

# **KEARNEY CITY COUNCIL**

## **AMENDED AGENDA**

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

**October 8, 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 Lee Fly (Applicant) for G.S.E.-Kearney, (Owner) to rezone from District M-1, Limited Industrial District to District M-1/PD, Limited Industrial District/Planned Development Overlay District for property described as the north half (150' X 280') of Lot 1775 in the Original Town of Kearney Junction, now known as the City of Kearney, Buffalo County, Nebraska plus the south 40 feet of the vacated 12th Street on the north line of said Lot and the east 20 feet of the vacated R.O.W. of Avenue "A" on the west line of said Lot, collectively aggregated into one lot with the overall dimensions of 190' X 300' (1122 Avenue B) and consider Ordinance No. 8697.
2. Conduct a public hearing on the application submitted by Lee Fly/Powers Brown Architecture (Applicant) for G.S.E.-Kearney, (Owner) for Planned District Development Plan Approval for property to be zoned District M-1/PD, Limited Industrial District/Planned Development Overlay District and described as the north half (150' X 280') of Lot 1775 in the Original Town of Kearney Junction, now known as the City of Kearney, Buffalo County, Nebraska plus the south 40 feet of the vacated 12th Street on the north line of said Lot and the east 20 feet of the vacated R.O.W. of Avenue "A" on the west line of said Lot, collectively aggregated into one lot with the overall dimensions of 190' X 300' (1122 Avenue B) and consider Resolution No. 2024-139.
3. Conduct a public hearing on the application submitted by Buffalo Surveying Corp., (Applicant) for Marcile M. Woodward, Trustee and Joel D. Woodward (Owners), to (1) rezone from District AG, Agricultural District to District RR-2, Rural Residential District (Rural Standards) for property described as a tract of land being the South Half of the South Half

of the Southeast Quarter of the Northeast Quarter of Section 20, Township 9 North, Range 16 West of the Sixth P. M., Buffalo County, Nebraska, EXCEPT THEREFROM; all of Woodward 46th Avenue Subdivision, a subdivision being part of the South Half of the South Half of the Southeast Quarter of the Northeast Quarter of Section 20, Township 9 North, Range 16 West of the Sixth Principal Meridian, Buffalo County, Nebraska and consider Ordinance No. 8698 and to (2) vacate Lot 1, Woodward 46th Avenue Subdivision, a subdivision being part of the South Half of the South Half of the Southeast Quarter of the Northeast Quarter of Section 20, Township 9 North, Range 16 West of the Sixth Principal Meridian, Buffalo County, Nebraska (1/2 mile north of 56th Street and 46th Avenue on the west side 46th Avenue) and consider Ordinance No. 8699.

4. Conduct a public hearing on the application submitted by Buffalo Surveying Corp., (Applicant) for Marcile M. Woodward, Trustee and Joel D. Woodward (Owners), for the Final Plat and Subdivision Agreement for Woodward 46th Avenue Second Subdivision, a subdivision being part of the South Half of the South Half of the Southeast Quarter of the Northeast Quarter of Section 20, Township 9 North, Range 16 West of the Sixth P.M., Buffalo County, Nebraska, with said tract of land being inclusive of Lot 1, now vacated, Woodward 46th Avenue Subdivision, a subdivision being part of the South Half of the South Half of the Southeast Quarter of the Northeast Quarter of Section 20, Township 9 North, Range 16 West of the Sixth P. M., Buffalo County, Nebraska (1/2 mile north of 56th Street and 46th Avenue on the west side 46th Avenue) Resolution No. 2024-140.

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

1. Approve Minutes of Regular Meeting held September 24, 2024.
2. Approve the Claims.
3. Authorize the Mayor to send a letter of no recommendation to the Nebraska Liquor Control Commission on the new liquor license & manager application for Luke Moser (Manager) for Western Oil II, LLC dba Speedee Mart 2765 located at 1711 West 56th Street.
4. Consider Resolution No. 2024-141 authorizing the City of Kearney to join with NPPD as a co-applicant to the Nebraska Power Review Board for an amendment to NPPD's retail service area to include the annexed land described as Arbor View Second, an addition to the City of Kearney, Buffalo County, Nebraska for property described as a tract of land being part of Government Lot 2 in Section 19, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (lying east of Avenue N and south of 65th Street).
5. Consider Resolution No. 2024-142 authorizing the City of Kearney to join with NPPD as a co-applicant to the Nebraska Power Review Board for an amendment to NPPD's retail service area to include the annexed land described as Arbor View Third, an addition to the City of Kearney, Buffalo County, Nebraska, being a part of Government Lot 2 and part of the Southeast Quarter of the Northwest Quarter of Section 19, Township 9 North, Range 15 West of the 6th P.M. Buffalo County, Nebraska (south of the intersection of East 65th Street and Avenue R).
6. Adopt Resolution No. 2024-143 approving the request by Kearney Gaming, LLC to provide a keno-type lottery operation at The Crafty Dog, Inc. located at 1325 2nd Avenue, Suite A.

7. Adopt Resolution No. 2024-144 approving the Developer Constructed Infrastructure Agreement for Saadi First, an Addition to the City of Kearney, Buffalo County, Nebraska between the City of Kearney and Camil Saadi, Managing Member of WinStar Enterprise, LLC, a Nebraska Limited Liability Company for the construction, public improvements: water main, sanitary sewer main, paving and storm sewer main to serve Saadi First, an Addition to the City of Kearney, Buffalo County, Nebraska.
  8. Adopt Resolution No. 2024-145 continuing the Agreement between the City of Kearney and Tye & Rowling, PC, LLO for legal services as City Attorney.
  9. Approve the purchase of a 2025 Western Star 47X with the Henderson 5-Yard Dump Body, Henke Snow Plow, and Plow Hitch combination in the amount of \$217,747.00 submitted by Truck Center Companies under the Nebraska State Bid Purchasing Contract program to be used at the Public Works/Transportation Department.
  10. Approve the purchase of a 2025 ALTEC DM47E Derrick truck with a Freightliner chassis in the amount of \$310,905.00 submitted by Altec, Inc. under the Sourcewell Cooperative Purchasing Contract program to be used at the Public Works/Transportation Department.
  11. Approve Resolution No. 2023-97A repealing and rescinding Resolution No. 2023-97 pertaining to the Developer Constructed Infrastructure Agreement Sun West Fifth Addition, Lot 2 between City of Kearney and Mike Lewis, Member of Old Towne Enterprises, LLC, a Nebraska Limited Liability Company for the construction of a water main for a fire hydrant to serve Lot 2, Sun West Fifth Addition, an addition to the City of Kearney, Buffalo County, Nebraska due to a change in ownership.
  12. ADDENDUM ITEM: Approve the Kearney Police Department purchase of updated taser equipment from Axon Enterprises, Inc. in the amount of \$384,970.00.
- \* *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. 8700 repealing Ordinance No. 8695 and amend the Salary Ordinance reflecting pay plan adjustments

## **VI. REGULAR AGENDA**

1. NPPD presentation and update on 115 KV Transmission Project.

## **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)