

KEARNEY CITY COUNCIL

AGENDA

City Council Chambers, 18 East 22nd Street

April 23, 2019

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:
 - a) Retirement of Longtime Planning Commission Member, Jack McSweeney; and
 - b) Proclamation for Foster Care Month.

II. UNFINISHED BUSINESS

III. PUBLIC HEARINGS

1. REMOVE FROM TABLE. 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 1,300 feet North of Highway 30) and consider Ordinance No. 8334.
2. REMOVE FROM TABLE. 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 Second 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 1,300 feet North of Highway 30) and consider Resolution No. 2019-67.

IV. CONSENT AGENDA *

1. Approve Minutes of Regular Meeting held April 9, 2019.

2. Approve the Claims.
3. Receive recommendations of Planning Commission and set May 14, 2019 at 5:30 p.m. as date and time for hearing on those applications where applicable.
4. Approve the application for a Special Designated License submitted by Juan Lazo, dba El Tropicito 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, May 25, 2019 from 6:00 p.m. until 1:00 a.m. (alternate date would be Sunday, May 26, 2019 from 6:00 p.m. to 12:00 a.m., same location) for a dance.
5. Adopt Resolution No. 2019-72 on the intent to issue tax exempt bonds for the 2019 Part 2 Improvements consisting of Paving Improvement District No. 2019-998 for Patriot Industrial Park.
6. Accept the Proposals received for the West Lincolnway Park playground structure and award the Proposal submitted by Creative Sites in the amount of \$42,070.00.
7. Adopt Resolution No. 2019-73 approving Application and Certificate for Payment No. 1 in the amount of \$184,019.62 submitted by Blessing Construction and approved by Brungardt Engineering, LLC for 2018 Part 3 Improvements for Northridge Estates development including, the extension of 54th Street, beginning approximately 550 feet west of 17th Avenue and continuing 400 feet west to the city limits consisting of Paving Improvement District Nos. 2018-991, 2018-992, 2018-993, Water District Nos. 2018-589, 2018-590, 2018-591 and Sanitary Sewer Improvement District Nos. 2018-525, 2018-526, 2018-527.
8. Authorize the Mayor to send a letter of no recommendation to the Nebraska Liquor Control Commission on the manager application for Scott Rodriguez submitted by Kearney Steak Company dba Whiskey Creek Steakhouse located at 407 South 2nd Avenue in connection with their Class IK-035628 liquor license.
9. Approve the applications for a Special Designated License submitted by Alley Rose Inc. of Kearney dba Alley Rose in connection with their Class IK-021763 to cater and dispense alcoholic liquor as follows:
 - a) Inside The Archway located at 3060 East 1st Street on Saturday, May 18, 2019 from 7:00 p.m. until 1:00 a.m. for a wedding reception;
 - b) Inside Kearney Regional Medical Center located at 804 22nd Avenue on Thursday, May 23, 2019 from 5:00 p.m. to 7:00 p.m. for a business after hours event.
10. Approve the Special Event Permit Application to conduct the North Pole Express for the temporary closing of the parking lot located north of MONA and four parking spaces in front of the Kaufmann Center located at 2202 Central Avenue on December 2,3, 4, 5, 9, 10, 11, 12, 16, 17 and 19, 2019.
11. 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 Archway located at 3060 East 1st Street on Thursday, May 9, 2019 from 3:00 p.m. to 12:00 a.m. for a business event;

- b) Inside First National Bank located at 2223 2nd Avenue on Thursday, May 9, 2019 from 3:00 p.m. to 11:00 p.m. for a business event;
 - c) Inside the Ag Pavilion located at the Buffalo County Fairgrounds, 3807 Avenue N, on Sunday, May 12, 2019 from 3:00 p.m. to 11:00 p.m. for a graduation;
 - d) Inside the Ag Pavilion located at the Buffalo County Fairgrounds, 3807 Avenue N, on Saturday, May 18, 2019 from 3:00 p.m. to 12:00 a.m. for a reception; and
 - e) Inside the Exhibit Building located at the Buffalo County Fairgrounds, 3807 Avenue N, on Thursday, May 30, 2019 from 3:00 p.m. to 12:00 a.m. for a banquet.
12. Approve the Plans and Specifications for the 2019 Part 4 Improvements for Paving Improvement District No. 2019-995 for 19th Street from the southeast corner of Lot 770, thence northerly 131 feet, thence westerly 140 feet, thence southerly 346 feet, thence easterly 130 feet thence northerly 185 feet, thence easterly 10 feet, thence northerly 30 feet to the point of beginning, all in Original Town Kearney Junction and set the bid opening date for May 21, 2019 at 2:00 p.m.
 13. Accept the bids received for the purchase of a Rear Load Refuse Compactor Truck to be used in the Sanitation Division of the Utilities Department and award the bid to Harrison Truck Centers in the amount of \$159,180.00.
 14. Accept the bids received for the purchase of a Side Load Refuse Compactor Truck to be used in the Sanitation Division of the Utilities Department and award the bid to Sanitation Products in the amount of \$220,118.00.
 15. Adopt Resolution No. 2019-74 approving T-Hangar A-01 Lease Agreement at the Kearney Regional Airport between the City of Kearney and Casey Buettner.

* *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. POSTPONED FROM APRIL 9, 2019. Approve Ordinance No. 8335 selling Lot 1, Block 3, Patriot Industrial Park, an addition to the City of Kearney, Buffalo County, Nebraska to Black Hills Gas Distribution, LLC, a Delaware Limited Liability Company.
2. REQUEST TO BE WITHDRAWN. Approve Ordinance No. 8336 amending the Kearney City Code by adding a new Article 31 entitled "Small Cell Facilities" to Chapter 3 "Business Regulations" by outlining intent and purpose, definitions, siting and colocation criteria, permitting, design and aesthetic standards, permit conditions, and application fees and rates pertaining to small cell facility infrastructure.
3. POSTPONED FROM APRIL 9, 2019. Approve Ordinance No. 8337 amending Section 8-1515 "Tobacco; Possession by Minors; Unlawful" and Section 8-1516 "Tobacco; Possession by Minors; Penalty" of Article 15 "General Offenses" of Chapter 8 "Police" of the City Code to add language described in Nebraska Revised State Statutes 28-1418 and 28-1419.

4. Approve Ordinance No. 8338 repealing Ordinance No. 8326 and amend the Salary Ordinance reflecting recommended classification changes.

VI. REGULAR AGENDA

1. Open Account Claim to NPPD - \$194,368.77.

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