

KEARNEY CITY COUNCIL

AGENDA

City Council Chambers, 18 East 22nd Street

October 26, 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. POSTPONED SINCE OCTOBER 12, 2021. REMOVE FROM THE TABLE. 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. POSTPONED SINCE OCTOBER 12, 2021. WITHDRAWN. Conduct a public hearing on the Applications submitted by Miller & Associates for DT Development 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.

3. POSTPONED SINCE OCTOBER 12, 2021. WITHDRAWN. 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 October 12, 2021.
2. Approve the Claims.
3. Receive recommendations of Planning Commission and set November 9, 2021 at 5:30 p.m. as date and time for hearing on those applications where applicable.
4. Adopt Resolution No. 2021-199 approving Change Order No. 1 showing an increase in the amount of \$1,472.00 submitted by Paulsen, Inc. and approved by Alfred Benesch and Company for Airport Improvement Program/CARES Act Project (No. 3-31-0045-034) in connection with the Parking Lot Expansion project at the Kearney Regional Airport.
5. Approve the Agreement for Operation between the City of Kearney and with Brown Leasing Co., Inc. dba Thrifty Car Rental for Building for rental of space to conduct on-airport car rental concessions at the Kearney Regional Airport and adopt Resolution No. 2021-200.
6. Accept the bids received for the Yanney Park Maintenance Building and adopt Resolution No. 2021-201 awarding the bid to Duncan Theis Construction, Inc. in the amount of \$514,038.00.
7. Adopt Resolution No. 2021-202 approving Application and Certificate for Payment No. 2 in the amount of \$311,338.43 submitted by Dan Roeder Concrete and approved by Olsson for 2020 Part 2 Improvements; 31st Street from D Avenue to G Avenue.
8. Adopt Resolution No. 2021-203 approving Application and Certificate for Payment No. 1 in the amount of \$139,072.50 submitted by submitted by Dan Roeder Concrete and approved by Olsson for 2021 Part 2 Improvements; Pony Express Road.
9. Adopt Resolution No. 2021-204 accepting the public improvements constructed under a Developer Constructed Infrastructure Agreement with KAAPA Ethanol Holdings, LLC, for a parcel of land being Lots 1 and 2, Block 2, Lake Villa Estates an addition to the City of Kearney, Buffalo County, Nebraska.
10. Adopt Resolution No. 2021-205 approving Change Order No. 3 showing an increase in the contract time to reflect 13 total additional calendar days being added to the total calendar days allotted for "all work (Phase 1 thru Phase 4)" due to precipitation and subsequent delays throughout the duration of Phase 1A and combining Phase 3A and Phase 4A into a

single (final) phase 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.

11. Accept the Proposals received for the purchase and installation of a truck scale at the Kearney Area Solid Waste Agency Landfill and award the Proposal submitted by Fairbanks Scales in the amount of \$225,806.00.
12. Adopt Resolution No. 2021- 206 approving Application and Certificate for Payment No. 1 in the amount of \$131,049.96 submitted by Midlands Contracting Inc. and approved by Miller & Associates for 2021 Part 5 Improvements; Extension of Talmadge Street (Bid A, Sanitary Sewer and Water).
13. Approve the purchase of a 2022 Elgin Whirlwind Street Sweeper on a 2021 Freightliner M2 Chassis in the amount of \$239,378.00 submitted by Nebraska Environmental Products under the Sourcewell Cooperative Purchasing Contract program to be used in the Public Works Department.
14. Adopt Resolution No. 2021-207 approving Change Order No. 1 showing a decrease in the amount of \$2,724.00 and increasing the substantial completion date to December 7, 2021 and the final completion date to December 15, 2021 and Application and Certificate for Payment No. 5 in the amount of \$98,478.90 submitted by RMV Construction and approved by Miller & Associates for the Wastewater Treatment Plant Phase II; Vehicle Storage Building.
15. Accept the bids received for the 2022 Part 1 Improvements; 48th Street and adopt Resolution No. 2021-208 awarding the bid to Dan Roeder Concrete for the Base Bid and Alternate Bid B in the amount of \$796,683.00.
16. Adopt Resolution No. 2021-209 accepting the public improvements constructed under a Developer Constructed Infrastructure Agreement with Joshua Graczyk, Member/Manager and Kristen Graczyk, Member/Manager, both of Graczyk Properties, L.L.C., a Nebraska Limited Liability Company for Graczyk Addition, an addition to the City of Kearney, Buffalo County, Nebraska.
17. Approve the purchase of two Toro Greensmasters, TriFlex 3300 Hydraulic with related equipment (\$82,105.04) and the purchase of a Toro Groundsmaster 3500-D Complex Mower (\$36,972.78) in the total amount of \$119,077.82 submitted by Midwest Turf & Irrigation under the Sourcewell Cooperative Purchasing Contract program to be used at Meadowlark Hills Golf Course.

* *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. 8521 amending Section 8-915.2 "Snow Emergency Routes" of Article 9 "Stopping, Standing and Parking" of Chapter 8 "Police" of the City Code to amend sections of the Emergency Routes including the removal of the following street: Country

Club Lane from 39th Street to North City Limits; the extension of the route on the following streets: 48th Street from 11th Avenue to Avenue N, Country Club Lane from 24th Street to 50th Street; and the addition of the following street: 50th Street from 11th Avenue to Country Club Lane.

VI. REGULAR AGENDA

1. Open Account Claim to Stanley Clouse - \$157.06 and NPPD - \$97,712.32.

VII. REPORTS

VIII. ADJOURN

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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