

# **KEARNEY CITY COUNCIL**

## **AGENDA**

**City Council Chambers, 18 East 22nd Street**

**April 13, 2021**

**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 Buffalo Surveying Corp. for Craig and Kimberly Capellen and Brent and Carolyn Hofferber 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 Southeast Quarter of the Northwest Quarter of Section 8, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (East of Antelope Avenue and North of 92nd Street) and consider Ordinance No. 8477.
2. Conduct a public hearing on the Application submitted by Buffalo Surveying Corp. for Craig and Kimberly Capellen and Brent and Carolyn Hofferber for the Final Plat for Hofferber – Capellen Subdivision, a subdivision being part of the Southeast Quarter of the Northwest Quarter of Section 8, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska, for property described as a tract of land being part of the Southeast Quarter of the Northwest Quarter of Section 8, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (East of Antelope Avenue and North of 92nd Street) and consider Resolution No. 2021-48.
3. Conduct a public hearing on the Applications submitted by Buffalo Surveying Corp. for NP Land Development, Inc., a Nebraska Corporation and Nancy Norwood, Trustee of the Nancy Norwood Revocable Trust to (1) vacate Lot 1, Block Two, Stoneridge Eighth Addition, an addition to the City of Kearney, Buffalo County, Nebraska and consider Ordinance No. 8478; and (2) rezone from District AG, Agricultural District to District R-1, Urban Residential Single-Family District (Low Density) for property described as a tract of land being part of the Northeast Quarter of the Southeast Quarter of Section 24, Township 9 North, Range 16

West of the 6th P.M., Buffalo County, Nebraska (North of Eastbrooke Drive and Avenue K and East of Stoneridge Lake) and consider Ordinance No. 8479.

4. Conduct a public hearing on the Application submitted by Buffalo Surveying Corp. for NP Land Development, Inc., a Nebraska Corporation and Nancy Norwood, Trustee for the Final Plat and Subdivision Agreement for Stoneridge Tenth Addition, an addition to the City of Kearney, Buffalo County, Nebraska for property described as a tract of land being part of the Northeast Quarter of the Southeast Quarter of Section 24, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska with said tract of land being inclusive of to be vacated Lot 1, Block Two, Stoneridge Eighth Addition, an addition to the City of Kearney, Buffalo County, Nebraska (North of Eastbrooke Drive and Avenue K and East of Stoneridge Lake) and consider Resolution No. 2021-49.
5. Conduct a public hearing on the Application submitted by Buffalo Surveying Corp. for NP Land Development, Inc., a Nebraska Corporation and Nancy Norwood, Trustee for the annexation of Stoneridge Tenth Addition, an addition to the City of Kearney, Buffalo County, Nebraska for property described as a tract of land being part of the Northeast Quarter of the Southeast Quarter of Section 24, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska with said tract of land being inclusive of to be vacated Lot 1, Block Two, Stoneridge Eighth Addition, an addition to the City of Kearney, Buffalo County, Nebraska (North of Eastbrooke Drive and Avenue K and East of Stoneridge Lake) and consider Resolution No. 2021-50.

#### **IV. CONSENT AGENDA \***

1. Approve Minutes of Regular Meeting held March 23, 2021.
2. Approve the Claims.
3. Authorize the City Clerk to send a letter of approval to the Nebraska Liquor Control Commission for an Addition to Liquor License submitted by Upper Room Brewery, LLC, dba Upper Room Brewery located at 1540 West 56th Street, Suite D in connection with their Class C-123999 liquor license.
4. Authorize the Mayor to send a letter of no recommendation to the Nebraska Liquor Control Commission on the catering application submitted by B & B Research & Invest LLC, dba Cup 1919 located at 1220 Central Avenue, Suite 3 in connection with their Class C-124010 liquor license.
5. Adopt Resolution No. 2021-51 approving the Annual Redevelopment Project Report as required by State Statute 18.2117.02.
6. Adopt Resolution No. 2021-52 approving the recommendation submitted by the Fire Chief to include the following as members of the Kearney Volunteer Fire Department: Connor Brown, Steven Brumbaugh, Adam Grazier, Logan Hansen, Shane Trofholz, Vince Vollmer and Ryan Wheeler.

