

KEARNEY CITY COUNCIL

AGENDA

City Council Chambers, 18 East 22nd Street

August 14, 2018

5:30 p.m.

I. ROUTINE BUSINESS

1. Invocation by Pastor Randy Madison.
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 applications submitted by Buffalo Surveying Corporation for Buffalo County School District 10-0007-000 (Kearney Public Schools) to (1) vacate part of Lot 1, Block One, Elementary School Addition and consider Ordinance No. 8262; and (2) the Final Plat and subdivision agreement for Elementary School Second Addition, an addition to the City of Kearney, Buffalo County, Nebraska, for property described as part of Lot 1 (to be vacated), Block One, Elementary School Addition, an addition to the City of Kearney, Buffalo County, Nebraska, and located in the North Half of the Northeast Quarter of the Northeast Quarter of Section 25, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (1010 East 53rd Street) and consider Resolution No. 2018-119.
2. Conduct a public hearing on the applications submitted by Miller & Associates for Twin Hills, L.L.C. to (1) vacate 5 foot and 10 foot wide utility easements being the South 5.00 feet, except the East 10.00 feet thereof, of Lot 2, Block One; the North 5.00 feet, except the East 10.00 feet thereof, of Lot 3, Block One; the South 5.00 feet, except the East 10.00 feet thereof, of Lot 8, Block One; the North 5.00 feet, except the East 10.00 feet thereof, of Lot 9, Block One; the West 5.00 feet, except the South 10.00 feet thereof, of Lot 15, Block One; the East 5.00 feet, except the South 10.00 feet thereof, of Lot 16, Block One; the North 5.00 feet, except the West 20.00 feet thereof, of Lot 20, Block One; the South 5.00 feet, except the West 20.00 feet thereof, of Lot 21, Block One; the South 5.00 feet, except the West 10.00 feet thereof, of Lot 2, Block Three; the North 5.00 feet, except the West 10.00 feet thereof, of Lot 3, Block Three; the West 10.00 feet of Lots 1 through 6, inclusive, Block Four; the East 10.00 feet of Lots 7 through 12, inclusive, Block Four; the South 5.00 feet, except the West 10.00 feet thereof, of Lot 3, Block Four; the North 5.00 feet, except the West 10.00 feet thereof, of Lot 4, Block Four; the South 5.00 feet, except

the East 10.00 feet thereof, of Lot 10, Block Four; the North 5.00 feet, except the East 10.00 feet thereof, of Lot 9, Block Four; all in Honey Hill Estates Addition and consider Ordinance No. 8263; (2) vacate all of Century Road from the West line of Honey Hill Estates Addition, to the West line of 9th Avenue, abutting Lot 4, Block Two, Lot 4 and Lot 5, Block Three, on the North and abutting Lot 23, Block One, Lot 1 and Lot 12, Block Four, on the South; Part of 10th Avenue from the South line of Century Road to the North line of 40th Street, abutting part of Lot 18, Lots 19 through 23, inclusive, Block One, on the West and abutting Lots 7 through 12, inclusive, Block Four, on the East; all of 9th Avenue from the North line of Honey Hill Estates Addition to the North line of 40th Street, abutting Lots 1 through 4, inclusive, Block Three and Lots 1 through 6, inclusive, Block Four, on the West and abutting Lots 1 through 10, inclusive, and part of Lot 11, Block One, on the East; all of 40th Street abutting Lot 6 and Lot 7, Block Four, on the North and abutting part of Lot 11, Lots 12 through 17, inclusive, and part of Lot 18, Block One, on the South; in Honey Hill Estates Addition and consider Ordinance No. 8264; (3) vacate Lots 1 through 11, inclusive, and Lots 13 through 23, inclusive, Block One; Lots 1 through 4, inclusive, Block Three, and Lots 1 through 12, inclusive, Block Four, all in Honey Hill Estates Addition and consider Ordinance No. 8265; and (4) the Final Plat for Hillside Estates, an addition to the City of Kearney, Buffalo County, Nebraska, for property described as part of the East Half of the Southeast Quarter of the Southwest Quarter of Section 26, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (North of 39th Street and East of 11th Avenue) and consider Resolution No. 2018-120.

