

AMENDED
KEARNEY CITY COUNCIL
AGENDA
City Council Chambers, 18 East 22nd Street
July 9, 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 Jack W. Besse for A & D Rentals, LLC, for an amendment to the Land Use Map of the City of Kearney Comprehensive Development Plan from Medium Density Residential (MDR) to Office/Commercial Retail Mixed Use (MU2) for property described as Lots 1 and 2, Howland Subdivision, a subdivision to the City of Kearney, Buffalo County, Nebraska; the West 84.25 feet of Lot 2, Marianne Hunt Third Addition, an addition to the City of Kearney, Buffalo County, Nebraska; TOGETHER WITH the North 125.0 feet of Lot 1, Howland Subdivision, a subdivision to the City of Kearney, Buffalo County, Nebraska; and Lot 1, EXCEPTING HOWEVER, the North 125.0 feet of said Lot, and ALL of Lot 2, Howland Subdivision, a subdivision to the City of Kearney, Buffalo County, Nebraska. (715 Avenue D) and consider Resolution No. 2024-88.
2. Conduct a public hearing on the application submitted by Jack W. Besse for A & D Rentals, LLC, to rezone from District R-3/PD, Urban Residential Multi-Family District (Medium Density)/Planned Development Overlay District to District C-3, General Commercial District for property described as Lots 1 and 2, Howland Subdivision, a subdivision to the City of Kearney, Buffalo County, Nebraska; the West 84.25 feet of Lot 2, Marianne Hunt Third Addition, an addition to the City of Kearney, Buffalo County, Nebraska; TOGETHER WITH the North 125.0 feet of Lot 1, Howland Subdivision, a subdivision to the City of Kearney, Buffalo County, Nebraska; and Lot 1, EXCEPTING HOWEVER, the North 125.0 feet of said Lot, and ALL of Lot 2, Howland Subdivision, a subdivision to the City of Kearney, Buffalo County, Nebraska. (715 Avenue D) and consider Ordinance No. 8684.
3. Conduct a public hearing on the application submitted by Miller & Associates for City of

Kearney, to (1) rezone from District M-1, Limited Industrial District to District R-3, Urban Residential Multi-Family District (Medium Density) for property described as Lot 5, Block 2, Tony H. Addition, an addition to the City of Kearney, Buffalo County, Nebraska (East of 30th Avenue and North of Railroad Street) and consider Ordinance No. 8685 and (2) vacate a tract of land being Lot 1, Block 2, Tony H. Addition, an addition to the City of Kearney, Buffalo County, Nebraska, being part of the Southwest Quarter of the Northwest Quarter and part of the Northwest Quarter of the Southwest Quarter of Section 3, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska and consider Ordinance No. 8686.

4. Conduct a public hearing on the application submitted by Miller & Associates for City of Kearney, for the Final Plat and Subdivision Agreement for Village Plaza Second Addition, an addition to the City of Kearney, Buffalo County, Nebraska for property described as Lot 5, Block 2, Tony H. Addition, an addition to the City of Kearney, Buffalo County, Nebraska (now vacated), being part of the Southwest Quarter of the Northwest Quarter and part of the Northwest Quarter of the Southwest Quarter of Section 3, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska. (East of 30th Avenue and North of Railroad Street) and consider Resolution No. 2024-89.
5. Conduct a public hearing on the applications submitted by Miller & Associates for City of Kearney to (1) vacate a tract of land being Lot 3, Block 3, Younes Center Seventh Addition, an addition to the City of Kearney, Buffalo County, Nebraska, being part of Government Lot 7 and part of Government Lot 8, in Section 11, and part of the North Half of the Northwest Quarter of Section 14, all in Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska and consider Ordinance No. 8687 and (2) the Final Plat and Subdivision Agreement for Younes Center Eleventh Addition, an addition to the City of Kearney, Buffalo County, Nebraska for property described as a tract of land being all of Lot 3, Block 3, Younes Center Seventh addition, an addition to the City of Kearney, Buffalo County, Nebraska (now vacated), and being part of Government Lot 7 and part of Government Lot 8 in Section 11, and part of the North Half of the Northwest Quarter of Section 14 all being located in Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska. (1415 Younes Drive) and consider Resolution No. 2024-90.
6. **WITHDRAWN.** Conduct a public hearing on the application submitted by SMJ International o/b/o American Tower and T-Mobile for American Tower for a Conditional Use Permit as provided in Paragraph H of Section 46-110 "Telecommunications Towers" of Chapter 46 "Supplemental Use Regulations" of the City Code to co-locate telecommunications equipment for wireless communications on property zoned District M-1/PD Limited Industrial District/ Planned Development Overlay District, and described as a tract of land in the Northeast Quarter of the Southeast Quarter of Section 23, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska. (6204 2nd Avenue) and consider Ordinance No. 8688.

