

# **KEARNEY CITY COUNCIL**

## **AGENDA**

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

**September 23, 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;  
**Proclamation – Women of Today Week**

### **II UNFINISHED BUSINESS**

None.

### **III PUBLIC HEARINGS**

1. **TABLED SEPTEMBER 9, 2008.** Conduct a public hearing on the Application submitted by Craig Bennett from Miller & Associates (Applicant) for James Gregory and Tamara S. Brandt and Mark A. and C. Diane Sutko (Owners) 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 accretions to Government Lot 2 except Lot 1, Brandt’s Lakewood 8th Subdivision and excepting all of the 60 foot wide tract recorded as a Private Access Road abutting Lot 1, Brandt’s Lakewood 8th Subdivision on the south and abutting Lot 1 of Block 2, Brandt’s Lakewood 7th Subdivision, all being part of accretions to Government Lot 2; part of accretions to Government Lot 3, all located in Section 23, Township 8 North, Range 16 West of the 6th P.M., containing 4.31 acres, more or less, Kearney County, Nebraska (south of Platte River and west of Highway 44).
2. **TABLED SEPTEMBER 9, 2008.** Conduct a public hearing on the Application submitted by Craig Bennett from Miller & Associates (Applicant) for James Gregory and Tamara S. Brandt and Mark A. and C. Diane Sutko (Owners) for the Final Plat for “Brandt’s Lakewood Estates Second”, a subdivision of Kearney County, Nebraska for property described as a tract of land being part of accretions to Government Lot 2, part of accretions to Government Lot 3, all located in Section 23, Township 8 North, Range 16 West of the 6th P.M., Kearney County, Nebraska, and all of Lot 1, Brandt’s Lakewood 8th Subdivision, a subdivision being part of accretions to Government Lot 2 in Section 23, Township 8 North, Range 16 West of the 6th P.M. (to be vacated), containing 6.67 acres, more or less, Kearney County, Nebraska (south of Platte River and west of Highway 44) and approve **Resolution No. 2008-154.**

3. **TABLED SEPTEMBER 9, 2008.** Conduct a public hearing for the Council to meet as the Board of Equalization to assess costs Paving Improvement District No. 2007-914, Water District No. 2007-547 and Sewer District No. 2007-489 for 16th Street from Avenue M east a distance of 747 feet; and for Lot 16 of Block 2, Lot 14 of Block 4, Stoneridge Eighth Addition, an addition to the City of Kearney, Buffalo County, Nebraska in connection with Paving Improvement District No. 2003-873 and approve **Resolution No. 2008-164.**

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

1. Approve Minutes of Regular Meeting held September 9, 2008.
2. Approve the Claims.
3. Receive recommendations of Planning Commission and set October 14, 2008 at 7:00 p.m. as date and time for hearing on those applications where applicable.
4. Approve the Agreement between the City of Kearney and Platte Valley State Bank & Trust Company, Trustee of the Arthur Woodrow Skeen and Wanda Irene Skeen Family Trust for water and sanitary sewer connection for property described as part of Lots 2 and 3 and all of Lots 4, 5 and 6 of Block 7, Whiteaker's Grove Addition located outside the Union Pacific Railroad right-of-way (23rd Street and Avenue O) and approve **Resolution No. 2008-165.**
5. Approve the recommendation from the Building Official on the annual renewal of the Wood River Trailer Court manufactured home court license until May 31, 2009.
6. Approve the Plans and Specifications for the 2008 Part 9 Improvements – Manhole Rehabilitation Project and set the bid opening date for October 16, 2008 at 2:00 p.m.
7. Approve the application for a Special Designated License submitted by BOULEE LLC, dba "Bico's Sports Bar & Grill" in connection with their Class I-70918 liquor license to dispense beer, wine and distilled spirits in The Great Platte River Road Archway Monument, 3060 East 1st Street, on October 4, 2008 from 6:00 p.m. until 1:00 a.m. for a dance.
8. Approve the application to extend Conditional Use Permit No. 1979-06 granted to Susan Underhill to locate a Day Care Facility at 2803 Avenue I for a period of one year.
9. Approve the Use and Operations Agreement for Hangar T-385 between the City of Kearney and Otis Air Service for commercial storage of aircraft at the Kearney Regional Airport and approve **Resolution No. 2008-166.**
10. Approve the Use and Operations Agreement for Annex A in Hangar T-926 between the City of Kearney and Blair Rodgers and Merle Fratzke, dba Rodgers Helicopter Services and approve **Resolution No. 2008-167.**
11. Approve the Use and Operations Agreement for Annex B in Hangar T-926 between the City of Kearney and Li'l Red Aero, Inc. and approve **Resolution No. 2008-168.**
12. Approve T-Hangar C-5 Lease Agreement between the City of Kearney and Wendall Cobleigh and approve **Resolution No. 2008-169.**
13. Approve the request submitted by the American Cancer Society to temporarily block off the parking lot located north of the Museum of Nebraska Art on September 27, 2008 from 7:00 a.m. until 12:30 p.m. for the "Fight Back Bus" coming to Kearney.

