

KEARNEY CITY COUNCIL

AGENDA

City Council Chambers, 18 East 22nd Street

July 24, 2018

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 for an amendment to the Land Use Map of the City of Kearney Comprehensive Development Plan from General Commercial and Low Density Residential to General Commercial property described as a tract of land being part of Government Lot 6 and accretion, and part of Government Lot 9 and accretion, of Section 11, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (North of Talmadge Street and West of 6th Avenue) and consider Resolution No. 2018-104.
2. 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 and District M-1, Limited Industrial District to District C-2/PD, Community Commercial/Planned Development Overlay District property described as a tract of land being part of Government Lot 6 and accretion, and part of Government Lot 9 and accretion, of Section 11, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (North of Talmadge Street and West of 6th Avenue) and consider Ordinance No. 8258.
3. Conduct a public hearing on the Application submitted by Miller & Associates for Paul and Linda Younes for the Final Plat and Subdivision Agreement for Younes Center Sixth Addition, an addition to the City of Kearney, Buffalo County, Nebraska, for property described as a tract of land being part of Government Lot 6 and accretion, and part of Government Lot 9 and accretion, of Section 11, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (North of Talmadge Street and West of 6th Avenue) and consider Resolution No. 2018-105.

4. Conduct a public hearing on the Application submitted by Miller & Associates for Paul and Linda Younes for the annexation of Younes Center Sixth Addition, an addition to the City of Kearney, Buffalo County, Nebraska, for property described as a tract of land being part of Government Lot 6 and accretion, and part of Government Lot 9 and accretion, of Section 11, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (North of Talmadge Street and West of 6th Avenue) and consider Resolution No. 2018-106.
5. Conduct a public hearing on the Application submitted by Miller & Associates for Paul and Linda Younes for Revised Planned District Development Plan Approval for the proposed construction of a hotel and conference center on property to be zoned District C-2/PD, Community Commercial/Planned Development Overlay District and described as a tract of land being part of Government Lot 6 and accretion, and part of Government Lot 9 and accretion, of Section 11, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (North of Talmadge Street and West of 6th Avenue) and consider Resolution No. 2018-107.
6. Conduct a public hearing on the annexation of the following: an area of land being part of Government Lot 6 and accretion, part of Government Lot 7 and accretion, part of Government Lot 9 and accretion, and all of Lot 1, Gealy's Addition, a subdivision being part of Government Lot 6, all in Section 11, Township 8 North, Range 16 West of the 6th Principal Meridian, Buffalo County, Nebraska (North of Talmadge Street, South of North Channel Platte River and West of 6th Avenue).
7. Conduct a public hearing on the Application submitted by Miller & Associates, Applicant, for Mountain Tower & Land LLC, a Colorado Limited Liability Company and Jon Becker on behalf of Viaero Wireless, Owner, for a Conditional Use Permit to locate telecommunications tower site on property zoned District C-2, Community Commercial District and described as Lots 19 and 20, and the North 110 feet of Lots 15, 16, 17, 18, all in Baker's Subdivision to the City of Kearney, Buffalo County, Nebraska (3821 2nd Avenue) and consider Ordinance No. 8259.

IV. CONSENT AGENDA *

1. Approve Minutes of Special Meeting held July 10, 2018, Minutes of Regular Meeting held July 10, 2018, Minutes of Special Meeting held July 11, 2018 and Minutes of Special Joint Meeting held July 11, 2018.
2. Approve the Claims.
3. Receive recommendations of Planning Commission and set August 14, 2018 at 5:30 p.m. as date and time for hearing on those applications where applicable.
4. Authorize the Mayor to send a letter of no recommendation to the Nebraska Liquor Control Commission on the Class D-121959 liquor license application and manager application for Brian Fausch submitted by Bosselman Pump & Pantry, Inc. dba Pump & Pantry #40 located at 1616 2nd Avenue.

5. Approve the recommendation from the Development Services Division on the annual renewal for manufactured home court license to East Lawn Mobile Homes Estates, 2900 and 3010 Grand Avenue until May 31, 2019.
6. Adopt Resolution No. 2018-108 approving the Developer Constructed Infrastructure Agreement; Lot 2, Frederick's Third Addition between the City of Kearney and Kenneth and Linda Anderson for water main improvements to serve Lot 2, Frederick's Third Addition.
7. Adopt Resolution No. 2018-109 approving Application and Certificate for Payment No. 1 in the amount of \$188,559.59 submitted by The Diamond Engineering Co. and approved by Olsson Associates for the 2017 Part 3 Improvements consisting of Paving Improvement District No. 2017-987 for 11th Street from the west right-of-way line of 14th Avenue to the west right-of-way line of 7th Avenue.
8. Approve the Street/Sidewalk/Parking Lot Closure, Traffic Control and or Parking Restrictions Permit Application submitted by the Kearney Police Department to temporarily close Avenue B from Railroad Street to 21st Street from 7:30 a.m. until 3:00 p.m. on Saturday, August 18, 2018.
9. Adopt Resolution No. 2018-110 appointing citizens to serve on the Advisory Board of Park & Recreation Commissioners, Airport Advisory Board, Board of Adjustment, Community Redevelopment Authority, Downtown Improvement Board, Golf Advisory Board, Kearney Housing Agency, Library Advisory Board, Planning Commission and Senior Services Advisory Board.
10. Approve the Plans and Specifications for the 2018 Part 1 Improvements for the extension of 17th Street infrastructure, approximately 550 feet east of N Avenue continuing east to the intersection of P Avenue, consisting of Paving Improvement District No. 2018-988, Water District No. 2018-587 and Sanitary Sewer District No. 2018-523 and set the bid opening date for August 21, 2018 at 2:00 p.m.
11. Adopt Resolution No. 2018-111 approving Change Order No. 2 showing a decrease in the amount of \$2,103.00 and Application and Certificate for Payment No. 3-Final in the amount of \$57,058.92, and accept the Certificate of Substantial Completion submitted by GD Concrete Construction, Inc. and approved by Miller & Associates 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.
12. Adopt Resolution No. 2018-112 approving Change Order No. 1 showing a decrease in the amount of \$2,624.00 and Application and Certificate for Payment No. 1-Final in the amount of \$59,376.00, and accept the Certificate of Substantial Completion submitted by Husker Grading and approved by Miller & Associates for 2018 Archway Trail Improvements.
13. Accept the bids received for the Brad Bowman Accessible Sports Field at Patriot Park and adopt Resolution No. 2018-113 awarding the bid to TL Sund Constructors in the amount of

