

Kearney, Nebraska
September 24, 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 September 24, 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 Tami James Moore. Absent: Jonathan Nikkila. Michael Morgan, City Manager; Michael Tye, City Attorney; Wendell Wessels, Director of Finance; Eric Hellriegel, Assistant City Manager; Tony Jelinek, Director of Utilities; Andrew Harter, Assistant Public Works Director; Mike Young, Captain of Operations; Shawna Erbsen, Administrative Services Director; Brenda Jensen, Development Services Director and Dan Lillis, Engineering Assistant II, were also present. Members of the media present included: Mike Konz with the Kearney Hub and Ryan Boyd with KGFW. Some of the members of the audience included Paul Brungardt, Marc Willis, Chris Miller and Doug Stevenson.

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

With the absence of a minister, the Council held a moment of silence.

PLEDGE OF ALLEGIANCE

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

ANNOUNCEMENT

Mayor Clouse announced that in accordance with Section 84-1412 of the Nebraska Revised Statutes, a current copy of the Open Meetings Act is available for review and is posted on the wall of the Council Chambers.

ORAL COMMUNICATIONS

There was no Oral Communications.

II. UNFINISHED BUSINESS

There was no Unfinished Business.

III. PUBLIC HEARINGS

VACATE A PORTION OF CENTRAL AVENUE RIGHT-OF-WAY, VACATE LOTS 1,2 AND 3, MARGIE SECOND ADDITION AND FINAL PLAT FOR MARGIE THIRD ADDITION

Mayor Clouse opened the public hearing on the Applications submitted by Olsson for Blessing Premier Property, LLC for (1) the vacation of a portion of Central Avenue Right-of-Way located in part of Government Lot 8 in the Southwest Quarter of Section 12, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska and consider Ordinance No. 8376; (2) the vacation of Lots 1, 2 and 3, Margie Second Addition, an addition to the City of Kearney, Buffalo County, Nebraska and consider Ordinance No. 8377; and (3) the Final Plat for Margie Third Addition, an addition to the City of Kearney, Buffalo County, Nebraska, for property described as a tract of land located in Government Lot 8, Section 12, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (North of West 1st Street Place and West of Central Avenue) and consider Resolution No. 2019-167.

Doug Stevenson with Olsson presented this matter to the Council. Olsson is working with Northwestern Energy to run a gas supply line from Central Avenue west out of town. Mr. Stevenson explained what was required to clean up the vacation of Central Avenue in order to complete this project. A regulator station is needed on Central Avenue and will be located on Outlot A in Margie Third Addition. An easement was added to Margie Third Addition for the hike/bike trail on the south side of the Addition; directly to the north of that, an easement was added for the gas line. There was an easement added to the Addition along Central Avenue, as well, for utilities.

There was no one present in opposition to this hearing.

Moved by Moore to close the public hearing on the Applications submitted by Olsson for Blessing Premier Property, LLC and introduced Ordinance No. 8376 vacating a portion of Central Avenue Right-of-Way located in part of Government Lot 8 in the Southwest Quarter of Section 12, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska and Ordinance No. 8377 vacating Lots 1, 2 and 3, Margie Second Addition, an addition to the City of Kearney, Buffalo County, Nebraska 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 Nos. 8376 and 8377. President of the Council asked for discussion or if anyone in the audience was interested in the ordinances. No one responded. Clerk called the roll which resulted as follows: Aye: Clouse, Lear, Moore, Buschkoetter. Nay: None. Nikkila 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 Nos. 8376 and 8377 by number. Roll call of those in favor of the passage of said ordinances on the first reading resulted as follows: Aye: Clouse, Lear, Moore, Buschkoetter. Nay: None. Nikkila absent. Motion carried. Ordinances was read by number.

Moved by Lear seconded by Buschkoetter that Ordinance Nos. 8376 and 8377 be passed, approved and published as required by law. Roll call resulted as follows: Aye: Clouse, Moore, Buschkoetter, Lear. Nay: None. Nikkila absent. Motion carried.

By reason of the roll call voted on the first reading and final passage of the ordinances, Ordinance Nos. 8376 and 8377 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.

Moved by Buschkoetter seconded by Clouse to adopt Resolution No. 2019-167 approving the Final Plat for Margie Third Addition, an addition to the City of Kearney, Buffalo County, Nebraska, for property described as a tract of land located in Government Lot 8, Section 12, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (North of West 1st Street Place and West of Central Avenue). Roll call resulted as follows: Aye: Clouse, Moore, Buschkoetter, Lear. Nay: None. Nikkila absent. Motion carried.

RESOLUTION NO. 2019-167

BE IT RESOLVED BY THE PRESIDENT AND COUNCIL OF THE CITY OF KEARNEY, NEBRASKA, that the plat of Margie Third Addition, an addition to the City of Kearney, Buffalo County, Nebraska for a tract of land located in Government Lot 8, Section 12, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska, described as follows: Commencing at the Southwest corner of Government Lot 8, Section 12, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska; thence S 87°28'21" E, 350.27 feet on the South line of said Government Lot 8 to the point of beginning, said point being on the North line of Lot 4 corner of Margie Second Addition to the City of Kearney, Buffalo County, Nebraska and the Southwest corner of now vacated Lot 3 of said Margie Second Addition; thence North N 00°41'29" E on the West line of now said vacated Lot 3, 329.94 feet to the Southwest corner of Lot 2, Talmadge Center Addition; thence S 87°26'42" E on the South line of said Lot 2, 89.74 feet; thence S 00°35'51" W on said South line, 19.95 feet; thence S 87°24'46" E on said South line, 301.08 feet to the Southeast corner of said Lot 2; thence S 87°24'46" E on the North line of an un-platted parcel of land described in Microfilm Roll 76 Page 3397 in the Buffalo County Register of Deeds Office, 148.95 feet to a point on the West Right-of-Way line of Central Avenue; thence S 00°34'29" W on the West Right-of-Way line of Central Avenue, 279.69 feet to a point on the North Right-of-Way line of East 1st Street Place; thence N 87°27'28" W on said North Right-of-Way line, 245.94 feet to the beginning of a 95.00 feet radius curve concaved to the North; thence West Northwesterly on the arc of said 95.00 feet radius curve (chord bearing of N 70°51'25" W, chord length of 54.28 feet), 55.04 feet to the beginning of a 55.00 feet radius reverse curve concaved to the Southeast; thence westerly on the arc of said 55.00 feet radius reverse curve (chord bearing of S 64°41'23" W, chord length of 97.16 feet), 119.10 feet to a corner on the North line of Lot 4 of said Margie Second Addition; thence N 87°28'21" W on the North line of said Lot 4, 155.54 feet to the point of beginning, containing 3.58 acres more or less, all in Buffalo County, Nebraska, duly made out, acknowledged and certified, and the same hereby is approved in accordance with the provisions and requirements of Section 19-916 of the Nebraska Revised Statutes, be accepted and ordered filed and recorded in the Office of the Register of Deeds of Buffalo County, Nebraska; said addition is hereby included within the

corporate limits of said City and shall be and become a part of said City for all purposes whatsoever, and the inhabitants of such addition shall be entitled to all the rights and privileges and shall be subject to all laws, ordinances, rules and regulations of said City.

BE IT FURTHER RESOLVED that the President of the Council be and is hereby authorized and directed to execute the final plat on behalf of the City of Kearney, Nebraska.

PASSED AND APPROVED THIS 24TH DAY OF SEPTEMBER, 2019.

ATTEST:
LAUREN BRANDT
CITY CLERK

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

PROPOSED ENGINEERING REPORT FOR SRF FUNDING

Mayor Clouse opened the public hearing to discuss the proposed Engineering Report for the construction of new sewage screening, new grit removal, new primary pump station, new primary treatment system and associated improvements, the impact to rates, any needed mitigation measures and to meet clean water SRF criteria and consider Resolution No. 2019-168.

Chris Miller with Miller and Associates presented this matter to the Council. Phase I for Solids Handling will begin operation in October of this year. Phase II is the next step and will regulate the water that goes through the facility and back to the Platte River. Mr. Miller reviewed the history of the current facility. Objectives to be met with Phase II include: future nutrient removal, growth potential of basins, reliability of treatment system for ammonia; current and future conditions, operational maintenance and improved safety. Mr. Miller described the current WWTP facility layout and the proposed additions to the facility. Funding used to pay for the \$21,500,000 project is with Clean Water SRF funds that is a 30-year, 2.5% interest rate fund.

There was no one present in opposition to this hearing.

Moved by Clouse seconded by Moore to close the hearing and adopt Resolution No. 2019-168 accepting the proposed Engineering Report for the construction of new sewage screening, new grit removal, new primary pump station, new primary treatment system and associated improvements, the impact to rates, any needed mitigation measures and to meet clean water SRF criteria. Roll call resulted as follows: Aye: Clouse, Buschkoetter, Lear, Moore. Nay: None. Nikkila absent. Motion carried.

