

KEARNEY CITY COUNCIL

AGENDA

City Council Chambers, 18 East 22nd Street

May 13, 2008

7:00 p.m.

I ROUTINE BUSINESS

1. Invocation (President or Designee of KMA).
2. Pledge of Allegiance.
3. Announcement on Open Meetings Act.
4. Roll call.
5. Oral Communication - Recognition of visitors.

II UNFINISHED BUSINESS

None.

III PUBLIC HEARINGS

1. **TABLED APRIL 8, 2008.** Conduct a public hearing on the Application submitted by Craig Bennett from Miller & Associates (Applicant) for Sorensen Acres, LLC (Owner) to rezone from "District AG, Agricultural District" to "District C-2/PD, Community Commercial District/Planned Development Overlay District" property described as a tract of land being part of the East Half of the Northeast Quarter of Section 26, Township 9 North, Range 16 West of the 6th P.M., containing 3.12 acres, more or less, Buffalo County, Nebraska (south of 52nd Street and west of 3rd Avenue).
2. **TABLED APRIL 8, 2008.** Conduct a public hearing on the Application submitted Craig Bennett from Miller & Associates (Applicant) for Sorensen Acres, LLC (Owner) for the Final Plat for "Sorensen Park Fifth Addition", an addition to the City of Kearney, Buffalo County, Nebraska for property described as a tract of land being part of the East Half of the Northeast Quarter of Section 26, Township 9 North, Range 16 West of the 6th P.M., containing 3.12 acres, more or less, Buffalo County, Nebraska (south of 52nd Street and west of 3rd Avenue) and approve **Resolution No. 2008-52.**
3. **TABLED APRIL 8, 2008.** Conduct a public hearing on the Application submitted by Craig Bennett from Miller & Associates (Applicant) for Sorensen Acres, LLC (Owner) for the annexation of "Sorensen Park Fifth Addition", an addition to the City of Kearney, Buffalo County, Nebraska for property described as a tract of land being part of the East Half of the Northeast Quarter of Section 26, Township 9 North, Range 16 West of the 6th P.M., containing 3.12 acres, more or less, Buffalo County, Nebraska (south of 52nd Street and west of 3rd Avenue) and approve **Resolution No. 2008-53.**
4. Conduct a public hearing on the Application submitted by Tim Sorensen (Applicant) for Teamwon, LLC and D-R-G-T Limited Partnership (Owner) to rezone from "District R-3, Urban

Residential Multi-Family District (Medium Density)” to “District C-2, Community Commercial District” property described as Lots 1, 2, 3, Bakers Subdivision of Lot 60, Northwest Quarter School Section Addition to the City of Kearney, Buffalo County, Nebraska (3816 Central Avenue).

