

**Kearney, Nebraska**  
**July 11, 2018**  
**3:00 p.m.**

A special meeting of the City Council of Kearney, Nebraska, was convened in open and public session at 3:02 p.m. on July 11, 2018 in the Peterson Senior Activity Center, 2020 West 11th Street, Kearney, Nebraska. Present were: Stanley A. Clouse, President of the Council; Lauren Brandt, City Clerk; Council Members Bruce Lear, Jonathan Nikkila, Bob Lammers. Absent: Randy Buschkoetter. Michael Morgan, City Manager; Eric Hellriegel, Assistant City Manager; Tony Jelinek, Director of Utilities; Shawna Erbsen, Administrative Services Director; Nate Mollring, I.T.; Director, Mike Tye, City Attorney and Peggy Eynetich, Deputy City Clerk were also present.

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.

## **ROUTINE BUSINESS**

### **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 in the room.

### **ORDINANCE NO. 8255 – ANNEXATION OF PROPERTY LOCATED WEST OF CHERRY AVENUE, EAST OF KEARNEY EAST EXPRESSWAY, NORTH OF HIGHWAY 30 AND SOUTH OF 39TH STREET INCLUDING A PORTION NORTH OF 39TH STREET AND A PORTION EAST OF CHERRY AVENUE**

Mayor Clouse stated that Ordinance No. 8255 pertains to the annexation of property located West of Cherry Avenue, East of Kearney East Expressway, North of Highway 30 and South of 39th Street Including a Portion North of 39th Street and a Portion East of Cherry Avenue. Most generally, the City Council generally suspends the rules requiring the reading of ordinances on three different days and moves for final passage. However, in accordance with Section 16-404 of the Nebraska Revised Statutes, "...such requirement shall not be suspended for any ordinance for the annexation of territory." The first reading was held on July 10, 2018 at 7:00 a.m. and the second reading on July 10, 2018 at 5:30 p.m. This is the third and final reading of the ordinance.

Council Member Lear moved that Ordinance No. 8255 annexing the following tract of land to be included within the corporate limits: 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 (West of Cherry Avenue, East of Kearney East Expressway, North of Highway 30 and South of 39th Street Including a Portion North of 39th Street and a Portion East of Cherry Avenue), be placed on third and final reading by title and that the City Clerk be permitted to read Ordinance No. 8255 on its third and final reading. Council Member Nikkila seconded the motion to place Ordinance No. 8255 on third and final reading. 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, Lammers. Nay: None. Buschkoetter absent. City Clerk read Ordinance No. 8255 by title on third and final reading.

#### ORDINANCE NO. 8255

An Ordinance Of The City Of Kearney, Nebraska, To Extend The Boundaries And Include Within The Corporate Limits Of, And To Annex To The City Of Kearney, Nebraska 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, Entirely Discussed And Described In The Metes And Bounds Legal Provided In Ordinance No. 8255; To Provide Service Benefits Thereto; To Confirm Zoning Classifications; To Repeal All Ordinances And Resolutions Or Parts Thereof In Conflict Herewith; And To Provide For Publication In Pamphlet Form By Authority Of The City Council And Effective Date Of This Ordinance.

Moved by Nikkila seconded by Lammers that Ordinance No. 8255 be passed, approved and published as required by law. Roll call resulted as follows: Aye: Clouse, Nikkila, Lammers, Lear. Nay: None. Buschkoetter absent. Motion carried.

By reason of the roll call voted on the third reading and final passage of the ordinance, Ordinance No. 8255 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.

#### **ADJOURN**

Moved by Clouse seconded by Lammers that Council adjourn at 3:05 p.m. Roll call resulted as follows: Aye: Clouse, Lammers, Lear, Nikkila. Nay: None. Buschkoetter absent. Motion carried.

**ATTEST:**

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

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**LAUREN BRANDT  
 CITY CLERK**