

*Kearney, Nebraska*  
*January 13, 2026*  
*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 January 13, 2026 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; Gabriel Kowalek, Chief of Police; Melissa Dougherty-O'Hara, City Planner; Luke Dutcher, Assistant Public Works Director; and several members of the Kearney Police Department, were also present. Members of the media present included: Mike Konz, Kearney Hub and Brian Neben, NRG Media.

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**

Members of the Kearney Police Department Honor Guard presented the colors. 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**

### **RECOGNITION CEREMONY FOR PROMOTION OF POLICE SERGEANTS DERRICK HOSICK AND AUSTIN HIBBERD**

Chief Gabriel Kowalek introduced Police Sergeants Derrick Hosick and Austin Hibberd and provided a brief background of each Sergeant. Chief Kowalek stated that Sergeant Hosick and Sergeant Hibberd exhibit the competency, character and culture required for the position and congratulated both Sergeants on their promotion.

Council Members congratulated Sergeant Hosick and Sergeant Hibberd on their promotions.

## **II. UNFINISHED BUSINESS**

There was no Unfinished Business.

## **III. PUBLIC HEARINGS**

### **VACATION OF UTILITY EASEMENT LOCATED IN CHERRY AVENUE INDUSTRIAL PARK**

Mayor Nikkila opened the Public Hearing on the application submitted by Miller & Associates Consulting Engineers, P.C. (Applicant) for OE Engines, LLC, a Nebraska Limited Liability Company (Owners) to vacate all of a 10' by 890' Utility Easement described as part of Lot 2, Cherry Avenue Industrial Park, an addition to the City of Kearney, Buffalo County, Nebraska and consider Ordinance No. 8777.

Craig Bennett, Miller & Associates presented this matter to the Council. Mr. Bennett described the location of the utility easement to be vacated, located on Blueprint Engines' property; the purpose for the vacation is for potential future expansion. Mr. Bennett noted there are other easements on the property that could be used for utilities if needed.

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 Consulting Engineers, P.C. (Applicant) for OE Engines, LLC, a Nebraska Limited Liability Company (Owners) and introduced Ordinance No. 8777 vacating all of a 10' by 890' Utility Easement described as part of Lot 2, Cherry Avenue Industrial Park, an addition to the City of Kearney, Buffalo County, Nebraska and consider Ordinance No. 8777 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. 8777. 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. 8777 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. 8777 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. 8777 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.

**REZONING OF PROPERTY LOCATED NORTH OF EAST 56TH STREET, WEST OF AVENUE K AND AVENUE I**

Mayor Nikkila opened the Public Hearing on the application submitted by Miller & Associates Consulting Engineers, P.C. (Applicant) for NP Land Development, Inc., a Nebraska Corporation (Owner) to rezone from District R-1, Urban Residential Single-Family District (Low Density) to District AG, Agricultural District for property described as a tract of land being part of the Southeast Quarter of Section 24, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (north of East 56th Street, west of Avenue K and Avenue I) and consider Ordinance No. 8778.

Craig Bennett, Miller & Associates presented this matter to the Council. Mr. Bennett described the property's location and noted that it is outside the City limits. The Future Land Use Map designates this area as Park, Rec, and Open Spaces, consistent with the unused space extending to 56th Street right-of-way.

Council Member Alex Straatmann asked if Buffalo County is currently taxing the land as agricultural. Mr. Bennett confirmed this and explained that the taxation would remain the same if the rezoning request is approved.

There was no one present in opposition to this hearing.

Moved by Schmidt to close the Public Hearing on the application submitted by Miller & Associates Consulting Engineers, P.C. (Applicant) for NP Land Development, Inc., a Nebraska Corporation (Owner) and introduced Ordinance No. 8778 rezoning from District R-1, Urban Residential Single-Family District (Low Density) to District AG, Agricultural District for property described as a tract of land being part of the Southeast Quarter of Section 24, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (north of East 56th Street, west of Avenue K and Avenue I) and consider Ordinance No. 8778 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 Buschkoetter seconded the motion to close the hearing and suspend the rules for Ordinance No. 8778. President of the Council asked for discussion or if anyone in the audience was interested in the ordinance. No one responded. Clerk called the roll which resulted as follows: Aye: Nikkila, Straatmann, Buschkoetter, Moore, Schmidt. Nay: None. Motion to suspend the rules having been concurred in by three-fourths of the City Council, said motion was declared passed and adopted. City Clerk read Ordinance No. 8778 by number. Roll call of those in favor of the passage of said ordinance on the first reading resulted as follows: Aye: Nikkila, Straatmann, Buschkoetter, Moore, Schmidt. Nay: None. Motion carried. Ordinance was read by number.

Moved by Buschkoetter seconded by Nikkila that Ordinance No. 8778 be passed, approved and published as required by law. Roll call resulted as follows: Aye: Nikkila, Buschkoetter, Moore, Schmidt, Straatmann. Nay: None. Motion carried.

By reason of the roll call voted on the first reading and final passage of the ordinance, Ordinance No. 8778 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.

**AMENDMENT TO THE LAND USE MAP FOR PROPERTY LOCATED NORTH AND EAST OF WEST 16TH AND 24TH AVENUE**

Public Hearings 3 through 7 were discussed together but voted on separately.

Mayor Nikkila opened the Public Hearing on the application submitted by Miller & Associates Consulting Engineers, P.C. (Applicant) for RHOJCOAMT Partnership, LTD (Owner) for an amendment to the Land Use Map of the City of Kearney Comprehensive Development Plan from Low Density Residential (LDR); Medium Density Residential (MDR); Neighborhood Mixed Use (MU1) and Office/Commercial Retail Mixed Use (MU2) to Office/Commercial Retail Mixed Use (MU2) for property described as a tract of land being part of the Southwest Quarter of the Southeast Quarter, part of the Northwest Quarter of the Southeast Quarter, part of the Southeast Quarter of the Southwest Quarter, and part of the Northeast Quarter of the Southwest Quarter of Section 3, Township 8 North, Range 16 West of the 6th P. M., Buffalo County, Nebraska (north and east of West 16th Street and 24th Avenue, and north of 11th Street (PIDs 58003000 and 5800200)) and consider Resolution No. 2026-1.

Craig Bennett, Miller & Associates presented this matter to the Council. Mr. Bennett described the location of the 3.57-acre parcel and discussed the proposed consolidation of the current Future Land Use (FLU) districts into only two districts, with the division of the two districts lining up with Yanney Avenue, water and sewer infrastructure, the potential location of stormwater detention cells and noted the property is eligible for Tax Increment Financing (TIF). It was further noted the proposed rezoning applies to the proposed one lot subdivision. Mr. Bennett stated that changes were made to the preliminary plat to address the concerns raised by neighboring property owners at the Planning Commission meeting.

Mayor Nikkila questioned what level of development would be required before a connection across the tailrace would be needed, and who would be responsible for paying for it. City Manager Brenda Jensen explained development will most likely occur from west to east; a connection wouldn't be needed until development occurs closer to the canal and noted construction costs would likely be split between the City, the Developer and property owners.

Council Member Straatmann requested clarification on the differences in the infrastructure costs between documents included in the packet. Ms. Jensen stated that Sarah Sawin, Utilities Director, noted the difference is due to cement costs for a 6-inch pour versus an 8-inch pour, which is used to better accommodate truck traffic.

There was no one present in opposition to this hearing.

