

*Kearney, Nebraska
July 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 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; Andy Harter, Director of Public Works; Sarah Sawin, Director of Utilities; Melissa Dougherty-O'Hara, City Planner; Luke Dutcher, Assistant Public Works Director; Bryan Waugh, Chief of Police, were also present. Members of the media present included:

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

United States Tennis Association - Missouri Valley - Grant for Harmon Park Tennis Courts presented by Mary Buschmann, CEO & Executive Director presented a \$31,900 grant check to assist with the resurfacing of Harmon Park Tennis Courts and noted that the USTAMV loves their partnership with Kearney and the City's active tennis community. Scott Hayden, Director of Recreational Services, thanked Ms. Buschmann and USTAMV and noted the project is anticipated to begin on July 21st and be completed by August 10th. Council Member Kurt Schmidt questioned whether the resurfacing would be over the current tennis court. Mr. Hayden stated it would; the old surface has faded, but the foundation is still in good condition.

II. UNFINISHED BUSINESS

There was no Unfinished Business.

III. PUBLIC HEARINGS

FINAL PLAT AND SUBDIVISION AGREEMENT FOR BHT SUBDIVISION

Mayor Nikkila opened the 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.

Trenton Snow, Land Surveyor presented this matter to the Council. Mr. Snow stated that in order to build a storage building on the property, the property must be platted; it was previously rezoned. Mr. Snow described the location of the property and where the easements would be located. Sewer and water for the property is currently served privately; however, the Subdivision Agreement provides for future access to public utilities.

There was no one present in opposition to this hearing.

Moved by Straatmann seconded by Moore to close the hearing and adopt Resolution No. 2025-71 approving 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). Roll call resulted as follows: Aye: Nikkila, Moore, Schmidt, Straatmann, Buschkoetter. Nay: None. Motion carried.

RESOLUTION NO. 2025-71

BE IT RESOLVED BY THE PRESIDENT AND COUNCIL OF THE CITY OF KEARNEY, NEBRASKA, that the plat of 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 described as a tract of land 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, more particularly described as follows: Referring to the Northwest corner of the Northwest 1/4 of said Section 9 and assuming the North line of said Northwest 1/4 as bearing S 89°46'47" E and all bearings contained herein are relative thereto; thence S 89°46'47" E on the aforesaid North line a distance of 715.44 feet to the ACTUAL PLACE OF BEGINNING; thence continuing S 89°46'47" E on the afore described course a distance of 379.33 feet to a point on the west line of Lot 1, Rose Subdivision, a tract of land located in the West Half of the Northwest Quarter of Section 9, Township 8 North, Range 15 West, 6th P.M., Buffalo County, Nebraska, if extended northerly; thence S 00°11'13" W on the aforesaid west line, if extended northerly, a distance of 373.16 feet to the southwest corner of said Lot 1; thence S 89°47'14" E on the south line of said lot a distance of 230.0 feet to a point on the East

line of the Northwest 1/4 of the Northwest 1/4 of said section, said point being the southeast corner of said Lot 1; thence S 00°12'50" W on the aforesaid East line a distance of 216.00 feet; thence WEST a distance of 1,017.03 feet to a point on the Easterly right-of-way line of Nebraska State Highway No. 10, said point being on a non-tangent curve; thence on the aforesaid Easterly right-of-way line on a 1,024.95 foot radius curve to the left, forming a central angle of 21°38'16" an arc distance of 387.07 feet to a point, said point being N 15°54'50" E a chord distance of 384.77 feet from the previously described point; thence continuing on the aforesaid Easterly right-of-way line N 00°33'08" E a distance of 140.00 feet; thence N 83°57'38" E a distance of 226.50 feet; thence N 72°20'45" E a distance of 81.06 feet; thence N 00°33'08" E a distance of 33.00 feet to the place of beginning all located in Buffalo County, Nebraska, duly made out, acknowledged and certified, and the same hereby is approved in accordance with the terms and requirements of Sections 16-901 through 16-904 inclusive, R.R.S. 1943 (as amended) be accepted and ordered filed and recorded in the Office of the Register of Deeds, Buffalo County, Nebraska.

BE IT FURTHER RESOLVED that the Subdivision Agreement, marked as Exhibit "A" attached hereto and made a part hereof by reference, be and is hereby approved and that the President of the Council be and is hereby authorized and directed to execute said agreement on behalf of the City of Kearney, Nebraska. Said Subdivision Agreement shall be filed with the final plat with the Buffalo County Register of Deeds.

BE IT FURTHER RESOLVED that the President of the Council be and is hereby authorized and directed to execute the final plat on behalf of the City of Kearney, Nebraska.

