

# **KEARNEY CITY COUNCIL**

## **AGENDA**

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

**December 10, 2013**

**7:00 p.m.**

### **I ROUTINE BUSINESS**

1. Invocation/Moment of Silence.
2. Pledge of Allegiance.
3. Announcement on Open Meetings Act.
4. Roll call.
5. Oral Communication:
  - **Presentation of Kearney Volunteer Fire Department Service Awards:** Brad Anderson, 20 years; Max Gintzler, 15 years; Trenton Snow, 15 years; Matt Noffke, 10 years; Brad Norton, 10 years; Wendy Spencer, 5 years; Dan Follmer, 5 years.
  - **Presentation of Firefighter Certificates of Training for completing 2013 Firefighter I Class:** Delbert Bickford, Jr., Joshua Geiselman, Nick Looney, Kasey Potter, Daniel Tenorio, Jeremy Feusner, Anthony Hill, Timothy Nickerson, Kortni Shemat, Eric Van Horn.

### **II UNFINISHED BUSINESS**

None.

### **III PUBLIC HEARINGS**

1. Postponed until December 23, 2013. Conduct a public hearing on the Applications submitted by Miller & Associates (Applicant) for Grand West LLC, a Nebraska Limited Liability Company (Owner): (1) to vacate Lots 1 and 2 of Block One, Fountain Hills Second Addition to the City of Kearney, Buffalo County, Nebraska and consider **Ordinance No. 7853**; and (2) to rezone from District AG, Agricultural District and District C-2, Community Commercial District to District R-3/PD, Urban Residential Multi-Family (Medium Density)/Planned Development Overlay District property described as a tract of land being part of the Northeast Quarter of the Northwest Quarter of Section 26, Township 9 North, Range 16 West of the 6th P.M, Buffalo County, Nebraska (south of 56th Street and east of 11th Avenue) and consider **Ordinance No. 7854**.
2. Postponed until December 23, 2013. Conduct a public hearing on the Application submitted by Miller & Associates (Applicant) for Grand West LLC, a Nebraska Limited Liability Company (Owner) for the Final Plat and Subdivision Agreement for Fountain Hills Seventh Addition, an addition to the City of Kearney, Buffalo County Nebraska, for property described as a tract of land being part of the Northeast Quarter of the Northwest Quarter of Section 26, Township 9 North, Range 16 West of the 6th P.M, Buffalo County, Nebraska (south of 56th Street and east of 11th Avenue) and consider **Resolution No. 2013-212**.

3. Postponed until December 23, 2013. Conduct a public hearing on the Application submitted by Miller & Associates (Applicant) for Grand West LLC, a Nebraska Limited Liability Company (Owner) for the annexation of Fountain Hills Seventh Addition, an addition to the City of Kearney, Buffalo County Nebraska, for property described as a tract of land being part of the Northeast Quarter of the Northwest Quarter of Section 26, Township 9 North, Range 16 West of the 6th P.M, Buffalo County, Nebraska (south of 56th Street and east of 11th Avenue) and consider **Resolution No. 2013-213**.
4. Postponed until December 23, 2013. Conduct a public hearing on the Application submitted by Miller & Associates (Applicant) for Grand West LLC, a Nebraska Limited Liability Company (Owner) for Planned District Development Plan Approval for an apartment complex on property to be zoned District R-3/PD, Urban Residential Multi-Family (Medium Density)/Planned Development Overlay District on property described as a tract of land being part of the Northeast Quarter of the Northwest Quarter of Section 26, Township 9 North, Range 16 West of the 6th P.M, Buffalo County, Nebraska (south of 56th Street and east of 11th Avenue) and consider **Resolution No. 2013-214**.
5. Conduct a public hearing on the Application submitted by Besi and Zeki, LLC, dba Napolis Italian for a Class I-105578 liquor license located at 320 3rd Avenue, consider the manager application for Florim Ramadani, and consider **Resolution No. 2013-233**.
6. Conduct a public hearing on the construction of approximately 3,000 LF of 30-inch diameter Northeast Trunk Sanitary Sewer Main and consider **Resolution No. 2013-234**.
7. Conduct a public hearing on the Application submitted by Horner Lieske McBride & Kuhl Funeral and Cremation Services in Kearney and Eakes Office Plus to rezone from District C-3, General Commercial District to District CBD, Central Business District property described as Lots 19, 20, 21, 65 and 66, Southwest Quarter School Section Addition to the City of Kearney, Buffalo County, Nebraska (2401 and 2421 Avenue A, 110 and 114 East 24th Street) and consider **Ordinance No. 7857**.
8. Conduct a public hearing on the Applications submitted by Miller & Associates for Arram Equities, Inc. for (1) the vacation of part of Lot 1 and all of Lot 7, Anderson Park 1st Subdivision, a subdivision to the City of Kearney, Buffalo County, Nebraska and consider **Ordinance No. 7858**; and (2) the Final Plat for Anderson Park 6th Subdivision, a subdivision to the City of Kearney, Buffalo County, Nebraska, for property described as a tract of land being part of the Northwest Quarter of the Southwest Quarter of Section 6, Township 8 North, Range 15 West of the 6th P.M. and formally known as part of Lot 1 and all of Lot 7, Anderson Park 1st Subdivision, a subdivision to the City of Kearney, Buffalo County, Nebraska (northeast corner of 11th Street and Avenue M) and consider **Resolution No. 2013-235**.
9. Postponed until December 23, 2013. Conduct a public hearing on the Applications submitted by Miller & Associates for Turkey Creek Properties, LLC for (1) the vacation of a tract of land located in part of Government Lots 6, 7, 8, 9 and accretions abutting said Lots, all in Section 10, Township 8 North, Range 16 West of the 6th P.M, Buffalo County, Nebraska and consider **Ordinance No. 7859**; and (2) an amendment to the Land Use Map of the City of Kearney Comprehensive Development Plan from Mixed Use 2 to Rural Estates property described as a tract of land located in part of Government Lots 6, 7, 8, 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 Avenue to 30th Avenue, south of the North Channel of the Platte River) and consider **Resolution No. 2013-236**.