Moved by Nikkila seconded by Straatmann to close the hearing and adopt Resolution No. 2026-1 approving the amendment to the Land Use Map of the City of Kearney Comprehensive Development Plan from Low Density Residential (LDR); Medium Density Residential (MDR); Neighborhood Mixed Use (MU1) and Office/Commercial Retail Mixed Use (MU2) to Office/Commercial Retail Mixed Use (MU2) for property described as a tract of land being part of the Southwest Quarter of the Southeast Quarter, part of the Northwest Quarter of the Southeast Quarter, part of the Southeast Quarter of the Southwest Quarter, and part of the Northeast Quarter of the Southwest Quarter of Section 3, Township 8 North, Range 16 West of the 6th P. M., Buffalo County, Nebraska (north and east of West 16th Street and 24th Avenue, and north of 11th Street (PIDs 58003000 and 5800200)). Roll call resulted as follows: Aye: Nikkila, Moore, Schmidt, Straatmann, Buschkoetter. Nay: None. Motion carried.

### **RESOLUTION NO. 2026-1**

WHEREAS, an application for a revision of the Land Use Map of the Comprehensive Plan has been filed in conjunction with and as a requisite part of its application for a change in the zoning for a tract of land being part of the Southwest Quarter of the Southeast Quarter, part of the Northwest Quarter of the Southeast Quarter, part of the Southeast Quarter of the Southwest Quarter, and part of the Northeast Quarter of the Southwest Quarter of Section 3, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska, and more particularly described as follows: Commencing at a PK nail at the Southeast Corner of the Southeast Quarter of Section 3; thence N 89°22'04" W on the South line of said Southeast Quarter, and all bearings contained herein are relative thereto, a distance of 1345.05 to the POINT OF BEGINNING; thence continuing N 89°22'04" W on said South line of the Southeast Quarter a distance of 1245.95 feet to the Southerly extension of the East line of 24th Avenue as dedicated in Brookestone Gardens Addition, an addition to the City of Kearney, Buffalo County, Nebraska; thence N 00°38'51" E on said East line of 24th Avenue a distance of 1010.03 feet to a 5/8" rebar w/cap on the North line of 16th Street as dedicated in said Brookestone Gardens Addition; thence N 89°21'50" W on said North line of said 16th Street a distance of 1245.81 feet to a 5/8" rebar w/cap at the Southeast corner of Lot 1, Buckle Second Addition, an addition to the City of Kearney, Buffalo County, Nebraska; thence N 02°04'02" E on the East line of said Lot 1 a distance of 1317.13 feet to a 5/8" rebar w/cap on the South line of a tract of land described in Quitclaim Deed recorded as Instrument 1998-3958 in the Buffalo County Register of Deeds Office; thence N 84°23'27" E on said South line of Instrument 1998-3958 a distance of 2473.87 feet; thence S 00°38'51" W a distance of 2595.78 feet to the Point of Beginning all located in Buffalo County, Nebraska from Low Density Residential (LDR); Medium Density Residential (MDR); Neighborhood Mixed Use (MU1) and Office/Commercial Retail Mixed Use (MU2) to Office/Commercial Retail Mixed Use (MU2).

WHEREAS, the said application for change in the Comprehensive Land Use Plan has been approved by the City Planning Commission, after a public hearing properly published and held, and

WHEREAS, the City Council has held a public hearing upon the said revision and voted in favor of a motion to approve the change in the Land Use Plan as requested by

the applicant.

NOW, THEREFORE, BE IT RESOLVED by the President and City Council of the City of Kearney, Nebraska, that the Comprehensive Land Use Plan be and is hereby amended to change from Low Density Residential (LDR); Medium Density Residential (MDR); Neighborhood Mixed Use (MU1) and Office/Commercial Retail Mixed Use (MU2) the use classification for a tract of land being part of the Southwest Quarter of the Southeast Quarter, part of the Northwest Quarter of the Southeast Quarter, part of the Southeast Quarter of the Southwest Quarter, and part of the Northeast Quarter of the Southwest Quarter of Section 3, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska, and more particularly described as follows: Commencing at a PK nail at the Southeast Corner of the Southeast Quarter of Section 3; thence N 89°22'04" W on the South line of said Southeast Quarter, and all bearings contained herein are relative thereto, a distance of 1345.05 to the POINT OF BEGINNING; thence continuing N 89°22'04" W on said South line of the Southeast Quarter a distance of 1245.95 feet to the Southerly extension of the East line of 24th Avenue as dedicated in Brookestone Gardens Addition, an addition to the City of Kearney, Buffalo County, Nebraska; thence N 00°38'51" E on said East line of 24th Avenue a distance of 1010.03 feet to a 5/8" rebar w/cap on the North line of 16th Street as dedicated in said Brookestone Gardens Addition; thence N 89°21'50" W on said North line of said 16th Street a distance of 1245.81 feet to a 5/8" rebar w/cap at the Southeast corner of Lot 1, Buckle Second Addition, an addition to the City of Kearney, Buffalo County, Nebraska; thence N 02°04'02" E on the East line of said Lot 1 a distance of 1317.13 feet to a 5/8" rebar w/cap on the South line of a tract of land described in Quitclaim Deed recorded as Instrument 1998-3958 in the Buffalo County Register of Deeds Office; thence N 84°23'27" E on said South line of Instrument 1998-3958 a distance of 2473.87 feet; thence S 00°38'51" W a distance of 2595.78 feet to the Point of Beginning all located in Buffalo County, Nebraska.

PASSED AND APPROVED THIS 13TH DAY OF JANUARY, 2026.

ATTEST:  
 PEGGY EYNETICH  
 CITY CLERK

JONATHAN NIKKILA  
 PRESIDENT OF THE COUNCIL  
 AND EX-OFFICIO MAYOR

**AMENDMENT TO THE LAND USE MAP FOR PROPERTY LOCATED NORTH AND EAST OF WEST 16TH AND 24TH AVENUE**

Public Hearings 3 through 7 were discussed together but voted on separately.

Mayor Nikkila opened the Public Hearing on the application submitted by Miller & Associates Consulting Engineers, P.C. (Applicant) for RHOJCOAMT Partnership, LTD (Owner) for an amendment to the Land Use Map of the City of Kearney Comprehensive Development Plan from Low Density Residential (LDR); Medium Density Residential (MDR); and Neighborhood Mixed Use (MU1) to Neighborhood Mixed Use (MU1) for property described as a tract of land being part of the Southeast Quarter of the Southeast Quarter, part of the Southwest Quarter of the Southeast Quarter, part of the Northeast Quarter of the Southeast Quarter, part of the Northwest Quarter of the Southeast Quarter, and part of the Southeast Quarter of the Northeast Quarter of Section 3, Township 8 North, Range 16 West of the 6th P. M., Buffalo County, Nebraska (north and east of West 16th Street and 24th Avenue, and north of 11th Street (PIDs 58003000 and 5800200)) and consider Resolution No. 2026-2.

There was no one present in opposition to this hearing.

Moved by Straatmann seconded by Moore to close the hearing and adopt Resolution No. 2026-2 approving the amendment to the Land Use Map of the City of Kearney Comprehensive Development Plan from Low Density Residential (LDR); Medium Density Residential (MDR); and Neighborhood Mixed Use (MU1) to Neighborhood Mixed Use (MU1) for property described as a tract of land being part of the Southeast Quarter of the Southeast Quarter, part of the Southwest Quarter of the Southeast Quarter, part of the Northeast Quarter of the Southeast Quarter, part of the Northwest Quarter of the Southeast Quarter, and part of the Southeast Quarter of the Northeast Quarter of Section 3, Township 8 North, Range 16 West of the 6th P. M., Buffalo County, Nebraska (north and east of West 16th Street and 24th Avenue, and north of 11th Street (PIDs 58003000 and 5800200)). Roll call resulted as follows: Aye: Nikkila, Schmidt, Straatmann, Buschkoetter, Moore. Nay: None. Motion carried.

