

**Kearney, Nebraska**  
**April 27, 2021**  
**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 April 27, 2021 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 (later arrived and present at 5:33 p.m.). Michael Morgan, City Manager; Michael Tye, City Attorney; Wendell Wessels, Director of Finance; Eric Hellriegel, Assistant City Manager; Bryan Waugh, Chief of Police; Shawna Erbsen, Administrative Services Director; Brenda Jensen, Development Services Director; Andy Bartling, Chief Building Official; Melia Schelstrate, Planning Intern; Mike Young, Police Captain; Dennis Byrne and Kevin Thompson, Police Lieutenants; Greg Benson and Brad Newell, Police Sergeants were also present. Members of the media present included Mike Konz with the Kearney Hub.

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.

### **PRESENTATION OF COLORS BY THE KEARNEY POLICE DEPARTMENT HONOR GUARD AND PLEDGE OF ALLEGIANCE**

Members of Kearney Police Department Honor Guard including: Lieutenant Dennis Byrne, Sergeant Jared Small, Officer Tracy Suchsland presented and posted the colors. Two (2) 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/RECOGNITION**

Chief Waugh welcomed Police Officer Noah Stewart and his family. Officer Stewart is currently a First Lieutenant in the Nebraska Army National Guard and has been a Police

Officer for the City of Holdrege for the past two years. City Clerk administered the oath of office to Police Officer Noah Stewart.

Mayor Clouse welcomed Doug Kramer, Secretary of the Kearney Elks Lodge #984, read the Proclamation and presented the Youth Week Proclamation to Kearney Elks Lodge #984. Mr. Kramer thanked the City Council and City Staff for designating May 1st through May 7th as Youth Week honoring area junior citizens for their current and future, greater accomplishments to come. Since 1904 the Kearney Elks Lodge #984 has supported programs for youth and Veterans both in Kearney and Central Nebraska and has given back over \$2,300,000 to the greater Kearney community.

## **II. UNFINISHED BUSINESS**

There was no Unfinished Business.

## **III. PUBLIC HEARINGS**

### **PROPOSED ACQUISITION OF PROPERTY**

Mayor Clouse opened the public hearing on the proposed acquisition of an interest in real property by purchase of a tract of land being part of the Northwest Quarter of Section 30, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska, more particularly described as follows: Commencing at a point on the West boundary line of said Section 30, 1086.8 feet North of the Southwest corner of said Northwest 1/4 of said Section 30, running thence East at right angles 700 feet to a cement stone; thence North on a line parallel to the West boundary line of said Section 30, 125.2 feet; thence West at right angles 700 feet to the West boundary of said Section 30; thence South 125.2 feet along the West boundary line to the place of beginning, all in Buffalo County, Nebraska and consider Resolution No. 2021-59.

Michael Tye, City Attorney presented this matter to the Council. This item will authorize the purchase of three (3) properties that are situated on the east side of Avenue N and just north of a parcel of property the City currently owns. City staff negotiated a purchase price of \$230,000 based off of an appraisal of the property. This additional property would allow for better alignment of an access road onto the property as well as safer access entering back on to Avenue N.

Janis Schultz, 5009 Avenue N, questioned if the access onto and off of the property would be directly across from 48th Street and would an actual street be installed? Michael Morgan, City Manager stated an actual street will be installed and noted there is street right of way currently in this location.

Ms. Schultz stated she believes the street right of way is further north, on her property. Mr. Morgan and Mr. Tye both stated the property the City is purchasing has been surveyed. Mr. Morgan stated the City has just begun looking at the street right of way on the property and will be in touch with Ms. Schultz in the future regarding the issue.

Ms. Schultz questioned if the street would run clear through. Mr. Morgan demonstrated the potential location of the street, fire station and water tower, the length of the street

and how sewer and water will enter the property.

Ms. Schultz questioned if they would be assessed for infrastructure that is installed? Mr. Morgan stated there could be some fees if they hooked up to water and sewer once it becomes available, but they would not be assessed for installation of the new street.

There was no one present in opposition to this hearing.

Moved by Nikkila seconded by Moore to close the hearing and adopt Resolution No. 2021-59 approving the proposed acquisition of an interest in real property by purchase of a tract of land being part of the Northwest Quarter of Section 30, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska, more particularly described as follows: Commencing at a point on the West boundary line of said Section 30, 1086.8 feet North of the Southwest corner of said Northwest 1/4 of said Section 30, running thence East at right angles 700 feet to a cement stone; thence North on a line parallel to the West boundary line of said Section 30, 125.2 feet; thence West at right angles 700 feet to the West boundary of said Section 30; thence South 125.2 feet along the West boundary line to the place of beginning, all in Buffalo County, Nebraska. Roll call resulted as follows: Aye: Clouse, Lear, Nikkila, Moore, Buschkoetter. Nay: None. Motion carried.

#### **RESOLUTION NO. 2021-59**

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

WHEREAS, the City Council has held a public hearing upon the proposed acquisition for public purposes and voted in favor to proceed with the acquisition; and

WHEREAS, Floyd R. Beins has granted to the City of Kearney, Nebraska a Warranty Deed for public purposes for that part of the Northwest Quarter of Section 30, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska, more particularly described as follows: Commencing at a point on the West boundary line of said Section 30, 1086.8 feet North of the Southwest corner of said Northwest 1/4 of said Section 30, running thence East at right angles 700 feet to a cement stone; thence North on a line parallel to the West boundary line of said Section 30, 125.2 feet; thence West at right angles 700 feet to the West boundary of said Section 30; thence South 125.2 feet along the West boundary line to the place of beginning, all in Buffalo County, Nebraska.

NOW, THEREFORE, BE IT RESOLVED by the President and City Council of the City of Kearney, Nebraska that the Warranty Deed granted by Floyd R. Beins with the City of Kearney be and is hereby approved and accepted.

PASSED AND APPROVED THIS 27TH DAY OF APRIL, 2021.

