

Kearney, Nebraska
June 23, 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 June 23, 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; Michael Tye, 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: Eric Hellriegel, B.J. Raysor, Jim Kalb, Jerry Decker, Conrad Smith, Alex Gangwish Eulah Gangwish, Steve Altmaier from KGFW Radio, Ashley White from Kearney Hub, Brent Wiethorn from KKPR Radio, Amanda from NBC News.

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

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

AMEND LAND USE MAP ADJACENT TO THE NORTH AND SOUTH SIDE OF 3RD STREET EAST OF 6TH AVENUE

Mayor Clouse stated the City received notice that the developer has requested to postpone until July 14, 2015 Public Hearing 1 on the Application submitted by Miller & Associates for Paul and Linda Younes for an amendment to the Land Use Map of the City of Kearney Comprehensive Development Plan from AG Preserve to Mixed Use 2 property described as a tract of land being part of Government Lots 5, 6 and 9 and accretions to Government Lots 5, 6 and 9 all located in the Southeast Quarter of Section 11, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (adjacent to the north and south side of 3rd Street east of 6th Avenue).

Moved by Lammers seconded by Nikkila to postpone until July 14, 2015 the Application submitted by Miller & Associates for Paul and Linda Younes for an amendment to the Land Use Map of the City of Kearney Comprehensive Development Plan from AG Preserve to Mixed Use 2 property described as a tract of land being part of Government Lots 5, 6 and 9 and accretions to Government Lots 5, 6 and 9 all located in the Southeast Quarter of Section 11, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (adjacent to the north and south side of 3rd Street east of 6th Avenue). Roll call resulted as follows: Aye: Clouse, Lear, Nikkila, Lammers, Buschkoetter. Nay: None. Motion carried.

REZONING ADJACENT TO THE NORTH AND SOUTH SIDE OF 3RD STREET EAST OF 6TH AVENUE

Mayor Clouse stated the City received notice that the developer has requested to postpone until July 14, 2015 Public Hearing 2 on the Application submitted by Miller & Associates for Paul and Linda Younes to rezone from District M-1, Limited Industrial District to District C-2, Community Commercial District property described as a tract of land being part of Government Lots 5, 6 and 9 and accretions to Government Lots 5, 6 and 9 all located in the Southeast Quarter of Section 11, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (adjacent to the north and south side of 3rd Street east of 6th Avenue).

Moved by Lammers seconded by Nikkila to postpone until July 14, 2015 the Application submitted by Miller & Associates for Paul and Linda Younes to rezone from District M-1, Limited Industrial District to District C-2, Community Commercial District property described as a tract of land being part of Government Lots 5, 6 and 9 and accretions to Government Lots 5, 6 and 9 all located in the Southeast Quarter of Section 11, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (adjacent to the north and south side of 3rd Street east of 6th Avenue). Roll call resulted as follows: Aye: Clouse, Lear, Nikkila, Lammers, Buschkoetter. Nay: None. Motion carried.

FINAL PLAT FOR YOUNES CENTER FOURTH ADDITION

Mayor Clouse stated the City received notice that the developer has requested to postpone until July 14, 2015 Public Hearing 3 on the Application submitted by Miller & Associates for Paul and Linda Younes for the Final Plat for Younes Center Fourth

Addition, an addition to the City of Kearney, Buffalo County, Nebraska, for property described as a tract of land being part of Government Lots 5, 6 and 9 and accretions to Government Lots 5, 6 and 9 all located in the Southeast Quarter of Section 11, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (adjacent to the north and south side of 3rd Street east of 6th Avenue).

Moved by Lammers seconded by Nikkila to postpone until July 14, 2015 the Application submitted by Miller & Associates for Paul and Linda Younes for the Final Plat for Younes Center Fourth Addition, an addition to the City of Kearney, Buffalo County, Nebraska, for property described as a tract of land being part of Government Lots 5, 6 and 9 and accretions to Government Lots 5, 6 and 9 all located in the Southeast Quarter of Section 11, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (adjacent to the north and south side of 3rd Street east of 6th Avenue). Roll call resulted as follows: Aye: Clouse, Lear, Nikkila, Lammers, Buschkoetter. Nay: None. Motion carried.

ANNEXATION OF YOUNES CENTER FOURTH ADDITION

Mayor Clouse stated the City received notice that the developer has requested to postpone until July 14, 2015 Public Hearing 4 on the Application submitted by Miller & Associates for Paul and Linda Younes for the annexation of Younes Center Fourth Addition, an addition to the City of Kearney, Buffalo County, Nebraska, for property described as a tract of land being part of Government Lots 5, 6 and 9 and accretions to Government Lots 5, 6 and 9 all located in the Southeast Quarter of Section 11, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (adjacent to the north and south side of 3rd Street east of 6th Avenue).

Moved by Lammers seconded by Nikkila to postpone until July 14, 2015 the Application submitted by Miller & Associates for Paul and Linda Younes for the annexation of Younes Center Fourth Addition, an addition to the City of Kearney, Buffalo County, Nebraska, for property described as a tract of land being part of Government Lots 5, 6 and 9 and accretions to Government Lots 5, 6 and 9 all located in the Southeast Quarter of Section 11, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (adjacent to the north and south side of 3rd Street east of 6th Avenue). Roll call resulted as follows: Aye: Clouse, Lear, Nikkila, Lammers, Buschkoetter. Nay: None. Motion carried.

