

KEARNEY CITY COUNCIL

AGENDA

City Council Chambers, 18 East 22nd Street

June 12, 2012

7:00 p.m.

I ROUTINE BUSINESS

1. Invocation by Pastor Murray Miller, Seventh Day Adventist.
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 Joe Sobotka (Applicant and Owner) to rezone from District R-3/PD, Urban Residential Multi-Family District (Medium Density)/Planned Development Overlay District to District C-O/PD, Office/Planned Development Overlay District property described as Lot 2, Colonial Estates 5th Addition, a replat of Block 2, Colonial Estates 4th Addition to the City of Kearney, Buffalo County, Nebraska (northeast corner of 20th Avenue and 39th Street) and consider **Ordinance No. 7728**.
2. Conduct a public hearing on the Application submitted by Sutton Rentals, LLC (Applicant and Owner) for an amendment to the Land Use Map of the City of Kearney Comprehensive Development Plan from Agricultural Open to Rural Estates for property described as a tract of land being part of Government Lot 9 and part of Government Lot 10 together with and subject to a 30.0 foot ingress-egress easement road all located in Section 6, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (2,100 feet south of 62nd Avenue and 18th Street, and west 1,500 feet) and consider **Resolution No. 2012-85**.
3. Conduct a public hearing on the Application submitted by Sutton Rentals, LLC (Applicant and 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 Government Lot 9 and part of Government Lot 10 together with and subject to a 30.0 foot ingress-egress easement road all located in Section 6, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (2,100 feet south of 62nd Avenue and 18th Street, and west 1,500 feet) and consider **Ordinance No. 7729**.

4. Conduct a public hearing on the Application submitted by Harrison French & Associates LTD (Applicant) and Walmart Real Estate Business Trust (Owner) for Revised Planned District Development Plan Approval for the Walmart warehouse expansion on property zoned District C-2/PD, Community Commercial/Planned Development Overlay District for property described as Lot 4 of Block One, Skiview Addition, an addition to the City of Kearney, Buffalo County, Nebraska (5411 2nd Avenue) and consider **Resolution No. 2012-86**.
5. Conduct a public hearing on the Application submitted by Cowpoke (Applicant) and Dave Classen (Owner) for Revised Planned District Development Plan Approval for the construction of a retail building on property zoned District C-2/PD, Community Commercial/Planned Development Overlay District for property described as Lot 1, Elken Subdivision, a subdivision being part of the Southeast Quarter of the Southeast Quarter of Section 14, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (7310 2nd Avenue) and consider **Resolution No. 2012-87**.
6. Conduct a public hearing on acquiring an interest in real property by purchase, dedication or eminent domain for a permanent utility easement of the following tract of land: the east ten feet of the north 45 feet of Lot 3, Block Two, Hoehner Estates Third Addition to the City of Kearney, Buffalo County, Nebraska AND the east 35 feet of the north 15 feet of Lot 1, Block One, Hoehner Estates Third Addition to the City of Kearney, Buffalo County, Nebraska and consider **Resolution No. 2012-88**.
7. Conduct a public hearing on an application to the Department of Economic Development for Community Development Block Grant for Phase III community revitalization supplemental funds and adopt **Resolution No. 2012-89**.

IV CONSENT AGENDA *

1. Approve Minutes of Regular Meeting held May 22, 2012.
2. Approve the Claims.
3. Approve the recommendation from the Development Services Division on the annual renewal of the following manufactured home court licenses until May 31, 2013:
 - Cornhusker Mobile Home Park**, 1115 Avenue C
 - Cottonmill Mobile Home Court**, 2675 Cottonmill Avenue
 - Countryside Mobile Park**, 1920 15th Avenue
 - East Lawn Mobile Homes Estates**, 2900 Grand Avenue
 - L & M Properties**, 1110 Central Avenue
 - Merriweather Mobile Home Village**, 914 West 17th Street
 - Rodeo Court**, 2414 West 24th Street
 - R-Villa East, West and South**, 2424, 2719, 2803 West 24th Street
 - Schnase Trailer Court**, 1282 62nd Avenue
 - Valley View Mobile Home Court**, 2701 Grand Avenue
 - Van Vleet Trailer Court**, 550 30th Avenue
 - Villa Park**, 2703 West 24th Street
 - Westside Trailer Court**, 1282 62nd Avenue
 - Woodriver Valley Trailer Court**, 865 West 78th Street
4. Adopt **Resolution No. 2012-90** approving Change Order No. 11 showing an increase in the amount of \$20,446.00 submitted by JLC, Inc. and approved by Wilkins Hinrichs Stober Architects in connection with the Kearney Public Library Addition & Renovation Project.