ATTEST:  
LAUREN BRANDT  
CITY CLERK

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

## IV. CONSENT AGENDA

Moved by Moore seconded by Lear that Subsections 1 through 12 of Consent Agenda Item IV be approved. Roll call resulted as follows: Aye: Clouse, Nikkila, Moore, Buschkoetter, Lear. Nay: None. Motion carried.

1. Approve Minutes of Regular Meeting held April 13, 2021.

2. Approve the following Claims:

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

24 Hour Tees-\$438.70-smcs; 4imprint-\$1,553.23-smcs; 5G Store-\$640.42-co; 911 Custom-\$102.57-smcs; Ace Irrigation-\$343.17-smcs; Acushent-\$5,144.17-smcs; Ad Screen Group-\$287.00-smcs; Adobe-\$29.99-smcs; Advance Auto-\$82.58-smcs; Alfred Benesch-\$19,224.67-co; All City Garage Door-\$4,702.00-co; All Fuses-\$89.67-smcs; All Makes Auto-\$3,672.75-smcs; Altec-\$82.54-smcs; Amazon-\$9,747.19-smcs,co; American-\$527.08-smcs; American Fence-\$5,910.00-smcs; American Legion-\$136.70-smcs; American Red Cross-\$147.92-smcs; Amherst Public School-\$15.96-smcs; Anderson Ford-\$194,680.00-co; Apple-\$4.19-smcs; Aramark-\$267.25-smcs; Arrowhead Scientific-\$210.25-smcs; Ask Supply-\$1,672.80-smcs; ASP Enterprises-\$670.27-smcs; Aurora Coop-\$121.12-smcs; Aussie Hydraulics-\$313.03-smcs; Authorize.net-\$11.29-smcs; Auto Value-\$68.96-smcs; Avfuel-\$18,656.76-smcs; Aviation Laboratories-\$107.02-smcs; B & G Investments-\$17.25-smcs; B&H Photo-\$6,233.25-co; Badura, Toby-\$82.32-smcs; Baker & Taylor-\$3,634.73-smcs; Ballard-\$61.99-smcs; Bamford-\$1,575.00-smcs; Barnes & Noble-\$108.82-smcs; Beacon Athletics-\$1,346.84-smcs; Bear Frame -\$149.05-smcs; Bendpak-\$68.60-smcs; Bill's Trailer Sales-\$3,280.00-smcs; Blackstone Publishing-\$1,737.06-smcs; Blue Beam-\$99.00-smcs; BlueCross BlueShield-\$96,272.32-smcs; Bosselman-\$3,802.79-smcs; Broadfoot's-\$1,304.00-smcs; Brown Construction-\$246,175.67-co; BSN Sports-\$1,163.21-smcs; Buffalo Outdoor Power-\$28.69-smcs; Builders-\$11,568.31-smcs,co; Bur Surplus-\$719.90-smcs; Cab Store-\$7.47-smcs; Canva-\$238.80-smcs; Carquest-\$322.20-smcs; Cash-Wa-\$2,155.47-smcs; CDW-\$12,084.34-smcs,co; Cenex-\$38.38-smcs; Center Point Large Print-\$75.96-smcs; Central District Health-\$2,834.50-smcs; Central Hydraulic-\$1,370.55-smcs; Central NE Bobcat-\$339.45-smcs; Central NE Rehab-\$135.00-ps; Chemsearch-\$307.00 -smcs; Chesterman-\$343.95 -smcs; Child's World-\$1,028.45-smcs; Cintas-\$268.04-smcs; City Glass-\$400.00-smcs; City of Ky-\$16,192.73-smcs,ps; Coldspring-\$866.25-smcs; Collaborative Summer-\$178.99-smcs; Columbia Southern Univ.-\$1,925.00-smcs; Comfort Inn-\$250.00-smcs; Consolidated Mgmt.-\$43.70-smcs; Construction Rental-\$1,050.71-smcs,co; Control Yours-\$200.00-smcs; Copycat-\$549.60-smcs; Core & Main-\$4,183.70-smcs; Cornhusker Cleaning-\$89.01-smcs; Covert Media-\$325.00-smcs; Creative Sites-\$48,701.00-co; Credit Mgmt.-\$101.08-ps; Criminal Addiction-\$250.00-smcs; Crystal Clean-\$489.00-smcs; Culligan-\$316.10-smcs; Cummins-\$2,306.37-smcs; Cutter & Buck-\$25.00-smcs; Cutting Edge-\$180.00-smcs; Danko Emergency-\$706.42-smcs; Dan's Plumbing-\$687.75-smcs; Davidson,K-\$696.00-smcs; Davis Equipment-