IV. CONSENT AGENDA *

1. Approve Minutes of Regular Meeting held July 24, 2018, Minutes of Special Meeting held July 25, 2018 and Minutes of Special Meeting held July 26, 2018.
2. Approve the Claims.
3. Authorize the Mayor to send a letter of no recommendation to the Nebraska Liquor Control Commission on the manager application for Tamara Jackson submitted by Kearney Lodging LLC dba Ramada Kearney located at 301 2nd Avenue in connection with their Class CK-096499 liquor license.
4. Authorize the Mayor to send a letter of no recommendation to the Nebraska Liquor Control Commission on the Class I-121989 liquor license application and manager application for Guang Chun Li submitted by Bushido Inc dba Kyoto located at 404 3rd Avenue.
5. Adopt Resolution No. 2018-121 approving the Joint City of Kearney-City of Minden Building Inspection Services Interlocal Agreement allowing the City of Kearney to provide building inspection services to the City of Minden.
6. Approve the Street/Sidewalk/Parking Lot Closure, Traffic Control and or Parking Restrictions Permit Applications as follows:
 - a) Kearney Hub to close the three parking stalls located along the west side of Avenue A and on the east of the Kearney Hub located at 13 East 22nd Street on Tuesday, August 21, 2018.
 - b) Downtown Kearney to temporarily close the parking lot located north of MONA on Saturday, September 8, 2018 to conduct Yoga on the Bricks.

- c) Tim Danube on behalf of UNK-LPAC Homecoming for the temporary closing of 3rd Avenue from Railroad Street to 21st Street; 8th Avenue from 20th Street to 21st Street; 21st Street from 3rd Avenue to 8th Avenue; 23rd Street from Central Avenue to Avenue E; 24th Street from Central Avenue to Avenue E; Central Avenue from 25th Street to Railroad Street; Railroad Street from Central Avenue to 3rd Avenue; Avenue A from 22nd Street to 25th Street; Avenue B from 22nd Street to 24th Street; Avenue C from Railroad Street to 22nd Street; Avenue C from 22nd Street to 25th Street; Avenue D from Railroad Street to 22nd Street; Avenue D from 22nd Street to 25th Street and the parking lot located north of MONA on Saturday, September 15, 2018 for the UNK-LPAC Homecoming.
 - d) North Pole Express for the temporary closing of the parking lot located north of MONA and six parking spaces in front of the Kaufmann Center located at 2202 Central Avenue on November 27, 28, 29, December 3, 4, 5, 6, 10, 11, 12, 13, 2018.
7. Consider the Use and Operations Agreement (T-920 and Large Bay at 5139 Airport Road) between the City of Kearney and SkyWest Airlines providing scheduled air service and adopt Resolution No. 2018-122.
 8. Approve the application for a Special Designated License submitted by Miretta Vineyards & Winery Inc., dba Miletta Vista Winery in connection with their YK-077615 liquor license to cater and dispense alcoholic liquors inside the Exposition Building located at the Buffalo County Fairgrounds, 3807 Avenue N on Saturday, October 27, 2018 from 8:00 a.m. until 4:00 p.m. for a craft fair/wine tasting event.
 9. Approve the removal of the school crossing located at 17th Avenue and 41st Street and adopt Resolution No. 2018-123.
 10. Adopt Resolution No. 2018-124 approving T-Hangar B-5 Lease Agreement at the Kearney Regional Airport between the City of Kearney and Brad Campbell.
 11. Authorize the Mayor to execute the Agreement between the State of Nebraska, Department of Transportation and the City of Kearney for State Project No. 30-4(159) for the utilities relocation as part of the Highway 30 replacement project from 12th Avenue to 7th Avenue and adopt Resolution No. 2018-125.
 12. Adopt Resolution No. 2018-126 accepting the public improvements constructed under a Developer Constructed Infrastructure Agreement for Ingalls Crossing Tenth Addition, an addition to the City of Kearney between the City of Kearney and Roberta Corrigan, Trustee of the Leroy Corrigan Trust & Roberta Corrigan, General Partner of Roberta Corrigan Farm for the installation of paving, water and storm sewer improvements to serve Ingalls Crossing Tenth Addition.
 13. Adopt Resolution No. 2018-127 approving the Joint Agreement on Aerial Photography and GIS between Buffalo County, Nebraska and the City of Kearney to contract with Pictometry International Corporation to provide aerial photography and other services related to the City and County GIS Systems.
 14. Adopt Resolution No. 2018-128 authorizing the appointment of Eric Hellriegel to replace Paul Briseno as the City of Kearney board representative on the Nebraska Community Energy Alliance.

