

# **KEARNEY CITY COUNCIL**

## **AGENDA**

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

**May 13, 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. Conduct a public hearing on the Applications submitted by Buffalo Surveying for GGR, L.L.C. (1) to vacate Lot 9 of Block Four, Meadowlark Estates, an addition to the City of Kearney, Buffalo County, Nebraska and consider **Ordinance No. 7890**; and (2) an amendment to the Land Use Map of the City of Kearney Comprehensive Development Plan from Low Density Residential and Mixed Use 1 to Medium Density Residential property described as part of Lot 9 of Block Four, Meadowlark Estates, an addition to the City of Kearney, Buffalo County, Nebraska (north of 35th Street and east of 29th Avenue) and consider **Resolution No. 2014-84**.
2. Conduct a public hearing on the Application submitted by Buffalo Surveying for GGR, L.L.C. to rezone from District R-1, Urban Residential Single-Family District (Low Density) to District R-2, Urban Residential Mixed-Density District property described as part of Lot 9 of Block Four, Meadowlark Estates, an addition to the City of Kearney, Buffalo County, Nebraska (north of 35th Street and east of 29th Avenue) and consider **Ordinance No. 7891**.
3. Conduct a public hearing on the Application submitted by Buffalo Surveying for GGR, L.L.C. for the Final Plat and Subdivision Agreement for Meadowlark Ridge Estates, an addition to the City of Kearney, Buffalo County, Nebraska, for property described as part of Lot 9 of Block Four, Meadowlark Estates, an addition to the City of Kearney, Buffalo County, Nebraska (north of 35th Street and east of 29th Avenue) and consider **Resolution No. 2014-85**.

4. Postponed until May 27, 2014. Conduct a public hearing on the Application submitted by Miller & Associates for The Evangelical Lutheran Good Samaritan Society for an amendment to the Land Use Map of the City of Kearney Comprehensive Development Plan from Medium Density Residential/Park to Low Density Residential and Medium Density Residential property described as a tract of land being part of the Northwest Quarter of Section 27, Township 9 North, Range 16 West of 6th P.M., Buffalo County, Nebraska (adjacent and north of Country Club Lane and 50th Street) and consider **Resolution No. 2014-86.**
5. Postponed until May 27, 2014. Conduct a public hearing on the Application submitted by Miller & Associates for The Evangelical Lutheran Good Samaritan Society to rezone from District AG, Agricultural District to District R-1, Urban Residential Single-Family District (Low Density) and to District R-2, Urban Residential Mixed-Density District property described as a tract of land being part of the Northwest Quarter of Section 27, Township 9 North, Range 16 West of 6th P.M., Buffalo County, Nebraska (adjacent and north of Country Club Lane and 50th Street) and consider **Ordinance No. 7892.**
6. Postponed until May 27, 2014. Conduct a public hearing on the Application submitted by Miller & Associates for The Evangelical Lutheran Good Samaritan Society for the Final Plat and Subdivision Agreement for Good Samaritan Society Kearney Village Subdivision, an addition to the City of Kearney, Buffalo County, Nebraska, for property described as a tract of land being part of the Northwest Quarter of Section 27, Township 9 North, Range 16 West of 6th P.M., Buffalo County, Nebraska (adjacent and north of Country Club Lane and 50th Street) and consider **Resolution No. 2014-87.**
7. Postponed until May 27, 2014. Conduct a public hearing on the Application submitted by Miller & Associates for The Evangelical Lutheran Good Samaritan Society for the annexation of Good Samaritan Society Kearney Village Subdivision, an addition to the City of Kearney, Buffalo County, Nebraska, for property described as a tract of land being part of the Northwest Quarter of Section 27, Township 9 North, Range 16 West of 6th P.M., Buffalo County, Nebraska (adjacent and north of Country Club Lane and 50th Street) and consider **Resolution No. 2014-88.**
8. Conduct a public hearing on the Application submitted by Mark McNeil for Wal-Mart Store Inc. for Revised Planned District Development Plan Approval to bring the landscaping to Code and to construct a fence for the storage area/containers on property zoned District C-2/PD, Community Commercial/Planned Development Overlay District and described as Lot 4 of Block One, Skiview Addition, an addition to the City of Kearney, Buffalo County, Nebraska (5411 North 2nd Avenue) and consider **Resolution No. 2014-89.**
9. Conduct a public hearing on the Application for Class C-107221 liquor license submitted by U Save Foods Inc., dba Sunmart 765 located at 3920 2nd Avenue, consider the manager application for Daniel (Shawn) Albert, and consider **Resolution No. 2014-90.**
10. Conduct a public hearing on the proposed acquisition of the west 15 feet of the east 30 feet of Lot 2, Oak Park Center, an addition to the City of Kearney, Buffalo County, Nebraska for a permanent storm sewer easement and consider **Resolution No. 2014-91.**