COMMUNITY DEVELOPMENT BLOCK GRANTS; 13-CR-004 AND 13-CR-104

Mayor Clouse opened the public hearing to receive input on two Community Development Block Grants: 13-CR-004 and 13-CR-104 for community revitalization activities.

Eric Hellriegel from Miller & Associates presented this matter to the Council. He stated the two grants that are referred to as 13-CR-004 and 13-CR-104 were combined for improvements on 26th Street and Central Avenue from 26th Street to 31st Street that involved pavement, new sidewalks, new ADA ramps as well as storm sewer drainage through the entire corridor. They put two of the Community Revitalization grants together; the City for the project has over \$514,000 worth of funds that came from the Department of Economic Development for the project.

There was no one present in opposition to this hearing.

Moved by Nikkila seconded by Lear to close the hearing on receiving input on two Community Development Block Grants: 13-CR-004 and 13-CR-104 for community revitalization activities. Roll call resulted as follows: Aye: Clouse, Nikkila, Lammers, Buschkoetter, Lear. Nay: None. Motion carried.

IV. CONSENT AGENDA

Mayor Clouse stated the Consent Agenda was amended on Monday, June 22, 2015 by adding Subsection 22.

Moved by Lear seconded by Buschkoetter that Subsections 1 through 22 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 Regular Meeting held June 9, 2015.
2. Approve the following Claims:

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

ABTElectronics.com \$107.06 smcs; Ace Eaton \$540.00 smcs; Ace Hardware \$97.24 smcs; Adobe \$256.67 smcs; Alamar \$917.08 smcs,ps; Albrecht,H \$1,373.25 smcs; Alfred Benesch \$230.98 co; All Makes Auto \$3,872.10 smcs; Alley Rose \$75.00 smcs; Amazon \$6,432.50 smcs,co; American \$337.06 smcs; Amer Fence \$4,380.00 smcs; Amer First Aid \$228.88 smcs; Amer Legion Emblem \$289.44 smcs; Amer Red Cross \$175.00 smcs; Americinn \$94.85 smcs; ARC Services \$229.00 smcs; Arrowhead Scientific \$525.87 smcs; Ask Supply \$1,998.31 smcs; Athletica Sports Systems \$344.00 smcs; Attic,The \$852.00 smcs; Baker & Taylor Books \$3,571.26 smcs; Battery Sharks \$626.36 smcs; Beehive Industries \$5,773.00 smcs; Bells Curb Grinding \$1,040.00 co; Bertsch,T \$100.00 smcs; Beruma,N \$100.00 smcs; Big Apple Fun Center \$100.00 smcs; Blackstone Audio \$45.00 smcs; Blevins,D \$240.00 smcs; BlueCross BlueShield \$179,286.65 smcs; Bosselman \$24,256.78 smcs; Bottle Cap \$63.00 smcs; Broadfoot's \$3,325.00 smcs; Brooks,G \$100.00 smcs; Bruha,S \$550.00 smcs; Buckle Screenprinting \$597.00 smcs; Buffalo Co. Comm. Partners \$1,000.00 smcs; Buffalo Co. Register Deeds \$84.00 smcs; Buffalo Co. Sheriff \$7.32 smcs; Buffalo Outdoor Power \$1,243.17 smcs,co; Bug Supply Shop \$19.60 smcs; Builders \$1,098.36 smcs,co; Buy Seasons \$64.30 smcs; Cabela's \$49.98 smcs; Cadenbach,B \$7.45 smcs; Candy,T \$100.00 smcs; Candymachines.com \$128.15 smcs; Capital Business Systems \$206.10 smcs; Career Cruising \$799.00 smcs; Caribou Coffee \$40.00 smcs; Carquest \$1,259.49 smcs; Casey's \$73.55 smcs; Cash-Wa \$11,905.86 smcs; CDW Government \$1,633.10 smcs; Cenex Farmers \$26.50 smcs; Central Hydraulic Systems \$657.22 smcs; Central NE Bobcat \$1,129.40 smcs; Central Plains Library \$10.00 smcs; Central States Wire \$8,529.86 smcs; Charter \$791.40 smcs; Chesterman \$1,996.60 smcs; Chicken Coop \$50.00 smcs; Chief Construction \$869.12 smcs; Cintas \$367.54 smcs; City of Ky

