

KEARNEY CITY COUNCIL

AMENDED AGENDA

City Council Chambers, 18 East 22nd Street

March 8, 2016

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

III. PUBLIC HEARINGS

1. Conduct a public hearing on the Application submitted by Buffalo Surveying for Marlo Johnson for the Final Plat and Subdivision Agreement for Johnson Commercial Third Addition, an addition to the City of Kearney, Buffalo County, Nebraska, for property described as a tract of land being part of Government Lot 7 located in Fractional Section 13, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (850 feet east of the intersection of Central Avenue and East 1st Street) and consider Resolution No. 2016-41.
2. Conduct a public hearing on the Application submitted by Buffalo Surveying for Scott and Theresa Sweet for an amendment to the Land Use Map of the City of Kearney Comprehensive Development Plan from High Density Residential to Mixed Use 2 property described as Lots 7 and 8, Hartman & Drydens Subdivision to the City of Kearney, Buffalo County, Nebraska (south of 2718 Avenue N and north of NPPD's power substation) and consider Resolution No. 2016-42.
3. Conduct a public hearing on the Application submitted by Buffalo Surveying for Scott and Theresa Sweet to rezone from District M-1, Limited Industrial District to District C-3/PD, General Commercial/Planned Development Overlay District property described as Lots 7 and 8, Hartman & Drydens Subdivision to the City of Kearney, Buffalo County, Nebraska (south of 2718 Avenue N and north of NPPD's power substation) and consider Ordinance No. 8067.
4. Conduct a public hearing on the Application submitted by Brungardt Engineering for Scott and Theresa Sweet for Planned District Development Plan Approval for the construction of a coffee shop on property to be zoned District C-3/PD, General Commercial/Planned Development Overlay District and described as Lots 7 and 8, Hartman & Drydens Subdivision to the City of Kearney, Buffalo County, Nebraska (south of 2718 Avenue N and north of

NPPD's power substation) and consider Resolution No. 2016-43.

5. Conduct a public hearing on the Application submitted by Miller & Associates for Custer Federal Bank for the Final Plat and Subdivision Agreement for Whispering Pines, 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 30, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (southeast corner of 56th Street and Avenue N) and consider Resolution No. 2016-44.
6. Conduct a public hearing on the Application submitted by Miller & Associates for Custer Federal Bank for the annexation of Whispering Pines, 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 30, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (southeast corner of 56th Street and Avenue N) and consider Resolution No. 2016-45.
7. Conduct a public hearing on the Application submitted by Tom McCarty for Roberta Corrigan Trust-Roberta Corrigan Farms to rezone from District MU, Mixed Use District to District C-2, Community Commercial District property described as Lot 1 of Block 1, Ingalls Crossing Third Addition, an addition to the City of Kearney, Buffalo County, Nebraska (east of 2nd Avenue and south of 65th Street) and consider Ordinance No. 8068.
8. Conduct a public hearing on the proposed acquisition for a Permanent Right-of-Way & Utility Easement and a Permanent Sanitary Sewer Easement on property described as a tract of land being part of the East Half of the Northwest Quarter of Section 27, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska and consider Resolution No. 2016-46.

IV. CONSENT AGENDA *

1. Approve Minutes of Regular Meeting held February 23, 2016.
2. Approve the Claims.
3. Authorize the Mayor to send a letter of no recommendation to the Nebraska Liquor Control Commission on the Class I-116309 liquor license application submitted by TL & AS LLC, dba Coppermill Steakhouse to be located at 421 West Talmadge Street, Suite 2.
4. Authorize the Mayor to send a letter of no recommendation to the Nebraska Liquor Control Commission on the Class C-116291 liquor license application submitted by Dhorpatan LLC, dba Everest Fusion to be located at 5012 3rd Avenue, Suite 178.
5. Authorize the Mayor to send a letter of no recommendation to the Nebraska Liquor Control Commission on the manager application for Xavier Salas submitted by Kenlos, LLC, dba Nicks on the Bricks located at 15 East 24th Street in connection with their Class C-113012 liquor license.
6. Appoint Brandon Shafto to serve as the City Street Superintendent with regard to requirements and duties with the Nebraska Department of Roads effective November 6, 2015.
7. Adopt Resolution No. 2016-47 approving the Professional Service/Consultant Agreement

between the City of Kearney and RDG Planning & Design for consulting services pertaining to the Kearney Downtown Revitalization Plan Update.

8. 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 at the Museum of Nebraska Art located at 2401 Central Avenue on Friday, April 1, 2016 from 5:00 p.m. until 12:00 a.m. for a reception.
9. Reject the bid submitted by Blessing Construction for the 2013 Part 10 Improvements; Replacement of Talmadge Street from 2nd Avenue to 4th Avenue.
10. Adopt Resolution No. 2016-48 accepting the public improvements constructed under a Developer Constructed Infrastructure Agreement for Eastbrooke Fifteenth, an addition to the City of Kearney.
11. Approve the quote submitted by Logan Contractors Supply, Inc. under the State of Nebraska Purchasing Contract Number 13691 OC in the amount of \$35,677.00 for the purchase of one Crafcoc Model: EZ 500 Series II Crack Sealing Machine to be used in the Public Works/Transportation Department.
12. Approve the Plans and Specifications for the 2015 Part 16 Improvements; Country Club Lane Bridge and set the bid opening date for April 5, 2016 at 2:00 p.m.
13. Approve the application for a Special Designated License submitted by Miretta Vineyards & Winery Inc., dba Miretta Vista Winery in connection with their Class YK-07615 catering liquor license to dispense wine inside the Landmark Implement Arena/Exposition Building located at the Buffalo County Fairgrounds, 3807 Avenue N, on Saturday, April 9, 2016 from 8:00 a.m. until 4:30 p.m. for a sampling/tasting.
14. Adopt Resolution No. 2016-49 accepting the bids received for the 2015 Part 13 Improvements; Tech One Boulevard and Global Drive and award the bid to Midlands Contracting in the amount of \$204,956.00 for Bid A and to Blessing Construction in the amount of \$372,734.15 for Bid B.
15. Adopt Resolution No. 2016-50 accepting the bids received for the installation of the Yanney Park Irrigation Wells, approve Change Order No. 1 showing a decrease in the amount of \$21,758.00, and award the bid to Downey Drilling in the amount of \$129,357.00.
16. Approve the application for Special Designated Licenses 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 Team Concepts, 301 Central Avenue on Thursday, April 7, 2015 from 3:00 p.m. until 9:00 p.m. for a Chamber of Commerce event.
17. Approve the application for Special Designated Licenses 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 Saturday, April 16, 2015 from 3:00 p.m. until 1:00 a.m. for a reception.
18. Approve the application for Special Designated Licenses 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 Saturday, April 30, 2015 from 3:00 p.m. until 1:00 a.m. for a reception.

- 19. Approve the application for Special Designated Licenses 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 Saturday, April 30, 2015 from 3:00 p.m. until 1:00 a.m. for a reception.
- 20. ADDENDUM ITEM. 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, 3060 East 1st Street on Wednesday, March 30, 2016 from 3:00 p.m. until 11:00 p.m. for a reception.
- 21. ADDENDUM ITEM. 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, 3060 East 1st Street on Wednesday, April 6, 2016 from 2:00 p.m. until 11:00 p.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 *

VI. REGULAR AGENDA

- 1. Open Account Claim to NPPD - \$36,499.52.

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