

Kearney, Nebraska
April 22, 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 22, 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; Scott Hayden, Director of Recreational Services; Melissa Dougherty-O'Hara, City Planner; Bryan Waugh, Chief of Police; Taylor Jaeger, Assistant Finance Director; and Jake Misener, Deputy City Clerk, 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

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

Presentation of Youth Week Proclamation to Kearney Elks Lodge #984.

Mayor Nikkila read the Proclamation for Kearney Elks Lodge #984 Youth Week and presented it to the Elks members in attendance.

Proclamation honoring Robyn Bowman's 43 years of employment with the City of Kearney.

Mayor Nikkila read the Proclamation honoring Robyn Bowman for her 43 years of

employment with the City of Kearney. Council presented the Proclamation to Ms. Bowman and thanked her for her years of service to the City of Kearney and the citizens of Kearney.

Proclamation honoring National Public Safety Telecommunicators Buffalo County Sheriff's Office 911 Center.

Mayor Nikkila read the Proclamation honoring National Public Safety Telecommunicators and presented it to Chief Waugh, who accepted the Proclamation on behalf of the Buffalo County Sheriff's Office 911 Communications Center employees.

Presentation of National Police Week 2025 Proclamation to the Kearney Police Department.

Mayor Nikkila read the Proclamation for National Police Week 2025 and presented it to Chief Waugh.

II. UNFINISHED BUSINESS

There was no Unfinished Business.

III. PUBLIC HEARINGS

DEVELOPMENT OF GOOD SAMARITAN VILLAGE

Mayor Nikkila stated Public Hearings 1 and 2 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 further postponed until the May 13, 2025, Council Meeting.

Moved by Straatmann, seconded by Moore to postpone Public Hearings 1 and 2 pertaining to the development of Good Samaritan Village until the May 13, 2025, Council Meeting. Roll call resulted as follows: Aye: Nikkila, Moore, Schmidt, Straatmann, Buschkoetter. Nay: None. Motion carried.

IV. CONSENT AGENDA

Mayor Nikkila stated that City staff has requested to postpone until May 13, 2025, Subsection 6 of Consent Agenda.

6. Adopt Resolution No. 2024-144A amending the Developer Constructed Infrastructure Agreement for Saadi First, an Addition to the City of Kearney, Buffalo County, Nebraska between the City of Kearney and Camil Saadi, Managing Member of WinStar Enterprise, LLC, a Nebraska Limited Liability Company.

Moved by Moore seconded by Schmidt that Subsection 6 of Consent Agenda Item IV be postponed until May 213, 2025. Roll call resulted as follows: Aye: Nikkila, Schmidt,

Straatmann, Buschkoetter, Moore. Nay: None. Lear absent. Motion carried.

Moved by Schmidt seconded by Buschkoetter that Subsections 1 through 5 and 7 through 11 of Consent Agenda Item IV be approved. Roll call resulted as follows: Aye: Nikkila, Straatmann, Buschkoetter, Moore, Schmidt. Nay: None. Motion carried.

