

# **KEARNEY CITY COUNCIL**

## **AGENDA**

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

**November 8, 2011**

**7:00 p.m.**

### **I ROUTINE BUSINESS**

1. Invocation by Father Joseph Hannapel from St. James 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 submitted by Werner Construction, Inc. (Applicant) and Archview LLC (Owner) for a Conditional Use Permit to operate a gravel pit to provide aggregate for the Cherry Avenue Bypass and improvements to I-80 on property zoned District AG, Agricultural District and described as a tract of land being located in the Northeast Quarter, the East Half of the Northwest Quarter and Government Lots 3, 4, 5, 6, 7 and 12 in Section 8, Township 8 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (west of Cherry Avenue, north of Wastewater Treatment Plant) and consider **Ordinance No. 7681**.
2. Conduct a public hearing on the Application submitted by Buffalo Surveying (Applicant) for Great Western Properties, LLC (Owner) for the Final Plat and Subdivision Agreement for Great Western Second Addition, an addition to the City of Kearney, Buffalo County, Nebraska for property described as a tract of land being Lots 1, 2 and 3 (to be vacated), Great Western Addition, an addition to the City of Kearney, Buffalo County, Nebraska (east of Avenue N, south of 30th Street, and north of 28th Street) and consider **Ordinance No. 7682** vacating Lots 1, 2 and 3, Great Western Addition and consider **Resolution No. 2011-150**.
3. Conduct a public hearing on the Application submitted by Buffalo Surveying (Applicant) for Roberta Corrigan, Trustee of the Leroy Corrigan Trust and Roberta Corrigan, General Partner of the Roberta Corrigan Farm, a Limited Partnership (Owner) to rezone 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 the Southwest Quarter

of Section 24, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (north of the intersection of 56th Street and Parklane Drive) and consider **Ordinance No. 7683**.

4. Conduct a public hearing on the Application submitted by Buffalo Surveying (Applicant) for Roberta Corrigan, Trustee of the Leroy Corrigan Trust and Roberta Corrigan, General Partner of the Roberta Corrigan Farm, a Limited Partnership (Owner) for the Final Plat and Subdivision Agreement for Ingalls Crossing Fifth Addition, an addition to the City of Kearney, Buffalo County, Nebraska for property described as a tract of land being part of the Southeast Quarter of the Southwest Quarter of Section 24, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (north of the intersection of 56th Street and Parklane Drive) and consider **Resolution No. 2011-151**.
5. Conduct a public hearing on the Application submitted by Buffalo Surveying (Applicant) for Roberta Corrigan, Trustee of the Leroy Corrigan Trust and Roberta Corrigan, General Partner of the Roberta Corrigan Farm, a Limited Partnership (Owner) for the annexation of Ingalls Crossing Fifth Addition, an addition to the City of Kearney, Buffalo County, Nebraska for property described as a tract of land being part of the Southeast Quarter of the Southwest Quarter of Section 24, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (north of the intersection of 56th Street and Parklane Drive) and consider **Resolution No. 2011-152**.
6. Conduct a public hearing on the Application submitted by Buffalo Surveying (Applicant) for PB & G Development, LLC (Owner) for the Final Plat for Eastbrooke Eleventh, an addition to the City of Kearney, Buffalo County, Nebraska for property described as a tract of land being Lots 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 in Block Three (to be vacated), Eastbrooke Eighth, an addition to the City of Kearney, Buffalo County, Nebraska (east of intersection of Avenue Q and 57th Street, south of 57th Street) and consider **Ordinance No. 7684** vacating Lots 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 in Block Three and Lots 5, 6, 7, 8, 9, 10, 11 in Block Six, Eastbrooke Eighth and consider **Resolution No. 2011-153**.
7. Conduct a public hearing on the Application submitted by Buffalo Surveying (Applicant) for PB & G Development, LLC (Owner) to rezone from District R-1, Urban Residential Single-Family District (Low Density) to District R-2, Urban Residential Mixed-Density District property described as a tract of land being Lots 4, 5, 6, 7, 8, 9, 10, 11 in Block Six (to be vacated), Eastbrooke Eighth, an addition to the City of Kearney, Buffalo County, Nebraska (east of intersection of Avenue Q and 57th Street, south of 57th Street) and consider **Ordinance No. 7685**.
8. Conduct a public hearing on the Application submitted by Buffalo Surveying (Applicant) for PB & G Development, LLC (Owner) for the Final Plat for Eastbrooke Twelfth, an addition to the City of Kearney, Buffalo County, Nebraska for property described as a tract of land being Lots 5, 6, 7, 8, 9, 10, 11 in Block Six (to be vacated), Eastbrooke Eighth, an addition to the City of Kearney, Buffalo County, Nebraska (east of intersection of Avenue Q and 57th Street, south of 57th Street) and consider **Resolution No. 2011-154**.
9. Conduct a public hearing on the Application submitted by Buffalo Surveying (Applicant) for Camron, Inc. (Owner) to rezone from District AG, Agricultural District and District R-2,