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

ATTEST:
PEGGY EYNETICH
CITY CLERK

JONATHAN NIKKILA
PRESIDENT OF THE COUNCIL
AND EX-OFFICIO MAYOR

REZONING OF PROPERTY LOCATED ON THE NORTHWEST CORNER OF THE INTERSECTION OF 22ND AVENUE AND 6TH STREET

Public Hearings 2, 3 and 4 were discussed together but voted on separately.

Mayor Nikkila opened the 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.

Craig Bennett, Miller & Associates, presented this matter to the Council. Mr. Bennett described the location of the property and noted the proposed rezoning is compatible with the current Future Land Use Map, which is MU-1, Neighborhood Mixed Use. The current development is consistent with the property owner's plan from 2010 with 21 acres south of the proposed plat remaining unplatted. Mr. Bennett stated that part of the proposed plat is located in the floodplain and noted the proposed development consists of 5.12 acres. Mr. Bennett stated Kearney Public Schools is allowing a temporary easement for

a turnaround until a permanent roadway is constructed. Council Member Randy Buschkoetter questioned if the temporary road would be gravel. Mr. Bennett stated it would be gravel. Council Member Alex Straatmann questioned when construction might begin in this area and what would be built? Mr. Bennett stated that medical buildings will most likely be constructed, with construction starting later this year.

There was no one present in opposition to this hearing.

Moved by Moore to close the 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) and introduced Ordinance No. 8752 rezoning 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 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 close the hearing and suspend the rules for Ordinance No. 8752. 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. 8752 by number. Roll call of those in favor of the passage of said ordinance on the first reading resulted as follows: Aye: Nikkila, Schmidt, Straatmann, Buschkoetter, Moore. Nay: None. Motion carried. Ordinance was read by number.

Moved by Schmidt seconded by Buschkoetter that Ordinance No. 8752 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. 8752 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.

FINAL PLAT AND SUBDIVISION AGREEMENT FOR WESTERN NEBRASKA PROPERTY DEVELOPMENT FOURTH ADDITION

Public Hearings 2, 3 and 4 were discussed together but voted on separately.

Mayor Nikkila opened the 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.

There was no one present in opposition to this hearing.

Moved by Buschkoetter seconded by Nikkila to close the hearing and adopt Resolution No. 2025-72 approving 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). Roll call resulted as follows: Aye: Nikkila, Buschkoetter, Moore, Schmidt, Straatmann. Nay: None. Motion carried.

RESOLUTION NO. 2025-72

BE IT RESOLVED BY THE PRESIDENT AND COUNCIL OF THE CITY OF KEARNEY, NEBRASKA, that the plat 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 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 and more particularly described as follows: Commencing at the Northwest corner of the Northeast Quarter of said Section 10; thence S 01°00'02" W on the West line of said Northeast Quarter and on the West line of said Government Lot 3, and all bearings contained herein are relative thereto, a distance of 1700.23 feet to a 5/8" rebar with cap at the Southwest corner of Lot 1, of Western Nebraska Property Development Second Addition, an addition to the City of Kearney, Buffalo County, Nebraska and the POINT OF BEGINNING; thence continuing S 01°00'02" W on said West line of Government Lot 3 a distance of 372.80 feet to a 5/8" rebar with cap; thence S 89°00'43" E a distance of 597.23 feet to a 5/8" rebar with cap on the West right-of-way line of 22nd Avenue as dedicated on Western Nebraska Property Development Third Addition, an addition to the City of Kearney, Buffalo County, Nebraska; thence N 01°05'59" E on said West right-of-way line of 22nd Avenue a distance of 315.57 feet to a 5/8" rebar with cap; thence continuing on said West right-of-way line of 22nd Avenue on a tangent curve to the Right having a central angle of 6°04'57", a radius of 540.00 feet, an arc length of 57.33 feet, and a chord bearing of N 04°08'28" E a distance of 57.30 feet to a 5/8" rebar with cap at the Southeast corner of said Lot 1 of Western Nebraska Property Development Second Addition; thence N 89°00'39" W on the South line of said Lot 1 a distance of 600.91 feet to the Point of Beginning. Containing 5.12 Acres, more or less, all located in Buffalo County, Nebraska (northwest corner of the intersection of 22nd Avenue and 6th Street), duly made out, acknowledged and certified, and the same hereby is approved in accordance with the terms and requirements of Sections 16-901 through 16-904 inclusive, R.R.S. 1943 (as amended) be accepted and ordered filed and recorded in the Office of the Register of Deeds, Buffalo County, Nebraska.

