

Kearney, Nebraska
April 8, 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 April 8, 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; Melissa Dougherty-O'Hara, City Planner; Brad DeMers, Assistant to the City Manager, and Jake Misener Deputy City Clerk, were also present. Members of the media present included: Peter Rice, 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

There were no Oral Communications.

II. UNFINISHED BUSINESS

There was no Unfinished Business.

III. PUBLIC HEARINGS

REZONE PROPERTY LOCATED AT 802 EAST 30TH STREET

Mayor Nikkila opened the public hearing on the application submitted by Lean Brandt (Applicant) for Countryside Mobile Park Inc. (Owner) to rezone from District R-1, Urban Residential Single-Family District (Low Density) to R-1D, Residential District for property described Lots 21 and 22, Switz Subdivision, a subdivision to the City of Kearney, Buffalo County Nebraska (802 East 30th Street) and consider Ordinance No. 8744.

Lean Brandt presented this matter to Council. Mr. Brandt described the location of the proposed property to be rezoned and noted the request would allow for the construction of duplexes. Mayor Nikkila questioned what was planned for the house currently located on the property. Mr. Brandt stated it could potentially be moved from the property, or it will be demolished. Council Member Alex Straatmann questioned if the home was currently occupied. Mr. Brandt stated there were tenants in the home; a 90-day notice will be provided to the tenants before construction begins. Mr. Brandt noted a minor subdivision might also be completed so a single-family home could be constructed on the property, which would allow the current home to remain on the property; the project most likely won't begin until next year. Brenda Jensen, City Manager, stated the proposed zoning would allow for the construction of a single-family home and therefore would not need to be presented to Council again.

There was no one present in opposition to this hearing.

Moved by Straatmann to close the public hearing on the application submitted by Lean Brandt (Applicant) for Countryside Mobile Park Inc. (Owner) to rezone from District R-1, Urban Residential Single-Family District (Low Density) to R-1D, Residential District for property described Lots 21 and 22, Switz Subdivision, a subdivision to the City of Kearney, Buffalo County Nebraska (802 East 30th Street), and introduced Ordinance No. 8744 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 Moore seconded the motion to close the hearing and suspend the rules for Ordinance No. 8744. 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, Moore, Schmidt, Straatmann, Buschkoetter. 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. 8744 by number. Roll call of those in favor of the passage of said ordinance on the first reading resulted as follows: Aye: Nikkila, Moore, Schmidt, Straatmann, Buschkoetter. Nay: None. Motion carried. Ordinance was read by number.

Moved by Moore seconded by Schmidt that Ordinance No. 8744 be passed, approved and published as required by law. Roll call resulted as follows: Aye: Nikkila, Schmidt, Straatmann, Buschkoetter, Moore. Nay: None. Motion carried.

By reason of the roll call voted on the first reading and final passage of the ordinance, Ordinance No. 8744 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.

DEVELOPMENT OF GOOD SAMARITAN VILLAGE

Mayor Nikkila stated Public Hearings 2 and 3 pertaining to the development of Good Samaritan Village, generally located at 2201 East 32nd Street, submitted by Miller & Associates, applicant for Evangelical Lutheran Good Samaritan Society, a North Dakota Corporation, owner have been requested to be postponed until the April 22, 2025, Council Meeting.

Moved by Schmidt, seconded by Buschkoetter to postpone Public Hearings 2 and 3 pertaining to the development of Good Samaritan Village until the April 22, 2025, Council Meeting. Roll call resulted as follows: Aye: Nikkila, Straatmann, Buschkoetter, Moore, Schmidt. Nay: None. Motion carried.

IV. CONSENT AGENDA

Moved by Buschkoetter seconded by Nikkila that Subsections 1 through 6 of Consent Agenda Item IV be approved. Roll call resulted as follows: Aye: Nikkila, Buschkoetter, Moore, Schmidt, Straatmann. Nay: None. Motion carried.