RESOLUTION NO. 2019-168

WHEREAS, the City of Kearney, Nebraska recognizes that a properly functioning sewer system is necessary to the health and welfare of the citizens of the City; and

WHEREAS, the Mayor and City Council have determined that portions of the City sewer system are in need of significant repair and improvement; and

WHEREAS, funding for the cost of the repair and improvement of portions of the City sewer system may be obtained by loan from the Nebraska Department of Environmental Quality, subject to certain requirements and obligations.

NOW, THEREFORE, BE IT RESOLVED by the President and Council of the City of Kearney, Nebraska, that they should execute the contract for loan between the Nebraska Department of Environmental Quality and the City of Kearney, Nebraska designated as Project No. C318020, incorporated by reference into this Resolution as if fully set forth.

BE IT FURTHER RESOLVED that Stanley A. Clouse, Mayor, is hereby directed to execute the contract and all other documents necessary to facilitate the loan between the Nebraska Department of Environmental Quality and the City of Kearney, Nebraska for the purpose of repairing and improving the City sewer system.

BE IT FURTHER RESOLVED that Lauren Brandt, City Clerk, be authorized and directed to sign all necessary documents, to furnish such assurances to the State of Nebraska as may be required by law or regulations, and to receive payment on behalf of the applicant.

PASSED AND APPROVED THIS 24TH DAY OF SEPTEMBER, 2019.

ATTEST:
LAUREN BRANDT
CITY CLERK

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

REVISE CITY OF KEARNEY BUDGET FOR 2018-2019 FISCAL YEAR

Mayor Clouse opened the public hearing on the revision of the City of Kearney Budget for the 2018-2019 Fiscal Year and consider Ordinance No. 8378.

Wendell Wessels, Director of Finance, presented this matter to the Council. Over the past year the City has had several transactions that will cause the City to go over budget in the following five funds:

- General: The budgeted expenditures in the General Fund need to be increased by \$1,346,659.00. In March of 2018 the City entered into a new Professional Retail Operations Agreement with NPPD. One of the provisions included in the Agreement was that lease payments would be remitted by NPPD to the City on a monthly basis instead of a quarterly basis. Because of the changes in the timing of the lease payment, the City received an additional \$1,346,659 in FY18 due to the accelerated payments to the City for July and August. This was a “one-time” receipt by the City due to the timing of the lease payments. Staff recommends that the additional lease payment be transferred to the Transportation Fund (\$346,659) for the purpose of funding street light operating and capital costs and to the Airport Fund (\$1,000,000) for the purpose of funding the Transportation Service Agreement between the City of Kearney and SkyWest Airlines.

- Park Development: The budgeted expenditures in the Park Development Fund need to be increased by \$642,250.00. The increase is required because of the timing of payments to contractors between fiscal years for various park projects. Payments expected to be paid in the 2017-2018 fiscal year to contractors were actually paid during the 2018-2019 fiscal year.

- Street Improvement: The budgeted expenditures in the Street Improvement Fund need to be increased by \$1,380,000.00. The increase is required because of the cost of the new street in Patriot Industrial Park. As you may recall, on May 14, 2019, the City Council approved the issuance of Bond Anticipation Notes Series 2019 for the purpose of providing interim financing for a portion of the costs of constructing the new street. Additional funds for this project will come from a \$250,000 grant from the State of Nebraska.

- **Special Sales Tax:** The budgeted expenditures in the Special Sales Tax Fund need to be increased \$3,985,000.00. As you may recall, on September 25, 2018, the City Council approved the issuance of General Obligation Refunding Bonds Series 2018 for the purpose of refunding General Obligation Various Purpose Bonds Series 2013. Additionally, on May 14, 2019, the City Council approved the issuance of General Obligation Refunding Bonds Series 2019 for the purpose of refunding General Obligation Various Purpose Bonds Series 2014. These transactions were not anticipated when the 2018-2019 budget was approved on September 11, 2018, therefore, the 2018-2019 budget needs to be revised to provide the authority to redeem the refunded bonds.

- **Airport:** The budgeted expenditures in the Airport Fund need to be increased by \$3,860,214.00. The increase is required because the increase is required because of the timing of payments to contractors between fiscal years for the airport runway project. Payments expected to be paid in the 2017-2018 fiscal year to the contractor and engineer were actually paid during the 2018-2019 fiscal year. No additional property taxes or other funding is required to fund these budget changes.

There was no one present in opposition to this hearing.

Moved by Moore to close the public hearing on the Application revising the City of Kearney Budget for the 2018-2019 Fiscal Year and introduced Ordinance No. 8378 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. 8378. 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, Moore, Buschkoetter. Nay: None. Nikkila 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. 8378 by number. Roll call of those in favor of the passage of said ordinance on the first reading resulted as follows: Aye: Clouse, Lear, Moore, Buschkoetter. Nay: None. Nikkila absent. Motion carried. Ordinance was read by number.

Moved by Lear seconded by Buschkoetter that Ordinance No. 8378 be passed, approved and published as required by law. Roll call resulted as follows: Aye: Clouse, Moore, Buschkoetter, Lear. Nay: None. Nikkila absent. Motion carried.

By reason of the roll call voted on the first reading and final passage of the ordinance, Ordinance No. 8378 is declared to be lawfully passed and adopted upon publication in pamphlet form and made available to the public at the Office of the City Clerk, the Kearney Police Department and the Kearney Public Library.

IV. CONSENT AGENDA

Moved by Buschkoetter seconded by Clouse that Subsections 1 through 15 of Consent Agenda Item IV be approved. Roll call resulted as follows: Aye: Clouse, Moore, Buschkoetter, Lear. Nay: None. Nikkila absent. Motion carried.

1. Approve Minutes of Regular Meeting held September 10, 2019.
2. Approve the following Claims:

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

3M-\$1,416.18-smcs; 4Imprint-\$505.45-smcs; 56th St Amoco-\$12.13-smcs; 911 Custom-\$1,161.16-co; Abos-\$49.00-smcs; Accts. Receivable Solutions-\$388.00-ps; Accuquilt-\$641.99-smcs; Acushnet-\$2,653.84-smcs; Adobe-\$29.99-smcs; Advanced Auto-\$39.42-smcs; Agri Coop-\$1,942.85-smcs; Alert 3-\$3,550.00-smcs; Alert All-\$2,155.00-smcs; All Makes Auto Supply-\$3,855.17-smcs; All Star Pro Golf-\$314.51-smcs; Ally B Designs-\$75.00-smcs; Amax Contracting-\$1,353.99-co; Amazon-\$7,927.78-smcs,co; American -\$841.63-smcs; American Button-\$640.10-smcs; American Institute of CPAs-\$285.00-smcs; American Legion-\$74.74-smcs; American Library Assn.-\$668.40-smcs; Andersen Wrecking-\$1,500.00-co; Another Look-\$129.54-smcs; AP Electric-\$257.76-smcs; Apple Market-\$5.47-smcs; Aramark Uniform-\$370.62-smcs; Arbor Day Fdn.-\$35.00-smcs; Archie Comics-\$29.99-smcs; Ask Supply-\$1,314.04-smcs; Assn. Fraud Examiners-\$294.00-smcs; Aurora Coop-\$25.04-smcs; Auto Value-\$970.85-smcs; Avtech Software-\$1,543.86-co; B & S Concrete-\$1,500.00-smcs; B&H Photo-\$929.66-smcs,co; Baker & Taylor-\$7,440.55-smcs; Baughman,E-\$181.50-smcs; Bear Frame-\$159.70-smcs; Bebb,Z-\$39.62-smcs; Beehive-\$11,900.00-co; Benson,G-\$110.00-smcs; Bickford,N-\$119.63-smcs; Bird App-\$45.00-smcs; Birnie,K-\$1,000.00-smcs; Blackstone Audio-\$463.03-smcs; Blakely,M-\$400.00-smcs; Blessing, Inc.-\$86,147.38-co; Blue to Gold Law Enf.-\$508.00-smcs; BlueCross/BlueShield-\$121,311.81-smcs; Book Page-\$864.00-smcs; Bosselman Energy-\$5,456.35-smcs; Bpad Group-\$250.00-smcs; Brady Worldwide-\$200.28-smcs; Broadfoot Sand & Gravel-\$1,514.00-smcs; Buffalo Co. Attorney-\$18,750.00-smcs; Buffalo Co. Treasurer-\$183.99-smcs,co; Buffalo Outdoor Power-\$2,915.06-smcs,co; Buffalo Surveying Corp.-\$1,491.95-smcs; Builders-\$886.62-smcs,co; CANDO-\$7,000.00-smcs; Canva-\$72.75-smcs; Cape Cod Brass & Security-\$118.55-smcs; Cardid.com-\$292.61-co; Carl Whitney Sand-\$612.00-smcs; Carquest-\$280.54-smcs; Casey's-\$49.22-smcs; Cash-Wa-\$4,828.47-smcs; CDW Government-\$3,934.00-smcs; Cenex-\$34.80-smcs; Central Fire-\$368.00-smcs; Central Hydraulic-\$438.90-smcs; Central NE Airport-\$18.00-smcs; Central NE Bobcat-\$8,954.48-smcs,co; Charter-\$606.69-smcs; Chemsearch-\$676.00-smcs; Cherokee Product-\$295.00-smcs; Chesterman-\$790.05-smcs; Chicken Coop-\$50.00-smcs; Chief Supply-\$439.82-smcs; Cintas-\$182.60-smcs; City Glass-\$69.91-smcs; City of Kearney-\$24,875.95-smcs,ps; Clean Machine -\$589.00-smcs; CMH Interiors-\$5,928.66-smcs; Cold Spring Granite-\$233.10-smcs; Comcate-\$2,168.69-smcs; Comfort Inn-\$11,123.44-smcs; Comm. Act. Part.- Mid NE-\$858.00-smcs; Commercial Rec. Spec.-\$13,274.80-smcs; Compasscom-\$8,342.80-smcs; Consolidated Mgmt.-\$715.54-smcs; Construction Rental-\$4,827.52-smcs,co; Control Yours-\$200.00-smcs; Copycat Printing-\$92.82-smcs; Core & Main-\$1,636.70-smcs; Corey Complete-\$170.00-smcs; Credit Management Serv.-\$197.25-ps; Cricut-\$569.71-smcs; Crystal Clean-\$60.00-smcs; Culligan-\$222.00-smcs; Cummins-\$54.10-smcs; Curbit-\$1,086.00-smcs; Cutter & Buck-\$4,528.50-smcs; Danko Emergency-\$1,839.29-smcs; Davis Equipment-\$2,032.40-smcs; Dawson Public Power-\$36,576.62-smcs; Daylight Donuts-\$163.92-smcs; Dell-\$2,012.10-co; Demco-\$984.67-

