

*Kearney, Nebraska
February 10, 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 February 10, 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; Kevin Thompson, Police Captain of Operations; and Jake Misener, Deputy City Clerk, were also present. Members of the media present included: Dave Griek, News Channel Nebraska and 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

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

RECOGNITION/ORAL COMMUNICATIONS

There were no Oral Communications.

II. UNFINISHED BUSINESS

There was no Unfinished Business.

III. PUBLIC HEARINGS

PROPOSED ACQUISITION OF LAND FOR PERMANENT SANITARY SEWER EASEMENT PURPOSES

Public Hearings 1 through 3 were discussed together but voted on separately.

Mayor Nikkila opened the public hearing on the proposed acquisition of a tract of land being part of the south 10.00 feet of Lot 1, Block 4, Saadi First, an addition to the City of Kearney, Buffalo County, Nebraska, containing 0.05 acres, more or less, dedicated for a Permanent 10' Sanitary Sewer Easement purposes from Camil Saadi, Managing Member of WinStar Enterprise, LLC, a Nebraska Limited Liability Company and consider Resolution No. 2026-13.

Sarah Sawin, Director of Utilities, presented this matter to the Council. Ms. Sawin explained that the purpose of the proposed easements is to serve the large lot on 39th Street and Antelope Avenue.

There was no one present in opposition to this hearing.

Moved by Straatmann seconded by Moore to close the hearing and adopt Resolution No. 2026-13 approving the acquisition of a tract of land being part of the south 10.00 feet of Lot 1, Block 4, Saadi First, an addition to the City of Kearney, Buffalo County, Nebraska, containing 0.05 acres, more or less, dedicated for a Permanent 10' Sanitary Sewer Easement purposes from Camil Saadi, Managing Member of WinStar Enterprise, LLC, a Nebraska Limited Liability Company. Roll call resulted as follows: Aye: Nikkila, Moore, Schmidt, Straatmann, Buschkoetter. Nay: None. Motion carried.

RESOLUTION NO. 2026-13

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

WHEREAS, the City Council has held a public hearing upon the proposed acquisition for a Permanent 10' Sanitary Sewer Easement and voted in favor to proceed with the acquisition; and

WHEREAS, Camil Saadi, Managing Member of WinStar Enterprise, LLC, a Nebraska Limited Liability Company, have granted to the City of Kearney, Nebraska a Permanent 10' Sanitary Sewer Easement as follows:

PERMANENT 10' SANITARY SEWER EASEMENT

The South 10.00 feet of Lot 1, Block 4, Saadi First, an addition to the City of Kearney, Buffalo County, Nebraska. Containing 0.05 acres, more or less.

NOW, THEREFORE, BE IT RESOLVED by the President and City Council of the City of Kearney, Nebraska that the Permanent 10' Sanitary Sewer Easement granted by Camil Saadi, Managing Member of WinStar Enterprise, LLC, a Nebraska Limited Liability

Company, to the City of Kearney be and is hereby approved and accepted.

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

PASSED AND APPROVED THIS 10TH DAY OF FEBRUARY, 2026.

ATTEST:
PEGGY EYNETICH
CITY CLERK

JONATHAN NIKKILA
PRESIDENT OF THE COUNCIL
AND EX-OFFICIO MAYOR

PROPOSED ACQUISITION OF LAND FOR PERMANENT SANITARY SEWER EASEMENT PURPOSES

Public Hearings 1 through 3 were discussed together but voted on separately.

Mayor Nikkila opened the public hearing on the proposed acquisition of a tract of land being a part of Lot 3, Block 4 of Saadi First, an addition to the City of Kearney, Buffalo County, Nebraska, containing 0.003 acres, more or less dedicated for Permanent Sanitary Sewer Easement purposes from Jeffery S. Baker and Kimberly A. Baker, a married couple and consider Resolution No. 2026-14.

There was no one present in opposition to this hearing.

Moved by Moore seconded by Schmidt to close the hearing and adopt Resolution No. 2026-14 approving the proposed acquisition of a tract of land being a part of Lot 3, Block 4 of Saadi First, an addition to the City of Kearney, Buffalo County, Nebraska, containing 0.003 acres, more or less dedicated for Permanent Sanitary Sewer Easement purposes from Jeffery S. Baker and Kimberly A. Baker, a married couple. Roll call resulted as follows: Aye: Nikkila, Schmidt, Straatmann, Buschkoetter, Moore. Nay: None. Motion carried.

