

KEARNEY CITY COUNCIL

AMENDED AGENDA

City Council Chambers, 18 East 22nd Street

June 23, 2015

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 until July 14, 2015.** Conduct a public hearing on the Application submitted by Miller & Associates for Paul and Linda Younes for an amendment to the Land Use Map of the City of Kearney Comprehensive Development Plan from AG Preserve to Mixed Use 2 property described as a tract of land being part of Government Lots 5, 6 and 9 and accretions to Government Lots 5, 6 and 9 all located in the Southeast Quarter of Section 11, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (adjacent to the north and south side of 3rd Street east of 6th Avenue) and consider **Resolution No. 2015-119**.
2. **Postponed until July 14, 2015.** Conduct a public hearing on the Application submitted by Miller & Associates for Paul and Linda Younes to rezone from District M-1, Limited Industrial District to District C-2, Community Commercial District property described as a tract of land being part of Government Lots 5, 6 and 9 and accretions to Government Lots 5, 6 and 9 all located in the Southeast Quarter of Section 11, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (adjacent to the north and south side of 3rd Street east of 6th Avenue) and consider **Ordinance No. 8001**.
3. **Postponed until July 14, 2015.** Conduct a public hearing on the Application submitted by Miller & Associates for Paul and Linda Younes for the Final Plat for Younes Center Fourth Addition, an addition to the City of Kearney, Buffalo County, Nebraska, for property described as a tract of land being part of Government Lots 5, 6 and 9 and accretions to Government Lots 5, 6 and 9 all located in the Southeast Quarter of Section 11, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (adjacent to the north and south side of 3rd Street east of 6th Avenue) and consider **Resolution No. 2015-120**.

4. **Postponed until July 14, 2015.** Conduct a public hearing on the Application submitted by Miller & Associates for Paul and Linda Younes for the annexation of Younes Center Fourth Addition, an addition to the City of Kearney, Buffalo County, Nebraska, for property described as a tract of land being part of Government Lots 5, 6 and 9 and accretions to Government Lots 5, 6 and 9 all located in the Southeast Quarter of Section 11, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (adjacent to the north and south side of 3rd Street east of 6th Avenue) and consider **Resolution No. 2015-121**.
5. Conduct a public hearing to receive input on two Community Development Block Grants: 13-CR-004 and 13-CR-104 for community revitalization activities.

IV CONSENT AGENDA *

1. Approve Minutes of Regular Meeting held June 9, 2015.
2. Approve the Claims.
3. Receive recommendations of Planning Commission and set July 14, 2015 at 5:30 p.m. as date and time for hearing on those applications where applicable.
4. Adopt **Resolution No. 2015-126** establishing guidelines to be used for new liquor licenses, the renewal of existing licenses, special designated licenses, and modification to licenses in the City of Kearney.
5. Authorize the Mayor to send a letter of no recommendation to the Nebraska Liquor Control Commission on the Class I liquor license application for Blazin Wings, Inc., dba Buffalo Wild Wings located at 5208 2nd Avenue and the manager application for Scott Klone.
6. Authorize the Mayor to send a letter of no recommendation to the Nebraska Liquor Control Commission on the Class C liquor license application for Foxhole LLC, dba Foxhole located at 1912 Central Avenue and the manager application for Nickolas Fox.
7. 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 (alternate location is Exhibit Building) located at the Buffalo County Fairgrounds, 3807 Avenue N, on July 11, 2015 from 6:00 p.m. until 1:00 a.m. for a dance.
8. Approve the applications for a Special Designated License submitted by Earn & Return Investments, Inc., dba Cellar Bar & Grill in connection with their Class IK-064728 liquor license to dispense beer and distilled spirits in Cope Stadium/Parking Lot 12 on UNK Campus located at 2708 12th Avenue on September 3, 2015 from 3:00 p.m. until 10:00 p.m., September 26 from 11:00 a.m. until 6:00 p.m., October 10 from 10:00 a.m. until 5:00 p.m., October 24 from 9:00 a.m. until 4:00 p.m., November 7 from 9:00 a.m. until 4:00 p.m. for tailgating area.
9. Adopt **Resolution No. 2015-127** approving Application and Certificate for Payment No. 1 in the amount of \$120,650.99 and Application and Certificate for Payment No. 2 in the amount of \$135,558.14 submitted by Midlands Contracting and approved by Miller & Associates for the 2014 Part 12 Improvements; Airport Water System Improvements.

