

*Kearney, Nebraska
May 8, 2012
7:00 p.m.*

A meeting of the City Council of Kearney, Nebraska, was convened in open and public session at 7:00 p.m. on May 8, 2012 in the Council Chambers at City Hall. Present were: Stanley A. Clouse, President of the Council; Michaelle Trembly, City Clerk; Council Members Randy Buschkoetter, Don Kearney, Bruce Lear, and Bob Lammers. Absent: None. Michael Morgan, City Manager; Michael Tye, City Attorney; Wendell Wessels, Director of Finance; Shawna Erbsen, Director of Administrative Services; Kirk Stocker, Director of Utilities; Rod Wiederspan, Director of Public Works; and Dan Lynch, Chief of Police were also present. Some of the citizens present in the audience included: Candy Kuntz, Ed Butler, Charles McGraw, Jacob Sertich, Jonathan Nikkila, Steve Altmaier from KGFW Radio, Mike Konz from 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

With the absence of a representative from the Kearney Ministerial Association, the Council held a moment of silent prayer.

PLEDGE OF ALLEGIANCE

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

ANNOUNCEMENT

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

ORAL COMMUNICATIONS

There was no Oral Communications.

II. UNFINISHED BUSINESS

There was no Unfinished Business.

III. PUBLIC HEARINGS

AMEND LAND USE MAP FOR SOUTH OF 56TH STREET EAST OF ANTELOPE AVENUE

Mayor Clouse stated that Public Hearings 1 and 2 pertain to property located south of 56th Street east of Antelope Avenue as submitted by the City of Kearney and Two Sisters Farms. Public Hearing 1 is an amendment to the Land Use Map from Mixed Use 3 to Business Park and Public Hearing 2 is rezoning of the property from Agricultural District to Business Park/Planned Development Overlay District. These public hearings were postponed on April 24, 2012 and will remain on the table.

REZONING FOR SOUTH OF 56TH STREET EAST OF ANTELOPE AVENUE

Mayor Clouse stated that Public Hearings 1 and 2 pertain to property located south of 56th Street east of Antelope Avenue as submitted by the City of Kearney and Two Sisters Farms. Public Hearing 1 is an amendment to the Land Use Map from Mixed Use 3 to Business Park and Public Hearing 2 is rezoning of the property from Agricultural District to Business Park/Planned Development Overlay District. These public hearings were postponed on April 24, 2012 and will remain on the table.

AMENDMENT TO CDBG #10-ED-004

Mayor Clouse opened the public hearing on a proposed Amendment to the Community Development Block Grant (10-ED-004) for land acquisition activities for a potential Power Park/Data Center project.

Candy Kuntz from Miller & Associates presented this matter to the Council. The Nebraska Department of Economic Development (NDED) awarded the City of Kearney funds for economic development activities for the purposes of acquiring property for a potential power park/data center. The initial grant was awarded to the City in 2010. The NDED is allowing the City to amend the previous grant contract to allow for additional funds to be awarded for land acquisition activities for the same purpose.

The proposed amendment would add funds to Grant #10-ED-004 to allow the City to acquire an additional 53.34 acres adjacent to the previously acquired land for the potential power park/data center.

The following budget indicates the **original** contracted grant amount:

	Activity Description	Approved CDBG Amount	Matching Funds	Total Funds
Activity 0010	Real Estate Acquisition	675,000	675,000	1,350,000
Activity 0181	General Administration	5,000	0	5,000
	TOTAL	680,000	675,000	1,355,000

The following budget indicates the proposed **amended** contract budget amounts:

	Activity Description	Amended CDBG Amount	Matching Funds	Total Funds
Activity 0010	Real Estate Acquisition	925,000	1,625,150	2,550,150
Activity 0181	General Administration	5,000	0	5,000
	TOTAL	930,000	1,625,150	2,555,150

NDED is awarding the City an additional \$250,000 of CDBG funds for acquisition and the City will be required to match an additional \$950,150 to complete the real estate purchase. In addition, NDED will require the City to increase the number of jobs created for the project from 22 to 29 jobs. At least 51 percent of these jobs must be held by, or made available to, low-to-moderate income persons.