### **RESOLUTION NO. 2026-2**

WHEREAS, an application for a revision of the Land Use Map of the Comprehensive Plan has been filed in conjunction with and as a requisite part of its application for a change in the zoning for a tract of land being part of the Southeast Quarter of the Southeast Quarter, part of the Southwest Quarter of the Southeast Quarter, part of the Northeast Quarter of the Southeast Quarter, part of the Northwest Quarter of the Southeast Quarter, and part of the Southeast Quarter of the Northeast Quarter of Section 3, Township 8 North, Range 16 West of the 6th P. M., Buffalo County, Nebraska, and more particularly described as follows: Commencing at a PK nail at the Southeast Corner of the Southeast Quarter of Section 3; thence N 89°22'04" W on the South line of said Southeast Quarter, and all bearings contained herein are relative thereto, a distance of 461.00 feet to the POINT OF BEGINNING; thence continuing N 89°22'04" W on said south line a distance of 884.05 feet; thence N 00°38'51" E a distance of 2595.78 feet to the South line of a tract of land described in Quitclaim Deed recorded as Instrument 1998-3958 in the Buffalo County Register of Deeds Office; thence N 84°23'27" E on said South line of Instrument 1998-3958 a distance of 1231.26 feet to a 5/8" rebar w/cap on the West line of the Kearney Canal Tailrace Right-of-Way; thence S 01°40'26" W parallel with and 170.00 feet West, as measured at right angles, of the East line of said Southeast Quarter of Section 3 a distance of 718.28 feet to a 5/8" rebar w/cap; thence S 04°32'24" W a distance of 200.00 feet to a 5/8" rebar w/cap; thence S 01°40'26" W parallel with and 180.00 feet West, as measured at right angles, of said East line of the Southeast Quarter a distance of 411.38 feet to a 5/8" rebar w/cap at the Northeast corner of said Instrument 2002-1623; thence N 89°21'57" W on the North line of said Instrument 2002-1623 a distance of 308.90 feet to a 5/8" rod at the Northwest corner of said Instrument 2002-1623; thence S 00°31'54" W on the West line of said Instrument 2002-1623 a distance of 1400.64 feet to the Point of Beginning all located in Buffalo County, Nebraska from Low Density Residential (LDR); Medium Density Residential (MDR); and Neighborhood Mixed Use (MU1) to Neighborhood Mixed Use (MU1).

WHEREAS, the said application for change in the Comprehensive Land Use Plan has been approved by the City Planning Commission, after a public hearing properly published and held, and

WHEREAS, the City Council has held a public hearing upon the said revision and

voted in favor of a motion to approve the change in the Land Use Plan as requested by the applicant.

NOW, THEREFORE, BE IT RESOLVED by the President and City Council of the City of Kearney, Nebraska, that the Comprehensive Land Use Plan be and is hereby amended to change from Low Density Residential (LDR); Medium Density Residential (MDR); and Neighborhood Mixed Use (MU1) the use classification for a tract of land being part of the Southeast Quarter of the Southeast Quarter, part of the Southwest Quarter of the Southeast Quarter, part of the Northeast Quarter of the Southeast Quarter, part of the Northwest Quarter of the Southeast Quarter, and part of the Southeast Quarter of the Northeast Quarter of Section 3, Township 8 North, Range 16 West of the 6th P. M., Buffalo County, Nebraska, and more particularly described as follows: Commencing at a PK nail at the Southeast Corner of the Southeast Quarter of Section 3; thence N 89°22'04" W on the South line of said Southeast Quarter, and all bearings contained herein are relative thereto, a distance of 461.00 feet to the POINT OF BEGINNING; thence continuing N 89°22'04" W on said south line a distance of 884.05 feet; thence N 00°38'51" E a distance of 2595.78 feet to the South line of a tract of land described in Quitclaim Deed recorded as Instrument 1998-3958 in the Buffalo County Register of Deeds Office; thence N 84°23'27" E on said South line of Instrument 1998-3958 a distance of 1231.26 feet to a 5/8" rebar w/cap on the West line of the Kearney Canal Tailrace Right-of-Way; thence S 01°40'26" W parallel with and 170.00 feet West, as measured at right angles, of the East line of said Southeast Quarter of Section 3 a distance of 718.28 feet to a 5/8" rebar w/cap; thence S 04°32'24" W a distance of 200.00 feet to a 5/8" rebar w/cap; thence S 01°40'26" W parallel with and 180.00 feet West, as measured at right angles, of said East line of the Southeast Quarter a distance of 411.38 feet to a 5/8" rebar w/cap at the Northeast corner of said Instrument 2002-1623; thence N 89°21'57" W on the North line of said Instrument 2002-1623 a distance of 308.90 feet to a 5/8" rod at the Northwest corner of said Instrument 2002-1623; thence S 00°31'54" W on the West line of said Instrument 2002-1623 a distance of 1400.64 feet to the Point of Beginning all located in Buffalo County, Nebraska.

PASSED AND APPROVED THIS 13TH DAY OF JANUARY, 2026.

ATTEST:  
PEGGY EYNETICH  
CITY CLERK

JONATHAN NIKKILA  
PRESIDENT OF THE COUNCIL  
AND EX-OFFICIO MAYOR

**REZONING OF VACANT LAND WEST OF 2915 WEST 16TH STREET**

Public Hearings 3 through 7 were discussed together but voted on separately.

Mayor Nikkila opened the Public Hearing on the application submitted by Miller & Associates Consulting Engineers, P.C. (Applicant) for RHOJCOAMT Partnership, LTD (Owner) to rezone from District AG, Agricultural District to District BP, Business Park District for property described as a tract of land being part of the Southeast Quarter of the Southwest Quarter and part of the Northeast Quarter of the Southwest Quarter of Section 3, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (vacant land west of 2915 West 16th Street) and consider Ordinance No. 8779.

There was no one present in opposition to this hearing.

Moved by Moore to close the Public Hearing on the application submitted by Miller & Associates Consulting Engineers, P.C. (Applicant) for RHOJCOAMT Partnership, LTD (Owner) and introduced Ordinance No. 8779 rezoning from District AG, Agricultural District to District BP, Business Park District for property described as a tract of land being part of the Southeast Quarter of the Southwest Quarter and part of the Northeast Quarter of the Southwest Quarter of Section 3, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (vacant land west of 2915 West 16th Street) and consider Ordinance No. 8779 and moved that the statutory rules requiring ordinances to be read by title on three different days be suspended and said ordinances be considered for passage on the same day upon reading by number only, and then placed on final passage and that the City Clerk be permitted to call out the number of the ordinance on its first reading and then upon its final passage. Council Member Schmidt seconded the motion to close the hearing and suspend the rules for Ordinance No. 8779. President of the Council asked for discussion or if anyone in the audience was interested in the ordinance. No one responded. Clerk called the roll which resulted as follows: Aye: Nikkila, Straatmann, Buschkoetter, Moore, Schmidt. Nay: None. Motion to suspend the rules having been concurred in by three-fourths of the City Council, said motion was declared passed and adopted. City Clerk read Ordinance No. 8779 by number. Roll call of those in favor of the passage of said ordinance on the first reading resulted as follows: Aye: Nikkila, Straatmann, Buschkoetter, Moore, Schmidt. Nay: None. Motion carried. Ordinance was read by number.

Moved by Schmidt seconded by Buschkoetter that Ordinance No. 8779 be passed, approved and published as required by law. Roll call resulted as follows: Aye: Nikkila, Buschkoetter, Moore, Schmidt, Straatmann. Nay: None. Motion carried.

By reason of the roll call voted on the first reading and final passage of the ordinance, Ordinance No. 8779 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 OLDFATHER FIRST ADDITION**

Public Hearings 3 through 7 were discussed together but voted on separately.

