

Kearney, Nebraska
May 14, 2019
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 May 14, 2019 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: Tami James Moore. Michael Morgan, City Manager; Michael Tye, City Attorney; Wendell Wessels, Director of Finance; Eric Hellriegel, Assistant City Manager; Sarah Sawin, Assistant Utilities Director; Bryan Waugh, Chief of Police; Jason Whalen, Fire Administrator and Police Captain Dennis Byrne were also present. Members of the media present included: Mike Konz with the Hub and Ryan Boyd with 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 Adrian Boykin provided the Invocation.

PLEDGE OF ALLEGIANCE

Two Boy Scouts from Troop 158 and two Girl Scouts from Troops 610 and 670 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.

RECOGNITION/ORAL COMMUNICATION

Mayor Clouse welcomed Chief Waugh and issued a Proclamation for National Police Week for May 12 through May 18, 2019. Chief Waugh thanked the Council on behalf of the Kearney Police Department and Buffalo County Sherriff's Department for the support given by them and the community. Chief Waugh invited everyone to attend the Police Memorial Event Ceremony in front of the LEC at 2:00 p.m. on May 15, 2019. Additionally Bobby Payne, one of the Police Chaplains, is in Washington D.C. representing Kearney Police Department and Buffalo County Sherriff's Department.

Council Member Buschkoetter stated the entire community is appreciative of the work performed by the Kearney Police Department and Buffalo County Sheriff's Department.

II. UNFINISHED BUSINESS

There was no Unfinished Business.

III. PUBLIC HEARINGS

CONDITIONAL USE PERMIT FOR GAMMA PURCHASING, L.L.C. FOR SBA COMMUNICATIONS CORP. FOR 3406 LAKEVIEW DRIVE

Public Hearings 1 and 2 were discussed together but voted on separately.

Mayor Clouse opened the public hearing on the Application submitted by Gamma Purchasing, L.L.C. for SBA Communications Corp. for a Conditional Use Permit as provided in Paragraph H of Section 46-110 "Telecommunications Towers" of Chapter 46 "Supplemental Use Regulations" of the City Code to co-locate telecommunications equipment for wireless communications on property zoned District R-1, Urban Residential Single-Family District (Low Density) and described as a tract of land in the Southwest Quarter of the Northwest Quarter of Section 35, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (3406 Lakeview Drive) and consider Ordinance No. 8339.

Jeff Keith of Longmont, Colorado presented this matter to the Council on behalf of Tower Engineering Professionals. The first item is for Dish. Dish desires to locate three antennas at 177 feet. It will be an IOT network which is a very low bandwidth network that only supports low data use. Dish does not have any current subscribers that will work on this network. Their intent is to have a 5G Wireless network in the future.

Sprint desires to locate six antennas at 260 feet on the tower. Their equipment will be to the east of where the existing tower is. It will be a 10 foot by 10 foot form with outdoor equipment. The equipment compound will be hidden by trees that are already on the site. Sprint is looking to infill coverage for phones to work better in Kearney.

Katherine Kime of 3307 Lakeview Drive questioned the radiation effects of the new antenna and what the safety precautions are as far as the weight load. Mr. Keith stated there has to be a structural analysis performed and that all the additional equipment passes on the tower. They are engineered for the wind load and the ice load per the county and the state. City Attorney Mike Tye stated part of the requirement of City Code states the company(s) have to provide a signed engineering study confirming that the tower will handle the additional equipment. Regarding radiation, Mr. Keith stated per the FAA and the FCC, one antenna is at 177 feet and the others are at 260 feet, if you would come down to 30 feet per the FAA the amount of radiation there that gets down to the ground is less than 1 percent. Mr. Keith stated more radiation is admitted from a baby monitor or television compared to what is admitted from these antennas.

There was no one present in opposition to this hearing.

Moved by Nikkila to close the public hearing on the Application submitted by Gamma Purchasing, L.L.C. for SBA Communications Corp. for a Conditional Use Permit as provided in Paragraph H of Section 46-110 "Telecommunications Towers" of Chapter 46 "Supplemental Use Regulations" of the City Code to co-locate telecommunications equipment for wireless communications on property zoned District R-1, Urban Residential Single-Family District (Low Density) and described as a tract of land in the Southwest Quarter of the Northwest Quarter of Section 35, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (3406 Lakeview Drive) and introduced Ordinance No. 8339 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. 8339. 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. Moore 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. 8339 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. Moore absent. Motion carried. Ordinance was read by number.

Moved by Lear seconded by Buschkoetter that Ordinance No. 8339 be passed, approved and published as required by law. Roll call resulted as follows: Aye: Clouse, Nikkila, Buschkoetter, Lear. Nay: None. Moore absent. Motion carried.

By reason of the roll call voted on the first reading and final passage of the ordinance, Ordinance No. 8339 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.

CONDITIONAL USE PERMIT FOR EVAN HUGHES, SBA COMMUNICATIONS CORP. FOR SBA TOWERS IV, LLC FOR 3406 LAKEVIEW DRIVE

Public Hearings 1 and 2 were discussed together but voted on separately.

Mayor Clouse opened the public hearing on the Application submitted by Evan Hughes, SBA Communications Corp. for SBA Towers IV, LLC for a Conditional Use Permit as provided in Paragraph H of Section 46-110 "Telecommunications Towers" of Chapter 46 "Supplemental Use Regulations" of the City Code to co-locate telecommunications equipment for wireless communications on property zoned District R-1, Urban Residential Single-Family District (Low Density) and described as a tract of land in the Southwest Quarter of the Northwest Quarter of Section 35, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (3406 Lakeview Drive) and consider Ordinance No. 8340.

There was no one present in opposition to this hearing.