5. 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 Exposition Building located at the Buffalo County Fairgrounds, 3807 Avenue N, on July 1, 2012 from 4:00 p.m. until 12:00 a.m. for a dance.
6. Adopt **Resolution No. 2012-91** approving the Development Agreement for Lots 1, 2, 3, 4, 5, 6 of Block One; and Lots 2, 3, 4, 5, 6 of Block Two, Hoehner Estates Third Addition to the City of Kearney, Buffalo County, Nebraska.
7. Approve the Plans and Specifications for the 2012 Part 2 Improvements consisting of Water Extension District No. 2012-1 for 56th Street from the existing water main located ½ mile east of Antelope Avenue eastward approximately 5,446 feet to connect to the existing water main and set the bid opening date for July 10, 2012 at 2:00 p.m.
8. Accept 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 and adopt **Resolution No. 2012-92** awarding the bid to Midlands Contracting in the amount of \$231,818.00 for Bid A (water and sanitary sewer) and to Paulsen, Inc. in the amount of \$407,796.50 for Bid B (paving).
9. Approve the recommendation submitted by the Downtown Improvement Board for the temporary closing of 24th Street from 1st Avenue to Avenue A, excluding the intersections, on June 16, 23, 30, July 7, 14, 28, August 4, 11, 18, 25, September 1, 8, 15, 22, 29, October 6, 13, 2012 from 8:00 a.m. until 4:00 p.m.; July 12, 13, 2012 from 8:00 a.m. until 10:00 p.m.; and on September 27, 2012 from 12:00 p.m. until 10:00 p.m. to conduct MarketPlace.
10. Approve the recommendation submitted by the Downtown Improvement Board for the temporary closing of ten parking spaces on the south side of 24th Street from the alley east to Avenue A on July 13, 2012 from 7:30 a.m. until 2:00 a.m. as requested by The Garage.
11. Approve the recommendation submitted by the Downtown Improvement Board for the temporary closing of Central Avenue from 23rd Street to 25th Street and the sidewalk on the south side of 24th Street from the alley east to Central Avenue located north of the World Theatre from 8:00 a.m. July 13, 2012 until 4:00 p.m. July 15, 2012 for Old Navy's Funnovation.
12. 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 in the Ag Pavilion located at the Buffalo County Fairgrounds, 3807 Avenue N, on June 30, 2012 from 3:00 p.m. until 12:00 a.m. for a reception.
13. Adopt **Resolution No. 2012-93** repealing Resolution No. 2011-91 and amend the Comprehensive Fee Schedule to adjust the fees for weed removal and associated services.
14. Adopt **Resolution No. 2012-94** authorizing the City of Kearney to join with NPPD as a co-applicant to the Nebraska Power Review Board for an amendment to NPPD's retail service

area which comprises the City to include the annexed land described as a tract of land being part of the Northeast Quarter of Section 24, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (40-acre storm water detention cell in northeast Kearney).

* *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. Adopt **Ordinance No. 7730** repealing Ordinance No. 7725 and to vacate a portion of Avenue G abutting Lot 6 of Pennocks Subdivision and Lots 13 through 22, inclusive of South Park Addition to the City of Kearney, Buffalo County, Nebraska (north of vacated 10th Street and south of 11th Street).

VI REGULAR AGENDA

1. Consider revoking the manufactured home court license for Sunset View Mobile Home Court located at 4664 West Highway 30.
2. Consider extending the time for Kearney Aviation Center to receive its Part 135 Charter Certificate.
3. Open Account Claims: **Goodwill Industries - \$1,999.94**
4. Adjourn into closed session to conduct City Manager’s annual performance evaluation.

VII REPORTS

VIII ADJOURN

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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