BE IT FURTHER RESOLVED that the Subdivision Agreement, marked as Exhibit "A" attached hereto and made a part hereof by reference, be and is hereby approved and that the President of the Council be and is hereby authorized and directed to execute said

agreement on behalf of the City of Kearney, Nebraska. Said Subdivision Agreement shall be filed with the final plat with the Buffalo County Register of Deeds.

BE IT FURTHER RESOLVED that the President of the Council be and is hereby authorized and directed to execute the final plat on behalf of the City of Kearney, Nebraska.

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

ATTEST:
PEGGY EYNETICH
CITY CLERK

JONATHAN NIKKILA
PRESIDENT OF THE COUNCIL
AND EX-OFFICIO MAYOR

ANNEXATION OF WESTERN NEBRASKA PROPERTY DEVELOPMENT FOURTH ADDITION

Public Hearings 2, 3 and 4 were discussed together but voted on separately.

Mayor Nikkila opened the 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.

There was no one present in opposition to this hearing.

Moved by Nikkila seconded by Buschkoetter to close the hearing and adopt Resolution No. 2025-73 approving 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). Roll call resulted as follows: Aye: Nikkila, Moore, Schmidt, Straatmann, Buschkoetter. Nay: None. Motion carried.

RESOLUTION NO. 2025-73

WHEREAS, an Application has been submitted by Miller & Associates for KPT&G, LLC, a Nebraska Limited Liability Company, c/o Bryan Health Attn: Jon Peppmuller for the inclusion of Western Nebraska Property Development Fourth Addition, an addition within the corporate boundaries of the City of Kearney said 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 and more particularly described as follows: Commencing at the Northwest corner of the Northeast Quarter of said Section 10; thence S 01°00'02" W on the West line of said Northeast Quarter and on the West line of said Government Lot 3, and all bearings contained herein are relative thereto, a distance of 1700.23 feet to a 5/8" rebar with cap at the Southwest corner of Lot 1, of Western Nebraska Property Development Second Addition, an addition to the City of Kearney,

Buffalo County, Nebraska and the POINT OF BEGINNING; thence continuing S 01°00'02" W on said West line of Government Lot 3 a distance of 372.80 feet to a 5/8" rebar with cap; thence S 89°00'43" E a distance of 597.23 feet to a 5/8" rebar with cap on the West right-of-way line of 22nd Avenue as dedicated on Western Nebraska Property Development Third Addition, an addition to the City of Kearney, Buffalo County, Nebraska; thence N 01°05'59" E on said West right-of-way line of 22nd Avenue a distance of 315.57 feet to a 5/8" rebar with cap; thence continuing on said West right-of-way line of 22nd Avenue on a tangent curve to the Right having a central angle of 6°04'57", a radius of 540.00 feet, an arc length of 57.33 feet, and a chord bearing of N 04°08'28" E a distance of 57.30 feet to a 5/8" rebar with cap at the Southeast corner of said Lot 1 of Western Nebraska Property Development Second Addition; thence N 89°00'39" W on the South line of said Lot 1 a distance of 600.91 feet to the Point of Beginning. Containing 5.12 Acres, more or less, all located in Buffalo County, Nebraska with said property identified on the attached map marked as Exhibit "A"; and

WHEREAS, the Kearney City Planning Commission has received and held a public hearing on June 20, 2025 on the inclusion Western Nebraska Property Development Fourth Addition within the corporate limits and recommended the Kearney City Council approve said application; and

WHEREAS, said application to include the land within the corporate limits was duly signed by the owners of the land affected with the express intent of platting the land as part of Western Nebraska Property Development Fourth Addition, an addition to the City of Kearney, Buffalo County, Nebraska; and

WHEREAS, a public hearing was held by the Kearney City Council relating to said application on July 8, 2025, who deemed the said Western Nebraska Property Development Fourth Addition to be included within the corporate limits to be advantageous to and in the best interests of the City.

NOW, THEREFORE, BE IT RESOLVED by the President and City Council of the City of Kearney, Nebraska, that the land to be platted Western Nebraska Property Development Fourth Addition shall be included within the corporate limits of the City of Kearney, Buffalo County, Nebraska, that the inhabitants of such addition shall be entitled to all the rights and privileges, and shall be subject to all the laws, ordinances, rules and regulations of the City of Kearney.

BE IT FURTHER RESOLVED that the inclusion of Western Nebraska Property Development Fourth Addition within the corporate limits of the City of Kearney is subject to the Final Plat being filed with the Buffalo County Register of Deeds.

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

ATTEST:
PEGGY EYNETICH
CITY CLERK

JONATHAN NIKKILA
PRESIDENT OF THE COUNCIL
AND EX-OFFICIO MAYOR

CONDITIONAL USE PERMIT FOR PROPERTY LOCATED EAST OF CHERRY AVENUE AND SOUTH OF EAST 11TH STREET

Mayor Nikkila opened the 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.

