

# **KEARNEY CITY COUNCIL**

## **AGENDA**

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

**May 10, 2011**

**7:00 p.m.**

### **I ROUTINE BUSINESS**

1. Invocation by Pastor Greg Mast, Spirit of Life 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 submitted by NE Colorado Cellular, Inc., dba Viaero Wireless (Applicant) and Apple Fun Center, Inc., dba The Big Apple (Owner) for a Conditional Use Permit to locate an antenna on property zoned District C-3, General Commercial District and described as a tract of land being part of Government Lot 4 in Section 11, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (500 West 4th Street).
2. Conduct a public hearing on the Application submitted by Craig Bennett from Miller & Associates (Applicant) for Twin Falls, L.L.C. (Owner) to rezone from District AG, Agricultural District to District R-1, Urban Residential Single Family (Low Density) District property described as a tract of land located on part of the Northeast Quarter of the Northwest Quarter of Section 34, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (west of Country Club Lane and north of 36th Street).
3. Conduct a public hearing on the Application submitted by Craig Bennett from Miller & Associates (Applicant) for Twin Falls, L.L.C. (Owner) for the Final Plat and Subdivision Agreement for Aspen Meadows Second, an addition to the City of Kearney, Buffalo County, Nebraska for property described as a tract of land located on part of the Northeast Quarter of the Northwest Quarter of Section 34, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (west of Country Club Lane and north of 36th Street) and adopt **Resolution No. 2011-46**.
4. Conduct a public hearing on the Application submitted by Craig Bennett from Miller & Associates (Applicant) for Twin Falls, L.L.C. (Owner) for the annexation of Aspen Meadows Second, an addition to the City of Kearney, Buffalo County, Nebraska for property described as a tract of land located on part of the Northeast Quarter of the Northwest Quarter of Section 34,

Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (west of Country Club Lane and north of 36th Street) and adopt **Resolution No. 2011-47.**

5. Conduct a public hearing on the Application submitted by Craig Bennett from Miller & Associates (Applicant) for the City of Kearney (Owner) for the Final Plat for Piper Subdivision, Buffalo County, Nebraska for property described as a tract of land located on the North Half of the Southwest Quarter, the North Half of the Southeast Quarter, Government Lot 1 and Government Lot 4 of Section 28, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (west of Airport Road and north of 39th Street) and adopt **Resolution No. 2011-48.**
6. Conduct a public hearing on the Application submitted by Trenton Snow (Applicant) for Blue Mill, L.L.C. (Owner) to rezone from District AG, Agricultural District to District RR-1, Rural Residential District (Rural Standards) property described as a tract being part of the Northeast Quarter of the Northwest Quarter of Section 13, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (west side of Blue Mill Road off of 2nd Avenue North to Wood River).
7. Conduct a public hearing on the Application submitted by Trenton Snow (Applicant) for Blue Mill, L.L.C. (Owner) for the Final Plat for Richter's 6th Subdivision, Buffalo County, Nebraska for property described as a tract of land being part of the Northeast Quarter of the Northwest Quarter of Section 13, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (west side of Blue Mill Road off of 2nd Avenue North to Wood River) and adopt **Resolution No. 2011-49.**
8. Conduct a public hearing on the Application submitted by Mitch Humphrey from Buffalo Surveying (Applicant) for Advent Group, L.L.C. (Owner) for an amendment to the Land Use Map of the City of Kearney Comprehensive Development Plan from Agricultural/Open to Light Industrial for property described as a tract of land being part of Government Lot 2 and part of Government Lot 3 located in the South Half of the Southeast Quarter of Section 27, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (6430 East Highway 30) and adopt **Resolution No. 2011-50.**
9. Conduct a public hearing on the Application submitted by Mitch Humphrey from Buffalo Surveying (Applicant) for Advent Group, L.L.C. (Owner) to rezone from District AG, Agricultural District to District M-1, Limited Industrial District property described as a tract of land being part of Government Lot 2 and part of Government Lot 3 located in the South Half of the Southeast Quarter of Section 27, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (6430 East Highway 30).
10. Conduct a public hearing on the Application submitted by Mitch Humphrey from Buffalo Surveying (Applicant) for Advent Group, L.L.C. (Owner) for the Final Plat for Master's Business Park, Buffalo County, Nebraska for property described as a tract of land being part of Government Lot 2 and part of Government Lot 3 located in the South Half of the Southeast Quarter of Section 27, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (6430 East Highway 30) and adopt **Resolution No. 2011-51.**

