

KEARNEY CITY COUNCIL

AMENDED AGENDA

City Council Chambers, 18 East 22nd Street

September 9, 2014

5:30 p.m.

I ROUTINE BUSINESS

1. Announcement on Open Meetings Act.
2. Roll call.
3. Oral Communication – Recognition of visitors.

II UNFINISHED BUSINESS

None.

III PUBLIC HEARINGS

1. **Postponed on August 12 and 26, 2014.** Conduct a public hearing on the Application submitted by Buffalo Surveying for Lynn and Sandra Tacha for an amendment to the Land Use Map of the City of Kearney Comprehensive Development Plan from Agriculture/Open to Mixed Use 2 property described as a tract of land being part of the South Half of the Southeast Quarter of Section 4, Township 8 North, Range 16 West of 6th P.M., Buffalo County, Nebraska (1170 30th Avenue) and consider **Resolution No. 2014-151**.
2. **Postponed on August 12 and 26, 2014.** Conduct a public hearing on the Application submitted by Buffalo Surveying for Lynn and Sandra Tacha to rezone from District AG, Agricultural District to District C-3, General Commercial District property described as a tract of land being part of the South Half of the Southeast Quarter of Section 4, Township 8 North, Range 16 West of 6th P.M., Buffalo County, Nebraska (1170 30th Avenue) and consider **Ordinance No. 7916**.
3. **Postponed on August 12 and 26, 2014.** Conduct a public hearing on the Application submitted by Buffalo Surveying for Lynn and Sandra Tacha for the Final Plat and Subdivision Agreement for Tacha Addition, an addition to the City of Kearney, Buffalo County, Nebraska, for property described as a tract of land being part of the South Half of the Southeast Quarter of Section 4, Township 8 North, Range 16 West of 6th P.M., Buffalo County, Nebraska (1170 30th Avenue) and consider **Resolution No. 2014-152**.
4. **Postponed on August 12 and 26, 2014.** Conduct a public hearing on the Application submitted by Buffalo Surveying for Lynn and Sandra Tacha for the annexation of Tacha Addition, an addition to the City of Kearney, Buffalo County, Nebraska, for property described as a tract of land being part of the South Half of the Southeast Quarter of

Section 4, Township 8 North, Range 16 West of 6th P.M., Buffalo County, Nebraska (1170 30th Avenue) and consider **Resolution No. 2014-153**.

5. **Postponed until September 23, 2014.** Conduct a public hearing on the Applications submitted by Miller & Associates for Tracy and Jacqueline Burns for (1) the vacation of Lot 12, Western Hills Subdivision, Buffalo County, Nebraska and consider **Ordinance No. 7917**; and (2) the rezoning from District AG, Agricultural District to District RR-1, Rural Residential District (Rural Standards) property described as a tract of land being part of the Northeast Quarter of the Northeast Quarter of Section 28, Township 9 North, Range 16 West of 6th P.M., Buffalo County, Nebraska (southwest corner of 56th Street and 30th Avenue) and consider **Ordinance No. 7918**.
6. **Postponed until September 23, 2014.** Conduct a public hearing on the Application submitted by Miller & Associates for Tracy and Jacqueline Burns for the Final Plat for Western Hills Second Subdivision, Buffalo County, Nebraska, for property described as a tract of land being part of the Northeast Quarter of the Northeast Quarter of Section 28, Township 9 North, Range 16 West of 6th P.M., Buffalo County, Nebraska (southwest corner of 56th Street and 30th Avenue) and consider **Resolution No. 2014-154**.
7. **Postponed until September 23, 2014.** Conduct a public hearing on the Applications submitted by Miller & Associates for BK Development, LLC, a Nebraska Limited Liability Company, for (1) the vacation of Lots 1 and 2 of Block 1, G & K Addition, an addition to the City of Kearney, Buffalo County, Nebraska and consider **Ordinance No. 7929**; and (2) an amendment to the Land Use Map of the City of Kearney Comprehensive Development Plan from Business Park to Medium Density Residential property described as all of Lot 1 of Block 1 and part of Lot 2 of Block 1 (to be vacated), all in G & K Addition an addition to the City of Kearney, Buffalo County, Nebraska (north of 16th Street between 11th Avenue and 16th Avenue) and consider **Resolution No. 2014-180**.
8. **Postponed until September 23, 2014.** Conduct a public hearing on the Application submitted by Miller & Associates for BK Development, LLC, a Nebraska Limited Liability Company, to rezone from District M-1, Limited Industrial District to District R-2/PD, Urban Residential Mixed-Density/Planned Development Overlay District and District M-1, Limited Industrial/Planned Development Overlay District property described as all of Lot 1 of Block 1 and part of Lot 2 of Block 1 (to be vacated), all in G & K Addition an addition to the City of Kearney, Buffalo County, Nebraska (north of 16th Street between 11th Avenue and 16th Avenue) and consider **Ordinance No. 7930**.
9. **Postponed until September 23, 2014.** Conduct a public hearing on the Application submitted by Miller & Associates for BK Development, LLC, a Nebraska Limited Liability Company, for the Final Plat for Fuller and Daley First Addition, an addition to the City of Kearney, Buffalo County, Nebraska, for property described as all of Lot 1 of Block 1 and part of Lot 2 of Block 1 (to be vacated), all in G & K Addition an addition to the City of Kearney, Buffalo County, Nebraska (north of 16th Street between 11th Avenue and 16th Avenue) and consider **Resolution No. 2014-181**.
10. **Postponed until September 23, 2014.** Conduct a public hearing on the Application submitted by Miller & Associates for BK Development, LLC, a Nebraska Limited Liability Company, for Planned District Development Plan Approval to construction of a duplex

and a tri-plex on property to be zoned R-2/PD, Urban Residential Mixed-Density/Planned Development Overlay District property described as all of Lot 1 of Block 1 and part of Lot 2 of Block 1 (to be vacated), all in G & K Addition an addition to the City of Kearney, Buffalo County, Nebraska (north of 16th Street between 11th Avenue and 16th Avenue) and consider **Resolution No. 2014-182**.

