

**Kearney, Nebraska**  
**January 24, 2023**  
**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 January 24, 2023 in the Council Chambers at City Hall. Present were: Stanley A. Clouse, President of the Council; Peggy Eynetich, City Clerk; Council Members Randy Buschkoetter, Tami James Moore and Jonathan Nikkila. Absent: Bruce Lear. Michael Morgan, City Manager; Michael Tye, City Attorney; Brenda Jensen, Assistant City Manager; Andy Harter, Director of Public Works; Bryan Waugh, Chief of Police; Shawna Erbsen, Administrative Services Director; Mike Young, Captain of Operations; Kevin Thompson, Police Captain; Derek Luke, Police Lieutenant; Jay Young, Police Sergeant; Jeff Dowling, Property & Evidence Supervisor; Kelly Korgel, Assistant Human Resources Director and Terra Gibson, Risk Management Technician were also present. Members of the media present included: Michael Shively, News Channel Nebraska.

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**

Council members led the audience in the Pledge of Allegiance.

### **ANNOUNCEMENT**

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

### **RECOGNITION/ORAL COMMUNICATIONS**

### **PRESENTATION OF NATIONAL CRNA WEEK PROCLAMATION**

Mayor Clouse read the Proclamation for National CRNA (Certified Registered Nurse Anesthetists) Week. Council thanked CRNA's in attendance.

## **KEARNEY POLICE DEPARTMENT 150TH SESQUICENTENNIAL COMMEMORATIVE BADGE REVEAL**

Police Chief Bryan Waugh introduced some of the members in attendance that were part of the 150th Sesquicentennial Commemorative Badge Design Committee including: Mike Young, Captain of Operations; Kevin Thompson, Police Captain; Derek Luke, Police Lieutenant; Jay Young, Police Sergeant; Jeff Dowling, Property & Evidence Supervisor. Chief Waugh stated the badge design memorializes the history of the City of Kearney and the 150th Anniversary of its founding in 1873.

Council Member Jonathan Nikkila questioned if the badges would be worn this year only? Chief Waugh stated the badge may become an option after 2023.

### **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 9 of Consent Agenda Item IV be approved. Roll call resulted as follows: Aye: Clouse, Nikkila, Moore, Buschkoetter. Nay: None. Lear absent. Motion carried.

1. Approve Minutes of Regular Meeting held January 10, 2023.

2. Approve the following Claims:

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

1000bulbs.com \$460.52 smcs; Accent Wire-Tie \$222.64 smcs; Ace Irrigation \$1,965.80 smcs,co; Acushnet \$9,368.35 smcs; Adobe \$52.99 smcs; Adventure Enterprises \$200.00 smcs; AFP710 \$300.00 smcs; Akah, O \$56.91 smcs; Alfred Benesch \$300,865.90 co; All Copy \$467.50 smcs; All Makes Auto \$5,359.40 smcs; Ally B Designs \$35.00 smcs; Amax Contracting \$139.80 co; Amazon \$20,066.38 smcs,co; American \$299.71 smcs; American Airlines \$608.21 smcs; American Button \$132.68 smcs; American Electric \$2,127.75 smcs; American Planning \$713.00 smcs; Anythingtruck.com \$144.58 smcs; Apple.com \$1.98 smcs; Aramark Uniform \$524.54 smcs; Ardisam \$20.91 smcs; Ask Supply \$5,252.52 smcs; Assn. Threat Assessment \$850.00 smcs; Atlas Preservation \$212.14 smcs; ATT \$1,216.12 smcs; Aurora Coop \$832.00 smcs; Aussie Hydraulics \$21.72 smcs; Authorize.net \$10.00 smcs; Auto Value \$1,058.17 smcs; AvFuel \$104,074.42 smcs; Aviation Laboratories \$108.95 smcs; B&H Photo \$1,588.17 smcs,co;

