

# **KEARNEY CITY COUNCIL**

## **AMENDED AGENDA**

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

**April 22, 2014**

**5:30 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 - Recognition of visitors.

### **II UNFINISHED BUSINESS**

None.

### **III PUBLIC HEARINGS**

1. **Postponed April 8, 2014.** Conduct a public hearing on the Applications submitted by Buffalo Surveying for TCSM, LLC/Keith Rodehorst to (1) vacate a tract of land being Lot 3, Abood Second Addition and consider **Ordinance No. 7882**; and (2) rezone from District AG, Agricultural District to District RR-2, Rural Residential District (Intermediate Standards) property described as a tract of land being part of Lot 3, Abood Second Addition, an addition to the City of Kearney, Buffalo County, Nebraska (adjacent to 1140 East 1st Street) and consider **Ordinance No. 7883**.
2. **Postponed April 8, 2014.** Conduct a public hearing on the Application submitted by Buffalo Surveying for TCSM, LLC/Keith Rodehorst for the Final Plat for Getaway Bay Addition, an addition to the City of Kearney, Buffalo County, Nebraska, for property described as a tract of land being part of Lot 3, Abood Second Addition to the City of Kearney, Buffalo County, Nebraska (adjacent to 1140 East 1st Street) and consider **Resolution No. 2014-65**.
3. **Postponed April 8, 2014.** Conduct a public hearing on the Application submitted by Miller & Associates for Sun Development Inc., a Nebraska Corporation; Robert and Alice Kuhn; and Ronald Grapes Trust for an amendment to the Land Use Map of the City of Kearney Comprehensive Development Plan from Business Park and Light Industrial to Medium Density Residential property described as being part of Lot 1 and part of Lot 2 of Block One, G & K Addition, an addition to the City of Kearney, Buffalo County, Nebraska

(north of 16th Street between 13th Avenue and 16th Avenue) and consider **Resolution No. 2014-66**.

4. **Postponed April 8, 2014.** Conduct a public hearing on the Application submitted by Miller & Associates for Sun Development Inc., a Nebraska Corporation; Robert and Alice Kuhn; and Ronald Grapes Trust to rezone from District M-1, Limited Industrial District to District R-2/PD, Urban Residential Mixed-Density/Planned Development Overlay District property described as being part of Lot 1 and part of Lot 2 of Block One, G & K Addition, an addition to the City of Kearney, Buffalo County, Nebraska (north of 16th Street between 13th Avenue and 16th Avenue) and consider **Ordinance No. 7884**.
5. Conduct a public hearing on the proposed acquisition for a sanitary sewer easement located in the Southwest Quarter of the Southeast Quarter of Section 13, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska granted to the City of Kearney by Tom and Julie Larsen and Ted and Penny Larsen and consider **Resolution No. 2014-71**.

#### IV CONSENT AGENDA \*

1. Approve Minutes of Regular Meeting held April 8, 2014.
2. Approve the Claims.
3. Receive recommendations of Planning Commission and set May 13, 2014 at 5:30 p.m. as date and time for hearing on those applications where applicable.
4. Approve the application for a Special Designated License submitted by Earn & Return Investments, Inc., dba Cellar Bar & Grill in connection with their Class I-064728 liquor license to dispense beer, wine, and distilled spirits inside First National Bank located at 2223 2nd Avenue on May 15, 2014 from 4:00 p.m. until 8:00 p.m. for Business After Hours.
5. Adopt **Resolution No. 2014-72** authorizing the execution and delivery of a Master Governmental Lease-Purchase Agreement providing financing of a jet vac combo truck for the Utilities Department.
6. Approve **Resolution No. 2014-73** declaring all future special assessments of the following districts and tracts of land delinquent:
  - Randal and Martha Lofquist (Paving District No. 2000-822) – Lots 53 and 54, South Kearney Addition to the City of Kearney, Buffalo County, Nebraska.
7. 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 2014 on July 19, 2014. Parking on these public properties will be prohibited on July 19, 2014 beginning at 2:00 a.m.