\$11,621.56 smcs,co; City of Ky \$10,663.64 ps; Coast to Coast \$109.00 smcs; Coldspring \$464.40 smcs; Compasscom \$50.00 smcs; Computer Warehouse \$139.99 co; Conseco Life Ins. Co. \$19.00 ps; Construction Rental \$1,341.36 smcs,co; Copycat \$365.43 smcs; Cory Development \$398.12 smcs; CPS \$188.84 smcs; Crossroads Ford \$70.72 smcs; Culligan \$178.00 smcs; Curbit \$3,402.00 smcs; Curious Country \$33.96 smcs; Davis Equipment \$706.00 smcs; Dawson Public Power \$25,947.41 smcs; Dell \$1,830.78 co; Depository Trust Co. \$517,189.39 ds; Deterding's \$14,863.50 smcs; Diamond Vogel \$60.59 smcs; Dish \$191.00 smcs; Dmilaco \$317.42 smcs; Dollar-General \$20.60 smcs; Dollar-Thrifty \$57.11 smcs; Don's Hobby Guns \$9,562.50 smcs; Doubletree \$129.00 smcs; Dowhy Towing \$400.00 smcs; Dowling,J \$12.93 smcs; DPC Industries \$6,854.10 smcs; Eakes \$2,312.97 smcs; EBS \$41.25 smcs; Education Specialty \$1,254.00 smcs; Elliott Equipment \$2,404.85 smcs; Eustis Body Shop \$300.00 smcs; Evodesk \$2,324.00 co; Fairbanks \$730.85 smcs; Fastenal \$486.42 smcs; Faz,A \$104.65 smcs; Fedex \$116.58 smcs; Ferebee,J \$449.66 co; Fire Dept. Training Net \$1,495.00 smcs; Fireguard \$319.10 smcs; Fitness Finders \$47.00 smcs; Frontier \$9,790.85 smcs; Fyre,K \$105.00 smcs; Fyr-Tek \$770.05 smcs; Gale \$1,960.36 smcs; Gamma Sports \$121.33 smcs; Gammon Village \$134.90 smcs; Gander Island Consulting \$5,745.00 co; Gannon Travel \$1,400.00 smcs; Garrett Tires \$6,226.51 smcs; Glendale Parade Store \$232.75 smcs; Go2Marine \$50.28 smcs; Golf Buddy \$138.94 smcs; Golf the West Tour \$1,000.00 smcs;Graham Tire \$792.56 smcs; Grainger \$232.25 smcs; Gray,C \$142.50 smcs; Great Plains Safety \$250.00 smcs;Green Builders \$414.50 smcs; H & H Distributing \$2,244.65 smcs; Hach \$3,402.47 smcs; Hastings \$20.00 smcs; HD Supply \$10,310.69 smcs; Hilltop Mall \$101.00 smcs; Hobby-Lobby \$276.40 smcs; Hock,M \$90.00 smcs; Hollman Media \$3,067.00 smcs; Holmes Plumbing \$1,054.46 smcs,co; Hometown Leasing \$265.92 smcs; HP Home Store \$71.84 smcs; HRdirect \$930.25 smcs; Hydro Tech \$160.00 smcs; ICMA Retirement \$4,398.58 ps; Impact Data Books \$222.43 smcs; Int'l Code Council \$1,400.32 smcs; IRS \$146,998.89 ps; J&A Traffic Products \$3,216.00 smcs; James,D \$100.00 smcs; John Deere Landscapes \$1,138.63 smcs; Johnson Bros \$222.00 smcs; Johnson Hardware \$614.00 smcs; Johnstone Supply \$265.07 smcs; JRs Western \$139.96 smcs; Jump-A-Roo \$1,000.00 smcs; K&K Parts \$1,921.30 smcs; Kasson B&B Autoglass \$182.10 smcs; Kaw Valley Greenhouses \$43.68 smcs; Ky Chamber Comm. \$30.00 smcs; Ky Cinema 8 \$200.00 smcs; Ky Clinic \$690.00 ps; Ky Concrete \$3,514.25 co; Ky Crete & Block \$2,869.00 co; Ky Hub \$4,562.59 smcs; Ky Humane Society \$7,166.25 smcs; Ky Massage \$75.00 smcs; Ky Power Sports \$66.90 smcs; Ky Towing \$100.00 smcs; Ky Winlectric \$66.98 smcs; Ky Winnelson \$67.85 smcs,co; Kelly Supply \$624.07 smcs; Kimball Midwest \$176.91 smcs; Konica Minolta \$660.16 smcs; Kowalek,G \$22.00 smcs; Kully Supply \$317.36 smcs; Landmark Implement \$462.61 smcs; Landstrom,C \$250.00 smcs; Larue Distributing \$158.93 smcs; Lawson Products \$462.12 smcs; Lazlo's Brewery \$37.10 smcs; Lewandowski,A \$23.12 smcs; Life Begins Anew \$24.41 smcs; Link,M \$375.00 smcs; Little Caesars \$15.00 smcs; Logan Contractors \$2,153.98 co; Lost Bird Project \$20.31 smcs; L-Tron \$117.34 smcs; Mac Tools \$237.65 smcs; Mail Express \$123.69 smcs; Malleck,J \$36.33 smcs; Marketing Displays \$3,012.46 smcs; Marlatt Machine Shop \$1,255.93 smcs; Masek Golf Car \$571.22 smcs; Matheson Tri-Gas \$5,774.56 smcs; Matt Friend Truck Equip. \$11,850.00 co; McLaughlin,P \$23.93 smcs; Mead Lumber \$25.98 co; Menards \$3,557.78 smcs,co; Merryman Performing Arts \$75.00 smcs; Midway Chrysler \$56.75 smcs; Midwest Turf \$466.99 smcs; Miller & Associates \$74,232.27 smcs,co; Mirror Image \$202.80 smcs; Monoprice \$53.22 co; Moonlight Embroidery \$3,017.50 smcs;