5. Conduct a public hearing on the Application submitted by Rovar Park, LLC (Applicant) for Gene Freeze (Owner) for Planned District Development Plan Approval for the construction of an RV and Boat Storage Facility on property zoned “District M-1/PD, Limited Industrial District/Planned Development Overlay District” and described as a tract of land being part of Lot 11, St. Luke’s Good Samaritan Village, an addition to the City of Kearney, Buffalo County, Nebraska (3112 Antelope Avenue) and approve **Resolution No. 2008-71**.
6. Conduct a public hearing on the Application submitted by Chris Riha (Applicant) for NE Colorado Cellular, Inc., dba Viaero Wireless (Owner) for the Final Plat for “New Viaero Addition”, an addition to the City of Kearney, Buffalo County, Nebraska for property described as Lots 7 and 8 (to be vacated) and part of the vacated street abutting Lot 8 on the west, all in Lincoln Way Villa Plots, an addition to the City of Kearney, Buffalo County, Nebraska (1918 and 1920 West 24th Street) and approve **Resolution No. 2008-72**.
7. Conduct a public hearing on the Application submitted by Mitch Humphrey from Buffalo Surveying (Applicant) for Roberta Corrigan, Trustee of the Leroy Corrigan Trust and Roberta Corrigan General Partner of the Roberta Corrigan Farm, a Limited Partnership (Owner) for the Final Plat for “Ingalls Crossing Fourth Addition” to the City of Kearney, Buffalo County, Nebraska for property described as a tract of land being part of the Southwest Quarter of the Southwest Quarter of Section 24, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska, containing 3.05 acres, more or less (approximately 474.10 feet north of the intersection of 2nd Avenue and 56th Street on the east side of 2nd Avenue) and approve **Resolution No. 2008-73**.
8. Conduct a public hearing on the Application submitted by Mitch Humphrey from Buffalo Surveying (Applicant) for Roberta Corrigan, Trustee of the Leroy Corrigan Trust and Roberta Corrigan General Partner of the Roberta Corrigan Farm, a Limited Partnership (Owner) for the annexation of “Ingalls Crossing Fourth Addition” to the City of Kearney, Buffalo County, Nebraska for property described as a tract of land being part of the Southwest Quarter of the Southwest Quarter of Section 24, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska, containing 3.05 acres, more or less (approximately 474.10 feet north of the intersection of 2nd Avenue and 56th Street on the east side of 2nd Avenue) and approve **Resolution No. 2008-74**.
9. Conduct a public hearing on the Application submitted by Lamar Outdoor Advertising (Applicant and Owner) to relocate and replace an existing double-stack, back-to-back billboard sign located approximately 800 feet north of 60th Street from its present location, and to replace the existing billboard with a back-to-back monopole with an Electronic Changeable Message Sign (ECMS) facing north and a standard billboard poster facing south and approve **Resolution No. 2008-75**.
10. **TABLED UNTIL MAY 27, 2008**. Conduct a public hearing on the Application submitted by the City of Kearney for the proposed amendments to the following sections of the Kearney City Code pertaining to parking of Recreational Vehicles: Section 8-301 “Definitions”, Section 8-918 “Forty-Eight Hour Parking Prohibited” and Section 8-919 “Recreational Vehicles” all in Chapter 8 “Police”; to amend Section 9-901 “Definitions”, Section 9-906 “Where Trailers Permitted; Camping Vehicles” and Section 9-907 “Where Trailers Permitted; Hauling Trailers” all in Chapter 9 “Public Works”, and to amend Section 49-110 “Parking for Personal and Recreational Vehicles” all in Chapter 49 “Off-Street Parking”.

IV CONSENT AGENDA *

1. Approve Minutes of Regular Meeting held April 22, 2008.
2. Approve the Claims.
3. Approve the Agreement between the City of Kearney and the Nebraska Department of Roads for Project No. MISC-30-4(1044) in connection with the relocation of Airport Road and approve **Resolution No. 2008-76**.
4. Approve the request submitted by Cheryl Schroeder to transfer Conditional Use Permit No. 1998-05 to locate a Bed and Breakfast at 2915 5th Avenue for a period of one year.
5. Approve the application for a Special Designated License submitted by Grandpa's Steakhouse to dispense beer, wine and distilled spirits in connection with their Class CK-09022 liquor license in Exhibit Building located at the Buffalo County Fairgrounds, 3807 Avenue N, on May 31, 2008 from 3:00 p.m. until 12:00 a.m. for a dance/reception.
6. Approve the application to extend Conditional Use Permit No. 1986-04 submitted by Art Pierce to locate a calligraphy studio at 2202 Avenue B, Unit 3 for a period of two years.
7. Approve the request submitted by Tiffanie Bullock to block off ten parking spaces on the north side of Railroad Street between Avenue A and Avenue B on May 17, 2008 for a motorcycle poker run for Relay for Life fund raising event.
8. Approve the request submitted by the Kearney Volunteer Fire Department to temporarily block off Avenue A between 22nd Street and 23rd Street and the parking lot located at the southwest corner of 23rd Street and Avenue A on July 12, 2008 from 6:00 a.m. until 5:00 p.m. for their Q125 Celebration.
9. Approve Change Order No. 6 showing a decrease in the amount of \$33,248.05, Application and Certificate for Payment No. 13-Final in the amount of \$178,408.15, and the Certificate of Substantial Completion submitted by Blessing, LLC and approved by Miller & Associates for the 2007 Part II Improvements – 39th Street from 2nd Avenue to Pony Express Road consisting of Paving Improvement District No. 2006-908 for 39th Street from Pony Express Road west to the east lot line of Lot 1, Block 1, Windsor Estates Fifth Addition and approve **Resolution No. 2008-77**.
10. Approve the Plans and Specifications for the 2007 Part V Improvements (bridge work on 4th Street between 2nd Avenue and 3rd Avenue) and set the bid opening date for June 3, 2008 at 2:00 p.m.
11. Approve the application for a Special Designated License submitted by KEARNEY BBQ CO., dba "Skeeter Barnes" in connection with their Class I-55865 liquor license to dispense beer, wine and distilled spirits in the Extension Building located at the Buffalo County Fairgrounds, 1400 East 34th Street on June 7, 2008 from 4:00 p.m. until 12:00 a.m. for a wedding reception.
12. Approve the application for a Special Designated License submitted by KEARNEY BBQ CO., dba "Skeeter Barnes" in connection with their Class I-55865 liquor license to dispense beer, wine and distilled spirits in the Ag Pavilion located at the Buffalo County Fairgrounds, 3807 Avenue N on July 12, 2008 from 4:00 p.m. until 12:00 a.m. for a wedding reception.