\$2,948.08-smcs; Dawson Public Power-\$18,513.54-smcs; Dell-\$1,318.65-co; Dent Popper-\$150.00-smcs; Depository Trust-\$79,598.75-smcs; Digicert-\$353.00-smcs; Dish-\$237.18-smcs; Dugan Printing-\$672.82-smcs; Eagle Distributing-\$1,726.50-smcs; Eakes-\$1,518.22-smcs; Easykeyscom-\$26.61-smcs; Echo Electric-\$205.94-smcs; Ecolab-\$83.06-smcs; Edwards,A-\$51.99-smcs; Ehrlich-\$57.00-smcs; Eileen's Cookies-\$33.00-smcs; El Potrero-\$109.11-smcs; Elliott Equipment-\$4,730.00-smcs; Emblem Authority-\$570.30-smcs; EMC Insurance-\$6,767.19-smcs; Engineered Controls-\$2,045.00-smcs; Entenmann-Rovin-\$493.00-smcs; Enterprise-\$713.20-smcs; ESI-\$2,397.25-smcs; Eugene T. Mahoney-\$141.50-smcs; Eureka,T-\$49.27-smcs; Expedia-\$324.08-smcs; Expression Wear-\$155.00-smcs; Eyemed-\$1,300.04-smcs; Facebook-\$156.49-smcs; Fairbanks-\$234.40-smcs; Fangmeyer,L-\$560.00-smcs; Farmers Union-\$420.00-smcs; Fast N Friendly-\$60.00-smcs; Fastenal -\$689.46-smcs; Feusner,J-\$88.79-smcs; Fiddelke-\$285.00-smcs; Freiesen Chevrolet-\$23.26-smcs; Frontier-\$7,681.42-smcs; Full Circle-\$399.00-smcs; Fun Express-\$212.25-smcs; Fundamental Learning-\$9.00-smcs; Gale-\$226.49-smcs; Galeton-\$590.90-smcs; Garrett Tires-\$10,848.33-smcs; Glass Doctor-\$100.00-smcs; Golf the West-\$500.00-smcs; Goodwin Tucker-\$1,174.00-smcs; Gough,D-\$61.57-smcs; Grainger-\$5,342.48-smcs,co; Hawthorne Jewelry-\$1,178.33-ps; Hendon Media-\$858.00-smcs; Hireright-\$77.94-smcs; HobbyLobby-\$147.67-smcs; Hockemeier,K-\$400.00-smcs; Holmes Plumbing-\$705.35-smcs; Home Depot -\$1,055.67-smcs; Hy-vee-\$6.39-smcs; IACP-\$100.00-smcs; ICMA Retirement-\$7,004.82-ps; Identity Automation-\$1,601.00-smcs; ILH Construction-\$33.90-smcs; Integrated Security-\$804.00-smcs; Int'l Code Council-\$219.00-smcs; IPMA-HR-\$599.15-smcs; IRS-\$162,956.97-ps; Jack Lederman-\$7,916.24-smcs; JMAC Supply-\$203.25-smcs; Johnstone Supply-\$30.74-smcs; Jones Polygraph Service-\$1,451.36-smcs; Julie Parker Comm.-\$690.00-smcs; Ky Ace & Garden-\$212.00-smcs; Ky Concrete-\$7,614.56-co; Ky Crete & Block-\$1,847.10-smcs,co; Ky Hub-\$2,490.91-smcs; Ky Power Sports-\$21.90-smcs; Ky Towing-\$200.00-smcs; Ky Warehouse-\$205.16-smcs; Ky Winlectric-\$4,574.80-smcs,co; Ky Winnelson-\$783.97-smcs; Kelly Supply-\$654.93-smcs; KH-LCH Newspapers-\$26.76-smcs; Kimball Midwest-\$235.91-smcs; Kingsley Companies-\$193.20-smcs; Konica Minolta-\$1,000.49-smcs; Landmark Implement-\$1,074.31-smcs; Lawn Builders-\$1,953.61-smcs; Lawson Products-\$247.40-smcs; Lewis,J-\$68.32-smcs; Libraryworkscom-\$25.00-smcs; Lifeguard Store-\$302.92-smcs; Lindgren,M-\$63.59-smcs; Linko Technology-\$835.00-smcs; Lockmobile-\$4.90-smcs; Logan Contractors-\$240.06-smcs; Longleaf Services-\$122.80-smcs; Lulzbot-\$96.48-smcs; Magic Cleaning-\$400.00-smcs; Mallory Safety-\$103.24-smcs; Marlatt Machine-\$1,407.53-smcs; Marriott-\$3,268.63-smcs; Marshall Land Brokers-\$661.26-co; Masek Golf Car-\$1,030.00-smcs; Masters True Value-\$491.39-smcs; Matheson Tri-Gas-\$51.97-smcs; McCarty,D-\$2,492.00-smcs; McElhinney Builders-\$12.68-smcs; McNea,A-\$25.68-smcs; Menards-\$6,974.25-smcs,co; Messersmith,K-\$9.33-smcs; Midland Scientific-\$390.86-smcs; Midlands Contracting-\$94,994.27-co; Midwest Connect-\$338.16-smcs; Midwest Turf-\$25,238.85-smcs,co; Miller & Associates-\$102,208.87-smcs,co; Miller Signs-\$90.00-smcs; Minkler,M-\$34.44-smcs; Mobile Pro Shop-\$165.47-smcs; Moonlight Embroidery-\$4,079.55-smcs; Mueller Sprinklers-\$10,446.00-smcs; Municipal Supply-\$16,774.17-smcs,co; NE Cane-\$62.08-smcs; NE Child Support -\$1,517.12-ps; NE Dept Environmental-\$14,665.64-smcs; NE Dept of Revenue-\$100,519.17-smcs; NE IAI-\$50.00-smcs; NE Machinery-\$4,729.05-smcs; NE Peterbilt-\$513.49-smcs; NE Planzone-\$40.00-smcs; NE Public Health-\$33.00-smcs; NE Safety & Fire-\$1,014.13-smcs; NE Truck Center-\$2,807.53-smcs; Nebraska Rural-\$575.00-smcs; Network Solutions-\$85.96-smcs; NI SFM Boiler-\$36.00-smcs; Nivel Parts-\$27.71-smcs;

