

KEARNEY CITY COUNCIL

AGENDA

City Council Chambers, 18 East 22nd Street

March 12, 2019

5:30 p.m.

I. ROUTINE BUSINESS

1. Invocation by Pastor John Watson.
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. REQUEST TO POSTPONE TO A FUTURE DATE AT THE DISCRETION OF CITY COUNCIL. Conduct a public hearing on the Application submitted by Buffalo Surveying Corp. for TS Development, LLC to rezone from District AG, Agricultural District to District RR-1, Rural Residential District (Rural Standards) for property described as the East Half of the Northwest Quarter, the Northeast Quarter of the Southwest Quarter and part of the North Half of the Southeast Quarter of Section 21, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska, with that part of the North Half of the Southeast Quarter of Section 21, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (3760 West 70th Street) and consider Ordinance No. 8319.

2. REQUEST TO POSTPONE TO A FUTURE DATE AT THE DISCRETION OF CITY COUNCIL. Conduct a public hearing on the Application submitted by Buffalo Surveying Corp. for TS Development, LLC for the Final Plat and Subdivision Agreement for The Arbor Hills, a subdivision being the East Half of the Northwest Quarter, the Northeast Quarter of the Southwest Quarter and part of the North Half of the Southeast Quarter of Section 21, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska, for property described as the East Half of the Northwest Quarter, the Northeast Quarter of the Southwest Quarter and part of the North Half of the Southeast Quarter of Section 21, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska, with that part of the North Half of the Southeast Quarter of Section 21, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (3760 West 70th Street) and consider Resolution No. 2019-52.

3. Conduct a public hearing on the Application submitted by Miller & Associates for DS Farms, a Nebraska Partnership to rezone from District AG, Agricultural District to District M-1, Limited Industrial District for property described as a tract of land being part of the Northwest Quarter of the Southwest Quarter of Section 26, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (East of Imperial Road and approximately 1,000 feet north of Highway 30) and consider Ordinance No. 8330.
4. Conduct a public hearing on the Application submitted by Miller & Associates for DS Farms, a Nebraska Partnership for the Final Plat and Subdivision Agreement for Dwayne Subdivision, a subdivision being part of the Northwest Quarter of the Southwest Quarter of Section 26, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska, for property described as a tract of land being part of the Northwest Quarter of the Southwest Quarter of Section 26, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (East of Imperial Road and approximately 1,000 feet north of Highway 30) and consider Resolution No. 2019-53.
5. Conduct a public hearing on the Application submitted by Miller & Associates for Kelly J. Rapp, a single person, to rezone from District AG, Agricultural District to District R-1, Urban Residential Single-Family District (Low Density) and District R-2, Urban Residential Mixed-Density District for property described as a tract of land being part of the Northwest Quarter of the Northwest Quarter and part of Government Lot 1 of Section 11, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (South of 8th Street between 13th Avenue and 17th Avenue) and consider Ordinance No. 8331.
6. Conduct a public hearing on the Application submitted by Miller & Associates for Kelly J. Rapp, a single person, for the Final Plat and Subdivision Agreement for Park View Estates Ninth, an addition to the City of Kearney, Buffalo County, Nebraska for property described as a tract of land being part of the Northwest Quarter of the Northwest Quarter and part of Government Lot 1 of Section 11, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (South of 8th Street between 13th Avenue and 17th Avenue) and consider Resolution No. 2019-54.
7. Conduct a public hearing on the Application submitted by Miller & Associates for Kelly J. Rapp, a single person, for the annexation of Park View Estates Ninth, an addition to the City of Kearney, Buffalo County, Nebraska for property described as a tract of land being part of the Northwest Quarter of the Northwest Quarter and part of Government Lot 1 of Section 11, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (South of 8th Street between 13th Avenue and 17th Avenue) and consider Resolution No. 2019-55.

IV. CONSENT AGENDA *

1. Approve Minutes of Regular Meeting held February 26, 2019.
2. Approve the Claims.
3. Approve the Special Event Permit Applications to conduct the following:
 - a) Trevor Schaben on behalf of Thunderhead Brewing to temporarily close the parking lot located north of City Hall (east of Avenue A and south of 23rd Street) from 10:00 a.m. to 10:00 p.m. on Saturday, April 27, 2019 for an event called Thunder Fest.

