

KEARNEY CITY COUNCIL

AGENDA

City Council Chambers, 18 East 22nd Street

November 10, 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) Oath of Office to Police K-9 Officer, Murphy; and
 - b) Presentation from Kearney hospitals pertaining to the COVID pandemic.

II. UNFINISHED BUSINESS

III. PUBLIC HEARINGS

1. REQUEST TO FURTHER POSTPONE TO NOVEMBER 24, 2020. POSTPONED SINCE OCTOBER 13, 2020. Conduct a public hearing on the Applications submitted by Miller & Associates for the City of Kearney and Compute North NE05, LLC to 1) vacate Lot 2, 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 and consider Ordinance No. 8445 and 2) rezone from District M-1, Limited Industrial District and District BP/PD, Business Park/Planned Development Overlay District to District BP, Business Park District for property described as a tract of land being part of the Northeast Quarter of the Northwest Quarter and part of the Southeast 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. 8446.
2. REQUEST TO FURTHER POSTPONE TO NOVEMBER 24, 2020. POSTPONED SINCE OCTOBER 13, 2020. Conduct a public hearing on the Application submitted by Miller & Associates for the City of Kearney and Compute North NE05, LLC for an amendment to the Land Use Map of the City of Kearney Comprehensive Development Plan from Business Park and Light Industrial to Business Park for property described as a tract of land being part of the Northeast Quarter of the Northwest Quarter and part of the Southeast 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. 2020-155.

3. REQUEST TO FURTHER POSTPONE TO NOVEMBER 24, 2020. POSTPONED SINCE OCTOBER 13, 2020. Conduct a public hearing on the Application submitted by Miller & Associates for the City of Kearney and Compute North NE05, LLC for the Final Plat and Subdivision Agreement for Tech One Third Subdivision, a subdivision being part of the Northeast Quarter of the Northwest Quarter and part of the Southeast 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 and part of the Southeast 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. 2020-156.
4. Conduct a public hearing to receive input from the public on the progress of Community Development Block Grant (CDBG) 16-CD-203 for community/economic development activities.
5. Conduct a public hearing on the Application submitted by Trenton Snow for RYGA, LLC (Gary Behlmann), to vacate a 14-foot-wide alley as it abuts Lots 1 through 14, Block 15, Whiteaker's Grove Addition to the City of Kearney, Buffalo County, Nebraska (alley between Avenue N and Avenue O from 20th Street to 21st Street) and consider Ordinance No. 8453.
6. Conduct a public hearing on the Applications submitted by Miller & Associates for TBK Transmissions, LLC, to (1) vacate all of Banner Avenue as it abuts Lots 2, 3 and 4, Block One on the West and Lot 1, Block Two on the East, all in Pete's Town & Country Addition AND Lot 1, Northeast Industrial Fourth Subdivision and consider Ordinance No. 8454 and (2) to rezone from District C-3, General Commercial District to District C-3/PD, General Commercial/Planned Development Overlay District for property described as Lot 1, Block Two, Pete's Town & Country Addition, a subdivision being part of Government Lots 4 and 5 located in the Southwest Quarter of Section 29, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska; AND the West Half of the to be vacated Banner Avenue in Pete's Town & Country Addition, a subdivision being part of Government Lots 4 and 5 located in the Southwest Quarter of Section 29, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (Northeast corner of 39th Street and Antelope Avenue) and consider Ordinance No. 8455.
7. Conduct a public hearing on the Application submitted by Miller & Associates for TBK Transmissions, LLC for Planned District Development Plan Approval for the proposed construction of a commercial transmission/auto repair building on property to be zoned District C-3/PD, General Commercial/Planned Development Overlay District and described as Lot 1, Block Two, Pete's Town & Country Addition, a subdivision being part of Government Lots 4 and 5 located in the Southwest Quarter of Section 29, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska; AND the West Half of the to be vacated Banner Avenue in Pete's Town & Country Addition, a subdivision being part of Government Lots 4 and 5 located in the Southwest Quarter of Section 29, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (Northeast corner of 39th Street and Antelope Avenue) and consider Resolution No. 2020-174.
8. Conduct a public hearing on the Application submitted by Miller & Associates for Sorensen Acres, LLC, a Nebraska Limited Liability Company to rezone from District AG, Agricultural District to District C-2, Community Commercial District for property described as a tract of land being part of the Northeast Quarter of the Northeast Quarter, Section 26, Township 9

North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (Northwest corner of 54th Street and 2nd Avenue) and Ordinance No. 8456.

9. Conduct a public hearing on the Application submitted by Miller & Associates for Sorensen Acres, LLC, a Nebraska Limited Liability Company for the Final Plat and Subdivision Agreement for Oak Park Center Second, an addition to the City of Kearney, Buffalo County, Nebraska for property described as a tract of land being part of the Northeast Quarter of the Northeast Quarter, Section 26, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (Northwest corner of 54th Street and 2nd Avenue) and consider Resolution No. 2020-175.
10. Conduct a public hearing on the Application submitted by Miller & Associates for Sorensen Acres, LLC, a Nebraska Limited Liability Company for the annexation of Oak Park Center Second, an addition to the City of Kearney, Buffalo County, Nebraska for property described as a tract of land being part of the Northeast Quarter of the Northeast Quarter, Section 26, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (Northwest corner of 54th Street and 2nd Avenue) and consider Resolution No. 2020-176.

