

KEARNEY CITY COUNCIL

AGENDA

City Council Chambers, 18 East 22nd Street

February 27, 2018

5:30 p.m.

I. ROUTINE BUSINESS

1. Invocation by Pastor Brian Klein.
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. REMOVE FROM TABLE. Conduct a public hearing on the Application submitted by Diana Lind for Revised Planned District Development Plan Approval for the proposed construction of a surgical center addition on property zoned District C-O/PD, Office/Planned Development Overlay District and described as a Lot 1 and Lot 2, Windsor Estates Tenth Addition, an addition to the City of Kearney, Buffalo County, Nebraska (4107 7th Avenue) and consider Resolution No. 2018-19.
2. Conduct a public hearing on the $\frac{1}{2}\%$ Sales Tax Capital Improvement Plan for the City of Kearney, Nebraska.
3. Conduct a public hearing on the adoption of the One & Six Year Street Improvement Plan and consider Resolution No. 2018-28.

IV. CONSENT AGENDA *

1. Approve Minutes of Regular Meeting held February 13, 2018.
2. Approve the Claims.
3. Receive recommendations of Planning Commission and set March 13, 2018 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 Misty McDaniel submitted by The Cigarette

Store Corp dba Smoker Friendly 016 Liquor & Tobacco located at 1325 2nd Avenue, Suite I in connection with their Class C-094153 liquor license.

5. Approve the Street/Sidewalk/Parking Lot Closure, Traffic Control and or Parking Restrictions Permit Application for Highway Creepers Rock N Rods Car Show to use Central Avenue from south of South Railroad Street to 17th Street and 19th Street from 1st Avenue to Central Avenue from 9:00 a.m. until 4:00 p.m. on Saturday, April 21, 2018.
6. Adopt Resolution No. 2018-29 approving Change Order No. 2 showing an increase in the amount of \$188,878.65 submitted by Paulsen, Inc. and approved by Alfred Benesch & Company for AIP Project No. 3-31-0045-030/031 for Runway 18/36 Reconstruction at the Kearney Regional Airport.
7. Adopt Resolution No. 2018-30 approving Change Order No. 1 showing an increase in the amount of \$6,391.30, Application and Certificate for Payment No. 1-Final in the amount of \$115,267.30, and accept the Certificate of Substantial Completion submitted by Dan Roeder Concrete Inc. for the emergency roadway repairs to Parklane Drive (46th Street and approximately 305 feet north).
8. Adopt Resolution No. 2018-31 approving Change Order No. 1 showing an increase in the amount of \$15,998.00, Application and Certificate for Payment No. 1-Final in the amount of \$116,216.50, and accept the Certificate of Substantial Completion submitted by Dan Roeder Concrete Inc. for the Parking Lot Construction at North Railroad Street and Central Avenue.
9. Adopt Resolution No. 2018-32 approving the Infrastructure Agreement between the City of Kearney and GRAND WEST, LLC, a Nebraska Limited Liability Company, by Scott Kummer, Vice President and Manager of Morrison Enterprises, LLC, Sole Member of GRAND WEST, LLC, and Anna L. Stehlik, Trustee being the sole owners of Fountain Hills Tenth Addition, an addition to the City of Kearney, Buffalo County, Nebraska, for the creation of Water Connection District No. 2018-1 to serve part of Lot 1, Fountain Hills Tenth Addition, an addition to the City of Kearney, Buffalo County, Nebraska, 11th Avenue from the Southwesterly line of said Lot 1 to the Northerly line of Fountain Hills Eighth Addition and part of said Fountain Hills Eighth Addition, an addition to the City of Kearney, Buffalo County, Nebraska.
10. Adopt Resolution No. 2018-33 approving the Professional Services Consultant Agreement for Community Development Phase II Sidewalk Replacement for Grant No. 16-CD-103 between the City of Kearney and Miller & Associates.
11. Accept the bids received for the Downtown Improvements; Phase II for the construction of pedestrian level street lighting, electrical, sidewalk removal and replacement, irrigation, in-ground planters and site electrical amenities and adopt Resolution No. 2018-34 awarding the bid to Morten Construction, LLC in the amount of \$430,221.00.
12. Approve the applications 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 cater and dispense alcoholic liquor as follows:
 - a) Inside the Exhibit Building located at the Buffalo County Fairgrounds, 3807 Avenue N, on Thursday, March 22, 2018 from 3:00 p.m. until 11:00 p.m. for a business event;

and

- b) Inside the Exhibit Building located at the Buffalo County Fairgrounds, 3807 Avenue N, on Saturday, March 24, 2018 from 3:00 p.m. until 1:00 a.m. for a reception; and
- c) Inside the Ag Pavilion located at the Buffalo County Fairgrounds, 3807 Avenue N, on Saturday, March 24, 2018 from 3:00 p.m. until 1:00 a.m. for a reception.

