

*Kearney, Nebraska
January 27, 2015
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 27, 2015, 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; Tom Tye, Acting City Attorney; Wendell Wessels, Director of Finance; Kirk Stocker, Director of Utilities; Rod Wiederspan, Director of Public Works; Dan Lynch, Chief of Police; and Shawna Erbsen, Administrative Services Director were also present. Some of the citizens present in the audience included: Darren Robinson, 4 UNK students, Steve Altmaier from KGFV Radio, Ashley White from Kearney Hub, Lauren Scharf from NTV.

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

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

None.

IV. CONSENT AGENDA

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

1. Approve Minutes of Regular Meeting held January 13, 2015.
2. Approve the following Claims:

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

1000bulbscom \$42.73 smcs; 3595-American \$1,952.18 smcs,co; 3M \$7,516.53 smcs; 4Imprint \$218.68 smcs; Accent Sales & Service \$342.24 smcs; Ace Hardware \$71.58 smcs; Advance Auto Parts \$88.77 smcs; Alfred Benesch \$630.00 smcs; All Makes Auto \$490.01 smcs; Amazon \$4,443.89 smcs,co; American \$722.30 smcs; Amer Cemetery \$28.67 smcs; Amer Electric \$3,363.00 smcs; Amer First Aid \$109.36 smcs; Amer Legion \$287.33 smcs; Amer Red Cross \$115.00 smcs; Amsan \$725.00 smcs; Andresen,K \$64.29 smcs; ANOVA \$1,444.78 co; Aprons & Smocks \$130.89 smcs; Arvato Windows \$199.98 co; ASCAP \$335.00 smcs; Ask Supply \$367.82 smcs; Athletic Stuff \$379.99 smcs; Aurora Coop \$3,628.82 smcs; Autry,N \$21.04 smcs; Avery,C \$86.98 smcs; B&H Photo \$81.44 smcs; Baird Holm \$600.00 smcs; Baker & Taylor \$4,633.82 smcs; Bamford \$1,175.00 smcs; Barney Abstract \$240.00 smcs; Big Rack Shack \$6,007.00 smcs,co; Blessing \$920.00 smcs; BlueCross BlueShield \$133,138.76 smcs; Boopsie \$4,495.00 smcs; Bosselman \$24,850.44 smcs; Brightguy \$331.90 smcs; Broadfoot's \$2,061.50 smcs; Bruha,S \$224.00 smcs; Buechler,L \$26.21 smcs; Buffalo Outdoor Power \$1,958.96 smcs; Buffalo Surveying \$1,942.70 smcs; Builders \$1,391.24 smcs,co; Buzz's Marine \$39.90 smcs; Capacitor King \$111.65 smcs; Carolina Environmental \$544.68 smcs; Carquest \$4,018.70 smcs; Casey's \$135.92 smcs; Cash-Wa \$561.60 smcs; Cenex \$179.60 smcs; Center Point Publishing \$71.41 smcs; Central District Health Dept \$2,960.50 smcs; Central Hydraulic System \$933.74 smcs; Central NE Bobcat \$1,881.30 smcs; Central States Industrial \$744.08 smcs; Charter \$456.91 smcs; ChemSearch \$307.27 smcs; Chet's Moving Service \$140.00 smcs; Chicken Coop \$50.00 smcs; CHS Agri Service \$3,834.13 smcs; City of Ky \$13,546.86 smcs,ps; Cleverbridge \$29.95 smcs; Community Action Partner \$7,294.91 smcs; Compasscom \$50.00 smcs; Conseco Life \$19.00 ps; Construction Rental \$245.86 smcs; Control Yours \$130.00 smcs; Copycat Printing \$148.72 smcs; Cornhusker Cleaning \$459.59 smcs; CPS \$69.30 smcs; Credit Management Serv \$244.90 ps; Crossroads Ford \$103.66 smcs; Culligan \$244.60 smcs; Cummins \$120.16 smcs; D&S Lighting \$95.58 smcs; Danko Emergency \$14,125.53 smcs,co; Davidson,S \$44.71 smcs; Davis & Stanton \$130.00 smcs; Dell \$3,700.53 co; Demco \$785.20 smcs; Diamond Tours \$3,675.00 smcs; Dillon,A \$15.00 smcs; Dish Network \$79.00 smcs; Dmilaco \$396.24 smcs,ps; Dollar-General \$56.98 smcs; DPC Industries \$6,821.23 smcs; Dutton-Lainson \$118.70 smcs; Eakes \$2,051.35 smcs; Earl May \$30.97 smcs; Elliott Equipment \$1,436.02 smcs; EMC Ins \$25,458.45 smcs; Engineered Controls \$4,200.00 smcs; Ensley Electrical \$15,683.25 smcs; Fairbanks \$420.70 smcs; Falewitch Construction

