

*Kearney, Nebraska  
March 24, 2020  
5:30 p.m.*

A public teleconference meeting of the City Council of Kearney, Nebraska, occurred at 5:30 p.m. on March 24, 2020. The meeting was open to the public via teleconference means as allowed by the executive order issued from Governor Ricketts on March 17, 2020. Present via phone were: Stanley A. Clouse, President of the Council; Lauren Brandt, City Clerk; Council Members Randy Buschkoetter, Bruce Lear, Tami James Moore and Jonathan Nikkila. Absent: None. Michael Morgan, City Manager and Michael Tye, City Attorney were also present.

Notice of the meeting was given in advance thereof by publication in the Kearney Hub, the designated method for giving notice, a copy of the proof of publication being attached to these minutes. Advance notice of the meeting was also given to the City Council and a copy of their acknowledgment or receipt of such notice is attached to these minutes. Availability of the Agenda was communicated in the advance notice and in the notice to the Mayor and City Council. All proceedings hereafter shown were taken while the meeting was open to the public via teleconference means.

## **I. ROUTINE BUSINESS**

### **ANNOUNCEMENT**

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

### **ORAL COMMUNICATIONS**

There were no Oral Communications.

## **II. UNFINISHED BUSINESS**

There was no Unfinished Business.

## **III. PUBLIC HEARINGS**

None.

## **IV. CONSENT AGENDA**

Moved by Nikkila seconded by Moore that Subsections 1 through 6 and Items 8 through 10 of Consent Agenda Item IV be approved. Roll call resulted as follows: Aye: Clouse, Lear, Nikkila, Moore, Buschkoetter. Nay: None. Motion carried.

Moved by Moore seconded by Lear to strike from the record the inclusion of "in connection with Paving Improvement District No. 2020-01" from Item 7 of the Consent Agenda and approve amended Item 7 of the Consent Agenda for the Plans and Specifications for the

2020 Part 1 Improvements for the removal and replacement of N Avenue from 28th Street to 39th Street and set the bid opening date for April 21, 2020 at 2:00 p.m. Roll call resulted as follows: Aye: Clouse, Nikkila, Moore, Buschkoetter, Lear. Nay: None. Motion carried.