Moses B Glick \$477.50 smcs; Navigator Motorcoaches \$1,867.00 smcs; NE Child Support \$2,481.74 ps; NE Law Enforcement Training \$100.00 smcs; NE Library Commission \$1,302.44 smcs; NE Public Health \$2,366.00 smcs; NE Safety & Fire \$192.85 smcs; NE Tech Calibration \$845.03 smcs; NE Truck Center \$278.13 smcs; Nebraskaland Distributors \$2,774.49 smcs; Network Solutions \$75.98 smcs; Newell,B \$51.70 smcs; Newsbank \$1,185.60 smcs; NMC Rental \$754.15 smcs; Northern Safety \$159.30 smcs; Northwest Electric \$525.92 smcs; Northwestern \$3,126.30 smcs; Nova Tech \$160.34 smcs; Novus \$35.00 smcs; NRG Media \$54.00 smcs; NWAGA \$25.00 smcs; O & S Flying Service \$13,259.76 smcs; OCLC \$607.10 smcs; Officemax \$469.32 smcs; Officenet \$897.00 smcs; O'Hara Lindsay & Assoc. \$2,000.00 smcs; Ohri,R \$55.15 smcs; Omaha World Herald \$235.06 smcs; On Court Off Court \$257.95 smcs; One Call Concepts \$540.00 smcs; O'Reilly Automotive \$839.94 smcs; Oriental Trading \$329.28 smcs; Orscheln \$895.30 smcs; Outdoor Recreation \$32,954.00 co; Paper Mart \$23.71 smcs; Paramount \$297.84 smcs; Party America \$52.78 smcs; Paypal-Coloradofire \$1,400.00 smcs; Paypal-Ebay Marketplace \$341.28 smcs,co; Paypal-IAPE \$50.00 smcs; Paypal-Kreations4u \$22.50 smcs; Paypal-Nebraskaof \$45.00 smcs; Penworthy Co \$235.76 smcs; Pep Co. \$86.34 smcs; Platte Valley Auto Mart \$152.42 smcs; Platte Valley Comm. \$3,818.85 smcs; Pockets Full of Fun \$475.00 smcs; Police Technical Training \$725.00 smcs; Postmaster \$310.00 smcs; Presto-X \$660.21 smcs; Provantage \$201.08 smcs,co; Pump & Pantry \$20.00 smcs; Qualified Hardware \$246.00 smcs; Quality Logo Products \$196.30 smcs; Quill \$383.83 smcs; Rafior,C \$1,016.00 co; Random House \$322.50 smcs; Raymond Geddes \$218.35 smcs; RDJ Specialties \$172.82 smcs; RDO Truck Centers \$66.83 smcs; Ready Mixed Concrete \$26,561.53 co; Reams \$5,260.55 smcs; Recognition Unlimited \$21.83 smcs; Recorded Books \$450.21 smcs; Red Willow Co. \$3,975.00 smcs; Redbox \$4.82 smcs; Redman's Shoes \$281.77 smcs; Reinke's \$224.28 smcs; Rivershore Reading Store \$314.00 smcs; RNDC-Falcon Division \$316.00 smcs; Rusher,D \$2,500.00 co; S.A. Foster Lumber \$32.29 smcs; Sahling Kenworth \$221.66 smcs; Saldivar,J \$17.46 smcs; Sanitation Products \$964.70 smcs; Sapp Bros \$16,547.27 smcs; Schindler Elevator \$765.24 smcs; School District #7 \$4,142.55 smcs; Schulz,M \$100.00 smcs; Schwans \$685.44 smcs; Sensus \$392.53 smcs; Sequel Bookshop \$20.00 smcs; Setcom \$47.32 smcs; Seton Identification \$839.45 smcs; Sigma Aldrich \$59.00 smcs; Sign Center \$220.00 smcs; Sixel Consulting \$1,492.85 smcs; Small,J \$48.51 smcs; Society for Human Resource \$190.00 smcs; Sonicwall \$96.30 smcs; SOS Portable Toilets \$70.00 smcs; Spencer,M \$23.12 smcs; Sporting Edge \$2,403.00 smcs; Squad Fitters \$24.45 smcs; St. George Orthodox \$25.00 smcs; Stamps.com \$4.99 smcs; Standard Battery \$413.90 smcs; Staples \$152.05 smcs; Star-Herald \$273.65 smcs; Steinbrink Landscaping \$7,364.22 smcs; Sunbelt Rentals \$142.99 smcs; Sungard Public Sector \$74,831.40 smcs; Superbrightleds.com \$52.85 smcs; Supplyworks \$894.95 smcs; Target \$331.37 smcs; Taser Training Academy \$400.00 smcs; Texoma Golf \$36.00 smcs; Theis,J \$80.00 smcs; Tielke's Sandwiches \$93.19 smcs; Titleist \$1,039.48 smcs; Toys R Us \$69.52 smcs; Tractor Supply \$598.73 smcs; Traffic Guard \$489.00 smcs; Trans Iowa Equipment \$886.23 smcs; Triad Tactical \$536.80 smcs; TruGreen ChemLawn \$340.00 smcs; TS Auto Glass \$17.00 smcs; TSI Store Supplies \$1,379.82 smcs; Turkey Creek Garden \$145.99 smcs; Turner Body Shop \$824.92 smcs; Underground Construction \$2,414.44 co; Union Bank & Trust \$65,352.63 ps; Union Pacific Railroad \$100.00 er; Unique Management \$313.25 smcs; United \$919.70 smcs; United Seeds \$1,855.00 smcs; United Suppliers \$366.75 smcs; UNK Catering \$345.00 smcs; USA Blue Book \$455.95 smcs; USA Communications \$150.95 smcs; USPS

