

Kearney, Nebraska
June 13, 2017
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 13, 2017 in the Council Chambers at City Hall. Present were: Stanley A. Clouse, President of the Council; Lauren Brandt, Deputy City Clerk; Council Members Randy Buschkoetter, Bruce Lear, Bob Lammers and Jonathan Nikkila. Absent: None. Michael Morgan, City Manager; Michael Tye, City Attorney; Lauren Brandt, Deputy City Clerk; Wendell Wessels, Director of Finance; Paul Briseno, Assistant City Manager; Tony Jelinek, Director of Utilities; Rod Wiederspan, Director of Public Works; Dan Lynch, Chief of Police; and Shawna Erbsen, Administrative Services Director were also present. Members of the media present included: Kyle LaBorie from KGFW Radio and Mike Konz from Kearney Hub.

Notice of the meeting was given in advance thereof by publication in the Kearney Hub, the designated method for giving notice, a copy of the proof of publication being attached to these minutes. Advance notice of the meeting was also given to the City Council and a copy of their acknowledgment or receipt of such notice is attached to these minutes. Availability of the Agenda was communicated in the advance notice and in the notice to the Mayor and City Council. All proceedings hereafter shown were taken while the meeting was open to the attendance of the public.

I. ROUTINE BUSINESS

INVOCATION/MOMENT OF SILENCE

Pastor Kent Sundberg provided the Invocation.

PLEDGE OF ALLEGIANCE

One Boy Scout 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

VACATE LOT 1, HILLTOP MALL SUBDIVISION AND FINAL PLAT FOR HILLTOP MALL SECOND

Mayor Clouse stated the City was notified by the developer requesting to postpone until June 27, 2017 Public Hearings 1 and 2 pertaining to the development of property located northeast of 2nd Avenue and 48th Street, west of Herbergers.

Moved by Lammers seconded by Nikkila to postpone until June 27, 2017 the public hearing on the Applications submitted by Miller & Associates for MFP Mid-America Shopping Centers, LLC to (1) vacate Lot 1, Hilltop Mall Subdivision, a subdivision to the City of Kearney, Buffalo County, Nebraska; and (2) the Final Plat and Subdivision Agreement for Hilltop Mall Second, an addition to the City of Kearney, Buffalo County, Nebraska, for a tract of land being Lot 1 (to be vacated), Hilltop Mall Subdivision, a subdivision to the City of Kearney in the Southwest Quarter of the Northwest Quarter of Section 25, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (4915 2nd Avenue). Roll call resulted as follows: Aye: Clouse, Lear, Nikkila, Lammers, Buschkoetter. Nay: None. Motion carried. Ordinance was read by number.

DEVELOPMENT PLANS FOR NORTHEAST OF 2ND AVENUE AND 48TH STREET, WEST OF HERBERGERS

Mayor Clouse stated the City was notified by the developer requesting to postpone until June 27, 2017 Public Hearings 1 and 2 pertaining to the development of property located northeast of 2nd Avenue and 48th Street, west of Herbergers.

Moved by Lammers seconded by Nikkila to postpone until June 27, 2017 the hearing on the Application submitted by Miller & Associates for MFP Mid-America Shopping Centers, LLC for Planned District Development Plan Approval for the construction of a commercial building on property zoned District C-2/PD, Community Commercial/Planned Development Overlay District and described as proposed Lot 3, Hilltop Mall Second, an addition to the City of Kearney, Buffalo County, Nebraska (northeast of 2nd Avenue and 48th Street, west of Herbergers). Roll call resulted as follows: Aye: Clouse, Lear, Nikkila, Lammers, Buschkoetter. Nay: None. Motion carried.

VACATE LOT 1 AND PART OF LOT 2, GRANDVIEW ESTATES EIGHTH ADDITION, AND LOT 1, CASEY'S ADDITION AND FINAL PLAT FOR GRANDVIEW ESTATES TWELFTH ADDITION

Mayor Clouse opened the public hearing on the Applications submitted by Miller & Associates for Crossroad Center and Directed Services, Inc. for (1) the vacation of Lot 1 and part of Lot 2, Grandview Estates Eighth Addition, and Lot 1, Casey's Addition, all in the City of Kearney, Buffalo County, Nebraska and consider Ordinance No. 8146; and (2) the Final Plat for Grandview Estates Twelfth Addition, an addition to the City of Kearney, Buffalo County, Nebraska for property described as a tract of land being all of Lot 1 (to be vacated) and part of Lot 2 (to be vacated) of Grandview Estates Eighth Addition, and Lot 1 (to be vacated) of Casey's Addition, all in the City of Kearney, Buffalo County, Nebraska (1404 East 39th Street and 4115 Avenue N) and consider Resolution No. 2017-94. Planning Commission recommended approval.

