

*Kearney, Nebraska
September 23, 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 September 23, 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; Andy Harter, Director of Public Works; Sarah Sawin, Director of Utilities; Jake Misener, Deputy City Clerk; Dennis Byrne, Police Lieutenant, were also present. Members of the media present included: Mike Konz, Kearney Hub.

Notice of the meeting was given in advance thereof by publication in the Kearney Hub, the designated method for giving notice, a copy of the proof of publication being attached to these minutes. Advance notice of the meeting was also given to the City Council and a copy of their acknowledgment or receipt of such notice is attached to these minutes. Availability of the Agenda was communicated in the advance notice and in the notice to the Mayor and City Council. All proceedings hereafter shown were taken while the meeting was open to the attendance of the public.

I. ROUTINE BUSINESS

INVOCATION/MOMENT OF SILENCE

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.

ORAL COMMUNICATIONS

There were no Oral Communications.

II. UNFINISHED BUSINESS

There was no Unfinished Business.

III. PUBLIC HEARINGS

There were no Public Hearings.

IV. CONSENT AGENDA

Moved by Straatmann seconded by Moore that Subsections 1 through 12 of Consent Agenda Item IV be approved. Roll call resulted as follows: Aye: Nikkila, Moore, Schmidt, Straatmann, Buschkoetter. Nay: None. Motion carried.

1. Approve Minutes of the Special Meeting held September 3, 2025 and the Regular Meeting held September 9, 2025.

2. Approve the following Claims:

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

1000Bulbs.com \$239.65 smcs; 4Imprint \$5,761.55 smcs; Ace Hardware \$772.75 smcs; Acushnet \$2,654.63 smcs; Adobe \$21.39 smcs; All City Garage Door \$3,128.00 smcs; All Copy Products \$258.59 smcs; Alley Rose \$488.83 smcs; Allo \$708.04 smcs; Ally B Designs \$35.00 smcs; Amazon \$24,805.84 smcs,co; American \$107.01 smcs; American Backflow \$1,626.53 smcs; Andersen Wrecking \$225.00 smcs; Anova \$9,256.76 co; Anthem Sports \$1,093.51 co; Apple \$98.96 smcs,co; Apple Market \$38.77 smcs; Applied Industrial \$586.82 smcs; Arbico Organics \$292.55 smcs; Arnold Motor Supply \$548.77 smcs; Arrowhead Forensics \$575.88 smcs; Ask Supply \$2,120.93 smcs; Askin' Nebraskan \$250.00 smcs; AT&T \$2,475.62 smcs; Aurora Coop \$32.00 smcs; Avid Hotel \$352.25 smcs; B&H Photo \$4,047.83 co; Baker & Taylor \$7,851.84 smcs; Baker's Candies \$437.45 smcs; Ballymore Company \$54.58 smcs; Barcel Landscape \$3,520.00 smcs; Barco Products \$492.48 smcs; Barista's Daily Grind \$32.38 smcs; Benchmark Government \$571.55 smcs; Berriochoa Construction \$10,000.00 co; Bike Shed \$56.72 smcs; Blackstone Library \$1,288.70 smcs; Blackstrap \$1,562.24 smcs; Bluebeam \$520.00 smcs; BlueCross BlueShield \$255,944.40 smcs; Bomgaars \$1,548.94 smcs,co; Boogaarts \$46.82 smcs; BookPage \$1,134.00 smcs; Bosselman \$6,267.80 smcs; Bossfuels \$63,018.25 smcs; Brand Mgmt. Group \$428.08 smcs; Branded Bills \$2,573.78 smcs; Breeze Transports \$48.30 smcs; Brill,C \$96.00 smcs; Brown,C \$288.50 smcs; BSN Sports \$3,884.93 smcs; Buffalo Co. Partners \$4,800.00 smcs; Buffalo Co. Redi-Mix \$44,275.49 smcs,co; Buffalo Co. Treasurer \$75.85 smcs,co; Buffalo Co. Sheriff \$105.00 smcs; Buffalo Outdoor Power \$2,124.42 smcs,co; Buffalo Wild Wings \$100.00 smcs; Builders \$531.70 smcs; Building Code College \$90.00 smcs; Buy Oil \$1,043.54 smcs; Cabela's \$141.96 smcs; Cal/Amp \$808.50 smcs; Canva \$120.00 smcs; Casey's \$40.26 smcs; Cash Wa \$8,007.83 smcs; CDW \$774.93 smcs; Celebration on Central \$529.64 smcs; Cellebrite USA \$4,607.50 smcs; Cenex \$77.80 smcs; Cengage \$91.49 smcs; Central NE Bobcat \$7,928.88 co; Certified Power \$2,894.02 smcs; Chat GPT \$600.00 smcs; Chemsearch \$395.00 smcs; Chesterman \$1,561.75 smcs; Chicago Books \$83.34 smcs; CHS Agri Service \$39,215.07 smcs; Churchich Recreation \$284.36 smcs; Cintas Corp \$633.71 smcs; City of Ky \$96,368.08 smcs,ps; CityServiceValcon \$42,508.90 smcs; Civic Plus \$4,650.81 smcs; Clever Waiver \$49.99 smcs; Cloud Cover Music \$258.00 smcs; CNRA Paid Parking \$30.00 smcs; Combat Ready Fire \$88.61 smcs; Comfy Bowl \$321.00 smcs; Comm. Action Partnership \$2,691.00 smcs; Compass Navigation

