

Kearney, Nebraska
November 14, 2023
5:30 p.m.

A meeting of the City Council of Kearney, Nebraska, was convened in open and public session at 5:30 p.m. on November 14, 2023 in the Council Chambers at City Hall. Present were: Stanley A. Clouse, President of the Council; Peggy Eynetich, City Clerk; Council Members Randy Buschkoetter, Bruce Lear, and Tami James Moore. Absent: Jonathan Nikkila. Michael Morgan, City Manager; Michael Tye, City Attorney; Brenda Jensen, Deputy City Manager; Kayla James, Director of Finance; Tony Jelinek, Director of Utilities; Andy Harter, Director of Public Works; Melissa Dougherty-O'Hara, Assistant Director of Development Services; Bryan Waugh, Chief of Police; and several members of the Kearney Police Department were also present. Members of the media present included: Mike Konz, Kearney Hub; Michael Shively, News Channel Nebraska and Brian Neben, NRG Media.

Notice of the meeting was given in advance thereof by publication in the Kearney Hub, the designated method for giving notice, a copy of the proof of publication being attached to these minutes. Advance notice of the meeting was also given to the City Council and a copy of their acknowledgment or receipt of such notice is attached to these minutes. Availability of the Agenda was communicated in the advance notice and in the notice to the Mayor and City Council. All proceedings hereafter shown were taken while the meeting was open to the attendance of the public.

I. ROUTINE BUSINESS

INVOCATION/MOMENT OF SILENCE

With the absence of a minister, the Council held a moment of silence.

PLEDGE OF ALLEGIANCE

Council members led the audience in the Pledge of Allegiance.

ANNOUNCEMENT

Mayor Clouse announced that in accordance with Section 84-1412 of the Nebraska Revised Statutes, a current copy of the Open Meetings Act is available for review and is posted on the wall of the Council Chambers.

RECOGNITION/ORAL COMMUNICATIONS

PRESENTATION OF AWARDS AND COMMENDATIONS TO KEARNEY POLICE DEPARTMENT OFFICERS:

Chief Bryan Waugh explained Kearney Police Officer award nominations are presented to the Kearney Police Department Awards and Commendations Committee. Officers receiving a Commendation plaque were Officer Benjamin Dostal and Officer Zach Schwarz for their efforts on May 14, 2023 and June 11, 2023.

Chief Waugh presented the Life Saving Award and service medal, which Officers can wear on their uniform, to Officer Christopher Hughes, Officer Derek Payton, and CSO Seth VanHorn for their life-saving actions on March 6, 2023, and to Officer Joshua Stokey do to his life-saving action on July 29, 2023.

Council members thanked the Officers for going above and beyond and for everything they do.

PROCLAMATION FOR NATIONAL HOMELESSNESS AND HUNGER AWARENESS WEEK

Mayor Clouse read the Proclamation for National Homelessness and Hunger Awareness Week and presented it to those in attendance.

RECOGNITION OF THE CITY OF KEARNEY WATER RESOURCE AND RECOVERY FACILITY FOR RECEIVING THE 2023 SCOTT WILBUR AWARD - BEST IN CLASS MEDIUM SIZE FACILITY AWARD

Mayor Clouse and Council Members recognized Clint Smith and the employees at the Wastewater Treatment Plant for receiving this award from the Nebraska Water Environmental Association..

Clint Smith, Wastewater Treatment Plant (WWTP) Superintendent, stated the WWTP converts unclean water into a useable resource and noted that their work is extremely rewarding. Mr. Smith explained the award the WWTP received recognizes outstanding compliance, operation, and performance and is the first Best in Class Award received by the City of Kearney and further noted they strive to provide the highest level of customer service to the citizens of Kearney and work to prevent negative environmental impacts to the Platte River while complying with all health, safety, and environmental permit requirements.

Mayor Clouse and Council Members congratulated Mr. Smith and WWTP employees on their work and the receipt of the Award.

II. UNFINISHED BUSINESS

There was no Unfinished Business.

III. PUBLIC HEARINGS

AMEND LAND USE MAP FOR PROPERTY LOCATED AT THE SOUTHWEST CORNER OF 2ND AVENUE AND 98TH STREET

Public Hearings 1 through 3 were discussed together but voted on separately.

Mayor Clouse opened the public hearing on the application submitted by Trenton Snow, Surveyor for James J. Nickman, Blue Water Investments, LLC, Owner for an amendment to the Land Use Map of the City of Kearney Comprehensive Development Plan from RE

- Rural Estates to MU3 - Commercial Mixed Use for property described as a tract of land being part of the Northeast Quarter of the Northeast Quarter of Section 11, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (southwest corner of 2nd Avenue and 98th Street) and consider Resolution No. 2023-146.

Trenton Snow, Land Surveyor, presented this matter to the Council. Mr. Snow described the property as residing just inside the 2-mile extraterritorial jurisdiction of Kearney City limits. Mr. Snow stated the proposed amendment to the Land Use Map, rezoning, and Final Plat and Subdivision Agreement will provide compliance for the possible future construction of a building on the property.

There was no one present in opposition to this hearing.

Moved by Moore, seconded by Lear to close the hearing and adopt Resolution No. 2023-146 approving the application submitted by Trenton Snow, Surveyor for James J. Nickman, Blue Water Investments, LLC, Owner for an amendment to the Land Use Map of the City of Kearney Comprehensive Development Plan from RE - Rural Estates to MU3 - Commercial Mixed Use for property described as a tract of land being part of the Northeast Quarter of the Northeast Quarter of Section 11, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (southwest corner of 2nd Avenue and 98th Street). Roll call resulted as follows: Aye: Clouse, Lear, Moore, Buschkoetter. Nay: None. Nikkila absent. Motion carried.