RESOLUTION NO. 2026-14

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

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

WHEREAS, Jeffery S. Baker and Kimberly A. Baker, a married couple, have granted to the City of Kearney, Nebraska a Permanent Sanitary Sewer Easement as follows:

PERMANENT SANITARY SEWER EASEMENT

A tract of land being a part of Lot 3, Block 4 of Saadi First, an addition to the City of Kearney, Buffalo County, Nebraska, more particularly described as follows:

COMMENING at the Northwest corner of said Lot 3; thence S 00°08'58" E on the West line of said Lot 3, and all bearings contained herein are relative thereto, a distance of 9.37 feet to the POINT OF BEGINNING; thence continuing S 00°08'58" E on the West line of said Lot 3 a distance of 11.18 feet; thence S 63°35'03" E a distance of 11.99 feet; thence N 26°24'57" E a distance of 10.00. feet; thence N 63°35'03" W a distance of 16.99 feet to the Point of Beginning. Containing 0.003 acres, more or less.

NOW, THEREFORE, BE IT RESOLVED by the President and City Council of the City of Kearney, Nebraska that the Permanent Sanitary Sewer Easement granted by Jeffery S. Baker and Kimberly A. Baker, a married couple, 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 10TH DAY OF FEBRUARY, 2026.

ATTEST:
PEGGY EYNETICH
CITY CLERK

JONATHAN NIKKILA
PRESIDENT OF THE COUNCIL
AND EX-OFFICIO MAYOR

PROPOSED ACQUISITION OF LAND FOR PERMANENT UTILITY EASEMENT PURPOSES

Public Hearings 1 through 3 were discussed together but voted on separately.

Mayor Nikkila opened the public hearing on the proposed acquisition of a tract of land being part of Lot 3, Block 4, Saadi First, an addition to the City of Kearney, Buffalo County, Nebraska, containing 0.02 acres, more or less dedicated for Permanent 5' Utility Easement purposes from Jeffery S. Baker and Kimberly A. Baker, a married couple and consider Resolution No. 2026-15.

There was no one present in opposition to this hearing.

Moved by Moore seconded by Schmidt to close the hearing and adopt Resolution No. 2026-15 approving the proposed acquisition of a tract of land being part of Lot 3, Block 4, Saadi First, an addition to the City of Kearney, Buffalo County, Nebraska, containing 0.02 acres, more or less dedicated for Permanent 5' Utility Easement purposes from Jeffery S. Baker and Kimberly A. Baker, a married couple. Roll call resulted as follows: Aye: Nikkila, Schmidt, Straatmann, Buschkoetter, Moore. Nay: None. Motion carried.

RESOLUTION NO. 2026-15

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

WHEREAS, the City Council has held a public hearing upon the proposed acquisition for a Permanent 5' Utility Easement and voted in favor to proceed with the acquisition; and

WHEREAS, Jeffery S. Baker and Kimberly A. Baker, a married couple, have granted to the City of Kearney, Nebraska a Permanent 5' Utility Easement as follows:

PERMANENT 5' UTILITY EASEMENT

A tract of land being part of Lot 3, Block 4, Saadi First, an addition to the City of Kearney, Buffalo County, Nebraska, more particularly described as follows: BEGINNING at the Northwest corner of said Lot 3; thence N 89°51'02" E on the North line of said Lot 3, and all bearings contained herein are relative thereto, a distance of 186.35 feet; thence S 00°08'58" E a distance of 5.00 feet; thence S 89°51'02" W a distance of 186.35 feet to the West line of said Lot 3; thence N 00°08'58" W on the West line of said Lot 3 a distance of 5.00 feet to the Point of Beginning. Containing 0.02 acres, more or less.

NOW, THEREFORE, BE IT RESOLVED by the President and City Council of the City of Kearney, Nebraska that the Permanent 5' Utility Easement granted by Jeffery S. Baker and Kimberly A. Baker, a married couple, 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 10TH DAY OF FEBRUARY, 2026.

ATTEST:
PEGGY EYNETICH
CITY CLERK

JONATHAN NIKKILA
PRESIDENT OF THE COUNCIL
AND EX-OFFICIO MAYOR

IV. CONSENT AGENDA

Council Member Alex Straatmann stated that he and Council Member Tami James Moore consulted with City Attorney Michael Tye prior to the meeting to ensure that no conflict of interest would exist if they voted on Subsection 4 of the Consent Agenda. Mr. Tye confirmed both Council Members ability to vote on this item.

