

KEARNEY CITY COUNCIL

AGENDA

City Council Chambers, 18 East 22nd Street

November 14, 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 Communications; Recognition of visitors.
 - Presentation of Awards and Commendations to Kearney Police Department:
 - Life-Saving Award: Officer Hughes, Officer Derek Payton and CSO Seth Vanhorn
 - Certificate of Commendation: Officer Dostal, Officer Schwarz, and Officer Stokey
 - Homelessness and Hunger Awareness Week
 - Recognition of the City of Kearney Water Resource and Recovery Facility who received the 2023 Scott Wilbur Award - Best in Class Medium Size Facility Award

II. UNFINISHED BUSINESS

III. PUBLIC HEARINGS

1. **POSTPONED FROM OCTOBER 10, 2023.** Conduct a public hearing on the application submitted by Trenton Snow, Surveyor for James J. Nickman, Blue Water Investments, LLC, Owner for an amendment to the Land Use Map of the City of Kearney Comprehensive Development Plan from RE - Rural Estates to MU3 - Commercial Mixed Use for property described as a tract of land being part of the Northeast Quarter of the Northeast Quarter of Section 11, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (southwest corner of 2nd Avenue and 98th Street) and consider Resolution No. 2023-146.
2. **POSTPONED FROM OCTOBER 10, 2023.** Conduct a public hearing on the application submitted by Trenton Snow, Surveyor for James J. Nickman, Blue Water Investments, LLC, Owner to rezone from District AG, Agricultural District to District M-1 – Limited Industrial District for property described as a tract of land being part of the Northeast Quarter of the Northeast Quarter of Section 11, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (southwest corner of 2nd Avenue and 98th Street) and consider Ordinance No. 8653.
3. **POSTPONED FROM OCTOBER 10, 2023.** Conduct a public hearing on the application

submitted by Trenton Snow, Surveyor for James J. Nickman, Blue Water Investments, LLC, Owner for the Final Plat and Subdivision Agreement for Stone Creek Second, a subdivision being part of the Northeast Quarter of the Northeast Quarter of Section 11, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (southwest corner of 2nd Avenue and 98th Street) and consider Resolution No. 2023-147.

4. Conduct a public hearing on the application submitted by Andrew W. Hoffmeister, Applicant, for Andrew W. Hoffmeister and Nancy S. Freburg, Owners to vacate Lots 1, 2, 3, 4, 5 and 6, Greenhill Acres Subdivision, a Subdivision being the South One-Half of the Southeast Quarter of the Southeast Quarter of Section 20, Township 9 North, Range 16, West of the 6th P.M., Buffalo County, Nebraska and consider Ordinance No. 8654.
5. Conduct a public hearing on the application submitted by Miller & Associates for Schumacher Fencing, LLC to rezone from District C-3, General Commercial District to District C-3/PD, General Commercial District/ Planned Development Overlay District for property described as Lots 1 and 2 Meridian West, an Addition to the City of Kearney, Buffalo County, Nebraska (3107 West Highway 30) and consider Ordinance No. 8655.
6. Conduct a public hearing on the application submitted by Miller & Associates for Schumacher Fencing, LLC for Planned Development Plan Approval for construction of a commercial fencing business on property to be zoned District C-3/PD, General Commercial District/ Planned Development Overlay District and described as Lots 1 and 2 Meridian West, an Addition to the City of Kearney, Buffalo County, Nebraska (3107 West Highway 30) and consider Resolution No. 2023-159.

IV. CONSENT AGENDA *

1. Approve Minutes of Regular Meeting held October 24, 2023.
2. Approve the Claims.
3. Approve the purchase of a 2024 520 Peterbilt, Paccar PX-9 380 HP with Sidewinder series automated side load in the amount of \$396,604.02 submitted by Elliott Equipment Co. under the Sourcewell Cooperative Purchasing Contract program to be used by the Utilities Department.
4. Adopt Resolution No. 2023-160 approving the Employment Agreement between the City of Kearney and Interim City Manager Brenda Jensen.
5. Adopt Resolution No. 2023-161 certifying the annual appointment of City employee Brandon Shafto (License No. S-1572, Class A), who served as the City Street Superintendent from January 1, 2023 through December 31, 2023, for the purpose of the 2023 calendar year Highway Incentive Payment, to be issued to the City of Kearney by the Nebraska Department of Transportation in February, 2024.
6. Approve the purchase of a 2024 Elgin Eagle Street Sweeper in the amount of \$313,155.27 submitted by MacQueen Equipment under the Sourcewell Cooperative Purchasing Contract program to be used in the Public Works Department.