Moved by Buschkoetter to close the public hearing on the Application submitted by Evan Hughes, SBA Communications Corp. for SBA Towers IV, LLC for a Conditional Use Permit as provided in Paragraph H of Section 46-110 "Telecommunications Towers" of Chapter 46 "Supplemental Use Regulations" of the City Code to co-locate telecommunications equipment for wireless communications on property zoned District R-1, Urban Residential Single-Family District (Low Density) and described as a tract of land in the Southwest Quarter of the Northwest Quarter of Section 35, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (3406 Lakeview Drive) and introduced Ordinance No. 8340 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 Clouse seconded the motion to close the hearing and suspend the rules for Ordinance No. 8340. 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. Moore 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. 8340 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. Moore absent. Motion carried. Ordinance was read by number.

Moved by Clouse seconded by Nikkila that Ordinance No. 8340 be passed, approved and published as required by law. Roll call resulted as follows: Aye: Clouse, Buschkoetter, Lear, Nikkila. Nay: None. Moore absent. Motion carried.

By reason of the roll call voted on the first reading and final passage of the ordinance, Ordinance No. 8340 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.

DEVELOPMENT PLAN FOR 4070 EAST 56TH STREET

Mayor Clouse opened the public hearing on the Application submitted by Farm Credit Services of America, FLCA for Planned District Development Plan Approval for the proposed construction of professional office building and parking lot on property zoned District BP/PD, Business Park/Planned Development Overlay District and described as a Lot 1, BT Acres Subdivision, a subdivision being part of the Southeast Quarter of the Southeast Quarter of Section 20, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (4070 East 56th Street) and consider Resolution No. 2019-75.

Steve Bodnar of Omaha, Nebraska and Aaron Hartung with Clark Enersen Partners presented this matter to the Council.

Mayor Clouse asked what the deviation was for. The deviation is for sidewalks that do not need to be completed until the neighboring properties get developed.

There was no one present in opposition to this hearing.

Moved by Nikkila seconded by Lear to close the hearing and adopt Resolution No. 2019-75 approving the Application submitted by Farm Credit Services of America, FLCA for Planned District Development Plan Approval for the proposed construction of professional office building and parking lot on property zoned District BP/PD, Business Park/Planned Development Overlay District and described as a Lot 1, BT Acres Subdivision, a subdivision being part of the Southeast Quarter of the Southeast Quarter of Section 20, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (4070 East 56th Street) and consider Resolution No. 2019-75. Roll call resulted as follows: Aye: Clouse, Lear, Nikkila, Buschkoetter. Nay: None. Moore absent. Motion carried.

RESOLUTION NO. 2019-75

WHEREAS, Farm Credit Services of America, FLCA have applied for Planned District Development Plan Approval for the construction of a professional office building and parking lot on property to be zoned District BP/PD, Business Park/Planned Development Overlay District and described as Lot 1, BT Acres Subdivision, a subdivision being part of the Southeast Quarter of the Southeast Quarter of Section 20, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (4070 East 56th Street).

NOW, THEREFORE, BE IT RESOLVED by the President and City Council of the City of Kearney, Nebraska, that the application of Farm Credit Services of America, FLCA for Planned District Development Plan Approval for the construction of a professional office building and parking lot on property zoned District BP/PD, Business Park/Planned Development Overlay District and described as Lot 1, BT Acres Subdivision, a subdivision being part of the Southeast Quarter of the Southeast Quarter of Section 20, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (4070 East 56th Street) be approved subject to the following deviation:

1. Construction of the public sidewalk along the street frontages is not required before the Certificate of Occupancy is issued. The owner agrees to construct said sidewalks, to City specifications, with any future development on one or more of the adjacent properties or within 60 days of the time City Council deems such sidewalk is necessary.

PASSED AND APPROVED THIS 14TH DAY OF MAY, 2019.

ATTEST:
LAUREN BRANDT
CITY CLERK

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

REZONING OF PROPERTY LOCATED EAST OF AVENUE V, WEST OF AVENUE X, NORTH OF 36TH STREET

Mayor Clouse stated the City was notified by the developer requesting to postpone until May 28, 2019 the public hearing on the Application submitted by Danny Starostka for Starostka Group Unlimited to rezone from District AG, Agricultural District to District R-2/PD, Urban Residential Mixed-Density/Planned Development Overlay District for property described as a tract of land located in part of the North Half of the Northeast

Quarter of Section 31, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (East of Avenue V, West of Avenue X, North of 36th Street).

Moved by Lear seconded by Buschkoetter to postpone until May 28, 2019 the Application submitted by Danny Starostka for Starostka Group Unlimited to rezone from District AG, Agricultural District to District R-2/PD, Urban Residential Mixed-Density/Planned Development Overlay District for property described as a tract of land located in part of the North Half of the Northeast Quarter of Section 31, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (East of Avenue V, West of Avenue X, North of 36th Street). Roll call resulted as follows: Aye: Clouse, Nikkila, Buschkoetter, Lear. Nay: None. Moore absent. Motion carried.

FINAL PLAT AND SUBDIVISION AGREEMENT FOR MILLENNIAL ESTATES THIRD ADDITION

Mayor Clouse stated the City was notified by the developer requesting to postpone until May 28, 2019 the public hearing on the Application submitted by Danny Starostka for Starostka Group Unlimited for the Final Plat and Subdivision Agreement for Millennial Estates Third Addition, an addition to the City of Kearney, Buffalo County, Nebraska, for property described as a tract of land located in part of the North Half of the Northeast Quarter of Section 31, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (East of Avenue V, West of Avenue X, North of 36th Street).

Moved by Lear seconded by Buschkoetter to postpone until May 28, 2019 the Application submitted by Danny Starostka for Starostka Group Unlimited for the Final Plat and Subdivision Agreement for Millennial Estates Third Addition, an addition to the City of Kearney, Buffalo County, Nebraska, for property described as a tract of land located in part of the North Half of the Northeast Quarter of Section 31, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (East of Avenue V, West of Avenue X, North of 36th Street). Roll call resulted as follows: Aye: Clouse, Nikkila, Buschkoetter, Lear. Nay: None. Moore absent. Motion carried.