\$1,737.20 smcs; Farrar,S \$30.00 smcs; Fastenal \$1,214.71 smcs,co; Fedex \$59.68 smcs; Fehringer,S \$790.55 co; Fiddelke \$132.42 smcs; Findley,N \$17.26 smcs; Fitbit \$10,260.00 smcs; Friesen Chevrolet \$406.84 smcs; Frontier \$9,238.01 smcs; Fuel Tech \$240.22 smcs; Fun Express \$17.95 smcs; Gale \$685.45 smcs; Galeton Gloves \$661.67 smcs; Galls \$221.95 ps; Gangwish,A \$47,250.00 co; Garrett Appliances \$302.09 smcs; Garrett Tires \$11,500.13 smcs; Graham Tire \$507.28 smcs; Grainger \$1,044.53 smcs; Great Plains \$50.00 smcs; H&H Distributing \$443.00 smcs; Hach Co \$923.22 smcs; HD Supply \$23,322.92 smcs; HOA Solutions \$20,000.00 co; Hobby-Lobby \$124.32 smcs; Holmes Plumbing \$1,231.09 smcs; Hometown Leasing \$265.92 smcs; Hy Vee \$121.39 smcs; ICMA RC \$4,246.08 ps; IRS \$134,732.46 ps; Int'l Code Council \$87.50 smcs; Int'l Soc Arboriculture \$160.00 smcs; Jack Lederman \$1,049.61 smcs,co; Jackson Perkins \$39.73 smcs; James,D \$224.00 smcs; Jarvis,M \$21.26 smcs; Jelinek,T \$307.50 smcs; JibJabcom \$18.00 smcs; Jimmy Johns \$431.01 smcs; Johnstone Supply \$580.14 smcs; K&K Parts \$1,276.43 smcs; Kassis,G \$942.26 smcs; Ky Chamber Comm. \$150.00 smcs; Ky Clinic \$1,149.00 ps; Ky Concrete \$1,742.50 co; Ky Crete \$2,793.69 co; Ky Hub \$631.40 smcs; Ky Noon Rotary \$110.00 smcs; Ky Public School \$287.00 smcs; Ky Winlectric \$76.52 smcs; Ky Winnelson \$275.85 smcs; Keeling,K \$120.00 smcs; Kelly Supply \$2,185.14 smcs; KGFW/KQKY/KRNY \$2,033.00 smcs; Kimball Midwest \$87.43 smcs; Konica Minolta \$3,766.19 smcs; Kpadenou,J \$42.73 smcs; Lancaster Archery Supply \$211.99 smcs; Landmark Implement \$1,080.63 smcs; Larue \$129.84 smcs; Lawn Builders \$587.66 smcs; Lawson Products \$315.91 smcs; League of NE Municipalities \$125.00 smcs; LED Lighting \$846.40 smcs; Leonards Mac Tools \$98.93 smcs; Linda's Upholstery \$296.60 smcs; Lips Printing \$42.50 smcs; Look What's Cookin' \$23.85 smcs; L-Tron \$941.10 co; Machines & Media \$139.00 smcs; Mail Express \$158.25 smcs; Marlatt Machine Shop \$101.52 smcs; Matheson \$420.04 smcs; McCarty,S \$16.74 smcs; McCaslin,S \$45.00 smcs; McDermott & Miller \$24,035.00 smcs; Mead Lumber \$311.76 smcs; Medicbatteriescom \$69.99 smcs; Menards \$3,041.53 smcs,co; Mercer,L \$30.00 smcs; Metropolitan Entertainment \$1,192.50 smcs; Mid Amer Signal \$5,314.00 smcs; Midway Chrysler \$15.37 smcs; Midwest Pump \$820.50 smcs; Midwest Turf \$1,749.76 smcs; Miller Signs \$225.00 co; Moonlight Embroidery \$629.00 smcs; Morrell Mfg \$148.00 smcs; Mosaic \$120.00 smcs; Municipal Supply \$1,861.77 smcs; Nat'l Fire Protection \$1,255.50 smcs; Navigator Motorcoaches \$175.00 smcs; NCS Equipment \$25.49 smcs; NE Arborists \$65.00 smcs; NE Child Support \$2,732.58 ps; NE Dept Environment \$15,607.88 smcs; NE Dept of Labor \$26,955.00 smcs; NE Dept Revenue \$32,973.60 smcs; NE Library Comm \$981.00 smcs; NE Machinery \$594.88 smcs; NE Statewide Arboretum \$130.00 smcs; NE Truck Center \$1,130.44 smcs; NE Turfgrass \$627.00 smcs; Netmotion Wireless \$3,613.75 smcs; Network Fleet \$94.75 smcs; Next Technologies \$2,401.00 co; Norfolk Auto Supply \$225.92 smcs; Norm's Plbg \$640.55 smcs; Northern Safety \$214.43 smcs; Northern Tool \$158.18 smcs; Northwestern \$8,011.63 smcs; NRG Media \$65.00 smcs; Oberg,S \$36.43 smcs; OCLC \$607.10 smcs; Office Max \$1,057.46 smcs,co; Officenet \$255.70 smcs; O'Hara Lindsay & Assoc \$2,200.00 smcs; On Site Studio \$272.52 smcs; Online Houseplans \$2,260.00 smcs; O'Reilly Auto \$6.41 smcs; Oriental Trading \$54.39 smcs; Orsheln \$1,401.88 smcs; Oshkosh \$307.88 smcs; Ourdesignscom \$24.45 ps; Paramount \$127.05 smcs; Parkink \$746.30 smcs; Party America \$6.87 smcs; Paypal-Waterhogmat \$127.98 smcs; Paypal-3 Star \$92.31 co; Paypal-62Fordman \$5.93 smcs; Paypal-Apexstore \$104.56 smcs; Paypal-Ebay \$83.05 co; Paypal-Ecomele \$203.96 smcs; Paypal-Gothamcity \$22.88 smcs; Paypal-IAPE \$50.00 smcs; Paypal-KMFI723 \$279.70 smcs; Paypal-McHenrypower \$31.40 smcs; Paypal-NEFSMA \$35.00 smcs;

