

KEARNEY CITY COUNCIL

AGENDA

City Council Chambers, 18 East 22nd Street

March 10, 2015

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

None.

III PUBLIC HEARINGS

1. Conduct a public hearing on the application for Class C-111547 liquor license submitted by Lowe Group Inc., dba Platte Valley located at 14 East Railroad Street, consider the manager application for John Lowe, and consider **Resolution No. 2015-38.**
2. Conduct a public hearing on the application for Class D-111099 liquor license submitted by Western Oil II, LLC, dba Speedee Mart 2767 located at 108 South 2nd Avenue, consider the manager application for Luke Moser, and consider **Resolution No. 2015-39.**
3. Conduct a public hearing on the Application submitted by Siel Construction Inc. and Miracle Farms Inc. for a Conditional Use Permit to operate a borrow pit on property zoned District AG, Agricultural District and described as the Northwest Quarter of Section 17, Township 9 North, Range 15 West of the 6th P.M., all in Buffalo County, Nebraska (northeast corner of Antelope Avenue and 78th Street) and consider **Ordinance No. 7967.**
4. Conduct a public hearing on the Application submitted by Siel Construction Inc. and Thad, Allan and Patrica Deets for a Conditional Use Permit to operate a borrow pit on property zoned District AG, Agricultural District and described as part of the Southwest Quarter of Section 13, Township 9 North, Range 16 West of the 6th P.M., all in Buffalo County, Nebraska (2,400 feet east of Glenwood Corner and 1,600 feet south of 78th Street) and consider **Ordinance No. 7968.**

5. Conduct a public hearing on the Application submitted by JP Builders and CNS Ventures, LLC to rezone from District R-1, Urban Residential Single-Family District (Low Density) to District C-O, Office District property described as Lots 15, 16 and 17, Kecks Subdivision to the City of Kearney, Buffalo County, Nebraska (12 East 35th Street) and consider **Ordinance No. 7969**.
6. Conduct a public hearing on the Application submitted by Trenton Snow for the Estate of Paul Otto for an amendment to the Land Use Map of the City of Kearney Comprehensive Development Plan from Agricultural Open to Rural Estates property described as a tract of land being part of Government Lot 1 in Section 9, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (4420 West 11th Street) and consider **Resolution No. 2015-40**.
7. Conduct a public hearing on the Application submitted by Trenton Snow for the Estate of Paul Otto to rezone from District AG, Agricultural District to District RR-1, Rural Residential District (Rural Standards) property described as a tract of land being part of Government Lot 1 in Section 9, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (4420 West 11th Street) and consider **Ordinance No. 7970**.
8. Conduct a public hearing on the Application submitted by Trenton Snow for the Estate of Paul Otto for the Final Plat for Paul Otto Subdivision of Buffalo County, Nebraska, for property described as a tract of land being part of Government Lot 1 in Section 9, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (corner of 11th Street and 46th Avenue) and consider **Resolution No. 2015-41**.
9. Conduct a public hearing on the Application submitted by Broadfoot Sand & Gravel and YB Investments, LLC for a Conditional Use Permit to operate a borrow pit on property zoned District AG, Agricultural District and described as part of the Northwest Quarter of Section 18, Township 8 North, Range 15 West of the 6th P.M., all in Buffalo County, Nebraska (1419 East 1st Street South) and consider **Ordinance No. 7971**.
10. Conduct a public hearing on the Application submitted by Miller & Associates for Fred Hammer, Trustee of the Fred Hammer Living Trust for an amendment to the Land Use Map of the City of Kearney Comprehensive Development Plan from Medium Density Residential and Mixed Use 3 to Mixed Density Residential property described as a tract of land being part of the West Half of the Northwest Quarter of the Northeast Quarter, and part of Government Lot 3 and accretions abutting said Lot 3, all in Section 11, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (9th Avenue between 4th Street and 10th Street) and consider **Resolution No. 2015-42**.
11. Conduct a public hearing on the Application submitted by Miller & Associates for Fred Hammer, Trustee of the Fred Hammer Living Trust to rezone from District R-1, Urban Residential Single-Family District (Low Density) to District R-2, Urban Residential Mixed-Density District and to District MU, Mixed Use District property described as a tract of land being part of the West Half of the Northwest Quarter of the Northeast Quarter, and part of Government Lot 3 and accretions abutting said Lot 3, all in Section 11, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (9th Avenue between 4th Street and 10th Street) and consider **Ordinance No. 7972**.

