

# **KEARNEY CITY COUNCIL**

## **AGENDA**

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

**April 11, 2017**

**5:30 p.m.**

### **I. ROUTINE BUSINESS**

1. Invocation provided by Pastor Adrian Boykin.
2. Pledge of Allegiance.
3. Announcement on Open Meetings Act.
4. Roll call.
5. Oral Communication: Sexual Assault Awareness Month Proclamation.

### **II. UNFINISHED BUSINESS**

### **III. PUBLIC HEARINGS**

1. Conduct a public hearing on the Application submitted by Trenton Snow for David and Andrea Hayes and Floralee Ourada, Trustee for an amendment to the Land Use Map of the City of Kearney Comprehensive Development Plan from Mixed Density Residential to Urban Reserve property described as a tract of land being part of the Southeast Quarter of the Northeast Quarter of Section 5, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (2085 46th Avenue) and consider Resolution No. 2017-43.
2. Conduct a public hearing on the Application submitted by Trenton Snow for David and Andrea Hayes and Floralee Ourada, Trustee 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 the Southeast Quarter of the Northeast Quarter of Section 5, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (2085 46th Avenue) and consider Ordinance No. 8133.
3. Conduct a public hearing on the Application submitted by Trenton Snow for David and Andrea Hayes and Floralee Ourada, Trustee for the Final Plat for 8008135 Subdivision, a subdivision being part of the Southeast Quarter of the Northeast Quarter of Section 5, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (2085 46th Avenue) and consider Resolution No. 2017-44.
4. Conduct a public hearing on the Application submitted by Brungardt Engineering for Prairie Building, LLC for Revised Planned District Development Plan Approval for the construction of an addition to an existing building on property zoned District C-2/PD, Community Commercial/Planned Development Overlay District and described as Lot 3 of Block 1, Skiview Addition, an addition to the City of Kearney, Buffalo County, Nebraska

(5210 Parklane Drive) and consider Resolution No. 2017-45.

5. Conduct a public hearing on the Applications submitted by Miller & Associates for the City of Kearney to (1) vacate a portion of Lot 2, all of Lots 3, 4, 5, a portion of Lots 6 and 9, all of Lots 10, 11, and 12, and a portion of Lot 13, Proposed Industrial Subdivision and consider Ordinance No. 8134; and (2) rezone from District AG, Agricultural District and District M-1, Limited Industrial District to District M-1, Limited Industrial District property described as a tract of land being part of the East Half of the Northwest Quarter, and part of the West Half of the Northeast Quarter of Section 28, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (southwest corner of Airport Road and East 56th Street) and consider Ordinance No. 8135.
6. Conduct a public hearing on the Application submitted by Miller & Associates for the City of Kearney for the Final Plat for Patriot First Subdivision, a subdivision being a tract of land being part of the East Half of the Northwest Quarter, and part of the West Half of the Northeast Quarter of Section 28, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (southwest corner of Airport Road and East 56th Street) and consider Resolution No. 2017-46.
7. Conduct a public hearing on the Application submitted by Buffalo Surveying for Daniel Roeder and the East 56th Street Estates Homeowners Association for the Final Plat and Subdivision Agreement for East 56th Street Estates Second, 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 Northeast Quarter of Section 30, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (south of the intersection of Avenue S and 54th Street Place) and consider Resolution No. 2017-47.
8. Conduct a public hearing on the Application submitted by Buffalo Surveying for Daniel Roeder and the East 56th Street Estates Homeowners Association for the annexation of East 56th Street Estates Second, 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 Northeast Quarter of Section 30, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (south of the intersection of Avenue S and 54th Street Place) and consider Resolution No. 2017-48.
9. Conduct a public hearing on the Application submitted by Buffalo Surveying for Shawn Sterling and Becky Sterling 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 2 and part of the accretion thereto, all situated in Section 16, Township 8 North, Range 16 West of the 6th P.M., Kearney County, Nebraska (northeast of the intersection of W Road and 22 Road) and consider Ordinance No. 8136.
10. Conduct a public hearing on the Applications submitted by Starostka Group Unlimited to (1) vacate Lots 1 through 12 of Block 133; Lots 1, 2, 3, 4 of Block 156, all in East Lawn 2nd Addition and consider Ordinance No. 8137; and (2) rezone from District AG, Agricultural District and District R-1, Urban Residential Single-Family District (Low Density) to District R-2/PD, Urban Residential Mixed-Density/Planned Development Overlay District property described as a tract of land located in part of the Northeast Quarter of Section 31, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (south of 39th Street, north of 34th Street, and west of Grand Avenue) and

consider Ordinance No. 8138.