Paypal-NRI \$48.66 smcs; Paypal-Russopowere \$9.99 smcs; Paypal-Sister Cities \$580.00 smcs; Pep Co \$112.68 smcs; PGA Merchandise Show \$325.00 smcs; Platte Valley Comm \$79.53 smcs; Platte Valley Labs \$167.50 smcs; Power & Telephone Supply \$477.50 smcs; Prestige Group \$69.00 smcs; Presto-X \$85.32 smcs; Provantage \$482.41 co; Purdy Designs \$93.75 smcs; Q Source \$179.01 smcs; QC Supply \$466.99 smcs; Qualifiedhardwarecom \$584.00 smcs; Quill \$211.50 smcs; Random House \$227.21 smcs; RDO Truck Center \$250.80 smcs; Ready Mixed Concrete \$2,474.67 smcs,co; Reams \$242.99 smcs; Recognition Unlimited \$18.85 smcs; Recorded Books \$63.22 smcs; Recovery Systems \$336.40 smcs; Redman's Shoes \$200.00 smcs; Reinke's \$403.05 smcs; Relectric Supply \$541.25 smcs; Rough Around the Edges \$300.00 smcs; Ruby Tuesday \$30.24 smcs; Sanitation Products \$685.82 smcs; Sapp Bros \$54.28 smcs; Schinost,M \$13.57 smcs; Scott Michael Childers \$40.00 smcs; See Clear Cleaning \$350.00 smcs; Shafer,J \$5.17 smcs; Sherwin Williams \$53.49 smcs; Shoutbomb \$360.00 smcs; Sign Center \$26.00 smcs; Sirsi \$19,006.00 co; Snap On Tools \$143.40 smcs; SOS Portable Toilets \$117.00 smcs; Spokane Hardware \$74.20 smcs; Stampscom \$4.99 smcs; Staples \$160.48 smcs; State Electrical Division \$253.00 smcs; Steinbrink Landscaping \$8.75 smcs; Sullivan,A \$91.93 smcs; Sungard \$1,323.76 smcs; Sunmart \$608.37 smcs; Target \$664.70 smcs; Techsoup \$12.00 co; Thompson Co \$181.64 smcs; Tractor-Supply \$454.81 smcs; Tye Law Firm \$78.33 ps; U-Haul Moving \$536.31 smcs; Uline \$106.78 smcs; Union Bank & Trust \$65,657.55 ps; Unique Management \$358.00 smcs; UNL Agronomy \$540.00 smcs; UNL Marketplace \$31.18 smcs; UPS Store \$499.56 smcs,co; USA Blue Book \$611.67 smcs; USA Communications \$170.31 smcs; USA Light & Electric \$436.00 smcs; USPS \$192.43 smcs; Van Wall Equipment \$121.09 smcs; Van Wall Turf \$6,095.00 smcs; Verizon \$20.08 smcs; Verne Simmonds \$75.00 smcs; Versare Solutions \$899.00 smcs; Video Store Shopper \$977.04 smcs; Walgreens \$13.89 smcs; Wal-mart \$883.74 smcs; Water Environment \$124.00 smcs; Waterlink \$668.73 smcs; Wilke's True Value \$594.73 smcs; Wilson Yakima \$66.10 smcs; Witmer Public Safety \$620.91 smcs,co; Wolfe,B \$11.20 smcs; WPCI \$317.50 ps; Xavus \$890.00 smcs; Payroll Ending 1-24-2015 -- \$372,606.54. 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 10, 2015 at 5:30 p.m. as date and time for hearing on those applications where applicable.