Mayor Nikkila opened the Public Hearing on the application submitted by Miller & Associates Consulting Engineers, P.C. (Applicant) for RHOJCOAMT Partnership, LTD (Owner), for the Final Plat and Subdivision Agreement of Oldfather First Addition, an addition to the City of Kearney, Buffalo County, Nebraska being described as a tract of land being part of the Southeast Quarter of the Southwest Quarter and part of the Northeast Quarter of the Southwest Quarter of Section 3, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (vacant land west of 2915 West 16th Street) and consider Resolution No. 2026-3.

There was no one present in opposition to this hearing.

Moved by Buschkoetter seconded by Nikkila to close the hearing and adopt Resolution No. 2026-3 approving the Final Plat and Subdivision Agreement of Oldfather First Addition, an addition to the City of Kearney, Buffalo County, Nebraska being described

as a tract of land being part of the Southeast Quarter of the Southwest Quarter and part of the Northeast Quarter of the Southwest Quarter of Section 3, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (vacant land west of 2915 West 16th Street). Roll call resulted as follows: Aye: Nikkila, Moore, Schmidt, Straatmann, Buschkoetter. Nay: None. Motion carried.

### **RESOLUTION NO. 2026-3**

BE IT RESOLVED BY THE PRESIDENT AND COUNCIL OF THE CITY OF KEARNEY, NEBRASKA, that the plat of Oldfather First Addition, an addition to the City of Kearney, Buffalo County, Nebraska for a tract of land being part of the Southeast Quarter of the Southwest Quarter and part of the Northeast Quarter of the Southwest Quarter of Section 3, 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 Southeast Corner of the Southwest Quarter of Section 3; thence S 89°22'04" E on the South line of said Southeast Quarter, and all bearings contained herein are relative thereto, a distance of 66.00 feet to the Southerly extension of the East line of 24th Avenue as dedicated in Brookestone Gardens Addition, an addition to the City of Kearney, Buffalo County, Nebraska; thence N 00°38'51" E on said East line of 24th Avenue a distance of 1010.03 feet to a 5/8" rebar w/cap on the North line of 16th Street as dedicated in said Brookestone Gardens Addition; thence N 89°21'50" W on said North line of 16th Street a distance of 852.54 feet to a 5/8" rebar w/cap at the POINT OF BEGINNING; thence continuing N 89°21'50" W on said North line of 16th Street a distance of 393.27 feet to a 5/8" rebar w/cap at the Southeast corner of Lot 1, Buckle Second Addition, an addition to the City of Kearney, Buffalo County, Nebraska; thence N 02°04'02" E on the East line of said Lot 1 a distance of 400.12 feet to a 5/8" rebar w/cap; thence S 89°21'50" E a distance of 383.36 feet to a 5/8" rebar w/cap; thence S 00°38'51" W a distance of 400.00 feet to the Point of Beginning. Containing 3.57 acres 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 13TH DAY OF JANUARY, 2026.

ATTEST:  
PEGGY EYNETICH  
CITY CLERK

JONATHAN NIKKILA  
PRESIDENT OF THE COUNCIL  
AND EX-OFFICIO MAYOR

**ANNEXATION OF OLDFATHER FIRST ADDITION**

Public Hearings 3 through 7 were discussed together but voted on separately.

Mayor Nikkila opened the Public Hearing on the application submitted by Miller & Associates Consulting Engineers, P.C. (Applicant) for RHOJCOAMT Partnership, LTD (Owner) for the annexation of Oldfather First Addition, an addition to the City of Kearney, Buffalo County, Nebraska being described as a tract of land being part of the Southeast Quarter of the Southwest Quarter and part of the Northeast Quarter of the Southwest Quarter of Section 3, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (vacant land west of 2915 West 16th Street) and consider Resolution No. 2026-4.

There was no one present in opposition to this hearing.

Moved by Nikkila seconded by Straatmann to close the hearing and adopt Resolution No. 2026-4 approving the annexation of Oldfather First Addition, an addition to the City of Kearney, Buffalo County, Nebraska being described as a tract of land being part of the Southeast Quarter of the Southwest Quarter and part of the Northeast Quarter of the Southwest Quarter of Section 3, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (vacant land west of 2915 West 16th Street). Roll call resulted as follows: Aye: Nikkila, Schmidt, Straatmann, Buschkoetter, Moore. Nay: None. Motion carried.

**RESOLUTION NO. 2026-4**

WHEREAS, an Application has been submitted by Miller & Associates Consulting Engineers, P.C. for RHOJCOAMT Partnership, LTD for the inclusion of Oldfather First Addition, an addition within the corporate boundaries of the City of Kearney said property described as a tract of land being part of the Southeast Quarter of the Southwest Quarter and part of the Northeast Quarter of the Southwest Quarter of Section 3, 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 Southeast Corner of the Southwest Quarter of Section 3; thence S 89°22'04" E on the South line of said Southeast Quarter, and all bearings contained herein are relative thereto, a distance of 66.00 feet to the Southerly extension of the East line of 24th Avenue as dedicated in Brookestone Gardens Addition, an addition to the City of Kearney, Buffalo County, Nebraska; thence N 00°38'51" E on said East line of 24th Avenue a distance of 1010.03 feet to a 5/8" rebar w/cap on the North line of 16th Street as dedicated in said Brookestone Gardens Addition; thence N 89°21'50" W on said North line of 16th Street a distance of 852.54 feet to a 5/8" rebar w/cap at the POINT OF BEGINNING; thence continuing N 89°21'50" W on said North line of 16th Street a distance of 393.27 feet to a 5/8" rebar w/cap at the Southeast corner of Lot 1, Buckle Second Addition, an addition to the City of Kearney, Buffalo County, Nebraska; thence N 02°04'02" E on the East line of said Lot 1 a distance of 400.12 feet to a 5/8" rebar w/cap; thence S 89°21'50" E a distance of 383.36 feet to a 5/8" rebar w/cap; thence S 00°38'51" W a distance of 400.00 feet to the Point of Beginning. Containing 3.57 acres more or less all located in Buffalo County, Nebraska with said property identified on the attached map marked as Exhibit "A"; and

WHEREAS, the Kearney City Planning Commission has received and held a public hearing on December 19, 2025 on the inclusion of Oldfather First Addition within the corporate limits and recommended the Kearney City Council approve said application; and

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

WHEREAS, a public hearing was held by the Kearney City Council relating to said application on January 13, 2026 who deemed the said addition to be included within the corporate limits to be advantageous to and in the best interests of the City.

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

BE IT FURTHER RESOLVED that the inclusion of Oldfather First Addition within the corporate limits of the City of Kearney is subject to the final plat being filed with the Buffalo County Register of Deeds.

PASSED AND APPROVED THIS 13TH DAY OF JANUARY, 2026.

ATTEST:  
PEGGY EYNETICH  
CITY CLERK

JONATHAN NIKKILA  
PRESIDENT OF THE COUNCIL  
AND EX-OFFICIO MAYOR

**PROPOSED AMENDMENTS TO SUBSECTION "12-122 - S", OF SECTION 12-103 "DEFINITION OF TERMS"; OF CHAPTER 12, "DEFINITIONS" AND SECTION 46-103 "SUPPLEMENTAL USE REGULATIONS: RESIDENTIAL USES" OF CHAPTER 46 "SUPPLEMENTAL USE REGULATIONS" OF THE CODE OF THE CITY OF KEARNEY**

Public Hearings 8 and 9 were discussed and voted on together.

Mayor Nikkila opened the Public Hearing on the proposed amendments to Subsection "12-122 - S", of Section 12-103 "Definition of Terms"; of Chapter 12, "Definitions" of the Code of the City of Kearney and consider Ordinance No. 8780.

