

KEARNEY CITY COUNCIL

AGENDA

City Council Chambers, 18 East 22nd Street

August 23, 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) Oath of Office to Kearney Police Department Officers Lane Cacek and Robert Larsen.
 - b) Presentation of Life Saving Awards to Kearney Police Department Officers Jon Alstrom and Jared Gerdes.

II. UNFINISHED BUSINESS

III. PUBLIC HEARINGS

1. Conduct a public hearing pursuant to Section 147(f) of the Internal Revenue Code of 1986 to hear public comment with respect to the issuance by the Kearney Housing Agency (the "Agency") of its private activity multifamily housing revenue bonds or notes in an aggregate principal amount not to exceed \$8,900,000 in one or more series (the "Note") for the purpose of providing funds to make a loan to Prairie View Apartments LLC (the "Project Sponsor"), or to an affiliate or special purpose entity created by or on behalf of the Project Sponsor, to finance a portion of the acquisition, rehabilitation and equipping of the Prairie View Apartments located at 211 East 8th Street, Kearney, NE 68847 (the "Project"). The Project will address affordable housing needs in the City of Kearney (the "City") by serving families with incomes at or below 40%, 50%, and 60% of area median income.
2. Conduct a public hearing on the proposed acquisition for a Permanent 66.00-Foot Right-of-Way and Utility Easement granted by Scott Kummer, Vice President and Manager of Morrison Enterprises, LLC, Sole Member of Grand West, LLC, a Nebraska Limited Liability Company and Anna L. Stehlik, Trustee for a strip of land 66.00 feet wide being part of the North Half of the Northwest Quarter of Section 26, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (dedicated for Permanent Right of Way & Utility Easement purposes) and consider Resolution No. 2022-159.

3. Conduct a public hearing on the proposed acquisition for a Permanent 66.00-Foot Wide Right-of-Way and Utility Easement granted by Scott Kummer, Vice President and Manager of Morrison Enterprises, LLC, Sole Member of Grand West, LLC, a Nebraska Limited Liability Company and Anna L. Stehlik, Trustee for a strip of land 66.00 feet wide being part of the North Half of the Northwest Quarter of Section 26, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska, (dedicated for Permanent Right of Way & Utility Easement purposes) and consider Resolution No. 2022-160.
4. Conduct a public hearing on the proposed acquisition for a Permanent 20.00-Foot Wide 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 Permanent Easement purposes) and consider Resolution No. 2022-161.

IV. CONSENT AGENDA *

1. Approve Minutes of Regular Meeting held August 9, 2022.
2. Approve the Claims.
3. Receive recommendations of Planning Commission and set September 13, 2022 at 5:30 p.m. as date and time for hearing on those applications where applicable.
4. Adopt Resolution No. 2022-162 approving the final allocation of levy authority in the amount of \$146,450 for the Community Redevelopment Authority of the City of Kearney for fiscal year 2022-2023 and the final allocation of levy authority in the amount of \$57,266 for Offstreet Parking District No. 1 for fiscal year 2022-2023.
5. Approve the agreement between the City of Kearney and the Kearney Area Animal Shelter for continued care of animals that are impounded by the City, setting forth the Shelter's obligations with reference to caring for these animals and adopt Resolution No. 2022-163.
6. Adopt Resolution No. 2022-164 approving the revised City of Kearney Personnel Manual.
7. Adopt Resolution No. 2022-165 accepting the public improvements constructed under a Developer Constructed Infrastructure Agreement with Grand West, LLC and Anna Stehlik, Trustee for 11th Avenue Extension in Fountain Hills Subdivision.
8. Adopt Resolution No. 2022-166 approving the Developer Constructed Infrastructure Agreement for Fountain Hills; 54th Street and 15th Avenue between the City of Kearney and Scott Kummer, Vice President and Manager of Morrison Enterprises, LLC, Sole Member of Grand West, LLC, a Nebraska Limited Liability Company and Anna L. Stehlik, Trustee, and Kent Holsten, President of Fountain Hills Outlot Maintenance Association, Inc., Nebraska Non-Profit Corporation for the construction of paving, water main, sanitary sewer main and storm sewer to serve a strip of land 66.00 feet wide being part of the North Half of the Northwest Quarter of Section 26, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska, dedicated for Permanent Right of Way & Utility Easement purposes.

9. Approve the Lease Agreement between the City of Kearney and Board of Regents of the University of Nebraska, on behalf of the University of Nebraska at Kearney (UNK) Aviation Program to lease Building T-929 located at 4595 Airport Road for the use and operations for the UNK Aviation Program and adopt Resolution No. 2022-167.
10. Authorize the Mayor to execute the Release of Easement located on a tract of land being part of Lot 4, Block 8, Lighthouse Point, an addition to the City of Kearney, Buffalo County, Nebraska and approve Resolution No. 2022-168.
11. Approve the appointment of Peggy Eynetich as the Interim City Clerk.
12. Adopt Resolution No. 2022-169 accepting the public improvements constructed under a Developer Constructed Infrastructure Agreement with Susan M. Roberts, President and Manager of Morrison Enterprises, LLC, Sole Member of Grand West, LLC, a Nebraska Limited Liability Company, Anna L. Stehlik, Trustee and the Fountain Hills Outlot Maintenance Association, Inc., a Nebraska Non-Profit Corporation for Fountain Hills Twelfth Addition.
13. Approve the Plans and Specifications for the 2022 Cemetery North Addition – Phase 2 and set the bid opening date for September 27, 2022 at 2:00 p.m.
14. Adopt Resolution No. 2022-170 approving Application and Certificate for Payment No. 2 in the amount of \$117,279.05 submitted by Nielsen Contracting, LLC and approved by Miller & Associates for the 2022 Part 3 Improvements; 11th Street from A Avenue to F Avenue.
15. Adopt Resolution No. 2022-171 approving Application and Certificate for Payment No. 3 in the amount of \$372,895.65 submitted by Caldwell Tank and approved by Miller & Associates for the 2MG Elevated Water Tower.
16. Adopt Resolution No. 2022-172 approving Change Order No. 1 showing an increase in the amount of \$48,300.00, Application and Certificate for Payment No. 4 in the amount of \$43,031.86 submitted by Onyx Blasting & Coating, LLC and approved by Miller & Associates for 1.5 MG & 2 MG Elevated Water Storage Facility Paint Restoration.
17. Adopt Resolution No. 2022-173 approving Application and Certificate for Payment No. 2 in the amount of \$167,225.01 submitted by Wilke Contracting Corp. and approved by Oak Creek Engineering for the 2020 Part 3 Improvements; 2nd Avenue Overpass Extension Joint Repair.

* *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. 8594 repealing Ordinance No. 8577 and amend the Salary Ordinance reflecting changes of certain positions.

VI. REGULAR AGENDA

1. Introduction and presentation on Tri City Storm Hockey and the Viaero Center by Mark Jalcovik, President of Business Operations for Tri City Storm Hockey and the Viaero Center; Dave Vennetti, Majority Owner of Tri City Storm Hockey and the Viaero Center; and Anthony Noreen, President of Hockey Operations & Head Coach for Tri City Storm Hockey.
2. Review the One & Six Year Street Improvement Plan and set the public hearing date for September 13, 2022 to adopt the One and Six Year Street Improvement Plan.
3. Open Account Claim to NPPD - \$119,224.28.

VII. REPORTS

VIII. ADJOURN

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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