4. Adopt **Resolution No. 2015-10** approving the following Agricultural Leases at the Kearney Regional Airport from February 1, 2015 until December 31, 2015: B & B Bendfeldt Farms, LLC and Brenda Bendfeldt (239.8 irrigated acres); Thomas Larsen and Theodore Larsen (61 pivot irrigated acres and 64.5 non-irrigated acres).

RESOLUTION NO. 2015-10

BE IT RESOLVED by the President and Council of the City of Kearney, Nebraska, that the President be and is hereby authorized and directed on behalf of the City of Kearney, Nebraska to execute the following Agriculture Lease Agreements on property located at the Kearney Regional Airport from February 1, 2015 until December 31, 2015:

- B & B Bendfeldt Farms, LLC and Brenda Bendfeldt (239.8 irrigated acres) – annual cash rent is \$61,302;

- Thomas Larsen and Theodore Larsen (61 pivot irrigated acres and 64.5 non-irrigated acres) – annual cash rent is \$30,981;

A copy of the Agreements, marked Exhibits “1” and “2” are attached hereto and made a part hereof by reference.

PASSED AND APPROVED THIS 27TH DAY OF JANUARY, 2015.

ATTEST:
MICHAELLE E. TREMBLY
CITY CLERK

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

5. Approve the application for deferral of special assessments submitted by Notz Farms, LLC with regard to Paving Improvement District No. 2014-970.
6. Approve the applications for deferral of special assessments submitted by Berean Fundamental Church and Jeff and Lisa Overturf with regard to Paving Improvement District No. 2014-971.
7. Approve the application for deferral of special assessments submitted by Jeff Knapp with regard to Paving Improvement District No. 2014-971, Water District No. 2014-575 and Sanitary Sewer District No. 2014-513.
8. Adopt **Resolution No. 2015-11** approving the Agreement between the City of Kearney and McDermott & Miller for auditing services.