\$4,800.00 smcs; Computer Hardware \$569.90 smcs; Consolidated Concrete \$9,445.18 smcs,co; Constant Contact \$175.00 smcs; Construction Rental \$3,236.81 smcs,co; Control Yours \$110.00 smcs; Cooperative Producers \$26.00 smcs; Cop Smart \$400.00 smcs; Copycat Printing \$571.82 smcs; Court Reserve \$172.47 smcs; Credit Mgmt. Services \$157.60 smcs; Cricut \$102.59 smcs; Criterion \$4,711.61 smcs; Culligan \$770.95 smcs; Cummins \$2,656.79 smcs; Cunningham's Journal \$20.00 smcs; Dandee Concrete \$4,868.33 co; Dashlane \$33.55 smcs; Data Shield \$251.12 smcs; Dell \$14,163.23 co; Demco \$161.07 smcs; Deterdings \$184.86 smcs; DFW Airport Parking \$2.00 smcs; Digi Key \$156.21 smcs; DigiCert \$180.69 smcs; Dinges Fire Co. \$23,519.45 smcs; Dish Network \$146.10 smcs; Dival Safety \$1,233.94 smcs; DJ Redlocks \$200.00 smcs; Do It Tennis \$274.91 smcs; Domino's \$75.54 smcs; Doordash \$186.06 smcs; Double J Plumbing \$15,103.00 smcs; Dowhy Towing \$375.00 smcs; Downey Drilling \$84,766.11 smcs,co; DTS Technology \$32.09 smcs; Duple,C \$33.14 smcs; Eagle Distributing \$1,129.27 smcs; Eakes \$4,133.81 smcs; Earl May \$258.91 smcs; Ebsco Plumbing \$5,060.00 smcs; Echo Electric \$248.00 smcs; Ecolab \$134.54 smcs; Eileen's Cookies \$64.50 smcs; ELDT \$51.75 smcs; Elliott Equipment \$301.82 smcs; Embassy Suites \$385.26 smcs; Expression Wear \$720.00 ps; Eyemed \$2,501.11 smcs; EZ Turf \$208.58 smcs; Facebook \$323.32 smcs; Family Fresh \$96.25 smcs; Farm & Home \$147.75 smcs; Fastenal \$678.06 smcs; FBI Nebraska \$20.00 smcs; Fearnley,M \$94.50 smcs; Fickenscher,K \$100.00 smcs; Financial Partners Group \$3,464.51 co; Flint Hills Fire & Rescue \$3,200.00 smcs; Floyd's Truck Center \$2,538.60 smcs; Forbes,B \$45.96 smcs; Friesen Chevrolet \$648.26 smcs; Friesen Ford \$1,243.43 smcs; Frontier \$393.98 smcs; Fun Express \$281.59 smcs; Fuse Sport \$1,115.00 smcs; Fusion Industries \$150.00 smcs; Game Changer Floor \$1,057.84 co; Garrett Tires \$10,066.00 smcs; Get Sling \$492.80 smcs; Glass Doctor \$51.07 smcs; Global ARFF Services \$6,401.00 smcs; Global Industrial \$453.90 smcs; Go Physical Therapy \$220.00 smcs; Golf Course Supt. \$530.00 smcs; Good Sportsman \$68.00 smcs; GPM Truck Center \$1,696.33 smcs; Graczyk Lawn \$1,622.00 smcs; Graham Tire \$5,089.42 smcs; Grainger \$1,612.04 smcs,co; Great Plains Comm. \$1,031.49 smcs; Green Part Store \$507.70 smcs; GT Distributors \$24.00 smcs; GT Golf Supplies \$203.51 smcs; Hagmo \$440.92 smcs; Hampton Inns \$357.14 smcs; Hands of Heartland \$39.48 smcs; Harbor Freight Tools \$185.19 smcs; HD Supply \$2,244.40 smcs,co; Head Penn Racquet \$916.79 smcs; Hearn,C \$5.24 smcs; Heiman \$69.50 smcs; Hilton Baltimore \$911.80 smcs; Hireright \$10.76 smcs; HOA Solutions \$1,121.25 smcs; Hobby Lobby \$20.45 smcs; Holiday Inn \$1,191.32 smcs; Holmes Plumbing \$668.07 smcs; Home Depot \$2,916.84 smcs; Hometown Leasing \$160.00 smcs; Hub Int'l \$14,419.84 smcs; Hyatt Regency \$1,049.80 smcs; Hydro Tech \$1,650.00 smcs; Hydrovac Supply \$4,477.50 smcs; Hy-Vee \$1,451.00 smcs; IAAI \$500.00 smcs; Imprint \$224.70 smcs; Inland Truck Parts \$1,057.97 smcs; Instacart \$22.10 smcs; Integrated Security \$2,005.38 smcs; Int'l Code Council \$280.00 smcs; Invoice Home \$5.28 smcs; Iprint Technologies \$696.00 smcs; IR Industrial \$366.59 smcs; IRS \$217,537.47 smcs; Jack Lederman \$1,321.10 smcs; Jacks Small Engines \$94.74 smcs; Jackson Services \$558.20 smcs; Jimmy John's \$60.22 smcs; JJ Keller \$95.89 smcs; JMAC Supply \$449.82 smcs; Johnson Service \$4,225.00 smcs; Johnstone Supply \$1,316.35 smcs; Jones & Bartlett Learning \$877.73 smcs; Jorgenson Lockers \$632.06 smcs; Kanopy \$1,375.60 smcs; KEA Constructors \$272,094.49 co; Ky Animal Shelter \$15,675.50 smcs; Ky Area Chamber \$206.00 smcs; Ky Crete & Block \$2,330.18 smcs,co; Ky Hub \$1,664.02 smcs; Ky Tire \$625.17 smcs; Ky Towing \$890.88 smcs; Ky Warehouse \$1,874.34 smcs; Kelly Equipment \$49,992.00 co Kelly Supply \$1,086.33 smcs; KGFW KQKY KRNY \$253.00 smcs; Kociemba, Travis \$150.00 smcs; Kolari Vision

