

*Kearney, Nebraska
November 25, 2015
8:00 a.m.*

A special meeting of the City Council of Kearney, Nebraska, was convened in open and public session at 8:00 a.m. on November 25, 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, Jonathan Nikkila, Bob Lammers. Absent: None. Michael Tye, City Attorney was also present. Amanda Brandt from Kearney Hub, and Brent Wiethort from KKPR Radio were also in the audience.

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.

ORDINANCE NO. 8045 SELLING LOT 1 OF BLOCK 2, TECH ONE FIRST SUBDIVISION

Council recently deeded property to the Economic Development Council in exchange for property that they deeded to the City at the Pramac Building Site. In that last deed, we neglected to include one lot that should have been included in that transaction. Therefore, we have prepared an additional deed to transfer Lot 1, Block 2, Tech One First Subdivision to the Development Council so that they will have the full 30 acre site.

Council Member Lammers introduced Ordinance No. 8045 authorizing and directing the sale and conveyance of Lot 1 of Block Two, Tech One First Subdivision, a subdivision being a part of the North Half of the Northwest Quarter of Section 29, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska to the Economic Development Council of Buffalo County, Inc., 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 Nikkila 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. 8045 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 Nikkila seconded by Lear that Ordinance No. 8045 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. 8045 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. 8046 SELLING PATRIOT PARK LAND TO FACILITIES CORPORATION

The City will be issuing bonds for this project at an upcoming Council meeting for the bonds to be issued by the Facilities Corporation. It is necessary for the Facilities Corporation to own this parcel so that the project might be bonded. This parcel of property only includes the area where development will occur as part of the Patriot Park project.

Council Member Lammers introduced Ordinance No. 8046 authorizing and directing the sale and conveyance of a tract of land being part of the Northwest Quarter and part of the Northwest Quarter of the Northeast Quarter of Section 28, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska to City of Kearney Facilities Corporation, 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 Nikkila 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. 8046 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 Nikkila seconded by Lear that Ordinance No. 8046 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. 8046 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. 8047 SELLING A PORTION OF FOUNTAIN HILLS FIFTH ADDITION TO MICHELE AND ADRIAN ROMERO

Items 5, 6 and 7 pertain to the same area. These three Quitclaim Deeds from the City of Kearney to property owners that are adjacent to trail connections that were platted as a part of Fountain Hills Fifth Addition. City staff has determined that two of these trail connections can be relinquished and one will remain in place. The developer has

requested that the City provide deeds so that the adjoining property owners will now own these areas. There is no cost or financial obligation for the City as a part of this transaction.

Council Member Lammers introduced Ordinance No. 8047 authorizing and directing the sale and conveyance of a tract of land being all of Lot 6, Block 8, and part of Outlot A, Block 6, Fountain Hills Fifth Addition, an Addition to the City of Kearney, Buffalo County, Nebraska to Michele and Adrian Romero, 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 Nikkila 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. 8047 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 Nikkila seconded by Lear that Ordinance No. 8047 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. 8047 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. 8048 SELLING A PORTION OF FOUNTAIN HILLS FIFTH ADDITION TO KEARNEY PUBLIC SCHOOLS

Items 5, 6 and 7 pertain to the same area.

Council Member Lammers introduced Ordinance No. 8048 authorizing and directing the sale and conveyance of a tract of land being all of Lot 7, Block 8, and part of Outlot A, Block 6, Fountain Hills Fifth Addition, an Addition to the City of Kearney, Buffalo County, Nebraska to the Kearney Public Schools, 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 Nikkila 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. 8048 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 Nikkila seconded by Lear that Ordinance No. 8048 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. 8048 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. 8049 SELLING A PORTION OF FOUNTAIN HILLS FIFTH ADDITION TO ROBERT MORRIS

Items 5, 6 and 7 pertain to the same area.

Council Member Lammers introduced Ordinance No. 8049 authorizing and directing the sale and conveyance of a tract of land being all of Lot 10, Block 6, and part of Outlot A, Block 6, Fountain Hills Fifth Addition, an Addition to the City of Kearney, Buffalo County, Nebraska to Robert Morris, 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 Nikkila 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. 8049 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 Nikkila seconded by Lear that Ordinance No. 8049 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. 8049 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.

CUNNINGHAM'S JOURNAL SDL FOR DECEMBER 12, 2015

Moved by Lear seconded by Buschkoetter to approve the application for a Special Designated License submitted by Night Life Concepts, Inc., dba Cunningham's Journal in connection with their Class CK-059311 liquor license to dispense beer, wine and distilled spirits inside the Exhibit Building located at the Buffalo County Fairgrounds, 3807 Avenue N, on Saturday, December 12, 2015 from 3:00 p.m. until 1:00 a.m. for a reception. Roll call resulted as follows: Aye: Clouse, Lammers, Buschkoetter, Lear, Nikkila. Nay: None. Motion carried.

ADJOURN

Moved by Clouse seconded by Buschkoetter that Council adjourn at 8:03 a.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**