

KEARNEY CITY COUNCIL

AGENDA

City Council Chambers, 18 East 22nd Street

August 28, 2018

5:30 p.m.

I. ROUTINE BUSINESS

1. Invocation by Pastor Sean Dougherty.
2. Pledge of Allegiance.
3. Announcement on Open Meetings Act.
4. Roll call.
5. Oral Communication; Recognition of visitors.
 - a) Proclamation for Recognition of September as Childhood Cancer Awareness Month.
 - b) Oath of Office to Police Officers Conner Beard, Ethan Epley, Joshua Johnson and Alex Peyton.

II. UNFINISHED BUSINESS

III. PUBLIC HEARINGS

1. Conduct a public hearing to consider an area to be blighted and substandard and in need of redevelopment for an area referred to as Redevelopment Area #12 and described as follows: A tract of land located in part of Section 28, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska, and more particularly described as follows: Beginning at the Southwest Corner of Lot 2, Patriot Second Subdivision; thence Southwesterly along the East Right of Way Line of Piper Avenue, a distance of 37.85 feet to the intersection of the East Right of Way Line of Piper Avenue and the extended North Line of Lot 1, Kearney Industrial Subdivision; thence Westerly, along the North Line of said Lot 1, Kearney Industrial Park Second and the North Line of Lot 1, Kearney Industrial Park, a distance of 2236.98 feet to the intersection of the West Right of Way Line of Cherry Avenue and the extended North Line of Lot 1, Kearney Industrial Park; thence Northerly along the West Right of Way Line of Cherry Avenue, a distance of 1759.53 feet to a point 33 feet West of and 1386.92 feet South of the Northwest Corner of Section 28; thence Easterly deflecting 90 degrees right a distance of 1174.10 feet; thence Southerly deflecting 84 degrees right a distance of 1124.87 Feet; thence Easterly deflecting 84 degrees left a distance of 962.19 feet to a point on the West Right of Way Line of Piper Avenue; thence Northerly, along the West Right of Way Line of Piper Avenue, a distance of 1094.24 feet to the intersection of the West Right of Way Line of Piper Avenue and the North Right of Way Line of Cessna Street; thence Easterly, along the North Right of Way Line of Cessna Street, a distance of 915.81 feet to the intersection of the North Right of Way Line of Cessna Street and the East Right of Way Line of Airport Road; thence

Southwesterly along the East Right of Way Line of Airport Road, a distance of 1682.04 feet to the intersection of the East Right of Way Line of Airport Road and the extended South Line of Lot 2, Patriot to the point of beginning; said tract of land contains 4,322,057 square feet or 99.22 acres more or less which includes 7.83 acres of Road Right of Way, Buffalo County, Nebraska and consider Resolution No. 2018-136.

2. Conduct a public hearing to consider an area Redevelopment Plan for an area referred to as Redevelopment Area #12 and described as follows: A tract of land located in part of Section 28, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska, and more particularly described as follows: Beginning at the Southwest Corner of Lot 2, Patriot Second Subdivision; thence Southwesterly along the East Right of Way Line of Piper Avenue, a distance of 37.85 feet to the intersection of the East Right of Way Line of Piper Avenue and the extended North Line of Lot 1, Kearney Industrial Subdivision; thence Westerly, along the North Line of said Lot 1, Kearney Industrial Park Second and the North Line of Lot 1, Kearney Industrial Park, a distance of 2236.98 feet to the intersection of the West Right of Way Line of Cherry Avenue and the extended North Line of Lot 1, Kearney Industrial Park; thence Northerly along the West Right of Way Line of Cherry Avenue, a distance of 1759.53 feet to a point 33 feet West of and 1386.92 feet South of the Northwest Corner of Section 28; thence Easterly deflecting 90 degrees right a distance of 1174.10 feet; thence Southerly deflecting 84 degrees right a distance of 1124.87 Feet; thence Easterly deflecting 84 degrees left a distance of 962.19 feet to a point on the West Right of Way Line of Piper Avenue; thence Northerly, along the West Right of Way Line of Piper Avenue, a distance of 1094.24 feet to the intersection of the West Right of Way Line of Piper Avenue and the North Right of Way Line of Cessna Street; thence Easterly, along the North Right of Way Line of Cessna Street, a distance of 915.81 feet to the intersection of the North Right of Way Line of Cessna Street and the East Right of Way Line of Airport Road; thence Southwesterly along the East Right of Way Line of Airport Road, a distance of 1682.04 feet to the intersection of the East Right of Way Line of Airport Road and the extended South Line of Lot 2, Patriot to the point of beginning; said tract of land contains 4,322,057 square feet or 99.22 acres more or less which includes 7.83 acres of Road Right of Way, Buffalo County, Nebraska and consider Resolution No. 2018-137.
3. Conduct a public hearing on the Applications submitted by Miller & Associates for City of Kearney to (1) vacate Lot 2, Patriot Second Subdivision and consider Ordinance No. 8278; and (2) the Final Plat for Patriot Industrial Park, an addition to the City of Kearney, Buffalo County Nebraska for property described as a tract of land being all of Lot 2 of 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 (to be vacated); AND a tract of land being part of the South Half of the Northwest Quarter; 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 (Between Cherry Avenue and Airport Road, North of 45th Street) and consider Resolution No. 2018-138.
4. Conduct a public hearing on the Application submitted by Miller & Associates for Grand West LLC to (1) vacate Lot 1, Block 1, Fountain Hills Fifth Addition and consider

