

*Kearney, Nebraska
December 9, 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 December 9, 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. Michael Tye, City Attorney; Brian Schultz, Director of Finance; Andy Harter, Director of Public Works; Sarah Sawin, Director of Utilities; Gabriel Kowalek, Chief of Police; Kevin Thompson, Police Captain of Operations; Melissa Dougherty-O'Hara, City Planner; Jason Whalen, Fire Administrator; JoAnn Anderson, Kearney Volunteer Fire Department Office Manager; Bradley DeMers, Assistant to the City Manager, 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.

ORAL COMMUNICATIONS/RECOGNITION

PRESENTATION OF KEARNEY VOLUNTEER FIRE DEPARTMENT SERVICE AWARDS

Fire Chief Aaron Jameson presented awards to members of the Kearney Volunteer Fire Department (KVFD) in attendance and also recognized those members who have served on the Fire Department for 10, 15, 20, 25, 30, and 40 years. Fire Chief Jameson acknowledged the dedication of these KVFD members to the safety and well-being of the City of Kearney's residents.

PRESENTATION OF FIREFIGHTER CERTIFICATES OF TRAINING FOR COMPLETING 2025 FIREFIGHTER I CLASS

Fire Chief Jameson presented Firefighter Certificates of Training to those members in attendance who completed the 2025 Firefighter 1 Course. Fire Chief Jameson explained that these members received over 200 hours of rigorous training.

Fire Chief Jameson honored Terry Eirich, a 38-year veteran of the Kearney Volunteer Fire Department. Mr. Eirich held the titles of Fire Chief, Assistant Fire Chief, Fire Inspector and Board Member. Fire Chief Jameson stated that Mr. Eirich has been a mentor and trainer to countless members of KVFD, firefighters in Buffalo County, and the State of Nebraska. Mr. Eirich's impact on the department is profound and his dedication to the fire service and the community will not be forgotten.

Mayor Nikkila thanked Fire Chief Jameson and the KVFD Members in attendance and noted he recently had a chance to tour the KVFD Training Facility with Mr. Eirich. Mayor Nikkila thanked the KVFD members for the countless hours they volunteer to serve the citizens of Kearney.

II. UNFINISHED BUSINESS

There was no Unfinished Business.

III. PUBLIC HEARINGS

REZONING OF PROPERTY LOCATED AT 119 CENTRAL AVENUE

Public Hearings 1 and 2 were discussed together but voted on separately.

Mayor Nikkila opened the public hearing on the application submitted by Miller & Associates (Applicant) for Buckshot Farms, a Nebraska General Partnership and Buckshot Farms, LLP (Owners), to rezone from District C-2, Community Commercial District, to District BP, Business Park District for property described as a tract of land being part of Government Lot 7 and Government Lot 8 of Section 12, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (119 Central Avenue) and consider Ordinance No.8772.

Craig Bennett, Miller and Associates, presented this matter to the Council. Mr. Bennett described the location of the parcels to be consolidated for development, the rezoning request and reviewed the existing and proposed infrastructure of the development. Finally, Mr. Bennett detailed the proposed 4.83-acre plat.

Council Member Alex Straatmann asked about the letters submitted from adjoining landowners regarding the development. Michael Tye, City Attorney, explained that a letter was submitted to Planning Commission expressing concerns over a claimed boundary issue. Mr. Tye explained the boundary issue does not affect the rezoning process and is a civil matter.

There was no one present in opposition to this hearing.

Moved by Straatmann to close the public hearing on the Application submitted by Miller & Associates (Applicant) for Buckshot Farms, a Nebraska General Partnership and Buckshot Farms, LLP (Owners) and introduced Ordinance No. 8772 rezoning from District C-2, Community Commercial District, to District BP, Business Park District for property described as a tract of land being part of Government Lot 7 and Government Lot 8 of Section 12, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (119 Central Avenue) 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. 8772. 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, Moore, Schmidt, Straatmann, Buschkoetter. 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. 8772 by number. Roll call of those in favor of the passage of said ordinance on the first reading resulted as follows: Aye: Nikkila, Moore, Schmidt, Straatmann, Buschkoetter. Nay: None. Motion carried. Ordinance was read by number.

Moved by Moore seconded by Schmidt that Ordinance No. 8772 be passed, approved and published as required by law. Roll call resulted as follows: Aye: Nikkila, Schmidt, Straatmann, Buschkoetter, Moore. Nay: None. Motion carried.

By reason of the roll call voted on the first reading and final passage of the ordinance, Ordinance No. 8772 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 BUCKSHOT ADDITION

Public Hearings 1 and 2 were discussed together but voted on separately.

Mayor Nikkila opened the public hearing on the application submitted by Miller & Associates (Applicant) for Buckshot Farms, a Nebraska General Partnership and Buckshot Farms, LLP (Owners), for the Final Plat and Subdivision Agreement for Buckshot Addition, and addition to the City of Kearney, Buffalo County, Nebraska being described as a part of Government Lot 7 and Government Lot 8 of Section 12, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (119 Central Avenue) and Resolution No. 2025-156.

There was no one present in opposition to this hearing.

