

# **KEARNEY CITY COUNCIL**

## **AMENDED AGENDA**

**City Council Chambers, 18 East 22nd Street**

**May 13, 2025**

**5:30 p.m.**

### **I. ROUTINE BUSINESS**

1. Invocation/Moment of Silence.
2. Pledge of Allegiance.
3. Announcement on Open Meetings Act.
4. Roll call.
5. Oral Communication; Recognition of visitors.

### **II. UNFINISHED BUSINESS**

### **III. PUBLIC HEARINGS**

1. **POSTPONED SINCE APRIL 8, 2025, REQUEST TO FURTHER POSTPONE TO MAY 27, 2025.** Conduct a public hearing on the applications submitted by Miller & Associates (Applicant) for Evangelical Lutheran Good Samaritan Society, a North Dakota Corporation, c/o Ryan Mertz (Owner) to (1) vacate a tract of land being part of Lot 11 and part of Lot 12, of St. Luke's Good Samaritan Village, an addition to the City of Kearney, Buffalo County, Nebraska being located in part of the Southeast Quarter of the Northeast Quarter, part of the Southwest Quarter of the Northeast Quarter, part of the Northeast Quarter of the Southeast Quarter, part of the Northwest Quarter of the Southeast Quarter of Section 31, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska and consider Ordinance No. 8745; and (2) rezone from District R-3/PD, Urban Residential Multi-Family District (Medium Density)/Planned Development Overlay District, to District R-3, Urban Residential Multi-Family District (Medium Density) for property described as a tract of land being part of Lot 11, and part of Lot 12, (now vacated) of St. Luke's Good Samaritan Village, an addition to the City of Kearney, Buffalo County, Nebraska, and part of X Avenue (now vacated) of East Lawn Second Addition, all being located in part of the Southeast Quarter of the Northeast Quarter, part of the Southwest Quarter of the Northeast Quarter, part of the Northeast Quarter of the Southeast Quarter, part of the Northwest Quarter of the Southeast Quarter of Section 31, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (generally located at 2201 East 32nd Street) and consider Ordinance No. 8746.
2. **POSTPONED SINCE APRIL 8, 2025, REQUEST TO FURTHER POSTPONE TO MAY 27, 2025.** Conduct a public hearing on the application submitted by Miller & Associates (Applicant) for Evangelical Lutheran Good Samaritan Society, a North Dakota Corporation,

c/o Ryan Mertz (Owner), for the Final Plat and Subdivision Agreement for Good Samaritan Village, an addition to the City of Kearney, Buffalo County, Nebraska for property described as a tract of land being part of Lot 11, and part of Lot 12, (now vacated) of St. Luke's Good Samaritan Village, an addition to the City of Kearney, Buffalo County, Nebraska, and part of X Avenue (now vacated) of East Lawn Second Addition, all being located in part of the Southeast Quarter of the Northeast Quarter, part of the Southwest Quarter of the Northeast Quarter, part of the Northeast Quarter of the Southeast Quarter, part of the Northwest Quarter of the Southeast Quarter of Section 31, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (generally located at 2201 East 32nd Street) and consider Resolution No. 2025-35.

