

# **KEARNEY CITY COUNCIL**

## **AGENDA**

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

**July 8, 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.
  - United States Tennis Association - Missouri Valley - Grant for Harmon Park Tennis Courts presented by Mary Buschmann, CEO & Executive Director

### **II. UNFINISHED BUSINESS**

### **III. PUBLIC HEARINGS**

1. Conduct a public hearing on the application submitted by Trenton Snow (Applicant) for Jeffrey Benson (Owner) for the Final Plat and Subdivision Agreement for BHT Subdivision, a subdivision being part of the Northwest Quarter of the Northwest Quarter of Section 9, Township 8 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (southeast corner of 11th Street and Cherry Avenue) and consider Resolution No. 2025-71.
2. Conduct a public hearing on the application submitted by Miller & Associates (Applicant) for KPT&G, LLC, a Nebraska Limited Liability Company, c/o Bryan Health Attn: Jon Peppmuller (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 Government Lot 3 of Section 10, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (northwest corner of the intersection of 22nd Avenue and 6th Street) and consider Ordinance No. 8752.
3. Conduct a public hearing on the application submitted by Miller & Associates (Applicant) for KPT&G, LLC, a Nebraska Limited Liability Company, c/o Bryan Health Attn: Jon Peppmuller (Owner), for the Final Plat and Subdivision Agreement for Western Nebraska Property Development Fourth Addition, an addition to the City of Kearney, Buffalo County, Nebraska for property described as a tract of land being part of Government Lot 3 of Section 10, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (northwest corner of the intersection of 22nd Avenue and 6th Street) and consider Resolution No 2025-72.

4. Conduct a public hearing on the application submitted by Miller & Associates (Applicant) for KPT&G, LLC, a Nebraska Limited Liability Company, c/o Bryan Health Attn: Jon Peppmuller (Owner) for the annexation of Western Nebraska Property Development Fourth Addition, an addition to the City of Kearney, Buffalo County, Nebraska for property described as a tract of land being part of Government Lot 3 of Section 10, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (northwest corner of the intersection of 22nd Avenue and 6th Street) and consider Resolution No. 2025-73.
5. Conduct a public hearing on the application submitted by Roger Harders (Applicant) for West Limited LLC (Owner) for a Conditional Use Permit to operate a Resource Extraction (Sand and Gravel) operation on property zoned District AG, Agricultural District and described as that part of the west half of the Northwest Quarter of Section 9, Township 8 North, Range 15 West Of The 6th P.M., Buffalo County, Nebraska (east of Cherry Avenue and south of East 11th Street) and consider Ordinance No. 8753.

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

1. Approve Minutes of Regular Meeting held June 24, 2025.
2. Approve the Claims.
3. Adopt Resolution No. 2025-74 approving the Buffalo County Local Emergency Operations Plan (LEOP).
4. Authorize the Mayor to send a letter of no recommendation to the Nebraska Liquor Control Commission on the Class I liquor license and manager applications for Bailey Bolte, Manager submitted by Legacy On The Bricks LLC dba Legacy On The Bricks located at 16 West 21st Street.
5. Authorize the Mayor to send a letter of no recommendation to the Nebraska Liquor Control Commission on the Class C liquor license and manager applications for Nicole Nolan, Manager submitted by Sip & Swirl Wine Room LLC dba Sip & Swirl Wine Room located at 221 11th Avenue, Suite E.
6. Authorize the Mayor to send a letter of no recommendation to the Nebraska Liquor Control Commission on the Class C liquor license and manager applications for Barry Fox, Manager submitted by Kinkaider Brewing Co LLC dba Kinkaider Brewing Co located at 221 11th Avenue, Suite B.
7. Authorize the Mayor to send a letter of no recommendation to the Nebraska Liquor Control Commission on the manager application for Julie Thomas submitted by The Cigarette Store, LLC dba Smoker Friendly 016 located at 1325 2nd Avenue, Suite I in connection with their C-094153 liquor license.
8. Consider the Interlocal Cooperation Agreement between the City of Kearney and the City of Omaha and approve Resolution No. 2025-75 authorizing the Mayor to execute the Agreement.

9. Adopt Resolution No. 2025-76 approving RYDE Transit of Buffalo County's request for a portion of their required locally matched funding to apply for available Federal funding for RYDE Transit transportation operations for their fiscal year 2025-2026.
10. Adopt Resolution No. 2025-77 approving Change Order No. 2 showing an increase in the amount of \$7,707.10 and Application and Certificate for Payment No. 5 in the amount of \$81,160.66 submitted by KEA Constructors, LLC and approved by Oak Creek Engineering for 2025 Part 1 Improvements - 30th Avenue Overpass Rehabilitation.
11. Adopt Resolution No. 2025-78 approving Change Order No. 1 showing an increase in the amount of \$3,600.00 and Application for Payment No. 4 in the amount of \$392,622.30 submitted by Nielsen Contracting, LLC and approved by Olsson for 2025 Part 2 Improvements - US Highway 30 & University Drive Intersection Improvements.
12. Adopt Resolution No. 2025-79 approving Change Order No. 2 showing an decrease in the amount of \$13,260.00, the Application and Certificate for Payment No. 4-Final in the amount of \$38,095.97 and accept the Certificate of Substantial Completion submitted by Nielsen Contracting, LLC and approved by Miller & Associates for the 2024 Part 5 Improvements - 29<sup>th</sup> Avenue & West La Platte Road.