Moved by Schmidt seconded by Buschkoetter to close the hearing and adopt Resolution No. 2025-156 approving the Final Plat and Subdivision Agreement for Buckshot Addition, and addition to the City of Kearney, Buffalo County, Nebraska being described as a part

of Government Lot 7 and Government Lot 8 of Section 12, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (119 Central Avenue). Roll call resulted as follows: Aye: Nikkila, Straatmann, Buschkoetter, Moore, Schmidt. Nay: None. Motion carried.

RESOLUTION NO. 2025-156

BE IT RESOLVED BY THE PRESIDENT AND COUNCIL OF THE CITY OF KEARNEY, NEBRASKA, that the plat of Buckshot Addition, an addition to the City of Kearney, Buffalo County, Nebraska being described as a tract of land being part of Government Lot 7 and part of Government Lot 8 of Section 12, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska, and more particularly described as follows: Commencing at a chiseled + at the Southwest Corner of Government Lot 8 of Section 12; thence S 86°46'06" E on the South line of said Government Lot 8, and all bearings contained herein are relative thereto, a distance of 956.72 feet to the East line of Central Avenue and the Southwest corner of a tract of land recorded as Inst. 97-5725 in the Buffalo County Register of Deeds Office and the POINT OF BEGINNING; thence continuing S 86°46'06" E on the South line of said Government Lot 8, the South line of Government Lot 7 of said Section 12, the South line of said tract of land recorded as Inst. 97-5725, and the South line of a tract of land recorded as Document # 2025-02964 in the Buffalo County Register of Deeds Office a distance of 415.72 feet to the Southeast corner of said tract of land recorded as Document # 2025-02964; thence N 00°43'08" E a distance of 509.85 feet on the East line of said tract of land recorded as Document # 2025-02964 to a 5/8" rebar w/cap at the Northeast corner of said tract of land recorded as Document # 2025-02964; thence N 86°49'27" W on the North line of said tract of land recorded as Document # 2025-02964 and the North line of said Inst. 97-5725 a distance of 411.95 feet to a T-Post at the Northwest corner of said tract of land recorded as Inst. 97-5725 and said East line of said Central Avenue; thence S 01°08'26" W on the West line of said tract of land recorded as Inst. 97-5725 and the East line of said Central Avenue a distance of 509.30 feet to the Point of Beginning. Containing 4.83 acres more or less, of which 0.31 acres more or less are presently being used for road purposes on the South side all located in Buffalo County, Nebraska, duly made out, acknowledged and certified, and the same hereby is approved in accordance with the provisions and requirements of Section 19-916 of the Nebraska Revised Statutes, be accepted and ordered filed and recorded in the Office of the Register of Deeds of Buffalo County, Nebraska; said addition is hereby included within the corporate limits of said City and shall be and become a part of said City for all purposes whatsoever, and the inhabitants of such addition shall be entitled to all the rights and privileges and shall be subject to all laws, ordinances, rules and regulations of said City.

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 9TH DAY OF DECEMBER, 2025.

ATTEST:
PEGGY EYNETICH
CITY CLERK

JONATHAN NIKKILA
PRESIDENT OF THE COUNCIL
AND EX-OFFICIO MAYOR

REZONING OF PROPERTY LOCATED AT 5808 10TH AVENUE

Mayor Nikkila opened the public hearing on the application submitted by Miller & Associates Consulting Engineers, P.C. (Applicant) for Cobalt Skies, LLC, a Nebraska limited liability company (Owners) to rezone from C-1(N)/PD Neighborhood Center Districts/Planned Development Overlay District to District C-O, Office District for property described as Lot 1 and part of Lot 2, Block 1, Prairie Meadows Addition, an addition to the City of Kearney, Buffalo County, Nebraska (5808 10th Avenue) and consider Ordinance No. 8773.

Craig Bennett, Miller and Associates, presented this matter to the Council. Mr. Bennett described the property to be rezoned, located east of 11th Avenue and south of 59th Street, noting that two homes have been raised and removed to make room for future development.

There was no one present in opposition to this hearing.

Moved by Buschkoetter to close the public hearing on the Application submitted by Miller & Associates Consulting Engineers, P.C. (Applicant) for Cobalt Skies, LLC, a Nebraska limited liability company (Owners) and introduced Ordinance No. 8773 rezoning from C-1(N)/PD Neighborhood Center Districts/Planned Development Overlay District to District C-O, Office District for property described as Lot 1 and part of Lot 2, Block 1, Prairie Meadows Addition, an addition to the City of Kearney, Buffalo County, Nebraska (5808 10th Avenue) 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 close the hearing and suspend the rules for Ordinance No. 8773. 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, Buschkoetter, Moore, Schmidt, Straatmann. 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. 8773 by number. Roll call of those in favor of the passage of said ordinance on the first reading resulted as follows: Aye: Nikkila, Buschkoetter, Moore, Schmidt, Straatmann. Nay: None. Motion carried. Ordinance was read by number.

Moved by Nikkila seconded by Straatmann that Ordinance No. 8773 be passed, approved and published as required by law. Roll call resulted as follows: Aye: Nikkila, Moore, Schmidt, Straatmann, Buschkoetter. Nay: None. Motion carried.

By reason of the roll call voted on the first reading and final passage of the ordinance, Ordinance No. 8773 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.

