

# **KEARNEY CITY COUNCIL**

## **AGENDA**

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

**February 14, 2017**

**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 Danielle Frank for Smiling Faces Academy, Inc. and CHI Health Good Samaritan Hospital for a Conditional Use Permit to operate a day care on property zoned District C-O, Office District and described as Lot 25, Northwest Quarter School Section Addition, an addition to the City of Kearney, Buffalo County, Nebraska (3307 Avenue A) and to consider Ordinance No. 8126.

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

1. Approve Minutes of Regular Meeting held January 24, 2017.
2. Approve the Claims.
3. Adopt Resolution No. 2017-14 designating Airport Manager Jim Lynaugh as the Liaison Officer for the implementation and monitoring of the Disadvantaged Business Enterprise (DBE) Program at the Kearney Regional Airport.
4. Approve the application submitted by Rick Shoemaker, owner of Huss Livestock Market, to extend the permit to locate a manufactured home for security purposes located at 1202 West 19th Street for a period of one year.
5. Approve the application submitted by Rick Shoemaker, owner of Huss Livestock Market, to extend Conditional Use Permit No. 2006-03 to stockpile snow and manure at 1202 West 19th Street for a period of one year.
6. Authorize the Mayor to send a letter of no recommendation to the Nebraska Liquor Control

Commission on the Application for Reconstruction submitted by Becker Enterprises Inc., dba Bills Liquor West in connection with their Class D-082255 liquor license located at 1212-1214 West 24th Street.

7. Approve the Street/Sidewalk/Parking Lot Closure, Traffic Control and or Parking Restrictions Permit Application to conduct the Shamrock Shuffle to temporarily close portions of 6th Avenue, West 46th Street, 10th Street, West 45th Street, 11th Avenue, 17th Avenue, 19th Avenue, West 50th Street, West 48th Street, 4th Avenue, West 42nd Street, 7th Avenue, and Country Club Lane on March 18.
8. Approve the Street/Sidewalk/Parking Lot Closure, Traffic Control and or Parking Restrictions Permit Application to conduct the Senior Games Cycling to temporarily close portions of East 1st Street from the Archway to Avenue M, north on Avenue M to 11th Street, east on 11th Street to Kearney East Expressway, south on Kearney East Expressway to East 1st Street to the Archway on August 5 and 6 and adopt Resolution No. 2017-15 making application to the Nebraska Department of Roads for a Permit to use the west southbound lane of Kearney East Expressway.
9. Adopt Resolution No. 2017-16 accepting the public improvements constructed under a Developer Constructed Infrastructure Agreement for Fuller and Daley Second Addition.
10. Accept the bids received for the purchase of two new pad mount generators that will be placed at the Eaton's Lift Station and the East Highway 30/Cherry Avenue/South Avenue M Lift Station for the Utilities Department and award the bid to Cummins Sales and Service in the amount of \$27,500.00.
11. Accept the bids received for the purchase of a compact track loader used in the Utilities Department and award the bid to Central Nebraska Bobcat in the amount of \$49,110.81.
12. Adopt Resolution No. 2017-17 approving the Interlocal Cooperation Agreement for Digital Geographic Data Sharing between the Kearney Public School District and the City of Kearney to share and exchange data, applications, or other non-sensitive digital spatial information.
13. Adopt Resolution No. 2017-18 approving the Agricultural Lease between the City of Kearney and Kirk and Jason Potter to lease 40.8 acres of irrigated cropland located on a tract of land located in part of the West Half of the Northeast Quarter of Section 29, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska.
14. Approve the application for a Special Designated License submitted by Juan Lazo, dba El Tropico in connection with their Class IBK-37623 catering liquor license to dispense alcoholic liquor in the Exhibit Building (alternate location is Exposition Building) located at the Buffalo County Fairgrounds, 3807 Avenue N, on Saturday, March 18, 2017 from 6:00 p.m. until 1:00 a.m. for a dance.
15. 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 liquor license to dispense alcoholic liquor inside the Ag Pavilion located at the Buffalo County Fairgrounds, 3807 Avenue N, on Friday, March 3, 2017 from 3:00 p.m. until 12:00 a.m. for a wedding rehearsal.

16. 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 liquor license to dispense alcoholic liquor inside the Ag Pavilion located at the Buffalo County Fairgrounds, 3807 Avenue N, on Saturday, March 4, 2017 from 3:00 p.m. until 12:00 a.m. for a wedding reception.
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 liquor license to dispense alcoholic liquor inside the Exhibit Building located at the Buffalo County Fairgrounds, 3807 Avenue N, on Thursday, March 9, 2017 from 3:00 p.m. until 1:00 a.m. for a company 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 liquor license to dispense alcoholic liquor inside the Ag Pavilion located at the Buffalo County Fairgrounds, 3807 Avenue N, on Saturday, March 11, 2017 from 3:00 p.m. until 1:00 a.m. for a wedding 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 liquor license to dispense alcoholic liquor inside the building and inside an outdoor 25 feet x 25 feet fenced area located in the parking lot east of the Exhibit Building located at the Buffalo County Fairgrounds, 3807 Avenue N, on Saturday, March 11, 2017 from 11:00 a.m. until 6:00 p.m. for a motorcycle show.
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 liquor license to dispense alcoholic liquor inside the Ag Pavilion at the Buffalo County Fairgrounds, 3807 Avenue N, on Tuesday, March 14, 2017 from 3:00 p.m. until 1:00 a.m. for a bank event.
21. Approve the application for a Special Designated License submitted by Earn and Return Investments, dba The Cellar Bar & Grill in connection with their Class IK-064728 liquor license to dispense alcoholic liquors inside the Classic Car Collection Museum, 3600 East Highway 30, on Saturday, March 11, 2017 from 5:00 p.m. until 12:00 a.m. for a dinner.
22. Approve the application for a Special Designated License submitted by Earn and Return Investments, dba The Cellar Bar & Grill in connection with their Class IK-064728 liquor license to dispense alcoholic liquors inside The Archway, 3060 East 1st Street, on Thursday, March 23, 2017 from 3:00 p.m. to 11:00 p.m. for a social.
23. Adopt Resolution No. 2017-19 approving Change Order No. 6 for an increase in the amount of \$1,206.00 submitted by Sampson Construction and approved by Clark Enersen Partners for the construction of a new sports complex at Patriot Park.
24. Adopt Resolution No. 2017-20 accepting the public improvements constructed under a Developer Constructed Infrastructure Agreement for Judy Meadows Addition.
25. Accept the bids received for the 2016 Part 3 Improvements for 56th Street from 4th Avenue to 19th Avenue and 17th Avenue from 50th Street to west City limits; AND 2013 Part 10 Improvements for Talmadge Street from 2nd Avenue to 4th Avenue and adopt

Resolution No. 2017-21 awarding the bid to Blessing, LLC in the amount of \$2,572,124.59.

\* *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. Review the One & Six Year Street Improvement Plan and set the public hearing for February 28, 2017 to adopt the One and Six Year Street Improvement Plan.
2. Approve Ordinance No. 8127 amending the Kearney City Code by adding a new Article 5 entitled "Storm Water Utility" to Chapter 10 "Utilities" by providing the creation of a storm water utility; program responsibility; operating budget; surcharge fee schedule established; delinquent accounts-lien against property; and the monthly assessment for storm water utility to be assessed starting with April 1, 2017 utility bill.
3. Adopt Resolution No. 2017-22 repealing Resolution No. 2016-207 and adopt the 2016-2017 Comprehensive Fee Schedule setting forth the fees for items and services to be provided by the City during the 2016-2017 year.

**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](http://www.cityofkearney.org)