Mayor Nikkila noted that several Council Members have spoken with community members regarding the proposed code changes and noted that Council has the option to take action or postpone these items to a future meeting

Melissa Dougherty-O'Hara, City Planner presented this matter to Council. Ms. Dougherty-O'Hara described the area to which the proposed code changes would apply, noting the limited development options in the Central Business District (CBD). Ms. Dougherty-O'Hara discussed the current code regulations compared with the proposed changes, noting that the proposed code requirements clarify when residential housing can be built, as Staff has been approached in the past regarding adaptive use of one-story buildings in the CBD. The proposed amendments would also provide guidelines for short-term rental operators and users regarding occupancy and life-safety issues.

Council Member Randy Buschkoetter questioned whether the code amendments would preclude boutique hotels and motels. Ms. Dougherty-O'Hara stated those require a Conditional Use Permit; Ms. Jensen stated they are considered a commercial use type, which would place them in a different category. Council Member Buschkoetter noted they could be one type of development; Ms. Jensen agreed. Ms. Jensen further noted multi-family dwellings could also be constructed in the CBD, citing Brigham Lofts as a current example.

Ms. Dougherty-O'Hara reviewed Table 46-1, noting the proposed changes to Group Density Requirements due to their being outdated for current building practices and to align with adopted building codes. Ms. Dougherty-O'Hara discussed the proposed code changes pertaining to short-term rentals, comparing the current code with the proposed requirements, noting the grey area in the current code regarding this type of use and the issues it creates.

Council Member Buschkoetter noted that current short-term rentals are most likely technically in violation due to the number of unrelated occupants allowed in residences under the current City Code. Ms. Dougherty-O'Hara agreed; Ms. Jensen noted that it is the case unless it is a family. Ms. Dougherty-O'Hara stated the proposed Code changes were first presented to Planning Commission in September. Due to concerns raised at that meeting, a subcommittee of four (4) Planning Commission members, made up of members who owned or had used short-term rentals, were nominated to work with Staff on the proposed amendments; the subcommittee met three (3) times. The subcommittee addressed the ability to increase occupancy of sleeping areas, provided provisions for appealing a revoked or denied permit, and added further language to address violations and enforcement. Ms. Dougherty-O'Hara reviewed the proposed definitions of short-term rentals and sleeping areas, along with proposed supplemental regulations for permitting and guidelines and provided a brief overview of facts pertaining to short-term rentals. Further discussion occurred between Council and Staff regarding the process of how various complaints would be addressed, including complaints submitted to short-term rental websites, what the purpose of the permit is if inspections aren't required and user's assumptions regarding an issued permit, challenges in delineating between short and long term rentals and concerns regarding noise complaints and how they would be verified.

The following citizens provided comments and concerns on the proposed Code amendments to Council: Tim Sinner, Kearney (provided at meeting); Tyler Wilterding, Kearney (provided at meeting); Brent Yaw, Kearney (via email); and Megan Decker, Kearney (via email).

Mayor Nikkila questioned why the current Board of Adjustment process isn't working. Ms. Dougherty-O'Hara stated that the Board of Adjustment is established to address variances and appeals related to decisions made by the Chief Building Official or the City Planner. The Board of Adjustment currently does not have the ability to rule on proposed housing development in the CBD pertaining to multi-story housing; housing is currently not allowed in single-story buildings. Council Member Kurt Schmidt noted in the proposed code amendments that residential use would be allowed in single-story buildings. Ms. Dougherty-O'Hara further noted that Board of Adjustment approval would not be required under the proposed code amendments due to the increased standards for residential use.

Ms. Jensen stated that the Board of Adjustment requirement was removed because this extra step wasn't needed for residential housing constructed on the main level of a multi-story building. Ms. Dougherty-O'Hara stated the proposed amendments protect the character of the commercial nature of Downtown further than what current regulations allow. Council Member Buschkoetter questioned the role that living spaces will have in Downtown. Ms. Dougherty-O'Hara stated in numerous communities, the benefits of mixed use are seen in Downtown areas, including single story buildings, as it provides adaptability for vacant buildings. Ms. Jensen noted there are 21 single story buildings along Central Avenue.

Moved by Straatmann, seconded by Moore to postpone Public Hearings 8 and 9 pertaining to amendments to the code of the City of Kearney until the January 27, 2026, Council Meeting. Roll call resulted as follows: Aye: Nikkila, Straatmann, Buschkoetter, Moore, Schmidt. Nay: None. Motion carried.

### **PERMANENT RIGHT-OF-WAY EASEMENT**

Mayor Nikkila opened the Public Hearing on the proposed Permanent Right-of-Way Easement granted by Gary L. Henderson, Owner, for a tract of land being part of Government Lot 3 in Section 29, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska, dedicated for Right-of-Way Easement purposes and consider Resolution No. 2026-5.

Sarah Sawin, Director of Utilities presented this matter to the Council. Ms. Sawin described the Permanent Right-of-Way Easement for Burt Avenue and explained the easement is necessary for paving and water infrastructure for the Box Butte development.

There was no one present in opposition to this hearing.

Moved by Moore seconded by Schmidt to close the hearing and adopt Resolution No. 2026-5 approving the proposed Permanent Right-of-Way Easement granted by Gary L. Henderson, Owner, for a tract of land being part of Government Lot 3 in Section 29, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska, dedicated for Right-of-Way Easement purposes. Roll call resulted as follows: Aye: Nikkila, Straatmann, Buschkoetter, Moore, Schmidt. Nay: None. Motion carried.

### **RESOLUTION NO. 2026-5**

WHEREAS, Section 18-1755, R.R.S., authorizes a city obtaining 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 Right-of-Way Easement and voted in favor to proceed with the acquisition; and

WHEREAS, Gary L. Henderson, Owner has granted to the City of Kearney, Nebraska, a Permanent Right-of-Way Easement as follows:

**PERMANENT RIGHT-OF-WAY EASEMENT**

A tract of land being part of Government Lot 3 in Section 29, Township 9 North, Range 15 West of the Sixth Principal Meridian, Buffalo County, Nebraska and more particularly described as follows: Commencing at the Southwest corner of said Government Lot 3; thence N 00°14'11" E on the West line of said Government Lot 3, and all bearings contained herein are relative thereto, a distance of 80.00 feet; thence S 89°45'49" E a distance of 30.00 feet to the Southerly extension of the East line of Outlot "A" of Northeast Industrial Fifth Subdivision, a subdivision being part of Government Lots 3 and 4 in Section 29, Township 9 North, Range 15 West of the Sixth Principal Meridian, Buffalo County, Nebraska and the POINT OF BEGINNING; thence N 00°14'11" E on said Southerly extension and on the East line of said Outlot "A" a distance of 762.12 feet to the North line of said Government Lot 3; thence S 89°48'54" E on said North line of Government Lot 3 a distance of 30.00 feet; thence S 00°14'11" W parallel with and 30.00 East, measured at right angles, of the East line of said Outlot "A" a distance of 762.15 feet to the North line of 39th Street; thence N 89°45'49" W on said North line of 39th Street a distance of 30.00 feet to the Point of Beginning. Containing 0.52 Acres, more or less all located in Buffalo County, Nebraska.

NOW, THEREFORE, BE IT RESOLVED by the Vice-President and City Council of the City of Kearney, Nebraska that the Permanent Right-of-Way Easement granted by Gary L. Henderson, Owner, 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 13TH DAY OF JANUARY, 2026.

ATTEST:  
PEGGY EYNETICH  
CITY CLERK

JONATHAN NIKKILA  
PRESIDENT OF THE COUNCIL  
AND EX-OFFICIO MAYOR

**IV. CONSENT AGENDA**

Moved by Schmidt seconded by Buschkoetter that Subsections 1 through 7 of Consent Agenda Item IV be approved. Roll call resulted as follows: Aye: Nikkila, Buschkoetter, Moore, Schmidt, Straatmann. Nay: None. Motion carried.

