

*Kearney, Nebraska
June 28, 2022
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 June 28, 2022 in the Council Chambers at City Hall. Present were: Lauren Brandt, City Clerk; Council Members: Randy Buschkoetter, Bruce Lear, Tami James Moore and Jonathan Nikkila. Absent: Stanley A. Clouse, President of the Council. Michael Morgan, City Manager; Michael Tye, City Attorney; Wendell Wessels, Director of Finance; Kayla James, Director of Finance; Brenda Jensen, Assistant City Manager; Eric Hellriegel, Assistant City Manager; Andy Harter, Director of Public Works and Bryan Waugh, Chief of Police, were also present.

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

I. ROUTINE BUSINESS

INVOCATION/MOMENT OF SILENCE

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

PLEDGE OF ALLEGIANCE

Miss Great Plains Preteen, Avery Autry led the Council members and audience in the Pledge of Allegiance.

ANNOUNCEMENT

Vice-President Buschkoetter 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

BOARD OF EQUALIZATION

Vice-President Randy Buschkoetter opened the public hearing for the Council to meet as the Board of Equalization for the purpose of equalizing and levying special assessments on the lots and parcels of land in connection with Paving Improvement District Nos. 2019-995 and 2019-999 and consider Resolution No. 2022-127.

Paving Improvement District No. 2019-995

This district was created on January 8, 2019. The district is for public improvements for 19th Street from the southeast corner of Lot 770, thence northerly 131 feet, thence westerly 140 feet, thence southerly 346 feet, thence easterly 130 feet thence northerly 185 feet, thence easterly 10 feet, thence northerly 30 feet to the point of beginning, all in Original Town Kearney Junction. Attached is the schedule showing the assessment for all commercial lots in the district.

Paving Improvement District No. 2019-999

This district was created on June 11, 2019. The district is for public improvements for the alley lying between 5th Avenue and 6th Avenue, running north to south from 21st Street and to 22nd Street. Attached is the schedule showing the assessment for each lot in the district.

There was no one present in opposition to this hearing.

After completion of the project, the City hired a title company to complete property abstracts so that assessments could be levied. Attached is the schedule showing the assessments for each parcel for said paving districts. The districts have been completed and, in order to satisfy state law, when paving districts are completed, the City Council must act as a Board of Equalization to levy assessments on properties so benefited. Property owners will then be required to pay the first installment within 50 days (August 17) or they can pay the assessment over a 10-year period.

Moved by Nikkila seconded by Moore to close the hearing for the Council to meet as the Board of Equalization and adopt Resolution No. 2022-127 equalizing and levying special assessments on the lots and parcels of land in connection with Paving Improvement District Nos. 2019-995 and 2019-999 and amend the interest rate reflected in Resolution No. 2022-127 to reflect the interest at the rate of 4.0 per centum per annum from June 28, 2022 as set forth in Resolution No. 2021-239. Roll call resulted as follows: Aye: Lear, Nikkila, Moore, Buschkoetter. Nay: None. Clouse absent. Motion carried.

RESOLUTION NO. 2022-127

BE IT RESOLVED BY THE VICE-PRESIDENT AND COUNCIL OF THE CITY OF KEARNEY, NEBRASKA:

Section 1. The Vice-President and Council find and determine that the streets in Paving Improvement Districts Nos. 2019-995 and 2019-999 have been improved by

paving, curbing and guttering and incidental work, that none of the properties listed, which list is marked Exhibit "A" and made a part hereof by reference, were damaged thereby and that the amounts shown in the attached schedule do not exceed the amounts which each of said lots and parcels of ground were specially benefited by said improvements and the total amount of said special assessments does not exceed the costs of said improvements exclusive of the cost of the intersections and areas formed by the crossing of streets, avenues and alleys as heretofore determined by the Vice-President and City Council.

Section 2. Notice of the time and purpose of hearing on special assessments for equalizing said special assessments has been published as provided by law in the Kearney Hub, and a copy of said notice mailed by certified mail to each party known to have a direct legal interest therein.