Northern Safety-\$290.40-co; Northern Tool-\$669.93-smcs; Northwestern Energy-\$4,816.11-smcs; Nugent,L-\$2.94-smcs; NW3C-\$300.00-smcs; Ocean of Grass-\$20.00-smcs; OCLC-\$764.46-smcs; Office Max-\$1,573.08-smcs; Officenet-\$75.49-smcs; OL21022515142-\$139.00-smcs; OL21022563246-\$139.00-smcs; Olsson-\$13,597.49-co; Omni Engineering-\$5,045.24-smcs; O'Reilly Auto-\$942.83-smcs; Orlando,T-\$45.43-smcs; Orscheln-\$266.27-smcs; Otto Environmental-\$28,392.13-smcs; Pacific Bow Butts-\$1,946.00-co; Panera Bread-\$75.23-smcs; Papa John's -\$54.16-smcs; Paper Mart-\$47.48-smcs; Paramount-\$67.84-smcs; Penworthy-\$385.90-smcs; Pep Co-\$150.00-smcs; Pet Pick Ups-\$499.60-smcs; Petsmart-\$48.95-smcs; Photo Card-\$53.86-smcs; Pitney Bowes-\$1,000.00-smcs; Platinum Awards-\$14.35-smcs; Platt Electric-\$611.66-smcs; Platte Valley Comm.-\$755.15-smcs; Postermiywall-\$29.95-smcs; Pot O' Gold-\$77.00-smcs; Power Tech-\$1,371.11-smcs; Presto-X-\$523.00-smcs; Psychological Resources-\$810.00-smcs; Pukka-\$267.60-smcs; Pump & Pantry-\$16.49-smcs; Quill-\$161.95-smcs; Real,I-\$2.80-smcs; Recorded Books-\$3,000.00-smcs; Regents Bank-\$38.04-smcs; Reman's Shoes-\$191.24-smcs; Rentokil-\$748.32-smcs; Rheome Tree-\$15,450.00-smcs; RR Donnelley-\$446.24-smcs; Runge,J-\$200.00-smcs; Sandbag Store-\$820.00-smcs; Sapp Brothers-\$19,511.56-smcs; Saylor Screenprinting-\$749.75-smcs; School District #7-\$5,905.00-smcs; Shada Rental Props-\$124.78-smcs; Shell Oil-\$37.65-smcs; Sherwin Williams-\$236.96-smcs; Shredding Solutions-\$45.00-smcs; Sierra Wireless-\$390.00-smcs; Silverstone Group-\$6,405.92-smcs; Simplastics-\$217.89-smcs; SLA Corp-\$169.09-smcs; Smart Sign-\$19.29-smcs; SOS Portable Toilets-\$175.00-smcs; Spectrum-\$1,042.19-smcs; Speedee Mart-\$16.60-smcs; Springfield Rural Fire-\$11,000.00-co; Sprinkler Warehouse-\$1,128.08-smcs; Star Homes-\$75.44-smcs; Streakwave Wireless-\$206.98-smcs; Street Smart-\$3,135.00-co; Stutsman-\$5,490.00-smcs; Sunset Law Enforcement-\$110.99-smcs; Surface Igniter-\$104.70-smcs; Swanson,J-\$54.08-smcs; Thiele,G-\$36.87-smcs; Thompson,K-\$125.00-smcs; Thyssenkrupp Elevator-\$480.82-smcs; Tielke's-\$64.65-smcs; Titan Machinery-\$8,471.35-smcs; TLO Transunion-\$110.90-smcs; Tractor-Supply-\$1,533.42-smcs,co; Tri-Co Glass-\$501.65-smcs; Turfwerks-\$126.86-smcs; Turner Body Shop-\$130.00-smcs; TV Parts-\$70.04-smcs; Uline-\$1,374.44-smcs; Uncommon USA-\$56.15-smcs; Underground Construction-\$2,896.00-co; Union Bank & Trust-\$86,289.04-ps; Unique-\$35.80-smcs; United-\$259.70-smcs; UNK Emarket-\$800.00-smcs; UPS-\$31.16-smcs; USA Blue Book-\$224.13-smcs; USA Comm.-\$284.70-smcs; USDA Wildlife Services-\$700.00-smcs; USPS-\$161.55-smcs; Valentino's-\$25.00-smcs; Van Diest-\$545.95-smcs; Van Wall-\$1,712.75-smcs; Village Payment-\$203.58-smcs; Wal-mart-\$621.93-smcs; Walters Electric-\$4,200.00-co; Warren,B-\$52.76-smcs; Warrington,D-\$715.00-smcs; Waugh,B-\$112.00-smcs; Webstaurant Store-\$1,183.22-smcs; Wef Main-\$113.00-smcs; Western NRG-\$3,968.64-smcs; Whalen,J-\$634.50-smcs; Whentowork-\$198.00-smcs; Wilke Contracting Corp-\$53,012.70-smcs; Wing Properties-\$51.88-smcs; World Herald-\$132.08-smcs; World Theatre-\$1,100.00-smcs; WPCI-\$212.00-ps; Young,M-\$175.00-smcs; Zoom-\$349.35-smcs; Zoro Tools-\$1,038.76-smcs; Payroll Ending 04/10/2021 -- \$496,148.46. 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 May 11, 2021 at 5:30 p.m. as date and time for hearing on those applications where applicable.

- 4. Adopt Resolution No. 2021-60 approving the recommendation from the Advisory Board of Park & Recreation Commissioners on naming the Kearney Community Tennis Facility.

**RESOLUTION NO. 2021-60**

WHEREAS, it has been determined that the City of Kearney needed a policy in place setting forth the provisions for naming and/or renaming City facilities; and

WHEREAS, the Park and Recreation Advisory Board met on April 15, 2021 and has forwarded the recommendation to the City Council for the naming of the Kearney Tennis Center located on the southern edge of University Village, on University of Nebraska-Kearney property; and

WHEREAS, the City Council at its meeting held on April 27, 2021, determined it would be appropriate to name the Kearney Tennis Center as "Ernest Grundy Tennis Center".

NOW THEREFORE, BE IT RESOLVED by the President and Council of the City of Kearney, Nebraska, to approve the recommendation from the Park and Recreation Advisory Board.

BE IT FURTHER RESOLVED that the designation submitted for the Kearney Tennis Center located on the southern edge of University Village, on University of Nebraska-Kearney property be named Ernest Grundy Tennis Center.

PASSED AND APPROVED THIS 27TH DAY OF APRIL, 2021.

ATTEST:  
LAUREN BRANDT  
CITY CLERK

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

- 5. Adopt Resolution No. 2021-61 authorizing the City Manager to enter into and execute an amended Transportation Services Agreement with SkyWest Airlines, Inc. to provide additional air service to Denver, effective June 3, 2021.

**RESOLUTION NO. 2021-61**

BE IT RESOLVED by the President and City Council of the City of Kearney, Nebraska, that the "Transportation Services Agreement" between the City of Kearney, Nebraska and SkyWest Airlines, Inc. be and is hereby approved for the Agreement term beginning June 3, 2021. The Agreement, marked Exhibit "1", is attached hereto and made a part hereof by reference.

BE IT FURTHER RESOLVED that the City Manager be and is hereby authorized and directed to execute the Agreement on behalf of the City of Kearney.