- 1. Approve Minutes of Regular Meeting held April 8, 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 \$1,266.65 smcs; 2025 Nebraska Iowa \$160.50 smcs; 4imprint \$2,921.89 smcs; 911 Custom \$13,867.17 co; Ace Hardware \$390.84 smcs; Ace Irrigation \$898.56 smcs; Achillion \$2,829.20 smcs; Acushnet \$16,055.61 smcs; Advance Auto Parts \$17.11 smcs; AED Superstore \$597.95 smcs; Agri Coop \$129.31 smcs; Airport Lighting \$608.14 smcs; Alfred Benesch \$27,536.42 smcs,co; All City Garage Doors \$14,387.00 smcs; All Copy \$152.65 smcs; Allo \$708.04 smcs; Ally B Designs \$1,750.00 smcs; Amaze Awards \$3,120.00 smcs; Amazon \$17,891.35 smcs,co; American \$255.73 smcs; American Backflow \$109.99 smcs; American Fence \$139.82 smcs; American Red Cross \$160.00 smcs; Andersen Wrecking \$40.00 smcs; APA \$746.00 smcs; Apple \$13.30 smcs; Archery Education \$30.00 smcs; Arnold Motor Supply \$1,987.10 smcs; Ask Supply \$4,989.94 smcs; AT&T \$2,075.85 smcs; Aurora Coop \$995.05 smcs; Aussie Hydraulics \$160.61 smcs; Autodesk \$515.00 smcs; Automatic Systems \$848.56 smcs; B&H Photo \$3,166.95 smcs,co; Baker & Taylor \$6,031.06 smcs; Bartlett Instrument \$105.00 smcs; Battery Junction \$92.80 smcs; Battery Sharks \$28.28 smcs; Belson Outdoors \$1,577.91 smcs; Benchmark Gov. Sols. \$708.05 smcs; Betty Mills \$392.38 co; Bitwarden \$25.92 smcs; Blackstone Library \$874.95 smcs; Blair Candy \$117.56 smcs; Bluecross Blueshield \$257,875.76 smcs; Bluestreak K9 \$13,500.00 smcs; Bofferding, S \$20.85 smcs; Bomgaars \$353.32 smcs,co; Bosselman \$5,959.80 smcs; Bossfuels \$21,058.84 smcs; Brady Worldwide \$429.36 smcs; Bucket Golf \$1,181.71 smcs; Buffalo Co. Power \$1,032.15 smcs; Buffalo Co. Redi-Mix \$1,680.00 smcs; Buffalo Co. Treasurer \$32.80 smcs; Buffalo Co. Sheriff \$177.50 smcs; Builders \$13,005.86 smcs,co; Burkey, J \$696.00 smcs; Calibre Press \$718.00 smcs; Canva \$538.80 smcs; Carlson, M \$9.59 smcs; Carolina Software \$650.00 smcs; Carrot Top Industries \$2,606.05 smcs; Casey's \$77.26 smcs; Cash Wa \$3,687.40 smcs; CDW Government \$9,563.45 smcs; Central Comm. College \$349.50 smcs; Central NE Bobcat \$330.10 smcs; Central NE HR \$398.00 smcs; Central Hydraulic \$48.73 smcs; Chargepoint \$35,320.00 smcs; Chemsearch \$1,975.00 smcs; Chesterman \$591.50 smcs; Chicago Books \$62.18 smcs; Chick-Fil-A \$492.97 smcs; Childs World \$1,255.30 smcs; Cintas \$492.52 smcs; City of Ky \$79,266.72 smcs,ps; City Plumbing \$698.99 smcs; CityServiceValcon \$65,874.49 smcs; Consolidated Concrete \$913.13 co; Constant Contact \$157.00 smcs; Construction Rental \$3,485.94 smcs; Continental Fire Sprinkler \$1,535.00 smcs; Control Yours \$110.00 smcs; Cook, K \$150.00 smcs; Copquest \$49.91 smcs; Copycat Printing \$1,109.53 smcs; Cornhusker Cleaning \$667.57 smcs; Court Reserve \$175.91 smcs; Courtyard Marriott \$153.41 smcs; Credit Mgmt. Services \$94.45 ps; CSA Travel Protection \$89.00 smcs;

