

*Kearney, Nebraska  
February 25, 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 February 25, 2025, in the Council Chambers at City Hall. Present were: Jonathan Nikkila, President of the Council; Peggy Eynetich, City Clerk; Council Members Randy Buschkoetter, Tami James Moore, Kurt Schmidt and Alex Straatmann. Absent: None. Brenda Jensen, City Manager; Michael Tye, City Attorney; Kayla James, Director of Finance; Sarah Sawin, Director of Utilities; Andy Harter, Director of Public Works; and Kevin Thompson, Police Captain of Operations were also present. Members of the media present included: Michael Shively, News Channel Nebraska.

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 Nikkila 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**

### **PROCLAMATION FOR 125TH ANNIVERSARY OF THE VETERANS OF FOREIGN WARS (VFW)**

Mayor Nikkila read the Proclamation for the 125th Anniversary of the Veterans of Foreign Wars (VFW) and presented it to the VFW members in attendance.

## **II. UNFINISHED BUSINESS**

There was no Unfinished Business.

### **III. PUBLIC HEARINGS**

None.

### **IV. CONSENT AGENDA**

Moved by Straatmann seconded by Moore that Subsections 1 through 5 of Consent Agenda Item IV be approved. Roll call resulted as follows: Aye: Nikkila, Moore, Schmidt, Straatmann, Buschkoetter. Nay: None. Motion carried.

1. Approve Minutes of Regular Meeting held February 11, 2025.
2. Approve the following Claims:

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

Acushnet \$5,204.35 smcs; Alfred Benesch \$10,438.21 co; All Safe Industries \$515.67 smcs; Ask Supply \$770.15 smcs; Aurora Coop \$767.92 smcs; AvFuel \$66,580.68 smcs; Axon Enterprise \$76,994.00 co; Baker & Taylor \$5,826.17 smcs; Barney Insurance \$3,200.00 smcs; Baye, S \$135.99 smcs; Benchmark \$547.75 smcs; BerganKDV \$31,500.00 smcs; Blackstrap \$5,247.29 smcs; BlueCross BlueShield \$92,813.87 smcs; Bosselman \$14,014.72 smcs; Bossfuels \$40,265.35 smcs; Boswell, A \$17.26 smcs; Brandt Construction \$54.48 smcs; BSN Sports \$9,682.33 smcs; Buffalo Co. Sheriff \$212.50 smcs; Builders \$78.62 smcs; Buxton \$25,000.00 smcs; Cal/Amp \$808.50 smcs; Cash Wa \$1,146.98 smcs; Central Ag \$299.97 smcs; Central Comm. College \$300.00 smcs; Central NE Bobcat \$25,351.94 smcs; City of KY \$21,753.79 smcs,ps; City Plumbing \$814.63 smcs; Consolidated Concrete \$1,875.61 smcs,co; Culligan \$176.00 smcs; Cutting Edge Cleaning \$175.00 smcs; Dawson Public Power \$21,141.31 smcs; DBS Metal Design \$7,500.00 co; Deterding's \$9,414.00 smcs; DLT Solutions \$6,385.78 smcs; Eakes \$739.86 smcs; Emily Davidson Photo. \$350.00 smcs; Engineering Technologies \$3,180.00 smcs; Fearnley, M \$247.65 smcs; Flock Safety \$73,500.00 smcs; Fox Creek Development \$186,213.76 co; Frontier \$2,600.56 smcs; Gale \$820.52 smcs; Game Changer Floor \$25,696.89 co; Gear For Sports \$99.14 smcs; Go Physical Therapy \$220.00 ps; Goodwin Tucker \$675.00 smcs; Graczyk Lawn \$2,167.00 smcs; Graff, D \$9.96 smcs; Great Lakes Composite \$4,662.00 co; Holiday Inn \$13,832.08 smcs; Hometown Leasing \$547.09 smcs; Hotsy Equipment \$326.50 smcs; Hub Int'l \$7,209.92 smcs; Huso, B \$31.00 smcs; IRS \$203,505.16 ps; Jack Lederman \$582.49 smcs; Jack's Uniforms \$114.99 smcs; Johnson, Q \$9.37 smcs; Kart-Man \$1,481.25 smcs; KY Animal Shelter \$15,675.50 smcs; KY Powersports \$17,887.80 co; KY, A \$8.24 smcs; Kiesler Police Supply \$6,715.80 smcs; King Investments \$1,079.06 ps; Konica Minolta \$1,116.93 smcs; Lammers, L \$399.83 smcs; Landmark Implement \$77,313.96 co; Laudenklos, E \$19.14 smcs; Lawter, D \$36.09 smcs; Logan Contractors \$4,972.00 smcs,co; MacQueen \$133.53 smcs; Mallory Safety \$74.00 smcs; Manfeild, K \$161.50 smcs; MARA USA Corp \$190,339.42 smcs; Medicap Pharmacy \$17.98 smcs; Meester, W \$36.31 smcs; Menards \$118.22 smcs; Mid-NE Garage Doors \$125.00 smcs; Midwest Connect \$281.02 smcs;