1. Approve Minutes of Regular Meeting held March 25, 2025.

2. Approve the following Claims:

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

4 States Towing \$125.00 smcs; 911 Custom \$57,470.14 co; Ace Hardware \$8.59 smcs; Agri Coop \$147.98 smcs; Amax Contracting \$249.28 smcs; Aurora Coop \$745.36 smcs; Automatic Systems \$673.75 smcs; Baker & Taylor \$3,355.04 smcs; Bednarz, J \$35.22 smcs; Bill's Liquor West \$163.00 smcs; Blackstrap \$1,845.71 smcs; BlueCross BlueShield \$216,612.99 smcs; Bluffs Facility Solutions \$7,209.70 co; Booton, L \$214.99 smcs; Bossfuels \$19,853.49 smcs; Brandt, L \$6,500.00 smcs; Broadfoot Sand \$303.68 smcs; Brock, T \$20.24 smcs; Buffalo Co. Register \$162.00 smcs; Buffalo Co. Sheriff \$257,323.25 smcs; Builders \$604.39 smcs; Cash-Wa \$3,591.71 smcs; Center Point \$81.81 smcs; Central Comm. College \$300.00 smcs; Chesterman \$2,424.00 smcs; City Glass \$3,892.00 smcs; City of KY \$507,861.82 ps; CityServiceValcon \$76,406.33 smcs; Comm. Action Partner \$1,999.00 smcs; Culligan \$144.50 smcs; Danko \$518.00 smcs; Depository Trust \$5,165.00 ds; Downey Drilling \$11,584.54 smcs; Dunlop \$1,259.52 smcs; Eagle Distributing \$602.33 smcs; Eakes \$1,895.90 smcs; Ensley Electrical Services \$7,530.00 smcs; Entenmann-Rovin \$292.50 smcs; Family Practice \$723.00 ps; Florell, A \$3.01 smcs; Forbes, C \$69.00 smcs; Gale \$811.09 smcs; Give Nebraska

\$20.00 ps; Great Platte River Arch \$9,803.02 smcs; Greater NE Cities \$1,000.00 smcs; Hanson, J \$107.50 smcs; HD Supply \$135,926.42 smcs,co; Hisey, C \$107.50 smcs; Hometown Leasing \$283.23 smcs; IRS \$208,221.55 ps; J&A Traffic Products \$1,110.00 smcs; Jack's Uniforms \$6,206.88 smcs; Jensen, B \$299.00 smcs; John T. Jones Const. \$119,843.20 co; Karsten MFG \$3,380.77 smcs; KY Animal Shelter \$148.00 smcs; KY Hub \$2,340.22 smcs; Kois Brothers \$14,540.00 smcs; Lincoln National Life \$10,479.23 smcs; Magic Cleaning \$8,790.00 smcs; Mauslein Welding \$643.20 smcs; MCF Environmental \$9,956.00 smcs; MCL Construction \$1,203,417.15 smcs,co; Menards \$254.66 smcs; Midwest Connect \$6,555.49 smcs; Midwest Petroleum \$532.00 smcs; Miller & Associates \$36,039.15 smcs,co; Mission Square \$8,509.91 ps; Municipal Supply \$50,874.86 smcs; Navigator Motorcoaches \$2,880.00 smcs; NDEE Swimming Pools \$80.00 smcs; NE Child Support \$1,454.34 ps; NE Dept. of Revenue \$63,447.21 ps; NE Library Commission \$8,013.43 smcs; NE Public Health \$2,632.00 smcs; NE Salt & Grain \$8,540.91 smcs; Nebraskaland Distrib. \$290.81 smcs; Northwestern Energy \$6,920.67 smcs; NPPD \$5,466.20 smcs; Olsson Assoc. \$10,947.50 smcs; Pep Co. \$385.88 smcs; Platte Valley Auto \$191.16 smcs; Polydyne \$16,758.72 smcs; Power Tech \$4,205.63 smcs; Presto-X \$168.12 smcs; Prime Secured \$5,328.33 co; Psychological Resources \$750.00 smcs; PVS DX \$13,372.06 smcs; Quinn, J \$350.00 smcs; Rapid Fire Protection \$250.00 smcs; Rasmussen Mechanical \$4,457.25 smcs; Resource Mgmt. \$2,016.00 smcs; Rheome Tree \$600.00 smcs; Sapp Brothers \$20,289.97 smcs; School District #7 \$3,690.00 smcs; Schumacher Elevator \$33,548.75 co; Schumacher Fencing \$460.00 co; Signlt \$37.25 smcs; Siteone Landscape \$21,990.16 smcs; Sontiq \$520.62 ps; SOS Portable Toilets \$172.00 smcs; Springer, E \$185.00 smcs; State of NE/DAS \$17.64 smcs; Stutsman \$1,647.00 smcs; Suchsland, T \$94.50 smcs; Sun Life \$83,078.60 smcs; Tiede, G \$51.87 smcs; TK Elevator \$1,262.50 smcs; Tomka, D & D \$13.13 smcs; Tri City Concrete \$5,125.00 co; Twin City Hardware \$627.93 smcs; Two Rivers Public Health \$400.00 smcs; Tye & Rowling \$17,353.31 smcs; Union Bank & Trust \$119,529.03 ps; United Way of KY \$20.00 ps; Vasquez, J \$150.00 smcs; Verizon \$15,105.56 smcs; Village Uniform \$224.28 smcs; Warren-T Plumbing \$125.00 smcs; Waugh, B \$268.10 smcs; Western NE Regional \$500.00 smcs; Wilson, C \$365.00 smcs; Woods Aitken \$5,000.00 smcs; Zimco Supply \$2,194.41 smcs; Payroll Ending 03/22/2025 -- \$668,204.06. 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 Plans and Specifications in connection with 2025 part 3 Improvements - Butler Avenue Place (Tech One Fourth) and set the bid opening date for May 6, 2025, at 2:00 p.m.
4. Approve the Agreement between the City of Kearney and Central Nebraska Auto Club on behalf of Cruise Nite 2025 which describes parking on these public properties that are prohibited on July 19, 2025 beginning at 2:00 a.m., and adopt Resolution No. 2025-36.