\$408,077.68 and approving Change Order No. 1 showing a decrease in the amount of \$13,018.00 approved by Miller & Associates.

14. Adopt Resolution No. 2018-114 approving Application and Certificate for Payment No. 12 in the amount of \$89,584.00 submitted by Blessing, LLC and approved by Miller & Associates for the 2016 Part 3 Improvements for 56th Street from 4th Avenue to 19th Avenue and 17th Avenue from 50th Street to west City limits; AND 2013 Part 10 Improvements for Talmadge Street from 2nd Avenue to 4th Avenue.
15. Adopt Resolution No. 2018-115 approving Application and Certificate for Payment No. 5 in the amount of \$104,963.79 submitted by Blessing, LLC and approved by Miller & Associates for the 2017 Part 2 Improvements consisting of Paving Improvement District No. 2017-986 and Water District No. 2017-586 for Country Club Lane from 39th Street south to the south lot line of Lot 3, Block 1, Aspen Meadows Third Addition.
16. Approve the application for a Special Designated License submitted by Kearney Investment Corporation, dba Holiday Inn in connection with their Class CK-017964 liquor license to cater and dispense alcoholic liquor inside an outdoor fenced area measuring 20' x 40' at Vertical Focus Realty VIP Event located at 5609 1st Avenue, on Thursday, August 23, 2018 from 3:30 p.m. until 7:30 p.m. for a VIP chamber business event.
17. Adopt Resolution No. 2018-116 approving the recommendation submitted by the Fire Chief to include the following as members of the Kearney Volunteer Fire Department: Quincy Bennett, Chris Hellerich and Robert Trujillo.
18. 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 Ag Pavilion located at the Buffalo County Fairgrounds, 3807 Avenue N, on Saturday, August 11, 2018 from 3:00 p.m. until 1:00 a.m. for a quinceanera;
 - b) Inside Click Family Healthcare located at 416 West 48th Street, Suite 28 on Thursday, August 16, 2018 from 4:00 p.m. until 10:00 p.m. for a business after hours event;
 - c) Inside the Expo Building located at the Buffalo County Fairgrounds, 3807 Avenue N, on Saturday, August 18, 2018 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, August 18, 2018 from 3:00 p.m. until 1:00 a.m. for a reception;
 - e) Inside the Ag Pavilion located at the Buffalo County Fairgrounds, 3807 Avenue N, on Friday, August 24, 2018 from 3:00 p.m. until 1:00 a.m. for a reception; and
 - f) Inside Schrock Chiropractic located at 5911 2nd Avenue on Thursday, August 30, 2018 from 4:00 p.m. until 10:00 p.m. for a business after hours 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 *

VI. REGULAR AGENDA

1. Consider Resolution No. 2018-117 on the intent to annex the following: a tract of land located in part of the South Half of the Northwest Quarter, part of the Southwest Quarter of the Northeast Quarter, part of the Northwest Quarter of the Southeast Quarter, part of the Southwest Quarter of Section 28, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska; and that part of Cherry Avenue lying within part of the Southeast Quarter of the Northeast Quarter and part of the East Half of the Southeast Quarter, of Section 29, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska; and part of Lot 11 and all of Lots 21, 22, 23, and 24, Kearney Industrial Park, a subdivision being part of Government Lots 1 and 4 and part of the North Half of the Southwest Quarter of Section 28, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska; and all of Lot 3, Kearney Industrial Park Second, a subdivision being part of Government Lots 1 and 4 and part of the North Half of the Southwest Quarter of Section 28, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska; part of Lot 6 and all of Lots 7 and 8 and part of Lot 9, Industrial Subdivision of Kearney Air Field, Buffalo County, Nebraska; and all of Lots 1 and 2, Patriot Second Subdivision, a subdivision being a 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; including all of those parts of Cherry Avenue, Piper Avenue, Cessna Street, Bellanca Street, Aeronca Street, Airport Road and 39th Street lying within and abutting the above described lands, all in Buffalo County, Nebraska (North of 39th Street approximately 1,343 feet east from Cherry Avenue, North of Aeronca Street, West of Airport Road, South of Cessena Street including Bellanca Street, South of 56th Street and East of Cherry Avenue and Kearney East Expressway) and to set the public hearing date for August 7, 2018 at 7:30 a.m.
2. First Reading of Ordinance No. 8260 annexing the following: an area of land being part of Government Lot 6 and accretion, part of Government Lot 7 and accretion, part of Government Lot 9 and accretion, and all of Lot 1 Gealy's Addition, a subdivision being part of Government Lot 6, all in Section 11, Township 8 North, Range 16 West of the 6th Principal Meridian, Buffalo County, Nebraska (North of Talmadge Street, South of North Channel Platte River and West of 6th Avenue).
3. Open Account Claim to NPPD - \$116,210.55.

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