

KEARNEY CITY COUNCIL

AGENDA

City Council Chambers, 18 East 22nd Street

December 9, 2014

5:30 p.m.

I ROUTINE BUSINESS AND REORGANIZATION

1. Invocation/Moment of Silence.
2. Pledge of Allegiance.
3. Announcement on Open Meetings Act.
4. Roll call.
5. Approve Minutes of Regular Council Meeting of November 25, 2014, and Minutes of the Kearney Area Solid Waste Agency Meeting of September 9, 2014.
6. City Clerk to administer the Oath of Office to Randy Buschkoetter and Bob Lammers.
7. Nominations and appointment for President/Mayor.
8. Nominations and appointment for Vice-President.
9. Reappointment of Michaelle Trembly as City Clerk.
10. Oral Communication – Recognition of visitors:
 - **Presentation of Kearney Volunteer Fire Department Service Awards:** Kelly Hardin, 30 years; Jim Brooker, 25 years; Tony Rich, 20 years; John Sydow, 20 years; Brian Wolfe, 20 years; Sonny O'Connor, 10 years; Dan Thompson, 10 years; Matt Ullman, 10 years; John Keeney, 5 years and Mark Panowicz, 5 years.
 - **Presentation of Firefighter Certificates of Training for completing 2014 Firefighter I Class:** Alex Brush, Robert Cinatl, Cory Flaig, Jarrett Johnston, Shaun Mewes, Jon Schroeder and *Honorary* Kim “Pyro Chic” Schmidt.

II UNFINISHED BUSINESS

None.

III PUBLIC HEARINGS

1. Conduct a public hearing on the Application submitted by Essam Arram for Arram Equities, Inc. to rezone from District C-3, General Commercial District to District C-3/PD, General Commercial/Planned Development Overlay District property described as Lots 131 through 136 inclusive, Keen’s Park Addition to the City of Kearney, Buffalo County, Nebraska together with the vacated south 20 feet of 26th Street abutting said lots on the north (501, 503, 507 and 511 East 26th Street) and consider **Ordinance No. 7946**.

2. Conduct a public hearing on the Application submitted by Essam Arram for Arram Equities, Inc. for Planned District Development Plan Approval to construct 16 single bedroom units on property to be zoned District C-3/PD, General Commercial/Planned Development Overlay District property described as Lots 131 through 136 inclusive, Keen's Park Addition to the City of Kearney, Buffalo County, Nebraska together with the vacated south 20 feet of 26th Street abutting said lots on the north (501, 503, 507 and 511 East 26th Street) and consider **Resolution No. 2014-236**.
3. Conduct a public hearing on the Applications submitted by Miller & Associates for Tracy and Jacqueline Burns to (1) vacate Lot 12, Western Hills Subdivision, Buffalo County, Nebraska and consider **Ordinance No. 7947**; and (2) rezone 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. 7948**.
4. 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. 2014-237**.
5. Conduct a public hearing on the Application submitted by Miller & Associates for Kelly Rapp and Laureen Striker-Rapp to rezone from District AG, Agricultural District to District R-1, Urban Residential Single-Family District (Low Density) and District R-2, Urban Residential Mixed-Density District property described as a tract of land being part of the Northwest Quarter of the Northwest Quarter of Section 11 and part of the Southwest Quarter of the Southwest Quarter of Section 2, Township 8 North, Range 16 West of 6th P.M., Buffalo County, Nebraska (between 8th Street and 11th Street along 17th Avenue) and consider **Ordinance No. 7949**.
6. Conduct a public hearing on the Application submitted by Miller & Associates for Kelly Rapp and Laureen Striker-Rapp for the Final Plat and Subdivision Agreement for Park View Estates Seventh Addition, 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 the Northwest Quarter of Section 11 and part of the Southwest Quarter of the Southwest Quarter of Section 2, Township 8 North, Range 16 West of 6th P.M., Buffalo County, Nebraska (between 8th Street and 11th Street along 17th Avenue) and consider **Resolution No. 2014-238**.
7. Conduct a public hearing on the Application submitted by Miller & Associates for Kelly Rapp and Laureen Striker-Rapp for the annexation of Park View Estates Seventh Addition, 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 the Northwest Quarter of Section 11 and part of the Southwest Quarter of the Southwest Quarter of Section 2, Township 8 North, Range 16 West of 6th P.M., Buffalo County, Nebraska (between 8th Street and 11th Street along 17th Avenue) and consider **Resolution No. 2014-239**.
8. Conduct a public hearing on the Application submitted by Jeffrey and Lisa Overturf for a Conditional Use Permit to haul gravel and sand off site to enable construction of a private lake on property zoned "District AG, Agricultural District" and described as being part of Government Lots 2 and 3, part of the North Half of the Northeast Quarter, all of Government

