

# **KEARNEY CITY COUNCIL**

## **AMENDED AGENDA**

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

**October 12, 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:
  - a) Presentation of Flag and Proclamation for Law Enforcement Appreciation Week.

### **II. UNFINISHED BUSINESS**

### **III. PUBLIC HEARINGS**

1. REQUEST TO POSTPONE TO OCTOBER 26, 2021. Conduct a public hearing on the Application submitted by Trenton Snow for Tracy & Jolynn Cook for the Final Plat and Subdivision Agreement for Lake Villa Estates Fifth, an addition to the City of Kearney, Buffalo County, Nebraska for property described as a tract of land part of Government Lot 2 and part of Government Lot 3 in Section 13, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (North of Emerald Drive and East of Tahoe Drive) and consider Resolution No. 2021-189.
2. Conduct a public hearing on the Application submitted by Buffalo Surveying Corp. for Prairie View Properties, LLC and Blessing Premier Property, LLC 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 North Half of the Southeast Quarter, part of Government Lot 2 and part of Government Lot 3 located in Fractional Section 27, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (1000-feet West of Imperial Avenue along East Highway 30) and consider Ordinance No. 8518.
3. Conduct a public hearing on the Application submitted by Buffalo Surveying Corp. for Prairie View Properties, LLC and Blessing Premier Property, LLC for the Final Plat and Subdivision Agreement for Prairie View Business Park, a subdivision being part of the North Half of the Southeast Quarter, part of Government Lot 2 and part of Government Lot 3 located in Fractional Section 27, 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 North Half of the

Southeast Quarter, part of Government Lot 2 and part of Government Lot 3 located in Fractional Section 27, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (1000-foot West of Imperial Avenue along East Highway 30) and consider Resolution No. 2021-190.

4. REQUEST TO POSTPONE TO OCTOBER 26, 2021. Conduct a public hearing on the Applications submitted by Miller & Associates for Eagle Gate Partners, LLC, a Delaware Limited Liability Company, as Trustee of the EGC 1 Trust to (1) vacate all of 52nd Street lying East of the West line of said Fountain Hills Thirteenth Addition, also being the East right of way line of 11th Avenue to the East line of said Fountain Hills Thirteenth Addition and consider Ordinance No. 8519; (2) vacate Lot 1 and Lot 2, Block One and Lot 1, Block Two, Fountain Hills Thirteenth Addition and consider Ordinance No. 8520; and (3) the Final Plat and Subdivision Agreement for Fountain Hills Fourteenth Addition, an addition to the City of Kearney, Buffalo County, Nebraska, for property described as a tract of land being a part of the Northeast Quarter of the Northwest Quarter and part of the Southeast Quarter of the Northwest Quarter of Section 26, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (East of 11th Avenue between 50th Street and 55th Street) and consider Resolution No. 2021-191.
5. REQUEST TO POSTPONE TO OCTOBER 26, 2021. Conduct a public hearing on the Application submitted by Miller & Associates for Eagle Gate Partners, LLC, a Delaware Limited Liability Company, as Trustee of the EGC 1 Trust, for a Revised Planned District Development Plan Approval for the proposed construction of an apartment and townhome development on property zoned District R-3/PD, Urban Residential Multi-Family (Medium Density)/Planned Development Overlay District and described as Lots 1 and 2, Block One and Lot 1, Block Two, all in Fountain Hills Fourteenth Addition, an addition to the City of Kearney, Buffalo County, Nebraska (East of 11th Avenue between 50th Street and 55th Street) and consider Resolution No. 2021-192.

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

1. Approve Minutes of Regular Meeting held September 28, 2021.
2. Approve the Claims.
3. Authorize the Mayor to send a letter of no recommendation to the Nebraska Liquor Control Commission on the Class CCS-124499 liquor license application and manager application for Charbell Younes submitted by NVY Enterprises LLC dba NVY Cigar Lounge located at 1925 Central Avenue.
4. Accept the bids received for the 2021 Cemetery North Addition; Phase I (Bid A, Site Grading) and adopt Resolution No. 2021-193 awarding the bid for Bid A (Site Grading) to Blessing, LLC in the amount of \$66,661.25.
5. Adopt Resolution No. 2021-194 accepting the bids received for the 2021 Cemetery North Addition; Phase I (Bid B, Storm Sewer), approving Change Order No. 1 showing a decrease in the amount of \$30,100 and awarding the bid for Bid B (Storm Sewer) to Midlands Contracting, Inc. in the amount of \$168,860.

6. Accept the Proposals received for the installation of Cemetery fence at the Kearney Cemetery and award the Proposal submitted by American Fencing Company in the amount of \$58,476.90.
7. Approve the Plans and Specifications for the Harmon Park Sonatorium Restoration and set the bid opening date for November 9, 2021 at 2:00 p.m.
8. Adopt Resolution No. 2021-195 approving Amendment No. AJW-FN-CSA-21-CE-004733 to the Non-Federal Reimbursable Agreement between the City of Kearney and the Federal Aviation Administration for FAA NAVAIDs Engineering to perform site visit, preliminary design, engineering, review, and construction/installation activities for the Terminal Expansion project impacting FAA NAS facilities including Automated Weather Observing System, Radio Communications Outlet, Instrument Landing Systems Remote Monitoring System, FAA Telecommunications Infrastructure circuits, FAA cabling and infrastructure at the Kearney Regional Airport.
9. Approve the updated Interlocal Agreement for Cooperative Law Enforcement Services to the South Central Area Law Enforcement Services (SCALES) between the counties of Adams, Buffalo, Clay, Dawson, Hall, Hamilton, Merrick, and Phelps, and the cities of Aurora, Cozad, Grand Island, Hastings, Holdrege, Kearney, Lexington, and Minden and adopt Resolution No. 2021-196.
10. Adopt Resolution No. 2021-197 approving Application for Payment No. 4 in the amount of \$690,962.52 submitted by Blessing Construction and approved by Miller & Associates 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.
11. Adopt Resolution No. 2021-198 approving Change Order No. 3 showing a decrease in the amount of \$503.90 and Change Order No. 4 showing an increase in the amount of \$23,531.96 and Application and Certificate for Payment No. 10 in the amount of \$602,665.56 submitted by Brown Construction and approved by RDG Planning & Design for the construction of the Community Tennis Facility.
12. ADDENDUM ITEM. Authorize the Mayor to send a letter of no recommendation to the Nebraska Liquor Control Commission on the manager applications for Kinsey Bosselman submitted by Bosselman Pump & Pantry Inc dba: 1) Pump & Pantry 27 located at 4311 2nd Avenue in connection with their D-025700 liquor license; 2) Pump & Pantry 40 located at 1616 2nd Avenue in connection with their D-121959 liquor license; and 3) Pump & Pantry 41 located 1212 East 56th Street in connection with their D-113929 liquor license.

\* *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. Presentation by Art Davis with Baker Tilly on the City Manager Recruitment Services Process.

2. Open Account Claims to NPPD - \$11,758.27 and Stanley Clouse - \$428.54.

## VII. REPORTS

## VIII. ADJOURN

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Vice-President Randy Buschkoetter  
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The Mayor and City Council reserve the right to adjourn into executive session as per Section 84-1410 of the Nebraska Revised Statutes. 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)