DEVELOPMENT OF ELEMENTARY SCHOOL THIRD ADDITION

Mayor Nikkila opened the public hearing on the application submitted by Buffalo Surveying Corp. (Applicant) for General Properties, LLC, Brett A. Weiss, Managing Member (1) to vacate part of Lot 1, Elementary School Second Addition, an addition to the City of Kearney, Buffalo County, Nebraska and consider Ordinance No. 8774; and 2) the Final Plat and Subdivision Agreement for Elementary School Third Addition, an addition to the City of Kearney, Buffalo County, Nebraska with said part of Lot 1, now vacated, Elementary School Second Addition located in the North Half of the Northeast Quarter of the Northeast Quarter of Section 25, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (south of 5508 Avenue N) and consider Resolution No. 2025-157.

Mitch Humphrey, Buffalo Surveying Corp., presented this matter to the Council. Mr. Humphrey described the property that was platted prior to the construction of Meadowlark Elementary School. Mr. Humphrey detailed the proposed final plat and subdivision agreement, noting that all utilities are available on site for development.

There was no one present in opposition to this hearing.

Moved by Straatmann to close the public hearing on the Applications submitted by Buffalo Surveying Corp. (Applicant) for General Properties, LLC, Brett A. Weiss, Managing Member and introduced Ordinance No. 8774 vacating part of Lot 1, Elementary School Second 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 Moore seconded the motion to close the hearing and suspend the rules for Ordinance No. 8774. 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. 8774 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. 8774 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. 8774 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.

Moved by Schmidt seconded by Buschkoetter to adopt Resolution No. 2025-157 approving the Final Plat and Subdivision Agreement for Elementary School Third Addition, an addition to the City of Kearney, Buffalo County, Nebraska with said part of Lot 1, now vacated, Elementary School Second Addition located in the North Half of the Northeast Quarter of the Northeast Quarter of Section 25, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (south of 5508 Avenue N). Roll call resulted as follows: Aye: Nikkila, Buschkoetter, Moore, Schmidt, Straatmann. Nay: None. Motion carried.

RESOLUTION NO. 2025-157

BE IT RESOLVED BY THE PRESIDENT AND COUNCIL OF THE CITY OF KEARNEY, NEBRASKA, that the plat of Elementary School Third Addition, an addition to the City of Kearney, Buffalo County, Nebraska being described as part of Lot 1, now vacated, Elementary School Second Addition, an addition to the City of Kearney, Buffalo County, Nebraska, with said part of Lot 1, now vacated, Elementary School Second Addition located in the North Half of the Northeast Quarter of the Northeast Quarter of Section 25, Township 9 North, Range 16 West of the Sixth P.M., Buffalo County, Nebraska, more particularly described as follows: Beginning a point being 50.0 feet westerly of and 662.43 feet southerly from the Northeast Corner of the Northeast Quarter of Section 25, said point being on the South line of the North Half of the Northeast Quarter of the Northeast Quarter of Section 25, and 50.0 feet westerly of as measured at right angles from the East line of the Northeast Quarter of Section 25, with such point also being the Southeast Corner of that part of Lot 1, now vacated, Elementary School Second Addition, an addition to the City of Kearney, Buffalo County, Nebraska, and assuming the East line of Lot 1, Elementary School Second Addition as bearing N 00°10'07" E and all bearings contained herein are relative thereto; thence on the East line of said Lot 1; N 00°10'07" E a distance of 353.40 feet to the Northeast Corner of that part of Lot 1, now vacated, Elementary School Addition; thence leaving the East line of said Lot 1, N 89°49'53" W on the North line of that part of said Lot 1, now vacated, a distance of 43.00 feet; thence S 00°10'07" W continuing on the North line of that part of Lot 1, now vacated, a distance of 20.00 feet; thence N 89°49'53" W continuing on the North line of that part of said Lot 1, now vacated, a distance of 211.99 feet to the Northwest Corner of that part of said Lot 1, now vacated; thence on the West line of that part of said Lot 1, now vacated, S 00°10'07" W a distance of 335.67 feet to a point on the South line of the North Half of the Northeast Quarter of the Northeast Quarter of Section 25, with such point also being the Southwest Corner of that part of said Lot 1, now vacated; thence on the South line of said North Half of the Northeast Quarter of the Northeast Quarter of Section 25 and on the South line of that part of said Lot 1, now vacated, N 89°40'06" E a distance of 255.00 feet to the place of beginning. Containing 1.98 Acres (86,157 Sq. Ft.), more or less all located in Buffalo County, Nebraska, duly made out, acknowledged and certified, and the same hereby is approved in accordance with the provisions and requirements of Section 19-916 of the Nebraska Revised Statutes, be accepted and ordered filed and recorded in the Office of the Register of Deeds of Buffalo County, Nebraska; said addition is hereby included within the corporate limits of said City and shall be and become a part of said City for all purposes whatsoever, and the inhabitants of such addition shall be entitled to all the rights and privileges and shall be subject to all laws, ordinances, rules and regulations of said City.

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 9TH DAY OF DECEMBER, 2025.

