

KEARNEY CITY COUNCIL

AGENDA

City Council Chambers, 18 East 22nd Street

December 13, 2022

5:30 p.m.

I. ROUTINE BUSINESS AND REORGANIZATION

1. Invocation/Moment of Silence.
2. Pledge of Allegiance.
3. Announcement on Open Meetings Act.
4. Roll call.
5. Approve Minutes of Regular Council Meeting of November 22, 2022.
6. Accept the Certificate of Vote from the Buffalo County Election Commissioner.
7. City Clerk to administer the Oath of Office to Randy Buschkoetter and Tami James Moore.
8. Nominations and appointment for President/Mayor.
9. Nominations and appointment for Vice-President.
10. Appointment of Peggy Eynetich as City Clerk.
11. Oral Communication; Recognition of visitors.

II. UNFINISHED BUSINESS

III. PUBLIC HEARINGS

1. Conduct a public hearing on the applications submitted by Buffalo Surveying Corp. for The Evangelical Lutheran Good Samaritan Society, Attn: Ryan Mertz and MP-Kearney, LLC for an amendment to the Land Use Map of the City of Kearney Comprehensive Development Plan from MDR, Medium Density Residential and MU2, Office/Commercial Retail Mixed Use to MU3, Commercial Mixed Use for property described as part of Lot 1, Melton Estates Third, an addition to the City of Kearney, Buffalo County, Nebraska (North of and Adjacent to the North line of 2206 East 25th Street) and Lot 2, Melton Estates Second, an Addition to the City of Kearney, Buffalo County, Nebraska (2206 East 25th Street) and consider Resolution No. 2022-262.
2. Conduct a public hearing on the applications submitted by Buffalo Surveying Corp. for The

Evangelical Lutheran Good Samaritan Society, Attn: Ryan Mertz and MP-Kearney, LLC to rezone from District R-3/PD, Urban Residential Multi-Family District (Medium Density)/Planned Development Overlay District to District M-1, Limited Industrial District for property described as part of Lot 1, Melton Estates Third, an addition to the City of Kearney, Buffalo County, Nebraska (North of and Adjacent to the North line of 2206 East 25th Street) and consider Ordinance No. 8611.

3. Conduct a public hearing on the applications submitted by Miller & Associates for BSB Investments, LLC to 1) vacate part of Lot 1, Block 6, Colonial Estates 4th Addition, to the City of Kearney, Buffalo County, Nebraska, and consider Ordinance No. 8612; and 2) the Final Plat and Subdivision Agreement for BSB Addition, an addition to the City of Kearney, Buffalo County, Nebraska, for property described as Part of Lot 1, Block 6 (now vacated), Colonial Estates 4th Addition to the City of Kearney, Buffalo County, Nebraska, and being part of the Northwest Quarter of the Southeast Quarter of Section 27, Township 9 North, Range 16 West of the Sixth P.M., Buffalo County, Nebraska. (Between 19th Avenue and 20th Avenue, South of 44th Street) and consider Resolution No. 2022-263.
4. Conduct a public hearing on the applications submitted by Miller & Associates for YB Investments, LLC; Talmadge JAM, LLC; Paul J Younes and Linda M Younes, as Trustees of the Paul & Linda Younes Family Trust U/A/D January 10, 2022 to 1) execute a Release of Easement on a tract of land being part of Government Lot 7 and accretions in Section 11, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska and consider Resolution No. 2022-264 and 2) rezone from District AG, Agricultural District to District C-2, Community Commercial District for property described as a tract of land being part of Government Lot 6, part of Government Lot 7, part of Government Lot 9 and accretions thereto, all in Section 11, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (Between Talmadge Street and 3rd Street, West of 10th Avenue) and consider Ordinance No. 8613.
5. Conduct a public hearing application submitted by Miller & Associates for YB Investments, LLC; Talmadge JAM, LLC; Paul J Younes and Linda M Younes, as Trustees of the Paul & Linda Younes Family Trust U/A/D January 10, 2022 for the Final Plat and Subdivision Agreement for Younes Center Ninth 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, part of Government Lot 7, part of Government Lot 9 and accretions thereto, all in Section 11, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska. (Between Talmadge Street and 3rd Street, West of 10th Avenue) and consider Resolution No. 2022-265.
6. Conduct a public hearing application submitted by Miller & Associates for YB Investments, LLC; Talmadge JAM, LLC; Paul J Younes and Linda M Younes, as Trustees of the Paul & Linda Younes Family Trust U/A/D January 10, 2022 for the annexation of a tract of land being part of Government Lot 6, part of Government Lot 7, part of Government Lot 9 and accretions thereto, all in Section 11, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (part of proposed Younes Center Ninth Addition, between Talmadge Street and 3rd Street, West of 10th Avenue) and consider Resolution No. 2022-266.
7. Conduct a public hearing on the proposed acquisition for a Permanent Drainage Easement granted by Paul Younes, President of Talmadge Jam, L.L.C., a Nebraska Limited Liability

Company and Paul Younes, Managing Member of YB Investments, LLC, a Nebraska Limited Liability Company for a tract of land being part of Government Lot 7 and accretions thereto, and part of accretions to Government Lot 9 in Section 11, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska for Permanent Drainage Easement purposes and consider Resolution No. 2022-267.

8. Conduct a public hearing on the proposed acceptance of 29.01 acres of donated land/property from Talmadge JAM, LLC described as a tract of land described as Lot 3, Block Three, Younes Center Seventh Addition, an addition to the City of Kearney, Buffalo County, Nebraska and consider Resolution No. 2022-268.

IV. CONSENT AGENDA *

1. Approve Minutes of Regular Meeting held November 22, 2022.
2. Approve the Claims.
3. Approve Resolution No. 2022-269 to accept and adopt the proposed Kearney Regional Airport Lease Guidelines for the Administrative Approval of Kearney Flight Services Lease agreements for hangar space, office space and agricultural property with a term of one year or less at the Kearney Regional Airport and authorize the City Manager or his designee to execute said Lease agreements at the Kearney Regional Airport.
4. Adopt Resolution No. 2022-270 approving the Use and Operations Agreement for part of Annex A in Hangar T-926 located at the Kearney Regional Airport between the City of Kearney and Apollo Med Flight.
5. Accept the bids received for 2022 Part 2 Improvements; 56th Street and Avenue N Turn Lane and adopt Resolution No. 2022-271 awarding the bid to Dan Roeder Concrete, Inc. in the amount of \$1,063,315.25.
6. Adopt Resolution No. 2022-272 approving Application and Certificate for Payment No. 7 in the amount of \$143,010.00 submitted by Caldwell Tank and approved by Miller & Associates for the 2.0 MG Elevated Water Tower.

* *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. Staff Presentation on Indoor Sports Complex.

VII. REPORTS

VIII. ADJOURN

Mayor Stanley Clouse
4907 Linden Drive Place
627-6730 cell
238-5210 office
mayor@kearneygov.org

Vice-President Randy Buschkoetter
1110 13th Avenue
234-5553 home
440-0358 cell
citycouncil@kearneygov.org

Council Member Bruce Lear
4803 Avenue L Place
234-5354 home
308-389-8770 office
citycouncil@kearneygov.org

Council Member Tami James
Moore
704 10th Avenue
440-6992 cell
citycouncil@kearneygov.org

Council Member Jonathan Nikkila
4 Regency Place
224-4309 cell
citycouncil@kearneygov.org

City Manager Michael Morgan
18 East 22nd Street
233-3214 office
mmorgan@kearneygov.org

The Mayor and City Council reserve the right to adjourn into executive session as per Section 84-1410 of the Nebraska Revised Statutes. 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