Ordinance No. 8279; and (2) the Final Plat for Fountain Hills Eleventh Addition, an addition to the City of Kearney, Buffalo County Nebraska for property described as a tract of land being all of Lot 1, Block 1, Fountain Hills Fifth Addition, an addition to the City of Kearney, Buffalo County, Nebraska (to be vacated), and part of the Southwest Quarter of the Northwest Quarter, Section 26, Township 9 North, Range 16 West of the 6th P.M. Buffalo County, Nebraska. (Northwest corner of 14th Avenue Place and 50th Street) and consider Resolution No. 2018-139.

5. Conduct a public hearing on the Application submitted by Miller & Associates for Grand West LLC for the annexation for Fountain Hills Eleventh Addition, an addition to the City of Kearney, Buffalo County Nebraska for property described as a tract of land being all of Lot 1, Block 1, Fountain Hills Fifth Addition, an addition to the City of Kearney, Buffalo County, Nebraska (to be vacated), and part of the Southwest Quarter of the Northwest Quarter, Section 26, Township 9 North, Range 16 West of the 6th P.M. Buffalo County, Nebraska. (Northwest corner of 14th Avenue Place and 50th Street) and consider Resolution No. 2018-140.

IV. CONSENT AGENDA *

1. Approve Minutes of Special Meeting held August 07, 2018 at 7:30 a.m., Minutes of Special Meeting held August 7, 2018 at 5:30 p.m., Minutes of Special Meeting held August 8, 2018 at 7:30 a.m. and Minutes of Regular Meeting held August 14, 2018.
2. Approve the Claims.
3. Receive recommendations of Planning Commission and set September 11, 2018 at 5:30 p.m. as date and time for hearing on those applications where applicable.
4. Adopt Resolution No. 2018-141 approving the final allocation of levy authority in the amount of \$146,450.00 for the Community Redevelopment Authority of the City of Kearney for fiscal year 2018-2019 and the final allocation of levy authority in the amount of \$51,881.00 for Offstreet Parking District No. 1 for fiscal year 2018-2019.
5. Adopt Resolution No. 2018-142 approving Application and Certificate for Payment No. 2 in the amount of \$560,194.92 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.
6. Approve the Street/Sidewalk/Parking Lot Closure, Traffic Control and or Parking Restrictions Permit Application for Gillies Bar Inc to temporarily close 19th Street from Central Avenue to the alley west of Gillies Bar located at 1822 Central Avenue on September 15, 2018 from 5:00 p.m. to 12:00 a.m. for The Faces of Love event.
7. Approve the application for a Special Designated License submitted by Gillies Bar Inc. dba Gilles Bar & Grill in connection with their Class C-105103 liquor license to dispense alcoholic liquor in an outdoor 130 feet x 30 feet fenced area on 19th Street from Central Avenue to the alley west of Gillies Bar, located at 1822 Central Avenue on September 15, 2018 from 5:00 p.m. until 1:00 a.m., for The Faces of Love event.

8. Adopt Resolution No. 2018-143 approving Application and Certificate for Payment No. 6 in the amount of \$25,453.48 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.
 9. Approve the application for a Special Designated License submitted by Juan Lazo, dba El Tropicito in connection with their Class IBK-37623 catering liquor license to dispense alcoholic liquor in the Exhibit Building located at the Buffalo County Fairgrounds, 3807 Avenue N, on Saturday, September 29, 2018 from 6:00 p.m. until 1:00 a.m. for a dance.
 10. Adopt Resolution No. 2018-144 approving the Agreement to Exchange Real Property with the Economic Development Council of Buffalo County.
 11. Adopt Resolution No. 2018-145 approving the Memorandum of Understanding with the Economic Development Council of Buffalo County for a proposed project at Patriot Industrial Park located east of Cherry Avenue and the Kearney East Expressway and west of Airport Road.
- * *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. 8280 on the following proposed amendments to several sections of Chapter 9 of the City Code as follows: (a) Section 9-103 "Appointment" of Article 1 "Planning Commission" of Chapter 9 "Public Works" to revise language on the appointment process to reflect Nebraska Revised Statute 19-926; (b) Section 9-106 "Removal of Members" of Article 1 "Planning Commission" of Chapter 9 "Public Works" to revise language on the removal of members process to reflect Nebraska Revised Statute 19-926; and (c) Section 9-107 "Filling Vacancies" of Article 1 "Planning Commission" of Chapter 9 "Public Works" to revise language on the process to fill vacancies to reflect Nebraska Revised Statute 19-926.
2. Approve Ordinance No. 8281 authorizing and directing the sale and conveyance Lots 1, 2, 13 and 14, Block 1, Patriot Industrial Park, an addition to the City of Kearney, Buffalo County, Nebraska to the Economic Development Council of Buffalo County, Inc.

VI. REGULAR AGENDA

1. Open Account Claim to NPPD - \$108,786.31.

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