

Kearney, Nebraska
June 25, 2013
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 June 25, 2013 in the Council Chambers at City Hall. Present were: Stanley A. Clouse, President of the Council; Michaelle Trembly, City Clerk; Council Members Randy Buschkoetter, Bruce Lear, Bob Lammers and Jonathan Nikkila. Absent: None. Michael Morgan, City Manager; Michael Tye, City Attorney; Wendell Wessels, Director of Finance; Suzanne Brodine, Assistant City Manager/Development Services Director; Kirk Stocker, Director of Utilities; Rod Wiederspan, Director of Public Works; Dan Lynch, Chief of Police; and Shawna Erbsen, Director of Administrative Services were also present. Some of the citizens present in the audience included: Eric Hellriegel, Steve Altmaier from KGFW Radio, Adam Konruff 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

SILENT PRAYER

The Council held a moment of silent prayer.

PLEDGE OF ALLEGIANCE

The 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.

ORAL COMMUNICATIONS

There was no Oral Communications.

II. UNFINISHED BUSINESS

There was no Unfinished Business.

III. PUBLIC HEARINGS

CDBG APPLICATION FOR STREET/SIDEWALKS/RAMPS: CENTRAL AVENUE FROM 26TH STREET TO 31ST STREET

Mayor Clouse opened the public hearing concerning an application to the Department of Economic Development for a Community Development Block Grant Program for community revitalization activities for Central Avenue from 26th Street to 31st Street and to consider Resolution No. 2013-113.

The Comprehensive Revitalization program is a funding category within the Community Development Block Grant program funded and developed by the Nebraska Department of Economic Development. This program allows DED to conditionally guarantee grant awards in 2013, 2014 and 2015 for non-entitlement local governments, between 20,000 and 49,999 populations, based on the number of low- and moderate-income (LMI) persons residing in the community. The method for allocating funds through the CR category presents the following advantages:

- Ability to make greater impact through guaranteed funding for longer period of time;
- Larger, urban municipalities who are non-entitlement communities are eligible;
- CDBG funding is more effectively targeted to persons with lower incomes.

The proposed project funds will be used for improvements in the targeted Census Tract which spans an area west to east from 1st Avenue to Avenue C, and north to south from 22nd Street to 31st Street. The target area is located in central Kearney. These blocks require significant improvements to streets, storm sewer infrastructure, and sidewalks since there are gaps in the sidewalk system as well as lack of handicap ramps at intersections to meet ADA requirements. The selected area contains 57.2 percent LMI households as documented by the 2012 Census estimates.

The proposed project is already budgeted in the Special Sales Tax CIP as "Central Ave. 26th St to 31st St" with bonding and construction set for 2014. The total funds for the project from CDBG are estimated at \$150,000; \$138,000 will be used for construction and \$12,000 for grant administration. Matching funds in the amount of \$138,000 are required for the grant will come from local sales tax funds, already budgeted for this project. The total amount budgeted for this project is \$1.42 million. If awarded, the grant will reduce this amount to \$1.282 million.

The City is responsible for 1:1 leverage. Because of the number and nature of the needs discovered during the assessment process, Kearney citizens voted overwhelmingly to implement a ½ cent sales tax, effective April 1, 2006. Combining program funding and the sales tax money will provide the opportunity to serve the low- and moderate-income populations and to improve accessibility from the residential neighborhoods to the public facilities, business communities and along major arterial streets that is the responsibility of the community.

The project will be completed in 2014-2015, during which residents can expect to see a combination of improvements to sidewalks, streets, and accessible sidewalk ramps at

intersections. When construction starts in the 2014, it is anticipated there will be a staged construction in order to keep traffic flow in that area.

It is proposed to remove existing paving and reconstruct Central Avenue from 26th Street to 31st Street. Sidewalks and gutters will be replaced and accessible sidewalk ramps constructed at intersections. The proposed improvements are to pave approximately 2250 L.F. of 4-foot wide sidewalks, 900 L.F. of storm sewer with inlets and manholes, and construct ADA ramps in the area with detectable warnings.

Eric Hellriegel from Miller & Associates presented this matter to the Council. In May he presented an update on the strategy plan, worked with City staff and has identified this Phase I project. The project focuses on Central Avenue from 26th Street to 31st Street. The project will encompass paving Central Avenue and will also include some sidewalk improvements, some storm sewer improvements and the improvement of ADA ramps in that neighborhood. There are also a couple sections of brick sidewalks in this area. The project and construction will take place primarily early to mid-next year.

Council Member Lammers noticed that low to moderate income area was 57.2 percent - what is the target. Mr. Hellriegel stated that the target neighborhoods have a 51 percent or more area of low income percentage.

Mayor Clouse asked about the design of the street. Public Works Director Rod Wiederspan stated the City is looking at probably putting it in a little bit narrower. He did not know if it would be 36-foot wide which is the street standard for that particular street with the amount of traffic and the parallel parking that use it to date. It will be addressed when they start to design it. Staff talked about a boulevard at one time but has ruled that out. Mayor Clouse stated the boulevard is okay but the street is used for parades and other events. It is believed that the current width of that street is 44 feet. Public Works Director stated that currently there are a lot of cars that parallel park on that street. The extra width makes it easier for them to get in and out and easier for traffic to flow.

Council Member Nikkila asked why the City would narrow it more than it is now. City Manager stated the cost and the standard street is 36 feet wide.

Council Member Lammers asked if there is a way to have a modified median for a modified boulevard in terms of a center island that is not as wide as their standard there. City Manager stated that the island would create more problems for the events using the street. Putting in a smaller island would make the costs go up.

City Manager stated it would be interesting to look at somewhere between 36 feet to 44 feet and to see if there is a little room to be gained and still save the trees. Public Works Director stated that 40 feet would be a little bit wider but narrower than what it is today and it would allow the City to save all the trees that are there.