The acquisition of the 53.34 acres will be completed once all Uniform Relocation Act requirements are met, the environmental review is approved by NDED, and a signed amendment is received from NDED and executed by the City or a pre-agreement letter is received by the City from NDED.

Council member Lammers asked if taking applications from lower income level people meets the requirement under this grant even if they are not hired. Ms. Kuntz stated when they negotiated the Memorandum of Understanding, they asked for this clause to be put in, rather than it saying "be held by". As long as the positions are offered to low and moderate income persons and they have an opportunity to be part of the interviewing and hiring process, it would meet the qualification. They would not be required to hire those applicants if they did not meet the criteria for the position.

There was no one present in opposition to this hearing.

Moved by Kearney seconded by Lammers to close the hearing and approve the amendment to increase funds for Grant #10-ED-004 to be used for additional land acquisition activities for the potential power park/data center site. Roll call resulted as follows: Aye: Clouse, Lear, Lammers, Kearney, Buschkoetter. Nay: None. Motion carried.

IV. CONSENT AGENDA

Moved by Lammers seconded by Lear that Subsections 1 through 10 of Consent Agenda Item IV be approved. Roll call resulted as follows: Aye: Clouse, Lammers, Kearney, Buschkoetter, Lear. Nay: None. Motion carried.

1. Approve Minutes of Regular Meeting held April 24, 2012.
2. Approve the following Claims:

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

3M \$243.00 smcs; Aflac \$3,196.16 ps; Arrendondo,C \$6.83 smcs; Ask Supply \$256.22 smcs; Baker & Taylor Books \$2,560.24 smcs; Blackstone Audiobooks \$108.75 smcs; Blessing \$95,012.88 co; Bluecross Blueshield \$115,556.81 smcs; Bob's Super Store \$182.51 smcs; Bosselman \$1,067.89 smcs; Broadfoot's \$32.50 smcs; Bryan,T \$48.87 smcs; Buffalo Co Treasurer \$22.00 co; Buffalo Co Comm Partners \$60.00 smcs; Buffalo Co Reg Deeds \$278.50 smcs; Builders \$353.25 smcs,co; Capital Business Systems \$306.32 smcs; Career Cruising \$795.00 smcs; Carlson,R \$34.00 smcs; Casey's General Store \$65.42 smcs; Cash-Wa \$3,218.78 smcs; Charter \$39.99 smcs; Chesterman \$1,102.07 smcs; City of Ky \$348,282.97 smcs,co,ps,ds; Comm Action Partnership \$77.00 smcs; Construction Rental \$160.00 smcs; Cook,R \$1,200.00 smcs; Copycat Printing \$79.47 smcs; Cumbres & Toltec Senic \$2,840.00 smcs; Curb-It \$200.00 smcs; Danko Emergency \$460.38 smcs; Dell \$9,969.00 smcs,co; Demco \$3,129.70 co; Dmilaco \$920.00 smcs; Dutton-Lainson \$55.21 smcs; Eakes \$2,281.37 co; Easy Picker Golf Products \$147.12 smcs; Egan Supply \$766.04 smcs; Eirich,T \$50.00 smcs; Eppley Express \$644.00 smcs; Fairbanks \$206.70 smcs; Fiddelke \$238.00 smcs; Fireguard \$87.23 smcs; Flaherty,T \$333.00 smcs; Footjoy \$108.57 smcs; Fort Bend Services \$5,653.44 smcs; Gale \$446.13 smcs; Gangwish Turf \$102.30 co; Garrett Tires \$164.95 smcs; Gear for Sports \$940.89 smcs; General Properties \$13.77 smcs; Goetz,S \$50.00 smcs; Gough,P \$195.00 smcs; Groove Club \$400.00 smcs; Gubser,A \$88.00 