

Kearney, Nebraska
March 13, 2018
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 March 13, 2018 in the Council Chambers at City Hall. Present were: Stanley A. Clouse, President of the Council; Lauren Brandt, City Clerk; Council Members Randy Buschkoetter, Bruce Lear and Jonathan Nikkila. Absent: Bob Lammers. Michael Morgan, City Manager; Michael Tye, City Attorney; Julie Smith, Deputy City Clerk, Wendell Wessels, Director of Finance; Paul Briseno, Assistant City Manager; Tony Jelinek, Director of Utilities; Rod Wiederspan, Director of Public Works; Eric Hellriegel, Project Coordinator; Dan Lynch, Chief of Police and Shawna Erbsen, Administrative Services Director were also present. Members of the media present included: Kyle LaBoria from KGFW Radio and Mike Konz from 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

Pastor Kris Pfeil provided the invocation.

PLEDGE OF ALLEGIANCE

Two Boy Scouts from Troop 158 led the Council members and audience in the Pledge of Allegiance.

ANNOUNCEMENT

Mayor Clouse 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

CONDITIONAL USE PERMIT TO OPERATE A DAY CARE AT 515 EAST 56TH STREET

Mayor Clouse opened the public hearing on the application submitted by Joshua and Lisa Miller and The Table Church for a Conditional Use Permit to operate a childcare facility and preschool on property zoned District R-1, Urban Residential Single-Family District (Low Density) and described as Lot 28, Block Seven, Countryside Estates Addition to the City of Kearney, Buffalo County, Nebraska (515 East 56th Street) and to consider Ordinance No. 8229.

Joshua and Lisa Miller of 3040 East 102nd Street in Kearney presented this matter to the Council. Lisa Miller stated that the couple currently have a daycare facility north of Kearney and want to move it within City limits to 515 East 56th Street. They will have a daycare and preschool facility. There are currently two handicap parking stalls and 41 parking stalls at the new location. Employee parking will be to the east side. There will be sanitation containers fenced off. There will be two separate playground areas; one directly behind the building and a larger playground area on the south side. There are two gates on the east part of the property and there are three outside exits outside of the front exit, so they have four exits in the building for escape.

There was no one present in opposition to this hearing.

Moved by Nikkila to close the public hearing on the Application submitted by Joshua and Lisa Miller and The Table Church for a Conditional Use Permit to operate a childcare facility and preschool on property zoned District R-1, Urban Residential Single-Family District (Low Density) and described as Lot 28, Block Seven, Countryside Estates Addition to the City of Kearney, Buffalo County, Nebraska (515 East 56th Street) and introduced Ordinance No. 8229 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 Lear seconded the motion to close the hearing and suspend the rules for Ordinance No. 8229. 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: Clouse, Lear, Nikkila, Buschkoetter. Nay: None. Lammers 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. 8229 by number. Roll call of those in favor of the passage of said ordinance on the first reading resulted as follows: Aye: Clouse, Lear, Nikkila, Buschkoetter. Nay: None. Lammers absent. Motion carried. Ordinance was read by number.

Moved by Lear seconded by Buschkoetter that Ordinance No. 8229 be passed, approved and published as required by law. Roll call resulted as follows: Aye: Clouse, Nikkila, Buschkoetter, Lear. Nay: None. Lammers absent. Motion carried.

By reason of the roll call voted on the first reading and final passage of the ordinance,

Ordinance No. 8229 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, the Kearney Police Department and the Kearney Public Library.

AMENDMENT TO LAND USE MAP FOR PROPERTY LOCATED AT 715 AVENUE D

Public Hearings 2 and 3 were discussed together but voted on separately.

Mayor Clouse opened the public hearing on the application submitted by Miller & Associates for Buffalo Properties, L.L.C. for an amendment to the Land Use Map of the City of Kearney Comprehensive Development Plan from Low Density Residential to Medium Density Residential property described as the West 84.25 feet of Lot 2, Marianne Hunt Third Addition, an addition to the City of Kearney, Buffalo County, Nebraska; TOGETHER WITH the North 125.0 feet of Lot 1, Howland Subdivision, a subdivision to the City of Kearney, Buffalo County, Nebraska, AND Lot 1, EXCEPTING HOWEVER, the North 125.0 feet of said Lot, and ALL of Lot 2, Howland Subdivision, a subdivision to the City of Kearney, Buffalo County, Nebraska (715 Avenue D) and to consider Resolution No. 2018-35.