Council Member Nikkila stated that the proposal states there are three phases. Mr. Hellriegel stated the application before this is just Phase 1. They will come back at later dates with separate projects for Phase 2 and Phase 3. All three phases could not be combined because there is not enough overlap as far as timing to get funds extended. City Manager stated having the sales tax funds makes it easy for the City to maximize with matching the grant.

There was no one present in opposition to this hearing.

Moved by Lammers seconded by Nikkila to close the hearing concerning an application to the Department of Economic Development for a Community Development Block Grant Program for community revitalization activities for Central Avenue from 26th Street to 31st Street and adopt **Resolution No. 2013-113**. Roll call resulted as follows: Aye: Clouse, Nikkila, Lammers, Buschkoetter, Lear. Nay: None. Motion carried.

RESOLUTION NO. 2013-113

WHEREAS, the City of Kearney, Nebraska, is an eligible unit of a general local government authorized to file an application under the Housing and Community Development Act of 1974 as amended for Small Cities Community Development Block Grant Program; and

WHEREAS, the City of Kearney, Nebraska, has obtained its citizens' comments on community development and housing needs; and has conducted public hearing(s) upon the proposed application and received favorable public comment respecting the application which for an amount of City of Kearney for \$150,000 for street/sidewalk and storm sewer activities on Central Avenue from 26th Street to 31st Street.

NOW, THEREFORE, BE IT RESOLVED by the President and Council of the City of Kearney, Nebraska, that the Mayor be authorized and directed to proceed with the formulation of any and all contracts, documents or other memoranda between the City of Kearney and the Nebraska Department of Economic Development so as to effect acceptance of the grant application.

PASSED AND APPROVED THIS 25TH DAY OF JUNE, 2013.

ATTEST:
MICHAELLE E. TREMBLY
CITY CLERK

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

CDBG APPLICATION FOR MIDLAND MOLDING, 2905 EAST 39TH STREET

Mayor Clouse opened the public hearing concerning an application to the Department of Economic Development for a grant under the Community Development Block Grant program for economic development activities for Midland Molding and to consider Resolution No. 2013-114.

The Economic Development Loan program is a funding category within the Community Development Block Grant program funded and developed by the Nebraska Department of Economic Development. This program assists communities with incentivizing new and expanding businesses. By submitting an application, the City of Kearney agrees that 51 percent of jobs created or retained through the remodeling and expanding of facilities will benefit low- to moderate-income persons.

Midland Molding is an injection molding company that has been in operation for over 20 years. The company is locally owned and currently employs 22 full-time employees and 1 part-time. In addition, the company is currently utilizing a temporary workforce of 8 full-time through a temp agency. All permanent full-time positions are offered health and dental, vacation, holiday and sick pay. The company's annual sales exceed \$6

million with over 40 percent sold to companies outside of Nebraska.

The company is seeking to expand in their existing facility in Kearney with the addition of a new building and production equipment. The expansion will result in sales in the next five years reaching \$13 million with over 60 percent sold to companies outside of Nebraska. The company has a track record of hiring unskilled labor and then offering training and advancement opportunities for those that excel. The Economic Development Council of Buffalo County feels strongly that Midland Molding would be an ideal candidate for working with LMI.

The City of Kearney is requesting \$300,000 for economic development activities, including working capital and general administration. Matching funds in the amount of \$1,275,000 will be provided by the business. The expansion will create 16 full-time equivalent (FTE) positions by March 31, 2015.

Eric Hellriegel from Miller & Associates presented this matter to the Council. He stated Midland Molding is a very prosperous business on the east side of town. They are interested in accessing Economic Development funds. The City will service the applicant for these funds and those funds will be distributed through the business based on what their intent of using the funds. In this particular case, they are going to add some equipment and do some remodeling in their existing manufacturing facility to increase their manufacturing capacity. With this expansion, it will allow them to stretch out their production part as well as being able to add and have the capability to do some new products and hopefully be in a position to maximize their ability to serve their clients all over the United States. In this case, Community Development Block Grant funds that they will have access to is approximately 19 percent. The Department of Economic Development wants to see that leverage up there; they really want to see the business's commitment to using those funds appropriately and effectively. It is going to generate 16 jobs in their facility as they ramp up production they will have those jobs in place by early 2015.

There was no one present in opposition to this hearing.

Moved by Nikkila seconded by Lear to close the hearing concerning an application to the Department of Economic Development for a grant under the Community Development Block Grant program for economic development activities for Midland Molding and adopt **Resolution No. 2013-114**. Roll call resulted as follows: Aye: Clouse, Lear, Nikkila, Lammers, Buschkoetter. Nay: None. Motion carried.

RESOLUTION NO. 2013-114

WHEREAS, the City of Kearney, Nebraska, is an eligible unit of a general local government authorized to file an application under the Housing and Community Development Act of 1974 as amended for Small Cities Community Development Block Grant Program; and

WHEREAS, the City of Kearney, Nebraska, has obtained its citizens' comments on community development and housing needs; and has conducted public hearing(s) upon the proposed application and received favorable public comment respecting the

application which for an amount of City of Kearney for \$305,000 for economic development activities for Midland Molding, Inc.

NOW, THEREFORE, BE IT RESOLVED by the President and Council of the City of Kearney, Nebraska, that the Mayor be authorized and directed to proceed with the formulation of any and all contracts, documents or other memoranda between the City of Kearney and the Nebraska Department of Economic Development so as to effect acceptance of the grant application.

PASSED AND APPROVED THIS 25TH DAY OF JUNE, 2013.

ATTEST:
MICHAELLE E. TREMBLY
CITY CLERK

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

IV. CONSENT AGENDA

Mayor Clouse stated the Consent Agenda was amended on Monday, June 25, 2013 by adding Subsection 15.

Moved by Lear seconded by Buschkoetter that Subsections 1 through 15 of Consent Agenda Item IV be approved. Roll call resulted as follows: Aye: Clouse, Lammers, Buschkoetter, Lear, Nikkila. Nay: None. Motion carried.

