

# **KEARNEY CITY COUNCIL**

## **AGENDA**

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

**April 26, 2016**

**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 Miller & Associates for Paul and Linda Younes to rezone from District C-2, Community Commercial District to District C-2/PD, Community Commercial/Planned Development Overlay District property described as West Tract, Lot 1 of Block Two, Younes Center Third Addition and Outlot A of Block Two, Younes Center Fourth Addition, all in the City of Kearney, Buffalo County, Nebraska (north of 3rd Street between 4th Avenue and 6th Avenue) and consider Ordinance No. 8072.
2. Conduct a public hearing on the Application submitted by Miller & Associates for Paul and Linda Younes for Planned District Development Plan Approval for the construction of a residential apartment complex on property to be zoned District C-2/PD, Community Commercial/Planned Development Overlay District and described as West Tract, Lot 1 of Block Two, Younes Center Third Addition and Outlot A of Block Two, Younes Center Fourth Addition, all in the City of Kearney, Buffalo County, Nebraska (north of 3rd Street between 4th Avenue and 6th Avenue) and consider Resolution No. 2016-67.

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

1. Approve Minutes of Regular Meeting held April 12, 2016 and Minutes of Special Meeting held April 12, 2016.
2. Approve the Claims.
3. Receive recommendations of Planning Commission and set May 10, 2016 at 5:30 p.m. as date and time for hearing on those applications where applicable.

4. Approve the application for a Special Designated License submitted by Night Life Concepts, Inc., dba Cunningham's Journal in connection with their Class CK-059311 catering liquor license to dispense beer and wine inside First National Bank located at 2223 2nd Avenue on Thursday, May 12, 2016 from 5:00 p.m. until 10:00 p.m. for a Chamber event.
5. Adopt Resolution No. 2016-68 accepting the public improvements constructed under a Developer Constructed Infrastructure Agreement for Remington Heights Addition, an addition to the City of Kearney, Buffalo County, Nebraska.
6. Adopt Resolution No. 2016-69 accepting the public improvements constructed under a Developer Constructed Infrastructure Agreement for Remington Heights Second Addition, an addition to the City of Kearney, Buffalo County, Nebraska.
7. Adopt Resolution No. 2016-70 accepting the public improvements constructed under a Developer Constructed Infrastructure Agreement for Lots 6 through 17 of Block Three, Bel Air Addition and all of Bel Air Fifth Addition, additions to the City of Kearney, Buffalo County, Nebraska.
8. Adopt Resolution No. 2016-71 approving the Developer Constructed Infrastructure Agreement for Central Community College First Addition between the City of Kearney and Central Community College for the installation of water mains and fire hydrants to serve the property.
9. Approve the application for a Special Designated License submitted by Chug-A-Lug Sports Bar Inc., dba Chug A Lug Sports Bar in connection with their Class C-042049 liquor license to dispense beer and distilled spirits in a 32'x54' fenced area located south of their licensed beer garden located at 1115 East 25th Street on June 18, 2016 from 8:00 a.m. until 12:30 a.m. for a beer garden and fund raiser.
10. Approve the solicitation for Request for Proposals for Naming Rights for youth baseball and softball complexes at Patriot Park with Proposals due October 25, 2016.
11. Adopt Resolution No. 2016-72 accepting the public improvements constructed under a Developer Constructed Infrastructure Agreement for Lots 1, 2 and 3 of Block Four, Eastbrooke Fourteenth, an addition to the City of Kearney, Buffalo County, Nebraska.
12. Adopt Resolution No. 2016-73 accepting the public improvements constructed under a Developer Constructed Infrastructure Agreement for Lot 1 and part of Lot 2 of Block One, Northridge Retirement Subdivision of Buffalo County, Nebraska.
13. Adopt Resolution No. 2016-74 approving Application and Certificate for Payment No. 2 in the amount of \$236,346.25 submitted by Blessing, LLC and approved by Miller & Associates for the 2015 Part 12 Improvements – Bid B consisting of Paving Improvement District No. 2015-978 for 9th Avenue from 10th Street south to its terminus in a cul-de-sac; Paving Improvement District No. 2015-979 for 10th Street from 9th Avenue east to the east lot line of Lot 1 of Block Two, Jean Michel of Chateau Marteau.
14. Adopt Resolution No. 2016-75 approving Application and Certificate for Payment No. 10 in the amount of \$23,132.69 submitted by Blessing, LLC and approved by Miller & Associates for the 2014 Part 11 Improvements consisting of Paving Improvement District No. 2014-969 for 11th Street from a point 109.74 feet west of 30th Avenue, thence east for a distance of 2,440.08 feet; Paving Improvement District No. 2014-970 for 27th Avenue from 11th Street south a distance of 850± feet as platted in Lot 1, Bearcat Corner; and Paving Improvement District No.

