

KEARNEY CITY COUNCIL

AGENDA

City Council Chambers, 18 East 22nd Street

February 12, 2013

7:00 p.m.

I ROUTINE BUSINESS

1. Invocation by Pastor Kyle Dellevoet from Christian Student Fellowship.
2. Pledge of Allegiance.
3. Announcement on Open Meetings Act.
4. Roll call.
5. Oral Communication – Recognition of visitors.

II UNFINISHED BUSINESS

None.

III PUBLIC HEARINGS

1. Conduct a public hearing on the Application submitted by Craig Bennett from Miller & Associates (Applicant) for Mead Building Centers of Kearney Real Estate, LLC (Owner) for Revised Planned District Development Plan Approval for a lumber yard on property zoned District C-2/PD, Community Commercial/Planned Development Overlay District for property described as Lot 1, Fountain Hills Sixth Addition to the City of Kearney, Buffalo County, Nebraska (south of 56th Street between 11th Avenue and 17th Avenue) and consider **Resolution No. 2013-11**.
2. Conduct a public hearing on the proposed amendment to the Redevelopment Plan for Redevelopment Area #2 described as a tract of land located south from the intersection of South Railroad Street and the alley between Central Avenue and Avenue A to the southern right-of-way of 8th Street, thence west one half block, thence south along the eastern right-of-way of Central Avenue to a point 125 feet north of Landon Street, thence east to the corporate limits, thence south along the corporate limits to the southern bank of the North Channel of the Platte River, thence west along the corporate limits to a point approximately 405 feet east of Central Avenue, thence south along the property line to the northern right-of-way of Interstate 80, thence west and north along the right-of-way to 2nd Avenue, thence southwest along Interstate 80's northern right-of-way to the city limits, thence generally north along the corporate limits to the southern bank of the North Channel of the Platte River, thence east along said bank to eastern right-of-way of 2nd Avenue, thence east to western boundaries of the parcels adjacent to Central Avenue (approximately 200 feet), thence north along the property lines of the said parcels, thence

east along the northern right-of-way of 4th Street to a point 240 feet west of Central Avenue, thence north along western boundaries of the parcels adjacent to Central Avenue, thence north along the eastern and the northern property line of Lot 7 of H-D-R 2nd Addition, thence north along the western edge of vacated 1st Avenue to the northern right-of-way of 12th Street, thence east one half block to the center line of the alley, thence north to 14th Street's northern right-of-way, thence east to western Central Avenue right-of-way, thence north along the right-of-way to the southern right-of-way of 16th Street, thence west one half block to the center line of the alley, thence north to South Railroad Street, thence east to the point of origin, all located in the City of Kearney, Buffalo County, Nebraska and consider **Resolution No. 2013-12**.

3. Conduct a public hearing on the application for a Class IK-101513 catering liquor license submitted by RMH Franchise Corporation, dba Applebee's Neighborhood Grill & Bar located at 5605 2nd Avenue, consider the manager application for John Gabel, and consider **Resolution No. 2013-13**.

IV CONSENT AGENDA *

1. Approve Minutes of Regular Meeting held January 22, 2013 and Special Meeting held January 29, 2013.
2. Approve the Claims.
3. Adopt **Resolution No. 2013-14** approving the Technical and Professional Services Contract between the City of Kearney and Miller & Associates for community revitalization planning for Community Development Block Grant No. 12-CR-004.
4. Adopt **Resolution No. 2013-15** approving the Professional Services Consultant Agreement between the City of Kearney and Miller & Associates for comprehensive revitalization strategy plan in connection with Community Development Block Grant No. 12-CR-004.
5. Approve the application submitted by Ronald Huss to extend Conditional Use Permit No. 1978-01 to locate a manufactured home for security purposes located at 1202 West 19th Street for a period of one year.
6. Approve the application submitted by Ronald Huss to extend Conditional Use Permit No. 2006-03 to stockpile snow and manure at 1202 West 19th Street for a period of one year.
7. Reappointment of Randy Buschkoetter to serve on the Kearney Visitors Bureau, the reappointment of Stanley Clouse and Bruce Lear to serve on the Buffalo County Economic Development Council, and the reappointment of Randy Buschkoetter, Bob Lammers and Ron Hendrickson to serve on the Joint Airport Zoning Board.
8. Adopt **Resolution No. 2013-16** approving the Annexation Agreement between the City of Kearney and Michael and Gloria Greene for Lot 1, Smith Addition, a subdivision located in the Southeast Quarter of the Northeast Quarter of Section 27, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (5110 17th Avenue).

