

KEARNEY CITY COUNCIL

AGENDA

City Council Chambers, 18 East 22nd Street

June 14, 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 Khim H. Lim and Hong K. Lo and Smiling Faces Academy, Inc. for a Conditional Use Permit to operate a day care on property zoned District C-3/PD, General Commercial/Planned Development Overlay District and described as Lot 1, Bico's Addition, an addition to the City of Kearney, Buffalo County, Nebraska (3012 West 24th Street) and consider Ordinance No. 8077.
2. Conduct a public hearing on the Application submitted by Arram Family Foundation, Weis Co. Properties, LLC and HeartPrint Home Care for a Conditional Use Permit to operate a licensed home health and adult day care agency on property zoned District C-1, Limited Commercial District and described as Unit 5 located on Lots 1 through 13 inclusive, Centennial Park Plaza Addition, an addition to the City of Kearney, Buffalo County, Nebraska (516 West 11th Street) and consider Ordinance No. 8078.
3. POSTPONED UNTIL JUNE 28, 2016. Conduct a public hearing on the Application submitted by Miller & Associates for Grand West, LLC for an amendment to the Land Use Map of the City of Kearney Comprehensive Development Plan from Medium Density Residential and Parks to Mixed Use 1 property described as a tract of land being a part of the East Half of the Northwest Quarter of Section 26, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (south of 55th Street and east of 11th Avenue) and consider Resolution No. 2016-93.
4. POSTPONED UNTIL JUNE 28, 2016. Conduct a public hearing on the Application submitted by Miller & Associates for Grand West, LLC to rezone from District A, Agricultural District to District R-2/PD, Urban Residential Mixed-Density/Planned Development Overlay District and to District R-3/PD, Urban Residential Multi-Family

(Medium Density)/Planned Development Overlay District property described as a tract of land being a part of the East Half of the Northwest Quarter of Section 26, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (south of 55th Street and east of 11th Avenue) and consider Ordinance No. 8079.

5. POSTPONED UNTIL JUNE 28, 2016. Conduct a public hearing on the Application submitted by Miller & Associates for Grand West, LLC for the Final Plat and Subdivision Agreement for Fountain Hills Ninth Addition, an addition to the City of Kearney, Buffalo County, Nebraska, for property described as a tract of land being a part of the East Half of the Northwest Quarter of Section 26, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (south of 55th Street and east of 11th Avenue) and consider Resolution No. 2016-94.
6. POSTPONED UNTIL JUNE 28, 2016. Conduct a public hearing on the Application submitted by Miller & Associates for Grand West, LLC for the annexation of Fountain Hills Ninth Addition, an addition to the City of Kearney, Buffalo County, Nebraska, for property described as a tract of land being a part of the East Half of the Northwest Quarter of Section 26, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (south of 55th Street and east of 11th Avenue) and consider Resolution No. 2016-95.
7. POSTPONED UNTIL JUNE 28, 2016. Conduct a public hearing on the Application submitted by Miller & Associates for Grand West, LLC for Planned District Development Plan Approval for the construction of apartments, multi-family, duplexes and patio homes on property to be zoned District R-2/PD, Urban Residential Mixed-Density/Planned Development Overlay District and to District R-3/PD, Urban Residential Multi-Family (Medium Density)/Planned Development Overlay District and described as a tract of land being a part of the East Half of the Northwest Quarter of Section 26, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (south of 55th Street and east of 11th Avenue) and consider Resolution No. 2016-96.
8. Conduct a public hearing on the Application submitted by Crossroads Center and the City of Kearney to rezone from District C-1/PD, Limited Commercial/Planned Development Overlay District to District C-1, Limited Commercial District property described as the west portion of part of Lot 2, Grandview Estates Eighth Addition, an addition to the City of Kearney, Buffalo County, Nebraska (1404 East 39th Street) and consider Ordinance No. 8080.
9. Conduct a public hearing on the Application submitted by B&K Holl Family, LLC, dba Just for Ladies and the City of Kearney to rezone from District C-1, Limited Commercial District to District C-1/PD, Limited Commercial/Planned Development Overlay District property described as the east portion of part of Lot 2, Grandview Estates Eighth Addition, an addition to the City of Kearney, Buffalo County, Nebraska (1408 East 39th Street) and consider Ordinance No. 8081.
10. Conduct a public hearing to Amend Application For Planned District Development Plan Approval for File #2006-06 (Just for Ladies) for an expansion to a health club facility for property zoned District C-1/PD, Limited Commercial/Planned Development Overlay District and to correct the legal description to reflect the east portion of part of Lot 2, Grandview Estates Eighth Addition, an addition to the City of Kearney, Buffalo County, Nebraska (1408 East 39th Street) and consider Resolution No. 2006-61A.