smcs; Department of Education-\$320.82-ps; Dettman,J-\$36.00-smcs; Discmagic-\$203.75-smcs; Dish-\$212.10-smcs; Ditch Witch-\$5,115.42-smcs; Diversity IT-\$1,450.00-smcs; Dmilaco-\$285.00-smcs; Dolan Consulting-\$25.00-smcs; Dollar-General-\$23.54-smcs; Dreamstime.com-\$25.00-smcs; Dutton-Lainson-\$4,400.00-smcs; Eagle Distributing-\$1,200.25-smcs; Eakes -\$16,686.17-co,; smcs; Ebay-\$0.84-smcs; Ebsco Publishing-\$3,774.00-smcs; Ecolab -\$80.26-smcs; Ed Broadfoot & Sons-\$142.50-smcs; Ehrlich-\$54.00-smcs; Eileen's Cookie-\$64.25-smcs; Elf Enterprises-\$75.00-smcs; EMC Insurance-\$18,661.09-smcs; Enforcement Video-\$1,665.00-co; Engineered Controls-\$130.30-smcs; Entenmann-Rovin-\$228.50-smcs; Enterprise-\$24.87-smcs; Envirotech-\$21,604.80-smcs; Erives,C-\$19.23-smcs; Etsy-\$75.93-smcs; Eurofins Eaton-\$3,140.00-smcs; Event Brite-\$800.00-smcs; Express Center Park-\$7.50-smcs; Expression Wear-\$387.00-smcs,ps; Exxonmobile-\$37.00-smcs; Eyemed-\$860.14-smcs; F.D. Leatherworks-\$465.00-smcs; Fairbanks -\$845.91-smcs,co; Fairfield Inn-\$239.14-smcs; Family Fresh-\$70.22-smcs; Family Practice-\$130.00-ps; Fastenal-\$833.16-smcs; Fiddelke-\$120.00-smcs; Fire Line -\$102.68-smcs; Firerescue TV-\$1,149.00-smcs; Fort Kearney Shooting-\$6,750.00-smcs; Foutch,D-\$81.16-smcs; Frontier-\$7,372.83-smcs; Gale-\$1,611.26-smcs; Galeton-\$1,916.13-smcs; Galls-\$760.32-smcs; Gangwish Turf-\$25.80-smcs; Garrett Tires-\$10,970.66-smcs; Gary Smith Construction-\$27,516.52-co; GI Physical Therapy-\$45.00-co; Global Industrial-\$510.23-co; Global Lead-\$51.00-smcs; Global Leadership-\$149.00-smcs; Gopher Sport-\$222.86-smcs; Govt. Finance Office-\$285.00-smcs; Graham Tire-\$1,176.00-smcs; Grainger-\$525.52-smcs; Greater NE Cities-\$1,000.00-smcs; Grimes,A-\$64.19-smcs; Hammer,A-\$450.00-smcs; Hampton Inns-\$1,338.00-smcs; Heartsinuni-\$40.00-smcs; Heggemeyer,L-\$82.93-smcs; Hellas Construction-\$35,023.50-co; Hobby Lobby-\$272.75-smcs; Holiday Inn-\$2,664.00-smcs; Holmes Supply-\$1,937.16-smcs; Home Depot-\$18.02-smcs; Hort, Kyle-\$100.00-smcs; Hy-Vee-\$66.91-smcs; ICMA-\$6,131.88-ps; Ignite Olive Software Sol.-\$4,725.60-smcs; Integrated Security-\$3,212.00-smcs; Int'l Assn. Chiefs of Police-\$425.00-smcs; Int'l Assn. Electrical Inspectors-\$120.00-smcs; Int'l Public Mgmt. Assn.-\$405.00-smcs; Invoice-Home.com-\$5.00-smcs; IRS-\$158,629.41-ps; J.I.L. Asphalt-\$18,528.90-co; Jack Lederman-\$1,340.28-smcs; Jack's Uniforms-\$1,410.33-smcs; JCI Industries-\$4,650.00-smcs; Johnsen Corrosion Eng.-\$2,520.00-smcs; Johnstone Supply-\$410.36-smcs; Jr. Firefighter Promotions-\$1,232.51-smcs; Kearney Ace-\$208.02-smcs; Kearney Animal Shelter-\$7,808.00-smcs; Kearney Builders Assn.-\$370.00-smcs; Kearney Catholic-\$4.75-smcs; Kearney Concrete-\$39,924.44-smcs,co; Kearney Crete & Block-\$1,579.22-smcs,co; Kearney Hub-\$4,554.32-smcs; Kearney Tire-\$740.64-smcs; Kearney Towing & Repair-\$322.50-smcs; Kearney Visitors Bureau-\$106,052.84-smcs; Kearney Warehouse-\$1,863.93-smcs; Kearney Winlectric-\$81,430.17-smcs,co; Kelly Supply-\$859.31-smcs; Klock,W-\$76.20-smcs; Kohls-\$53.40-smcs; KOLN TV-\$330.00-smcs; Konica Minolta-\$144.34-smcs; Kowalek,G-\$110.00-smcs; Kwik Trip-\$20.63-smcs; Lamar-\$1,050.00-smcs; Landmark Implement-\$1,197.89-smcs; Lawson Products-\$161.39-smcs; LCL Truck -\$24,870.00-smcs; League of NE Municipalities-\$4,167.00-smcs; LED Lighting-\$317.95-smcs; Light & Siren-\$306.00-smcs; Lion Group-\$1,641.81-smcs; Lips Pringint-\$62.39-smcs; Lockmobile-\$102.60-smcs; Love's Travel-\$25.00-smcs; Lundeen-Isaacson-\$3,215.52-ps; Mac Tools-\$56.69-smcs; Macqueen Equipment-\$414.91-smcs; Marker,J-\$25.19-smcs; Marlatt Machine-\$2,534.85-smcs,co; Marriott-\$333.12-smcs; Masters True Value-\$766.40-smcs; Matheson-\$1,757.26-smcs; Mathews,L-\$100.00-smcs; Matt Friend Truck-\$1,612.27-co; Menards-\$7,118.76-smcs,co; Microfilm Imaging Systems-\$1,040.00-smcs; Mid American Signal-\$39,528.00-smcs; Midway Chevrolet-\$108.78-smcs; Midwest Breathing -\$398.69-smcs; Midwest

