

KEARNEY CITY COUNCIL

AGENDA

City Council Chambers, 18 East 22nd Street

September 11, 2018

5:30 p.m.

I. ROUTINE BUSINESS

1. Invocation by Pastor Adrian Boykin.
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 Lee McQueen for the State of Nebraska to vacate a portion of 19th Avenue from the South line of University Drive to the North line of Frank's Park Addition, to the City of Kearney, abutting Lot 1, Currie's Subdivision, to the City of Kearney, and Lot 12 and 13, Wheaton Place, to the City of Kearney, all located in Buffalo County, Nebraska. (19th Avenue south of University Drive and north of 25th Street) and consider Ordinance No. 8282.
2. Conduct a public hearing on the application submitted by Buffalo Surveying Corporation for Joshua Petersen c/o Big Wave Investment, LLC 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 Southeast Quarter of the Southeast Quarter of Section 4, Township 8 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (West of Sweetwater Avenue and North of 11th Street) and consider Ordinance No. 8283.
3. Conduct a public hearing on the application submitted by Buffalo Surveying Corporation for Joshua Petersen c/o Big Wave Investment, LLC for the Final Plat for Big Wave Subdivision, a subdivision being part of the Southeast Quarter of the Southeast Quarter of Section 4, Township 8 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (West of Sweetwater Avenue and North of 11th Street) and consider Resolution No. 2018-146.
4. Conduct a public hearing on the application submitted by Buffalo Surveying Corporation for Samuel and Diane Reinke and Ronald and Diana Svacina to rezone from District AG, Agricultural District to District RR-2, Rural Residential District (Intermediate Standards)

property described as a tract of land being part of the Northeast Quarter of the Northwest Quarter of Section 30, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (1679 and 1681 East 56th Street, South side of 56th Street) and consider Ordinance No. 8284.

5. Application submitted by Buffalo Surveying Corporation for Samuel and Diane Reinke and Ronald and Diana Svacina for the Final Plat and Subdivision Agreement for Reinke-Svacina Subdivision, a subdivision being part of the Northeast Quarter of the Northwest Quarter of Section 30, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (1679 and 1681 East 56th Street, South side of 56th Street) and consider Resolution No. 2018-147.
6. Proposed amendments to the following chapters/sections of the City Code as follows: (a) Table 14-1 "Use Matrix" of Chapter 14 "Zoning District Regulations" "Industrial Use Types" (Miscellaneous Uses) to remove Planned Development Requirements (PD) from AG, UC, C-O, C-2, CBD, C-3 and BP zones and add Permitted by Conditional Use Permit for Communications Tower for zones AG, R-1, R-2, R-3, R-4, UC, C-O, C-1, C-2, CBD, C-3 and BP; (b) Section 46-110 "Telecommunications Towers" of Chapter 46 "Supplemental Use Regulations" to transfer previous sub-section C to sub-section A regarding language pertaining to the regulations for the placement, construction and modification of radio, television and personal wireless service facilities; modify language pertaining to exemptions of satellite dish antennas; add language regarding fencing requirements; remove language pertaining to security fencing for required parking; add language to landscaping requirements; remove language pertaining to screening and vegetation requirements and consider Ordinance No. 8285.
7. Conduct a public hearing for the purpose of revising the City of Kearney Budget for the 2017-2018 Fiscal Year and consider Ordinance No. 8286.
8. Conduct a public hearing for the purpose of adopting the City of Kearney Budget for the 2018-2019 Fiscal Year and consider Ordinance No. 8287.
9. Conduct a public hearing for the purpose of adopting the City of Kearney Offstreet Parking District No. 1 Budget for the 2018-2019 Fiscal Year and consider Resolution No. 2018-148.
10. Conduct a public hearing on setting the 2018 City of Kearney property tax levy at a different amount than the preliminary property tax levy set for the City of Kearney by the Buffalo County Clerk and consider Resolution No. 2018-149.
11. Conduct a public hearing on the submission of an application to the Department of Economic Development for a Community Development Block Grant for Comprehensive Development Phase II Implementation activities and consider Resolution No. 2018-150.
12. Conduct a public hearing on the acceptance of five acres of donated land/real property from Fred Hammer and approval of the proposed land to be named Chateau Marteau Open Space, for a tract of land described as Lot 5, Fox Creek Second, an addition to the City of Kearney, Buffalo County, Nebraska (South of 4th Street and North of Turkey Creek) and approving Resolution No. 2018-151.