PASSED AND APPROVED THIS 27TH DAY OF APRIL, 2021.

ATTEST:  
LAUREN BRANDT  
CITY CLERK

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

- 6. Adopt Resolution No. 2021-62 approving the Training Center Lease Agreement located at the Kearney Regional Airport between the City of Kearney and the Kearney Volunteer Fire Department.

**RESOLUTION NO. 2021-62**

BE IT RESOLVED by the President and Council of the City of Kearney, that the President be and is hereby authorized and directed to execute the Training Center Lease Agreement on behalf of the City of Kearney, Nebraska, with the Kearney Volunteer Fire Department, a copy of the Agreement, marked as Exhibit "1", is attached hereto and made a part hereof by reference.

PASSED AND APPROVED THIS 27TH DAY OF APRIL, 2021.

ATTEST:  
LAUREN BRANDT  
CITY CLERK

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

7. Adopt Resolution No. 2021-63 calling for the redemption of General Obligation Various Purpose Bonds, Series 2016, in the principal amount of \$1,260,000.

**RESOLUTION NO. 2021-63**

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

Section 1. That the following bonds, in accordance with their option provisions, are hereby called for payment on August 15, 2021, after which date interest on the bonds will

General Obligation Various Purpose Bonds, Series 2016 dated August 15, 2016, in the outstanding principal amount of \$1,260,000, numbered as they are shown on the books and records of the Paying Agent and Registrar, maturing in the principal amount and bearing CUSIP numbers as follows:

<u>Principal Amount</u>	<u>Maturity Date</u> <u>October 1</u>	<u>Interest Rate</u>	<u>CUSIP</u>
\$70,000	2021	1.250%	486890 R32
70,000	2022	1.350	486890 R40
70,000	2023	1.450	486890 R57
70,000	2024	1.550	486890 R65
75,000	2025	1.650	486890 R73
75,000	2026	1.750	486890 R81
75,000	2027	1.950	486890 R99
75,000	2028	2.100	486890 S23
80,000	2029	2.200	486890 S31
80,000	2030	2.400	486890 S49
520,000	2031	2.600	486890 S56

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

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

PASSED AND APPROVED THIS 27TH DAY OF APRIL, 2021.

ATTEST:  
LAUREN BRANDT  
CITY CLERK

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

8. Adopt Resolution No. 2021-64 approving Change Order Nos. 1 and 2 showing an increase in the amounts of \$2,532.70 and \$4,973.53 and Application for Payment No. 4 in the amount of \$246,175.67 submitted by Brown Construction and approved by RDG Planning & Design for the construction of the Community Tennis Facility.

**RESOLUTION NO. 2021-64**

WHEREAS, Brown Construction of Kearney, Nebraska has performed services in connection with the construction of the Community Tennis Facility, and the City's engineer, RDG Planning & Design, have filed with the City Clerk Change Order No. 1 showing an increase in the amount of \$2,532.70 as shown on Exhibit "A" attached hereto and made a part hereof by reference; and

WHEREAS, Brown Construction and RDG Planning & Design have filed with the City Clerk Change Order No. 2 showing an increase in the amount of \$4,973.53 as shown on Exhibit "B" attached hereto and made a part hereof by reference; and

WHEREAS, Brown Construction and RDG Planning & Design have filed with the City Clerk Application and Certificate for Payment No. 4 in the amount of \$246,175.67 as shown on Exhibit "C" attached hereto and made a part hereof by reference and as follows:

Original Contract Sum	\$ 7,250,100.00
Contract Sum To Date	<u>7,250,100.00</u>
Gross Amount Due	560,983.38
Retainage (5%)	<u>- 28,049.17</u>
Amount Due to Date	532,934.21
Less Previous Certificates for Payment	<u>- 286,758.55</u>
Current Payment Due	\$ 246,175.67

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. 1, as shown on Exhibit "A", Change Order No. 2, as shown on Exhibit "B", Application and Certificate for Payment No. 4, as shown on Exhibit "C" be and are hereby accepted and approved.

PASSED AND APPROVED THIS 27TH DAY OF APRIL, 2021.

ATTEST:  
LAUREN BRANDT  
CITY CLERK

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

9. Accept the bids received for the Airport Improvement Program/CARES Act Project (No. 3-31-0045-034) in connection with the Parking Lot Expansion project at the Kearney Regional Airport and adopt Resolution No. 2021-65 awarding the bid to Paulsen, Inc. in the amount of \$997,448.50.

**RESOLUTION NO. 2021-65**

WHEREAS, Alfred Benesch and Company and the City of Kearney have reviewed the sealed bids which were opened on April 20, 2021 at 2:00 p.m. for the Parking Lot Expansion project at the Kearney Regional Airport (Airport Improvement Program/CARES Act Project No. 3-31-0045-034); and

WHEREAS, the Engineer’s Opinion of Probable Construction Cost for the project was \$832,085.00; and

WHEREAS, Alfred Benesch and Company and the City have recommended the bid offered by Paulsen, Inc. of Cozad, Nebraska in the amount of \$997,448.50 be accepted as the lowest responsible bid for Parking Lot Expansion project at the Kearney Regional Airport (Airport Improvement Program/CARES Act Project No. 3-31-0045-034), subject to FAA concurrence.

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 Paulsen, Inc. be and is the lowest responsible bidder for the Parking Lot Expansion project at the Kearney Regional Airport (Airport Improvement Program/CARES Act Project No. 3-31-0045-034) to be constructed in accordance with the plans and specifications on file with the City Clerk and that the bid of Paulsen, Inc. in the amount of \$997,448.50, subject to FAA concurrence, be and is hereby accepted.

BE IT FURTHER RESOLVED the Engineer’s Opinion of Probable Construction Cost in the amount of \$832,085.00 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 27TH DAY OF APRIL, 2021.