RESOLUTION NO. 2025-36

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 "A", is attached hereto and made a part hereof by reference.

PASSED AND APPROVED THIS 8TH DAY OF APRIL, 2025.

ATTEST:
PEGGY EYNETICH
CITY CLERK

JONATHAN NIKKILA
PRESIDENT OF THE COUNCIL
AND EX-OFFICIO MAYOR

5. Approve the Utilities Department's request to sell several items of surplus equipment by the method deemed most advantageous to the City of Kearney, including sale by auction, sealed bid, or private or public sale.

6. Approve the purchase of two separate shade structures in the amount of \$76,558.27 submitted by Next Generation Recreation under the Sourcewell Cooperative Purchasing Contract program to be installed at Memorial Field.

V. CONSENT AGENDA ORDINANCES

None.

VI. REGULAR AGENDA

OPEN ACCOUNT CLAIM

Moved by Buschkoetter seconded by Straatmann that the Open Account Claim in the amount of \$736.44 payable to Jonathan Nikkila be allowed. Roll call resulted as follows: Aye: Moore, Schmidt, Straatmann, Buschkoetter. Nay: None. Nikkila abstained. Motion carried.

REDEVELOPMENT PROJECT FOR STONEBRIDGE WEALTH SYSTEMS – 101 1ST AVENUE PLACE

Mayor Nikkila opened for discussion Resolution No. 2025-37 approving the redevelopment project submitted by Stonebridge Wealth Systems, for Redevelopment Area No. 2 for an area described as Lot 2, except that part of Lot 2 adjacent to Lot 1, Talmadge Center Subdivision, Buffalo County, Nebraska (101 1st Avenue Place).

Kayla James presented this matter to the Council. Ms. James stated Stonebridge Wealth Systems is considering a remodel of the former Ruby Tuesday's building to become the new Stonebridge Wealth Systems' office. The proposed Project will be located at 108 1st Avenue Place. The total new valuation of the property upon completion is estimated to be \$1,153,800, and the current valuation of the property is \$792,410. The incremental valuation is estimated to be \$361,390. The annual increment in real estate taxes upon total completion of the Project is estimated to be \$6,195. However, the increment in real estate taxes during the first year or two will be less due to lower valuations during construction of the Project.