Culligan \$342.88 smcs; Cummins \$810.00 smcs; Cutter & Buck \$1,194.76 smcs; Dandee Concrete \$9,450.00 co; Dan's Plumbing \$965.70 smcs; Data Shield \$131.06 smcs; Dawson Public Power \$20,516.14 smcs; Deep Discount \$30.94 smcs; Dell \$11,124.67 smcs,co; Dennis, N \$141.50 smcs; Depository Trust \$69,758.75 ds; Deterdings \$2,030.03 smcs; Digicert \$2,184.00 smcs; Dinges Fire \$290.00 smcs; Dish \$146.10 smcs; Ditch Witch \$3,754.22 smcs; Dival Safety \$336.04 smcs; DOL Contract \$28.00 smcs; Door Dash \$143.19 smcs; Drone Launch Academy \$149.00 smcs; DTS Technology \$32.09 smcs; E Replacement Parts \$41.18 smcs; Eagle Distributing \$265.75 smcs; Eakes \$7,410.76 smcs; Earl May \$114.16 smcs; Echo Electric \$581.21 smcs; Ecolab \$137.29 smcs; Ed Broadfoot & Sons \$85.50 smcs; Eden Brothers \$14.93 smcs; Elliott Equipment \$1,450.89 smcs; EMC Insurance \$8.51 smcs; Enterprise \$830.32 smcs,co; ESO \$1,249.00 smcs; Etsy \$48.42 smcs; Eugene T Mahoney \$287.86 smcs; Expression Wear \$80.00 smcs; Eyemed \$2,408.90 smcs; Facebook \$527.96 smcs; Fairfield Inn & Suites \$569.90 smcs; Family Practice \$645.00 ps; Fastenal \$409.55 smcs; Faz, A \$141.50 smcs; FBI NAA Nat'l \$130.00 smcs; Federal Flags \$7,904.90 co; Financial Partners Group \$118.80 co; First Nat'l Bank - Omaha \$15.30 smcs; Flash Bay \$1,775.00 smcs; Force America \$3,042.55 smcs; Friesen Chevrolet \$79.20 smcs; Friesen Ford \$1,015.14 smcs; Frontier \$3,042.46 smcs; Full Wedge Golf \$3,826.00 smcs; Fun Express \$40.32 smcs; Gale \$95.88 smcs; Garrett Tires \$2,373.73 smcs; Gear for Sports \$4,843.01 smcs; Geis, R \$130.00 smcs; Gerdes, J \$94.50 smcs; Get Sling \$238.33 smcs; Global Industrial \$197.94 smcs; Go Physical \$55.00 ps; Good Sportsman \$68.00 smcs; Good Sync \$399.96 smcs; Graczyk Lawn \$2,167.00 smcs; Grainger \$772.09 smcs; Grand Kubota \$355.21 smcs; Great Plains Comm. \$1,010.01 smcs; Greater NE Cities \$1,000.00 smcs; Green House Megastore \$489.15 smcs; Gulf Oil \$24.00 smcs; Her View From Home \$300.00 smcs; Herrera, C \$36.51 smcs; Hobby Lobby \$423.24 smcs; Holiday Inn Express \$246.96 smcs; Holmes Plumbing \$1,948.68 smcs; Holtz Industries \$582.28 smcs; Home Depot \$11,424.73 smcs,co; Hometown Leasing \$160.00 smcs; Hosick, D \$94.50 smcs; Hub Int'l \$7,209.92 smcs; Hudl \$1,500.00 smcs; Hydrovac Supply \$2,430.28 smcs; Hy-Vee \$145.22 smcs; IAAI \$103.00 smcs; IACP \$220.00 smcs; IAPE \$130.00 smcs; Identifire \$189.88 smcs; IMC \$135.00 smcs; Imperial Supplies \$1,600.02 smcs; Inland Truck Parts \$2,923.61 smcs; Instacart \$134.85 smcs; Integrated Security \$480.00 smcs; Invoice Home \$5.28 smcs; IOBD.IO \$21.00 smcs; Irobot \$109.11 smcs; IRS \$219,734.43 ps; Isa \$165.00 smcs; Izel Plants \$588.85 smcs; J&A Traffic \$4,347.50 smcs; Jack Lederman \$1,352.18 smcs; Jack's Small Engines \$114.43 smcs; Jack's Uniforms \$171.90 smcs; Jackson Services \$399.68 smcs; Johnstone Supply \$1,562.23 smcs; Justice Clearinghouse \$192.00 smcs; Ky Ag & Auto \$2,026.61 smcs; Navigator Motorcoaches \$500.00 smcs; Ky Animal Shelter \$15,675.50 smcs; Ky Chamber Comm. \$200.00 smcs; Ky Cultural Parts \$50.00 smcs; Ky Towing \$1,005.00 smcs; Ky Warehouse \$2,428.01 smcs; Kelly Supply \$2,152.89 smcs; Kings III Emergency \$1,529.59 smcs,co; Kirstina E. Photography \$320.00 smcs; Kobus \$65,930.00 smcs; Konica Minolta \$553.76 smcs; Landmark Implement \$2,440.69 smcs; LCL Truck Equipment \$790.95 smcs; Leach, C \$150.00 smcs; Leopold, J \$200.00 smcs; Lift Safety \$60.51 smcs; Lincoln Airport Parking \$36.00 smcs; Lincoln Journal Star \$29.98 smcs; Lincoln Nat'l Life \$1,335.04 smcs; Lincoln Pro Baseball \$105.00 smcs; Linko \$2,313.11 smcs; Lockmobile \$8.22 smcs; Logan Contractors \$7,671.40 co; Lulzbot \$104.47 smcs; Macqeen \$6,429.93 smcs; Magic Cleaning \$400.00 smcs; Magnolia Journal \$37.45 smcs; Mara USA Corp. \$165,337.63 smcs; Margarita's \$763.00 smcs; Marriott Cornhusker Hotel \$597.70 smcs; Masek Golf Car \$1,065.12 smcs; Matheson Trigas \$136.49 smcs; Mead Lumber \$24.35 smcs; Menards \$12,391.78 smcs,co; Merrill

