

# **KEARNEY CITY COUNCIL**

## **AGENDA**

**City Council Chambers, 18 East 22nd Street**

**January 10, 2023**

**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. Conduct a public hearing on the application submitted by Miller & Associates for James Gregory Brandt, Jr. & Lucas C. Brandt, Co-Trustee of the James Gregory Brandt, Sr. Administration Trust and Reed A. Miller, Trustee of the Reed A. Miller Revocable Trust Dated July 25, 2017, for an amendment to the Land Use Map of the City of Kearney Comprehensive Development Plan from LDR, Low Density Residential to RE, Rural Estates and Agriculture for property described as Greg Brandt Subdivision, Kearney County, Nebraska, being part of Government Lots 2, 3 and 4 and the accretions abutting said lots located in Section 23, Township 8 North, Range 16 West of the 6th P.M., Kearney County, Nebraska (North side of "W" Road, west of Cherrywood Street) and consider Resolution No. 2023-1.
2. Conduct a public hearing on the application submitted by Miller & Associates for James Gregory Brandt, Jr. & Lucas C. Brandt, Co-Trustee of the James Gregory Brandt, Sr. Administration Trust and Reed A. Miller, Trustee of the Reed A. Miller Revocable Trust Dated July 25, 2017, to rezone from District AG, Agricultural District to District RR-1, Rural Residential District (Rural Standards) for property described as Lot 1, Greg Brandt Subdivision, Kearney County, Nebraska, being part of Government Lots 3 and 4, and accretions abutting Government Lots 2, 3, and 4, in Section 23, Township 8 North, Range 16 West of the 6th P.M., Kearney County, Nebraska and consider Ordinance No. 8614; 2) vacate the Private Access Road as platted in Brandt's Lakewood 7th Subdivision, being part of accretions to Government Lot 2 in Section 23, Township 8 North, Range 16 West of the 6th Principal Meridian, Kearney County, Nebraska and consider Ordinance No. 8615; 3) vacate the ingress/egress access easements for the following: the East 15.00 feet of the

South 60.00 feet of Lot 3; the West 15.00 feet of the South 60.00 feet of Lot 4; the East 15.00 feet of the South 60.00 feet of Lot 5 and the West 15.00 feet of the South 60.00 feet of Lot 6, all in Greg Brandt Subdivision, being part of Government Lots 3 and 4, and accretions abutting Government Lots 2, 3, and 4, in Section 23, Township 8 North, Range 16 West of the 6th P.M., Kearney County, Nebraska and consider Ordinance No. 8616 and 4) vacate Lots 1, 4, 5, and 6, Greg Brandt Subdivision, Kearney County, Nebraska, being part of Government Lots 2, 3 and 4 and the accretions abutting said lots of Section 23, Township 8 North, Range 16 West of the 6th P. M., Kearney County, Nebraska (North side of "W" Road, west of Cherrywood Street) and consider Ordinance No. 8617.

3. Conduct a public hearing on the application submitted by Miller & Associates for James Gregory Brandt, Jr. & Lucas C. Brandt, Co-Trustee of the James Gregory Brandt, Sr. Administration Trust for the Final Plat for Greg Brandt Second Subdivision, a subdivision being part of Government Lots 3 and 4 and the accretions abutting Government Lots 2, 3 and 4, and Lot 1, Lot 4, Lot 5, and Lot 6, Greg Brandt Subdivision, Kearney County, Nebraska (to be vacated) and the private access drive as platted in Brandt's Lakewood 7th Subdivision a subdivision being part of accretions to Government Lot 2 in Section 23, Township 8 North, Range 16 West of the 6th P.M., Kearney County, Nebraska (to be vacated), all in Section 23, Township 8 North, Range 16 West of the 6th P.M., Kearney County, Nebraska (North side of "W" Road, west of Cherrywood Street) and consider Resolution No. 2023-2.

#### **IV. CONSENT AGENDA \***

1. Approve Minutes of Regular Meetings held December 13, 2022 and December 20, 2022.
2. Approve the Claims.
3. Adopt Resolution No. 2023-3 accepting the public improvements constructed under a Developer Constructed Infrastructure Agreement with Starostka Group Unlimited Inc. for Millennial Estates Addition, an addition to the City of Kearney, Buffalo County, Nebraska.
4. Adopt Resolution No. 2023-4 approving the Grant Agreement between the City of Kearney and Federal Aviation Administration in connection with AIP/CARES Act Project No. 3-31-0045-036-2023 for the Terminal Building Expansion project at the Kearney Regional Airport.
5. Adopt Resolution No. 2023-5 approving the updated Towing Agreements between the City of Kearney and Donkey Towing & Transfer LLC, Dowhy Towing, Kearney Towing and Repair Center, Inc., and Turner Body Shop and Towing.
6. Appointment of Jonathan Nikkila to serve on the Kearney Visitors Bureau, the appointment of Stanley Clouse and Bruce Lear to serve on the Buffalo County Economic Development Council, and the appointment of Jonathan Nikkila, Tami James Moore and Chuck Ogle to serve on the Joint Airport Zoning Board.
7. Adopt Resolution No. 2023-6 approving the Interlocal Agreement for Cooperative Law Enforcement Services; Compact for Apprehension of Narcotics Dealers and Offenders (C.A.N.D.O.) that adds additional agencies to the Agreement.