ATTEST:
PEGGY EYNETICH
CITY CLERK

JONATHAN NIKKILA
PRESIDENT OF THE COUNCIL
AND EX-OFFICIO MAYOR

IV. CONSENT AGENDA

Moved by Buschkoetter seconded by Nikkila that Subsections 1 through 8 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 Regular Meeting held November 25, 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 \$1,235.01 smcs; 4 States Towing \$250.00 smcs; 7 Brew Coffee \$25.00 smcs; 911 Custom \$4,175.00 smcs; Accucut \$1,094.79 smcs; Ace Hardware \$411.36 smcs; Acushnet \$14,086.69 smcs; ADB Safegate \$221.52 smcs; Advance Auto Parts \$64.26 smcs; Agri Coop \$1,613.48 smcs; Alert Int'l \$40.00 smcs; All City Garage Door \$959.00 smcs; All Copy \$164.44 smcs; Alley Rose \$314.98 smcs; Allo Comm. \$733.27 smcs; Amax Contracting \$64.64 smcs; Amazon \$25,079.09 smcs; American \$198.81 smcs; American Fence \$109.29 smcs; American Instants \$108.96 smcs; American Red Cross \$521.00 smcs; Anatum Geomobile \$313.75 smcs; Apollo Med Flight \$20.00 smcs; Apple \$23.01 smcs; APWA \$1,024.00 smcs; Aquaphoenix Scientific \$360.00 smcs; Archery Education \$89.00 smcs; Archway \$62.50 smcs; Arnold Motor Supply \$720.92 smcs; Arrow Seed \$146.50 smcs; Artisans \$120.00 smcs; Ask Supply \$1,543.40 smcs; AT&T \$2,475.62 smcs; Aurora Coop \$4,770.96 smcs; Aussie Hydraulics \$153.45 smcs; Automatic Systems \$6,897.53 smcs; Avis \$668.43 smcs; B&B Autoglass \$360.00 smcs; B&H Photo \$5,854.09 smcs; Baird Holm \$1,040.00 smcs; Baker's Candies \$627.75 smcs; Bambu Lab \$1,509.63 smcs; Bartling, A \$122.50 smcs; Battery Junction \$269.13 smcs; Berens-Tate Consulting \$500.00 smcs; Blackburn Manufacturing \$251.12 smcs; Blackstone Library \$1,655.13 smcs; Bluebeam \$302.50 smcs; BlueCross BlueShield \$170,248.97 smcs; Bomgaars \$981.58 smcs; Boogaarts \$123.87 smcs; Bossfuels \$61,793.32 smcs; Brady Worldwide \$170.18 smcs; Breeze Transports \$34.00 smcs;

