

# **KEARNEY CITY COUNCIL**

## **AGENDA**

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

**January 13, 2009**

**7:00 p.m.**

### **I ROUTINE BUSINESS**

1. Invocation (President or Designee of KMA).
2. Pledge of Allegiance – **Boy Scout Troop 139.**
3. Announcement on Open Meetings Act.
4. Roll call.
5. Oral Communication; Recognition of visitors;  
**Recognition of Tom Henning.**

### **II UNFINISHED BUSINESS**

None.

### **III PUBLIC HEARINGS**

1. Conduct a public hearing on the proposed acquisition for right-of-way purposes of a tract of land being the south 2.0 feet of Lot 1, C.S. Addition, an addition being a replat of part of Lot 1 of Block 1, Colonial Estates Addition to the City of Kearney, Buffalo County, Nebraska, excepting that part of said Lot 1, C.S. Addition and more particularly described as follows: beginning at the southeast corner of Lot 1 of said subdivision; thence westerly on the south line of said lot a distance of 19.28 feet; thence northeasterly a distance of 27.27 feet, more or less, to the point of intersection with the east line of said lot, said point being 19.04 feet northerly of the southeast corner of said lot; thence southerly and on the east line of said Lot 1 a distance of 19.04 feet to the place of beginning, containing 263.47 square feet, more or less, all in Buffalo County, Nebraska (39th Street and 17th Avenue) and approve **Resolution No. 2009-1.**

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

1. Approve Minutes of Regular Meeting held December 23, 2008.
2. Approve the Claims.
3. Approve the Plans and Specifications for the Crack Seal, Slurry Seal and Runway/Taxiway Markings Project at the Kearney Regional Airport and set the bid opening date for February 4, 2009 at 11:00 a.m.
4. Approve the application for a Special Designated License submitted by CONCORD NEIGHBORHOOD CORPORATION, dba "Applebee's Neighborhood Grill & Bar" in connection with

their Class IK-55213 catering liquor license to dispense beer and distilled spirits in the Ag Pavilion Building and the Exhibit Building located at the Buffalo County Fairgrounds, 3807 Avenue N on February 17, 18, 19, 20, 21, 2009 from 11:00 a.m. until 1:00 a.m. and on February 22, 2009 from 12:00 p.m. until 7:00 p.m. for the Cattlemen's Classic.

5. Accept the report from the City Clerk on the sufficiency of objection/protest filed in connection with Paving Improvement District No. 2008-935 for a 20-foot wide alley lying between 2nd Avenue and 3rd Avenue from 12th Street to 13th Street.
  6. Approve **Resolution No. 2008-131A** correcting the legal description for the final plat and Subdivision Agreement for Spruce Hollow Estates Third, a subdivision in Buffalo County, Nebraska for property described as a tract of land being part of the Southeast Quarter of Section 22, Township 9 North, Range 16 West of the 6th P.M., containing 38.75 acres, more or less, Buffalo County, Nebraska (west of 17th Avenue north of 56th Street).
- \* ***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. 7499** – Repeal Ordinance No. 7498 creating Paving Improvement District No. 2008-935 for a 20-foot wide alley lying between 2nd Avenue and 3rd Avenue from 12th Street to 13th Street. *(Pertains to Consent Agenda Item 5)*
2. **ORDINANCE NO. 7455A** – Correct the legal description rezoning 7.17 acres, more or less, from “District AG, Agricultural District” to “District C-O, Office District” AND to rezone 31.58 acres, more or less, from “District AG, Agricultural District” to “District C-2, Community Commercial District” property described as a tract of land being part of the Southeast Quarter of Section 22, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (west of 17th Avenue north of 56th Street). *(Pertains to Consent Agenda Item 6)*
3. **ORDINANCE NO. 7500** – Amend Chapter 9 “Public Works” by adding a new Article 15 entitled “City of Kearney Illicit Discharge Detection and Elimination Code” to the Kearney City Code by providing a purpose and intent; providing definitions; prohibiting illegal discharges and illicit connections; providing watercourse protection; providing for discharges in violation of industrial or construction activity; providing requirements to prevent, control and reduce storm water pollutants by the use of best management practices; providing requirements to eliminate illegal discharges; providing stream bank protection; providing requirements to monitor and analyze; providing notification of spills; allowing right of entry; authorizing sample and testing; and providing for enforcement.

## **VI REGULAR AGENDA**

1. Open Account Claims: **Stan Clouse - \$78.98, Platte Valley State Bank - \$47,066.67, School District #7 - \$2,391.80**

## **VII REPORTS**

## **VIII ADJOURN**

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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)