\$106.16 smcs; Valley Forklift \$45.74 smcs; Varidesk \$460.00 smcs; Verizon \$117.14 smcs; Vermont Systems \$596.80 smcs; Walgreens \$21.62 smcs; Wal-mart \$2,425.26 smcs,co; Warren T \$124.00 smcs; Warrington,D \$57.00 smcs; Watchguard Video \$51,985.00 co; Webstaurant Store \$180.45 smcs; Weller,B \$1.78 smcs; West,N \$21.88 smcs; When To Work \$60.00 smcs; Wick's Sterling Trucks \$866.99 smcs; Wilke's True Value \$286.60 smcs; Willers,T \$28.73 smcs; Williams,C \$27.69 smcs; WPCI \$78.50 ps; WPUS CC Event \$44.00 smcs; Yanda's Music \$399.99 smcs; Yant Equipment \$628.40 smcs; Young,E \$39.56 smcs; Z Wireless \$86.23 smcs; Zoro Tools \$74.02 smcs; Payroll Ending 6-13-2015 -- \$451,933.40. 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 14, 2015 at 5:30 p.m. as date and time for hearing on those applications where applicable.

4. Adopt **Resolution No. 2015-126** establishing guidelines to be used for new liquor licenses, the renewal of existing licenses, special designated licenses, and modifications to license in the City of Kearney.

RESOLUTION NO. 2015-126

WHEREAS, cities have very limited authority in the area of liquor licenses and the ultimate authority on the issuing and revocation of liquor licenses is the Nebraska Liquor Control Commission; and

WHEREAS, in 2011 the City Council adopted a Liquor License Policy establishing guidelines to be used for new liquor licenses, the renewal of existing licenses, special designated licenses, and modifications to licenses in the City of Kearney in an effort to provide consistency to the City's recommendations and the evaluation of these matters by City Council; and

WHEREAS, in a recent Nebraska Liquor Control Commission ruling, it has been determined that any action taken by the City of Kearney on liquor licenses will likely not be relevant to the Liquor Control Commission in its final determination.

NOW, THEREFORE, BE IT RESOLVED by the President and Council of the City of Kearney, Nebraska, that given the limited authority cities have in the area of liquor licenses, the following are the guidelines that will be used by the City in determining liquor issues:

- Special Designated Licenses will be approved on the Consent Agenda unless there is some concern from law enforcement.
- Any modifications to licensed premises will be approved on the Consent Agenda unless there is a concern from law enforcement or a zoning or code issue.
- Liquor license retailers will be required to complete the Liquor License Training Compliance form that indicates that all employees have completed training or will receive training which is specifically certified and approved by the Nebraska Liquor Commission and that the Certificates of Training will be filed with the City.
- Continue local police review and unless there are issues be placed on the Consent Agenda and to send a letter of no recommendation on new licenses and/or new managers.
- Annual renewals will automatically be approved unless there are multiple violations and/or law enforcement concern, then the Council will comply with

Section 53-135 of the Nebraska Revised Statutes requesting in writing to the Nebraska Liquor Control Commission requiring the licensee to submit a formal application.

PASSED AND APPROVED THIS 23TH DAY OF JUNE, 2015.

ATTEST:
MICHAELLE E. TREMBLY
CITY CLERK

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

5. Authorize the Mayor to send a letter of no recommendation to the Nebraska Liquor Control Commission on the Class I liquor license application for Blazin Wings, Inc., dba Buffalo Wild Wings located at 5208 2nd Avenue and the manager application for Scott Klone.

6. Authorize the Mayor to send a letter of no recommendation to the Nebraska Liquor Control Commission on the Class C liquor license application for Foxhole LLC, dba Foxhole located at 1912 Central Avenue and the manager application for Nickolas Fox.

7. 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 July 11, 2015 from 6:00 p.m. until 1:00 a.m. for a dance.

8. Approve the applications for a Special Designated License submitted by Earn & Return Investments, Inc., dba Cellar Bar & Grill in connection with their Class IK-064728 liquor license to dispense beer and distilled spirits in Cope Stadium/Parking Lot 12 on UNK Campus located at 2708 12th Avenue on September 3, 2015 from 3:00 p.m. until 10:00 p.m., September 26 from 11:00 a.m. until 6:00 p.m., October 10 from 10:00 a.m. until 5:00 p.m., October 24 from 9:00 a.m. until 4:00 p.m., November 7 from 9:00 a.m. until 4:00 p.m. for tailgating area.

9. Adopt **Resolution No. 2015-127** approving Application and Certificate for Payment No. 1 in the amount of \$120,650.99 and Application and Certificate for Payment No. 2 in the amount of \$135,558.14 submitted by Midlands Contracting and approved by Miller & Associates for the 2014 Part 12 Improvements; Airport Water System Improvements.

RESOLUTION NO. 2015-127

WHEREAS, Midlands Contracting of Kearney, Nebraska has performed services in connection with the 2014 Part 12 Improvements; Airport Water System Improvements, and the City's engineer, Miller & Associates, have filed with the City Clerk Application and Certificate for Payment No. 1 in the amount of \$120,650.99 as shown on Exhibit "A", and Application and Certificate for Payment No. 2 in the amount of \$135,558.14 as shown on Exhibit "B" attached hereto and made a part hereof by reference and as follows:

Original Contract Sum	<u>\$308,336.00</u>
Contract Sum To Date	308,336.00
Gross Amount Due	403,750.47
Retainage	26,890.36
Amount Due to Date	256,209.13
Less Previous Certificates for Payment	<u>.00</u>
Current Payment Due	\$ 256,209.13

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 Nos. 1 and 2, as shown on Exhibits "A and B" be and are hereby accepted and approved.