smcs; Haack,S \$123.21 smcs; HD Supply \$7,630.00 smcs; Heartland Transmission \$811.00 smcs; Heggemeyer,L \$24.07 smcs; Hometown Leasing \$207.71 smcs; Hydrite Chemical \$3,619.66 smcs; IA,NE,SD PRIMA Chapter \$40.00 smcs; ICMA RC \$3,755.71 ps; IRS \$108,500.24 ps; ISU Extension \$250.00 smcs; Jack Lederman \$776.51 smcs; Jelinek,T \$91.45 smcs; Johnson Service \$19,130.00 smcs; Ky Comm Foundation \$74,525.00 smcs; Ky Concrete \$427.50 co; Ky Hub \$538.50 smcs; Ky United Way \$695.74 ps; Ky Visitors Bureau \$42,450.64 smcs; KVFD \$652.51 smcs; Konica Minolta \$1,981.67 smcs; Kovar,M \$92.13 smcs; Krull Ins \$1,950.00 smcs; Lang,L \$119.46 smcs; Larson,M \$26.81 smcs; Larue Distributing \$128.93 smcs; League of NE Municipalities \$327.69 smcs; Luke,D \$7.45 smcs; Magic Cleaning \$300.00 smcs; Marshall,I \$470.00 smcs; McLeod,V \$220.00 smcs; Metlife \$7,359.10 ps; Mid-NE Garage Doors \$100.00 smcs; Miller & Associates \$15,534.91 smcs,co; Municipal Emergency Serv \$68.60 smcs; Municipal Supply \$1,793.86 smcs; NE Child Support \$2,138.82 ps; NE Dept of Revenue \$34,764.08 ps; NE DOL/Office of Safety \$100.00 smcs; NE Environmental Products \$235,933.00 co; NE Planning & Zoning \$505.00 smcs; NE Sec of State \$150.00 smcs; Neopost \$6,643.92 smcs; Nerverve,C \$4,104.00 smcs; New World Systems \$1,328.20 co; Northwestern Energy \$3,654.59 smcs; NOVA Fitness Equipment \$595.00 ps; NWAGA \$25.00 smcs; Outdoor Recreation \$21,893.80 smcs,co; Overhead Door \$65.00 smcs; Paramount \$91.87 smcs; Pat's Plumbing \$65.00 smcs; Patterson,B \$104.66 smcs; Payflex Systems \$527.00 smcs,ps; Peck,D \$3.14 smcs; Peerless Machine \$20,467.40 smcs; Peoplecube \$300.00 smcs; Pep Co \$53.66 smcs; Pitney Bowes \$45.00 smcs; Platte Valley Comm \$2,357.15 smcs; Pulliam,R \$40.00 smcs; Quatred \$229.50 smcs; RW Sorensen Construction \$2,500.00 co; Random House \$72.00 smcs; Recorded Books \$1,139.26

smcs; Reed,D \$145.00 smcs; Reineke,B \$90.83 smcs; Rieck,M \$21.32 smcs; Ruhlman,C \$31.80 smcs; Salem Press \$316.00 smcs; Sapp Brothers \$30,962.27 smcs; Scorr Marketing \$9,000.00 smcs; Sid Dillon \$46,808.00 co; Snow,T \$50.00 smcs; SOS Portable Toilets \$106.25 smcs; State of NE/AS Central \$3,661.45 smcs; Steinbrink Landscaping \$1,396.25 smcs; Sun Life Financial \$52,461.85 smcs; Taylor Made \$6.41 smcs; Team Effort \$412.99 smcs; Thompson Co \$87.08 smcs; Thomson West \$1,063.68 smcs; Tielke Enterprise \$117.74 smcs; Titleist \$4,102.19 smcs; TruGreen ChemLawn \$192.00 smcs; Ultra Chem \$497.62 smcs; Union Bank \$53,498.18 ps; United Way \$20.00 smcs; Van Diest \$8,728.79 smcs; Verizon Wireless \$996.24 smcs; Village Uniform \$161.70 smcs; Walters Electric \$5,775.00 co; Warren-T Plumbing \$522.50 smcs; Watchguard Video \$284.25 co; Wegner,T \$145.50 ps; Wells Fargo Bank \$500.00 smcs; Windy Prairie Systems \$22,100.00 co; Zimmerman Printers \$829.49 smcs; Payroll Ending 4-21-2012 -- \$350,610.57. 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. Postponed until May 22, 2012. Adopt **Resolution No. 2012-72** approving developing standards to be applied toward the development of the Tech oNE Crossing Business Park located at the southeast corner of 56th Street and Antelope Avenue.