Connect-\$483.76-smcs; Midwest Turf-\$2,250.82-smcs; Miller & Associates-\$5,518.30-co; Miller Signs-\$100.00-smcs; Miracle Recreation Equip.-\$1,072.88-co; Mirror image-\$100.00-smcs; Moonlight Embroidery-\$1,047.10-smcs; Motion Picture Ecommerce-\$241.94-smcs; Motorola-\$37,198.21-smcs,co; Municipal Emergency-\$16,596.99-smcs,ps; Municipal Supply-\$9,049.94-smcs; Murphy Tractor-\$10,280.25-smcs; Nat'l Ally for Youth Sports-\$60.00-smcs; NE Child Support Pmt-\$2,448.89-ps; NE Dept Environmental-\$7,500.00-smcs; NE Dept. of Revenue-\$75.00-smcs; NE Environmental Products-\$24,875.00-co; NE FBI-\$23.00-smcs; NE Golf Assn.-\$97.00-smcs; NE Library Commission-\$3,684.78-smcs; NE Liquor Control Comm.-\$47.87-smcs; NE Machinery-\$339.84-smcs; NE Nursery-\$100.00-smcs; NE Safety-\$515.00-smcs; NE Salt & Grain-\$4,715.98-smcs; NE Statewide Arboritum-\$130.00-smcs; NE Truck Center-\$3,982.94-smcs; Nebraskaland Distributors-\$1,109.80-smcs; Network Solutions-\$79.98-smcs; Nivel Parts-\$116.93-smcs; Northern Safety-\$382.74-smcs; Northwest Electric-\$4,888.05-smcs; Northwestern Energy-\$1,483.37-smcs; Nutrien Ag Solutions-\$733.53-smcs; Nuway K&H Coop-\$37.49-smcs; OCLC-\$764.46-smcs; Office Depot-\$2,338.23-smcs,co; Olsson -\$9,400.00-co; OMG Nat'l-\$287.00-smcs; One Call -\$436.91-smcs; O'Reilly Automotive-\$1,320.55-smcs; Orscheln-\$429.66-smcs; OTC Brands-\$207.49-smcs; Overdrive-\$2,000.00-smcs; Paramount-\$191.47-smcs; Partex-\$389.77-smcs; Patient,B-\$100.00-smcs; Penworthy-\$929.34-smcs; Pep Co.-\$237.34-smcs; Perpetual Learning Inst.-\$2,040.00-smcs; Peterson,J-\$24.80-smcs; Petsmart-\$516.93-smcs; Phillips 66-\$25.78-smcs; Pink Ribbon Shop-\$73.30-smcs; Pioneer Manufacturing-\$881.25-smcs; Pitney Bowes-\$60.00-smcs; Platinum Awards-\$253.64-smcs,ps; Platte Valley Auto-\$1,832.66-smcs; Platte Valley Comm. -\$103.45-smcs; Porvantage-\$1,591.92-smcs; Postermyswall-\$24.95-smcs; Postive Promotions-\$464.10-smcs; Pot O'Gold-\$230.00-smcs; Power Tech-\$540.00-smcs; Presto-X-\$214.58-smcs; Privacylink-\$988.40-smcs; Proactive Sports-\$1,620.00-smcs; Pump & Pantry-\$12.38-smcs; Quality Memorials-\$3,358.00-smcs; Quill-\$953.36-smcs; Raze Eyewear-\$285.23-smcs; Ready Mixed Concrete-\$3,485.00-co; Reams-\$3,498.01-smcs,co; Recorded Books-\$1,713.26-smcs; Red Cross-\$120.00-smcs; Redbox-\$3.21-smcs; Reimers,J-\$0.12-smcs; Rheome Tree-\$2,530.00-smcs; Rogers,K-\$15.00-smcs; Running Awards-\$126.75-smcs; Russell's Appliance-\$749.98-smcs; Rutt's Heating and Air-\$3,246.62-co; Safety Products-\$410.30-smcs; Safety Vision-\$224.26-smcs; Sandry Fire-\$564.60-smcs; Sayler Screenprinting-\$232.00-smcs; Schindler Elevator-\$834.30-smcs; Scholastic Education-\$2,601.46-smcs; Schumacher Bros Fencing-\$120.00-smcs; Schwan's-\$1,421.86-smcs; See Clear Cleaning-\$2,050.00-smcs; Sensus USA-\$1,000.00-smcs; Sequel Book-\$200.00-smcs; Seth Denney Painting-\$5,750.00-co; Shel Oil -\$22.00-smcs; Sheldon, Scott-\$53.50-smcs; Sherwin Williams-\$915.52-smcs; Shredding Solutions-\$101.10-smcs; Sign Center-\$2,285.00-smcs; Silverstone Group-\$5,005.75-smcs; Siteone Landscape-\$146.07-smcs; Southwest-\$219.96-smcs; Sprinkler Warehouse-\$2,189.26-smcs; Staybridge Suites-\$875.92-smcs; Steele,M-\$55.90-ps; Steinbrink Landscaping-\$12,188.54-smcs; Stitch 3-\$131.00-smcs; Streakwave Wireless-\$1,077.28-smcs; Suburban Fire-\$23,600.00-smcs; Sunbelt Rentals-\$632.72-smcs; Super Stolie-\$450.00-smcs; Superior-\$640.00-smcs; Supershine Auto-\$74.00-smcs; Sutherland, Quinten-\$120.42-smcs; Sutphen Corp.-\$3,233.52-smcs; Target-\$330.00-smcs; TCH Central-\$974.49-smcs; Terry's Tickets-\$1,300.00-smcs; Thompson,K-\$110.00-smcs; Thomson West-\$324.00-smcs; Thorworks-\$216.66-smcs; Tielke's Sandwiches-\$73.79-smcs; Titan Machinery-\$248.15-smcs; Tommy Gunz Bistro-\$1,140.03-smcs; Tool Warehouse-\$244.91-smcs; Toolbarn.com-\$85.59-smcs; Tractor-Supply-\$845.13-smcs; Traffic Controls-\$4,650.00-smcs; Transportation Control Sys.-\$21,266.00-smcs; Travel Insured-\$792.00-smcs; Tri-

Cities Group-\$1,037.85-smcs; Tri-County Glass-\$8,193.89-smcs; Tsukiyama,G-\$2,192.50-smcs; Tumbleweed-\$3,393.50-smcs; Turf Pride-\$1,425.00-co; Turner Body Shop-\$2,343.51-smcs; TVH Parts-\$2,049.55-smcs; Twitco Corp-\$12.00-smcs; Tyler Technologies-\$7,591.25-co; Uline-\$1,077.24-smcs; Union Bank & Trust Co.-\$80,146.20-smcs,ps; Unique Mgmt.-\$304.30-smcs; United-\$663.80-smcs; UPS-\$449.60-smcs; US Tennis Assn.-\$35.00-smcs; USA Blue Book -\$589.92-smcs; USA Comm.-\$154.95-smcs; USPS-\$293.23-smcs; Verizon-\$7,996.18-smcs; Vern Waskom-\$154.90-smcs; Vevco-\$196.75-smcs; Vulcan Signs-\$8,959.75-smcs; Waggoner Plumbing-\$1,985.00-smcs; Waldinger-\$454.98-smcs; Wal-mart-\$1,214.50-smcs,co; Walters Electric-\$14,450.00-smcs; Walters-Morgan Const. -\$128,401.21-co; Warrington,D-\$331.00-smcs; Weller,B-\$110.00-smcs; Westaurant Store-\$115.81-smcs; Whentowork-\$100.00-smcs; Wicks Sterling Trucks-\$64.54-smcs; Wilco Life Insurance Co.-\$10.00-ps; Williams Cleaners-\$16.60-smcs; Winter Equipment-\$18,805.93-smcs; WPCI-\$315.00-ps; Wright,A-\$890.60-smcs; Yanda's Music-\$84.41-smcs; Zoriz-\$840.79-smcs; Zoro Tools-\$277.15-smcs; Payroll Ending 09/14/2019 -- \$492,516.67. 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 October 8, 2019 at 5:30 p.m. as date and time for hearing on those applications where applicable.
4. Adopt Resolution No. 2019-169 approving the extension of the Employment Agreement between the City of Kearney and City Manager Michael Morgan.

RESOLUTION NO. 2019-169

BE IT FURTHER RESOLVED that the President of the Council be and is hereby authorized and directed to execute the City Manager Employment Agreement.

PASSED AND APPROVED THIS 24TH DAY OF SEPTEMBER, 2019.

ATTEST:
LAUREN BRANDT
CITY CLERK

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

5. Authorize the Mayor to send a letter of no recommendation to the Nebraska Liquor Control Commission on the manager application for Sara Evans submitted by Pepperjax Development LLC dba Cellar Hometown Bar & Grill located at 3901 2nd Avenue in connection with their Class IK-123077 liquor license.
6. Authorize the Mayor to send a letter of no recommendation to the Nebraska Liquor Control Commission on the manager application for Jami Swift submitted by Kearney Country Club Inc dba Kearney Country Club located at 2800 19th Avenue in connection with their Class C-009051 liquor license.
7. Adopt Resolution No. 2019-170 approving T-Hangar C-08 Lease Agreement at the Kearney Regional Airport between the City of Kearney and Central Nebraska Spinal Surgery Center, P.C./David Benavides.