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

1. Approve Minutes of Regular Meeting held January 27, 2026.
2. Approve the following Claims:

PS	Personnel Services
SMCS	Supplies, Materials & Contractual Services
ER	Equipment Rental

CO	Capital Outlay
DS	Debt Service

911 Custom \$13,461.31 smcs,co; Agri Service Center \$18,720.63 smcs; All Copy \$111.81 smcs; All Safe Industries \$1,549.72 smcs; Amax Contracting \$1,782.32 smcs; APBA Region 12 \$90.00 smcs; Ask Supply \$2,253.75 smcs; Aurora Coop \$797.52 smcs; Barney Insurance \$3,224.00 smcs; Beavers, D \$20.00 smcs; Best Books \$41.98 smcs; BlueCross BlueShield \$208,908.33 smcs; Builders \$17.90 smcs; Capital Sanitary \$1,638.20 smcs; Cash Wa \$3,600.73 smcs; Chesterman \$1,695.00 smcs; City of KY \$636,230.44 smcs,ps; CityServiceValcon \$64,150.28 smcs; Clean Harbors \$26,277.70 smcs; Cleanearth \$4,080.00 smcs; CMH Interiors \$10,570.16 co; Comm Act Part of Mid NE \$19,123.15 smcs; Dan's Plumbing \$200.00 smcs; Development Council \$3,125.00 smcs; Eakes \$911.10 smcs; Family Practice \$459.00 smcs,ps; Fiala, J \$195.00 smcs; Fiddelke Heating \$26,743.00 co; Frontier \$2,426.63 smcs; Gale/Cengage \$198.38 smcs; Gill, K \$14.34 smcs; Go Physical Therapy \$55.00 ps; Hometown Leasing \$799.35 smcs; Hydronic Energy \$441.58 smcs; Ingersoll Rand \$667.07 smcs; Ingram Library Services \$7,829.10 smcs; IRS \$216,985.65 ps; J&A Traffic \$1,996.80 smcs; Jack Lederman \$95.86 smcs; Jacobi's Carpet One \$5,275.49 smcs; Jones, Kevin-polygraph \$175.00 smcs; Kart-Man \$2,789.00 smcs; KY Crete & Block \$3,413.30 smcs; KY Rescue Cats \$6,016.83 smcs; KY Storytelling \$350.00 smcs; Kucera Painting \$7,960.00 smcs; Liljehorn, S \$195.00 smcs; Liming, D \$24.56 smcs; Lincoln National Life Ins \$12,548.06 smcs; Magic Cleaning \$7,194.50 smcs; Mallory Safety \$367.00 smcs; Matt Friend Truck \$14,589.00 co; McCartney, Erin Chpt. 13 \$254.00 ps; Menards \$94.45 smcs; Mid American Signal \$27,265.00 smcs; Mid-NE Garage Doors \$275.00 smcs; Midwest Connect \$6,389.90 smcs; Miller & Associates \$76,678.62 co; Miller, D \$50.00 smcs; Mission Square \$7,148.03 ps; Motorola Solutions \$14,645.80 co; Municipal Supply \$99,402.31 smcs; NE Child Support Pmt. \$1,304.95 ps; NE Dept of Revenue \$90,047.99 ps; NE Dept. Economic Dev. \$2,914.86 smcs; NE Law Enforcement \$200.00 smcs; Newman Traffic \$75.20 smcs; Nielsen Contracting \$354,481.75 co; Northwestern Energy \$23,016.28 smcs; Oak Creek Engineering \$2,050.00 smcs; Omnify \$3,019.91 ps; O'Neill Wood \$138,000.00 smcs; Otto Environmental \$30,584.76 smcs; Peffer, B \$31.94 smcs; Pep Co \$441.01 smcs; Prestige Flag \$2,046.56 smcs; Presto-X \$337.21 smcs; PVS Chemical \$13,315.52 smcs; Pye Barker \$6,272.46 smcs; Ransdell, B \$150.00 smcs; Rasmussen Mechanical \$302.72 smcs; Reinke's \$1,030.59 smcs; Resource Mgmt. \$816.00 smcs; Robertson, J \$50.00 smcs; Schindler Elevator \$1,383.20 smcs; School District #7 \$1,403.00 smcs; Sherwin-Williams \$26.59 smcs; Sightlines Athletics \$48,540.00 co; Siteone Landscape \$4,749.60 smcs; Snap-On Tools \$762.04 smcs; Sontiq \$554.58 ps; SOS Portable Toilets \$257.60 smcs; Spartan Roofing \$26,760.00 co; State of Nebraska/DAS \$64.26 smcs; Stubbs, D \$31.00 smcs; Stutsman \$3,294.00 smcs; Sun Life \$88,887.19 smcs; Tesdall, G \$400.00 smcs; Traveler's \$541.00 smcs; Tri Co Glass \$24,900.00 smcs; Twin City Hardware \$841.69 co; Tyler & Rowling \$17,401.12 smcs; U.S. Bank \$237,483.79 smcs,co,ps; Union Bank & Trust \$138,667.94 ps; Vanco \$96.50 smcs; Verizon \$15,567.69 smcs; Village Uniform \$258.34 smcs; Vistar \$2,016.71 smcs; Wagers, W \$56.38 smcs; Wilkins Architecture \$172,800.00 co; Woosley, M \$150.00 smcs; Young, S \$150.00 smcs; Payroll Ending 01/24/2026 -- \$718,612.02. 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. 2026-16 accepting the public improvements constructed under a Developer Constructed Infrastructure Agreement for Arbor View Second; 63rd Street.

