

KEARNEY CITY COUNCIL

AGENDA

City Council Chambers, 18 East 22nd Street

May 14, 2024

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 Charlie Isaac for BBB Rentals LLC/Charlie Isaac for a Conditional Use Permit for a resource extraction operation on property zoned District AG, Agricultural District, and described as all of the Northeast Quarter of the Northeast Quarter of Section 21, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska; EXCEPT a tract of land being part of the Northeast Quarter of the Northeast Quarter of Section 21, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (6880 30th Avenue) and consider Ordinance No. 8671.
2. Conduct a public hearing on the application submitted by Jestin Clinch, Clinch Storage, LLC and Oak Creek Engineering for Clinch Storage, LLC (current owner: CRST, LLC, Dawn M. Chavanu, Manager (M.A.)), for the Final Plat and Subdivision Agreement for Clinchs Tech Park Subdivision, an addition to the City of Kearney, Buffalo County Nebraska for property described as being part of Government Lot 7 and accretions located in the Northeast Quarter of Section 13, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (East of 625 East 1st Street, a vacant parcel) and consider Resolution No. 2024-58.
3. Conduct a public hearing on the proposed various amendments to the following Sections and Chapters of City Code: (a) Section 13-103 "Agricultural Use Types" and Section 13-105 "Civic Use Types" of Chapter 13 "Use Types"; (b) Section 12-104-A, of Chapter 12 "Definitions" and consider Ordinance No. 8672; (c) Section 46-102 "Supplemental Use Regulations: Agricultural Uses" of Chapter 46 "Supplemental Use Regulations" and consider Ordinance No. 8673; and (d) Table 14-1 Use Matrix: "Agricultural and Residential Types"; Table 14-1 Use Matrix: "Civic Use Types" of Chapter 14 "Zoning District

Regulations” and consider Ordinance No. 8674.

4. Conduct a public hearing on the proposed acquisition for a 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 tract of land being part of the Northwest Quarter of the Northwest Quarter of Section 26, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska, dedicated for Utility Easement purposes and consider Resolution No. 2024-59.
5. Conduct a public hearing on the proposed acquisition for a 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 tract of land being part of the Northwest Quarter of the Northwest Quarter of Section 26, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska, dedicated for Utility Easement and consider Resolution No. 2024-60.
6. Conduct a public hearing on the proposed acquisition for a Storm Water 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 tract of land being part of the Northwest Quarter of the Northwest Quarter of Section 26, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska, dedicated for Storm Water Easement and consider Resolution No. 2024-61.
7. Conduct a public hearing on the proposed acquisition for a Storm Water 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 tract of land being part of Outlot "A", Fountain Hills Twelfth Addition, an addition to the City of Kearney, Buffalo County, Nebraska, dedicated for Storm Water Easement purposes and consider Resolution No. 2024-62.
8. Conduct a public hearing on the proposed acquisition for a Sanitary Sewer 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 tract of land being part of Outlot "A", Fountain Hills Twelfth Addition, an addition to the City of Kearney, Buffalo County, Nebraska, dedicated for Sanitary Sewer Easement purposes and consider Resolution No. 2024-63.

IV. CONSENT AGENDA *

1. Approve Minutes of Regular Meeting held April 23, 2024.
2. Approve the Claims.
3. Approve the City of Kearney and RYDE Vehicle Gasoline Purchase Agreement and approve Resolution No. 2024-64.
4. Adopt Resolution No. 2024-65 approving Change Order No. 1 showing an increase in the amount of \$18,500.00 submitted by Mayhew Signs, Inc. and approved by City staff for the Kearney SportsPlex Exterior Facility Signage project.

5. Adopt Resolution No. 2024-66 approving the Developer Constructed Infrastructure Agreement for Younes Center Tenth Addition between the City of Kearney and Paul Younes, authorized member of Talmadge JAM, LLC, a Nebraska Limited Liability Company, for the construction of water, sanitary sewer, paving, and storm sewer infrastructure to serve Younes Center Tenth Addition, an addition to the City of Kearney, Buffalo County, Nebraska.
6. Adopt Resolution No. 2024-67 accepting the public improvements constructed under a Developer Constructed Infrastructure Agreement with 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 Fountain Hills – 54th Street and 15th Avenue.
7. Approve the request from the Utilities Department to sell three (3) pieces of equipment by the method deemed most advantageous to the City of Kearney, including sale by auction, sealed bid, or private or public sale.
8. Adopt Resolution No. 2024-68 approving the Interlocal Agreement the Board of Regents of the University of Nebraska, a public body corporate and governing body of the University of Nebraska at Kearney, and the City of Kearney, Nebraska, a political subdivision pertaining to a roundabout, located at the intersection of University Drive (connecting from the south) and Highway 30.
9. Adopt Resolution No. 2024-69 approving the Real Estate Purchase Agreement between Robert R. Rutt and Jane M. Rutt, husband and wife, and the City of Kearney for the purchase of a tract of land described as Lots 2 and 13, and that part of a vacated 30.00-foot alley abutting Lots 2 and 13, and tract of land being part of Lots 3 and 12, all in Block 1, Patriot Industrial Park, an addition to the City of Kearney, Buffalo County, Nebraska.
10. Adopt Resolution No. 2024-70 approving the Application and Certificate for Payment No. 11 in the amount of \$32,587.92 and Application and Certificate for Payment No. 12 in the amount of \$133,786.97 submitted by Midlands Contracting, Inc. and approved by Miller & Associates for the Booster Pump Stations, Renovations and Associated Improvements.
11. Adopt Resolution No. 2024-71 approving the Consultant Agreement between Alfred Benesch and Company and the City of Kearney for the Airport Apron Reconstruction Project at the Kearney Regional Airport.
12. Approve the application submitted by Broadfoot Sand & Gravel to extend Conditional Use Permit No. 2000-07 to operate a clay extraction operation at 70th Street and 30th Avenue for a period of two years.

* ***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 Claim to NPPD - \$3,326.00.

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