

KEARNEY CITY COUNCIL

AGENDA

City Council Chambers, 18 East 22nd Street

March 23, 2021

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.

II. UNFINISHED BUSINESS

III. PUBLIC HEARINGS

1. 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. 8472 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. 8473.
2. 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. 2021-37.
3. 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. 2021-38.

4. Conduct a public hearing on the Proposed amendments to the following chapters/sections of the City Code as follows: (a) Section 56-101 "Purpose" of Chapter 56 "Public Improvements and Infrastructure" to amend the reference of storm water to stormwater; (b) Section 56-102 "Water" of Chapter 56 "Public Improvements and Infrastructure" to amend the references of City Engineer to Director of Public Works or his/her duly appointed representative; (c) Section 56-103 "Sanitary Sewers" of Chapter 56 "Public Improvements and Infrastructure" to amend the references of City Engineer to Director of Public Works or his/her duly appointed representative; (d) Section 56-104 "Storm Water Management" of Chapter 56 "Public Improvements and Infrastructure" to amend the reference of storm water to stormwater, including the section title and to amend the references of City Engineer to Director of Public Works or his/her duly appointed representative and to amend from thirty (30) days of the date of notice to five (5) days of the date of notice for when maintenance is required for a given stormwater facility, following written notice from the City to property owners responsible for said maintenance; (e) Section 56-106 "Parks Reservations" of Chapter 56 "Public Improvements and Infrastructure" to amend the reference of storm water to stormwater; (f) Section 56-109 "Timing and Conveyance" of Chapter 56 "Public Improvements and Infrastructure" to amend the references of City Engineer to Director of Public Works or his/her duly appointed representative; and (g) Section 56-112 "Easements" of Chapter 56 "Public Improvements and Infrastructure" to amend the reference of storm water to stormwater and consider Ordinance No. 8474.

IV. CONSENT AGENDA *

1. Approve Minutes of Regular Meeting held March 9, 2021.
2. Approve the Claims.
3. Receive recommendations of Planning Commission and set April 13, 2021 at 5:30 p.m. as date and time for hearing on those applications where applicable.
4. Accept the bids received for the Yanney Park – 8th Street Pedestrian Bridge in the amount of \$232,600 and adopt Resolution No. 2021-39 awarding the bid to Simon Contractors.
5. Accept the bids received for the purchase of a hook lift truck used in the Utilities Department and award the bid to Nebraska Truck Center in the amount of \$159,500.00.
6. Adopt Resolution No. 2021-40 approving the Developer Constructed Infrastructure Agreement for William Estates between the City of Kearney and William Diessner, President of B & G Investments, LLC, a Nebraska Limited Liability Company for the construction of a water main and sanitary sewer main to serve William Estates, an addition to the City of Kearney, Buffalo County, Nebraska.

7. Adopt Resolution No. 2021-41 approving the Agreement between the City of Kearney and KSO CPAs + Advisors for auditing services.
8. Adopt Resolution No. 2021-42 approving Application for Payment No. 3 in the amount of \$38,200.45 submitted by Brown Construction and approved by RDG Planning & Design for the construction of the Community Tennis Facility.
9. Approve the Plans and Specifications for the Airport Improvement Program Project No. 3-31-0045-034 in connection with the Parking Lot Expansion project at the Kearney Regional Airport and set the bid opening date for April 20, 2021 at 2:00 p.m.
10. Adopt Resolution No. 2021-43 approving and authorizing the City Manager to execute the Recreational Use Agreement between the City of Kearney and Nebraska Public Power District (NPPD) to provide for the operation and maintenance of the existing hike-bike trail which uses certain portions of NPPD's Canal and the existing Cottonmill Bridge and for the construction, operation and maintenance of the new bridge to be linked to the hike and bike trail across from NPPD's Canal property located near 8th Street and agreement.
11. Adopt Resolution No. 2021-44 approving and authorizing the City Manager to execute the Water Delivery Agreement between the City of Kearney and Nebraska Public Power District to deliver water to the Rolling Hills Reservoir via the Kearney Canal.
12. Adopt Resolution No. 2021-45 approving the request by Kearney Gaming, LLC to provide keno-type lottery operation at Billy Jack's Pizza Pub located at 810 3rd Avenue.
13. Adopt Resolution No. 2021-46 approving the Purchase Agreement between Floyd Beins and the City of Kearney for the purchase of a tract of land located in the Southwest Quarter of the Northwest Quarter AND a tract of land in the Northwest Quarter, all in Section 30, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska being located at 4755, 4759, 4805 N Avenue.
14. Approve the agreement with the City of Kearney and Tri-City Auction Center to provide auctioneering services for property to be sold at police auction by the Kearney Police Department and adopt Resolution No. 2021-47.
15. Approve the Plans and Specifications for the continuation of Phase II Enhancements of the Kearney Water Trail known as Kearney Whitewater Park and set the bid opening date for May 4, 2021 at 2:00 p.m.

* *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. 8475 amending Section 8-507 "Sale of Vehicle" of Article 5 "Abandoned Vehicles" of Chapter 8 "Police" of the City Code to amend the language authorizing the sale of vehicles by the City Manager or designee and to add the authorization for the Police Department to sell such vehicle at public sale or by use of an online auction website and give proper notice being printed once in the appropriate

newspaper of general circulation within the City at least ten (10) days prior to sale or by being posted on the City of Kearney website for a period of at least ten (10) days prior to sale.

2. Approve Ordinance No. 8476 authorizing the issuance of Combined Utilities Revenue Bonds, Series 2021, of the City of Kearney, Nebraska, in the aggregate principal amount of \$1,045,000 for the purpose of paying the cost of maintaining, extending, enlarging and improving the waterworks plant and water system and the sewage disposal plant and sanitary sewer system of the city; directing the application of the proceeds of said bonds; prescribing the form, terms and details of said bonds; pledging and hypothecating the revenue and earnings of the waterworks plant and water system, sewage disposal plant and sanitary sewer system and electric distribution system of said city for the payment of said bonds and interest thereon; providing for the collection, segregation and application of the revenues of said waterworks plant and water system, sewage disposal plant and sanitary sewer system and electric distribution system.

VI. REGULAR AGENDA

1. Open Account Claim to NPPD - \$88,948.23.

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