1, Sorensen Park Second Addition, an addition to the City of Kearney, Buffalo County, Nebraska, with the aforescribed lot being part of the Southeast Quarter of the Northeast Quarter of Section 26, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska and consider Ordinance No. 8634 and 2) the Final Plat for Sorensen Park Fifth Addition, an addition to the City of Kearney, Buffalo County, Nebraska, for property described as a tract of land being part of the Southeast Quarter of the Northeast Quarter of Section 26, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska, with said tract of land being Lot 1, Sorensen Park Second Addition, an addition to the City of Kearney, Buffalo County, Nebraska, with said Lot 1, Sorensen Park Second Addition, now vacated (4910 and 4920 3rd Avenue) and consider Resolution No. 2023-76.
2. Conduct a public hearing on the proposed acquisition for a 10.00-foot Access and Utility Easement granted by Archview L.L.C., a Nebraska Limited Liability Company by and through Steve Mercer, Manager for a tract of land being part of Government Lot 6 and accretions thereto, and part of Government Lot 7, Section 8, Township 8 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska, dedicated for Access and Utility Easement purposes and consider Resolution No. 2023-77.

### **IV. CONSENT AGENDA \***

1. Approve Minutes of Regular Meeting held May 9, 2023.

2. Approve the Claims.
3. Receive recommendations of Planning Commission and set June 13, 2023 at 5:30 p.m. as date and time for hearing on those applications where applicable.
4. Approve Amendment No. 003 of the Standard Form of Agreement for the Community Tennis Facility with RDG Planning & Design in the amount of \$25,578.00 and adopt Resolution No. 2023-78.
5. Adopt Resolution No. 2023-79 approving Application and Certificate for Payment No. 10 – Final in the amount of \$99,700.50 and accept the Certificate of Substantial Completion submitted by RMV Construction, LLC and approved by Wilkins ADP for the Harmon Park Sonatorium Restoration project.
6. Adopt Resolution No. 2023-80 approving the updated Agreement between the City of Kearney and Suburban Fire Protection District No. 1 of Buffalo and Kearney Counties.
7. Approve the recommendation from the Development Services Division on the annual renewal of the following manufactured home court licenses until May 31, 2024: Restrictions Permit Applications as follows:
  - a) Cornhusker Trailer Court, 1115 Avenue C;
  - b) Countryside Mobile Park, 1920 15th Avenue;
  - c) Merriweather Mobile Home Village, 914 West 17th Street;
  - d) Rodeo Court, 2414 West 24th Street;
  - e) R-Villa East, 2500, 2719, 2803 West 24th Street;
  - f) R-Villa West, 2500, 2719, 2803 West 24th Street;
  - g) R-Villa South, 2500, 2719, 2803 West 24th Street; and
  - h) Villa Park, 2703 West 24th Street.
8. Adopt Resolution No. 2023-81 approving the renewal of the Property Maintenance and Lease Agreement between the City of Kearney and Greg Dollman for a 40-acre detention cell located in northeast Kearney.
9. Adopt Resolution No. 2023-82 approving Application and Certificate for Payment No. 9 in the amount of \$1,591,259.17 submitted by John T. Jones Construction Co. and approved by Miller & Associates for the WWTP Phase II Improvements; Water Resource Recovery Facility.
10. Adopt Resolution No. 2023-83 approving Change Order No. 2 showing an increase in the amount of \$12,000.00 and Application and Certificate for Payment No. 11 in the amount of \$138,600.00 submitted by Caldwell Tank and approved by Miller & Associates for the 2.0 MG Elevated Water Tower.
11. Adopt Resolution No. 2023-84 accepting the public improvements constructed under a Developer Constructed Infrastructure Agreement with Danny Starostka, President of Starostka Group Unlimited, a Nebraska Cooperation, for Millennial Estates Third Addition, an addition to the City of Kearney, Buffalo County, Nebraska.

12. Adopt Resolution No. 2023-85 accepting the public improvements constructed under a Developer Constructed Infrastructure Agreement with Danny Starostka, President of Starostka Group Unlimited, Inc., a Nebraska Corporation for Millennial Estates Fourth Addition, an addition to the City of Kearney, Buffalo County, Nebraska.
13. Adopt Resolution No. 2023-86 approving the Developer Constructed Infrastructure Agreement for Meridian West Second, Lots 1 & 2, between the City of Kearney and Dan Schumacher, Owner of Schumacher Fencing, LLC, a Nebraska Limited Liability Company, and Lynne L. Heiden, Managing Member of 21st Century Investment Co., LLC, a Nebraska Limited Liability Company, for the construction of water infrastructure for fire protection to serve Lots 1 and 2, Meridian West Second, an addition to the City of Kearney, Buffalo County, Nebraska.
14. Accept the bids received for 2023 Part 1 Improvements Yanney Drive Water/Sewer/Paving and adopt Resolution No. 2023-87 awarding the bid to Nielsen Contracting, LLC in the amount of \$1,596,870.00.
15. Adopt Resolution No. 2023-88 authorizing the City Manager, Director of Finance, Assistant Director of Finance, and City Clerk to sign checks, drafts or other withdrawal orders issued against the funds of the City on deposit with designated depositories

\* *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. 8635 authorizing the deed of sale for Lot 1, Except the West 366.75 feet thereof, Patriot Second Subdivision, a subdivision to the City of Kearney, Buffalo County, Nebraska (East Tract) to Airport Road Rentals, LLC, a Nebraska Limited Liability Company.

## **VI. REGULAR AGENDA**

1. Introduction of Taylor Jaeger, Assistant Finance Director.
2. Presentation by Nebraska Public Power District regarding the 115kV transmission line project in the Kearney area. (for informational purposes only).
3. Receive Staff's presentation on proposed Public Notification Procedures for Public Hearings and consider Resolution No. 2023-89.
4. Open Account Claim to NPPD - \$100,558.90.

## **VII. REPORTS**

## **VIII. ADJOURN**

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Vice-President Randy Buschkoetter  
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Council Member Bruce Lear  
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Council Member Jonathan Nikkila  
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The Mayor and City Council reserve the right to adjourn into executive session as per Section 84-1410 of the Nebraska Revised Statutes. 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](http://www.cityofkearney.org)