

KEARNEY CITY COUNCIL

AGENDA

City Council Chambers, 18 East 22nd Street

July 14, 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 on June 23, 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 on June 23, 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 on June 23, 2015.** Conduct a public hearing on the Application submitted by Miller & Associates for Paul and Linda Younes for the Final Plat and Subdivision Agreement 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 on June 23, 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 on the Applications submitted by Miller & Associates for Sun Development, Inc. – Sunstorage Systems, LLC to (1) vacate Lot 1 of Block Three, part of Lot 1 of Block Two, and part of 17th Avenue adjacent to Lot 1 of Block Two, all in G & K Addition and consider **Ordinance No. 8007**; and (2) rezone from District M-1, Limited Industrial District to District M-1/PD, Limited Industrial/Planned Development Overlay District property described as a tract of land being all of vacated Lot 1 of Block Three, part of Lot 1 of Block Two, and part of 17th Avenue adjacent to vacated Lot 1 of Block Two, all in G & K Addition located in the Northwest Quarter of the Southwest Quarter of Section 2, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (one half block north of 16th Street at 17th Avenue) and consider **Ordinance No. 8008**.
6. Conduct a public hearing on the Application submitted by Miller & Associates for Sun Development, Inc. – Sunstorage Systems, LLC for the Final Plat for Sun West Fourth Addition, an addition to the City of Kearney, Buffalo County, Nebraska, for property described as a tract of land being all of vacated Lot 1 of Block Three, part of vacated Lot 1 of Block Two, and a vacated part of 17th Avenue adjacent to vacated Lot 1 of Block Two, G & K Addition located in the Northwest Quarter of the Southwest Quarter of Section 2, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (one half block north of 16th Street at 17th Avenue) and consider **Resolution No. 2015-138**.
7. Conduct a public hearing on the Application submitted by Miller & Associates for Sun Development, Inc. – Sunstorage Systems, LLC for Planned District Development Plan Approval to construct storage unit buildings on property to be zoned M-1/PD, Limited Industrial/Planned Development Overlay District and described as proposed Lot 1, Sun West Fourth Addition, an addition to the City of Kearney, Buffalo County, Nebraska (one half block north of 16th Street at 17th Avenue) and consider **Resolution No. 2015-139**.
8. Conduct a public hearing on the Application submitted by Miller & Associates for Kelly Rapp and Lauren Striker-Rapp to rezone from District AG, Agricultural District to District R-1, Urban Residential Single-Family District (Low Density) property described as a tract of land being part of the Northwest Quarter of the Northwest Quarter and part of Government Lot 1 located in the Southwest Quarter of the Northwest Quarter of Section 11, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (one half block north and south of 8th Street and 17th Avenue) and consider **Ordinance No. 8009**.

9. 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 Eighth, 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 and part of Government Lot 1 located in the Southwest Quarter of the Northwest Quarter of Section 11, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (one half block north and south of 8th Street and 17th Avenue) and consider **Resolution No. 2015-140**.
10. 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 Eighth, 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 and part of Government Lot 1 located in the Southwest Quarter of the Northwest Quarter of Section 11, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (one half block north and south of 8th Street and 17th Avenue) and consider **Resolution No. 2015-141**.

IV CONSENT AGENDA *

1. Approve Minutes of Regular Meeting held June 23, 2015.
2. Approve the Claims.
3. Approve the Plans and Specifications for the 2015 Part 6 Improvements consisting of Water Connection District No. 2015-1 for Landon Street from Central Avenue east to the east line of Lot 1, Gangwish Addition and Sanitary Sewer Connection District No. 2015-1 in Landon Street from Central Avenue east to the east line of Lot 71, Riverside Addition and set the bid opening date for August 4, 2015 at 2:00 p.m.
4. Approve the Request for Agricultural Deferral submitted by Alexander Gangwish with regard to Paving Improvement District No. 2015-975 for Landon Street from Central Avenue east to the east line of Lot 1, Gangwish Addition.
5. Authorize the Mayor to send a letter of no recommendation to the Nebraska Liquor Control Commission on the Class C liquor license application for Kenlos LLC, dba Nicks on the Bricks located at 15 East 24th Street and the manager application for Zachary Brown.
6. Authorize the Mayor to send a letter of no recommendation to the Nebraska Liquor Control Commission on the manager application for Berenice Bravo submitted by San Pedro Inc., dba San Pedro Mexican Restaurant in connection with their Class I-67018 liquor license located at 3907 Central Avenue.
7. Adopt **Resolution No. 2015-142** accepting the bid received for the 2015 Part 7 Improvements; 3rd Street from 5th Avenue to Kea West Avenue; approving Change Order No. 1 showing a decrease in the amount of \$43,652.50; and award the bid to Blessing, LLC in the new contract price of \$237,597.50.

8. Adopt **Resolution No. 2015-143** accepting the bids received for the 2015 Part 9 Improvements; Hike-Bike Trail Phase 1 and award the bid to Ramos Construction in the amount of \$219,556.00.
9. Approve the application for a Special Designated License submitted by Kearney Investment Corp., dba Holiday Inn in connection with their Class CK-17964 catering liquor license to dispense beer, wine and distilled spirits in The Archway located at 3060 East 1st Street on July 31, 2015 from 5:00 p.m. until 10:00 p.m. for a fund raiser.
10. Approve the application for a Special Designated License submitted by Kearney Investment Corp., dba Holiday Inn in connection with their Class CK-17964 catering liquor license to dispense beer, wine and distilled spirits at the Museum of Nebraska Art, 2501 Central Avenue on August 27, 2015 from 5:00 p.m. until 9:00 p.m. for a reception.
11. 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 and distilled spirits in Cope Stadium/Parking Lot 12 on UNK Campus located at 2708 12th Avenue on August 22, 2015 from 9:00 a.m. until 7:00 p.m. for football scrimmage tailgate event.
12. Adopt **Resolution No. 2015-144** to remove parking on the east side of Avenue A from 11th Street south a distance of 300 feet.
13. Adopt **Resolution No. 2014-145** approving the Employment Agreement between the City of Kearney and Michael Morgan.
14. Approve the application to extend Conditional Use Permit No. 2013-03 submitted by Shannon Schmidt to locate a day care facility at 506 East 26th Street for a period of two years.
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 in the Ag Pavilion located at the Buffalo County Fairgrounds, 3807 Avenue N on August 1, 2015 from 3:00 p.m. until 1:00 a.m. for a concert.
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 in the Ag Pavilion located at the Buffalo County Fairgrounds, 3807 Avenue N on August 8, 2015 from 3:00 p.m. until 1:00 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 in the Exhibit Building located at the Buffalo County Fairgrounds, 3807 Avenue N on August 8, 2015 from 3:00 p.m. until 1:00 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 in the Ag Pavilion located at the Buffalo County Fairgrounds, 3807 Avenue N on August 15, 2015 from 3:00 p.m. until 1:00 a.m. for a reception.

- 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 in the Ag Pavilion located at the Buffalo County Fairgrounds, 3807 Avenue N on August 22, 2015 from 3:00 p.m. until 1:00 a.m. for a reception.
- 20. 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 at the Buffalo County Fairgrounds, 3807 Avenue N on August 29, 2015 from 3:00 p.m. until 1:00 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 *

None.

VI REGULAR AGENDA

- 1. Review monthly enplanement report from Great Lakes Airlines.
- 2. Open Account Claim to NPPD - \$92,737.87.

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