Miller & Associates \$9,321.60 co; Mission Square \$8,434.41 ps; Mohawk Lifts \$21,380.41 co; Municipal Supply \$80,354.39 smcs; Napa Auto \$2,191.50 smcs; NE Child Support \$1,454.34 ps; NE Dept of Revenue \$35,783.14 smcs; NE Public Health \$49.00 smcs; NE Secretary of State \$5.00 smcs; Northwestern Energy \$39,683.50 smcs; NPPD \$110,481.77 smcs; Oak Creek Engineering \$17,904.67 co; OCLC \$3,242.84 smcs; Olsson Assn. \$14,355.00 smcs; Omnify \$563.50 smcs; One Call Concepts \$181.37 smcs; O'Reilly Automotive \$852.55 smcs; Otto Environmental \$21,705.00 smcs; Parsons, S \$75.51 smcs; Pep Co. \$110.25 smcs; Piehl, J \$4.51 smcs; Presto-X \$607.05 smcs; Rapid Fire Protection \$1,060.00 smcs; Rasmussen Mechanical \$22,904.89 smcs,co; RDG Planning \$18,735.43 co; Region 12 ABPA \$350.00 smcs; Road Builders \$3,078.42 smcs; Rosales, E \$25.41 smcs; Rylind Industries \$10,048.00 co; Sapp Brothers \$46,979.77 smcs; SCALES \$1,000.00 smcs; SOS Portable Toilets \$232.00 smcs; Stitch 3 \$10.00 smcs; Stutsman \$2,745.00 smcs; SW Firefighter \$3,343.81 smcs; Tradebe Environmental \$54,748.93 smcs; Tri Co. Glass \$473.00 smcs; Turner Body Shop \$125.00 smcs; Twin City Hardware \$1,812.36 smcs; Tye & Rowling \$16,451.80 smcs; Union Bank & Trust \$116,130.86 ps; Unique Management \$302.90 smcs; UNMC \$65.00 smcs; Valley Forklift \$56.63 smcs; VanWall Equipment \$6,551.00 co; Vertive Services \$5,400.00 smcs; Waterlink \$709.41 smcs; Wilcac Life \$5.00 ps; Wildlife Encounters \$895.00 smcs; Young, M \$137.95 smcs; Payroll Ending 02/08/2025 -- \$649,840.57. 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 11, 2025 at 5:30 p.m. as date and time for hearing on those applications where applicable.
4. Adopt Resolution No. 2025-21 approving the Application and Certificate for Payment No. 30 in the amount of \$309,006.74 submitted by John T. Jones Construction Co. and approved by Miller & Associates for the WWTP Phase II Improvements; Water Resource Recovery Facility.

**RESOLUTION NO. 2025-21**

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. 30 in the amount of \$309,006.74 as shown on Exhibit "A" attached hereto and made a part hereof by reference and as follows:

Original Contract Sum	<u>\$ 35,858,000.00</u>
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)	<u>+ 97,906.93</u>
Contract Sum To Date	35,493,750.93
Gross Amount Due	35,388,227.19
Retainage	<u>- 200,000.00</u>
Amount Due to Date	35,188,227.19
Less Previous Certificates for Payment	<u>- 34,879,220.45</u>
Current Payment Due	<u>\$ 309,006.74</u>
Balance to finish, including retainage	<u>\$ 305,523.74</u>

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. 30 in the amount of \$309,006.74, as shown on Exhibit "A" be and is hereby accepted and approved.

PASSED AND APPROVED THIS 25TH DAY OF FEBRUARY, 2025.

ATTEST:  
PEGGY EYNETICH  
CITY CLERK

JONATHAN NIKKILA  
PRESIDENT OF THE COUNCIL  
AND EX-OFFICIO MAYOR

- 5. Adopt Resolution No. 2025-22 appointing the fulfillment of the term vacated by Sheila Kennedy on the Senior Services Advisory Board.