RESOLUTION NO. 2023-146

WHEREAS, an application for a revision of the Land Use Map of the Comprehensive Plan has been filed in conjunction with and as a requisite part of its application for a change in the zoning for a tract of land being part of the Northeast Quarter of the Northeast Quarter of Section 11, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska, more particularly described as follows: Referring to the Northwest corner of the Northeast 1/4 of said Section 11 and assuming the West line of said Northeast 1/4 as bearing S 00°06'14" W and all bearings contained herein are relative thereto; thence S 00°06'14" W on the aforesaid West line a distance of 667.94 feet; thence N 89°38'05" E parallel with the North line of said Northeast 1/4 a distance of 2,278.9 feet to the ACTUAL PLACE OF BEGINNING; thence continuing N 89°38'05" E on the afore described course a distance of 326.3 feet; thence S 00°56'21" W a distance of 335.58 feet; thence S 89°38'05" W parallel with the aforesaid North line a distance of 325.08 feet; thence N 00°43'37" E a distance of 335.55 feet to the place of beginning; SUBJECT TO HOWEVER AND TOGETHER WITH rights of ingress and egress over and across a strip of land being 60.0 feet in width and being located in the North Half of the Northeast Quarter of Section 11, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska, with said 60.0 foot strip of land being more particularly described as follows: Referring to the Northwest corner of the Northeast 1/4 of said Section 11; thence S 00°06'14" W on the West line of said Northeast 1/4 a distance of 667.94 feet; thence N 89°38'05" E parallel with the North line of said Northeast 1/4 a distance of 1,300.0 feet to the ACTUAL PLACE OF BEGINNING; thence continuing N 89°38'05" E on the afore described course a distance of 1,305.2 feet; thence S 00°56'21" W a distance of 60.02 feet; thence S 89°38'05" W parallel with the North line of said Northeast 1/4 a distance of 1,304.3 feet to a point being 1,300.0 feet easterly of the West

line of said Northeast 1/4; thence N 00°06'14" E parallel with and 1,300.0 feet easterly of the aforesaid West line a distance of 60.0 feet to the place of beginning; EXCEPT a tract of land deeded to the State of Nebraska, Department of Roads by Warranty Deed recorded June 4, 2003, on Inst. 2003-7144 and filed in the Buffalo County Register of Deeds (southwest corner of 2nd Avenue and 98th Street) from RE - Rural Estates to MU3 - Commercial Mixed Use; and

WHEREAS, the said application for change in the Comprehensive Land Use Plan has been approved by the City Planning Commission, after a public hearing properly published and held, and

WHEREAS, the City Council has held a public hearing upon the said revision and voted in favor of a motion to approve the change in the Land Use Plan as requested by the applicant.

NOW, THEREFORE, BE IT RESOLVED by the President and City Council of the City of Kearney, Nebraska, that the Comprehensive Land Use Plan be and is hereby amended to change from RE - Rural Estates to MU3 - Commercial Mixed Use the use classification for a tract of land being part of the Northeast Quarter of the Northeast Quarter of Section 11, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska, more particularly described as follows: Referring to the Northwest corner of the Northeast 1/4 of said Section 11 and assuming the West line of said Northeast 1/4 as bearing S 00°06'14" W and all bearings contained herein are relative thereto; thence S 00°06'14" W on the aforesaid West line a distance of 667.94 feet; thence N 89°38'05" E parallel with the North line of said Northeast 1/4 a distance of 2,278.9 feet to the ACTUAL PLACE OF BEGINNING; thence continuing N 89°38'05" E on the afore described course a distance of 326.3 feet; thence S 00°56'21" W a distance of 335.58 feet; thence S 89°38'05" W parallel with the aforesaid North line a distance of 325.08 feet; thence N 00°43'37" E a distance of 335.55 feet to the place of beginning; SUBJECT TO HOWEVER AND TOGETHER WITH rights of ingress and egress over and across a strip of land being 60.0 feet in width and being located in the North Half of the Northeast Quarter of Section 11, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska, with said 60.0 foot strip of land being more particularly described as follows: Referring to the Northwest corner of the Northeast 1/4 of said Section 11; thence S 00°06'14" W on the West line of said Northeast 1/4 a distance of 667.94 feet; thence N 89°38'05" E parallel with the North line of said Northeast 1/4 a distance of 1,300.0 feet to the ACTUAL PLACE OF BEGINNING; thence continuing N 89°38'05" E on the afore described course a distance of 1,305.2 feet; thence S 00°56'21" W a distance of 60.02 feet; thence S 89°38'05" W parallel with the North line of said Northeast 1/4 a distance of 1,304.3 feet to a point being 1,300.0 feet easterly of the West line of said Northeast 1/4; thence N 00°06'14" E parallel with and 1,300.0 feet easterly of the aforesaid West line a distance of 60.0 feet to the place of beginning; EXCEPT a tract of land deeded to the State of Nebraska, Department of Roads by Warranty Deed recorded June 4, 2003, on Inst. 2003-7144 and filed in the Buffalo County Register of Deeds.

PASSED AND APPROVED THIS 14TH DAY OF NOVEMBER, 2023.

ATTEST:
PEGGY EYNETICH
CITY CLERK

STANLEY A. CLOUSE
PRESIDENT OF THE COUNCIL
AND EX-OFFICIO MAYOR

REZONE PROPERTY LOCATED AT THE SOUTHWEST CORNER OF 2ND AVENUE AND 98TH STREET

Public Hearings 1 through 3 were discussed together but voted on separately.

Mayor Clouse opened the public hearing on the application submitted by Trenton Snow, Surveyor for James J. Nickman, Blue Water Investments, LLC, Owner to rezone from District AG, Agricultural District to District M-1 – Limited Industrial District for property described as a tract of land being part of the Northeast Quarter of the Northeast Quarter of Section 11, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (southwest corner of 2nd Avenue and 98th Street) and consider Ordinance No. 8653.

There was no one present in opposition to this hearing.

Moved by Lear to close the public hearing on the Application submitted by Trenton Snow, Surveyor for James J. Nickman, Blue Water Investments, LLC, Owner and introduced Ordinance No. 8653 rezoning from District AG, Agricultural District to District M-1 – Limited Industrial District for property described as a tract of land being part of the Northeast Quarter of the Northeast Quarter of Section 11, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (southwest corner of 2nd Avenue and 98th Street) and moved that the statutory rules requiring ordinances to be read by title on three different days be suspended and said ordinances be considered for passage on the same day upon reading by number only, and then placed on final passage and that the City Clerk be permitted to call out the number of the ordinance on its first reading and then upon its final passage. Council Member Buschkoetter seconded the motion to close the hearing and suspend the rules for Ordinance No. 8653. President of the Council asked for discussion or if anyone in the audience was interested in the ordinance. No one responded. Clerk called the roll which resulted as follows: Aye: Clouse, Moore, Buschkoetter, Lear. Nay: None. Nikkila absent. Motion to suspend the rules having been concurred in by three-fourths of the City Council, said motion was declared passed and adopted. City Clerk read Ordinance No. 8653 by number. Roll call of those in favor of the passage of said ordinance on the first reading resulted as follows: Aye: Clouse, Moore, Buschkoetter, Lear. Nay: None. Nikkila absent. Motion carried. Ordinance was read by number.