Section 3. That there be and there is hereby levied against each lot and parcel of ground set out in Exhibit "A" the amount set opposite each lot and parcel of ground. Said assessments for Paving Improvement District Nos. 2019-995 and 2019-999 shall become delinquent as follows:

- 1/10th fifty days after date of this Resolution
- 1/10th one year after date of this Resolution
- 1/10th two years after date of this Resolution
- 1/10th three years after date of this Resolution
- 1/10th four years after date of this Resolution
- 1/10th five years after date of this Resolution
- 1/10th six years after date of this Resolution
- 1/10th seven years after date of this Resolution
- 1/10th eight years after date of this Resolution
- 1/10th nine years after date of this Resolution

Each installment, except the first, shall draw interest at the rate of 4.0 per centum per annum from date of this Resolution until the same become delinquent and after they become delinquent at the rate of 14.0 per centum per annum until paid.

PASSED AND APPROVED THIS 28TH DAY OF JUNE, 2022.

ATTEST:
LAUREN BRANDT
CITY CLERK

RANDY BUSCHKOETTER
VICE-PRESIDENT OF THE COUNCIL

ACQUISITION OF A 10.00-FOOT WIDE STORM SEWER EASEMENT

Vice-President Randy Buschkoetter opened the public hearing on the proposed acquisition for a 10.00-foot Wide Storm Sewer Easement granted by Twin Hills, L.L.C., a Nebraska Limited Liability Company for a strip of land 10.00-feet wide being part of Lot 1, Hillside Estates, an addition to the City of Kearney, Buffalo County, Nebraska, dedicated for Storm Sewer Easement purposes and consider Resolution No. 2022-128.

Andy Harter, Director of Public Works presented this matter to the Council. It was determined that this easement was needed due to the storm water direction design, on the final design. This easement is being dedicated as a separate instrument granted by the Developer.

There was no one present in opposition to this hearing.

Moved by Moore seconded by Lear to close the hearing and adopt Resolution No. 2022-128 the proposed acquisition for a 10.00-foot Wide Storm Sewer Easement granted by Twin Hills, L.L.C., a Nebraska Limited Liability Company for a strip of land 10.00-foot wide being part of Lot 1, Hillside Estates, an addition to the City of Kearney, Buffalo County, Nebraska, dedicated for Storm Sewer Easement purposes. Roll call resulted as follows: Aye: Nikkila, Moore, Buschkoetter, Lear. Nay: None. Clouse absent. Motion carried.

RESOLUTION NO. 2022-128

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

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

WHEREAS, Twin Hills, L.L.C., a Nebraska Limited Liability Company, have granted to the City of Kearney, Nebraska a Permanent Storm Sewer Easement as follows:

10.00-FEET WIDE PERMANENT STORM SEWER EASEMENT

A strip of land 10.00 feet wide being part of Lot 1, Hillside Estates, an addition to the City of Kearney, Buffalo County, Nebraska, dedicated for Storm Sewer Easement purposes. Said 10.00 feet wide Storm Sewer Easement to be 5.00 feet on each side of the following described centerline: Commencing at the Northwest Corner of said Lot 1; thence S 89°38'26" E on the North line of said Lot 1, and all bearings contained herein are relative thereto, a distance of 50.00 feet to the East line of a 30.00 foot Drainage Easement as dedicated in said Hillside Estates; thence S 00°23'33" W on said East line a distance of 40.35 feet to the centerline of said 10.00 feet wide Storm Sewer Easement and the POINT OF BEGINNING; thence N 68°18'23" E on the centerline of said 10.00 feet wide Storm Sewer Easement a distance of 107.46 feet to the POINT OF TERMINATION on the North line of said Lot 1. The side lines of said 10.00 feet wide Storm Sewer Easement to be lengthened or shortened to form a continuous strip. Said 10.00 feet wide Storm Sewer Easement contains 0.02 acres, more or less, all in Buffalo County, Nebraska.

NOW, THEREFORE, BE IT RESOLVED by the Vice-President and City Council of the City of Kearney, Nebraska that the Permanent Storm Sewer Easement granted by Twin Hills, L.L.C., a Nebraska Limited Liability Company, to the City of Kearney be and is hereby approved and accepted.

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

PASSED AND APPROVED THIS 28TH DAY OF JUNE, 2022.