1. Approve Minutes of Special Meeting held June 11, 2013 and Minutes of Regular Meeting held June 11, 2013.

2. Approve the following Claims:

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

4Imprint \$775.54 smcs; 911 Custom \$5,877.00 co; A T & T \$257.87 smcs; Ace Eaton Metals \$694.00 smcs; Ace Hardware \$128.85 smcs; Agrium Advanced \$762.50 smcs; Air Delights \$158.94 co; Alamar Uniforms \$2,560.48 smcs; Albrecht,H \$1,437.00 smcs; Alfred Benesch \$585.60 co; Al-Jon Mfg \$25.80 smcs; All Makes Auto \$2,097.26 smcs; Allen,J \$4.09 smcs; Alley Rose \$30.65 smcs; Allied Electronics \$260.61 smcs; Amazon \$1,712.41 smcs,co; American \$1,042.92 smcs; Amer First Aid \$411.30 smcs; Amsan \$1,332.62 smcs; Anderson Bros \$743.73 smcs; Appliance Service Center \$549.00 smcs; ARC Services \$1,478.00 smcs; Ask Supply \$3,161.68 smcs; Aurora Coop \$166.20 smcs; Aussi Hydraulics \$80.80 smcs; Baer,E \$73.60 smcs; Baker & Taylor \$4,512.33 smcs; Bamford \$200.00 smcs; Beacon Athletics \$991.55 smcs; Bells Construction \$330.00 co; Bennett,D \$24.05 smcs; Benson,C \$4.16 smcs; Bert Gurney & Associates \$1,100.00 smcs; Big Apple Fun Center \$20.00 smcs; Blevins,D \$243.00 smcs; Bluecross Blueshield \$128,988.01 smcs; Bohemian Café \$366.00 smcs; Bosselman \$27,278.34 smcs; Broadfoot's \$2,050.50 smcs; Bruha,S \$580.00 smcs; Bucky's Express \$75.00 smcs; Buffalo Co Reg Deeds \$52.00 smcs; Buffalo Co Treasurer \$18,785.00 smcs,co; Buffalo Outdoor \$1,052.65 smcs; Builders \$1,569.85 smcs,co; Buysm Sod \$540.00 smcs; Carnes,H \$956.25 smcs; Carquest \$2,588.53

smcs; Casey's \$147.77 smcs; Cash-Wa \$6,217.12 smcs; CDW Govt \$1,305.75 co; Cellebrite USA \$2,998.99 co; Central Auto Electric \$161.23 smcs; Central Hydraulic \$981.03 smcs; Central NE Bobcat \$40.00 smcs; Central States \$2,483.41 co; Chesterman \$2,727.30 smcs; Chicken Coop \$40.00 smcs; Chief Supply \$82.49 smcs; City Glass \$410.00 smcs; City of Ky \$68,193.25 co,ps,smcs; Cocetti,B \$57.82 smcs; Compasscom \$50.00 smcs; Computer Pros \$116.85 smcs; Concierge Marketing \$399.60 smcs; Conseco \$19.00 ps; Consolidated Management \$204.00 smcs; Consolidated Plastics \$521.93 smcs; Construction Rental \$651.70 smcs,co; Conyers,G \$40.00 smcs; Copycat Printing \$1,475.17 smcs; Cornhusker State Ind \$525.00 co; CPS \$857.14 smcs; Crossroads Ford \$32.27 smcs; Culligan \$103.25 smcs; Cummins Central Power \$197.68 smcs; D&M Security \$64.50 smcs; D&S Lighting \$268.80 smcs; Dairy Queen \$20.00 smcs; Dandee Concrete \$2,071.00 co; Data Power Technology \$375.00 co; Davis Instruments \$415.00 smcs; Dawson PPD \$26,600.97 smcs; Day,D \$2,142.00 smcs; Daylight Donuts \$146.85 smcs; Delahunty,J \$112.28 smcs; Dell \$7,664.96 smcs,co; Dent Popper \$650.00 smcs; Depository Trust \$3,209,693.16 ds; Diamond Vogel \$293.83 smcs; Dish \$69.65 smcs; Divas Floral \$35.00 smcs; Dogpoopbagscom \$132.82 smcs; Downing,J \$73.60 smcs; DPM Inc. \$265.00 smcs; Dunbar,S \$700.00 smcs; Dutton-Lainson \$38.95 smcs; Eakes \$601.60 smcs; Earl May \$266.94 smcs; Eileen's Cookies \$20.00 smcs; Elliott Equipment \$2,469.50 smcs; Emblem Enterprises \$426.00 ps; EMC Insurance \$2,410.38 smcs; Environmental Express \$194.56 smcs; Evers,N \$40.00 smcs; Expedia \$14.00 smcs; Exxon Mobil \$89.01 smcs; Fairbanks \$1,494.12 smcs; Farmers Union Coop \$46.00 smcs; Fastenal \$1,125.17 smcs; Fireguard \$130.18 smcs; Fore Better Golf \$999.00 smcs; Frontier \$9,139.22 smcs; Gale \$407.09 smcs; Galeton Gloves \$573.00 smcs; Galls \$56.30 smcs; Gangwish Turf \$57.60 smcs; Garrett Tires \$4,985.57 smcs; General Springs of Kansas \$374.05 smcs; Getty Images \$14.99 smcs; Glenproductscom \$72.49 smcs; Graham Tire \$886.70 smcs; Grainger \$549.30 smcs; Granite City Tool \$87.00 smcs; Greenwald,L \$40.80 smcs; Hach \$952.80 smcs; Hagerbaumer,T \$4.49 smcs; Hardy,G \$35.00 smcs; Harley-Davidson \$59.92 smcs; Hastings \$20.00 smcs; HD Supply \$11,159.35 smcs; Heartland Services \$260.11 smcs; Heggemeyer,L \$24.07 smcs; Hilti \$539.34 co; Hobby-Lobby \$677.02 smcs; Holmes Plumbing \$1,351.07 smcs,co; Hometown Leasing \$265.92 smcs; Hornung's Golf Pros \$1,434.99 smcs; ICMA Internet \$617.60 smcs; ICMA Retirement \$3,842.70 ps; IMPA-HR \$20.00 smcs; IRS \$138,309.50 ps; Jack Lederman \$418.15 smcs; Jamar Technologies \$80.11 smcs; James,D \$240.00 smcs; Jimmy Johns \$5.89 smcs; John Crane \$2,647.47 smcs; John Deere Landscapes \$91.36 co; Johnson Controls \$522.50 smcs; Johnstone Supply \$151.58 smcs; K&K Parts \$1,091.24 smcs; Ky Concrete \$812.54 smcs; Ky Hub \$3,075.44 smcs; Ky Crete & Block \$122.70 co; Ky Ampride \$140.15 smcs; Ky Animal Shelter \$6,825.00 smcs; Ky Cinema 8 \$30.00 smcs; Ky Clinic \$1,417.00 ps; Ky Concrete \$7,170.36 smcs,co; Ky Crete & Block \$5,397.30 smcs,co; Ky Hub \$1,044.40 smcs; Ky Power Sports \$74.85 smcs; Ky Volunteer Fire Dept \$368.12 smcs; Ky Warehouse \$337.66 smcs; Ky Winlectric \$318.02 smcs; Ky Winnelson \$164.90 smcs; Kelly Supply \$228.73 smcs; Klaus,M \$476.76 smcs; Konica Minolta \$80.77 smcs; Kring,J \$100.00 smcs; Kum & Go \$82.00 smcs; La Quinta Inn \$288.36 smcs; Landmark Implement \$876.54 smcs; Lawson Products \$334.18 smcs; Leopold Painting \$5,320.00 co; Little Caesars \$24.25 smcs; Little Tikes \$105.83 smcs; Lockmobile \$11.70 smcs; Logan Contractors Supply \$1,093.40 smcs; Luke,D \$6.52 smcs; Lundeen-Isaacson \$2,127.00 ps; Mac Tools \$231.53 smcs; Magic Cleaning \$2,040.00 smcs; Mail Express \$82.62 smcs; Marlatt Machine Shop \$1,350.01 smcs; Masek Golf Car \$20.70 smcs;