Moved by Buschkoetter seconded by Clouse that Ordinance No. 8653 be passed, approved and published as required by law. Roll call resulted as follows: Aye: Clouse, Moore, Buschkoetter, Lear. Nay: None. Nikkila absent. Motion carried.

By reason of the roll call voted on the first reading and final passage of the ordinance, Ordinance No. 8653 is declared to be lawfully passed and adopted upon publication in pamphlet form and made available to the public at the Office of the City Clerk and the Kearney Public Library.

FINAL PLAT AND SUBDIVISION AGREEMENT FOR STONE CREEK SECOND SUBDIVISION

Mayor Clouse opened the public hearing on the application submitted by Trenton Snow,

Surveyor for James J. Nickman, Blue Water Investments, LLC, Owner for the Final Plat and Subdivision Agreement for Stone Creek Second, a subdivision being part of the Northeast Quarter of the Northeast Quarter of Section 11, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (southwest corner of 2nd Avenue and 98th Street) and consider Resolution No. 2023-147.

There was no one present in opposition to this hearing.

Moved by Clouse seconded by Moore to close the hearing and adopt Resolution No. 2023-147 approving the application submitted by Trenton Snow, Surveyor for James J. Nickman, Blue Water Investments, LLC, Owner for the Final Plat and Subdivision Agreement for Stone Creek Second, a subdivision being part of the Northeast Quarter of the Northeast Quarter of Section 11, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (southwest corner of 2nd Avenue and 98th Street). Roll call resulted as follows: Aye: Clouse, Buschkoetter, Lear, Moore. Nay: None. Nikkila absent. Motion carried.

RESOLUTION NO. 2023-147

BE IT RESOLVED BY THE PRESIDENT AND COUNCIL OF THE CITY OF KEARNEY, NEBRASKA, that the plat of Stone Creek Second, a subdivision being part of the Northeast Quarter of the Northeast Quarter of Section 11, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska for property described as a tract of land being part of the Northeast Quarter of the Northeast Quarter of Section 11, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska, more particularly described as follows: Referring to the Northwest corner of the Northeast 1/4 of said Section 11 and assuming the West line of said Northeast 1/4 as bearing S 00°06'14" W and all bearings contained herein are relative thereto; thence S 00°06'14" W on the aforesaid West line a distance of 667.94 feet; thence N 89°38'05" E parallel with the North line of said Northeast 1/4 a distance of 2,278.9 feet to the ACTUAL PLACE OF BEGINNING; thence continuing N 89°38'05" E on the afore described course a distance of 326.3 feet; thence S 00°56'21" W a distance of 335.58 feet; thence S 89°38'05" W parallel with the aforesaid North line a distance of 325.08 feet; thence N 00°43'37" E a distance of 335.55 feet to the place of beginning; SUBJECT TO HOWEVER AND TOGETHER WITH rights of ingress and egress over and across a strip of land being 60.0 feet in width and being located in the North Half of the Northeast Quarter of Section 11, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska, with said 60.0 foot strip of land being more particularly described as follows: Referring to the Northwest corner of the Northeast 1/4 of said Section 11; thence S 00°06'14" W on the West line of said Northeast 1/4 a distance of 667.94 feet; thence N 89°38'05" E parallel with the North line of said Northeast 1/4 a distance of 1,300.0 feet to the ACTUAL PLACE OF BEGINNING; thence continuing N 89°38'05" E on the afore described course a distance of 1,305.2 feet; thence S 00°56'21" W a distance of 60.02 feet; thence S 89°38'05" W parallel with the North line of said Northeast 1/4 a distance of 1,304.3 feet to a point being 1,300.0 feet easterly of the West line of said Northeast 1/4; thence N 00°06'14" E parallel with and 1,300.0 feet easterly of the aforesaid West line a distance of 60.0 feet to the place of beginning; EXCEPT a tract of land deeded to the State of Nebraska, Department of Roads by Warranty Deed recorded June 4, 2003, on Inst. 2003-7144 and filed in the Buffalo County Register of Deeds (southwest corner of 2nd Avenue

and 98th Street), duly made out, acknowledged and certified, and the same hereby is approved in accordance with the provisions and requirements of Section 19-916 of the Nebraska Revised Statutes, be accepted and ordered filed and recorded in the Office of the Register of Deeds of Buffalo County, Nebraska; said addition is hereby included within the corporate limits of said City and shall be and become a part of said City for all purposes whatsoever, and the inhabitants of such addition shall be entitled to all the rights and privileges and shall be subject to all laws, ordinances, rules and regulations of said City.

BE IT FURTHER RESOLVED that the Subdivision Agreement, marked as Exhibit "A" attached hereto and made a part hereof by reference, be and is hereby approved and that the President of the Council be and is hereby authorized and directed to execute said agreement on behalf of the City of Kearney, Nebraska. Said Subdivision Agreement shall be filed with the final plat with the Buffalo County Register of Deeds.

BE IT FURTHER RESOLVED that the President of the Council be and is hereby authorized and directed to execute the final plat on behalf of the City of Kearney, Nebraska.

PASSED AND APPROVED THIS 14TH DAY OF NOVEMBER, 2023.

ATTEST:
PEGGY EYNETICH
CITY CLERK

STANLEY A. CLOUSE
PRESIDENT OF THE COUNCIL
AND EX-OFFICIO MAYOR

VACATION OF GREENHILL ACRES SUBDIVISION

Mayor Clouse opened the public hearing on the application submitted by Andrew W. Hoffmeister, Applicant, for Andrew W. Hoffmeister and Nancy S. Freburg, Owners to vacate Lots 1, 2, 3, 4, 5 and 6, Greenhill Acres Subdivision, a Subdivision being the South One-Half of the Southeast Quarter of the Southeast Quarter of Section 20, Township 9 North, Range 16, West of the 6th P.M., Buffalo County, Nebraska and consider Ordinance No. 8654.

