

KEARNEY CITY COUNCIL

AGENDA

City Council Chambers, 18 East 22nd Street

May 28, 2024

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 FROM MAY 14, 2024.** Conduct a public hearing on the application submitted by Jestin Clinch, Clinch Storage, LLC and Oak Creek Engineering for Clinch Storage, LLC (current owner: CRST, LLC, Dawn M. Chavanu, Manager (M.A.)), for the Final Plat and Subdivision Agreement for Clinchs Tech Park Subdivision, an addition to the City of Kearney, Buffalo County Nebraska for property described as being part of Government Lot 7 and accretions located in the Northeast Quarter of Section 13, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (East of 625 East 1st Street, a vacant parcel) and consider Resolution No. 2024-58.

IV. CONSENT AGENDA *

1. Approve Minutes of Regular Meeting held May 14, 2024.
2. Approve the Claims.
3. Receive recommendations of Planning Commission and set June 11, 2024 at 5:30 p.m. as date and time for hearing on those applications where applicable.
4. Rescind Resolution No. 2024-56 approved at the April 23, 2024, City Council meeting that approved a redevelopment project for one twenty-four-unit apartment complex submitted by Younes Development (Peanut Butter & Jelly, LLC) for Redevelopment Area No. 8 located at 1011 West 3rd Street.

5. Adopt Resolution No. 2024-72 approving the Municipality Program Agreement between the State of Nebraska Department of Transportation, and the City of Kearney, a municipal corporation of the State of Nebraska for the construction of a new roundabout on U.S. Highway 30 (US-30) at the US-30/University Drive intersection in the City (2025 Part 2 Improvements - Highway 30 and University Drive Roundabout).
 6. Adopt Resolution No. 2024-73 approving the Application and Certificate for Payment No. 21 in the amount of \$1,040,969.32 submitted by John T. Jones Construction Co. and approved by Miller & Associates for the WWTP Phase II Improvements; Water Resource Recovery Facility.
 7. Adopt Resolution No. 2024-74 approving the Letter Agreement for Professional Services (Master Agreement), Olsson's General Provisions for the Highway 30 and University Drive Intersection Final Design, Kearney, Nebraska project (2025 Part 2 Improvements – Highway 30 and University Drive Roundabout) between the City of Kearney and Olsson, Inc.
 8. Adopt Resolution No. 2024-75 approving the Agency Agreement between the City of Kearney and the Nebraska Department of Transportation, Division of Aeronautics for Project No. 3-31-0045-040-2024 (A01), allowing the Nebraska Department of Transportation, Division of Aeronautics to act as the City's agent for the project.
- * *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. 8675 amending several Sections of Chapter 4 "Fire Regulations" as follows: Section 4-101 "Fire Zones" to amend Section title and clarify fire districts; Section 4-301 "International Fire Code; Adoption" to amend Section title, and adopt NFPA Fire Code, 2012 Edition with Nebraska Amendments 2019, and NFPA 101, Life Safety Code 2012 Edition with Nebraska Amendments; to specifically repeal Section 4-301.2 "International Fire Code; Amendments"; Section 4-401, "Removal of Fire Damaged, Combustible Buildings; Required" to include basis of determination of damage.
2. Approve Ordinance No. 8676 amending several Sections of Article 7 "Electricity" of Chapter 9 "Public Works" of the City Code as follows: Section 9-706 "Electrical Inspector; Duties Generally" to amend direction and supervision of Electrical Inspector; Section 9-707 "Electrical Inspector; Right of Entry" to amend language; Section 9-708 "Electrical Inspector; Inspections Generally" to amend language; Section 9-711 "Electrical Inspector; Correction of Dangerous Installations" to amend language and requirements for inspection requests; Section 9-712 "Electrical Inspector; Work Stoppage" to add Building Official designee for work stoppage order; Section 9-715 "Electricians, Fire Alarm Installers; Registration Required" to amend language; Section 9-716 "Electricians, Fire Alarm Installers; Application for Registration" to amend registration requirements; Section 9-717 "Electricians, Fire Alarm Installers; Installations by Unregistered Electricians or Fire Alarm Installers" to amend permit requirements; Section 9-723 "Electricians, Fire Alarm Installers; License Renewal for City Licenses Only" to amend language; Section 9-726 "Electricians, Fire Alarm Installers; Permitting Others to Use License Prohibited" to amend language; to specifically repeal Section 9-727 "Electricians, Fire Alarm Installers; Qualifications for Nonresident Contractors"; Section 9-728 "Electricians, Fire Alarm Installers; Owner's Maintenance

Permit Conditions; Fee” to amend language and license submittal requirements; Section 9-729 “Electricians, Fire Alarm Installers; Inspections” to amend duties and inspection request requirements; Section 9-734 “Electrical Code; Adopted” to amend Electrical Code Edition; To add Section 9-734.1 “Electrical Code; Amendments”; to specifically repeal Section 9-736.1 “Service Masts as Supports”.