Urban Residential Mixed-Density District to District R-3/PD, Urban Residential Multi-Family District (Medium Density)/Planned Development Overlay District property described as a tract of land being Lot 12 in Block Six (to be vacated) and Lot 1 in Block Seven, Eastbrooke Eighth, an addition to the City of Kearney, Buffalo County, Nebraska together with a tract of land being part of the South Half of the Southeast Quarter of the Southwest Quarter of Section 19, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (east and west of 56th Street and Eastbrooke Drive on the north) and consider **Ordinance No. 7686** vacating Lot 12, Block Six, Eastbrooke Eighth and **Ordinance No. 7687** to rezone the property.

10. Conduct a public hearing on the Application submitted by Buffalo Surveying (Applicant) for Camron, Inc. (Owner) for the Final Plat for Eastbrooke Thirteenth, an addition to the City of Kearney, Buffalo County, Nebraska for property described as a tract of land being Lot 12 in Block Six (to be vacated), Eastbrooke Eighth, an addition to the City of Kearney, Buffalo County, Nebraska together with a tract of land being part of the South Half of the Southeast Quarter of the Southwest Quarter of Section 19, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (east and west of 56th Street and Eastbrooke Drive on the north) and consider **Resolution No. 2011-155**.
11. Conduct a public hearing on the Application submitted by Buffalo Surveying (Applicant) for Camron, Inc. (Owner) for the annexation of Eastbrooke Thirteenth, an addition to the City of Kearney, Buffalo County, Nebraska for property described as a tract of land being part of the South Half of the Southeast Quarter of the Southwest Quarter of Section 19, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (east and west of 56th Street and Eastbrooke Drive on the north) and consider **Resolution No. 2011-156**.
12. Conduct a public hearing on the proposed acquisition of a tract of land being all that part of Lot 3 in Section 13, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (property along Archway Parkway) and consider **Resolution No. 2011-157**.
13. Conduct a public hearing on the proposed acquisition of a tract of land being the East 8 feet of the North 90 feet of Lot 1, Block 60, Perkins and Harford's Addition to the City of Kearney, Buffalo County, Nebraska and consider **Resolution No. 2011-158**.

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

1. Approve Minutes of Regular Meeting held October 25, 2011.
2. Approve the Claims.
3. Approve the Agreement between the City of Kearney and the Museum of Nebraska Art to temporarily block off the parking on the east side of Central Avenue from 24th Street to 25th Street, the north side of 24th Street from Avenue A to Central Avenue on April 13 and 14, 2012 from 4:00 p.m. until 11:00 p.m.; and to temporarily block off the parking lot located north of the Museum of Nebraska Art, 2401 Central Avenue beginning at 7:00 a.m. April 11, 2012 until 5:00 p.m. on April 16, 2012 in connection with their Biennial fundraiser.

