

*Kearney, Nebraska
August 12, 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 August 12, 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; Brian Schultz, Director of Finance; Sarah Sawin, Director of Utilities; Gabe Kowalek, 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

There were no Oral Communications.

II. UNFINISHED BUSINESS

There was no Unfinished Business.

III. PUBLIC HEARINGS

ACQUISITION OF PERMANENT PUBLIC UTILITY EASEMENT

Mayor Nikkila opened the 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 Permanent Public Utility Easement purposes from Camil Saadi, Managing Member of WinStar Enterprises, LLC, a Nebraska Limited Liability Company and consider Resolution No. 2025-94.

Sarah Sawin, Director of Utilities presented this matter to the Council. Ms. Sawin stated there is currently an active Developer Agreement for Saadi First for utilities; this acquisition will allow for the extension to the north of the subdivision.

There was no one present in opposition to this hearing.

Moved by Straatmann seconded by Moore to close the hearing and adopt Resolution No. 2025-94 approving the 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 Permanent Public Utility Easement purposes from Camil Saadi, Managing Member of WinStar Enterprises, LLC, a Nebraska Limited Liability Company. Roll call resulted as follows: Aye: Nikkila, Moore, Schmidt, Straatmann, Buschkoetter. Nay: None. Motion carried.

RESOLUTION NO. 2025-94

WHEREAS, Section 18-1755, R.R.S., authorizes a city acquiring an interest in real property by purchase or eminent domain to do so only after the City Council has authorized the acquisition by action taken in a public meeting after notice and public hearing; and

WHEREAS, the City Council has held a public hearing upon the proposed acquisition for a Permanent Public Utility Easement and voted in favor to proceed with the acquisition; and

WHEREAS, Camil Saadi, Managing Member of WinStar Enterprise, LLC, a Nebraska Limited Liability Company, has granted to the City of Kearney, Nebraska, a Permanent Public Utility Easement as follows:

PERMANENT PUBLIC UTILITY EASEMENT

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, and more particularly described as follows: Beginning at the Northwest corner of Lot 1, Block 2, Saadi First, an addition to the City of Kearney, Buffalo County, Nebraska; thence N 00°08'58" W on the Northerly extension of the West line of said Saadi First a distance of 60.00 feet; thence N 89°51'02" E a distance of 140.00 feet; thence N 00°08'58" W a distance of 100.10 feet; thence N 89°51'02" E a distance of 60.00 feet; thence S 00°08'58" E a distance of 100.10 feet; thence N 89°51'02" E a distance of 145.00 feet; thence S 00°08'58" E a distance of 60.00 feet to the North line of said Saadi First; thence S 89°51'02" W on the North line of said

Saadi First a distance of 345.00 feet to the Point of Beginning. Containing 0.61 acres, more or less all located in Buffalo County, Nebraska.

NOW, THEREFORE, BE IT RESOLVED by the President and City Council of the City of Kearney, Nebraska that the Permanent Public Utility Easement granted by Camil Saadi, Managing Member of WinStar Enterprise, LLC, a Nebraska Limited Liability Company, to the City of Kearney be and is hereby approved and accepted.

BE IT FURTHER RESOLVED that recognizing that, after the date of this Resolution, circumstances may arise necessitating minor changes, additions or deletions to the specific legal description of the said Easement, the Mayor is hereby authorized to make such minor changes, additions or deletions to the legal description as the Mayor deems reasonable or necessary.

PASSED AND APPROVED THIS 12TH DAY OF AUGUST, 2025.

ATTEST:
PEGGY EYNETICH
CITY CLERK

JONATHAN NIKKILA
PRESIDENT OF THE COUNCIL
AND EX-OFFICIO MAYOR

IV. CONSENT AGENDA

Moved by Moore seconded by Schmidt that Subsections 1 through 4 of Consent Agenda Item IV be approved. Roll call resulted as follows: Aye: Nikkila, Schmidt, Straatmann, Buschkoetter, Moore. Nay: None. Motion carried.