## IV CONSENT AGENDA \*

1. Approve Minutes of Regular Meeting held April 22, 2014 and Special Meeting held May 5, 2014.
2. Approve the Claims.
3. Approve the Applications for deferral of special assessments submitted by Two Sisters Farms, Charlotte Brandt Revocable Trust and Nebraska Public Power District with regard to Water Extension District No. 2012-1 in 56th Street from the existing water main located ½ mile east of Antelope Avenue eastward approximately 5,446 feet.
4. Approve setting May 27, 2014 at 5:30 p.m. as the time and date to meet as the Board of Equalization to assess costs in connection with Water District No. 2013-569, and Water Extension District No. 2012-1.
5. 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 June 13, 2014 from 5:00 p.m. until 11:00 p.m. for a bike night/barbecue.
6. 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 July 11, 2014 from 5:00 p.m. until 12:00 a.m. for a bike night/barbecue.
7. Adopt **Resolution No. 2014-92** on the intent to issue tax exempt bonds of 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.
8. Approve the Plans and Specifications for the 2014 Part 9 Improvements consisting of Water District No. 2014-573 in Avenue A from a point located at the south line of Lot 717, Original Town of Kearney Junction northward to the north line of South Railroad Street, then easterly in South Railroad Street to the west line of Avenue B; and Sanitary Sewer District No. 2014-511 in In the easement located in Lot 1, Brown's Second Addition beginning at a point 132 feet south of the south line of Lot 2, Big Boy Addition northward to the south line of Lot 2, Big Boy Addition, then west along the south line of Big Boy Addition in the easement to the west line of Lot 2, Big Boy Addition then north along the west line of Big Boy Addition in an easement to the north line of Big Boy Addition and set the bid opening date for June 3, 2014 at 2:00 p.m.
9. Adopt **Resolution No. 2014-93** approving the Agricultural Lease at the Kearney Regional Airport between the City of Kearney and Thomas and Theodore Larsen.

\* *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 **Resolution No. 2014-94** calling for the redemption of Series 2012 and Series 2013 Bond Anticipation Notes in the amount of \$1,630,000.
2. Consider **Ordinance No. 7893** authorizing the issuance of General Obligation Various Purpose Bonds, Series 2014, of the City of Kearney in the principal amount of \$1,660,000 for the purpose of paying the costs of improving streets and intersections in Paving Improvement District Nos. 2011-949, 2011-950, 2012-954 and 2012-956, including payment of interim financing related to said street improvements; directing the application of the proceeds of said bonds; prescribing the form of said bonds; providing for the levy and collection of taxes to pay the same; providing for the sale of the bonds; authorizing the delivery of the bonds to the purchaser.
3. Consider the Application for Addition to Liquor License submitted by Sports Fans LLC, dba Fanatics located at 2023 Central Avenue.
4. Open Account Claim to NPPD - \$3,458.19.

## 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](http://www.cityofkearney.org).