3. Conduct a public hearing on the application submitted by Trenton Snow (Applicant) for David and Elizabeth Westesen Trustees and Westesen Lands, Inc. (Owners) to rezone from District AG, Agricultural District to District RR-2, Rural Residential District (Intermediate Standards) for property described as a tract of land being part of the Northwest Quarter of the Northwest Quarter of Section 28, Township 8 North, Range 15 West of the 6th P.M., Kearney County, Nebraska (901 V Road (HWY 50A)) and consider Ordinance No. 8747.
4. Conduct a public hearing on the application submitted by Trenton Snow (Applicant) for David and Elizabeth Westesen Trustees and Westesen Lands, Inc. (Owners), for the Final Plat and Subdivision Agreement for Westesen Acres, a subdivision being part of the Northwest Quarter of the Northwest Quarter of Section 28, Township 8 North, Range 15 West of the 6th P.M., Kearney County, Nebraska (901 V Road (HWY 50A)) and consider Resolution No. 2025-43.
5. **REQUEST TO POSTPONE TO MAY 27, 2025**. Conduct a public hearing on the application submitted by Miller & Associates (Applicant) for Keith L. McCaslin (Owner) to rezone from District AG, Agricultural District to District C-O, Office District for property described as a tract of land being part of the Northeast Quarter of the Northeast Quarter of Section 23, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (vacant parcel (560331102) north of 6740 North 2nd Avenue) and consider Ordinance No. 8748
6. **REQUEST TO POSTPONE TO MAY 27, 2025**. Conduct a public hearing on the application submitted by Miller & Associates (Applicant) for Keith L. McCaslin (Owner) to rezone from District AG, Agricultural District to District C-2, Community Commercial District for property described as a tract of land being part of the Northeast Quarter of the Northeast Quarter of Section 23, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (vacant parcel (560331102) north of 6740 North 2nd Avenue) and consider Ordinance No. 8749.
7. **REQUEST TO POSTPONE TO MAY 27, 2025**. Conduct a public hearing on the application submitted by Miller & Associates (Applicant) for Keith L. McCaslin (Owner) for the Final Plat and Subdivision Agreement for McCaslin Subdivision, a subdivision being part of the Northeast Quarter of the Northeast Quarter of Section 23, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (vacant parcel (560331102) north of 6740 North 2nd Avenue) and consider Resolution No. 2025-44.
8. **REQUEST TO POSTPONE TO MAY 27, 2025**. Conduct a public hearing on the proposed acquisition of the East 10.00 feet of Lot 1 through Lot 7, inclusive, Block 1, Saadi First, an

addition to the City of Kearney, Buffalo County, Nebraska, dedicated for Utility Easement purposes from Camil Saadi, Managing member of WinStar Enterprises, LLC, a Nebraska Limited Liability Company and consider Resolution No. 2025-45.

9. **REQUEST TO POSTPONE TO MAY 27, 2025.** Conduct a public hearing on the proposed acquisition of the East 10.00 feet of the West 35.00 feet of Lot 1 through Lot 7, inclusive, Block 2, Saadi First, an addition to the City of Kearney, Buffalo County, Nebraska for Utility Easement purposes from Camil Saadi, Managing member of WinStar Enterprises, LLC, a Nebraska Limited Liability Company and consider Resolution No. 2025-46.
10. **REQUEST TO POSTPONE TO MAY 27, 2025.** Conduct a public hearing on the proposed acquisition of a tract of land being part of the Northeast Quarter of the Southeast Quarter and part of the Southeast Quarter of the Southeast Quarter of Section 30, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska dedicated for Utility Easement purposes from Camil Saadi, managing member of WinStar Enterprises, LLC, a Nebraska Limited Liability Company and consider Resolution No. 2025-47.
11. Conduct a public hearing on the proposed acquisition of a tract of land being part of Outlot 'A', BSB Addition, an addition to the City of Kearney, Buffalo County, Nebraska, dedicated for Permanent Utility Easement purposes from Brad Brandt, Manager of BSB Investments, LLC, a Nebraska Limited Liability Company and consider Resolution No. 2025-48.
12. Conduct a public hearing on the proposed acquisition of the west 10.00 feet, measured at right angles, of Lot 2, Block 1, Village Plaza Second Addition, an addition to the City of Kearney, Buffalo County, Nebraska, dedicated for a Permanent 10' Sewer Line Easement from Tami Moore, Executive Director of Kearney Community Sustainable Housing, a Nebraska Non-Profit Corporation and consider Resolution No. 2025-49.
13. Conduct a public hearing on the proposed acquisition of a tract of land being part of Lot 1 and part of Lot 2, Block 1, Village Plaza Second Addition, an addition to the City of Kearney, Buffalo County, Nebraska dedicated for Permanent Utility Easement purposes from Tami Moore, Executive Director of Kearney Community Sustainable Housing, a Nebraska Non-Profit Corporation and Brenda Jensen, City Manager of the City of Kearney, a municipal corporation and consider Resolution No. 2025-50.
14. Conduct a public hearing on the proposed acquisition of a 10.00-foot-wide tract of land being part of Lot 2, Block 1, Village Plaza Second Addition, an addition to the City of Kearney, Buffalo County, Nebraska dedicated for a Permanent 10' Water Line Easement from Tami Moore, Executive Director of Kearney Community Sustainable Housing, a Nebraska Non-Profit Corporation and consider Resolution No. 2025-51.