11. Conduct a public hearing for the purpose of adopting the City of Kearney Budget for the 2014-2015 Fiscal Year and consider **Ordinance No. 7931**.
12. Conduct a public hearing for the purpose of adopting the City of Kearney Offstreet Parking District No. 1 Budget for the 2014-2015 Fiscal Year and consider **Resolution No. 2014-183**.
13. Conduct a public hearing setting the 2014 City of Kearney property tax levy at a different amount than the preliminary property tax levy set for the City of Kearney by the Buffalo County Clerk and consider **Resolution No. 2014-184**.

IV CONSENT AGENDA *

1. Approve Minutes of Regular Meeting held August 26, 2014.
2. Approve the Claims.
3. Adopt **Resolution No. 2014-185** allowing the City of Kearney to increase its "Budget Authority" by an additional one percent or \$124,890.96 which will be carried over to the 2014-2015 Budget as "Unused Budget Authority".
4. Approve the recommendation submitted by the Keno Committee on the allocation of non-departmental keno funds designed for outside agencies.
5. Adopt **Resolution No. 2014-186** repealing Resolution No. 2013-179 and adopt the 2014-2015 Comprehensive Fee Schedule setting forth the fees for items and services to be provided by the City during the 2014-2015 year.
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 the Ag Pavilion located at the Buffalo County Fairgrounds, 3807 Avenue N, on September 27, 2014 from 3:00 p.m. until 1:00 a.m. for a reception.
7. 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 October 4, 2014 from 3:00 p.m. until 1:00 a.m. for a reception.
8. 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 October 18, 2014 from 3:00 p.m. until 1:00 a.m. for a reception.

9. Approve the application for a Special Designated License submitted by Thunderhead Brewing in connection with their Class LK-047920 catering liquor license to dispense beer in the Exhibit Building located at the Buffalo County Fairgrounds, 3807 Avenue N on October 4, 2014 from 3:00 p.m. until 11:59 p.m. for an event.
10. Approve the application for a Special Designated License submitted by Thunderhead Brewing in connection with their Class LK-047920 catering liquor license to dispense beer, wine and distilled spirits at The Archway located at 3060 East 1st Street on October 16, 2014 from 3:00 p.m. until 10:00 p.m. for a reception.
11. Adopt **Resolution No. 2014-187** accepting the water main and fire hydrant improvements serving Great Western Second Addition.
12. 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 October 4, 2014 from 6:00 p.m. until 1:00 a.m. for a dance.
13. Adopt **Resolution No. 2014-188** approving the Goods and Services Agreement between the City of Kearney and Platte Valley Communications Inc. of Kearney providing a new radio communications system from the sanitary sewer lift station sites to the Wastewater Treatment Plant.
14. Adopt **Resolution No. 2014-189** approving Change Order No. 2 showing a decrease in the amount of \$1,916.47 submitted by Seneca Companies and approved by Wilkins Hinrichs Stober Architects for the construction of a new hangar located at the Kearney Regional Airport.
15. Approve the application for a Special Designated License submitted by Chug-A-Lug Sports Bar Inc., dba Chug A Lug Sports Bar in connection with their Class C-042049 liquor license to dispense beer and distilled spirits in a 32'x54' fenced area located south of their licensed beer garden located at 1115 East 25th Street on October 4, 2014 from 8:00 a.m. until 1:00 a.m. (alternate date is October 18, 2014) for a BBQ Challenge.

* *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. 7932** repealing Ordinance No. 7902 and classify the officers and employees of the City; fix the ranges of compensation of such officers and employees; establish the hours and work period for overtime eligibility; provide for payments of clothing and/or uniform allowances; provide for payment of vehicle allowance; and provide for payment of cell phone allowance.

- 2. Approve **Ordinance No. 7933** amending Section 8-1517 “Residency Restrictions for Sex Offenders” of Article 15 “General Offenses” of Chapter 8 “Police” of the Kearney City Code to clarify the language pertaining to the residency restrictions for sex offenders.

VI REGULAR AGENDA

- 1. None.

VII REPORTS

Report on proposed Restaurant and Drinking Place Occupation Tax Ordinance.

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

ADDENDUM NO. 1

IV CONSENT AGENDA *

- 16. 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 a 50'x50' tent located on the north side of U Med Spa, 5609 1st Avenue on October 2, 2014 from 4:00 p.m. until 9:00 p.m. for a grand opening event.
- 17. 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 Extension Building located at the Buffalo County Fairgrounds, 3807 Avenue N on October 4, 2014 from 5:00 p.m. until 12:00 a.m. for a reception.