

KEARNEY CITY COUNCIL

AGENDA

City Council Chambers, 18 East 22nd Street

February 8, 2022

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) Proclamation recognizing February 6 – 13, 2022 as Scouting Anniversary Week.

II. UNFINISHED BUSINESS

III. PUBLIC HEARINGS

1. Conduct a public hearing on the Applications submitted by Olsson for B & G Investments LLC to 1) vacate Lots 1 and 2, Block 1, William Estates, an addition to the City of Kearney, Buffalo County, Nebraska and consider Ordinance No. 8552; and 2) the Final Plat and Subdivision Agreement for William Grace Estates, an addition to the City of Kearney, Buffalo County, Nebraska for property described as a tract of land located in the Southwest Quarter of the Northeast Quarter of Section 31, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (2116 and 2202 East 34th Street) and consider Resolution No. 2022-35.
2. Conduct a public hearing on the Application submitted by Olsson for B & G Investments LLC for a Revised Planned District Development Plan Approval for the proposed construction of a multi-family residential development on property zoned District R-2/PD, Urban Residential Mixed-Density/Planned Development Overlay District and described as Lots 1 through 9, inclusive, William Grace Estates, an addition to the City of Kearney, Buffalo County, Nebraska (2116 and 2202 East 34th Street) and consider Resolution No. 2022-36.
3. Conduct a public hearing on the proposed acquisition for a 20.00-foot Wide Waterline Easement (A) granted by OE Engines, LLC, a Nebraska Limited Liability Company for a strip of land 20.00 feet wide being part of Lot 2, Cherry Avenue Industrial Park, an addition to the City of Kearney, Buffalo County, Nebraska, dedicated for Waterline Easement purposes and consider Resolution No. 2022-37.

4. Conduct a public hearing on the proposed acquisition for a 20.00-foot Wide Waterline Easement (B) granted by OE Engines, LLC, a Nebraska Limited Liability Company for a strip of land 20.00 feet wide being part of Lot 2, Cherry Avenue Industrial Park, an addition to the City of Kearney, Buffalo County, Nebraska, dedicated for Waterline Easement purposes and consider Resolution No. 2022-38.

IV. CONSENT AGENDA *

1. Approve Minutes of Regular Meeting held January 25, 2022.
2. Approve the Claims.
3. Approve the application submitted by Brad Vontz for Vontz Paving for Waters View Inc., a Nebraska Corporation to extend Conditional Use Permit No. 2019-05 to operate an asphalt batch plant located South of East 11th Street and East of Imperial Avenue for a period of three (3) years.
4. Authorize the Mayor to send a letter of no recommendation to the Nebraska Liquor Control Commission on the Class CGK-124712 liquor license application and manager application for Trevor Schaben submitted by Thunderhead Brewing Company dba Thunderhead Brewing located at 18 East 21st Street.
5. Adopt Resolution No. 2022-39 repealing Resolution No. 2021-166 and adopt the 2021-2022 Comprehensive Fee Schedule amending the fees associated with Columbarium space, both single and double, at the Kearney Cemetery.
6. Reject the bids received for 2022 Side Load Refuse Compactor Truck.
7. Adopt Resolution No. 2022-40 approving the Developer Constructed Infrastructure Agreement for BluePrint Engines Waterline Extension between the City of Kearney and Norris Marshall, Manager of OE Engines, LLC, a Nebraska Limited Liability Company, for the construction of a water main to serve Lot 2, Cherry Avenue Industrial Park, an addition to the City of Kearney, Buffalo County, Nebraska.
8. Adopt Resolution No. 2022-41 certifying the appointment of Fire Administrator, Jason Whalen, to serve as the certificate administrator for the Volunteer Emergency Responders Incentive Act since enacted on January 1, 2017.
9. Adopt Resolution No. 2022-42 approving Change Order No. 1 showing an increase in the amount of \$78,610.00 and an extension of two weeks to the original project completion date and Application and Certificate for Payment No. 1 in the amount of \$214,457.99 submitted by Whinnery Construction, Inc. and approved by S2O Design and Engineering, Inc. for Phase II Enhancements of the Kearney Water Trail known as Kearney Whitewater Park.
10. Adopt Resolution No. 2022-43 approving Application and Certificate for Payment No. 8 in the amount of \$138,026.45 submitted by RMV Construction and approved by Miller & Associates for the Wastewater Treatment Plant Phase II; Vehicle Storage Building.

11. Adopt Resolution No. 2022-44 approving Application and Certificate for Payment No. 5 in the amount of \$378,534.91 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).
 12. Adopt Resolution No. 2022-45 approving the Park Services Agreement between the Lighthouse Point Subdivision Homeowners Association, Inc., a Nebraska Non-Profit Corporation and the City of Kearney for the development of a City park and to outline the terms of how the park can be developed.
- * *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. 8553 amending several sections in Article 30 “Restaurant and Drinking Place Occupation Tax” of Chapter 3 “Business Regulations” of the City Code including: (a) Section 3-3001 “Intent and Purpose” to add the reference of an indoor sports complex; (b) Section 3-3002 “Definitions” to add to the existing definition of Drinking place to include any establishment offering on premises consumption of food and/or alcoholic and non-alcoholic beverages beginning January 1, 2023; (c) Section 3-3006 “Use of Revenue” to add the reference of an indoor sports complex; and (d) Section 3-3011 “Sunset Provision” to amend the current sunset date from January 31, 2025 to January 31, 2042.

VI. REGULAR AGENDA

1. Receive and accept the City of Kearney Annual Financial Report prepared by the accounting firm of KSO CPAs + Advisors.
2. Open Account Claim to NPPD - \$12,420.76.

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