Baer, R \$21.13 smcs; Bain, L \$39.84 smcs; Baker & Taylor Books \$1,832.92 smcs; Barco Municipal \$598.17 smcs; Baristas \$67.95 smcs; Baughman, E \$106.90 smcs; Baum Hydraulics \$68.57 smcs; Beckman, S \$153.00 smcs; Billings Chamber Comm. \$490.00 smcs; Blackstone Library \$477.09 smcs; Blessing \$21,700.00 co; BlueCross BlueShield \$340,662.34 smcs; Bomgaars \$853.31 smcs; Boogaarts \$38.32 smcs; Border States Industries \$1,664.73 smcs; Bosselman \$10,166.22 smcs; Bossfuels \$23,583.07 smcs; Broadfoot's \$2,079.00 smcs; BT Aircraft Rescue \$95.00 smcs; Buffalo Co. Property Tax \$100.51 smcs; Buffalo Co. Sheriff \$240.00 smcs; Buffalo Outdoor Power \$72.68 smcs; Builders \$1,134.58 smcs; Builders Supply \$141.19 co; Cab Store \$428.90 smcs; Cal/Amp \$781.55 smcs; Caldwell Tanks \$122,580.00 co; Camera Doctor \$20.00 smcs; Carolina Software \$650.00 smcs; Carquest \$87.90 smcs; Casey's \$74.10 smcs; Cash Wa \$5,578.11 smcs; Cenex \$31.25 smcs; Central District Health \$3,190.00 smcs; Central NE Bobcat \$2,550.46 smcs; Channel 10/11 \$8,465.00 smcs; Chemsearch \$347.00 smcs; Chesterman \$156.50 smcs; Cintas \$240.42 smcs; Ciox Health \$258.00 smcs; City of KY \$15,563.16 smcs,ps; City Pluming \$637.30 smcs; Cold Spring \$674.10 smcs; Collinson Enterprises \$4,909.50 smcs; Comcate \$2,510.54 smcs; Comm. Action Partner. \$1,992.00 smcs; Computer Hardware \$809.90 smcs; Consolidated Mgmt. \$228.85 smcs; Constantcontact.com \$79.50 smcs; Construction Rental \$262.22 smcs; Control Yours \$200.00 smcs; Copycat \$871.15 smcs; Country Partners \$28,639.63 smcs; Court Reserve \$100.69 smcs; Cracker Barrel \$1,021.33 smcs; Culligan \$2,192.50 smcs; Cumberland Farms \$17.01 smcs; Cummins \$1,008.74 smcs; Curly's Radiator \$141.00 smcs; Dawson Public Power \$23,304.83 smcs; Daylight Donuts \$86.11 smcs; Dell \$1,516.42 smcs; Demco \$200.30 smcs; Derr, M \$31.93 smcs; Diesel Injection \$384.32 smcs; Dish \$260.86 smcs; Dollar General \$57.77 smcs; Dot Cards \$160.50 smcs; Downey, B \$6.84 smcs; DPC Industries \$11,998.35 smcs; Driveezmd \$18.00 smcs; DTS Technology \$101.29 smcs; Duncan Theis \$93,063.60 co; Eakes \$3,257.41 smcs; Ebay \$104.86 smcs; Echo Electric \$4,171.09 smcs,co; Ecolab \$126.21 smcs; Elliott equipment \$1,218.91 smcs; Embassy Suites \$1,384.90 smcs; EMC Insurance \$6.57 smcs; Encompass \$10,914.65 co; Engel, K \$26.62 smcs; Entenmann-Rovin \$146.25 smcs; Enterprise \$138.43 smcs; Ereplacementparts.com \$18.88 smcs; Exact Eye Care \$159.00 smcs; Exhaust Pros \$118.75 smcs; Expression Wear \$2,609.50 smcs; Eyemed \$1,808.90 smcs; Facebook \$624.36 smcs; Family Practice \$277.00 ps; Farmers Union \$700.00 smcs; Fastenal \$1,030.68 smcs; FBI Nat'l Academy \$260.00 smcs; Fehnrigger, A \$150.00 smcs; Fiddelke \$39.00 co; Fire Line \$157.20 smcs; First National Bank \$34.20 smcs; Forms Fulfillment \$1,036.96 smcs; Friesen Chevrolet \$456.72 smcs; Friesen Ford \$522.74 smcs; Frontier \$6,135.34 smcs; Fun Express \$179.94 smcs; Gale/Cengage \$8,656.46 smcs; Galeton \$143.09 smcs; Galls \$589.37 smcs; Game and Parks \$15.00 smcs; Gammon Technical \$583.10 smcs; Garrett Tires \$6,366.84 smcs; Gaylord Opry Resort \$258.16 smcs; Glass Doctor \$357.93 smcs; Glow Withus \$245.00 smcs; Godaddy.com \$407.76 smcs; Good Evans \$41.04 smcs; Goodwin Tucker \$1,252.86 smcs; Govt. Finance Officers \$164.00 smcs; Graham Tire \$2,371.88 smcs; Grainger \$1,376.86 smcs,co; Granicus \$6,625.41 smcs; Great Plains Comm. \$671.37 smcs; Gulf Oil \$52.70 smcs; Harbor Freight \$158.23 smcs; Hayley Jo Photography \$760.28 smcs; HD Supply \$1,188.50 smcs; Highland Park \$5,866.58 smcs; Hineright \$142.76 smcs; Hobby Lobby \$835.03 smcs; Hockemeier, J \$150.00 smcs; Holiday Inn \$420.00 smcs; Holmes Plumbing \$417.41 smcs; Home Depot \$1,195.03 smcs; Hotsy Equipment \$507.64 smcs; Hub International \$6,796.00 smcs; Hy-Vee \$1,015.41 smcs; IACP \$1,225.00 smcs; Inland Truck Parts \$2,549.46 smcs; Integrated Security \$4,140.00 smcs; Interlight \$1,071.61 smcs; Invoicehome.com \$5.00 smcs; Irobot \$855.98 smcs; IRS