Master Transportation \$350.89 co; Matheson Tri-Gas \$1,107.73 smcs; Matsetccom \$324.00 smcs; Menards \$4,237.26 smcs,co; Mid-NE Aggregate \$702.20 co; Midwest Striping \$16,587.00 smcs; Midwest Turf \$26,512.92 smcs,co; Miller & Associates \$46,301.25 smcs,co; Miller Signs \$5,625.00 smcs,co; Monoprice \$125.09 co; Moonlight Embroidery \$4,280.50 smcs; Moore Roughouts \$30.00 smcs; Moore Wallace \$492.24 smcs; Morris,D \$1,680.00 smcs; Municipal Supply \$1,720.21 smcs; Nature-Watch \$356.13 smcs; Navigator Motorcoaches \$350.00 smcs; NCS Equipment \$924.46 smcs; NE Child Support Pyt. Ctr. \$2,284.66 ps; NE Dept of Aeronautics \$805.00 ds,er; NE Dept of Environmental \$450.00 smcs; NE Environmental Products \$137.50 smcs; NE Library Commission \$6,165.00 smcs; NE Machinery \$1,619.89 smcs; NE Public Health \$17.00 smcs; NE Truck Center \$3,467.49 smcs; Nevco \$608.89 smcs; New World Systems \$7,549.97 co; Newman Signs \$387.66 smcs; Northgate Veterinary Clinic \$281.00 smcs; Northwestern Energy \$1,623.39 smcs; NRG Media \$436.00 smcs; NWEA \$300.00 smcs; Oaklund,S \$40.00 smcs; OCLC \$277.78 smcs; Office Depot \$177.35 smcs; Office Max \$985.18 smcs,co; Officenet \$163.79 smcs; OG Gift Cards \$698.25 smcs; O'Hara Lindsay & Assoc. \$1,500.00 smcs; O'Keefe Elevator \$1,022.10 smcs; Oncourt Offcourt \$54.00 smcs; One Call Concepts \$495.50 smcs; Online Sign Purchase \$189.18 smcs; Onnen,L \$40.00 smcs; O'Reilly Automotive \$690.65 smcs; Oriental Trading \$203.64 smcs; Orscheln \$874.39 smcs; Otto Environmental \$16,512.00 smcs; Overhead Door \$1,036.00 smcs; Paramount \$80.65 smcs; Party America \$19.58 smcs; Patterson,B \$75.25 smcs; Paypal \$818.99 smcs,co; PCM-G \$7,140.00 co; Pennsylvania Lime Works \$203.00 smcs; Pep Co. \$56.34 smcs; Peters,S \$13.00 smcs; PGA Member Info Services \$481.00 smcs; Phillips,J \$40.00 smcs; Pierson,F \$25.00 smcs; Pilot \$36.01 smcs; Pioneer Manufacturing \$731.25 smcs; Pitney Bowes \$750.00 smcs; Pizza Hut \$56.54 smcs; Planner Pads \$55.89 smcs; Platte Valley Comm. \$285.00 co; Prestige Group \$328.48 smcs; Presto-X \$279.29 smcs; Proactive Sports \$292.00 smcs; Provantage \$1,173.66 smcs,co; Quill \$382.35 smcs; Rainbow Racing \$221.89 smcs; Rakutencom \$487.62 smcs; Random House \$150.00 smcs; Ready Mixed Concrete \$21,624.11 smcs,co; Reams \$943.00 smcs,co; Recognition Unlimted \$197.05 smcs,co; Recorded Books \$240.82 smcs; Redman's Shoes \$384.22 smcs; Reinke's \$1,230.92 smcs; Research Tech \$1,912.00 smcs;Resource Management \$5,857.92 smcs; Rheome Tree \$1,420.00 smcs; Rhode Island Novelty \$115.30 smcs; RMV Construction \$118,832.40 co; Roper's Radiator \$55.00 smcs; Russell's Appliance \$123.05 smcs; S&S Worldwide \$452.08 smcs; S.A. Foster Lumber \$9.64 smcs; Saltzgeber,S \$17.08 smcs; Sanitation Products \$409.93 smcs; Sapp Brothers \$29,412.00 smcs; Schall,J \$31.00 smcs; Schwans Home Service \$641.50 smcs; Sears \$26.32 smcs; Shell Oil \$153.86 smcs; Sherwin Williams \$1,209.34 smcs; Sign Center \$2,119.00 smcs; Skeeter Barnes \$250.00 smcs; Sorensen Group \$69,285.00 co; Sozo American Cuisine \$98.44 smcs; Sports Village \$14.99 smcs; Springer Roofing \$185.00 smcs; Sprinkler Warehouse \$488.50 smcs; Steinbrink Landscaping \$5,427.40 smcs; Stockfreshcom \$9.99 smcs; Stone Boss Industries \$78.39 smcs; Streakwave Wireless \$644.26 co; Subway \$34.39 smcs; Sungard Public Sector \$65,625.50 smcs; Sunmart \$145.61 smcs; Superior Signals \$1,460.37 smcs; Target \$420.03 smcs,co; TCE HR Direct \$835.75 smcs; Texoma Golf \$70.48 smcs; Theis,J \$60.00 smcs; Tielke's Sandwiches \$92.97 smcs; Titleist \$848.91 smcs; Tour Edge \$160.00 smcs; Toys R Us \$23.38 smcs; TPC Gopher \$846.67 smcs; Tractor Supply \$917.05 smcs; Tri City Outdoor \$26.75 smcs; Trophy Depot \$44.51 smcs; TruGreen ChemLawn \$165.00 smcs; Turner Body \$100.00 smcs; Tye & Rademacher \$11,276.07 smcs; US Postal Services \$268.00 smcs; Union Bank

