

Kearney, Nebraska
January 27, 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 27, 2026 in the Council Chambers at City Hall. Present were: Randy Buschkoetter, Vice-President of the Council; Peggy Eynetich, City Clerk; Council Members Tami James Moore, Kurt Schmidt and Alex Straatmann. Absent: Jonathan Nikkila. Brenda Jensen, City Manager; 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; and Jake Misener, Deputy City Clerk, were also present. Members of the media present included: Mike Konz, Kearney Hub.

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

I. ROUTINE BUSINESS

INVOCATION/MOMENT OF SILENCE

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

Vice-President Buschkoetter announced that in accordance with Section 84-1412 of the Nebraska Revised Statutes, a current copy of the Open Meetings Act is available for review and is posted on the wall of the Council Chambers.

ORAL COMMUNICATIONS

There were no Oral Communications.

II. UNFINISHED BUSINESS

There was no Unfinished Business.

III. PUBLIC HEARINGS

POSTPONED SINCE JANUARY 13, 2026: 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

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

Postponed from the January 13, 2026 City Council meeting. Vice-President Buschkoetter 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.

Melissa Dougherty-O'Hara, City Planner, presented this matter to the Council. Ms. Dougherty-O'Hara reviewed the modifications to the proposed code changes resulting from the January 13, 2026, Council meeting discussion and community feedback, including changes to the calculation of maximum occupancy, amendments to the application fee, and clarification on the verification of code complaints. Brenda Jensen, City Manager, noted that the three-strikes policy for complaints would apply on a per-calendar-year basis.

Vice-President Buschkoetter noted there were no changes to the proposed amendments to Chapter 12; Ms. Dougherty-O'Hara agreed. Council Member Kurt Schmidt expressed appreciation of Staff's openness and willingness to make changes to the original proposed amendments.

There was no one present in opposition to this hearing.

Moved by Straatmann to close 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 introduced Ordinance No. 8780 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. 8780. Vice-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: Schmidt, Straatmann, Buschkoetter. Nay: Moore. Nikkila absent. 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. 8780 by number. Roll call of those in favor of the passage of said ordinance on the first reading resulted as follows: Aye: Schmidt, Straatmann, Buschkoetter. Nay: Moore. Nikkila absent. Motion carried. Ordinance was read by number.

Moved by Schmidt seconded by Buschkoetter that Ordinance No. 8780 be passed, approved and published as required by law. Roll call resulted as follows: Aye: Schmidt,

Straatmann, Buschkoetter. Nay: Moore. Nikkila absent. Motion carried.

By reason of the roll call voted on the first reading and final passage of the ordinance, Ordinance No. 8780 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.

PROPOSED AMENDMENTS TO SECTION 46-103 "SUPPLEMENTAL USE REGULATIONS: RESIDENTIAL USES" OF CHAPTER 46 "SUPPLEMENTAL USE REGULATIONS" OF THE CODE OF THE CITY OF KEARNEY

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

Postponed from the January 13, 2026 City Council meeting. Vice-President Buschkoetter opened the Public Hearing on the proposed amendments to Section 46-103 "Supplemental Use Regulations: Residential Uses" of Chapter 46 "Supplemental Use Regulations" of the Code of the City of Kearney and consider Ordinance No. 8781.

There was no one present in opposition to this hearing.

Moved by Buschkoetter to close the public hearing on the proposed amendments to Section 46-103 "Supplemental Use Regulations: Residential Uses" of Chapter 46 "Supplemental Use Regulations" of the Code of the City of Kearney and introduced Ordinance No. 8781 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 Straatmann seconded the motion to close the hearing and suspend the rules for Ordinance No. 8781. Vice-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: Straatmann, Buschkoetter, Schmidt. Nay: Moore. Nikkila absent. 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. 8781 by number. Roll call of those in favor of the passage of said ordinance on the first reading resulted as follows: Aye: Straatmann, Buschkoetter, Schmidt. Nay: Moore. Nikkila absent. Motion carried. Ordinance was read by number.

