

# **KEARNEY CITY COUNCIL**

## **AGENDA**

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

**December 8, 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:
  - a) Presentation of Kearney Volunteer Fire Department Service Awards: Nathan Staskal, Thom Schneider, Lonny Reeder, Dave Krueger, Shane Johnston, Aaron Jameson, Bryan Chase for 5 years of service; Ric Pulliam, Jerry Folck for 10 years of service; Jason Whalen, Sarah Isaac for 15 years of service; Todd Walton for 20 years of service; and Jerry Thompson and Tim Pratt for 25 years of service.
  - b) Presentation of Firefighter Certificates of Training for completing 2015 Firefighter I Class: Steven Brumbaugh, Shea Coakley, Austin Doyle and Mike Treadway.

### **II. UNFINISHED BUSINESS**

### **III. PUBLIC HEARINGS**

1. Conduct a public hearing on the Application submitted by Buffalo Surveying for Melanie Johnson for an amendment to the Land Use Map of the City of Kearney Comprehensive Development Plan from Civic to Light Industrial property described as a tract of land being part of Government Lot 2 and part of Government Lot 3 located in the Southeast Quarter of Fractional Section 27, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (east of 6430 East Highway 30 and west of Imperial Avenue) and consider Resolution No. 2015-253.
2. Conduct a public hearing on the Application submitted by Buffalo Surveying for Melanie Johnson to rezone from District AG, Agricultural District to District M-1, Limited Industrial District property described as a tract of land being part of Government Lot 2 and part of Government Lot 3 located in the Southeast Quarter of Fractional Section 27, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (east of 6430 East Highway 30 and west of Imperial Avenue) and consider Ordinance No. 8050.

3. Conduct a public hearing on the Application submitted by Buffalo Surveying for Melanie Johnson for the Final Plat for Master's Business Park Second, a subdivision of Buffalo County, Nebraska, for property described as a tract of land being part of Government Lot 2 and part of Government Lot 3 located in the Southeast Quarter of Fractional Section 27, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (east of 6430 East Highway 30 and west of Imperial Avenue) and consider Resolution No. 2015-254.
4. Conduct a public hearing on the Applications submitted by Trenton Snow for Betty Lund, Trustee, for (1) to vacate Lot 1, Lund Subdivision and consider Ordinance No. 8051; and (2) the Final Plat for Lund Second Subdivision of Buffalo County, Nebraska, for property described as a tract of land being Lot 1 (to be vacated), Lund Subdivision, a subdivision being part of the South Half of the South Half of the Southwest Quarter of Section 14, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (7265 17th Avenue) and consider Resolution No. 2015-255.
5. Conduct a public hearing on the Application submitted by Craig Bennett for City of Kearney, Nebraska for Planned District Development Plan Approval for the proposed construction of an office complex development on property zoned District BP/PD, Business Park/Planned Development Overlay District and described as Lot 2 of Block One, Tech One First Subdivision, a tract of land being part of the North Half of the Northwest Quarter of Section 29, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (southeast corner of 56th Street and Antelope Avenue) and consider Resolution No. 2015-256.
6. Conduct a public hearing on the Application submitted by Miller & Associates for Roberta Corrigan, Trustee, to rezone from District C-2/PD, Community Commercial/Planned Development Overlay District to District C-2, Community Commercial District property described as Lots 1, 2, 3, 4, 5, Ingalls Crossing Eighth Addition, an addition to the City of Kearney, Buffalo County, Nebraska (south of 60th Street between 1st Avenue and 2nd Avenue) and consider Ordinance No. 8052.
7. Conduct a public hearing on the Application submitted by Miller & Associates for Roberta Corrigan, Trustee, to rezone from District C-2/PD, Community Commercial/Planned Development Overlay District to District C-2, Community Commercial District property described as a tract of land being part of the West Half of the Southwest Quarter of Section 24, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (southeast corner of 60th Street and 1st Avenue) and consider Ordinance No. 8053.
8. Conduct a public hearing on the Application submitted by Miller & Associates for Roberta Corrigan, Trustee, for the Final Plat and Subdivision Agreement for Ingalls Crossing Tenth Addition, an addition to the City of Kearney, Buffalo County Nebraska, for property described as a tract of land being part of the West Half of the Southwest Quarter of Section 24, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (southeast corner of 60th Street and 1st Avenue) and consider Resolution No. 2015-257.
9. Conduct a public hearing on the Application submitted by Miller & Associates for Roberta Corrigan, Trustee, for the annexation of Ingalls Crossing Tenth Addition, an addition to the City of Kearney, Buffalo County Nebraska, for property described as a tract of land being part of the West Half of the Southwest Quarter of Section 24, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (southeast corner of 60th Street and 1st Avenue) and consider Resolution No. 2015-258.