15. Adopt Resolution No. 2018-129 approving Change Order No. 3 showing an increase in the amount of \$93,076.92 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.
16. Accept the bids received for the Solids Handling Building at the Wastewater Treatment Facility and adopt Resolution No. 2018-130 awarding the bid to Walters Morgen Construction, Inc. in the amount of \$3,976,000.00 and approving Change Order No. 1 showing a decrease in the amount of \$772,700.00 approved by Miller & Associates.
17. Adopt Resolution No. 2018-131 to approve the request from Kearney Public Schools to remove parking on the east and west side of 5th Avenue from 15th Street to 16th Street from 8:00 a.m. to 4:00 p.m. during Monday through Friday of the school year.
18. Approve the application for a Special Designated License submitted by Chug A Lug Sports Bar, Inc., dba Chug-A-Lug Bar & Grill in connection with their Class C-042049 liquor license to sell and dispense alcoholic liquor inside an outdoor area measuring 54'x32' located directed outside of Chug-A-Lug Bar & Grill located at 1115 East 25th Street on Saturday, October 6, 2018 (alternate date would be Saturday, October 13, 2018, same location) from 7:00 a.m. to 11:30 p.m. for a BBQ challenge.
19. 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) In an 100' x 40' outdoor fenced area located south of Cope Stadium on UNK Campus located at 2708 12th Avenue, on Thursday, August 30, 2018 from 4:00 p.m. until 12:00 a.m. for a football tailgating event;
 - b) Inside the Ag Pavilion located at the Buffalo County Fairgrounds, 3807 Avenue N, on Saturday, September 8, 2018 from 3:00 p.m. until 1:00 a.m. for a reception;
 - c) In a 100' x 40' outdoor fenced area located south of Cope Stadium on UNK Campus located at 2708 12th Avenue, on Saturday, September 15, 2018 from 11:00 a.m. until 6:00 p.m. for a football tailgating event;
 - d) Inside the Exhibit Building located at the Buffalo County Fairgrounds, 3807 Avenue N, on Saturday, September 15, 2018 from 3:00 p.m. until 1:00 a.m. for a reception;
 - e) Inside the Ag Pavilion located at the Buffalo County Fairgrounds, 3807 Avenue N, on Saturday, September 15, 2018 from 3:00 p.m. until 1:00 a.m. for a reception;
 - f) Inside the Ag Pavilion located at the Buffalo County Fairgrounds, 3807 Avenue N, on Saturday, September 22, 2018 from 3:00 p.m. until 1:00 a.m. for a reception;
 - g) Inside the Expo Building located at the Buffalo County Fairgrounds, 3807 Avenue N, on Saturday, September 22, 2018 from 3:00 p.m. until 1:00 a.m. for a cage fighting event;
 - h) Inside the Expo Building located at the Buffalo County Fairgrounds, 3807 Avenue N, on Sunday, September 30, 2018 from 4:00 p.m. until 12:00 a.m. for a car show;
 - i) In an 100' x 40' outdoor fenced area located south of Cope Stadium on UNK Campus located at 2708 12th Avenue, on Saturday, October 6, 2018 from 9:00 a.m. until 5:00 p.m. for a football tailgating event;
 - j) In an 100' x 40' outdoor fenced area located south of Cope Stadium on UNK Campus located at 2708 12th Avenue, on Saturday, October 20, 2018 from 9:00 a.m. until 5:00 p.m. for a football tailgating event; and

- k) In an 100' x 40' outdoor fenced area located south of Cope Stadium on UNK Campus located at 2708 12th Avenue, on Saturday, November 3, 2018 from 9:00 a.m. until 5:00 p.m. for a football tailgating event.

20. Adopt Resolution No. 2018-132 approving the Purchase Agreement and Developer Infrastructure and Annexation Agreement between the City of Kearney and Diamond Rentals, LLC and Mead Rentals, LLC for a tract of land being Lot 1, Patriot Second Subdivision, a subdivision being part of the Southeast Quarter of the Northwest Quarter, part of the Southwest Quarter of the Northeast Quarter, part of the Northeast Quarter of the Southwest Quarter, and part of the Northwest Quarter of the Southeast Quarter of Section 28, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska.

