

KEARNEY CITY COUNCIL

AGENDA

City Council Chambers, 18 East 22nd Street

Tuesday, May 9, 2017

5:30 p.m.

I. ROUTINE BUSINESS

1. Invocation by Pastor Chad Anderson.
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 Applications submitted by Brungardt Engineering and Buffalo Surveying for Seritage SRC Finance, LLC to (1) vacate Lot 1 Regency Acres, an addition to the City of Kearney, and Lot 1, Regency Acres Second, an addition to the City of Kearney, all in Buffalo County, Nebraska and consider Ordinance No. 8142; and (2) rezone from District C-2, Community Commercial District to District C-2/PD, Community Commercial/Planned Development Overlay District property described as Lot 1, Regency Acres, an addition to the City of Kearney, Buffalo County, Nebraska, being a replat of part of Lot 1, Regency Place Addition, and Lot 1, Regency Acres Second, an addition to the City of Kearney, Buffalo County, Nebraska, being a replat of part of Lot 1, Regency Place Addition, all to be vacated (4700 2nd Avenue) and consider Ordinance No. 8143.
2. Conduct a public hearing on the Application submitted by Brungardt Engineering and Buffalo Surveying for Seritage SRC Finance, LLC for the Final Plat for SRC Kearney Redevelopment Addition, an addition to the City of Kearney, Buffalo County, Nebraska, for property described as Lot 1, Regency Acres, an addition to the City of Kearney, Buffalo County, Nebraska, being a replat of part of Lot 1, Regency Place Addition, and Lot 1, Regency Acres Second, an addition to the City of Kearney, Buffalo County, Nebraska, being a replat of part of Lot 1, Regency Place Addition, all to be vacated (4700 2nd Avenue) and consider Resolution No. 2017-70.
3. Conduct a public hearing on the Application submitted by Brungardt Engineering and Buffalo Surveying for Seritage SRC Finance, LLC for Planned District Development Plan Approval for renovation of an existing facility to accommodate a multiple tenant retail space on property to be zoned District C-2/PD, Community Commercial/Planned

Development Overlay District and described as Lot 1, Regency Acres, an addition to the City of Kearney, Buffalo County, Nebraska, being a replat of part of Lot 1, Regency Place Addition, and Lot 1, Regency Acres Second, an addition to the City of Kearney, Buffalo County, Nebraska, being a replat of part of Lot 1, Regency Place Addition, all to be vacated (4700 2nd Avenue) and consider Resolution No. 2017-71.

4. POSTPONED UNTIL JUNE 13, 2017. Conduct a public hearing on the Applications submitted by Miller & Associates for MFP Mid-America Shopping Centers, LLC to (1) vacate Lot 1, Hilltop Mall Subdivision, a subdivision to the City of Kearney, Buffalo County, Nebraska and consider Ordinance No. 8144; and (2) the Final Plat for Hilltop Mall Second, an addition to the City of Kearney, Buffalo County, Nebraska, for a tract of land being Lot 1 (to be vacated), Hilltop Mall Subdivision, a subdivision to the City of Kearney in the Southwest Quarter of the Northwest Quarter of Section 25, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (4915 2nd Avenue) and consider Resolution No. 2017-72.
5. POSTPONED UNTIL JUNE 13, 2017. Conduct a public hearing on the Application submitted by Miller & Associates for MFP Mid-America Shopping Centers, LLC for Planned District Development Plan Approval for the construction of a commercial building on property zoned District C-2/PD, Community Commercial/Planned Development Overlay District and described as proposed Lot 3, Hilltop Mall Second, an addition to the City of Kearney, Buffalo County, Nebraska (northeast of 2nd Avenue and 48th Street, west of Herbergers) and consider Resolution No. 2017-73.
6. Conduct a public hearing on the Application submitted by Miller & Associates for Grand West, LLC for an amendment to the Land Use Map of the City of Kearney Comprehensive Development Plan from Low Density Residential to Medium Density Residential property described as a tract of land being a part of the Southeast Quarter of the Northwest Quarter of Section 26, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (northwest corner of 48th Street and 11th Avenue) and consider Resolution No. 2017-74.
7. Conduct a public hearing on the Application submitted by Miller & Associates for Grand West, LLC to rezone from District AG, Agricultural District to District R-2, Urban Residential Mixed-Density District property described as a tract of land being a part of the Southeast Quarter of the Northwest Quarter of Section 26, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (northwest corner of 48th Street and 11th Avenue) and consider Ordinance No. 8145.
8. Conduct a public hearing on the Applications submitted by Miller & Associates for Grand West, LLC for the Final Plat and Subdivision Agreement for Fountain Hills Ninth Addition, an addition to the City of Kearney, Buffalo County, Nebraska, for a tract of land being a part of the Southeast Quarter of the Northwest Quarter of Section 26, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (northwest corner of 48th Street and 11th Avenue) and consider Resolution No. 2017-75.
9. Conduct a public hearing on the Application submitted by Miller & Associates for Grand West, LLC for the annexation of Fountain Hills Ninth Addition, an addition to the City of Kearney, Buffalo County, Nebraska, for a tract of land being a part of the Southeast

Quarter of the Northwest Quarter of Section 26, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (northwest corner of 48th Street and 11th Avenue) and consider Resolution No. 2017-76.

