

KEARNEY CITY COUNCIL

AGENDA

City Council Chambers, 18 East 22nd Street

December 23, 2013

4:00 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

None.

III PUBLIC HEARINGS

1. Postponed November 12, 2013. Conduct a public hearing on the Applications submitted by Miller & Associates (Applicant) for Grand West LLC, a Nebraska Limited Liability Company (Owner): (1) to vacate Lots 1 and 2 of Block One, Fountain Hills Second Addition to the City of Kearney, Buffalo County, Nebraska and consider **Ordinance No. 7853**; and (2) to rezone from District AG, Agricultural District and District C-2, Community Commercial District to District R-3/PD, Urban Residential Multi-Family (Medium Density)/Planned Development Overlay District property described as a tract of land being part of the Northeast Quarter of the Northwest Quarter of Section 26, Township 9 North, Range 16 West of the 6th P.M, Buffalo County, Nebraska (south of 56th Street and east of 11th Avenue) and consider **Ordinance No. 7854**.
2. Postponed November 12, 2013. Conduct a public hearing on the Application submitted by Miller & Associates (Applicant) for Grand West LLC, a Nebraska Limited Liability Company (Owner) for the Final Plat and Subdivision Agreement for Fountain Hills Seventh Addition, an addition to the City of Kearney, Buffalo County Nebraska, for property described as a tract of land being part of the Northeast Quarter of the Northwest Quarter of Section 26, Township 9 North, Range 16 West of the 6th P.M, Buffalo County, Nebraska (south of 56th Street and east of 11th Avenue) and consider **Resolution No. 2013-212**.

3. Postponed November 12, 2013. Conduct a public hearing on the Application submitted by Miller & Associates (Applicant) for Grand West LLC, a Nebraska Limited Liability Company (Owner) for the annexation of Fountain Hills Seventh Addition, an addition to the City of Kearney, Buffalo County Nebraska, for property described as a tract of land being part of the Northeast Quarter of the Northwest Quarter of Section 26, Township 9 North, Range 16 West of the 6th P.M, Buffalo County, Nebraska (south of 56th Street and east of 11th Avenue) and consider **Resolution No. 2013-213**.
4. Postponed November 12, 2013. Conduct a public hearing on the Application submitted by Miller & Associates (Applicant) for Grand West LLC, a Nebraska Limited Liability Company (Owner) for Planned District Development Plan Approval for an apartment complex on property to be zoned District R-3/PD, Urban Residential Multi-Family (Medium Density)/Planned Development Overlay District on property described as a tract of land being part of the Northeast Quarter of the Northwest Quarter of Section 26, Township 9 North, Range 16 West of the 6th P.M, Buffalo County, Nebraska (south of 56th Street and east of 11th Avenue) and consider **Resolution No. 2013-214**.
5. Postponed December 10, 2013. Conduct a public hearing on the Applications submitted by Miller & Associates for Turkey Creek Properties, LLC for (1) the vacation of a tract of land located in part of Government Lots 6, 7, 8, 9 and accretions abutting said Lots, all in Section 10, Township 8 North, Range 16 West of the 6th P.M, Buffalo County, Nebraska and consider **Ordinance No. 7859**; and (2) an amendment to the Land Use Map of the City of Kearney Comprehensive Development Plan from Mixed Use 2 to Rural Estates property described as a tract of land located in part of Government Lots 6, 7, 8, 9 and accretions abutting said Lots, all in Section 10, Township 8 North, Range 16 West of the 6th P.M, Buffalo County, Nebraska (Kea West Avenue to 30th Avenue, south of the North Channel of the Platte River) and consider **Resolution No. 2013-236**.
6. Postponed December 10, 2013. Conduct a public hearing on the Application submitted by Miller & Associates for Turkey Creek Properties, LLC to rezone from District AG, Agricultural District to District RR-1/PD, Urban Residential Single-Family (Low Density)/Planned Development Overlay District property described as a tract of land located in part of Government Lots 6 and 9 and accretions abutting said Lots in Section 10, Township 8 North, Range 16 West of the 6th P.M, Buffalo County, Nebraska; AND from District RR-1/PD, Urban Residential Single-Family (Low Density)/Planned Development Overlay District to District AG, Agricultural District property described as a tract of land located in part of Government Lots 7, 8, 9 and accretions abutting said Lots, all in Section 10, Township 8 North, Range 16 West of the 6th P.M, Buffalo County, Nebraska (Kea West Avenue to 30th Avenue, south of the North Channel of the Platte River) and consider **Ordinance No. 7860**.
7. Postponed December 10, 2013. Conduct a public hearing on the Application submitted by Miller & Associates for Turkey Creek Properties, LLC for the Final Plat and Subdivision Agreement for Turkey Creek Second Subdivision, a subdivision in Buffalo County Nebraska, for property described as a tract of land located in part of Government Lots 6, 7, 8, 9 and accretions abutting said Lots, all in Section 10, Township 8 North, Range 16 West of the 6th P.M, Buffalo County, Nebraska (Kea West Avenue to 30th Avenue, south of the North Channel of the Platte River) and consider **Resolution No. 2013-237**.