1. Approve Minutes of Special Meeting July 22, 2025 and Regular Meeting held July 22, 2025.

2. Approve the following Claims:

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

4 States Towing \$125.00 smcs; Ace Irrigation \$51.00 smcs; Agri Coop \$6,924.19 smcs; Alfred Benesch \$17,748.88 smcs,co; All Copy Products \$198.42 smcs; All Safe Industries \$1,006.70 smcs; Amax Contracting \$367.00 co; American Fence \$1,415.17 smcs; Artisans \$120.00 smcs; Ask Supply \$2,073.48 smcs; Aurora Coop \$794.00 smcs; Automatic Systems \$1,202.50 smcs; B3 Seeding \$5,375.00 smcs; Baker & Taylor \$7,202.07 smcs; Barcel Landscape \$3,520.00 smcs; Barco Municipal \$149.80 smcs; Beahm, A \$135.00 smcs; Beaman, E \$45.00 smcs; Benson, K \$9.70 smcs; Bentley, S \$15.28 smcs; Blackstrap \$1,726.27 smcs; BlueCross BlueShield \$310,921.26 smcs; Bosselman Energy \$6,207.95 smcs; Bowman, R \$100.00 smcs; Boyce, I \$15.86 smcs; Brite \$2,954.00 smcs; Broadfoot Sand & Gravel \$75.00 smcs; Buffalo Co. Redi-Mix \$41,482.54 smcs,co; Buffalo Co. Register \$116.00 smcs; Builders \$356.06 smcs,co; Buman, T \$1.48 smcs; Burke, N \$22.28 smcs; Bydalek, M \$1,225.00 smcs; Cal/Amp \$808.50 smcs; Carroll Construction \$16,950.00 co; Cash Wa \$10,619.41 smcs; Caspersen, H \$19.78 smcs; Center Point \$83.76 smcs; Chali, L \$15.37 smcs; Chandler Well Service \$842.05 smcs; Chesterman \$5,303.72 smcs; City Glass \$594.64 smcs; City

