

*Kearney, Nebraska
February 27, 2024
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 February 27, 2024 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, Tami James Moore and Jonathan Nikkila. Absent: None. Brenda Jensen, Interim City Manager; Michael Tye, City Attorney; Kayla James, Director of Finance; Andy Harter, Director of Public Works; Eric Hellriegel, Director of Parks; Bryan Waugh, Chief of Police; Kevin Thompson, Police Captain of Operations; Sarah Sawin, Assistant Director of Utilities; Roger Petersen, Street Superintendent; Steve Baye, Cemetery Supervisor, and Ken Roth, Park Superintendent, were also present. Members of the media present included: Mike Konz, Kearney Hub.

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

RECOGNITION OF ROGER PETERSEN AND STEVE BAYE FOR 40 YEARS OF SERVICE WITH THE CITY OF KEARNEY

Eric Hellriegel, Director of Parks, briefly introduced Steve Baye, Cemetery Supervisor, and Andrew Harter, Public Works Director, introduced Roger Petersen, Street Superintendent. After a few brief comments from Roger and Steve, Council members thanked them both for their 40 years of service and presented them each with a Certificate of Appreciation.

II. UNFINISHED BUSINESS

There was no Unfinished Business.

III. PUBLIC HEARINGS

SALES TAX CAPITAL IMPROVEMENT PLAN

Mayor Clouse opened the public hearing on the ½¢ Sales Tax Capital Improvement Plan (CIP) for the City of Kearney, Nebraska.

Brenda Jensen, Interim City Manager, presented this matter to the Council. Ms. Jensen highlighted a few of the notable CIP items, including the UNMC Rural Health Education Building, Public Safety Radio Project, Miscellaneous Street Repairs, Bond Payments, Indoor Sportsplex, and 30th Avenue Overpass repairs. Ms. Jensen noted the Memorial Field Turf replacement project will be installed this fall and come out of next year's fiscal budget.

Council Member Jonathan Nikkila requested additional information on the 30th Avenue Overpass repairs. Mr. Harter detailed the repairs, which included stabilizing the MSE walls, replacing structural approach slabs and expansion joints, and improving the sidewalk. Furthermore, the City keeps track of the amount of traffic using the 30th Avenue Overpass on an ongoing basis and has found that restriping the overpass to create a third lane has helped immensely with traffic flow. Mr. Harter stated the overpass has many years left with three lanes. Council Member Nikkila stated a fourth lane wouldn't be needed unless the City would install a second interstate exit; Mr. Harter agreed.

Finally, Ms. Jensen reviewed the Highway 30 roundabout project at University Drive and University Village and noted the cost to the City will be \$300,000.00, with the majority of the project being funded by the Nebraska Department of Transportation and the University of Nebraska, Kearney.

There was no one present in opposition to this hearing.

Moved by Nikkila seconded by Moore to close the hearing and approve the ½¢ Sales Tax Capital Improvement Plan for the City of Kearney. Roll call resulted as follows: Aye: Clouse, Lear, Nikkila, Moore, Buschkoetter. Nay: None. Absent: None. Motion carried.

IV. CONSENT AGENDA

Moved by Moore seconded by Lear that Subsections 1 through 9 of Consent Agenda Item IV be approved. Roll call resulted as follows: Aye: Clouse, Nikkila, Moore, Buschkoetter, Lear. Nay: None. Motion carried.

1. Approve Minutes of Regular Meeting held February 13, 2024.

2. Approve the following Claims:

PS	Personnel Services
SMCS	Supplies, Materials & Contractual Services
ER	Equipment Rental
CO	Capital Outlay
DS	Debt Service

4imprint \$889.02 smcs; Ace & Garden \$402.70 smcs; Ace Hardware \$60.78 smcs; Acushnet \$8,793.28 smcs; Advance Auto \$34.16 smcs; Adventure Enterp. \$415.00 smcs; All City Garage \$2,134.00 smcs; All Safe Industries \$1,181.55 smcs; Allen Display \$147.80 smcs; Ally B Designs \$65.00 smcs; Amazon \$17,203.42 smcs,co; American \$192.48 smcs; American Backflow \$2,971.54 smcs; American Legion \$126.18 smcs; American Planning \$922.55 smcs; American Red Cross \$338.00 smcs; Anderson Ford Lincoln \$46,699.00 co; Anova Furnishings \$11,243.76 co; Anything Truck \$851.19 smcs; Apple \$196.54 smcs; APWA \$229.00 smcs; Aramark Uniform \$589.94 smcs; Arnold Motor Supply \$600.19 smcs; Arrowhead Scientific \$1,019.64 smcs; Artisans \$120.00 smcs; Ask Supply \$1,006.08 smcs; AT&T \$1,248.59 smcs; Aurora Coop \$2,661.21 smcs; Aussie Hydraulic \$884.22 smcs; Authorize.net \$10.00 smcs; Avfuel \$85,819.50 smcs; Avtech Software \$349.95 smcs; B&H Photo \$2,555.44 smcs,co; Baker & Taylor \$6,706.76 smcs; Baker Candies \$174.00 smcs; Baker Creek Heirloom \$40.14 smcs; Bartlett Instrument \$105.00 smcs; Baughman, J \$31.00 smcs; Becker \$52.44 smcs; Ben Pavelka Entp. \$29,412.55 co; Bentley, S \$15.28 smcs; Big Apple \$50.00 smcs; Blackburn Manufacturing \$237.68 smcs; Blackstone Library \$1,524.35 smcs; Blick Art Material \$195.68 smcs; BlueCross BlueShield \$134,912.62 smcs; Bogaarts \$41.59 smcs; Bomgaars \$858.01 smcs; Book Outlet \$116.84 smcs; Bosselman \$65,746.34 smcs; Bossfuels \$19,136.78 smcs; Botanical Interests \$28.89 smcs; Broadfoot's \$1,469.10 smcs; Bubble Factory \$188.55 smcs; Buffalo Co. Register \$52.00 smcs; Buffalo Co. Treasurer \$10.25 smcs; Buffalo Outdoor Power \$320.10 smcs; Builders \$1,960.34 smcs; Building Code College \$75.00 smcs; Cal/Amp \$781.55 smcs; Caldwell Tanks \$45,900.00 co; Calibre Press \$495.00 smcs; Cannavista \$2,105.90 smcs; Carahsoft Tech. \$1,378.53 smcs; Carolina Tarps \$603.02 co; Carquest \$122.76 smcs; Casey's \$58.13 smcs; Cash-Wa \$663.28 smcs; CCI Solutions \$434.11 smcs; Cenex \$211.03 smcs; Center Point Publishing \$79.86 smcs; Central Hydraulic \$767.75 smcs; Central NE Bobcat \$90,193.57 smcs,co; Central NE Rehab \$250.00 ps; CFA Software \$2,995.00 smcs; Chargepoint \$3.22 smcs; Charter \$50.00 smcs; Chemsearch \$365.00 smcs; Chesterman \$210.00 smcs; Cintas \$285.54 smcs; Ciox Health \$22.00 smcs; City of KY \$432,917.63 smcs,ps; CMH Interiors \$2,000.00 co; Cold Spring \$709.80 smcs; Compass \$5,000.00 smcs; Complete Weddings \$225.00 smcs; Comprehensive Health \$75.59 smcs; Computer Cable Plus \$11.27 smcs; Computer Hardware \$1,498.75 smcs,co; Consolidated Mgmt. \$283.45 smcs; Constant Contact \$145.00 smcs; Construction Rental \$672.99 smcs; Control Yours \$105.60 smcs; Copycat \$293.55 smcs; Cornhusker Square \$5.00 smcs; Cottam, J \$204.00 smcs; Court Reserve \$163.48 smcs; Courtyard Marriott \$418.17 smcs; Crane River Theater \$5,400.00 smcs; Crouch Recreation \$80,747.50 co; Crowne Plaza \$150.00 smcs; Crystal Clean Carpet \$601.00 smcs; Culligan \$786.94 smcs; Cummins \$2,215.56 smcs; Cunningham's Journal \$100.00 smcs; Cutting Edge Cleaning \$260.00 smcs; Daigle Law Group \$125.00 smcs; Danko \$283.50 smcs; Dashlane USA \$4,920.00 smcs; David Barth \$452.00 smcs; Davis Equipment \$4,016.91 smcs; Dell \$2,009.23 smcs,co; Delta Air \$661.19 smcs; Demco \$2,435.67 smcs; Dent Popper \$5,200.00 smcs;

Diamond Tours \$2,050.00 smcs; Dish \$271.16 smcs; Dollar Tree \$24.35 smcs; Dowhy Towing \$430.00 smcs; Drivers License Guide Co \$33.95 smcs; Drone Launch Academy \$159.43 smcs; DTS Technology \$32.09 smcs; Dubry, H \$57.30 smcs; Dutton Lainson \$3,334.09 smcs; E Replacement Parts \$198.61 smcs; Eakes \$3,944.81 smcs; Earl May \$16.99 smcs; Early Bird \$40.00 smcs; EB Workforce \$75.00 smcs; Ebay \$205.51 smcs; Ecolab \$129.91 smcs; Eileen's Cookies \$12.00 smcs; ELDT \$155.26 smcs; Element \$945.86 smcs; Elliott Equipment \$2,036.85 smcs; Embassy Suites \$2,161.78 smcs; Etsy \$207.49 smcs; Express Market Place \$45.00 smcs; Express Parcs \$11.25 smcs; Express Que Place \$22.50 smcs; Expression Wear \$1,662.50 smcs,ps; Eyemed \$2,251.02 smcs; Facebook \$35.00 smcs; Factory Direct \$88.91 smcs; Family Fresh Market \$40.42 smcs; Family Hardware \$11.78 smcs; Family Practice \$736.00 smcs,ps; Fastenal \$193.67 smcs,co; FBI Leeda \$50.00 smcs; FBI NAA Nat'l \$240.00 smcs; Fitzgerald, K \$695.00 smcs; Florio's Italian \$1,359.88 smcs; Fort KY Outdoor \$1,000.00 smcs; Framing Flamingos \$185.97 smcs; Friesen Chevrolet \$424.96 smcs; Frontier \$369.89 smcs; Gale/Cengage \$12,808.09 smcs; Galls \$399.87 smcs; GameTime \$147.53 co; Garrett Tires \$7,019.24 smcs; Gearcor \$103.80 smcs; Give Nebraska \$6.00 ps; Glendale Parade Store \$24.95 smcs; Glock \$26.00 smcs; Gmstek \$6,377.62 smcs; Godfrey's Indoor Range \$7,150.38 smcs; Good Evans \$14.89 smcs; Good Sportsman \$57.00 smcs; Gopro \$24.99 smcs; GPM Truck \$2,491.61 smcs; Graczyk Lawn \$2,167.00 smcs; Graham Tire \$602.82 smcs; Grainger \$848.04 smcs; Great Plains Comm. \$1,145.99 smcs; Green Part Store \$1,324.50 smcs; Grey House Publishing \$2,085.00 smcs; Gulf Oil \$39.00 smcs; Hach \$703.15 smcs; Harbor Freight \$41.99 smcs; Haugh, T \$320.75 smcs; Hilton Garden \$374.73 smcs; Hinz, M \$42.75 smcs; Hobby Lobby \$414.28 smcs; Holiday Inn \$14,434.61 smcs; Holmes Plumbing \$834.35 smcs; Home Depot \$2,044.73 smcs; Hometown Leasing \$443.23 smcs; Horticultural Products \$25.58 smcs; HRsimple.com \$170.00 smcs; Hub Int'l \$6,999.92 smcs; Hudl \$1,500.00 smcs; Humanities NE \$75.00 smcs; Hy-Vee \$484.14 smcs; IACP \$190.00 smcs; IAPE \$130.00 smcs; Identifire \$179.88 smcs; IMS Supply \$74.63 smcs; Ingram, D \$425.00 smcs; Inland Truck Parts \$253.44 smcs; Integrated Security \$8,265.00 smcs,co; Intermountain Sales \$5,680.50 smcs; Int'l Code Council \$633.00 smcs; Invoice Home \$5.28 smcs; IRS \$189,272.36 ps; Island Supply \$3,132.07 smcs; Jack Lederman \$477.20 smcs; Jack's Uniforms \$589.82 smcs; Jackson Services \$390.40 smcs; James, D \$204.00 smcs; Johnstone Supply \$532.90 smcs; Joseph's College \$731.00 smcs; Joy Factory \$724.79 smcs; Justice Clearinghouse \$186.00 smcs; Kanopy \$2,035.00 smcs; KY Animal Shelter \$15,218.93 smcs; KY Chamber \$1,350.00 smcs; KY Concrete \$2,656.95 smcs; KY Crete & Block \$1,165.82 smcs; KY High Echo \$330.00 smcs; KY Hub \$21.99 smcs; KY Powersports \$722.60 smcs; KY Towing \$955.00 smcs; KY Warehouse \$383.93 smcs; Kelly Supply \$2,803.06 smcs; Krueger, J \$21.58 smcs; Kwik Shop \$22.92 smcs; Labor Law Center \$225.39 smcs; Labor Law Posters \$79.50 smcs; Landmark Implement \$4,750.68 smcs; LCL Truck Equipment \$108.75 smcs; Leach, C \$150.00 smcs; Lechman, C \$43.78 smcs; Leopold, J \$1,240.00 smcs; LexisNexis \$2,646.00 smcs; Light & Siren \$1,033.51 smcs; Lin, F \$38.66 smcs; Linas \$12.18 smcs; Little Caesar's \$199.49 smcs; L-Tron \$393.75 smcs; Lulzbot \$133.09 smcs; Mac Tools \$190.00 smcs; Macqueen Equipment \$470,480.90 co; Magnet Forensics \$299.00 smcs; Mallory \$200.00 smcs; Marlatt Precision \$269.10 smcs; Masek Golf Car \$294,740.00 co; Matheson \$2,790.54 smcs; McCartney, Erin Chpt. 13 \$157.00 ps; Mellen & Associates \$3,851.30 smcs; Menards \$14,340.31 smcs,co; Merrill Company \$2,766.75 smcs; Merryman \$722.60 smcs; Michigan State Disburs. \$12.47 ps; Mid American Signal \$3,671.00 smcs; Midland Contracting \$176,063.76 co; Midland Scientific \$638.61 smcs; Midway GM \$268.00 smcs; Midwest Connect \$5,194.54 smcs;

Midwest Emergency \$1,172.00 smcs; Midwest Petroleum \$2,845.92 smcs; Midwest Restaurant \$748.51 smcs; Midwest Storage \$11,047.50 smcs; Midwest Turf \$751.99 smcs; Miller & Associates \$66,615.50 smcs,co; Miller Signs \$1,360.00 smcs; Mirror Image \$148.53 smcs; Mission Square \$5,682.14 ps; Modern Imaging \$179.90 smcs; Moonlight Embroidery \$923.75 smcs; Motorola Solutions \$61,804.65 smcs,co; Municipal Emergency \$1,407.85 smcs; Municipal Supply \$117,733.60 smcs; NAPA Auto Parts \$3,790.20 smcs; Nations Photo Lab \$22.56 smcs; Nat'l Assn. \$500.00 smcs; Nat'l Law Enforcement \$50.00 smcs; NDEE Swimming Pools \$80.00 smcs; NE Arboretum \$75.00 smcs; NE Child Support \$1,419.72 ps; NE Dept. Revenue \$108,553.61 smcs,ps; NE DMV \$8.20 smcs; NE Generator \$2,054.85 smcs; NE Library Assn. \$80.00 smcs; NE Machinery \$646.18 smcs; NE Municipal Utilities \$980.00 smcs; NE Municipalities League \$1,278.00 smcs; NE Salt & Grain \$26,845.05 smcs; NE State Patrol \$5,578.13 smcs; NE Truck Center \$5,543.91 smcs; Neon Pay \$500.00 smcs; Network Solutions \$199.93 smcs; New Pig Corp. \$285.19 smcs; Northwestern Energy \$548.80 smcs; Office Depot \$70.09 smcs; Office Max \$1,520.23 smcs,co; Omabl \$383.61 smcs; Omni Engineering \$6,613.68 smcs; Omnify \$472.50 smcs; O'Neill Wood Resources \$2,050.00 smcs; O'Reilly Auto \$2,354.96 smcs; Ott, M \$83.80 smcs; Pack Track \$280.00 smcs; Paper Mart \$89.47 smcs; Park Seed Wholesale \$132.55 smcs; Patriotic Brands \$541.02 smcs; PB Leasing \$65.97 smcs; Pensxpress \$103.75 smcs; Penworthy \$237.96 smcs; Pep Co. \$96.30 smcs; Petsmart \$178.91 smcs; Pitney Bowes \$647.79 smcs; Pizza Ranch \$50.00 smcs; Platinum Awards \$28.80 smcs; Platte Valle Comm. \$2,133.42 smcs; Platte Valley Auto \$712.75 smcs; Popple, J \$21.58 smcs; Positive Concepts \$460.00 smcs; Presto-X \$559.42 smcs; Prime Secured \$987.03 smcs; Pro Pay \$299.00 smcs; Proctoru \$42.00 smcs; Provantage \$213.18 smcs; Psychological Resources \$750.00 smcs; Public Agency \$125.00 smcs; QC Supply \$133.78 smcs; Quill \$776.94 smcs; R&R Repair \$4,776.64 smcs; Radiant Heating \$5,471.00 smcs; Rasmussen Mechanical \$1,438.26 smcs; RDG Planning & Design \$30,998.10 co; Redbox \$6.14 smcs; Redman's Shoes \$415.74 smcs,co; Reinke's Heating \$166.80 smcs; Renee's Garden \$143.39 smcs; Rentokil \$727.46 smcs; Richter, C \$13.20 smcs; Rockit Events \$1,471.36 smcs; Roy, J \$139.09 smcs; Russell's Appliance \$210.00 smcs; S&S Worldwide \$109.69 smcs; Safety Products \$770.94 smcs; Sanitation Products \$9,290.88 smcs; Sapp Brothers \$5,511.36 smcs; Sayler Screenprinting \$1,083.53 smcs; Scheeper's Seed \$34.20 smcs; Schindler Elevator \$1,228.68 smcs; Scholastic Education \$301.74 smcs; See Clear Cleaning \$3,172.50 smcs; Select Seeds \$76.75 smcs; Select Sprayers \$436.20 smcs; Sesac \$1,159.00 smcs; Shredding Solutions \$80.34 smcs; Shutterstock \$31.04 smcs; Sid Dillon \$110,595.00 co; Siteone Landscape \$520.71 smcs; SLA Corp. \$191.94 smcs; Slagle, C \$19.63 smcs; Snap On Tools \$159.00 smcs; Southwest \$495.97 smcs; Spectrum \$869.46 smcs; Speedee Mart \$48.39 smcs; Sporting Edge \$186.60 smcs; Stampin' Up \$42.75 smcs; Starbucks \$36.40 smcs; Starkey, E \$106.98 smcs; Steinbrink's \$720.00 smcs; Stitch 3 \$885.00 smcs; Stride Bank \$20.00 smcs; Stutsman \$3,294.00 smcs; Sunbelt Rentals \$1,237.39 smcs; Supply House \$1,667.56 smcs; T&T Mobile Washing \$381.50 smcs; Target \$70.35 smcs; Tennant Company \$584.72 smcs; That's Great News \$572.02 smcs; Titan Machinery \$1,211.20 smcs; Tractor Supply \$468.19 smcs; Transunion \$110.40 smcs; Trittech Forensics \$709.00 smcs; True Leaf Market \$238.20 smcs; True Value \$748.11 smcs; Trugreen \$1,687.02 smcs; Turner Body Shop \$250.00 smcs; Turner Technology \$87.50 smcs; TVH Parts \$860.00 smcs; Tyler Technologies \$4,600.00 smcs; UA Side Kick \$899.90 smcs; UI \$65.00 smcs; Uline \$290.74 smcs; Union Bank \$106,833.00 ps; Unique Management \$314.55 smcs; United States Profession \$424.00 smcs; United Way \$12,554.00 smcs,ps; Univ. of Nebraska \$658.00

smcs; UPS \$300.41 smcs; Urban Farmer \$6.00 smcs; USA Blue Book \$2,416.59 smcs; USPS \$303.96 smcs; Valv-Tect Petroleum \$6,275.27 smcs; Van Wall Equipment \$144.86 smcs; Verizon \$50.00 smcs; Village Services \$258.79 smcs; Walgreens \$42.68 smcs; Walmart \$2,375.36 smcs,co; Walters Electric \$90.00 smcs; Ward Laboratories \$118.75 smcs; Water Specialties \$150.07 smcs; Waugh, B \$332.32 smcs; Wayfair \$153.58 smcs; Weaver, N \$74.89 smcs; Western NRG \$225.00 smcs; Winlectric \$3,567.76 smcs; Winnelson \$1,671.17 smcs; Winter Equipment \$2,303.05 smcs; Winzer \$1,052.17 smcs; World Herald \$43.98 smcs; Worley Monuments \$920.00 smcs; WPCI \$545.90 ps; Xavus Solutions \$1,190.00 smcs; Youtube \$426.80 smcs; Zion Heath Moyer \$640.00 smcs; Zoom \$2,638.68 smcs; Payroll Ending 02/10/2024 -- \$611,286.42. 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. Receive recommendations of Planning Commission and set March 12, 2024 at 5:30 p.m. as date and time for hearing on those applications where applicable.
4. Approve the Plans and Specifications for 2024 Part 2 Improvements - Mill & Asphalt Overlay and set the bid opening date for March 19, 2024 at 2:00 p.m.
5. Approve the Plans and Specifications for the 2024 Cottonmill Park Road Replacement and set the bid opening date for March 19, 2024 at 2:00 p.m.
6. Adopt Resolution No. 2024-20 approving the Application and Certificate for Payment No. 18 in the amount of \$1,094,576.40 submitted by John T. Jones Construction Co. and approved by Miller & Associates for the WWTP Phase II Improvements; Water Resource Recovery Facility.

RESOLUTION NO. 2024-20

WHEREAS, John T. Jones Construction Co. has performed services in connection with WWTP Phase II Improvements; Water Resource Recovery Facility, and the City's engineer, Miller & Associates, have filed with the City Clerk Application and Certificate for Payment No. 18 in the amount of \$1,094,576.40 as shown on Exhibit "A" attached hereto and made a part hereof by reference and as follows:

Original Contract Sum	\$ 35,858,000.00
Change Order No. 1 (07-12-2022)	- 639,633.00
Change Order No. 2 (08-22-2023)	+ 21,141.00
Contract Sum To Date	35,239,508.00
Gross Amount Due	29,630,682.92
Retainage	- 2,155,947.48
Amount Due to Date	27,474,735.44
Less Previous Certificates for Payment	- 26,380,159.04
Current Payment Due	<u>\$ 1,094,576.40</u>
Balance to finish, including retainage	<u>\$ 7,764,772.56</u>

NOW, THEREFORE, BE IT RESOLVED by the President and Council of the City of Kearney, Nebraska, and hereby find and determine that Application and Certificate for

Payment No. 18, as shown on Exhibit "A" be and is hereby accepted and approved.
PASSED AND APPROVED THIS 27TH DAY OF FEBRUARY, 2024.

ATTEST:
PEGGY EYNETICH
CITY CLERK

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

7. Adopt Resolution No. 2024-21 approving Change Order No. 4 showing an increase in the amount of \$23,732.00 and an increase of seven (7) calendar days to Phase 1, submitted by Sampson Construction Co., Inc. and approved by Alfred Benesch and Company for the construction of a Box Hangar located at the Kearney Regional Airport (AIP Project No: 3-31-0045-035).

