

KEARNEY CITY COUNCIL

AGENDA

City Council Chambers, 18 East 22nd Street

December 21, 2021

5:30 p.m.

I. ROUTINE BUSINESS

1. Invocation/Moment of Silence.
2. Presentation of Colors by the Kearney Volunteer Fire Department Color Guard and Pledge of Allegiance.
3. Announcement on Open Meetings Act.
4. Roll call.
5. Oral Communication; Recognition of visitors.
 - a) Presentation of Kearney Volunteer Fire Department Service Awards: Josiah Gillming, Kevin Kalkowski, Bill Schaffnitt and Clint Smith for 5 years of service; Kevin Royle for 10 years of service; James Tacha and George Wiedel for 20 years of service; Eddy Baer and Bradley Isaac for 30 years of service; and Emmett Maul (posthumously) for 45 years of service.
 - b) Presentation of Firefighter Certificates of Training for completing 2021 Firefighter I Class: Connor Brown, Lukas Frey, Adam Grazier, Zach Harris and Ryan Wheeler.

II. UNFINISHED BUSINESS

III. PUBLIC HEARINGS

1. **POSTPONED TO JANUARY 25, 2022.** Conduct a public hearing on the Application submitted by Buffalo Surveying Corp. for Kdiver, LLC, a Nebraska Limited Liability Company for an amendment to the Land Use Map of the City of Kearney Comprehensive Development Plan from Rural Estates and Agriculture to Low Density Residential for property described a tract of land being a part of the Northeast Quarter of the Northeast Quarter, part of Government Lots 1 and 2, part of accretion lands deriving from and adjacent to Government Lots 1 and 2, all located in Section 13, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska, said tract also being a part of accretion lands deriving from and adjacent to Government Lot 2 located in Section 18, Township 8 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (East of Ontario Road and Tahoe Drive, Southwest of Avenue M and East 1st Street) and consider Resolution No. 2021-235.
2. **POSTPONED TO JANUARY 25, 2022.** Conduct a public hearing on the Application submitted by Buffalo Surveying Corp. for Kdiver, LLC, a Nebraska Limited Liability Company to rezone from District R-1, Urban Residential Single-Family District (Low Density) to District

AG, Agricultural District for property described as a tract of land being a part of the Northeast Quarter of the Northeast Quarter, part of Government Lots 1 and 2, part of accretion lands deriving from and adjacent to Government Lots 1 and 2, all located in Section 13, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska, said tract also being a part of accretion lands deriving from and adjacent to Government Lot 2 located in Section 18, Township 8 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (East of Ontario Road and Tahoe Drive, Southwest of Avenue M and East 1st Street) and consider Ordinance No. 8538.

3. **POSTPONED TO JANUARY 25, 2022.** Conduct a public hearing on the Application submitted by Buffalo Surveying Corp. for Kdiver, LLC, a Nebraska Limited Liability Company for a Conditional Use Permit for a resource extraction operation on property to be zoned District AG, Agricultural District and described as a tract of land being a part of the Northeast Quarter of the Northeast Quarter, part of Government Lots 1 and 2, part of accretion lands deriving from and adjacent to Government Lots 1 and 2, all located in Section 13, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska, said tract also being a part of accretion lands deriving from and adjacent to Government Lot 2 located in Section 18, Township 8 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (East of Ontario Road and Tahoe Drive, Southwest of Avenue M and East 1st Street) and consider Ordinance No. 8539.

IV. CONSENT AGENDA *

1. Approve the Claims.
2. Receive recommendations of Planning Commission and set January 11, 2022 at 5:30 p.m. as date and time for hearing on those applications where applicable.
3. Adopt Resolution No. 2021-248 approving the recommendation submitted by the Fire Chief to include the following as members of the Kearney Volunteer Fire Department: Dalton Schmidt, Nolan Shinn and Karl Webb.
4. Adopt Resolution No. 2021-249 accepting the bids received for the Harmon Park Sonatorium Restoration, awarding the bid to RMV Construction in the amount of \$1,301,400 and approving Change Order No. 1 showing a decrease in the amount of \$97,325 to RMV Construction.
5. Adopt Resolution No. 2021-250 accepting the public improvements constructed under a Developer Constructed Infrastructure Agreement for Silverton Addition, an addition to the City of Kearney, Buffalo County, Nebraska.
6. Adopt Resolution No. 2021-251 approving Application for Payment No. 6 in the amount of \$366,137.98 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.
7. Approve the Plans and Specifications for the 2MG Elevated Water Tower and set the bid opening date for January 18, 2022 at 2:00 p.m.

8. Adopt Resolution No. 2021-252 approving Change Order No. 1 showing a decrease in the amount of \$390.00, Application and Certificate for Payment No. 1-Final in the amount of \$66,271.25 and accept the Certificate of Substantial Completion submitted by Blessing LLC and approved by Miller & Associates for 2021 Cemetery North Addition; Phase I (Bid A, Site Grading).
9. Approve the Plans and Specifications for the 2020 Part 3 Improvements; 2nd Avenue Overpass Repairs and set the bid opening date for January 19, 2022 at 2:00 p.m.
10. Adopt Resolution No. 2021-253 accepting the public improvements constructed under a Developer Constructed Infrastructure Agreement for Grandview Estates Thirteenth, an addition to the City of Kearney, Buffalo County, Nebraska.
11. Accept the Certificate of Vote by the Buffalo County Election Commissioner for the December 14, 2021 Special Election for the City of Kearney Bond & Extension of the Occupation Tax Issue.

* *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. 8540 authorizing the issuance of a Combined Utilities Revenue Bond of the City of Kearney, Nebraska, in the principal amount of up to \$8,000,000 for the purpose of paying the costs of improvements to the city's water tower and booster station; authorizing the issuance of said bond in the form of a promissory note to evidence a loan from the Nebraska Department of Environment and Energy; approving the execution and delivery of a loan agreement with the Nebraska Department of Environment and Energy; approving related documents with respect to said loan; prescribing the form, terms and details of said bond; 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 bond and interest thereon; providing for the collection, segregation and application of the revenues of the City's 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 - \$84,587.39.

VII. REPORTS

VIII. ADJOURN

Mayor Stanley Clouse
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City Manager Michael Morgan
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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