

# **KEARNEY CITY COUNCIL**

## **AGENDA**

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

**January 12, 2010**

**7:00 p.m.**

### **I ROUTINE BUSINESS**

1. Invocation by Father Mike McDonald, Prince of Peace Catholic Church.
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. Conduct a public hearing on the application for a Class D Liquor License and the Manager Application for James Karins submitted by WALGREENS CO., dba Walgreens #03716 located at 2615 2nd Avenue and approve **Resolution No. 2010-1.**
2. Conduct a public hearing to discuss the construction activities, impact to rates and any needed mitigation measures and to meet clean water and drinking water SRF criteria with regard to sanitary sewer and water main improvements in the area of 16th Street, 30th Avenue and 11th Street, 8th Street, 15th Avenue, 16th Avenue, and 56th Street and approve **Resolution No. 2010-2.**
3. Conduct a public hearing on the Application submitted by Mitch Humphrey from Buffalo Surveying (Applicant) for Norman Dean Smith as Trustee of The Norman Dean Smith Trust (Owner) for the Final Plat for University Heights Addition, an addition to the City of Kearney, Buffalo County, Nebraska for property described as Lot 8, Country Club Plaza (to be vacated), a subdivision to the City of Kearney, Buffalo County, Nebraska (1815 University Drive Circle) and approve **Resolution No. 2010-3.**
4. Conduct a public hearing on the Application submitted by Craig Bennett from Miller & Associates (Applicant) for Kelly J. Rapp and Laureen Striker-Rapp (Owner) to rezone from District AG, Agricultural District to District R-1, Urban Residential Single-Family District (Low Density) for property described as a tract of land being part of the West Half of the Northwest Quarter of Section 11 and part of the West Half of the Southwest Quarter of Section 2, all in Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (south of 11th Street between 13th Avenue and 16th Avenue).

5. Conduct a public hearing on the Application submitted by Craig Bennett from Miller & Associates (Applicant) for Kelly J. Rapp and Laureen Striker-Rapp (Owner) for the Final Plat and Subdivision Agreement for Park View Estates Fifth Addition, an addition to the City of Kearney, Buffalo County, Nebraska for property described as a tract of land being part of the West Half of the Northwest Quarter of Section 11 and part of the West Half of the Southwest Quarter of Section 2, all in Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (south of 11th Street between 13th Avenue and 16th Avenue) and approve **Resolution No. 2010-4.**
6. Conduct a public hearing on the Application submitted by Craig Bennett from Miller & Associates (Applicant) for Kelly J. Rapp and Laureen Striker-Rapp (Owner) for the annexation of Park View Estates Fifth Addition, an addition to the City of Kearney, Buffalo County, Nebraska for property described as a tract of land being part of the West Half of the Northwest Quarter of Section 11 and part of the West Half of the Southwest Quarter of Section 2, all in Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (south of 11th Street between 13th Avenue and 16th Avenue) and approve **Resolution No. 2010-5.**
7. Conduct a public hearing on the Application submitted by Craig Bennett from Miller & Associates (Applicant) for YB Southside Properties, LLC (Owner) for the Final Plat for Southpoint Addition, an addition to the City of Kearney, Buffalo County, Nebraska for property described as a tract of land located in part of Government Lots 5 and 6 and accretions thereto, all located in Section 13, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (south of I-80 between Central Avenue and 2nd Avenue) and approve **Resolution No. 2010-6.**
8. Conduct a public hearing on the Application submitted by Craig Bennett from Miller & Associates (Applicant) for Spencer Land Company (Owner) for an amendment to the Land Use Map of the City of Kearney Comprehensive Development Plan from Low Density Residential and Rural Estates to Mixed Use 1 for a tract of land being part of the Northwest Quarter of the Northeast Quarter and part of Government Lot 3 all in Section 10, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (southwest corner of 11th Street and Kea West Avenue) and approve **Resolution No. 2010-7.**
9. Conduct a public hearing on the Application submitted by Craig Bennett from Miller & Associates (Applicant) for Spencer Land Company (Owner) to rezone from District AG, Agricultural District to District C-O/PD, Office/Planned Development Overlay District for property described as a tract of land being part of the Northwest Quarter of the Northeast Quarter and part of Government Lot 3 all in Section 10, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (southwest corner of 11th Street and Kea West Avenue).