Craig Bennett presented this matter to the Council. Mr. Bennett stated that this property was located south of 8th Street and east of Avenue D in the southeast portion of Kearney, and contains 1.06 acres. The property is currently split into two primary lots, although there is a small sliver of a lot from the original subdivision that is included in the parcel. The property is primarily M-1 except for the sliver adjacent to 8th Street, which is R-2. The owners are asking to rezone from M-1 and R-2 to all of R-3. The property is contiguous to, and outside of the City Limits currently. The existing Future Land Use Map, as a comparison, is LDR (Low Density Residential) and the owner is proposing to change that to MDR (Medium Density Residential), which would be consistent with what is adjacent to the northeast partition of the property. There had been a lot split on the property already with the final plat, and the owner is asking to leave the lot split as it is for the purposes of apartments.

There was no one present in opposition to this hearing.

RESOLUTION NO. 2018-35

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 the West 84.25 feet of Lot 2, Marianne Hunt Third Addition, an addition to the City of Kearney, Buffalo County, Nebraska; TOGETHER WITH the north 125.0 feet of Lot 1, Howland Subdivision, a subdivision to the City of Kearney, Buffalo County Nebraska, AND Lot 1, EXCEPTING HOWEVER, the North 125.0 feet of said Lot, and ALL of Lot 2, Howland Subdivision, a subdivision to the City of Kearney, Buffalo County, Nebraska, containing 1.06 acres more or less, all in Buffalo County, Nebraska (715 Avenue D), from "Low Density Residential" to "Medium Density Residential", and

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" to "Medium Density Residential" the use classification for the area described as the West 84.25 feet of Lot 2, Marianne Hunt Third Addition, an addition to the City of Kearney, Buffalo County, Nebraska; TOGETHER WITH the north 125.0 feet of Lot 1, Howland Subdivision, a subdivision to the City of Kearney, Buffalo County Nebraska, AND Lot 1, EXCEPTING HOWEVER, the North 125.0 feet of said Lot, and ALL of Lot 2, Howland Subdivision, a subdivision to the City of Kearney, Buffalo County, Nebraska, containing 1.06 acres more or less, all in Buffalo County, Nebraska (715 Avenue D).

PASSED AND APPROVED THIS 13TH DAY OF MARCH, 2018.

ATTEST:
LAUREN BRANDT
CITY CLERK

STANLEY A. CLOUSE
PRESIDENT OF THE COUNCIL
AND EX-OFFICIO MAYOR

Moved by Buschkoetter seconded by Clouse to close the hearing and adopt Resolution No. 2018-35 approving the Application submitted by Miller & Associates for Buffalo Properties, L.L.C. for an amendment to the Land Use Map of the City of Kearney Comprehensive Development Plan from Low Density Residential to Medium Density Residential property described as the West 84.25 feet of Lot 2, Marianne Hunt Third Addition, an addition to the City of Kearney, Buffalo County, Nebraska; TOGETHER WITH the North 125.0 feet of Lot 1, Howland Subdivision, a subdivision to the City of Kearney, Buffalo County, Nebraska, AND Lot 1, EXCEPTING HOWEVER, the North 125.0 feet of said Lot, and ALL of Lot 2, Howland Subdivision, a subdivision to the City of Kearney, Buffalo County, Nebraska (715 Avenue D). Roll call resulted as follows: Aye: Clouse, Buschkoetter, Lear, Nikkila. Nay: None. Lammers absent. Motion carried.

REZONING OF PROPERTY LOCATED AT 715 AVENUE D

Public Hearings 2 and 3 were discussed together but voted on separately.

Mayor Clouse opened the public hearing on the Application submitted by Miller & Associates for Buffalo Properties, L.L.C. to rezone from District M-1, Limited Industrial District and R-2, Urban Residential Mixed-Density District to District R-3, Urban Residential Multi-Family District (Medium Density) property described as the West 84.25 feet of Lot 2, Marianne Hunt Third Addition, an addition to the City of Kearney, Buffalo County, Nebraska; TOGETHER WITH the North 125.0 feet of Lot 1, Howland Subdivision, a subdivision to the City of Kearney, Buffalo County, Nebraska, AND Lot 1, EXCEPTING HOWEVER, the North 125.0 feet of said Lot, and ALL of Lot 2, Howland Subdivision, a subdivision to the City of Kearney, Buffalo County, Nebraska (715 Avenue D) and to consider Ordinance No. 8230.

