

Kearney, Nebraska
June 26, 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 June 26, 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, Bob Lammers and Jonathan Nikkila. Absent: None. Michael Morgan, City Manager; Michael Tye, City Attorney; Eric Hellriegel, Assistant City Manager; Wendell Wessels, Director of Finance; Tony Jelinek, Director of Utilities; Rod Wiederspan, Director of Public Works; Dan Lynch, Chief of Police; Shawna Erbsen, Administrative Services Director; and Peggy Eynetich, Deputy City Clerk; were also present. Members of the media present included: Mike Konz from the Kearney Hub and Ryan Boyd from KGFW.

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 Randy Madison provided the Invocation.

PLEDGE OF ALLEGIANCE

One Boy Scout from Troop 139 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 was no Oral Communications.

II. UNFINISHED BUSINESS

There was no Unfinished Business.

III. PUBLIC HEARINGS

PROPOSED ACQUISITION OF REAL PROPERTY

Mayor Clouse opened the public hearing on the on the proposed acquisition of an interest in real property by purchase of a tract of land being the North Half of the Northwest Quarter, Government Lot 3, Government Lot 4, and accretions of said government lots in Section 10, Township 8 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska; EXCEPTING THEREFROM a tract of land located in said Government Lot 3 containing 6.87 acres, more or less; AND EXCEPTING THEREFROM a tract of land being part of Government Lot 3 located in said Section 10, Township 8 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska and consider Resolution No. 2018-93.

Michael Tye, City Attorney presented this matter to the Council. The acquisition is for a 13.3 acres parcel of property that encompasses a portion of the City's Hike/Bike Trail; its generally from Sweetwater Avenue east and runs up to the Fox property. The parcel became available and City staff felt it would be a good purchase since the parcel is adjacent to the trail and allows access to the Platte River. The purchase price is \$59,900 and will be acquired with donated funds.

Council Members Lammers questioned if there were any issues with easements along Interstate-80? City Attorney stated title work is in process and the property will be surveyed so exact boundary points will be determined.

There was no one present in opposition to this hearing.

Moved by Lammers seconded by Nikkila to close the hearing and adopt Resolution No. 2018-93 approving the acquisition of an interest in real property by purchase of a tract of land being the North Half of the Northwest Quarter, Government Lot 3, Government Lot 4, and accretions of said government lots in Section 10, Township 8 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska; EXCEPTING THEREFROM a tract of land located in said Government Lot 3 containing 6.87 acres, more or less; AND EXCEPTING THEREFROM a tract of land being part of Government Lot 3 located in said Section 10, Township 8 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska. Roll call resulted as follows: Aye: Clouse, Lear, Nikkila, Lammers, Buschkoetter. Nay: None. Motion carried.

RESOLUTION NO. 2018-93

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 public purposes and voted in favor to proceed with the acquisition; and

WHEREAS, Kappas Enterprises, LLC has granted to the City of Kearney, Nebraska a Warranty Deed for public purposes for a tract of land being the North Half of the Northwest Quarter, Government Lot 3, Government Lot 4, and accretions to said

government lots in Section 10, Township 8 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska; EXCEPTING THEREFROM a tract of land located in said Government Lot 3 containing 6.87 acres, more or less, deeded to the State of Nebraska by Warranty Deed recorded April 30, 1962, in Deed Book 179, Page 145; AND EXCEPTING THEREFROM a tract of land being part of Government Lot 3 located in said Section 10, Township 8 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska, more particularly described as follows: Referring to the Northeast Corner of Government Lot 3 of Section 10, said point also being the Southeast Corner of the North Half of the Northwest Quarter of said Section 10 and assuming the East line of Government Lot 3 of said Section 10 as bearing SOUTH and all bearings contained herein are relative thereto; thence SOUTH on the East line of Government Lot 3 of said Section 10 a distance of 266.0 feet to the ACTUAL PLACE OF BEGINNING; thence continuing SOUTH on the EAST line of said Government Lot 3 a distance of 1,006.3 feet to a point on the North Right-of-way Line of U.S. Interstate Highway No. 80 said point also being on a non-tangent 17,338.73 foot radius curve, concave Southeasterly; thence Southwesterly on the North Right-of-way of said U.S. Interstate Highway No. 80 and on said non-tangent curve forming a central angle of 00°06'38" an arc distance of 33.49 feet, to a point in an existing fence line running northerly; thence leaving said North Right-of-way Line and said non-tangent curve, N 00°47'03" E and on said existing fence line a distance of 1,020.9 feet; thence leaving said existing fence line S 89°45'35" E a distance of 16.29 feet to the place of beginning; AND ALSO EXCEPTING THEREFROM a tract of land being the North Half of the Northwest Quarter and part of Government Lot 3 and part of Government Lot 4 and accretions in Section 10, Township 8 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska, more particularly described as follows: Beginning at the Northwest Corner of the Northwest Quarter of said Section 10 and assuming the North line of said Northwest Quarter as bearing S 89°45'57" E and all bearings contained herein are relative thereto; thence S 89°45'57" E on the aforesaid North line a distance of 2,641.98 feet to the Northeast Corner of said Northwest Quarter; thence S 00°22'46" E on the East line of the North Half of said Northwest Quarter a distance of 1,324.6 feet to the Southeast Corner of said North Half of the Northwest Quarter, said point being the Northeast Corner of Government Lot 3 in said Section; thence S 00°15'22" E on the East line of said Government Lot 3 a distance of 266.0 feet to a point on the North line of Lot 1, Tschirren-Fox Subdivision, a subdivision being part of Government Lot 1, part of Government Lot 2, and part of Government Lot 3 located in Section 10, Township 8 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska; thence S 89°48'47" W on the North line said Lot 1 a distance of 16.29 feet to the Northwest Corner of said lot; thence S 00°32'16" W on the West line of said lot a distance of 1,003.5 feet; thence S 64°14' W a distance of 457.2 feet to the point of curvature; thence on a 180.0 foot radius curve to the right, forming a central angle of 20°53', an arc distance of 65.61 feet to the point of tangency; thence tangent S 85°07' W a distance of 134.2 feet; thence N 88°13' W a distance of 109.0 feet; thence S 80°29' W a distance of 245.0 feet; thence S 85°25' W a distance of 300.0 feet; thence S 81°50' W a distance of 605.0 feet; thence S 84°20' W a distance of 438.0 feet; thence S 77°32' W a distance of 350.0 feet to a point on the West line of Government Lot 4 in said Section 10; thence N 00°08'56" E on the aforesaid West line a distance of 446.0 feet to the Southwest Corner of the Northwest Quarter of said Section; thence N 00°09'14" E on the West line of said Government Lot 4 and the West line of the North Half of the Northwest Quarter a distance of 2,652.08

feet to the place of beginning, containing 13.32 acres more or less, all in Buffalo County, Nebraska.