of Grand Island \$525.00 smcs; City of KY \$598,225.26 smcs,ps; City Service Valcon \$137,925.07 smcs; Clements, C \$42.45 smcs; CM Painting \$3,924.00 co; Cold Spring \$1,362.90 smcs; Comm. Action Partnership \$7,365.99 smcs; Connot, M \$100.00 smcs; Conroy, B \$10.00 smcs; Cooperative Producers \$1,811.57 smcs; Country Partners \$42,507.65 smcs; Cover Wise Insurance \$2,728.32 ps; Crane River Theater \$4,432.50 smcs; Credit Management \$315.20 ps; Daehling, H \$56.30 smcs; Dan Roeder Concrete \$351,481.56 co; Dandee Concrete \$18,594.81 co; Danko Emergency \$3,174.78 smcs; Dan's Plumbing \$1,584.30 smcs; Deere & Company \$32,980.06 co; Dennis, N \$346.50 smcs; Development Council \$3,125.00 smcs; Dinges Fire Company \$394.28 smcs; Dostal, K \$312.00 smcs; Duke's Root Control \$11,110.56 smcs; DWEE \$150.00 smcs; Eagle Distributing \$4,378.40 smcs; Eakes \$1,267.55 smcs; Ebsco \$5,023.00 smcs; Edgerton Explorit Center \$969.32 smcs; Elliott Equipment \$366,757.28 co; ESO Solutions \$1,179.35 smcs; Family Practice \$130.00 ps; Financial Partners \$2,887.09 smcs; Fire Facilities \$31,131.00 co; Fleming, K \$29.48 smcs; Gale/Cengage \$1,127.60 smcs; Garrels, J \$141.50 smcs; Garrett Tires \$2,924.00 smcs; Gibson, K \$50.57 smcs; Give Nebraska \$20.00 ps; Go Physical Therapy \$330.00 ps; Goodwin Tucker \$575.00 smcs; Goshert, D \$79.10 smcs; Grassmeyer, L \$6.00 smcs; GT Distributors \$2,931.25 smcs; Hall, A \$22.60 smcs; Harmon, M \$125.00 smcs; Heiman Fire Equipment \$3,652.42 smcs; Hernandez, T \$35.31 smcs; Hesseltine, C \$18.78 smcs; Hockmeier, J \$31.00 smcs; Hometown Leasing \$521.80 smcs; Hubbard, S \$8.66 smcs; Imagetrend \$4,125.00 smcs; Integrated Security \$69.54 smcs; IRS \$470,230.41 ps; Island Supply \$294.00 smcs; J&S Aviation \$250.00 smcs; Jack's Uniforms \$1,179.47 smcs; Johnson Bros. \$918.04 smcs; Johnson Service \$29,760.00 smcs; KY Hub \$780.37 smcs; KY Towing \$375.00 smcs; KY Winlectric \$3,557.78 smcs; Konica Minolta \$459.43 smcs; Kramer, K \$60.00 smcs; Lamarre, N \$44.56 smcs; Landanger, N \$20.53 smcs; Lewis, C \$7.95 smcs; Lincoln Nat'l Life \$10,348.49 smcs; Longoria, H \$100.00 smcs; Loper Athletics \$463.75 smcs; MacQueen \$2,609.34 smcs; Magic Cleaning \$9,090.00 smcs; Manzano, E \$20.53 smcs; MARA USA \$179,262.51 smcs; McCartney, Erin Chpt. 13 \$508.00 ps; McCormack Distrib. \$10.00 smcs; McLeod, K \$19.83 smcs; Menards \$91.23 smcs,co; Microfilm Imaging \$8,862.00 smcs; Mid American Signal \$26,788.00 co; Mid Nebraska Aggregate \$931.65 smcs; Mid-NE Digging \$10,400.00 co; Mid-NE Garage Doors \$3,175.00 smcs; Midwest Connect \$10,751.92 smcs; Midwest Petroleum \$4,758.68 smcs; Midwest Turf & Irrigation \$33,311.25 co; Milco Environmental \$8,970.75 smcs; Mission Square \$16,358.02 ps; Municipal Emergency \$1,367.27 ps; Municipal Supply \$48,209.60 smcs; Naval Surface Warfare \$2,100.00 smcs; NE Child Support \$3,063.44 ps; NE Dept. of Revenue \$132,754.00 smcs,ps; NE Flight School \$5,842.06 smcs; NE Generator \$6,724.03 smcs; NE Library Commission \$4,568.90 smcs; NE Machinery \$2,345.62 smcs; NE Public Health \$187.00 smcs; NE Title Company \$60.00 smcs; Nebraskaland Dist. \$3,548.45 smcs; Neogov \$8,090.00 smcs; News Bank \$22,700.00 smcs; Next Generation Rec. \$54,473.63 co; Nickel, C \$142.15 smcs; Northwest Electric \$2,450.00 smcs; Northwestern Energy \$4,973.09 smcs; NPPD \$7,146.99 smcs; Oakley, R \$125.00 smcs; Olsson \$37,010.99 co; O'Neill Wood Resources \$36,400.00 smcs; Penny, C \$150.00 smcs; Pep Co. \$261.68 smcs; Pet Pick Ups \$2,541.10 smcs; Platte Valley Auto \$49,256.00 co; Polydyne \$16,758.72 smcs; Prairie View Roofing \$3,693.00 smcs; Presto-X \$320.29 smcs; Pro Track & Tennis \$31,680.00 co; PVS DX \$24,766.63 smcs; R.W. Sorensen \$4,220.00 smcs; Rapid Fire \$590.00 smcs; Rasmussen Mechanical \$8,052.56 smcs; Reiman, E \$43.41 smcs; Resource Mgmt. \$3,890.00 smcs; Rheome Tree Service \$1,600.00 smcs; Richter, C \$13.20 smcs; Roeder, D \$51.14 smcs; Rowe, L \$463.75 smcs; S&J Construction \$11,145.00 co; Sahling Kenworth \$920.78 smcs; Sapp Brothers