There was no one present in opposition to this hearing.

Moved by Clouse to close the public hearing on the Application submitted by Miller &

Associates for Buffalo Properties, L.L.C. to rezone from District M-1, Limited Industrial District and R-2, Urban Residential Mixed-Density District to District R-3, Urban Residential Multi-Family District (Medium Density) property described as the West 84.25 feet of Lot 2, Marianne Hunt Third Addition, an addition to the City of Kearney, Buffalo County, Nebraska; TOGETHER WITH the North 125.0 feet of Lot 1, Howland Subdivision, a subdivision to the City of Kearney, Buffalo County, Nebraska, AND Lot 1, EXCEPTING HOWEVER, the North 125.0 feet of said Lot, and ALL of Lot 2, Howland Subdivision, a subdivision to the City of Kearney, Buffalo County, Nebraska (715 Avenue D) and introduced Ordinance No. 8230 and moved that the statutory rules requiring ordinances to be read by title on three different days be suspended and said ordinances be considered for passage on the same day upon reading by number only, and then placed on final passage and that the City Clerk be permitted to call out the number of the ordinance on its first reading and then upon its final passage. Council Member Nikkila seconded the motion to close the hearing and suspend the rules for Ordinance No. 8230. 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: Clouse, Buschkoetter, Lear, Nikkila. Nay: None. Lammers 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. 8230 by number. Roll call of those in favor of the passage of said ordinance on the first reading resulted as follows: Aye: Clouse, Buschkoetter, Lear, Nikkila. Nay: None. Lammers absent. Motion carried. Ordinance was read by number.

Moved by Nikkila seconded by Lear that Ordinance No. 8230 be passed, approved and published as required by law. Roll call resulted as follows: Aye: Clouse, Lear, Nikkila, Buschkoetter. Nay: None. Lammers absent. Motion carried.

By reason of the roll call voted on the first reading and final passage of the ordinance, Ordinance No. 8230 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, the Kearney Police Department and the Kearney Public Library.

IV. CONSENT AGENDA

Moved by Lear seconded by Buschkoetter that Subsections 1 through 19 of Consent Agenda Item IV be approved. Roll call resulted as follows: Aye: Clouse, Nikkila, Buschkoetter, Lear. Nay: None. Lammers absent. Motion carried.

1. Approve the corrected Minutes of Regular Meeting held February 13, 2018 and the Minutes of Regular Meeting held February 27, 2018.