4. Approve the request submitted by the Main Street Kearney and the Downtown Improvement Board for the 2011 Christmas holiday events as follows: (1) temporarily block off four parking stalls in front of Nelson's Furniture, 2109 Central Avenue from November 23, 2012 until December 23, 2011; (2) temporarily block off four parking stalls in front of The Solid Rock, 2010 Central Avenue on December 1, 2011 from 8:00 a.m. until 9:00 p.m.; (3) temporarily block off all parking stalls in front of the Kearney Hub, 13 East 22nd Street on December 1, 2011 from 8:00 a.m. until 9:00 p.m.; (4) temporarily block off four parking stalls in front of KGF Radio, 2223 Central Avenue on December 1, 2011 from 8:00 a.m. until 9:00 p.m.; (5) temporarily block off four parking stalls in front of Yanda's Music, 2301 Central Avenue on December 1, 2011 from 8:00 a.m. until 9:00 p.m.; (6) temporarily block off two parking stalls in front of Fort Theatre Dentistry, 2205 Central Avenue on December 1, 2011 from 8:00 a.m. until 9:00 p.m.; and (7) temporarily block off two parking stalls in front of Time For Baby, 2304 Central Avenue on December 1, 2011 from 8:00 a.m. until 9:00 p.m.
5. Approve the recommendation from the Downtown Improvement Board on the request submitted by Lori Koepp to temporarily block off four parking stalls in front of the Kauffman Center, 2123 Central Avenue on December 3, 2011 from 9:30 a.m. until 1:30 p.m. for the Make a Wish Christmas Party.
6. Reject the bids received for the 2011 Part 6 Improvements consisting of Paving Improvement District No. 2010-946, Water District No. 2011-562 and Sanitary Sewer District No. 2011-502 for Country Club Lane from the south lot line of Lot 1 of Block Two, Aspen Meadows Second north to the north lot line of Lot 1 of Block One, Aspen Meadows Second; 37th Street from the west line of Country Club Lane to the west line of Lot 2 of Block Four, Meadowlark Estates Addition; and 25th Avenue Place from the north line of 37th Street to its terminus in a cul-de-sac.
7. Approve the application for a Special Designated License submitted by Night Life Concepts, Inc., dba Cunningham's Journal in connection with their Class CK-59311 catering liquor license to dispense beer, wine and distilled spirits inside the Ag Pavilion located at the Buffalo County Fairgrounds, 3807 Avenue N, on December 1, 2011 from 4:00 p.m. until 12:00 a.m. for a fund raiser.
8. Approve the application for a Special Designated License submitted by Night Life Concepts, Inc., dba Cunningham's Journal in connection with their Class CK-59311 catering liquor license to dispense beer, wine and distilled spirits inside the Ag Pavilion located at the Buffalo County Fairgrounds, 3807 Avenue N, on December 3, 2011 from 3:00 p.m. until 12:00 a.m. for a dance/reception.
9. Approve the application for a Special Designated License submitted by Night Life Concepts, Inc., dba Cunningham's Journal in connection with their Class CK-59311 catering liquor license to dispense beer, wine and distilled spirits inside the Exposition Building located at the Buffalo County Fairgrounds, 3807 Avenue N, on December 17, 2011 from 3:00 p.m. until 12:00 a.m. for a rodeo.

\* ***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. Second reading of **Ordinance No. 7680** annexing into the City limits a tract of land being part of the Southwest Quarter of the Southwest Quarter of Section 24, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (404 East 56th Street).
2. Consider **Ordinance No. 7688** amending the following sections of Article 9 “Stopping, Standing and Parking” of Chapter 8 “Police” of the City Code: Section 8-913 “Two-Hour Parking; Generally” to allow the designated two hour parking within the downtown area to become three hour parking; to amend Section 8-914 “Two-Hour Parking; Courtesy Parking Tickets” that the courtesy parking tickets be amended to 3-hour; and to amend Section 8-917 “Prohibited in Excess of Eight Hours” to clarify the areas within the downtown district as 8-hour parking.
3. Open Account Claims: **Platte Valley State Bank - \$54,788.32**

## VII REPORTS

Presentation by staff on street conditions within Kearney.

## 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)