

# **KEARNEY CITY COUNCIL**

## **AGENDA**

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

**June 11, 2013**

**7:00 p.m.**

### **I ROUTINE BUSINESS**

1. Invocation/Moment of Silent Prayer.
2. Pledge of Allegiance.
3. Announcement on Open Meetings Act.
4. Roll call.
5. Oral Communication – Recognition of visitors.
  - **Presentation by the Police Department on the Senior Volunteer Program.**

### **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 Cabela's, Inc. (Owner) for the Final Plat for Kearney East Viaero Subdivision, a subdivision being part of the South Half of the South Half of the Northeast Quarter of Section 32, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (south of Union Pacific Railroad and west of Cherry Avenue) and to consider **Resolution No. 2013-101**.
2. Conduct a public hearing on the Application submitted by NE Colorado Cellular, Inc., dba Viaero Wireless (Applicant) and Cabela's, Inc. (Owner) for a Conditional Use Permit to locate telecommunications tower site on property zoned District M-2, General Industrial District and described as a tract of land being part of the South Half of the South Half of the Northeast Quarter of Section 32, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (south of Union Pacific Railroad and west of Cherry Avenue) and to consider **Ordinance No. 7811**.
3. Conduct a public hearing on the Application submitted by Craig Bennett (Applicant) for MJ Developments, LLC (Owner) for the Final Plat for Younes Center Second Addition, an addition to the City of Kearney, Buffalo County, Nebraska for property described as a tract of land being part of Government Lot 6 in Section 11, and part of the North Half of the Northeast Quarter of Section 14, all in Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (south of Talmadge Street east of 10th Avenue) and to consider **Resolution No. 2013-102**.

4. Conduct a public hearing on the Application submitted by Craig Bennett (Applicant) for MJ Developments, LLC (Owner) for the annexation of Younes Center Second Addition, an addition to the City of Kearney, Buffalo County, Nebraska for property described as a tract of land being part of Government Lot 6 in Section 11, and part of the North Half of the Northeast Quarter of Section 14, all in Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (south of Talmadge Street east of 10th Avenue) and to consider **Resolution No. 2013-103**.
5. Conduct a public hearing on the Application submitted by Craig Bennett (Applicant) for The School District of the City of Kearney, Buffalo County, Nebraska (Owner) for the following: (1) to vacate Lot 9, Grandview Estates Tenth Addition to the City of Kearney, Buffalo County, Nebraska and to consider **Ordinance No. 7812**; and (2) the Final Plat for Grandview Estates Eleventh, an addition to the City of Kearney, Buffalo County, Nebraska for property described as a tract of land being a part of the North Half of the Southwest Quarter of Section 30, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (46th Street Place west of Avenue R) and to consider **Resolution No. 2013-104**.
6. Conduct a public hearing on the proposed acquisition for a Permanent Sanitary Sewer Main Easement for the westerly 15 feet of Lot 1, Northeast Industrial Sixth Subdivision, Buffalo County, Nebraska and a Permanent Utility Easement for the easterly 10 feet of the westerly 25 feet of Lot 1, Northeast Industrial Sixth Subdivision, Buffalo County, Nebraska (south of 39th Street and east of Box Butte Avenue) and consider **Resolution No. 2013-105**.

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

1. Approve Minutes of Regular Meeting held May 28, 2013.
2. Approve the Claims.
3. Adopt **Resolution No. 2013-106** approving Change Order No. 1 showing an increase in the amount of \$158,361.73 and Change Order No. 2 showing an increase in the amount of \$1,840.00 submitted by Blessing, LLC and approved by Miller & Associates for the 2012 Part 6 Improvements – Bid B consisting of Paving Improvement District No. 2012-954 for 52nd Street from 3rd Avenue and terminating 761 feet west; Paving Improvement District No. 2012-955A for 3rd Avenue, a Road and Utility Easement, from the north line of 52nd Street to the north line of Oak Park Center and east in a Roadway and Utility Easement to the west line of 2nd Avenue; Paving Improvement District No. 2012-956 for 56th Street from 2nd Avenue west to 6th Avenue.
4. Adopt **Resolution No. 2013-107** approving Change Order No. 1 showing an increase in the amount of \$27,602.00 submitted by Blessing, LLC and approved by Miller & Associates for the 2012 Part 6 Improvements; Phase 2 consisting of Paving Improvement District No. 2012-956 for 56th Street from 2nd Avenue west to 6th Avenue.
5. 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 inside the Museum of Nebraska Art, 2401 Central Avenue on July 27, 2013 from 6:30 p.m. until 10:00 p.m. for a reception.