ATTEST:
LAUREN BRANDT
CITY CLERK

RANDY BUSCHKOETTER
VICE-PRESIDENT OF THE COUNCIL

IV. CONSENT AGENDA

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

1. Approve Minutes of Special Meeting held June 8, 2022 and the Minutes of Regular Meeting held June 14, 2022.

2. Approve the following Claims:

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

5.11 \$90.00 smcs; 1000bulbs.com \$358.16 smcs; 24 Hour Tees \$919.13 smcs; 911 Custom \$27,589.37 co; Ace Irrigation \$579.92 smcs; Adobe \$1,618.96 smcs; Agri Coop \$4,198.90 smcs; Albright,D \$674.57 smcs; Alfred Benesch \$13,161.93 co; All City Garage \$262.00 smcs; All Makes Auto \$4,708.41 smcs; Allied Electronics \$95.87 smcs; Amazon \$23,429.55 smcs,co; American \$86.37 smcs; American Air \$426.20 smcs; American Fed Cross \$1,507.00 smcs; American Fence \$8,298.93 co; American Legion \$150.60 smcs; Apple Market \$18.56 smcs; Apple.com \$3.04 smcs; Aprons & Smocks \$215.72 smcs; Aramark Uniform \$416.68 smcs; Ardisam \$222.23 smcs; Artisans \$40.00 ps; Artisans Photography \$80.00 smcs; Ask Supply \$1,351.65 smcs; Aurora Coop \$298.88 smcs; Aussie Hydraulics \$220.70 smcs; Authorize.net \$10.00 smcs; Auto Value \$61.12 smcs; AV Fuel \$77,031.01 smcs; Avenue F Storage \$104.00 smcs; B&H Photo \$2,479.88 smcs,co; B2 Environmental \$800.00 smcs; BA Shields \$300.00 smcs; Baker & Taylor \$2,694.19 smcs; Bamford \$2,016.61 smcs; Barone,T \$100.00 smcs; Baum Hydraulics \$1,650.08 smcs; Beacon Athletics \$1,408.00 smcs; Bead Pro \$1,657.84 smcs; Bellabee \$2.00 smcs; Belson Outdoors \$829.71 smcs; Benson,G \$355.00 smcs; Big Rack Shack \$299.00 smcs; Big Red Auto Glass \$327.72 smcs; Bishs RV \$38.73 smcs; Blackstone Library \$1,281.16 smcs; Blessing \$119,917.26 co; Blick Art \$194.14 smcs; Blindster \$77.61 smcs; Blue Tees Golf \$1,086.14 smcs; Bluecross Blueshield \$69,704.32 smcs; Bolte,C \$28.50 smcs; Bosselman \$48,783.41 smcs; Bossfuels \$37,501.13 smcs; Brackett Aircraft \$610.99 co; Broadfoot's \$1,996.50 smcs; Buffalo Co. Treasurer \$30.76 smcs,co; Buffalo Bins \$394.50 smcs; Buffalo Co Extension \$554.25 smcs; Buffalo Outdoor \$31.94 smcs; Builders \$1,641.47 smcs,co; Cab Store \$265.57 smcs; Canva \$132.35 smcs; Carquest \$47.25 smcs; Casey's \$17.97 smcs; Cash Wa \$10,997.43 smcs; CDW Govt. \$480.70 smcs; Cenex \$982.55 smcs; Center Point \$77.26 smcs; Central Hydraulic \$18.45 smcs; Central NE Bobcat \$1,704.92 smcs; Central NE Rehab \$150.00 ps; Chemsearch \$347.00 smcs; Chesterman \$9,495.58 smcs; Choice Paint \$32.33 smcs; Cintas \$294.26 smcs; Ciox Health \$60.00 smcs; City of Ky \$24,715.07 smcs,ps; City of Ky \$1,799.20 co; City Plumbing \$459.13 smcs; Cold Spring \$319.80 smcs; Collaborative Summer \$47.25 smcs; Colling,L \$100.00 smcs; Comm. Action Partner. \$1,450.00 smcs; Consolidated Mgmt. \$260.31 smcs; Constant Contact \$45.00 smcs; Construction Rental \$971.86 smcs,co; Control Yours \$100.00 smcs; Copycat \$3,677.75 smcs; Core & Main \$19,268.93 smcs; Court Reserve \$99.17 smcs; Crane River Theater \$55.00 smcs;