9. Adopt **Resolution No. 2013-17** approving the Annexation Agreement between the City of Kearney and Lucille E. Stone, Trustee of the Lucille E. Stone Revocable Trust U/A/D March 29, 2001 for a tract of land in the Northeast Quarter of Section 27, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (5120 17th Avenue).
10. Adopt **Resolution No. 2013-18** approving the Annexation Agreement between the City of Kearney and Vetter Holding, Inc. for Lot 1 of Block 2, Northridge Retirement Subdivision, a subdivision being part of the East Half of the Northeast Quarter of Section 27, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska.
11. Adopt **Resolution No. 2013-19** establishing processes and procedures regarding applications for grant funding, grant project management, and grant record retention.
12. Adopt **Resolution No. 2013-20** approving Change Order No. 1 showing a decrease in the amount of \$1,430.00, Application and Certificate of Payment No. 1-Final in the amount of \$105,273.75 and accept the Certificate of Substantial Completion submitted by Dan Roeder Concrete, Inc. and approved by Miller & Associates for the 2012 Part 1 Improvements – Bid B consisting of Paving Improvement District No. 2012-951 for 13th Street Place from 17th Avenue to its terminus in a cul-de-sac; and Paving Improvement District No. 2012-952 for 12th Street Place from 17th Avenue to its terminus in a cul-de-sac.
13. Adopt **Resolution No. 2013-21** approving Change Order No. 2 showing a decrease in the amount of \$10,353.70, Application and Certificate of Payment No. 3-Final in the amount of \$186,283.80 and accept the Certificate of Substantial Completion submitted by Dan Roeder Concrete, Inc. and approved by Miller & Associates for the 2011 Part 7 Improvements; 5th Avenue from North Railroad Street to 25th Street.
14. Approve the Plans and Specifications for the 2013 Part 5 Improvements; Interior Renovations at the City of Kearney/Buffalo County Law Enforcement Center and set the bid date for March 5, 2013 at 2:00 p.m.

* *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. 7784** granting a non-exclusive franchise to USA Communications, LLC, a Nebraska Limited Liability Company to construct, install, operate, maintain or otherwise locate telecommunication facilities in public ways within the City of Kearney.

VI REGULAR AGENDA

1. Receive and accept the City of Kearney Annual Financial Report prepared by the accounting firm of McDermott & Miller.
2. Review the One & Six Year Street Improvement Plan and set the public hearing for February 26, 2013 to adopt the One & Six Year Street Improvement Plan.

3. Open Account Claim: NPPD - \$72,724.67.

VII REPORTS

VIII ADJOURN

Mayor Stanley Clouse
4907 Linden Drive Place
627-6730 cell
238-5210 office
mayor@kearneygov.org

Vice-President Randy Buschkoetter
1110 13th Avenue
234-5553 home
440-0358 cell
citycouncil@kearneygov.org

Council Member Bruce Lear
4803 Avenue L Place
234-5354 home
237-2724 office
citycouncil@kearneygov.org

Council Member Bob Lammers
8 Crestview Place
236-5273 home
234-2577 office
citycouncil@kearneygov.org

Council Member Jonathan Nikkila
4 Regency Place
455-0883 cell
citycouncil@kearneygov.org

City Manager Michael Morgan
18 East 22nd Street
233-3214 office
mmorgan@kearneygov.org

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