\$197,607.04 ps; Island Supply Welding \$62.55 smcs; IT Straps \$401.91 smcs; J&A Traffic Products \$1,050.00 smcs; Jack Lederman \$2,337.23 smcs; Jacks Small Engines \$201.98 smcs; Jack's Uniforms \$2,554.18 smcs; Jackson Services \$361.83 smcs; John Jones Construction \$2,680,078.90 co; Johnstone Supply \$644.59 smcs; Jugs Sports \$1,595.00 smcs; KY Ace \$474.82 smcs; KY Animal Shelter \$14,775.66 smcs; KY Chamber \$365.00 smcs; KY Concrete \$3,112.88 smcs; KY Crete & Block \$1,260.23 smcs; KY Quality Sew \$5.98 smcs; KY Storytelling \$350.00 smcs; KY Towing \$100.00 smcs; KY Volunteer Fire \$91,175.00 ps; KY Winlectric \$9,753.62 smcs,co; KY Winnelson \$2,991.80 smcs; Kelly Supply \$407.00 smcs; Konica Minolta \$956.08 smcs; Kum&Go \$45.93 smcs; L2 Brands \$942.34 smcs; Landmark Implement \$956.67 smcs,co; Lawson Products \$2,243.67 smcs; LCL Truck Equipment \$390.00 smcs; Lee NE Media \$2,153.74 smcs; Lens Equipment \$3,945.00 smcs; Lockmobile \$15.60 smcs; Logan Contractors \$343.74 smcs; Love's \$34.00 smcs; Lowes \$597.49 smcs; L-Tron \$431.00 smcs; Lundeen Sculptures \$42,000.00 co; Magic Cleaning \$1,800.00 smcs; Magnegrip \$815.34 smcs; Magpul Industries \$287.94 smcs; Marlatt Machine \$1,383.45 smcs; Marvel Industrial \$1,140.00 smcs; Masters True Value \$913.73 smcs; Matheson \$534.61 smcs; May, K \$50.00 smcs; McCartney, Erin Chpt.13 \$227.00 ps; McCormack Distrib. \$52.45 smcs; McNemar, M \$39.84 smcs; Menards \$11,223.40 smcs,co; Merrill Company \$1,734.69 smcs; Merryman Performing \$534.16 smcs; Messenger Co. \$152.06 smcs; Microsoft \$3,698.98 smcs,co; Midlands Contracting \$280,052.75 co; Mid-Plains Equipment \$127.39 smcs; Mid-State Engineering \$1,809.00 co; Midwest Connect \$372.21 smcs; Midwest Laboratories \$829.96 smcs; Midwest Turf \$2,772.15 smcs; Milco Environmental \$12,272.23 smcs; Miller, D \$50.00 smcs; Miller, L \$144.44 smcs; Mirror Image \$229.42 smcs; Mission Square \$14,442.35 ps; Moonlight Embroidery \$2,746.50 smcs; Motorola Solutions \$708.90 smcs; Municipal Emergency \$409.68 ps; Municipal Supply \$16,497.62 smcs; NAISMA \$68.50 smcs; Napkins \$215.06 smcs; Nat'l Biz Furniture \$2,379.20 smcs; NE Aviation \$1,100.00 smcs; NE Child Support \$1,986.51 ps; NE Dept. Environment \$16,775.64 smcs; NE Dept. Revenue \$72,422.96 smcs; NE Floodplain \$35.00 smcs; NE Golf Assn. \$92.00 smcs; NE Library Assn. \$75.00 smcs; NE Library Commission \$2,768.34 smcs; NE Machinery \$578.11 smcs; NE Municipal Utilities \$2,200.00 smcs; NE Park Rec \$840.00 smcs; NE Peterbilt \$70.52 smcs; NE Safety & Fire \$890.00 smcs; NE Supreme Court \$195.70 smcs; NE Truck Center \$1,584.38 smcs; NE Turf Assn. \$1,550.00 smcs; Nelson, R \$2.27 smcs; Network Solutions \$9.97 smcs; New Deal Deicing \$11,128.27 smcs; New Pig Corp. \$270.55 smcs; NIAIA \$100.00 smcs; Northern Safety \$213.12 smcs; Northwestern Energy \$52,255.46 smcs; Nova Fitness \$981.65 ps; NRG Media \$813.00 smcs; Obradovich, C \$150.00 smcs; OCLC \$816.57 smcs; Office Depot \$3,075.54 smcs; Old Navy \$162.24 smcs; Omaha Airport \$60.00 smcs; Omni Engineering \$6,414.24 smcs; One Call Concepts \$338.14 smcs; O'Neill Wood Resource \$78,355.50 smcs; O'Reilly Auto \$2,111.25 smcs; Otto Environmental \$32,373.40 smcs; Panera Bread \$109.48 smcs; Pankowski, B \$5.23 smcs; Penworthy \$671.20 smcs; Pep Co \$300.00 smcs; Pet Pickups \$370.34 smcs; Petsmart \$33.13 smcs; Pflanz, A \$15.52 smcs; Pickleball Central \$224.64 smcs; Ping \$1,238.18 smcs; Pitney Bowes \$59.49 smcs; Platinum Awards \$140.45 smcs; Platt Electric \$1,122.44 smcs; Platte Valley Auto \$613.71 smcs; Platte Valley Comm. \$1,762.24 co; Point Emblems \$1,975.00 smcs; Postermyswall \$29.95 smcs; Power Mower Sales \$335.25 smcs; Presto-X \$622.76 smcs; Pump & Pantry \$20.00 smcs; Quill \$873.83 smcs; RDG Planning & Design \$165,335.10 co; Reams Supply \$615.18 smcs; Redman's Shoes \$1,169.98 smcs,co; Reinke's \$146.30 smcs; Rentokil \$1,058.00 smcs; Reverse Osmosis \$107.72 smcs; RMV Construction \$123,390.59 co; Rock It Event Pros \$606.76 smcs; Roof Master