ANNEXATION OF MILLENNIAL ESTATES THIRD ADDITION

Mayor Clouse stated the City was notified by the developer requesting to postpone until May 28, 2019 the public hearing on the Application submitted by Danny Starostka for Starostka Group Unlimited for the annexation of Millennial Estates Third Addition, an addition to the City of Kearney, Buffalo County, Nebraska, for property described as a tract of land located in part of the North Half of the Northeast Quarter of Section 31, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (East of Avenue V, West of Avenue X, North of 36th Street).

Moved by Lear seconded by Buschkoetter to postpone until May 28, 2019 the Application submitted by Danny Starostka for Starostka Group Unlimited for the annexation of Millennial Estates Third Addition, an addition to the City of Kearney, Buffalo County, Nebraska, for property described as a tract of land located in part of the North Half of the Northeast Quarter of Section 31, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (East of Avenue V, West of Avenue X, North of 36th Street). Roll call resulted as follows: Aye: Clouse, Nikkila, Buschkoetter, Lear. Nay:

None. Moore absent. Motion carried.

DEVELOPMENT PLANS FOR PROPERTY LOCATED EAST OF AVENUE V, WEST OF AVENUE X, NORTH OF 36TH STREET

Mayor Clouse stated the City was notified by the developer requesting to postpone until May 28, 2019 the public hearing on the Application submitted by Danny Starostka for Starostka Group Unlimited for Planned District Development Plan Approval for construction of a subdivision on property to be zoned District R-2/PD, Urban Residential Mixed-Density/Planned Development Overlay District and described as a tract of land located in part of the North Half of the Northeast Quarter of Section 31, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (East of Avenue V, West of Avenue X, North of 36th Street).

Moved by Lear seconded by Buschkoetter to postpone until May 28, 2019 the Application submitted by Danny Starostka for Starostka Group Unlimited for Planned District Development Plan Approval for construction of a subdivision on property to be zoned District R-2/PD, Urban Residential Mixed-Density/Planned Development Overlay District and described as a tract of land located in part of the North Half of the Northeast Quarter of Section 31, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (East of Avenue V, West of Avenue X, North of 36th Street). Roll call resulted as follows: Aye: Clouse, Nikkila, Buschkoetter, Lear. Nay: None. Moore absent. Motion carried.

PERMANENT ROADWAY, SEWER AND WATER MAIN EASEMENT

Mayor Clouse opened the public hearing on the proposed acquisition for a Permanent Roadway, Sewer and Water Main Easement granted to City by Excalibur Enterprises, Inc. for an area of land being part of Government Lot 7, Section 11, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska and consider Resolution No. 2019-79.

Michael Tye, City Attorney, presented this matter to the Council. This matter comes before Council to acquire sewer, water and roadway easements. The City acquired a number of easements with reference to the new Younes Project back in January. This piece of property is located at the end of Talmadge where it will intersect with 10th Avenue. The City became aware the property had been sold so the City waited for the property to close then the City entered into an acquisition of the easements. There is no financial payment being made; the owner is dedicating the property and it will be completed as part of the Younes Project.

There was no one present in opposition to this hearing.

Moved by Clouse seconded by Nikkila to close the hearing and adopt Resolution No. 2019-79 approving the proposed acquisition for a Permanent Roadway, Sewer and Water Main Easement granted by Excalibur Enterprises, Inc. for an area of land being part of Government Lot 7, Section 11, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska. Roll call resulted as follows: Aye: Clouse, Buschkoetter, Lear, Nikkila. Nay: None. Moore absent. Motion carried.

RESOLUTION NO. 2019-79

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

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

WHEREAS, Excalibur Enterprises, Inc., have granted to the City of Kearney, Nebraska a Permanent Roadway, Sewer and Water Main Easement as follows:

PERMANENT ROADWAY, SEWER AND WATER MAIN EASEMENT

An area of land being part of Government Lot 7, Section 11, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska, and more particularly described as follows: Referring to the Southeast corner of Government Lot 7 of Section 11 and assuming the East line of said Government Lot 7 as bearing N 01°06'36" E and all bearings contained herein are relative thereto; thence N 01°06'36" E on said East line a distance of 960.11 feet to the Point of Beginning; thence N 01°06'36" E continuing on said East line a distance of 105.0 feet to a point on the North right-of-way line of Talmadge Street as platted in the City of Kearney, Buffalo County, Nebraska; thence N 87°00'16" W on the Westerly extension of said North line of Talmadge Street and the South line of a tract of land recorded as Inst. 2018-04033 in the Buffalo County Register of Deeds, Kearney, Nebraska, a distance of 71.0 feet; thence S 01°06'37" W parallel with said East line a distance of 66.0 feet; thence S 87°00'16" E parallel with said South line a distance of 38.0 feet; thence S 01°06'37" W parallel with said East line a distance of 39.0 feet; thence S 87°00'16" E parallel with said South line a distance of 33.0 feet to the Point of Beginning, containing 0.14 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 a Permanent Roadway, Sewer and Water Main Easement granted by Excalibur Enterprises, Inc., to the City of Kearney be and is hereby approved and accepted.

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

PASSED AND APPROVED THIS 14TH DAY OF MAY, 2019.

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 10 of Consent Agenda Item IV be approved. Roll call resulted as follows: Aye: Clouse, Buschkoetter, Lear,

Nikkila. Nay: None. Moore absent. Motion carried.