Crouch Recreation \$17,678.00 co; Culligan \$310.50 smcs; Cummins \$2,383.55 smcs; Cunningham's Journal \$30.00 smcs; Cutting Edge Cleaning \$125.00 smcs; Cymax \$1,492.97 co; Dan Roeder Concrete \$154,731.83 co; Danko \$1,399.05 smcs; Dawson Public Power \$35,039.66 smcs; Daylight Donuts \$97.01 smcs; Del City \$909.28 smcs; Dell \$2,585.52 co; Dennis,N \$30.10 smcs; Depository Trust \$466,083.75 ds; Digital Buyer \$317.00 smcs; Dillon Brothers \$1,277.21 smcs; Dish \$358.24 smcs; Dmilaco \$12.00 smcs; Dollar General \$19.09 smcs; Doubletree \$129.25 smcs; Dowhy Towing \$600.00 smcs; DPC Industries \$22,285.28 smcs; Duncan Theis Const. \$56,485.80 co; Dunkin Donuts \$38.66 smcs; Eagle Dist. \$1,382.90 smcs; Eakes \$5,278.35 smcs; Earl May \$548.65 smcs; Ecolab \$120.23 smcs; Eickhoff,J \$100.00 smcs; Elliott Equipment \$1,991.81 smcs; Ensley Electrical \$23,875.20 co; Enterprise \$323.66 smcs; Environmental Resource \$1,559.20 smcs; Erin McCartney Trustee \$227.00 ps; ESChat \$191.94 smcs; Etsy \$7.46 smcs; Eustis Body Shop \$100.00 smcs; Eyemed \$1,604.23 smcs; Facebook \$276.05 smcs; Family Fresh \$113.24 smcs; Family Practice \$260.00 ps; Fastenal \$100.87 smcs; Faz,A \$185.00 smcs; Fedex \$17.76 smcs; Fleet Patrol \$862.92 smcs; Flint Hills Fire & Rescue \$2,186.24 smcs; Friesen Chevrolet \$68.89 smcs; Frontier \$229.90 smcs; Fun Express \$379.73 smcs; Gale/Cengage \$1,688.95 smcs; Galls \$51.94 ps; Game Time \$1,830.38 co; Garrett Tires \$9,244.00 smcs; Gear Zone \$82.94 smcs; Glass Doctor \$44.00 smcs; Gopro.com \$424.48 smcs; Grainger \$1,816.12 smcs; Hampton Inns \$398.78 smcs; Harbor Freight \$195.30 smcs; Hardware Resources \$1,115.54 smcs; Hawkins,J \$28.50 smcs; Hertz \$872.59 smcs; Hidden Hills \$126.28 smcs; Hilton Palmer House \$214.84 smcs; Hobby Lobby \$741.33 smcs; Holiday Inn \$1,168.07 smcs; Holmes Plumbing \$1,823.14 smcs,co; Holtz Industries \$682.70 smcs; Home Depot \$619.87 smcs; Hometown Leasing \$159.08 smcs; Hooker Brothers \$547.40 smcs; HRB Enterprises \$284.85 smcs; Hub