4. Approve the application for a Special Designated License submitted by Kearney BBQ, dba Skeeter Barnes in connection with their Class IK-55865 catering liquor license to dispense beer, wine and distilled spirits inside the Kearney Area Children's Museum located at 5827 4th Avenue on June 15, 2012 from 6:00 p.m. until 11:00 p.m. for a reception.

5. Grant an Irrigation Line Easement to TWL, LLC on a tract of land being a part of the South Half of the Northeast Quarter of Section 24, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska and adopt **Resolution No. 2012-73**.

RESOLUTION NO. 2012-73

BE IT RESOLVED by the President and City Council of the City of Kearney, Nebraska, that the President be and is hereby authorized and directed to execute the Irrigation Line Easement, on behalf of the City of Kearney, Nebraska, with TWL, LLC, a Nebraska Limited Liability Company, a copy of the Easement, marked Exhibit "1", is attached hereto and made a part hereof by reference.

PASSED AND APPROVED THIS 8TH DAY OF MAY, 2012.

ATTEST:
MICHAELLE E. TREMBLY
CITY CLERK

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

6. Approve the application for a Special Designated License submitted by World Theatre Foundation to dispense beer, wine and distilled spirits at The World Theatre located at 2318 Central Avenue on June 29 and 30, 2012 from 5:00 p.m. until 1:00 a.m. each day for a reception.

7. Approve the application for a Special Designated License submitted by Juan Lazo, dba El Tropic in connection with their IBK-37623 catering liquor license to dispense beer and distilled spirits in the Exhibit Building located at the Buffalo County Fairgrounds, 3807 Avenue N, on June 9, 2012 from 6:00 p.m. until 1:00 a.m. for a dance.

8. Approve the application for a Special Designated License submitted by Night Life Concepts, Inc., dba Cunningham's Journal in connection with their Class CK-59311 catering liquor license to dispense beer, wine and distilled spirits in a tent and fenced area located in the parking lot of Kearney Yamaha, 511 2nd Avenue, on June 21, 2012 from 4:00 p.m. until 10:00 p.m. for a sampling/tasting/concert (alternate location inside Kearney Yamaha).

9. Approve the application for a Special Designated License submitted by Night Life Concepts, Inc., dba Cunningham's Journal in connection with their Class CK-59311 catering liquor license to dispense beer, wine and distilled spirits in a tent and fenced area located in the parking lot of Kearney Yamaha, 511 2nd Avenue, on August 2, 2012 from 4:00 p.m. until 10:00 p.m. for a sampling/tasting/concert (alternate location inside Kearney Yamaha).

10. Adopt **Resolution No. 2012-74** approving Change Order No. 1 showing an increase in the amount of \$10,371.65 submitted by Dominion Construction Company for the 2011 Part 4 Improvements; School Crossing Traffic Signal Construction for Kenwood Elementary School and Sunrise Middle School.

RESOLUTION NO. 2012-74

WHEREAS, Dominion Construction Company has performed services in connection with the 2011 Part 4 Improvements; School Crossing Traffic Signal Construction for Kenwood Elementary School and Sunrise Middle School, has filed with the City Clerk Change Order No. 1 showing an increase to the contract sum in the amount of \$10,371.65, as shown on Exhibit "A", attached hereto and made a part hereof by reference as follows:

Original Contract Sum	\$63,077.50
Change Order No. 1 (5-8-2011)	<u>+10,371.65</u>
Contract Sum to Date	\$73,449.15

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", be and is hereby accepted and approved.

