

KEARNEY CITY COUNCIL

AGENDA

City Council Chambers, 18 East 22nd Street

July 9, 2019

5:30 p.m.

I. ROUTINE BUSINESS

1. Invocation by Pastor Chad Anderson.
2. Pledge of Allegiance.
3. Announcement on Open Meetings Act.
4. Roll call.
5. Oral Communication; Recognition of visitors.
 - a) Bill Luke's Recognition of Shield 616 Program; and
 - b) Oath of Office to Police K-9 Officer, Bane.

II. UNFINISHED BUSINESS

III. PUBLIC HEARINGS

1. REQUEST TO POSTPONE TO JULY 23, 2019. Conduct a public hearing on the Application submitted by Olsson for Blessing Premier Property, LLC to vacate a tract of land being 17 feet in width, located along the west line of Central Avenue as originally platted at a width of 100 feet located in Government Lot 8, Section 12, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (approximately 200 feet north along the west side of Central Avenue from the intersection of East 1st Street and Central Avenue) and consider Ordinance No. 8352.
2. Conduct a public hearing on the Application submitted by Buffalo Surveying Corp. for Mark Kottmeyer and Anna Eileen Kottmeyer, husband and wife, to rezone from District AG, Agricultural District to District RR-1, Rural Residential District (Rural Standards) for property described as a tract of land being part of the South Half of the Southwest Quarter of Section 11, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (8765 17th Avenue) and consider Ordinance No. 8353.
3. Conduct a public hearing on the Application submitted by Buffalo Surveying Corp. for Mark Kottmeyer and Anna Eileen Kottmeyer, husband and wife for the Final Plat for K and S Subdivision, a subdivision being part of the Southwest Quarter of Section 11, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska, for property described as a tract of land being part of the Southwest Quarter of Section 11, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (8765 17th Avenue) and consider Resolution No. 2019-105.

4. Conduct a public hearing on the Application submitted by Buffalo Surveying Corp. for Douglas Trampe and Marla Trampe, husband and wife, to rezone from District AG, Agricultural District to District RR-2, Rural Residential District (Intermediate Standards) for property described as a tract of land being part of the East Half of the Northwest Quarter of Section 20, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (6615 56th Avenue) and consider Ordinance No. 8354.
5. Conduct a public hearing on the Application submitted by Buffalo Surveying Corp. for Douglas Trampe and Marla Trampe, husband and wife for the Final Plat for Trampe Estates, a subdivision being part of the East Half of the Northwest Quarter of Section 20, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska, for property described as a tract of land being part of the East Half of the Northwest Quarter of Section 20, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (6615 56th Avenue) and consider Resolution No. 2019-106.
6. Conduct a public hearing on the Application submitted by Marc Willis for Willis Storage, LLC for an amendment to the Land Use Map of the City of Kearney Comprehensive Development Plan from Office/Commercial Retail Mixed Uses and Commercial Mixed Use to Light Industrial for property described as Lot 3, Fuller and Daley First Addition, an addition to the City of Kearney, Buffalo County, Nebraska (North of 16th Street and 12th Avenue) and consider Resolution No. 2019-107.
7. Conduct a public hearing on the Application submitted by Marc Willis for Willis Storage, LLC to rezone from District M-1, Limited Industrial District to District M-1/PD, Limited Industrial/Planned Development Overlay District for property described as Lot 3, Fuller and Daley First Addition, an addition to the City of Kearney, Buffalo County, Nebraska (North of 16th Street and 12th Avenue) and consider Ordinance No. 8355.
8. Conduct a public hearing on the Application submitted by Marc Willis for BK Development LLC to vacate an access easement being the east 40 feet of Lot 1, Fuller and Daley First Addition, an addition to the City of Kearney, Buffalo County, Nebraska (North of 16th Street and 12th Avenue) and consider Ordinance No. 8356.
9. Conduct a public hearing on the Application submitted by Marc Willis for Willis Storage LLC and BK Development LLC to (1) vacate Lot 3, Fuller and Daley First Addition, an addition to the City of Kearney, Buffalo County, Nebraska and consider Ordinance No. 8357; (2) vacate Lot 9, Block 1, Fuller and Daley Second Addition, an addition to the City of Kearney, Buffalo County, Nebraska (North of 16th Street, between 11th Avenue and 12th Avenue) and consider Ordinance No. 8358 and (3) the Final Plat and Subdivision Agreement for Fuller and Daley Third Addition, an addition to the City of Kearney, Buffalo County, Nebraska for property described as a tract of land being Lot 3, Fuller and Daley First Addition (to be vacated), an addition to the City of Kearney, Buffalo County, Nebraska, and Lot 9, Block 1 (to be vacated), Fuller and Daley Second Addition, an addition to the City of Kearney, Buffalo County, Nebraska, located in the Northeast Quarter of the Southwest Quarter of Section 2, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (North of 16th Street, between 11th Avenue and 12th Avenue) and consider Resolution No. 2019-108.
10. Conduct a public hearing on the Application submitted by Paul Brungardt, Jr., PE for Willis