On April 7, 2025, the CRA moved that the Project be granted 90% of the annual increment in real estate taxes, not to exceed the certified eligible Project Costs over a period not to

exceed fifteen years beginning with Tax Year 2025. The CRA approved Project Costs totaling \$70,939.

Moved by Nikkila seconded by Straatmann finding that the redevelopment project set forth in the application submitted by Stonebridge Wealth Systems would not be economically feasible without the use of tax-increment financing, that the proposed redevelopment project would not occur in the community redevelopment area without the use of tax-increment financing and, that the costs and benefits of the proposed redevelopment project are found to be in the long term best interests of the community; and further move that the redevelopment project be granted 90 percent of the annual increment in real estate taxes, up to the certified eligible Project Costs over a period not to exceed fifteen years beginning with Tax Year 2025 and to adopt Resolution No. 2025-37 granting the Chairman and legal counsel the authority to negotiate and execute a redevelopment contract with Stonebridge Wealth Systems. Roll call resulted as follows: Aye: Nikkila, Schmidt, Straatmann, Buschkoetter, Moore. Nay: None. Absent: None. Motion carried.

RESOLUTION NO. 2025-37

WHEREAS, the City of Kearney, Nebraska, a municipal corporation and city of the first class, has determined it be desirable to undertake and carry out urban redevelopment projects in areas of the City which are determined to be substandard and blighted and in need of redevelopment; and

WHEREAS, the Nebraska Community Development Law, Chapter 18, Article 21, Nebraska Reissue Revised Statutes of 1991, as amended (the "Act"), prescribes the requirements and procedures for the planning and implementation of redevelopment projects; and

WHEREAS, the City has declared an area of the City to be substandard and blighted and in need of redevelopment pursuant to the Act; and

WHEREAS, the Community Redevelopment Authority of the City of Kearney, Nebraska (the "Authority"), has prepared a Redevelopment Plan for Area No. 2 pursuant to Section 18-2111 of the Act ("Redevelopment Plan"), and recommended the Redevelopment Plan to the Planning Commission of the City; and

WHEREAS, the Planning Commission of the City reviewed the Redevelopment Plan pursuant to the Act and submitted its recommendations, if any, to the Authority, pursuant to Section 18-2114 of the Act; and

WHEREAS, in accordance with Section 18-2114 of the Act, the Authority submitted its recommendation, along with the recommendation from the Planning Commission to the City Council; and

WHEREAS, following consideration of the recommendations of the Planning Commission and the Authority, and following the public hearing with respect to the Redevelopment Plan, the City approved the Plan; and

WHEREAS, there has been presented to the City by the Authority for approval pursuant to and in accordance with Section 18-2119 of the Act a specific Redevelopment Project within the Redevelopment Plan and as authorized in the Redevelopment Plan, as legally Lot 2, except that part of Lot 2 adjacent to Lot 1, Talmadge Center Subdivision, Buffalo County, Nebraska (101 1st Avenue Place) (Parcel ID 600092000); and

WHEREAS, the City Council has determined that the proposed Redevelopment Project would not be economically feasible without the use of tax increment financing;

that the proposed Redevelopment Project would not occur in the community without the use of tax increment financing, and; that the costs and benefits of the proposed Redevelopment Project have been found to be in the long-term best interests of the community.

NOW, THEREFORE, BE IT RESOLVED by the President and City Council of the City of Kearney, Nebraska that:

1. The Redevelopment Plan of the City previously approved for the area described on the attached Exhibit "A", including the Redevelopment Project legally described as Lot 2, except that part of Lot 2 adjacent to Lot 1, Talmadge Center Subdivision, Buffalo County, Nebraska (101 1st Avenue Place) (Parcel ID 600092000); is hereby determined to be feasible and in conformity with the general plan for the development of the City of Kearney as a whole and the Redevelopment Plan, including the Redevelopment Project identified on Exhibit "A", is in conformity with the legislative declarations and determinations set forth in the Act.

