

KEARNEY CITY COUNCIL

AGENDA

City Council Chambers, 18 East 22nd Street

May 9, 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.
 - a) Presentation of National Police Week 2023 Proclamation to the Kearney Police Department.

II. UNFINISHED BUSINESS

III. PUBLIC HEARINGS

1. Conduct a public hearing on the Application submitted by Roger Harders for West Limited, LLC, to rezone from District AG, Agricultural District to District C-3, General Commercial District for property described as – North Tract, that part of the West half of the Northwest Quarter of Section 9, Township 8 North, Range 15 West of the Sixth P.M., Buffalo County, Nebraska and South Tract, that part of the Southwest Quarter of the Northwest Quarter of Section 9, Township 8 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (East of Cherry Avenue and South of East 11th Street) and consider Ordinance No. 8628.
2. Conduct a public hearing on the application submitted by Miller & Associates for KPT&G, LLC a Nebraska Limited Liability Company, to rezone from District R-3/PD, Urban Residential Multi-Family District (Medium Density)/Planned Development Overlay District to District C-O, Office District for property described as Lots 3 and 4, Block 2, Western Nebraska Property Development Addition, an addition to the City of Kearney, Buffalo County, Nebraska (715 and 805 22nd Avenue) and consider Ordinance No. 8629.
3. Conduct a public hearing on the application submitted by Miller & Associates for DT Development, Inc., a Nebraska Corporation, to rezone from District AG, Agricultural District to District C-2, Community Commercial District for property described as a tract of land being part of the South Half of the Southwest Quarter of Section 22, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (East of 30th Avenue and North of 56th Street) and consider Ordinance No. 8630.

4. Conduct a public hearing on the application submitted by Miller & Associates for DT Development, Inc., a Nebraska Corporation, to rezone from District AG, Agricultural District to District RR-2, Rural Residential District (Intermediate Standards) for property described as a tract of land being part of the Southwest Quarter of Section 22, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (East of 30th Avenue and North of 56th Street) and consider Ordinance No. 8631.
5. Conduct a public hearing on the application submitted by Miller & Associates for DT Development, Inc., a Nebraska Corporation, for the Final Plat and Subdivision Agreement for Spruce Hollow West Second, a subdivision being part of the Southwest Quarter of Section 22, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (East of 30th Avenue and North of 58th Street (to be platted)) and consider Resolution No. 2023-67.
6. Conduct a public hearing on the application submitted by Miller & Associates for Gene McElhinny and Deb McElhinny, to 1) rezone from District R-1, Urban Residential Single-Family District (Low Density) to District R-2, Urban Residential Mixed-Density District for property described as Lots 1 thru 11, inclusive, Block 1 and Lot 7 and Lot 8, Block 2, Taylor Addition, an addition to the City of Kearney, Buffalo County, Nebraska and consider Ordinance No. 8632 and 2) vacate Lots 1 thru 11, inclusive, Block 1, Taylor Addition, an addition to the City of Kearney, Buffalo County, Nebraska, (South of 16th Street and East of Avenue O) and consider Ordinance No. 8633.
7. Conduct a public hearing on the application submitted by Miller & Associates for Gene McElhinny and Deb McElhinny, for the Final Plat and Subdivision Agreement for Taylor Villas, Lots 1 thru 11, inclusive, Block One (now vacated), Taylor Addition, an addition to the City of Kearney, Buffalo County, Nebraska, being part of Government Lot 6 and Government Lot 7 in Section 6, Township 8 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (South of 16th Street and East of Avenue O) and consider Resolution No. 2023-68.

IV. CONSENT AGENDA *

1. Approve Minutes of Regular Meeting held April 25, 2023.
2. Approve the Claims.
3. Adopt Resolution No. 2023-69 approving Change Order No. 10 showing an increase in the amount of \$6,351.00 submitted by RMV Construction and approved by Wilkins ADP for the Harmon Park Sonatorium Restoration Project.
4. Adopt Resolution No. 2023-70 approving Change Order No. 2 showing an increase in the amount of \$6,181.00 submitted by RMV Construction LLC and approved by Alfred Benesch and Company for AIP/CARES Act Project No. 3-31-0045-036 in connection with the Terminal Building Expansion project (re-bid) at the Kearney Regional Airport.
5. Authorize the Mayor to send a letter of no recommendation to the Nebraska Liquor Control Commission on the Class I-125628 new liquor license application and manager application for Berenice Bravo submitted by Hermanos, LLC dba San Pedro Mexican Restaurant

located at 3907 Central Avenue.

- 6. Adopt Resolution No. 2023-71 approving the Peterson Senior Activity Center Annual Nutrition Service Contract between the City of Kearney and Community Action Partnership of Mid-Nebraska.
- 7. Approve the recommendation on selecting Jake Misener as the Deputy City Clerk.
- 8. Approve the Lease Agreement between the City of Kearney and Vertical Lift Maintenance Solutions, LLC, a Nebraska Limited Liability Company, to lease an area of land that is 100 feet by 120 feet located at 4970 Airport Road and adopt Resolution No. 2023-72.
- 9. Adopt Resolution No. 2023-73 approving Change Order No. 9 showing an increase in the amount of \$18,876.77 submitted by Brown Construction and approved by RDG Planning & Design for the construction of the Community Tennis Facility.
- 10. Adopt Resolution No. 2023-74 approving the proposed waiver of 50% of the remaining building permit fees for The Museum of Nebraska Art (MONA) expansion project.
- 11. Adopt Resolution No. 2023-75 approving the Real Estate Purchase Agreement between Delux MFG., Co., a Nebraska Corporation, and the City of Kearney for the purchase of property described as the east 1.3 acres of Lot 1, Patriot Second Subdivision, a subdivision being a part of the Southeast Quarter of the Northwest Quarter, part of the Southwest Quarter of the Northeast Quarter, Part of the Northeast Quarter of the Southwest Quarter, and part of the Northwest Quarter of the Southeast Quarter of Section 28, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska.

* *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. Introduction of Amber Miller, Development Service Director, and Jake Misener, Deputy City Clerk.
- 2. Buffalo County Economic Development Council Annual Presentation.

VII. REPORTS

VIII. ADJOURN

Mayor Stanley Clouse
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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