PASSED AND APPROVED THIS 8TH DAY OF MAY, 2012.

ATTEST:
 MICHAELLE E. TREMBLY
 CITY CLERK

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

V. CONSENT AGENDA ORDINANCES

ORDINANCE NO. 7724 GRANTING FRANCHISE AGREEMENT TO UNITE PRIVATE NETWORKS

Unite Private Networks has requested the grant of a telecommunication franchise with the City of Kearney. This company intends to construct fiber optic connections between several Kearney Public Schools buildings and pursuant to City Code they would need a franchise in order to complete this project. Unite Private Networks, LLC, has agreed to comply with City Code for use of City right-of-way and pay City occupation tax with reference to this system. This franchise is similar to the one that was recently granted to Windstream and several others that the City has granted to other entities.

Council Member Lear introduced Ordinance No. 7724, being Subsection 1 of Agenda Item V granting Unite Private Networks, LLC a non-exclusive franchise to construct, install, operate, maintain or otherwise locate telecommunication facilities in public ways within the City of Kearney, 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. 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, Lammers, Kearney. 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. 7724 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, Lammers, Kearney. Nay: None. Motion carried. Ordinance was read by number.

Moved by Buschkoetter seconded by Clouse that Ordinance No. 7724 be passed, approved and published as required by law. Roll call resulted as follows: Aye: Clouse, Lear, Lammers, Kearney, Buschkoetter. Nay: None. Motion carried.

By reason of the roll call voted on the first reading and final passage of the ordinance, Ordinance No. 7724 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. 7725 VACATING A PORTION OF AVENUE G NORTH OF 10TH STREET AND SOUTH OF 11TH STREET

Items 1 and 2 of the Regular Agenda were discussed together but voted on separately.

The applicant is requesting approval to vacate the 60-foot wide right-of-way platted as Avenue G between vacated 10th Street and 11th Street. The applicant owns the

property on both sides of Avenue G and plans to develop the east property in the near future for a bus operations and maintenance facility for the RYDE program. This portion of Avenue G is not critical for access or circulation within the City street system. Therefore, the City staff supports the vacation request. The 60-foot wide vacated strip will be retained as a public utility easement. An access to 11th Street that aligns with Avenue G to the north will be constructed with this project to provide shared access to the RYDE facility and HEADSTART to the west. The existing curb cut to 11th Street at HEADSTART will be closed no later than September 30, 2015.

Even though Avenue G is a platted street south of vacated 10th Street, it has yet to be installed. In the future, when this portion of Avenue G is installed, a cul-de-sac turnaround will be required at the north terminus of the street. The applicant will be responsible for the cost and the installation of said cul-de-sac since the vacation of Avenue G to the north of 10th Street is the cause for needing the cul-de-sac. A Development Agreement that allows the City to postpone assessments for improvement districts owed by Mid-Nebraska Community Action until September 30, 2015 has been prepared. Such assessments may include the paving of the Avenue G cul-de-sac and water, sewer and paving for Avenue H extended south from 11th Street to provide access to the east side of the property.

Charles McGraw, Transportation Director for Community Action Partnership of Mid-Nebraska presented this matter to Council. He stated the entrance to their bus transit facility will be from Avenue G onto the property south of 11th Street.

City Manager Michael Morgan stated there has been a lot of give and take to accomplish this for the present and in the future if additional improvements need to be made. He believed that the agreement that has been reached will be advantageous to everyone involved.

Council Member Clouse introduced Ordinance No. 7725, being Subsection 1 of Agenda Item VI vacating a portion of Avenue G abutting Lot 6 of Pennecks Subdivision and Lots 13 through 22, inclusive of South Park Addition to the City of Kearney, Buffalo County, Nebraska (north of vacated 10th Street and south of 11th Street), 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 Kearney seconded the motion to suspend the rules. 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, Lammers, Kearney, 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. 7725 by number. Roll call of those in favor of the passage of said ordinance on the first reading resulted as follows: Aye: Clouse, Lammers, Kearney, Buschkoetter, Lear. Nay: None. Motion carried. Ordinance was read by number.