RESOLUTION NO. 2019-170

BE IT RESOLVED by the President and City Council of the City of Kearney, Nebraska, that the President be and is hereby authorized and directed to execute the T-Hangar C-02 Lease Agreement, on behalf of the City of Kearney, Nebraska, with Nebraska Spinal Surgery Center, P.C./David Alvarado Benavides, the Agreement, marked Exhibit "1", is attached hereto and made a part hereof by reference.

PASSED AND APPROVED THIS 24TH DAY OF SEPTEMBER, 2019.

ATTEST:
LAUREN BRANDT
CITY CLERK

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

8. Approve the Buffalo County Local Emergency Operations (LEOP) Plan and adopt Resolution No. 2019-171.

RESOLUTION NO. 2019-171

BE IT RESOLVED by the President and City Council of the City of Kearney, Nebraska, that in order to provide for a coordinated response to a disaster or emergency in Buffalo County, the City of Kearney and other cities and villages in Buffalo County, the Kearney City Council deems it advisable and in the best interests of the community and Buffalo County to approve the Buffalo County Local Emergency Operations Plan. A copy of the Local Emergency Operations Plan is on file in the office of the Kearney City Clerk.

PASSED AND APPROVED THIS 24TH DAY OF SEPTEMBER, 2019.

ATTEST:
LAUREN BRANDT
CITY CLERK

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

9. Adopt Resolution No. 2019-172 approving T-Hangar B-04 Lease Agreement at the Kearney Regional Airport between the City of Kearney and Flying M Enterprises.

RESOLUTION NO. 2019-172

BE IT RESOLVED by the President and City Council of the City of Kearney, Nebraska, that the President be and is hereby authorized and directed to execute the T-Hangar B-04 Lease Agreement, on behalf of the City of Kearney, Nebraska, with Flying M Enterprises, the Agreement, marked Exhibit "1", is attached hereto and made a part hereof by reference.

PASSED AND APPROVED THIS 24TH DAY OF SEPTEMBER, 2019.

ATTEST:
LAUREN BRANDT
CITY CLERK

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

10. Adopt Resolution No. 2019-173 approving Change Order No. 3 showing an increase/decrease in the amount of \$91,531.00 (addition of Yanney Avenue paving), Change Order No. 4 showing an increase in the amount of \$6,500.00 (addition of TechOne Erosion and Sediment Control) and Application and Certificate for Payment No. 5 in the amount of \$200,635.20 submitted by Dan Roeder Concrete, Inc. and approved by Miller & Associates for 2019 Part 1 Improvements; Younes Center Sixth in connection with Paving Improvement District Nos. 2019-996 and 2019-997 (Bid B).

RESOLUTION NO. 2019-173

WHEREAS, Dan Roeder Concrete of Kearney, Nebraska has performed services in connection with 2019 Part 1 Improvements; Younes Center Sixth Addition in connection with Paving Improvement District Nos. 2019-996 and 2019-997 (Bid B), and the City's engineer, Miller & Associates, have filed with the City Clerk Change Order No. 3 showing an increase to the contract sum in the amount of \$91,531.00 (for additional paving construction of Yanney Avenue) as shown on Exhibit "A" attached hereto and made a part hereof by reference; and

WHEREAS, Dan Roeder Concrete and Miller & Associates have filed with the City Clerk Change Order No. 4 showing an increase to the contract sum in the amount of \$6,500.00 (for addition of TechOne Erosion and Sediment Control) as shown on Exhibit "B" attached hereto and made a part hereof by reference; and

WHEREAS, Dan Roeder Concrete and Miller & Associates have filed with the City Clerk Application and Certificate for Payment No. 5 in the amount of \$200,635.20 as shown on Exhibit "C" attached hereto and made a part hereof by reference and as follows:

Original Contract Sum	\$ 807,529.50
Change Order No. (8/13/19)	+ 273,047.50
Change Order No. 2 (8/27/19)	<u>+ 120,683.00</u>
Contract Sum To Date	1,201,260.00
Gross Amount Due	888,952.00
Retainage (10%)	<u>- 88,895.20</u>
Amount Due to Date	800,056.80
Less Previous Certificates for Payment	<u>- 599,421.60</u>
Current Payment Due	\$ 200,635.20

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. 3, as shown on Exhibit "A", Change Order No. 4, as shown on Exhibit "B" and Application and Certificate for Payment No. 5, as shown on Exhibit "C" be and are hereby accepted and approved.

PASSED AND APPROVED THIS 24TH DAY OF SEPTEMBER, 2019.

ATTEST:
LAUREN BRANDT
CITY CLERK

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

11. Adopt Resolution No. 2019-174 approving Application and Certificate for Payment No. 5 in the amount of \$44,347.50 to GD Construction, Inc. and approved by Miller & Associates for the CDBG Community Development Sidewalk Replacement Project for the construction of the sidewalk replacement involving the area of Avenue C to 5th Avenue and 16th Street north to the Union Pacific Rail Line.

RESOLUTION NO. 2019-174

WHEREAS, GD Concrete Construction, Inc. of Overton, Nebraska has performed services in connection with CDBG Community Development Sidewalk Replacement Project for the construction of the sidewalk replacement involving the area of Avenue C to 5th Avenue and 16th Street north to the Union Pacific Rail Line, and the City's engineer, Miller & Associates, have filed with the City Clerk Application and Certificate for Payment No. 5 in the amount of \$44,347.50 as shown on Exhibit "A" attached hereto and made a part hereof by reference and as follows:

Original Contract Sum	\$ 358,550.00
Change Order No. 1 (8/27/19)	+ 2,295.00
Contract Sum To Date	360,845.00
Gross Amount Due	269,976.50
Retainage (10%)	- 26,997.65
Amount Due to Date	242,978.85
Less Previous Certificates for Payment	- 198,631.35
Current Payment Due	\$ 44,347.50

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. 5, as shown on Exhibit "A" be and are hereby accepted and approved.

PASSED AND APPROVED THIS 24TH DAY OF SEPTEMBER, 2019.

ATTEST:
LAUREN BRANDT
CITY CLERK

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

12. Adopt Resolution No. 2019-175 approving Change Order No. 2 showing an increase in the amount of \$89,441.39 (addition of 2019 Airport Terminal Parking Improvements) to RMV Construction and approved by Miller & Associates for the 2019 Park and Recreation Parking Lot Improvements at Cottonmill Parking at Swim Lake and Fountain Hills Park.

RESOLUTION NO. 2019-175

WHEREAS, RMV Construction of Kearney, Nebraska has performed services in connection with 2019 Park and Recreation Parking Lot Improvements at Cottonmill Parking at Swim Lake and Fountain Hills Park, and the City's engineer, Miller & Associates, have filed with the City Clerk Change Order No. 2 showing an increase to the contract sum in the amount of \$89,441.39 as shown on Exhibit "A" attached hereto and made a part hereof by reference; and

Original Contract Sum	\$ 92,191.60
Change Order No. 1 (8/27/19)	+ 00.00
Change Order No. 2 (9/24/19)	+ <u>89,441.39</u>
Contract Sum To Date	\$ 181,632.99

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. 2, as shown on Exhibit "A" be and is hereby accepted and approved.

PASSED AND APPROVED THIS 24TH DAY OF SEPTEMBER, 2019.

ATTEST:
LAUREN BRANDT
CITY CLERK

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

13. Approve the Plans and Specifications for the Kearney South Drainage Improvements and set the bid opening date for October 15, 2019 at 2:00 p.m.

14. Adopt Resolution No. 2019-176 approving T-Hangar B-09 Lease Agreement at the Kearney Regional Airport between the City of Kearney and Jeffery Baker.

RESOLUTION NO. 2019-176

BE IT RESOLVED by the President and City Council of the City of Kearney, Nebraska, that the President be and is hereby authorized and directed to execute the T-Hangar B-09 Lease Agreement, on behalf of the City of Kearney, Nebraska, with Jeffery Scott Baker, the Agreement, marked Exhibit "1", is attached hereto and made a part hereof by reference.

PASSED AND APPROVED THIS 24TH DAY OF SEPTEMBER, 2019.

ATTEST:
LAUREN BRANDT
CITY CLERK

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

15. Adopt Resolution No. 2019-177 approving Hangar Lease Agreement between the City of Kearney and the University of Nebraska at Kearney Aviation Program allowing use of hangar space at the Kearney Regional Airport.

RESOLUTION NO. 2019-177

BE IT RESOLVED by the President and City Council of the City of Kearney, Nebraska, that the "Lease Agreement" between the City of Kearney, Nebraska and the Board of Regents of the University of Nebraska, by and on behalf of the University of Nebraska at Kearney (UNK) Aviation Program be and is hereby approved. The Agreement, marked Exhibit "1", is attached hereto and made a part hereof by reference.