3. Approve Ordinance No. 8677 amending several Divisions and Sections of Article 10 “Plumbing Code” of Chapter 9 “Public Works” of the City Code as follows: Section 9-1017 “Amendments to Uniform Plumbing Code, 2021 Edition” to add note to Table 422.1 “Minimum Plumbing Facilities” of the Uniform Plumbing Code, and to amend exception of Section 603.4.2 “Testing” of the Uniform Plumbing Code and to amend “Exceptions” section number of the Uniform Plumbing Code; Section 9-1018 “Septic Systems and Leach Fields” to amend Appendix H Uniform Plumbing Code Edition Year, and update name of Department of Environment and Energy and amend occupancy issuance requirement; Section 9-1020 “Oil Interceptors for Service Facilities and Manufacturing Processes” to amend language for clarification purposes, and amend Table, and delete Table note; Section 9-1030 “Permits and Permit Requirements” to amend permit requirements; Section 9-1031 “Owner to Allow Only Licensed Plumber to do Work” to add language for clarification purposes; Section 9-1032 “Minor Installations by Owner” to amend language for clarification purposes; Section 9-1035 “Plumbing Permit Fees” to amend language for clarification purposes; Section 9-1040 “Registration and Licensing of Plumbers” to amend language; Section 9-1041 “Classifications of Licenses” to amend language for clarification purposes; Section 9-1043 “License Fees” to amend examination fee payment requirements; Section 9-1044 “Application for Registration” to amend registration requirements; Section 9-1048 “Examination and Licensing Requirements” to amend language for clarification purposes; Section 9-1049 “Issuance of License” to amend licensing and testing requirements; Section 9-1051 “Renewal of Licenses” to amend language for clarification purposes; Section 9-1052 “Revocation of License” to amend license revocation or suspension process; Section 9-1053 “Permitting Others to Use License” to amend language; Section 9-1055 “Licenses; Reciprocity” to amend testing exemption requirements and amend language for clarification purposes.

VI. REGULAR AGENDA

1. Approve Ordinance No. 8678 authorizing the issuance of Combined Utilities Revenue Bonds, Series 2024, of the City of Kearney, Nebraska, in the aggregate principal amount of five million two hundred fifty-thousand dollars (\$5,250,000) for the purpose of paying the cost of maintaining, extending, enlarging and improving the waterworks plant and water system and the sewage disposal plant and sanitary sewer system of the city; directing the application of the proceeds of said bonds; prescribing the form, terms and details of said bonds; pledging and hypothecating the revenue and earnings of the waterworks plant and water system, sewage disposal plant and sanitary sewer system and electric distribution system of said city for the payment of said bonds and interest thereon; authorizing officers of the city to make arrangements for the sale of the bonds and to designate the final terms, rates and maturity schedule for said bonds within stated parameters; providing for the collection, segregation and application of the revenues of said waterworks plant and water system, sewage disposal plant and sanitary sewer system and electric distribution system.
2. Consider Resolution No. 2024-76 approving the redevelopment project submitted by Rutt’s Heating and AC Inc., for Redevelopment Area No. 12 for an area described as Lots 2 and

13, and that part of a vacated 30.00-foot alley abutting Lots 2 and 13, and tract of land being part of Lots 3 and 12, all in Block 1, Patriot Industrial Park, an addition to the City of Kearney, Buffalo County, Nebraska (4215 Patriot Blvd).

3. Consider Resolution No. 2024-77 approving the redevelopment project (revised) submitted by Younes Development (Peanut Butter & Jelly, LLC) for Redevelopment Area No. 8 for an area described as Lot 6, Block 1, Younes Center Tenth Addition, an addition to the City of Kearney, Buffalo County, Nebraska (1011 West 3rd Street).
4. Consider Resolution No. 2024-78 approving the redevelopment project submitted by Younes Development (Talmadge Jam, LLC), for Redevelopment Area No. 8 for an area described as Lots 1, 5, and 6, Block 2, Younes Center Seventh Addition, an addition to the City of Kearney, Buffalo County, Nebraska (101 11th Avenue).
5. Open Account Claim to NPPD - \$102,808.27.

VII. REPORTS

VIII. ADJOURN

Mayor Stanley Clouse
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City Manager Brenda Jensen
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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