Storage, LLC and BK Development, LLC for Planned District Development Plan Approval for construction of a commercial storage facility on property to be zoned District M-1/PD, Limited Industrial/Planned Development Overlay District and described as a tract of land (to be replatted as Fuller and Daley Third Addition) being Lot 3, Fuller and Daley First Addition (to be vacated), an addition to the City of Kearney, Buffalo County, Nebraska, and Lot 9, Block 1 (to be vacated), Fuller and Daley Second Addition, an addition to the City of Kearney, Buffalo County, Nebraska, located in the Northeast Quarter of the Southwest Quarter of Section 2, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (North of 16th Street, between 11th Avenue and 12th Avenue) and consider Resolution No. 2019-109.

IV. CONSENT AGENDA *

1. Approve Minutes of Regular Meeting held June 25, 2019.
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 Michael Fox submitted by Eagles Frat Order 2722 located at 17 West 24th Street in connection with their Class C-011097 liquor license.
4. Adopt Resolution No. 2019-110 accepting the public improvements constructed under a Developer Constructed Infrastructure Agreement for Millennial Estates Second Addition between the City of Kearney and Jordan Starostka, Member of Starostka Group, Unlimited Inc., a Nebraska Corporation.
5. Accept the bids received for the 2019 Park and Recreation Parking Lot Improvements at Cottonmill Parking at Swim Lake and Fountain Hills Park and adopt Resolution No. 2019-111 awarding the bid to RMV Construction in the amount of \$92,191.60.
6. Approve canceling assessed paving improvement districts levied against certain lots and lands and to remove the said records and assessment schedules from the active files of the City of Kearney and approve Resolution No. 2019-112.

* *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 the transfer and continuation of existing Conditional Use Permit to co-locate telecommunications equipment for wireless communications on property zoned District Ag, Agricultural District and described as part of the Northwest Quarter of the Northwest Quarter and the north five acres of the Southwest Quarter of the Northwest Quarter all located in Section 31, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska lying west of the railroad tracks (1711 East 39th Street) granted on January 28, 2014 by Ordinance No. 7855A from Commnet Wireless (Tisdale Nebraska, LLC) to New Cingular Wireless PCS dba AT&T and consider Ordinance No. 8359.

2. Approve Ordinance No. 8360 to repeal Ordinance No. 7855A granting a Conditional Use Permit to Commnet Wireless co-locate telecommunications equipment for wireless communications on property zoned District AG, Agricultural District and described as part of the Northwest Quarter of the Northwest Quarter and the north five acres of the Southwest Quarter of the Northwest Quarter all located in Section 31, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska lying west of the railroad tracks (1711 East 39th Street).
3. Approve Ordinance No. 8361 amending several sections of Article 2 “Building Code Generally” and Article 3 “Amendments” of Chapter 9 “Public Works” of the Code of the City of Kearney, Nebraska as follows: amend Section 9-204 “Advisory Note” to adopt the International Residential Code, 2018 Edition and the International Building Code, 2018 Edition; amend Section 9-210 “International Building Code; Adoption” to adopt the International Residential Code, 2018 Edition and the International Building Code, 2018 Edition; amend Section 9-211 “International Property Maintenance Code; Adopted” to adopt the International Property Maintenance Code, 2018 Edition; amend Section 9-301 “International Building Code; Amendments” to adopt and make amendments to the International Building Code, 2018 Edition; amend Section 9-302 “International Residential Code; Amendments” to adopt and make amendments to the International Residential Code, 2018 Edition.
4. Approve Ordinance No. 8362 amending formatting errors in the following sections of the Code of the City of Kearney, Nebraska as follows: (a) Section 15-102 “Site Development Regulations” of Chapter 15 “District AG, Agricultural District” to remove the asterisk from Minimum Lot Area and Note; (b) Section 16-102 “Site Development Regulations” of Chapter 16 “District RR-1, Rural Residential District (Rural Standards)” to add the minimum lot width (feet) that was excluded in error from a previous code amendment ordinance and remove the remove asterisk from the Note; (c) Section 18-101 “Purpose” of Chapter 18 “District RR-2, Rural Residential District (Intermediate Standards)” to remove language that was excluded in error from a previous code amendment ordinance; (d) Section 18-102 “Site Development Regulations” of Chapter 18 “District RR-2, Rural Residential District (Intermediate Standards)” to remove the asterisk from the Note.

VI. REGULAR AGENDA

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