

KEARNEY CITY COUNCIL

AGENDA

City Council Chambers, 18 East 22nd Street

September 27, 2016

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. REMAIN ON TABLE UNTIL OCTOBER 11, 2016. Conduct a public hearing on the Applications submitted by Miller & Associates for MFP Mid-America Shopping Centers, LLC for (1) the vacation of Lot 1, Hilltop Mall Subdivision and consider Ordinance No. 8095; and (2) the Final Plat for Hilltop Mall Second, an addition to the City of Kearney for a tract of land being Lot 1 (to be vacated), Hilltop Mall Subdivision, a subdivision to the City of Kearney in the Southwest Quarter of the Northwest Quarter of Section 25, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (4915 2nd Avenue) and consider Resolution No. 2016-146.
2. REMAIN ON TABLE UNTIL OCTOBER 11, 2016. Conduct a public hearing on the Application submitted by Miller & Associates for MFP Mid-America Shopping Centers, LLC for Planned District Development Plan Approval for the construction of a commercial building on property zoned District C-2/PD, Community Commercial/Planned Development Overlay District and described as a tract of land being proposed Lot 3, Hilltop Mall Second, an addition to the City of Kearney, Buffalo County, Nebraska (northeast of 2nd Avenue and 48th Street, west of Herbergers) and consider Resolution No. 2016-147.
3. Conduct a public hearing for the Council to meet as the Board of Equalization for the purpose of equalizing and levying special assessments on the lots and parcels of land in connection with Paving Improvement District No. 2015-975 and consider Resolution No. 2016-158.

IV. CONSENT AGENDA *

- 1.** Approve Minutes of Regular Meeting held September 13, 2016.
- 2.** Approve the Claims.
- 3.** Receive recommendations of Planning Commission and set October 11, 2016 at 5:30 p.m. as date and time for hearing on those applications where applicable.
- 4.** Authorize the Mayor to send a letter of no recommendation to the Nebraska Liquor Control Commission on the manager application for Christine Johnson submitted by Silent City, Inc., dba 56th Street Sinclair Plaza located at 5605 2nd Avenue in connection with their Class B-043121 liquor license.
- 5.** Authorize the Mayor to send a letter of no recommendation to the Nebraska Liquor Control Commission on the catering application submitted by Kearney Lodging LLC, dba Ramada Kearney/Al Fresco located at 301 2nd Avenue in connection with their Class C-096499 liquor license.
- 6.** Adopt Resolution No. 2016-159 approving the Agreement and Permit for Aeronautical Services at the Kearney Regional Airport between the City of Kearney and Buffalo Air Service.
- 7.** Adopt Resolution No. 2016-160 approving the Training Center Lease Agreement located at the Kearney Regional Airport between the City of Kearney and the Kearney Volunteer Fire Department.
- 8.** Adopt Resolution No. 2016-161 approving the Use and Operations Agreement for Annex B in Hangar T-926 located at the Kearney Regional Airport between the City of Kearney and Li'l Red Aero, Inc.
- 9.** Adopt Resolution No. 2016-162 approving the Use and Operations Agreement for Annex A in Hangar T-926 located at the Kearney Regional Airport between the City of Kearney and Rodgers Helicopter Services.
- 10.** Adopt Resolution No. 2016-163 approving the Non-Owned Corporate Hangar Lease Agreement for Hangar T-929 located at the Kearney Regional Airport between the City of Kearney and Home Safety Systems, Inc.
- 11.** Adopt Resolution No. 2016-164 approving the Trail Agreement between the City of Kearney and the Nebraska Department of Roads pertaining to a hike/bike trail to be located on the State's right-of-way of which a portion under crosses the bridge north of the East Kearney Bypass on Nebraska Highway 10 (N-10).
- 12.** Adopt Resolution No. 2016-165 approving Application and Certificate for Payment No. 5 in the amount of \$776,332.91 submitted by Blessing, LLC and approved by Miller & Associates for the 2015 Part 5 Improvements consisting of Paving Improvement District No. 2015-981 for Central Avenue from 12th Street to 18th Street.

