

KEARNEY CITY COUNCIL

AGENDA

City Council Chambers, 18 East 22nd Street

May 23, 2017

5:30 p.m.

I. ROUTINE BUSINESS

1. Invocation by Pastor Jonathan Lumbard.
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 UNTIL JUNE 13, 2017. Conduct a public hearing on the Applications submitted by Miller & Associates for MFP Mid-America Shopping Centers, LLC to (1) vacate Lot 1, Hilltop Mall Subdivision, a subdivision to the City of Kearney, Buffalo County, Nebraska and consider Ordinance No. 8144; and (2) the Final Plat for Hilltop Mall Second, an addition to the City of Kearney, Buffalo County, Nebraska, 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. 2017-72.
2. POSTPONED UNTIL JUNE 13, 2017. 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 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. 2017-73.
3. REMOVE FROM TABLE. Conduct a public hearing on the Application submitted by Miller & Associates for Grand West, LLC for an amendment to the Land Use Map of the City of Kearney Comprehensive Development Plan from Low Density Residential to Medium Density Residential property described as a tract of land being a part of the Southeast Quarter of the Northwest Quarter of Section 26, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (northwest corner of 48th Street and 11th Avenue) and consider Resolution No. 2017-74.

4. REMOVE FROM TABLE. Conduct a public hearing on the Application submitted by Miller & Associates for Grand West, LLC to rezone from District AG, Agricultural District to District R-2, Urban Residential Mixed-Density District property described as a tract of land being a part of the Southeast Quarter of the Northwest Quarter of Section 26, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (northwest corner of 48th Street and 11th Avenue) and consider Ordinance No. 8145.
5. REMOVE FROM TABLE. Conduct a public hearing on the Applications submitted by Miller & Associates for Grand West, LLC for the Final Plat and Subdivision Agreement for Fountain Hills Ninth Addition, an addition to the City of Kearney, Buffalo County, Nebraska, for a tract of land being a part of the Southeast Quarter of the Northwest Quarter of Section 26, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (northwest corner of 48th Street and 11th Avenue) and consider Resolution No. 2017-75.
6. REMOVE FROM TABLE. Conduct a public hearing on the Application submitted by Miller & Associates for Grand West, LLC for the annexation of Fountain Hills Ninth Addition, an addition to the City of Kearney, Buffalo County, Nebraska, for a tract of land being a part of the Southeast Quarter of the Northwest Quarter of Section 26, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (northwest corner of 48th Street and 11th Avenue) and consider Resolution No. 2017-76.

IV. CONSENT AGENDA *

1. Approve Minutes of Regular Meeting held May 9, 2017.
2. Approve the Claims.
3. Receive recommendations of Planning Commission and set June 13, 2017 at 5:30 p.m. as date and time for hearing on those applications where applicable.
4. Adopt Resolution No. 2017-81 approving the Developer Constructed Infrastructure Agreement between the City of Kearney and Grand West, LLC and Anna Stehlik, Trustee for the construction of paving, water, sanitary sewer and storm sewer for 11th Avenue Extension in Fountain Hills Subdivision.
5. Approve the application for a Special Designated License submitted by Juan Lazo, dba El Tropic in connection with their Class IBK-37623 catering liquor license to dispense alcoholic liquor in the Exhibit Building (alternate location and date is June 17 in Exposition Building) located at the Buffalo County Fairgrounds, 3807 Avenue N, on Saturday, June 17, 2017 from 6:00 p.m. until 1:00 a.m. for a dance.
6. Adopt Resolution No. 2017-83 approving the request submitted by Buffalo County to vacate Cherry Avenue from Highway 30 north to 39th Street and to vacate portion of a County road located in Freeze Addition.
7. Adopt Resolution No. 2017-84 approving Application and Certificate for Payment No. 1 in the amount of \$163,283.63 submitted by Blessing Construction and approved by Olsson

Associates for the 2016 Part 2 Improvements consisting of Paving Improvement District No. 2016-982 for Avenue A from the north lot line of Lot 27, thence south to the south lot line of Lot 558, all in Southwest Quarter School Section Addition; AND 31st Street from Avenue A to Avenue D.