Andrew Hoffmeister, Applicant and Owner, presented this matter to the Council. Mr. Hoffmeister stated the property was platted in the 70's and noted the original Plat does not include easements to allow access to all of the lots. Mr. Hoffmeister stated he and his wife would like to get the Subdivision off the record.

There was no one present in opposition to this hearing.

Moved by Moore to close the public hearing on the Application submitted by Andrew W. Hoffmeister, Applicant, for Andrew W. Hoffmeister and Nancy S. Freburg, Owners and introduced Ordinance No. 8654 vacating Lots 1, 2, 3, 4, 5 and 6, Greenhill Acres Subdivision, a Subdivision being the South One-Half of the Southeast Quarter of the Southeast Quarter of Section 20, Township 9 North, Range 16, West of the 6th P.M., Buffalo County, Nebraska and moved that the statutory rules requiring ordinances to be read by title on three different days be suspended and said ordinances be considered for passage on the same day upon reading by number only, and then placed on final passage and that the City Clerk be permitted to call out the number of the ordinance on its first reading and then upon its final passage. Council Member Lear seconded the motion to close the hearing and suspend the rules for Ordinance No. 8654. President of the Council

asked for discussion or if anyone in the audience was interested in the ordinance. No one responded. Clerk called the roll which resulted as follows: Aye: Clouse, Lear, Moore, Buschkoetter. Nay: None. Nikkila absent. Motion to suspend the rules having been concurred in by three-fourths of the City Council, said motion was declared passed and adopted. City Clerk read Ordinance No. 8654 by number. Roll call of those in favor of the passage of said ordinance on the first reading resulted as follows: Aye: Clouse, Lear, Moore, Buschkoetter. Nay: None. Nikkila absent. Motion carried. Ordinance was read by number.

Moved by Lear seconded by Buschkoetter that Ordinance No. 8654 be passed, approved and published as required by law. Roll call resulted as follows: Aye: Clouse, Moore, Buschkoetter, Lear. Nay: None. Nikkila absent. Motion carried.

By reason of the roll call voted on the first reading and final passage of the ordinance, Ordinance No. 8654 is declared to be lawfully passed and adopted upon publication in pamphlet form and made available to the public at the Office of the City Clerk and the Kearney Public Library.

REZONE PROPERTY LOCATED AT 3107 WEST HIGHWAY 30

Public Hearings 5 and 6 were discussed together but voted on separately.

Mayor Clouse opened the public hearing on the application submitted by Miller & Associates for Schumacher Fencing, LLC to rezone from District C-3, General Commercial District to District C-3/PD, General Commercial District/ Planned Development Overlay District for property described as Lots 1 and 2 Meridian West, an Addition to the City of Kearney, Buffalo County, Nebraska (3107 West Highway 30) and consider Ordinance No. 8655.

Craig Bennett, Miller & Associates presented this matter to the Council. Mr. Bennett detailed the 3.54-acre property proposed to be rezoned with a Planned Development Plan, to accommodate a gravel trailer storage lot. Mr. Bennett described the landscape plan and noted the Developer's plans to exceed City requirements with additional landscaping.

There was no one present in opposition to this hearing.

Moved by Buschkoetter to close the public hearing on the Application submitted by Miller & Associates for Schumacher Fencing, LLC and introduced Ordinance No. 8655 rezoning from District C-3, General Commercial District to District C-3/PD, General Commercial District/ Planned Development Overlay District for property described as Lots 1 and 2 Meridian West, an Addition to the City of Kearney, Buffalo County, Nebraska (3107 West Highway 30) and moved that the statutory rules requiring ordinances to be read by title on three different days be suspended and said ordinances be considered for passage on the same day upon reading by number only, and then placed on final passage and that the City Clerk be permitted to call out the number of the ordinance on its first reading and then upon its final passage. Council Member Clouse seconded the motion to close the hearing and suspend the rules for Ordinance No. 8655. President of the Council asked for discussion or if anyone in the audience was interested in the ordinance. No one

responded. Clerk called the roll which resulted as follows: Aye: Clouse, Moore, Buschkoetter, Lear. Nay: None. Nikkila absent. Motion to suspend the rules having been concurred in by three-fourths of the City Council, said motion was declared passed and adopted. City Clerk read Ordinance No. 8655 by number. Roll call of those in favor of the passage of said ordinance on the first reading resulted as follows: Aye: Clouse, Moore, Buschkoetter, Lear. Nay: None. Nikkila absent. Motion carried. Ordinance was read by number.

Moved by Clouse seconded by Moore that Ordinance No. 8655 be passed, approved and published as required by law. Roll call resulted as follows: Aye: Clouse, Buschkoetter, Lear, Moore. Nay: None. Nikkila absent. Motion carried.

By reason of the roll call voted on the first reading and final passage of the ordinance, Ordinance No. 8655 is declared to be lawfully passed and adopted upon publication in pamphlet form and made available to the public at the Office of the City Clerk and the Kearney Public Library.

PLANNED DEVELOPMENT PLAN APPROVAL FOR PROPERTY LOCATED AT 3107 WEST HIGHWAY 30

Public Hearings 5 and 6 were discussed together but voted on separately.

Mayor Clouse opened the public hearing on the application submitted by Miller & Associates for Schumacher Fencing, LLC for Planned Development Plan Approval for construction of a commercial fencing business on property to be zoned District C-3/PD, General Commercial District/ Planned Development Overlay District and described as Lots 1 and 2 Meridian West, an Addition to the City of Kearney, Buffalo County, Nebraska (3107 West Highway 30) and consider Resolution No. 2023-159.

There was no one present in opposition to this hearing.

Moved by Moore seconded by Lear to close the hearing and adopt Resolution No. 2023-159 approving the application submitted by Miller & Associates for Schumacher Fencing, LLC for Planned Development Plan Approval for construction of a commercial fencing business on property to be zoned District C-3/PD, General Commercial District/ Planned Development Overlay District and described as Lots 1 and 2 Meridian West, an Addition to the City of Kearney, Buffalo County, Nebraska (3107 West Highway 30). Roll call resulted as follows: Aye: Clouse, Lear, Moore, Buschkoetter. Nay: None. Nikkila absent. Motion carried.