IV. CONSENT AGENDA *

1. Approve Minutes of Regular Meeting held May 24, 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-118115 liquor license application submitted by Sozo American Cuisine, LLC, dba Sozo American Cuisine located at 110 2nd Avenue.
4. Approve the application for a Special Designated License submitted by Chug-A-Lug Sports Bar Inc., dba Chug A Lug Sports Bar in connection with their Class C-042049 liquor license to dispense beer and distilled spirits in a 32'x54' fenced area located south of their licensed beer garden located at 1115 East 25th Street on Sunday, July 17, 2016 (alternate date is July 18, 2016) from 1:00 p.m. until 11:30 p.m. for a beer garden, fish fry and dance.
5. Approve the Street/Sidewalk/Parking Lot Closure, Traffic Control and or Parking Restrictions Permit Applications as follows:
 - a) Dobberstein Re-Roofing Project will use the alley lying south of 21st Street as it abuts 2020 and 2022 Central Avenue from June 15 through June 29.
 - b) Hear Nebraska; Good Living Tour will use the parking lot located north of the Museum of Nebraska Art on July 22.
 - c) Nebraska Senior Games Cycling will use East 1st Street from The Archway to Avenue M, north on Avenue M to 11th Street, east on 11th Street to Cherry Avenue, south on Cherry Avenue to East 11th Street to The Archway on August 6 and 7.
 - d) Destination Downtown to use Central Avenue from Railroad Street to 24th Street on August 25.
 - e) Kearney BBQ on the Bricks will use Central Avenue from 25th Street to 23rd Street, 24th Street from 1st Avenue to Avenue A, 23rd Street from Central Avenue to 1st Avenue, 1st Avenue from 23rd Street to 24th Street, and the parking lot located north of the Museum of Nebraska Art on August 26 and 27.
 - f) UNK Band Day will use 3rd Avenue from 21st Street to 22nd Street, 20th Street from 8th Avenue to 9th Avenue, 21st Street from 3rd Avenue to 8th Avenue, 8th Avenue from 21st Street to 22nd Street on September 17.
6. Adopt Resolution No. 2016-97 approving the Developer Constructed Infrastructure Agreement between the City of Kearney and Johnson Imperial Home Company for Lots 3 through 14 of Block Four, Windsor Estates Seventh Addition.
7. Adopt Resolution No. 2016-98 requesting the Department of Economic Development to extend the completion date of CDBG Grant 15-CR-004 to October 1, 2017 for the construction of the 2015 Part 14 Improvements; Avenue E from 25th Street to 27th Street.
8. Approve the application submitted by Terry Broadfoot from Broadfoot Sand & Gravel to extend Conditional Use Permit No. 2000-07 to operate a clay extraction operation at 70th Street and 30th Avenue for a period of two years.
9. Approve the recommendation from the Development Services Division on the annual renewal for manufactured home court licenses to Cornhusker Mobile Home Park, 1115

Avenue C and Valley View Mobile Home Court, 2701 and 2801 Grand Avenue until May 31, 2017.

10. Approve the recommendation from the Development Services Division on extending the current licenses for Countryside Mobile Park, 1920 15th Avenue and L & M Mobile Home Park, 1110 Central Avenue an additional 60 days to correct the deficiencies.
11. Approve soliciting Requests for Proposals for the design of a playground, splash pad and shelter in northeast Kearney in the Eastbrooke Subdivision.
12. Adopt Resolution No. 2016-99 approving the Peterson Senior Activity Center Annual Nutrition Service Contract between the City of Kearney and Community Action Partnership of Mid-Nebraska.
13. Approve the recommendation from the Downtown Improvement Board on accepting the updated Downtown Streetscape Plan.
14. Accept the bids received for the 2016 Part 1 Improvements; 39th Street and 30th Avenue Traffic Signals and adopt Resolution No. 2016-100 awarding the bid to IES Commercial in the amount of \$89,583.00.
15. Approve the application for a Special Designated License submitted by Hi-Brand Kearney LLC, dba Old Chicago in connection with their Class IK-066969 liquor license to dispense beer in a 60'x60' fenced area located in their parking lot east of the building located at 115 East 2nd Avenue East on Thursday, June 29, 2016 from 6:00 p.m. until 10:00 p.m. for a beer garden.
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 inside the Ag Pavilion located at the Buffalo County Fairgrounds, 3807 Avenue N on Saturday, July 2, 2016 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 inside the Exposition Building and inside an outdoor 200'x150' fenced area located in the parking lot adjacent to the building as shown on the diagram located at the Buffalo County Fairgrounds, 3807 Avenue N on Monday, July 4, 2016 from 2:00 p.m. until 1:00 a.m. for an employee and customer appreciation event and a beer garden.
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 inside the Ag Pavilion located at the Buffalo County Fairgrounds, 3807 Avenue N on Saturday, July 9, 2016 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 inside the Exposition

Building located at the Buffalo County Fairgrounds, 3807 Avenue N on Friday, July 15, 2016 from 3:00 p.m. until 1:00 a.m. for a car auction.

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 located at the Buffalo County Fairgrounds, 3807 Avenue N on Saturday, July 16, 2016 from 3:00 p.m. until 1:00 a.m. for a reception.
21. 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 outdoor area measuring 150'x80' and designated as the Outdoor Arena adjacent to the Exposition Building as shown on the diagram at the Buffalo County Fairgrounds, 3807 Avenue N on Sunday, July 17, 2016 from 12:00 p.m. until 9:00 p.m. for a fund raiser.
22. 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 Exposition Building and an outdoor area measuring 200'x150' adjacent to the building as shown on the diagram all located at the Buffalo County Fairgrounds, 3807 Avenue N on July 27, 28, 29, 30, 2016 from 3:00 p.m. until 1:00 a.m. and July 31, 2016 from 3:00 p.m. until 12:00 a.m. for the Buffalo County Fair.
23. 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 outdoor area measuring 400'x200' and designated as the Demo Pit adjacent to the Exposition Building as shown on the diagram at the Buffalo County Fairgrounds, 3807 Avenue N on Sunday, July 31, 2016 from 2:00 p.m. until 11:00 p.m. for the Buffalo County Fair.
24. Authorize the Mayor to send a letter of no recommendation to the Nebraska Liquor Control Commission on the Class I-118141 liquor license application submitted by Los Magueyes LLC, dba Los Magueyes located at 320 3rd Avenue.

* *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. 8082 vacating the 50-foot platted setback on property described as Lot 2, Block 2, O'Brien Subdivision, a subdivision of Section 30, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska, excepting however, the north 4.0 feet of the east 10.0 feet of said tract (5510 East Saddle Horse Drive).

VI. REGULAR AGENDA

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