Roofing \$217.94 smcs; S&B Heating \$5,433.33 smcs; Sahling Kenworth \$106.55 smcs; Sams Club \$332.82 smcs; Sapp Brothers \$1,071.91 smcs; Saylor Screenprinting \$536.75 smcs; SCALES \$1,000.00 smcs; Schroer, J \$280.50 smcs; Schultz, K \$150.00 smcs; Schumacher Fencing \$1,567.00 smcs; See Clear Cleaning \$2,997.50 smcs; Shell Oil \$28.84 smcs; Sherwin Williams \$6,515.53 smcs,co; Shredding Solutions \$51.83 smcs; Sign Center \$25,000.00 co; Sirchie Acquisition \$54.70 smcs; Snap Power \$56.93 co; Snap-On Tools \$3,692.00 smcs; SOS Portable Toilets \$179.00 smcs; South Central Diesel \$122.01 smcs; Southwest \$249.96 smcs; Spectrum \$960.97 smcs; Staab, J \$576.00 smcs; Stagecoach \$153.01 smcs; Starostka Group \$156,765.42 co; State Electrical \$306.00 smcs; Steinbrinks \$475.00 smcs; Stevens, J \$6.91 smcs; Stitch Upholstery \$110.00 smcs; Stutsman \$1,647.00 smcs; Sunbelt Rentals \$567.53 co; Sunset Law Enforcement \$356.10 smcs; Superior \$2,397.00 smcs; Supplyhouse.com \$265.48 smcs; Target \$206.78 smcs; Teknephos \$5,488.00 co; Tennis Warehouse \$350.00 smcs; Thrifty \$150.76 smcs; Tractor-Supply \$2,147.67 smcs; Transunion \$115.40 smcs; Trausch Dynamics \$408.58 smcs; Tri-Cities Roofing \$791.55 smcs; Triple Crown Products \$4,336.27 smcs; Triplett, T \$150.00 smcs; Trophy Depot \$34.55 smcs; True Leaf Market \$183.20 smcs; Twin City Hardware \$175.00 smcs; Ubiquiti \$2,136.84 co; Uddup \$51.66 smcs; Uline \$429.41 smcs; Union Bank & Trust \$106,150.35 ps; Unique \$174.75 smcs; United Airlines \$601.00 smcs; Univ. NE Event Reg. \$95.00 smcs; UPS \$23.89 smcs; USPS \$587.12 smcs; Van Wall \$33,257.00 co; Video Kingdom \$154.98 smcs; Village Services \$245.90 smcs; VVS \$59.22 smcs; W.T. Cox \$12,192.80 smcs; Walgreens \$29.94 smcs; Wal-Mart \$808.40 smcs; Waterlink \$709.41 smcs; Weaver, N \$74.89 smcs; Webstaurant Store \$1,600.73 smcs; Wedding Sisters \$101.97 smcs; Whitaker, H \$60.00 smcs; Wilcac Life \$10.00 ps; Wilkins ADP \$442.80 co; Wilson Sporting Goods \$171.09 smcs; Winter equipment \$1,990.70 smcs; Wolfe Comm. \$1,197.00 smcs; Yant Equipment \$30,322.00 co; Youtube TV \$274.24 smcs; Zoro Tools \$873.05 smcs,co; Payroll Ending 01/14/2023 -- \$604,141.84. 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 February 14, 2023 at 5:30 p.m. as date and time for hearing on those applications where applicable.
4. Adopt Resolution No. 2023-17 approving the revised City of Kearney Personnel Manual.

