

KEARNEY CITY COUNCIL

AGENDA

City Council Chambers, 18 East 22nd Street

January 9, 2018

5:30 p.m.

I. ROUTINE BUSINESS

1. Invocation by Pastor John Watson.
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 Doug Windhorst to vacate a 10 foot wide permanent utility easement being the west 10-feet of Lot 2, Northeast Industrial Subdivision, a subdivision being part of Government Lots 2 and 3 of Section 32, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (2827 East 39th Street) and consider Ordinance No. 8206.
2. Conduct a public hearing on the Application submitted by Daniel Lindstrom for KAAPA Ethanol Holdings, LLC and Tracy and Jolyn Cook for an amendment to the Land Use Map of the City of Kearney Comprehensive Development Plan from Rural Estates and Agriculture to General Commercial property described as Lot 1, Block Two, Lake Villa Estates, an addition to the City of Kearney, Buffalo County, Nebraska (11 South Central Avenue) and consider Resolution No. 2018-1.
3. Conduct a public hearing on the Application submitted by Daniel Lindstrom for KAAPA Ethanol Holdings, LLC and Tracy and Jolyn Cook to rezone from District R-1, Urban Residential Single-Family District (Low Density) to District C-2, Community Commercial District property described as Lot 1, Block Two, Lake Villa Estates, an addition to the City of Kearney, Buffalo County, Nebraska (11 South Central Avenue) and consider Ordinance No. 8207.
4. Conduct a public hearing on the Application submitted by Charles Rogers for C-K-C, Inc. to rezone from District CBD, Kearney Center Mixed Use District to District C-3, General Commercial District property described as Lots 85 and 86, Southwest Quarter School

Section Addition to the City of Kearney, Buffalo County, Nebraska (105 West 25th Street) and consider Ordinance No. 8208.

5. Conduct a public hearing on the Application submitted by Miller & Associates for Shawn and Natalie Hagan 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 Northwest Quarter of Section 29, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (South of 56th Street and East of Bison Run) and consider Ordinance No. 8209.
6. Conduct a public hearing on the Application submitted by Miller & Associates for Shawn and Natalie Hagan for the Final Plat for Hagan Subdivision, a subdivision being a tract of land being part of the Southeast Quarter of the Northwest Quarter of Section 29, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (South of 56th Street and East of Bison Run) and consider Resolution No. 2018-2.
7. Conduct a public hearing on the Applications submitted by Miller & Associates for DT Development to (1) vacate Lot 1, Block One, Spruce Hollow Estates Third and consider Ordinance No. 8210; and (2) the Final Plat and Subdivision Agreement for Spruce Hollow Estates Seventh, an addition to the City of Kearney, Buffalo County, Nebraska for property described as all of Lot 1, Block One, (to be vacated) of Spruce Hollow Estates Third, a subdivision to the City of Kearney, being part of the Southeast Quarter of the Southeast Quarter of Section 22, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (Northwest corner of 56th Street and 17th Avenue) and consider Resolution No. 2018-3.
8. Conduct a public hearing on the Application submitted by Miller & Associates for the Charlotte Brandt Revocable Trust, by Kathryn Panas, Successor Trustee to rezone from District AG, Agricultural District to District BP/PD, Business Park/Planned Development Overlay District property described as a tract of land being part of the Southeast Quarter of the Southeast Quarter of Section 20, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (Northwest corner of 56th Street and Kearney East Expressway) and consider Ordinance No. 8211.
9. Conduct a public hearing on the Application submitted by Miller & Associates for the Charlotte Brandt Revocable Trust, by Kathryn Panas, Successor Trustee for the Final Plat and Subdivision Agreement for BT Acres Subdivision, a subdivision being a tract of land being part of the Southeast Quarter of the Southeast Quarter of Section 20, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (Northwest corner of 56th Street and Kearney East Expressway) and consider Resolution No. 2018-4.
10. Conduct a public hearing on the Application submitted by Miller & Associates for the City of Kearney for the Final Plat for Patriot Second Subdivision, a subdivision being a tract of land being part of the Southeast Quarter of the Northwest Quarter, part of the Southwest Quarter of the Northeast Quarter, part of the Northeast Quarter of the Southwest Quarter, and part of the Northwest Quarter of the Southeast Quarter of Section 28, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (Southwest corner of Airport Road and Bellanca Street) and consider Resolution No. 2018-5.

11. Conduct a public hearing on the Proposed amendment to Section 28-103 "Special Regulations and Standards" of Chapter 28 "District CBD, Kearney Center Mixed Use District" to add language regarding encroachments into the public right-of-way and clearance requirements and consider Ordinance No. 8212.
12. Conduct a public hearing on the Proposed amendments to the following chapters/sections of the City Code as follows: (a) Section 50-113 "Outdoor Advertising Signs" of Chapter 50 "Sign Regulations" to amend the language of regulations pertaining to outdoor advertising signs described in sub-item E; (b) Table 50-3 "Permitted Signs by Maximum Permitted Area and District" of Chapter 50 "Sign Regulations" to amend the language of regulations pertaining to maximum permitted sign area; and (c) Table 50-4 "Permitted Signs by Numbers, Dimensions, and Locations" of Chapter 50 "Sign Regulations" to amend language pertaining to permitted sign area referencing Table 50-3 and consider Ordinance No. 8213.

