

# **KEARNEY CITY COUNCIL**

## **AGENDA**

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

**May 28, 2013**

**7:00 p.m.**

### **I ROUTINE BUSINESS**

1. Invocation/Moment of Silent Prayer.
2. Pledge of Allegiance.
3. Announcement on Open Meetings Act.
4. Roll call.
5. Oral Communication – Recognition of visitors.

### **II UNFINISHED BUSINESS**

None.

### **III PUBLIC HEARINGS**

None.

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

1. Approve Minutes of Regular Meeting held May 14, 2013.
2. Approve the Claims.
3. Receive recommendations of Planning Commission and set June 11, 2013 at 7:00 p.m. as date and time for hearing on those applications where applicable.
4. Adopt **Resolution No. 2013-82** approving Supplemental Agreement No. 1 to the Federal-Aid Transportation Fund Purchase-Sale Agreement between the City of Kearney and the Nebraska Department of Roads.
5. Adopt **Resolution No. 2013-83** approving the Developer Constructed Infrastructure Agreement for Fountain Hills Third Addition to construct water and sanitary sewer in the Access and Utility Easements on the property and paving improvements in 10th Avenue north of 48th Street.
6. Adopt **Resolution No. 2013-84** approving the Developer Constructed Infrastructure Agreement for Fountain Hills Sixth Addition to construct water, sanitary sewer, and concrete pavement and storm sewer in 15th Avenue to serve the subdivision.

7. Approve the application for a Special Designated License submitted by Alley Rose Inc. of Kearney, NE, dba Alley Rose in connection with their Class IK-21763 catering liquor license to dispense beer, wine and distilled spirits inside the KRave Underground located in the Kaufmann Center, 2202 Central Avenue on June 22, 2013 from 5:00 p.m. until 1:00 a.m. for a reception.
8. Adopt **Resolution No. 2013-85** approving T-Hangar A-3 Lease Agreement between the City of Kearney and Roger Carlson for storage purposes at the Kearney Regional Airport.
9. Adopt **Resolution No. 2013-86** approving the Non-Owned Corporate Hangar T-925 Lease between the City of Kearney and Mark Pullman.
10. Adopt **Resolution No. 2013-87** approving the Peterson Senior Activity Center Annual Nutrition Service Contract between the City of Kearney and Community Action Partnership of Mid-Nebraska.
11. Adopt **Resolution No. 2013-88** approving the Developer Constructed Infrastructure Agreement for Lot 1, Fountain Hills Sixth Addition to construct a water main for fire suppression purposes.
12. Adopt **Resolution No. 2013-89** approving Application and Certificate for Payment No. 1 in the amount of \$110,184.75 submitted by Blessing, LLC and approved by Miller & Associates for the 2012 Part 6 Improvements; Phase 2 consisting of Paving Improvement District No. 2012-956 for 56th Street from 2nd Avenue west to 6th Avenue.
13. Adopt **Resolution No. 2013-90** approving Change Order No. 2 showing a decrease in the amount of \$464.50, Application and Certificate for Payment No. 3-Final in the amount of \$13,488.42, and accept the Certificate of Substantial Completion submitted by Midlands Contracting and approved by Miller & Associates for the 2012 Part 6 Improvements – Bid A consisting of Water District No. 2012-565 for 52nd Street from 3rd Avenue and terminating 761 feet west, Water District No. 2012-566 in a Road and Utility Easement in Lot 4, Oak Park Center lying between 2nd Avenue and 3rd Avenue; Water District No. 2012-567 in a 66-foot Road and Utility Easement from the south line of the intersection of 56th Street and 4th Avenue and terminating at a point 325 feet southeasterly; Sanitary Sewer District No. 2012-505A in a Roadway and Utility Easement beginning at a point 136 feet west of 2nd Avenue on the south line of 56th Street and southerly terminating at the south line of Lot 4, Oak Park Center, and Sanitary Sewer District No. 2012-506 in a Roadway and Utility Easement beginning at the south line of the intersection of 56th Street and 4th Avenue and terminating at a point 325 feet southeasterly.
14. Adopt **Resolution No. 2013-91** approving Application and Certificate for Payment No. 2 in the amount of \$81,844.94 submitted by Blessing, LLC and approved by Miller & Associates for the 2012 Part 6 Improvements – Bid B consisting of Paving Improvement District No. 2012-954 for 52nd Street from 3rd Avenue and terminating 761 feet west; Paving Improvement District No. 2012-955A for 3rd Avenue, a Road and Utility Easement, from the north line of 52nd Street to the north line of Oak Park Center and east in a Roadway and Utility Easement to the west line of 2nd Avenue; Paving Improvement District No. 2012-956 for 56th Street from 2nd Avenue west to 6th Avenue.

