

# **KEARNEY CITY COUNCIL**

## **AGENDA**

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

**December 13, 2016**

**5:30 p.m.**

### **I. ROUTINE BUSINESS AND REORGANIZATION**

1. Invocation/Moment of Silence.
2. Pledge of Allegiance.
3. Announcement on Open Meetings Act.
4. Roll call.
5. Approve Minutes of Regular Council Meeting of November 22, 2016, and Minutes of the Kearney Area Solid Waste Agency Meeting of September 13, 2016.
6. Accept the Certificate of Vote from the Buffalo County Election Commissioner.
7. City Clerk to administer the Oath of Office to Stanley Clouse, Bruce Lear and Jonathan Nikkila.
8. Nominations and appointment for President/Mayor.
9. Nominations and appointment for Vice-President.
10. Reappointment of Michaelle Trembly as City Clerk.
11. Oral Communication/Recognitions:
  - (a) Presentation of Kearney Volunteer Fire Department Service Awards: Kevin Royle for 5 years of service; Jim Tacha, George Wiedel for 15 years of service; Eddy Baer, Brad Isaac for 25 years of service; and Emmett Maul for 40 years of service.
  - (b) Presentation of Firefighter Certificates of Training for completing 2016 Firefighter I Class: Mathew Begnoche and Tyler Vlasin.

### **II. UNFINISHED BUSINESS**

### **III. PUBLIC HEARINGS**

1. POSTPONE UNTIL DECEMBER 20, 2016. Conduct a public hearing on the Application submitted by Miller & Associates for Grand West, LLC to rezone from District C-2, Community Commercial District to District R-3/PD, Urban Residential Multi-Family (Medium Density)/Planned Development Overlay District property described as Lot 1, Fountain Hills Seventh Addition, an addition to the City of Kearney, Buffalo County,

Nebraska (south of 56th Street and east of 11th Avenue) and consider Ordinance No. 8113.

2. POSTPONE UNTIL DECEMBER 20, 2016. Conduct a public hearing on the Application submitted by Miller & Associates for Grand West, LLC and TSK 14, LLC for Revised Planned District Development Plan Approval for the construction of an apartment complex on property to be zoned R-3/PD, Urban Residential Multi-Family (Medium Density)/Planned Development Overlay District and described as Lots 1 and 2, Fountain Hills Seventh Addition, an addition to the City of Kearney, Buffalo County, Nebraska (south of 56th Street and east of 11th Avenue) and consider Resolution No. 2016-188.
3. POSTPONE UNTIL JANUARY 10, 2017. Conduct a public hearing on the Applications submitted by Miller & Associates for MFP Mid-America Shopping Centers, LLC to (1) vacate Lot 1, Hilltop Mall Subdivision, a subdivision to the City of Kearney, Buffalo County, Nebraska and to consider Ordinance No. 8120; and (2) the Final Plat for Hilltop Mall Second, an addition to the City of Kearney for a tract of land being Lot 1 (to be vacated), Hilltop Mall Subdivision, a subdivision to the City of Kearney in the Southwest Quarter of the Northwest Quarter of Section 25, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (4915 2nd Avenue) and to consider Resolution No. 2016-202.
4. POSTPONE UNTIL JANUARY 10, 2017. Conduct a public hearing on the Application submitted by Miller & Associates for MFP Mid-America Shopping Centers, LLC for Planned District Development Plan Approval for the construction of a commercial building on property zoned District C-2/PD, Community Commercial/Planned Development Overlay District and described as a tract of land being proposed Lot 3, Hilltop Mall Second, an addition to the City of Kearney, Buffalo County, Nebraska (northeast of 2nd Avenue and 48th Street, west of Herbergers) and to consider Resolution No. 2016-203.
5. Conduct a public hearing on the Application submitted by Trenton Snow for Allen and Patricia Deets to rezone from District AG, Agricultural District to District C-3/PD General Commercial/Planned Development Overlay District property described as Lot 2, Deets Subdivision, a subdivision being part of the Southeast Quarter of the Southeast Quarter of Section 10 and part of the Northeast Quarter of the Northeast Quarter of Section 15, all in Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (1770 West Highway 40) and to consider Ordinance No. 8121.
6. Conduct a public hearing on the Application submitted by Duncan Theis Construction for Allen and Patricia Deets for Planned District Development Plan Approval for the construction of an office building with security fencing on property to be zoned District C-3/PD, General Commercial/Planned Development Overlay District and described as Lot 1, Deets Subdivision, a subdivision being part of the Southeast Quarter of the Southeast Quarter of Section 10 and part of the Northeast Quarter of the Northeast Quarter of Section 15, all in Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (1770 West Highway 40) and to consider Resolution No. 2016-204.
7. Conduct a public hearing on the Applications submitted by Miller & Associates for Chadwick and Melissa Henning and Thomas and Mary Henning to (1) vacate 6th Avenue from 82nd Street to 85th Street, reserving a 60-foot wide ingress/egress and utility easement and to consider Ordinance No. 8122; (2) vacate Lot 1 of Henning Subdivision, together with all of West 85th Street as platted on Henning Subdivision, together with all