1. Approve Minutes of Regular Meetings held December 9, 2025 and December 16, 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; 4Imprint \$369.92 smcs; 911 Custom \$3,367.97 co; Abdo Publishing \$5,022.15 smcs; Ace Hardware \$506.19 smcs; Acushnet \$7,697.61 smcs; Agri Coop \$41,712.67 smcs; Alert Shirt \$1,092.29 smcs; Alfred Benesch \$72,019.41 co; All Copy \$155.44 smcs; All Pro Window \$650.00 smcs; All Safe Industries \$324.67 smcs; Alley Rose \$418.28 smcs; Allo \$733.27 smcs; Ally B Designs \$150.00 smcs; Amax Contracting \$263.28 smcs; Amazon \$27,659.21 smcs,co; American \$276.23 smcs; American Fence \$67.98 co; American Red Cross \$480.00 smcs; American Water Works \$2,380.00 smcs; Anderson, K \$154.78 smcs; Antelope Sprinkler \$150.84 co; Anything Truck \$1,463.90 smcs; Apple \$23.01 smcs; Arch, the \$75,187.50 smcs; Archangel Device \$8,049.30 smcs; Arlo Technologies \$10.69 smcs; Arnold Motor Supply \$1,376.51 smcs; Artisans \$80.00 smcs; Ask Supply \$1,902.66 smcs; AT&T \$2,475.62 smcs; Aurora Coop \$739.60 smcs; Aussie Hydraulics \$1,497.90 smcs; Aviation Laboratories \$230.42 smcs; B&H Photo \$3,338.01 smcs,co; B2B Prime -\$49.48 smcs; Bambu Lab \$97.30 smcs; Baum Hydraulics \$510.27 smcs; Bead Pro \$598.00 smcs; Bear Frame & Alignment \$442.76 smcs; Belson Outdoors \$901.80 smcs; Ben Pavelka Entp. \$59,871.96 co; Benson, G \$141.50 smcs; Bepalec, J \$200.00 smcs; Best Books \$1,528.36 smcs; BeyondTent \$899.99 co; Bitwarden \$576.00 smcs; Blackstone Library \$1,712.45 smcs; Blauer Manufacturing \$803.20 smcs; Blue Card Command \$385.00 smcs; BlueCross BlueShield \$435,485.75 smcs; Bomgaars \$208.16 smcs; Boogaarts \$22.56 smcs; Bosselman \$15,605.87 smcs; Bossfuels \$17,963.05 smcs; Brady Worldwide \$383.92 smcs; Brand Management \$618.62 smcs; Breeze Transports \$77.79 smcs; Broadfoot Sand \$1,080.00 smcs; Brown's Shoe \$150.00 smcs; Buffalo Co. Redi-Mix \$800.00 smcs; Buffalo Co. Register \$40.00 smcs; Buffalo Co. Sheriff \$285,107.04 smcs; Buffalo Co. Treasurer \$5.13 smcs; Buffalo Outdoor Power \$34.07 smcs; Builders \$1,395.71 smcs,co; Building Product Sale \$1,057.40 smcs; C&I Equipment \$1,611.15 co; Cabela's \$344.94 smcs; Camera Doctor \$110.20 smcs; Cannavista \$971.75 smcs; Canva \$119.40 smcs; Car Parts \$22.64 smcs; Card My Yard \$128.40 smcs; Casey's \$79.80 smcs; Cash Wa \$2,457.75 smcs; Celebration On Central \$476.16 smcs; Cenex \$1,276.04 smcs; Center Point Publishing \$83.76 smcs; Central NE Bobcat \$12,069.62 smcs,co; Certified Power \$365.00 smcs; Chat GPT \$600.00 smcs; Chemsearch \$411.66 smcs; Chesterman \$703.50 smcs; Christine's Horseback \$650.00 smcs; Christmas Designers \$2,006.57 smcs; Cintas Corp \$628.91 smcs; Ciox Health \$20.00 smcs; City of KY \$814,376.04 smcs,ps; CityServiceValcon \$145,772.90 smcs; Cleverwaiver \$49.99 smcs; CMC Neptune \$1,080.00 smcs; Cold Spring \$1,330.90 smcs; Colleen Williams Presents \$500.00 smcs; Comfy Bowl \$160.50 smcs; Comm. Action Mid NE \$2,880.00 smcs; Complete Weddings \$575.00 smcs; Computer Hardware \$249.95 co; Consolidated Concrete \$1,521.54 smcs; Construction Rental \$1,947.61 smcs,co; Continental Fire Sprinkler \$2,469.00 smcs; Control Yours \$150.00 smcs; Copycat Printing \$1,046.38 smcs; Country Partners \$46,709.49 smcs; Court Reserve \$180.17 smcs; Culligan \$124.26 smcs; Cummins \$1,768.65 smcs; Cunningham's Journal \$30.00 smcs; Cutting Edge Cleaning \$85.00 smcs; Dare Catalog \$229.63 smcs; Data Shield \$210.24 smcs; David Barth \$312.00 smcs; Dawson Public Power \$20,898.35 smcs; Dell \$4,840.39 co; Digicert \$199.38 smcs; Dish Network \$151.12 smcs; Dival Safety \$373.14 smcs; DK La Vista \$2,150.00 smcs; Dollar General \$6.42 smcs; Doordash \$240.35 smcs; Dowhy Towing \$125.00 smcs; Dry Creek Arsenal \$11,338.54 smcs; DTS Technology \$32.09 smcs; Dunham's \$128.30 smcs; Dunlop Sport \$2,046.72 smcs; Eakes \$5,646.34 smcs; Earl May \$70.00 smcs; Echo Electric \$21,489.75 smcs,co; Ecolab \$141.81 smcs; Eileen's Cookies \$43.00 smcs; EJ'S Outdoor Sports \$62.10 smcs; EKWIL \$82.50 smcs; Elliott