1. Approve Minutes of Regular Meeting held March 10, 2020.

2. Approve the following Claims:

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

2020 Ky Tree-\$24.48-smcs; 3M-\$3,187.24-smcs; 4Imprint-\$3,216.21-smcs; Ace Irrigation-\$504.36-smcs; Adamek,G-\$18.67-smcs; Adobe-\$29.99-smcs; Advance Auto Parts-\$25.44-smcs; Adventure Enterprise-\$300.00-smcs; Agri Coop-\$1,589.10-smcs; Alamo Rent-A-Car-\$305.83-smcs; Alfred Benesch-\$17,789.44-co; All Makes Auto-\$3,126.22-smcs; Alleluia Rocks-\$132.90-smcs; Ally B Designs-\$150.00-smcs; Alphabet Signs-\$665.90-smcs; Amax-\$141.00-smcs; Amazon-\$8,365.75-smcs; America Library Assn.-\$84.90-smcs; American-\$2,883.33-smcs,co; American Backflow Prevention-\$75.00-smcs; American Button Makers-\$121.54-smcs; American Flags-\$217.76-smcs; American Legion-\$101.48-smcs; Andersen Wrecking-\$100.00-smcs; Anderson, Shawn-\$30.00-smcs; Anythingtruck.com-\$462.26-smcs; Apple-\$0.99-smcs; Apple Market-\$14.70-smcs; Aramark Uniform-\$210.66-smcs; Arkle,S-\$60.00-smcs; Artisans Photography-\$1,480.00-smcs; Ask Supply-\$2,118.29-smcs; Atlantic, the-\$59.99-smcs; Aurora Coop-\$75.36-smcs; Aussie Hydraulics-\$113.04-smcs; Auto Value-\$404.75-smcs; Axon Enterprise-\$2,473.20-smcs,co; B&H Photo-\$5,588.11-smcs; Bachkora,M-\$85.00-smcs; Bahensky,D-\$75.00-smcs; Baker & Taylor-\$2,814.61-smcs; Ballard-\$499.98-smcs; Bamford-\$725.00-smcs; Baum Hydraulics-\$134.24-smcs; Beacon Athletics-\$377.00-smcs; Bepalec,K-\$170.00-smcs; Big Rack Shack-\$1,525.00-smcs; Blackstone-\$819.79-smcs; Blackstrap-\$16,296.99-smcs; Blaise,K-\$38.00-smcs; Blessing,P-\$85.00-smcs; BlueCross BlueShield-\$359,821.49-smcs; Bombeck,M-\$140.00-smcs; Boogaarts-\$64.03-smcs; Bosselman-\$19,563.66-smcs; Braden,B-\$85.00-smcs; Broadfoot,A-\$85.00-smcs; Brown,C-\$77.57-smcs; Bruegman,C-\$87.50-smcs; Brush,J-\$85.00-smcs; Buffalo Co. Treasurer-\$60.98-smcs; Buffalo Outdoor Power-\$843.33-smcs; Buggy Bath-\$1,170.00-smcs; Builders-\$4,685.40-smcs,co; Bush,A-\$85.00-smcs; Canva-\$4.00-smcs; Carquest-\$1,239.51-smcs; Cash Wa-\$954.15-smcs; CCI Solutions-\$402.58-smcs; Center Point Publishing-\$75.96-smcs; Central Comm. College-\$265.00-smcs; Central Fire-\$284.50-smcs; Central Hydraulic-\$1,221.39-smcs; Central NE Bobcat-\$285.53-smcs; Chavez,K-\$88.00-smcs; Chemsearch-\$307.00-smcs; Chesterman-\$964.25-smcs; Chicken Coop-\$50.00-smcs; Christensen,M-\$110.00-smcs; Cintas-\$190.19-smcs; City of Ky-\$54,381.73-smcs,ps; City Plumbing-\$249.09-smcs; CO Chapter ICC-\$370.80-smcs; Cold Spring Granite-\$239.40-smcs; Colling,G-\$290.00-smcs; Comcate-\$2,168.69-smcs; Compass Navigation-\$3,060.00-smcs; Construction Rental-\$2,377.74-smcs,co; Control Yours-\$200.00-smcs; Cooney,S-\$26.05-smcs; Copycat Printing-\$1,581.98-smcs; Core & Main-\$1,931.36-smcs; Credit Management Serv.-\$432.07-ps; Cudaback,J-\$100.00-smcs; Culligan-\$2,079.50-smcs; Cummins-\$164.34-smcs; Cutter & Buck-\$742.03-smcs; Dan's Plumbing-\$132.28-smcs; Data Power-\$107.12-smcs; Dawson Public Power-\$20,966.63-smcs; Dell-\$2,094.23-co; Demco-\$465.42-smcs; Dept. of