1. Approve Minutes of Regular Meeting held April 23, 2019.

2. Approve the following Claims:

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

32 Below \$5,500.00 smcs; Ace Irrigation \$344.16 smcs; Acushnet \$1,153.04 smcs; Adams,S \$15.99 smcs; Adventure Enterprises \$945.00 smcs; Agri Coop \$3,306.34 smcs; All Makes Auto \$1,245.24 smcs; Amazon \$2,753.59 smcs; American Fence \$10,545.00 smcs; Americinn Motel \$1,788.53 co; Anderson Ford Lincoln \$27,737.00 co; Anderson,J \$231.00 smcs; Ask Supply \$2,283.50 smcs; Aurora Coop \$875.36 smcs; Auto Value \$1,000.80 smcs; Baker & Taylor \$4,171.50 smcs; Bauer Well Drilling \$4,054.00 smcs; Baughman,J \$18.18 smcs; Beacon Athletics \$2,635.00 smcs,; co; Becker,G \$109.25 smcs; Benner,P \$22.53 smcs; Bill's Trailer Sales \$7,950.00 co; Blackstone Publishing \$478.99 smcs; Blessing \$185,663.80 smcs,co; Blue Cross Blue Shield \$98,086.75 smcs; Bosselman \$1,443.00 smcs; Bowers,A \$43.49 smcs; Brandt,T \$31.00 smcs; Broadfoots \$1,152.00 smcs; Bridgett Lavene Consulting \$21,347.14 smcs; Brisbin,K \$19.29 smcs; Builders \$1,694.43 smcs,co; Butler,M \$11.49 smcs; Capstone Press \$3,314.84 smcs; Carquest \$103.49 smcs; Cash-Wa \$7,737.51 smcs; Center Point Publishing \$75.96 smcs; Central District Health \$2,700.00 smcs; Central Plains Library \$41.74 smcs; Central States Wire \$438.25 smcs; Cherry Lake Publishing \$1,190.00 smcs; Chesterman \$2,367.55 smcs; Child's World \$1,939.40 smcs; Christensen,C \$136.00 smcs; Cigna \$7,368.73 smcs; City of Ky \$434,297.46 smcs,ps; City Plumbing \$389.68 smcs; Clausen,M \$38.85 smcs; Cold Spring Granite \$804.21 smcs; Community Partnership \$434.00 smcs; Commercial Recreation \$331.17 co; Community Health Agency \$102.00 ps; Community Services Fund \$58.00 ps; Consolidated Management \$34.96 smcs; Cornhusker Cleaning \$64.52 smcs; Country Partners \$21,813.49 smcs; Crane River Theater \$600.00 smcs; Crisman,D \$12.59 smcs; Cuda,S \$8.74 smcs; Cummins \$2,213.58 smcs; Cunningham, Stephanie \$165.00 smcs; Cutter & Buck \$1,569.30 smcs; Dan Roeder Concrete \$16,320.00 co; Dan's Plumbing \$356.89 smcs; Ditch Witch \$47.83 smcs; Douglas,B \$41.59 smcs; Dutton Lainson \$9.14 smcs; Eagle Distributing \$1,587.25 smcs; Eakes \$2,321.87 smcs; Edgerton Explorit Center \$647.84 smcs; Ensley Electrical \$12,418.40 co; Eustis Body Shop \$100.00 smcs; Extreme Plumbing \$1,088.00 smcs; Fantasy Faces by Mark \$375.00 smcs; Farr,L \$145.00 smcs; Felsburg Holt & Ullevig \$3,973.52 smcs; Gale \$781.01 smcs; Gannon Travel \$1,600.00 smcs; Gear For Sports \$144.07 smcs; Gleason,A \$13.15 smcs; Gleason,W \$13.15 smcs; Glock,M \$24.07 smcs; Grand Central Properties \$505.40 smcs; Greater NE Cities \$1,000.00 smcs; Gulachi-Johnson, Christina \$2.93 smcs; Harrison Truck Center \$159,180.00 co; Heggemeyer,L \$13.37 smcs; Heil,H \$12.49 smcs; HelpCare Clinic \$3,000.00 smcs; Helzer,A \$28.81 smcs; Hemingway Kerkman, Beki \$600.00 smcs; Hermoso,D \$36.64 smcs; Hill,M \$165.00 smcs; Hinrichs,T \$18.01 smcs; HOA Solutions \$2,027.80 smcs; Hometown Leasing \$159.08 smcs; Hotsy \$275.19 smcs; Hutt,E \$12.37 smcs; ICMA \$12,426.80 ps; Idemia Identity \$3,400.00 co; Identity Automation \$1,525.00 smcs; Infogroup \$415.00 smcs;