7. Adopt Resolution No. 2021-53 approving Application for Payment No. 1 in the amount of \$53,012.70 submitted by Wilke Contracting and approved by Oak Creek Engineering for 2021 Part 1 Improvements; Rolling Hills Road Bridge Repairs.
8. Authorize the Mayor to send a letter of no recommendation to the Nebraska Liquor Control Commission on the Class D-124250 liquor license application and manager application for Tina Stone submitted by Casey's Retail Company dba Casey's General Store #2038 located at 2710 West 24th Street.
9. Approve the request submitted by Broadfoot's Sand and Gravel to extend Conditional Use Permit No. 2000-03 locating a mining of gravel operation on property located  $\frac{3}{4}$  mile west of Kearney Best Western Plus Mid-Nebraska Inn and Suites (formerly Fort Kearny Inn) and south of Interstate 80 for a period of five years.
10. Approve the application submitted by Werner Construction, Inc. for Kappas Enterprises, to extend Conditional Use Permit No. 2018-02 to locate and operate a sand and gravel pumping operation and temporary batch plant located east of the Kearney Expressway and north of Interstate 80 for a period of two years.
11. Approve the Agreement between the City of Kearney and Central Nebraska Auto Club on behalf of Cruise Nite 2021 which describes parking on these public properties that are prohibited on July 17, 2021 beginning at 2:00 a.m. and adopt Resolution No. 2021-54.
12. Adopt Resolution No. 2021-55 approving the Developer Constructed Infrastructure Agreement for Stoneridge Tenth Addition between the City of Kearney and Timothy Norwood, President of NP Land Development, Inc., a Nebraska Corporation and Nancy Norwood, Trustee of the Nancy Norwood Revocable Trust for the construction of paving, water main, sanitary sewer main and storm sewer to serve Stoneridge Tenth Addition, an addition to the City of Kearney, Buffalo County, Nebraska.
13. Adopt Resolution No. 2021-56 allowing the City of Kearney to expend funds on the 2020 Part 1 Improvements (Paving Improvement District No. 2020-004), the 2020 Part 2 Improvements, and the 2021 Part 3 Improvements (Sanitary Sewer Connection District No. 2020-1) and reimburse itself from the proceeds of the debt issued at a later date.
14. Adopt Resolution No. 2021-57 approving Application for Payment No. 1 in the amount of \$94,994.27 submitted by Midlands Contracting Inc. and approved by Miller & Associates for the 2021 Part 3 Improvements; 56th Street/Cherry Avenue Sanitary Sewer Infrastructure in connection with Sanitary Sewer Connection District No. 2020-1.
15. Adopt Resolution No. 2021-58 approving the Lease Agreement between the City of Kearney and Kearney Raceway Park for property located at the Kearney Regional Airport.

\* ***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. 8480 creating Paving Improvement District No. 2021-005 for an alley lying between 7th Avenue and 8th Avenue, running north to south from 23rd Street and to 22nd Street.
- 2. Approve Ordinance No. 8481 repealing Ordinance No. 8467 and amend the Salary Ordinance reflecting the reclassifications of certain positions.

**VI. REGULAR AGENDA**

- 1. Open Account Claim to NPPD - \$3,050.00.

**VII. REPORTS**

**VIII. ADJOURN**

Mayor Stanley Clouse  
 4907 Linden Drive Place  
 627-6730 cell  
 238-5210 office  
[mayor@kearneygov.org](mailto:mayor@kearneygov.org)

Vice-President Randy Buschkoetter  
 1110 13th Avenue  
 234-5553 home  
 440-0358 cell  
[citycouncil@kearneygov.org](mailto:citycouncil@kearneygov.org)

Council Member Bruce Lear  
 4803 Avenue L Place  
 234-5354 home  
 308-389-8770 office  
[citycouncil@kearneygov.org](mailto:citycouncil@kearneygov.org)

Council Member Tami James  
 Moore  
 704 10th Avenue  
 440-6992 cell  
[citycouncil@kearneygov.org](mailto:citycouncil@kearneygov.org)

Council Member Jonathan Nikkila  
 4 Regency Place  
 224-4309 cell  
[citycouncil@kearneygov.org](mailto:citycouncil@kearneygov.org)

City Manager Michael Morgan  
 18 East 22nd Street  
 233-3214 office  
[mmorgan@kearneygov.org](mailto:mmorgan@kearneygov.org)

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](http://www.cityofkearney.org)