- b) Grand Lodge of Nebraska for the Masonic Band marching practice and marching parade to use University Drive, 29th Street and 5th Avenue on May 28, 2019 through May 31, 2019 and June 1, 2019.
4. Approve the Special Event 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 2, 3 and 4, 2019 and adopt Resolution No. 2019-56 making application to the Nebraska Department of Roads for a Permit to use the west southbound lane of Kearney East Expressway.
 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 located at the Buffalo County Fairgrounds, 3807 Avenue N, on Saturday, April 13, 2019 from 6:00 p.m. until 1:00 a.m. (alternate date would be Saturday, April 20, 2019, same time and location) for a dance.
 6. Approve the amendments made to the Minutes of Regular Meeting held September 11, 2018 to include addition of the full text descriptions of Resolution Nos. 2018-151 and 2018-155.
 7. Approve the Special Event Permit Application and Agreement submitted by Central Nebraska Auto Club to temporarily close Central Avenue from 25th Street to North Railroad Street, 24th Street from 1st Avenue to Avenue A, 23rd Street from 1st Avenue to Avenue A, 21st Street from 1st Avenue to Avenue A, the parking lot located west of Cunningham's Journal, the parking lot located behind City Hall, and the parking lot located north of MONA in conjunction with Cruise Nite 2019 scheduled for July 20, 2019. Parking on these public properties will be prohibited on July 20, 2019 beginning at 2:00 a.m. and adopt Resolution No. 2019-57 making application to the Nebraska Department of Transportation for a Permit to use Highway 30 and Central Avenue.
 8. Adopt Resolution No. 2019-58 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.
 9. Accept the Proposals received for the construction of sidewalks and miscellaneous concrete work in City parks and award the Proposal submitted by S & J Construction in the amount of \$66,567.50.
 10. Adopt Resolution No. 2019-59 approving Change Order No. 2 showing an increase in the amount of \$9,553.75 submitted by Walters Morgen Construction, Inc. and approved by Miller & Associates for the construction of construction of the Solids Handling Building at the Wastewater Treatment Facility.
 11. Adopt Resolution No. 2019-60 accepting the Statement of Qualifications received for the Engineering Consultant to assist with the Community Development Block Grant Program (CDBG 16-CD-203) for Comprehensive Development, Year 2, award the Proposal submitted by Miller & Associates and approve the Professional Service Consultant Agreement with Miller & Associates.

12. Adopt Resolution No. 2019-61 accepting the Proposals received for Construction Management Administration Services to assist with the Community Development Block Grant Program (CDBG 16-CD-203) for Comprehensive Development, Year 2, award the Proposal submitted by Miller & Associates in the amount of \$10,000.00 and approve the Construction Management Services Contract with Miller & Associates.
 13. Approve the application for a Special Designated License submitted by Thunderhead Brewing Company to dispense alcoholic liquor inside an outdoor 175 feet x 115 feet fenced area located in the parking lot (east of Avenue A and south of 23rd Street) north of City Hall located at 18 East 22nd Street on Saturday, April 27, 2019 from 2:00 p.m. until 8:00 p.m. for an event known as Thunder Fest.
 14. Approve the Kearney Police Department purchase of taser equipment from Axon Enterprises, Inc. in the amount of \$65,040.00.
 15. Approve the Plans and Specifications for the 2019 Part 3 Improvements for reconstruction A Avenue, from 25th Street to 27th Street and set the bid opening date for April 2, 2019 at 2:00 p.m.
 16. Accept the bids received for the 2019 Part 1 Improvements; Younes Center Sixth Addition for the construction of water and sewer infrastructure (Bid A) and in connection with Paving Improvement District Nos. 2019-996 and 2019-997 (Bid B) and adopt Resolution No. 2019-62 awarding Bid A to Midlands Contracting in the amount of \$1,302,048.00.
 17. 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, April 13, 2019 from 9:00 a.m. until 5:00 p.m. for a craft fair.
- * *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. 8332 amending Section 8-2001 "Definitions" of Article 20 "Aggravated Public Nuisances" of Chapter 8 "Police" of the City Code to amend the state statute referencing the definition of cannabis.
2. Approve Ordinance No. 8333 amending several sections under Article 1 "General Provisions" of Chapter 6 "Library" of the City Code including Section 6-101 "Library; Established; How Designated" to remove incorrect building name; Section 6-102 "Library; Definitions" to add and amend definitions; and Section 6-110 "Library; Damages, Etc., to Library Property" to remove video tapes and replace with DVD and CD.

VI. REGULAR AGENDA

1. Open Account Claims to NPPD - \$1,608.44 and Stanley Clouse - \$342.91.

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