NOW, THEREFORE, BE IT RESOLVED by the President and City Council of the City of Kearney, Nebraska that the Warranty Deed granted by Kappas Enterprises, LLC with the City of Kearney be and is hereby approved and accepted.

PASSED AND APPROVED THIS 26TH DAY OF JUNE, 2018.

ATTEST:
LAUREN BRANDT
CITY CLERK

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

IV. CONSENT AGENDA

Moved by Nikkila seconded by Lear that Subsections 1 through 11 of Consent Agenda Item IV be approved. Roll call resulted as follows: Aye: Clouse, Nikkila, Lammers, Buschkoetter, Lear. Nay: None. Motion carried.

1. Approve Minutes of Regular Meeting held June 12, 2018.

2. Approve the following Claims:

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

1000bulbs.com \$33.33 smcs; 4imprint \$549.18 smcs; Acco Brands \$556.31 smcs; Accuquilt \$379.98 smcs; Adobe \$286.66 smcs; Advance Auto Parts \$86.26 smcs; Agri Coop \$2,399.29 smcs; Aleph Objects, Inc \$2,873.75 smcs; All Makes \$368.02 smcs; Allied Electronics \$130.10 smcs; Amazon \$11,647.30 smcs,co; American \$611.13 smcs; American Button \$432.95 smcs; American First Aid \$223.16 smcs; American First Aid \$350.80 smcs; American Legion Emblem \$46.85 smcs; American Library Assn. \$188.75 smcs; Anderson,D \$43.00 smcs; Apple \$1,558.00 smcs; Apple Market \$27.83 smcs; ARC Services \$756.00 smcs; Ask Supply \$305.10 smcs; Ask Supply \$2,538.00 smcs; Assn. Threat Assessment \$110.00 smcs; Aurora Coop \$106.88 smcs; Aussie Hydraulics \$601.30 smcs; Auto Value \$37.69 smcs; Baker & Taylor \$4,846.87 smcs; Bamford \$2,920.50 smcs; Baughman, Jeff \$56.11 smcs; Beacon Athletics \$411.00 smcs; Big Iron Auction \$1,261.75 smcs; Biglasers \$64.85 smcs; Bill's Trailer Sales \$550.00 co; Blackstone Audio Books \$40.00 smcs; BlueCross/BlueShield \$134,618.14 smcs; Boogaarts \$11.84 smcs; Bosselman \$7,528.80 smcs; Bridgett Lavene Cons. \$25,000.00 smcs; Brilliance Publishing \$59.98 smcs; Broadfoot's \$405.00 smcs; Brodart Supplies \$51.85 smcs; Bruce,T \$24.00 smcs; BTIbuilt.com \$240.00 smcs; Buffalo Co. Election \$4,783.21 smcs; Buffalo Co. Treasurer \$73.00 smcs,co; Buffalo Outdoor Power \$2,799.71 smcs,co; Buggy Bath \$15.00 smcs; Builders \$807.77 smcs,co; Burr,E \$22.90 smcs; Canva \$132.92 smcs; Captain,D \$50.00 smcs; Career Cruising \$799.00 smcs; Carquest \$356.18 smcs; Carroll Dist 10 \$1,998.00 smcs; Casey's \$56.91 smcs; Cash Wa \$43.65 smcs; Cash-Wa \$6,682.60 smcs; CCI Solutions \$194.40 smcs; CDW \$600.00 co; Cenex \$50.00 smcs; Center Point Publishing \$75.96