Education-\$513.35-ps; Dettman,J-\$62.00-smcs; DHHS Drinking Water-\$80.00-smcs; Digicert-\$1,610.00-smcs; Dish-\$217.12-smcs; Displays to Go-\$133.53-smcs; Dolan Consulting-\$195.00-smcs; Drapery Den-\$2,522.50-smcs; Dudker,J-\$80.00-smcs; Dynamic Distribution-\$6,035.00-smcs; Eacker,A-\$85.00-smcs; Eakes-\$25,934.10-smcs; Ebay-\$42.75-smcs; Ecolab-\$80.26-smcs; Ehrlich-\$54.00-smcs; Elliott Equipment-\$4,947.36-smcs; Embassy Suites-\$301.18-smcs; EMC Insurance-\$89.00-smcs; Engineer Supply-\$969.24-smcs; Entenmann-Rovin-\$234.25-smcs; Enterprise-\$374.80-smcs; ESRI-\$13,950.00-smcs; Exit Lit -\$156.22-smcs; Expedia-\$359.78-smcs; Express Carriage -\$5.00-smcs; Express Wear-\$1,283.00-smcs; Eyemed-\$1,148.10-smcs; Facebook-\$250.00-smcs; Farm Bureau -\$45.00-smcs; Farmers Union-\$414.00-smcs; Fastenal -\$1,270.57-smcs; Feddersen,C-\$85.00-smcs; Fedex-\$45.37-smcs; Fiddelke-\$5,253.12-smcs; Fire Protection Publication-\$908.50-smcs; Focus on the Family-\$24.99-smcs; Fort Bend Services-\$14,352.00-smcs; Foxit Software-\$139.00-co; Fresh Water Systems-\$275.08-smcs; Frontier-\$7,168.64-smcs; Galco Industrial-\$82.91-smcs; Gale-\$6,745.58-smcs; Garrett Tires-\$1,564.85-smcs; Gillham,S-\$210.00-smcs; Glass Doctor-\$85.00-smcs; Goodwin Tucker-\$1,646.16-smcs; Graczyk Lawn-\$739.20-smcs; Graham Tire-\$730.00-smcs; Grainger-\$1,172.47-smcs; Gray Jr.,L-\$60.00-smcs; Gray,R-\$100.00-smcs; Grones Outdoor Power-\$21.99-smcs; Hammond,A-\$125.00-smcs; Hanes Gear for Sports-\$1,847.86-smcs; HelpCare Clinic-\$3,500.00-smcs; Hiemke,J-\$100.00-smcs; Hireright-\$56.51-smcs; HOA Solutions-\$9,519.00-smcs; Hobby Lobby-\$437.33-smcs; Holmes Plumbing-\$399.37-smcs; Home Depot-\$2,082.21-smcs; Hometown Leasing-\$159.08-smcs; Horn,C-\$125.00-smcs; Hot Meals-\$10,000.00-smcs; Hotsy Equipment-\$4,495.00-smcs; Howard,A-\$85.00-smcs; Huebner,J-\$30.00-smcs; Hunt,K-\$135.00-smcs; Hurt,J-\$6.70-smcs; Hyatt House Chicago-\$8,292.00-smcs; Hyatt Place-\$480.68-smcs; Hy-vee-\$361.42-smcs; ICMA -\$6,904.23-ps; Idexx-\$1,436.62-smcs; Idsecurityonline.com-\$479.00-smcs; Industrial Safety-\$228.59-smcs; Inland Truck Parts-\$876.40-smcs; Integrated Security -\$1,240.00-smcs; Int'l Assn. Chiefs Police-\$380.00-smcs; Int'l Society Arboriculture-\$230.92-smcs; Invoice Home-\$5.00-smcs; IRS-\$163,570.64-ps; Jack Lederman-\$1,244.92-smcs,co; Jack's Uniforms-\$1,881.39-smcs; Jackson Services-\$235.00-smcs; Johnson Controls-\$1,911.20-smcs; Johnson, Brooke-\$26.00-smcs; Johnstone Supply-\$152.51-smcs; Joseph's Beauty College-\$885.00-smcs; Kaval,K-\$31.00-smcs; Ky Ace-\$193.04-smcs; Ky Animal Shelter-\$10,000.00-smcs; Ky Concrete-\$3,275.28-smcs; Ky Crete & Block-\$7.62-smcs; Ky Hub-\$3,187.12-smcs; Ky Power Sports-\$399.20-smcs; Ky Quality Sew-\$68.95-smcs; Ky Tire -\$355.16-smcs; Ky Towing-\$100.00-smcs; Ky Warehouse-\$614.80-smcs; Ky Winlectric-\$10,941.06-smcs,co; Kegley,C-\$125.00-smcs; Kegley,S-\$85.00-smcs; Kelly Supply-\$1,176.65-smcs; Kimball Midwest-\$656.34-smcs; Kings III Emergency-\$1,749.44-smcs; Konica Minolta-\$458.91-smcs; Kristensen,D-\$75.00-smcs; Laser Labs-\$69.95-smcs; Lawson Products-\$45.20-smcs; League of NE Municipalities-\$890.00-smcs; Lepper,A-\$85.00-smcs; Lewis,E-\$440.00-smcs; Little Caesars-\$7.08-smcs; LS Training-\$400.00-smcs; Luther,C-\$135.00-smcs; Mac Tools-\$276.17-smcs; Macqueen Equipment-\$714.37-smcs; Magic Cleaning-\$1,090.00-smcs; Magnolia Market-\$30.00-smcs; Mallory Safety-\$607.81-smcs; Marlatt Machine-\$2,787.92-smcs; Marriott Cornhusker-\$271.25-smcs; Masco Electric-\$155.53-smcs; Masek Golf-\$779.43-smcs; Master True Value-\$370.44-smcs; Matheson-\$430.96-smcs; McAlevy,K-\$220.00-smcs; MDI Worldwide-\$3,502.71-smcs; Mellen & Associates-\$2,956.65-smcs; Menards-\$6,226.94-smcs; Messbarger,L-\$320.00-smcs; Michell 1-\$955.29-smcs; Microsoft-\$423.76-co; Mid-America Golf-\$1,774.99-smcs; Mid-American Signal-\$575.00-smcs; Mid-NE Garage Doors-\$1,200.00-smcs; Midwest Connect-\$191.20-smcs; Midwest Turf-\$840.20-smcs; Milco