11. Conduct a public hearing on the Application submitted by Starostka Group Unlimited for the Final Plat and Subdivision Agreement for Millennial Estates Addition, an addition to the City of Kearney, Buffalo County, Nebraska, for property described as a tract of land located in part of the Northeast Quarter of Section 31, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (south of 39th Street, north of 34th Street, and west of Grand Avenue) and consider Resolution No. 2017-49.
12. Conduct a public hearing on the Application submitted by Starostka Group Unlimited for the annexation of Millennial Estates Addition, an addition to the City of Kearney, Buffalo County, Nebraska, for property described as a tract of land located in part of the Northeast Quarter of Section 31, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (south of 39th Street, north of 34th Street, and west of Grand Avenue) and consider Resolution No. 2017-50.
13. Conduct a public hearing on the Application submitted by Starostka Group Unlimited for Planned District Development Plan Approval for construction of a subdivision on property being zoned District R-2/PD, Urban Residential Mixed-Density/Planned Development Overlay District and described as a tract of land located in part of the Northeast Quarter of Section 31, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (south of 39th Street, north of 34th Street, and west of Grand Avenue) and consider Resolution No. 2017-51.

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

1. Approve Minutes of Regular Meeting held March 28, 2017.
2. Approve the Claims.
3. Approve the Street/Sidewalk/Parking Lot Closure, Traffic Control and or Parking Restrictions Permit Applications as follows:
  - a) Shrine Bowl Parade to temporarily close Central Avenue from 24th Street to North Railroad Street, 1st Avenue from 24th Street to North Railroad Street, Avenue A from Railroad Street to 21st Street, 3rd Avenue and 4th Avenue from North Railroad Street to 20th Avenue, North Railroad Street from 5th Avenue to Avenue E, Avenues A, B, C, and D from Railroad Street to 22nd Street on June 3, 2017 beginning at 10:00 a.m. Parking on these streets will be prohibited beginning at 6:00 a.m.
  - b) UNK Destination Downtown to temporarily close Central Avenue from 22nd Street to the south entrance into MONA parking lot on August 24, 2017.
  - c) Celebration of Science sponsored by UNK Sigma XI to temporarily close the parking lot located north of the Museum of Nebraska Art on April 22, 2017.
4. Adopt Resolution No. 2017-52 approving Application and Certificate for Payment No. 1 in the amount of \$113,406.30 submitted by Wilke Contracting and approved by Oak Creek Engineering for the 2015 Part 16 Improvements; Country Club Lane Bridge.
5. Adopt Resolution No. 2017-53 approving the Development Constructed Infrastructure

Agreement for Millennial Estates Addition between the City of Kearney and Starostka Group Unlimited Inc. to construct public improvements for water, sanitary sewer, paving and storm sewer.