smcs; Central Fire \$28.50 smcs; Central Hydraulic \$598.89 smcs; Central NE Bobcat \$1,463.31 smcs,co; Century Lumber \$6.96 smcs; CH Diagnostic \$605.00 smcs; Chamber Commerce \$260.00 smcs; Charter \$783.55 smcs; Chemsearch \$305.00 smcs; Chesterman Company \$2,273.83 smcs; Chicago Faucet \$128.87 smcs; Chicken Coop \$50.00 smcs; Chrastil,B \$300.00 smcs; Churchill,A \$35.00 smcs; Cinema 8 \$30.00 smcs; Cintas \$307.84 smcs; City of Ky \$20,954.78 smcs,ps; CNA Insurance \$120.00 smcs; Coldspring \$1,140.03 smcs; Comm. Act. Part-Mid NE \$1,632.92 smcs; Consolidated Management \$8.74 smcs; Construction Rental \$1,203.69 smcs; Control Yours \$2,187.50 smcs; Copycat Printing \$1,068.95 smcs; Core & Main \$193,984.06 smcs,co; Cornhusker Industries \$2,305.00 smcs; Creative Teacher \$10.00 smcs; Credit Management \$90.30 ps; Culligan \$179.00 smcs; Culver's \$30.00 smcs; Cummins \$479.00 smcs; Davis Equipment \$2,090.48 smcs; Dawson Public Power \$29,383.02 smcs; Dell \$2,732.52 smcs,co; Demco \$1,182.38 smcs; Dent Popper \$1,550.00 smcs; Depository Trust \$727,985.55 ds; Deterdings \$1,532.00 smcs; Deterdings \$339.98 smcs; Diamond Vogel Paint \$595.04 smcs; Digicert \$315.00 co; DiscMagic \$256.10 smcs; Dish \$118.03 smcs; Divis Floral \$24.00 smcs; Dmilaco \$187.90 smcs; Dollar General \$6.15 smcs; Don's Hobby Guns \$233.10 smcs; Don's Hobby Guns \$2,920.00 smcs; Dowhy Towing \$165.00 smcs; Drav Maga \$1,590.00 smcs; Dreamstime.com \$25.00 smcs; E 470 Express Tolls \$10.95 smcs; Eagle Distributing \$2,219.10 smcs; Eakes \$4,726.13 smcs; Eakes \$86.26 smcs; Earl May \$272.98 smcs; EB Training Days \$125.00 smcs; Ehrlich-Rentokil \$147.00 smcs; Eirich, Terry \$127.50 smcs; Elf Enterprises \$60.00 smcs; Elliott Equipment \$7,577.87 smcs; EMC Insurance \$1,508.30 smcs; Ensley Electric \$2,715.18 smcs; Enterprise \$573.10 smcs; Eustis Body Shop \$300.00 smcs; Evident \$627.02 smcs; Expedia \$68.40 smcs; Expression Wear \$64.00 ps; Eyemed Premium \$772.81 smcs; Facebook \$7.94 smcs; Fairbanks \$1,025.97 smcs,co; Family Advocacy Network \$2,000.00 smcs; Family Fresh \$11.95 smcs; Family Practice \$151.86 ps; Farmers Union \$140.60 smcs; Fastenal \$636.60 smcs; Fedex \$73.82 smcs; FFR-DSI \$44.61 smcs; Fiddelke \$60.00 smcs; Foxit Software \$129.00 co; Friesen Chevrolet \$132.64 smcs; Frontier \$6,995.76 smcs; Fun Express \$65.88 smcs; Gale/Cengage Learning \$79.48 smcs; Galeton Gloves \$1,977.38 smcs,co; Gametime \$227.20 smcs; Gangwish Turf \$116.85 smcs; Garrett Tires \$6,124.18 smcs; Gear for Sports \$5,000.35 smcs; Go To Meeting \$348.00 smcs; Golfworks \$136.87 smcs; Graham Tire \$1,171.06 smcs; Grainger \$1,854.19 smcs; Great Plains Safety \$350.00 smcs; Haarberg,E \$22.00 smcs; Hach \$409.75 smcs; Hahn,S \$200.00 smcs; Hibberd,A \$24.50 smcs; Hobby Lobby \$854.90 smcs; Holiday Inn Express \$93.38 smcs; Holmes Plumbing \$862.14 smcs; ICMA \$5,313.19 ps; Identity Automation LP \$1,450.00 smcs; Int'l Assn. Fire Chiefs \$677.00 smcs; Int'l Code Council \$192.00 smcs; IRS \$169,180.76 ps; Jack Lederman \$477.34 smcs; Jack's Uniforms \$1,244.20 smcs; JcPenny \$321.00 co; Johnson Service \$14,060.00 smcs; Johnstone Supply \$542.30 smcs; Kaiser, Loran \$22.00 smcs; Kaw Valley Greenhouse \$29.88 smcs; Ky Ace & Garden \$103.39 smcs; Ky Animal Shelter \$5,140.78 smcs; Ky Animal Shelter \$7,381.25 smcs; Ky Center Vac \$37.00 smcs; Ky Chamber Comm \$1,800.00 smcs; Ky Concrete \$27,598.55 smcs,co; Ky Concrete \$1,285.00 smcs; Ky Crete & Block \$3,708.39 smcs,co; Ky Hub \$3,415.21 smcs; Ky Hub \$2,099.88 smcs; Ky Noon Rotary \$123.00 smcs; Ky Power Sports \$39.95 smcs; Ky Towing \$100.00 smcs; Ky Warehouse \$1,798.14 smcs; Ky Winlectric \$1,932.39 smcs,co; Ky Winnelson \$34.22 smcs; Kelly Supply \$2,039.72 smcs; Keurig \$19.54 smcs; Kimball Midwest \$417.10 smcs; K-Log \$2,836.41 smcs; KOLN \$995.00 smcs; Konica Minolta \$826.12 smcs; Konica Minolta \$252.01 smcs; Kully Supply \$32.47 smcs; Landmark Implement \$2,667.46 smcs; Lawn & Pest Supply \$205.95 smcs;

