

# **KEARNEY CITY COUNCIL**

## **AMENDED AGENDA**

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

**February 14, 2012**

**7:00 p.m.**

### **I ROUTINE BUSINESS**

1. Invocation by Pastor Mike Shields from Kearney Evangelical Free Church.
2. Pledge of Allegiance by Boy Scout Troop 136.
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 Buffalo Surveying Corp. (Applicant) for Sally L. Bryson, Trustee of the Sally L. Bryson Revocable Trust dated June 14, 2000 (Owner) for the Final Plat and Subdivision Agreement for Bryson Estates, an addition to the City of Kearney, Buffalo County, Nebraska for property described as a tract of land being a part of the Southwest Quarter of the Northwest Quarter of Section 35, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (3500 West 35th Street on the north side of Kearney Lake) and consider **Resolution No. 2012-12**.
2. Conduct a public hearing on the Application submitted by Buffalo Surveying Corp. (Applicant) for Sally L. Bryson, Trustee of the Sally L. Bryson Revocable Trust dated June 14, 2000 (Owner) for Planned District Development Plan Approval for a residential lot on property zoned District R-1/PD, Urban Residential Single-Family (Low Density)/Planned Development Overlay District for property described as a tract of land being a part of the Southwest Quarter of the Northwest Quarter of Section 35, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (3500 West 35th Street on the north side of Kearney Lake) and consider **Resolution No. 2012-13**.
3. Conduct a public hearing on the Application submitted by Miller & Associates (Applicant) for Turkey Creek Properties, LLC (Owner) to rezone from District AG, Agricultural District to District RR-1/PD, Rural Residential (Rural Standards)/Planned Development Overlay District property described as a tract of land located in part of Government Lots 6, 7, 8 and 9 and accretions abutting said Lots all in Section 10, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (Kea West to 30th Avenue, south of the North Channel of the Platte River) and consider **Ordinance No. 7701**.

4. Conduct a public hearing on the Application submitted by Miller & Associates (Applicant) for Turkey Creek Properties, LLC (Owner) for the Final Plat and Subdivision Agreement for Turkey Creek Subdivision, Buffalo County, Nebraska for property described as a tract of land located in part of Government Lots 6, 7, 8 and 9 and accretions abutting said Lots all in Section 10, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (Kea West to 30th Avenue, south of the North Channel of the Platte River) and consider **Resolution No. 2012-14.**
5. Conduct a public hearing on the Application submitted by Miller & Associates (Applicant) for Turkey Creek Properties, LLC (Owner) for Planned District Development Plan Approval for single family large lot development on property to be zoned District RR-1/PD, Rural Residential (Rural Standards)/Planned Development Overlay District for property described as a tract of land located in part of Government Lots 6, 7, 8 and 9 and accretions abutting said Lots all in Section 10, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (Kea West to 30th Avenue, south of the North Channel of the Platte River) and consider **Resolution No. 2012-15.**
6. Conduct a public hearing on the Application submitted by Trenton Snow (Applicant) for Steven and Marni Garringer (Owner) to rezone from District AG, Agricultural District to District RR-1, Rural Residential District (Rural Standards) property described as a tract of land being part of the East Half of the Northwest Quarter of Section 29, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (south of 5335 Bison Road) and consider **Ordinance No. 7702.**
7. Conduct a public hearing on the Application submitted by Trenton Snow (Applicant) for Steven and Marni Garringer (Owner) for the Final Plat for Garringer Subdivision, Buffalo County, Nebraska for property described as a tract of land being part of the East Half of the Northwest Quarter of Section 29, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (south of 5335 Bison Road) and consider **Resolution No. 2012-16.**

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

1. Approve Minutes of Regular Meeting held January 24, 2012.
2. Approve the Claims.
3. Approve the application submitted by Ronald Huss to extend Conditional Use Permit No. 1978-01 to locate a manufactured home for security purposes located at 1202 West 19th Street for a period of one year.
4. Approve the application submitted by Ronald Huss to extend Conditional Use Permit No. 2006-03 to stockpile snow and manure at 1202 West 19th Street for a period of one year.
5. Adopt **Resolution No. 2012-17** approving the Agreement between the City of Kearney and McDermott & Miller for auditing services.
6. Adopt **Resolution No. 2012-18** approving the Goods and Services Agreement between the City of Kearney and Hydro Optimization and Automation Solutions, Inc. providing a new Water Production Supervisory Control and Data Acquisition (SCADA) system upgrade.

7. Adopt **Resolution No. 2012-19** approving the use of the Kiosk and Web-Site Information Agreement and charging fees associated with the kiosk located at the Kearney Cemetery.
  8. Adopt **Resolution No. 2012-20** approving the Grassland Leases with Billy Dibbern for the West Half of Section 23, and the East Half of Section 14 and the Northeast Quarter of Section 23, all in Township 9 North, Range 17 West of the 6th P.M., Buffalo County, Nebraska.
  9. Approve the application for a Special Designated License submitted by Kearney BBQ, dba Skeeter Barnes in connection with their Class IK catering liquor license to dispense beer and wine inside the Classic Car Museum located at 3600 East Highway 30, Suite B on March 13, 2012 from 5:00 p.m. until 8:00 p.m. for a reception.
  10. Adopt **Resolution No. 2012-21** approving The Buckle's option of extending Non-Owned Corporate Hangars T-922 and T-922A Lease at the Kearney Regional Airport.
  11. Adopt **Resolution No. 2012-22** approving Change Order No. 3 showing an increase in the amount of \$7,948.00 submitted by the World Theatre Foundation.
  12. Adopt **Resolution No. 2012-23** approving the Ground Lease for Above Ground Fuel Storage Tanks between the City of Kearney and Premier Aviation Training and Management, LLC, dba Kearney Aviation Center for above-ground fuel storage tank at the Kearney Regional Airport and rescind Resolution No. 2011-166.
  13. 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 Krave Underground building located inside the Kaufmann Center, 2202 Central Avenue on March 3, 2012 from 7:00 p.m. until 1:00 a.m. for a reception/fund raiser.
  14. Accept the bids received for the Brigham Lofts CDBG NSP3 Project and adopt **Resolution No. 2012-24** awarding the bid to Van Housen Construction in the amount of \$1,095,000.
- \* *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. Amend **Ordinance No. 7693A** correcting the legal description in Paving Improvement District No. 2011-949 for 50th Street from 17th Avenue west to the west line of Hoehner Estates Third Addition.

## VI REGULAR AGENDA

1. Consider the Application for Addition to the Licensed Premise submitted by Becker Enterprises, dba Bill's Liquor, located at 2402 2nd Avenue in connection with their Class C liquor license.
2. Review the One & Six Year Street Improvement Plan and set the public hearing for February 28, 2012 to adopt the One & Six Year Street Improvement Plan.

3. Open Account Claims: **NPPD - \$85,434.34.**

## 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)

## **ADDENDUM NO. 1**

## IV CONSENT AGENDA

15. 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 March 17, 2012 from 4:00 p.m. until 12:00 a.m. for a reception.
16. 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 March 17, 2012 from 6:00 p.m. until 1:00 a.m. for a dance.
17. 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 March 10, 2012 from 8:00 a.m. until 10:00 p.m. and March 11, 2012 from 12:00 p.m. until 8:00 p.m. for a bike show.
18. Adopt **Resolution No. 2012-25** approving the Option to Purchase Agreement between the City of Kearney and Two Sisters Farms, Inc. for the purchase of a tract of land located in part of the South Half of the Northwest Quarter and part of the Southwest Quarter of the Northeast Quarter of Section 29, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska.