

*Kearney, Nebraska*  
*January 28, 2025*  
*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 January 28, 2025 in the Council Chambers at City Hall. Present were: Randy Buschkoetter, Vice-President of the Council; Peggy Eynetich, City Clerk; Council Members Tami James Moore, Kurt Schmidt and Alex Straatmann. Absent: Jonathan Nikkila. Brenda Jensen, City Manager; Michael Tye, City Attorney; Kayla James, Director of Finance; Sarah Sawin, Director of Utilities; Andy Harter, Director of Public Works; Bryan Waugh, Chief of Police, Matt Williams, Library Director and Lauren Brandt, SportsPlex Director, along with several Kearney Police Officers who were also present. Members of the media present included: Michael Shively, News Channel Nebraska and 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**

### **MOMENT OF SILENCE**

Council held a moment of silence.

### **PLEDGE OF ALLEGIANCE**

Members of the Kearney Police Department Honor Guard displayed the Colors. Vice-President Buschkoetter and Council members led the audience in the Pledge of Allegiance.

### **ANNOUNCEMENT**

Vice-President Buschkoetter 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.

### **ORAL COMMUNICATIONS/ RECOGNITIONS**

Chief Waugh stated the Life Saving Awards presented at this evening's meeting were due to the life-saving efforts that Officers Hughes, Humphreys and Hosick provided on May 13th when they were dispatched to a local business where a male was not breathing. The Officers provided assistance with CPR until the male began breathing again.

**II. UNFINISHED BUSINESS**

There was no Unfinished Business.

**III. PUBLIC HEARINGS**

**PROPOSED ACQUISITION OF PERMANENT WATERMAIN EASEMENT  
"EASEMENT A"**

Public Hearings 1 and 2 were discussed together but voted on separately.

Vice-President Buschkoetter opened the public hearing on the proposed Permanent Watermain Easement "Easement A" granted by Brandon Green, Owner/Manager of 922 Enterprises, LLC, a Nebraska Limited Liability Company for part of Lot 579, Original Town of Kearney Junction, now the City of Kearney, Buffalo County, Nebraska, dedicated for Watermain Easement purposes and consider Resolution No. 2025-8.

Sarah Sawin, Director of Utilities presented this matter to the Council. Ms. Sawin explained the location of the two (2) 10-foot Easements and stated both Easements encompass a watermain that lies outside of the City's right-of-way.

Vice-President Buschkoetter questioned how far the watermains were out of the right-of-way. Ms. Sawin stated they were not very far.

Council Member Kurt Schmidt questioned if this was for the new storage units located in the area? Ms. Sawin stated it was.

There was no one present in opposition to this hearing.

Moved by Straatmann seconded by Moore to close the hearing and adopt Resolution No. 2025-8 approving the proposed acquisition for a Permanent Watermain Easement "Easement A" granted by Brandon Green, Owner/Manager of 922 Enterprises, LLC, a Nebraska Limited Liability Company for part of Lot 579, Original Town of Kearney Junction, now the City of Kearney, Buffalo County, Nebraska, dedicated for Watermain Easement purposes. Roll call resulted as follows: Aye: Moore, Schmidt, Straatmann, Buschkoetter. Nay: None. Nikkila absent. Motion carried.

**RESOLUTION NO. 2025-8**

WHEREAS, Section 18-1755, R.R.S., authorizes a city obtaining an interest in real property by purchase or eminent domain to do so only after the City Council has authorized the acquisition by action taken in a public meeting after notice and public hearing; and

WHEREAS, the City Council has held a public hearing upon the proposed acquisition for a 10.00' Water Main Easement "A" and voted in favor to proceed with the acquisition; and

WHEREAS, Brandon Green, Owner/Manager, 922 Enterprises, LLC, a Nebraska Limited Liability Company has granted to the City of Kearney, Nebraska a 10.00' Water Main Easement "A" as follows:

**10.00' WATER MAIN EASEMENT "A"**

A strip of land being 10.0 feet in width located in Lot 579, Original Town of Kearney Junction, now the City of Kearney, Buffalo County, Nebraska, excepting therefrom the East 53.0 feet of said Lot, with said strip of land being 5.0 feet on each side of the following described centerline: Referring to the Northeast Corner of Lot 579, Original Town of Kearney Junction, now the City of Kearney, Buffalo County, Nebraska, excepting therefrom the East 53.0 feet of said Lot (such point being 53.0 feet westerly from the east line of said Lot 579), and assuming the East line of Lot 579, Original Town of Kearney Junction, now the City of Kearney, Buffalo County, Nebraska, excepting therefrom the East 53.0 feet of said Lot as bearing S 01°48'59" W and all bearings contained herein are relative thereto; thence on the East line of Lot 579, Original Town of Kearney Junction, excepting therefrom the East 53.0 feet of said Lot, S 01°48'59" W a distance of 62.28 feet to the ACTUAL PLACE OF BEGINNING; thence leaving the EAST line of Lot 579, Original Town of Kearney Junction, now the City of Kearney, Buffalo County, Nebraska, excepting therefrom the East 53.0 feet of said Lot, N 88°47'46" W a distance of 57.0 feet to the point of termination of said centerline. The sidelines of the aforescribed strip of land to be extended or shortened as necessary to begin on the West line of the East 53.0 feet of said Lot 579 and to end perpendicular to the aforescribed centerline at its termination point.

NOW, THEREFORE, BE IT RESOLVED by the Vice-President and City Council of the City of Kearney, Nebraska that the 10.00' Water Main Easement "A" granted by Brandon Green, Owner/Manager, 922 Enterprises, LLC, a Nebraska Limited Liability Company, to the City of Kearney be and is hereby approved and accepted.

BE IT FURTHER RESOLVED that recognizing that, after the date of this Resolution, circumstances may arise necessitating minor changes, additions or deletions to the specific legal description of the said Easement, the Mayor is hereby authorized to make such minor changes, additions or deletions to the legal description as the Mayor deems reasonable or necessary.

PASSED AND APPROVED THIS 28TH DAY OF JANUARY, 2025.

ATTEST:  
PEGGY EYNETICH  
CITY CLERK

RANDY BUSCHKOETTER  
VICE-PRESIDENT OF THE COUNCIL

**PROPOSED ACQUISITION OF PERMANENT WATERMAIN EASEMENT "EASEMENT B"**

Public Hearings 1 and 2 were discussed together but voted on separately.

Vice-President Buschkoetter opened the public hearing on the proposed Permanent Watermain Easement "Easement B" granted by Brandon Green, Owner/Manager of 922 Enterprises, LLC, a Nebraska Limited Liability Company for part of Lot 579, Original Town of Kearney Junction, now the City of Kearney, Buffalo County, Nebraska, dedicated for Watermain Easement purposes and consider Resolution No. 2025-9.

There was no one present in opposition to this hearing.

Moved by Moore seconded by Schmidt to adopt Resolution No. 2025-9 approving the

proposed acquisition for a Permanent Watermain Easement "Easement B" granted by Brandon Green, Owner/Manager of 922 Enterprises, LLC, a Nebraska Limited Liability Company for part of Lot 579, Original Town of Kearney Junction, now the City of Kearney, Buffalo County, Nebraska, dedicated for Watermain Easement purposes. Roll call resulted as follows: Aye: Schmidt, Straatmann, Buschkoetter, Moore. Nay: None. Nikkila absent. Motion carried.

### **RESOLUTION NO. 2025-9**

WHEREAS, Section 18-1755, R.R.S., authorizes a city obtaining an interest in real property by purchase or eminent domain to do so only after the City Council has authorized the acquisition by action taken in a public meeting after notice and public hearing; and

WHEREAS, the City Council has held a public hearing upon the proposed acquisition for a 10.00' Water Main Easement "B" and voted in favor to proceed with the acquisition; and

WHEREAS, Brandon Green, Owner/Manager, 922 Enterprises, LLC, a Nebraska Limited Liability Company has granted to the City of Kearney, Nebraska a 10.00' Water Main Easement "B" as follows:

#### 10.00' WATER MAIN EASEMENT "B"

A strip of land being 10.0 feet in width located in Lot 579, Original Town of Kearney Junction, now the City of Kearney, Buffalo County, Nebraska, excepting therefrom the East 53.0 feet of said Lot, with said strip of land being 5.0 feet on each side of the following described centerline: Referring to the Northeast Corner of Lot 579, Original Town of Kearney Junction, now the City of Kearney, Buffalo County, Nebraska, excepting therefrom the East 53.0 feet of said Lot (such point being 53.0 feet westerly from the east line of said Lot 579), and assuming the East line of Lot 579, Original Town of Kearney Junction, now the City of Kearney, Buffalo County, Nebraska, excepting therefrom the East 53.0 feet of said Lot as bearing S 01°48'59" W and all bearings contained herein are relative thereto; thence on the East line of Lot 579, Original Town of Kearney Junction, excepting therefrom the East 53.0 feet of said Lot, S 01°48'59" W a distance of 62.28 feet to the ACTUAL PLACE OF BEGINNING; thence leaving the EAST line of Lot 579, Original Town of Kearney Junction, now the City of Kearney, Buffalo County, Nebraska, excepting therefrom the East 53.0 feet of said Lot, N 88°47'46" W a distance of 57.0 feet to the point of termination of said centerline. The sidelines of the aforescribed strip of land to be extended or shortened as necessary to begin on the West line of the East 53.0 feet of said Lot 579 and to end perpendicular to the aforescribed centerline at its termination point.

NOW, THEREFORE, BE IT RESOLVED by the Vice-President and City Council of the City of Kearney, Nebraska that the 10.00' Water Main Easement "B" granted by Brandon Green, Owner/Manager, 922 Enterprises, LLC, a Nebraska Limited Liability Company, to the City of Kearney be and is hereby approved and accepted.

BE IT FURTHER RESOLVED that recognizing that, after the date of this Resolution, circumstances may arise necessitating minor changes, additions or deletions to the specific legal description of the said Easement, the Mayor is hereby authorized to make such minor changes, additions or deletions to the legal description as the Mayor deems reasonable or necessary.

PASSED AND APPROVED THIS 28TH DAY OF JANUARY, 2025.

ATTEST:  
PEGGY EYNETICH  
CITY CLERK

RANDY BUSCHKOETTER  
VICE-PRESIDENT OF THE COUNCIL

**IV. CONSENT AGENDA**

Moved by Schmidt seconded by Buschkoetter that Subsections 1 through 8 of Consent Agenda Item IV be approved. Roll call resulted as follows: Aye: Straatmann, Buschkoetter, Moore, Schmidt. Nay: None. Nikkila absent. Motion carried.

- 1. Approve Minutes of Regular Meeting held January 14, 2025.
- 2. Approve the following Claims:

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

1000bulbs.com \$2,111.65 smcs; 4imprint \$754.33 smcs; 911 Custom \$113,270.28 co; Absolute Software \$12,996.00 smcs; Accucut \$505.34 smcs; Ace Hardware \$286.87 smcs; Ace Irrigation \$453.41 smcs; Acushnet \$354.84 smcs; Advance Auto \$5.94 smcs; Alfred Benesch \$12,099.56 co; All Copy \$83.46 smcs; All Partitions \$1,092.00 smcs; Allegiant \$610.96 smcs; Alley Rose \$80.00 smcs; Allo \$1,052.25 smcs; Amax Contracting \$140.80 smcs; Amazon \$14,286.29 smcs,co; American \$200.73 smcs; American Air \$392.96 smcs; American Concrete \$75.00 smcs; American Red Cross \$600.00 smcs; American Water Works \$2,280.00 smcs; Anderson Ford Lincoln \$48,708.00 co; Apple \$321.10 smcs; Applied Industrial \$545.18 smcs; Aprons & Smocks \$148.57 smcs; APWA \$994.00 smcs; Arbio Organics \$274.92 smcs; ARFF Working Group \$125.00 smcs; Arlo Tech. \$89.99 smcs; Arnold Motor \$936.03 smcs; AT&T \$2,075.85 smcs; Aurora Coop \$7.58 smcs; Aussie Hydraulics \$349.33 smcs; Authorize.net \$10.00 smcs; Automation Direct \$227.38 smcs; AvFuel \$66,870.01 smcs; B&H Photo \$1,665.29 smcs,co; B2G \$790.00 smcs; Baker & Taylor \$2,773.15 smcs; Barista's \$200.00 smcs; Barney Insurance \$100.00 smcs; Bayly \$770.95 smcs; Behrhorst,A \$20.00 smcs; Better Impact \$804.00 smcs; Big Red Auto Glass \$3,382.58 smcs; Bike Shed \$305.00 smcs; Blackstone Library \$964.45 smcs; Blackstrap \$6,807.94 smcs; Bluebeam \$260.00 smcs; BlueCross BlueShield \$252,244.32 smcs; Bomgaars \$2,149.41 smcs,co; Bosselman \$18,859.47 smcs; Bossfuels \$38,179.05 smcs; Brand Mgmt. \$1,292.64 smcs; Breakfast Cart \$98.53 smcs; Brightly Software \$9,692.20 smcs; Broadfoot's \$1,700.00 smcs; Buffalo Co. Redi-Mix \$5,547.45 smcs; Buffalo Co. Treasurer \$28.65 smcs; Buffalo Outdoor Power \$2,531.01 smcs; Builders \$736.65 smcs; Cabela's \$279.99 smcs; Cain,D \$100.00 smcs; Carahsoft Technologies \$1,378.53 smcs; Card Printing \$951.70 smcs; Carolina Software \$650.00 smcs; Carquest \$16.53 smcs; Casey's \$80.98 smcs; Cash Wa \$2,335.51 smcs; Cedar Rapids Tire \$639.80 smcs; Central Hydraulic \$1,848.56 smcs; Central NE Bobcat \$1,712.38 smcs; Central State Wire \$5,643.89 smcs; Chemsearch \$311.45 smcs; Child's World \$1,401.00 smcs; Choice Marketing \$74.95 smcs; Churchich Recreation \$676.49 co; Cintas \$791.88 smcs; City of Ky \$19,724.54 smcs; ,ps; City Plumbing \$118.48 smcs; Civic Plus \$1,080.11 smcs; Clark,C \$195.00 smcs; Clark,D \$100.00 smcs; CMS Magnetics \$12.26 smcs; Cold Spring \$372.75 smcs;

Comfort Inn \$250.00 smcs; Comm. Action Partner. \$35,336.57 smcs; Compliance Signs \$11.93 smcs; Consolidated Concrete \$1,940.28 smcs; Constant Contact \$157.00 smcs; Construction Rental \$835.40 smcs,co; Construction Supply \$620.65 smcs; Control Yours \$110.00 smcs; Cooperative Producers \$56.00 smcs; Copycat \$1,042.63 smcs; Cornhusker Square \$4.50 smcs; Corona Clipper \$91.75 smcs; Cottonmill Enterp. \$1,400.00 smcs; Country Partners \$38,828.27 smcs; Country Sampler \$26.75 smcs; Court Reserve \$178.26 smcs; Covert Track Group \$600.00 smcs; Culligan \$1,108.02 smcs; Cummins \$1,430.22 smcs; Cunningham's Journal \$43.20 smcs; Daigle Law \$1,180.00 smcs; David Barth \$276.00 smcs; Dawson Public Power \$21,987.83 smcs; Deep Discount \$30.13 smcs; Dell \$3,549.09 co; Delux Manufacturing \$9,000.00 smcs; Demco \$94.96 smcs; Deterdings \$100.00 smcs; Digicert \$309.00 smcs; Dish \$146.10 smcs; Dival Safety \$270.98 smcs; Dollar General \$59.57 smcs; DTS Technology \$32.09 smcs; Dunehoo,E \$8.00 smcs; Dunham's \$42.78 smcs; Dunkin \$44.97 smcs; E Replacement Parts \$137.33 smcs; Eakes \$2,999.73 smcs; Ebay \$128.35 co; Echo Electric \$134.54 smcs; EH Wachs \$8,215.95 smcs; Eigenberg,M \$31.00 smcs; Eileen's Cookies \$37.00 smcs; Electric Pump \$1,757.35 smcs; Elliott Equipment \$866.66 smcs; Entenmann Rovin \$142.25 smcs; Enterprises \$58.67 smcs; ERA-A Waters Co. \$112.85 smcs; Erin Condren \$57.57 smcs; Expedia \$28.49 smcs; Eyemed \$2,266.24 smcs; Facebook \$396.25 smcs; Family Fresh \$5.00 smcs; Fastenal \$747.65 smcs,co; FBI National Academy \$130.00 smcs; Fedex \$87.00 smcs; Felco \$337.85 smcs; Fiddelke \$225.00 smcs; Five Below \$161.57 smcs; FMCSA \$125.00 smcs; Forms Fulfillment \$815.60 smcs; Fox Valley Technical \$990.00 smcs; Friesen Chevrolet \$60.28 smcs; Friesen Ford \$198.71 smcs; Frontier \$2,919.22 smcs; Full Source \$1,673.68 smcs; Fun Express \$217.70 smcs; Galeton \$142.73 smcs; Garrett Tires \$3,002.84 smcs; Gaylord Palms \$616.00 smcs; Get Sling \$148.58 smcs; GIS Jobs \$25.00 smcs; Glendale Parade \$217.80 smcs; Global Industrial \$350.97 smcs; Go Daddy \$479.77 smcs; GO Physical Therapy \$165.00 ps; Gonzalez, Humberto \$125.00 smcs; Good Evans \$61.52 smcs; Good Sportsman \$68.00 smcs; Graham Tire \$3,115.60 smcs; Grainger \$806.14 smcs,co; Great Plains Comm. \$987.56 smcs; Green Part Store \$153.83 smcs; Hach \$7,327.00 smcs; Harbor freight \$259.68 smcs; Hazmat 101 \$2,400.00 smcs; Heiman Fire \$644.88 smcs; Heritage Landscape \$2,288.62 smcs; Hobby Lobby \$790.21 smcs; Holiday Inn \$214.80 smcs; Holmes Plumbing \$1,166.50 smcs; Holtz Industries \$1,512.82 smcs; Home Depot \$577.48 smcs; Hometown Leasing \$503.94 smcs; Hotsy Equipment \$609.31 smcs; House White Birch \$29.96 smcs; Hub Int'l \$7,209.92 smcs; Hydronic Energy \$308.69 smcs; Hydrovac Supply \$3,494.70 smcs; Hy-Vee \$572.98 smcs; IACP \$490.00 smcs; IECA \$40.00 smcs; Industrial Outfit \$154.13 smcs; Integrated Security \$2,770.00 smcs; Int'l Homicide \$680.00 smcs; Invoice Home \$5.28 smcs; Iprint Tech. \$235.00 smcs; Irobot \$95.73 smcs; IRS \$210,663.51 ps; Izel Plants \$194.10 smcs; Jack Lederman \$1,939.02 smcs; Jack's Uniforms \$367.79 smcs; Jackson Services \$399.30 smcs; Java Junction \$200.00 smcs; JJ Keller \$504.11 smcs; Jmac Supply \$277.76 smcs; Johnny's Selected Seed \$50.95 smcs; Johnson,C \$100.00 smcs; Johnstone Supply \$1,609.85 smcs; Kamler,M \$138.50 smcs; Kanopy \$741.00 smcs; Ky Chamber Comm. \$1,628.50 smcs; Ky High School \$160.00 smcs; Ky Power Sports \$192.90 smcs; Ky Towing \$375.00 smcs; Ky Warehouse \$727.03 smcs; Kehl, Spencer \$31.00 smcs; Kelly Supply \$788.43 smcs; KGFW \$404.50 smcs; Kings III Emergency \$1,221.00 smcs; Kodex \$45.00 smcs; Ktown Cakery \$51.59 smcs; Kwiatkowski,L \$138.50 smcs; Landmark Implement \$3,680.06 smcs; LCL Truck \$822.95 smcs; Lean Pulse \$239.99 co; LexisNexis \$231.53 smcs; Librarica \$907.35 smcs; Lifeguard Store \$238.00 smcs; Logan Contractors \$416.98 co; Lulzbot \$85.23 smcs; Mac Tools \$58.13 smcs; Macqueen

\$1,146.64 smcs; Magic Cleaning \$400.00 smcs; Magnet Forensics \$470.00 smcs; Mara USA Corp. \$182,409.30 smcs; Margaritas Mexican \$16.12 smcs; Masek Golf Car \$466.10 smcs; Matheson Trigas \$179.41 smcs; M-B Companies \$137,874.10 co; McCormack Distrib. \$56.45 smcs; MCL Construction \$1,743,168.32 co; Med Tech Forensics \$189.50 smcs; Menards \$11,609.36 smcs,co; Merrill Company \$441.65 smcs; Mesco Corp. \$81.98 smcs; Microsoft \$32.10 smcs; Mid-Atlantic Receptive \$70,000.00 smcs; Midland Scientific \$761.08 smcs; Mid-NE Garage Doors \$508.00 smcs; Midway GM \$116.15 smcs; Midway USA \$546.40 smcs; Midwest Connect \$130.66 smcs; Midwest Restaurant \$536.95 smcs; Miller,L \$139.04 smcs; Mirror Image \$265.25 smcs; Mission Square \$8,625.18 ps; Modern Cleaners \$26.40 smcs; Mom & Dads BBQ \$43.87 smcs; Moonlight Embroidery \$987.76 smcs; Mortensen,A \$3,672.84 co; Motorola \$660.00 smcs; Mountain Lily Farm \$35.56 smcs; Municipal Supply \$11,282.34 smcs; Napa Auto \$2,801.91 smcs,co; Nat'l Benefit Services \$28.22 smcs; Nat'l Law Enforcement \$50.00 smcs; Nat'l Registry EMT \$88.00 smcs; Nat'l Tactical Officers \$50.00 smcs; Nature's Educators \$414.25 smcs; NDEE \$19,590.74 smcs; NDEQ \$150.00 smcs; NE Arborist Assn. \$190.00 smcs; NE Aviation Council \$540.00 smcs; NE Child Support \$1,454.34 ps; NE Dept. of Revenue \$68,380.15 smcs; NE Floodplain \$35.00 smcs; NE Machinery \$3,108.61 smcs; NE Parks & Recreation \$895.00 smcs; NE Safety & Fire \$400.00 smcs; NE Secretary State \$25.00 smcs; NE Society of CPAs \$943.00 smcs; NE Statewide \$150.00 smcs; NE Truck Center \$2,870.91 smcs; NE Turf Assn. \$650.00 smcs; Network Solutions \$19.97 smcs; NFPA \$187.57 smcs; Nielsen Contracting \$155,777.40 co; Nielsen Tree Farms \$750.00 co; Night Fision \$2,782.00 smcs; North American Rescue \$165.79 smcs; Northern Safety \$71.04 smcs; Northwestern Energy \$24,212.71 smcs; NPPD \$91,514.70 smcs; NSRO \$550.00 smcs; Oak Creek Engineering \$51,125.00 co; Office Depot \$335.53 smcs; Office Max \$719.43 smcs; Omnify \$535.50 smcs; Optics Planet \$232.29 smcs; O'Reilly Auto \$2,729.96 smcs,co; OTC Brands \$261.35 smcs; Peerless Machine \$26,848.10 smcs; Penworthy \$325.44 smcs; Pep Co. \$96.30 smcs; Perkins,D \$150.00 smcs; Peterbilt \$676.02 smcs; Petsmart \$33.41 smcs; Pitney Bowes \$517.50 smcs; Platinum Awards \$228.74 smcs; Platte Valley Auto \$607.95 smcs; Point Emblems \$1,807.50 smcs; Poster My Wall \$44.90 smcs; Prairie Moon Nursery \$116.00 smcs; Presto-X \$139.61 smcs; Priority Mgmt. \$98.00 smcs; Propper E-commerce \$60.10 smcs; Pump & Pantry \$36.73 smcs; PVS DX \$13,418.89 smcs; Quill \$623.94 smcs; Raising Canes \$368.78 smcs; Rapid Fire \$770.00 smcs; Rasmussen Mechanical \$626.00 smcs; RDG Planning \$31,604.27 smcs; Redman's Shoes \$1,055.98 smcs; Remarkable \$1,281.84 smcs; Renee's Garden \$58.09 smcs; Rentokil \$309.01 smcs; Right Size Plus \$196.42 smcs; Ring,E \$360.00 smcs; Roaming Greens \$750.00 smcs; Rock It Event Pros \$1,681.14 smcs; Safety Products \$341.22 smcs; Safety Vision \$231.58 smcs; Sanitation Products \$2,035.55 smcs; Sapp Bros. \$2,698.09 smcs; Sawin,S \$138.50 smcs; Sayler Screenprinting \$2,873.30 smcs,co; Schanbacher,D \$570.00 smcs; Scheepers Seeds \$15.45 smcs; Schroer,J \$1,672.00 smcs; See Clear Cleaning \$1,472.50 smcs; Seiler Instrument \$672.94 smcs; Select Seeds \$221.45 smcs; Select Sprayers \$179.54 smcs; Sherwin Williams \$88.92 smcs; Sign Center \$394.04 smcs; SignIt \$47.75 smcs; Sitescapes \$2,425.00 smcs; SLA Corp \$246.78 smcs; Slip 2000 \$115.08 smcs; Smith,C \$138.50 smcs; Snap-On Tools \$845.00 smcs; SOS Portable \$232.00 smcs; Spark Plugs \$132.62 smcs; Spectrum \$914.92 smcs; Starbucks \$140.06 smcs; State Electrical Division \$751.00 smcs; State Supply \$1,405.50 smcs; Step 'N Wash \$4,392.36 co; Steven D. Harg \$99.00 smcs; Stitch 3 \$130.00 smcs; Stitch Upholstery \$75.00 smcs; Stryker Sales \$210.85 smcs; Stutsman \$2,745.00 smcs; Subway \$31.50 smcs; Sunbelt Rentals \$180.62 smcs; Superior \$5,676.62 smcs; Supply

House \$752.26 smcs; Swim Outlet \$1,958.59 smcs; Target \$532.98 smcs; Thompson,K \$94.50 smcs; Titan Machinery \$3,432.44 smcs; TK Elevator \$872.00 smcs; Tmobile \$35.40 smcs; Tommy's Express \$145.00 smcs; Tractor Supply \$1,190.59 smcs,co; Trails & Rails Museum \$5,000.00 smcs; Transunion \$110.40 smcs; Trausch Dynamics \$337.91 smcs; Traveler's \$10,405.00 smcs; Triple Crown Products \$4,443.41 smcs; True Value \$431.54 smcs,co; Turner Body Shop \$475.00 smcs; TVH Parts \$440.50 smcs; Twin City Hardware \$219.10 smcs; Unifirst Corp. \$118.10 smcs; Union Bank & Trust \$121,411.69 ps; Unique Management \$256.30 smcs; United \$1,381.06 smcs; UPS \$100.67 smcs,co; USPS \$301.18 smcs; Utilities Section League \$2,212.00 smcs; UVT \$290.00 smcs; Vavra,A \$25.00 smcs; Vestis \$149.94 smcs; Village Services \$314.40 smcs; Wal-mart \$1,733.10 ps; Walter's Electric \$600.00 smcs; Warren Fire \$959.96 smcs; Waterlink \$709.41 smcs; Wedding Sisters \$27.50 smcs; WEF Main \$174.00 smcs; Western NRG \$225.00 smcs; Wheeler Fleet \$588.72 smcs; Winlectric \$8,190.82 smcs; Winnelson \$2,751.61 smcs; Winzer \$529.33 smcs; Wolfe Comm. \$77.25 ps; Woods Aitken \$6,015.00 smcs; WPCI \$596.37 smcs; Xavus Solutions \$255.00 smcs; Youtube \$426.80 smcs; Zoro Tools \$851.85 smcs; Payroll Ending 01/11/2025 -- \$669,042.10. 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 February 11, 2025 at 5:30 p.m. as date and time for hearing on those applications where applicable.

4. Adopt Resolution No. 2025-10 approving the Consultant Agreement between Alfred Benesch and Company and the City of Kearney for Snow Removal Equipment (SRE) Acquisition project for the Kearney Regional Airport.

**RESOLUTION NO. 2025-10**

BE IT RESOLVED by the Vice-President and Council of the City of Kearney, Nebraska, that the Vice-President of the Council be and is hereby authorized and directed to execute the Consultant Agreement with Alfred Benesch and Company in connection with the Snow Removal Equipment (SRE) Acquisition project at the Kearney Regional Airport which is being completed with Bipartisan Infrastructure Law (BIL) funds with a 95% federal match. The Consultant Agreement was sent to the FAA for review and written FAA approval to execute the Agreement has been received. The Consultant Agreement, and FAA approval letter both marked as Exhibit "A", are attached hereto and made a part hereof by reference.

PASSED AND APPROVED THIS 28TH DAY OF JANUARY, 2025.

ATTEST:  
PEGGY EYNETICH  
CITY CLERK

RANDY BUSCHKOETTER  
VICE-PRESIDENT OF THE COUNCIL

5. Adopt Resolution No. 2025-11 approving the Application and Certificate for Payment No. 29 in the amount of \$173,086.60 submitted by John T. Jones Construction Co. and approved by Miller & Associates for the WWTP Phase II Improvements; Water Resource Recovery Facility.

**RESOLUTION NO. 2025-11**

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. 29 in the amount of \$173,086.60 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
Change Order No. 3 (08-13-2024)	+ 156,336.00
Change Order No. 4 (09-10-2024)	+ 97,906.93
Contract Sum To Date	35,493,750.93
Gross Amount Due	35,253,392.39
Retainage	- 374,171.94
Amount Due to Date	34,879,220.45
Less Previous Certificates for Payment	- 34,706,133.85
Current Payment Due	<u>\$ 173,086.60</u>
Balance to finish, including retainage	\$ 614,530.48

NOW, THEREFORE, BE IT RESOLVED by the Vice-President and Council of the City of Kearney, Nebraska, and hereby find and determine that Application and Certificate for Payment No. 29 in the amount of \$173,086.60, as shown on Exhibit "A" be and is hereby accepted and approved.

PASSED AND APPROVED THIS 28TH DAY OF JANUARY, 2025.

ATTEST:  
 PEGGY EYNETICH  
 CITY CLERK

RANDY BUSCHKOETTER  
 VICE-PRESIDENT OF THE COUNCIL

6. Adopt Resolution No. 2025-12 approving the revised Kearney Public Library Policy Manual as recommended by the Library Advisory Board.

**RESOLUTION NO. 2025-12**

WHEREAS, the "Policy Manual for the Kearney Public Library" of the Kearney Public Library was adopted on September 12, 2006 by Resolution No. 2006-156; and

WHEREAS, in 2008 the Library Advisory Board determined it was necessary to revamp the entire policy and brought forward a new policy which was adopted by the City Council by Resolution No. 2008-57 on April 8, 2008; and

WHEREAS, on April 10, 2012, April 13, 2015, May 23, 2017, October 8, 2019, July 28, 2020, July 27, 2021, January 25, 2022, September 27, 2022, November 22, 2022 and again on January 23, 2024 the Council approved the revised policy by Resolution Nos. 2012-59, 2015-74, 2017-85, 2019-186, 2020-112, 2021-126, 2022-29, 2022-201, 2022-255 and 2024-10 respectively; and

WHEREAS, the Library Advisory Board has made some changes and is recommending the City Council approve the changes and adopt the revised policy.

NOW, THEREFORE, BE IT RESOLVED by the Vice-President and Council of the City of Kearney, Nebraska, that the recommendation from the Library Advisory Board, on

adopting a revised Kearney Public Library Policy Manual, a copy marked as Exhibit "A", attached hereto and made a part hereof, be and is hereby adopted.

BE IT FURTHER RESOLVED that the revised policy adopted in 2024 by Resolution No. 2024-10 be and is hereby repealed in its entirety.

PASSED AND APPROVED THIS 28TH DAY OF JANUARY, 2025.

ATTEST:  
PEGGY EYNETICH  
CITY CLERK

RANDY BUSCHKOETTER  
VICE-PRESIDENT OF THE COUNCIL

7. Adopt Resolution No. 2025-13 approving the Splash Pad Construction and Maintenance Agreement between the City of Kearney, Nebraska, a Municipal Corporation and Kearney Family Young Men's Christian Association, a Nebraska Non-Profit Corporation.

**RESOLUTION NO. 2025-13**

WHEREAS, the City of Kearney, Nebraska, a Municipal Corporation and Kearney Family Young Men's Christian Association, a Nebraska Non-Profit Corporation will enter into a Splash Pad Construction and Maintenance Agreement in accordance with the terms of said Agreement.

NOW, THEREFORE, BE IT RESOLVED by the Vice-President and Council of the City of Kearney, Nebraska, that the Vice-President be and is hereby authorized and directed to execute the "Maintenance Agreement" on behalf of the City of Kearney. The Agreement, marked as Exhibit "A" is attached hereto and made a part hereof by reference.