Roger Harders, West Limited LLC presented this matter to the Council. Mr. Harders described the location of the sand and gravel operation on the property and noted that the front portion of the property will remain commercial for potential future development. Plans are in place to raise the portion of the property that is in the floodplain by retaining the dirt from the sand and gravel operation; the landscaping plan was also explained. Mayor Nikkila reviewed some of the conditions, including the restriction on the height of the stockpile and the 15-year timeframe, and asked Mr. Harders if he was agreeable to all of them. Mr. Harders stated he was, noting the location of the stockpile on the property. Melissa Dougherty-O'Hara, City Planner, further commented on the stockpile location, noting the required setback distance and confirming its maximum height in accordance with the Conditional Use Permit.

There was no one present in opposition to this hearing.

Moved by Straatmann to close the public hearing on the Application submitted by Roger Harders (Applicant) for West Limited LLC (Owner) and introduced Ordinance No. 8753 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 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. 8753. 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. 8753 by number. Roll call of those in favor of the passage of said ordinance on the first reading resulted as follows: Aye: Nikkila, Schmidt, Straatmann, Buschkoetter, Moore. Nay: None. Motion carried. Ordinance was read by number.

Moved by Moore seconded by Schmidt that Ordinance No. 8753 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. 8753 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.

IV. CONSENT AGENDA

A brief discussion regarding Consent Agenda Item #8 was held prior to approval of the Consent Agenda. City Attorney Mike Tye stated that the Interlocal Cooperation Agreement on the Consent Agenda is between the City of Kearney and the City of Omaha. The City of Omaha will provide administrative services for Keno funds that the City of Kearney's Finance Department previously handled. The City of Omaha has a stricter Agreement with Big Red Keno; other communities that have Big Red Keno have also signed Interlocal Cooperation Agreements with the City of Omaha. With this Agreement, the City of Kearney receives 8.75% as previously discussed, and the City of Omaha receives 1% for providing the administrative piece; Big Red Keno provides this 1%. Mr. Tye stated that because this is an Agreement, it can be cancelled with a 60-day notice, unlike the previous Keno Agreement. Council Member Buschkoetter noted this is an Agreement not a contract; Council Member Straatmann stated the Agreement does not send any control to Omaha and feels this is a great opportunity for Kearney but if things change in the future, there is an opportunity to get out of the Agreement and further noted Council maintains its commitment to the City's best interest.

Moved by Schmidt seconded by Buschoetter that Subsections 1 through 12 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 June 24, 2025.

2. Approve the following Claims:

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

Accent Wire \$13,653.14 smcs; All Copy \$199.55 smcs; Alley Rose \$40.00 smcs; Amax Contracting \$473.96 smcs; Anderson Bros. \$1,335.08 smcs; Anderson, J \$1.27 smcs; Applebee's \$763.00 smcs; Arevalo, L \$144.40 smcs; Armor Equipment \$1,606.42 smcs; Arrow Seed \$1,936.15 smcs; Ask Supply \$2,111.27 smcs; Aurora Coop \$64.00 smcs; Automatic Systems \$1,645.14 co; Baker & Taylor \$4,022.76 smcs; Barney Insurance \$100.00 smcs; BlueCross BlueShield \$194,821.57 smcs; Bosselman Energy \$4,547.28 smcs; Bossfuels \$21,590.10 smcs; Broadfoot's \$302.50 smcs; Brown, R \$10.45 smcs; Buffalo Co. Attorney \$37,500.00 smcs; Buffalo Co. Board Comm. \$40,000.00 smcs; Buffalo Co. Sheriff \$220,632.99 smcs; Buffalo Co \$56,160.00 smcs; C & I Equipment \$350.00 smcs; Cash Wa \$21,832.26 smcs,co; Center Point Publishing \$81.81 smcs; Central NE Bobcat \$12,426.41 smcs; Chesterman \$8,716.00 smcs; City of KY \$576,114.23 smcs,ps; CityServiceValcon \$60,520.07 smcs; Cottonmill Enterprises \$2,020.00 smcs; Country Partners \$44,068.58 smcs; Cypress Info Services \$926.10 smcs; Dandee Concrete \$22,418.00 smcs; Dan's Plumbing \$1,275.35 smcs; Davenport, A \$223.11 smcs; Davidson, C \$207.20 smcs; Deere & Company \$14,981.16 co; Depository Trust \$381,896.25 ds; Dostal, K \$864.00 smcs; Eagle Distributing \$2,061.04 smcs; Eakes \$3,105.23 smcs; Family Advocacy Network \$2,000.00 smcs; Faz, A \$150.00