Brennan Industries \$216.00 smcs; Broadfoot's \$1,200.00 smcs; Brunt Workwear \$198.95 smcs; Buffalo Co. Redi-Mix \$942.50 smcs; Buffalo Co. Treasurer \$206,857.24 smcs,ds; Buffalo Co \$7,033.00 smcs; Buffalo Outdoor Power \$1,339.22 smcs; Builders \$2,049.77 smcs; Building Product Sale \$1,018.23 smcs; Bulbs.com \$331.80 smcs; Buysm Sod \$331.05 smcs; Cacek, L \$94.50 smcs; Canva \$149.90 smcs; Card My Yard \$700.00 smcs; Casey's \$17.68 smcs; Cash Wa \$5,332.52 smcs; CCI Solutions \$596.21 smcs; CDW Government \$70,209.94 smcs; Cenex \$1,412.54 smcs; Center Point Publishing \$83.76 smcs; Central Comm. College \$300.00 smcs; Central Mercantile \$24.90 smcs; Central NE Bobcat \$3,898.40 smcs; Chemsearch \$395.00 smcs; Chesterman \$3,055.00 smcs; Christian Book \$26.51 smcs; Cintas \$525.12 smcs; City of KY \$567,072.46 smcs,ps; CityServiceValcon \$82,370.58 smcs; Clever Waiver \$49.99 smcs; Clipper Publishing \$78.00 smcs; Comm. Action of Mid NE \$2,678.00 smcs; Consolidated Concrete \$1,111.57 smcs; Constant Contact \$350.00 smcs; Construction Rental \$8,480.30 smcs; Control Yours \$505.45 smcs; Copycat Printing \$165.56 smcs; Cornhusker \$31.50 smcs; Court Reserve \$173.30 smcs; Critical Hire \$50.00 smcs; Crouch Recreation \$575.00 smcs; Culligan \$180.50 smcs; Cummins \$697.87 smcs; Cunningham's Journal \$50.00 smcs; DataShield \$316.65 smcs; Deep Discount \$32.08 smcs; Dell \$2,577.73 smcs; Demco \$863.84 smcs; Denny, R \$200.00 smcs; Depository Trust \$2,580.00 ds; Desert Snow \$2,039.40 smcs; Deterdings \$220.00 smcs; Diaz, L \$170.00 smcs; Dinges Fire Company \$750.27 smcs; Dish Network \$151.12 smcs; Dival Safety Equipment \$381.85 smcs; Divas KY Floral \$1,260.00 smcs; DK La Vista \$1,710.00 smcs; Dmilaco Sports \$51.36 smcs; Donor Recognitions \$31.32 smcs; Double J Plumbing \$1,508.87 smcs; Dowhy Towing \$125.00 smcs; Downey Drilling \$1,126.01 smcs; DTS Technology \$32.09 smcs; Eakes \$15,505.38 smcs; Earl May \$541.49 smcs; Echo Electric \$88.82 smcs; Ecolab \$134.54 smcs; EJ's Outdoor Sports \$2,421.90 smcs; Eldt.com \$77.63 smcs; Elliott Equipment \$1,781.92 smcs; Embassy Suites \$164.22 smcs; Enterprise \$244.56 smcs; Epic Sports \$554.98 smcs; ERA - A Waters \$155.85 smcs; EVT Certification \$67.50 smcs; Expression Wear \$1,258.52 smcs; Eyemed \$2,394.94 smcs; EZ Turf \$896.10 smcs; Facebook \$859.31 smcs; Fastenal \$1,334.50 smcs; Fedex \$48.39 smcs; Feld Fire \$619.93 smcs; Financial Partners \$3,753.22 co; FinnlySport \$9,447.00 smcs; Fire Line Equipment \$1,157.02 smcs; Focus on the Family \$89.97 smcs; Frontier \$731.92 smcs; Fun Express \$1,104.85 smcs; Gage Glass \$174.21 smcs; Gale/Cengage \$542.07 smcs; Galls \$33.87 smcs; Garrett Tires \$3,624.12 smcs; General Parts \$1,771.88 smcs; Get Sling \$245.98 smcs; Give Nebraska \$20.00 ps; Glow With Us \$306.00 smcs; Glowforge \$7,238.40 smcs; Gnuse Video & Photo \$3,222.70 smcs; Golf Genius \$975.00 smcs; Good Sportsman \$68.00 smcs; Graczyk Sprinklers \$375.00 smcs; Graham Tire \$1,021.70 smcs; Grainger \$1,271.69 smcs; Graphic Vision \$338.28 smcs; Great Plains Comm. \$880.71 smcs; Great Plains Nursery \$748.55 smcs; Hach \$961.00 smcs; Hali Brite \$1,058.40 smcs; Hampton Inn \$474.80 smcs; Hanger Hardware \$48.09 smcs; Harbols, M \$150.00 smcs; Harbor Freight Tools \$683.85 smcs; Heartland Clerks Assn. \$20.00 smcs; Hilton \$387.00 smcs; Hobby Lobby \$575.26 smcs; Holabird Sports \$139.95 smcs; Holiday Inn Express \$243.40 smcs; Holmes Plumbing \$669.27 smcs; Home Depot \$3,257.98 smcs; Hometown Leasing \$283.23 smcs; Hon Analytics \$1,190.00 smcs; Hy-Vee \$114.90 smcs; IAAI \$256.00 smcs; IACP \$1,225.00 smcs; ICMA Online \$1,200.00 smcs; Industrial Process Tech. \$4,052.00 co; Ingram Library Services \$3,461.73 smcs; Integrated Security \$1,314.55 smcs; Invoice Home \$5.28 smcs; IRS \$214,609.85 ps; Jack Lederman \$676.87 smcs; Jack's Uniforms \$1,773.62 smcs; Jackson Services \$437.23 smcs; Java Junction \$123.05 smcs; Jimmy John's \$111.87 smcs; John Deere \$3,011.95 smcs; Johnstone Supply \$78.81 smcs;