Craig Bennett from Miller & Associates presented this matter to the Council. This property is located north of 39th Street and east of Avenue N. Crossroad's is expanding and is wanting to purchase ground that is located in the northeast corner of the area. There is water and sewer around all of the sides and no access changes are needed. The zoning for the entire parcel is C-1 and a rezoning for the property is not being requested at this time. There is currently a Lot 1, Grandview Estates Eighth Addition, which is a portion that is trying to separate so that Crossroad's can buy it. There are two other portions that are part of Lot 2, Grandview Estates Eighth Addition and Lot 1, Casey's Addition. All three portions of those lots are being vacated. The final plat is a three lot subdivision and would retain the funeral home's real property and developed area. It would create a Lot 2 that would be more of a rectangular shaped parcel. Lot 3 would encompass Crossroad's existing building and parking lot.

There was no one present in opposition to this hearing.

Moved by Nikkila to close the public hearing on the Applications submitted by Miller & Associates for Crossroad Center and Directed Services, Inc. for the vacation of Lot 1 and part of Lot 2, Grandview Estates Eighth Addition, and Lot 1, Casey's Addition, all in the City of Kearney, Buffalo County, Nebraska and introduced Ordinance No. 8146 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 Lear seconded the motion to close the hearing and suspend the rules for Ordinance No. 8146. 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, Nikkila, Lammers, Buschkoetter, Lear. Nay: None. Motion to suspend the rules having been concurred in by three-fourths of the City Council, said motion was declared passed and adopted. City Clerk read Ordinance No. 8146 by number. Roll call of those in favor of the passage of said ordinance on the first reading resulted as follows: Aye: Clouse, Nikkila, Lammers, Buschkoetter, Lear. Nay: None. Motion carried. Ordinance was read by number.

Moved by Lear seconded by Buschkoetter that Ordinance No. 8146 be passed, approved and published as required by law. Roll call resulted as follows: Aye: Clouse, Lammers, Buschkoetter, Lear, Nikkila. Nay: None. Motion carried.

By reason of the roll call voted on the first reading and final passage of the ordinance, Ordinance No. 8146 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.

Moved by Buschkoetter seconded by Clouse to adopt Resolution No. 2017-94 approving the Final Plat for Grandview Estates Twelfth Addition, an addition to the City of Kearney, Buffalo County, Nebraska for property described as a tract of land being all of Lot 1 (to be vacated) and part of Lot 2 (to be vacated) of Grandview Estates Eighth Addition, and Lot 1 (to be vacated) of Casey's Addition, all in the City of Kearney,

Buffalo County, Nebraska (1404 East 39th Street and 4115 Avenue N). Roll call resulted as follows: Aye: Clouse, Buschkoetter, Lear, Nikkila, Lammers. Nay: None. Motion carried.

RESOLUTION NO. 2017-94

BE IT RESOLVED BY THE PRESIDENT AND COUNCIL OF THE CITY OF KEARNEY, NEBRASKA, that the plat of Grandview Estates Twelfth Addition, an addition to the City of Kearney, Buffalo County, Nebraska for a tract of land being all of Lot 1 (now vacated) and part of Lot 2 (now vacated) of Grandview Estates Eighth Addition, an addition to the City of Kearney, and all of Lot 1 (now vacated) of Casey's Addition, an addition to the City of Kearney, all in the Southwest Quarter of the Southwest Quarter of Section 30, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska and more particularly described as follows: Referring to a chiseled cross in concrete at the Southwest corner of the Southwest Quarter of the Southwest Quarter of Section 30 and assuming the South line of said Southwest Quarter as bearing N 89°39'30" E and all bearings contained herein are relative thereto; thence N 89°39'30" E on said South line of the Southwest Quarter a distance of 255.34 feet to the Southerly extension of the East line of Lots 2 and 3 of Casey's Addition, an addition to the City of Kearney, Buffalo County, Nebraska; thence N 00°28'19" W on said Southerly extension of the East line of said Lots 2 and 3 a distance of 40.00 feet to a 5/8" rebar at the Southeast corner of said Lot 3 of Casey's Addition; thence continuing N 00°28'19" W on said East line of Lots 2 and 3 a distance of 350.06 feet to a 5/8" rebar at the Northeast corner of said Lot 2 of Casey's Addition; thence S 89°39'32" W on the North line of said Lot 2 of Casey's Addition a distance of 115.09 feet to a 5/8" rebar with cap at the Southeast corner of a Tract of land described as the South 50.0 feet of the West 100.0 feet of Lot 3, Block Four, Grandview Estates, an addition to the City of Kearney, Buffalo County, Nebraska; thence N 00°29'17" W on the East line of said Tract of land a distance of 49.83 feet to a 5/8" rebar with cap at the Northeast corner of said Tract of land; thence S 89°39'32" W on the North line of said Tract of land a distance of 99.89 feet to a 5/8" rebar on the East line of Avenue "N" as plated in said Grandview Estates; thence N 00°25'39" W on said East line of Avenue "N" a distance of 250.13 feet to a 5/8" rebar at the South line of 42nd Street as plated in said Grandview Estates; thence N 89°38'47" E on said South line of 42nd Street a distance of 299.77 feet; thence continuing on said South line of 42nd Street and along a tangent curve to the Left having a central angle of 3°50'29", a radius of 629.14 feet, an arc length of 42.18 feet, and a chord bearing N 87°43'32" E a distance of 42.17 feet to a 5/8" rebar at the Northwest corner of Lot 4 of Grandview Estates Seventh Addition, an addition to the City of Kearney, Buffalo County, Nebraska; thence S 00°26'38" E on the West line of said Lot 4 a distance of 134.53 feet to a 5/8" rebar at the Southwest corner of said Lot 4; thence N 89°40'21" E on the South line of said Lot 4, and Lots 3 and 2 of said Grandview Estates Seventh Addition, a distance of 166.49' feet to a 5/8" rebar at the Northerly Northwest corner of Lot 2 of Grandview Estates Eighth Addition an addition to the City of Kearney, Buffalo County, Nebraska; thence S 00°28'32" E on the West line of said Lot 2 a distance of 166.87 feet to a 5/8" rebar; thence S 00°25'41" E a distance of 350.06 feet to a 5/8" rebar on the North line of 39th Street as plated in said Grandview Estates; thence S 89°39'30" W on said North line of 39th Street a distance of 293.29 feet to the Point of Beginning. Containing 5.24 Acres, more or less, all in Buffalo County, Nebraska duly made out, acknowledged and certified, and the same hereby is