IV. CONSENT AGENDA *

1. Approve Minutes of Regular Meeting held August 28, 2018.
2. Approve the Claims.
3. Authorize the Mayor to send a letter of no recommendation to the Nebraska Liquor Control Commission on the manager application for Jennifer Hansen submitted by RMH Franchise dba Applebee's Neighborhood Grill & Bar located at 5605 2nd Avenue in connection with their Class IK-101513 liquor license.
4. Approve the Street/Sidewalk/Parking Lot Closure, Traffic Control and or Parking Restrictions Permit Applications as follows:
 - a) Mikaela Richmond on behalf of the KHS Bearcat Marching Band Festival for the temporary closure of 30th Avenue from 11th Street to the southern end of Kearney High School on Saturday, September 22, 2018.
 - b) Mikaela Richmond on behalf of the Nebraska State Bandmaster Association State Marching Contest for the temporary closure of 30th Avenue from 11th Street to the southern end of Kearney High School on Saturday, October 20, 2018.
 - c) American Legion Post 52 on behalf of the Veterans Day Parade for the temporary closing of Railroad Street from 5th Avenue to Avenue D, 3rd Avenue and 4th Avenue from Railroad Street to 21st Street, Central Avenue from Railroad Street to the parking lot located north of MONA on Saturday, November 10, 2018.
 - d) Laura Aden on behalf of the YMCA Turkey Trot for the temporary closing of portions of 4th Avenue, 6th Avenue, 7th Avenue, 10th Avenue, 11th Avenue, 30th Avenue, 39th Street, 42nd Street, 46th Street, 48th Street, and Country Club Lane on Thursday, November 22, 2018.
5. Accept the bids received 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 adopt Resolution No. 2018-152 awarding Bid A (Water/Sewer) to Midlands Contracting, Inc. in the amount of \$177,603.00 and Bid B (Paving) to Dan Roeder Concrete in the amount of \$258,396.00.
6. Adopt Resolution No. 2018-153 allowing the City of Kearney to increase its "Budget Authority" by an additional one percent or \$143,315.25 which will be carried over to the 2018-2019 Budget as "Unused Budget Authority".
7. Approve the recommendation submitted by the Keno Committee on the allocation of non-departmental keno funds designed for outside agencies.
8. Adopt Resolution No. 2018-154 repealing Resolution No. 2018-24 and adopt the 2018-2019 Comprehensive Fee Schedule setting forth the fees for items and services to be provided by the City during the 2018-2019 year.
9. Authorize the Mayor to send a letter of no recommendation to the Nebraska Liquor Control Commission on the Application for Reconstruction submitted by Western Oil II LLC, dba

Speedee Mart 2767 in connection with their Class D-111099 liquor license located at 108 South 2nd Avenue.