IV. CONSENT AGENDA *

1. Approve Minutes of Regular Meeting held October 27, 2020.
2. Approve the Claims.
3. Adopt Resolution No. 2020-177 approving Amendment No. 3 to the Consultant Agreement between Alfred Benesch and Company and the City of Kearney for Airport Improvement Program Project No. 3-31-0045-032 in connection with the Taxiway 'A' & Connecting Taxiway Rehabilitation project at the Kearney Regional Airport for the addition of Preliminary and Bidding services and the reduction of Special (Geotechnical Investigation) and Design services to the existing contract.
4. Accept the bids received for the 2020 Part 1 Improvements for the removal and replacement of N Avenue from 28th Street to 39th Street in connection with Paving Improvement District No. 2020-004 and adopt Resolution No. 2020-178 awarding the bid to Blessing Construction in the amount of \$2,666,533.00.
5. Adopt Resolution No. 2020-179 approving Application for Payment No. 4 in the amount of \$62,135.32 submitted by The Diamond Engineering Company and approved by Oak Creek Engineering for the Cherry Avenue Pedestrian Bridge Replacement.
6. Adopt Resolution No. 2020-180 approving the Hangar T-385 Lease Agreement between the City of Kearney and Fred Krause for aircraft storage at the Kearney Regional Airport.
7. Approve the following T-Hangar Lease Agreements at the Kearney Regional Airport: Jeffrey Scott Baker, John Jacobsen and John Schulte and adopt Resolution 2020-181.
8. Adopt Resolution No. 2020-182 accepting and approving the funding for special projects and/or priorities that were previously delayed due to the financial uncertainty involving the COVID-19 pandemic.

9. Adopt Resolution No. 2020-183 appointing City employee Brandon Shafto (License No. S-1572, Class A) to continue serving until further notice as the City Street Superintendent with regard to requirements and duties with the Nebraska Department of Transportation as he has served in this capacity since November 6, 2015.
10. Adopt Resolution No. 2020-184 calling for the redemption of Combined Utilities Revenue and Refunding Bonds, Series 2011, in the principal amount of \$190,000.
11. Adopt Resolution No. 2020-185 approving Application for Payment No. 2 in the amount of \$88,102.53 submitted by Blessing Construction and approved by Miller & Associates for the 2020 Part 7 Improvements; Downtown Asphalt project.
12. Adopt Resolution No. 2020-186 approving Change Order No. 2 showing a decrease in the amount of \$16,537.24, Application for Payment No. 3-Final in the amount of \$49,085.93 and accept the Certificate of Substantial Completion submitted by J.I.L. Asphalt Paving Company and approved by Miller & Associates for 2020 Part 4 Improvements for the removal and replacement of asphalt roadway of 20th Street/Q Avenue/Coal Chute Road from M Avenue east to the City limit.
13. Adopt Resolution No. 2020-187 approving Change Order No. 1 showing an increase in the amount of \$13,498.00 and Application and Certificate for Payment No. 2 in the amount of \$104,901.74 submitted by Morten Construction, LLC and approved by Miller & Associates for the 2020 Trail Restoration.
14. Authorize the Mayor to send a letter of no recommendation to the Nebraska Liquor Control Commission on the Application for Reconstruction submitted by World Theatre Foundation, dba World Theatre in connection with their Class I-100700 liquor license located at 2318 Central Avenue.
15. Approve the purchase of a Genie TZ50 Hybrid Towable Boom Lift in the amount of \$48,445.00 submitted by Nebraska Machinery under the Sourcewell Cooperative Purchasing Contract program to be used in the Park & Recreation Department.

* *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. Second Reading of Ordinance No. 8450 annexing the following: a tract of land being part of the South Half of the Southwest Quarter of Section 21, part of the Northwest Quarter and part of the West Half of the Northeast Quarter of Section 28, part of the East Half of the Northeast Quarter of Section 29, all in Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska, Lots 1 and 2, Patriot First Subdivision, a Subdivision being part of the East Half of the Northwest Quarter and part of the West Half of the Northeast Quarter of Section 28, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska and including all of those parts of Cherry Avenue, Avenue A (aka Airport Road), Avenue B (aka Piper Avenue) and 56th Street, lying within the above described lands all in Buffalo

County, Nebraska (located South of 56th Street between the Kearney East Expressway and Airport Road, West of Airport Road, North and West of Cessna Street, West of Piper Avenue, North of Patriot Boulevard, East of Cherry Avenue and Kearney East Expressway).

VII. REPORTS

VIII. ADJOURN

Mayor Stanley Clouse
4907 Linden Drive Place
627-6730 cell
238-5210 office
mayor@kearneygov.org

Vice-President Randy Buschkoetter
1110 13th Avenue
234-5553 home
440-0358 cell
citycouncil@kearneygov.org

Council Member Bruce Lear
4803 Avenue L Place
234-5354 home
308-389-8770 office
citycouncil@kearneygov.org

Council Member Tami James
Moore
704 10th Avenue
440-6992 cell
citycouncil@kearneygov.org

Council Member Jonathan Nikkila
4 Regency Place
224-4309 cell
citycouncil@kearneygov.org

City Manager Michael Morgan
18 East 22nd Street
233-3214 office
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