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

1. Approve Minutes of Regular Meeting held December 22, 2009.
2. Approve the Claims.
3. Approve the appointment of Mike Suchon to fulfill the term vacated by Marc Loescher on the Downtown Improvement Board and the appointment of Tim O'Dea to fulfill the term vacated by Bob Kennedy on the Senior Services Advisory Board and approve **Resolution No. 2010-8.**
4. Approve the Non-Owned Corporate Hangar T-925 Lease between the City of Kearney and Otis Air Service and approve **Resolution No. 2010-9.**

- 5. Approve Amendment No. 2 to the Consultant Agreement dated December 11, 2007 between the City of Kearney and Kirkham Michael & Associates for AIP Project 3-31-0045-20 which consists of the Crack Seal, Slurry Seal and Runway/Taxiway Markings Project at the Kearney Regional Airport and approve **Resolution No. 2010-10.**
- 6. Accept the bid received from Nebraska Environmental from Lincoln, Nebraska in the amount of \$92,700.00 for the purchase of a loader mounted snow blower to be used by the Public Works/Transportation Division.
- 7. Approve Application and Certificate for Payment No. 12 in the amount of \$375,187.42 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. 2010-11.**
- 8. Accept the bids received for the One-Million Gallon Reservoir Demolition Project located at Memorial Field and approve **Resolution No. 2010-12.**
- \* ***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. Consider **Ordinance No. 7562** to vacate Lot 8, Country Club Plaza; part of Lots 16, 20 and 21, of Frank's Park Addition; part of Lot 25 Wheaton Place, a subdivision to the City of Kearney, all in Buffalo County, Nebraska (1815 University Drive Circle). *(Pertains to Public Hearing 3)*
- 2. Consider **Ordinance No. 7563** to rezone from District AG, Agricultural District to District R-1, Urban Residential Single-Family District (Low Density) for property described as a tract of land being part of the West Half of the Northwest Quarter of Section 11 and part of the West Half of the Southwest Quarter of Section 2, all in Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (south of 11th Street between 13th Avenue and 16th Avenue). *(Pertains to Public Hearing 4)*
- 3. Consider **Ordinance No. 7564** to vacate a portion of Platte Road located south of I-80 between Central Avenue and 2nd Avenue. *(Pertains to Public Hearing 7)*
- 4. Consider **Ordinance No. 7565** to rezone from District AG, Agricultural District to District C-O/PD, Office/Planned Development Overlay District for property described as a tract of land being part of the Northwest Quarter of the Northeast Quarter and part of Government Lot 3 all in Section 10, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (southwest corner of 11th Street and Kea West Avenue). *(Pertains to Public Hearing 9)*
- 5. Open Account Claims: **NPPD - \$51,899.39, Platte Valley State Bank - \$51,168.19, School District #7 - \$2,603.50, Stanley Clouse - \$161.50**

**VII REPORTS**

**VIII ADJOURN**

Mayor Stanley Clouse  
4907 Linden Drive Place  
236-6193 home  
238-5210 office  
[mayor@kearneygov.org](mailto:mayor@kearneygov.org)

Vice-President Randy Buschkoetter  
1110 13th Avenue  
234-5553 home  
698-8106 office  
[citycouncil@kearneygov.org](mailto:citycouncil@kearneygov.org)

Council Member Don Kearney  
701 Huron Drive  
237-3225 home  
238-2265 office  
[citycouncil@kearneygov.org](mailto:citycouncil@kearneygov.org)

Council Member Bruce Lear  
4803 Avenue L Place  
234-5354 home  
234-2424 office  
[citycouncil@kearneygov.org](mailto:citycouncil@kearneygov.org)

Council Member Bob Lammers  
8 Crestview Place  
236-5273 home  
234-2577 office  
[citycouncil@kearneygov.org](mailto:citycouncil@kearneygov.org)

City Manager Michael Morgan  
18 East 22nd Street  
233-3214 office  
[mmorgan@kearneygov.org](mailto: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](http://www.cityofkearney.org)