Jones, K \$350.00 smcs; K & J Elite Sports Turf \$49,100.00 smcs; KY Chamber \$206.00 smcs; KY Crete & Block \$1,065.59 smcs; KY Crossfit \$1,925.00 smcs; KY Hub \$239.92 smcs; KY Quality Sew \$54.98 smcs; KY Tennis Assoc. \$441.00 smcs; KY Towing \$745.00 smcs; KY Visitors Bureau \$259,180.40 smcs; KY Warehouse \$1,645.70 smcs; Kelly Equipment \$20,912.00 smcs; Kelly Supply \$1,229.67 smcs; KGFW \$304.00 smcs; Kings III Emergency \$415.00 co; Kitt's Kitchen \$8.64 smcs; Klog \$333.77 smcs; Kodex \$45.00 smcs; KVFD \$101,675.00 ps; Landmark Implement \$349.48 smcs; Laser Technology \$632.04 smcs; League NE Municipalities \$442.00 smcs; Liberty Supply \$462.83 smcs; Lincoln Journal Star \$49.98 smcs; Lincoln Nat'l Life \$10,427.80 smcs; Liquor License Renew \$937.48 smcs; LMN Graphics \$700.00 smcs; Lockmobile \$33.28 smcs; Luke, B \$94.50 smcs; Lunbery, S \$141.75 smcs; Macqueen \$3,536.50 smcs; Magic Cleaning \$6,354.50 smcs; Maize KY \$145.08 smcs; Marlatt Precision \$3,350.86 smcs; Marriott Cornhusker \$150.60 smcs; Masek Golf Car \$199.59 smcs; Matheson Trigas \$163.30 smcs; McCartney, Erin Chpt.13 \$254.00 ps; Med Tech Forensics \$179.00 smcs; Menards \$6,577.78 smcs; Merrill Company \$464.66 smcs; Merryman Performing Arts \$1,351.15 smcs; MES \$118.99 smcs; Microsoft \$32.10 smcs; Mid American Signal \$2,973.00 smcs; Mid NE Aggregate \$437.20 smcs; Midway USA \$100.98 smcs; Midwest Connect \$7,772.47 smcs; Midwest Turf & Irrigation \$2,287.64 smcs; Milco Environmental \$300.00 smcs; Mirror Image \$73.78 smcs; Mission Square \$7,175.60 ps; Municipal Supply \$124,710.08 smcs; Murphy Tractor \$814.76 smcs; Napa \$1,488.09 smcs; NDEQ \$115.00 smcs; NE Assn. \$120.00 smcs; NE Child Support \$1,304.95 ps; NE Dept. Revenue \$104,320.81 smcs,ps; NE Flight School \$45.00 smcs; NE Floodplain \$20.00 smcs; NE Generator \$2,749.82 smcs; NE Golf & Turf \$208.38 smcs; NE Library Commission \$2,906.23 smcs; NE Machinery \$6,152.91 smcs; NE Planzone \$20.00 smcs; NE Public Health \$666.00 smcs; NE Rural \$300.00 smcs; NE Safety & Fire \$31,820.12 co; NE Statewide Arboretum \$300.00 smcs; Nelson's Furniture \$317.00 smcs; Network Solutions \$66.17 smcs; NI Event Reg \$180.00 smcs; Nielsen Contracting \$444,701.25 co; Northern Safety \$182.56 smcs; Northwestern Energy \$2,260.71 smcs; Novus \$59.95 smcs; NPPD \$107,307.38 smcs; NU CPS Registration -\$1,100.00 smcs; Nutrien Ag Solution \$275.00 smcs; NWEA \$1,880.00 smcs; ODP Business \$52.94 smcs; Office Depot \$1,099.06 smcs; Office Max \$699.78 smcs; Omaha Performing Arts \$3,680.00 smcs; O'Reilly \$1,156.48 smcs; Orkin \$499.00 smcs; OTC Brands \$510.65 smcs; Otter \$99.99 smcs; Outrigger Kona Resort \$1,387.33 smcs; Panera Bread \$38.13 smcs; Papa John's \$305.11 smcs; PATC Training \$125.00 smcs; PB Online Postage \$515.00 smcs; Penworthy \$383.37 smcs; Pep Co. \$206.55 smcs; Peterbilt of Lincoln \$439.40 smcs; Petsmart \$361.62 smcs; Phillips 66 \$31.03 smcs; Photo Card Specialists \$93.62 smcs; Ping \$651.61 smcs; Pioneer Woman Magazine \$29.97 smcs; Pitney Bowes Leasing \$65.97 smcs; Platinum Awards & Gifts \$13.05 smcs; Platte Valley Auto \$2,090.30 smcs; Platte Valley Comm. \$1,527.58 smcs; Platte Valley Laboratory \$760.70 smcs; Plumbing & Heating Whole \$10.05 smcs; Police Officers Assn. \$1,860.00 smcs; Pollard Water \$234.14 smcs; Positive Concepts \$460.00 smcs; Poster My Wall \$44.90 smcs; Prairie View Roofing \$5,365.80 smcs; Premium Woods \$1,500.00 smcs; Preserve \$110.00 smcs; Presto-X \$107.01 smcs; Prime Secured \$1,915.93 co; Prime Video \$6.41 smcs; PSHRA Public Sector HR \$577.18 smcs; Pure Platinum \$375.00 smcs; Pye-Barker \$385.00 smcs; QT \$61.10 smcs; Quantum Saw Products \$386.28 smcs; Quill Corporation \$263.55 smcs; Radwell Int'l \$356.22 smcs; Rasmussen Mechanical \$20,037.05 smcs,co; Raynor Garage Doors \$155.00 smcs; Ready Mixed Concrete \$1,120.00 co; Reams Supply \$2,059.25 smcs; Redman's Shoes \$1,937.57 smcs; Remarkable \$58.00 smcs; Rentokil \$450.28 smcs; Res Q Store \$338.30 smcs; Ring, E