8. Postponed December 10, 2013. Conduct a public hearing on the Application submitted by Miller & Associates for Turkey Creek Properties, LLC for Planned District Development Plan Approval for a single family large lot development on property to be zoned District RR-1/ PD, Urban Residential Single-Family (Low Density)/Planned Development Overlay District on property described as a tract of land located in part of Government Lots 6, 7, 8, 9 and accretions abutting said Lots, all in Section 10, Township 8 North, Range 16 West of the 6th P.M, Buffalo County, Nebraska (Kea West Avenue to 30th Avenue, south of the North Channel of the Platte River) and consider **Resolution No. 2013-238**.
9. Conduct a public hearing on the Application submitted by Talmadge Properties Inc., dba Hampton Inn for a Class I-105951 liquor license located at 507 Talmadge Street, consider the Manager Application for Paul Younes, and consider **Resolution No. 2013-242**.

IV CONSENT AGENDA *

1. Approve Minutes of Regular Meeting held December 10, 2013.
2. Approve the Claims.
3. Receive recommendations of Planning Commission and set January 14, 2014 at 5:30 p.m. as date and time for hearing on those applications where applicable.
4. Adopt **Resolution No. 2013-243** setting the interest rate, providing equal annual installments, providing the interest rate for delinquent installments for special assessments for 2014 with regard to the creation of paving, water and sanitary sewer districts; and to establish a policy on reimbursing developers for infrastructure costs for Developer Constructed Infrastructure Agreements.
5. Adopt **Resolution No. 2013-244** approving the City of Kearney and County of Buffalo Archway Monument Agreement providing the County's payment to the City for a portion of the costs associated with the operation of the Archway Monument.
6. Adopt **Resolution No. 2013-245** allowing the City of Kearney to expend funds on the purchase of a fire pumper truck and equipment for said truck and to reimburse itself from the proceeds of the debt issued at a later date.
7. Adopt **Resolution No. 2013-246** approving the Proposed Scope of Work for Kearney Skatepark Project between the City of Kearney and Pillar Design Studios.
8. Adopt **Resolution No. 2013-247** approving the Vehicle Gasoline Purchase Agreement between the City of Kearney and the University of Nebraska at Kearney to jointly purchase vehicle gasoline on a collective basis.
9. Adopt **Resolution No. 2013-248** approving Application and Certificate for Payment No. 3 in the amount of \$29,697.06 submitted by Blessing, LLC and approved by Miller & Associates for the 2012 Part 9 Improvements; CDBG Sidewalks in the Emerson School Area.

10. Adopt **Resolution No. 2013-249** approving Application and Certificate for Payment No. 2 in the amount of \$42,181.76 submitted by Midlands Contracting and approved by Miller & Associates for the 2013 Part 1 Improvements – Bid A consisting of Water District No. 2013-570 and Sanitary Sewer District No. 2013-508 for 50th Street from 11th Avenue to 17th Avenue, 51st Street Place from 15th Avenue Place to 16th Avenue Place, all of 14th Avenue Place, all of 15th Avenue Place, all of 16th Avenue Place, all of Loveland Drive all in Fountain Hills Fifth Addition, 11th Avenue from 48th Street north to the north lot line of Lot 10 of Block 3, Fountain Hills Third Addition; Sanitary Sewer Connection District No. 2013-1 beginning at the intersection of the centerlines of 16th Avenue Place and 51st Street Place as platted in Fountain Hills Fifth Addition west to the west line of 17th Avenue, thence north to the northeast corner of Lot 1, Smith Addition; and Sanitary Sewer Connection District No. 2013-2 in a sanitary sewer easement located in part of Outlot A, Fountain Hills Sixth Addition; and part of the Northwest Quarter of Section 26, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska; and 11th Avenue as platted in Fountain Hills Second Addition.
11. Adopt **Resolution No. 2013-250** approving the following Agricultural Leases at the Kearney Regional Airport from January 1, 2014 until December 31, 2014: B & B Bendfeldt Farms, L.L.C. and Brenda Bendfeldt (239.8 irrigated acres); David Fleming (364.36 non-irrigated acres); David Fleming (276 irrigated acres); Gary Henderson (39.81 irrigated acres); Don Hendrickson (193.5 irrigated acres); Ron Hendrickson (75 dryland hay acres); Tom Larsen and Ted Larsen (61 under pivot irrigated acres and 64.5 non-irrigated acres); and Lee Potter (64.7 irrigated acres).
12. Approve the bids received for the purchase of a Six Wheel Pure Vacuum Street Sweeper with Broom Assist for the Public Works Department and award the bid to Nebraska Environmental Equipment in the amount of \$250,432.00.

* *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. 7863** amending Section 9-1055 “Licenses; Reciprocity” of Division III “Licensing and Regulation of Plumbers” of Article 10 “Plumbing Code” of Chapter 9 “Public Works” of the City Code to allow plumbers who have been certified in another city in Nebraska to work in Kearney without retesting.

VI REGULAR AGENDA

1. Consider the redevelopment project (Apache Camper Center) for Redevelopment Area #9 for an area described as Lot 1, Johnson Commercial Second Addition, an addition to the City of Kearney, Buffalo County, Nebraska (East 1st Street) and consider **Resolution No. 2013-251**.
2. Open Account Claim to NPPD - \$75,182.68.

VII REPORTS

VIII ADJOURN

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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