10. Postponed until December 23, 2013. Conduct a public hearing on the Application submitted by Miller & Associates for Turkey Creek Properties, LLC to rezone from District AG, Agricultural District to District RR-1/PD, Urban Residential Single-Family (Low Density)/Planned Development Overlay District property described as a tract of land located in part of Government Lots 6 and 9 and accretions abutting said Lots in Section 10, Township 8 North, Range 16 West of the 6th P.M, Buffalo County, Nebraska; AND from District RR-1/PD, Urban Residential Single-Family (Low Density)/Planned Development Overlay District to District AG, Agricultural District property described as a tract of land located in part of Government Lots 7, 8, 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 Avenue to 30th Avenue, south of the North Channel of the Platte River) and consider **Ordinance No. 7860**.
11. Postponed until December 23, 2013. Conduct a public hearing on the Application submitted by Miller & Associates for Turkey Creek Properties, LLC for the Final Plat for Turkey Creek Second Subdivision, a subdivision in Buffalo County Nebraska, for property described as a tract of land located in part of Government Lots 6, 7, 8, 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 Avenue to 30th Avenue, south of the North Channel of the Platte River) and consider **Resolution No. 2013-237**.
12. Postponed until December 23, 2013. Conduct a public hearing on the Application submitted by Miller & Associates for Turkey Creek Properties, LLC for Planned District Development Plan Approval for a single family large lot development on property to be zoned District RR-1/PD, Urban Residential Single-Family (Low Density)/Planned Development Overlay District on property described as a tract of land located in part of Government Lots 6, 7, 8, 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 Avenue to 30th Avenue, south of the North Channel of the Platte River) and consider **Resolution No. 2013-238**.

#### IV CONSENT AGENDA \*

1. Approve Minutes of Regular Meeting held November 26, 2013.
2. Approve the Claims.
3. Approve the bids received for the purchase of a Combination Sewer Jet Vacuum Truck for the Utilities Department and award the bid to Nebraska Truck Center of Grand Island, Nebraska in the amount of \$369,328.
4. Adopt **Resolution No. 2013-239** approving the recommendation submitted by the Fire Chief to include the following as members of the Kearney Volunteer Fire Department: Cory Flaig and Jarrett Johnston.
5. Adopt **Resolution No. 2013-240** approving the Agreement for Funding between the City of Kearney and the Kearney Visitor's Bureau for the purpose of providing funding for the management and operation of the Great Platte River Road Archway.

\* ***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 the manager application for Richard Marlatt submitted by the Kearney Community Theatre in connection with their Class I-12229 liquor license and located at 83 Plaza Boulevard.
2. Consider **Ordinance No. 7861** amending Section 1-206 "Organization; Mayor/President; Powers" of Article 2 "City Council" of Chapter 1 "Administration" of the Code of the City of Kearney to correct the language to coincide with the Nebraska Revised Statutes relating to the organization meeting of the City Council; and to amend Section 1-210 "Meetings" of Article 2 "City Council" of Chapter 1 "Administration" of the Code of the City of Kearney to change the Council meeting time to 5:30 p.m. on the second and fourth Tuesday of each month.
3. Consider **Ordinance No. 7862** adding a new Article 17 entitled "Archway Advisory Committee" to Chapter 1 "Administration" of the Code of the City of Kearney setting forth guidelines for the creation of an advisory committee, the number of members, appointments, terms of office, meetings and powers and duties.
4. Consider **Resolution No. 2013-241** 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 to include the annexed land described as Remington Heights Second Addition, an addition to the City of Kearney, Buffalo County Nebraska, for property described as a tract of land being part of the North Half of the Northeast Quarter of Section 24, Township 9 North, Range 16 West of the 6th P.M, Buffalo County, Nebraska (west of 67th Street and Avenue L and north of City's detention cell).
5. Open Account Claim to Goodwill Industries – \$1,920.00.

## VII REPORTS

## VIII ADJOURN

Mayor Stanley Clouse  
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Vice-President Randy Buschkoetter  
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Council Member Bruce Lear  
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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)