

KEARNEY CITY COUNCIL

AMENDED AGENDA

City Council Chambers, 18 East 22nd Street

January 10, 2017

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. POSTPONE UNTIL JANUARY 24, 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 in 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 located 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.
2. POSTPONE UNTIL JANUARY 24, 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.
3. Conduct a public hearing on the Application submitted by Daniel and Judy Hoffman to rezone from District RR-1, Rural Residential District (Rural Standards) to District AG, Agricultural District property described as a tract of land being part of the South Half of the Southwest Quarter of Section 12, and a tract of land being part of the Northeast Quarter of the Northwest Quarter of Section 13, all in Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (8775 2nd Avenue) and to consider Ordinance No. 8125.
4. Conduct a public hearing on the proposed acquisition of Temporary and Permanent Trail

Right-of-Way Easements for the hike/bike trail extension located on a tract of land described as part of Government Lots 1, 2 and 3 of Section 10, Township 8 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska and consider Resolution No. 2017-1.

IV. CONSENT AGENDA *

1. Approve Minutes of Regular Meeting held December 20, 2016.
2. Approve the Claims.
3. Appointment of Randy Buschkoetter to serve on the Kearney Visitors Bureau, the appointment of Stanley Clouse and Bruce Lear to serve on the Buffalo County Economic Development Council, and the appointment of Jonathan Nikkila, Bob Lammers and Chuck Ogle to serve on the Joint Airport Zoning Board.
4. Adopt Resolution No. 2017-2 appointing the terms vacated by John Lowe and Jim Ganz Jr. on the Planning Commission.
5. Adopt Resolution No. 2017-3 approving the Agreement for Funding between the City of Kearney and the Kearney Visitor's Bureau for the purpose of providing funding for the management and operation of The Archway.
6. Adopt Resolution No. 2017-4 approving Application and Certificate for Payment No. 3 in the amount of \$3,920.58 submitted by IES Commercial Inc. and approved by Olsson Associates for the 2016 Part 1 Improvements; Traffic Signal at 30th Avenue and 39th Street.
7. Approve the purchases of a Caterpillar 938M Series Wheel Loader in the amount of \$207,958.00 and a 120M2 Motor Grader in the amount of \$207,300.00 submitted by Nebraska Machinery under the National Joint Powers Alliance to be used in Public Works/Transportation.
8. Adopt Resolution No. 2017-5 accepting the public improvements constructed under a Developer Constructed Infrastructure Agreement for Lots 1, 2, 3, 4, and 5 of Block One, Eastbrooke Eleventh Addition; Lots 2, 3, 4, and 5 of Block Four and Lot 1 of Block Five, Eastbrooke Eighth Addition.
9. Approve the Plans and Specifications for the 2016 Part 3 Improvements for 56th Street from 4th Avenue to 19th Avenue and 17th Avenue from 50th Street to west City limits; AND 2013 Part 10 Improvements for Talmadge Street from 2nd Avenue to 4th Avenue and set the bid opening date for February 7, 2017 at 2:00 p.m.
10. Approve the applications for Special Designated Licenses submitted by Night Life Concepts, Inc., dba Cunningham's Journal in connection with their Class CK-059311 liquor license to dispense alcoholic liquor in the Exposition Building and the Ag Pavilion located at the Buffalo County Fairgrounds, 3807 Avenue N on February 17, 18, 20, 21, 22, 23, 24, 25, 2017 from 10:00 a.m. until 12:00 a.m. and February 19 and 26 from 11:00 a.m. until 12:00 a.m. for the Cattlemen's Classic.
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 alcoholic liquor in the Exposition Building located at the Buffalo County Fairgrounds, 3807 Avenue N on Saturday, February 4, 2017 from 3:00 p.m. until 12:00 a.m. for a cage

fighting 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 alcoholic liquor in the Exhibit Building located at the Buffalo County Fairgrounds, 3807 Avenue N on Saturday, February 18, 2017 from 3:00 p.m. until 12:00 a.m. for a banquet.
- 13. Approve the application for a Special Designated License submitted by Kearney Investment Corporation, dba Holiday Inn in connection with their Class CK-017964 liquor license to dispense alcoholic liquors in First National Bank, 2223 2nd Avenue on Thursday, January 26, 2017 from 4:30 p.m. until 8:30 p.m. for a retirement reception.
- 14. ADDENDUM ITEM. Approve the application for a Special Designated License submitted by Earn and Return Investments, dba The Cellar Bar & Grill in connection with their Class IK-064728 liquor license to dispense alcoholic liquors in The Archway, 3060 East 1st Street on Monday, February 6, 2017 from 5:00 p.m. until 11:00 p.m. for a social.

* ***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. Consider the appeal submitted by Miller & Associates for Level 5, LLC on the review and evaluation of site development features by Administration as it pertains to maximum height requirements for property zoned District C-2, Community Commercial District and described as the west 300 feet of Lot 3, Spady's Addition, an Addition to the City of Kearney, Buffalo County, Nebraska (west of 105 Talmadge Street) and to consider Resolution No. 2017-6.
- 2. Open Account Claim to NPPD - \$82,804.90.

VII. REPORTS

VIII. ADJOURN

Mayor Stanley Clouse
 4907 Linden Drive Place
 627-6730 cell
 238-5210 office
mayor@kearneygov.org

Vice-President Randy Buschkoetter
 1110 13th Avenue
 234-5553 home
 440-0358 cell
citycouncil@kearneygov.org

Council Member Bruce Lear
 4803 Avenue L Place
 234-5354 home
 237-2724 office
citycouncil@kearneygov.org

Council Member Bob Lammers
 8 Crestview Place
 236-5273 home
 234-2577 office
citycouncil@kearneygov.org

Council Member Jonathan Nikkila
 4 Regency Place
 224-4309 cell
citycouncil@kearneygov.org

City Manager Michael Morgan
 18 East 22nd Street
 233-3214 office
mmorgan@kearneygov.org

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