

# **KEARNEY CITY COUNCIL**

## **AGENDA**

**City Council Chambers, 18 East 22nd Street**

**July 23, 2019**

**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.
  - a) Retirement of Longtime Civil Service Member, Wayne Olson; and
  - b) Oath of Office to Police K-9 Officer, Bane.

### **II. UNFINISHED BUSINESS**

### **III. PUBLIC HEARINGS**

1. POSTPONED SINCE JULY 9, 2019. REQUEST TO FURTHER POSTPONE TO AUGUST 13, 2019. Conduct a public hearing on the Application submitted by Olsson for Blessing Premier Property, LLC to vacate a tract of land being 17 feet in width, located along the west line of Central Avenue as originally platted at a width of 100 feet located in Government Lot 8, Section 12, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (approximately 200 feet north along the west side of Central Avenue from the intersection of East 1st Street and Central Avenue) and consider Ordinance No. 8352.
2. POSTPONED SINCE JULY 9, 2019. REMOVE FROM TABLE. REQUEST TO FURTHER POSTPONE TO AUGUST 13, 2019. Conduct a public hearing on the Application submitted by Buffalo Surveying Corp. for Douglas Trampe and Marla Trampe, husband and wife, to rezone from District AG, Agricultural District to District RR-2, Rural Residential District (Intermediate Standards) for property described as a tract of land being part of the East Half of the Northwest Quarter of Section 20, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (6615 56th Avenue) and consider Ordinance No. 8354.
3. POSTPONED SINCE JULY 9, 2019. REMOVE FROM TABLE. REQUEST TO FURTHER POSTPONE TO AUGUST 13, 2019. Conduct a public hearing on the Application submitted by Buffalo Surveying Corp. for Douglas Trampe and Marla Trampe, husband and wife for the Final Plat for Trampe Estates, a subdivision being part of the East Half of

the Northwest Quarter of Section 20, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska, for property described as a tract of land being part of the East Half of the Northwest Quarter of Section 20, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (6615 56th Avenue) and consider Resolution No. 2019-106.

4. Conduct a public hearing on the Application submitted by Miller & Associates for the City of Kearney, a Municipal Corporation, for an amendment to the Land Use Map of the City of Kearney Comprehensive Development Plan from Business Park to Light Industrial property described as a tract of land being part of the Northeast Quarter of the Northwest Quarter of Section 29, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (3215 Global Drive Place) and consider Resolution 2019-113.
5. Conduct a public hearing on the Application submitted by Miller & Associates for the City of Kearney, a Municipal Corporation, to rezone from District BP/PD, Business Park/Planned Development Overlay District to District M-1, Limited Industrial District for property described as a tract of land being part of the Northeast Quarter of the Northwest Quarter of Section 29, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (3215 Global Drive Place) and consider Ordinance No. 8363.
6. Conduct a public hearing on the Application submitted by Miller & Associates for the City of Kearney, a Municipal Corporation, for the Final Plat for Tech One Second Subdivision, a subdivision being part of the Northeast Quarter of the Northwest Quarter of Section 29, 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 Northeast Quarter of the Northwest Quarter of Section 29, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (3215 Global Drive Place) and consider Resolution No. 2019-114.

#### **IV. CONSENT AGENDA \***

1. POSTPONED SINCE JULY 9, 2019. Accept the bids received for the 2019 Park and Recreation Parking Lot Improvements at Cottonmill Parking at Swim Lake and Fountain Hills Park and adopt Resolution No. 2019-111 awarding the bid to RMV Construction in the amount of \$92,191.60.
2. Approve Minutes of Special Meeting held July 9, 2019, Minutes of Regular Meeting held July 9, 2019 and Minutes of Special Joint Meeting held July 16, 2019.
3. Approve the Claims.
4. Receive recommendations of Planning Commission and set August 13, 2019 at 5:30 p.m. as date and time for hearing on those applications where applicable.
5. Adopt Resolution No. 2019-115 appointing citizens to serve on the Airport Advisory Board, Board of Adjustment, Civil Service Commission, Community Redevelopment Authority, Downtown Improvement Board, Golf Advisory Board, Kearney Housing Agency and Planning Commission.
6. Approve setting August 13, 2019 at 5:30 p.m. as the time and date to meet as the Board

of Equalization to assess costs in connection with Paving Improvement District No. 2018-990 and Water Connection District No. 2018-1.