#### **IV. CONSENT AGENDA \***

1. Approve Minutes of Regular Meeting held November 24, 2015 and Minutes of Special Meeting held November 25, 2015.
2. Approve the Claims.
3. Approve the application submitted by Terry Broadfoot to extend Conditional Use Permit No. 2000-03 to operate a gravel pumping operation located south of Turkey Creek Second Subdivision for a period of five years.
4. Authorize the Mayor to send a letter of no recommendation to the Nebraska Liquor Control Commission on the Class I liquor license application submitted by Felicia and Jason Alexander, dba A Flippin Sweet Burger Joint located at 3905 2nd Avenue, Suite 1.
5. Accept the bids received for the purchase of a four-wheel assist tractor with cab and mounted loader and bucket to be used in the Wastewater Treatment Plant and award the bid to Titan Machinery in the amount of \$30,080.00.
6. Adopt Resolution No. 2015-259 approving Application and Certificate for Payment No. 4 in the amount of \$109,615.50 submitted by RMV Construction and approved by Miller & Associates for the Household Hazardous Waste Collection Facility.
7. Adopt Resolution No. 2015-260 approving Change Order No. 3 showing a decrease in the amount of \$132,604.70, Application and Certificate for Payment No. 14-Final in the amount of \$581,974.94, and accept the Certificate of Substantial Completion 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.
8. Adopt Resolution No. 2015-261 approving Change Order No. 2 showing an increase in the amount of \$126,859.10, Application and Certificate for Payment No. 5 in the amount of \$79,795.97 submitted by Blessing LLC and approved by Olsson Associates 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 Addition.
9. Approve the request submitted by the Buffalo County Board of Commissioners for parking restrictions as posted adjacent to the Buffalo County Courthouse as follows: 30 minutes on the west side of Central Avenue from 15th Street to 16th Street, and motorcycle parking only on the east side of 1st Avenue from 16th Street for approximately 70 feet.
10. Adopt Resolution No. 2015-262 approving the Standard Specifications for Municipal Construction and the Standard Specifications for Private Construction Performed on Public Right-of-Way.
11. 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 liquor license to dispense beer, wine and distilled spirits inside Hello Beautiful located at Vista Point Plaza,

5012 3rd Avenue, #150, on Thursday, January 7, 2016 from 3:00 p.m. until 11:00 p.m. for a chamber event.

12. 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 liquor license to dispense beer, wine and distilled spirits inside the Exhibit Building located at the Buffalo County Fairgrounds, 3807 Avenue N, on Friday, January 22, 2016 from 3:00 p.m. until 1:00 a.m. for a concert.

\* ***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. 8054 vacating the west 10 feet of Avenue F from 19th Street to South Railroad Street as it abuts Lots 602, 603, 604 and 605, Original Town of Kearney Junction now the City of Kearney, Buffalo County, Nebraska (1908, 1916 and 1924 Avenue F).
2. Approve Ordinance No. 8055 vacating all of Lots 9 through 24, inclusive and the vacated street abutting Lots 16 and 17, all in Lincoln Way Villa Plots, an addition to the City of Kearney, Buffalo County, Nebraska (south of Highway 30 and west of University Drive).
3. Approve Ordinance No. 8056 vacating all of University Drive as it exists from the north right-of-way line of the Union Pacific Railroad to the south right-of-way line of U.S. Highway No. 30 (south of Highway 30 and west of University Drive).

## **VI. REGULAR AGENDA**

1. Open Account Claim to NPPD - \$94,306.82.

## **VII. REPORTS**

1. Report from City Manager on Airport Runway Rehabilitation.

## **VIII. ADJOURN**

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Vice-President Randy Buschkoetter  
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Council Member Jonathan Nikkila  
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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](http://www.cityofkearney.org)