IRS \$304,690.37 ps; Janicek,T \$60.00 smcs; JarodC \$500.00 smcs; Jump-a-roo \$1,100.00 smcs; Kalinowski,J \$75.00 smcs; Ky Animal Shelter \$7,808.00 smcs; Ky Area United Way \$442.42 ps; Ky Concrete \$459.00 co; Ky Crete & Block \$1,404.07 smcs,co; Ky Glass \$366.05 smcs; Ky Noon Rotary \$125.00 smcs; Ky Towing \$400.00 smcs; Ky Wine \$300.00 smcs; Keen,S \$25.73 smcs; Kehl,F \$50.00 smcs; Konica Minolta \$606.17 smcs; Kosch,E \$38.74 smcs; LCL Truck Equipment \$24,156.00 co; Lemon Fresh Day \$3,000.00 smcs; Light and Siren \$1,765.00 co; Lind,T \$28.36 smcs; Mad Science of Greater KC \$463.00 smcs; Magic Cleaning \$7,700.00 smcs; Marlatt Machine \$16,704.00 co; Masek Golf Car \$7,100.00 co; McCormick, Lois \$26.94 smcs; Mead Lumber \$151.58 co; Menards \$252.85 smcs; Mid American Signal \$25,489.00 smcs; Mid-NE Garage Doors \$722.00 smcs; Midwest Connect \$7,542.41 smcs; Milco Environmental \$2,967.80 smcs; Miller & Associates \$1,535.00 smcs; Miller Signs \$190.00 smcs; Mills,L \$1,000.00 smcs; Mirror Image \$377.00 smcs; Moonlight Embroidery \$1,757.30 smcs; Mork,C \$300.00 smcs; Most Dependable Fountains \$5,095.00 smcs; Mueller Sprinklers \$69,463.70 co; Muhlbach,D \$31.01 smcs; Municipal Code \$1,468.00 smcs; Municipal Supply \$10,483.88 smcs; Murphy Tractor \$1,386.30 smcs; MV Sport \$563.50 smcs; NE Child Support Pmt \$4,897.78 ps; NE Dept of Economic \$35.00 smcs; NE Dept of Revenue \$129,811.83 smcs,ps; NE Environmental Products \$4,698.00 smcs; NE Public Health \$33.00 smcs; NE Safety & Fire \$215.00 smcs; NE Softball Assn. \$2,140.00 smcs; Nebraskaland Distributors \$1,446.90 smcs; NLETC \$270.00 smcs; Northwestern Energy \$4,712.53 smcs; Novus Windshield Repair \$45.00 smcs; Odeys \$2,617.00 smcs; One Call Concepts \$608.67 smcs; O'Neill Wood Resources \$2,250.00 smcs; O'Reilly Automotive \$3,633.46 smcs; Outdoor Recreation \$2,148.00 co; Paramount \$162.24 smcs; Paxton,H \$1.42 smcs; Payflex Systems \$531.25 ps; Payne,D \$37.96 smcs; Payton,D \$400.00 smcs; Peerless Machine \$361.50 smcs; Penguin Random House \$127.50 smcs; Pep Co \$237.34 smcs; Ping \$893.36 smcs; Platte Valley Comm. \$662.50 smcs; Powertech \$789.76 smcs; Presto-X \$371.00 smcs; Pro-Tint \$717.50 smcs; Ready Mixed Concrete \$1,040.33 smcs; Recorded Books \$1,912.24 smcs; Renken,N \$17.01 smcs; Republic National Distributing \$1,710.06 smcs; Resource Management \$2,075.70 smcs; Rheome Tree \$3,025.00 smcs; Richardson,M \$712.50 smcs; Rokit \$1,250.00 smcs; Roe,J \$38.42 smcs; Rother,K \$20.78 smcs; Rourke Publishing \$1,209.00 smcs; Royle,J \$13.13 smcs; S & J Construction \$15,956.87 co; Sapp Brothers \$115,399.84 smcs; Schissel, Andrew \$7.89 smcs; School District 7 \$5,938.40 smcs; Schroer,J \$235.00 smcs; Schroer,K \$23.53 smcs; Schwarz,G \$136.00 smcs; See Clear Cleaning \$3,400.00 smcs; Shredding Solutions \$57.60 smcs; Signit \$54.00 smcs; Silverstone Group \$4,860.00 smcs; Siteone Landscape \$844.31 smcs; Skeeter Barnes \$4,842.90 smcs; Snap-on Tools \$1,498.02 smcs; Southern Glaziers \$2,030.24 smcs; Springer Roofing \$2,500.00 smcs; Staples, Titus \$35.00 smcs; Sunbelt Rentals \$708.54 smcs; Tennant, Ronald \$288.57 smcs; Tessa,C \$38.96 smcs; Thompson,K \$31.01 smcs; Thompson,K \$946.82 smcs; Thomson Reuters - West \$2,316.00 smcs; Tielke's Sandwiches \$116.10 smcs; Traffic Control \$3,000.00 co; Tri City Sign \$682.50 smcs; Tri-Co Equipment \$123.36 smcs; Tri-Co Glass \$4,380.50 smcs,co; TruGreen \$202.00 smcs; Turfwerks \$3,796.30 smcs; Turner Body Shop \$200.00 smcs; Tye & Rowling \$13,885.38 smcs; Tye,J \$14.00 smcs; Union Bank & Trust \$154,585.93 ps; UPS \$2.51 co; V The Gypsy Cowbelle \$1,050.00 smcs; Van Diest \$1,840.00 smcs; Verizon \$6,745.33 smcs; Village Uniform \$304.64 smcs; VVS Canteen \$126.00 smcs; Waldinger Corp \$998.50 smcs; Walford,M \$30.00 smcs; Wells Fargo \$50,568.36 ds; Wentz,K \$21.11 smcs; Wesco \$397.00 smcs; West Villa Animal Hospital \$255.75 smcs; White,M \$15.00 smcs; Wilbert Memorials

\$69,550.00 smcs; Wilco Life Insurance Co. \$10.00 ps; Yanda's Music \$8,055.14 smcs; Younes,K \$93.74 smcs; Zapata,C \$31.00 smcs; Payroll Ending 4/27/2019 -- \$473,979.41. 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 Special Event Permit Applications as follows:

a) Nebraska Kidney Association on behalf of 2019 Kidney Walk to temporarily close the northbound lane of East 1st Street from The Archway Parking Lot (located west of the building) to Avenue M and Avenue M from East 1st Street to the east Hike & Bike Trail entrance on Saturday, June 8, 2019 from 8:00 a.m. to 12:00 p.m.;

b) Amended event date for the Kearney Police Department to temporarily close Avenue B from Railroad Street to 22nd Street from on Saturday, June 15, 2019 (originally approved for June 1, 2019) to conduct the annual spring police auction;

c) Shrine Bowl Parade to temporarily close Central Avenue from 25th Street to North Railroad Street, 1st Avenue from 25th Street to North Railroad Street, Avenue A from Railroad Street to 20th Street, 3rd Avenue and 4th Avenue from North Railroad Street to 20th Street, North Railroad Street from Central Avenue to Avenue E, Avenues A, B, C, and D from Railroad Street to 22nd Street on June 1, 2019 beginning at 9:00 a.m. Parking on these streets will be prohibited beginning at 6:00 a.m.;

d) Kearney BBQ on the Bricks to temporarily close 24th Street from Avenue A to Central Avenue and 24th Street from Central Avenue to 1st Avenue on August 16 and 17, 2019;

e) Mikaela Richmond on behalf of the KHS Bearcat Marching Band Festival for the temporary closure of 30th Avenue from 11th Street to the southern end of Kearney High School on Saturday, September 21, 2019;

f) Tim Danube on behalf of UNK-LPAC Homecoming for the temporary closing of 3rd Avenue from Railroad Street to 21st Street; 8th Avenue from 20th Street to 21st Street; 20th Street from 8th Avenue to 9th Avenue; 21st Street from 3rd Avenue to 8th Avenue; 23rd Street from Avenue A to Avenue E; 24th Street from Avenue A to Avenue E; Central Avenue from 25th Street to Railroad Street; Railroad Street from Central Avenue to 3rd Avenue; Avenue B from 22nd Street to 24th Street; Avenue C from Railroad Street to 22nd Street; Avenue C from 22nd Street to 25th Street; Avenue D from Railroad Street to 22nd Street; Avenue D from 22nd Street to 25th Street and the parking lot located north of MONA on Saturday, October 5, 2019 for the UNK Homecoming Parade;

g) Cheryl Willis on behalf of Awaken the Dawn Kearney to temporarily close the north half of the MONA parking lot on Thursday, October 17, 2019 through Saturday, October 19, 2019; and

h) Mikaela Richmond on behalf of the Nebraska State Marching Band Festival for the temporary closure of 30th Avenue from 11th Street to the southern end of Kearney High School on Saturday, October 26, 2019.