8. Adopt Resolution No. 2017-85 approving the revised Kearney Public Library Policy Manual as recommended by the Library Advisory Board.
9. Approve the Street/Sidewalk/Parking Lot Closure, Traffic Control and or Parking Restrictions Permit Applications as follows:
 - a) Mattie Davis to close the three parking stalls located directly in front of The World Theatre on June 10, 2017.
 - b) Community Olympiad 5K Run/Walk to use A Avenue, 28th Street, F Avenue, 27th Street, I Avenue, Tabor Place, 34th Street, G Avenue, 33rd Street and H Avenue (alternate location is 31st Street, Central Avenue, 28th Street, F Avenue, 27th Street, I Avenue, Tabor Place, 34th Street, G Avenue, 33rd Street and H Avenue) on June 24 from 7:30 a.m. until 9:00 a.m.
10. Adopt Resolution No. 2017-86 approving Amendment No. 4 to the Consultant Agreement with Alfred Benesch and Company for Project No. 3-31-0045-030 for the reconstruction of primary Runway 18/36.
11. Adopt Resolution No. 2017-87 approving the Peterson Senior Activity Center Annual Nutrition Service Contract between the City of Kearney and Community Action Partnership of Mid-Nebraska.
12. Adopt Resolution No. 2017-88 approving Application and Certificate for Payment No. 1 in the amount of \$18,606.60 submitted by Blessing, LLC and approved by Miller & Associates 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.
13. Adopt Resolution No. 2017-89 approving Change Order No. 1 for a decrease in the amount of \$380.00, Application and Certificate for Payment No. 1-Final in the amount of \$87,783.00 and accept the Certificate of Substantial Completion submitted by Midlands Contracting and approved by Miller & Associates for the 2015 Part 13 Improvements – Bid A; Tech One Boulevard and Global Drive.
14. Adopt Resolution No. 2017-90 approving Change Order No. 2 for an increase in the amount of \$16,009.88 and Application and Certificate for Payment No. 3 in the amount of \$98,996.94 submitted by Blessing, LLC and approved by Miller & Associates for the 2015 Part 13 Improvements – Bid B; Tech One Boulevard and Global Drive.
15. Adopt Resolution No. 2017-91 approving Change Order No. 1 for a decrease in the amount of \$27,461.00, Application and Certificate for Payment No. 1-Final in the amount of \$88,446.65 and accept the Certificate of Substantial Completion submitted by HD Supply Waterworks and approved by Miller & Associates for the Fixed Base Radio Read System.

16. Adopt Resolution No. 2017-92 approving Application and Certificate for Payment No. 1 in the amount of \$54,369.65 submitted by Blessing, LLC and approved by Miller & Associates for the Archway Hike/Bike Trail, Phase II.
17. Approve the Plans and Specifications for AIP Project No. 3-31-0045-030/031 for Runway 18/36 Reconstruction at the Kearney Regional Airport and set the bid opening date for June 15, 2017.
18. Approve the recommendation from the Development Services Division on the annual renewal of the following manufactured home court licenses until May 31, 2018: Restrictions Permit Applications as follows:
 - a) Cornhusker Mobile Home Park, 1115 Avenue C
 - b) Countryside Mobile Park, 1920 15th Avenue
 - c) Merriweather Mobile Home Village, 914 West 17th Street
 - d) Rodeo Court, 2414 West 24th Street
 - e) R-Villa East, 2500, 2719, 2803 West 24th Street
 - f) R-Villa West, 2500, 2719, 2803 West 24th Street
 - g) R-Villa South, 2500, 2719, 2803 West 24th Street
 - h) Villa Park, 2703 West 24th Street
 - i) Valley View Mobile Home Court, 2701 and 2801 Grand Avenue
19. Accept the bids received for the construction of a Vehicle Storage Building for Public Works and to adopt Resolution No. 2017-93 awarding the bid to GD Concrete Construction, Inc. in the amount of \$413,600.00.
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 Exhibit Building located at the Buffalo County Fairgrounds, 3807 Avenue N, on Saturday, June 10, 2017 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 liquor license to dispense alcoholic liquor inside Babl Kitchen and Bath located at 1209 Avenue A, Suite 1, on Thursday, September 28, 2017 from 4:00 p.m. until 9:00 p.m. for a business after hours.

* *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. Open Account Claim to NPPD - \$81,166.23.

VII. REPORTS

VIII. ADJOURN

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City Manager Michael Morgan
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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