\$25,597.51 smcs; School District #7 \$305.00 smcs; Schultz, B \$2,370.35 smcs; Smith, R \$14.99 smcs; Sontiq \$569.07 ps; SOS Portable Toilets \$461.00 smcs; Southern Glazier's \$1,948.20 smcs; Springer Roofing \$885.00 smcs; Star Homes \$71.14 smcs; State of NE/DAS \$30.24 smcs; Steinbrink Landscaping \$4,748.53 co; Steinbrook, S \$463.75 smcs; Stewart, N \$282.50 smcs; Stutsman \$3,843.00 smcs; Suburban Fire Protection \$30,806.88 smcs; Sun Life \$82,562.48 smcs; Taubenheim, L \$42.03 smcs; Tennant Company \$998.43 smcs; TK Elevator \$531.76 smcs; Trade Well Pallet \$1,900.00 smcs; Traveler's \$25.00 smcs; Tri Co Glass \$87.00 smcs; TTI \$420.92 smcs; Turner Body Shop \$125.00 smcs; Tye & Rowling \$16,835.39 smcs; Underground Const. \$697.70 smcs; Union Bank & Trust \$235,575.23 ps; Union Pacific Railroad \$3,209.41 er; United Industries \$13,542.61 smcs; United Way of KY \$20.00 ps; Valley Forklift \$2,899.68 smcs; Verizon \$14,812.36 smcs; Village Uniform \$224.28 smcs; Volaire Aviation \$2,000.00 smcs; Waltemath, P \$234.90 smcs; Wee-Cycle Boutique \$120.00 smcs; Weller, B \$346.50 smcs; Widger, S \$29.00 smcs; Wilcac Life Insurance \$5.00 ps; Wilkinson, S \$60.00 smcs; Winter Equipment \$3,333.20 smcs; World Book \$2,428.70 smcs; Payroll Ending 07/26/2025 -- \$786,685.57; Manual Check to Lance Kwiatkowski -- \$78.86. 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. 2025-95 approving the recommendation submitted by the Fire Chief to include the following as members of the Kearney Volunteer Fire Department: Jadon Munsinger and Cameron Werkmeister.

RESOLUTION NO. 2025-95

WHEREAS, Aaron Jameson, Chief of the Kearney Volunteer Fire Department, has forwarded names of individuals desiring to serve as a volunteer in the Kearney Volunteer Fire Department; and

WHEREAS, based on the recommendation of Chief Jameson, the City Council of the City of Kearney, Nebraska hereby finds and determines that said persons listed are fully capable and qualified to serve a membership in the Kearney Volunteer Fire Department; and

WHEREAS, in order to be qualified for benefits in accordance with Sections 48-115, et seq. of the Nebraska Revised Statutes, said volunteer firefighters acting outside the corporate limits of the City must be officially directed to do so in order to be eligible.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Kearney, Nebraska, that the persons recommended by the Chief of the Kearney Volunteer Fire Department for membership in the Kearney Volunteer Fire Department as set forth on the attached letter of recommendation, marked Exhibit "A," attached hereto and made a part hereof by reference, are hereby confirmed as members of the Kearney Volunteer Fire Department for the purposes of and in accordance with Section 48-115 of the Nebraska Revised Statutes, and that said members are fully entitled to benefits under the Workers' Compensation Act.

BE IT FURTHER RESOLVED that all of said volunteer firefighters named on Exhibit "A" are hereby specifically authorized and directed to serve outside the corporate limits of the municipality under the direction, orders and authority of the Chief of the Kearney Volunteer Fire Department in accordance with Section 4-204 of the Kearney City Code.

PASSED AND APPROVED THIS 12TH DAY OF AUGUST, 2025.

ATTEST:
PEGGY EYNETICH
CITY CLERK

JONATHAN NIKKILA
PRESIDENT OF THE COUNCIL
AND EX-OFFICIO MAYOR

4. 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. 2025-96 approving the Amended Developer Constructed Infrastructure Agreement for Saadi First, an addition to the City of Kearney, Buffalo County, Nebraska and 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 between the City of Kearney and Camil Saadi, Managing Member of WinStar Enterprise, LLC, a Nebraska Limited Liability Company for the construction of 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 and 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.