\$57,846.49 ps; Unique Management Serv. \$349.05 smcs; United Airlines \$958.20 smcs; United Seeds \$770.00 smcs; UNK \$3,748.99 smcs; UPS Store \$401.50 smcs; USPS \$268.50 smcs; Valentino's \$299.13 smcs; Verizon Wireless \$146.22 smcs; Versa Tables \$1,044.00 co; Vessco \$373.20 smcs; Wafersealscom \$51.83 smcs; Walgreens \$10.74 smcs; Wal-mart \$2,998.23 smcs; Warren-T Plbg \$427.48 smcs; Wastecorp Pumps \$397.07 smcs; West Villa Animal Hospital \$159.64 smcs; When To Work \$40.00 smcs; Wiegand Security Service \$90.00 smcs; Wilke's True Value \$591.48 smcs,co; Wilkins Hinrichs Stober \$1,724.63 co; Womenonguardcom \$90.00 smcs; WPCI \$446.00 ps; Yanda's Music \$1,750.40 smcs; Yant Equipment \$138.28 co; Yousendit \$109.99 smcs; Payroll Ending 06-15-2013 -- \$416,422.30. 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 23, 2013 at 7:00 p.m. as date and time for hearing on those applications where applicable.
4. Approve the request from Main Street Kearney to temporarily close the sidewalks on Central Avenue from Railroad Street to 25th Street on July 25, 2013 from 7:00 a.m. until 8:00 p.m., July 26 and 27, 2013 from 7:00 a.m. until 7:00 p.m. for Sidewalk Sales; and the temporary closure of 23rd Street from 1st Avenue to Avenue A including the intersection of Central Avenue and 23rd Street on July 25 and 26, 2013 from 3:00 p.m. until 10:00 p.m. for MarketPlace Farmer's Market.
5. Approve the application for a Special Designated License submitted by Juan Lazo, dba El Tropic in connection with their Class IBK-37623 catering liquor license to dispense beer and distilled spirits in the Exposition Building (alternate location is Exhibit Building) located at the Buffalo County Fairgrounds, 3807 Avenue N, on August 3, 2013 from 6:00 p.m. until 1:00 a.m. for a dance.
6. Approve the request submitted by the Kearney Police Department/Buffalo County Sheriff's Office to temporarily block off Avenue B from North Railroad Street to 21st Street for the auction to be held on August 24, 2013 from 7:00 a.m. until 2:00 p.m.
7. Adopt **Resolution No. 2013-115** approving the Developer Constructed Infrastructure Agreement between the City of Kearney and Camron, Inc. to construct water, sanitary sewer, paving and storm sewer for Lots 1, 2 and 3 of Block Four, Eastbrooke Fourteenth Addition to the City of Kearney.

RESOLUTION NO. 2013-115

BE IT RESOLVED BY THE PRESIDENT AND COUNCIL OF THE CITY OF KEARNEY, NEBRASKA that the agreement entitled "Developer Constructed Infrastructure Agreement for Lot 1, 2 and 3, Eastbrooke Fourteenth Addition to the City of Kearney" between the City of Kearney and Camron Inc., a Nebraska Corporation, to construct the public improvements for water mains, sanitary sewer mains, paving and storm sewer for said Eastbrooke Fourteenth Addition to the City of Kearney, Buffalo County, Nebraska be and is hereby accepted and approved. The Agreement, marked as Exhibit 1 is attached hereto, negotiated with Timothy J. Norwood Sr., President of Camron Inc., to construct said improvements as stated above.

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

PASSED AND APPROVED THIS 25TH DAY OF JUNE, 2013.

ATTEST:
MICHAELLE E. TREMBLY
CITY CLERK

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

8. Adopt **Resolution No. 2013-116** approving the Developer Constructed Infrastructure Agreement between the City of Kearney and Ridge View Apartments, LLC to construct water and sanitary sewer for Lot 1 and part of Lot 2, Block One, Northridge Retirement Subdivision.