6. Adopt Resolution No. 2017-54 approving the Development Constructed Infrastructure Agreement for East 56th Street Estates Second Addition between the City of Kearney and Dan Roeder Concrete Inc. to construct public improvements for water, sanitary sewer, paving and storm sewer.
7. Approve the application for a Special Designated License submitted by Nicholas Ryan, dba Prairie Creek Vineyards in connection with their YK077801 liquor license to dispense alcoholic liquors inside the Exposition Building located at the Buffalo County Fairgrounds, 3807 Avenue N on May 12 and 13, 2017 from 5:00 p.m. until 11:30 p.m. each day for a wine tasting event.
8. Approve the application for a Special Designated License submitted by Nissen Wine Inc., dba Nissen Winery in connection with their YK074659 liquor license to dispense alcoholic liquors inside the Exposition Building located at the Buffalo County Fairgrounds, 3807 Avenue N on May 12 and 13, 2017 from 12:00 p.m. until 11:00 p.m. each day for a wine tasting event.
9. Approve the application for a Special Designated License submitted by C & H Adventures, dba Cedar Hills Vineyard and Gardens in connection with their YK108547 liquor license to dispense alcoholic liquors inside the Exposition Building located at the Buffalo County Fairgrounds, 3807 Avenue N on May 12 and 13, 2017 from 5:00 p.m. until 11:00 p.m. each day for a wine tasting event.
10. Approve the application for a Special Designated License submitted by Miretta Vineyards & Winery Inc., dba Miletta Vista Winery in connection with their YK077615 liquor license to dispense alcoholic liquors inside the Exposition Building located at the Buffalo County Fairgrounds, 3807 Avenue N on May 12 and 13, 2017 from 5:00 p.m. until 9:00 p.m. each day for a wine tasting event.
11. 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 liquor license to dispense alcoholic liquor inside First National Bank located at 2223 2nd Avenue, on May 11, 2017 from 3:00 p.m. until 11:00 p.m. for a business after hours event.
12. Adopt Resolution No. 2017-55 approving Change Order No. 9 for an increase in the amount of \$3,023.00 submitted by Sampson Construction and approved by Clark Enersen Partners for the construction of a new sports complex at Patriot Park.

\* ***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 \***

## VI. REGULAR AGENDA

1. Consider approval of Ordinance No. 8139 authorizing the issuance of Public Safety Equipment Tax Anticipation Bonds of the City of Kearney, Nebraska, in the principal amount of \$305,000 for the purpose of paying the cost of acquiring a new fire rescue truck and related equipment along with miscellaneous costs associated therewith related; directing the application of the proceeds of said bonds; prescribing the form of said bonds; providing for the levy and collection of taxes to pay the same; providing for the sale of the bonds; authorizing the delivery of the bonds to the purchaser.
2. Consider adoption of Resolution No. 2017-56 calling for the redemption of Highway Allocation Fund Pledge Refunding Bonds, Series 2009, in the principal amount of \$830,000.
3. Consider adoption of Resolution No. 2017-57 calling for the redemption of Highway Allocation Fund Pledge Bonds, Series 2010, in the principal amount of \$1,335,000.
4. Consider approval of Ordinance No. 8140 authorizing the issuance of Highway Allocation Fund Pledge and Refunding Bonds, Series 2017 of the City of Kearney, Nebraska, in the principal amount of \$3,740,000 for the purpose of paying and redeeming the City's Highway Allocation Fund Pledge Refunding Bonds, Series 2009, dated April 15, 2009, presently outstanding in the principal amount of \$830,000, the City's Highway Allocation Fund Pledge Bonds, Series 2010, dated June 1, 2010 presently outstanding in the principal amount of \$1,335,000, and to pay costs of constructing certain street improvements for the City; prescribing the form of said bonds; pledging funds to be received by the City from the State of Nebraska Highway Allocation Fund for the payment of said bonds; providing for the levy and collection of taxes to pay the same if necessary; authorizing the delivery of the bonds to the purchaser; providing for the disposition of bond proceeds.
5. Consider Resolution No. 2017-58 approving the redevelopment project submitted by Peanut Butter & Jelly, LLC for Redevelopment Areas #2 and #8 for an area described as Lots 4 and 5, Younes Center Fifth Addition, an addition to the City of Kearney, Buffalo County, Nebraska (southwest of the 6th Avenue and Talmadge Street intersection).
6. Consider Resolution No. 2017-59 approving the redevelopment project submitted by Waggoner Investments, LLC for Redevelopment Area #10 for an area described as (1) the south 150 feet of the east 200 feet of Lot 5, less highway of Tract G; (2) the east 223.49 feet except the south 150 feet of the east 200 feet of Lot 5, less highway of Tract G; and (3) the east 40.2 feet of Lot 4 and the west 103.4 feet of Lot 5 of Tract G, all located in Section 34, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (north of Highway 30 and west of The Buckle).
7. Open Account Claim to Jonathan Nikkila - \$458.42.

## VII. REPORTS

## VIII. ADJOURN

Mayor Stanley Clouse  
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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)