RESOLUTION NO. 2015-11

WHEREAS, Requests for Proposals were received and opened on May 30, 2003 for auditing services for the City of Kearney, Nebraska and the City of Kearney Community Redevelopment Authority; and

WHEREAS, the City received one proposal from McDermott & Miller, P.C. and City Administration reviewed the proposal and recommended the proposal offered by McDermott & Miller, P.C. of Kearney Nebraska, be accepted; and

WHEREAS, the recommendation from City Administration was accepted and approved on June 24, 2003 by the Kearney City Council; and

WHEREAS, on August 14, 2006 the City received a proposal from McDermott & Miller, P.C. to extend the existing agreement an additional three years; and

WHEREAS, on March 3, 2009 the City received a proposal from McDermott & Miller, P.C. to extend the existing agreement an additional three (3) years; and

WHEREAS, on January 25, 2012 the City received a proposal from McDermott & Miller, P.C. to extend the existing agreement an additional three (3) years; and

WHEREAS, on January 9, 2015 the City received a proposal from McDermott & Miller, P.C. to extend the existing agreement an additional three (3) years.

NOW, THEREFORE, BE IT RESOLVED by the President and City Council of the City of Kearney, Nebraska, that the recommendation from City Administration is hereby accepted and approved, that McDermott & Miller, P.C. of Kearney, Nebraska, be accepted for auditing services for the City of Kearney, Nebraska, and the City of Kearney Community Redevelopment Authority for the three-year period beginning with the fiscal year ending on September 30, 2015, to be performed in accordance with the

Proposal for Professional Audit Services, a copy of which marked "Exhibit A" is attached hereto and made a part hereof by reference.

PASSED AND APPROVED THIS 27TH DAY OF JANUARY, 2015.

ATTEST:
MICHAELLE E. TREMBLY
CITY CLERK

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

9. Approve the application for a Special Designated License submitted by Alley Rose Inc. of Kearney, NE, dba Alley Rose in connection with their Class IK-21763 catering liquor license to dispense beer, wine and distilled spirits inside the Classic Car Museum located at 3600 East Highway 30, Suite B on February 21, 2015 from 5:00 p.m. until 11:00 p.m. for a reception.

10. Approve the Plans and Specifications for the 2014 Part 12 Improvements; Airport Water System Improvements and set the bid opening date for March 3, 2015 at 2:00 p.m.

11. Adopt **Resolution No. 2015-12** approving Change Order No. 1 showing an increase in the amount of \$10,015.00 submitted by TL Sund Constructors and approved by Brungardt Engineering for 2013 Part 82 Improvements; Meadowlark Hills Golf Course Maintenance Building.

RESOLUTION NO. 2015-12

WHEREAS, T L Sund Constructors Inc. of Lexington, Nebraska has performed services in connection with Meadowlark Hills Golf Course Proposed Maintenance Building located at Meadowlark Hills Golf Course, and the City's engineer, Brungardt Engineering, have filed with the City Clerk Change Order No. 1 showing an increase to the contract sum in the amount of \$10,015.00, as shown on Exhibit "A", attached hereto and made a part hereof by reference as follows:

Original Contract Sum	\$283,062.00
Change Order No. 1 (1-27-2015)	<u>+ 10,015.00</u>
Contract Sum to Date	\$293,077.00

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 Exhibits "A", be and is hereby accepted and approved.

PASSED AND APPROVED THIS 27TH DAY OF JANUARY, 2015.

ATTEST:
MICHAELLE E. TREMBLY
CITY CLERK

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

12. Approve the application for a Special Designated License submitted by Gary Wach, dba Three Brothers Vineyard & Winery in connection with their Class YK-079473 liquor license to dispense wine in the Exposition Building located at the Buffalo County Fairgrounds, 3807 Avenue N, on February 17, 2015 from 4:00 p.m. until 10:00 p.m. and on February 18, 2015 from 1:00 p.m. until 11:00 p.m. for Nebraska Cattlemen's Classic.