Moved by Straatmann seconded by Schmidt that Ordinance No. 8781 be passed, approved and published as required by law. Roll call resulted as follows: Aye: Buschkoetter, Schmidt, Straatmann. Nay: Moore. Nikkila absent. Motion carried.

By reason of the roll call voted on the first reading and final passage of the ordinance, Ordinance No. 8781 is declared to be lawfully passed and adopted upon publication in pamphlet form and made available to the public at the Office of the City Clerk and the Kearney Public Library.

IV. CONSENT AGENDA

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

1. Approve Minutes of Regular Meeting held January 13, 2026.

2. Approve the following Claims:

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

3SI Security Systems \$600.00 smcs; 4 States Towing \$125.00 smcs; 911 Custom \$776.94 smcs; Absolute Software \$259.06 smcs; Agri Coop \$376.20 smcs; Alfred Benesch \$38,744.76 co; All Safe Industries \$372.00 smcs; Amax Contracting \$1,371.36 smcs; American Fence \$3,672.02 smcs,co; Anderson, M \$18.38 smcs; Arnold Motor Supply \$6,394.63 smcs; Artisans \$80.00 smcs; Audiology & Hearing \$21.23 smcs; Aurora Coop \$35.00 smcs; Baldwin, H \$15.00 smcs; Barcel Landscape \$3,795.00 smcs; Barreintez, M \$46.18 smcs; BlueCross BlueShield \$92,880.09 smcs; Bosselman \$35,000.06 smcs; Bossfuels \$17,421.47 smcs; Bryan, C \$76.58 smcs; Buffalo Co. Sheriff \$117.50 smcs; Cal/Amp \$808.50 smcs; Cardenas, C \$44.77 smcs; Carmody, M \$46.25 smcs; Carolina Software \$650.00 smcs; Cash Wa \$4,484.60 smcs; Center Point Large Print \$83.76 smcs; Central Comm. College \$300.00 smcs; Central District Health \$4,772.00 smcs; Central NE Bobcat \$10,255.20 smcs; Century 21 Midlands \$46.63 smcs; Chesterman \$3,435.50 smcs; City of KY \$8,752.79 smcs; CityServiceValcon \$69,309.71 smcs; Cold Spring \$1,162.35 smcs; Comm. Action of Mid NE \$7,869.00 smcs; Consolidated Concrete \$5,286.61 smcs; Cooperative Producers \$26.00 smcs; Core & Main \$13,732.38 smcs; Cozier, C \$84.10 smcs; Crane River Theater \$10,000.00 smcs; Cummins \$1,572.74 smcs; Dashlane USA \$5,040.00 smcs; Dawson Public Power \$21,975.06 smcs; Depository Trust Co. \$16,946.25 ds; Development Council \$10,250.00 smcs; Double J Plumbing \$56.77 smcs; Eakes \$326.60 smcs; Elliott Equipment \$403,747.80 smcs,co; Eurek, T \$67.12 smcs; Faz, S \$60.00 smcs; Fedex \$64.83 smcs; Financial Partners Group \$2,887.09 co; Finley, L \$37.54 smcs; Floyd's Truck Center \$6,804.10 smcs; Freburg, N \$84.67 smcs; Fuller, T \$60.02 smcs; FYR-TEK \$588.00 smcs; Gale/Cengage \$141.18 smcs; General Excavating \$2.93 smcs; Gillespie, A \$3.83 smcs; Goddard, L \$25.43 smcs; Godfrey, C \$5.00 smcs; Graczyk Lawn \$2,167.00 smcs; Gruber, D \$10.92 smcs; Hach \$10,049.00 smcs; Hertel, S \$16.14 smcs; Highland Park \$2,674.47 smcs; Honeywell, E \$40.86 smcs; Hub Int'l \$7,426.25 smcs; Ingersoll Rand \$571.20 smcs; Ingram Library Services \$3,267.00 smcs; Integrated Security \$1,060.00 smcs; Jack's Uniforms \$4,148.79 smcs; Johnson, L \$60.02 smcs; KEA Constructors \$12,267.71 co; KY Animal Shelter \$16,145.76 smcs; KY Chamber \$375.00 smcs; KY Marketplace \$20.00 smcs; KY Public Schools \$23.10 smcs; KY Towing \$95.00 smcs; King, Z \$107.80 smcs; Konica Minolta \$123.43 smcs; Lamarre, S \$23.74 smcs; Londer, B \$60.02 smcs; Luna, O \$31.00 smcs; Maaske, S \$71.00 smcs; Mallory \$76.00 smcs;