14. Approve Application and Certificate for Payment No. 2 in the amount of \$7,210.62 submitted by Technical Maintenance & Service and approved by Miller & Associates for the Northwest Well Field, Phase III (Electrical Control System and approve **Resolution No. 2008-170**).
15. Approve Application and Certificate for Payment No. 1 in the amount of \$122,102.89 submitted by Wilke Contracting Corporation and approved by Miller & Associates for the 2007 Part V Improvements consisting of the bridge work on 4th Street between 2nd Avenue and 3rd Avenue and approve **Resolution No. 2008-171**.
16. Approve Application and Certificate for Payment No. 1 in the amount of \$139,224.31 submitted by Midlands Contracting and approved by Miller & Associates for the 2008 Part 8 Improvements – Bid A consisting of Water District No. 2008-551 for 62nd Street, Avenue S Avenue T and Avenue U as said streets abut Lots 1 and 2 of Block 1; Lots 1, 2, 3, 4, 5, 6, and 7 of Block 2; Lots 1 and 2 of Block 3; Lots 1, 2, 3 of Block 4; Lot 1 of Block 5, all in Eastbrooke Tenth; and Sanitary Sewer District No. 2008-493 for 62nd Street, Avenue T and Avenue U as said streets abut Lots 1 and 2 of Block 1; Lots 1, 2, 3, 4 of Block 2; Lots 1 and 2 of Block 4; Lot 1 of Block 5, all in Eastbrooke Tenth and approve **Resolution No. 2008-172**.
17. Approve Application and Certificate for Payment No. 1 in the amount of \$31,858.92 submitted by Dan Roeder Concrete and approved by Miller & Associates for the 2008 Part 8 Improvements – Bid B consisting of Paving Improvement District No. 2008-927 for 62nd Street, Avenue S, Avenue T and Avenue U as said streets abut Lots 1 and 2 of Block 1; Lots 1, 2, 3, 4, 5, 6, and 7 of Block 2; Lots 1 and 2 of Block 3; Lots 1, 2, 3 of Block 4; Lot 1 of Block 5, all in Eastbrooke Tenth and approve **Resolution No. 2008-173**.
18. Approve the Plans and Specifications for the 2008 Part 11 Improvements consisting of Paving Improvement District No. 2008-928 for 4th Avenue from the north line of 4th Street to the south line of 8th Street; Paving Improvement District No. 2008-929 for 4th Street from 6th Avenue to the west boundary of Cash-Wa Second Addition; Sewer District No. 2008-552 for 4th Street from 6th Avenue to the west boundary of Cash-Wa Second Addition and set the bid opening date for October 21, 2008 at 2:00 p.m.
19. Approve the application for a Special Designated License submitted by ALLEY ROSE, INC., dba "Alley Rose" in connection with their Class IK-21763 liquor license to dispense beer, wine and distilled spirits in the Ag Pavilion at the Buffalo County Fairgrounds located at 3807 Avenue N on October 18, 2008 from 6:00 p.m. until 1:00 a.m. for a wedding reception.
20. Approve Application and Certificate for Payment No. 8 in the amount of \$228,520.55 submitted by Starostka Group Unlimited and approved by Miller & Associates for the Northwest Well Field Improvements; Phase II - Water Transmission Main and approve **Resolution No. 2008-174**.
21. Approve Application and Certificate for Payment No. 3 in the amount of \$218,863.89 submitted by Paulsen, Inc. and approved by Kirkham Michael for the construction of the Airport Road Relocation Project and approve **Resolution No. 2008-175**.
22. 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 Outdoor Arena, formerly known as the Exposition Building, located at the Buffalo County Fairgrounds, 3807 Avenue N on October 12, 2008 from 12:00 p.m. until 12:00 a.m. for a demolition derby.

\* ***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 \*

None.

## VI REGULAR AGENDA

1. **TABLED SEPTEMBER 9, 2008. ORDINANCE NO. 7471** – Vacate Lot 1, Brandt’s Lakewood 8th Subdivision, Kearney County, Nebraska (south of Platte River and west of Highway 44). *(Pertains to Public Hearing 1)*
2. **TABLED SEPTEMBER 9, 2008. ORDINANCE NO. 7472** – 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 accretions to Government Lot 2 except Lot 1, Brandt’s Lakewood 8th Subdivision and excepting all of the 60 foot wide tract recorded as a Private Access Road abutting Lot 1, Brandt’s Lakewood 8th Subdivision on the south and abutting Lot 1 of Block 2, Brandt’s Lakewood 7th Subdivision, all being part of accretions to Government Lot 2; part of accretions to Government Lot 3, all located in Section 23, Township 8 North, Range 16 West of the 6th P.M., containing 4.31 acres, more or less, Kearney County, Nebraska (south of Platte River and west of Highway 44). *(Pertains to Public Hearing 1)*
3. Consider accepting the Kearney Housing Agency Annual Report submitted by Executive Director Elaine Wiseman.
4. Consider the Plans and Specifications for the construction of the Peterson Senior Activity Center located at the E.K. and Mary Yanney Heritage Park and set the bid opening date for October 23, 2008 at 2:00 p.m.
5. Open Account Claims: **NPPD - \$87,579.13, Platte Valley State Bank - \$45,117.37**

## VII REPORTS

## VIII ADJOURN

Mayor Stanley Clouse  
4907 Linden Drive Place  
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Vice-President Randy Buschkoetter  
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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](http://www.cityofkearney.org)

**ADDENDUM NO. 1**

**IV CONSENT AGENDA**

23. Approve the Application for a Special Designated License submitted by NIGHT LIFE CONCEPTS, INC., dba "Cunningham's Journal" in connection with their Class CK-59311 catering liquor license to dispense beer, wine and distilled spirits in the Extension Building located at the Buffalo County Fairgrounds, 3807 Avenue N, on October 18, 2008 from 5:00 p.m. until 1:00 a.m. for a dance and reception.