Lawson Products \$52.64 smcs; Lifeguard Store \$298.90 smcs; Lifetime \$178.09 smcs; Lightbulb Surplus \$62.08 smcs; Lindenstein Machine \$60.00 smcs; Lockmobile \$19.80 smcs; Logan Contractors \$128.79 smcs; L-Tron \$658.00 co; Luke,P \$25.00 smcs; Lynn,S \$25.00 smcs; Macqueen Equipment \$794.28 smcs; Marlatt Machine \$702.93 smcs; Marlatt Machine Shop \$250.24 smcs; Marriott \$999.06 smcs; Martindale,A \$25.00 smcs; Masters True Value \$290.76 smcs,co; Matheson \$47.22 smcs; McDonald Uniform \$803.90 smcs; Mead Lumber \$38.24 smcs; Menards \$3,640.28 smcs; Merryman Performing Arts \$313.60 smcs; MFASCO Health & Safety \$34.43 smcs; Mid American Signal \$1,320.00 smcs; Mid-NE Garage Doors \$1,941.00 smcs; Midwest Connect \$686.45 smcs; Midwest Connect \$309.40 smcs; Midwest Turf \$4,171.51 smcs,co; Miller & Associates \$930.00 smcs; Miller Signs \$714.00 smcs; Mirror Image \$64.00 smcs; Molczyk,K \$25.00 smcs; Moonlight Embroidery \$708.00 smcs; Morris Press \$1,103.83 smcs; Most Dependable Fountains \$76.00 smcs; Municipal Emergency \$52.00 ps; Municipal Supply \$12,480.10 smcs; Murphy Express \$31.76 smcs; NASRO \$665.00 smcs; Nat'l Hole In One \$288.00 smcs; Navigator Motorcoaches \$175.00 smcs; NE Child Support \$2,320.13 ps; NE Dept of Environmental \$274,050.27 smcs; NE Dept of Revenue \$46,515.72 smcs; NE Library Commission \$1,543.50 smcs; NE Machinery \$1,526.29 smcs; NE Peterbilt \$313.52 smcs; NE Public Health \$2,205.00 smcs; NE Safety & Fire \$1,167.00 smcs; NE Secretary of State \$60.00 smcs; NE Truck Center \$1,261.33 smcs; Nebraskaland Distributors \$666.30 smcs; Netbrands Media \$62.00 smcs; Network Fleet \$94.75 smcs; Network Solutions \$39.99 smcs; Newman Traffic Signs \$6,864.85 smcs; Nickel, Brittney \$42.18 smcs; NISC Membership \$145.00 smcs; Northern Safety \$348.03 smcs; Northwestern Energy \$703.23 smcs; NRG Media \$820.00 smcs; NSF Ticket Office \$605.00 smcs; OCLC, Inc \$690.32 smcs; Office Max \$2,404.46 smcs; O'Reilly Auto \$10.99 smcs; Orscheln \$574.66 smcs; Outdoor Cust. Sportswear \$612.91 smcs; Overdrive \$5,000.00 smcs; Overhead Door \$93.50 smcs; Overhead Door \$145.06 smcs; Paperworks \$236.57 smcs; Paramount \$358.75 smcs; Paramount \$57.21 smcs; Party America \$18.00 smcs; Paypal*Cnhma \$139.00 smcs; Paypal*Media Class \$590.00 smcs; Paypal*Prestigefla \$111.36 smcs; Pearson,S \$25.00 smcs; Peerless Machine \$85.00 smcs; Pep Co. \$87.34 smcs; Physio Control \$309.00 smcs; Pioneer Manufacturing \$2,507.50 smcs; Pioneer Revere \$690.75 smcs; Pitney Bowes \$60.00 smcs, ps; Platinum Awards \$280.15 smcs; Platte Valley Auto Mart \$2,161.08 smcs; Platte Valley Comm \$426.00 smcs; Pool Supply Unlimited \$760.78 smcs; Postage Refill \$1,000.00 smcs; Pot O'Gold \$155.00 smcs; Presto-X \$249.00 smcs; Proactive Sports \$42.37 smcs; Pro-Tint \$746.14 smcs; Provantage \$851.97 smcs; Public Agency Training \$1,585.00 smcs; Quill \$854.19 smcs; Raising Canes \$30.00 smcs; Rasmussen Mechanical \$150.00 smcs; RDO Truck Center \$486.36 smcs; Ready Mixed Concrete \$664.75 smcs,co; Reams \$174.49 smcs; Recorded Books \$135.37 smcs; Redbox \$5.62 smcs; Redman's Shoes \$301.99 smcs; Resource Mgmt. \$1,043.52 smcs; Reverse Osmosis \$266.44 smcs; Rheome Tree \$1,045.00 smcs; Rich,A \$22.00 smcs; Ring.com \$30.00 smcs; Rogue Fitness \$161.67 ps; Rohde,K \$24.00 smcs; Roth,K \$30.00 co; Ryan Roper Radiator \$75.00 smcs; S&S Worldwide \$97.93 smcs; Sahling Kenworth \$60.86 smcs; Salazar, Maria \$50.62 smcs; Salina Blueprint \$459.06 co; Sam's Club \$1,190.56 smcs; Sandry Fire \$3,897.91 smcs; Sapp Brothers \$88,547.25 smcs; Sargent Drilling \$2,878.13 smcs; Saylor Screenprinting \$54.00 ps; Schindler Elevator \$912.96 smcs; Scholastic Education \$2,439.49 smcs; Schwans \$694.97 smcs; Select Sprayers \$18.69 smcs; Sequel Book \$720.00 smcs; Seton Identification \$54.87 smcs; Shell Oil \$31.47 smcs; Sherwin Industries \$517.99 smcs; Sherwin Williams \$296.98 smcs; Showcases \$1,560.60 smcs; Shur-Co \$313.01

