

***Kearney, Nebraska
August 8, 2018
7:30 a.m.***

A special meeting of the City Council of Kearney, Nebraska, was convened in open and public session at 7:30 a.m. on August 8, 2018 in the 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, Jonathan Nikkila. Absent: Bob Lammers. Michael Morgan, City Manager, City Attorney, Mike Tye and Eric Hellriegel, Assistant City Manager 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 on the wall of the Council Chambers.

THIRD AND FINAL READING OF ORDINANCE NO. 8261

Mayor Clouse stated that Ordinance No. 8261 pertains to the annexation of property located North of 39th Street approximately 1,343 feet east from Cherry Avenue, North of Aeronca Street, West of Airport Road, South of Cessena Street including Bellanca Street, South of 56th Street and East of Cherry Avenue and Kearney East Expressway. 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 August 7, 2018 at 7:30 a.m. and the second reading on August 7, 2018 at 5:30 p.m. This is the third and final reading of the ordinance.

Council Member Nikkila moved that Ordinance No. 8261 annexing the following tract of land to be included within the corporate limits: a tract of land located in part of the South Half of the Northwest Quarter, part of the Southwest Quarter of the Northeast Quarter, part of the Northwest Quarter of the Southeast Quarter, part of the Southwest Quarter of Section 28, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska; and that part of Cherry Avenue lying within part of the Southeast Quarter of the Northeast Quarter and part of the East Half of the Southeast Quarter, of Section 29, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska; and part of Lot 11 and all of Lots 21, 22, 23, and 24, 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; and all of Lot 3, Kearney Industrial Park Second, 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; part of Lot 6 and all of Lots 7 and 8 and part of Lot 9, Industrial Subdivision of Kearney Air Field, Buffalo County, Nebraska; and all of Lots 1 and 2, Patriot Second Subdivision, a subdivision being a part of the Southeast Quarter of the Northwest Quarter, part of the Southwest Quarter of the Northeast Quarter, part of the Northeast Quarter of the Southwest Quarter, and part of the Northwest Quarter of the Southeast Quarter of Section 28, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska; including all of those parts of Cherry Avenue, Piper Avenue, Cessna Street, Bellanca Street, Aeronca Street, Airport Road and 39th Street lying within and abutting the above described lands, all in Buffalo County, Nebraska (North of 39th Street approximately 1,343 feet east from Cherry Avenue, North of Aeronca Street, West of Airport Road, South of Cessna Street including Bellanca Street, South of 56th Street and East of Cherry Avenue and Kearney East Expressway), be placed on third and final reading by title and that the City Clerk be permitted to read Ordinance No. 8261 on its third and final reading. Council Member Lear seconded the motion to place Ordinance No. 8261 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, Buschkoetter. Nay: None. Lammers absent. City Clerk read Ordinance No. 8261 by title on third and final reading.

ORDINANCE NO. 8261

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 An Area Of Land Being A Tract Of Land Located In Part Of The South Half Of The Northwest Quarter, Part Of The Southwest Quarter Of The Northeast Quarter, Part Of The Northwest Quarter Of The Southeast Quarter, Part Of The Southwest Quarter Of Section 28, Township 9 North, Range 15 West Of The 6th P.M., Buffalo County, Nebraska; And That Part Of Cherry Avenue Lying Within Part Of The Southeast Quarter Of The Northeast Quarter And Part Of The East Half Of The Southeast Quarter, Of Section 29, Township 9 North, Range 15 West Of The 6th P.M., Buffalo County, Nebraska; And Part Of Lot 11 And All Of Lots 21, 22, 23, And 24, 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; And All Of Lot 3, Kearney Industrial Park Second, 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; Part Of Lot 6 And All Of Lots 7 And 8 And Part Of Lot 9, Industrial Subdivision Of Kearney Air Field, Buffalo County, Nebraska; And All Of Lots 1 And 2, Patriot Second Subdivision, A Subdivision Being A Part Of The Southeast Quarter Of The Northwest Quarter, Part Of The Southwest Quarter Of The Northeast Quarter, Part Of The Northeast Quarter Of The Southwest Quarter, And Part Of The Northwest Quarter Of The Southeast Quarter Of Section 28, Township 9 North, Range 15 West Of The 6th

P.M., Buffalo County, Nebraska; Including All Of Those Parts Of Cherry Avenue, Piper Avenue, Cessna Street, Bellanca Street, Aeronca Street, Airport Road And 39th Street Lying Within And Abutting The Above Described Lands, Entirely Discussed And Described In The Metes And Bounds Legal Provided In Ordinance No. 8261, 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 Lear seconded by Buschkoetter that Ordinance No. 8261 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 third reading and final passage of the ordinance, Ordinance No. 8261 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 Buschkoetter seconded by Clouse that Council adjourn at 7:35 a.m. Roll call resulted as follows: Aye: Clouse, Buschkoetter, Lear, Nikkila. Nay: None. Lammers absent. Motion carried.

ATTEST:

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

**LAUREN BRANDT
CITY CLERK**