Environmental-\$5,210.11-smcs; Miller,J-\$85.00-smcs; Miller,L-\$220.00-smcs; Milliman-\$1,800.00-smcs; Minnesota Trapline-\$148.80-smcs; Miracle Recreation-\$51.00-smcs; Mirror Image-\$368.70-smcs; Mobile Pro Shop-\$41.04-smcs; Moonlight Embroidery-\$1,999.50-smcs; Morhain,M-\$135.00-smcs; Mostek Electric-\$97.50-smcs; Mueller Sprinklers-\$13,939.00-smcs; Municipal Emergency-\$1,745.46-smcs,ps; Municipal Supply-\$9,773.73-smcs; Myers,T-\$950.00-smcs; Nat'l Assn. School Resource-\$345.00-smcs; Nat'l Fire Protection Assn.-\$419.95-smcs; Nat'l Information-\$80.00-smcs; Nat'l Pen-\$159.37-smcs; Naval Surface Warfare-\$150.00-smcs; NE Arborists Assn.-\$75.00-smcs; NE Child Support-\$2,287.35-ps; NE Dept of Revenue-\$41,742.31-smcs; NE FBI-\$100.00-smcs; NE Games & Parks-\$171.84-smcs; NE Library Assn.-\$60.00-smcs; NE Safety & Fire Equip.-\$210.00-smcs; NE Title Company-\$251,135.50-co; NE Truck Center-\$5,409.78-smcs; NI NDA App Permit-\$90.00-smcs; Northern Safety-\$220.66-smcs; Northwest Electric-\$2,194.76-smcs; Northwestern Energy-\$11,588.60-smcs; NRG Media-\$410.00-smcs; Nutrien Ag Solution-\$195.24-smcs; OCLC-\$4,294.47-smcs; Odeys-\$38.18-smcs; Office Max-\$1,945.26-smcs; Office Net-\$7,060.00-co; Office Supply-\$57.76-smcs; Officenet-\$118.69-smcs; O'Reilly Auto-\$4,736.63-smcs; Orscheln-\$789.28-smcs; OTC Brands-\$19.94-smcs; Otterbox-\$16.00-smcs; Overhead Door-\$93.50-smcs; Pacific Bow Butts-\$1,974.00-smcs; Padilla,J-\$75.00-smcs; Paramount-\$76.41-smcs; Parish,D-\$100.00-smcs; Parts Town-\$8.06-smcs; Partstree-\$58.13-smcs; Peak,M-\$85.00-smcs; Penny,C-\$57.25-smcs; Pet Pickups-\$603.68-smcs; Phi Delta Theta-\$135.00-smcs; Photo Card Specialists-\$71.95-smcs; Ping-\$2,765.84-smcs; Pioneer Manufacturing-\$881.25-smcs; Pitney Bowes-\$60.00-smcs; Platte Valley Auto Mart-\$103.50-smcs; Platte Valley Laboratories-\$62.50-smcs; Postermymwall-\$29.95-smcs; Pot O' Gold-\$230.00-smcs; PP\*S Shop-\$249.45-co; Prestige Flags-\$195.17-smcs; Presto-X-\$895.00-smcs; Prima-\$308.00-smcs; Pro Track and Tennis-\$12,916.00-co; Pro-Tint-\$772.50-smcs; Provantage-\$258.47-smcs; Purdy,L-\$75.00-smcs; Que Place Garage-\$22.50-smcs; Quill-\$962.50-smcs; Rainbow Online-\$59.35-smcs; Rasmussen Mechanical-\$1,102.81-smcs; Recorded Books-\$451.86-smcs; Recreonics-\$2,496.53-smcs; Redbox-\$3.85-smcs; Redman's Shoes-\$200.00-smcs; Reinkes Heating-\$3,000.00-smcs; Retail Websales-\$181.71-smcs; Rheome Tree-\$2,695.00-smcs; Rock Auto-\$19.38-smcs; Rokit Event Pros-\$1,187.50-smcs; Roth,K-\$90.95-smcs; Rowe's Welding-\$1,050.00-smcs; Russell,D-\$100.00-smcs; Rutt,D-\$85.00-smcs; Safariland-\$2,956.00-smcs; Safelite Glass-\$215.99-smcs; Safety Products-\$136.32-smcs; Sandry Fire-\$634.00-smcs; Saylor Screenprinting-\$100.00-smcs; Schindler Elevator-\$971.28-smcs; Schroll,T-\$19.00-smcs; Schumacher Bros Fencing-\$220.00-smcs; Secretary of State-\$90.00-smcs; Sensit Technologies-\$812.96-smcs; Sherwin Williams-\$228.63-smcs; Shredding Solutions-\$45.00-smcs; Sigma Lambda Beta-\$390.00-smcs; Sign Center-\$1,402.13-smcs; Sister Cities Int'l-\$610.00-smcs; Skywest Airlines-\$173,699.25-smcs; Smith,R-\$88.00-smcs; SOS Portable Toilets-\$440.00-smcs; Spectrum-\$816.97-smcs; Sprinkler Warehouse-\$178.92-smcs; Stutsman-\$3,294.00-smcs; Sunmart-\$42.05-smcs; Sustainable Supply-\$265.63-smcs; Sweetwater Sound-\$18.13-smcs; Symless-\$29.00-co; Table Church-\$220.00-smcs; Target-\$242.88-smcs; Taylor,K-\$30.00-smcs; TCH Central-\$1,045.55-smcs,co; Thermo Scientific-\$62,400.00-co; Thompson,A-\$330.00-smcs; Thompson,A-\$125.00-smcs; Titan Machinery-\$4,469.51-smcs; Tool Parts Direct-\$11.75-smcs; Towne Place Suites-\$574.60-smcs; Tractor Supply-\$1,019.99-smcs; Transunion-\$119.60-smcs; Tucker Chiropractic-\$86.83-smcs; Tucker,K-\$1,268.75-smcs; Turner Body Shop-\$200.00-smcs; TVH Parts-\$382.62-smcs; Two-Day Intensive-\$1,334.25-smcs; Uline -\$219.75-smcs; Union Bank & Trust-\$84,688.89-ps; Unique Mgmt -\$277.45-smcs; UNK-\$25.00-smcs; UNL Agronomy-