\$7,449.98 smcs; Konica Minolta \$582.25 smcs; KSNB \$1,920.00 smcs; Landmark Implement \$2,053.67 smcs; Larkin,K \$170.94 smcs; League NE Municipalities \$460.00 smcs; Lerner \$155.92 smcs; Lied Conference Center \$251.68 smcs; Lincoln Journal Star \$24.99 smcs; Lockmobile \$224.04 smcs; Lyft \$31.82 smcs; Macqeen \$12,568.97 smcs; Makit Products \$285.90 smcs; Mara Corp. \$176,137.19 smcs; Marvel Industrial Coatings \$2,205.00 smcs; Matheson \$406.36 smcs; McCartney,E Chpt. 13 \$254.00 smcs; Meca Omaha \$5,256.50 smcs; Menards \$8,242.94 smcs,co; Merrill Company \$85.57 smcs; MES \$21.00 ps; Microsoft \$32.10 smcs; Midland Scientific \$8,695.17 smcs,co; Midlands Contracting \$20,338.02 smcs; Midwest Breathing Air \$193.82 smcs; Midwest Connect \$10,986.12 smcs; Midwest Turf \$2,829.77 smcs; Miller & Associates \$16,910.09 smcs,co; Miller,D \$60.00 smcs; Mirror Image \$344.89 smcs; Mission Square \$7,560.90 smcs; Modern Samurai \$1,080.00 smcs; Most Dependable Fount. \$1,880.00 smcs; Mostek Electric \$1,215.00 smcs; Municipal Supply \$20,793.86 smcs; Murphy Tractor \$1,319.83 smcs; NALI Online Courses \$30.00 smcs; Napa Auto \$1,947.80 smcs; Navigator Motorcoaches \$750.00 smcs; NDA Device \$171.67 smcs; NDEQ \$230.00 smcs; NE Child Support \$1,531.72 smcs; NE Crane \$329.70 smcs; NE Flight School \$45.00 smcs; NE Golf Assn. \$225.00 smcs; NE Library Assn. \$200.00 smcs; NE Liquor Comm. \$47.87 smcs; NE Machinery \$2,375.82 smcs; Nebraskaland Distrib. \$686.32 smcs; Network Solutions \$109.96 smcs; New York Times \$2,228.00 smcs; Newsbank \$6,707.00 smcs; Nielsen Contracting \$430,872.55 co; Northern Safety \$39.12 smcs; Northwestern Electric \$16,263.58 smcs; Northwestern Energy \$3,297.65 smcs; NPPD \$5,942.57 smcs; NSA/POAN \$2,045.00 smcs; Nutrien Ag \$923.40 smcs; Ochsner, Todd \$1,175.00 smcs; ODP Business \$221.19 smcs; Office Depot \$347.77 smcs; Office Max \$257.56 smcs; Olsson Associates \$50,100.00 co; Omnify \$563.50 smcs; One Call Concepts \$700.82 smcs; Online Postage \$515.00 smcs; O'Reilly Auto \$1,000.52 smcs; OTC Brands \$254.72 smcs; Panera Bread \$106.87 smcs; Peerless Machine \$28,000.94 smcs; Penworthy \$2,102.67 smcs; Pep Co. \$110.25 smcs; Peterbilt \$2,635.06 smcs; Petsmart \$229.63 smcs; Platinum Awards \$51.70 smcs; Platte Valley Auto \$1,147.83 smcs; Platte Valley Comm. \$20.34 smcs; Polydyne \$26,424.24 smcs; Poster My Wall \$44.90 smcs; Power Tech \$1,262.12 smcs; Presto-X \$704.26 smcs; Prime Video \$4.06 smcs; Publication Printers \$4,572.73 smcs; Pump & Pantry \$106.17 smcs; PVS DX \$24,442.74 smcs; Pye Barker \$593.00 smcs; Que Place \$40.50 smcs; Quickdraw Caricatures \$415.00 smcs; Quill \$136.24 smcs; Rasmussen Mechanical \$779.28 smcs; Raynor Garage Doors \$9,256.00 smcs; Ready Mixed Concrete \$12,675.00 co; Reams Supply \$48.11 smcs; Rentokil \$521.72 smcs; Research Assoc. Lab \$75.00 smcs; Resource Mgmt. \$5,488.00 smcs; Reyes, David \$125.00 smcs; Road Builders \$14,136.13 smcs; Rock It Event Pros \$1,947.87 smcs; S&S Worldwide \$202.30 smcs; Safety Products \$67.64 smcs; Safeware Moto \$2,652.50 smcs; Sapp Brothers \$3,976.23 smcs; Saylor Screen Printing \$4,995.25 smcs; Schroeder,L \$24.49 smcs; Schumacher Fencing \$616.97 smcs; See Clear Cleaning \$1,472.50 smcs; Sheraton \$2,203.80 smcs; Sherwin Industries \$530.14 smcs; Sherwin Williams \$857.47 smcs; Siteone Landscape \$676.36 smcs; SLA Corp \$2,203.31 smcs; Snell Services \$5,200.00 co; SOS Portable Toilets \$461.00 smcs; Spectrum \$540.89 smcs; Sporting Edge \$200.00 smcs; Sprinkler Warehouse \$2,440.19 smcs; Steinbrink Landscaping \$4,903.13 smcs; Stitch 3 \$165.00 smcs; Stutsman \$2,745.00 smcs; SubltUp \$1,026.00 smcs; Sunbelt Rentals \$3,244.90 smcs,co; Sunflower Restaurant \$1,050.00 smcs; Supply House \$147.02 smcs; T&T Mobile Washing \$1,706.00 smcs; Target \$325.71 smcs; Tennant Company \$672.26 smcs; Thurston,T \$150.00 smcs; TigerScorecard \$3,182.00 smcs; Titan Machinery \$528.16 smcs; Tmobile \$35.60 smcs; Tommy's Express \$175.00 smcs; Tractor Supply