smcs; Sign Center \$501.30 co; Simple*Mobile Phones \$167.43 smcs; Singleterry,J \$56.05 smcs; Siteone Landscapes \$1,273.08 smcs; Skeeter Barnes \$180.00 smcs; Sporting Edge \$906.98 smcs; Sprinklerwarehouse \$3,485.13 smcs; SRS Tactical \$1,009.35 smcs; Star-Herald \$258.60 smcs; Steinbrink's \$6,040.18 smcs; Stitch 3 \$66.00 smcs; Store Supply \$120.28 smcs; Straight Line Striping \$18,003.62 smcs; Sunbelt Rentals \$741.43 smcs; Sundberg,K \$20.00 smcs; Sunset Distributors \$709.67 smcs; Superior \$866.67 smcs; Supplyworks \$313.39 smcs; Target \$510.33 smcs; Tiger Supplies \$149.92 smcs; Titan Machinery \$137.25 smcs; Tool,J \$25.00 smcs; Tractor-Supply \$3,220.05 smcs; Trade Well Pallet \$1,960.00 smcs; Trenton D. Snow, LLC \$750.00 smcs; Trugreen \$340.00 smcs; TSI Store \$647.87 smcs; Turfwerks \$2,092.18 smcs; Turner Body Shop \$100.00 smcs; Tyler Technologies \$9,945.00 smcs; Uelmen,J \$22.00 smcs; Underground Construction \$1,155.00 smcs; Union Bank & Trust \$1,098,453.99 ps,ds; Unique Management \$375.90 smcs; United \$485.79 smcs; United Industries \$617.68 smcs; United Seeds \$150.00 smcs; UNK-CERT \$1,375.00 smcs; UPS Store \$268.06 smcs; USDA-Aphis Animal \$75.00 smcs; USPS \$177.34 smcs; Van Wall \$349.37 smcs; Verizon \$74.88 smcs; Vessco \$180,288.90 co; Vistaprint.com \$55.88 smcs; Wal-Mart \$4,804.89 smcs,co; Walters Electric \$3,650.00 co; Webstaurant Store \$57.31 smcs; Weis Fire & Safety \$260.00 smcs; Wentz,K \$93.00 smcs; Whalen,J \$127.50 smcs; Wicks Sterling Trucks \$121.32 smcs; Wiens,E \$20.00 smcs; Willis,M \$25.00 smcs; WPCI \$321.00 ps; Yanda's Music \$4,500.00 smcs; Yant Equipment \$266.79 smcs; Zimbelman,R \$25.00 smcs; Zimmerman Printing \$100.42 smcs; Zoro Tools \$253.41 smcs; Payroll Ending 06/09/2018 -- \$529,650.62. 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 July 10, 2018 at 5:30 p.m. as date and time for hearing on those applications where applicable.
4. Approve the Street/Sidewalk/Parking Lot Closure, Traffic Control and or Parking Restrictions Permit Applications as follows:
 - a) UNK Band Day to use 3rd Avenue from 21st Street to 22nd Street, 21st Street from 3rd Avenue to 8th Avenue, 8th Avenue from 20th Street to 21st Street, 20th Street from 8th Avenue to 9th Avenue on Saturday, September 22, 2018.
 - b) Trevor Schaben on behalf of Thunderhead Brewing to temporarily close the parking lot located north of City Hall (east of Avenue A and south of 23rd Street) from 8:00 a.m. to 9:00 p.m. on Saturday, September 29, 2018 for an event called Thunder Fest.
5. Approve the application for a Special Designated License submitted by Thunderhead Brewing Company to dispense alcoholic liquor inside an outdoor 175 feet x 115 feet fenced area located in the parking lot (east of Avenue A and south of 23rd Street) north of City Hall located at 18 East 22nd Street on Saturday, September 29, 2018 from 3:00 p.m. until 9:00 p.m. an event known as Thunder Fest.
6. Adopt Resolution No. 2018-94 approving the Peterson Senior Activity Center Annual Nutrition Service Contract between the City of Kearney and Community Action Partnership of Mid-Nebraska.

RESOLUTION NO. 2018-94

BE IT RESOLVED by the President and Council of the City of Kearney, Nebraska, that the City Manager be and is hereby authorized and directed to execute the Peterson Senior Activity Center Annual Nutrition Service Contract on behalf of the City of Kearney. The said Contract, marked as Exhibit "1", is attached hereto and made a part hereof be reference.

PASSED AND APPROVED THIS 26TH DAY OF JUNE, 2018.

ATTEST:
LAUREN BRANDT
CITY CLERK

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

7. Adopt Resolution No. 2018-95 approving the recommendation submitted by the Fire Chief to include the following as a member of the Kearney Volunteer Fire Department: Alec Bauer.

RESOLUTION NO. 2018-95

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

WHEREAS, based on the recommendation of Chief Tacha, 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 person 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 member 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 26TH DAY OF JUNE, 2018.

ATTEST:
LAUREN BRANDT
CITY CLERK

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

8. Approve submitting the question to the Planning Commission for their review and recommendations whether Redevelopment Area #12 is substandard and blighted.

9. Adopt Resolution No. 2018-96 approving Change Order No. 1 showing an increase in the amount of \$70,787.00 and Application and Certificate for Payment No. 2 in the amount of \$217,049.58 submitted by GD Concrete Construction, Inc. and approved by Miller & Associates for the 2017 Part 4 Improvements for the construction of raised left turn lane medians located at 56th Street at the intersection of 17th Avenue, 2nd Avenue at the intersection of 54th Street and to maximize the left turn lane stacking capabilities on 2nd Avenue at the 48th and 52nd Street intersections.

RESOLUTION NO. 2018-96

WHEREAS, GD Concrete Construction, Inc. of Overton, Nebraska has performed services in connection with the 2017 Part 4 Improvements for the construction of raised left turn lane medians located at 56th Street at the intersection of 17th Avenue, 2nd Avenue at the intersection of 54th Street and to maximize the left turn lane stacking capabilities on 2nd Avenue at the 48th and 52nd Street intersections, and the City's engineer, Miller & Associates, have filed with the City Clerk Change Order No. 1 showing an increase to the contract sum in the amount of \$70,787.00 as shown on Exhibit "A" attached hereto and made a part hereby of reference; and

WHEREAS, GD Concrete Construction, Inc. have filed with the City Clerk Application and Certificate for Payment No. 2 in the amount of \$217,049.58 as shown on Exhibit "B" attached hereto and made a part hereof by reference and as follows:

Original Contract Sum	\$322,222.00
Change Order No. 1(6/26/2018)	+ <u>70,787.00</u>
Contract Sum To Date	393,009.00
Gross Amount Due	370,941.20
Retainage (10%)	- 37,094.12
Amount Due to Date	333,847.08
Less Previous Certificates for Payment	<u>116,797.50</u>
Current Payment Due	\$217,049.58

NOW, THEREFORE, BE IT RESOLVED by the President and Council of the City of Kearney, Nebraska, and hereby find and determine that Change Order No. 1, as shown on Exhibit "A" and Application and Certificate for Payment No. 2, as shown on Exhibit "B", be and is hereby accepted and approved.

PASSED AND APPROVED THIS 26TH DAY OF JUNE, 2018.

ATTEST:
LAUREN BRANDT
CITY CLERK

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

10. Adopt Resolution No. 2018-97 approving Application and Certificate for Payment No. 11 in the amount of \$280,312.65 submitted by Blessing, LLC and approved by Miller & Associates for the 2016 Part 3 Improvements for 56th Street from 4th Avenue to 19th Avenue and 17th Avenue from 50th Street to west City limits; AND 2013 Part 10 Improvements for Talmadge Street from 2nd Avenue to 4th Avenue.