Int'l \$6,598.08 smcs; Hy-Vee \$458.79 smcs; IACA \$500.00 smcs; IACP \$615.00 smcs; Inst. Internal Auditors \$175.00 smcs; Integrated Security \$838.80 smcs; Intercoms Online \$531.42 smcs; Invoice Home \$5.00 smcs; IRS \$200,752.80 ps; Jack Lederman \$625.88 smcs; Jacks Small Engines \$3.25 smcs; Jack's Uniforms \$6,098.97 smcs; James,K \$199.75 smcs; Jimmy Johns \$214.39 smcs; Johnstone Supply \$1,075.06 smcs; Katom Resta \$98.75 smcs; Kaw Valley \$382.67 smcs; Ky Ace \$246.82 smcs; Ky Animal Shelter \$10,609.00 smcs; Ky Concrete \$3,447.13 smcs; Ky Crete & Block \$604.25 smcs; Ky Quality Sew \$20.00 smcs; Ky Towing \$100.00 smcs; Ky Visitors Bureau \$166,665.58 smcs; Ky Winlectric \$2,035.58 smcs; Ky Winnelson \$1,823.57 smcs,co; Kelly Supply \$527.09 smcs; Kings III Emergency \$508.86 smcs; Kitchen Fresh Foods \$169.83 smcs; Kleidosty,N \$60.00 smcs; Konica \$234.54 smcs; Kowalski,L \$45.00 smcs; Kraft Tool \$360.86 co; Kramers Wrecker \$150.00 smcs; Kring,J \$300.00 smcs; Ktown Cakery \$18.25 smcs; Kully Supply \$293.82 smcs; Kwik Shop \$61.76 smcs; LandAirSea \$160.00 smcs; Landmark Implement \$1,376.03 smcs; Laser Technology \$339.50 smcs; Lee NE Media \$5,071.77 smcs; Lifeguard Store \$591.50 smcs; Little Mexico \$14.10 smcs; LLRMI \$300.00 smcs; Lockmobile \$12.74 smcs; Logan Contractors \$2,301.20 co; Loper Athletic Club \$3,168.75 smcs; Luke,D \$122.00 smcs; Lundeen-Isaacson \$4,600.00 ps; Mac Tools \$399.99 smcs; Macqueen Emergency \$1,028.48 smcs; Macqueen Equipment \$1,984.93 smcs; Magic Cleaning \$400.00 smcs; Masters True Value \$944.97 smcs; Matt Friend Truck \$3,381.14 smcs; McCormack Distributing \$41.92 smcs; Menards \$11,442.81 smcs,co; Microsoft \$212.94 co; Midland Scientific \$99.50 smcs; Midlands Contracting \$96,929.78 co; Mid-States Organized \$295.00 smcs; Midway \$59.33 smcs; Midwest Breathing \$602.64 smcs; Midwest Bus Sales \$1,571.13 smcs; Midwest Connect \$237.59 smcs; Midwest Turf \$475.60 smcs; Miller Signs \$351.00 smcs; Mission Square \$7,470.93 ps; Mobile Pro