RESOLUTION NO. 2024-21

WHEREAS, Sampson Construction Co., Inc. has performed services in connection with the construction of the Box Hangar (AIP Project No: 3-31-0045-035) at the Kearney Regional Airport, and the City's engineer, Alfred Benesch and Company, have filed with the City Clerk Change Order No. 4 showing an increase in the amount of \$23,372.00 and an increase of seven (7) calendar days for Phase 1 as shown on Exhibit "A" attached hereto and made a part hereof by reference and as follows:

Original Contract Sum	\$	6,000,756.00
Change Order No. 1 (08-08-2023)	+	13,687.00
Change Order No. 2 (09-12-2023)	-	51,615.00
Change Order No. 3 (10-10-2023)	-	121,090.00
Change Order No. 4 (02-27-2024)	+	<u>23,372.00</u>
Contract Sum To Date	\$	5,865,110.00

NOW, THEREFORE, BE IT RESOLVED by the President and Council of the City of Kearney, Nebraska, hereby find and determine that Change Order No. 4, as shown on Exhibit "A" be and is hereby accepted and approved.

PASSED AND APPROVED THIS 27TH DAY OF FEBRUARY, 2024.

ATTEST:
PEGGY EYNETICH
CITY CLERK

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

8. Approve the Agreement between the City of Kearney and Central Nebraska Auto Club on behalf of Cruise Nite 2024 which describes parking on these public properties that are prohibited on July 20, 2024 beginning at 2:00 a.m. and adopt Resolution No. 2024-22.

RESOLUTION NO. 2024-22

BE IT RESOLVED by the President and City Council of the City of Kearney, Nebraska, that the President be and is hereby authorized and directed to execute the Agreement,

on behalf of the City of Kearney, Nebraska, with the Central Nebraska Auto Club, the Agreement, marked Exhibit "1", is attached hereto and made a part hereof by reference.

PASSED AND APPROVED THIS 27TH DAY OF FEBRUARY, 2024.

ATTEST:
PEGGY EYNETICH
CITY CLERK

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

9. Approve the Plans and Specifications for 2024 Part 3 Improvements—28th Street and set the bid opening date for March 19, 2024, at 2:00 p.m.

V. CONSENT AGENDA ORDINANCES

ORDINANCE NO. 8661 REPEALING ORDINANCE NO. 8643 AND AMEND THE SALARY ORDINANCE REFLECTING PAY PLAN ADJUSTMENTS.

Council Member Lear introduced Ordinance No. 8661 repealing Ordinance No. 8643 and amending the Salary Ordinance reflecting pay plan adjustments, 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 suspend the rules for Ordinance No. 8661. 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, Nikkila. Nay: None. 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. 8661 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, Nikkila. Nay: None. Motion carried. Ordinance was read by number.

Moved by Lear seconded by Buschkoetter that Ordinance No. 8661 be passed, approved and published as required by law. Roll call resulted as follows: Aye: Clouse, Buschkoetter, Lear, Nikkila, Moore. Nay: None. Motion carried.

By reason of the roll call voted on the first reading and final passage of the ordinance, Ordinance No. 8661 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.

VI. REGULAR AGENDA

None.

VII. REPORTS

CLOSED SESSION

Moved by Clouse seconded by Nikkila that Council adjourn into closed session at 5:50 p.m. for the protection of the public interest to discuss personnel. Roll call resulted as follows: Aye: Clouse, Lear, Nikkila, Moore, Buschkoetter. Nay: None. Motion carried.

Mayor Clouse restated the purpose for the closed session is for the protection of the public interest to discuss personnel matters. According to law, the Council has the option to reconvene back into open session and may take any formal action it deems appropriate.

Moved by Buschkoetter seconded by Clouse that Council reconvene in regular session at 6:40 p.m. Roll call resulted as follows: Aye: Clouse, Nikkila, Moore, Buschkoetter, Lear. Nay: None. Motion carried.

VIII. ADJOURN

Moved by Clouse seconded by Nikkila that Council adjourn at 6:40 p.m. Roll call resulted as follows: Aye: Clouse, Moore, Buschkoetter, Lear, Nikkila. Nay: None. Motion carried.

ATTEST:

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

**PEGGY EYNETICH
CITY CLERK**