IV. CONSENT AGENDA *

1. Approve Minutes of Regular Meeting held April 25, 2017.
2. Approve the Claims.
3. Approve the Street/Sidewalk/Parking Lot Closure, Traffic Control and or Parking Restrictions Permit Applications as follows:
 - a) Kearney BBQ on the Bricks will use Central Avenue from 25th Street to 23rd Street, 24th Street from 1st Avenue to Avenue A, 23rd Street from Central Avenue to 1st Avenue, 1st Avenue from 23rd Street to 24th Street, and the parking lot located north of the Museum of Nebraska Art on August 25 and 26.
 - b) Kearney Night Market to extend the event to include Central Avenue from 22nd Street to 24th Street on May 18, June 1, 15, July 6, 20, August 3, 24, September 7, 21 and October 5.
 - c) A Company Road March to use 39th Street from the east City limits to 6th Avenue, 6th Avenue to YMCA on June 23.
 - d) UNK Band Day to use 3rd Avenue from 21st Street to 22nd Street, 21st Street from 3rd Avenue to 8th Avenue, 8th Avenue from 20th Street to 21st Street, 20th Street from 8th Avenue to 9th Avenue on September 23.
4. Authorize the Mayor to send a letter of no recommendation to the Nebraska Liquor Control Commission on the manager application for Judith Rozema submitted by Kearney Community Theatre located at 83 Plaza Boulevard in connection with their Class I-012229 liquor license.
5. Authorize the Mayor to send a letter of no recommendation to the Nebraska Liquor Control Commission on the manager application for Kimberly Williams submitted by Fraternal Order of Eagles Kearney 2722 located at 17 West 24th Street in connection with their Class C-011097 liquor license.
6. Adopt Resolution No. 2017-77 accepting the Certificate of Substantial Completion submitted by Sampson Construction and approved by The Clark Enersen Partners for the construction of the new sports complex at Patriot Park.
7. Adopt Resolution No. 2017-78 approving Application and Certificate for Payment No. 2 in the amount of \$100,871.10 submitted by Wilke Contracting and approved by Oak Creek Engineering for the 2015 Part 16 Improvements; Country Club Lane Bridge.
8. Adopt Resolution No. 2017-79 approving Change Order No. 10 for an increase in the amount of \$4,586.00 submitted by Sampson Construction and approved by The Clark Enersen Partners for the construction of a new sports complex at Patriot Park.
9. Adopt Resolution No. 2017-80 approving Application and Certificate for Payment No. 5-Final in the amount of \$7,532.82 submitted by IES Commercial Inc. and approved by Olsson Associates for the 2016 Part 1 Improvements; Traffic Signal at 30th Avenue and

39th Street.

10. Adopt Resolution No. 2017-47A amending Resolution No. 2017-47 approving the Subdivision Agreement to correct the name of the Owner from Dan Roeder Concrete Inc. to East 56th Street Estates Homeowners Association.
11. Adopt Resolution No. 2017-54A amending Resolution No. 2017-54 approving the Developer 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 to correct the name of the Owner from Dan Roeder Concrete Inc. to East 56th Street Estates Homeowners Association.
12. Approve the applications 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 as follows:
 - a) Inside the Expo Building located at the Buffalo County Fairgrounds, 3807 Avenue N, on Friday, June 2, 2017 from 3:00 p.m. until 1:00 a.m. for a reception.
 - b) Inside the Ag Pavilion located at the Buffalo County Fairgrounds, 3807 Avenue N, on Saturday, June 3, 2017 from 3:00 p.m. until 1:00 a.m. for a reception.
 - c) Inside The Archway located at 3060 East 1st Street on Saturday, June 10, 2017 from 3:00 p.m. until 1:00 a.m. for a reception.
 - d) Inside the Ag Pavilion located at the Buffalo County Fairgrounds, 3807 Avenue N, on Saturday, June 10, 2017 from 3:00 p.m. until 1:00 a.m. for a reception.
 - e) Inside the Expo Building located at the Buffalo County Fairgrounds, 3807 Avenue N, on Saturday, June 10, 2017 from 3:00 p.m. until 1:00 a.m. for a reception.
 - f) Inside the Exhibit Building located at the Buffalo County Fairgrounds, 3807 Avenue N, on Friday, June 16, 2017 from 3:00 p.m. until 1:00 a.m. for a reception.
 - g) Inside the Ag Pavilion located at the Buffalo County Fairgrounds, 3807 Avenue N, on Saturday, June 17, 2017 from 3:00 p.m. until 1:00 a.m. for a reception.
 - h) Inside the Expo Building located at the Buffalo County Fairgrounds, 3807 Avenue N, on Thursday, June 22, 2017 from 3:00 p.m. until 1:00 a.m. for a company event.
 - i) Inside the Exhibit Building located at the Buffalo County Fairgrounds, 3807 Avenue N, on Saturday, June 24, 2017 from 3:00 p.m. until 1:00 a.m. for a quince.
 - j) Inside the Ag Pavilion located at the Buffalo County Fairgrounds, 3807 Avenue N, on Saturday, June 24, 2017 from 3:00 p.m. until 1:00 a.m. for a reception.
 - k) Inside the Buffalo County Extension Building located at 1400 East 34th Street, on Saturday, June 24, 2017 from 3:00 p.m. until 1:00 a.m. for a reception.
13. Adopt Resolution No. 2017-81 approving the Developer Constructed Infrastructure Agreement between the City of Kearney and Grand West, LLC and Anna Stehlik, Trustee for the construction of paving, water, sanitary sewer and storm sewer for 11th Avenue Extension in Fountain Hills Subdivision.
14. Accept the bids received for the construction of a Solids Dewatering Equipment Facility for the Utilities Department and to adopt Resolution No. 2017-82 awarding the bid to Vessco, Inc. in the amount of \$643,070.00.

* ***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 *

VI. REGULAR AGENDA

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