\$320.00-smcs; UNL Marketplace-\$26.89-smcs; UPS-\$53.29-smcs; USA Blue Book-\$1,243.99-smcs; USA Pickleball-\$40.00-smcs; USPS-\$224.40-smcs; Van Wall Turf & Irrigation-\$2,271.91-smcs; Vertiv Services-\$5,815.20-smcs; Vessco-\$9,856.00-smcs; Viaero Center-\$1,176.00-smcs; Vistaprint-\$54.26-smcs; Volvo Trucks-\$22.64-smcs; Wal-mart-\$3,841.92-smcs; Walter,A-\$38.00-smcs; Ward Laboratories-\$78.25-smcs; Web Network-\$71.97-smcs; Webstaurant Store-\$2,047.31-smcs; White,F-\$53.00-smcs; Whitney,C-\$100.00-smcs; Wilco Life Ins. Co.-\$10.00-ps; Woodside,L-\$85.00-smcs; World Book-\$1,777.00-smcs; WPCI-\$241.00-ps; Zabel,A-\$48.15-smcs; Zabel,R-\$100.00-smcs; Zikmund,J-\$256.24-smcs; Zwiener,D-\$75.00-smcs; Payroll Ending 03/14/2020 -- \$488,970.58. 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 April 14, 2020 at 5:30 p.m. as date and time for hearing on those applications where applicable.

4. Adopt Resolution No. 2020-44 approving T-Hangar B-04 Lease Agreement at the Kearney Regional Airport between the City of Kearney and Kent Orr.

**RESOLUTION NO. 2020-44**

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 Kent Orr, the Agreement, marked Exhibit "1", is attached hereto and made a part hereof by reference.