PASSED AND APPROVED THIS 24TH DAY OF SEPTEMBER, 2019.

ATTEST:
LAUREN BRANDT
CITY CLERK

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

V. CONSENT AGENDA ORDINANCES

ORDINANCE NO. 8379 REPEALING ORDINANCE NO. 8370 AND ADOPTING SALARY ORDINANCE

Council Member Clouse introduced Ordinance No. 8379 repealing Ordinance No. 8370 and classify the officers and employees of the City; fix the ranges of compensation of such officers and employees; establish the hours and work period for overtime eligibility; provide for payments of clothing and/or uniform allowances; provide for payment of vehicle allowance; and provide for payment of health and dental benefits for active full-time employees; to provide for payment of health benefits for early retiree employees pursuant to Resolution No. 2019-68A, 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 Moore seconded the motion to suspend the rules for Ordinance No. 8379. 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, Moore, Buschkoetter. Nay: None. Nikkila 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. 8379 by number. Roll call of those in favor of the passage of said ordinance on the first reading resulted as follows: Aye: Clouse, Lear, Moore, Buschkoetter. Nay: None. Nikkila absent. Motion carried. Ordinance was read by number.

Moved by Moore seconded by Lear that Ordinance No. 8379 be passed, approved and published as required by law. Roll call resulted as follows: Aye: Clouse, Moore, Buschkoetter, Lear. Nay: None. Nikkila absent. Motion carried.

By reason of the roll call voted on the first reading and final passage of the ordinance, Ordinance No. 8379 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

REDEVELOPMENT PROJECT BY WILLIS STORAGE, LLC FOR PROPERTY LOCATED AT 1203 WEST 16TH STREET

Mayor Clouse opened for discussion the redevelopment project submitted by Willis Storage, LLC for Redevelopment Area #5 for an area described as part of Lot 1, Fuller and Daley Third Addition, an addition to the City of Kearney, Buffalo County, Nebraska (1203 West 16th Street) and approve Resolution No. 2019-176.

Wendell Wessels, Director of Finance, presented this matter to the Council. Willis Storage, LLC is considering the construction of a 160' x 42' wood pole structure on a concrete foundation base. The facility is designed as an industrial flex building with the ability to be either used for warehouse storage or a service bay. The facility has the potential to provide a home front for two to six additional trade service businesses and is located north of 16th Street between 11th Avenue and 12th Avenue.

The total new valuation of the property upon completion is estimated to be \$550,000 and the current valuation of the property is \$24,900. Therefore, the incremental valuation is estimated to be \$525,100. The annual increment in real estate taxes upon total completion of the Project is estimated to be \$9,518. However, the increment in real estate taxes during the first year or two will be less due to lower valuations during construction of the Project.

On September 19, 2019 the CRA moved that the Project be granted 71% of the annual increment in real estate taxes, not to exceed the lessor of \$97,246, or the certified eligible Project Costs over a period not to exceed fifteen years beginning with Tax Year 2020. The CRA approved Project Costs totaling \$97,246 as follows:

Grading & erosion control	
Silt fence installation	\$1,600
Clearing and grubbing	\$1,500
Site excavation	\$1,000
Site embankment	\$7,800
Exterior plumbing	
1" water service	\$3,000
6" sanitary sewer service	\$1,750
8" PVC storm sewer flared end section	\$700
8" PVC storm sewer	\$3,300
On site pavement	
6" concrete pavement	\$22,610
6" subgrade preparation	\$2,975
White rock detention cell	\$21,376
Landscaping	
Fencing	\$10,790
Ornamental trees	\$500
Miscellaneous	
Parking lot lighting	\$4,000
4" diameter PVC electrical conduit	\$1,600
3" diameter PVC electrical conduit	\$1,600
1 ½" diameter PVC electrical conduit	\$750
Transformer concrete pad	\$1,200
Contingency – 10% on above items only	\$9,195
Total	\$97,246

After the Redeveloper and City have received the lessor of \$97,246 or the certified eligible Project Costs, the political subdivisions will receive 100% of the taxes generated from the valuation increment.

Staff recommends City Council approve the Project be granted 71% of the annual increment in real estate taxes, not to exceed the lessor of \$97,246 or the certified eligible Project Costs over a period not to exceed fifteen years beginning with Tax Year 2020 and pass a resolution authorizing the CRA Chairman, Treasurer, and Legal Counsel the authority to execute a Redevelopment Contract with the Redeveloper.

Moved by Lear seconded by Buschkoetter finding that the redevelopment project set forth in the application submitted by Willis Storage, LLC would not be economically feasible without the use of tax-increment financing, that the proposed redevelopment project would not occur in the community redevelopment area without the use of tax-increment financing and, that the costs and benefits of the proposed redevelopment project are found to be in the long term best interests of the community; and further move that the redevelopment project be granted 71 percent of the annual increment in real estate taxes, not to exceed the lessor of \$97,246, or the certified eligible Project Costs over a period not to exceed fifteen years beginning with Tax Year 2020 and to adopt Resolution No. 2019-178 granting the Chairman and legal counsel the authority to negotiate and execute a redevelopment contract with Willis Storage, LLC.. Roll call resulted as follows: Aye: Clouse, Moore, Buschkoetter, Lear. Nay: None. Nikkila absent. Motion carried.

RESOLUTION NO. 2019-178

WHEREAS, the City of Kearney, Nebraska, a municipal corporation and city of the first class, has determined it be desirable to undertake and carry out urban redevelopment projects in areas of the City which are determined to be substandard and blighted and in need of redevelopment; and

WHEREAS, the Nebraska Community Development Law, Chapter 18, Article 21, Nebraska Reissue Revised Statutes of 1991, as amended (the "Act"), prescribes the requirements and procedures for the planning and implementation of redevelopment projects; and

WHEREAS, the City has declared an area of the City to be substandard and blighted and in need of redevelopment pursuant to the Act; and

WHEREAS, the Community Redevelopment Authority of the City of Kearney, Nebraska (the "Authority"), has prepared a Redevelopment Plan for Area #5 pursuant to Section 18-2111 of the Act ("Redevelopment Plan"), and recommended the Redevelopment Plan to the Planning Commission of the City; and

WHEREAS, the Planning Commission of the City reviewed the Redevelopment Plan pursuant to the Act and submitted its recommendations, if any, to the Authority, pursuant to Section 18-2114 of the Act; and

WHEREAS, in accordance with Section 18-2114 of the Act, the Authority submitted its recommendation, along with the recommendation from the Planning Commission to the City Council; and

WHEREAS, following consideration of the recommendations of the Planning Commission and the Authority, and following the public hearing with respect to the Redevelopment Plan, the City approved the Plan; and

WHEREAS, there has been presented to the City by the Authority for approval pursuant to and in accordance with Section 18-2119 of the Act a specific Redevelopment Project within the Redevelopment Plan and as authorized in the Redevelopment Plan, as legally Lot 1, EXCEPT the South 200.0 feet thereof, Fuller and Daley Third Addition, an addition to the City of Kearney, Buffalo County, Nebraska, TOGETHER WITH the East

20.0 feet of the West 46.0 feet of the South 200.0 feet of said Lot 1 which is to be used for ingress and egress purposes, all in Buffalo County, Nebraska (Parcel ID 600047358); and

WHEREAS, the City Council has determined that the proposed Redevelopment Project would not be economically feasible without the use of tax increment financing; that the proposed Redevelopment Project would not occur in the community without the use of tax increment financing, and; that the costs and benefits of the proposed Redevelopment Project have been found to be in the long-term best interests of the community.

NOW, THEREFORE, BE IT RESOLVED by the President and City Council of the City of Kearney, Nebraska that:

1. The Redevelopment Plan of the City previously approved for the area described on the attached Exhibit "A", including the Redevelopment Project legally described as Lot 1, EXCEPT the South 200.0 feet thereof, Fuller and Daley Third Addition, an addition to the City of Kearney, Buffalo County, Nebraska, TOGETHER WITH the East 20.0 feet of the West 46.0 feet of the South 200.0 feet of said Lot 1 which is to be used for ingress and egress purposes, all in Buffalo County, Nebraska (Parcel ID 600047358); is hereby determined to be feasible and in conformity with the general plan for the development of the City of Kearney as a whole and the Redevelopment Plan, including the Redevelopment Project identified on Exhibit "A", is in conformity with the legislative declarations and determinations set forth in the Act.

2. The City Council hereby determines that the proposed Redevelopment Project would not be economically feasible without the use of tax increment financing; that the proposed Redevelopment Project would not occur in the community without the use of tax increment financing, and; that the costs and benefits of the proposed Redevelopment Project are found to be in the long-term interests of the community.