PASSED AND APPROVED THIS 23TH DAY OF JUNE, 2015.

ATTEST:
 MICHAELLE E. TREMBLY
 CITY CLERK

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

10. Adopt Resolution No. 2015-128 approving Application and Certificate for Payment No. 4 in the amount of \$82,460.00 submitted by Midlands Contracting and approved by Miller & Associates for the UV Disinfection Building at the Platte River Well Field.

RESOLUTION NO. 2015-128

WHEREAS, Midlands Contracting of Kearney, Nebraska has performed services in connection with the UV Disinfection Building at the Platte River Well Field, and the City's engineer, Miller & Associates, have filed with the City Clerk Application and Certificate for Payment No. 4 in the amount of \$82,460.00 as shown on Exhibit "A" attached hereto and made a part hereof by reference and as follows:

Original Contract Sum	<u>\$1,535,860.00</u>
Contract Sum To Date	1,535,860.00
Gross Amount Due	955,700.00
Retainage (5%)	47,785.00
Amount Due to Date	907,915.00
Less Previous Certificates for Payment	<u>825,455.00</u>
Current Payment Due	\$ 82,460.00

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

PASSED AND APPROVED THIS 23TH DAY OF JUNE, 2015.

ATTEST:
 MICHAELLE E. TREMBLY
 CITY CLERK

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

11. Adopt Resolution No. 2015-129 approving Application and Certificate for Payment No. 9 in the amount of \$438,740.27 submitted by Blessing, LLC and approved

by Miller & Associates for the 2014 Part 2 Improvements consisting of Paving Improvement District No. 2014-964 for Central Avenue from 31st Street to a point 150 feet south of 26th Street and 26th Street from Central Avenue to Avenue C.

RESOLUTION NO. 2015-129

WHEREAS, Blessing, LLC of Kearney, Nebraska has performed services in connection with the 2014 Part 2 Improvements consisting of Paving Improvement District No. 2014-964 for Central Avenue from 31st Street to a point 150 feet south of 26th Street and 26th Street from Central Avenue to Avenue C, and the City's engineer, Miller & Associates, have filed with the City Clerk Application and Certificate for Payment No. 9 in the amount of \$438,740.27 as shown on Exhibit "A" attached hereto and made a part hereof by reference as follows:

Original Contract Sum	\$2,474,168.95
Change Order No. 1 (8-26-2014)	+ 17,375.00
Change Order No. 2 (11-25-2014)	+ 11,757.75
Change Order No. 3 (4-28-2015)	+ 4,300.00
Change Order No. 4 (5-26-2015)	<u>+ 8,202.30</u>
Contract Sum To Date	2,515,804.00
Gross Amount Due	2,165,449.40
Retainage (2%)	43,308.99
Amount Due to Date	2,122,140.41
Less Previous Certificates for Payment	<u>1,683,400.14</u>
Current Payment Due	\$ 438,740.27

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

PASSED AND APPROVED THIS 23TH DAY OF JUNE, 2015.

ATTEST:
 MICHAELLE E. TREMBLY
 CITY CLERK

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

12. Adopt **Resolution No. 2015-130** approving Application and Certificate for Payment No. 1 in the amount of \$30,306.69 submitted by Blessing, LLC and approved by Miller & Associates for the 2014 Part 11 Improvements consisting of Paving Improvement District No. 2014-969 for 11th Street from a point 109.74 feet west of 30th Avenue, thence east for a distance of 2,440.08 feet; Paving Improvement District No. 2014-970 for 27th Avenue from 11th Street south a distance of 850[±] feet as platted in Lot 1, Bearcat Corner; and Paving Improvement District No. 2014-971 for 30th Avenue from 11th Street south a distance of 1,500[±] feet as platted in Lot 1, Bearcat Corner.

RESOLUTION NO. 2015-130

WHEREAS, Blessing Construction of Kearney, Nebraska has performed services in connection with the 2014 Part 11 Improvements consisting of Paving Improvement District No. 2014-969 for 11th Street from a point 109.74 feet west of 30th Avenue, thence east for a distance of 2,440.08 feet; Paving Improvement District No. 2014-970

for 27th Avenue from 11th Street south a distance of 850[±] feet as platted in Lot 1, Bearcat Corner; and Paving Improvement District No. 2014-971 for 30th Avenue from 11th Street south a distance of 1,500[±] feet as platted in Lot 1, Bearcat Corner, and the City's engineer, Miller & Associates, have filed with the City Clerk Application and Certificate for Payment No. 1 in the amount of \$30,306.69 as shown on Exhibit "A" attached hereto and made a part hereof by reference and as follows:

Original Contract Sum	\$1,814,396.00
Change Order No. 1 (5-26-2015)	<u>+ 40,765.12</u>
Contract Sum To Date	1,855,161.12
Gross Amount Due	33,674.10
Retainage (10%)	3,367.41
Amount Due to Date	30,306.69
Less Previous Certificates for Payment	<u>.00</u>
Current Payment Due	\$ 30,306.69

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

PASSED AND APPROVED THIS 23TH DAY OF JUNE, 2015.