- * *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. 8266 amending Section 8-807 "School Crossing With Yellow Flashing Lights" of Article 8 "Speed Limitations" of Chapter 8 "Police" of the City Code to remove the designation of a school crossing with yellow flashing lights located at 17th Avenue at 41st Street.
2. Approve Ordinance No. 8267 creating Paving Improvement District No. 2018-991 for 54th Street westerly 49 feet from the west corner of 17th Avenue Place, thence northerly 310 feet dissecting Lot 2, Block One, Northridge Retirement Subdivision, thence westerly 345.1 feet to the west lot line of said Lot 2, Block One, Northridge Retirement Subdivision, thence westerly 55.71 feet thence southerly 310 feet, thence southerly along the west lot lines of Lots 17, 16 and 15, Northridge Estates of Kearney, a distance of 250 feet, thence easterly dissecting Lots 15, 12 and 7, Northridge Estates of Kearney, a distance of 401 feet, thence northerly 250 feet dissecting Lots 7, 8, and 9, Northridge Estates of Kearney.
3. Approve Ordinance No. 8268 creating Water District No. 2018-589 for 54th Street from the northwest corner of Lot 17, Northridge Estates of Kearney, thence southerly 95 feet to the south lot line of Lot 17, Northridge Estates of Kearney, thence easterly 320 feet to the east lot line of Lot 10, Northridge Estates of Kearney, thence northerly 95 feet to the northeast corner of Lot 10, thence easterly 81 feet along the north lot line of Lot 9, Northridge Estates of Kearney, thence northerly 310 feet dissecting Lot 2, Block One, Northridge Retirement Subdivision, thence westerly 345.1 feet to the west lot line of Lot 2, Block One, Northridge Retirement Subdivision, thence westerly 55.71 feet thence southerly 310 feet to the northwest corner of Lot 17, Northridge Estates of Kearney.
4. Approve Ordinance No. 8269 creating Sanitary Sewer District No. 2018-525 for 54th Street from the northwest corner of Lot 17, Northridge Estates of Kearney, thence southerly 95 feet, thence easterly 320 feet to the east lot line of Lot 10, Northridge Estates of Kearney, thence northerly 95 feet to the northeast corner of Lot 10, thence easterly 81 feet along the north lot line of Lot 9, Northridge Estates of Kearney, thence northerly 310 feet dissecting Lot 2, Block One, Northridge Retirement Subdivision, thence westerly 345.1 feet to the west lot line of Lot 2, Block One, Northridge Retirement Subdivision,

thence westerly 55.71 feet thence southerly 310 feet to the northwest corner of Lot 17, Northridge Estates of Kearney.

5. Approve Ordinance No. 8270 creating Paving Improvement District No. 2018-992 for 17th Avenue Place from the northeast corner of Lot 9, thence westerly 130 feet to the west lot line of Lot 9, thence southerly 401.43 feet to the south lot line of Lot 6, thence easterly 319.99 feet to the east lot line of Lot 5, thence northerly 401.78 feet to the north lot line of Lot 2, thence westerly 190 feet to the northeast corner of Lot 9, all in Northridge Estates of Kearney.
6. Approve Ordinance No. 8271 creating Water District No. 2018-590 for 17th Avenue Place from the northeast corner of Lot 9, thence westerly 130 feet to the west lot line of Lot 9, thence southerly 401.43 feet to the south lot line of Lot 6, thence easterly 319.99 feet to the east lot line of Lot 5, thence northerly 401.78 feet to the north lot line of Lot 2, thence westerly 190 feet to the northeast corner of Lot 9, all in Northridge Estates of Kearney.
7. Approve Ordinance No. 8272 creating Sanitary Sewer District No. 2018-526 for 17th Avenue Place from the northeast corner of Lot 9, thence westerly 130 feet to the west lot line of Lot 9, thence southerly 401.43 feet to the south lot line of Lot 6, thence easterly 319.99 feet to the east lot line of Lot 5, thence northerly 401.78 feet to the north lot line of Lot 2, thence westerly 190 feet to the northeast corner of Lot 9, all in Northridge Estates of Kearney.
8. Approve Ordinance No. 8273 creating Paving Improvement District No. 2018-993 for 18th Avenue Place from the northeast corner of Lot 17, thence westerly 130 feet to the west lot line of Lot 17, thence southerly 400.7 feet to the south lot line of Lot 14, thence easterly 320 feet to the east lot line of Lot 13, thence northerly 401.43 feet to the north lot line of Lot 10, thence easterly 190 feet to the northeast corner of Lot 17, all in Northridge Estates of Kearney.
9. Approve Ordinance No. 8274 creating Water District No. 2018-591 for 18th Avenue Place from the northwest corner of Lot 16, thence southerly 305.70 feet to the southwest lot line of Lot 14, thence easterly 320 feet to the southeast lot line of Lot 13, thence northerly 306.43 feet to the northeast lot line of Lot 11, thence easterly 130 feet to the northwest corner of Lot 11, thence northerly 95 feet to the northwest corner of Lot 10, thence westerly 60 feet to the northeast corner of Lot 17, thence southerly 95 feet to the southeast corner of Lot 17, thence westerly 130 feet to the northwest corner of Lot 16, all in Northridge Estates of Kearney.
10. Approve Ordinance No. 8275 creating Sanitary Sewer District No. 2018-527 for 18th Avenue Place from the northwest corner of Lot 16, thence southerly 305.70 feet to the southwest lot line of Lot 14, thence easterly 320 feet to the southeast lot line of Lot 13, thence northerly 306.43 feet to the northeast lot line of Lot 11, thence easterly 130 feet to the northwest corner of Lot 11, thence northerly 95 feet to the northwest corner of Lot 10, thence westerly 60 feet to the northeast corner of Lot 17, thence southerly 95 feet to the southeast corner of Lot 17, thence westerly 130 feet to the northwest corner of Lot 16, all in Northridge Estates of Kearney.
11. Approve Ordinance No. 8276 selling proposed Lot 1, Patriot Second Subdivision, a subdivision being part of the Southeast Quarter of the Northwest Quarter, part of the