ATTEST:  
LAUREN BRANDT  
CITY CLERK

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

**10.** Adopt Resolution No. 2021-66 approving Amendment No. 1 to the Consultant Agreement between Alfred Benesch and Company and the City of Kearney for Airport Improvement Program in connection with the Parking Lot Expansion project at the Kearney Regional Airport (AIP/CARES Act Project No. 3-31-0045-034) adding Construction/Closeout/Testing services.

**RESOLUTION NO. 2021-66**

WHEREAS, on November 24, 2020 the City Council adopted Resolution No. 2020-191 approving the Consultant Agreement between Alfred Benesch and Company and the City of Kearney for Airport Improvement Program/CARES Act Project (No. 3-31-0045-034) in connection with the Parking Lot Expansion project at the Kearney Regional Airport; and

WHEREAS, Amendment No. 1, marked as Exhibit “A” attached hereto and made a part hereof by reference, is to supplement Benesch’s existing contract by adding Construction/Closeout/Testing services; and

WHEREAS, approval is contingent upon Federal Aviation Administration (FAA)

concurrence of Amendment No. 1;

NOW, THEREFORE, BE IT RESOLVED by the President and Council of the City of Kearney, Nebraska, that the President of the Council be and is hereby authorized and directed to execute Amendment No. 1 to the Consultant Agreement with Alfred Benesch and Company, contingent upon Federal Aviation Administration (FAA) concurrence. Amendment No. 1, marked as Exhibit "A" is attached hereto and made a part hereof by reference.

PASSED AND APPROVED THIS 27TH DAY OF APRIL, 2021.

ATTEST:  
LAUREN BRANDT  
CITY CLERK

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

**11.** Adopt Resolution No. 2021-67 approving Application for Payment No. 2 in the amount of \$84,714.72 submitted by Nielsen Contracting and approved by Miller & Associates for 2020 Part 6 Improvements for 22nd Avenue and 6th Street in connection with Paving Improvement District Nos. 2020-002 and 2020-003 (Bid B, Paving).

**RESOLUTION NO. 2021-67**

WHEREAS, Nielsen Contracting of Kearney, Nebraska has performed services in connection with 2020 Part 6 Improvements for 22nd Avenue and 6th Street in connection with Paving Improvement District Nos. 2020-002 and 2020-003 (Bid B, Paving), and the City's engineer, Miller & Associates, have filed with the City Clerk Application and Certificate for Payment No. 2 in the amount of \$84,714.72 as shown on Exhibit "A" attached hereto and made a part hereof by reference and as follows:

Original Contract Sum	<u>\$ 379,418.50</u>
Contract Sum To Date	379,418.50
Gross Amount Due	131,801.95
Retainage (10%)	- 13,180.20
Amount Due to Date	<u>118,621.75</u>
Less Previous Certificates for Payment	<u>33,907.03</u>
Current Payment Due	\$ 84,714.72

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

PASSED AND APPROVED THIS 27TH DAY OF APRIL, 2021.

ATTEST:  
LAUREN BRANDT  
CITY CLERK

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

**12.** Adopt Resolution No. 2021-68 approving Hangar T-385 Lease Agreement at the Kearney Regional Airport between the City of Kearney and Ryal Jons.

## **RESOLUTION NO. 2021-68**

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 Hangar T-385 Lease Agreement, on behalf of the City of Kearney, Nebraska, with Ryal Jons. The Agreement, marked as Exhibit "1", is attached hereto and made a part hereof by reference.

PASSED AND APPROVED THIS 27TH DAY OF APRIL, 2021.

ATTEST:  
LAUREN BRANDT  
CITY CLERK

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

### **V. CONSENT AGENDA ORDINANCES**

#### **ORDINANCE NO. 8482 AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION REFUNDING BONDS, SERIES 2021**

Council Member Lear introduced Ordinance No. 8482 authorizing the issuance of General Obligation Refunding Bonds, Series 2021, of the City of Kearney, Nebraska, in the principal amount of \$1,285,000 for the purpose of refunding certain outstanding bonds of the City; directing the application of the proceeds of said bonds; prescribing the form of said bonds; providing for the levy and collection of taxes to pay the same; providing for the sale of the bonds; authorizing the delivery of the bonds to the purchaser, and 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. 8482. 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. 8482 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. 8482 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. 8482 is declared to be lawfully passed and adopted upon publication in pamphlet form and made available to the public at the Office of the City Clerk, the Kearney Police Department and the Kearney Public Library.

**ORDINANCE NO. 8483 AUTHORIZING THE ISSUANCE AND SALE OF BOND ANTICIPATION NOTES**

Council Member Lear introduced Ordinance No. 8483 authorizing the issuance and sale of Bond Anticipation Notes of the City of Kearney, Nebraska, in the principal amount of \$2,960,000 for the purpose of providing interim financing for the costs of constructing street improvements in Paving Improvement District No. 2020-004 of said City pending the issuance of permanent General Obligation Various Purpose Bonds of the City; prescribing the form of said notes; agreeing to issue the City's General Obligation Various Purpose Bonds to pay the notes at maturity or to pay the notes from other available funds; entering into a contract on behalf of the City with the holders of said notes, and moved that the statutory rules requiring ordinances to be read by title on three different days be suspended and said ordinances be considered for passage on the same day upon reading by number only, and then placed on final passage and that the City Clerk be permitted to call out the number of the ordinance on its first reading and then upon its final passage. Council Member Buschkoetter seconded the motion to suspend the rules for Ordinance No. 8483. 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. 8483 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. 8483 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. 8483 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**

**ORDINANCE NO. 8484 AMENDING CHAPTER 9 "PUBLIC WORKS" TO ADOPT THE 2018 INTERNATIONAL ENERGY CONSERVATION CODE**

Mayor Clouse opened Regular Agenda Item 1 for consideration of Ordinance No. 8484 amending Section 9-213 "International Energy Conservation Code" of Article 2 "Building Code Generally" of Chapter 9 "Public Works" of the City Code to adopt the 2018 International Energy Conservation Code and update the State Law reference of 81-1611 for similar provisions; and adding a new section, Section 9-303 "International Energy Conservation Code; Amendments" to Article 3 "Amendments" of Chapter 9 "Public Works" of the City Code defining the eight (8) local amendments accepted by the Nebraska Energy Office.