\$2,254.80 smcs; Transunion \$114.80 smcs; Travel Guard Group \$44.22 smcs; Tri Cities Roofing \$455.00 smcs; Tri City Concrete \$150.00 co; Tri State Oil \$49.50 smcs; Truck Center \$243,424.00 co; True Value \$1,310.23 smcs; Turfwerks \$147.82 smcs; Twin City Hardware \$6,034.91 smcs; Uber \$111.92 smcs; UI \$262.70 smcs; Uline \$458.80 smcs; Unifirst Corp. \$118.10 smcs; Union Bank & Trust \$119,203.09 smcs; Unique Mgmt. \$151.45 smcs; United \$656.02 smcs; UPS \$171.03 smcs; USA Blue Book \$949.59 smcs; USPS \$865.92 smcs; UVT \$9,155.62 smcs; Van Diest Supply \$1,122.59 smcs; Vestis Services \$519.66 smcs; Village Services \$206.81 smcs; Vince Sabatino \$637.68 smcs; Volaire Aviation \$2,000.00 smcs; VW Golf \$57.79 smcs; Waldman,A \$75.00 smcs; Walmart \$2,053.67 smcs; Ward Laboratories \$70.95 smcs; Warren-T \$156.25 smcs; Weather Company \$29.99 smcs; Western NRG \$337.50 smcs; Whalen,R \$1,400.00 smcs; Wilcac Life \$5.00 smcs; Wilkins Architecture \$106,656.05 co; Winlectric \$16,251.58 smcs,co; Winnelson \$5,423.88 smcs,co; Winzer \$240.74 smcs; Wix \$708.00 smcs; World Herald Newspaper \$37.99 smcs; World of Books \$18.71 smcs; World Theatre \$20.00 smcs; Worley, Norman \$56.00 smcs; WPCI \$924.94 ps; Yoshiki,D \$0.35 smcs; YouTube \$292.03 smcs; Zoro Tools \$280.13 smcs; Zuerlein,A \$26.87 smcs; Payroll Ending 09/06/2025 -- \$699,547.34; ACH check Molly Green -- \$123.59. The foregoing schedule of claims is published in accordance with Section 19-1102 of the Revised Statutes of Nebraska, and is published at an expense of \$_____ to the City of Kearney.