\$169.00 smcs; Roadbuilders Machinery \$129.15 smcs; Rodgers, J \$350.00 smcs; Russell's Appliance \$158.00 smcs; S & J Construction \$3,664.50 co; Sam's Club \$1,003.01 smcs; Sanitation Products \$133.13 smcs; Sapp Bros. \$81,751.50 smcs; Saylor Screenprinting \$1,594.76 smcs; Scheepers Flower \$561.75 smcs; School District #7 \$2,165.00 smcs; School Specialty \$278.20 smcs; Schumacher Elevator \$35,997.50 co; SDSU \$175.00 smcs; Select Sprayers \$699.36 smcs; Sign Center \$453.96 smcs; SLA Corp \$449.97 smcs; Snap-On Tools \$2,102.00 smcs; Sontiq \$615.03 ps; SOS Portable Toilets \$234.00 smcs; Spectrum \$464.47 smcs; Sports Imports \$57.00 smcs; Sprinkler Warehouse \$1,484.03 smcs; SS World Wide \$176.77 smcs; State of Nebraska/DAS \$35.28 smcs; Steinbrink Landscaping \$1,522.47 smcs; Steinhauser, D \$1,998.00 smcs; Stokey, J \$94.50 smcs; Streicher' MO \$28,325.60 smcs; Stutsman \$2,745.00 smcs; Sun Life \$81,794.48 smcs; Superior \$1,998.00 smcs; Supply House \$399.64 smcs; Tack Form \$76.52 smcs; TAPCO \$3,519.00 smcs; Target \$395.55 smcs; Teachers Pay Teachers \$5.34 smcs; Titan Machinery \$94.28 smcs; T-Mobile \$35.60 smcs; Tommy's Express \$180.00 smcs; Tractor Supply \$1,159.76 smcs; Train Play And Compete \$1,548.25 smcs; Transunion \$114.80 smcs; Traveler's \$478.00 smcs; Tri City Sign \$6,910.00 smcs; Tri Co. Glass \$919.00 smcs; Triple Crown Products \$1,436.83 smcs; Trophy Depot \$40.24 smcs; True Value \$481.09 smcs; Turner Body Shop \$2,500.00 smcs; Tye & Rowling \$17,419.81 smcs; Uber \$19.96 smcs; UI \$1,114.70 smcs; Unifirst Corporation \$131.88 smcs; Union Bank & Trust \$131,097.14 ps; United \$130.00 smcs; United Way \$20.00 ps; UPS \$594.92 smcs; USA Blue Book \$1,780.20 smcs; USPS \$382.10 smcs; VA \$2,475.00 smcs; Verizon \$15,436.84 smcs; Vestis Services \$926.81 smcs; Village Cleaners \$114.38 smcs; Village Services \$206.81 smcs; Volaire Aviation \$2,000.00 smcs; VW Golf \$445.45 smcs; Walgreens \$16.87 smcs; Walmart \$989.72 smcs; Walsh, C \$469.81 smcs; Ward Laboratories \$392.00 smcs; WaterLink \$709.41 smcs; West Villa Animal Hospital \$931.74 smcs; Western NRG \$337.50 smcs; Wilbur, B \$159.00 smcs; Winlectric \$6,593.47 smcs; Winnelson \$1,863.42 smcs; Wolfe Comm. \$249.50 smcs; World Herald Newspaper \$37.99 smcs; WPCI \$1,508.95 smcs; Yanda's Music \$60.00 smcs; Youtube \$391.51 smcs; Zoho Corp \$1,722.00 smcs; Zoro Tools \$105.99 smcs; Payroll Ending 11/29/2025 -- \$688,125.38. 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. 2025-158 setting the interest rate, providing equal annual installments, providing the interest rate for delinquent installments for special assessments for 2026 with regard to the creation of paving, water and sanitary sewer districts; and to establish a policy on reimbursing developers for infrastructure costs for Developer Constructed Infrastructure Agreements.

RESOLUTION NO. 2025-158

BE IT RESOLVED BY THE PRESIDENT AND COUNCIL OF THE CITY OF KEARNEY, NEBRASKA:

Section 1. Streets that have been improved by paving, curbing and guttering and incidental work, and/or the installation of water mains, and/or the installation of sanitary sewer mains shall be assessed to lots and parcels of ground where specially benefited by said improvements and the total amount of said special assessments does not exceed the costs of said improvements exclusive of the cost of the intersections and areas formed

by the crossing of streets, avenues and alleys as heretofore determined by the Mayor and City Council.

Section 2. All special assessments provided for by the laws of the state shall become due fifty (50) days after the date of levy and may be paid within that time without interest, but if not so paid, each installment, except the first, shall draw interest at the rate of 6.0 per centum per annum from the date the Board of Equalization convened until the same become delinquent. This interest rate is effective for the 2026 calendar year.

Section 3. Such assessments shall become delinquent in equal annual installments as follows:

Paving	Water	Sanitary Sewer
1/10th fifty days after date of Board of Equalization	1/5th fifty days after date of Board of Equalization	1/5th fifty days after date of Board of Equalization
1/10th one year after date of Board of Equalization	1/5th one year after date of Board of Equalization	1/5th one year after date of Board of Equalization
1/10th two year after date of Board of Equalization	1/5th two year after date of Board of Equalization	1/5th two year after date of Board of Equalization
1/10th three year after date of Board of Equalization	1/5th three year after date of Board of Equalization	1/5th three year after date of Board of Equalization
1/10th four year after date of Board of Equalization	1/5th four year after date of Board of Equalization	1/5th four year after date of Board of Equalization
1/10th five year after date of Board of Equalization		
1/10th six year after date of Board of Equalization		
1/10th seven year after date of Board of Equalization		
1/10th eight year after date of Board of Equalization		
1/10th nine year after date of Board of Equalization		

Such assessments shall become delinquent in equal annual installments over such period of years as set forth above. Delinquent installments shall bear interest at the rate specified in Section 45-104.01 of the Nebraska Revised Statutes, which is currently set at fourteen percent, and such rate may from time to time be adjusted by the Legislature, until paid and shall be collected in the usual manner for the collection of general taxes and shall be subject to the same penalties.

Section 4. Pursuant to Section 9-1310 of the Kearney City Code, the City will reimburse Developers for infrastructure costs considered the responsibility of the City as outlined in paragraphs 1, 2, 3, and 4 of Section 57-103(B) of the Kearney City Code based on the most recent unit price bids received by the City, and approved by the City Council, for similar projects. The attached schedule of unit price bids is hereby approved by the City Council and shall be used by the City Engineer to calculate infrastructure reimbursements to Developers for qualified Developer Constructed Infrastructure Agreements approved by the City Council during the 2026 calendar year. Developers will

not be reimbursed for infrastructure items not included on the attached schedule of unit price bids.