IV. CONSENT AGENDA *

1. Approve Minutes of Regular Meeting held June 25, 2024.
2. Approve the Claims.

3. Adopt Resolution No. 2024-91 approving the Developer Constructed Infrastructure Agreement for Western Nebraska Property Development Addition - 10th Street Place Improvements between the City of Kearney and Goldenrod Services, LLC, a Nebraska Limited Liability Company for the construction of water, paving and storm sewer infrastructure to serve Lots 1-3, Block Two of Western Nebraska Property Development Addition, an addition to the City of Kearney, Buffalo County, Nebraska.
4. Adopt Resolution No. 2024-92 approving the Developer Constructed Infrastructure Agreement for Aspen Meadows Third Addition - 37th and 38th Street Improvements between the City of Kearney and Twin Falls, LLC, a Nebraska Limited Liability Company for the construction of water, sanitary sewer, paving, and storm sewer infrastructure to serve Lots 1 through 7, and Outlot A of Block 2 and Lots 1 through 4, Block 3, Aspen Meadows Third Addition, an addition to the City of Kearney, Buffalo County, Nebraska.
5. Adopt Resolution No. 2024-93 approving the Developer Constructed Infrastructure Agreement for Younes Center Tenth - 24-plex Development between the City of Kearney and Talmadge JAM, LLC, a Nebraska Limited Liability Company for the construction of sanitary sewer infrastructure to serve Lot 6 and Lot 8, Block One of Younes Center Tenth Addition, an addition to the City of Kearney, Buffalo County, Nebraska.
6. Approve the Deed of Reconveyance for the Deed of Trust with Power of Sale between Talmadge JAM, LLC, a Nebraska Limited Liability Company, and the City of Kearney for property described as a tract of land being part of Government Lot 9, Section 11, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska, in connection with NAFCT Contract No. 23-TFRH-34008, since declined by property owner, that was approved at the April 9, 2024 Council meeting and recorded at Inst. No. 2024-01392, on April 10, 2024 at the Buffalo County Register of Deeds.
7. Approve the Release of Restrictive Covenant for Talmadge JAM, LLC, a Nebraska Limited Liability Company, for property described as a tract of land being part of Government Lot 9, Section 11, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska, in connection with NAFCT Contract No. 23-TFRH-34008, since declined by property owner, that was approved at the April 9, 2024 Council meeting and recorded at Inst. No. 2024-01394, on April 10, 2024 at the Buffalo County Register of Deeds.
8. **ADDENDUM ITEM:** Approve the recommendation from the Development Services Division on the annual renewal of the following manufactured home court license until May 31, 2025: Valley View Mobile Home Court, 2701 and 2801 Grand Avenue and granting an extension of 30 days of the current manufactured home court licenses for East Lawn Mobile Homes Estates, 2900 and 3010 Grand Avenue, to correct remaining deficiencies.

* *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. 8689 repealing Ordinance No. 8661 and amend the Salary Ordinance reflecting pay plan adjustments.

VI. REGULAR AGENDA

1. Discuss Essential Air Service Carrier proposals to service Kearney and consider Resolution No. 2024-94 authorizing the Mayor to send a Letter of Recommendation.

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