6. Adopt **Resolution No. 2013-108** approving Change Order No. 1 submitted by Blessing, LLC and approved by Miller & Associates for the 2012 Part 9 Improvements; CDGB Sidewalks in the Emerson School Area.
7. Adopt **Resolution No. 2013-109** accepting the proposals received for the purchase and installation of a playground structure for Fountain Hills Park and award the bid to Cunningham Recreation from Charlotte, North Carolina in the amount of \$59,987.77.
8. Approve the recommendation from the Development Services Division on the annual renewal of the following manufactured home court licenses until May 31, 2014:
  - Countryside Mobile Park**, 1920 15th Avenue
  - L & M Properties**, 1110 Central Avenue
  - Merriweather Mobile Home Village**, 914 West 17th Street
  - Van Vleet Trailer Court**, 550 30th Avenue
  - Woodriver Valley Mobile Home Park**, 865 West 78th Street
9. Approve the recommendation from the Development Services Division on extending the current license for the following manufactured home courts:
  - Cornhusker Mobile Home Park**, 1115 Avenue C
  - Cottonmill Mobile Home Court**, 3635 Cottonmill Avenue
  - East Lawn Mobile Homes Estates**, 2900, 3010 Grand Avenue
  - Schnase Trailer Court**, 1284 62nd Avenue
  - Sunset View Mobile Home Court**, 4664 West Highway 30
  - Valley View Mobile Home Court**, 2701 Grand Avenue
  - Westside Trailer Court**, 1282 62nd Avenue
10. Adopt **Resolution No. 2013-110** accepting the bids received for the 2013 Airport Asphalt Pavement Improvements and award the bid to JIL Asphalt from Grand Island, Nebraska in the amount of \$58,428.25 for Bid A (Asphalt) and to Blessing Construction in the amount of \$70,876.00 for Bid B (Concrete).
11. Approve the Agreement submitted by the Central Nebraska Auto Club to temporarily block off Central Avenue from 25th Street to North Railroad Street, 24th Street from 1st Avenue to Avenue A, 23rd Street from 1st Avenue to Avenue A, 21st Street from 1st Avenue to Avenue A, the parking lot located west of Cunningham's Journal, the parking lot located behind City Hall, and the parking lot located north of MONA in conjunction with Cruise Nite 2013 on July 20, 2013. Parking on these public properties will be prohibited on July 20, 2013 beginning at 2:00 a.m.
12. Approve the request to temporarily close the parking lot located north of the Museum of Nebraska Art on June 21, 2013 from 6:00 a.m. until 10:00 a.m. for a fundraiser to benefit the Alzheimer's Association.
13. 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 Exposition Building located at the Buffalo County Fairgrounds, 3807 Avenue N, on July 20, 2013 from 12:00 p.m. until 12:00 a.m. for a reunion.
14. 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 and in an area what is designated on the diagram as a beer garden, demo arena and rodeo arena which is all adjacent to the Exposition Building located at the Buffalo County Fairgrounds, 3807 Avenue N, on July 25, 26, 27, 2013 from 12:00 p.m. until 1:00 a.m. and July 28, 2013 from 12:00 p.m. until 10:00 p.m. for the Buffalo County Fair.

15. Adopt **Resolution No. 2013-111** approving the Sidewalk Café License between the City of Kearney and Brooks Street Enterprises, LLC, dba Tru Café located at 2100 Central Avenue.
16. Adopt **Resolution No. 2013-112** approving the Interlocal Agreement between the City of Kearney and Buffalo County, Nebraska pertaining to the construction of Avenue M paving from 275 feet north of 1st Street to 11th Street.
17. Approve **Resolution No. 2012-179A** amending the resolution to correct the legal description on the final plat and Subdivision Agreement for Kearney Plaza Villas, an addition to the City of Kearney, Buffalo County, Nebraska (south of West Lincoln Park, west of Plaza Boulevard, north of LaCrosse Drive).

\* *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. Approve **Ordinance No. 7813** vacating Lot 14, Tiffany Square Addition, an addition to the City of Kearney, Buffalo County, Nebraska (north of LaCrosse Drive, south of West Lincoln Way Park).

## VI REGULAR AGENDA

1. No Open Account Claims.

## VII REPORTS

## VIII ADJOURN

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Vice-President Randy Buschkoetter  
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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](http://www.cityofkearney.org)