Southwest Quarter of the Northeast Quarter, part of the Northeast Quarter of the Southwest Quarter, and part of the Northwest Quarter of the Southeast Quarter of Section 28, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska. to Diamond Rentals, LLC and Mead Rentals, LLC.

VI. REGULAR AGENDA

1. Consider Resolution No. 2018-133 approving the redevelopment project submitted by Goodfellow's Paint and Body, Inc. for Redevelopment Area #3 for an area described as Lot 1 and Lot 2, Big Boy Addition, an addition to the City of Kearney, Buffalo County, Nebraska (107 and 115 South East Railroad Street).
2. Consider Resolution No. 2018-134 approving the redevelopment project submitted by Kearney Investment Corporation for Redevelopment Areas #2 & #8 for an area described as Lot 1 and Outlot A, Younes Center Sixth Addition, an addition to the City of Kearney, Buffalo County, Nebraska (North of Talmadge Street and West of 6th Avenue).
3. Consider Resolution No. 2018-135 approving the General Business Occupation Tax (GBOT) project application and agreement submitted Kearney Investment Corporation for Redevelopment Areas #2 and #8 for an area described as all of Younes Center Addition, all of Younes Center Third Addition, all of Younes Center Fourth Addition, all of Younes Center Fifth Addition, all of Younes Center Sixth Addition, all of Gealy's Addition, a subdivision being part of Government Lot 6 and accretions, all of Lot E Interstate Subdivision, all of Lot 1, Block Two, Interstate Third Subdivision, and part of Government Lots 6, 7, and 9, and accretions thereto, all in Section 11, and part of the Northeast Quarter of Section 14, all in Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (North of Interstate 80, West of 2nd Avenue and 4th Avenue, South of the North Channel Platte River and East of Talmadge Street and a portion of Third Street).
4. Consider Ordinance No. 8277 authorizing the issuance of a one percent General Business Occupation Tax (GBOT) to be used to pay for infrastructure and related costs associated with the construction of a hotel and convention center for an area described as all of Younes Center Addition, all of Younes Center Third Addition, all of Younes Center Fourth Addition, all of Younes Center Fifth Addition, all of Younes Center Sixth Addition, all of Gealy's Addition, a subdivision being part of Government Lot 6 and accretions, all of Lot E Interstate Subdivision, all of Lot 1, Block Two, Interstate Third Subdivision, and part of Government Lots 6, 7, and 9, and accretions thereto, all in Section 11, and part of the Northeast Quarter of Section 14, all in Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (North of Interstate 80, West of 2nd Avenue and 4th Avenue, South of the North Channel Platte River and East of Talmadge Street and a portion of Third Street).
5. Settlement agreement entered into by EMC on behalf of the City with Crystal Wright in the amount of \$1,000,000 which has been paid by EMC per the City's law enforcement liability coverage.
6. Open Account Claim to NPPD - \$14,808.99.

VII. REPORTS

VIII. ADJOURN

Mayor Stanley Clouse
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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