RESOLUTION NO. 2026-16

WHEREAS, on the 11th day of October, 2022 the President and Council of the City of Kearney, Nebraska passed and approved Resolution No. 2022-227 authorizing the President of the Council to execute the Developer Constructed Infrastructure Agreement between the City of Kearney and Timothy J. Norwood, Sr., Member of Fox Creek Development, LLC, a Nebraska Limited Liability Company, to construct water, sanitary sewer, paving and storm sewer to serve Arbor View Second; 63rd Street; 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 President and Council of the City of Kearney, Nebraska, that the public improvements for water, sanitary sewer, paving and storm sewer to serve the property described as Arbor View Second; 63rd Street 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 10TH DAY OF FEBRUARY, 2026.

ATTEST:
PEGGY EYNETICH
CITY CLERK

JONATHAN NIKKILA
PRESIDENT OF THE COUNCIL
AND EX-OFFICIO MAYOR

- 4. Adopt Resolution No. 2026-17 approving the Memorandum of Understanding with the Board of Regents of the University of Nebraska for and on behalf of the University of Nebraska at Kearney for the softball field at Dryden Park.

RESOLUTION NO. 2026-17

WHEREAS, the City of Kearney, Nebraska owns Dryden Park located at 601 East 31st Street; and

WHEREAS, the City of Kearney and the Board of Regents of the University of Nebraska, for and on behalf of the University of Nebraska at Kearney, wish to enter into a Memorandum of Understanding for the purpose of setting requirements of all parties pertaining to the Dryden Park softball field.

NOW, THEREFORE, BE IT RESOLVED by the President and Council of the City of Kearney, Nebraska, that the Memorandum of Understanding, a copy marked as Exhibit A is attached hereto and made a part hereof by reference, be and is hereby approved.

BE IT FURTHER RESOLVED by the President and City Council of the City of Kearney, Nebraska that the City Manager be and is hereby authorized and directed to execute the Memorandum of Understanding on behalf of the City of Kearney.

PASSED AND APPROVED THIS 10TH DAY OF FEBRUARY, 2026.

ATTEST:
PEGGY EYNETICH
CITY CLERK

JONATHAN NIKKILA
PRESIDENT OF THE COUNCIL
AND EX-OFFICIO MAYOR

V. CONSENT AGENDA ORDINANCES

VI. REGULAR AGENDA

VII. REPORTS

Mayor Nikkila recognized University of Nebraska at Kearney Athletic Director, Marc Bauer for his partnership with the City on the Dryden Park softball field improvements.

Council Member Straatmann spoke briefly on the Kearney Area Chamber of Commerce Annual Banquet.

Brenda Jensen, City Manager detailed the Dryden Park Softball Field Memorandum of Understanding with the Board of Regents of the University of Nebraska, noting the partnership with the University of Nebraska at Kearney, and the improvements that will be made with funding from UNK and from generous donors.

VIII. ADJOURN

Moved by Nikkila seconded by Straatmann that Council adjourn at 5:37 p.m. Roll call resulted as follows: Aye: Nikkila, Buschkoetter, Moore, Schmidt, Straatmann. Nay: None. Motion carried.

ATTEST:

JONATHAN NIKKILA
PRESIDENT OF THE COUNCIL
AND EX-OFFICIO MAYOR

PEGGY EYNETICH
CITY CLERK