RESOLUTION NO. 2023-159

WHEREAS, Miller & Associates for Schumacher Fencing, LLC, have applied for Planned District Development Plan Approval for a potential future addition along the east side on property to be zoned District C-3/PD, General Commercial/Planned Development Overlay District and described as Lots 1 and 2 Meridian West, an Addition to the City of Kearney, Buffalo County, Nebraska (3107 West Highway 30).

NOW, THEREFORE, BE IT RESOLVED by the President and City Council of the City of Kearney, Nebraska, that the application of Miller & Associates for Schumacher

Fencing, LLC for Planned District Development Plan Approval to a potential future addition along the east side on property zoned District C-3/PD, General Commercial/Planned Development Overlay District and described as Lots 1 and 2 Meridian West, an Addition to the City of Kearney, Buffalo County, Nebraska (3107 West Highway 30) be approved subject to the following deviation:

- Deviation from paving requirements. Supplemental Use Regulations for Construction Sales and Services (Section 46-105, F. 5.) requires all areas not occupied by buildings or landscaping shall be paved with concrete or asphalt. The applicant has requested to allow the area located on the north side of the property abutting the north and east side of the existing concrete pavement to be gravel as indicated on the landscape plan.

PASSED AND APPROVED THIS 14TH DAY OF NOVEMBER, 2023.

ATTEST:
PEGGY EYNETICH
CITY CLERK

STANLEY A. CLOUSE
PRESIDENT OF THE COUNCIL
AND EX-OFFICIO MAYOR

IV. CONSENT AGENDA

Moved by Lear seconded by Buschkoetter that Subsections 1 through 16 of Consent Agenda Item IV be approved. Roll call resulted as follows: Aye: Clouse, Moore, Buschkoetter, Lear. Nay: None. Nikkila absent. Motion carried.

1. Approve Minutes of Regular Meeting held October 24, 2023.
2. Approve the following Claims:
 - PS Personnel Services
 - SMCS Supplies, Materials & Contractual Services
 - ER Equipment Rental
 - CO Capital Outlay
 - DS Debt Service

Ace Irrigation \$330.00 co; Acushnet-Titleist \$3,188.83 smcs; Agri Coop \$3,461.98 smcs; Alfred Benesch \$95,033.92 co; Alice Brehm Estate \$250.00 smcs; All City Garage Door \$2,788.45 smcs; All Copy \$500.00 smcs; Artisans \$40.00 smcs; Ask Supply \$5,097.67 smcs; Aurora Coop \$86.70 smcs; AvFuel \$161,557.38 smcs; Baker & Taylor \$10,331.34 smcs; BG Ventures \$159.16 smcs; Blue Cross Blue Shield \$515,676.07 smcs; Bonk, J \$100.00 smcs; Booton, L \$121.00 smcs; Bossfuels \$24,348.87 smcs; Browne, J \$433.16 smcs; Buffalo Co. Clerk \$2,692.92 smcs; Buffalo Co. Comm. \$2,500.00 smcs; Buffalo Co. Redi-Mix \$6,142.70 smcs,co; Builders \$253.24 smcs,co; Cal/Amp \$781.55 smcs; Caldwell Tanks \$151,965.00 co; Candy, P \$1,064.00 smcs; Cash Wa \$3,456.54 smcs; Cellebrite USA \$3,780.00 smcs; Center Point Publishing \$79.86 smcs; Central NE Bobcat \$30,000.00 co; Charter \$50.00 smcs; Chesterman \$1,567.00 smcs; Child's World \$3,231.00 smcs; Chramosta, R \$204.00 smcs; City of KY \$5,841.20 co; City of KY \$431,526.31 smcs,ps; Comm Health Agencies \$10.00 ps; Community Action \$1,645.50 smcs; Computer Hardware \$6,269.40 smcs; Conner, B \$204.00 smcs; Cope, M \$39.69 smcs; Cornhusker Cleaning \$667.57 smcs; Country Partners \$118,998.48 smcs; Crowne Plaza \$150.00 smcs; Culligan \$3,495.50 smcs; Cunningham's Journal \$60.00 smcs;