4. Authorize the Mayor to send a letter of no recommendation to the Nebraska Liquor Control Commission on the Class I-123047 liquor license application and manager application for Kim Rodgers submitted by U Med Spa, a Wellness Collective, LLC dba U Med Spa located at 610 Talmadge Street, Suite B.

5. Approve the application for a Special Designated License submitted by Dady Inc.

dba Dad's Tavern in connection with their Class C-009081 liquor license to dispense alcoholic liquor in an outdoor 25 feet x 30 feet fenced area in the rear parking area (connected to the west side of building) of Dad's Tavern, located at 1910 Central Avenue on May 31, June 1, 2019 from 2:00 p.m. until 1:00 a.m., both days, for a birthday party open house.

6. Approve the application for Special Designated Licenses submitted by The World Theatre Foundation in connection with their Class I-100700 liquor license to dispense alcoholic liquor inside an outdoor 231 feet x 95 feet fenced and blocked area located on Central Avenue from the north end of 24th Street to the north end of 23rd Street and includes sidewalks abutting businesses on the east and west side of Central Avenue on June 6, 20, July 18, August 1, 2019 from 6:30 p.m. until 10:00 p.m. for a Downtown Kearney Outdoor Concert Series.

7. Adopt Resolution No. 2019-80 approving the Agreement for Acquisition of Permanent Road Right-of-Way, Sewer and Water Main Easement between the City of Kearney and Excalibur Enterprises, Inc. for the acquisition of a sidewalk easement on their property as it runs along 10th Avenue and Talmadge Street.

RESOLUTION NO. 2019-80

BE IT RESOLVED by the President and Council of the City of Kearney, Nebraska that the Mayor be and is hereby authorized and directed to execute the Agreement for Acquisition of Permanent Road Right-of-Way, Sewer and Water Main Easement between the City of Kearney and the Excalibur Enterprises, Inc. for the acquisition of certain road right-of-way for the purposes of creating an intersection of Talmadge Street and 10th Avenue and drainage and installation of City sewer and water. The Agreement, marked Exhibit "A", is attached hereto and made a part hereof by reference.

PASSED AND APPROVED THIS 14TH DAY OF MAY, 2019.

ATTEST:
LAUREN BRANDT
CITY CLERK

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

8. Accept the bids received for the Citywide Storage Facility South Wall Replacement on the Kearney Regional Airport South Hangar and adopt Resolution No. 2019-81 awarding the bid to TL Sund Constructors Inc. in the amount of \$113,230.00.

9. Approve the applications for a Special Designated License submitted by Miretta Vineyards & Winery Inc., dba Miretta Vista Winery in connection with their YK-077615 liquor license to cater and dispense alcoholic liquors as follows:

a) Inside the Expo Building located at the Buffalo County Fairgrounds, 3807 Avenue N, on Saturday, October 26, 2019 from 9:00 a.m. until 4:00 p.m. for a craft fair; and

b) Inside the Expo Building located at the Buffalo County Fairgrounds, 3807 Avenue N, on Saturday, November 9, 2019 from 9:00 a.m. until 4:00 p.m. for a craft fair.

10. 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 the Nebraska Museum of Nebraska Art (MONA) located at 2401 Central Avenue, on Saturday, June 1, 2019 from 3:00 p.m. to 12:00 a.m., for a UNK event;
- b) Inside the Extension Building located at the Buffalo County Fairgrounds, 1400 E 34th Street, on Saturday, June 1, 2019 from 3:00 p.m. until 12:00 a.m. for a reception;
- c) Inside the Exhibit Building located at the Buffalo County Fairgrounds, 3807 Avenue N, on Saturday, June 8, 2019 from 3:00 p.m. until 12:00 a.m. for a reception;
- d) Inside the Extension Building located at the Buffalo County Fairgrounds, 1400 E 34th Street, on Saturday, June 15, 2019 from 3:00 p.m. until 12:00 a.m. for a reception;
- e) Inside the Ag Pavilion located at the Buffalo County Fairgrounds, 3807 Avenue N, on Saturday, June 22, 2019 from 3:00 p.m. until 12:00 a.m. for a reception;
- f) Inside the Expo Building located at the Buffalo County Fairgrounds, 3807 Avenue N, on Saturday, June 29, 2019 from 3:00 p.m. until 12:00 a.m. for a monster truck event;
- g) Inside the Ag Pavilion located at the Buffalo County Fairgrounds, 3807 Avenue N, on Saturday, July 13, 2019 from 3:00 p.m. until 12:00 a.m. for a reception; and
- h) Inside the Expo Building located at the Buffalo County Fairgrounds, 3807 Avenue N, on Friday, July 19, 2019 from 3:00 p.m. until 12:00 a.m. for a classic car event.

V. CONSENT AGENDA ORDINANCES

ORDINANCE NO. 8342 AMENDING SECTIONS 3-2902 AND 3-2907 OF THE CITY CODE

Council Member Lear introduced Ordinance No. 8342 amending two sections under Article 29 "Itinerant Merchants, Peddlers, and Solicitors" of Chapter 3 "Business Regulations" of the City Code including Section 3-2902 "Definitions" to remove the definition of food truck vendor and Section 3-2907 "Fees" to remove the reference of food truck vendor, 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. 8342. 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, Nikkila, Buschkoetter, Lear. Nay: None. Moore 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. 8342 by number. Roll call of those in favor of the passage of said ordinance on the first reading resulted as follows: Aye: Clouse, Nikkila, Buschkoetter, Lear. Nay: None. Moore absent. Motion carried. Ordinance was read by number.