13. Adopt Resolution No. 2015-13 approving Application and Certificate for Payment No. 3 in the amount of \$661,411.70 submitted by Midlands Contracting and approved by Miller & Associates for the 2014 Part 7 Improvements consisting of Paving Improvement District No. 2014-968 for 4th Street from 3rd Avenue to 6th Avenue and Sanitary Sewer Connection District No. 2014-1 commencing at a point near the Kearney RV Park located at 315 Avenue M, northward and westward in an easement, Landon Street if extended, thence northward through Riverside Addition and Kreutz Addition to 4th Street, thence westward to Central Avenue.

RESOLUTION NO. 2015-13

WHEREAS, Midlands Contracting of Kearney, Nebraska has performed services in connection with the 2014 Part 7 Improvements consisting of Paving Improvement District No. 2014-968 for 4th Street from 3rd Avenue to 6th Avenue and Sanitary Sewer Connection District No. 2014-1 commencing at a point near the Kearney RV Park located at 315 Avenue M, northward and westward in an easement, Landon Street if extended, thence northward through Riverside Addition and Kreutz Addition to 4th Street, thence westward to Central 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 \$661,411.70 as shown on Exhibit "A" attached hereto and made a part hereof by reference and as follows:

Original Contract Sum	<u>\$5,513,218.10</u>
Contract Sum To Date	5,513,218.10
Gross Amount Due	1,399,597.52
Retainage (10%)	139,959.75
Amount Due to Date	1,259,637.76
Less Previous Certificates for Payment	<u>598,226.06</u>
Current Payment Due	\$ 661,411.70

NOW, THEREFORE, BE IT RESOLVED by the Mayor 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 27TH DAY OF JANUARY, 2015.

ATTEST:
 MICHAELLE E. TREMBLY
 CITY CLERK

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

14. Adopt Resolution No. 2015-14 approving Application and Certificate for Payment No. 2 in the amount of \$38,977.66 submitted by Midlands Contracting and approved by Miller & Associates for the 2014 Part 8 Improvements consisting of Water District No. 2014-574 and Sanitary Sewer District No. 2014-512 in 27th Avenue from 11th Street south 850 feet; and Water District No. 2014-575 and Sanitary Sewer District No. 2014-513 in 30th Avenue from 11th Street south 1,500 feet.

RESOLUTION NO. 2015-14

WHEREAS, Midlands Contracting of Kearney, Nebraska has performed services in connection with the 2014 Part 8 Improvements consisting of Water District No. 2014-

574 and Sanitary Sewer District No. 2014-512 in 27th Avenue from 11th Street south 850 feet; and Water District No. 2014-575 and Sanitary Sewer District No. 2014-513 in 30th Avenue from 11th Street south 1,500 feet, and the City's engineer, Miller & Associates, have filed with the City Clerk Application and Certificate for Payment No. 2 in the amount of \$38,977.66 as shown on Exhibit "A" attached hereto and made a part hereof by reference and as follows:

Original Contract Sum	<u>\$749,062.00</u>
Contract Sum To Date	749,062.00
Gross Amount Due	279,996.52
Retainage (10%)	27,999.65
Amount Due to Date	251,996.86
Less Previous Certificates for Payment	<u>213,019.20</u>
Current Payment Due	<u>\$ 38,977.66</u>

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Kearney, Nebraska, and hereby find and determine that Application and Certificate for Payment No. 2, as shown on Exhibit "A", be and is hereby accepted and approved.

PASSED AND APPROVED THIS 27TH DAY OF JANUARY, 2015.

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 Juan Lazo, dba El Tropic in connection with their Class 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 March 7, 2015 (alternate date is March 14, 2015 and alternate location is Exposition Building) from 6:00 p.m. until 1:00 a.m. for a dance.

V. CONSENT AGENDA ORDINANCES

None.

VI. REGULAR AGENDA

NORTHWESTERN ENERGY FUNDS FOR BALDWIN FILTERS

Mayor Clouse opened for discussion the use of Northwestern Energy funds for Baldwin Filters to assist in training 114 new positions to support a new product line and to consider Resolution No. 2015-15.

