

# **KEARNEY CITY COUNCIL**

## **AGENDA**

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

**November 12, 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. Conduct a public hearing on the application submitted by Meredith Collins for Community Action Partnership of Mid-Nebraska (Applicant and Owner) to rezone from District R-3, Urban Residential Multi-Family District (Medium Density) to District C-O, Office District for property described as the South 286.77 feet of Lot 6, Pennock's Subdivision, together with the vacated east 10-feet of Avenue F abutting the south 286.77 feet of Lot 6, Pennock's Subdivision, together with 30-feet of the north half of vacated 10th Street, together with the west half of vacated Avenue G all abutting Lot 6, Pennock's Subdivision all in Buffalo County, Nebraska (vacant lot south of 1023 Avenue F) and consider Ordinance No. 8701.

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

1. Approve Minutes of Regular Meeting held October 22, 2024.
2. Approve the Claims.
3. Adopt Resolution No. 2024-154 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, 2024 through December 31, 2024, for the purpose of the 2024 calendar year Highway Incentive Payment, to be issued to the City of Kearney by the Nebraska Department of Transportation in February, 2025.
4. Adopt Resolution No. 2024-155 approving the adoption of the Disadvantaged Business Enterprise (DBE) Program for FY25-26-27 and designating Airport Manager Jim Lynaugh

as the Liaison Officer for the implementation and monitoring of the DBE Program at the Kearney Regional Airport.

5. Adopt Resolution No. 2024-156 approving the Lease Agreement between the City of Kearney and Kearney Raceway Park for property located at the Kearney Regional Airport.
6. Approve Resolution No. 2024-157 authorizing the City Manager or their designee to execute Sponsorship Agreements for the Kearney SportsPlex.
7. Approve the purchase of a 2024 John Deere 3139R Tractor, backhoe, grooming mower, and snow blower in the amount of \$78,335.67 submitted by Landmark Implement under the Sourcewell Cooperative Purchasing Contract Program to be used in the Parks Department.
8. Approve the purchase of a Envirosight Sewer Rover camera equipment mounted on a 2024 Ford F-550 Chassis in the amount of \$495,339.88 submitted by Macqueen Equipment under the Sourcewell Cooperative Purchasing Contract Program to be used in the Utilities Department.
9. Adopt Resolution No. 2024-158 approving the recommendation submitted by the Fire Chief to include the following as a member of the Kearney Volunteer Fire Department: Caleb M. Miller.
10. Authorize the Mayor to send a letter of no recommendation to the Nebraska Liquor Control Commission on the manager application for Melissa Fox submitted by Kearney Country Club located at 2800 19th Avenue, in connection with their Class C-009051 liquor license.
11. Authorize the Mayor to send a letter of no recommendation to the Nebraska Liquor Control Commission on the Class AB liquor license application and manager application for Michole Yaw submitted by UN:Inebriated, LLC dba UN:Inebriated, located at 2102 Central Avenue.
12. Adopt Resolution No. 2024-159 accepting the public improvements constructed under a Developer Constructed Infrastructure Agreement for Butler Addition, Phase 2 (Chase Avenue extension) for paving and storm sewer infrastructure to serve 66.00 Foot Permanent Right of Way & Utility Easement as Recorded on Inst. 2021-06406 in the Buffalo County Register of Deeds Office.
13. Adopt Resolution No. 2024-160 approving Change Order No. 1 showing a decrease in the amount of \$30,363.25, Application and Certificate for Payment No. 1-Final in the amount of \$422,745.00 and accept the Certificate of Substantial Completion submitted by J.I.L. Asphalt Paving Company and approved by Miller & Associates, for Cottonmill Park Paving 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 \***

1. Approve Ordinance No. 8702 amending title and several Sections of Article 14 "Amusements"; several Sections of Article 18 "Occupation, Business and Other Taxes"; a

Section in Article 29 “Itinerant Merchants, Peddlers, and Solicitors”; and amend title and add Sections and Subsections of Article 31 all in Chapter 3 “Business Regulations” of the City Code as follows: Article 14 “Amusements” to amend Article title; Section 3-1401 “Definitions” to amend language and add Subsections; Section 3-1402 “Exhibitions and Carnivals” to amend Section title, update language and add Subsection; Section 3-1403 “Condition of Permit” to amend language and add Subsection; Section 3-1404 “Insurance” to amend language and update insurance requirements; Section 3-1405 “Permit Fee” to clarify language; Section 3-1407 “Security” to amend language and add Subsection; to specifically repeal Section 3-1408 “Streets Carnivals and Circuses Prohibited: Exception”; Section 3-1409 “Penalty” to amend language; Section 3-1822 “Schedule: Circuses” amend Section title and add language; Section 3-1823 “Schedule; Concessions” to amend language; Section 3-1824; “Exhibitions” to repeal in its entirety; Section 3-2902; “Definitions” to amend language; Article 31. “Food Trucks” to amend Article title; to add Section 3-3106 “Purpose”; to add Section 3-3107 “Definitions”; to add Section 3-3108 “Permit Required”; to add Section 3-3109 “Exemptions”; to add Section 3-3110 “Application”; to add Section 3-3111 “Issuance”; to add 3-3112 “Permit Fee”; to add Section 3-3113 “Permit Renewal”; to add Section 3-3114 “General Operational Standards”; to add Section 3-3115 “Downtown District”; to add Section 3-3116 “Permit Fee; Downtown District; to add Section 3-3117 - “Suspension or Revocation”; to add Section 3-3118 - “Right to Appeal”; and to add Section 3-3119 - “Violations of Article; Penalty”.

## VI. REGULAR AGENDA

## 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)