RESOLUTION NO. 2025-96

WHEREAS, on the 8th day of October, 2024 the President and City Council of the City of Kearney passed and approved Resolution No. 2024-144 authorizing the President of the Council to execute the agreement entitled "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 for Saadi First, an addition to the City of Kearney, Buffalo County, Nebraska; and

WHEREAS, Camil Saadi, Managing Member of WinStar Enterprise, LLC, a Nebraska Limited Liability Company, now desires to amend "Developer Constructed Infrastructure Agreement for Saadi First, an Addition to the City of Kearney, Buffalo County, Nebraska" to extend and construct public improvements, water main, sanitary sewer main, paving and storm sewer main to include property described as 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, and more particularly described as follows: Beginning at the Northwest corner of Lot 1, Block 2, Saadi First, an addition to the City of Kearney, Buffalo County, Nebraska; thence N 00°08'58" W on the Northerly extension of the West line of said Saadi First a distance of 60.00 feet; thence N 89°51'02" E a distance of 140.00 feet; thence N 00°08'58" W a distance of 100.10 feet; thence N 89°51'02" E a distance of 60.00 feet; thence S 00°08'58" E a distance of 100.10 feet; thence N 89°51'02" E a distance of 145.00 feet; thence S 00°08'58" E a distance of 60.00 feet to the North line of said Saadi First; thence S 89°51'02" W on the North line of said Saadi First a distance of 345.00 feet to the Point of Beginning. Containing 0.61 acres, more or less all located in Buffalo County, Nebraska; and

WHEREAS, the agreement entitled "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 of public improvements, water main, sanitary sewer main, paving and storm sewer main for Saadi First, an Addition to the City of Kearney, Buffalo County, Nebraska and 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, and more particularly described as follows: Beginning at the Northwest corner of Lot 1, Block 2, Saadi First, an addition to the City of Kearney, Buffalo County, Nebraska; thence N 00°08'58" W on the Northerly extension of the West line of said Saadi First a distance of 60.00 feet; thence N 89°51'02" E a distance of 140.00 feet; thence N 00°08'58" W a distance of 100.10 feet; thence N 89°51'02" E a distance of 60.00 feet; thence S 00°08'58" E a distance of 100.10 feet; thence N 89°51'02" E a distance of 145.00 feet; thence S 00°08'58" E a distance of 60.00 feet to the North line of said Saadi First; thence S 89°51'02" W on the North line of said Saadi First a distance of 345.00 feet to the Point of Beginning. Containing 0.61 acres, more or less, all located in Buffalo County, Nebraska, be and is hereby accepted and approved. The Agreement, marked as Exhibit "A" is attached hereto and made a part hereof

NOW, THEREFORE, BE IT RESOLVED by the President and City Council of the City of Kearney, Nebraska that Resolution No. 2024-144 approving 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, for the construction, public improvements: water main, sanitary sewer main, paving and storm sewer main for Saadi First, an Addition to the City of Kearney, Buffalo County, Nebraska is hereby rescinded.

BE IT FURTHER RESOLVED that the President of the Council be and is hereby authorized and directed to execute the amended agreement entitled "Amended Developer Constructed Infrastructure Agreement for Saadi First, an addition to the City of Kearney, Buffalo County, Nebraska" on behalf of the City of Kearney.

PASSED AND APPROVED THIS 12TH DAY OF AUGUST, 2025.

ATTEST:
PEGGY EYNETICH
CITY CLERK

JONATHAN NIKKILA
PRESIDENT OF THE COUNCIL
AND EX-OFFICIO MAYOR

V. CONSENT AGENDA ORDINANCES

VI. REGULAR AGENDA

VII. REPORTS

Council Member Randy Buschkoetter, along with the rest of the Council and City Manager Brenda Jensen, congratulated Gabe Kowalek on his promotion to Police Chief.

VIII. ADJOURN

Moved by Schmidt seconded by Buschkoetter that Council adjourn at 5:34 p.m. Roll call resulted as follows: Aye: Nikkila, Straatmann, Buschkoetter, Moore, Schmidt. Nay: None.

Motion carried.

ATTEST:

**PEGGY EYNETICH
CITY CLERK**

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