2. Approve the following Claims:

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

Alfred Benesch, \$30,572.17, co; Amazon, \$1,984.52, smcs; Anderson Bros, \$6,659.15, smcs; Anderson,C, \$0.90, smcs;Antelope Newspaper, \$260.00, smcs; Arndt,A, \$36.14, smcs; Ask Supply, \$889.99, smcs; Aurora Coop, \$81.60, smcs; Auto Value Parts, \$1,515.80, smcs; Baker & Taylor, \$3,538.20, smcs; Bamford, \$250.00, smcs; Beck,J, \$131.10, smcs; Blackstone Audio Books, \$344.98, smcs; Blessing, \$1,375.00, smcs; BlueCross/BlueShield, \$149,569.37, smcs; Bosselman, \$15,815.65, smcs; Bridgett Lavene Consulting, \$1,666.67, smcs; Brisbin,H, \$31.00, smcs; Briseno,P, \$141.70, smcs; Broadfoot's, \$130.00, smcs; Buffalo Co. Attorney, \$18,750.00, smcs; Builders, \$98.10, smcs; Capital Business, \$169.93, smcs; Carey,R, \$23.90, smcs; Central Fire & Safety, \$175.50, smcs; Cigna, \$7,211.09, ps; City of Ky, \$396,566.50, smcs,ps; Community Health Charities, \$18.00, ps; Core & Main, \$3,226.06, smcs; Dan Roeder Concrete, \$230,534.60, co; Daniel,T, \$49.01, smcs; DAS State Accounting, \$4,877.77, smcs; Dell Marketing, \$1,735.47, co; Dexter,M, \$14.24, smcs; DHHS Environmental, \$80.00, smcs; Eakes , \$53.99, smcs; Elliott Equipment, \$685.74, smcs; Enforcement/Watchguard, \$1,060.00, co; Envirotech, \$10,924.80, smcs; ESO Solutions, \$4,675.00, smcs; Finley,L, \$131.10, smcs; Fraternal Order of Eagles, \$2,500.00, smcs; Frontier, \$71.98, smcs; Gale/Cengage Learning , \$768.46, smcs; Garrett Tires , \$71.37, smcs; General Collection, \$27.14, smcs; Global ARFF Services, \$15,997.84, smcs; Grainger , \$1,126.08, smcs; Greater NE Cities, \$1,000.00, smcs; Guevara,E, \$15.00, smcs; Hendron,B, \$43.76, smcs; HM Life Insurance , \$49,659.00, smcs; Holiday Inn, \$8,693.80, smcs; Hometown Leasing, \$157.20, smcs; Hopkins,R, \$55.00, smcs; Horizon Middle School, \$400.00, smcs; ICMA, \$4,536.45, ps; IRS, \$147,841.26, ps; J&M Displays, \$5,000.00, smcs; Jack Lederman, \$348.28, smcs; Jack's Uniforms, \$586.38, smcs; Ky Area United Way, \$716.88, ps; Ky Catholic School, \$2,000.00, smcs; Ky Community Foundation, \$2,000.00, smcs; Ky Hub, \$760.14, smcs; Ky Police Dept., \$1,800.00, smcs; Konica Minolta, \$283.78, smcs; Mac Tools, \$119.99, smcs; Magic Cleaning, \$5,200.00, smcs; Malczyk,B, \$50.74, smcs; Malleck,J, \$34.51, smcs; Mayo,R, \$23.76, smcs; McDowell,J, \$100.00, smcs; Menards, \$36.29, smcs; Mid American Signal, \$1,208.00, smcs; Midlands Contracting, \$4,850.00, smcs; Midwest Connect, \$7,033.85, smcs; Miller & Associates, \$31,502.21, co; Mitchell 1, \$878.40, smcs; NE Cemetery Assn., \$40.00, smcs; NE Child Support, \$2,336.05, ps; NE Dept of Revenue, \$47,629.66, ps; NE DOL/Office of Safety, \$168.00, smcs; NE Machinery, \$8,569.35, smcs; Northwestern, \$7,261.95, smcs; Olson,A, \$1.46, smcs; One Call Concepts, \$109.89, smcs; Paramount, \$130.89, smcs; Pawlowski,R, \$24.50, smcs; Payflex, \$573.75, smcs,ps; Penguin Random House, \$20.00, smcs; Pioneer Manufacturing , \$700.65, smcs; Platte Valley Labs, \$167.50, smcs; Presto-X, \$199.00, smcs; Pulliam,R, \$40.00, smcs; Rapp,K, \$43,158.00, smcs; Recorded Books, \$186.88, smcs; Region 12 ABPA, \$255.00, smcs; Resource Mgmt., \$1,585.92, smcs; Rich,T, \$50.00, smcs; Ritz,T, \$131.10, smcs; Rybind Manufacturing, \$797.00, smcs; Sapp Brothers, \$54,897.00, smcs; School District #7, \$799.55, smcs; See Clear Cleaning, \$2,050.00, smcs; Sherwin-Williams, \$111.53, smcs; Silverstone, \$4,720.00, smcs; Smith,R, \$22.99, smcs; Snap-On Tools, \$239.60, smcs; SOS Portable Toilets, \$214.50, smcs; Stangl,J, \$7.45, smcs; Sunset Law Enforcement, \$22,940.17, smcs; Tacha,J, \$50.00, smcs; Taylor,R, \$27.31, smcs; Titan Machinery, \$1,390.10, smcs; Tri-County Glass , \$74.00, smcs; Trujillo,B, \$36.29, smcs; Tye Law Firm, \$13,378.12, smcs; Union Bank & Trust, \$77,110.04, ps; UNL-Hall Co. Extension, \$50.00, smcs; US Bank , \$102,517.62, smcs; Verizon, \$40.01, smcs; Vertiv , \$5,586.26, smcs; Village Cleaners, \$304.32, smcs; Ward Laboratories, \$38.50, smcs; Warren-T Plumbing, \$190.00, smcs;