smcs; Gale/Cengage \$610.18 smcs; Giddings, J \$200.00 smcs; Give Nebraska \$20.00 ps; Global Rental \$310,905.00 smcs; Graczyk Lawn \$1,622.00 smcs; Great Plains Comm. \$152.49 smcs; Hall, C \$95.00 smcs; Hometown Leasing \$743.89 smcs; Hotsy Equipment \$707.23 smcs; HTS Ag \$3,920.00 smcs; Humphrey, D \$109.78 smcs; IRS \$247,509.52 ps; Jack's Uniforms \$199.89 smcs; John Deere Financial \$2,928.76 smcs; Kart-Man \$2,789.46 smcs; KY Animal Shelter \$45,698.00 smcs; KY Towing \$375.00 smcs; Kuhnel, D \$150.00 smcs; Kuster, K \$1.48 smcs; Landmark Implement \$37,203.93 co; Lark Signs \$12,200.00 smcs; Leadership KY \$550.00 smcs; Lincoln Nat'l Life \$10,314.38 smcs; LTA Towing \$450.00 smcs; Magic Cleaning \$9,090.00 smcs; Mara USA \$179,346.64 smcs; May, K \$50.00 smcs; Mefferd, E \$677.50 smcs; Menards \$11.83 smcs; Mid-NE Digging \$9,100.00 smcs; Midwest Concrete \$3,314.00 co; Midwest Connect \$9,767.33 smcs; Mihm, J \$3.16 smcs; Miller & Associates \$2,497.50 smcs; Miller, D \$50.00 smcs; Mission Square \$8,246.00 ps; Motorola \$30,361.50 smcs; Mroczek, E \$106.99 smcs; Municipal Supply \$10,450.40 smcs; NE Child Support \$1,531.72 ps; NE Dept. Revenue \$131,642.88 smcs,ps; NE Generator Service \$1,242.57 smcs; NE Public Health \$3,017.00 smcs; Nebraskaland Distributing \$3,913.36 smcs; Newsbank \$26,250.00 smcs; Nicklasson, R \$31.00 smcs; NLETC \$80.00 smcs; Northwestern Energy \$5,332.98 smcs; NPPD \$98,989.25 smcs; Oak Creek Engineering \$9,962.50 smcs; Olsson \$26,717.94 smcs; Outdoor Recreation \$3,325.73 co; Pep Co. \$261.68 smcs; Placer Labs \$19,999.00 smcs; Presto-X \$237.95 smcs; Prime Secured \$2,668.14 smcs,co; PVS DX \$12,276.95 smcs; Rasmussen Mechanical \$3,024.51 smcs; Ready Mixed Concrete \$1,690.00 co; Revilla-Loaces, ReInler \$6.25 smcs; Rheome Tree Service \$6,300.00 smcs; Richards, D \$48.00 smcs; Richter, E \$39.58 smcs; Road Builders \$15,139.31 smcs; Robinson, I \$10.26 smcs; Safe Center \$4,700.00 smcs; Saylor Screenprinting \$600.00 smcs; School District #7 \$1,263.00 smcs; Sciachitano, D \$60.00 smcs; Sherwin-Williams \$38,634.74 smcs; Shundoff, S \$3,075.00 smcs; SignIt \$37.25 smcs; Sontiq \$543.60 ps; SOS Portable Toilets \$721.00 smcs; Southern Glazer's \$2,174.28 smcs; State of Nebraska \$97.65 smcs; Stitch 3 \$21.00 smcs; Stomp Chomp Roar \$423.85 smcs; Stutsman \$1,647.00 smcs; Sun Life \$82,701.76 smcs; Superior-Central Square \$181,529.31 smcs; Trade Well Pallet \$1,250.00 smcs; Traveler's \$13,162.00 smcs; Tri-Cities Roofing \$767.07 smcs; Tye & Rowling \$16,803.56 smcs; Union Bank & Trust \$120,921.42 ps; Union Pacific Railroad \$100.00 er; United Way \$4,820.00 smcs,ps; Valasek, E \$101.36 smcs; Verizon \$16,358.12 smcs; Village Uniform \$336.42 smcs; VK Electronics \$1,364.00 smcs; Waldinger Corp. \$213.33 smcs; Weller, B \$122.50 smcs; Wilson, A \$19.47 smcs; World Book \$349.00 smcs; Payroll Ending 06/28/2025 -- \$803,580.87. 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. Adopt Resolution No. 2025-74 approving the Buffalo County Local Emergency Operations Plan (LEOP).

