

KEARNEY CITY COUNCIL

AGENDA

City Council Chambers, 18 East 22nd Street

May 8, 2018

5:30 p.m.

I. ROUTINE BUSINESS

1. Invocation by Pastor Kent Sundberg.
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 Brungardt Engineering, LLC for Eastbrooke Gardens, LP for Planned District Development Plan Approval for the proposed construction of a duplex development on property zoned District R-3/PD, Urban Residential Multi-Family (Medium Density)/Planned Development Overlay District and described as Lot 1, Block Seven, Eastbrooke Eighth, an addition to the City of Kearney, Buffalo County, Nebraska (5611 Eastbrooke Drive) and consider Resolution No. 2018-56.
2. Conduct a public hearing on the Applications submitted by Dan Lindstrom, Attorney for KAAPA Ethanol Holdings, LLC for KAAPA Ethanol Holdings, LLC to (1) vacate a 10 foot wide utility easement; together with a 20 foot wide utility easement, both located in Lot 2, Block 2, Lake Villa Estates and consider Ordinance No. 8243; and (2) to rezone from District C-2, Community Commercial District to District C-2/PD, Community Commercial/Planned Development Overlay District property described as Lot 1 and Lot 2, Block 2, Lake Villa Estates, an addition to the City of Kearney, Buffalo County, Nebraska (11 South Central Avenue) and consider Ordinance No. 8244.
3. Conduct a public hearing on the Application submitted by Dan Lindstrom, Attorney for KAAPA Ethanol Holdings, LLC for KAAPA Ethanol Holdings, LLC for Planned District Development Plan Approval for the proposed construction of a business office building on property to be zoned District C-2/PD, Community Commercial/Planned Development Overlay District and described as Lot 1 and Lot 2, Block 2, Lake Villa Estates, an addition to the City of Kearney, Buffalo County, Nebraska (11 South Central Avenue) and consider Resolution No. 2018-57.

4. Conduct a public hearing on the Application submitted by Jordan Starostka for Todd Booth to rezone from District C-2/PD, Community Commercial/Planned Development Overlay District to District C-3/PD, General Commercial/Planned Development Overlay District property described as Lot 1, Block Two, Windsor Estates Seventh Addition, an addition to the City of Kearney, Buffalo County, Nebraska (East of 4th Avenue and South of 44th Street) and consider Ordinance No. 8245.
5. Conduct a public hearing on the Application submitted by Jordan Starostka for Todd Booth for Planned District Development Plan Approval for the proposed construction of a collision center on property to be zoned District C-3/PD, General Commercial/Planned Development Overlay District and described as Lot 1, Block Two, Windsor Estates Seventh Addition, an addition to the City of Kearney, Buffalo County, Nebraska (East of 4th Avenue and South of 44th Street) and consider Resolution No. 2018-58.
6. Conduct a public hearing on the Application submitted by Jordan Starostka for Danny Starostka to rezone from District AG, Agricultural District 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. 8246.
7. Conduct a public hearing on the Application submitted by Jordan Starostka for Danny Starostka for the Final Plat and Subdivision Agreement for Millennial Estates Second 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. 2018-59.
8. Conduct a public hearing on the Application submitted by Jordan Starostka for Danny Starostka for the annexation of Millennial Estates Second 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. 2018-60.
9. Conduct a public hearing on the Application submitted by Jordan Starostka for Danny Starostka for Planned District Development Plan Approval for construction of a subdivision on property to be zoned 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. 2018-61.
10. Conduct a public hearing for the Council to meet as the Board of Equalization for the purpose of equalizing and levying special assessments on the lots and parcels of land in connection with Paving Improvement District Nos. 2014-970, 2014-971 and 2016-982 and consider Resolution No. 2018-62.

