

# **KEARNEY CITY COUNCIL**

## **AGENDA**

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

**October 24, 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 Communications; Recognition of visitors.

### **II. UNFINISHED BUSINESS**

### **III. PUBLIC HEARINGS**

1. **POSTPONED FROM OCTOBER 10, 2023.** Conduct a public hearing on the applications submitted by John Krotz, Applicant for Johnny L. Krotz, Michelle R. Krotz, Larry Kinkade and Michael Kinkade, Owners to 1) vacate a 40 foot wide Ingress-Egress access and Utility Easement located in the Southwest Quarter of the Southwest Quarter of Section 10 Township 8 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska and consider Ordinance No. 8650; to 2) vacate Lot 1, Buffalo Island Subdivision, a subdivision being part of the Northwest Quarter of the Northwest Quarter of Section 15 and part of the Southwest Quarter of the Southwest Quarter of Section 10, all in Township 8 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska and consider Ordinance No. 8651; and 3) rezone from District AG, Agricultural District and District RR-1, Rural Residential District (Rural Standards) to District RR-1, Rural Residential District (Rural Standards) for property described as a tract of land located in the Northwest Quarter of Section 15 and in the Southwest Quarter of Section 10, being part of Tax Lot 9 in said Section 15 and Tax Lot 7 in Section 10, all in Township 8 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (77 Sweetwater Avenue) and consider Ordinance No. 8652.
2. **POSTPONED FROM OCTOBER 10, 2023.** Conduct a public hearing on the application submitted by John Krotz, Applicant for Johnny L. Krotz, Michelle R. Krotz, Larry Kinkade and Michael Kinkade, Owners for the Final Plat and Subdivision Agreement for Buffalo Island 2nd Subdivision, a subdivision being a tract of land located in the Northwest Quarter of Section 15 and in the Southwest Quarter of Section 10, being part of Tax Lot 9 in said Section 15 and Tax Lot 7 in Section 10, all in Township 8 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska together with a 40-foot wide ingress-egress access and

utility easement located in the Southwest Quarter of the Southwest Quarter of Section 10, Township 8 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (77 Sweetwater Avenue) and consider Resolution No. 2023-145.

3. **POSTPONED TO NOVEMBER 14, 2023.** Conduct a public hearing on the application submitted by Trenton Snow, Surveyor for James J. Nickman, Blue Water Investments, LLC, Owner for an amendment to the Land Use Map of the City of Kearney Comprehensive Development Plan from RE - Rural Estates to MU3 - Commercial Mixed Use for property described as a tract of land being part of the Northeast Quarter of the Northeast Quarter of Section 11, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (southwest corner of 2nd Avenue and 98th Street) and consider Resolution No. 2023-146.
4. **POSTPONED TO NOVEMBER 14, 2023.** Conduct a public hearing on the application submitted by Trenton Snow, Surveyor for James J. Nickman, Blue Water Investments, LLC, Owner to rezone from District AG, Agricultural District to District M-1 – Limited Industrial District for property described as a tract of land being part of the Northeast Quarter of the Northeast Quarter of Section 11, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (southwest corner of 2nd Avenue and 98th Street) and consider Ordinance No. 8653.
5. **POSTPONED TO NOVEMBER 14, 2023.** Conduct a public hearing on the application submitted by Trenton Snow, Surveyor for James J. Nickman, Blue Water Investments, LLC, Owner for the Final Plat and Subdivision Agreement for Stone Creek Second, a subdivision being part of the Northeast Quarter of the Northeast Quarter of Section 11, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (southwest corner of 2nd Avenue and 98th Street) and consider Resolution No. 2023-147.

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

1. Approve Minutes of Regular Meeting held October 10, 2023.
2. Approve the Claims.
3. Receive recommendations of Planning Commission and set November 14, 2023 at 5:30 p.m. as date and time for hearing on those applications where applicable.
4. Authorize the Mayor to send a letter of no recommendation to the Nebraska Liquor Control Commission on the Class C-126009 liquor license application and manager application for Kinsley Hunnicutt submitted by Le Chateau No. 22, LLC dba Le Chateau No. 22 located at 2216 Central Avenue.
5. Authorize the Mayor to send a letter of no recommendation to the Nebraska Liquor Control Commission on the Class C-126032 liquor license application and manager application for Qi Zhang submitted by Lucky Lighthouse, LLC dba Hunan's Chinese Restaurant located at 305 West 11th Street.
6. Approve the purchase of a 2100l Sewer Combination Jet/Vacuum Truck in the amount of \$469,347.26 submitted by Macqueen Equipment under the Sourcewell Cooperative Purchasing Contract program.

7. Adopt Resolution No. 2023-152 approving the Developer Constructed Infrastructure Agreement for The Meadows First Addition between the City of Kearney and Danny Starostka, President of Starostka Group Unlimited, Inc., a Nebraska Corporation, for the public improvements, water main, sanitary sewer main, paving and storm sewer main to serve The Meadows First Addition, an addition to the City of Kearney, Buffalo County, Nebraska.
8. Adopt Resolution No. 2023-153 appointing the fulfillment of the term vacated by Joe Johnson on the Downtown Improvement Board.
9. Adopt Resolution No. 2023-154 to restrict parking on portions of 6th Avenue and 7th Avenue per an Agreement with the Kearney Family YMCA.
10. Adopt Resolution No. 2023-155 approving Certificate for Payment No. 14 in the amount of \$1,857,276.71 submitted by John T. Jones Construction Co. and approved by Miller & Associates for the WWTP Phase II Improvements; Water Resource Recovery Facility.
11. Adopt Resolution No. 2023-156 approving Application and Certificate for Payment No. 16 in the amount of \$151,965.00 submitted by Caldwell Tank and approved by Miller & Associates for the 2.0 MG Elevated Water Tower.
12. Adopt Resolution No. 2023-157 approving Application and Certificate for Payment No. 6 in the amount of \$170,568.27 submitted by Midlands Contracting, Inc. and approved by Miller & Associates for the Booster Pump Stations, Renovations and Associated Improvements.
13. Adopt Resolution No. 2023-158 approving Change Order No. 1 showing a decrease in the amount of \$34,423.50 and Application and Certificate for Payment No. 1-Final in the amount of \$422,811.50 submitted by Gary Smith Construction Co. Inc. for 2023 Part 2 Improvements - Mill & Asphalt Overlay.

\* *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. Open Account Claims to Goodwill - \$116.36 and NPPD - \$119,189.55.

### **VII. REPORTS**

### **VIII. ADJOURN**

Mayor Stanley Clouse  
4907 Linden Drive Place  
627-6730 cell  
238-5210 office  
[mayor@kearneygov.org](mailto:mayor@kearneygov.org)

Vice-President Randy Buschkoetter  
1110 13th Avenue  
234-5553 home  
440-0358 cell  
[citycouncil@kearneygov.org](mailto:citycouncil@kearneygov.org)

Council Member Bruce Lear  
4803 Avenue L Place  
234-5354 home  
308-389-8770 office  
[citycouncil@kearneygov.org](mailto:citycouncil@kearneygov.org)

Council Member Tami James  
Moore  
704 10th Avenue  
440-6992 cell  
[citycouncil@kearneygov.org](mailto:citycouncil@kearneygov.org)

Council Member Jonathan Nikkila  
4 Regency Place  
224-4309 cell  
[citycouncil@kearneygov.org](mailto:citycouncil@kearneygov.org)

City Manager Michael Morgan  
18 East 22nd Street  
233-3214 office  
[mmorgan@kearneygov.org](mailto:mmorgan@kearneygov.org)

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)