

KEARNEY CITY COUNCIL

AGENDA

City Council Chambers, 18 East 22nd Street

March 22, 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.

II. UNFINISHED BUSINESS

III. PUBLIC HEARINGS

1. **POSTPONED ON MARCH 8, 2022. REQUEST TO FURTHER POSTPONE TO APRIL 12, 2022.** Conduct a public hearing on the Application submitted by Olsson for TFD Investments, LLC, a Nebraska Limited Liability Company (c/o Tom Fuller) to rezone from District M-1, Limited Industrial District to District C-3, General Commercial District for property described as Lots 11 and 12, Whiteaker and North's Place, an addition to the City of Kearney, Buffalo County, Nebraska (1100 East 25th Street) and consider Ordinance No. 8557.
2. Conduct a public hearing on the Application submitted by Miller & Associates for Turkey Creek Properties, LLC, a Nebraska Limited Liability Company to vacate a 40.00-foot wide Drainage Easement described as a tract of land being part of Lot 1 and part of Outlot A, Turkey Creek Third Subdivision, a subdivision being part of Government Lots 6, 7, 9, and accretions thereto Section 10, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (2105 Talmadge Street) and consider Ordinance No. 8562.
3. Conduct a public hearing on the proposed acceptance of .58 acres of donated land/real property from Lighthouse Point Subdivision Homeowners Associations, Inc., a Nebraska Non-Profit Corporation described as a tract of land being part of Lot 4, Block 8, Lighthouse Point, an addition to the City of Kearney, Buffalo County, Nebraska and consider Resolution No. 2022-64.

4. Conduct a public hearing on the proposed acquisition for a Temporary Trail Construction Encroachment Easement and a Permanent Trail Right-of-Way Easement granted by Lighthouse Point Subdivision Homeowners Association, Inc., a Nebraska Non-Profit Corporation for a tract of land being part of Lot 4, Block 8, Lighthouse Point, an addition to the City of Kearney, Buffalo County, Nebraska (dedicated for both Temporary Construction Easement and Permanent Easement purposes) and consider Resolution No. 2022-65.
5. Conduct a public hearing on the proposed acquisition of an interest in real property by purchase of a tract of land described as Lot 1, Block 1, Millennial Estates Fifth Addition, an addition to the City of Kearney, Buffalo County, Nebraska and consider Resolution No. 2022-66.

IV. CONSENT AGENDA *

1. Approve Minutes of Regular Meeting held March 8, 2022.
2. Approve the Claims.
3. Receive recommendations of Planning Commission and set April 12, 2022 at 5:30 p.m. as date and time for hearing on those applications where applicable.
4. Adopt Resolution No. 2022-67 approving the Employment Agreement between the City of Kearney and City Manager Michael Morgan.
5. Adopt Resolution No. 2022-68 approving the Developer Constructed Infrastructure Agreement for Green Steel Storage between the City of Kearney and Bill Lange, President of Lazy Dog, LLC, a Nebraska Limited Liability Company for the construction of a water main to serve Lots 47, 48 and 49, Lincoln Way Villa Plots, an addition to the City of Kearney, Buffalo County, Nebraska, EXCEPT the North 10 feet of said lots, and except a tract of land in said Lots 48 and 49 taken by the State of Nebraska for highway right of way purposes (2209 30th Avenue).
6. Adopt Resolution No. 2022-69 approving Change Order No. 6 showing an increase in the amount of \$57,533.82 and Application and Certificate for Payment No. 15 in the amount of \$222,010.44 submitted by Brown Construction and approved by RDG Planning & Design for the construction of the Community Tennis Facility.
7. Approve the Plans and Specifications for the 2022 City of Kearney Trail Projects; Lighthouse Point Trail, 19th Avenue Trail and Hillside Estates Trail and set the bid opening date for April 12, 2022 at 2:00 p.m.
8. Approve the application submitted by Rick Shoemaker, owner of Huss Livestock Market, to extend Conditional Use Permit No. 2006-03 to stockpile snow and manure at 1202 West 19th Street for a period of three (3) years.
9. Approve the application submitted by Rick Shoemaker, owner of Huss Livestock Market, to extend Conditional Use Permit No. 1978-01 to locate a manufactured home for security purposes located at 1202 West 19th Street for a period of three (3) years.

10. Adopt Resolution No. 2022-70 approving Application and Certificate for Payment No. 1 in the amount of \$74,268.00 submitted by Ensley Electrical Services and approved by Olsson for 2021 Part 4 Improvements; Traffic Signal at the Intersection of 15th Avenue and 11th Street.
11. Adopt Resolution No. 2022-71 approving Application and Certificate for Payment No. 7 in the amount of \$14,263.90 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.
12. Adopt Resolution No. 2022-72 approving Application and Certificate for Payment No. 2 in the amount of \$24,912.00 submitted by Blessing, LLC and approved by Miller & Associates for 2021 Part 5 Improvements; Extension of Talmadge Street (Bid B, Paving and Storm Sewer).
13. Adopt Resolution No. 2022-73 approving Application and Certificate for Payment No. 7 in the amount of \$106,958.60 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).
14. Adopt Resolution No. 2022-74 approving Change Order No. 1 showing an increase in the amount of \$9,645.50 submitted by Fry & Associates and approved by City staff for the Lighthouse Point Park Shelter Structure and Playground.
15. Adopt Resolution No. 2022-75 approving Change Order No. 2 showing an increase in the amount of 3,146.00 submitted by Duncan Theis Construction, Inc. and approved by Olsson for the Yanney Park Maintenance Building.
16. Approve the Plans and Specifications for the Kearney Regional Airport Terminal Expansion and set the bid opening date for April 26, 2022 at 2:00 p.m.
17. Approve the Plans and Specifications for the Kearney Regional Airport Terminal Furniture, Fixtures and Equipment and set the bid opening date for April 26, 2022 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. 8563 repealing Ordinance No. 8555 and amend the Salary Ordinance reflecting changes of certain positions.

VI. REGULAR AGENDA

1. Consider Ordinance No. 8564 authorizing the issuance of General Obligation Recreational Facilities Bonds, Series 2022, of the City of Kearney, Nebraska, in the principal amount of not to exceed \$34,000,000 for the purpose of constructing a sports complex together with the facilities and improvements related thereto; directing the application of the proceeds of

said bonds; prescribing the form of said bonds; providing for the levy and collection of taxes to pay the same; authorizing officers of the City to make arrangements for the sale of the bonds and to designate the final terms, rates and maturity schedule for said bonds within stated parameters; authorizing the delivery of the bonds to the purchaser; and providing for publication of this ordinance in pamphlet form.

- 2. Open Account Claims to Stanley Clouse - \$153.27, Goodwill - \$19.80 and NPPD - \$93,549.03.
- 3. Staff update on Kearney Flight Services.

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