

KEARNEY CITY COUNCIL

AGENDA

City Council Chambers, 18 East 22nd Street

May 12, 2009

6:15 p.m.

I ROUTINE BUSINESS

1. Invocation by Reverend Doug Shada, Cornerstone Berean Church.
2. Pledge of Allegiance.
3. Announcement on Open Meetings Act.
4. Roll call.
5. Oral Communication - Recognition of visitors
 - **Proclamation for Kearney Housing Agency 50 Years Celebration.**
 - **Recognize Brownie Troop 610 – City of Kearney Stormwater Management and Education Program.**

II UNFINISHED BUSINESS

None.

III PUBLIC HEARINGS

1. Conduct a public hearing on the Application submitted by Rachel Perkins and Vicki Bliven (Applicant) and Starostka Group Unlimited, Inc. (Owner) for a Conditional Use Permit to locate an in-home day care facility on property zoned "District R-1, Urban Residential Single-Family District" and described as Lot 1, Hammer Park Estates Second, an addition to the City of Kearney, Buffalo County, Nebraska (1416 Avenue K).

IV CONSENT AGENDA *

1. Approve Minutes of Regular Meeting held April 28, 2009.
2. Approve the Claims.
3. Approve Change Order No. 8 showing an increase in the amount of \$3,072.00 and Application and Certificate for Payment No. 5 in the amount of \$240,480.00 submitted by Hausmann Construction and approved by Wilkins Hinrichs Stober Architects for the construction of the Peterson Senior Activity Center located at the E.K. and Mary Yanney Heritage Park and approve **Resolution No. 2009-60**.
4. Approve **Resolution No. 2009-39A** accepting the Final Plat for McCan Subdivision of Buffalo County, Nebraska for property located at 5785 Cottonmill Avenue correcting a typographical error in the filing of the final plat.

5. Approve **Resolution No. 2009-41A** accepting the Final Plat for Young Estates of Buffalo County, Nebraska for property located at 7143 17th Avenue correcting a typographical error in the filing of the final plat.
 6. Approve **Resolution No. 2009-42A** accepting the Final Plat for Sorensen Acres of Buffalo County, Nebraska for property located north of Highway 30, west of the Little USA Store correcting a typographical error in the filing of the final plat.
 7. Approve the application for a Special Designed License submitted by KEARNEY SHOOTERS INC., dba Shooters in connection with their Class C-67029 liquor license to dispense beer, wine and distilled spirits in the Ag Pavilion located at the Buffalo County Fairgrounds, 3807 Avenue N, on June 20, 2009 from 4:00 p.m. until 1:00 a.m. for a dance/reception.
 8. Approve the Plans and Specifications for the 2009 Part 4 Improvements consisting of Paving Improvement District No. 2008-930 for 48th Street from the east right-of-way line of 11th Avenue to the east line of Lot 1, Block Four, Windsor Estates Seventh Addition; Paving Improvement District No. 2008-931 for 10th Avenue Place from 48th Street to end of cul-de-sac; Paving Improvement District No. 2008-932 for 11th Avenue from the north line of 48th Street south to the north lot line of Lot 1 of Block 6, Fountain Hills First Addition; Paving Improvement District No. 2008-933 for 10th Avenue from the north line of 48th Street north to the north a distance of 293.98 feet to the northeast corner of Lot 24 of Block 3, Fountain Hills Third Addition; Water District No. 2008-554 for 48th Street from the east lot line of Lot 10, Block 4 to the west lot line of Lot 10 of Block 4, Fountain Hills Third Addition; Water District No. 2008-555 for 10th Avenue Place from 48th Street to end of cul-de-sac; Water District No. 2008-556 in a 25-foot wide utility easement from the north line of 48th Street northeasterly to the north lot line of Lot 42 of Block 2, Fountain Hills Third Addition; Sewer District No. 2008-495 for 48th Street from the west line of 11th Avenue to the east lot line of Lot 1 of Block 4, Fountain Hills Third Addition; AND in 10th Avenue Place from the south line of 48th Street to its terminus in a cul-de-sac; Sewer District No. 2008-496 in a 25-foot wide utility easement from the north line of 48th Street northeasterly to the north lot line of Lot 42 of Block 2, Fountain Hills Third Addition and set the bid opening date for June 3, 2009 at 2:00 p.m.
 9. Approve the Cable Franchise Agreement between the City of Kearney and the Board of Regents of the University of Nebraska for and on behalf of the University of Nebraska at Kearney to maintain a cable system serving UNK and its students on the main campus and the Right-of-Way Easement Cable and Other Telecommunications Lines approve **Resolution No. 2009-61**.
 10. Approve the Agreement for Mutual Use of Parking and Placement of Sign between the City of Kearney and Countryside Christian Church located at 3203 8th Avenue and approve **Resolution No. 2009-62**.
 11. Approve the application for a Special Designated License submitted by Juan Lazo, dba "El Tropico" in connection with their IBK-37623 catering liquor license to dispense beer and distilled spirits in the Exhibit Building located at the Buffalo County Fairgrounds, 3807 Avenue N, on June 20, 2009 from 6:00 p.m. until 1:00 a.m. for a Mexican dance.
- * *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. 7520** to create Paving Improvement District No. 2009-937 for 16th Street from a point 131 feet west of vacated Avenue P thence east a distance of 441 feet.

- 2. **Ordinance No. 7521** to create Water District No. 2009-558 in 16th Street from a point 131 feet west of vacated Avenue P thence east a distance of 441 feet.
- 3. **Ordinance No. 7522** to create Sanitary Sewer District No. 2009-498 in 16th Street from a point 131 feet west of vacated Avenue P thence east a distance of 441 feet.

VI REGULAR AGENDA

- 1. **Ordinance No. 7523** to grant a Conditional Use Permit to Rachel Perkins and Vicki Bliven to locate an in-home day care facility on property zoned "District R-1, Urban Residential Single-Family District" and described as Lot 1, Hammer Park Estates Second, an addition to the City of Kearney, Buffalo County, Nebraska (1416 Avenue K). *(Pertains to Public Hearing 1)*
- 2. Consider the appeal submitted by Geof Cook for FirstTier Event Center on the review and evaluation of site development features by Administration for property zoned "District C-2/PD, Community Commercial District/Planned Development Overlay District" and described as Lot 2, Broadfoot Third Addition to the City of Kearney, Buffalo County, Nebraska as it pertains to cargo containers (609 Platte Road) and approve **Resolution No. 2009-63**.
- 3. Open Account Claims: **NPPD - \$4,105.50, Platte Valley State Bank - \$45,844.59, School District #7 - \$9,084.85**

VII REPORTS

VIII ADJOURN

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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