IV. CONSENT AGENDA *

1. Approve Minutes of Regular Meeting held December 19, 2017.
2. Approve the Claims.
3. Appointment of Bob Lammers to serve on the Kearney Visitors Bureau, the appointment of Stanley Clouse and Bruce Lear to serve on the Buffalo County Economic Development Council, and the appointment of Jonathan Nikkila, Bob Lammers and Chuck Ogle to serve on the Joint Airport Zoning Board.
4. Approve the Street/Sidewalk/Parking Lot Closure, Traffic Control and or Parking Restrictions Permit Application and Agreement with the Museum of Nebraska Art for the temporary closing of the parking lot located north of MONA from 7:00 a.m. on April 4, 2018 through April 9, 2018; temporary closing of the parking stalls along the east side of Central Avenue between 24th Street and 25th Street on April 6 and 7, 2018 beginning 4:00 p.m. until 11:00 p.m. each day in conjunction with Spirit: A Celebration of Art in the Heartland.
5. Approve the recommendation on selecting Julie Smith as the Deputy City Clerk.
6. Approve the City of Kearney Donation Policy and approve Resolution No. 2018-6.
7. Adopt Resolution No. 2018-7 authorizing the execution and delivery of a Master Government Lease Purchase Agreement providing financing for a 2018 Elgin Eagle Street Sweeper for the Public Works Department.
8. Adopt Resolution 2018-8 approving the rescheduling of the December 25, 2018 City Council Meeting to December 18, 2018 due to the holiday schedule.
9. 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 cater and dispense alcoholic liquor as follows:
 - a) Inside the Expo Building located at the Buffalo County Fairgrounds, 3807 Avenue N,

- on Saturday, February 3, 2018 from 4:00 p.m. until 1:00 a.m. for a monster truck event;
- b) Inside the Expo Building located at the Buffalo County Fairgrounds, 3807 Avenue N, on February 5, 6, 7, 8, 9, 2018 from 11:00 a.m. until 8:00 p.m. for a Landmark Company Training;
 - c) Inside the Expo Building located at the Buffalo County Fairgrounds, 3807 Avenue N, on February 17, 19, 20, 21, 22, 23, 24, 2018 from 11:00 a.m. until 1:00 a.m. and February 18 and 25, 2018 from 11:00 a.m. to 12:00 a.m. for the Cattlemen's Classic; and
 - d) Inside the Ag Pavilion located at the Buffalo County Fairgrounds, 3807 Avenue N, on February 17, 19, 20, 21, 22, 23, 24, 2018 from 11:00 a.m. until 1:00 a.m. and February 18 and 25, 2018 from 11:00 a.m. to 12:00 a.m. for the Cattlemen's Classic.
10. Approve the application for a Special Designated License submitted by Catholic High School of Kearney to dispense alcoholic liquor inside the Kearney Catholic Old Gymnasium located at 110 East 35th Street on Saturday, February 24, 2018 from 6:00 p.m. until 11:00 p.m. for a trivia night event.
11. Adopt Resolution No. 2018-9 accepting the public improvements constructed under a Developer Constructed Infrastructure Agreement for Whispering Pines, an addition to the City of Kearney, Buffalo County, Nebraska.
12. Approve the Plans and Specifications for the 2017 Part 3 Improvements for 11th Street beginning west of 7th Avenue to 14th Avenue and set the bid opening date for February 1, 2018 at 2:00 p.m.
13. Approve the Plans and Specifications for the 2017 Part 4 Improvements for the construction of raised left turn lane medians located at 56th Street at the intersection of 17th Avenue, 2nd Avenue at the intersection of 54th Street and to maximize the left turn lane stacking capabilities on 2nd Avenue at the 48th and 52nd Street intersections and set the bid opening date for February 6, 2018 at 2:00 p.m.
14. Adopt Resolution No. 2018-10 approving the Developer Constructed Infrastructure Agreement for BT Acres Subdivision between the City of Kearney and Charlotte Brandt Revocable Trust, by Kathryn L. Panas, Successor Trustee for the construction of paving, water main and storm sewer for BT Acres Subdivision, a subdivision being a tract of land being part of the Southeast Quarter of the Southeast Quarter of Section 20, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska.
15. Adopt Resolution No. 2018-11 approving the Developer Constructed Infrastructure Agreement for Spruce Hollow Estates Seventh between the City of Kearney and DT Development for the construction of paving, water, sanitary sewer and storm sewer for Spruce Hollow Estates Seventh, an addition to the City of Kearney, Buffalo County, Nebraska.
- * *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

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City Manager Michael Morgan
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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