12. Conduct a public hearing on the Application submitted by Miller & Associates for Fred Hammer, Trustee of the Fred Hammer Living Trust for the Final Plat and Subdivision Agreement for Fox Creek, an Addition to the City of Kearney, Buffalo County, Nebraska, for property described as a tract of land being part of the West Half of the Northwest Quarter of the Northeast Quarter, and part of Government Lot 3 and accretions abutting said Lot 3, all in Section 11, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (9th Avenue between 4th Street and 10th Street) and consider **Resolution No. 2015-43**.
13. Conduct a public hearing on the Application submitted by Miller & Associates for Fred Hammer, Trustee of the Fred Hammer Living Trust for the annexation of Fox Creek, an Addition to the City of Kearney, Buffalo County, Nebraska, for property described as a tract of land being part of the West Half of the Northwest Quarter of the Northeast Quarter, and part of Government Lot 3 and accretions abutting said Lot 3, all in Section 11, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (9th Avenue between 4th Street and 10th Street) and consider **Resolution No. 2015-44**.
14. Conduct a public hearing on the proposed acquisition of a Permanent Storm Sewer Easement for a tract of land being part of Lots 3 and 4, Oak Park Center, an addition to the City of Kearney, Buffalo County, Nebraska and consider **Resolution No. 2015-45**.
15. Conduct a public hearing on the proposed acquisition of a Permanent Sanitary Sewer and Water Main Easement for a tract of land being part of Lots 3 and 4, Oak Park Center, an addition to the City of Kearney, Buffalo County, Nebraska and consider **Resolution No. 2015-46**.

IV CONSENT AGENDA *

1. Approve Minutes of Special Meeting held February 18, 2015 and Regular Meeting held February 24, 2015.
2. Approve the Claims.
3. Adopt **Resolution No. 2015-47** approving the Developer Constructed Infrastructure Agreement between the City of Kearney and Oak Park Development, LLC for Lots 3 and 4, Oak Park Center, an addition to the City of Kearney, Buffalo County, Nebraska.
4. Approve the application for a Special Designated License submitted by Juan Lazo, dba El Tropico in connection with their Class IBK-37623 catering liquor license to dispense beer and distilled spirits in the Exhibit Building (alternate location is Exposition Building) located at the Buffalo County Fairgrounds, 3807 Avenue N, on March 28, 2015 from 6:00 p.m. until 1:00 a.m. for a dance.
5. Approve the application for a Special Designated License submitted by Miretta Vineyards & Winery Inc., dba Miletta Vista Winery in connection with their Class YK-07615 catering liquor license to dispense wine inside the Exposition Building located at the Buffalo County Fairgrounds, 3807 Avenue N, on April 11, 2015 from 8:30 a.m. until 4:30 p.m. for sampling/tasting.

6. Adopt **Resolution No. 2015-48** approving the Developer Constructed Infrastructure Agreement for Castle Ridge Fifth Addition between the City of Kearney and Starostka Group Unlimited.
7. Approve the recommendation from the Utilities Department on the purchase of a side load refuse compactor truck used in the Sanitation Division from Nebraska Peterbilt in the amount of \$149,010.00.
8. Approve the recommendation from the Utilities Department on the purchase of an articulated frame four-wheel loader used in the Solid Waste Agency Landfill Division from Murphy Tractor in the amount of \$193,095.00.
9. Approve the recommendation from the Utilities Department on the purchase of a loader backhoe for the Water Distribution Division from Nebraska Machinery in the amount of \$99,965.00.
10. Accept the bids received for the 2014 Part 12 Improvements; Airport Water System Improvements and adopt **Resolution No. 2015-49** awarding the bid to Midlands Contracting in the amount of \$308,336.00.
11. Approve the request submitted by the Kearney Police Department/Buffalo County Sheriff's Office to temporarily block off Avenue B from North Railroad Street to 21st Street for the auction to be held on April 18, 2015 from 7:00 a.m. until 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. 7973** repealing Ordinance No. 7938 amending the Salary Ordinance to reflect amendments to the positions within the Development Services Department.

VI REGULAR AGENDA

1. Approve **Ordinance No. 7974** authorizing the issuance and sale of Bond Anticipation Notes of the City of Kearney, Nebraska, in the principal amount of \$3,745,000 for the purpose of providing interim financing for the costs of constructing street improvements in Paving Improvement District Nos. 2014-965, 2014-968, 2014-969, 2014-970 and 2014-971 of said City pending the issuance of permanent General Obligation Various Purpose Bonds of the City; prescribing the form of said notes; agreeing to issue the City's General Obligation Various Purpose Bonds to pay the notes at maturity or to pay the notes from other available funds; entering into a contract on behalf of the City with the holders of said notes.
2. Open Account Claim to Stan Clouse - \$334.45.

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