Warrington,D, \$828.00, smcs; Watkins.D, \$9.26, smcs; Willcoxson,R, \$41.44, smcs; Payroll Ending 03/03/2018 -- \$444,761.71. 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. Approve the Street/Sidewalk/Parking Lot Closure, Traffic Control and or Parking Restrictions Permit Application and Agreement submitted by Central Nebraska Auto Club to temporarily close Central Avenue from 25th Street to North Railroad Street, 24th Street from 1st Avenue to Avenue A, 23rd Street from 1st Avenue to Avenue A, 21st Street from 1st Avenue to Avenue A, the parking lot located west of Cunningham's Journal, the parking lot located behind City Hall, and the parking lot located north of MONA in conjunction with Cruise Nite 2018 scheduled for July 21, 2018. Parking on these public properties will be prohibited on July 21, 2018 beginning at 2:00 a.m. and adopt Resolution No. 2018-36 making application to the Nebraska Department of Roads for a Permit to use Highway 30 and Central Avenue.

RESOLUTION NO. 2018-36

WHEREAS, the City of Kearney has received and approved an application to conduct a parade on July 21, 2018 beginning at 5:00 p.m. and ending at 6:30 p.m.; and

WHEREAS, the route for the parade will begin at Central Avenue and Railroad Street, go north on Central Avenue and dispersing at the intersection of 31st Street and Central Avenue; and

WHEREAS, with the passage of LB 589, the City of Kearney accepts the duties of protecting the public from damage, injury, or death on July 21, 2018 beginning at 5:00 p.m. and ending at 6:30 p.m.; and

WHEREAS, the City of Kearney will assume control of the state highway property, more specifically the intersection of Central Avenue and 25th Street (Highway 30) on July 21, 2018 from 5:00 p.m. until 6:30 p.m. and relinquish control of such state highway property to the state; and

WHEREAS, the City is not closing Highway 30; law enforcement stops the parade and allows traffic on Highway 30 to proceed and does not allow long waits for the Highway 30 traffic; and

WHEREAS, the City of Kearney accepts the duty to protect the State from damage to its property that may occur arising out of the said parade.

NOW, THEREFORE, BE IT RESOLVED by the President and Council of the City of Kearney, Nebraska, to approve the parade scheduled for July 21, 2018 beginning at 5:00 p.m. and ending at 6:30 p.m. and that the City accepts the duties of protecting the public from damage, injury, or death associated with said parade.

BE IT FURTHER RESOLVED that the City of Kearney will assume control of the state highway property, more specifically the intersection of Central Avenue and 25th Street (Highway 30), on July 21, 2018 from 5:00 p.m. until 6:30 p.m. and that after such time the City will relinquish control of such state highway property to the state.

BE IT FURTHER RESOLVED that the City of Kearney accepts the duty to protect the State from damage to its property that may occur arising out of the said parade.

BE IT FURTHER RESOLVED that the City of Kearney agrees to indemnify, defend, and hold harmless the State of Nebraska Department of Roads from all claims, demands, actions, damages, and liability, including reasonable attorney's fees that may arise as a result of the said parade.

PASSED AND APPROVED THIS 13TH DAY OF MARCH, 2018.

ATTEST:
LAUREN BRANDT
CITY CLERK

STANLEY A. CLOUSE
PRESIDENT OF THE COUNCIL
AND EX-OFFICIO MAYOR

- 4. Approve the Street/Sidewalk/Parking Lot Closure, Traffic Control and or Parking Restrictions Permit Applications as follows:
 - a) Kearney Night Market to temporarily close 24th Street from 2nd Avenue to Central Avenue and Central Avenue from 25th Street to North Railroad on May 3, 17, June 7, 21, July 5, 19, August 2, 16 or 23, September 6, 20, and October 4, 2018 from 6:00 p.m. to 10:00 p.m.
 - b) Kearney Police Department to temporarily close Avenue B from Railroad Street to 21st Street from 7:00 a.m. until 3:00 p.m. on April 7, 2018.
- 5. Authorize the Mayor to send a letter of no recommendation to the Nebraska Liquor Control Commission on the manager application for Dakota Gustafson submitted by The Cigarette Store Corp dba Smoker Friendly 017 Liquor & Tobacco located at 620 East 25th Street, Suite 2 in connection with their Class C-102050 liquor license.
- 6. Authorize the Mayor to send a letter of no recommendation to the Nebraska Liquor Control Commission on the Class D-122342 liquor license application and manager application for Tina Krings submitted by Casey's Retail Company dba Casey's General Store #1735 located at 1308 East 39th Street.
- 7. Adopt Resolution No. 2018-37 appointing the terms vacated by Duane Ruh on the Board of Adjustment and Linda Murphy on the Kearney Housing Agency.