PASSED AND APPROVED THIS 28TH DAY OF JANUARY, 2025.

ATTEST:  
PEGGY EYNETICH  
CITY CLERK

RANDY BUSCHKOETTER  
VICE-PRESIDENT OF THE COUNCIL

8. Adopt Resolution No. 2025-14 approving the Real Estate Purchase Agreement between the City of Kearney, Nebraska, a Municipal Corporation and Hot Meals USA, a Nebraska Non-Profit Corporation for the purchase of Lot 1, Block 1, Tech One Fourth Subdivision, a Subdivision being part of the Northwest Quarter of the Northeast Quarter, part of the Southwest Quarter of the Northeast Quarter, part of the Northeast Quarter of the Northwest Quarter, and part of the Southeast Quarter of the Northwest Quarter of Section 29, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska.

**RESOLUTION NO. 2025-14**

BE IT RESOLVED BY THE VICE-PRESIDENT AND COUNCIL OF THE CITY OF KEARNEY, NEBRASKA that the Real Estate Purchase Agreement between Hot Meals USA, a Nebraska Non-Profit Corporation and the City of Kearney, Nebraska, a Municipal Corporation, for the purchase of real property which is legally described as:

Lot 1, Block 1, Tech One Fourth Subdivision, a Subdivision being part of the Northwest Quarter of the Northeast Quarter, part of the Southwest Quarter of

the Northeast Quarter, part of the Northeast Quarter of the Northwest Quarter, and part of the Southeast Quarter of the Northwest Quarter of Section 29, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska; and

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 Vice-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 28TH DAY OF JANUARY, 2025.

ATTEST:  
PEGGY EYNETICH  
CITY CLERK

RANDY BUSCHKOETTER  
VICE-PRESIDENT OF THE COUNCIL

**V. CONSENT AGENDA ORDINANCES**

**ORDINANCE NO. 8720**

Council Member Buschkooetter introduced Ordinance No. 8720 amending Section 8-912 "Parking Rules" to update list and amend formatting; and Section 8-915.3 "Parking Prohibited Between 12:00 a.m. and 6:00 a.m." to amend table location language all in Article 9 "Stopping, Standing and Parking" of Chapter 8 "Police" of the City Code, 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 Straatmann seconded the motion to suspend the rules for Ordinance No. 8720. Vice-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: Buschkoetter, Moore, Schmidt, Straatmann. 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. 8720 by number. Roll call of those in favor of the passage of said ordinance on the first reading resulted as follows: Aye: Buschkoetter, Moore, Schmidt, Straatmann. Nay: None. Nikkila absent. Motion carried. Ordinance was read by number.

Moved by Straatmann seconded by Moore that Ordinance No. 8720 be passed, approved and published as required by law. Roll call resulted as follows: Aye: Moore, Schmidt, Straatmann, Buschkoetter. 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. 8720 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.

**ORDINANCE NO. 8721**

Council Member Buschkoetter introduced Ordinance No. 8721 authorizing the Warranty

Deed for Lot 1, Block 1, Tech One Fourth Subdivision, a Subdivision being part of the Northwest Quarter of the Northeast Quarter, part of the Southwest Quarter of the Northeast Quarter, part of the Northeast Quarter of the Northwest Quarter, and part of the Southeast Quarter of the Northwest Quarter of Section 29, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska to Hot Meals USA, a Nebraska Non-Profit Corporation, 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 Straatmann seconded the motion to suspend the rules for Ordinance No. 8721. Vice-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: Buschkoetter, Moore, Schmidt, Straatmann. 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. 8721 by number. Roll call of those in favor of the passage of said ordinance on the first reading resulted as follows: Aye: Buschkoetter, Moore, Schmidt, Straatmann. Nay: None. Nikkila absent. Motion carried. Ordinance was read by number.

Moved by Straatmann seconded by Moore that Ordinance No. 8721 be passed, approved and published as required by law. Roll call resulted as follows: Aye: Moore, Schmidt, Straatmann, Buschkoetter. 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. 8721 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**

### **VII. REPORTS**

Council Member Schmidt questioned if there were any updates on the SportsPlex. Brenda Jensen, City Manager stated everything is going well and a tentative soft opening is being planned for the end of March with the official opening the first week of April.

Council Member Alex Straatmann thanked Lauren Brandt, SportsPlex Director and her Staff for the tour they provided the Leadership Nebraska group.

### **VIII. ADJOURN**

Moved by Buschkoetter seconded by Schmidt that Council adjourn at 5:42 p.m. Roll call resulted as follows: Aye: Schmidt, Straatmann, Buschkoetter Moore. Nay: None. Nikkila absent. Motion carried.

**ATTEST:**

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**RANDY BUSCHKOETTER**  
**VICE-PRESIDENT OF THE COUNCIL**

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**PEGGY EYNETICH**  
**CITY CLERK**