2. The City Council hereby determines that the proposed Redevelopment Project would not be economically feasible without the use of tax increment financing; that the proposed Redevelopment Project would not occur in the community without the use of tax increment financing, and; that the costs and benefits of the proposed Redevelopment Project are found to be in the long-term interests of the community.

3. Approval of the Redevelopment Plan is hereby ratified and reaffirmed, as amended by this Resolution, and the Authority is hereby directed to implement the Redevelopment Plan in accordance with the Act.

4. Pursuant to Section 18-2147 of the Act, ad valorem taxes levied upon real property in a redevelopment project for the benefit of any public body, included or authorized in the Plan which is legally described as Lot 2, except that part of Lot 2 adjacent to Lot 1, Talmadge Center Subdivision, Buffalo County, Nebraska (101 1st Avenue Place) (Parcel ID 600092000); shall be divided, for a period not to exceed 15 years after the effective date of the provision, which effective date shall be identified in the Project Redevelopment Contract, as follows:

a. That portion of the ad valorem tax which is produced by the levy at the rate fixed each year by or for each public body upon the redevelopment project valuation (as defined in the Act) shall be paid into the funds of each such public body in the same proportion as are all other taxes collected by or for the body; and

b. That portion of the ad valorem tax on real property in the redevelopment project in excess of such amount, if any, shall be allocated to and, when collected, paid into a special fund of the Authority to be used solely to pay the principal of, the interest on, and any premiums due in connection with the bonds, of loans, notes or advances of money to, or indebtedness incurred by, whether funded, refunded, assumed, or otherwise, such Authority for financing or refinancing, in whole or in part, the redevelopment project. When such bonds, loans, notes, advances of money, or indebtedness, including interest and premiums due, have been paid, the Authority shall so notify the County Assessor and County Treasurer and all ad valorem taxes upon taxable real property in such a redevelopment project shall be paid into the funds of the respective public bodies.

c. Any interest and penalties due for delinquent taxes shall be paid into the funds of each public body in the same proportion as are all other taxes collected by or for the public body.

5. The President and City Clerk are authorized and directed to execute and file with the Treasurer and Assessor of Buffalo County, Nebraska, an Allocation Agreement

and Notice of Pledge of Taxes with respect to the Redevelopment Project substantially in the form attached hereto as Exhibit "B" with appropriate insertions.

6. Recognizing that, after the date of this Resolution, circumstances may arise necessitating changes, additions or deletions to the specific legal description of the Redevelopment Project (described in Paragraphs 1 and 4 above and the attached Exhibit "B"), the City Manager is hereby authorized to make such changes, additions or deletions to the legal description as the City Manager deems reasonable or necessary, together with the authority to execute all documents, certificates or instruments necessary in connection therewith, specifically including the execution of an Amended Allocation Agreement and Notice of Pledge of Taxes with respect to the Redevelopment Project.

PASSED AND APPROVED THIS 8TH DAY OF APRIL, 2025.

ATTEST:
PEGGY EYNETICH
CITY CLERK

JONATHAN NIKKILA
PRESIDENT OF THE COUNCIL
AND EX-OFFICIO MAYOR

VII. REPORTS

Council Member Kurt Schmidt expressed his excitement for the shade coverings at Memorial Field and noted how impressive the SportsPlex was at the soft opening.

Council Member Straatmann praised SportsPlex Staff for their hard work on the soft opening that occurred this past weekend.

Ms. Jensen thanked the Kearney Legion Board for partnering with the City to install the shade structures at Memorial Field. Ms. Jensen stated there were approximately 7,000 in attendance at the SportsPlex soft opening for the community this past Saturday and noted its first big event will be held on Sunday. Ms. Jensen also noted Kearney Tomorrow's suggestion period concludes on Friday, and that MONA will be holding their Grand Re-Opening soon.

VIII. ADJOURN

Moved by Nikkila seconded by Straatmann that Council adjourn at 5:43 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

PEGGY EYNETICH
CITY CLERK