15. Adopt **Resolution No. 2013-92** approving the Fixed Base Operator Use and Operations Agreement for Hangar T-927 at the Kearney Regional Airport between the City of Kearney and Premier Aviation Training and Management, LLC, dba Kearney Aviation Center.
  16. Adopt **Resolution No. 2013-93** approving the Use and Operations Agreement for Hangar T-913 at the Kearney Regional Airport between the City of Kearney and Premier Aviation Training and Management, LLC, dba Kearney Aviation Center.
  17. Adopt **Resolution No. 2013-94** approving the Fixed Base Operator Use and Operations Agreement for Hangar T-926 at the Kearney Regional Airport between the City of Kearney and Otis Air Service.
  18. Adopt **Resolution No. 2013-95** approving the Use and Operations Agreement for Hangar T-385 at the Kearney Regional Airport between the City of Kearney and Otis Air Service.
  19. Adopt **Resolution No. 2013-96** approving the standard Professional Service Consultant Agreement for CDBG Funds projects.
  20. Adopt **Resolution No. 2013-97** approving the Professional Service Consultant Agreement for Community Revitalization – Sidewalks/Ramps project between the City of Kearney and Miller & Associates.
  21. Approve the recommendation from the Development Services Division on the annual renewal of the following manufactured home court licenses until May 31, 2014:  
**Rodeo Court**, 2414 West 24th Street  
**R-Villa East, West and South**, 2500, 2719, 2803 West 24th Street  
**Villa Park**, 2703 West 24th Street
  22. Approve the Intent to Apply for Community Development Block Grant – Economic Development funds on behalf of Midland Molding.
- \* *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. 7808** selling a tract of land being part of Government Lot 2 and part of Government Lot 3 located in the Southwest Quarter of the Southeast Quarter of Section 28, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska to Ace Irrigation and Manufacturing Company.

## VI REGULAR AGENDA

1. Consider **Ordinance No. 7809** authorizing the issuance of Public Safety Equipment Tax Anticipation Bonds of the City of Kearney, Nebraska in the principal amount of \$2,870,000 for the purpose of paying and redeeming \$1,175,000 of the City's outstanding Public Safety Equipment Tax Anticipation Bonds, Series 2008, date of original issue – January 15, 2008; and for the purpose of constructing public safety improvements consisting of improvements to the law enforcement center, constructing a third bay at the

airport fire station, purchasing fire equipment to include an aerial truck and miscellaneous costs associated therewith; directing the application of the proceeds of said bonds; prescribing the form of said bonds; providing for the levy and collection of taxes to pay the same; providing for the sale of the bonds; authorizing the delivery of the bonds to the purchaser.

2. Consider **Resolution No. 2013-98** calling for the redemption of the Public Safety Equipment Tax Anticipation Bonds, Series 2008 that mature May 15, 2022.
3. Consider **Ordinance No. 7810** authorizing the issuance and sale of Bond Anticipation Notes of the City of Kearney, Nebraska in the principal amount of \$1,075,000 for the purpose of providing interim financing for the costs of constructing street improvements in Paving Improvement District Nos. 2012-954 and 2012-956 of said City pending the issuance of permanent General Obligation Various Purpose Bonds of the City; prescribing the form of said Notes; agreeing to issue the City's General Obligation Various Purpose Bonds to pay the Notes at maturity or to pay the Notes from other available funds; and entering into a contract on behalf of the City with the holders of said Notes.
4. Consider the manager application for Doug Nygren submitted by Kmart Corporation, dba Big Kmart #3814 in connection with their Class D-43433 liquor license located at 4700 2nd Avenue.
5. Consider **Resolution No. 2013-99** approving the recommendation from the Library Advisory Board on naming the following rooms at the Kearney Public Library: Dr. B.M. & Beverly Stevenson Fiction Room, David and Lorma Wiebe Local History Room, Marilyn and Galen Hadley Computer Lab, Eaton Charitable Fund Computer Classroom, and Peter Kiewit Foundation Children's Room.
6. Open Account Claims: **NPPD - \$82,701.84.**

## VII REPORTS

Report from City Manager on NPPD

## VIII ADJOURN

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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)