

# **KEARNEY CITY COUNCIL**

## **AGENDA**

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

**September 8, 2020**

**5:30 p.m.**

### **I. ROUTINE BUSINESS**

1. Invocation/Moment of Silence.
2. Pledge of Allegiance.
3. Announcement on Open Meetings Act.
4. Roll call.
5. Oral Communication; Recognition of visitors.
  - a) Presentation of the Proclamation encouraging the use of face shields/coverings or cloth face masks to help slow the spread of COVID-19

### **II. UNFINISHED BUSINESS**

### **III. PUBLIC HEARINGS**

1. Conduct a public hearing on Application submitted by Trenton Snow for Jesse and Melissa Pandorf to vacate the platted setbacks being 1) two (2) 25-foot side yard building setbacks and 2) 100-foot rear yard building setback on property described as Lot 1, Austin Estates Fourth Subdivision, a tract of land being part of the West Half of the Northeast Quarter of Section 23, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (612 West 68th Street) and consider Ordinance No. 8437.
2. Conduct a public hearing on the Application submitted by Chris Kabourek for Board of Regents of the University of Nebraska, a public body, to vacate all of Lots 5 and 6, and part of Lots 1, 2, 3, 4, 7, 8, Lincoln Way Villa Plots, an addition to City of Kearney, Nebraska, located in part of the North Half of the Northeast Quarter of the Northeast Quarter, Section 3, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (1910 West 24th Street) and consider Ordinance No. 8438.
3. Conduct a public hearing on the proposed amendment of the 2016 Comprehensive Development Plan for the City of Kearney to update the Future Land Use Map of the Area to align with potential development along the Kearney East Expressway from 11th Street to Coal Chute Road and consider Resolution No. 2020-134.
4. Conduct a public hearing on the adoption of the One & Six Year Street Improvement Plan and consider Resolution No. 2020-135.

5. Conduct a public hearing for the purpose of revising the City of Kearney Budget for the 2019-2020 Fiscal Year and consider Ordinance No. 8439.
6. Conduct a public hearing for the purpose of adopting the City of Kearney Budget for the 2020-2021 Fiscal Year and consider Ordinance No. 8440.
7. Conduct a public hearing for the purpose of adopting the City of Kearney Offstreet Parking District No. 1 Budget for the 2020-2021 Fiscal Year and consider Resolution No. 2020-136.
8. Conduct a public hearing on setting the 2020 City of Kearney property tax levy at a different amount than the preliminary property tax levy set for the City of Kearney by the Buffalo County Clerk and consider Resolution No. 2020-137.

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

1. Approve Minutes of Regular Meeting held August 25, 2020.
2. Approve the Claims.
3. Adopt Resolution No. 2020-138 allowing the City of Kearney to increase its "Budget Authority" by an additional one percent or \$153,522.89 which will be carried over to the 2020-2021 Budget as "Unused Budget Authority".
4. Approve the recommendation submitted by the Keno Committee on the allocation of non-departmental keno funds designed for outside agencies.
5. Adopt Resolution No. 2020-139 repealing Resolution No. 2020-34 and adopt the 2020-2021 Comprehensive Fee Schedule setting forth the fees for items and services to be provided by the City during the 2020-2021 year.
6. Adopt Resolution No. 2020-140 authorizing the Mayor to sign the certification of the Municipal Annual Certification of Program Compliance Form 2020 to Nebraska Board of Public Roads Classifications and Standards as required by the Nebraska Department of Transportation.
7. Authorize the Mayor to send a letter of no recommendation to the Nebraska Liquor Control Commission on the manager application for Chelsea Loparco submitted by Pepperjax Development, LLC dba Good Evans located at 1010 3rd Avenue Suite F in connection with their Class I-123329 liquor license.
8. Adopt Resolution No. 2020-141 approving Change Order No. 1 showing a decrease in the amount of \$41,161.70, Application and Certificate for Payment No. 4-Final in the amount of \$40,189.35 and accepting the Certificate of Substantial Completion submitted by Nielsen Contracting and approved by Olsson for 2019 Part 3 Improvements for the reconstruction of A Avenue, from 25th Street to 27th Street.
9. Adopt Resolution No. 2020-142 approving Application and Certificate for Payment No. 5-Final in the amount of \$41,471.20 and accepting the Certificate of Substantial Completion submitted by Ensley Electrical Services and approved by City staff for the installation of a

new generator at the Law Enforcement Center.

10. Adopt Resolution No. 2020-143 approving the Grant Agreement between the City of Kearney and Federal Aviation Administration in connection with AIP No. 3-31-0045-032-2020 for the Taxiway 'A' & Connecting Taxiway Rehabilitation project at the Kearney Regional Airport.
11. Adopt Resolution No. 2020-144 approving Change Order No. 1 showing an increase in the amount of \$30,400.00 submitted by Paulsen, Inc. and approved by Alfred Benesch and Company for AIP Project No. 3-31-0045-032 in connection with the Taxiway 'A' & Connecting Taxiway Rehabilitation project at the Kearney Regional Airport.

\* *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. 8441 amending Section 8-1515 "Tobacco; Possession by Minors; Unlawful" of Article 15 "General Offenses" of Chapter 8 "Police" of the City Code by amending the age of unlawful possession by minors of tobacco from 19 years to 21 years based on the update to Nebraska Revised State Statute 28-1418 (per LB1064) to become effective October 1, 2020.
2. Approve Ordinance No. 8442 repealing Ordinance No. 8417 and classify the officers and employees of the City; fix the ranges of compensation of such officers and employees; establish the hours and work period for overtime eligibility; provide for payments of clothing and/or uniform allowances; provide for payment of vehicle allowance; and provide for payment of health and dental benefits for active full-time employees; to provide for payment of health benefits for early retiree employees pursuant to Resolution No. 2019-68A.

## VI. REGULAR AGENDA

## VII. REPORTS

## VIII. ADJOURN

Mayor Stanley Clouse  
4907 Linden Drive Place  
627-6730 cell  
238-5210 office  
[mayor@kearneygov.org](mailto:mayor@kearneygov.org)

Vice-President Randy Buschkoetter  
1110 13th Avenue  
234-5553 home  
440-0358 cell  
[citycouncil@kearneygov.org](mailto:citycouncil@kearneygov.org)

Council Member Bruce Lear  
4803 Avenue L Place  
234-5354 home  
308-389-8770 office  
[citycouncil@kearneygov.org](mailto:citycouncil@kearneygov.org)

Council Member Tami James Moore  
704 10th Avenue  
440-6992 cell  
[citycouncil@kearneygov.org](mailto:citycouncil@kearneygov.org)

Council Member Jonathan Nikkila  
4 Regency Place  
224-4309 cell  
[citycouncil@kearneygov.org](mailto:citycouncil@kearneygov.org)

City Manager Michael Morgan  
18 East 22nd Street  
233-3214 office  
[mmorgan@kearneygov.org](mailto:mmorgan@kearneygov.org)

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)