Shop \$1,004.52 smcs; Monoprice \$528.09 smcs; Moonlight Embroidery \$1,061.25 smcs; Mostek Electric \$1,189.79 smcs; Motorola Solutions \$1,500.00 co; Municipal Supply \$2,903.46 smcs, co; Murphy Tractor \$5,286.98 smcs; Murrish,P \$45.00 smcs; Nat'l Petroleum \$63.08 smcs; NE Child Support \$1,764.50 ps; NE Crane \$140.17 smcs; NE Dept. Revenue \$46,657.98 smcs; NE Generator \$730.57 smcs; NE Machinery \$1,812.28 smcs; NE Municipalities League \$778.00 smcs; NE Peterbilt \$1,396.65 smcs; NE Safety \$210.00 smcs; NE Secretary of State \$30.00 smcs; NE Society of CPAs \$455.00 smcs; NE Truck Center \$3,497.54 smcs; NEACN \$30.00 smcs; Nebraskaland Dist. \$1,788.10 smcs; Network Solutions \$52.96 smcs; NI SFM Boiler \$72.00 smcs; NI SFM Elevator \$240.00 smcs; Nivel Parts \$54.15 smcs; Northern Safety \$142.08 smcs; Northwestern Energy \$193.03 smcs; NRG Media \$542.25 smcs; Nutrien Ag \$460.88 smcs; O'Reilly Auto \$13.98 smcs; Officemax \$824.57 smcs,co; Olsson \$1,909.00 co; Onyx Blasting \$94,392.76 co; O'Reilly Auto \$985.37 smcs; Orkin \$107.62 smcs; Orscheln \$790.84 smcs; OTC Brands \$223.13 smcs; Paint Paradise \$300.00 smcs; Panera Bread \$132.66 smcs; Papa John's \$38.86 smcs; Paper Mart \$81.67 smcs; Payflex \$504.00 smcs; PB Leasing \$65.97 smcs; Penworthy \$347.77 co; Petersen,D \$100.00 smcs; Petsmart \$1,421.66 smcs; Ping \$4,743.90 smcs; Pitney Bowes \$574.02 smcs; Platinum Awards \$59.85 smcs; Platte Valley Auto \$2,074.90 smcs; Platte Valley Comm. \$17,384.00 smcs,co; Police Records Mgmt. \$318.00 smcs; Preserve Eco \$10.18 smcs; Presto-X \$301.16 smcs; Pro Track & Tennis \$4,455.00 smcs; Proactive Sports \$1,022.00 smcs; Pro-Tint \$120.00 smcs; PSI Services \$350.00 smcs; Public Agency Training \$525.00 smcs; Quality Inn \$119.27 smcs; Quality Logo \$384.73 smcs; Quill \$956.70 smcs; Quizizz \$468.00 smcs; Rall,S \$275.00 smcs; RAS Law Offices \$35.75 smcs; Rasmussen Mechanical \$5,991.00 smcs; Reams \$11,258.86 smcs,co; Redbox \$12.24 smcs; Redman's \$191.52 smcs; Rentokil \$499.40 smcs; Resource Mgmt. \$47,202.59 smcs; Rheome Tree \$700.00 smcs; Ring \$30.00 smcs; Roesler,A \$24.06 smcs; RR Donnelley \$580.10 smcs; Safety Kleen \$497.70 smcs; Safety Products \$148.32 smcs; Safety Store \$224.05 smcs; Sams \$1,007.46 smcs; Sandry Fire \$8,866.50 smcs; Sanitation Products \$344.25 smcs; Sapp Brothers \$51,125.00 smcs; Saylor Screenprinting \$42.00 smcs; Scantling,E \$250.00 smcs; Scholastic Education \$3,597.79 smcs; Schumacher Fencing \$154.50 smcs; Schwan's \$1,119.95 smcs; Secretary of State \$90.00 smcs; Sees America \$300.00 smcs; Sherwin Williams \$16,137.99 smcs; Shredding Solutions \$45.00 smcs; Sign Center \$1,999.12 smcs; Siteone Landscape \$264.12 smcs; Snap-On Tools \$9,854.14 co; Solo Welder \$120.00 smcs; SOS Portable Toilets \$592.00 smcs; Spectrum \$1,395.00 smcs; Speedee Mart \$1.17 smcs; Sprint \$150.00 smcs; State Fire Marshal \$50.00 smcs; Steinbrink's \$3,322.84 smcs; Stitch 3 \$294.00 smcs,ps; Streakwave Wireless \$59.82 co; Streetcop \$450.00 smcs; Stutsman \$2,745.00 smcs; Suburban Fire \$9,566.00 smcs; Sunbelt Rentals \$310.68 smcs; Super Shine Auto \$43.71 smcs; Swim Outlet \$209.65 smcs; Taillon,R \$28.50 smcs; Target \$241.23 smcs; Titan Machinery \$2,455.01 smcs; Tour Edge Golf \$6,014.50 smcs; Tractor-Supply \$1,021.28 smcs; Transunion \$116.40 smcs; Triple Solutions \$395.00 smcs; Turner Body Shop \$400.00 smcs; Uline \$2,004.48 smcs; Union Bank & Trust \$1,149,010.70 ps,ds; Union Pacific \$100.00 smcs; Unique \$104.85 smcs; United \$2,514.50 smcs; UPS \$179.71 smcs; USA Comm. \$944.27 smcs; USPS \$536.55 smcs; U-Stop \$53.32 smcs; Van Wall \$145.00 smcs; Verizon \$22,296.16 smcs; Vertiv Services \$2,183.64 smcs; Viaero \$1,758.20 smcs; Video Kingdom \$99.99 smcs; Village Services \$297.99 smcs; Volaire \$4,000.00 smcs; Waldinger \$202.50 smcs; Wal-Mart \$4,975.68 smcs,co; Walters Electric \$5,079.22 smcs,co; Ward Laboratories \$40.00 smcs; Wef Main \$85.00 smcs; Weldon,C \$81.00 smcs; Webstaurant \$647.70 smcs; Westrum Leak \$1,450.00 smcs; Wilcac Life \$10.00