7. Accept the Proposals received for the Cemetery Northeast Addition Pump Station and award the bid to Hanson Irrigation Inc. dba Mueller Sprinklers in the amount of \$190,291.00.
8. Reject the bids received for the 2024 Yanney Playground Surface Project.
9. Adopt Resolution No. 2023-162 approving the Developer Constructed Infrastructure Agreement for BSB Addition between the City of Kearney and Brad Brandt, Manager, of BSB Investments, LLC, a Nebraska Limited Liability Company, for the public improvements, water main, sanitary sewer main, paving and storm sewer main to serve BSB Addition, an addition to the City of Kearney, Buffalo County, Nebraska.
10. Adopt Resolution No. 2023-163 approving a software upgrade to the records management software (RMS) utilized by the Kearney Police Department and Buffalo County Sheriff's Office.
11. Adopt Resolution No. 2023-164 approving the amendment of the Employment Agreement between the City of Kearney and City Manager Michael Morgan.
12. Approve the purchase of a Kobus Pipe Puller 400 Series Unit in the amount of \$72,620.00 submitted by Kobus Inc. under the City of Kearney sole source procurement policy to be used in the Utilities Department, Water Operations Division.
13. Approve the purchase of a mini excavator with an extended reach boom in the amount of \$88,263.26 submitted by Central Nebraska Bobcat under the Sourcewell Cooperative Purchasing program to be used in the Utilities Department, Water Operations Division.
14. Approve the purchase of a 2024 Chevrolet 3500HD Silverado 1 Ton Crew cab, 4x4, Pick-up in the amount of \$64,057.00 submitted by Sid Dillion Chevrolet Fremont Inc. to be used in the Utilities Department, Water Operations Division.
15. Approve the purchase of a 2024 Chevrolet 2500 HD Silverado ¾ Ton Extended cab, 4x4, Pick-up in the amount of \$52,689.00 submitted by Sid Dillion Chevrolet Fremont Inc. to be used in the Utilities Department, Water Operations Division.
16. Adopt Resolution No. 2023-165 approving the Amended and Restated Development Agreement between the Economic Development Council of Buffalo County, Inc, the City of Kearney, and GC Data Center Kearney, LLC (fka Compute North NE05, LLC).

* *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. Second Reading of Ordinance Nos 8650, 8651 and 8652 pertaining to the applications submitted by John Krotz, Applicant for Johnny L. Krotz, Michelle R. Krotz, Larry Kinkade and Michael Kinkade, Owners. Ordinance No. 8650 vacates a 40 foot wide Ingress-Egress access and Utility Easement located in the Southwest Quarter of the Southwest Quarter of

Section 10 Township 8 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska; Ordinance No. 8651 vacates Lot 1, Buffalo Island Subdivision, a subdivision being part of the Northwest Quarter of the Northwest Quarter of Section 15 and part of the Southwest Quarter of the Southwest Quarter of Section 10, all in Township 8 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska; Ordinance No. 8652 rezones from District AG, Agricultural District and District RR-1, Rural Residential District (Rural Standards) to District RR-1, Rural Residential District (Rural Standards) for property described as a tract of land located in the Northwest Quarter of Section 15 and in the Southwest Quarter of Section 10, being part of Tax Lot 9 in said Section 15 and Tax Lot 7 in Section 10, all in Township 8 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (77 Sweetwater Avenue).

- 2. Open Account Claims to Goodwill - \$116.36, Stanley Clouse - \$601.45, and NPPD - \$128,141.06.

VII. REPORTS

VIII. ADJOURN

Mayor Stanley Clouse
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City Manager Michael Morgan
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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