ATTEST:
MICHAELLE E. TREMBLY
CITY CLERK

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

13. Adopt **Resolution No. 2015-131** approving Application and Certificate for Payment No. 8 in the amount of \$374,570.82 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. 2015-131

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. 8 in the amount of \$592,856.77 as shown on Exhibit "A" attached hereto and made a part hereof by reference and as follows:

Original Contract Sum	\$5,513,218.10
Change Order No. 1 (5-12-2015)	+ \$36,900.00
Change Order No. 2 (5-12-2015)	<u>+ \$4,814.00</u>

Contract Sum To Date	5,554,932.10
Gross Amount Due	3,860,828.65
Retainage (10%)	386,082.87
Amount Due to Date	3,474,745.79
Less Previous Certificates for Payment	<u>3,100,174.97</u>
Current Payment Due	\$ 374,570.82

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

PASSED AND APPROVED THIS 23TH DAY OF JUNE, 2015.

ATTEST:
MICHAELLE E. TREMBLY
CITY CLERK

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

14. Adopt **Resolution No. 2015-132** authorizing the Mayor to sign the Request for Release of Funds and Certification Form and the Environmental Review for Activity/ Project that is Exempt or Categorically Excluded Not Subject to Section 58.5 on behalf of the Kearney Housing Agency.

RESOLUTION NO. 2015-132

BE IT RESOLVED by the President and Council of the City of Kearney, Nebraska that the Mayor be and is hereby authorized and directed to execute the Request for Release of Funds and Certificate Form and the Environmental Review for Activity/ Project that is Exempt or Categorically Excluded Not Subject to Section 58.5 on behalf of the Kearney Housing Agency. A copy of the Request for Release of Funds and Certificate Form and the Environmental Review for Activity/ Project that is Exempt or Categorically Excluded Not Subject to Section 58.5 are attached hereto and made a part hereof by reference.

PASSED AND APPROVED THIS 23TH DAY OF JUNE, 2015.

ATTEST:
MICHAELLE E. TREMBLY
CITY CLERK

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

15. Authorize the Mayor to send a letter of no recommendation to the Nebraska Liquor Control Commission on the manager application for Angelica Zeestraten submitted by Peak Interests LLC, dba Pizza Hut in connection with their Class A-33603 liquor license and located at 1412 2nd Avenue.

16. Authorize the Mayor to send a letter of no recommendation to the Nebraska Liquor Control Commission on the manager application for Angela Gibreal submitted by the American Legion Post 52 in connection with their Class C-009067 liquor license and located at 1223 Central Avenue.

17. Adopt **Resolution No. 2015-133** approving the recommendation submitted by the Fire Chief to include the following as members of the Kearney Volunteer Fire Department: Tim Nickerson, Cody Seals, Tyler Vlasin.

RESOLUTION NO. 2015-133

WHEREAS, Terry Eirich, Chief of the Kearney Volunteer Fire Department, has forwarded several names of individuals desiring to serve as volunteers in the Kearney Volunteer Fire Department; and

WHEREAS, based on the recommendation of Chief Eirich, the City Council of the City of Kearney, Nebraska hereby finds and determines that said persons listed are fully capable and qualified to serve a membership in the Kearney Volunteer Fire Department; and

WHEREAS, in order to be qualified for benefits in accordance with Sections 48-115, et seq. of the Nebraska Revised Statutes, said volunteer firefighters acting outside the corporate limits of the City must be officially directed to do so in order to be eligible.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Kearney, Nebraska, that those persons recommended by the Chief of the Kearney Volunteer Fire Department for membership in the Kearney Volunteer Fire Department as set forth on the attached letter of recommendation, marked Exhibit "A," attached hereto and made a part hereof by reference, are hereby confirmed as members of the Kearney Volunteer Fire Department for the purposes of and in accordance with Section 48-115 of the Nebraska Revised Statutes, and that said members are fully entitled to benefits under the Workers' Compensation Act.

BE IT FURTHER RESOLVED that all of said volunteer firefighters named on Exhibit "A" are hereby specifically authorized and directed to serve outside the corporate limits of the municipality under the direction, orders and authority of the Chief of the Kearney Volunteer Fire Department in accordance with Section 4-204 of the Kearney City Code.

PASSED AND APPROVED THIS 23TH DAY OF JUNE, 2015.

ATTEST:
MICHAELLE E. TREMBLY
CITY CLERK

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

18. Adopt **Resolution No. 2015-134** authorizing the Mayor to execute the Purchase and Sale Agreement for Easement between the City of Kearney and the Union Pacific Railroad Company for portions of North and South Railroad Street.

RESOLUTION NO. 2015-134

BE IT RESOLVED by the President and Council of the City of Kearney, Nebraska, that the Mayor be and is hereby authorized and directed to execute the Purchase and Sale Agreement for Easement between the City of Kearney and the Union Pacific Railroad Company for portions of North and South Railroad Street. The Purchase and Sale Agreement for Easement, marked as Exhibit "A" is attached hereto and made a part hereof by reference.

PASSED AND APPROVED THIS 23TH DAY OF JUNE, 2015.

ATTEST:
MICHAELLE E. TREMBLY
CITY CLERK

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

19. Adopt **Resolution No. 2015-135** approving the Developer Constructed Infrastructure Agreement between the City of Kearney and Roberta Corrigan for paving

and storm sewer improvements for Ingalls Crossing Eighth Addition.