of the 10 foot wide Utility Easement in Lot 1 of Henning Subdivision, and contiguous to West 85th Street as platted on said Henning Subdivision and to consider Ordinance No. 8123; (3) rezone from District RR-1, Rural Residential District (Rural Standards) to District AG, Agricultural District and from District AG, Agricultural District to District RR-1, Rural Residential District (Rural Standards) property described as Lot 1, Henning Subdivision, a subdivision being part of the South Half of the Southeast Quarter of Section 11 and Lot 4 of Block One (to be vacated), Schroeder Estates Third Subdivision, a subdivision being part of the Northeast Quarter of Section 14, all in Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (500 feet north of 82nd Street and 6th Avenue) and to consider Ordinance No. 8124.

8. Conduct a public hearing on the Application submitted by Miller & Associates for Chadwick and Melissa Henning and Thomas and Mary Henning for the Final Plat for Henning Second Subdivision, a subdivision being a part of the Southeast Quarter of the Southeast Quarter and part of the Southwest Quarter of the Southeast Quarter of Section 11, a part of West 85th Street (to be vacated) and part of Lot 1 (to be vacated), Henning Subdivision, a subdivision to Buffalo County, all in Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (500 feet north of 82nd Street and 6th Avenue) and to consider Resolution No. 2016-205.

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

1. Approve Minutes of Regular Meeting held November 22, 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 Dana Wright submitted by Event Operations LLC, dba Tri City Events Center located at 609 Platte Road in connection with their Class CK-084864 liquor license.
4. Authorize the Mayor to send a letter of no recommendation to the Nebraska Liquor Control Commission on the manager application for Ross Eickhoff submitted by Kearney Country Club located at 2800 19th Avenue in connection with their Class C-009051 liquor license.
5. Adopt Resolution No. 2016-206 approving the following Agricultural Leases at the Kearney Regional Airport from January 1, 2017 until December 31, 2017: B & B Bendfeldt Farms and Brenda Bendfeldt (176.6 irrigated acres); David Fleming (364.36 non-irrigated acres and 276 irrigated acres); Gary Henderson (38 irrigated acres); Don Hendrickson (193.5 irrigated acres); Ron Hendrickson (75 dry land hay acres); and Lee Potter (62 irrigated acres).
6. Adopt Resolution No. 2016-207 repealing Resolution No. 2016-152 and adopt the 2016-2017 Comprehensive Fee Schedule setting forth the fees for items and services to be provided by the City during the 2016-2017 year.
7. Approve the Plans and Specifications for the 2016 Part 2 Improvements consisting of Paving Improvement District No. 2016-982 for Avenue A from the north lot line of Lot 27, thence south to the south lot line of Lot 558, all in Southwest Quarter School Section

Addition; AND 31st Street from Avenue A to Avenue D and set the bid opening date for January 3, 2017 at 2:00 p.m.

- 8. Adopt Resolution No. 2016-208 approving the Non-Federal Reimbursable Agreement (AJW-FN-CSA-17-CE-000841) between the City of Kearney and the Federal Aviation Administration for the engineering review, construction oversight, and flight check of FAA facilities due to Runway 18/36 Width Reduction Project at the Kearney Regional Airport.
- 9. Adopt Resolution No. 2016-209 approving Application and Certificate for Payment No. 1 in the amount of \$153,497.88 submitted by Prairie Land Construction and approved by Miller & Associates for the Archway Trail; Phase III from Sweetwater Avenue to Fort Kearny Trailhead.
- 10. Approve the Plans and Specifications for the Hike/Bike Trail; Phase II project and set the bid opening date for January 17, 2017 at 2:00 p.m.

\* *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**

**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](http://www.cityofkearney.org)