Cutter & Buck \$1,029.86 smcs; Cutting Edge Cleaning \$175.00 smcs; Danburg, K \$50.00 smcs; Dan's Plumbing \$342.50 smcs; Dostal, B \$103.95 smcs; Double J Plumbing \$140.95 smcs; DPC Industries \$12,568.79 smcs; Duff, J \$16.21 smcs; Dutton Lainson \$8,111.25 smcs; Eagle Distribution \$23.05 smcs; Eakes \$835.01 smcs; Easy Up \$1,800.00 co; Ed Broadfoot & Sons \$12,660.00 co; Eirich, D \$69.43 smcs; Elliott Equipment \$6,307.50 smcs; EMC Insurance \$10.14 smcs; Engineered Controls \$2,150.00 smcs; ESChat \$191.94 smcs; ESRI \$40,045.83 smcs; Family Practice \$130.00 ps; Faz, A \$204.00 smcs; Fearnley, M \$150.00 smcs; Frontier \$2,836.88 smcs; Fry & Associates \$26,712.05 smcs; Gale/Cengage \$1,375.51 smcs; Garrett Tires \$4,947.80 smcs; Gary Smith Construction \$422,811.50 co; Gear for Sports \$142.65 smcs; Gillming, R \$74.89 smcs; Give Nebraska \$10.00 ps; Glatter, D \$50.00 smcs; Goodner, D \$31.00 smcs; Graczyk Lawn \$2,167.00 smcs; Greater NE Cities \$1,000.00 smcs; Hall Weapon System \$1,100.00 smcs; HD Arms \$7,050.94 smcs; Heartland Clerks Assn. \$20.00 smcs; Heartland Refrigeration \$192.50 smcs; HM Life \$53,081.21 smcs; Hometown Leasing \$283.23 smcs; Hotsy Equipment \$13,134.14 smcs,co; Hughes, C \$204.00 smcs; Huso, A \$244.72 smcs; Hy-Vee \$390.00 smcs; IRS \$199,325.21 ps; Isaac Construction \$420.00 co; Jack Lederman \$278.66 smcs; Jack's Uniforms \$4,758.99 smcs; JCB Delivery \$38.00 smcs; John T. Jones Const. \$1,857,276.71 co; KY Animal Shelter \$121.00 smcs; KY Concrete \$25,003.50 co; KY Crete & Block \$240.00 co; KY High School \$80.00 smcs; KY Rescue Cats \$2,000.00 smcs; KY Tennis Assoc. \$10,815.00 smcs; Kelly Supply \$161.78 smcs; KGFW \$200.00 smcs; Konica Minolta \$701.12 smcs; Landmark Implement \$3,453.81 smcs; Laser Technology \$215.00 smcs; Law Enforcement Tech \$4,995.00 smcs; Leach, C \$45.00 smcs; Lerner Publications \$3,264.34 smcs; Lincoln National \$9,751.99 smcs; Lindenstein, S \$4.97 smcs; Macqueen Equipment \$6,165.12 smcs; Magic Cleaning \$7,350.00 smcs; Marlatt Precision \$1,845.30 co; Marriott \$330.00 smcs; May, K \$50.00 smcs; McCartney, Erin Chpt. 13 \$157.00 ps; MCL Construction \$1,536,284.55 co; Menards \$222.94 smcs; Midlands Contracting \$170,568.27 co; Midwest Concrete \$11,500.00 co; Midwest Connect \$5,268.01 smcs; Midwest Turf \$1,178.18 smcs; Miller & Associates \$33,265.35 co; Miller, D \$200.00 smcs; Miracle Recreation \$2,433.66 co; Mission Square \$8,648.71 ps; Mitchell 1 \$1,903.56 smcs; Modern Warriors \$2,650.00 smcs; Morrow, M \$456.44 smcs; Mostek Electric \$2,207.53 smcs; Motorola \$2,087.21 smcs; Municipal Pipe \$20,223.00 smcs; Municipal Supply \$50,783.08 smcs; NDEE \$115.00 smcs; NE Child Support \$1,594.65 ps; NE Dept of Revenue \$70,831.19 ps; NE Machinery \$2,929.91 smcs; NE Municipal Clerks \$200.00 smcs; NE Public Health \$82.00 smcs; NE Safety & Fire \$225.00 smcs; Nebraska Title \$297,977.70 co; Nebraskaland Dist. \$418.45 smcs; NELETC \$57.10 smcs; New Deal Deicing \$49,985.00 smcs; Northwest Electric \$1,444.09 smcs; Northwestern Energy \$4,932.38 smcs; Novus \$60.00 smcs; Olsson \$9,325.00 co; One Call Concepts \$27.04 smcs; Orcutt, L \$7.95 smcs; Otto Environmental \$32,533.40 smcs; Overdrive \$49,500.00 smcs; Paymentus \$1,293.60 smcs; Penworthy \$253.57 smcs; Pep Co. \$157.50 smcs; Perkins, D \$150.00 smcs; Presto-X \$144.18 smcs; Pro-Tint \$300.00 smcs; Rasmussen Mechanical \$1,986.23 smcs; Ready Mixed Concrete \$25,197.72 co; Rheome Tree \$200.00 smcs; S & B Heating \$2,608.64 smcs; S & J Construction \$13,305.00 co; Sampson Const. \$808,112.02 co; Schaub, M \$150.00 smcs; School District #7 \$9,760.00 smcs; Schriener, D \$117.69 smcs; Schriener, S \$117.69 smcs; Schultz, K \$150.00 smcs; See Clear Cleaning \$2,697.50 smcs; Shredding Solutions \$65.53 smcs; Sign Solutions \$197.41 smcs; Southern Glaziers \$1,440.40 smcs; State Fire Marshall \$25.00 smcs; State of NE/DAS \$8.82 smcs; Stitch 3 \$15.00 smcs; Stutsman \$2,745.00 smcs; Sunset Law Enforcement \$36,134.20 smcs; Teknephos \$500.00 co; Thompson, D \$31.00 smcs;

TK Elevator \$513.94 smcs; Traveler's \$220,787.75 smcs; Tri Co. Glass \$440.00 smcs; Tsukiyama, G \$457.10 smcs; Turner Body Shop \$125.00 smcs; Tye & Rowling \$16,121.62 smcs; Underground Const. \$47,888.84 smcs,co; Union Bank & Trust \$106,190.08 ps; United Way of KY \$94.00 ps; Urbanek, B \$75.00 smcs; Vanco \$96.30 smcs; Vasquez, J \$150.00 smcs; Verizon \$13,403.07 smcs; Village Uniform \$217.94 smcs; Warren-T Plumbing \$705.00 smcs; Waugh, B \$219.00 smcs; Wessels, W \$3,900.00 smcs; Yaw, B \$19,625.00 smcs; Zabel, A \$150.00 smcs; Payroll Ending 10/21/2023 -- \$628,653.43 and 11/04/2023 -- \$615,307.88. The foregoing schedule of claims is published in accordance with Section 19-1102 of the Revised Statutes of Nebraska, and is published at an expense of \$_____ to the City of Kearney.

3. Approve the purchase of a 2024 520 Peterbilt, Paccar PX-9 380 HP with Sidewinder series automated side load in the amount of \$396,604.02 submitted by Elliott Equipment Co. under the Sourcewell Cooperative Purchasing Contract program to be used by the Utilities Department.

4. Adopt Resolution No. 2023-160 approving the Employment Agreement between the City of Kearney and Interim City Manager Brenda Jensen.

RESOLUTION NO. 2023-160

WHEREAS, the current City Manager, Michael Morgan has announced his plan to retire in January, 2024; and

WHEREAS, the City Council of the City of Kearney, Nebraska, has the responsibility to designate a properly qualified person to perform the duties of the City Manager during the absence of the City Manager and hereby fix, prescribe and limit salary and wages to be paid by this City to said qualified person, pursuant to the authority granted in Section 1-301 of the Code of the City of Kearney, Nebraska, and Sections 19-620 and 19-645 of the Nebraska Revised Statutes; and

WHEREAS, the Deputy City Manager, Brenda Jensen, is well versed and experienced in management and the affairs of the City of Kearney.