Brenda Jensen, Development Services Director presented this item to Council. Andrew Bartling, Chief Building Official was also available for technical questions. Ms. Jensen reminded Council the adoption of the 2018 International Energy Conservation Code (IECC) was brought before Council back in July of 2020 but was not adopted at that time due to local opposition from some local builders. Over the past nine (9) months the Development Services Department has worked with a committee made up of Kearney Builder's Association members to develop local amendments to the 2018 IECC that the City would also adopt. The Nebraska Energy Office was consulted on the process of adoption of the 2018 IECC along with the proposed eight (8) local amendments. Ms. Jensen stated the City received a letter from the Nebraska Energy Office regarding the local amendments which did not give an opinion on the adoption of the eight local amendments to Kearney City Code. The Nebraska Energy Office's letter has been reviewed by the City Attorney and Mr. Tye felt comfortable moving forward with the recommendation of adoption of the eight (8) local amendments as the economic feasibility had been justified by the Kearney Builder's Association Committee and the Development Services Department. Ms. Jensen is requesting an effective date of October 1, 2021; any building permits taken out on or after the October 1, 2021 date would be subject to the 2018 IECC and the eight (8) local amendments. Ms. Jensen thanked the Kearney Builder's Association and stated that she appreciated all the time and effort they put into working with the Development Services Department regarding the adoption of the 2018 IECC.

Council Member Randy Buschkoetter thanked Ms. Jensen for all the hard work and leadership role the City took on over the past nine months regarding reviewing the new Code.

Council Member Jonathan Nikkila stated, for clarification purposes, Ms. Jensen sent the Nebraska Energy Office the list of local amendments that the Development Services Department and Kearney Builder's Association wanted to adopt; the Nebraska Energy Office responded with a letter stating they are not amending the 2018 IECC and also did not give an opinion on the adoption of the eight (8) local amendments by the City of Kearney.

Ms. Jensen agreed with Council Member Nikkila's statement and further commented the Nebraska Energy Office requested the Development Services Department continue to evaluate the eight (8) local amendments and the possibility of adding them back later. Ms. Jensen stated the Development Services Department already continually evaluates Code so that is something they would do anyway.

Council Member Clouse introduced Ordinance No. 8484 amending Section 9-213 "International Energy Conservation Code" of Article 2 "Building Code Generally" of Chapter 9 "Public Works" of the City Code to adopt the 2018 International Energy Conservation Code and update the State Law reference of 81-1611 for similar provisions; and adding a new section, Section 9-303 "International Energy Conservation Code; Amendments" to Article 3 "Amendments" of Chapter 9 "Public Works" of the City Code defining the eight (8) local amendments accepted by the Nebraska Energy Office, 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 Nikkila seconded the motion to suspend the rules for Ordinance No. 8484. President of the Council asked for discussion or if anyone in the audience was interested in the ordinance. No one responded. Clerk called the roll which resulted as follows: Aye: Clouse, Nikkila, Moore, Buschkoetter, Lear. 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. 8484 by number. Roll call of those in favor of the passage of said ordinance on the first reading resulted as follows: Aye: Clouse, Nikkila, Moore, Buschkoetter, Lear. Nay: None. Motion carried. Ordinance was read by number.

Moved by Nikkila seconded by Moore that Ordinance No. 8484 be passed, approved and published as required by law. Roll call resulted as follows: Aye: Clouse, Moore, Buschkoetter, Lear, Nikkila. Nay: None. Motion carried.

By reason of the roll call voted on the first reading and final passage of the ordinance, Ordinance No. 8484 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.

### **STAFF PRESENTATION ON THE WALKABILITY INITIATIVE; NEIGHBORHOOD ASSOCIATIONS AND 2021 PROJECT OVERVIEW**

Mayor Clouse opened Regular Agenda Item 2 for Council to receive the presentation from City staff on the Walkability Initiative; Neighborhood Associations and 2021 Project Overview. This presentation was for informational purposes only.

Mr. Morgan stated City staff will be providing project updates at the second monthly City Council meeting going forward and noted the 2021 Project Overview on this evening's agenda will be presented at a future meeting. He reminded Council that they funded the Walkability Project previously and noted City staff has been working on an update to the project. Mr. Morgan further noted that many Kearney Neighborhood Associations have historically been active in the past; currently the City still has some active Neighborhood Associations.

Brenda Jensen, Development Services Director presented the Walkability Project to Council. In 2012, then Planning Intern, Coelette Gruber completed a City-wide sidewalk assessment which included documentation of existing conditions of City sidewalks and ADA ramps. Over the past eight (8) years several more sidewalk projects have been completed. Through a joint effort between Public Works and the Development Services Department, the City's GIS files were updated in late May 2020. Both Departments analyzed the updated information and created a list of priority projects for additional walkability improvements in Kearney.

Ms. Jensen reviewed an overall map of the City showing where existing and missing sidewalks are; the map excluded platted, undeveloped land and agricultural/industrial areas. Kearney currently has 225 miles of sidewalk; since 2012, 32 new miles of sidewalk have been added. Included in the 32 miles are three (3) large CDBG projects for gap sidewalks and ADA ramps and the addition of sidewalks throughout all City parks. Ms.

Jensen reviewed the walkability analysis map and discussed what the Departments identified as potential increased needs for walkability for safe neighborhoods. Identification of parks, schools and retail with groceries were included in the analysis; four (4) Priority Projects were identified for 2021. Ms. Jensen noted \$100,000 was already budgeted for sidewalks during the current fiscal year. The four (4) priority projects include: Gap Sidewalk construction at 910 West 39th Street (recently constructed); Gap Sidewalk construction at 1700 West 39th Street; Sidewalk/ADA Ramp updates along 25th Street and 3rd Avenue to 7th Avenue and Gap Sidewalk construction from 704 to 508 West 48th Street.