RESOLUTION NO. 2018-37

WHEREAS, Resolution No. 2005-96 calls for Citizen Board/Commission member appointments to be made by resolution submitted by the Mayor to the City Council for final approval;

WHEREAS, one vacancy currently exists on the Board of Adjustment; and

WHEREAS, one vacancy currently exists on the Kearney Housing Agency.

NOW, THEREFORE, BE IT RESOLVED by the President and Council of the City of Kearney, Nebraska, that the following person, as proposed by the Mayor of the City of Kearney, Nebraska, is hereby appointed to fulfill the vacated terms as indicated:

BOARD OF ADJUSTMENT

Chris Roehrich appointed to fulfill the term vacated by Duane Ruh to July 31, 2019.

KEARNEY HOUSING AGENCY

Ariel Ahrens appointed to fulfill the term vacated by Linda Murphy to July 31, 2020.

BE IT FURTHER RESOLVED that this resolution shall be in full force and effect from and after its adoption.

PASSED AND APPROVED THIS 13TH DAY OF MARCH, 2018.

ATTEST:
LAUREN BRANDT
CITY CLERK

STANLEY A. CLOUSE
PRESIDENT OF THE COUNCIL
AND EX-OFFICIO MAYOR

- 8.** Approve the application for a Special Designated License submitted by Juan Lazo, dba El Tropic in connection with their Class IBK-37623 catering liquor license to dispense alcoholic liquor in the Exhibit Building located at the Buffalo County Fairgrounds, 3807 Avenue N, on Saturday, April 21, 2018 from 6:00 p.m. until 1:00 a.m. for a dance.
- 9.** Approve the application for a Special Designated License submitted by Alley Rose Inc. of Kearney NE dba Alley Rose in connection with their Class IK-021763 liquor license to cater and dispense alcoholic liquor inside the Museum of Nebraska Art (MONA) located at 2401 Central Avenue on Friday, April 6, 2018 from 6:00 p.m. to 10:00 p.m. for a reception.
- 10.** Approve the application for a Special Designated License submitted by C & H Adventures, LLC dba Cedar Hills Vineyard and Gardens in connection with their YK-108547 liquor license to cater and dispense alcoholic liquors inside the Exposition Building located at the Buffalo County Fairgrounds, 3807 Avenue N on Friday, May 4 and Saturday, May 5, 2018 from 5:00 p.m. until 11:00 p.m. each day for the Wine & Jazz Festival Fundraiser.
- 11.** Approve the application for a Special Designated License submitted by James Arthur Vineyards LLC dba James Arthur Vineyard in connection with their YK-36431 liquor license to cater and dispense alcoholic liquors inside the Exposition Building located at the Buffalo County Fairgrounds, 3807 Avenue N on Friday, May 4 and Saturday, May 5, 2018 from 5:00 p.m. until 11:00 p.m. each day for the Wine & Jazz Festival Fundraiser.
- 12.** Approve the application for a Special Designated License submitted by McFarland Family Farms, LLC dba Mac's Creek Vineyards & Winery in connection with their YK-056229 liquor license to cater and dispense alcoholic liquors inside the Exposition Building located at the Buffalo County Fairgrounds, 3807 Avenue N on Friday, May 4 and Saturday, May 5, 2018 from 5:00 p.m. until 11:00 p.m. each day for the Wine & Jazz Festival Fundraiser.
- 13.** Approve the application for a Special Designated License submitted by Niobrara Valley Vineyards LLC dba Niobrara Valley Vineyards in connection with their YK-108489 liquor license to cater and dispense alcoholic liquors inside the Exposition Building located at the Buffalo County Fairgrounds, 3807 Avenue N on Friday, May 4 and Saturday, May 5, 2018 from 5:00 p.m. until 11:00 p.m. each day for the Wine & Jazz Festival Fundraiser.
- 14.** Approve the application for a Special Designated License submitted by Nissen Wine Inc. dba Nissen Wine in connection with their YK-074659 liquor license to cater and dispense alcoholic liquors inside the Exposition Building located at the Buffalo

County Fairgrounds, 3807 Avenue N on Friday, May 4 and Saturday, May 5, 2018 from 5:00 p.m. until 11:00 p.m. each day for the Wine & Jazz Festival Fundraiser.