#### **IV. CONSENT AGENDA \***

1. Approve Minutes of Regular Meeting held April 22, 2025.
2. Approve the Claims.
3. Adopt Resolution No. 2025-52 authorizing the City Manager to enter into an Agreement for Professional Management Services between the City of Kearney and South Central

Economic Development District (SCEDD) for the administration of the EDA Grant for the Box Butte Business Development Project (ED25DEN0G0033).

4. Adopt Resolution No. 2025-53 approving the transfer of funds currently held in Nebraska CLASS to Nebraska Public Agency Investment Trust (NPAIT) due to the recent merger between the two entities.
5. Adopt Resolution No. 2024-113A amending the Developer Constructed Infrastructure Agreement for 922 Enterprises, 1112 E. 20th Street between the City of Kearney and Brandon Green, Owner/Manager of 922 Enterprises – Kearney Storage, LLC, a Nebraska Limited Liability Company.
6. Adopt Resolution No. 2025-54 approving Change Order No. 1 showing an increase in the amount of \$12,337.50 and Application and Certificate for Payment No. 1 in the amount of \$357,673.64 submitted by KEA Constructors, LLC and approved by Oak Creek Engineering for 2025 Part 1 Improvements - 30th Avenue Overpass Rehabilitation.
7. Adopt Resolution No. 2025-55 approving the Peterson Senior Activity Center Annual Nutrition Service Contract between the City of Kearney and Community Action Partnership of Mid-Nebraska.
8. Accept the bids received for the 2025 Part 3 Improvements - Butler Avenue Place (Tech One Fourth) and adopt Resolution No. 2025-56 awarding the bid to Dan Roeder Concrete, Inc. in the amount of \$843,017.30.
9. **POSTPONED SINCE APRIL 22, 2025, REQUEST TO FURTHER POSTPONE TO MAY 27, 2025.** Rescind Resolution No. 2024-144 approved at the October 8, 2024 City Council meeting for the Developer Constructed Infrastructure Agreement for Saadi First, an Addition to the City of Kearney, Buffalo County, Nebraska and adopt Resolution No. 2025-57 approving the Amended 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 for the construction, public improvements: water main, sanitary sewer main, paving and storm sewer main to serve Saadi First, an Addition to the City of Kearney, Buffalo County, Nebraska.
10. **ADDENDUM ITEM:** Adopt Resolution No. 2025-58 approving the Memorandum of Understanding between the City of Kearney and Buffalo County School District No. 7, also known as Kearney Public Schools, defining the School Resource Officer Program's purpose, equitable funding, liability, supervision, and other relevant issues.

\* *Any item listed on the Consent Agenda may, by the request of any single Council member, be considered as a separate item under the Regular Agenda Section of the Agenda.*

## V. CONSENT AGENDA ORDINANCES \*

## VI. REGULAR AGENDA

1. Receive informational presentation from Miller & Associates on the City of Kearney Utility Growth Study.

## VII. REPORTS

## VIII. ADJOURN

Mayor Jonathan Nikkila  
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The Mayor and City Council reserve the right to adjourn into executive session as per Section 84-1410 of the Nebraska Revised Statutes. A current agenda is on file at the Office of the City Clerk at City Hall, 18 East 22nd Street, Kearney, Nebraska. For more information, call 233-3216 or visit our website at [www.cityofkearney.org](http://www.cityofkearney.org)