### **RESOLUTION NO. 2023-17**

WHEREAS, the City of Kearney has adopted a Personnel Manual since September 1, 1973, and has for several years prior to that time, maintained a cohesive personnel program including standard rules and regulations; and

WHEREAS, on August 22, 2006, the City Council formally adopted the revised Personnel Manual of the City of Kearney as the embodiment of the City's rules and regulations governing personnel matters; as amended by the City Council on December 26, 2007 by Resolution No. 2007-264, amended on October 28, 2014 by Resolution No. 2014-224, amended on October 25, 2016 by Resolution No. 2016-184, amended on March 27, 2018 by Resolution No. 2018-41, amended on May 22, 2018 by Resolution No. 2018-77, amended on September 22, 2020 by Resolution No. 2020-151; amended

on June 14, 2022 by Resolution No. 2022-120 and amended on August 23, 2022 by Resolution No. 2022-164; and

WHEREAS, the City Manager and administrative staff have made several revisions and essential changes to the latest version of the Personnel Manual adopted on August 22, 2006, as amended in 2007, 2014, 2016, 2018, 2020 and 2022 and have recommended the adoption of a newly revised Personnel Manual; and

WHEREAS, the City Council having reviewed these recommended revisions and changes, finds them to be appropriate and necessary to the continued effective performance of duties by employees of the City.

NOW, THEREFORE, BE IT RESOLVED by the President and Council of the City of Kearney, Nebraska, that the Personnel Manual adopted on August 22, 2006, as amended in 2007, 2014, 2016, 2018, 2020 and 2022, be and are hereby repealed.

BE IT FURTHER RESOLVED that the newly revised Personnel Manual be and is hereby adopted and will become effective immediately. A copy of the newly revised Personnel Manual, marked Exhibit "A", is attached hereto and made a part hereof by reference.