3. Receive recommendations of Planning Commission and set October 14, 2025 at 5:30 p.m. as date and time for hearing on those applications where applicable.
4. Approve the request from the Utilities Department to sell two (2) pieces of equipment by the method deemed most advantageous to the City of Kearney, including sale by auction, sealed bid, or private or public sale.
5. Adopt Resolution No. 2025-111 approving the recommendation submitted by the Fire Chief to include the following as a member of the Kearney Volunteer Fire Department: Blake Wilbur.

RESOLUTION NO. 2025-111

WHEREAS, Aaron Jameson, Chief of the Kearney Volunteer Fire Department, has forwarded the name of an individual 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 person listed is 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 a member 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 member is fully entitled to benefits under the Workers' Compensation Act.

BE IT FURTHER RESOLVED that the said volunteer firefighter named on Exhibit "A" is 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 23RD DAY OF SEPTEMBER, 2025.

ATTEST:
PEGGY EYNETICH
CITY CLERK

JONATHAN NIKKILA
PRESIDENT OF THE COUNCIL
AND EX-OFFICIO MAYOR

6. Adopt Resolution No. 2025-112 approving the Special Community Betterment Grant Program.

RESOLUTION NO. 2025-112

WHEREAS, on September 23, 2025, the City Council and Administration of the City of Kearney wish to establish a process for distributing special contributions to the Lottery Trust Fund for Community Betterment purposes; and

WHEREAS, the City Council and Administration of the City of Kearney intend to fulfill their duty to reasonably manage, preserve, and expend any special funds derived from special contributions, and have determined that certain rules and regulations should be adopted and established relative to the City of Kearney Keno Community Betterment Grant Program.

NOW, THEREFORE, BE IT RESOLVED by the President and City Council of the City of Kearney, Nebraska that the following rules and regulations are hereby authorized relative to the City of Kearney Keno Community Betterment Grant Program:

FUNDING SOURCE

Funding for the City of Kearney Keno Community Betterment Grant Program includes any special contribution to the Community Betterment Funds that are NOT the gross proceeds generated by the Lottery Operator after reductions for prizes, and commissions paid to the Lottery Operator or the interest earned on the fund balance of the Lottery Trust Fund.