PASSED AND APPROVED THIS 9TH DAY OF DECEMBER, 2025.

ATTEST:
PEGGY EYNETICH
CITY CLERK

JONATHAN NIKKILA
PRESIDENT OF THE COUNCIL
AND EX-OFFICIO MAYOR

4. Approve the purchase of a Sanitation Side Loading Refuse Compactor Truck in the amount of \$416,966.00 submitted by Elliot Equipment Co. under the Sourcewell Cooperative Purchasing Contract program to be used by the Utilities Department.

5. Adopt Resolution No. 2025-159 approving Change Order No. 1 showing a decrease in the amount of \$50,908.00, the Application and Certificate for Payment No. 3-Final in the amount of \$236,745.13 and accept the Certificate of Substantial Completion submitted by Dan Roeder Concrete, Inc. and approved by Miller & Associates for 2025 Part 3 Improvements; Butler Avenue Place.

RESOLUTION NO. 2025-159

WHEREAS, Dan Roeder Concrete of Kearney, Nebraska has performed services in connection with the 2025 Part 3 Improvements – Butler Avenue Place, and the City’s engineer, Miller and Associates, have filed with the City Clerk Change Order No. 1 showing an increase in the amount of \$50,908.00 as shown on Exhibit “A” attached hereto and made a part hereof by reference; and

WHEREAS, Dan Roeder Concrete of Kearney, Nebraska and Miller and Associates have filed with the City Clerk Application and Certificate for Payment No. 3-Final in the amount of \$236,745.13 as shown on Exhibit “B” attached hereto and made a part hereof by reference and as follows:

Original Contract Sum	\$ 843,017.30
Change Order No. 1 (12/02/2025)	<u>- 50,908.00</u>
Contract Sum To Date	792,109.30
Gross Amount Due	792,109.30
Retainage (0%)	=
	<u>0.00</u>
Amount Due to Date	792,109.30
Less Previous Certificates for Payment	<u>- 555,364.17</u>
Current Payment Due	\$ 236,745.13

WHEREAS, the Engineer and Contractor have now certified to the City Clerk that work is completed as of October 31, 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. 1, as shown on Exhibit “A”, Application and Certificate for Payment No. 3-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 9TH DAY OF DECEMBER, 2025.

ATTEST:
 PEGGY EYNETICH
 CITY CLERK

JONATHAN NIKKILA
 PRESIDENT OF THE COUNCIL
 AND EX-OFFICIO MAYOR

6. Approve the Plans and Specifications in connection with 2025 Part 4 Improvements – Box Butte Development and set the bid opening date for January 6, 2026, at 2:00 p.m.

7. 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 Doug Mitchell, Manager submitted by Kearney Golf & Pickle, Inc. dba Drop Zone located at 101 11th Avenue.

8. Adopt Resolution No. 2025-160 approving Change Order No. 2 showing a decrease in the amount of \$132,542.62, the Application and Certificate for Payment No. 9 in the amount of \$103,991.50 submitted by Nielsen Contracting LLC and approved by Olsson for 2025 Part 2 Improvements - Highway 30 & University Drive Roundabout.

RESOLUTION NO. 2025-160

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. 2 showing an increase in the amount of \$132,542.62 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. 9 in the amount of \$103,991.50 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)	+ \$3,600.00
Change Order No. 2 (12/09/2025)	- <u>132,542.62</u>
Contract Sum To Date	3,352,660.27
Total Work Completed and Stored To Date	3,295,377.77
Retainage (10%)	<u>164,768.89</u>
Completed and Stored Less Retainage	3,130,608.88
Less Previous Certificates for Payment	<u>3,026,617.38</u>
Current Payment Due	<u>\$ 103,991.50</u>
Balance to finish, including retainage	<u>\$ 222,051.38</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. 2, as shown on Exhibit "A", Application and Certificate for Payment No. 9, as shown on Exhibit "B" be and are hereby accepted and approved.

PASSED AND APPROVED THIS 9TH DAY OF DECEMBER, 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

Kent Schroeder of Kearney provided information to Council Members and discussed his concerns regarding the number of unrelated occupants in a single-family dwelling used as a recovery residence located near a rental property he owns. Mr. Schroeder requested that the City consider amending Code to address his concerns. Mayor Nikkila thanked Mr. Schroeder for his comments and noted that Council would discuss any code changes with City Attorney, Michael Tye and Staff. Mr. Tye stated Staff will review City Code and noted that these types of dwellings are protected under federal law.

Mayor Nikkila thanked the Kearney Community Foundation for a successful Give Where You Live event, during which over \$ 2 million was raised.

Council Member Straatmann lauded the Kearney Area Arts Council on their Jazz at the World Theatre event.

Council Member Tami James Moore expressed her appreciation for the wide range of community events available throughout the holiday season.

VIII. ADJOURN

Moved by Nikkila seconded by Straatmann that Council adjourn at 6:09 p.m. Roll call resulted as follows: Aye: Nikkila, Schmidt, Straatmann, Buschkoetter, Moore. Nay: None. Motion carried.

ATTEST:

JONATHAN NIKKILA
PRESIDENT OF THE COUNCIL
AND EX-OFFICIO MAYOR

PEGGY EYNETICH
CITY CLERK