BE IT FURTHER RESOLVED that the City Manager is hereby authorized and directed to implement the policies and provisions of the said Personnel Manual in the fairest and most constructive manner possible.

PASSED AND APPROVED THIS 24TH DAY OF JANUARY, 2023.

ATTEST:  
PEGGY EYNETICH  
CITY CLERK

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

5. Approve the Plans and Specifications for a Carrier Vehicle with Snow Plow Attachment & Liquid De-Ice Material Spreader to be used at the Kearney Regional Airport and set the bid opening date for February 23, 2023 at 2:00 p.m.

6. Approve the Plans and Specifications for a Carrier Vehicle with Snow Broom (with Airblast System) Attachment to be used at the Kearney Regional Airport and set the bid opening date for February 23, 2023 at 2:00 p.m.

7. Adopt Resolution No. 2023-18 approving Application and Certificate for Payment No. 5 in the amount of \$1,166,212.42 submitted by John T. Jones Construction Co. and approved by Miller & Associates for the WWTP Phase II Improvements; Water Resource Recovery Facility.

**RESOLUTION NO. 2023-18**

WHEREAS, John T. Jones Construction Co. has performed services in connection with WWTP Phase II Improvements; Water Resource Recovery Facility, and the City's engineer, Miller & Associates, have filed with the City Clerk Application and Certificate for Payment No. 5 in the amount of \$1,166,212.42 as shown on Exhibit "A" attached hereto and made a part hereof by reference and as follows:

Original Contract Sum	<u>\$ 35,218,367.00</u>
Contract Sum To Date	35,218,367.00
Gross Amount Due	7,484,015.19
Retainage (10%)	<u>- 745,196.82</u>
Amount Due to Date	6,738,818.37
Less Previous Certificates for Payment	<u>5,572,605.95</u>
Current Payment Due	\$ 1,166,212.42
Balance to finish, including retainage	\$ 28,479,548.63

NOW, THEREFORE, BE IT RESOLVED by the President and Council of the City of Kearney, Nebraska, and hereby find and determine that Application and Certificate for Payment No. 5, as shown on Exhibit "A" be and are hereby accepted and approved.

PASSED AND APPROVED THIS 24TH DAY OF JANUARY, 2023.

ATTEST:  
PEGGY EYNETICH  
CITY CLERK

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

8. Adopt Resolution No. 2023-19 repealing Resolution No. 2022-180 and adopt the 2022-2023 Comprehensive Fee Schedule adding a new fee for large aircraft leasing space Hangar (T385).

**RESOLUTION NO. 2023-19**

WHEREAS, the Mayor and City Council of the City of Kearney have established fees for items and services provided to its citizens; and

WHEREAS, the Comprehensive Fee Schedule setting forth the fees for such items and services to be provided during the 2022-2023 fiscal year was adopted by Resolution No. 2022-180 on September 13, 2022, by the City Council; and

WHEREAS, the Comprehensive Fee Schedule attached hereto as Exhibit "A" sets out the proposed fees for such items and services to be provided during the 2022-2023 fiscal year; and

WHEREAS, it is recommended that such amended Comprehensive Fee Schedule be adopted.

NOW, THEREFORE, BE IT RESOLVED by the President and Council of the City of Kearney, Nebraska, that the amended Comprehensive **Fee Schedule** attached hereto as Exhibit "A" is hereby approved and adopted with an effective date of January 24, 2023.

BE IT FURTHER RESOLVED that Resolution No. 2022-180 be and is hereby repealed in its entirety as of January 24, 2023.

PASSED AND APPROVED THIS 24TH DAY OF JANUARY, 2023.

ATTEST:  
PEGGY EYNETICH  
CITY CLERK

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

9. Adopt Resolution No. 2023-20 approving the Annual Redevelopment Project Report as required by State Statute 18.2117.02.