PASSED AND APPROVED THIS 24TH DAY OF MARCH, 2020.

ATTEST:  
LAUREN BRANDT  
CITY CLERK

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

5. Adopt Resolution No. 2020-45 approving Change Order No. 2 showing a decrease in the amount of \$6,631.48, Application and Certificate for Payment No. 3-Final in the amount of \$13,021.16, and accept the Certificate of Substantial Completion submitted by Nielsen Contracting and approved by Oak Creek Engineering for the 2019 Part 6 Improvement for East 1st Street Flood Repair.

**RESOLUTION NO. 2020-45**

WHEREAS, Nielsen Contracting of Kearney, Nebraska has performed services in connection with the 2019 Part 6 Improvement for East 1st Street Flood Repair, and the City's engineer, Oak Creek Engineering, have filed with the City Clerk Change Order No. 2 showing a decrease in the amount of \$6,631.48 as shown on Exhibit "A" attached hereto and made a part hereof by reference; and

WHEREAS, Nielsen Contracting and Oak Creek Engineering have filed with the City Clerk Application and Certificate for Payment No. 3-Final in the amount of \$13,021.16 as shown on Exhibit "B" attached hereto and made a part hereof by reference and as follows:

Original Contract Sum	<u>\$ 101,713.20</u>
Contract Sum To Date	95,081.72
Gross Amount Due	95,081.72
Retainage (0%)	- 0.00
Amount Due to Date	95,081.72
Less Previous Certificates for Payment	- 82,060.56
Current Payment Due	<u>\$ 13,021.16</u>

WHEREAS, the Engineer and Contractor have now certified to the City Clerk that work is completed as of November 26, 2019, as shown by Exhibit "C" attached hereto and made a part hereof by reference.

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", Application and Certificate for Payment No. 3-Final, as shown on Exhibit "B" and the Certificate of Substantial Completion as shown on Exhibit "C" be and are hereby accepted and approved.

PASSED AND APPROVED THIS 24TH DAY OF MARCH, 2020.

ATTEST:  
LAUREN BRANDT  
CITY CLERK

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

6. Approve the Plans and Specifications for the 2020 Part 4 Improvements for the removal and replacement of asphalt roadway of 20th Street/Q Avenue/Coal Chute Road from M Avenue east to the City limits and set the bid opening date for April 21, 2020 at 2:00 p.m.
7. Approve the Plans and Specifications for the 2020 Part 1 Improvements for the removal and replacement of N Avenue from 28th Street to 39th Street in connection with Paving Improvement District No. 2020-01 and set the bid opening date for April 21, 2020 at 2:00 p.m.
8. Approve the Plans and Specifications for the Patriot Boulevard/Drive Landscaping Project and set the bid opening date for April 20, 2020 at 2:00 p.m.
9. Accept the bids received for the Airport Lift Station Grinder and adopt Resolution No. 2020-46 awarding the bid to Philip Carkoski Construction & Trenching, Inc. in the amount of \$90,310.

**RESOLUTION NO. 2020-46**

WHEREAS, Miller & Associates and the City of Kearney have reviewed the sealed bids which were opened on March 17, 2020 at 2:00 p.m. for the Airport Lift Station Grinder; and

WHEREAS, the Engineer's Opinion of Probable Construction Cost for the project was \$83,000; and

WHEREAS, Miller & Associates and the City have recommended the bid offered by Philip Carkoski Construction and Trenching, Inc. of Loup City, Nebraska in the amount of \$90,310 be accepted as the lowest responsible bid for the Airport Lift Station Grinder.

NOW, THEREFORE, BE IT RESOLVED by the President and City Council of the City of Kearney, Nebraska that the said Engineer's recommendation is hereby accepted, that Philip Carkoski Construction and Trenching, Inc. be and is the lowest responsible bidder for the Airport Lift Station Grinder to be constructed in accordance with the plans and specifications on file with the City Clerk and that the bid of Philip Carkoski Construction

and Trenching, Inc. in the amount of \$90,310 be and is hereby accepted.

BE IT FURTHER RESOLVED the Engineer’s Opinion of Probable Construction Cost in the amount of \$83,000 be and is hereby accepted.