13. Approve the request submitted by Karla's Kreations to block off three parking stalls in front of her business located at 9 West 23rd Street on June 10, 2008 from 6:00 p.m. until 8:00 p.m. for a grilling class for Central Community College.
 14. Approve the Recreational Trails Program Project Agreement between the City of Kearney and the Nebraska Game and Parks Commission for the completion of the hike-bike concrete trail that starts in Lighthouse Point and goes east through Ted Baldwin Park and adjacent to a senior care facility and Richard Young Hospital and approve **Resolution No. 2008-78**.
 15. Approve the Delivery Order issued to Miller & Associates for the design and construction management of the hike-bike trail that starts in Lighthouse Point and goes east through Ted Baldwin Park and adjacent to a senior care facility and Richard Young Hospital and approve **Resolution No. 2008-79**.
 16. Approve the application for a Special Designated License submitted by CHICKEN BONES OF KEARNEY, INC., dba "Chicken Coop Sports Bar & Grill in connection with their Class I-54354 liquor license to dispense beer and distilled spirits in the Exposition Building located at the Buffalo County Fairgrounds, 3807 Avenue N on June 13, 2008 from 12:00 p.m. until 1:00 a.m. for a concert.
- * *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. **ORDINANCE NO. 7430** – Sale a tract of land located in the North Half of Section 33, Township 9 North, Range 15 East of the 6th P.M., containing 20.39 acres, more or less, Buffalo County, Nebraska to Baldwin Filters, Inc.

VI REGULAR AGENDA

1. **TABLED APRIL 8, 2008. ORDINANCE NO. 7428** – Rezone from “District AG, Agricultural District” to “District C-2/PD, Community Commercial District/Planned Development Overlay District” property described as a tract of land being part of the East Half of the Northeast Quarter of Section 26, Township 9 North, Range 16 West of the 6th P.M., containing 3.12 acres, more or less, Buffalo County, Nebraska (south of 52nd Street and west of 3rd Avenue). (Pertains to Public Hearing 1)
2. **ORDINANCE NO. 7431** – Rezone from “District R-3, Urban Residential Multi-Family District (Medium Density)” to “District C-2, Community Commercial District” property described as Lots 1, 2, 3, Bakers Subdivision of Lot 60, Northwest Quarter School Section Addition to the City of Kearney, Buffalo County, Nebraska (3816 Central Avenue). (Pertains to Public Hearing 4)
3. **ORDINANCE NO. 7432** – Vacate part of Lots 7, 8 and part of the vacated street abutting Lot 8 on the west, Lincoln Way Villa Plots, an addition to the City of Kearney, Buffalo County, Nebraska (1918 and 1920 West 24th Street). (Pertains to Public Hearing 6)
4. **ORDINANCE NO. 7433** – Vacate Lot 3, Ingalls Crossing Second Addition, an addition to the City of Kearney, Buffalo County, Nebraska (approximately 474.10 feet north of the intersection of 2nd Avenue and 56th Street on the east side of 2nd Avenue). (Pertains to Public Hearing 7)

- 5. Open Account Claims: **NPPD - \$55,152.37, Platte Valley State Bank - \$45,368.48, School District #7 - \$9,344.65**

VII REPORTS

- 1. Update from City Manager on Cherry Avenue Project.

VIII ADJOURN

Mayor Stanley Clouse 4907 Linden Drive Place 236-6193 home 238-5210 office mayor@kearneygov.org	Vice-President Randy Buschkoetter 1110 13th Avenue 234-5553 home 698-8106 office citycouncil@kearneygov.org	Council Member Don Kearney 701 Huron Drive 237-3225 home 236-5411 office citycouncil@kearneygov.org
Council Member Bruce Lear 4803 Avenue L Place 234-5354 home 234-2424 office citycouncil@kearneygov.org	Council Member Bob Lammers 8 Crestview Place 236-5273 home 234-2577 office citycouncil@kearneygov.org	City Manager Michael Morgan 18 East 22nd Street 233-3214 office 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