RESOLUTION NO. 2013-116

BE IT RESOLVED BY THE PRESIDENT AND COUNCIL OF THE CITY OF KEARNEY, NEBRASKA that the agreement entitled "Developer Constructed Infrastructure Agreement for Lot 1 and part of Lot 2, Block One, Northridge Retirement Subdivision" between the City of Kearney and Ridge View Apartments, L.L.C., a Nebraska Limited Liability Company, to construct the public improvements for water, and sanitary sewer mains and service lines for Northridge Retirement Subdivision be and is hereby accepted and approved. The Agreement, marked as Exhibit 1 is attached hereto, negotiated with Brett Weis, Manager of Ridge View Apartments, L.L.C., a Nebraska Limited Liability Company, to construct said improvements as stated above.

BE IT FURTHER RESOLVED that the President of the Council be and is hereby authorized and directed to execute the same agreement on behalf of the City of Kearney.

PASSED AND APPROVED THIS 25TH DAY OF JUNE, 2013.

ATTEST:
MICHAELLE E. TREMBLY
CITY CLERK

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

9. Adopt **Resolution No. 2013-117** supporting Buffalo County Community Partners in launching a Community Building Neighborhood Party Campaign in the City of Kearney.

RESOLUTION NO. 2013-117

WHEREAS, the Buffalo County 2020 Vision includes five strategic directions to support and improve the health of individuals in our community: Active Living & Healthy Eating, Eliminate Health Disparities, High Impact Prevention Services, Healthy Homes & Sustainable Communities, and Injury-Free Living; and

WHEREAS, Buffalo County Community Partners strive to assess, promote, and strengthen the health of Buffalo County; and

WHEREAS, Buffalo County Community Partners promotes the health and wellbeing of all residents who reside in Buffalo County; and

WHEREAS, Buffalo County Community Partners emphasize the need to ELEVATE health issues, ENGAGE residents to be accountable for their health, EMPOWER

residents to create a positive change in their neighborhoods, and EVALUATE progress toward building a healthier Buffalo County.

NOW, THEREFORE, BE IT RESOLVED by the President and Council of the City of Kearney, Nebraska, that it declares its support for Community Building Neighborhood Parties to be hosted in the City of Kearney during the summer, and recognizes these parties will consider the following guidelines:

1. Neighborhood parties shall be conducted on private property and/or in the parks. The closing of any streets or public right-of-way is prohibited.
2. Community residents should provide healthful foods, in accordance with the USDA's dietary reference intakes, promoting the importance of eating enough fresh fruits and vegetables to consume essential nutrients and vitamins.
3. Community residents should aim to reduce the consumption of sugary beverages, and offer water, tea, and 100% juices instead, to reduce the overall consumption of sugar, which can have negative health effects, such as diabetes, if consumed excessively.
4. Community residents should offer games and activities for all ages to encourage an active lifestyle, promoting the importance of physical activity and its positive effects on health.
5. Community residents should discourage the use of electronic devices, providing mentorship to youth to enjoy the company of their neighbors without the use of technology.
6. Community members should refrain from drinking alcoholic beverages, which will provide adult role models to youth through the abstinence of alcohol and support of good health.
7. Community members should refrain from using tobacco products, promoting the abstinence of tobacco products amongst all community members in support of good health.
8. Community members should aim to fill a mentorship role by encouraging the attendance of youth community members in an effort to promote healthy and engaged neighborhoods.
9. Community members should promote the idea of having a community garden and the importance of growing healthful foods from start to finish; reinforcing the idea that fresh, local food supports good health.
10. Community members should encourage other members of the community to get annual health screenings by providing resources on the importance of getting screened to promote health longevity.
11. Community members should welcome new members to the neighborhood in support of healthy and sustainable community growth.

PASSED AND APPROVED THIS 25TH DAY OF JUNE, 2013.

ATTEST:
MICHAELLE E. TREMBLY
CITY CLERK

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

10. Adopt **Resolution No. 2013-118** approving Application and Certificate for Payment No. 3 in the amount of \$371,356.65 submitted by Blessing, LLC and approved by Miller & Associates for the 2012 Part 6 Improvements – Bid B consisting of Paving Improvement District No. 2012-954 for 52nd Street from 3rd Avenue and terminating 761 feet west; Paving Improvement District No. 2012-955A for 3rd Avenue, a Road and

Utility Easement, from the north line of 52nd Street to the north line of Oak Park Center and east in a Roadway and Utility Easement to the west line of 2nd Avenue; Paving Improvement District No. 2012-956 for 56th Street from 2nd Avenue west to 6th Avenue.

RESOLUTION NO. 2013-118

WHEREAS, Blessing, LLC of Kearney, Nebraska has performed services in connection with the 2012 Part 6 Improvements – Bid B consisting of Paving Improvement District No. 2012-954 for 52nd Street from 3rd Avenue and terminating 761 feet west; Paving Improvement District No. 2012-955A for 3rd Avenue, a Road and Utility Easement, from the north line of 52nd Street to the north line of Oak Park Center and east in a Roadway and Utility Easement to the west line of 2nd Avenue; Paving Improvement District No. 2012-956 for 56th Street from 2nd Avenue west to 6th Avenue, and the City's engineer, Miller & Associates, have filed with the City Clerk Application and Certificate for Payment No. 3 in the amount of \$371,356.65, as shown on Exhibit "A" attached hereto and made a part hereof by reference and as follows:

Original Contract Sum	\$492,366.19
Change Order No. 1 (6-11-2013)	+158,361.73
Change Order No. 2 (6-11-2013)	+ <u>1,840.00</u>
Original Contract Sum	\$652,567.92
Contract Sum To Date	652,567.92
Gross Amount Due	616,596.32
Retainage	61,659.63
Amount Due to Date	554,936.69
Less Previous Certificates for Payment	<u>183,580.04</u>
Current Payment Due	\$371,356.65

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. 3, as shown on Exhibit "A", be and is hereby accepted and approved.

PASSED AND APPROVED THIS 25TH DAY OF JUNE, 2013.

ATTEST:
MICHAELLE E. TREMBLY
CITY CLERK

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

11. Adopt **Resolution No. 2013-119** authorizing the City to sell a 1987 E-One 80-foot Quint ladder truck used by the Kearney Fire Department.