Company \$1,686.79 smcs; Merryman Performing \$791.16 smcs; Michaels \$392.94 smcs; Microsoft \$245.04 smcs; Mid American Signal \$4,440.00 smcs; Midland Scientific \$215.35 smcs; Midwest Connect \$4,817.56 smcs; Mieth, T \$31.00 smcs; Milco Environmental \$7,363.02 smcs; Miller & Associates \$594.50 co; Mirror Image \$550.66 smcs; Mission Square \$8,461.37 ps; Mitchell 1 \$1,632.00 smcs; Modern Imaging \$141.90 smcs; Motorola \$16,247.50 smcs; Municipal Supply \$132,003.95 smcs; Napa \$816.42 smcs; Nat'l White Collar Crime \$100.00 smcs; Nays Online Store \$175.27 smcs; NDEE \$14,716.81 smcs; NE Child Support \$1,454.34 ps; NE Golf Assn. \$3,895.00 smcs; NE Law Enforcement \$142.00 smcs; NE Machinery \$2,140.91 smcs; NE Planning Conference \$1,435.00 smcs; NE Recreation & Parks \$45.00 smcs; NE Truck Center \$5,138.98 smcs; Nebraskaland Distrib. \$1,105.64 smcs; Nelson's Furniture \$4,407.40 smcs; Network Solutions \$55.96 smcs; Newbery Tanks \$268.29 smcs; Nielsen Contracting \$391,789.80 co; Northern Safety \$53.28 smcs; Northwestern Energy \$17,156.43 smcs; NPPD \$95,894.62 smcs; NRG Media \$128.00 smcs; NSF-Ticket Office \$1,529.55 smcs; NSGS \$75.00 smcs; NSVFA \$325.00 smcs; Office Depot \$384.50 smcs; Office Max \$889.53 smcs; Omnify \$567.00 smcs; One Call Concepts \$587.55 smcs; Onform \$299.00 smcs; Online Training \$150.00 smcs; O'Reilly Auto \$227.02 smcs; OTC Brands \$302.53 smcs; Pac Bow Archery \$2,715.00 co; PDQ \$716.23 smcs; Peavey Corp. \$850.07 smcs; Penworthy \$367.32 smcs; Pep Co. \$165.38 smcs; Peterbilt \$136.20 smcs; Petsmart \$192.96 smcs; Photo Card Specialists \$93.62 smcs; Pickleball Central \$369.00 co; Ping \$3,807.08 smcs; Pioneer Athletics \$1,336.42 smcs; Pioneer Industrial \$8,148.98 smcs; Pippi Post \$92.02 smcs; Pitney Bowes \$515.00 smcs; Pizza Hut \$35.01 smcs; Platte Valley Comm. \$665.00 smcs; Platte Valley Roofing \$4,510.00 co; Pollard Water \$322.07 smcs; Poster My Wall \$44.90 smcs; Prado Reyes, J \$16.40 smcs; Presto-X \$621.87 smcs; Tactron \$125.15 smcs; Prime Secured \$1,162.40 smcs; Prime Video \$6.41 smcs; Print Technologies \$772.00 smcs; Propper E-commerce \$76.47 smcs; PSHRA Public Sector \$521.31 smcs; Quill \$747.12 smcs; Rapid Fire Protection \$2,255.00 smcs; Ravenna News \$46.00 smcs; RDG Planning \$15,855.99 co; Reams Supply \$4,330.54 smcs; Recreaonics Woodcom \$490.00 smcs; Rentokil \$723.19 smcs; Republic Nat'l Distributing \$142.00 smcs; Resource Mgmt. \$2,087.56 smcs; Rheome Tree \$6,850.00 smcs; Ricos Products \$498.76 smcs; Roaming Greens \$525.00 smcs; RS Group \$1,127.52 smcs; S&J Construction \$9,968.50 co; S&S Worldwide \$766.74 smcs; Sapp Brothers \$39,877.75 smcs; Saylor Screenprinting \$8,642.70 smcs,co; SCC Continuing Educ. \$100.00 smcs; Schumacher Fencing \$17,778.00 smcs; Schwaab \$78.88 smcs; Schwarz, Z \$94.50 smcs; See Clear Cleaning \$425.00 smcs; Select Seeds \$71.37 smcs; Sensit Technologies \$204.86 smcs; Sequel Bookshop \$300.00 smcs; Setcom \$509.89 smcs; SFM Elevator \$840.00 smcs; Shell Oil \$44.03 smcs; Sherwin Williams \$832.06 smcs; Siteone Landscape \$2,780.32 smcs; SLA Corp. \$191.94 smcs; Smartdraw Software \$119.40 smcs; SOS Portable Toilets \$461.00 smcs; Spectrum \$496.19 smcs; Sporting Edge \$124.96 smcs; Sportsturf Irrigation \$1,823.58 smcs; Sprinkler Warehouse \$1,160.76 smcs; Step N Wash \$1,449.72 smcs; Sticker Mule \$452.06 smcs; Stryker Sales \$4,147.65 smcs; Stutsman \$2,196.00 smcs; Sumuri \$1,350.00 smcs; Superior Central Square \$48,174.75 smcs; Supply House \$8.36 smcs; T Mobile \$35.40 smcs; T&T Mobile Washing \$1,750.00 smcs; Target \$185.14 smcs,co; TargetsOnLine \$508.42 smcs; Teachers Pay Teachers \$4.87 smcs; Team Fitz Graphics \$1,335.00 smcs; Titan Machinery \$1,130.50 smcs; TK Elevator \$513.94 smcs; Tommy's Express \$215.00 smcs; Total Restroom \$197.31 smcs; Tractor Supply \$2,540.31 smcs,co; Traffic Safety Store \$405.76 smcs; Transunion \$116.40 smcs; Traveler's \$55,137.00 smcs; Tri City Concrete \$11,504.75 co; Tri Co. Glass \$3,036.50 smcs; Tri-