- 13.** Approve the Street/Sidewalk/Parking Lot Closure, Traffic Control and or Parking Restrictions Permit Application for the following events:
 - (a) Zombies Attack: A Run for Your Life for the temporary closing of the north lane of East 1st Street from the private road west of the Nebraska Firefighters Museum to the private road east of The Archway on October 29.
 - (b) YMCA Turkey Trot for the temporary closing of portions of 4th Avenue, 6th Avenue, 10th Avenue, 11th Avenue, 39th Street, 42nd Street, 46th Street, 48th Street, and Country Club Lane on November 24.
- 14.** Adopt Resolution No. 2016-166 approving Application and Certificate for Payment No. 2 in the amount of \$41,866.38 submitted by IES Commercial Inc. and approved by Olsson Associates for the 2016 Part 1 Improvements; Traffic Signal at 30th Avenue and 39th Street.
- 15.** Adopt Resolution No. 2016-167 approving Change Order No. 2 for a decrease in the amount of \$31,677.75, Application and Certificate for Payment No. 3-Final in the amount of \$188,919.85 and accept the Certificate of Substantial Completion submitted by Blessing, LLC and approved by Olsson Associates for the 2015 Part 4 Improvements consisting of Paving Improvement District No. 2015-972 for 29th Street from 6th Avenue to 8th Avenue.
- 16.** Accept the bids received for the construction of the Archway Trail; Phase III from Sweetwater Avenue to Fort Kearny Trailhead and adopt Resolution No. 2016-168 awarding the bid to Prairie Land Construction in the amount of \$289,923.78.
- 17.** Approve the application for a Special Designated License submitted by Night Life Concepts, Inc., dba Cunningham's Journal in connection with their Class CK-059311 catering liquor license to dispense beer, wine and distilled spirits inside the Exchange Bank located at 3110 2nd Avenue, on Thursday, October 27, 2016 from 3:00 p.m. until 10:00 p.m. for a Chamber event.
- 18.** Approve the application for a Special Designated License submitted by Night Life Concepts, Inc., dba Cunningham's Journal in connection with their Class CK-059311 catering liquor license to dispense beer, wine and distilled spirits inside the Exhibit Building located at the Buffalo County Fairgrounds, 3807 Avenue N, on Saturday, November 5, 2016 from 3:00 p.m. until 1:00 a.m. for a reception.
- 19.** Approve the application for a Special Designated License submitted by Night Life Concepts, Inc., dba Cunningham's Journal in connection with their Class CK-059311 catering liquor license to dispense beer, wine and distilled spirits inside the Exposition Building located at the Buffalo County Fairgrounds, 3807 Avenue N, on Saturday, November 5, 2016 from 3:00 p.m. until 1:00 a.m. for a birthday party.
- 20.** Approve the application for a Special Designated License submitted by Night Life Concepts, Inc., dba Cunningham's Journal in connection with their Class CK-059311 catering liquor license to dispense beer, wine and distilled spirits inside the Ag Pavilion located at the Buffalo County Fairgrounds, 3807 Avenue N, on Saturday, November 26, 2016 from 3:00 p.m. until 1:00 a.m. for a reception.

21. Approve the application for a Special Designated License submitted by Night Life Concepts, Inc., dba Cunningham's Journal in connection with their Class CK-059311 catering liquor license to dispense beer, wine and distilled spirits inside the Ag Pavilion located at the Buffalo County Fairgrounds, 3807 Avenue N, on Saturday, December 3, 2016 from 3:00 p.m. until 1:00 a.m. for a reception.
22. Approve the application for a Special Designated License submitted by Night Life Concepts, Inc., dba Cunningham's Journal in connection with their Class CK-059311 catering liquor license to dispense beer, wine and distilled spirits inside the Exposition Building located at the Buffalo County Fairgrounds, 3807 Avenue N, on Friday, December 16, 2016 and Saturday, December 17, 2016 from 3:00 p.m. until 1:00 a.m. each day for a reception.
23. Approve the application for a Special Designated License submitted by Night Life Concepts, Inc., dba Cunningham's Journal in connection with their Class CK-059311 catering liquor license to dispense beer, wine and distilled spirits inside the Ag Pavilion located at the Buffalo County Fairgrounds, 3807 Avenue N, on Friday, December 16, 2016 and Saturday, December 17, 2016 from 3:00 p.m. until 1:00 a.m. each day for a reception.
24. Adopt Resolution No. 2016-169 approving T-Hangar C-07 Lease Agreement between the City of Kearney and Mike Skyler for aircraft storage at the Kearney Regional Airport.
25. Adopt Resolution No. 2016-170 approving T-Hangar B-02 Lease Agreement between the City of Kearney and Ray Family Enterprises, LLC for aircraft storage at the Kearney Regional Airport.
26. Adopt Resolution No. 2016-171 approving the Hangar T-385 Lease Agreement between the City of Kearney and Justin Dix for aircraft storage at the Kearney Regional Airport.
27. Adopt Resolution No. 2016-172 approving the Agreement for Acquisition of Sidewalk Easement between the City of Kearney and the Kearney Regional Medical Center for the acquisition of a sidewalk easement on their property as it runs along 11th Street from Yanney Avenue to 24th Avenue.

* *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. Consider Resolution No. 2016-173 authorizing the Mayor to enter into the Administrative Order for Compliance on Consent with EPA with regard to the City of Kearney storm water system management.
2. Open Account Claim to NPPD - \$115,393.13.

VII. REPORTS

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