ps; Wilson,M \$100.00 smcs; WPCI \$317.00 smcs; Yellow Van \$327.10 smcs; Young,M \$28.50 smcs; Youtube \$58.01 smcs; Zoom \$255.26 smcs; Zoro Tools \$147.88 smcs; Payroll Ending 06/18/2022 -- \$648,727.11. 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 July 12, 2022 at 5:30 p.m. as date and time for hearing on those applications where applicable.

4. Adopt Resolution No. 2022-129 approving the Agency Agreement between the City of Kearney and the Nebraska Department of Transportation (NDOT), Aeronautics Division for Project No. 3-31-0045-037-2022 (in connection with the Aqueous Film Forming Foam Input-Based Test Equipment project at the Kearney Regional Airport) allowing the NDOT, Aeronautics Division to act as the City’s agent for the project.

RESOLUTION NO. 2022-129

A RESOLUTION ADOPTING AND APPROVING THE EXECUTION OF AN AGENCY AGREEMENT WITH NEBRASKA DEPARTMENT OF TRANSPORTATION, AERONAUTICS DIVISION FOR PROJECT NO. 3-31-0045-037-2022 TO BE SUBMITTED BY THE DEPARTMENT TO THE FEDERAL AVIATION ADMINISTRATION TO OBTAIN FEDERAL ASSISTANCE FOR THE DEVELOPMENT OF THE AIRPORT.

BE IT RESOLVED by the Vice-President of the Council and Council of the City of Kearney, Nebraska, that:

1. The City of Kearney shall enter into an Agency Agreement with the Department of Transportation, Aeronautics Division for Project No. 3-31-0045-037-2022 for the purpose of obtaining Federal assistance in the development of the Airport and that such agreement shall be set forth hereinbelow.

2. The Vice-President of the Council, of the City of Kearney is hereby authorized and directed to execute said Agency Agreement on behalf of the City of Kearney and the City Clerk is hereby authorized to attest said execution.

3. The said Agreement, referred to hereinabove, is inserted in full and attached herewith, and made a part hereof as Exhibit “O”.

PASSED AND APPROVED THIS 28TH DAY OF JUNE, 2022.

ATTEST:
LAUREN BRANDT
CITY CLERK

RANDY BUSCHKOETTER
VICE-PRESIDENT OF THE COUNCIL

5. Adopt Resolution No. 2022-130 approving Change Order No. 3 showing an increase in the amount of \$1,393.00 submitted by Duncan Theis Construction, Inc. and approved by Olsson for Yanney Park Maintenance Building.

RESOLUTION NO. 2022-130

WHEREAS, Duncan Theis Construction, Inc. of Kearney, Nebraska has performed services in connection with Yanney Park Maintenance Building, and the City’s engineer, Olsson, have filed with the City Clerk Change Order No. 3 showing an increase to the

contract sum in the amount of \$1,393.00 as shown on Exhibit “A” attached hereto and made a part hereof by reference and as follows:

Original Contract Sum	\$ 514,038.00
Change Order No. 1 (1/25/2022)	\$ 0.00
Change Order No. 2 (3/22/2022)	+ \$3,146.00
Change Order No. 3 (6/28/2022)	+ <u>1,393.00</u>
Contract Sum To Date	\$ 518,577.00

NOW, THEREFORE, BE IT RESOLVED by the Vice-President and Council of the City of Kearney, Nebraska, and hereby find and determine that Change Order No. 3, as shown on Exhibit “A” be and are hereby accepted and approved.

PASSED AND APPROVED THIS 28TH DAY OF JUNE, 2022.

ATTEST:
LAUREN BRANDT
CITY CLERK

RANDY BUSCHKOETTER
VICE-PRESIDENT OF THE COUNCIL

6. Adopt Resolution No. 2022-131 approving Application and Certificate for Payment No. 1 in the amount of \$127,703.25 submitted by Caldwell Tank and approved by Miller & Associates for the 2MG Elevated Water Tower.

RESOLUTION NO. 2022-131

WHEREAS, Caldwell Tank of Louisville, Kentucky has performed services in connection with the 2MG Elevated Water Tower, and the City’s engineer, Miller & Associates, have filed with the City Clerk Application and Certificate for Payment No. 1 in the amount of \$127,703.25 as shown on Exhibit “A” attached hereto and made a part hereof by reference and as follows:

Original Contract Sum	<u>\$ 4,973,000.00</u>
Contract Sum To Date	4,973,000.00
Gross Amount Due	141,892.50
Retainage (10%)	- <u>21,019.13</u>
Amount Due to Date	127,703.25
Less Previous Certificates for Payment	- <u>0.00</u>
Current Payment Due	\$ 127,703.25

NOW, THEREFORE, BE IT RESOLVED by the Vice-President and Council of the City of Kearney, Nebraska, and hereby find and determine that Application and Certificate for Payment No. 1, as shown on Exhibit “A” be and is hereby accepted and approved.