RESOLUTION NO. 2018-97

WHEREAS, Blessing Construction of Kearney, Nebraska has performed services in connection with the 2016 Part 3 Improvements for 56th Street from 4th Avenue to 19th Avenue and 17th Avenue from 50th Street to west City limits; AND 2013 Part 10 Improvements for Talmadge Street from 2nd Avenue to 4th Avenue, and the City's engineer, Miller & Associates, have filed with the City Clerk Application and Certificate for Payment No. 11 in the amount of \$280,312.65 as shown on Exhibit "A" attached hereto and made a part hereof by reference and as follows:

Original Contract Sum	\$2,572,124.59
Change Order No. 1 (9/26/2017)	+ 161,146.05
Change Order No. 2 (11/28/2017)	+ 4,858.37
Change Order No. 3 (6/12/2018)	+ <u>2,033.00</u>
Contract Sum To Date	2,740,162.01
Gross Amount Due	2,635,587.42
Retainage (5%)	- <u>131,779.37</u>
Amount Due to Date	2,503,808.05
Less Previous Certificates for Payment	<u>2,223,495.40</u>
Current Payment Due	\$ 280,312.65

NOW, THEREFORE, BE IT RESOLVED by the President and Council of the City of Kearney, Nebraska, and hereby find and determine that Application and Certificate for Payment No. 11 as shown on Exhibit "A", be and is hereby accepted and approved.

PASSED AND APPROVED THIS 26TH DAY OF JUNE, 2018.

ATTEST:
LAUREN BRANDT
CITY CLERK

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

11. Approve the purchase of a 2019 Western Star 4700SB with a 10-Yard Dump Body, Henke Snow Plow and Plow Hitch in the amount of \$176,903.00 submitted by Wick's Trucks, Inc. under the Nebraska State Bid and National Joint Powers Alliance to be used in Public Works/Transportation.

V. CONSENT AGENDA ORDINANCES

ORDINANCE NO. 8254 SELLING A 50 FOOT PARCEL OF LAND

Council Member Lear introduced Ordinance No. 8254 selling a 50 foot parcel of land described as a tract of land being Lot 1, Block 1 Midway Land Company's East Lawn Addition and part of vacated Avenue "R", a street in the City of Kearney, Buffalo County, Nebraska to Christopher and Chris Preble, 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 suspend the rules for Ordinance No. 8254. 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, Lammers. 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. 8254 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, Lammers. Nay: None. Motion carried. Ordinance was read by number.

Moved by Buschkoetter seconded by Clouse that Ordinance No. 8254 be passed, approved and published as required by law. Roll call resulted as follows: Aye: Clouse, Lear, Nikkila, Lammers, Buschkoetter Nay: None. Motion carried.

By reason of the roll call voted on the first reading and final passage of the ordinance, Ordinance No. 8254 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.

VI. REGULAR AGENDA

RESOLUTION OF INTENT TO ANNEX PROPERTY LOCATED NORTH OF EAST HIGHWAY 30 BETWEEN ANTELOPE AVENUE AND CHERRY AVENUE

Mayor Clouse opened for discussion Resolution No. 2018-98 on the intent to annex the following: a tract of land being part of Government Lot 4 in Section 28, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska; AND 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; AND Slaughter Addition, a subdivision being part of the Northeast Quarter of the Northeast Quarter of Section 32, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska; TOGETHER WITH a tract of land being part of the Northeast Quarter of Section 32, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska; AND A tract of land located in Tract A Midway Industrial District and Kearney Airfield in Section 33, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (located north of East Highway 30 between Antelope Avenue and Cherry Avenue) and to set the public hearing date for July 10, 2018 at 7:00 a.m.

Michael Tye, City Attorney presented this matter to the Council. The parcel is contiguous to our City boundary line, and is on the eastern side of town. The parcel is owned by the State of Nebraska that was acquired as part of the expressway project. The state has consented to annexation of the property. There are services currently available to the parcel.

Moved by Clouse seconded by Lammers to approve 2018-98 on the intent to annex the following: a tract of land being part of Government Lot 4 in Section 28, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska; AND 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; AND Slaughter Addition, a subdivision being part of the Northeast Quarter of the Northeast Quarter of Section 32, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska; TOGETHER WITH a tract of land being part of the Northeast Quarter of Section 32, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska; AND A tract of land located in Tract A Midway Industrial District and Kearney Airfield in Section 33, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (located north of East Highway 30 between Antelope Avenue and Cherry Avenue) and to set the public hearing date for July 10, 2018 at 7:00 a.m. Roll call resulted as follows: Aye: Clouse, Nikkila Lammers, Buschkoetter, Lear. Nay: None. Motion carried.

RESOLUTION NO. 2018-98

WHEREAS, the City of Kearney, Nebraska in accordance with Section 16-117 of the Nebraska Revised Statutes is considering the annexation of contiguous or adjacent lands, lots, tracts, streets or highway as are urban or suburban in character and a plan for extending city services to the following described tracts of land:

A tract of land being part of Government Lot 4 in Section 28, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska, more particularly described as follows: Beginning at the Southwest Corner of Government Lot 4 in said Section 28; thence easterly on the South line of said government lot a distance of 390.85 feet; thence northerly deflecting 90°00' left a distance of 80.0 feet to a point on the north line of 39th Street, a street in Buffalo County, Nebraska, and the south line of Kearney Industrial Park, a subdivision being part of Government Lots 1 and 4 and part of the North Half of the Southwest Quarter of Section 28, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska; thence westerly on the north line of said 39th Street and the south line of said Kearney Industrial Park a distance of 350.85 feet to the southwest corner of Lot 24 in said Kearney Industrial Park; thence northerly on the west line of said Lot 24 a distance of 94.32 feet; thence westerly deflecting 90°00' left a distance of 40.0 feet to a point on the west line of Government Lot 4 in said section; thence southerly on the aforesaid west line a distance of 174.32 feet to the place of beginning; AND 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, more particularly described as follows: Beginning at the Southeast Corner of Government Lot 3 in said Section 29; thence westerly on the South line of said government lot a distance of 856.22 feet; thence northerly deflecting 98°03'54" right a distance of 182.16 feet to an angle point on the right-of-way line of Nebraska State Highway No. 10; thence easterly deflecting 69°05'43" right a distance of 272.64 feet to an angle point on the aforesaid right-of-way line; thence southerly deflecting 82°20'06" right on the aforesaid right-of-way line a distance of 109.62 feet; thence continuing on the aforesaid right-of-way line (if extended) easterly deflecting 73°24'51" left a distance of 527.56 feet to a point on the East line of Government Lot 3 in said section; thence southerly on the aforesaid East line a distance of 174.32 feet to the place of beginning; AND Slaughter Addition, a subdivision being part of the Northeast Quarter of the Northeast Quarter of Section 32, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska; TOGETHER WITH a tract of land being part of the Northeast Quarter of Section 32, Township 9 North, Range 15 West of the