NOW, THEREFORE, BE IT RESOLVED by the President and Council of the City of Kearney, Nebraska, that Brenda Jensen, Deputy City Manager be and is hereby appointed as Interim City Manager of the City of Kearney, Nebraska, effective January 14, 2024 subject to conditions, duties and responsibilities as outlined in the attached Employment Agreement as shown on Exhibit A attached hereto and made a part hereof by reference.

PASSED AND APPROVED THIS 14TH DAY OF NOVEMBER, 2023.

ATTEST:
PEGGY EYNETICH
CITY CLERK

STANLEY A. CLOUSE
PRESIDENT OF THE COUNCIL
AND EX-OFFICIO MAYOR

5. Adopt Resolution No. 2023-161 certifying the annual appointment of City employee Brandon Shafto (License No. S-1572, Class A), who served as the City Street Superintendent from January 1, 2023 through December 31, 2023, for the purpose of the 2023 calendar year Highway Incentive Payment, to be issued to the City of Kearney by the Nebraska Department of Transportation in February, 2024.

RESOLUTION NO. 2023-161

WHEREAS, State of Nebraska Statutes, sections 39-2302, and 39-2511 through 39-2515 details the requirements that must be met in order for a municipality to qualify for an annual Incentive Payment; and

WHEREAS, The State of Nebraska Department of Transportation (NDOT) requires that each incorporated municipality must annually certify (by December 31st of each year) the appointment of the City Street Superintendent to the NDOT using the Year-End Certification of City Street Superintendent form; and

WHEREAS, The NDOT requires that such certification shall also include a copy of the documentation of the city street superintendent appoint, i.e., meeting minutes; showing the appointment of the City Street Superintendent by their name as it appears on their License (if applicable), their License Number and Class of License (if applicable), and type of appointment, i.e., employed, contract (consultant, or interlocal agreement with another incorporated municipality and/or county), and the beginning date of the appointment; and

WHEREAS, The NDOT also requires that such Year-End Certification of City Street Superintendent shall be signed by the Mayor and shall include a copy of a resolution by the governing body authorizing the signing of the Year-End Certification of City Street Superintendent by the Mayor.

NOW, THEREFORE, BE IT RESOLVED by the President and Council of the City of Kearney, Nebraska, that the Mayor is hereby authorized to sign the attached Year-End Certification of City Street Superintendent.

PASSED AND APPROVED THIS 14TH DAY OF NOVEMBER, 2023.

ATTEST:
PEGGY EYNETICH
CITY CLERK

STANLEY A. CLOUSE
PRESIDENT OF THE COUNCIL
AND EX-OFFICIO MAYOR

6. Approve the purchase of a 2024 Elgin Eagle Street Sweeper in the amount of \$313,155.27 submitted by MacQueen Equipment under the Sourcewell Cooperative Purchasing Contract program to be used in the Public Works Department.

7. Accept the Proposals received for the Cemetery Northeast Addition Pump Station and award the bid to Hanson Irrigation Inc. dba Mueller Sprinklers in the amount of \$190,291.00.

8. Reject the bids received for the 2024 Yanney Playground Surface Project.

9. Adopt Resolution No. 2023-162 approving the Developer Constructed Infrastructure Agreement for BSB Addition between the City of Kearney and Brad Brandt, Manager, of BSB Investments, LLC, a Nebraska Limited Liability Company, for the public improvements, water main, sanitary sewer main, paving and storm sewer main to serve BSB Addition, an addition to the City of Kearney, Buffalo County, Nebraska.

RESOLUTION NO. 2023-162

BE IT RESOLVED BY THE PRESIDENT AND COUNCIL OF THE CITY OF KEARNEY, NEBRASKA that the agreement entitled "Developer Constructed

Infrastructure Agreement for “BSB Addition” between the City of Kearney and Brad Brandt, Manager of BSB Investments, LLC, a Nebraska Corporation for the public improvements, water main, sanitary sewer main, paving and storm sewer main to serve BSB Addition, an addition to the City of Kearney, Buffalo County, Nebraska be and is hereby accepted and approved. The Agreement, marked as Exhibit A is attached hereto and made a part hereof.

BE IT FURTHER RESOLVED that the President of the Council be and is hereby authorized and directed to execute the same agreement on behalf of the City of Kearney.

PASSED AND APPROVED THIS 14TH DAY OF NOVEMBER, 2023.

ATTEST:
PEGGY EYNETICH
CITY CLERK

STANLEY A. CLOUSE
PRESIDENT OF THE COUNCIL
AND EX-OFFICIO MAYOR

10. Adopt Resolution No. 2023-163 approving a software upgrade to the records management software (RMS) utilized by the Kearney Police Department and Buffalo County Sheriff’s Office.

RESOLUTION NO. 2023-163

BE IT RESOLVED by the President and City Council of the City of Kearney, Nebraska, that the police records management software (RMS), shared through the colocation agreement between the Kearney Police Department and Buffalo County Sheriff’s Office and managed by the Kearney Police Department, upgrade to ProSuite through the current RMS vendor CentralSquare Technologies, LLC be and is hereby approved and the agreements, with CentralSquare Technologies, LLC, marked as Exhibit A and the Community Data Program Agreement marked as Exhibit B, are attached hereto and made a part hereof by reference.

BE IT FURTHER RESOLVED by the President and Council of the City of Kearney, Nebraska that the Chief of Police be and is hereby authorized and directed to execute the same Agreements on behalf of the City of Kearney.

PASSED AND APPROVED THIS 14TH DAY OF NOVEMBER, 2023.

ATTEST:
PEGGY EYNETICH
CITY CLERK

STANLEY A. CLOUSE
PRESIDENT OF THE COUNCIL
AND EX-OFFICIO MAYOR

11. Adopt Resolution No. 2023-164 approving the amendment of the Employment Agreement between the City of Kearney and City Manager Michael Morgan.

RESOLUTION NO. 2023-164

BE IT RESOLVED that the President of the Council be and is hereby authorized and directed to execute the amended City Manager Employment Agreement.

PASSED AND APPROVED THIS 14TH DAY OF NOVEMBER, 2023.