Mara USA Corp. \$131,824.78 smcs; McElhinny, M \$71.43 smcs; MCL Construction \$64,861.75 co; Meyer, A \$125.05 smcs; Midwest Connect \$292.65 smcs; Midwest Petroleum \$3,475.11 smcs; Miller & Associates \$7,904.54 smcs; Mirror Image \$279.31 smcs; Mobotrex \$2,257.00 co; Morlang, A \$15.50 smcs; Mostek Electric \$4,791.11 smcs; Mulligan Hill LLC, Brandt \$23.96 smcs; Municipal Supply \$119,505.49 smcs; Napa Auto \$2,019.15 smcs; Navigator Motorcoaches \$1,405.00 smcs; NE Dept Environmental \$33,214.92 smcs; NE Dept Revenue \$34,959.95 smcs; NE Supreme Court Pubs \$164.15 smcs; Niefeld, E \$31.00 smcs; Northwestern Energy \$530.33 smcs; NPPD \$93,666.81 smcs; Oak Creek Engineering \$1,737.50 smcs; Olsson Assoc. \$21,620.67 co; One Call Concepts \$276.68 smcs; Paternella, R \$46.15 smcs; Penworthy \$223.61 smcs; Pep Co. \$206.55 smcs; Pizza Ranch \$2,322.45 smcs; Presto-X \$736.62 smcs; Prime Secured \$2,669.32 smcs; Pye Barker \$495.00 smcs; Reinke's \$2,014.86 smcs; Resource Mgmt. \$3,914.00 smcs; Rheome Tree \$6,000.00 smcs; Ritz, T \$20.88 smcs; Robinson, I \$10.26 smcs; Rusk, M \$48.49 smcs; Russell's Appliance \$3,961.00 smcs; S.A.F.E Center \$500.00 smcs; Sapp Brothers \$22,308.79 smcs; Saylor, K \$95.52 smcs; Schroeder, J \$38.99 smcs; Schroeder, K \$8.82 smcs; See Clear Cleaning \$1,472.50 smcs; Sherwin-Williams \$58.45 smcs; Shuler, M \$68.88 smcs; Signit \$72.50 smcs; Snell Services \$75.00 smcs; SOS Portable Toilets \$319.60 smcs; Star Homes \$151.65 smcs; Stop Stik \$654.00 smcs; Stutsman \$1,098.00 smcs; T. James Enterprises \$69.43 smcs; Tapco \$550.00 smcs; Teaupa, C \$2.04 smcs; Thomsen. Riley \$8.70 smcs; Triple T Farms \$77.41 smcs; Turner Body Shop \$125.00 smcs; Unique Management \$361.15 smcs; Veik, B \$43.86 smcs; Veliz, A \$220.00 smcs; Victor Outdoor \$15,600.00 smcs; Wallick, J \$5.86 smcs; Waterlink \$709.41 smcs; Zoul Properties \$105.02 smcs; Payroll Ending 01/10/2026 -- \$669,546.25. The foregoing schedule of claims is published in accordance with Section 19-1102 of the Revised Statutes of Nebraska, and is published at an expense of \$_____ to the City of Kearney.