RESOLUTION NO. 2013-119

WHEREAS, on December 11, 2012, the City Council awarded the bid to Sutphen Fire Equipment in the amount of \$980,452 for the purchase of a new aerial fire truck; and

WHEREAS, with the purchase of a new aerial truck, the City wishes to sell a 1987 E-One 80-foot Quint ladder truck; and

WHEREAS, in accordance with Section 1-1519, "Surplus Stock" of Article 15, "Purchasing" of Chapter 1, "Administration" of the City Code allows the City to sell or dispose of property \$20,000.00 or more in value by any method which is most advantageous to the City, including auction, sealed bid, private or public sale, trade-in for other property or disposal at the landfill.

NOW, THEREFORE, BE IT RESOLVED by the President and Council of the City of Kearney, Nebraska, that the City be and is hereby authorized and directed to sell the 1987 E-One 80-foot Quint ladder truck that was used by the Kearney Fire Department by the method deemed most advantageous to the City.

PASSED AND APPROVED THIS 25TH DAY OF JUNE, 2013.

ATTEST:
MICHAELLE E. TREMBLY
CITY CLERK

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

12. Adopt **Resolution No. 2013-120** approving the Amendment to Original Agreement for Services between the City of Kearney and the Community Redevelopment Authority to increase the fees and to extend the Agreement an additional five years.

RESOLUTION NO. 2013-120

WHEREAS, on September 9, 2008, the City Council passed Resolution No. 2008-159 entering into an Agreement for Services with the Community Redevelopment Authority; and

WHEREAS, on May 25, 2010 the City Council adopted Resolution No. 2010-106 amending the Agreement for Services to increase the fee to \$40,000 beginning October 1, 2010 and providing for annual three percent increases thereafter; and

WHEREAS, it is mutually agreed between the parties to amend the Agreement for Services to increase the fee to \$51,273 beginning October 1, 2013 and providing for annual three percent increases thereafter.

NOW, THEREFORE, BE IT RESOLVED by the President and Council of the City of Kearney, Nebraska, that the Agreement for Services between the City of Kearney and the Community Redevelopment be approved, and that a copy of the Agreement for Services, marked as Exhibit "A", is attached hereto and made a part hereof by reference.

BE IT FURTHER RESOLVED that the Mayor be and is hereby authorized and directed to execute the Agreement for Services on behalf of the City of Kearney, Nebraska.

PASSED AND APPROVED THIS 25TH DAY OF JUNE, 2013.

ATTEST:
MICHAELLE E. TREMBLY
CITY CLERK

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

13. Adopt **Resolution No. 2013-121** approving the Grant Agreement between the City of Kearney and the Federal Aviation Administration for Project 3-31-0045-025-2013 for the construction of an Aircraft Rescue & Fire Fighting Building at the Kearney Regional Airport.

RESOLUTION NO. 2013-121

A RESOLUTION ADOPTING AND APPROVING THE EXECUTION OF A GRANT AGREEMENT WITH THE FEDERAL AVIATION ADMINISTRATION FOR PROJECT NO. 3-31-0045-025-2013 FOR THE CONSTRUCTION OF AN AIRCRAFT RESCUE & FIRE FIGHTING BUILDING AT THE KEARNEY REGIONAL AIRPORT

WHEREAS, the City of Kearney, Nebraska has submitted a project application to the Federal Aviation Administration for Project No. 3-31-0045-025-2013 for the construction of an Aircraft Rescue & Fire Fighting Building at the Kearney Regional Airport; and

WHEREAS, the Federal Aviation Administration has approved the project for the Kearney Regional Airport.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Kearney, Nebraska, that:

1. The City of Kearney shall enter into a Grant Agreement with the Federal Aviation Administration for Project No. 3-31-0045-025-2013 for the purpose of obtaining federal assistance for the construction of an Aircraft Rescue & Fire Fighting Building at the Kearney Regional Airport. The Grant Agreement, marked as Exhibit "A", is attached hereto and made a part hereof by reference.

2. The Mayor of the City of Kearney is hereby authorized and directed to execute said Grant Agreement on behalf of the City of Kearney and the City Clerk is hereby authorized to attest said execution.

PASSED AND APPROVED THIS 25TH DAY OF JUNE, 2013.

ATTEST:
MICHAELLE E. TREMBLY
CITY CLERK

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

14. Adopt **Resolution No. 2013-122** approving the Joint City of Kearney-City of Minden Building Inspection Services Interlocal Agreement allowing the City of Kearney to provide building inspection services to the City of Minden.

RESOLUTION NO. 2013-122

WHEREAS, on June 26, 2012 the City Council adopted Resolution No. 2012-104 approving Joint City of Kearney-City of Minden Building Inspection Services Interlocal Agreement; and

WHEREAS, it has been determined to be in the interest of both communities that the City of Kearney staff will provide plan review and building inspection services for up to twelve (12) months; and

WHEREAS, the City of Kearney and the City of Minden have agreed that Kearney continue to provide Minden with plan review and building inspection services for up to twelve (12) months.

NOW, THEREFORE, BE IT RESOLVED by the President and Council of the City of Kearney, Nebraska, that the Joint City of Kearney-City of Minden Building Inspection Services Interlocal Agreement, marked as Exhibit "A", attached hereto and made a part hereof, be and is hereby approved.

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

PASSED AND APPROVED THIS 25TH DAY OF JUNE, 2013.

ATTEST:
 MICHAELLE E. TREMBLY
 CITY CLERK

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

15. 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 the Exposition Building located at the Buffalo County Fairgrounds, 3807 Avenue N, on July 24, 2013 from 4:00 p.m. until 12:00 a.m. for business after hours event.