PASSED AND APPROVED THIS 28TH DAY OF JUNE, 2022.

ATTEST:
LAUREN BRANDT
CITY CLERK

RANDY BUSCHKOETTER
VICE-PRESIDENT OF THE COUNCIL

7. Approve the recommendation from the Development Services Division on annual renewal of the manufactured home court license for East Lawn Mobile Homes Estates, 2900 and 3010 Grand Avenue until May 31, 2023.
8. Reject the bids received for the Kearney Regional Airport Terminal Furniture, Fixtures and Equipment.

V. CONSENT AGENDA ORDINANCES

None.

VI. REGULAR AGENDA

INTRODUCTION OF ECONOMIC DEVELOPMENT COUNCIL OF BUFFALO COUNTY PRESIDENT

Vice-President Buschkoetter opened Regular Agenda Item 1 pertaining to the introduction of Trevor Lee, President of the Economic Development Council of Buffalo County. He stated Mr. Lee began on April 1st after previously working in the Beatrice, Ord and Ravenna communities.

Mr. Lee stated there are several projects that were previously underway throughout the County that he is keeping the momentum going on. They are looking at a new website for the Economic Development Council as well as re-branding and reapplying for workforce housing in the fall when the new cycle comes out.

Vice-President Buschkoetter questioned what Mr. Lee's biggest surprise was upon coming to Kearney as compared to the other wonderful communities he has worked in? Mr. Lee stated Kearney is much different than when he lived here 16 years ago. Growth has been very well planned, especially in north and east Kearney, as well as the growth at UNK. Some of the challenges Mr. Lee sees in Kearney involves workforce housing, which is not unique to Kearney but a challenge statewide. He sees Kearney as a unique place when looking at the City's economic base and comparing it to other communities of like size. Mr. Lee noted in Kearney, manufacturing is important but so too are healthcare, education, government and human services. Whereas in other communities he has worked in and seen in numerous places statewide, manufacturing was the primary employer which is why the state has more low wage jobs than high wage jobs, which he feels needs to be changed.

Council members welcomed Mr. Lee to the position.

VII. REPORTS

Michael Morgan, City Manager stated with the surprise and rapid departure of the previous Fixed Base Operator, the City is fortunate to have Kearney Flight Services available to assist with fueling operations for jet service and all other Kearney Airport users. Kearney Flight Services has stepped in and expanded overnight thanks to the City Council's wisdom and support for that operation. Mr. Morgan stated much of what is being

heard regarding the EAS program is inaccurate as SkyWest Charter is not yet authorized. It is anticipated that Denver Air Connect will be approved within the next 14 days, with an October 1st start date.

Mr. Morgan stated that with the unfortunate KRA Terminal Expansion bid coming in very high, there has been a lot of input and changes with the main focus on baggage handling, TSA space, increase in secure seating and bathrooms. The City is at 60% re-design phase and has went from a 12,000 square foot addition to an approximately 3,800 square-foot addition.

Mr. Morgan discussed with Council the issue that contractors are facing that involves the delayed supply of construction materials and equipment. Due to this, many contractors are purchasing more inventory for jobs upfront, compared to incrementally. As a result, the City will receive payment requests earlier for projects to ensure the materials and equipment are available at the time of construction.

Mr. Morgan stated the United Way will be presenting fireworks on June 30th. This earlier than normal date is due to a shortage of volunteers available to assist at the event during the holiday weekend.

Council Member Tami Moore stated she hopes citizens are safe with fireworks this 4th of July and adhere to rules pertaining to their use. She also stated that 2023 will be the 150th birthday of the City of Kearney and she hopes that the City will be involved in that celebration as there are many other plans to celebrate it in the community. Mr. Morgan stated that Brenda Jensen, Assistant City Manager has already begun working on Kearney's 150th birthday.

Vice-President Buschkoetter wished everyone a happy and safe 4th of July.

VIII. ADJOURN

Moved by Buschkoetter seconded by Nikkila that Council adjourn at 5:46 p.m. Roll call resulted as follows: Aye: Lear, Nikkila, Moore, Buschkoetter. Nay: None. Clouse absent. Motion carried.

ATTEST:

RANDY BUSCHKOETTER
VICE-PRESIDENT OF THE COUNCIL

LAUREN BRANDT
CITY CLERK