

# **KEARNEY CITY COUNCIL**

## **AGENDA**

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

**July 12, 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. POSTPONED UNTIL JULY 26, 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.
2. POSTPONED UNTIL JULY 26, 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.
3. POSTPONED UNTIL JULY 26, 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.

4. POSTPONED UNTIL JULY 26, 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.
5. POSTPONED UNTIL JULY 26, 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.
6. Conduct a public hearing on the Application submitted by Trenton Snow for Stephen and Amy Schweitzer to rezone from District AG, Agricultural District to District RR-1, Rural Residential District (Rural Standards) property described as a tract of land being part of the east half of the Northwest Quarter of Section 29, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (5205 Bison Run) and consider Ordinance No. 8088.
7. Conduct a public hearing on the Application submitted by Trenton Snow for Stephen and Amy Schweitzer for the Final Plat for Schweitzer Subdivision, a subdivision of a tract of land being part of the east half of the Northwest Quarter of Section 29, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (5205 Bison Run) and consider Resolution No. 2016-111.
8. Conduct a public hearing on the proposed amendments to the following chapters/sections of the City Code as follows:
  - a. Chapter 13, "Use Types" to add clarification of selected use types.
  - b. Table 14-1, "Commercial Use Types" to add language to "Restricted Business."
  - c. Chapter 19, "District R-1, Urban Residential Single-Family District (Low Density) to delete "lots with individual wastewater systems".
  - d. Chapter 21, "District R-3, Urban Residential Multi-Family District (Medium-Density)" and Chapter 22, "District R-4, Urban Residential Multi-Family District (High-Density)" to amend "minimum bufferyard adjacent to residential uses in R-1 and R-2 districts".
  - e. Chapter 24, "District UC, Mixed Use Urban Corridor District" and Chapter 25, "District C-O, Office District" to amend "minimum bufferyard to be provided by multi-family and non-residential uses adjacent to other non-multi-family residential uses."
  - f. Chapter 26, District C-1, Limited Commercial District" to amend "minimum bufferyard to be provided adjacent to residential uses or vacant land in RR-1 through R-4 and RM zoning districts" and add Section 26-107, "Supplemental Design Standards for Office and Commercial Uses in C-1 Districts."

- g. Chapter 27, "District C-2, Community Commercial District", Chapter 29, District C-3, General Commercial District" and Chapter 30, "District BP, Business Park District" to amend "minimum bufferyard to be provided adjacent to residential uses or vacant land in RR-1 through R-4 and RM zoning districts."
  - h. Chapter 31, "District M-1, Limited Industrial District", Chapter 32, "District M-2, General Industrial District" to amend "minimum bufferyard to be provided adjacent to residential uses or vacant land in RR-1 through R-4, RM, UC, C-O, C-1 and C-1(N) zoning districts."
  - i. Chapter 46, "Supplemental Use Regulations" to add clarification to certain supplemental commercial use regulations and to delete in its entirety Section 46-106, "Supplemental Design Standards for Office and Commercial Uses in C-1 Districts."
  - j. Amend Section 48-105, "Bufferyard Provisions" to require bufferyards of less than 10 feet wide to install a 6-foot high fence, Section 48-106, "Screening Standards" to provide when a street separates adjacent zoning districts the height of the screen reduced at the discretion of City staff, Section 48-107, "Parking Lot Landscaping" to clarify the requirements for landscaping for parking lots of Chapter 48, "Landscaping and Screening Standards" of the Kearney City Code.
  - k. Chapter 49, "Off-Street Parking" to amend "Public Works Planning Staff" to "Development Services Staff."
  - l. Chapter 56, "Public Improvements and Infrastructure" to delete Section 56-106.1, "Park Dedication" and consider Ordinance No. 8089.
9. Conduct a public hearing for the Council to meet as the Board of Equalization to determine a connection fee in the amount of special benefits accruing to the property in Sanitary Sewer Connection District Nos. 2014-1 and 2015-1 and Water Connection District No. 2015-1 and consider Resolution No. 2016-112.

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

- 1. Approve Minutes of Regular Meeting held June 28, 2016.
- 2. Approve the Claims.
- 3. Authorize the Mayor to send a letter of no recommendation to the Nebraska Liquor Control Commission on the manager application for Brandon Hamilton submitted by Hi-Brand Kearney, LLC, dba Old Chicago located at 115 South 2nd Avenue East in connection with their Class IK-066969 liquor license.
- 4. Adopt Resolution No. 2016-113 approving the Developer Constructed Infrastructure Agreement between the City of Kearney and WeisCo Properties, LLC for water and sanitary sewer improvements to serve Lot 5, Ingersoll Subdivision.
- 5. Adopt Resolution No. 2016-114 accepting the public improvements constructed under a Developer Constructed Infrastructure Agreement for Castle Ridge Fifth Addition.
- 6. Adopt Resolution No. 2016-115 approving the Employment Agreement between the City of Kearney and Michael Morgan.

7. Approve submitting the question to the Planning Commission for their review and recommendations whether Redevelopment Area #11 is substandard and blighted.
8. 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 located at the Buffalo County Fairgrounds, 3807 Avenue N, on Saturday, September 17, 2016 from 6:00 p.m. until 1:00 a.m. for a dance (alternate location is Exhibit Building and alternate date is September 24, 2016).
9. Approve the recommendation from the Development Services Division on approving the current licenses for Countryside Mobile Park, 1920 15th Avenue and L & M Mobile Home Park, 1110 Central Avenue.
10. 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 inside Credit Management, 416 West 48th Street, Suite 1 on Thursday, July 28, 2016 from 2:00 p.m. until 10:00 p.m. for business after hours.
11. Approve the plans and specifications for the purchase and installation of 8 scoreboards for the youth baseball and softball complexes at Patriot Park and set the bid opening date for July 29, 2016 at 2:00 p.m.
12. Approve the Street/Sidewalk/Parking Lot Closure, Traffic Control and or Parking Restrictions Permit Application for the Chapman/Bruning Wedding using the parking lot located north of the Museum of Nebraska Art and the parking stalls on the west side of Central Avenue from 23rd Street to 24th Street on August 6.

\* *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. Approve Ordinance No. 8090 authorizing the issuance of General Obligation Various Purpose Bonds, Series 2016, of the City of Kearney, Nebraska, in the principal amount of \$1,510,000 for the purpose of paying the costs of improving streets and intersections in Paving Improvement District No. 2014-964, including payment of interim financing related to said street improvement; directing the application of the proceeds of said bonds; prescribing the form of said bonds; providing for the levy and collection of taxes to pay the same; providing for the sale of the bonds; authorizing the delivery of the bonds to the purchaser.
2. Open Account Claim to NPPD - \$69,896.19.

## VII. REPORTS

## VIII. ADJOURN

Mayor Stanley Clouse  
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Vice-President Randy Buschkoetter  
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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)