3. Approval of the Redevelopment Plan is hereby ratified and reaffirmed, as amended by this Resolution, and the Authority is hereby directed to implement the Redevelopment Plan in accordance with the Act.

4. Pursuant to Section 18-2147 of the Act, ad valorem taxes levied upon real property in a redevelopment project for the benefit of any public body, included or authorized in the Plan which is legally described as Lot 1, EXCEPT the South 200.0 feet thereof, Fuller and Daley Third Addition, an addition to the City of Kearney, Buffalo County, Nebraska, TOGETHER WITH the East 20.0 feet of the West 46.0 feet of the South 200.0 feet of said Lot 1 which is to be used for ingress and egress purposes, all in Buffalo County, Nebraska (Parcel ID 600047358); shall be divided, for a period not to exceed 15 years after the effective date of the provision, which effective date shall be identified in the Project Redevelopment Contract, as follows:

a. That portion of the ad valorem tax which is produced by the levy at the rate fixed each year by or for each public body upon the redevelopment project valuation (as defined in the Act) shall be paid into the funds of each such public body in the same proportion as are all other taxes collected by or for the body; and

b. That portion of the ad valorem tax on real property in the redevelopment project in excess of such amount, if any, shall be allocated to and, when collected, paid into a special fund of the Authority to be used solely to pay the principal of, the interest on, and any premiums due in connection with the bonds, of loans, notes or advances of money to, or indebtedness incurred by, whether funded, refunded, assumed, or otherwise, such Authority for financing or refinancing, in whole or in part, the redevelopment project. When such bonds, loans, notes, advances of money, or

indebtedness, including interest and premiums due, have been paid, the Authority shall so notify the County Assessor and County Treasurer and all ad valorem taxes upon taxable real property in such a redevelopment project shall be paid into the funds of the respective public bodies.

c. Any interest and penalties due for delinquent taxes shall be paid into the funds of each public body in the same proportion as are all other taxes collected by or for the public body.

5. The President and City Clerk are authorized and directed to execute and file with the Treasurer and Assessor of Buffalo County, Nebraska, an Allocation Agreement and Notice of Pledge of Taxes with respect to the Redevelopment Project substantially in the form attached hereto as Exhibit "B" with appropriate insertions.

6. Recognizing that, after the date of this Resolution, circumstances may arise necessitating changes, additions or deletions to the specific legal description of the Redevelopment Project (described in Paragraphs 1 and 4 above and the attached Exhibit "B"), the City Manager is hereby authorized to make such changes, additions or deletions to the legal description as the City Manager deems reasonable or necessary, together with the authority to execute all documents, certificates or instruments necessary in connection therewith, specifically including the execution of an Amended Allocation Agreement and Notice of Pledge of Taxes with respect to the Redevelopment Project.

PASSED AND APPROVED THIS 24TH DAY OF SEPTEMBER, 2019.

ATTEST:
LAUREN BRANDT
CITY CLERK

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

REDEVELOPMENT PROJECT BY APPLE FUN CENTER, INC FOR PROPERTY LOCATED AT 500 WEST 4TH STREET

Mayor Clouse opened for discussion the redevelopment project submitted by Apple Fun Center, Inc. for Redevelopment Area #8 for an area described as a tract of land being part of Government Lot 4 in Section 11, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (500 West 4th Street) and approve Resolution No. 2019-179.

Wendell Wessels, Director of Finance, presented this matter to the Council. Apple Fun Center, Inc. is considering the construction of a 23,500 square foot, pre-engineered, steel-framed, and metal-sided indoor go-kart building. The interior of the building will be dry walled, with exposed concrete flooring, and painted ceiling, finished with package unit heating and air and wet fire sprinklers. The new project will also include a 787 square foot 'upper deck', or storage mezzanine, above the maintenance shop and a sloped roof. The Project is located south of 4th Street and west of 3rd Avenue.

The total new valuation of the property upon completion is estimated to be \$4,900,000 and the current valuation of the property is \$2,306,305. Therefore, the incremental valuation is estimated to be \$2,593,695. The annual increment in real estate taxes upon total completion of the Project is estimated to be \$47,012 (\$2,593,695 @ 1.812559). However, the increment in real estate taxes during the first year or two will be less due to lower valuations during construction of the Project.

On September 19, 2019 the CRA moved that the Project be granted 90% of the annual increment in real estate taxes, not to exceed the lessor of \$633,489, or the certified eligible Project Costs over a period not to exceed fifteen years beginning with Tax Year 2020. The CRA approved Project Costs totaling \$633,489 as follows:

Other improvements (site work):		
Remove existing cedar trees		\$ 6,480
Erosion control		\$ 3,240
Soil testing		\$ 648
Excavation and site prep for east lot		\$ 102,600
Cut asphalt at power transformer		\$ 1,620
Storm drain pipes for building downs		\$ 38,880
Detention cell grading		\$ 5,940
Utilities - electrical		\$ 18,956
Public parking facilities – east parking lot		\$ 357,709
Sidewalks:		
Sidewalks		\$ 45,576
Handrails on side and front of building		\$ 10,800
Lighting – exterior electrical		\$ 41,040
Total		\$633,489

After the Redeveloper and City have received the lessor of \$633,489 or the certified eligible Project Costs, the political subdivisions will receive 100% of the taxes generated from the valuation increment.

Staff recommends City Council approve the Project be granted 90% of the annual increment in real estate taxes, not to exceed the lessor of \$633,489 or the certified eligible Project Costs over a period not to exceed fifteen years beginning with Tax Year 2020 and pass a resolution authorizing the CRA Chairman, Treasurer, and Legal Counsel the authority to execute a Redevelopment Contract with the Redeveloper.

Moved by Buschkoetter seconded by Clouse finding that the redevelopment project set forth in the application submitted by Apple Fun Center, Inc. would not be economically feasible without the use of tax-increment financing, that the proposed redevelopment project would not occur in the community redevelopment area without the use of tax-increment financing and, that the costs and benefits of the proposed redevelopment project are found to be in the long term best interests of the community; and further move that the redevelopment project be granted 90 percent of the annual increment in real estate taxes, not to exceed the lessor of \$633,489, or the certified eligible Project Costs over a period not to exceed fifteen years beginning with Tax Year 2020 and to adopt Resolution No. 2019-179 granting the Chairman and legal counsel the authority to negotiate and execute a redevelopment contract with Apple Fun Center, Inc. Roll call resulted as follows: Aye: Clouse, Buschkoetter, Lear, Moore. Nay: None. Nikkila absent. Motion carried.

RESOLUTION NO. 2019-179

WHEREAS, the City of Kearney, Nebraska, a municipal corporation and city of the first class, has determined it be desirable to undertake and carry out urban redevelopment projects in areas of the City which are determined to be substandard and blighted and in need of redevelopment; and

WHEREAS, the Nebraska Community Development Law, Chapter 18, Article 21, Nebraska Reissue Revised Statutes of 1991, as amended (the "Act"), prescribes the requirements and procedures for the planning and implementation of redevelopment projects; and

WHEREAS, the City has declared an area of the City to be substandard and blighted and in need of redevelopment pursuant to the Act; and

WHEREAS, the Community Redevelopment Authority of the City of Kearney, Nebraska (the "Authority"), has prepared a Redevelopment Plan for Area #8 pursuant to Section 18-2111 of the Act ("Redevelopment Plan"), and recommended the Redevelopment Plan to the Planning Commission of the City; and

WHEREAS, the Planning Commission of the City reviewed the Redevelopment Plan pursuant to the Act and submitted its recommendations, if any, to the Authority, pursuant to Section 18-2114 of the Act; and

WHEREAS, in accordance with Section 18-2114 of the Act, the Authority submitted its recommendation, along with the recommendation from the Planning Commission to the City Council; and

WHEREAS, following consideration of the recommendations of the Planning Commission and the Authority, and following the public hearing with respect to the Redevelopment Plan, the City approved the Plan; and

WHEREAS, there has been presented to the City by the Authority for approval pursuant to and in accordance with Section 18-2119 of the Act a specific Redevelopment Project within the Redevelopment Plan and as authorized in the Redevelopment Plan, as legally a tract of land being part of Government Lot 4 in Section 11, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska, more particularly described as follows: Referring to the east quarter corner of said Section Eleven; thence Westerly on the east-west quarter section line a distance of 90.0 feet to a point on the west property line of Third Avenue; thence Southerly parallel with the east line of said Section Eleven a distance of 100.9 feet; thence with a deflection angle to the right of 90 04' a distance of 214.7 feet; thence left 90 21' a distance of 60.0 feet to the ACTUAL PLACE OF BEGINNING; thence continuing Southerly on the aforescribed course a distance of 54.8 feet; thence left 89 48' a distance of 64.2 feet; thence right 90 05' a distance of 97.35 feet; thence right 89 45' a distance of 13.95 feet; thence left 01 15' a distance of 614.95 feet; thence right 90 56' a distance of 207.0 feet; thence left 90 02' a distance of 234.0 feet; thence left 90 00' a distance of 56.0 feet; thence right 90 00' a distance of 220.6 feet to a point on the West property line of Government Lot 4 and the East property line of Sixth Avenue (if extended); thence Northerly on the aforesaid West property line of Government Lot 4 and the East property line of Sixth Avenue (if extended) a distance of 330.4 feet to a point on the South property line of Fourth Street; thence Easterly on the aforesaid South line of Fourth Street a distance of 773.0 feet; thence right 90 00' a distance of 3.0 feet; thence continuing Southerly on the aforescribed course a distance of 317.42 feet; thence left 90 01' a distance of 248.13 feet to the place of beginning, all in Buffalo County, Nebraska (Parcel ID 600057100); and

WHEREAS, the City Council has determined that the proposed Redevelopment

Project would not be economically feasible without the use of tax increment financing; that the proposed Redevelopment Project would not occur in the community without the use of tax increment financing, and; that the costs and benefits of the proposed Redevelopment Project have been found to be in the long-term best interests of the community.