SPECIAL COMMUNITY BETTERMENT DISTRIBUTIONS

Special Community Betterment Fund Grants (Grants) will be awarded within a reasonable amount of time following receipt into the Lottery Trust Fund for all Community Betterment Projects recommended by the Keno Application Advisory Committee and approved by the City Council. The Grants shall be disbursed to private or public not-for-profit organizations located within the City of Kearney and the organizations shall use the Grants only for Community Betterment Purposes as defined in Section 9-604 of the Nebraska Revised Statutes. The specific timing of grant applications and award notifications will be made on a circumstantial basis as special contributions are received in the Lottery Trust Fund.

COMMUNITY BETTERMENT PURPOSES

- 1.) Community Betterment Purposes shall mean the use of lottery proceeds in the following manner:
 - a.) Enhancing a person's opportunity for educational advancement.

- Examples include* contributing to the operation of a school; or establishing or contributing to a scholarship fund.
- b.) Relieving or protecting individuals from disease, suffering, or distress.
Examples include purchasing food or clothing for the needy; or helping to provide medical care for individuals in need.
- c.) Contributing to the physical well being of individuals.
Examples include donations to foster athletic activities; or building, improving, or maintaining parks or recreation facilities; or sponsoring amateur athletic leagues or programs.
- d.) Assisting individuals in establishing themselves as worthy and useful citizens by providing educational or business opportunities.
Examples include contributing to training programs designed to provide individuals with job skills; or aiding handicapped people in making contributions to the community.
- e.) Providing individuals with opportunities to contribute to the betterment of the community.
Examples include initiating cleanup or beautification projects.
- f.) Increasing the comprehension and devotion to the principles upon which this nation was founded.
Examples include sponsoring civic events to make individuals more aware of the history of the United States, State of Nebraska, or other civic institutions of principles.
- g.) Initiating, performing, or fostering worthy public works or enabling or furthering the erection or maintenance of public structures.
Examples include contributing to building fund; or donations to fund parks or recreation areas.
- h.) Lessening the burdens borne by government or voluntarily supporting, augmenting, or supplementing services which government would normally render to the people.
Examples include paying for housing, food, or medical services for needy people; or aiding the elderly; or contributing to the general fund of the city.
- i.) Providing tax relief for the city.
Examples include funding any programs or needs which would normally be paid for by taxes imposed upon the community.
- j.) Proceeds derived from the conduct of the lottery shall not be used for any political activity.
Examples include lobbying, or participating in or contributing to any political campaign on behalf of any elected official or person who is or has been a candidate for public office.

PASSED AND APPROVED THIS 23RD DAY OF SEPTEMBER, 2025.

ATTEST:
PEGGY EYNETICH
CITY CLERK

JONATHAN NIKKILA
PRESIDENT OF THE COUNCIL
AND EX-OFFICIO MAYOR

7. Authorize the Mayor to send a letter of no recommendation to the Nebraska Liquor Control Commission on the catering application submitted by HY-VEE INC, dba Hy-Vee

Food Store 1323, located at 5212 3rd Avenue, in connection with their current liquor license.

8. Accept the bids received for the 2025 Part 5 Improvements – Marlatt Fourth and adopt Resolution No. 2025-113 awarding the bid to Nielsen Contracting, LLC in the amount of \$816,859.50.

RESOLUTION NO. 2025-113

WHEREAS, Miller & Associates and the City of Kearney have reviewed the sealed bids which were opened on September 16, 2025 at 2:00 p.m. for 2025 Part 5 Improvements – Marlatt Fourth; and

WHEREAS, the Engineer’s Opinion of Probable Construction Cost for the project was \$927,715.00; and

WHEREAS, Miller & Associates and the City have recommended the bid offered by Nielsen Contracting, LLC, of Kearney, Nebraska in the amount of \$816,859.50 be accepted as the lowest responsible bid for 2025 Part 5 Improvements – Marlatt Fourth.

