

# **KEARNEY CITY COUNCIL**

## **AGENDA**

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

**May 27, 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. Remain on Table until June 10, 2014. Conduct a public hearing on the Application submitted by Miller & Associates for adjacent and north of Country Club Lane and 50th Street 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.**
2. Remain on Table until June 10, 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.**
3. Remain on Table until June 10, 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**.

4. Remain on Table until June 10, 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**.
5. Conduct a public hearing on the Application for Class C-107536 liquor license submitted by The Resa's LLC, dba The Lodge Restaurant located at 1401½ 2nd Avenue, consider the manager application for Cynthia Houlden, and consider **Resolution No. 2014-95**.
6. Conduct a public hearing on the construction of approximately 4,100 linear feet of distribution water main and consider **Resolution No. 2014-96** and 12,600 linear feet of trunk sanitary sewer main and consider **Resolution No. 2014-97**.
7. Conduct a public hearing for the Council to meet as a Board of Equalization to assess costs in connection with Water District No. 2013-569 and Water Extension District No. 2012-1 and consider **Resolution No. 2014-98**.

#### IV CONSENT AGENDA \*

1. Approve Minutes of Regular Meeting held May 13, 2014.
2. Approve the Claims.
3. Receive recommendations of Planning Commission and set June 10, 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 Juan Lazo, dba El Tropico in connection with their Class 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 June 14, 2014 from 6:00 p.m. until 1:00 a.m. (June 13, 2014 and the Exhibit Building for alternate date and location) for a dance.
5. Approve the application for a Special Designated License submitted by McFarland Family Farms, LLC, dba Mac's Creek Vineyards & Winery in connection with their Class YK-056229 liquor license to dispense wine inside the Museum of Nebraska Art, 2401 Central Avenue on June 10, 2014 from 5:00 p.m. until 9:00 p.m. for a sampling/tasting.
6. Adopt **Resolution No. 2014-99** approving T-Hangar B-3 Lease Agreement at the Kearney Regional Airport between the City of Kearney and Traveling Doctors Inc.
7. Approve the recommendation from the Development Services Division on the annual renewal of the following manufactured home court licenses until May 31, 2015:  
Countryside Mobile Park, 1920 15th Avenue

East Lawn Mobile Homes Estates, 2900, 3010 Grand Avenue  
Rodeo Court, 2414 West 24th Street  
R-Villa East, West and South, 2500, 2719, 2803 West 24th Street  
Valley View Mobile Home Court, 2701 Grand Avenue  
Villa Park, 2703 West 24th Street

8. 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
  - L & M Properties, 1110 Central Avenue
  - Merriweather Mobile Home Village, 914 West 17th Street
9. Adopt **Resolution No. 2014-100** approving Change Order No. 3 for an increase in the amount of \$4,366.50, Application and Certificate for Payment No. 3 in the amount of \$154,458.75 submitted by Blessing, LLC and approved by Miller & Associates for the 2013 Part 7 Improvements; Downtown Lighting Improvements.
10. Adopt **Resolution No. 2014-101** approving Application and Certificate for Payment No. 7 in the amount of \$146,912.94 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.
11. Adopt **Resolution No. 2014-102** approving Application and Certificate for Payment No. 2 in the amount of \$111,680.33 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.
12. Adopt **Resolution No. 2014-103** approving Application and Certificate for Payment No. 6 in the amount of \$90,892.84 submitted by Blessing, LLC and approved by Miller & Associates for the 2012 Part 9 Improvements; CDGB Sidewalks in the Emerson School Area.
13. Approve the application for a Special Designated License submitted by Kearney Investment Corp., dba Holiday Inn in connection with their Class CK-017964 catering liquor license to dispense beer, wine and distilled spirits inside the Classic Car Collection

located at 3600 East Highway 30, Suite B on June 11, 2014 from 5:00 p.m. until 8:00 p.m. for a reception.

14. Approve the Plans and Specifications for the 2014 Part 6 Improvements consisting of Paving Improvement District No. 2014-965 for Avenue N from 25th Street north to the north line of Lot 3, Hartman & Dryden's, an addition to the City of Kearney and set the bid opening date for June 17, 2014 at 2:00 p.m.
15. 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 the Ag Pavilion located at the Buffalo County Fairgrounds, 3807 Avenue N, on June 7, 2014 from 3:00 p.m. until 12:00 a.m. for a reception.
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 the Harvest Room located at the Buffalo County Fairgrounds, 3807 Avenue N, on June 14, 2014 from 3:00 p.m. until 12:00 a.m. for a reception.
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 inside the Ag Pavilion located at the Buffalo County Fairgrounds, 3807 Avenue N, on June 21, 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 inside the Exhibit Building located at the Buffalo County Fairgrounds, 3807 Avenue N, on June 21, 2014 from 3:00 p.m. until 1:00 a.m. for a dance.
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 inside the Ag Pavilion located at the Buffalo County Fairgrounds, 3807 Avenue N, on June 28, 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. 7894** creating Paving Improvement District No. 2014-966 for 17th Street from Avenue M east to the east lot line of Lot 5, Block Two, Marlatt Addition.
2. Approve **Ordinance No. 7895** creating Water District No. 2014-576 for 17th Street from Avenue M east to the east lot line of Lot 5, Block Two, Marlatt Addition.

3. Approve **Ordinance No. 7896** creating Sanitary Sewer District No. 2014-514 for 17th Street from Avenue M east to the east lot line of Lot 5, Block Two, Marlatt Addition.

## VI REGULAR AGENDA

1. Consider **Ordinance No. 7897** amending Section 4-604 “Dates of Lawful Sale” and Section 4-609 Discharging Fireworks; When Permissible” of Article 6 “Fireworks” of Chapter 4 “Fire Regulations” to allow permissible fireworks to be sold and discharged from June 28 through July 4.
2. Open Account Claims to Kearney Goodwill - \$7.50 and NPPD - \$75,034.68.

## 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)