Cities Roofing \$7,785.00 smcs; Triple H Tractor \$25.68 smcs; Trojan Technologies \$1,765.50 smcs; True Value \$314.91 smcs,co; Turner Body Shop \$125.00 smcs; TVH Parts \$1,000.00 smcs; Twin City Hardware \$43.80 smcs; Uline \$2,324.46 smcs,co; Unifirst Corp. \$118.10 smcs; Union Bank & Trust \$119,502.30 ps; Unique Management \$209.70 smcs; United \$712.19 smcs; UPS \$28.01 smcs; USB Memory \$726.00 smcs; USDA \$120.00 smcs; USPS \$343.60 smcs; Van Diest Supply \$68.75 smcs; Verizon \$53.49 smcs; Vestis Services \$154.12 smcs; Video Kingdom \$1,142.98 co; Village Services \$254.45 smcs; Vista Print \$36.63 smcs; VRBO \$574.60 smcs; VW Golf \$364.49 smcs; Walmart \$2,951.29 smcs,co; Ward Laboratories \$94.60 smcs; Waterlink \$709.41 smcs; Weaver, N \$12.85 smcs; Webstaurant Store \$73.58 smcs; Western NRG \$225.00 smcs; Wilcac Life \$5.00 ps; Winlectric \$8,669.48 smcs; Winnelson \$1,304.98 smcs,co; Winzer \$135.49 smcs; Worldcare Int'l \$1,024.07 smcs; Wright, D \$6.92 smcs; WT Cox Information \$14.80 smcs; Young, M \$157.50 smcs; Youtube \$544.49 smcs; Zimco Supply \$6,801.85 smcs; Zoro Tools \$442.47 smcs. Payroll Ending 04/05/2025 -- \$680,264.46. 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 May 13, 2025 at 5:30 p.m. as the date and time for hearing on those applications where applicable.
4. Authorize the City Clerk to send a letter of approval to the Nebraska Liquor Control Commission for an Addition to the Liquor License submitted by Le Chateau No 22, LLC dba Le Chateau No 22, located at 2216 Central Avenue.
5. Approve the application submitted by Kappas Enterprises to extend Conditional Use Permit No. 2018-02A to operate a Resource Extraction - Sand and Gravel Pumping Operation and Temporary Batch Plant, located north of Interstate-80 and east of Cherry Avenue, for a period of two years.
7. Adopt Resolution No. 2025-38 approving the Interlocal Agreement between the Nebraska Department of Transportation and the City of Kearney for the East Highway 30 Roadway Lighting Reconstruction project.