NOW, THEREFORE, BE IT RESOLVED by the President and City Council of the City of Kearney, Nebraska that the said Engineer’s recommendation is hereby accepted, that Nielsen Contracting, LLC, of Kearney, Nebraska be and is the lowest responsible bidder for the 2025 Part 5 Improvements – Marlatt Fourth to be constructed in accordance with the plans and specifications on file with the City Clerk and that the bid of Nielsen Contracting, LLC, of Kearney, Nebraska in the amount of \$816,859.50 be and is hereby accepted.

BE IT FURTHER RESOLVED the Engineer’s Opinion of Probable Construction Cost in the amount of \$927,715.00 be and is hereby accepted.

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

PASSED AND APPROVED THIS 23RD DAY OF SEPTEMBER, 2025.

ATTEST:
PEGGY EYNETICH
CITY CLERK

JONATHAN NIKKILA
PRESIDENT OF THE COUNCIL
AND EX-OFFICIO MAYOR

9. Adopt Resolution No. 2025-114 rescinding Resolution 2022-210 for the Agreement for Services between the City of Kearney and Visit Kearney pertaining to the allocation of lodging tax revenues.

RESOLUTION NO. 2025-114

WHEREAS, on the 27th day of September, 2022 the President and City Council of the City of Kearney, Nebraska passed and approved Resolution No. 2022-210, revising and extending the Agreement for Services between the City of Kearney, Nebraska and the Kearney Visitors Bureau for the purpose of promoting and marketing economic development in the City of Kearney; and

WHEREAS, the City of Kearney, Nebraska and Visit Kearney (formerly Kearney Visitors Bureau) wish to revise, update and extend the Agreement for a period of 20 years.

NOW, THEREFORE, BE IT RESOLVED by the President and City Council of the City of Kearney, Nebraska that Resolution No. 2022-110 approving the revision and extension of the Agreement for Services between the City of Kearney, Nebraska and the Kearney Visitors Bureau be and is hereby repealed in its entirety.

BE IT FURTHER RESOLVED by the President and Council of the City of Kearney, Nebraska, that the City Manager be and is hereby authorized and directed to execute the Agreement for Services on behalf of the City of Kearney. A copy of said Agreement is attached hereto and made a part hereof by reference.

PASSED AND APPROVED THIS 23RD DAY OF SEPTEMBER, 2025.

ATTEST:
PEGGY EYNETICH
CITY CLERK

JONATHAN NIKKILA
PRESIDENT OF THE COUNCIL
AND EX-OFFICIO MAYOR

10. Adopt Resolution No. 2025-115 approving the request by Endgame West, LLC dba Big Red Keno to provide a keno-type lottery operation at Birdies & Brews located at 5915 2nd Avenue, Suite 4.

RESOLUTION NO. 2025-115

WHEREAS, the City of Kearney entered into an Interlocal Cooperation Agreement on July 8, 2025 with City of Omaha; and

WHEREAS, Section 6 KENO SALES OUTLET LOCATIONS of the Interlocal Cooperation Agreement requires Endgame West, LLC dba “Big Red Keno” to receive approval of the City Council prior to operating a keno-type lottery from any location within the City of Kearney; and

WHEREAS, Endgame West, LLC dba “Big Red Keno,” has requested that 5915 2nd Avenue, Suite 4, Kearney Nebraska (Birdies & Brews) be approved as a location to operate a keno-type lottery on behalf of the City of Kearney.

NOW, THEREFORE, BE IT RESOLVED by the President and Council of the City of Kearney, Nebraska, that 5915 2nd Avenue, Suite 4, Kearney Nebraska (Birdies & Brews) is hereby approved as a location for Endgame West, LLC dba “Big Red Keno” to operate a keno-type lottery on behalf of the City of Kearney.

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

PASSED AND APPROVED THIS 23RD DAY OF SEPTEMBER, 2025.

ATTEST:
PEGGY EYNETICH
CITY CLERK

JONATHAN NIKKILA
PRESIDENT OF THE COUNCIL
AND EX-OFFICIO MAYOR

11. Adopt Resolution No. 2025-116 approving the request by Endgame West, LLC dba Big Red Keno to provide a keno-type lottery operation at Meadowlark Hills Golf Course located at 3300 30th Avenue.