Moved by Buschkoetter seconded by Clouse that Ordinance No. 8342 be passed, approved and published as required by law. Roll call resulted as follows: Aye: Clouse, Buschkoetter, Lear, Nikkila. Nay: None. Moore absent. Motion carried.

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

Ordinance No. 8342 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.

ORDINANCE NO. 8343 REPEALING SECTION 3-2903.1 AND 3-2903.02 OF THE CITY CODE

Council Member Lear introduced Ordinance No.8343 repealing in its entirety two sections under Article 29 “Itinerant Merchants, Peddlers, and Solicitors” of Chapter 3 “Business Regulations” of the City Code including Section 3-2903.1 “Food Truck Permit” and Section 3-2903.02 “Food Truck Permit Rules”, 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. 8343. 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, Nikkila, Buschkoetter, Lear. Nay: None. Moore 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. 8343 by number. Roll call of those in favor of the passage of said ordinance on the first reading resulted as follows: Aye: Clouse, Nikkila, Buschkoetter, Lear. Nay: None. Moore absent. Motion carried. Ordinance was read by number.

Moved by Buschkoetter seconded by Clouse that Ordinance No. 8343 be passed, approved and published as required by law. Roll call resulted as follows: Aye: Clouse, Buschkoetter, Lear, Nikkila. Nay: None. Moore absent. Motion carried.

By reason of the roll call voted on the first reading and final passage of the ordinance, Ordinance No. 8343 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.

MODIFIED ORDINANCE NO. 8344 ADDING NEW ARTICLE 31 “FOOD TRUCKS” TO CHAPTER 3 OF THE CITY CODE

There was a suggestion to further modify Ordinance Number 8344 to specifically alter the hours of operation for food truck permits to be between 11:00 a.m. and 1:00 a.m. daily.

Council Member Buschkoetter suggested giving an extra hour like in other Downtown Bar Districts around the country. Chief Waugh stated because the food trucks would not be parked directly outside the bars it could cause people to drive to the location of the food trucks which could be a danger; he felt that 1:00 a.m. was a good time to stop serving.

It was decided to modify the hours to 11:00 a.m. to 1:00 a.m. daily.

Council Member Lear introduced Ordinance No.8344 modifying specifically the hours of operation for Food Truck Permits to be between 11:00 a.m. and 1:00 a.m. daily and amending the Kearney City Code by adding a new Article 31 entitled "Food Trucks" to Chapter 3 "Business Regulations" by removing language referencing food trucks previously found in Article 29 of Chapter 3 "Business Regulations" and clarifying the permit application for food trucks operating on City owned property, 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 Modified Ordinance No. 8344. 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, Nikkila, Buschkoetter, Lear. Nay: None. Moore 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. 8344 by number. Roll call of those in favor of the passage of said ordinance on the first reading resulted as follows: Aye: Clouse, Nikkila, Buschkoetter, Lear. Nay: None. Moore absent. Motion carried. Ordinance was read by number.

Moved by Buschkoetter seconded by Clouse that Modified Ordinance No. 8344 be passed, approved and published as required by law. Roll call resulted as follows: Aye: Clouse, Buschkoetter, Lear, Nikkila. Nay: None. Moore absent. Motion carried.

By reason of the roll call voted on the first reading and final passage of the ordinance, Modified Ordinance No. 8344 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.

ORDINANCE NO. 8345 AMENDING SECTION 9-1032 OF THE CITY CODE

Council Member Lear introduced Ordinance No. 8345 amending Section 9-1032 "Installations by Owner" of Division II "Plumbing Permits" of Article 10 "Plumbing Code" of Chapter 9 "Public Works" of the City Code to amend the section title by adding minor and add language regulating allowable number of fixtures at the discretion of the Authority Having Jurisdiction, 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. 8345. 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, Nikkila, Buschkoetter, Lear. Nay: None. Moore 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. 8345 by number. Roll call of those in favor of the passage of said ordinance on the first reading resulted as follows: Aye Clouse, Nikkila, Buschkoetter, Lear. Nay: None. Moore absent. Motion carried. Ordinance was read by number.

Moved by Buschkoetter seconded by Clouse that Ordinance No. 8345 be passed, approved and published as required by law. Roll call resulted as follows: Aye: Clouse, Buschkoetter, Lear, Nikkila. Nay: None. Moore absent. Motion carried.

By reason of the roll call voted on the first reading and final passage of the ordinance, Ordinance No. 8345 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

REDEMPTION OF GENERAL OBLIGATION VARIOUS PURPOSE BONDS, SERIES 2014

Regular Agenda Items 1, 2 and 3 were discussed together but voted on separately.

Mayor Clouse opened for discussion the adoption of Resolution No. 2019-82 calling for the redemption of General Obligation Various Purpose Bonds, Series 2014, in the principal amount of \$1,310,000.00.

Bruce Lefler of Ameritas Investment Corp. Omaha presented this matter to the Council. The portion of the refinancing of 2014 bonds that mixed in together with 20 years BAN anticipation note issue maturities remain the same and the anticipated debt service savings is \$81,875.00. The bonds will be outstanding until 2039; the outstanding and combined average interest rate of 2.846% and the 2019 BAN's are authorized and issued at an interest rate of 1.8%. There was very good participation locally in purchasing the bonds and decent participation on the BAN's which were all sold as well.

Moved by Clouse seconded by Nikkila to approve the adoption of Resolution No. 2019-82 calling for the redemption of General Obligation Various Purpose Bonds, Series 2014, in the principal amount of \$1,310,000.00. Roll call resulted as follows: Aye: Clouse, Buschkoetter, Lear, Nikkila. Nay: None. Moore absent. Motion carried.