6th P.M., Buffalo County, Nebraska, more particularly described as follows: Referring to the Northeast Corner of the Northeast Quarter of said Section 32; thence westerly on the North line of said Northeast Quarter a distance of 584.5 feet to the ACTUAL PLACE OF BEGINNING, said place of beginning being the northwest corner of Slaughter Addition, a subdivision being part of the Northeast Quarter of the Northeast Quarter of Section 32, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska; thence continuing westerly on the aforesaid North line a distance of 271.72 feet; thence southerly deflecting $81^{\circ}56'06''$ left a distance of 97.65 feet to an angle point on the right-of-way line of Nebraska State Highway No. 10; thence southeasterly deflecting $39^{\circ}51'31''$ left on the aforesaid right-of-way line a distance of 70.93 feet; thence continuing on the aforesaid right-of-way line southerly deflecting $30^{\circ}11'27''$ right a distance of 245.81 feet; thence southerly deflecting $03^{\circ}45'37''$ right a distance of 502.79 feet; thence southerly deflecting $01^{\circ}11'34''$ right a distance of 604.11 feet; thence southerly deflecting $00^{\circ}31'39''$ right a distance of 144.13 feet to a point on the south line of a tract of land described in a Warranty Deed recorded on Microfilm Roll 89, Pages 206 thru 207 and filed in the Buffalo County Register of Deeds office; thence leaving said right-of-way line and on the aforesaid south line a distance of 790.91 feet to the southwest corner of Lot 1, G.T.E. Addition, a subdivision being part of Southeast Quarter of the Northeast Quarter of Section 32, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska; thence northerly on the west line of said Lot 1 a distance of 50.0 feet to the northwest corner thereof; thence easterly on the north line of said lot (if extended) a distance of 105.0 feet to a point on the east line of the Northeast Quarter of said section; thence northerly on the aforesaid east line a distance of 1,373.8 feet to the southeast corner of said Slaughter Addition; thence westerly on the south line of said Slaughter Addition a distance of 584.5 feet to the southwest corner thereof; thence northerly on the west line of said Slaughter Addition a distance of 230.0 feet to the place of beginning; AND a tract of land described in a Warranty Deed - Corporation recorded on Inst. 2013-6533 in the Buffalo County Register of Deeds office: A tract of land located in Tract A Midway Industrial District and Kearney Airfield in Section 33, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska, described as follows: Beginning at the Northwest Corner of said section; thence easterly a distance of 390.85 feet along the North line of said section; thence westerly deflecting $162^{\circ}17'17''$ right, a distance of 118.17 feet; thence southwesterly deflecting $006^{\circ}03'29''$ left, a distance of 215.63 feet; thence southerly deflecting $060^{\circ}06'58''$ left, a distance of 240.16 feet; thence southerly deflecting $003^{\circ}20'15''$ right, a distance of 146.35 feet to a point on the easterly existing Cherry Avenue right of way line; thence westerly deflecting $080^{\circ}44'14''$ right, a distance of 33.00 feet to a point on the West line of said section; thence northerly deflecting $090^{\circ}00'00''$ right, a distance of 505.92 feet along said line to the point of beginning, Buffalo County, Nebraska.

WHEREAS, the City Council will conduct a public hearing on July 10, 2018 at 7:00 a.m. or as soon thereafter as the matter may be heard to receive testimony from all interested parties and/or individuals; and

WHEREAS, the plan outlining the City services, including but not limited to: (a) water, sanitary sewer, storm sewer, refuse collection, are currently being provided and maintained by the City of Kearney and no additional utility improvements will be

required; and (b) a map drawn to scale clearly delineating the land proposed for annexation, the current boundaries of the City and the general land use pattern in the land proposed for annexation is available for inspection during regular business hours in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the President and Council of the City of Kearney, Nebraska, that a plan outlining the City services available to the above-described properties, together with a map showing the current boundaries of the City, a map showing the proposed boundaries of the City after annexation, and a map showing the general land use pattern in the land proposed for annexation is hereby adopted and approved and shall be available for inspection during regular business hours in the office of the City Clerk.

BE IT FURTHER RESOLVED that a public hearing on the proposed annexation shall be held at 7:00 a.m. on July 10, 2018, or as soon thereafter as the matter may be heard, in the City Council Chambers located at City Hall, 18 East 22nd Street, Kearney, Nebraska to receive testimony from all interested parties and/or individuals.

BE IT FURTHER RESOLVED that the City Clerk be and is hereby authorized and directed to publish in the *Kearney Hub* at least once, not less than ten days preceding the date of the public hearing, a copy of this Resolution and a map drawn to scale delineating the land proposed for annexation.

BE IT FURTHER RESOLVED that the City Clerk be and is hereby authorized and directed to send by first-class mail, a copy of the resolution providing for the public hearing to the school board of the school district including the lands proposed for annexation.

PASSED AND APPROVED THIS 26TH DAY OF JUNE, 2018.

ATTEST:
LAUREN BRANDT
CITY CLERK

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

ACCEPTANCE OF NORTH 2ND AVENUE INTERSECTION STUDY

Mayor Clouse opened for discussion Resolution No. 2018-99 on the acceptance of the North 2nd Avenue Intersection Study conducted by Olsson Associates and authorization to install protected left turn lane movements at 48th Street, 52nd Street and 56th Street and consider Resolution No. 2018-99.