RESOLUTION NO. 2025-38

BE IT RESOLVED by the President and Council of the City of Kearney, Nebraska, that the President of the Council be and is hereby authorized and directed to execute the Roadway Lighting Agreement between the State of Nebraska, Department of Transportation and the City of Kearney. The Agreement, marked as Exhibit "A", is attached hereto and made a part hereof by reference.

PASSED AND APPROVED THIS 22ND DAY OF APRIL, 2025.

ATTEST:
 PEGGY EYNETICH
 CITY CLERK

JONATHAN NIKKILA
 PRESIDENT OF THE COUNCIL
 AND EX-OFFICIO MAYOR

8. Accept the bids received for the Kearney Regional Airport Snow Removal Equipment (SRE) Acquisition – Carrier Vehicle with Snow Blower Attachment project and

adopt Resolution No. 2025-39 awarding the bid to the sole bidder, M-B Companies, Inc., in the amount of \$835,822.16.

RESOLUTION NO. 2025-39

WHEREAS, Alfred Benesch and Company and the City of Kearney have reviewed the sealed bid which was opened on March 27, 2025 at 2:00 p.m. for the SRE Acquisition - Carrier Vehicle with snow Blower Attachment (AIP 3-31-0045-043-2025); and

WHEREAS, the Engineer’s Opinion of Probable Cost for the project was \$725,000.00; and

WHEREAS, Alfred Benesch and Company and the City have recommended the sole bid offered by M-B Companies, Inc. of New Holstein, Wisconsin in the amount of \$835,822.16 be accepted for the SRE Acquisition - Carrier Vehicle with snow Blower Attachment (AIP 3-31-0045-043-2025), subject to FAA concurrence.