BE IT FURTHER RESOLVED that the President of the Council of the City of Kearney, Nebraska, be and is hereby authorized and directed to execute contracts for such improvements in accordance with the bid, plans, specifications, and general stipulations pertaining thereto.

PASSED AND APPROVED THIS 24TH DAY OF MARCH, 2020.

ATTEST:  
LAUREN BRANDT  
CITY CLERK

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

**10.** Approve the Agreement for the Use of City Right-of-Way between the City of Kearney and Southern Public Power District agreeing to terms on use of a portion of the City’s right-of-way for electrical services and adopt Resolution No. 2020-47.

**RESOLUTION NO. 2020-47**

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 the Use of City Right-of-Way between the City of Kearney, Nebraska and Southern Public Power District (SPPD) allowing SPPD to use a portion of the City’s right-of-way to install electric transmission services and desires to construct a portion of said utility pole line upon and along the right-of-way of certain public roads within said City. A copy of the Agreement, marked as Exhibit “1”, is attached hereto and made a part hereof by reference.

PASSED AND APPROVED THIS 24TH DAY OF MARCH, 2020.

ATTEST:  
LAUREN BRANDT  
CITY CLERK

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

**V. CONSENT AGENDA ORDINANCES**

**ORDINANCE NO. 8409 CREATING PAVING IMPROVEMENT DISTRICT NO. 2020-01**

At the request from City Staff, Ordinance No. 8409 creating Paving Improvement District No. 2020-01 for the South right-of-way line of 28th Street and the centerline Avenue N; thence North along the centerline of Avenue N including all of Avenue N right-of-way to a point 36 feet South of the North line of Lot 5, Fairview Subdivision, a subdivision to the City of Kearney, Nebraska, and including all lots and lands abutting thereon, all in the City of Kearney, Buffalo County, Nebraska was withdrawn.

**ORDINANCE NO. 8410 REPEALING ORDINANCE NO. 8394 AND AMEND THE SALARY ORDINANCE**

Council Member Lear introduced Ordinance No. 8410 repealing Ordinance No. 8394 and amend the Salary Ordinance reflecting recommended classification changes, 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. 8410. 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. 8410 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, Moore. Nay: None. Motion carried. Ordinance was read by number.

Moved by Buschkoetter seconded by Clouse that Ordinance No. 8410 be passed, approved and published as required by law. Roll call resulted as follows: Aye: Clouse, Lear, Nikkila, Moore, Buschkoetter. Nay: None. Motion carried.

By reason of the roll call voted on the first reading and final passage of the ordinance, Ordinance No. 8410 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**

### **OPEN ACCOUNT CLAIM**

Moved by Nikkila seconded by Moore that the Open Account Claim in the amount of \$90,539.50 payable to Nebraska Public Power District be allowed. Roll call resulted as follows: Aye: Nikkila, Moore, Buschkoetter, Lear. Nay: None. Clouse abstained. Motion carried.

Moved by Moore seconded by Lear that the Open Account Claim in the amount of \$731.31 to Jonathan Nikkila be allowed. Roll call resulted as follows: Aye: Clouse, Moore, Buschkoetter, Lear. Nay: None. Nikkila abstained. Motion carried.

Moved by Lear seconded by Buschkoetter that the Open Account Claim in the amount of \$157.00 to Tami James Moore be allowed. Roll call resulted as follows: Aye: Clouse, Buschkoetter, Lear, Nikkila. Nay: None. Moore abstained. Motion carried.

## **VII. REPORTS**

Council Member Jonathan Nikkila thanked Library staff for all of their hard work they have been doing to allow citizens to keep reading.

Council Member Randy Buschkoetter agreed and was very pleased with how the community has come together during this difficult time.

Mayor Stanley Clouse also agreed and thanked City staff with special thanks to City Manager, Michael Morgan, for keeping citizens informed during this uncertain time. Mayor Clouse was also appreciative of the email created to deal specifically with coronavirus questions and concerns from the public.

**VIII. ADJOURN**

Moved by Clouse seconded by Nikkila that Council adjourn at 5:40 p.m. Roll call resulted as follows: Aye: Clouse, Buschkoetter, Lear, Nikkila, Moore. Nay: None. Motion carried.

**ATTEST:**

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

\_\_\_\_\_  
**LAUREN BRANDT  
CITY CLERK**