V. CONSENT AGENDA ORDINANCES

ORDINANCE NO. 7687A AMENDING ORDINANCE NO. 7687 REZONING PROPERTY LOCATED EAST AND WEST OF 56TH STREET AND EASTBROOKE DRIVE ON THE NORTH

On November 8, 2011, the City Council passed Ordinance No. 7687 rezoning property located east and west of 56th Street and Eastbrooke Drive on the north from District AG, Agricultural District and District R-2, Urban Residential Mixed-Density District to District R-3/PD, Urban Residential Multi-Family District (Medium Density)/Planned Development Overlay District. It appears that the legal description has an error that needs to be corrected. Therefore, Ordinance No. 7687A amends Section 1 of the original Ordinance No. 7687 correcting the legal description. This is merely a housekeeping matter.

Council Member Buschkoetter introduced Ordinance No. 7687A, being Subsection 1 of Agenda Item V amending Section 1 of Ordinance No. 7687 to correct the legal description on rezoning property from District AG, Agricultural District and District R-2, Urban Residential Mixed-Density District to District R-3/PD, Urban Residential Multi-Family District (Medium Density)/Planned Development Overlay District property described as a tract of land being Lot 12 in Block Six (now vacated) and Lot 1 in Block Seven, Eastbrooke Eighth, an addition to the City of Kearney, Buffalo County, Nebraska together with a tract of land being part of the South Half of the Southeast Quarter of the Southwest Quarter of Section 19, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (east and west of 56th Street and Eastbrooke Drive on the north), 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 Clouse 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, Lear, Nikkila, Lammers, Buschkoetter. 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. 7687A by number. Roll call of those in favor of the passage of said ordinance on the first reading resulted as follows: Aye: Clouse, Lear, Nikkila, Lammers, Buschkoetter. Nay: None. Motion carried. Ordinance was read by number.

Moved by Clouse seconded by Lammers that Ordinance No. 7687A be passed, approved and published as required by law. Roll call resulted as follows: Aye: Clouse, Nikkila, Lammers, Buschkoetter, Lear. Nay: None. Motion carried.

By reason of the roll call voted on the first reading and final passage of the ordinance, Ordinance No. 7687A 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. 7801A AMENDING ORDINANCE NO. 7801 CORRECTING THE LEGAL DESCRIPTION OF PAVING IMPROVEMENT DISTRICT NO. 2013-962

On October 9, 2012 the City entered into a Subdivision Agreement with Grand West and Morrison Enterprises for the creation of paving, water, sanitary sewer and storm sewer improvements for 50th Street from 11th Avenue to 17th Avenue, 51st Street Place from 15th Avenue Place to 16th Avenue Place, all of 14th Avenue Place, all of 15th Avenue Place, all of 16th Avenue Place, all of Loveland Drive all in Fountain Hills Fifth Addition, 11th Avenue from 48th Street north to the north lot line of Lot 10 of Block 3, Fountain Hills Third Addition.

On May 14, 2013 the City Council adopted the ordinances creating the various paving, water and sanitary sewer districts. When filing the ordinances with the Register of Deeds, she noticed that in the legal description for Paving Improvement District No. 2013-962, Lot 6 of Block Five, Fountain Hills Fifth Addition was omitted. Therefore, Ordinance No. 7801A amends Ordinance No. 7801 to include this lot to the legal description.

Council Member Buschkoetter introduced Ordinance No. 7801A, being Subsection 2 of Agenda Item V amending Section 1 of Ordinance No. 7801 to correct the legal description by including Lot 6 of Block Five, Fountain Hills Fifth Addition to Paving Improvement District No. 2013-962 for 50th Street from 11th Avenue to 17th Avenue, 51st Street Place from 15th Avenue Place to 16th Avenue Place, all of 14th Avenue Place, all of 15th Avenue Place, all of 16th Avenue Place, all of Loveland Drive all in Fountain Hills Fifth Addition, 11th Avenue from 48th Street north to the north lot line of Lot 10 of Block 3, Fountain Hills Third Addition, 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 Clouse 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, Lear, Nikkila, Lammers, Buschkoetter. 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. 7801A by number. Roll call of those in favor of the passage of said ordinance on the first reading resulted as follows: Aye: Clouse, Lear, Nikkila, Lammers, Buschkoetter. Nay: None. Motion carried. Ordinance was read by number.

Moved by Clouse seconded by Lammers that Ordinance No. 7801A be passed, approved and published as required by law. Roll call resulted as follows: Aye: Clouse, Nikkila, Lammers, Buschkoetter, Lear. Nay: None. Motion carried.

By reason of the roll call voted on the first reading and final passage of the ordinance, Ordinance No. 7801A is declared to be lawfully passed and adopted upon publication in pamphlet form and made available to the public at the Office of the City Clerk, the Kearney Police Department and the Kearney Public Library.

VI. REGULAR AGENDA

OPEN ACCOUNT CLAIMS: NPPD - \$84,283.90

Moved by Lammers seconded by Nikkila that Open Account Claims in the amount of \$84,283.90 payable to Nebraska Public Power District be allowed. Roll call resulted as follows: Aye: Lammers, Buschkoetter, Lear, Nikkila. Nay: None. Clouse abstained. Motion carried.

CLOSED SESSION TO CONDUCT CITY MANAGER EVALUATION

Moved by Nikkila seconded by Lear that Council adjourn into closed session at 7:18 p.m. for the protection of the public interest to conduct the annual evaluation of the City Manager. Roll call resulted as follows: Aye: Clouse, Lammers, Buschkoetter, Lear, Nikkila. Nay: None. Motion carried.

Mayor Clouse restated the purpose for the closed session is for the protection of the public interest to conduct the annual evaluation of the City Manager. 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 Lammers seconded by Lear that Council reconvene in regular session at 8:07 p.m. Roll call resulted as follows: Aye: Clouse, Lear, Nikkila, Lammers, Buschkoetter. Nay: None. Motion carried.

VII. REPORTS

None.

VIII. ADJOURN

Moved by Clouse seconded by Buschkoetter that Council adjourn at 8:07 p.m. Roll call resulted as follows: Aye: Clouse, Nikkila, Lammers, Buschkoetter, Lear. Nay: None. Motion carried.

ATTEST:

MICHAELLE E. TREMBLY
CITY CLERK

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