Equipment \$12,138.22 smcs; Encore Studios \$206.28 smcs; Engineered Controls \$140.00 smcs; ERA Waters Company \$300.65 smcs; Erin Condren \$57.57 smcs; ESRI \$427.64 smcs; Exhaust Pros \$97.25 smcs; Expression Wear \$1,041.00 smcs; Eyemed \$2,423.28 smcs; Facebook \$342.91 smcs; Family Fresh Market \$38.28 smcs; Family Practice \$795.00 smcs,ps; Fastenal \$2,423.90 smcs; FBI NAA National \$300.00 smcs; Financial Partners \$3,175.80 co; Fire Dept. Safety Officers \$694.00 smcs; First National Bank \$50.00 smcs; First Tactical \$1,261.46 smcs; Flaherty, T \$384.00 smcs; Floyd's Truck Center \$5,920.04 smcs; Foote's \$20.00 smcs; Forms Fulfillment Center \$312.41 smcs; Frazer Jr, A \$198.00 smcs; Friesen Chevrolet \$348.79 smcs; Frontier \$3,183.21 smcs; Fulfab \$3,044.95 smcs; Gale/Cengage \$208.57 smcs; Gambino's \$80.95 smcs; Garner Hotel \$233.90 smcs; Garrett Tires \$16,314.62 smcs; Gary Michaels \$45.00 smcs; Gaylord National \$317.42 smcs; General Parts \$705.99 smcs; Get Sling \$122.62 smcs; Give Nebraska \$20.00 ps; Global Aviation Navigation \$450.00 smcs; Go Physical \$110.00 ps; Golden Ticket Cinemas \$25.00 smcs; Good Sportsman \$68.00 smcs; Goodbrake, J \$96.05 smcs; Goodwin Tucker \$1,105.95 smcs; Gordon Electric \$84.42 smcs; GPM Truck Center \$2,510.52 smcs; Graham Tire \$764.02 smcs; Grainger \$1,134.10 smcs; Graphic Vision \$338.28 smcs; Great Plains Comm. \$1,061.25 smcs; Grey House Publishing \$2,085.00 smcs; GT Distributors \$80.00 smcs; Gumdrop Books \$8,040.10 smcs; Hampton Inns \$147.72 smcs; Hanger Hardware \$332.03 smcs; HD Supply \$269.19 smcs; Hilton \$2.00 smcs; Hobby Lobby \$707.49 smcs; Holiday Inn Express \$369.82 smcs; Holmes Plumbing \$140.15 smcs; Home Depot \$3,176.31 smcs,co; Hometown Leasing \$443.23 smcs; Hy Vee \$106.47 smcs; IAPE \$1,010.00 smcs; iFixit \$45.98 smcs; Ingram Library Services \$1,732.30 smcs; Inked Bran \$581.00 smcs; Insight Public Sector \$19,497.06 smcs; Integrated Security \$6,061.00 smcs; Inter Light Us \$296.74 smcs; Int'l Assn. for ID \$95.00 smcs; Invoice Home \$5.36 smcs; Iprint Technologies \$419.00 smcs; IRS \$451,481.84 ps; J & A Traffic Products \$10,220.00 smcs; Jack Lederman \$780.59 smcs; Jack's Uniforms \$752.68 smcs; Jackson Services \$524.63 smcs; Jensen Rogert Assoc. \$7,800.00 smcs; Jimmy Johns \$203.68 smcs; JMA Tool \$149.00 smcs; Johnstone Supply \$772.58 smcs; Jones & Bartlett Learning \$23.11 smcs; Kamler, M \$31.00 smcs; KY Area Builders \$375.00 smcs; KY Crete & Block \$7,847.29 smcs; KY Cultural Partners \$350.00 smcs; KY Marketplace \$30.00 smcs; KY Power Sports \$122.46 smcs; KY Rescue Cats \$2,225.17 smcs; KY Towing \$550.00 smcs; KY Warehouse \$1,806.93 smcs; KY Winlectric \$10,507.00 co; Kelly Supply \$3,643.90 smcs; KGFW \$403.00 smcs; Kitt's Coffee \$30.00 smcs; Kohl's \$95.93 smcs; Konica Minolta \$1,041.68 smcs; Krny. Comm. Sustainable \$9,300.00 smcs; Landmark Implement \$2,049.16 smcs; LCL Truck Equipment \$810.72 smcs; Lee Enterp. Advertising \$1,729.29 smcs; Lincoln Journal Star \$24.99 smcs; Lindner, L \$109.14 smcs; Love's \$72.73 smcs; LS-Lures Company Site \$642.00 smcs; MacQueen Equipment \$256,689.66 smcs,co; Magic Cleaning \$9,504.50 smcs; Mallory Safety & Supply \$482.00 smcs; Mara USA Corp \$184,971.79 smcs; Marriott Cornhusker Hotel \$112.00 smcs; Martinez, M \$2,000.00 smcs; McCartney, Erin Chpt. 13 \$508.00 ps; Med Tech Forensics \$234.00 smcs; Meith, T \$123.03 smcs; Menards \$9,840.48 smcs,co; Merrill Company \$374.39 smcs; Metapay \$21.39 smcs; MH Equipment \$756.07 smcs; Michael Todd \$138.70 smcs; Microfilm Imaging \$1,040.00 smcs; Microsoft \$139.09 smcs; Mid American Signal \$27,573.00 co; Mid NE Aggregate \$7,149.78 smcs; Midplains Equipment \$33.45 smcs; Midwest Alarm \$402.50 smcs; Midwest Connect \$12,082.06 smcs; Midwest Petroleum \$1,840.05 smcs; Midwest Turf \$11,940.35 smcs,co; Miller & Associates \$11,016.50 co; Miller Painting \$100,569.60 co; Miller, D \$200.00 smcs; Mirror Image \$279.31 smcs; Mission Square \$14,371.37 ps; Moonlight Custom \$1,402.77 smcs;

Municipal Supply \$88,482.06 smcs; Murphy Tractor \$564.45 smcs; Napa Auto \$2,381.73 smcs; Nations Photo Lab \$13.36 smcs; Nat'l School Resource \$50.00 smcs; Nature-Watch \$494.86 smcs; NDEQ \$395.00 smcs; NE Child Support Pmt \$2,609.90 ps; NE Dept of Enviro Energy \$1,322,899.86 smcs,ds; NE Dept of Revenue \$97,668.22 smcs,ps; NE Flight School \$45.00 smcs; NE Game & Parks \$400.00 smcs; NE Generator \$19,239.13 smcs; NE Machinery \$26,991.94 smcs,co; NE Recreation & Park \$135.00 smcs; NE State Fire Marshal \$540.00 smcs; Nebraska Rural \$200.00 smcs; Network Solutions \$137.13 smcs; NLETC \$284.00 smcs; Norrie, K \$56.17 smcs; Northern Safety \$39.12 smcs; Northwestern Energy \$35,957.36 smcs; NPPD \$104,099.58 smcs; Oak Creek Engineering \$12,547.54 smcs,co; ODP Business \$482.08 smcs; Office Max \$141.83 smcs; Old Navy \$105.91 smcs; Olsson Assoc. \$24,195.25 co; Online Postage \$1,030.00 smcs; O'Reilly \$880.46 smcs; Orkin \$149.00 smcs; Overdrive \$63,231.00 smcs; Overhead Door \$135.00 smcs; Paessler \$2,879.42 smcs; Penworthy \$598.32 smcs; Pep Co. \$330.76 smcs; Peterbilt \$119.26 smcs; Petsmart \$77.93 smcs; Pilot \$21.69 smcs; Pitney Bowes \$63.90 smcs; Platinum Awards & Gifts \$296.70 smcs; Platte Valley Auto \$2,100.00 co; Platte Valley Comm. \$285.00 smcs; Poster My Wall \$44.90 smcs; Prairie View Roofing \$35,735.00 co; Presto-X \$403.81 smcs; Prima \$425.00 smcs; Prime Secured \$5,485.77 co; Prime Video \$4.16 smcs; Project Energy Savers \$340.00 smcs; Provantage \$266.54 smcs; PSHRA Public Sector HR \$420.00 smcs; Psychological Resources \$600.00 smcs; Pye-Barker \$1,927.31 smcs,co; Qdoba \$319.46 smcs; Quill Corporation \$564.41 smcs; Radwell International \$562.82 smcs; Rasmussen Mechanical \$1,965.53 smcs; Ready Mixed Concrete \$2,400.00 smcs; Redman's Shoes \$2,227.24 smcs; Rentokil \$453.28 smcs; Rheome Tree \$11,000.00 smcs; RockIt \$2,318.96 smcs; Rundstrom, C \$65.00 smcs; Rutt's Heating \$1,152.25 smcs; Sandhills Truck \$929.60 smcs; Sawyer, R \$665.50 smcs; Saylor Screen Printing \$5,295.75 co; School District #7 \$1,020.00 smcs; Schroer, J \$1,773.00 smcs; Schumacher Elevator \$7,199.50 co; Schumacher Fencing \$144.20 smcs; SDSU Bookstore \$4.24 smcs; Sensit Technologies \$377.23 smcs; SGWS of NE \$759.83 smcs; Sherwin Williams \$333.85 smcs; Shoutbomb \$612.00 smcs; Sign Up Genius \$269.89 smcs; SignIt \$86.25 smcs; Siteone Landscape \$2,839.23 smcs,co; SLA Corp \$314.13 smcs; Snap-On Tools \$51.95 smcs; Society Human Resource \$299.00 smcs; Solar Thingz \$1,384.86 smcs; Sontiq \$575.07 ps; South Central Economic \$2,932.50 co; Spangler Candy \$1,044.05 smcs; Spectrum \$591.46 smcs; Spracklin Chiropractic \$100.00 smcs; SS World Wide \$279.53 smcs; Steele Land Co \$7.10 smcs; Stitch 3 \$105.00 smcs; Stryker Sales \$5,148.00 smcs; Stutsman \$3,843.00 smcs; Subitup \$124.69 smcs; Sunbelt Rentals \$176.12 smcs; Supply House \$66.35 smcs; T&T Mobile Washing \$235.00 smcs; Target \$320.07 smcs; Taylors Tins \$188.00 smcs; Tennis Express \$101.66 smcs; Text Alerts \$228.00 smcs; Titan Machinery \$21,122.85 smcs; Tmobile \$35.60 smcs; Toad Hollar Bar & Grill \$1,093.50 smcs; Tommy's Express \$215.00 smcs; Tractor Supply \$1,471.17 smcs; Transportation Control \$21,260.00 smcs,co; Transunion \$127.20 smcs; Traveler's \$1,263.00 smcs; Triple Crown Products \$1,401.40 smcs; True Value \$571.03 smcs,co; Turner Body Shop \$125.00 smcs; Tye & Rowling \$17,319.44 smcs; Tyler Technologies \$167,807.63 smcs; Uline \$864.45 smcs; Unifirst Corporation \$197.82 smcs; Unifirst First Aid \$1,894.49 smcs; Union Bank & Trust \$278,440.93 ps; United Way of KY \$20.00 ps; UPS \$101.06 smcs; USPS \$924.80 smcs; Van Wall Equipment \$365.79 smcs; Verizon \$14,510.75 smcs; Vermeer Equipment \$8,328.84 smcs; Vertical Lift \$12,500.00 smcs; Vestis Services \$547.40 smcs; Village Cleaners \$454.63 smcs; VW Golf \$163.09 smcs; Waggoner Plumbing \$3,419.78 smcs; Waldinger Corporation \$1,452.81 smcs; Walgreens \$7.47 smcs; Walmart \$1,971.89 smcs; Warrington, D \$141.50 smcs;