NOW, THEREFORE, BE IT RESOLVED by the President and City Council of the City of Kearney, Nebraska that:

1. The Redevelopment Plan of the City previously approved for the area described on the attached Exhibit "A", including the Redevelopment Project legally described as a tract of land being part of Government Lot 4 in Section 11, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska, more particularly described as follows: Referring to the east quarter corner of said Section Eleven; thence Westerly on the east-west quarter section line a distance of 90.0 feet to a point on the west property line of Third Avenue; thence Southerly parallel with the east line of said Section Eleven a distance of 100.9 feet; thence with a deflection angle to the right of 90 04' a distance of 214.7 feet; thence left 90 21' a distance of 60.0 feet to the ACTUAL PLACE OF BEGINNING: thence continuing Southerly on the aforescribed course a distance of 54.8 feet; thence left 89 48' a distance of 64.2 feet; thence right 90 05' a distance of 97.35 feet; thence right 89 45' a distance of 13.95 feet; thence left 01 15' a distance of 614.95 feet; thence right 90 56' a distance of 207.0 feet; thence left 90 02' a distance of 234.0 feet; thence left 90 00' a distance of 56.0 feet; thence right 90 00' a distance of 220.6 feet to a point on the West property line of Government Lot 4 and the East property line of Sixth Avenue (if extended); thence Northerly on the aforesaid West property line of Government Lot 4 and the East property line of Sixth Avenue (if extended) a distance of 330.4 feet to a point on the South property line of Fourth Street; thence Easterly on the aforesaid South line of Fourth Street a distance of 773.0 feet; thence right 90 00' a distance of 3.0 feet; thence continuing Southerly on the aforescribed course a distance of 317.42 feet; thence left 90 01' a distance of 248.13 feet to the place of beginning, all in Buffalo County, Nebraska (Parcel ID 600057100); is hereby determined to be feasible and in conformity with the general plan for the development of the City of Kearney as a whole and the Redevelopment Plan, including the Redevelopment Project identified on Exhibit "A", is in conformity with the legislative declarations and determinations set forth in the Act.

2. The City Council hereby determines that the proposed Redevelopment Project would not be economically feasible without the use of tax increment financing; that the proposed Redevelopment Project would not occur in the community without the use of tax increment financing, and; that the costs and benefits of the proposed Redevelopment Project are found to be in the long-term interests of the community.

3. Approval of the Redevelopment Plan is hereby ratified and reaffirmed, as amended by this Resolution, and the Authority is hereby directed to implement the Redevelopment Plan in accordance with the Act.

4. Pursuant to Section 18-2147 of the Act, ad valorem taxes levied upon real property in a redevelopment project for the benefit of any public body, included or authorized in the Plan which is legally described as a tract of land being part of Government Lot 4 in Section 11, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska, more particularly described as follows: Referring to the east quarter corner of said Section Eleven; thence Westerly on the east-west quarter section line a distance of 90.0 feet to a point on the west property line of Third Avenue; thence Southerly parallel with the east line of said Section Eleven a distance of 100.9 feet; thence

with a deflection angle to the right of 90 04' a distance of 214.7 feet; thence left 90 21' a distance of 60.0 feet to the ACTUAL PLACE OF BEGINNING: thence continuing Southerly on the aforescribed course a distance of 54.8 feet; thence left 89 48' a distance of 64.2 feet; thence right 90 05' a distance of 97.35 feet; thence right 89 45' a distance of 13.95 feet; thence left 01 15' a distance of 614.95 feet; thence right 90 56' a distance of 207.0 feet; thence left 90 02' a distance of 234.0 feet; thence left 90 00' a distance of 56.0 feet; thence right 90 00' a distance of 220.6 feet to a point on the West property line of Government Lot 4 and the East property line of Sixth Avenue (if extended); thence Northerly on the aforesaid West property line of Government Lot 4 and the East property line of Sixth Avenue (if extended) a distance of 330.4 feet to a point on the South property line of Fourth Street; thence Easterly on the aforesaid South line of Fourth Street a distance of 773.0 feet; thence right 90 00' a distance of 3.0 feet; thence continuing Southerly on the aforescribed course a distance of 317.42 feet; thence left 90 01' a distance of 248.13 feet to the place of beginning, all in Buffalo County, Nebraska (Parcel ID 600057100); shall be divided, for a period not to exceed 15 years after the effective date of the provision, which effective date shall be identified in the Project Redevelopment Contract, as follows:

a. That portion of the ad valorem tax which is produced by the levy at the rate fixed each year by or for each public body upon the redevelopment project valuation (as defined in the Act) shall be paid into the funds of each such public body in the same proportion as are all other taxes collected by or for the body; and

b. That portion of the ad valorem tax on real property in the redevelopment project in excess of such amount, if any, shall be allocated to and, when collected, paid into a special fund of the Authority to be used solely to pay the principal of, the interest on, and any premiums due in connection with the bonds, of loans, notes or advances of money to, or indebtedness incurred by, whether funded, refunded, assumed, or otherwise, such Authority for financing or refinancing, in whole or in part, the redevelopment project. When such bonds, loans, notes, advances of money, or indebtedness, including interest and premiums due, have been paid, the Authority shall so notify the County Assessor and County Treasurer and all ad valorem taxes upon taxable real property in such a redevelopment project shall be paid into the funds of the respective public bodies.

c. Any interest and penalties due for delinquent taxes shall be paid into the funds of each public body in the same proportion as are all other taxes collected by or for the public body.

5. The President and City Clerk are authorized and directed to execute and file with the Treasurer and Assessor of Buffalo County, Nebraska, an Allocation Agreement and Notice of Pledge of Taxes with respect to the Redevelopment Project substantially in the form attached hereto as Exhibit "B" with appropriate insertions.

6. Recognizing that, after the date of this Resolution, circumstances may arise necessitating changes, additions or deletions to the specific legal description of the Redevelopment Project (described in Paragraphs 1 and 4 above and the attached Exhibit "B"), the City Manager is hereby authorized to make such changes, additions or deletions to the legal description as the City Manager deems reasonable or necessary, together with the authority to execute all documents, certificates or instruments necessary in connection therewith, specifically including the execution of an Amended Allocation Agreement and Notice of Pledge of Taxes with respect to the Redevelopment Project.

PASSED AND APPROVED THIS 24TH DAY OF SEPTEMBER, 2019.

ATTEST:
LAUREN BRANDT
CITY CLERK

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

OPEN ACCOUNT CLAIM

Moved by Buschkoetter seconded by Moore that the Open Account Claim in the amount of \$121,585.75 payable to Nebraska Public Power District be allowed. Roll call resulted as follows: Aye: Lear, Moore, Buschkoetter. Nay: None. Clouse abstained. Nikkila absent. Motion carried.

Moved by Clouse seconded by Moore that the Open Account Claim in the amount of \$10.59 payable to Goodwill Industries be allowed. Roll call resulted as follows: Aye: Clouse, Moore, Lear. Nay: None. Buschkoetter abstained. Nikkila absent. Motion carried.

VII. REPORTS

Council member Tami James Moore commented on all the positive things she heard regarding the City of Kearney at the League Conference she attended last week and is proud to be a part of the team. Moore further thanked the Apple Fun Center Inc for their contributions to the community.

City Mayor Stanley Clouse requested the City Manager and City Staff research the vaping issue in the public sector and bring a report back to Council.

VIII. ADJOURN

Moved by Clouse seconded by Lear that Council adjourn at 6:09 p.m. Roll call resulted as follows: Aye: Clouse, Moore, Buschkoetter, Lear. Nay: None. Nikkila absent. Motion carried.

ATTEST:

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

LAUREN BRANDT
CITY CLERK