Mayor Clouse stated none of the sidewalk installation will be assessed back to the adjacent property owners. Ms. Jensen agreed with Mayor Clouse and stated City staff will contact adjacent property owners before sidewalk construction begins.

Mr. Morgan questioned if the bike trail will also be installed from 704 to 508 West 48th Street when the sidewalk is? Ms. Jensen stated the bike trail will be installed when the sidewalks are at that location.

Mr. Morgan stated that since development has not yet occurred at 704 through 508 West 48th Street, but is part of the bike trail system, the City will install the sidewalk/bike trail. The City will pay 100% of the cost upfront but will be reimbursed 50% of the cost by the property owner once development occurs in this area. Mr. Morgan further noted the City is attempting to no longer install curbside sidewalks due to snow removal issues and not being pedestrian friendly. In cases where there is not an option for curbside sidewalks, every effort is made to make the sidewalks wider. Mr. Morgan also noted a large amount of funds have went towards the installation of ADA ramps throughout Kearney.

Ms. Jensen stated going forward, the Development Services Department and the Public Works Department will work together to update GIS layers as sidewalks and ADA ramps are installed which will make it easier to evaluate future priority areas. Currently the updated sidewalk and ADA ramp information is only available internally on City Staff's GIS system.

Melia Schelstrate, Planning Intern, presented the Neighborhood Association Registration Project to Council. Ms. Schelstrate introduced herself and stated she has accepted the position of Associate City Planner for the City of Kearney and will begin that position May 10, 2021. Ms. Schelstrate stated in the past there were instances when existing neighborhood groups have assisted the City with developing successful projects. Ms. Schelstrate researched other First Class cities and the cities of Lincoln and Omaha neighborhood association programs to gather ideas for implementing a program in Kearney.

Ms. Schelstrate reviewed differences between a Homeowners Association (HOA's) and Neighborhood Associations and stated the City would like to have each community group register with the City. Ms. Schelstrate discussed the list of resources she put together for the two (2) groups to utilize which included: a Neighborhood Association How-To Guide; an official registration form; a City Resource Link Guide and a database with a list of registered contacts/neighborhoods. She further described the benefits of Neighborhood Associations for both the residents of neighborhoods and the City which include: build

connections within neighborhoods; overall neighborhood improvement, establishes a relationship between the City and neighborhood contact person(s) (with opportunities for City Manager round table discussions); provides a resource to send potential project information to and obtain feedback from and provides an outlet for neighborhoods to communicate their needs and wants to the City. In the upcoming weeks, Ms. Schelstrate will reach out to existing Neighborhood Associations to discuss this new program with them and help them with registration. The City will also begin a new marketing program to work with interested residents to register new HOAs/Neighborhood Associations.

Mayor Clouse questioned how the boundaries are established for each neighborhood? Ms. Jensen stated the City will work with each new Neighborhood Association to establish their boundaries. Ms. Jensen stated in some instances there are physical boundaries such as streets, railroad, etc. that determine the boundary. Ms. Jensen further stated there will not be a fee for neighborhoods to register with the City; however, each Neighborhood Association can charge dues if they would choose to do so.

Council Member Buschkoetter stated the dues would be optional for residents of Neighborhood Associations. Ms. Jensen agreed and stated HOA fees are not optional, but Neighborhood Association dues would be.

Council Member Nikkila questioned how many active Neighborhood Associations there currently are? Ms. Jensen stated there are currently five (5) that are active: Pioneer Park, Centennial, Eastbrooke, Lighthouse Point and Park.

Council Member Tami Moore mentioned that Facebook has some Neighborhood Associations who are informal but do have a Facebook page.

Council Member Nikkila questioned if Ms. Schelstrate inquired whether this neighborhood program created more Neighborhood Associations in Lincoln and Omaha after their programs were started? Ms. Schelstrate commented that she felt Lincoln and Omaha's programs did create more, especially where there were adjacent neighborhoods with previously established associations.

Ms. Jensen commented she sees nothing but benefits for both the City and the Neighborhood Associations as it will create communication between the two as well as have established points of contact for both.

Council Member Nikkila questioned what Departments Ms. Jensen and Ms. Schelstrate think will have the most contact with the Associations? Ms. Jensen stated she feels contact will mainly be with the Development Services Department and Administration but different times of the year and different needs could also involve contact with other City Departments.

Mr. Morgan stated that Neighborhood Associations will also be beneficial to the Kearney Police Department by offering points of contact. Furthermore, leadership within the Neighborhood Associations will be helpful when working through new ideas and on new projects in addition to alleviating misinformation that may be out in the community.

Council Member Nikkila questioned if the City has a current list of HOA's in the City? Mr. Morgan stated the City does not keep a list as there is not a requirement for them to register with the City.

Mayor Clouse welcomed Ms. Schelstrate as the new Associate Planner for the City of Kearney. Mayor Clouse and Council Member Buschkoetter both thanked Ms. Schelstrate for her presentation.

Council Member Moore commented she feels the City needs to educate citizens regarding not parking on or across sidewalks so they can be used for people to walk on as this has become a big problem within the City. Mr. Morgan agreed it is a big issue but also noted some neighborhoods don't have parking except partially on sidewalks due to the narrowness of some City streets. However, Mr. Morgan agreed it is something that needs to be reviewed throughout the City where parking on sidewalks can be avoided.

**OPEN ACCOUNT CLAIM**

Moved by Moore seconded by Lear that the Open Account Claim in the amount of \$89,572.02 payable to Nebraska Public Power District be allowed. Roll call resulted as follows: Aye: Buschkoetter, Lear, Nikkila, Moore. Nay: None. Clouse abstained. Motion carried.

**VII. REPORTS**

Council Member Moore stated she appreciates Chief Waugh's statement after the case in Minneapolis concluded and thanked him as she felt like it meant a lot to everyone.

**VIII. ADJOURN**

Moved by Clouse seconded by Nikkila that Council adjourn at 6:26 p.m. Roll call resulted as follows: Aye: Clouse, Lear, Nikkila, Moore, Buschkoetter. Nay: None. Motion carried.

**ATTEST:**

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

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