*\* 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 \***

1. Approve Ordinance No. 8754 amending a section of the Code of the City of Kearney as follows: Section 8-804 "Specific Limits" of Article 8 "Speed Limitations" of Chapter 8 "Police" to update specific locations detailed in the table.
2. Approve Ordinance No. 8755 authorizing the deed of sale for a tract of land being described as being Lots 5, 6, and 7, Block 25, along with the East half of the alley and the West half of "N" Avenue abutting said Lots in Block 25 (now vacated); part of Lots 1, 2 and 12, all of Lots 3 through 11 (inclusive), Block 26, along with the East half of "N" Avenue, and the West half of "O" Avenue, and the alley abutting said Lots in Block 26 (now vacated); part of Lots 1, 2, and 10, all of Lots 3 through 9 (inclusive), Block 27, along with the East half of "O" Avenue, the West half of "P" Avenue and the alley abutting said Lots in Block 27 (now vacated); part of Lots 1, 2, and 8, all of Lots 3 through 7 (inclusive), Block 28, along with the East half of "P" Avenue and the alley abutting said Lots in Block 28 (now vacated) in Whiteaker's Grove Addition to the City of Kearney, Buffalo County, Nebraska being part of Government Lot 5; the North half of the Northeast Quarter of Government Lot 6 also referred to as Tax Lot 5, and the North half of the Northwest Quarter of said Government Lot 6 also referred to as Tax Lot 6, all in Section 6, Township 8 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska except a tract of land being Lots 5, 6, and 7, Block 25, along with the East half of the alley and the West half of "N" Avenue abutting said Lots in Block 25 (now vacated); part of Lot 12 and all of Lots 7 through 11 (inclusive), Block 26, along with the East Half of "N" Avenue and part of the alley abutting said Lots in Block 26 (now vacated), part of the West half of "O" Avenue abutting Lots 5 and 6, Block 26 (now vacated);

part of Lots 6 and 7, Block 27, along with part of the East half of "O" Avenue and part of the alley abutting said Lots in Block 27 (now vacated), all in Whiteaker's Grove Addition to the City of Kearney, Buffalo County, Nebraska being part of Government Lot 5 in Section 6, part of the North half of the Northeast Quarter of Government Lot 6 in Section 6 also referred to as Tax Lot 5, and part of the North half of the Northwest Quarter of said Government Lot 6 in Section 6 also referred to as Tax Lot 6, all in Township 8 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska now known as Lots 1 through 9 (Inclusive), Block 1; Lots 1, 2, and Outlot A, Block 2; Lots 1 through 5 (Inclusive), Block 3; and Lot 1, Block 4, all In Marlatt Fourth Addition, an Addition to the City Of Kearney, Buffalo County, Nebraska AND TOGETHER WITH ALL INTEREST IN Lots 1 and 2, Block 3, Marlatt Fourth Addition, as Addition to the City of Kearney, Buffalo County, Nebraska, to Kearney Area Habitat for Humanity, Inc., a Nebraska Non-Profit Corporation.

3. Approve Ordinance No. 8756 creating Paving Improvement District No. 2025-006 for a tract of land being Lots 1 through 9 (inclusive) in Block 1, Lots 1 and 2 and Outlot A in Block 2, Lots 1 through 5 (inclusive) in Block 3, of Marlatt Fourth Addition, an addition to the City of Kearney, Buffalo County, Nebraska.
4. Approve Ordinance No. 8757 creating Water District No. 2025-594 for a tract of land being Lots 1 through 9 (inclusive) in Block 1, Lots 1 and 2 and Outlot A in Block 2, Lots 1 through 5 (inclusive) in Block 3, of Marlatt Fourth Addition, an addition to the City of Kearney, Buffalo County, Nebraska.
5. Approve Ordinance No. 8758 creating Sanitary Sewer Improvement District No. 2025-529 for a tract of land being Lots 1 through 9 (inclusive) in Block 1, Lots 1 and 2 and Outlot A in Block 2, Lots 1 through 5 (inclusive) in Block 3, of Marlatt Fourth Addition, an addition to the City of Kearney, Buffalo County, Nebraska.

## VI. REGULAR AGENDA

## VII. REPORTS

## VIII. ADJOURN

Mayor Jonathan Nikkila  
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Vice-President Randy Buschkoetter  
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Council Member Tami James Moore  
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Council Member Alex Straatmann  
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City Manager Brenda Jensen  
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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)