Rod Wiederspan, Public Works Director presented this matter to the Council. The State of Nebraska has relinquished jurisdictional responsibility for 2nd Avenue with relinquishment of the right of way not occurring until after a project is concluding by the State which is planned from south of 11th Street to 25th Street to improve the right ability of the area as well as major repairs to the overpass. All signage has been replaced to city standards and most recently the lengthening of the left hand turns from 48th Street to 56th Street.

Olsson Associates conducted a study for the left turn movements at 48th Street, 52nd Street and 56th Street. The results showed that at 52nd Street northbound the left turn movement needs to be installed. Currently the manual uniform traffic control devices has warrants for installing signals at intersections but does not have any warrants for the protected left turn. This determination has been left up to the discretion of the body

that has jurisdiction. In the past, when a left turn signal installed, the City of Kearney would also install the opposing left turn as well. At 48th Street, there are protected left turns on the north, east, and west bound turns however there is not one southbound. There has been a recommendation to install a left turn signal at 48th Street for the southbound turn. 52nd Street currently has a signal for the left turn westbound but recommended left turn signals for north, south and east bound. 56th Street currently has a west and southbound left turn signals which leave installation of the north and east bound left turn signals.

Mayor Clouse asked what the projected timeline is? Director of Public Works stated 56th Street currently has long enough mast arms so Public Works will have add heads and order a new controller and other hardware. 48th Street will require a longer mast arm as the current extension is too short and the pole will have to be replaced. Public Works can temporarily fix some of these issues and will work as quickly to install permanent fixtures.

Council Member Buschkoetter stated that the budget for the year for 2nd Avenue is \$200,000. Will these repairs use that amount up? Director of Public Works stated yes, this project will use the rest of the remaining funds.

Council Member Lammers questioned if there was concern about synchronizing the lights since the lights are approximately four blocks apart? Director of Public Works stated the timing will be changed as the installation will change the delay times on 2nd Avenue. Council Member Nikkila stated the addition to the length of the turn lanes has been a nice addition.

Moved by Lammers seconded by Nikkila to approve 2018-99 on the Acceptance of the North 2nd Avenue Intersection Study conducted by Olsson Associates and authorization to install protected left turn lane movements at 48th Street, 52nd Street and 56th Street and consider Resolution No. 2018-99. Roll call resulted as follows: Aye: Clouse, Nikkila Lammers, Buschkoetter, Lear. Nay: None. Motion carried.

RESOLUTION NO. 2018-99

WHEREAS, the City of Kearney has been continually discussing the traffic flow and ability to have protected left turn movements, specifically on North 2nd Avenue throughout recent years;

WHEREAS, the Nebraska Department of Transportation has recently relinquished jurisdictional responsibility for North 2nd Avenue over to the City of Kearney;

WHEREAS, the City of Kearney contracted with Olsson Associates to complete a traffic engineering study to determine whether the additional protected left turn movements would be allowed according to National Cooperative Highway Research Program (NCHRP) design standards. The results of the study are intended to document the results of left-turn phasing analyses conducted at three intersections along 2nd Avenue; 48th Street, 52nd Street and 56th Street. The City of Kearney collected turning movement counts (including left-turn volume documentation, turn lane lengths and lane configurations) in December 2017, January 2018 and February 2018. Most recent three-year crash data including crash location, crash type, and crash severity was also included along with consideration of local operational procedures;

WHEREAS, based on approval of the study, City staff would begin applicable installation of protective plus permissive left-turn movements at the intersections of 48th Street, 52nd Street, and 56th Street, including analyzing the timing and progression along the 2nd Avenue corridor prior to activation of the protective plus permissive left-turn phases.

NOW, THEREFORE, BE IT RESOLVED by the President and Council of the City of Kearney, Nebraska, that the "North 2nd Avenue Intersection Study" completed by Olsson Associates dated June 15, 2018 be and is hereby accepted. A copy of the Study, marked as Exhibit "A" is attached hereto.

BE IT FURTHER RESOLVED that installation of protective plus permissive left-turn movements at the intersections of 48th Street, 52nd Street, and 56th Street, including analyzing the timing and progression along the 2nd Avenue corridor prior to activation of the protective plus permissive left-turn phases be authorized and hereby approved.

PASSED AND APPROVED THIS 26TH DAY OF JUNE, 2018.

ATTEST:
LAUREN BRANDT
CITY CLERK

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

OPEN ACCOUNT CLAIM

Moved by Nikkila seconded by Lear that the Open Account Claim in the amount of \$92,680.48 payable to Nebraska Public Power District be allowed. Roll call resulted as follows: Aye: Buschkoetter, Lear, Nikkila, Lammers. Nay: None. Clouse abstained. Motion carried.

VII. REPORTS

Michael Morgan, City Manager stated the City has had several productive meetings with United Airlines with respective to air service and physical improvements are moving inside the terminal and the runway project is on schedule. Citizens are encouraged to look at Kearney for air service. There will be a ribbon cutting event for the new airline on the evening of September 5th and air service will begin on September 6th.

Police Chief Dan Lynch presented the Council with challenge coins commemorating the 25th anniversary on July 5 of the joint law enforcement center for the Kearney Police Department and Buffalo County Sheriff's Office. An open house will occur in late July which will be advertised through the media and social media. Council Members congratulated Chief Lynch and thanked the efforts of both agencies.

Council Member Buschkoetter thanked all of the Park staff for their continued work to make Kearney's parks clean and beautiful. He encouraged citizens to visit all of Kearney's parks as they are some of the best in the state.

VIII. ADJOURN

Moved by Lear seconded by Buschkoetter that Council adjourn at 5:51 p.m. Roll call resulted as follows: Aye: Clouse, Buschkoetter, Lear, Nikkila, Lammers. Nay: None. Motion carried.

ATTEST:

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

**LAUREN BRANDT
CITY CLERK**