8. Adopt Resolution No. 2023-7 approving Application and Certificate for Payment No. 8 in the amount of \$122,580.00 submitted by Caldwell Tank and approved by Miller & Associates for the 2.0 MG Elevated Water Tower.
9. Adopt Resolution No. 2023-8 approving Application and Certificate for Payment No. 4 in the amount of \$2,680,078.90 submitted by John T. Jones Construction Co. and approved by Miller & Associates for the WWTP Phase II Improvements; Water Resource Recovery Facility.
10. Adopt Resolution No. 2023-9 approving Application and Certificate for Payment No. 2 in the amount of \$280,052.75 submitted by Midlands Contracting, Inc. and approved by Miller & Associates for the Booster Pump Stations, Renovations and Associated Improvements.
11. Adopt Resolution No. 2023-10 appointing City employee Brandon Shafto (License No. S-1572, Class A) to serve as the City Street Superintendent during January 1 thru December 31, 2023, with regard to requirements and duties with the Nebraska Department of Transportation as he has served in this capacity since November 6, 2015 and for the purpose of the 2023 calendar year Highway Incentive Payment, to be issued to the City of Kearney by the Nebraska Department of Transportation, in February 2024.
12. Adopt Resolution No. 2023-11 to designate and appoint Brenda Jensen, Assistant City Manager to serve as ADA, Section 504 & Title VI Coordinator for the City of Kearney and repeal Resolution Nos. 2012-130, 2013-216, 2017-215 and 2022-136.
13. Adopt Resolution No. 2023-12 approving Change Order No. 6 showing an increase in the amount of \$62,522.00 and increasing the Contract Time by 30 days with a new Substantial Completion date of February 2, 2023; Change Order No. 7 showing an increase in the amount of \$6,435.00 and increasing the Contract Time by 2 days with a new Substantial Completion date of February 4, 2023; Change Order No. 8 showing an increase in the amount of \$12,722.00 and increasing the Contract Time by 5 days with a new Substantial Completion date of February 9, 2023 and Change Order No. 9 showing an increase the amount of \$4,392.00 and increasing the Contract Time by 2 days with a new Substantial Completion date of February 11, 2023 submitted by RMV Construction and approved by Wilkins ADP for the Harmon Park Sonatorium Restoration.
14. Adopt Resolution No. 2023-13 approving Change Order No. 4 showing a decrease in the amount of \$7,195.00; Change Order No. 5 showing an increase in the amount of \$3,947.00 and Change Order No. 6 showing an increase in the amount of \$9,676.00 submitted by RMV Construction and approved by Wilkins ADP for the Yanney Heritage Park Pavilion and Parking Lot.
15. Adopt Resolution No. 2023-14 approving Change Order No. 1 showing a decrease in the amount of \$7,934.00 submitted by Duncan Theis Construction and approved by Miller & Associates for the Harmon Park Bathhouse Renovation.
16. Approve the purchase of a 2022 Chevrolet Colorado 4wd Crew Cab Z71 in the amount of \$41,689.00 submitted by Husker Auto Group, Inc. under the Nebraska State Bid Contract #15699 to be used in the Public Works Department.

\* ***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. 8618 authorizing the deed of sale A tract of land being part of Lot 3, all of Lot 4 , part of Lot 11, and part of Lot 12, and that part of vacated 30.00 foot alley abutting part of Lot 3, all of Lot 4, part of Lot 11, and part of Lot 12 all in Block 1, Patriot Industrial Park, an addition to the City of Kearney, Buffalo County, Nebraska (Northeast Tract) AND A tract of land being part of Lot 11 and part of Lot 12, all in Block 1, Patriot Industrial Park, an addition to the City of Kearney, Buffalo County, Nebraska (Southeast Tract) to Prataria Ventures – Kearney, LLC, a Nebraska limited liability company.

**VI. REGULAR AGENDA**

1. Consider Resolution No. 2023-15 authorizing proposed funding for the Family Advocacy Network (FAN) “Big Hearts, Small Voices” campaign to assist with the purchase of new furnishings and technology for FAN’s new facility.
2. Consider Resolution No. 2023-16 approving the redevelopment project submitted by Richie Bock Construction for Redevelopment Area #5 for an area described as Lot 11 and Lot 12 Whitaker and North’s Place Addition, to the City of Kearney, Buffalo County, Nebraska.
3. Open Account Claim to NPPD - \$36.37.

**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](http://www.cityofkearney.org)