2014-971 for 30th Avenue from 11th Street south a distance of 1,500<sup>±</sup> feet as platted in Lot 1, Bearcat Corner.

15. Adopt Resolution No. 2016-76 approving Application and Certificate for Payment No. 1 in the amount of \$131,174.55 submitted by Blessing, LLC and approved by Miller & Associates for the 2015 Part 2 Improvements consisting of Paving Improvement District No. 2014-967 for 49th Street from the west line of Lot 1, Block Four, Good Samaritan Society Kearney Village Subdivision, thence easterly to the south line of Lot 9, Block Four, Good Samaritan Society Kearney Village Subdivision, thence continuing northerly and easterly in 50th Street to the east line of Outlot B, Good Samaritan Society Kearney Village Subdivision and continuing easterly in 50th Street to a point located 140.38 feet east of the east line of Outlot B, Castle Ridge Fourth Addition.
16. Adopt Resolution No. 2016-77 approving Change No. 1 showing a decrease in the amount of \$16,641.00, Application and Certificate for Payment No. 3-Final in the amount of \$171,295.90, and accept the Certificate of Substantial Completion submitted by Midlands Contracting and approved by Miller & Associates for the 2015 Part 11 Improvements – Bid A consisting of Water District No. 2015-579 and Sanitary Sewer District No. 2015-516 for 17th Avenue from 11th Street south to the south lot line of Lot 3 of Block, Three Park View Estates Eighth Addition AND in 8th Street from 17th Avenue east to 16th Avenue.
17. Adopt Resolution No. 2016-78 approving Application and Certificate for Payment No. 1 in the amount of \$185,288.13 submitted by Dan Roeder Concrete and approved by Miller & Associates for the 2015 Part 11 Improvements – Bid B consisting of Paving Improvement District No. 2015-976 for 17th Avenue from 11th Street south to the south lot line of Lot 3 of Block Three, Park View Estates Eighth Addition; Paving Improvement District No. 2015-977 for 8th Street from 17th Avenue east to 16th Avenue.
18. Approve the Plans and Specifications for the Yanney Park Northwest Sign and set the bid opening date for May 17, 2016 at 2:00 p.m.
19. Approve the Plans and Specifications for the 2015 Part 14 Improvements; Avenue E from 25th Street to 27th Street and set the bid opening date for May 17, 2016 at 2:00 p.m.
20. Accept the bids received for the 2015 Part 10 Improvements consisting of Paving Improvement District No. 2015-980, Water District No. 2015-582, and Sanitary Sewer District No. 2015-519 for 46th Street Place from Avenue R to its terminus in a cul-de-sac and adopt Resolution No. 2016-79 awarding the bid to Dan Roeder Concrete in the amount of \$229,643.00.
21. 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 Exposition Building located at the Buffalo County Fairgrounds, 3807 Avenue N, on Saturday, May 28, 2016 from 6:00 p.m. until 1:00 a.m. for a dance (alternate location is Exhibit Building and alternate date is May 27, 2016).
22. Approve the application for a Special Designated License submitted by Earn & Return Investments, Inc., dba Cellar Bar & Grill in connection with their Class IK-064728 liquor license to dispense beer and wine at the All Makes Office Supply, 3715 29th Avenue, Suite C on Thursday, May 19, 2016 from 2:00 p.m. until 8:00 p.m. for a Chamber event.

\* ***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. FIRST READING APRIL 12, 2016. Approve Ordinance No. 8071 rezoning from District R-2, Urban Residential Mixed-Density District to District UC, Mixed Use Urban Corridor District property described as Lot 415, Southwest Quarter School Section Addition to the City of Kearney, Buffalo County, Nebraska (105 West 29th Street).
- 2. Approve Ordinance No. 8073 creating Paving Improvement District No. 2016-982 for Avenue A from the north lot line of Lot 27, Cortland Place, thence south to the south lot line of Lot 558, Southwest Quarter School Section Addition; AND 31st Street from the west lot line of Lot 560, thence east to the east lot line of Lot 558, all in Southwest Quarter School Section Addition.

**VI. REGULAR AGENDA**

- 1. Consider the request submitted by Tim O'Brien on the review and evaluation of site development features by Administration as it pertains to minimum bufferyard to be provided adjacent to residential uses for property zoned District C-3, General Commercial District and described as Lots 1 and 2, Melton Addition, an addition to the City of Kearney, Buffalo County, Nebraska (2402 Avenue I).
- 2. Consider whether to allow food trucks to use public parking areas either in the street or in public parking lots.
- 3. Open Account Claim to NPPD - \$83,289.18.

**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](http://www.cityofkearney.org)