**RESOLUTION NO. 2023-20**

WHEREAS, on March 21, 2018, Governor Ricketts signed LB 874 which took effect on July 19, 2018; and

WHEREAS, Section 18-2117.02 of LB 874 states that on or before May 1 of each year, each authority shall compile information regarding the approval and progress of redevelopment projects that are financed in whole or in part through the division of taxes as provided in section 18-2147 and report such information to the governing body of the city and to the governing body of each county, school district, community college area, educational service unit, and natural resources district whose property taxes are affected by such division of taxes; and

WHEREAS, the report is required to include the following information:

1. Total number of active redevelopment projects within the city that have been financed in whole or in part through the division of taxes as provided in section 18-2147.
2. Total estimated project costs for such redevelopment projects.
3. A comparison between the initial projected valuation for property included in each such redevelopment project as described in the redevelopment contract and the assessed value of the property included in each such redevelopment project as of January 1 of the year of the report.
4. The number of such redevelopment projects approved by the governing body in the previous calendar year.
5. Information specific to each such redevelopment project approved by the governing body in the previous calendar year, including the project area, project type, amount of financing approved, and total estimated project costs.
6. The number of such redevelopment projects for which financing has been paid in full during the previous calendar year and for which taxes are no longer being divided pursuant to section 18-2147.
7. The percentage of the city that has been designated as blighted; and

WHEREAS, on January 9, 2023, the Community Redevelopment Authority approved the 2023 annual report.

NOW, THEREFORE, BE IT RESOLVED by the President and Council of the City of Kearney, Nebraska, that the 2023 Annual Report required by Section 18-2117.02 of LB 874 as set forth in the attached report, marked Exhibit "A," attached hereto and made a part hereof by reference, are hereby approved.

PASSED AND APPROVED THIS 24TH DAY OF JANUARY, 2023.

ATTEST:  
PEGGY EYNETICH  
CITY CLERK

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

**V. CONSENT AGENDA ORDINANCES**

**ORDINANCE NO. 8619 REPEALING ORDINANCE NO. 8594 AND AMENDING THE SALARY ORDINANCE REFLECTING CHANGES OF CERTAIN POSITIONS**

Council Member Moore introduced Ordinance No. 8619, repealing Ordinance No. 8594 and amending the Salary Ordinance reflecting changes of certain positions 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. 8619. 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, Moore, Buschkoetter, Nikkila. Nay: None. Lear absent. Motion to suspend the rules having been concurred in by three-fourths of the City Council, said motion was declared passed and adopted. City Clerk read Ordinance No. 8619 by number. Roll call of those in favor of the passage of said ordinance on the first reading resulted as follows: Aye: Clouse, Moore, Buschkoetter, Nikkila. Nay: None. Lear absent. Motion carried. Ordinance was read by number.

Moved by Buschkoetter seconded by Clouse that Ordinance No. 8619 be passed, approved and published as required by law. Roll call resulted as follows: Aye: Clouse, Buschkoetter, Nikkila, Moore. Nay: None. Lear absent. Motion carried.

By reason of the roll call voted on the first reading and final passage of the ordinance, Ordinance No. 8619 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**

### **PROPOSED FUNDING FOR RYDE TRANSIT PUBLIC TRANSPORTATION PROGRAM TO ASSIST WITH OPERATING SUPPORT FOR THEIR UPCOMING FISCAL YEAR**

Mayor Clouse opened Regular Agenda Item 1 for consideration of Resolution 2023-21 authorizing proposed funding for RYDE Transit Public Transportation Program to assist with operating support for their upcoming Fiscal Year.

Michael Morgan, City Manager presented this matter to the Council. Mr. Morgan stated the proposed funding would assist with operating costs for the RYDE Program as they have increased substantially.

Council Member Randy Buschkoetter stated that the RYDE Program is an asset to Kearney.

Council Member Nikkila stated the RYDE Program fits the niche of the community's need.

Moved by Clouse seconded by Nikkila to approve Resolution 2023-21 authorizing proposed funding for RYDE Transit Public Transportation Program to assist with operating support for their upcoming Fiscal Year. Roll call resulted as follows: Aye: Clouse, Nikkila, Moore, Buschkoetter. Nay: None. Lear absent. Motion carried.