3. Receive recommendations of Planning Commission and set February 10, 2026 at 5:30 p.m. as date and time for hearing on those applications where applicable.
4. Adopt Resolution No. 2026-9 approving the recommendation submitted by the Fire Chief to include the following as members of the Kearney Volunteer Fire Department: Adrian Bueno-Hernandez.

RESOLUTION NO. 2026-9

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

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

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Kearney, Nebraska, that the persons recommended by the Chief of the Kearney Volunteer Fire Department for membership in the Kearney Volunteer Fire Department as set forth on the

attached letter of recommendation, marked Exhibit "A," attached hereto and made a part hereof by reference, are hereby confirmed as members of the Kearney Volunteer Fire Department for the purposes of and in accordance with Section 48-115 of the Nebraska Revised Statutes, and that said members are fully entitled to benefits under the Workers' Compensation Act.

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

PASSED AND APPROVED THIS 27TH DAY OF JANUARY, 2026.

ATTEST:
PEGGY EYNETICH
CITY CLERK

RANDY BUSCHKOETTER
VICE-PRESIDENT OF THE COUNCIL

- 5. Adopt Resolution No. 2026-10 accepting the public improvements constructed under a Developer Constructed Infrastructure Agreement for Oak Park Center Fourth.

RESOLUTION NO. 2026-10

WHEREAS, on the 13th day of August, 2024 the President and Council of the City of Kearney, Nebraska passed and approved Resolution No. 2024-105 authorizing the President of the Council to execute the Developer Constructed Infrastructure Agreement between the City of Kearney and Rodney K. Wiederspan, Co-Manager of Sorensen Acres, LLC, a Nebraska Limited Liability Company, to construct water, paving and storm sewer infrastructure to serve Oak Park Center Fourth, an addition to the City of Kearney, Buffalo County, Nebraska; and

WHEREAS, the Developer has constructed the public improvements in accordance with the requirements and standards set forth in Article 13 "Developer Constructed Infrastructure" of Chapter 9 "Public Works" of the Code of the City of Kearney; and

WHEREAS, in accordance with Section 9-1318 "Acceptance of Article 13 "Developer Constructed Infrastructure" of Chapter 9 "Public Works" of the Code of the City of Kearney the Developer has certified to the City that there are no liens or other encumbrances against the construction work; and

WHEREAS, the City's Engineers have determined that the work is in compliance with the design and is complete.

NOW THEREFORE, BE IT RESOLVED by the Vice-President and Council of the City of Kearney, Nebraska, that the public improvements for water, paving and storm sewer infrastructure to serve the property described as Oak Park Center Fourth, an addition to the City of Kearney, Buffalo County, Nebraska constructed under, and in accordance with, Article 13 "Developer Constructed Infrastructure" of Chapter 9 "Public Works" of the Code of the City of Kearney be and are hereby accepted.

PASSED AND APPROVED THIS 27TH DAY OF JANUARY, 2026.

ATTEST:
PEGGY EYNETICH
CITY CLERK

RANDY BUSCHKOETTER
VICE-PRESIDENT OF THE COUNCIL

- 6. Adopt Resolution No. 2026-11 approving Change Order No. 2 showing an increase

in the amount of \$10,966.80; an increase of 12 calendar days to Phase 2A, submitted by Constructors, Inc. and approved by Alfred Benesch and Company for Grant No.: 3-31-0045-040/041/042 in connection with the Apron Reconstruction Project at the Kearney Regional Airport.