IV. CONSENT AGENDA *

1. Approve Minutes of Regular Meeting held April 24, 2018.
2. Approve the Claims.
3. Approve the Street/Sidewalk/Parking Lot Closure, Traffic Control and or Parking Restrictions Permit Application for the Shrine Bowl Parade to temporarily close Central Avenue from 25th Street to North Railroad Street, 1st Avenue from 25th Street to North Railroad Street, Avenue A from Railroad Street to 20th Street, 3rd Avenue and 4th Avenue from North Railroad Street to 20th Street, North Railroad Street from Central Avenue to Avenue E, Avenues A, B, C, and D from Railroad Street to 22nd Street on June 2, 2018 beginning at 10:00 a.m. Parking on these streets will be prohibited beginning at 6:00 a.m.
4. Authorize the Mayor to send a letter of no recommendation to the Nebraska Liquor Control Commission on the catering application submitted by Sims' Enterprises LTD, dba Sim's Shop EZ located at 102 East 25th Street in connection with their Class B-043937 liquor license.
5. Adopt Resolution No. 2018-63 approving the Developer Constructed Infrastructure Agreement for Silverton Addition between the City of Kearney and Grand West, LLC to construct public improvements for water, sanitary sewer, paving and storm sewer for Silverton Addition, an addition to the City of Kearney, Buffalo County, Nebraska.
6. Adopt Resolution No. 2018-64 accepting the public improvements constructed under a Developer Constructed Infrastructure Agreement for Meadowlark Ridge Estates, an addition to the City of Kearney, Buffalo County, Nebraska.
7. Approve the application for a Special Designated License submitted by Dady Inc. dba Dad's Tavern in connection with their Class C-009081 liquor license to dispense alcoholic liquor in an outdoor 25 feet x 30 feet fenced area in the rear parking area (connected to the west side of building) of Dad's Tavern, located at 1910 Central Avenue on May 31, June 1, 2, 2018 from 2:00 p.m. until 1:00 a.m., all days, for a birthday party open house.
8. Adopt Resolution No. 2018-65 approving the Funding Agreement for the Central Nebraska Veteran's Home between the City of Kearney, Economic Development Council of Buffalo County and Buffalo County for the purpose of funding commitments made as part of the 2013 proposal to the State of Nebraska for the new Central Nebraska Veteran's Home.
9. Adopt Resolution No. 2018-66 approving T-Hangar C-07 Lease Agreement at the Kearney Regional Airport between the City of Kearney and Lorin Downing.
10. Accept the bids received for the 2018 Archway Trail Improvements and adopt Resolution No. 2018-67 awarding the bid to Husker Grading in the amount of \$62,000.00.
11. Approve the recommendation on selecting Peggy Eynetich as the Deputy City Clerk.

- 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 cater and dispense alcoholic liquor as follows:
- a) Inside Younes Pavilion located at 604 West Talmadge Street on Friday, May 25, 2018 from 3:00 p.m. until 1:00 a.m. for a rehearsal dinner;
 - b) Inside Cunningham's Lakeside located at 610 Talmadge Street, Suite A on Friday, May 25, 2018 from 4:00 p.m. until 12:00 a.m. for a rehearsal dinner;
 - c) Inside Younes Pavilion located at 604 West Talmadge Street on Friday, June 1, 2018 from 3:00 p.m. until 1:00 a.m. for a rehearsal dinner;
 - d) Inside Cunningham's Lakeside located at 610 Talmadge Street, Suite A on Friday, June 1, 2018 from 4:00 p.m. until 12:00 a.m. for a rehearsal dinner;
 - e) Inside the Exhibit Building located at the Buffalo County Fairgrounds, 3807 Avenue N, on Saturday, June 2, 2018 from 2:00 p.m. until 10:00 a.m. for a business event;
 - f) Inside the Exhibit Building located at the Buffalo County Fairgrounds, 3807 Avenue N, on Saturday, June 9, 2018 from 3:00 p.m. until 1:00 a.m. for a reception;
 - g) Inside Holmes Plumbing and Heating located at 2003 C Avenue on Friday, June 15, 2018 from 3:00 p.m. until 10:00 p.m. for a business after hours event;
 - h) Inside the Ag Pavilion located at the Buffalo County Fairgrounds, 3807 Avenue N, on Saturday, June 16, 2018 from 3:00 p.m. until 1:00 a.m. for a reception;
 - i) Inside USA Communications located at 920 East 56th Street, Suite B on Thursday, June 21, 2018 from 4:00 p.m. until 10:00 p.m. for a business after hours event;
 - j) Inside the Ag Pavilion located at the Buffalo County Fairgrounds, 3807 Avenue N, on Saturday, June 30, 2018 from 3:00 p.m. until 1:00 a.m. for a reception;
 - k) Inside the Exhibit Building located at the Buffalo County Fairgrounds, 3807 Avenue N, on Saturday, June 30, 2018 from 3:00 p.m. until 1:00 a.m. for a reception; and
 - l) Inside the Expo Building located at the Buffalo County Fairgrounds, 3807 Avenue N, on Saturday, June 30, 2018 from 10:00 a.m. until 5:00 p.m. for a craft show.

* *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. 8247 repealing Ordinance No. 8205 and amend the Salary Ordinance reflecting the reclassification of an Evidence Technician and Permit Technician position and the addition position of Senior Plans Examiner.

VI. REGULAR AGENDA

1. Approve the application for Special Designated Licenses submitted by The World Theatre Foundation in connection with their Class I-100700 liquor license to dispense alcoholic liquor inside an outdoor 157 feet x 94 feet fenced and blocked area located on Central Avenue from the south end of 24th Street to the north end of 23rd Street and includes sidewalks abutting businesses on the east and west side of Central Avenue) on July 5, 19, August 2, 16, 2018 from 7:00 p.m. until 9:30 p.m. for a Downtown Kearney Outdoor Concert Series.

2. Consider Resolution No. 2018-68 approving the redevelopment project submitted by KAAPA Ethanol Holdings, LLC for Redevelopment Area #9 for an area described as Lot 1 and Lot 2, Block 2, Lake Villa Estates, an addition to the City of Kearney, Buffalo County, Nebraska (11 South Central Avenue).

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