**RESOLUTION NO. 2025-22**

WHEREAS, Resolution No. 2005-96 calls for Citizen Board/Commission member appointments to be made by resolution submitted by the Mayor to the City Council for final approval; and

WHEREAS, a vacancy currently exists on a Citizen Board/Commission.

NOW, THEREFORE, BE IT RESOLVED by the President and Council of the City of Kearney, Nebraska, that the following person, is hereby appointed to the designated Board/Commission for the term indicated:

**SENIOR SERVICES ADVISORY BOARD**

Dietrich Wagner appointed to fulfill Sheila Kennedy's term through July 31, 2026

BE IT FURTHER RESOLVED that this resolution shall be in full force and effect from and after its adoption.

PASSED AND APPROVED THIS 25TH DAY OF FEBRUARY, 2025.

ATTEST:  
PEGGY EYNETICH  
CITY CLERK

JONATHAN NIKKILA  
PRESIDENT OF THE COUNCIL  
AND EX-OFFICIO MAYOR

**V. CONSENT AGENDA ORDINANCES**

**ORDINANCE NO. 8725 AMENDING SECTIONS OF THE CITY CODE**

Council Member Moore introduced Ordinance No. 8725 amending Section 8-915.2 "Snow Emergency Routes" adding two sections of roadway to the list of streets or portions of streets during a snow emergency period has been declared 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 Schmidt seconded the motion to suspend the rules for Ordinance No. 8725. 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:

Nikkila, Schmidt, Straatmann, Buschkoetter, Moore. 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. 8725 by number. Roll call of those in favor Schmidt, Straatmann, Buschkoetter, Moore. Nay: None. Motion carried. Ordinance was read by number.

Moved by Schmidt seconded by Buschkoetter that Ordinance No. 8725 be passed, approved and published as required by law. Roll call resulted as follows: Aye: Nikkila, Straatmann, Buschkoetter, Moore, Schmidt. Nay: None. Motion carried.

By reason of the roll call voted on the first reading and final passage of the ordinance, Ordinance No. 8725 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**

### **2025 PART 2 IMPROVEMENTS – US HIGHWAY 30 and UNIVERSITY DRIVE INTERSECTION IMPROVEMENTS**

Mayor Nikkila opened for discussion taking action on bids received for 2025 Part 2 Improvements - US Highway 30 and University Drive Intersection Improvements.

Brenda Jensen, City Manager presented this matter to Council. Ms. Jensen explained that the City had received the necessary information from the Nebraska Department of Transportation to proceed with the bids.

Moved by Buschkoetter seconded by Nikkila to approve Resolution No. 2025-23 awarding the bid for the 2025 Part 2 Improvements – US Highway 30 and University Drive Intersection Improvements to Nielsen Contracting, LLC. Roll call resulted as follows: Aye: Nikkila, Buschkoetter, Moore, Schmidt, Straatmann. Nay: None. Motion carried.

## **VII. REPORTS**

Council Member Kurt Schmidt thanked the Sanitation Department and the Kearney Regional Airport for tours of the facilities.

Council Member Alex Straatmann thanked the Public Works Department for their work during the recent snowstorm.

Ms. Jensen congratulated Council Member Straatmann for his recent graduation from Leadership Nebraska and also congratulated the Visitors Center on their Ribbon Cutting.

### **CLOSED SESSION**

Moved by Nikkila seconded by Straatmann that Council adjourn into closed session at 5:48 p.m. for the protection of the public interest to discuss possible litigation matters. Roll call resulted as follows: Aye: Nikkila, Moore, Schmidt, Straatmann, Buschkoetter. Nay: None. Motion carried.

Mayor Nikkila restated the purpose for the closed session is for the protection of the public interest to discuss possible litigation 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 Nikkila that Council reconvene in regular session at 6:35 p.m. Roll call resulted as follows: Aye: Nikkila, Schmidt, Straatmann, Buschkoetter, Moore. Nay: None. Motion carried.

**VIII. ADJOURN**

Moved by Nikkila seconded by Straatmann that Council adjourn at 6:35 p.m. Roll call resulted as follows: Aye: Nikkila, Straatmann, Buschkoetter, Moore, Schmidt. Nay: None. Motion carried.

**ATTEST:**

\_\_\_\_\_  
**JONATHAN NIKKILA  
PRESIDENT OF THE COUNCIL  
AND EX-OFFICIO MAYOR**

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**PEGGY EYNETICH  
CITY CLERK**