RESOLUTION NO. 2025-74

BE IT RESOLVED by the President and City Council of the City of Kearney, Nebraska, that in order to provide for a coordinated response to a disaster or emergency in Buffalo County, the City of Kearney and other cities and villages in Buffalo County, the Kearney City Council deems it advisable and in the best interests of the community and Buffalo

County to approve the Buffalo County Local Emergency Operations Plan (LEOP). A copy of the Local Emergency Operations Plan is on file in the office of the Kearney City Clerk.

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

ATTEST:
PEGGY EYNETICH
CITY CLERK

JONATHAN NIKKILA
PRESIDENT OF THE COUNCIL
AND EX-OFFICIO MAYOR

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.

RESOLUTION NO. 2025-75

WHEREAS, on November 6, 1990, the voters of the City of Kearney, at a Special Election, voted in favor of the conduct of a lottery as permitted under the Nebraska County and City Lottery Act for the purposes of community betterment as defined in the law; and

WHEREAS, at the August 13, 2024 City Council meeting, the Kearney City Council authorized the City Manager to send a notice pursuant to the Keno Lottery Agreement with Kearney Gaming, LLC the City's intent not to renew the Agreement and pursue a request for proposals prior to the expiration of the Agreement in August, 2025; and

WHEREAS, on April 1, 2025 the City issued a Request for Proposals (RFP) for Keno Operators, and accepted said RFPs until May 14, 2025 at 2:00 p.m. and on June 11, 2025, the Keno RFP Review Committee held interviews with the three Keno Operators who submitted RFPs and determined a recommendation to present to Council; and

WHEREAS, at the June 24, 2025, City Council meeting, the Kearney City Council accepted the recommendation from the Keno RFP Review Committee and approved

EHPV Lottery Services, LLC, known as "Big Red Keno," as the next Keno Operator for the City; and

WHEREAS, the City has now negotiated an Interlocal Cooperation Agreement between the City of Kearney and the City of Omaha to administer Keno proceeds as part of the contract for a term of six years, with the City of Kearney having the ability to terminate the Interlocal Agreement with a 60-day notice.

NOW, THEREFORE, 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 Interlocal Cooperation Agreement on behalf of the City of Kearney, Nebraska. A copy of said Agreement, marked Exhibit "A", is attached hereto and made a part hereof by reference.

BE IT FURTHER RESOLVED that all resolutions and parts of resolutions in conflict herewith are hereby repealed.

PASSED AND APPROVED THIS 8TH DAY OF JULY, 2005.

ATTEST:
PEGGY EYNETICH
CITY CLERK

JONATHAN NIKKILA
PRESIDENT OF THE COUNCIL
AND EX-OFFICIO MAYOR

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.

RESOLUTION NO. 2025-76

WHEREAS, there are federal funds available under Section 5311 of the Federal Transit Act and for the Nebraska Public Transportation Assistance Program; and

WHEREAS, the RYDE Transit-Community Action Partnership of Mid Nebraska desires to apply for said funds to provide public transportation in Buffalo County.

NOW, THEREFORE, BE IT RESOLVED by the President and Council of the City of Kearney, Nebraska, hereby instructs the RYDE Transit to apply for said funds. Said funds are to be used for the RYDE Transit transportation operations in the FY 2025-2026 Application for Public Transportation Assistance.

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

ATTEST:
PEGGY EYNETICH
CITY CLERK

JONATHAN NIKKILA
PRESIDENT OF THE COUNCIL
AND EX-OFFICIO MAYOR

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.

RESOLUTION NO. 2025-77

WHEREAS, KEA Constructors, LLC has performed services in connection with 2025 Part 1 Improvements - 30th Avenue Overpass Rehabilitation, and the City's

engineer Oak Creek Engineering, have filed with the City Clerk Change Order No. 2 showing an increase in the amount of \$7,707.10 as shown on Exhibit "A" attached hereto and made a part hereof by reference; and

WHEREAS, KEA Constructors, LLC and Oak Creek Engineering have filed with the City Clerk Application and Certificate for Payment No. 5 in the amount of \$81,160.66 as shown on Exhibit "B" attached hereto and made a part hereof by reference and as follows:

Original Contract Sum	\$ 1,536,241.10
Change Order No. 1 (05-13-2025)	+ 12,337.50
Change Order No. 2 (07-08-2025)	<u>+ 7,707.10</u>
Contract Sum To Date	1,556,285.70
Gross Amount Due	951,261.77
Retainage (10%)	95,126.18
Amount Due to Date	856,135.59
Less Previous Certificates for Payment	<u>- 774,974.93</u>
Current Payment Due	\$ 81,160.66

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. 2, as shown on Exhibit "A" and Application and Certificate for Payment No. 5, as shown on Exhibit "B" be and are hereby accepted and approved.