* *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. 8220 authorizing the issuance of a Combined Utilities Revenue Bond of the City of Kearney, Nebraska, in the principal amount of up to \$4,075,100 for the purpose of paying the costs of a new solids dewatering facility and improvements at the City's wastewater treatment facility; authorizing the issuance of said bond in the form of a promissory note to evidence a loan from the Nebraska Department of Environmental Quality; approving the execution and delivery of a loan agreement with the Nebraska Department of Environmental Quality; approving related documents with respect to said loan; prescribing the form, terms and details of said bond; pledging and hypothecating the revenue and earnings of the waterworks plant and water system, sewage disposal plant and sanitary sewer system and electric distribution system of said City for the payment of said bond and interest thereon; providing for the collection, segregation and application of the revenues of the City's waterworks plant and water system, sewage disposal plant and sanitary sewer system and electric distribution system; approving execution of related documents; entering into a contract on behalf of the City with the holder of said bond; determining that interest on said bond shall not be excludable from gross income for purposes of federal income taxation.
2. Approve Ordinance No. 8221 creating Paving Improvement District No. 2018-990 for 11th Avenue from the southwesterly line of Lot 1, Fountain Hills Tenth Addition, northwesterly to the northwesterly line of Lot 1, Fountain Hills Tenth Addition.
3. Approve Ordinance No. 8222 creating Water Connection District No. 2018-1 for 11th Avenue from the southwesterly line of Lot 1, Fountain Hills Tenth Addition, northwesterly to the northwesterly line of Lot 1, Fountain Hills Tenth Addition.
4. Approve Ordinance No. 8223 creating Paving Improvement District No. 2018-988 for 17th Street from the east lot lines of Lot 1 through Lot 7, Block 2, all of Marlatt Third Addition, thence westerly to the east lot line of Lot 5, Block Two, Marlatt Addition and the east lot line of Lot 7, Block One, Marlatt Second Addition and the east lot line of Lot 12, Block Three, Marlatt Addition.
5. Approve Ordinance No. 8224 creating Water District No. 2018-587 for 17th Street from the east lot lines of Lot 1 through Lot 6, Block 2, all of Marlatt Third Addition, thence westerly to the east lot line of Lot 5, Block Two, Marlatt Addition and the east lot line of Lot 7, Block One, Marlatt Second Addition and to a point 41.41 feet northeast of the east lot line of Lot 12, Block Three, Marlatt Addition.
6. Approve Ordinance No. 8225 creating Sanitary Sewer District No. 2018-523 for 17th

Street from the east lot lines of Lot 1 through Lot 6, Block 2, all of Marlatt Third Addition, thence westerly to the east lot line of Lot 5, Block Two, Marlatt Addition and the east lot line of Lot 7, Block One, Marlatt Second Addition and to a point 41.41 feet northeast of the east lot line of Lot 12, Block Three, Marlatt Addition.

7. Approve Ordinance No. 8226 creating Paving Improvement District No. 2018-989 for all of 16th Street from the east lot line of Lot 7, Block 2, Marlatt Third Addition, thence westerly to a point 38.92 feet west of the east lot line of Lot 12, Block Three, Marlatt Addition.
8. Approve Ordinance No. 8227 creating Water District No. 2018-588 for all of 16th Street from the east lot line of Lot 7, Block 2, Marlatt Third Addition, thence westerly to a point 38.92 feet west of the east lot line of Lot 12, Block Three, Marlatt Addition.
9. Approve Ordinance No. 8228 creating Sanitary Sewer District No. 2018-524 for all of 16th Street from the east lot line of Lot 7, Block 2, Marlatt Third Addition, thence westerly to a point 38.92 feet west of the east lot line of Lot 12, Block Three, Marlatt Addition.

VI. REGULAR AGENDA

1. Receive and accept The Archway's annual report.
2. Open Account Claim to NPPD - \$93,173.30.

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