10. Adopt **Resolution No. 2015-128** approving Application and Certificate for Payment No. 4 in the amount of \$82,460.00 submitted by Midlands Contracting and approved by Miller & Associates for the UV Disinfection Building at the Platte River Well Field.
11. Adopt **Resolution No. 2015-129** approving Application and Certificate for Payment No. 9 in the amount of \$438,740.27 submitted by Blessing, LLC and approved by Miller & Associates 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.
12. Adopt **Resolution No. 2015-130** approving Application and Certificate for Payment No. 1 in the amount of \$30,306.69 submitted by Blessing, LLC and approved by Miller & Associates for the 2014 Part 11 Improvements consisting of Paving Improvement District No. 2014-969 for 11th Street from a point 109.74 feet west of 30th Avenue, thence east for a distance of 2,440.08 feet; Paving Improvement District No. 2014-970 for 27th Avenue from 11th Street south a distance of 850[±] feet as platted in Lot 1, Bearcat Corner; and Paving Improvement District No. 2014-971 for 30th Avenue from 11th Street south a distance of 1,500[±] feet as platted in Lot 1, Bearcat Corner.
13. Adopt **Resolution No. 2015-131** approving Application and Certificate for Payment No. 8 in the amount of \$374,570.82 submitted by Midlands Contracting and approved by Miller & Associates for the 2014 Part 7 Improvements consisting of Paving Improvement District No. 2014-968 for 4th Street from 3rd Avenue to 6th Avenue and Sanitary Sewer Connection District No. 2014-1 commencing at a point near the Kearney RV Park located at 315 Avenue M, northward and westward in an easement, Landon Street if extended, thence northward through Riverside Addition and Kreutz Addition to 4th Street, thence westward to Central Avenue.
14. Adopt **Resolution No. 2015-132** authorizing the Mayor to sign the Request for Release of Funds and Certification Form and the Environmental Review for Activity/Project that is Exempt or Categorically Excluded Not Subject to Section 58.5 on behalf of the Kearney Housing Agency.
15. Authorize the Mayor to send a letter of no recommendation to the Nebraska Liquor Control Commission on the manager application for Angelica Zeestraten submitted by Peak Interests LLC, dba Pizza Hut in connection with their Class A-33603 liquor license and located at 1412 2nd Avenue.
16. Authorize the Mayor to send a letter of no recommendation to the Nebraska Liquor Control Commission on the manager application for Angela Gibreal submitted by the American Legion Post 52 in connection with their Class C-009067 liquor license and located at 1223 Central Avenue.
17. Adopt **Resolution No. 2015-133** approving the recommendation submitted by the Fire Chief to include the following as members of the Kearney Volunteer Fire Department: Tim Nickerson, Cody Seals, Tyler Vlasin.
18. Adopt **Resolution No. 2015-134** authorizing the Mayor to execute the Purchase and Sale Agreement for Easement between the City of Kearney and the Union Pacific Railroad Company for portions of North and South Railroad Street.

19. Adopt **Resolution No. 2015-135** approving the Developer Constructed Infrastructure Agreement between the City of Kearney and Roberta Corrigan for paving and storm sewer improvements for Ingalls Crossing Eighth Addition.
20. Adopt **Resolution No. 2015-136** approving the Use and Operations Agreement for Annex A in Hangar T-926 located at the Kearney Regional Airport between the City of Kearney and SevenBar Aviation.
21. Adopt **Resolution No. 2015-137** approving T-Hangar C-01 Lease Agreement between the City of Kearney and Blair Rodgers Aviation for storage purposes at the Kearney Regional Airport.

* *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. 8004** creating Paving Improvement District No. 2015-975 for Landon Street from Central Avenue east to the east line of Lot 1, Gangwish Addition, an addition to the City of Kearney, Buffalo County, Nebraska.
2. Approve **Ordinance No. 8005** creating Water Connection District No. 2015-1 in Landon Street from Central Avenue east to the east line of Lot 1, Gangwish Addition, an addition to the City of Kearney, Buffalo County, Nebraska.
3. Approve **Ordinance No. 8006** creating Sanitary Sewer Connection District No. 2015-1 in Landon Street from Central Avenue east to the east line of Lot 71, Riverside Addition, an addition to the City of Kearney, Buffalo County, Nebraska.

VI REGULAR AGENDA

None.

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

ADDENDUM NO. 1

IV CONSENT AGENDA *

- 22.** Approve the application for a Special Designated License submitted by Earn & Return Investments, Inc., dba Cellar Bar & Grill in connection with their Class IK-064728 liquor license to dispense beer, wine and distilled spirits in The Archway located at 3060 East 1st Street on July 22, 2015 from 5:00 p.m. until 11:00 p.m. for a business social.