Darren Robinson, President of the Economic Development Council of Buffalo County presented this matter to the Council. The Economic Development Council received a request from Baldwin Filters. They are evaluating whether they have established their new product line in Yankton, South Dakota, Kearney or another state so part of their request as quoted by their Human Resources, as a result of such a low employment rate. Baldwin Filters will spend considerable dollars in the development of employees in Buffalo County to keep these jobs local. This request is an attempt to keep the jobs local and to have the products stay in Kearney.

In November they experienced the lowest unemployment rate in 25 years at 1.6 percent and for Baldwin Filters to successfully hire for the new product line they will spend significant amount of dollars on recruitment channels, job fairs, billboards and radio ads. The Northwestern Energy funds are being requested specifically to assist Baldwin Filters with training the necessary skills to put people to work at their jobs.

The benefit of supporting Baldwin Filters is the entry level wage starts at \$15.30 per hour and after training they will be at \$17.00 per hour. The benefit of their positions is they come with dental, medical, 401k and other benefits so they are really good jobs and some of the jobs as part of the product line pay \$38.00 per hour so it is a whole gambit of jobs from assemblers to engineers.

The net estimated benefit of this project alone will be another \$1,066,000 in new payroll. This is separate from the original project that the City Council put together for the distribution center. They will have a large capital outlay and then skill trainings for the citizens.

Mayor Clouse asked Mr. Robinson to briefly explain what the Northwestern Energy funds are and how they are to be used. Mr. Robinson stated the Northwestern Energy funds are an occupation collection on natural gas that is allocated for economic development purposes. The communities that collect Northwestern are Grand Island, Kearney and North Platte. The funds have a variety of uses; really anything economic development related but they cannot be used for taking jobs away from another one of the communities. Job training is one of the specific criteria within that agreement that is an allowed use of the funds.

Council Member Lammers asked what the time frame was for them to start training and hiring people. Mr. Robinson stated immediately. If approved, they still have a lot of agreements to do and it does not guarantee that it stays in Kearney; they are still in some competition. They have an incentives broker that is working the country right now so this is part of it. They have also put an application in to the State for additional training dollars.

Council Member Nikkila asked if funds have ever been used for employee training like this before. Mr. Robinson stated not this pot of funds but they have used funds in the past for training but not specifically the Northwestern Energy funds.

Moved by Nikkila seconded by Lear to adopt **Resolution No. 2015-15** approving the use of Northwestern Energy funds for Baldwin Filters to assist in training 114 new positions to support a new product line. Roll call resulted as follows: Aye: Clouse, Lammers, Buschkoetter, Lear, Nikkila. Nay: None. Motion carried.

RESOLUTION NO. 2015-15

WHEREAS, the Economic Development Council of Buffalo County has recommended to the City Council that \$100,000.00 of the NorthWestern Energy Funds be used for Baldwin Filters to meet certain objectives including but not limited to assisting in training 114 new positions to support a new product line; and

WHEREAS, the City Council has deemed it to be in the best interests of the City of Kearney to commit \$100,000.00 of the NorthWestern Energy Funds as requested.

NOW, THEREFORE, BE IT RESOLVED by the President and Council of the City of Kearney, Nebraska, to approve \$100,000.00 of the NorthWestern Energy Funds for Baldwin Filters to meet certain objectives including but not limited to assisting in training 114 new positions to support a new product line.

BE IT FURTHER RESOLVED that the City Manager is hereby authorized and directed to execute all grant related documents.

PASSED AND APPROVED THIS 27TH DAY OF JANUARY, 2015.

ATTEST:
MICHAELLE E. TREMBLY
CITY CLERK

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

OPEN ACCOUNT CLAIM

Moved by Lear seconded by Buschkoetter that the Open Account Claim in the amount of \$71,515.83 payable to Nebraska Public Power District be allowed. Roll call resulted as follows: Aye: Buschkoetter, Lear, Nikkila, Lammers. Nay: None. Clouse abstained. Motion carried.

VII. REPORTS

None.

VIII. ADJOURN

Moved by Buschkoetter seconded by Clouse that Council adjourn at 5:36 p.m. Roll call resulted as follows: Aye: Clouse, Buschkoetter, Lear, Nikkila, Lammers. Nay: None. Motion carried.

ATTEST:

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

MICHAELLE E. TREMBLY
CITY CLERK