Moved by Kearney seconded by Lammers that Ordinance No. 7725 be passed, approved and published as required by law. Roll call resulted as follows: Aye: Clouse, Kearney, Buschkoetter, Lear, Lammers. Nay: None. Motion carried.

By reason of the roll call voted on the first reading and final passage of the ordinance, Ordinance No. 7725 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.

DEVELOPMENT AGREEMENT FOR RYDE TRANSIT TRANSPORTATION FACILITY

Items 1 and 2 of the Regular Agenda were discussed together but voted on separately.

Mayor Clouse opened for discussion the Development Agreement for RYDE Transit Transportation Facility between the City of Kearney and Community Action Partnership of Mid-Nebraska for a tract of land being developed as a bus facility planned in a campus type setting adjacent to the Education Building/Head Start facility to the west and consider Resolution No. 2012-75.

Moved by Lammers seconded by Lear to adopt **Resolution No. 2012-75** approving the Development Agreement for RYDE Transit Transportation Facility between the City of Kearney and Community Action Partnership of Mid-Nebraska for a tract of land being developed as a bus facility planned in a campus type setting adjacent to the Education Building/Head Start facility to the west. Roll call resulted as follows: Aye: Clouse, Buschkoetter, Lear, Lammers, Kearney. Nay: None. Motion carried.

RESOLUTION NO. 2012-75

BE IT RESOLVED by the President and Council of the City of Kearney, Nebraska, that the Mayor be and is hereby authorized to execute on behalf of the City of Kearney, the Development Agreement for RYDE Transit Transportation Facility with Community Action Partnership of Mid-Nebraska setting forth the responsibilities of the parties with regard to a tract of land being developed as a bus facility planned in a campus type setting adjacent to the Education Building/Head Start facility to the west. The Development Agreement, marked as Exhibit "A", is attached hereto and made a part hereof by reference.

PASSED AND APPROVED THIS 8TH DAY OF MAY, 2012.

ATTEST:
MICHAELLE E. TREMBLY
CITY CLERK

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

OPEN ACCOUNT CLAIMS: STAN CLOUSE - \$150.96, SCHOOL DISTRICT #7 - \$3,684.15

Moved by Lear seconded by Buschkoetter that the Open Account Claim in the amount of \$150.96 payable to Stan Clouse be allowed. Roll call resulted as follows: Aye: Lear, Lammers, Kearney, Buschkoetter. Nay: None. Clouse abstained. Motion carried.

Moved by Clouse seconded by Kearney that the Open Account Claim in the amount of \$3,684.15 payable to School District #7 be allowed. Roll call resulted as follows: Aye: Clouse, Kearney, Lear. Nay: None. Buschkoetter and Lammers abstained. Motion carried.

VII. REPORTS

UPDATE ON PROJECTS

City Manager Michael Morgan updated the Council on different projects. He stated that the 5th Avenue project is underway, as well as other street projects. They have a bid date of May 17 for the 2nd Avenue improvements. There will be some aesthetic median work done on east Highway 30. The landscaping at the Airport is ready to get started. The splash ground at Yanney Park is getting a surface treatment due to getting some complaints that it is slick. They found a treatment that will provide some texture to that surface. There will be a ribbon cutting for the Sertoma Shelter at Dryden Park on May 21. An emergency shelter at the Golf Course has just been completed and several tee boxes have been improved. It is the season for the Park and Recreation Department to get started with their clean up and maintenance.

VIII. ADJOURN

Moved by Kearney seconded by Lammers that Council adjourn at 7:13 p.m. Roll call resulted as follows: Aye: Clouse, Kearney, Buschkoetter, Lear, Lammers. Nay: None. Motion carried.

ATTEST:

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

**MICHAELLE E. TREMBLY
CITY CLERK**