NOW, THEREFORE, BE IT RESOLVED by the President and City Council of the City of Kearney, Nebraska that the said Engineer’s recommendation is hereby accepted, that M-B Companies, Inc. the sole responsible bidder for the SRE Acquisition - Carrier Vehicle with snow Blower Attachment (AIP 3-31-0045-043-2025) in accordance with the plans and specifications on file with the City Clerk and that the bid of M-B Companies, Inc. in the amount of \$835,822.16, subject to FAA concurrence, be and is hereby accepted.

BE IT FURTHER RESOLVED the Engineer’s Opinion of Probable Cost in the amount of \$725,000.00 be and is hereby accepted.

BE IT FURTHER RESOLVED that the President of the Council of the City of Kearney, Nebraska, be and is hereby authorized and directed to execute contracts for such improvements in accordance with the bid, plans, specifications, and general stipulations pertaining thereto.

PASSED AND APPROVED THIS 22ND DAY OF APRIL, 2025.

ATTEST:
PEGGY EYNETICH
CITY CLERK

JONATHAN NIKKILA
PRESIDENT OF THE COUNCIL
AND EX-OFFICIO MAYOR

9. Adopt Resolution No. 2025-40 approving the Application and Certificate for Payment No. 32 in the amount of \$90,779.14 submitted by John T. Jones Construction Co. and approved by Miller & Associates for the WWTP Phase II Improvements; Water Resource Recovery Facility.

RESOLUTION NO. 2025-40

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. 32 in the amount of \$90,779.14 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 | 35,448,849.53 |
| Retainage | <u>- 50,000.00</u> |
| Amount Due to Date | 35,398,849.53 |
| Less Previous Certificates for Payment | <u>- 35,308,070.39</u> |
| Current Payment Due | <u>\$ 90,779.14</u> |
| Balance to finish, including retainage | <u>\$ 94,901.40</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. 32 in the amount of \$90,779.14, as shown on Exhibit "A" be and is hereby accepted and approved.

PASSED AND APPROVED THIS 22ND DAY OF APRIL, 2025.

ATTEST:
 PEGGY EYNETICH
 CITY CLERK

JONATHAN NIKKILA
 PRESIDENT OF THE COUNCIL
 AND EX-OFFICIO MAYOR

10. Adopt Resolution No. 2025-41 approving Change Order No. 1 showing an increase in the amount of 63,701.75, the Application and Certificate for Payment No. 5-Final in the amount of \$142,505.56 and accept the Certificate of Substantial Completion submitted by Dan Roeder Concrete, Inc. and approved by Miller & Associates for the 2022 Part 2 Improvements; 56th Street and Avenue N Turn Lane.

RESOLUTION NO. 2025-41

WHEREAS, Dan Roeder Concrete of Kearney, Nebraska has performed services in connection with the 2022 Part 2 Improvements – 56th Street & Avenue N Turn Lanes, and the City’s engineer, Miller and Associates, have filed with the City Clerk Change Order No. 1 showing an increase in the amount of \$63,701.75 as shown on Exhibit "A" attached hereto and made a part hereof by reference; and

WHEREAS, Dan Roeder Concrete and Miller and Associates have filed with the City Clerk Application and Certificate for Payment No. 5-Final in the amount of \$142,505.56 as shown on Exhibit "B" attached hereto and made a part hereof by reference and as follows:

| | |
|--|----------------------|
| Original Contract Sum | \$ 1,063,315.25 |
| Change Order No. 1 (4/22/2025) | <u>+ 63,701.75</u> |
| Contract Sum To Date | 1,127,017.00 |
| Gross Amount Due | 1,127,017.00 |
| Retainage (0%) | <u>- 0.00</u> |
| Amount Due to Date | 1,127,017.00 |
| Less Previous Certificates for Payment | <u>- 984,511.44</u> |
| Current Payment Due | <u>\$ 142,505.56</u> |

WHEREAS, the Engineer and Contractor have now certified to the City Clerk that work is completed as of August 4, 2023, as shown by Exhibit "C" attached hereto and made a part hereof by reference.

