

# **KEARNEY CITY COUNCIL**

## **AGENDA**

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

**December 12, 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.
  - a) Presentation of Kearney Volunteer Fire Department Service Awards: Dillon M. Davis, Kent A. Hergott, Nathan A. Toof, Quincy T. Bennett, and Chris T. Hellerich for 5 years of service; Jon M. Schroeder for 10 years of service; Max J. Gintzler for 25 years of service; and Bradley S. Anderson for 30 years of service.
  - b) Presentation of Firefighter Certificates of Training for completing the 2023 Firefighter 1 Course: Nate Smith.

### **II. UNFINISHED BUSINESS**

### **III. PUBLIC HEARINGS**

1. Conduct a public hearing on the application submitted by Jeremy Feusner, Nebraska Public Power District, Applicant for Dan Schumacher, Schumacher Fencing, LLC to vacate a 153-foot by 15-foot Utility Easement located in part of Lot 2, Meridian West Second, an addition to the City of Kearney, Buffalo County, Nebraska (3103/3107 West Highway 30) and consider Ordinance No. 8657.
2. Conduct a public hearing on the application submitted by Miller and Associates Consulting Engineers, P.C., Applicant for Fox Creek Development, LLC, a Nebraska Limited Liability Company, Owner to rezone from District AG, Agricultural District to District R-1, Urban Residential Single-Family District (Low Density) for property described as a tract of land being part of Government Lot 2 and part of the Southeast Quarter of the Northwest Quarter of Section 19, Township 9 North, Range 15 West of the 6th P.M. Buffalo County, Nebraska (south of the intersection of East 65th Street and Avenue R) and consider Ordinance No. 8658.
3. Conduct a public hearing on the application submitted by Miller and Associates, Applicant for Fox Creek Development, LLC, a Nebraska Limited Liability Company, Owner for the

Final Plat and Subdivision Agreement for Arbor View Third, an addition to the City of Kearney, Buffalo County, Nebraska, being a part of Government Lot 2 and part of the Southeast Quarter of the Northwest Quarter of Section 19, Township 9 North, Range 15 West of the 6th P.M. Buffalo County, Nebraska (south of the intersection of East 65th Street and Avenue R) and consider Resolution No. 2023-170.

4. Conduct a public hearing on the application submitted by Miller and Associates Consulting Engineers, P.C., Applicant for Fox Creek Development, LLC, a Nebraska Limited Liability Company, Owner for the annexation of Arbor View Third, an addition to the City of Kearney, Buffalo County, Nebraska, being a part of Government Lot 2 and part of the Southeast Quarter of the Northwest Quarter of Section 19, Township 9 North, Range 15 West of the 6th P.M. Buffalo County, Nebraska (south of the intersection of East 65th Street and Avenue R) and consider Resolution No. 2023-171.
5. Conduct a public hearing on the application submitted by Buffalo Surveying Corporation, Applicant for WWS Land, LLC, by William R. Shapley, Owner for the Final Plat and Subdivision Agreement for Prairie View Business Park Third, a subdivision being part of the North Half of the Southeast Quarter of Fractional Section 27, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (west of Imperial Avenue and north of East 45th Street) and consider Resolution No. 2023-172.
6. Conduct a public hearing on the adoption of the Affordable Housing Action Plan for the City of Kearney and consider Resolution No. 2023-173.

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

1. Approve Minutes of Regular Meeting held November 28, 2023.
2. Approve the Claims.
3. Adopt Resolution No. 2023-174 approving the Developer Constructed Infrastructure Agreement for Taylor Villas between the City of Kearney and Ashley Solt, Director of Mesner Development Co., a Nebraska Corporation, and Gene McElhinny and Deb McElhinny, Husband and Wife, for the construction of water main, sanitary sewer main, paving, and storm sewer improvements to serve Taylor Villas, an Addition to the City of Kearney, Buffalo County, Nebraska.
4. Adopt Resolution No. 2023-175 approving the State/City Agreement between the State of Nebraska, Department of Transportation, the City of Kearney, Nebraska, and the Kearney Police Department involving the relocation of existing Automated License Plate Readers within the City to locations on State Highway right of way and infrastructure.
5. Rescind Resolution No. 2023-72 approved at the May 9, 2023 City Council meeting pertaining to a Kearney Regional Airport Lease Agreement between the City of Kearney, Nebraska, a Municipal Corporation, and Vertical Lift Maintenance Solutions, LLC, a Nebraska Limited Liability Company and adopt Resolution No. 2023-176 approving the Kearney Regional Airport Amended Lease Agreement between the City of Kearney, Nebraska, a Municipal Corporation, and Vertical Lift Maintenance Solutions, LLC, a Nebraska Limited Liability Company.

6. Adopt Resolution No. 2023-177 approving Change Order No. 4 showing a decrease in the amount of \$5,399.60 submitted by RMV Construction LLC and approved by Alfred Benesch and Company for AIP/CARES Act Project No. 3-31-0045-036 in connection with the Terminal Building Expansion Project (re-bid) at the Kearney Regional Airport.
7. Approve replacement of Memorial Field turf in the amount of \$307,158.00 submitted by Mid-America Sports Construction under the Sourcewell Cooperative Purchasing Program.
8. Authorize the City of Kearney's participation in the National Purchasing Cooperative Interlocal Participation Agreement between the National Purchasing Cooperative and the City of Kearney and approve the purchase of the S11 Carbon Fiber Net System in the amount of \$91,251.39 from Sports Imports under the National Purchasing Cooperative for the SportsPlex.
9. Rescind the approval to purchase a 2024 Ford Super Duty F-350 SRW XL 4WD Crew Cab, submitted by National Auto Fleet Group under the Sourcewell Cooperative Purchasing Program in the amount of \$54,887.10 that was approved on November 28, 2023 Kearney City Council meeting, and approve the bid submitted by Platte Valley Auto Mart Kearney in the amount of \$54,887.10 to be used in the Utilities Department.
10. Adopt Resolution No. 2023-178 approving the extension of the Services Agreement between the City of Kearney and Flock Group Inc. for Automated License Plate Reader cameras for the City of Kearney and authorize the Chief of Police to execute the Services Agreement on behalf of the City.
11. Adopt Resolution No. 2023-179 accepting the Certificate of Substantial Completion submitted by RMV Construction and approved by Wilkins ADP for the Yanney Heritage Park Pavilion and Parking Lot.
12. Adopt Resolution No. 2023-180 approving the Application and Certificate for Payment – Final in the amount of \$5,000.00 and accept the Corporation Waiver of Construction Lien from Brown Construction submitted by Brown Construction and approved by RDG Planning & Design for the construction of the Community Tennis Facility.
13. Adopt Resolution No. 2023-181 approving Change Order No. 2 showing an increase in the amount of \$9,750.00 submitted by Midlands Contracting, Inc. and approved by Miller & Associates for the Booster Pump Stations, Renovations, and Associated Improvements.

\* *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. Open Account Claim to Grant Buschkoetter - \$15.00.

## VII. REPORTS

## VIII. ADJOURN

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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)