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

ATTEST:
 PEGGY EYNETICH
 CITY CLERK

JONATHAN NIKKILA
 PRESIDENT OF THE COUNCIL
 AND EX-OFFICIO MAYOR

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.

RESOLUTION NO. 2025-78

WHEREAS, Nielsen Contracting LLC has performed services in connection with 2025 Part 2 Improvements - US Highway 30 & University Drive Intersection Improvements, and the City's engineer, Olsson, have filed with the City Clerk Change Order No. 1 showing an increase in the amount of \$3,600.00 as shown on Exhibit "A" attached hereto and made a part hereof by reference; and

WHEREAS, Nielsen Contracting LLC and Olsson have filed with the City Clerk Application and Certificate for Payment No. 4 in the amount of \$392,622.30 as shown on Exhibit "B" attached hereto and made a part hereof by reference and as follows:

Original Contract Sum	<u>\$ 3,481,602.89</u>
Change Order No. 1 (07/08/2025)	<u>+ \$3,600.00</u>
Contract Sum To Date	3,485,202.89
Total Work Completed and Stored To Date	1,489,354.00
Retainage (10%)	<u>141,780.70</u>
Completed and Stored Less Retainage	1,347,573.30
Less Previous Certificates for Payment	<u>954,951.00</u>
Current Payment Due	<u>\$ 392,622.30</u>
Balance to finish, including retainage	<u>\$ 2,137,629.59</u>

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. 4, as shown on Exhibit "B" be and are hereby accepted and approved.

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

ATTEST:
 PEGGY EYNETICH
 CITY CLERK

JONATHAN NIKKILA
 PRESIDENT OF THE COUNCIL
 AND EX-OFFICIO MAYOR

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 - 29th Avenue & West La Platte Road.

RESOLUTION NO. 2025-79

WHEREAS, Nielsen Contracting, LLC of Kearney, Nebraska has performed services in connection with the 2024 Part 5 Improvements - 29th Avenue and West LaPlatte Road, and the City’s engineer, Miller and Associates, have filed with the City Clerk Change Order No. 2 showing a decrease in the amount of \$13,260.00 as shown on Exhibit "A" attached hereto and made a part hereof by reference; and

WHEREAS, Nielsen Contracting, LLC and Miller and Associates have filed with the City Clerk Application and Certificate for Payment No. 4-Final in the amount of \$38,095.97 as shown on Exhibit "B" attached hereto and made a part hereof by reference and as follows:

Original Contract Sum	\$ 490,279.50
Change Order No. 1 (02/11/2025)	+ 1,800.00
Change Order No. 2 (07/08/2025)	<u>- 13,260.00</u>
Contract Sum To Date	478,819.50
Gross Amount Due	478,819.50
Retainage (0%)	=
	<u>0.00</u>
Amount Due to Date	478,819.50
Less Previous Certificates for Payment	<u>- 440,723.63</u>
Current Payment Due	<u>\$ 38,095.97</u>

WHEREAS, the Engineer and Contractor have now certified to the City Clerk that work is completed as of July 1, 2025, 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. 2, as shown on Exhibit "A", Application and Certificate for Payment No. 4-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 8TH DAY OF JULY, 2025.

ATTEST:
PEGGY EYNETICH
CITY CLERK

JONATHAN NIKKILA
PRESIDENT OF THE COUNCIL
AND EX-OFFICIO MAYOR

V. CONSENT AGENDA ORDINANCES

ORDINANCE NO. 8754 AMENDING CITY CODE

Council Member Buschkoetter introduced 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, 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 Nikkila seconded the motion to suspend the rules for Ordinance No. 8754. 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, Straatmann, Buschkoetter, Moore, Schmidt. 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. 8754 by number. Roll call of those in favor of the passage of said ordinance on the first reading resulted as follows: Aye: Nikkila, Straatmann, Buschkoetter, Moore, Schmidt. Nay: None. Motion carried. Ordinance was read by number.

Moved by Nikkila seconded by Straatmann that Ordinance No. 8754 be passed, approved and published as required by law. Roll call resulted as follows: Aye: Nikkila, Buschkoetter, Moore, Schmidt, Straatmann. Nay: None. Motion carried.

By reason of the roll call voted on the first reading and final passage of the ordinance, Ordinance No. 8754 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.