NOW, THEREFORE, BE IT RESOLVED by the President and Council of the City of

Kearney, Nebraska, and hereby find and determine that Change Order No. 1, as shown on Exhibit "A", Application and Certificate for Payment No. 5-Final, as shown on Exhibit "B" and the Certificate of Substantial Completion as shown on Exhibit "C" be and are hereby accepted and approved.

PASSED AND APPROVED THIS 22ND DAY OF APRIL, 2025.

ATTEST:
PEGGY EYNETICH
CITY CLERK

JONATHAN NIKKILA
PRESIDENT OF THE COUNCIL
AND EX-OFFICIO MAYOR

11. Adopt Resolution No. 2025-42 approving the addendum to the City of Kearney and Buffalo County Law Enforcement Center Agreement to specifically address the City's shared use of the LEC West building and the shared salary and benefit costs for the KPD/BCSO Crime Analyst Position.

RESOLUTION NO. 2025-42

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 Addendum to the City of Kearney and Buffalo County Law Enforcement Center Agreement, on behalf of the City of Kearney, Nebraska, with Buffalo County, Nebraska, the Agreement, marked Exhibit "A", is attached hereto and made a part hereof by reference.

PASSED AND APPROVED THIS 22ND DAY OF APRIL, 2025.

ATTEST:
PEGGY EYNETICH
CITY CLERK

JONATHAN NIKKILA
PRESIDENT OF THE COUNCIL
AND EX-OFFICIO MAYOR

V. CONSENT AGENDA ORDINANCES

None.

VI. REGULAR AGENDA

ANNUAL FINANCIAL REPORT

Mayor Nikkila opened for discussion the City of Kearney Annual Financial Report prepared by the accounting firm of Creative Planning.

Timothy Lens, Creative Planning, presented this matter to the Council. Mr. Lens provided a summary of the Financial Report, noting that in the firm's opinion, the financial statements do present fairly, which is a clean opinion. Overall, the City is in compliance with its net position standards.

Council Member Alex Straatmann expressed his appreciation for the material as presented. Council members thanked Mr. Lens for his presentation.

Moved by Buschkoetter seconded by Nikkila to accept the City of Kearney Annual Financial Report. Roll call resulted as follows: Aye: Nikkila, Buschkoetter, Moore, Schmidt, Straatmann. Nay: None. Motion carried.

PRESENTATION FROM TWO RIVERS PUBLIC HEALTH DEPARTMENT

Mayor Nikkila opened Regular Agenda Item 2 for Council to receive the presentation from Two Rivers Public Health Department regarding the transition of environmental oversight for public swimming pools from the Nebraska Department of Environment and Energy to Two Rivers Public Health Department (TRPHD). This item was for informational purposes only.

Jeremy Eschilman, TRPHD Health Director and Katie Mulligan, TRPHD Planning Section Manager, presented this matter to the Council. Mr. Eschilman and Ms. Mulligan provided an overview of the services that would be provided with TRPHD’s environmental oversight for the public swimming pools program.

OPEN ACCOUNT CLAIM

Moved by Nikkila seconded by Buschkoetter that the Open Account Claim in the amount of \$42.25 payable to UNL Marketplace be allowed. Roll call resulted as follows: Aye: Nikkila, Schmidt, Buschkoetter. Nay: None. Moore and Straatmann abstained. Motion carried.

VII. REPORTS

Mayor Jonathan Nikkila stated he toured the new Water Resource Recovery Facility.

Council Member Straatmann expressed his excitement for UNK Chancellor Priority Candidate, Dr. Neal Schnoor.

VIII. ADJOURN

Moved by Nikkila seconded by Straatmann that Council adjourn at 6:19 p.m. Roll call resulted as follows: Aye: Nikkila, Schmidt, Straatmann, Buschkoetter, Moore. Nay: None. Motion carried.

ATTEST:

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

**PEGGY EYNETICH
CITY CLERK**