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

1. Approve Minutes of Regular Meeting held April 26, 2011.
2. Approve the Claims.

3. Approve the application for a Special Designated License submitted by Alley Rose Inc. of Kearney, NE, dba Alley Rose in connection with their Class IK-21763 catering liquor license to dispense beer, wine and distilled spirits in the Extension Building located at the Buffalo County Fairgrounds, 3807 Avenue N on June 18, 2011 from 5:00 p.m. until 1:00 a.m. for a reception.
4. Approve the Agreement between the City of Kearney and the Nebraska Department of Roads for Project No. STP-URB-10-2(119) for the improvement on 2nd Avenue from 25th Street to 31st Street and adopt **Resolution No. 2011-52**.
5. Approve the application for a Special Designated License submitted by the World Theatre Foundation to dispense beer, wine and distilled spirits in the Masonic Temple Building located at 2318 Central Avenue on June 11, 2011 from 5:00 p.m. until 11:30 p.m. for a fund raiser.
6. Approve the application submitted by Cheryl Schroeder to extend Conditional Use Permit No. 1998-05 to operate a bed and breakfast at 2915 5th Avenue for a period of one year.
7. Approve the request submitted by the Nebraska State HOG Rally to conduct a motorcycle parade on May 28, 2011 beginning at 5:30 p.m. The route will begin at the parking lot located north of the Museum of Nebraska Art, south on Central Avenue to Railroad Street, west on Railroad Street to 1st Avenue, north on 1st Avenue to 24th Street, east on 24th Street to Central Avenue, south on Central Avenue and ending at Railroad Street.
8. Accept the bids received for the 2010 Part 6 Improvements for Central Avenue from 18th Street to South Railroad Street and adopt **Resolution No. 2011-53** awarding the bid to Blessing LLC in the amount of \$886,999.00.
9. Approve the Plans and Specifications for the 2011 Part 3 Improvements for improvements to the 2nd Avenue medians between Talmadge Street and Interstate 80 and set the bid opening date for June 7, 2011 at 2:00 p.m.
10. Approve the application for a Special Designated License submitted by Nebraska Aids Project to dispense beer and wine in the East Gallery of the Museum of Nebraska Art and in the outside garden area located on the east side of the building located at 2401 Central Avenue on June 11, 2011 from 11:00 a.m. until 5:00 p.m. for a fund raiser.
11. Approve the request submitted by Seth Van Horn on behalf of the Torch Run Committee to conduct the Nebraska Special Olympics Torch Run on May 13, 2011 beginning at 3:30 p.m. The route will begin at Fire Station 1, north on Avenue A to 24th Street, west on 24th Street to 1st Avenue, south on 1st Avenue to Railroad Street, east on Railroad Street to Central Avenue, north on Central Avenue to 24th Street, east on 24th Street to Avenue A, south on Avenue A and ending at the Chicken Coop.

\* *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 approving **Ordinance No. 7643** granting a Conditional Use Permit to NE Colorado Cellular, Inc., dba Viaero Wireless (Applicant) and Apple Fun Center, Inc., dba The Big Apple

(Owner) to locate an antenna on property zoned District C-3, General Commercial District and described as a tract of land being part of Government Lot 4 in Section 11, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (500 West 4th Street). *(Pertains to Public Hearing 1)*

2. Consider approving **Ordinance No. 7644** rezoning from District AG, Agricultural District to District R-1, Urban Residential Single Family (Low Density) District property described as a tract of land located on part of the Northeast Quarter of the Northwest Quarter of Section 34, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (west of Country Club Lane and north of 36th Street). *(Pertains to Public Hearing 2)*
3. Consider approving **Ordinance No. 7645** rezoning from District AG, Agricultural District to District RR-1, Rural Residential District (Rural Standards) property described as a tract being part of the Northeast Quarter of the Northwest Quarter of Section 13, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (west side of Blue Mill Road off of 2nd Avenue North to Wood River). *(Pertains to Public Hearing 6)*
4. Consider approving **Ordinance No. 7646** rezoning from District AG, Agricultural District to District M-1, Limited Industrial District property described as a tract of land being part of Government Lot 2 and part of Government Lot 3 located in the South Half of the Southeast Quarter of Section 27, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (6430 East Highway 30). *(Pertains to Public Hearing 9)*
5. Open Account Claims: **Platte Valley State Bank - \$48,804.46, School District #7 - \$3,784.75**

## VII REPORTS

## VIII ADJOURN

Mayor Stanley Clouse  
4907 Linden Drive Place  
236-6193 home  
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Vice-President Randy Buschkoetter  
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234-5553 home  
698-8106 office  
[citycouncil@kearneygov.org](mailto:citycouncil@kearneygov.org)

Council Member Don Kearney  
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238-2265 office  
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Council Member Bruce Lear  
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234-5354 home  
234-2424 office  
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Council Member Bob Lammers  
8 Crestview Place  
236-5273 home  
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City Manager Michael Morgan  
18 East 22nd Street  
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[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)