ATTEST:
PEGGY EYNETICH
CITY CLERK

STANLEY A. CLOUSE
PRESIDENT OF THE COUNCIL
AND EX-OFFICIO MAYOR

- 12. Approve the purchase of a Kobus Pipe Puller 400 Series Unit in the amount of \$72,620.00 submitted by Kobus Inc. under the City of Kearney sole source procurement policy to be used in the Utilities Department, Water Operations Division.
- 13. Approve the purchase of a mini excavator with an extended reach boom in the amount of \$88,263.26 submitted by Central Nebraska Bobcat under the Sourcewell Cooperative Purchasing program to be used in the Utilities Department, Water Operations Division.
- 14. Approve the purchase of a 2024 Chevrolet 3500HD Silverado 1 Ton Crew cab, 4x4, Pick-up in the amount of \$64,057.00 submitted by Sid Dillion Chevrolet Fremont Inc. to be used in the Utilities Department, Water Operations Division.
- 15. Approve the purchase of a 2024 Chevrolet 2500 HD Silverado ¾ Ton Extended cab, 4x4, Pick-up in the amount of \$52,689.00 submitted by Sid Dillion Chevrolet Fremont Inc. to be used in the Utilities Department, Water Operations Division.
- 16. Adopt Resolution No. 2023-165 approving the Amended and Restated Development Agreement between the Economic Development Council of Buffalo County, Inc, the City of Kearney, and GC Data Center Kearney, LLC (fka Compute North NE05, LLC).

RESOLUTION NO. 2023-165

BE IT RESOLVED by the President and City Council of the City of Kearney, Nebraska, that the Amended and Restated Development Agreement between the City of Kearney, Economic Development Council of Buffalo County, Inc. and GC Data Center Kearney, LLC (fka, Compute North NE05, LLC) establishing the amended and restated terms and conditions to be complied with by the new Data Center owner be entered in to; a copy of the Amended and Restated Development Agreement, marked Exhibit "A", is attached hereto and made a part hereof by reference.

BE IT FURTHER RESOLVED that the City Manager be and is hereby authorized and directed to execute the same agreement on behalf of the City of Kearney.

PASSED AND APPROVED THIS 14TH DAY OF NOVEMBER, 2023.

ATTEST:
PEGGY EYNETICH
CITY CLERK

STANLEY A. CLOUSE
PRESIDENT OF THE COUNCIL
AND EX-OFFICIO MAYOR

V. CONSENT AGENDA ORDINANCES

None.

VI. REGULAR AGENDA

DEVELOPMENT OF PROPERTY LOCATED AT 77 SWEETWATER AVENUE

Mayor Clouse opened for discussion Ordinance Nos. 8650, 8651, and 8652 pertaining to the development of property located at 77 Sweetwater Avenue. Mayor Clouse noted this

item, along with the Resolution for the final plat and subdivision agreement, were presented as Public Hearings at the October 24th Council meeting. The Public Hearings were closed, and the Ordinances were placed on First Reading with the effective date of the Resolution contingent upon the Ordinance's effective date.

Council Member Buschkoetter moved that Ordinance No. 8650 vacating a 40 foot wide Ingress-Egress access and Utility Easement located in the Southwest Quarter of the Southwest Quarter of Section 10 Township 8 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska; Ordinance No. 8651 vacating Lot 1, Buffalo Island Subdivision, a subdivision being part of the Northwest Quarter of the Northwest Quarter of Section 15 and part of the Southwest Quarter of the Southwest Quarter of Section 10, all in Township 8 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska; and Ordinance No. 8652 rezoning from District AG, Agricultural District and District RR-1, Rural Residential District (Rural Standards) to District RR-1, Rural Residential District (Rural Standards) for property described as a tract of land located in the Northwest Quarter of Section 15 and in the Southwest Quarter of Section 10, being part of Tax Lot 9 in said Section 15 and Tax Lot 7 in Section 10, all in Township 8 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (77 Sweetwater Avenue), be placed on second and final reading and moved that the statutory rules requiring ordinances on two successive days be suspended and said ordinances be considered for passage on the same day upon reading by number only, and then placed on second and final passage and that the City Clerk be permitted to call out the number of the ordinance on its second reading and then upon its final passage. Council Member Clouse seconded the motion to suspend the rules for Ordinance Nos. 8650, 8651, and 8652. President of the Council asked for discussion or if anyone in the audience was interested in the ordinances. No one responded. Clerk called the roll which resulted as follows: Aye: Clouse, Moore, Buschkoetter, Lear. Nay: None. Nikkila absent. Motion to suspend the rules having been concurred in by three-fourths of the City Council, said motion was declared passed and adopted. City Clerk read Ordinance Nos. 8650, 8651, and 8652 by number. Roll call of those in favor of the passage of said ordinances on the second and final reading resulted as follows: Aye: Clouse, Moore, Buschkoetter, Lear. Nay: None. Nikkila absent. Motion carried. Ordinances were read by number.

Moved by Clouse seconded by Moore that Ordinance Nos. 8650, 8651, and 8652 be passed, approved and published as required by law. Roll call resulted as follows: Aye: Clouse, Buschkoetter, Lear, Moore. Nay: None. Nikkila absent. Motion carried.

By reason of the roll call voted on the first reading and final passage of the ordinance, Ordinance Nos. 8650, 8651, and 8652 are declared to be lawfully passed and adopted upon publication in pamphlet form and made available to the public at the Office of the City Clerk and the Kearney Public Library.

OPEN ACCOUNT CLAIM

Moved by Lear seconded by Buschkoetter that the Open Account Claims in the amount of \$601.45 payable to Stanley Clouse and \$128,141.06 payable to Nebraska Public Power District be allowed. Roll call resulted as follows: Aye: Moore, Buschkoetter, Lear. Nay: None. Clouse abstained. Nikkila absent. Motion carried.

Moved by Clouse seconded by Lear that the Open Account Claim in the amount of \$116.36 payable to Goodwill be allowed. Roll call resulted as follows: Aye: Clouse, Lear, Moore. Nay: None. Buschkoetter abstained. Nikkila absent. Motion carried.

VII. REPORTS

None.

VIII. ADJOURN

Moved by Clouse seconded by Buschkoetter that Council adjourn at 6:11 p.m. Roll call resulted as follows: Aye: Clouse, Moore, Buschkoetter, Lear. Nay: None. Nikkila absent. Motion carried.

ATTEST:

**STANLEY A. CLOUSE
PRESIDENT OF THE COUNCIL
AND EX-OFFICIO MAYOR**

**PEGGY EYNETICH
CITY CLERK**