RESOLUTION NO. 2015-135

BE IT RESOLVED BY THE PRESIDENT AND COUNCIL OF THE CITY OF KEARNEY, NEBRASKA that the agreement entitled “Developer Constructed Infrastructure Agreement for Ingalls Crossing Eighth Addition” between the City of Kearney and Roberta Corrigan, Trustee of the Leroy Corrigan Trust and Roberta Corrigan, General Partner of Roberta Corrigan Farm, a Nebraska Limited Partnership, for paving and storm sewer improvements for Ingalls Crossing Eighth Addition, an 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 and made a part hereof.

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 23TH DAY OF JUNE, 2015.

ATTEST:
MICHAELLE E. TREMBLY
CITY CLERK

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

20. Adopt **Resolution No. 2015-136** approving the Use and Operations Agreement for Annex A in Hangar T-926 located at the Kearney Regional Airport between the City of Kearney and SevenBar Aviation.

RESOLUTION NO. 2015-136

BE IT RESOLVED by the President and Council of the City of Kearney, Nebraska that the President be and is hereby authorized and directed to execute the Use and Operations Agreement on behalf of the City of Kearney with SevenBar Aviation for Annex A in Hangar T-926 located at the Kearney Regional Airport, the Agreement, marked Exhibit “1”, is attached hereto and made a part hereof by reference.

PASSED AND APPROVED THIS 23TH DAY OF JUNE, 2015.

ATTEST:
MICHAELLE E. TREMBLY
CITY CLERK

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

21. Adopt **Resolution No. 2015-137** approving T-Hangar C-01 Lease Agreement between the City of Kearney and Blair Rodgers for storage purposes at the Kearney Regional Airport.

RESOLUTION NO. 2015-137

BE IT RESOLVED by the President and Council of the City of Kearney, Nebraska that the President be and is hereby authorized and directed to execute T-Hangar C-01 Lease Agreement on behalf of the City of Kearney with Blair Rodgers, the Agreement, marked as Exhibit “1”, is attached hereto and made a part hereof by reference.

PASSED AND APPROVED THIS 23TH DAY OF JUNE, 2015.

ATTEST:
 MICHAELLE E. TREMBLY
 CITY CLERK

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

22. Approve the application for a Special Designated License submitted by Earn & Return Investments, Inc., dba Cellar Bar & Grill in connection with their Class IK-064728 liquor license to dispense beer, wine and distilled spirits The Archway located at 3060 East 1st Street on July 22, 2015 from 5:00 p.m. until 11:00 p.m. for a business social.

V. CONSENT AGENDA ORDINANCES

ORDINANCE NO. 8004 CREATE PAVING DISTRICT NO. 2015-975

Council Member Buschkoetter introduced Ordinance No. 8004 creating Paving Improvement District No. 2015-975 for Landon Street from Central Avenue east to the east line of Lot 1, Gangwish 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. 8004 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. 8004 be passed, approved and published as required by law. Roll call resulted as follows: Aye: Clouse, Nikkila, 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. 8004 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. 8005 CREATE WATER CONNECTION DISTRICT NO. 2015-1

Council Member Buschkoetter introduced Ordinance No. 8005 creating Water Connection District No. 2015-1 in Landon Street from Central Avenue east to the east line of Lot 1, Gangwish 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. 8005 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. 8005 be passed, approved and published as required by law. Roll call resulted as follows: Aye: Clouse, Nikkila, 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. 8005 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. 8006 CREATE SANITARY SEWER DISTRICT NO. 2015-1

Council Member Buschkoetter introduced Ordinance No. 8006 creating Sanitary Sewer Connection District No. 2015-1 in Landon Street from Central Avenue east to the east line of Lot 71, Riverside 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. 8006 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. 8006 be passed, approved and published as required by law. Roll call resulted as follows: Aye: Clouse, Nikkila, 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. 8006 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

None.

VII. REPORTS

Mayor Clouse stated he wanted to invite B.J. Raysor to talk to Council about his acquisition. B.J. Raysor stated he wanted to come and introduce himself and SevenBar Aviation; they are in the process of acquiring Rodger's Helicopter. They just signed a 5-year agreement with Good Samaritan Hospital to continue the service that Rodgers had been providing for decades.

SevenBar is a family owned company much like Rodgers Helicopter. They have been around since 1947. Wade Black is the CEO and third generation of the family to run the company. Mr. Black went out last week to meet Mr. Rodgers. Not a lot of changes coming. He wanted to make himself available if anyone had questions. They would like to be part of the community. If City Council sees a role or place for them to serve in that capacity, they would be interested. Mayor Clouse asked if they are retaining any employees. Mr. Raysor stated they are retaining all of the employees. It will probably be a year in the transitioning for the FAA certificate.

Council member Nikkila commended the Park & Recreation for their efforts in making Community Olympics a big success each year. This year there will be 800 participants.

Council member Lammers thanked the anonymous donor for the trail at the Archway it will be a great addition to the parks trail system. He also commended the Rotarians for putting the giant 80-foot flag by the Archway.

Council member Lear thanked Park & Recreation for the work done for the Kearney Invitational Soccer tournament. There were more than 60 teams and more than 1,000 people come in.

VIII. ADJOURN

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

ATTEST:

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

**MICHAELLE E. TREMBLY
CITY CLERK**