ORDINANCE NO. 8755 AUTHORIZING THE DEED OF SALE FOR A TRACT OF LAND IN WHITEAKER'S GROVE ADDITION

Council Member Buschkoetter introduced 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, 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 Nikkila seconded the motion to suspend the rules for Ordinance No. 8755. 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, Straatmann, Buschkoetter, Moore, Schmidt. 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. 8755 by number. Roll call of those in favor of the passage of said ordinance on the first reading resulted as follows: Aye: Nikkila, Straatmann, Buschkoetter, Moore, Schmidt. Nay: None. Motion carried. Ordinance was read by number.

Moved by Nikkila seconded by Straatmann that Ordinance No. 8754 be passed, approved and published as required by law. Roll call resulted as follows: Aye: Nikkila, Buschkoetter, Moore, Schmidt, Straatmann. Nay: None. Motion carried.

By reason of the roll call voted on the first reading and final passage of the ordinance, Ordinance No. 8755 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.

ORDINANCE NO. 8756 CREATING PAVING IMPORVEMENT DISTRICT NO. 2025-006

Council Member Buschkoetter introduced 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, 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 Nikkila seconded the motion to suspend the rules for Ordinance No. 8756. 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, Straatmann, Buschkoetter, Moore, Schmidt. 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. 8756 by number. Roll call of those in favor of the passage of said ordinance on the first reading resulted as follows: Aye: Nikkila, Straatmann, Buschkoetter, Moore, Schmidt. Nay: None. Motion carried. Ordinance was read by number.

Moved by Nikkila seconded by Straatmann that Ordinance No. 8754 be passed, approved and published as required by law. Roll call resulted as follows: Aye: Nikkila, Buschkoetter, Moore, Schmidt, Straatmann. Nay: None. Motion carried.

By reason of the roll call voted on the first reading and final passage of the ordinance, Ordinance No. 8756 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.

ORDINANCE NO. 8757 CREATING WATER DISTRICT NO. 2025-594

Council Member Buschkoetter introduced 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, 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 Nikkila seconded the motion to suspend the rules for Ordinance No. 8757. 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, Straatmann, Buschkoetter, Moore, Schmidt. 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. 8757 by number. Roll call of those in favor of the passage of said ordinance on the first reading resulted as follows:

Aye: Nikkila, Straatmann, Buschkoetter, Moore, Schmidt. Nay: None. Motion carried. Ordinance was read by number.

Moved by Nikkila seconded by Straatmann that Ordinance No. 8754 be passed, approved and published as required by law. Roll call resulted as follows: Aye: Nikkila, Buschkoetter, Moore, Schmidt, Straatmann. Nay: None. Motion carried.

By reason of the roll call voted on the first reading and final passage of the ordinance, Ordinance No. 8757 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.

ORDINANCE NO. 8758 CREATING SANITARY SEWER DISTRICT NO. 2025-529

Council Member Buschkoetter introduced 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, 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 Nikkila seconded the motion to suspend the rules for Ordinance No. 8758. 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, Straatmann, Buschkoetter, Moore, Schmidt. 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. 8758 by number. Roll call of those in favor of the passage of said ordinance on the first reading resulted as follows: Aye: Nikkila, Straatmann, Buschkoetter, Moore, Schmidt. Nay: None. Motion carried. Ordinance was read by number.

Moved by Nikkila seconded by Straatmann that Ordinance No. 8754 be passed, approved and published as required by law. Roll call resulted as follows: Aye: Nikkila, Buschkoetter, Moore, Schmidt, Straatmann. Nay: None. Motion carried.

By reason of the roll call voted on the first reading and final passage of the ordinance, Ordinance No. 8758 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

VII. REPORTS

Council Member Buschkoetter congratulated Ms. Jensen and Staff on the awarding of the Good Life District and noted it is a great way to finance infrastructure that will benefit Kearney, noting the District designation will be a wonderful funding mechanism. Mayor Nikkila agreed and also thanked Senator Clouse for his help with this as well. Council

Member Straatmann stated it was great to see two western communities, Kearney and Grand Island, selected by the State to be part of the Good Life District program and noted his appreciation for the State's support of this initiative. Council Member Tami James Moore stated the Good Life District is exciting and noted the need to solve housing issues in Kearney still remains a problem.

Ms. Jensen stated this designation is a 30-year funding program that will help speed up development in the area; plans in the District do include housing. Ms. Jensen noted that this will have a significant impact on visitors and those using the SportsPlex, and will be a great addition to everything Kearney already has to offer.

VIII. ADJOURN

Moved by Nikkila seconded by Straatmann that Council adjourn at 6:07 p.m. Roll call resulted as follows: Aye: Nikkila, Buschkoetter, Moore, Schmidt, Straatmann. Nay: None. Motion carried.

ATTEST:

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

**PEGGY EYNETICH
CITY CLERK**