10. Approve the application for a Special Designated License submitted by Kearney Area Chamber of Commerce to dispense alcoholic liquor at the Exposition Building located at the Buffalo County Fairgrounds, 3807 Avenue N on Saturday, October 6, 2018 from 4:00 p.m. until 11:30 p.m. for a fall fund raiser festival known as Oktoberfest.
11. Approve the application for a Special Designated License submitted by Blue Blood Brewing Company to dispense alcoholic liquor at the Exposition Building located at the Buffalo County Fairgrounds, 3807 Avenue N on Saturday, October 6, 2018 from 4:00 p.m. until 11:30 p.m. for a fall fund raiser festival known as Oktoberfest.
12. Approve the application for a Special Designated License submitted by Thunderhead Brewing Company to dispense alcoholic liquor at the Exposition Building located at the Buffalo County Fairgrounds, 3807 Avenue N on Saturday, October 6, 2018 from 4:00 p.m. until 11:30 p.m. for a fall fund raiser festival known as Oktoberfest.
13. Approve the application for a Special Designated License submitted by Borgata Brewing/Distilling LLC to dispense alcoholic liquor at the Exposition Building located at the Buffalo County Fairgrounds, 3807 Avenue N on Saturday, October 6, 2018 from 4:00 p.m. until 11:30 p.m. for a fall fund raiser festival known as Oktoberfest.
14. Approve the application for a Special Designated License submitted by KinKaider Brewing Company to dispense alcoholic liquor at the Exposition Building located at the Buffalo County Fairgrounds, 3807 Avenue N on Saturday, October 6, 2018 from 4:00 p.m. until 11:30 p.m. for a fall festival known as Oktoberfest.
15. Approve the application for a Special Designated License submitted by McFarland Family Farms LLC to dispense alcoholic liquor at the Exposition Building located at the Buffalo County Fairgrounds, 3807 Avenue N on Saturday, October 6, 2018 from 4:00 p.m. until 11:30 p.m. for a fall fund raiser festival known as Oktoberfest.
16. Approve the application for a Special Designated License submitted by Pals Brewing Company to dispense alcoholic liquor at the Exposition Building located at the Buffalo County Fairgrounds, 3807 Avenue N on Saturday, October 6, 2018 from 4:00 p.m. until 11:30 p.m. for a fall fund raiser festival known as Oktoberfest.
17. Approve the application for a Special Designated License submitted by Steeple Brewing Co to dispense alcoholic liquor at the Exposition Building located at the Buffalo County Fairgrounds, 3807 Avenue N on Saturday, October 6, 2018 from 4:00 p.m. until 11:30 p.m. for a fall festival known as Oktoberfest.
18. Approve the application for a Special Designated License submitted by First Street Brewing Company to dispense alcoholic liquor at the Exposition Building located at the Buffalo County Fairgrounds, 3807 Avenue N on Saturday, October 6, 2018 from 4:00 p.m. until 11:30 p.m. for a fall festival known as Oktoberfest.

19. 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:
- Inside Platte Valley Medical Group located at 816 22nd Avenue, on Thursday, September 27, 2018 from 4:00 p.m. until 8:00 p.m. for a Chamber Event;
 - Inside the Extension Building located at 1400 East 34th Street, on Saturday, September 29, 2018 from 3:00 p.m. until 1:00 a.m. for a reception;
 - In a 30' x 40' outdoor fenced area located east of UNK Health and Sports Center on UNK Campus located at 2501 15th Avenue, on Tuesday, October 2, 2018 from 4:00 p.m. until 8:00 p.m. for a UNK Tailgate 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 *

- Approve Ordinance No. 8288 repealing Ordinance No. 8247 and classify the officers and employees of the City; fix the ranges of compensation of such officers and employees; establish the hours and work period for overtime eligibility; provide for payments of clothing and/or uniform allowances; provide for payment of vehicle allowance; and provide for payment of cell phone allowance.
- Approve Ordinance No. 8289 creating Paving Improvement District No. 2018-994 for 19th Street from the southeast corner of Lot 770, thence northerly 131 feet, thence westerly 140 feet, thence southerly 346 feet, thence easterly 130 feet thence northerly 185 feet, thence easterly 10 feet, thence northerly 30 feet to the point of beginning, all in Original Town Kearney Junction.

VI. REGULAR AGENDA

- Consider Resolution No. 2018-155 approving the redevelopment project submitted by Kearney Area Habitat for Humanity for Redevelopment Area #7 for an area described as Lot 1 through 5, Block 1, Lots 1 through 7, Block 2, Lots 1 through 5, Block 3, all in Marlatt Third Addition, an addition to the City of Kearney, Buffalo County, Nebraska; Lots 8 and 9, Block One, Marlatt Second Addition, an addition to the City of Kearney, Buffalo County, Nebraska and Lot 12, Block Three, Marlatt Addition, an addition to the City of Kearney, Buffalo County, Nebraska (east of Avenue N and north of 16th Street).
- Open Account Claim to NPPD - \$2802.18.

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