Lot 4 and part of accretions in Section 9, Township 8 North, Range 16 West of the 6th P.M., all in Buffalo County, Nebraska (710 West 30th Avenue) and consider **Ordinance No. 7950**.

9. Conduct a public hearing for the Council to meet as the Board of Equalization to assess costs in connection with Water District No. 2014-573 and Sanitary Sewer District No. 2014-511 and consider **Resolution No. 2014-240**.
10. Conduct a public hearing on the proposed acquisition of Lots 3 through 7 inclusive, Block 3, Eastbrooke 14th Addition, an addition to the City of Kearney, Buffalo County, Nebraska for recreational purposes and consider **Resolution No. 2014-241**.

IV CONSENT AGENDA *

1. Approve the Claims.
2. Adopt **Resolution No. 2014-242** appointing Kim Smith to serve on the Advisory Board of Park & Recreation Commissioners.
3. Approve the applications for deferral of special assessments submitted by David Terveen for TWL LLC and Tom and Julie Larsen and Theodore and Penalton Larsen with regard to Sanitary Sewer District No. 2014-510 with regard to the Northeast Trunk Sanitary Sewer project.
4. Adopt **Resolution No. 2014-243** approving the Professional Service Consultant Agreement between the City of Kearney and Miller & Associates for the Community Revitalization 2015 Part 3 project.
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 the Ag Pavilion located at the Buffalo County Fairgrounds, 3807 Avenue N, on January 3, 2015 from 3:00 p.m. until 1:00 a.m. for a reception.
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 Exhibit Building located at the Buffalo County Fairgrounds, 3807 Avenue N, on January 10, 2015 from 4:00 p.m. until 1:00 a.m. for a company Christmas party.
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 Exhibit Building located at the Buffalo County Fairgrounds, 3807 Avenue N, on January 24, 2015 from 4:00 p.m. until 1:00 a.m. for a dance.
8. Adopt **Resolution No. 2014-244** approving the Subordination Agreements between the City of Kearney and Nebraska Public Power District.

* ***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. 7951** amending Section 3-1206 "Excessive False Alarms" of Article 12 "Alarm Systems" of Chapter 3 "Business Regulations" of the Code of the City of Kearney changing the number of false alarms allowed to four in a calendar year.
2. Approve **Ordinance No. 7952** repealing Ordinance No. 7939 and to vacate Lot 1, Star View Acres, a subdivision of Buffalo County, Nebraska.
3. Approve **Ordinance No. 7953** selling the vacated south ten (10) feet of 19th Street abutting Lot 785 on the north, Original Town of Kearney Junction, now the City of Kearney, Buffalo County, Nebraska to Glen Miller and Austin Miller.

VI REGULAR AGENDA

1. Consider the manager application for Adriane Juel submitted by Kearney Lodging, LLC, dba Ramada Kearney/Al Fresco in connection with their Class C-096499 liquor license and located at 301 South 2nd Avenue.
2. Consider the manager application for Joshua Rock submitted by Peak Interests, LLC, dba Pizza Hut in connection with their Class A-033603 liquor license and located at 1412 2nd Avenue.
3. Open Account Claim to Stan Clouse - \$200.58 and NPPD - \$95,142.35.

VII REPORTS

VIII ADJOURN

Council Member Stanley Clouse
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City Manager Michael Morgan
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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