RESOLUTION NO. 2025-116

WHEREAS, the City of Kearney entered into an Interlocal Cooperation Agreement on July 8, 2025 with City of Omaha; and

WHEREAS, Section 6 KENO SALES OUTLET LOCATIONS of the Interlocal Cooperation Agreement requires Endgame West, LLC dba “Big Red Keno” to receive approval of the City Council prior to operating a keno-type lottery from any location within the City of Kearney: and

WHEREAS, Endgame West, LLC dba “Big Red Keno,” has requested that 3300 30th Avenue, Kearney Nebraska (Meadowlark Hills Golf Course) be approved as a location to operate a keno-type lottery on behalf of the City of Kearney.

NOW, THEREFORE, BE IT RESOLVED by the President and Council of the City of Kearney, Nebraska, that 3300 30th Avenue, Kearney Nebraska (Meadowlark Hills Golf Course) is hereby approved as a location for Endgame West, LLC dba “Big Red Keno” to operate a keno-type lottery on behalf of the City of Kearney.

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

PASSED AND APPROVED THIS 23RD DAY OF SEPTEMBER, 2025.

12. Approve the purchase of routing software in the amount of \$56,430.00 submitted by Routeware for SmartCity under the Sourcewell Cooperative Purchasing Contract program to be used by the Utilities Department, Sanitation Division, and adopt Resolution No. 2025-117.

RESOLUTION NO. 2025-117

WHEREAS, the Utilities Department of the City of Kearney, Nebraska, wishes to purchase digital routing software to improve daily fleet operations; and

WHEREAS, the Utilities Department has recommended the quote received through Sourcewell Contract #020221-RUB from Routeware for SmartCity in the amount of \$56,430.00, with an annual software fee of \$49,680.00 marked as Exhibit “A” attached hereto and made a part hereof by reference, be accepted.

NOW, THEREFORE, BE IT RESOLVED by the President and City Council of the City of Kearney, Nebraska, that the recommendation from the Utilities Department regarding the quote received through Sourcewell Contract #020221-RUB from Routeware for SmartCity in the amount of \$56,430.00, with an annual software fee of \$49,680.00, is hereby accepted.

BE IT FURTHER RESOLVED by the President and Council of the City of Kearney, Nebraska, that the Director of Utilities be and is hereby authorized and directed to execute the Routeware, Inc. Master Sales and License Agreement marked as Exhibit “B” attached hereto and made a part hereof by reference, on behalf of the City of Kearney.

PASSED AND APPROVED THIS 23RD DAY OF SEPTEMBER, 2025.

ATTEST:
PEGGY EYNETICH
CITY CLERK

JONATHAN NIKKILA
PRESIDENT OF THE COUNCIL
AND EX-OFFICIO MAYOR

V. CONSENT AGENDA ORDINANCES

There were no Consent Agenda Ordinances.

VI. REGULAR AGENDA

OPEN ACCOUNT CLAIM

Moved by Schmidt seconded by Buschkoetter that the Open Account Claim in the amount of \$200.00 payable to University of NE Kearney be allowed. Roll call resulted as follows: Aye: Nikkila, Schmidt, Buschkoetter. Nay: None. Moore and Straatmann abstained. Motion carried.

VII. REPORTS

Bill Harvey, General Council for EHPV Management Group, introduced Dan Olson, who will be the local representative for Big Red Keno.

Council Member Alex Straatmann expressed appreciation of Finance Director Brian Schultz’s representation of the City at the Joint Public Hearing (Pink Postcard Hearing), and additionally thanked Staff for their work, noting the City was well represented at the meeting.

CLOSED SESSION

Moved by Buschkoetter seconded by Nikkila that Council adjourn into closed session at 5:39 p.m. for the protection of the public interest to discuss contract negotiations. Roll call resulted as follows: Aye: Nikkila, Straatmann, Buschkoetter, Moore, Schmidt. Nay: None. Motion carried.

Mayor Nikkila restated the purpose for the closed session is for the protection of the public interest to discuss contract negotiations. According to law, the Council has the option to reconvene back into open session and may take any formal action it deems appropriate.

Moved by Buschkoetter seconded by Nikkila that Council reconvene in regular session at 6:31 p.m. Roll call resulted as follows: Aye: Nikkila, Buschkoetter, Moore, Schmidt, Straatmann. Nay: None. Motion carried.

VIII. ADJOURN

Moved by Nikkila seconded by Straatmann that Council adjourn at 6:32 p.m. Roll call resulted as follows: Aye: Nikkila, Moore, Schmidt, Straatmann, Buschkoetter. Nay: None. Motion carried.

ATTEST:

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

**PEGGY EYNETICH
CITY CLERK**