7. Adopt Resolution No. 2019-116 approving Change Order No. 1 showing an increase in the amount of \$3,080.00 and Application and Certificate for Payment No. 2 in the amount of \$129,739.95 submitted by Hellas Construction, Inc. and approved by Miller & Associates for Harvey Park Pickleball Court project.
8. Adopt Resolution No. 2019-117 approving the Amendment to Original Agreement for Services between the City of Kearney and the Community Redevelopment Authority to increase the fees and to extend the Agreement an additional five years.
9. Adopt Resolution No. 2019-118 authorizing the City Manager, Director of Finance, Assistant Director of Finance and City Clerk to sign checks, drafts or other withdrawal orders issued against the funds of the City on deposit with designated depositories.
10. Approve the application to extend Conditional Use Permit No. 2011-02 submitted by Carl Whitney Sand & Gravel, Mid-Nebraska Aggregate Inc., and Dennis Clabaugh to locate a sand and gravel extraction operation located at 3825 East 1st Street for a period of four years.
11. Adopt Resolution No. 2019-119 approving Application and Certificate for Payment No. 3 in the amount of \$230,115.38 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.
12. Adopt Resolution No. 2019-120 approving Application and Certificate for Payment No. 1 in the amount of \$48,019.05 submitted by Blessing Construction and approved by Miller & Associates for 2019 Part 2 Improvements for the construction of Patriot Industrial Park consisting of Paving Improvement District No. 2019-998.
13. Adopt Resolution No. 2019-121 approving Application and Certificate for Payment No. 3 in the amount of \$40,290.75 submitted by GD Concrete Construction, Inc. and approved by Miller & Associates for the CDBG Community Development Sidewalk Replacement Project for the construction of the sidewalk replacement involving the area of Avenue C to 5th Avenue and 16th Street north to the Union Pacific Rail Line.
14. Adopt Resolution No. 2019-122 approving Application and Certificate for Payment No. 1 in the amount of \$168,652.41 submitted by Gary Smith Construction Co., Inc. and approved by Miller & Associates for 2019 Asphalt Improvements for 29th Street from 2nd Avenue to 6th Avenue, 9th Avenue from 25th Street to 29th Street and 5th Avenue from 28th Street to 30th Street.
15. Adopt Resolution No. 2019-123 approving Change Order No. 3 showing an increase in the amount of \$58,528.00 (additional water main at TechOne Crossing) submitted by Midlands Contracting, Inc. and approved by Miller & Associates for 2019 Part 1

Improvements; Younes Center Sixth Addition for the construction of water and sewer infrastructure (Bid A).

16. Adopt Resolution No. 2019-124 approving Application and Certificate for Payment No. 3 in the amount of \$203,390.10 submitted by Dan Roeder Concrete, Inc. and approved by Miller & Associates for 2019 Part 1 Improvements; Younes Center Sixth in connection with Paving Improvement District Nos. 2019-996 and 2019-997 (Bid B).
17. Approve the License and Services Agreement between the City of Kearney and Tyler Technologies for software and implementation services and adopt Resolution No. 2019-125.
18. Approve the application to extend Conditional Use Permit No. 2013-03 submitted by Shannon Schmidt to locate a day care facility at 506 East 26th Street for a period of two years.

\* *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. Consider Resolution No. 2019-126 authorizing the City of Kearney to join with NPPD as a co-applicant to the Nebraska Power Review Board for an amendment to NPPD's retail service area to include the annexed land described as Arbor View First, an addition to the City of Kearney, Buffalo County, Nebraska for property described as a tract of land being part of the Southeast Quarter of the Northwest Quarter, and part of Government Lot 2, also known as the Southwest Quarter of the Northwest Quarter of Section 19, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (East of Avenue N, between 65th Street Place and 67th Street).

## VII. REPORTS

## VIII. ADJOURN

Mayor Stanley Clouse  
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Council Member Jonathan Nikkila  
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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](http://www.cityofkearney.org)