15. Approve the application for a Special Designated License submitted by Meyer Vineyards, Inc., dba Superior Estates Winery in connection with their YK-64960 liquor license to cater and dispense alcoholic liquors inside the Exposition Building located at the Buffalo County Fairgrounds, 3807 Avenue N on Friday, May 4 and Saturday, May 5, 2018 from 5:00 p.m. until 11:00 p.m. each day for the Wine & Jazz Festival Fundraiser.

16. Approve the application for a Special Designated License submitted by Whiskey Run Creek Vineyard & Winery, LLC in connection with their YK-96894 liquor license to cater and dispense alcoholic liquors inside the Exposition Building located at the Buffalo County Fairgrounds, 3807 Avenue N on Friday, May 4 and Saturday, May 5, 2018 from 5:00 p.m. until 11:00 p.m. each day for the Wine & Jazz Festival Fundraiser.

17. Approve the application for a Special Designated License submitted by Kearney Area Community Foundation to dispense alcoholic liquors inside the Exposition Building located at the Buffalo County Fairgrounds, 3807 Avenue N on Friday, May 4 and Saturday, May 5, 2018 from 5:00 p.m. until 11:00 p.m. each day for the Wine & Jazz Festival Fundraiser.

18. Adopt Resolution No. 2018-38 approving the Tenant Use and Operations Agreement for Loading Dock at Kearney Regional Airport between the City of Kearney and Aurora Coop Elevator, dba Buffalo Air Service.

RESOLUTION NO. 2018-38

BE IT RESOLVED by the President and Council of the City of Kearney, Nebraska, that the President be and is hereby authorized and directed to execute the Tenant Use and Operations Agreement for Loading Dock at the Kearney Regional Airport, on behalf of the City of Kearney, Nebraska with Aurora Coop Elevator, dba Buffalo Air Service, a copy of the Agreement, marked Exhibit "1", is attached hereto and made a part hereof by reference.

PASSED AND APPROVED THIS 13TH DAY OF MARCH, 2018.

ATTEST:
LAUREN BRANDT
CITY CLERK

STANLEY A. CLOUSE
PRESIDENT OF THE COUNCIL
AND EX-OFFICIO MAYOR

19. Approve the applications for a Special Designated License submitted by Night Life Concepts, Inc., dba Cunningham's Journal in connection with their Class CK-059311 liquor license to cater and dispense alcoholic liquor as follows:

a) Inside Team Concepts located at 301 Central Avenue, on Thursday, March 29, 2018 from 4:00 p.m. until 10:00 p.m. for a business after hours event; and

b) Inside the Exhibit Building located at the Buffalo County Fairgrounds, 3807 Avenue N, on Saturday, April 7, 2018 from 3:00 p.m. until 1:00 a.m. for a charity event.

V. CONSENT AGENDA ORDINANCES

None.

VI. REGULAR AGENDA

OPEN ACCOUNT CLAIMS

Moved by Buschkoetter seconded by Nikkila that the Open Account Claim in the amount of \$5,576.56 payable to Nebraska Public Power District, \$164.20 be allowed. Roll call resulted as follows: Aye: Buschkoetter, Lear, Nikkila. Nay: None. Clouse abstained. Lammers absent. Motion carried.

Moved by Nikkila seconded by Lear that the Open Account Claim in the amount of \$164.20 payable to Stan Clouse be allowed. Roll call resulted as follows: Aye: Lear, Nikkila, Buschkoetter. Nay: None. Clouse abstained. Lammers absent. Motion carried.

Moved by Clouse seconded by Buschkoetter that the Open Account Claim in the amount of \$225.20 payable to Jonathan Nikkila be allowed. Roll call resulted as follows: Aye: Clouse, Buschkoetter, Lear. Nay: None. Nikkila abstained. Lammers absent. Motion carried.

VII. REPORTS

None.

VIII. ADJOURN

Moved by Lear seconded by Buschkoetter that Council adjourn at 5:40 p.m. Roll call resulted as follows: Aye: Clouse, Buschkoetter, Lear, Nikkila. Lammers absent. Nay: None. Motion carried.

ATTEST:

**STANLEY A. CLOUSE
PRESIDENT OF THE COUNCIL
AND EX-OFFICIO MAYOR**

**LAUREN BRANDT
CITY CLERK**