

KEARNEY CITY COUNCIL

AGENDA

City Council Chambers, 18 East 22nd Street

September 27, 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. **REQUEST TO FURTHER POSTPONE TO OCTOBER 11, 2022. POSTPONED SINCE SEPTEMBER 13, 2022.** Conduct a public hearing on the Application submitted by Buffalo Surveying Corp. for Jared and Mona Axmann, husband and wife, to rezone from District AG, Agricultural District to District RR-1, Rural Residential District (Rural Standards) for property described as a tract of land being part of the Southeast Quarter of Section 28, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (4140 30th Avenue) and consider Ordinance No. 8597.
2. **REQUEST TO FURTHER POSTPONE TO OCTOBER 11, 2022. POSTPONED SINCE SEPTEMBER 13, 2022.** Conduct a public hearing on the Application submitted by Buffalo Surveying Corp. for Jared and Mona Axmann, husband and wife, for the Final Plat and Subdivision Agreement for Freedom Hill Estates, a subdivision being part of the Southeast Quarter of Section 28, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska, for property described as a tract of land being part of the South Half of the Southeast Quarter of Section 28, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (4140 30th Avenue) and consider Resolution No. 2022-176.

IV. CONSENT AGENDA *

1. Approve Minutes of Special Meeting held September 12, 2022 and Minutes of Regular Meeting held September 13, 2022.
2. Approve the Claims.

3. Receive recommendations of Planning Commission and set October 11, 2022 at 5:30 p.m. as date and time for hearing on those applications where applicable.
4. Adopt Resolution No. 2022-181A setting the 2022 City of Kearney property tax request at a different amount than the preliminary property tax request set for the City of Kearney by the Buffalo County Clerk.
5. Adopt Resolution No. 2022-197 approving the renewal of the Towing Agreement between the City and Donkey Towing and Transfer LLC.
6. Adopt Resolution No. 2022-198 approving the Hangar T-927 Lease Agreement between the Kearney Regional Airport, acting by and through its authorized Fixed Base Operator, Kearney Flight Services and Air Methods Corporation, a Colorado Corporation for aircraft storage at the Kearney Regional Airport.
7. Adopt Resolution No. 2022-199 approving the Developer Constructed Infrastructure Agreement for Bish's RV Inc., between the City of Kearney and Jeffrey King, Director of Development, Design, & Construction of Bish's RV Inc., an Idaho Corporation, for the construction of a fire hydrant to serve Lot 1, Johnson Commercial Second Addition, an addition to the City of Kearney, Buffalo County, Nebraska.
8. Adopt Resolution No. 2022-200 approving the Kearney Public Library's Community Response Plan for 2022-2027.
9. Adopt Resolution No. 2022-201 approving the revised Kearney Public Library Policy Manual as recommended by the Library Advisory Board.
10. Authorize the Mayor to send a letter of no recommendation to the Nebraska Liquor Control Commission on the new Class C-125196 liquor license application and manager application for Keith Rodehorst submitted by Bar D, LLC dba Dome Lounge & Package Store located at 2321 Avenue K.
11. Adopt Resolution No. 2022-202 approving Amendment No. 5 to the Consultant Agreement between Alfred Benesch and Company and the City of Kearney for Airport Improvement Program in connection with the Terminal Building Expansion project at the Kearney Regional Airport (AIP/CARES Act Project No. 3-31-0045-036) by adding construction, closeout and special (material testing) services to take place during the 2022 and 2023 construction seasons.
12. Adopt Resolution No. 2022-203 approving the Consultant Agreement between Alfred Benesch and Company and the City of Kearney for Snow Removal Equipment (SRE) Acquisitions for the Kearney Regional Airport.
13. Approve the recommendation from the Community Redevelopment Authority to amend the May 24, 2022 motion granting REAC, LP "52% of the annual increment in real estate taxes, not to exceed the lessor of \$1,014,447, or the certified eligible Project Costs" to granting REAC, LP "90% of the annual increment in real estate taxes, not to exceed the lessor of \$1,014,447, or the certified eligible Project Costs".

14. Adopt Resolution No. 2022-204 approving Application and Certificate for Payment No. 1 in the amount of \$243,000.00 submitted by John T. Jones Construction Co. and approved by Miller & Associates for the WWTP Phase II Improvements; Water Resource Recovery Facility.
15. Adopt Resolution No. 2022-205 approving Application and Certificate for Payment No. 10-Final in the amount of \$10,000.00 submitted by RMV Construction, LLC and approved by Miller & Associates for the WWTP Phase II Improvements; Vehicle Storage Building.
16. Adopt Resolution No. 2022-206 approving Change Order No. 2 showing a decrease in the amount of \$9,000.00, Application and Certificate for Payment No. 5 in the amount of \$127,326.50 and accept the Certificate of Substantial Completion submitted by Onyx Blasting & Coating, LLC and approved by Miller & Associates 1.5 MG & 2 MG Elevated Water Storage Facility Paint Restoration.
17. Adopt Resolution No. 2022-207 accepting the public improvements constructed under a Developer Constructed Infrastructure Agreement with Timothy J. Norwood, Sr., Member of Fox Creek Development, LLC, a Nebraska Limited Liability Company for Lots 8 through 13, Block Three; Lots 2 through 7, Block Four, Fox Creek, an addition to the City of Kearney, Buffalo County, Nebraska.
18. Authorize the Mayor to send a letter of no recommendation to the Nebraska Liquor Control Commission on the catering application submitted by NVY Enterprises LLC dba NVY Cigar Lounge located at 1925 Central Avenue, in connection with their Class CCS-124449 liquor license.
19. Adopt Resolution No. 2022-208 approving Change Order No. 3 showing an increase in the amount of \$298,563.00 and an extension of the contract time to December 15, 2022 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).
20. Adopt Resolution No. 2022-209 approving the Office Lease Agreement between the Kearney Regional Airport, acting by and through its authorized Fixed Base Operator, Kearney Flight Services and Midwest Management Solutions, LLC, a Nebraska Limited Liability Company at the Kearney Regional Airport.

* *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 *

VI. REGULAR AGENDA

1. Receive the Annual Report from Braden Wilkes, new Executive Director for the Kearney Area Animal Shelter.
2. Receive the Kearney Visitors Bureau Annual Report submitted by Executive Director Roger Jasnoch and consider the Agreement for Services between the City of Kearney and the

Kearney Visitors Bureau pertaining to the allocation of lodging tax revenues and approve Resolution No. 2022-210.

3. Consider Resolution No. 2022-211 approving the redevelopment project submitted by REACO, LLC for Redevelopment Area #12 for an area described as Lot 6, the West 60 feet of Lot 7, and part of the North half of the vacated 30.00-foot alley, Block 1, Patriot Industrial Park, an addition to the City of Kearney, Buffalo County, Nebraska.
4. Consider Resolution No. 2022-212 approving the redevelopment project submitted by Peanut Butter & Jelly, LLC for Redevelopment Area #2 for an area described as Lot 1, Younes Center Eighth Addition, an addition to the City of Kearney, Buffalo County, Nebraska.
5. Open Account Claim to NPPD - \$ \$104,304.44.

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