8. Adopt **Resolution No. 2014-74** approving the Cruise Nite parade scheduled for July 19, 2014 at 5:00 p.m. beginning at Railroad Street and Central Avenue, north on Central Avenue and dispersing at the intersection of 27th Street and Central Avenue.
9. Adopt **Resolution No. 2014-75** approving Application and Certificate for Payment No. 6 in the amount of \$74,662.38 submitted by Midlands Contracting and approved by Miller & Associates for the 2013 Part 1 Improvements – Bid A consisting of Water District No. 2013-570 and Sanitary Sewer District No. 2013-508 for 50th Street from 11th Avenue to 17th Avenue, 51st Street Place from 15th Avenue Place to 16th Avenue Place, all of 14th Avenue Place, all of 15th Avenue Place, all of 16th Avenue Place, all of Loveland Drive all in Fountain Hills Fifth Addition, 11th Avenue from 48th Street north to the north lot line of Lot 10 of Block 3, Fountain Hills Third Addition; Sanitary Sewer Connection District No. 2013-1 beginning at the intersection of the centerlines of 16th Avenue Place and 51st Street Place as platted in Fountain Hills Fifth Addition west to the west line of 17th Avenue, thence north to the northeast corner of Lot 1, Smith Addition; and Sanitary Sewer Connection District No. 2013-2 in a sanitary sewer easement located in part of Outlot A, Fountain Hills Sixth Addition; and part of the Northwest Quarter of Section 26, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska; and 11th Avenue as platted in Fountain Hills Second Addition.
10. Adopt **Resolution No. 2014-76** approving Application and Certificate for Payment No. 1 in the amount of \$254,426.17 submitted by Paulsen Inc. and approved by Miller & Associates for the 2013 Part 1 Improvements – Bid B consisting of Paving Improvement District No. 2013-962 for 50th Street from 11th Avenue to 17th Avenue, 51st Street Place from 15th Avenue Place to 16th Avenue Place, all of 14th Avenue Place, all of 15th Avenue Place, all of 16th Avenue Place, all of Loveland Drive all in Fountain Hills Fifth Addition, 11th Avenue from 48th Street north to the north lot line of Lot 10 of Block 3, Fountain Hills Third Addition.
11. Adopt **Resolution No. 2014-77** approving Application and Certificate for Payment No. 5 in the amount of \$77,514.30 submitted by Blessing, LLC and approved by Miller & Associates for the 2012 Part 9 Improvements; CDBG Sidewalks in the Emerson School Area.
12. Adopt **Resolution No. 2014-78** approving Application and Certificate for Payment No. 2 in the amount of \$157,902.92 submitted by Blessing LLC and approved by Miller & Associates for the 2013 Part 7 Improvements; Downtown Lighting Improvements.
13. Adopt **Resolution No. 2014-79** approving Application and Certificate for Payment No. 1 in the amount of \$39,102.91 submitted by Midlands Contracting and approved by Miller & Associates for the 2014 Part 1 Improvements; Northeast Trunk Sanitary Sewer consisting of Sanitary Sewer District No. 2014-510.
14. Accept the bids received for the 2014 Part 2 Improvements consisting of Paving Improvement District No. 2014-964 for Central Avenue from 31st Street to a point 150 feet south of 26th Street and 26th Street from Central Avenue to Avenue C and adopt **Resolution No. 2014-80** award the bid to Blessing LLC in the amount of \$2,474,168.95.

15. Adopt **Resolution No. 2014-81** authorizing the City Manager, Director of Finance and City Clerk to sign checks, drafts or other withdrawal orders issued against the funds of the City on deposit with designated depositories.
16. Approve the application for a Special Designated License submitted by Night Life Concepts, Inc., dba Cunningham's Journal in connection with their Class CK-059311 catering liquor license to dispense beer, wine and distilled spirits inside an outdoor 60' x 120' fenced area located in the parking lot of Kearney Powersports, 511 South 2nd Avenue, on May 16, 2014 from 5:00 p.m. until 11:00 p.m. for a bike night/barbecue.
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-059311 catering liquor license to dispense beer, wine and distilled spirits in the Ag Pavilion located at the Buffalo County Fairgrounds, 3807 Avenue N, on May 17, 2014 from 3:00 p.m. until 12:00 a.m. for a reception.
18. Approve the application for a Special Designated License submitted by Night Life Concepts, Inc., dba Cunningham's Journal in connection with their Class CK-059311 catering liquor license to dispense beer, wine and distilled spirits in the Extension Building located at the Buffalo County Fairgrounds, 3807 Avenue N, on May 24, 2014 from 3:00 p.m. until 12:00 a.m. for a reception.
19. Approve the application for a Special Designated License submitted by Night Life Concepts, Inc., dba Cunningham's Journal in connection with their Class CK-059311 catering liquor license to dispense beer, wine and distilled spirits in the Exhibit Building located at the Buffalo County Fairgrounds, 3807 Avenue N, on May 31, 2014 from 3:00 p.m. until 12:00 a.m. for a reception.

\* *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. 7885** amending Section 3-1403 "Conditions of Permit" of Article 14 "Amusements" of Chapter 3 "Business Regulations" of the City Code to prohibit overnight camping at the location of the carnival and not more than one camper or recreational vehicle may be parked at the site of the carnival; any campers or recreational vehicles used for overnight camping will only be parked at a campground.
2. Approve **Ordinance No. 7886** creating Water District No. 2014-573 in South Railroad Street from Avenue B west to Avenue A AND in Avenue A from South Railroad Street south to the north lot line of Lot 719, Original Town of Kearney Junction now the City of Kearney, Buffalo County, Nebraska.
3. Approve **Ordinance No. 7887** creating Sanitary Sewer District No. 2014-511 in the sanitary sewer easement located at a point 132 feet south of the south line of Big Boy Addition, thence northward to the south line of Big Boy Addition, thence westerly in an easement to the west line of Lot 2 of Big Boy Addition, thence northerly to the north line of Lot 2 of Big Boy Addition.

## VI REGULAR AGENDA

1. Open Account Claim to NPPD - \$81,223.00.

## VII REPORTS

## VIII ADJOURN

Mayor Stanley Clouse  
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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)

### **ADDENDUM NO. 1**

## IV CONSENT AGENDA \*

20. Approve the application for a Special Designated License submitted by Dady Inc., dba Dad's Tavern in connection with their Class C-009081 liquor license to dispense beer, wine and distilled spirits outside in a 20' x 25' fenced area located north of their facility located at 1910 Central Avenue on May 17, 2014 from 12:00 p.m. until 12:00 a.m. and on May 18, 2014 from 12:00 p.m. until 8:30 p.m. for a beer garden.