RESOLUTION NO. 2019-82

BE IT RESOLVED AND ENACTED BY THE MAYOR AND COUNCIL OF THE CITY OF KEARNEY, NEBRASKA, as follows:

Section 1. That the following bonds, in accordance with their option provisions, are hereby called for payment on June 14, 2019, after which date interest on the bonds will cease:

General Obligation Various Purpose Bonds, Series 2014 dated June 13, 2014, in the outstanding principal amount of \$1,310,000, numbered as they are shown on the books and records of the Paying Agent and Registrar, maturing in the principal amount and bearing CUSIP numbers as follows:

<u>Principal</u>	<u>Maturity Date</u>	<u>Interest Rate</u>	<u>CUSIP</u>
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<u>Amount</u>	<u>June 15</u>		
\$70,000	2020	1.650	486890 L95
75,000	2021	2.000	486890 M29
75,000	2022	2.200	486890 M37
75,000	2023	2.400	486890 M45
80,000	2024	2.600	486890 M52
80,000	2025	2.850	486890 M60
85,000	2026	2.950	486890 M78
85,000	2027	3.050	486890 M86
90,000	2028	3.200	486890 M94
90,000	2029	3.300	486890 N28
505,000	2034	3.750	486890 N36

Section 2. These bonds are to be paid at the office of the City Treasurer in Kearney, Nebraska, as Paying Agent and Registrar.

Section 3. A true copy of this Resolution shall be filed by the City Clerk with the Paying Agent at least thirty (30) days prior to call date and the Paying Agent is hereby irrevocably instructed to take appropriate action to mail notice to the registered owner at least thirty (30) days prior to the call date.

PASSED AND APPROVED THIS 14TH DAY OF MAY, 2019.

ATTEST:
 LAUREN BRANDT
 CITY CLERK

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

ORDINANCE NO. 8346 AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION REFUNDING BONDS, SERIES 2019

Regular Agenda Items 1, 2 and 3 were discussed together but voted on separately.

Council Member Nikkila introduced Ordinance No. 8346 authorizing the issuance of General Obligation Refunding Bonds, Series 2019, of the City of Kearney, Nebraska, in the principal amount of two million six hundred thirty thousand dollars (\$2,630,000) for the purpose of paying the costs of constructing street improvements in Paving Improvement District No. 2017-987 of said City, including payment of interim financing related to said street improvements and for refunding certain outstanding Bonds of the City; directing the application of the proceeds of said Bonds; prescribing the form of said Bonds; providing for the levy and collection of taxes to pay the same; providing for the sale of the Bonds; authorizing the delivery of the Bonds to the purchaser; and providing for publication of this Ordinance in pamphlet form, 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 suspend the rules for Ordinance No. 8346. 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, Moore. 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. 8346 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. Moore absent. Motion carried. Ordinance was read by number.

Moved by Lear seconded by Buschkoetter that Ordinance No. 8346 be passed, approved and published as required by law. Roll call resulted as follows: Aye: Clouse, Nikkila, Buschkoetter, Lear. Nay: None. Moore absent. Motion carried.

By reason of the roll call voted on the first reading and final passage of the ordinance, Ordinance No. 8346 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.

ORDINANCE NO. 8347 AUTHORIZING THE ISSUANCE AND SALE OF BOND ANTICIPATION NOTES

Regular Agenda Items 1, 2 and 3 were discussed together but voted on separately.

Council Member Buschkoetter introduced Ordinance No. 8347 authorizing the issuance and sale of bond anticipation notes of the City of Kearney, Nebraska, in the principal amount of one million one hundred thirty thousand dollars (\$1,130,000) for the purpose of providing interim financing for the costs of constructing street improvements in Paving Improvement District No. 2019-998 of said City pending the issuance of permanent General Obligation Various Purpose Bonds of the City; prescribing the form of said notes; agreeing to issue the City's general obligation various purpose bonds to pay the notes at maturity or to pay the notes from other available funds; entering into a contract on behalf of the City with the holders of said notes, 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 Clouse seconded the motion to suspend the rules for Ordinance No. 8347. 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. Moore 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. 8347 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. Moore absent. Motion carried. Ordinance was read by number.

Moved by Clouse seconded by Nikkila that Ordinance No. 8347 be passed, approved and published as required by law. Roll call resulted as follows: Aye: Clouse, Buschkoetter, Lear, Nikkila. Nay: None. Moore absent. Motion carried.

By reason of the roll call voted on the first reading and final passage of the ordinance, Ordinance No. 8347 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.

OPEN ACCOUNT CLAIMS

Moved by Nikkila seconded by Lear that the Open Account Claim in the amount of \$3,384.62 payable to Nebraska Public Power District be allowed. Roll call resulted as follows: Aye: Lear, Nikkila, Buschkoetter. Nay: None. Clouse abstained. Moore absent. Motion carried.

Moved by Lear seconded by Buschkoetter that the Open Account Claim in the amount of \$613.64 payable to Jonathan Nikkila be allowed. Roll call resulted as follows: Aye: Clouse, Buschkoetter, Lear. Nay: None. Nikkila abstained. Moore absent. Motion carried.

VII. REPORTS

City Manager Michael Morgan suggested a change to Special Events that would be forthcoming to Council. Air service is trending towards an all-time high of 1,600 enplanements; the all-time high in any month was 1,400. As of June 9, 2019 a new flight will be added to Sunday afternoons. Kearney property taxes are still by far the lowest in the State. Wallet Hub rated Kearney the 17th best city in the United States for small business; there were 1,262 cities that were ranked. There will be a traffic calming device at 9th Street. There were 20 additional parking stalls added for airport parking.

Council Member Nikkila made note of how full the lobby has been at the airport which is a wonderful sight. The employee’s moral is very high at the airport which is also great to see.

Council Member Lear stated he appreciates SkyWest and United and their commitment to our community.

VIII. ADJOURN

Moved by Clouse seconded by Nikkila that Council adjourn at 6:12 p.m. Roll call resulted as follows: Aye: Clouse, Buschkoetter, Lear, Nikkila. Nay: None. Moore absent. Motion carried.

ATTEST:

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

**LAUREN BRANDT
CITY CLERK**