RESOLUTION NO. 2026-11

WHEREAS, Constructors, Inc. of Lincoln, Nebraska has performed services in connection with Apron Reconstruction Project (Grant No.: 3-31-0045-040/041/042) at the Kearney Regional Airport, and the City's engineer, Alfred Benesch and Company, have filed with the City Clerk Change Order No. 2 showing an increase to the contract sum in the amount of \$10,966.80 and an increase of 12 calendar days to Phase 2A and total project duration, as shown on Exhibit "A" attached hereto and made a part hereof by reference and as follows;

Original Contract Sum	\$ 8,591,888.16
Change Order No. 1 (10-14-2025)	+ 38,780.76
Change Order No. 2 (01-27-2026)	+ <u>10,966.80</u>
Total New Revised Contract Amount	\$ 8,673,091.53

NOW, THEREFORE, BE IT RESOLVED by the Vice-President and Council of the City of Kearney, Nebraska, and hereby find and determine that Change Order No. 2, as shown on Exhibit "A" be and is hereby accepted and approved.

PASSED AND APPROVED THIS 27TH DAY OF JANUARY, 2026.

ATTEST:
PEGGY EYNETICH
CITY CLERK

RANDY BUSCHKOETTER
VICE-PRESIDENT OF THE COUNCIL

7. Adopt Resolution No. 2026-12 approving the Annual Redevelopment Project Report as required by State Statute 18.2117.02.

RESOLUTION NO. 2026-12

WHEREAS, on March 21, 2018, Governor Ricketts signed LB 874 which took effect on July 19, 2018; and

WHEREAS, Section 18-2117.02 of LB 874 states that on or before May 1 of each year, each authority shall compile information regarding the approval and progress of redevelopment projects that are financed in whole or in part through the division of taxes as provided in section 18-2147 and report such information to the governing body of the city and to the governing body of each county, school district, community college area, educational service unit, and natural resources district whose property taxes are affected by such division of taxes; and

WHEREAS, the report is required to include the following information:

1. Total number of active redevelopment projects within the city that have been financed in whole or in part through the division of taxes as provided in section 18-2147.
2. Total estimated project costs for such redevelopment projects.

3. A comparison between the initial projected valuation for property included in each such redevelopment project as described in the redevelopment contract and the assessed value of the property included in each such redevelopment project as of January 1 of the year of the report.

4. The number of such redevelopment projects approved by the governing body in the previous calendar year.

5. Information specific to each such redevelopment project approved by the governing body in the previous calendar year, including the project area, project type, amount of financing approved, and total estimated project costs.

6. The number of such redevelopment projects for which financing has been paid in full during the previous calendar year and for which taxes are no longer being divided pursuant to section 18-2147.

7. The percentage of the city that has been designated as blighted; and

WHEREAS, on January 12, 2026, the Community Redevelopment Authority approved the 2026 Annual Report.

NOW, THEREFORE, BE IT RESOLVED by the Vice-President and Council of the City of Kearney, Nebraska, that the 2026 Annual Report required by Section 18-2117.02 of LB 874 as set forth in the attached report, marked Exhibit "A," attached hereto and made a part hereof by reference, are hereby approved.

PASSED AND APPROVED THIS 27TH DAY OF JANUARY, 2026.

ATTEST:
PEGGY EYNETICH
CITY CLERK

RANDY BUSCHKOETTER
VICE-PRESIDENT OF THE COUNCIL

V. CONSENT AGENDA ORDINANCES

VI. REGULAR AGENDA

VII. REPORTS

Council Member Alex Straatmann received military orders to begin training in Newport, Rhode Island, beginning in July; he will be gone for 10 months.

Vice-President Buschkoetter expressed his appreciation for the dialogue on the short-term rental code changes at the last Council meeting, as well as working together to come up with a good solution.

Council Member Straatmann and Council Member Schmidt thanked community members who voiced their opinions on the short-term rental code changes.

VIII. ADJOURN

Moved by Buschkoetter seconded by Straatmann that Council adjourn at 5:41 p.m. Roll call resulted as follows: Aye: Schmidt, Straatmann, Buschkoetter, Moore. Nay: None. Motion carried.

ATTEST:

RANDY BUSCHKOETTER
VICE-PRESIDENT OF THE COUNCIL

PEGGY EYNETICH
CITY CLERK