Webstaurant Store \$238.10 smcs; Wedding Sisters \$357.50 smcs; Western NRG \$337.50 smcs; Wilcac Life Insurance \$5.00 ps; Wilkins Architecture \$60,000.00 co; Winlectric \$6,254.59 smcs,co; Winnelson \$3,709.37 smcs; World Herald \$37.99 smcs; WPCI \$412.00 ps; Yanda's Music \$275.00 smcs; Yellow Van Cleaning \$662.50 smcs; Young, M \$329.50 smcs; Youtube \$192.55 smcs; Zoom \$18.17 smcs; Zoro Tools \$71.79 smcs; Payroll Ending 12/27/2025 -- \$722,227.42. 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. Reappointment of Jonathan Nikkila to serve on the Visit Kearney Board, the appointment of Kurt Schmidt and Tami James Moore to serve on the Buffalo County Economic Development Council, and the appointment of Tami James Moore, Alex Straatmann and Chuck Ogle to serve on the Joint Airport Zoning Board.

4. Adopt Resolution No. 2026-6 appointing City employee Brandon Shafto (License No. S-1572, Class A) to serve as the City Street Superintendent during January 1 thru December 31, 2026, with regard to requirements and duties with the Nebraska Department of Transportation as he has served in this capacity since November 6, 2015 and for the purpose of the 2026 calendar year Highway Incentive Payment, to be issued to the City of Kearney by the Nebraska Department of Transportation, in February 2027.

**RESOLUTION NO. 2026-6**

WHEREAS, City employee Brandon Shafto (License No. S-1572, Class A) will serve as the City Street Superintendent during January 1 thru December 31, 2026, with regard to requirements and duties with the Nebraska Department of Transportation, as he has served in this capacity since November 6, 2015; and

WHEREAS, City employee Brandon Shafto (License No. S-1572, Class A) will continue to serve as the City Street Superintendent for the purpose of the 2026 calendar year Highway Incentive Payment, to be issued to the City of Kearney by the Nebraska Department of Transportation, in February 2027.

NOW, THEREFORE, BE IT RESOLVED by the President and Council of the City of Kearney, Nebraska, authorizes and approves City employee Brandon Shafto (License No. S-1572, Class A) to serve as the City Street Superintendent during January 1 thru December 31, 2026, with regard to requirements and duties with the Nebraska Department of Transportation, as he has served in this capacity since November 6, 2015; and for the purpose of the 2026 calendar year Highway Incentive Payment, to be issued to the City of Kearney by the Nebraska Department of Transportation, in February 2027.

PASSED AND APPROVED THIS 13TH DAY OF JANUARY, 2026.

ATTEST:  
PEGGY EYNETICH  
CITY CLERK

JONATHAN NIKKILA  
PRESIDENT OF THE COUNCIL  
AND EX-OFFICIO MAYOR

5. Approve Resolution No. 2026-7 approving the use of NorthWestern Energy funds to assist with offsetting the construction cost for an approximate 12,000 square foot facility for aircraft maintenance located at the Kearney Regional Airport for Vertical Lift Maintenance Solutions, LLC.

## **RESOLUTION NO. 2026-7**

WHEREAS, the NorthWestern Energy Fund Committee, has recommended to the City Council that a total of \$25,000.00 of the NorthWestern Energy Funds be used to offset the construction cost for an approximate 12,000 square foot facility for aircraft maintenance, located at the Kearney Regional Airport by Vertical Lift Maintenance solutions, LLC; and

WHEREAS, the City Council has deemed it to be in the best interests of the City of Kearney to commit a total of \$25,000.00 of the NorthWestern Energy Funds as requested at the rate of \$12,500.00 per year for two (2) years with the first payment being dispersed once the Development Council for Buffalo County has received confirmation the new facility is being served by NorthWestern Energy. The second \$12,500.00 payment will be dispersed twelve months from the date of the first disbursement.

NOW, THEREFORE, BE IT RESOLVED by the President and Council of the City of Kearney, Nebraska, to approve a total of \$25,000.00 of the NorthWestern Energy Funds to Vertical Lift Maintenance Solutions, LLC to offset the cost of an approximate 12,000 square foot facility for aircraft maintenance, located at the Kearney Regional Airport with the first payment of \$12,500.00 payment being paid the effective date of this Resolution and the remaining \$12,500.00 being paid in one (1) year.

BE IT FURTHER RESOLVED that the City Manager is hereby authorized and directed to execute all grant related documents.

PASSED AND APPROVED THIS 13TH DAY OF JANUARY, 2026.

ATTEST:  
PEGGY EYNETICH  
CITY CLERK

JONATHAN NIKKILA  
PRESIDENT OF THE COUNCIL  
AND EX-OFFICIO MAYOR

6. Accept the bids received for the 2025 Part 4 Improvements (Box Butte) and adopt Resolution No. 2026-8 awarding the bid to Midlands Contracting, Inc. in the amount of \$2,876,284.50 contingent upon EDA approval.

7. Authorize the Mayor to send a letter of no recommendation to the Nebraska Liquor Control Commission on the Class D liquor license and manager applications for Megan Lynn Ayers, Manager, submitted by The Cigarette Store LLC dba Smoker Friendly 014 located at 3905 North 2nd Avenue, Suite 1 & 2.

## **V. CONSENT AGENDA ORDINANCES**

### **VI. REGULAR AGENDA**

### **VII. REPORTS**

Council Member Schmidt welcomed back Ms. Jensen.

Ms. Jensen noted the awarding of the bid to Midlands on the Box Butte project.

Council Member Straatmann congratulated the UNK wrestling team on their 2nd Place finish at the National Duals Invitational in Cedar Falls, Iowa.

**VIII. ADJOURN**

Moved by Nikkila seconded by Straatmann that Council adjourn at 7:19 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**