## RESOLUTION NO. 2023-21

WHEREAS, on January 17, 2023, the City of Kearney received a request from RYDE Transit to assist with expenses incurred with operating costs that includes: maintenance of RYDE vehicles, fuel, payroll and software maintenance; and

WHEREAS, it is the mission of RYDE Transit to provide safe, efficient, affordable public transportation to area residents in accordance with Local, State and Federal guidelines and provides demand-responsive public transportation to the residents of Kearney for medical appointments, shopping, congregate dinners and social activities; and

WHEREAS, it is the responsibility of RYDE Transit to provide services economically, and in accordance with, sound management practices and procedures under the direction of the Community Action Partnership of Mid-Nebraska allowing for RYDE Transit services to be open to the public at low-cost fares; and

WHEREAS, RYDE Transit prides itself on providing safe and reliable transit services to the citizens of Kearney and provides demand responsive curb-to-curb services daily; and

WHEREAS, the City of Kearney, in support of the ongoing benefit that RYDE Transit provides to citizens living in Kearney as well as surrounding communities, and RYDE Transit's significant increase in operational costs that include maintenance, fuel, payroll and software maintenance, desires to pledge and allocate \$44,000.00 from Special Sales Tax, to assist with increased operational costs.

NOW, THEREFORE, BE IT RESOLVED by the President and Council of the City of Kearney, Nebraska, authorize \$44,000.00 from the City of Kearney, for assistance with the significant increase in RYDE Transit operational costs.

PASSED AND APPROVED THIS 24TH DAY OF JANUARY, 2023.

ATTEST:  
PEGGY EYNETICH  
CITY CLERK

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

### **INTRODUCTION OF CITY STAFF**

Mayor Clouse opened Regular Agenda Item 2 pertaining to the introduction of Assistant Human Resources Director, Kelly Korgel and Risk Management Technician Terra Gibson. This presentation was for informational purposes only.

Shawna Erbsen, Director of Administrative Services, introduced Kelly Korgel, Assistant Human Resources Director and Terra Gibson, Risk Management Technician. Ms. Erbsen stated the primary role of the Human Resources Department is to provide support to all City Departments.

Ms. Korgel stated she has worked for the City for nearly 10 years and has worked with both the City Clerk and in Human Resources. Ms. Korgel stated her primary roles as the Assistant Human Resources Director, include working with City employees regarding health insurance, Family and Military Leave Act (FMLA), garnishments and new employee orientation.

Ms. Gibson stated she is new to the position and the City of Kearney and detailed her job

duties some of which include: handling insurance policies, processing claims and managing overall employee safety.

Council thanked Ms. Korgel and Ms. Gibson for their presentation.

### **OPEN ACCOUNT CLAIM**

Moved by Nikkila seconded by Moore that the Open Account Claim in the amount of \$95,976.42 payable to Nebraska Public Power District be allowed. Roll call resulted as follows: Aye: Moore, Buschkoetter, Nikkila. Nay: None. Clouse abstained. Lear absent. Motion carried.

## **VII. REPORTS**

Council Member Buschkoetter commended City staff for their efforts in snow and ice removal from streets and city owned property. Council Member Nikkila added that a vast majority of the community is appreciative of Staff's hard work.

Council Member Tami Moore stated RYDE Transit is instrumental to family service agencies and expressed the need to revisit conversations on additional public transit to serve the community.

Mr. Morgan stated snow removal efforts continue and noted City streets have been cleared numerous times. Mr. Morgan further stated Wendell Wessels, Finance Director will retire on January 27th after 36 years with the City and noted Mr. Wessels has done tremendous work managing the complexities of municipal finance and support for Council as well as all City Departments.

### **CLOSED SESSION**

Moved by Clouse seconded by Nikkila that Council adjourn into closed session at 5:59 p.m. for the protection of the public interest to discuss real estate matters. Roll call resulted as follows: Aye: Clouse, Buschkoetter, Nikkila, Moore. Nay: None. Lear absent. Motion carried.

Mayor Clouse restated the purpose for the closed session is for the protection of the public interest to discuss real estate matters. According to law, the Council has the option to reconvene back into open session and may take any formal action it deems appropriate.

Moved by Buschkoetter seconded by Clouse that Council reconvene in regular session at 6:21 p.m. Roll call resulted as follows: Aye: Clouse, Nikkila, Moore, Buschkoetter. Nay: None. Lear absent. Motion carried.

## **VIII. ADJOURN**

Moved by Clouse seconded by Nikkila that Council adjourn at 6:21 p.m. Roll call resulted as follows: Aye: Clouse, Nikkila, Moore, Buschkoetter. Nay: None. Lear absent. Motion

carried.

**ATTEST:**

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**PEGGY EYNETICH  
CITY CLERK**

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