

KEARNEY CITY COUNCIL

AGENDA

City Council Chambers, 18 East 22nd Street

July 28, 2009

7:00 p.m.

I ROUTINE BUSINESS

1. Invocation by Reverend John Gosswein from Family of Christ Lutheran Church.
2. Pledge of Allegiance.
3. Announcement on Open Meetings Act.
4. Roll call.
5. Oral Communication - Recognition of visitors.

II UNFINISHED BUSINESS

1. Postponed until August 25, 2009 any action on the annual manufactured home court license for Wood River Trailer Court, 865 West 78th Street.

III PUBLIC HEARINGS

1. Conduct a public hearing on the proposed amendment to the Land Use Map of the City of Kearney Comprehensive Development Plan from Mixed Use 1 and Medium Density Residential to Light Industrial for a tract of land being part of the Southwest Quarter of Section 3, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (east of 30th Avenue, south of UPRR, north of 16th Street) and approve **Resolution No. 2009-107**.
2. Conduct a public hearing on the Application submitted by Craig Bennett from Miller & Associates (Applicant) for The Buckle, Inc. (Owner) to rezone from District M-2, General Industrial District and District AG, Agricultural District to District M-1/PD, Limited Industrial Planned Development Overlay District for a tract of land being part of the Southwest Quarter of Section 3, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (east of 30th Avenue, south of UPRR, north of 16th Street).
3. Conduct a public hearing on the Application submitted by Craig Bennett from Miller & Associates (Applicant) for The Buckle, Inc. (Owner) for the Final Plat for Buckle Second Addition to the City of Kearney, Buffalo County, Nebraska for property described as a tract of land being part of the Southwest Quarter of Section 3, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (east of 30th Avenue, south of UPRR, north of 16th Street) and approve **Resolution No. 2009-108**.
4. Conduct a public hearing on the Application submitted by Craig Bennett from Miller & Associates (Applicant) for The Buckle, Inc. (Owner) for the annexation of Buckle Second

Addition to the City of Kearney, Buffalo County, Nebraska for property described as a tract of land located in part of the Southwest Quarter and part of the Southeast Quarter and part of the Southeast Quarter of the Northeast Quarter of Section 3, and part of the East Half of the Southeast Quarter of Section 4, all in Township 8 North, Range 16 West of the 6th P.M., and including an 80-foot wide strip of land used for drainage purposes and owned by the City of Kearney immediately abutting the above described parcel to the north, all in Buffalo County, Nebraska (east of 30th Avenue, south of UPRR, north of 16th Street) and approve **Resolution No. 2009-109**.

5. Conduct a public hearing on the Application submitted by Craig Bennett from Miller & Associates (Applicant) for The Buckle, Inc. (Owner) for Planned District Development Plan Approval for the construction of a new distribution center on property to be zoned District M-1/PD, Limited Industrial Planned Development Overlay District and described as a tract of land being part of the Southwest Quarter of Section 3, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (east of 30th Avenue, south of UPRR, north of 16th Street) and approve **Resolution No. 2009-110**.
6. Conduct a public hearing on submitting an application to the Nebraska Department of Economic Development for a Community Development Block Grant Recovery Funds for infrastructure improvements in southwest Kearney for business development and approve **Resolution No. 2009-111**.

IV CONSENT AGENDA *

1. Approve Minutes of Special Meeting held on July 9, 2009, Regular Meeting held July 14, 2009, and Special Meeting held July 16, 2009.
2. Approve the Claims.
3. Receive recommendations of Planning Commission and set August 11, 2009 at 7:00 p.m. as date and time for hearing on those applications where applicable.
4. Approve **Resolution No. 2009-112** appointing members to fill the vacancies/expiration on the following Boards/Commissions: Airport Advisory Board, Board of Adjustment, Civil Service Commission, Community Redevelopment Authority, Downtown Improvement Board, Golf Advisory Board, Kearney Housing Agency, Advisory Board of Park & Recreation Commissioners, and Planning Commission.
5. Approve Change Order No. 2 showing an increase in the amount of \$816.90, Application and Certificate for Payment No. 2 in the amount of \$49,859.67 submitted by Concrete Workers, Inc. and approved by Miller & Associates for the 2009 Part 3 Improvements for the construction of sidewalks in southeast Kearney and approve **Resolution No. 2009-113**.
6. Approve Change Order No. 1 showing an increase in the amount of \$3,550.00, Application and Certificate for Payment No. 3-Final in the amount of \$31,887.08, and Certificate of Substantial Completion submitted by Technical Maintenance & Service Company and approved by Miller & Associates for the Northwest Well Field, Phase III (Electrical Control System) and approve **Resolution No. 2009-114**.
7. Approve the Plans and Specification for the 2008 Part 10 Improvements for the construction of the Lighthouse Point to 17th Avenue Hike/Bike Trail and set the bid opening date for August 24, 2009 at 10:00 a.m.

8. Approve the application for a Special Designated License submitted by Hi-Brand Kearney, LLC, dba Old Chicago in connection with their Class IK-66969 catering liquor license to dispense beer, wine and distilled spirits in the Ag Pavilion located at the Buffalo County Fairgrounds, 3807 Avenue N on August 22, 2009 from 5:00 p.m. until 12:30 a.m. for a reception.
- * ***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. **Third and Final Reading of Ordinance No. 7528** to annex a tract of land being U.S. Highway 30 from the intersection of Antelope Avenue located on the west line of Government Lot 1, Section 32, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska, thence east to the intersection of Cherry Avenue and U.S. Highway 30 located on the east line of said Section 32, as the same is located within part of Government Lots 1 and 5; and part of the Northeast Quarter of the Southwest Quarter of said Section 32 and lying north of the north right-of-way line of the Union Pacific Railroad and south of Lots 1 and 2 of Vantage Industrial Park, Buffalo County Nebraska; and part of the Northwest Quarter of the Southeast Quarter of said Section 32 lying north of the north right-of-way line of the Union Pacific Railroad; and part of the South Half of the Northeast Quarter of said Section 32, lying north of the north right-of-way line of the Union Pacific Railroad and abutting the east line of said Section 32 at Cherry Avenue, all in Buffalo County, Nebraska.
2. **Third and Final Reading of Ordinance No. 7529** to annex the following tracts of land: Lot 1, Block 1, Platte River Commercial Park, a subdivision being part of Government Lot 1, part of Government Lot 2, part of Government Lot 4 and part of Government Lot 5 located in Section 32, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska; Lots 1 and 2 of Block 1, Platte River Commercial Park Second Addition, a subdivision being part of Government Lot 2 and part of Government Lot 4 located in Section 32, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska; Lot 1 of Block 2 and Lot 1 of Block 3, North Acre Third, an addition being part of the Southeast Quarter of Section 23, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska; Lots 1 and 2, together with all of 56th Street abutting said Lot 2, Buffalo Commons Retirement Village, a subdivision being part of the South Half of the Southeast Quarter of Section 23, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska.
3. Consider **Ordinance No. 7534** to rezone from District M-2, General Industrial District and District AG, Agricultural District to District M-1/PD, Limited Industrial Planned Development Overlay District for a tract of land being part of the Southwest Quarter of Section 3, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (east of 30th Avenue, south of UPRR, north of 16th Street). *(Pertains to Public Hearing 2)*
4. Consider the appeal filed by Joe Barber regarding the denial of a curb cut unto 17th Avenue located at 1703 West 40th Street.
5. Open Account Claims: **Platte Valley State Bank - \$48,841.24**

VII REPORTS

1. Update from City staff on the Airport Terminal Renovation Project.

VIII ADJOURN

Mayor Stanley A. 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 W. 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