approved in accordance with the provisions and requirements of Section 19-916 of the Nebraska Revised Statutes, be accepted and ordered filed and recorded in the Office of the Register of Deeds of Buffalo County, Nebraska; said addition is hereby included within the corporate limits of said City and shall be and become a part of said City for all purposes whatsoever, and the inhabitants of such addition shall be entitled to all the rights and privileges and shall be subject to all laws, ordinances, rules and regulations of said City.

BE IT FURTHER RESOLVED that the President of the Council be and is hereby authorized and directed to execute the final plat on behalf of the City of Kearney, Nebraska.

PASSED AND APPROVED THIS 13TH DAY OF JUNE, 2017.

ATTEST:
LAUREN BRANDT
DEPUTY CITY CLERK

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

**FINAL PLAT FOR L & P COMMERCIAL PARK LOCATED AT 2016 EAST HIGHWAY
30**

Mayor Clouse opened the public hearing on the Application submitted by Buffalo Surveying for L & P Investments, LLC, for the Final Plat and Subdivision Agreement for L & P Commercial Park, an addition to the City of Kearney, Buffalo County, Nebraska for property described as a tract of land in the Southwest Quarter of the Southeast Quarter of Section 31, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (2016 East Highway 30) and to consider Resolution No. 2017-95. Planning Commission recommended approval.

Mitch Humphrey presented this matter to the Council. This site is located on East Highway 30, next to Heartland Motor Sports, Sahling-Kenworth to the east and the trailer park to the north. The site is L-shaped and there have been numerous businesses on the property in the past. The site is zoned M-1. There are lots of utilities on the site which explains why it has taken awhile for the site to develop. There is a significant sewer line that runs east and west, a north/south water and sewer line that intersects the site north and south to service the trailer park. The developers would now like to work around the water lines, address some connectivity to the sewer line that goes to the trailer park and work around the large city sewer line that runs through the site. The developers would like to make a business park with four buildings. The stormwater management has been addressed. The large sewer line that traverses east and west through the site is located within an easement that was granted to the City that is 40 feet wide. At some point, a partial release will be needed for the south 10 feet of the sewer easement that is across now on unplatted property. Mr. Humphrey has spoken with the City Attorney regarding this issue and determined it is not problematic and does not need to be addressed as part of a vacation. One lot will be 4.81 acres that is platted, annexed and will accommodate the various public utility easements as required.

There was no one present in opposition to this hearing.

Moved by Clouse seconded by Lammers to close the hearing and adopt Resolution No.

2017-95 approving the Application submitted by Buffalo Surveying for L & P Investments, LLC, for the Final Plat and Subdivision Agreement for L & P Commercial Park, an addition to the City of Kearney, Buffalo County, Nebraska for property described as a tract of land in the Southwest Quarter of the Southeast Quarter of Section 31, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (2016 East Highway 30). Roll call resulted as follows: Aye: Clouse, Lear, Nikkila, Lammers, Buschkoetter. Nay: None. Motion carried.

RESOLUTION NO. 2017-95

BE IT RESOLVED BY THE PRESIDENT AND COUNCIL OF THE CITY OF KEARNEY, NEBRASKA, that the plat of L & P Commercial Park, an addition to the City of Kearney, Buffalo County, Nebraska for a tract of land in the Southwest Quarter of the Southeast Quarter of Section 31, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska, said tract being laid out on part of Blocks numbered 112, 113, 118 and 119, part of Avenue V, and part of 27th Street, all being formerly in the Midway land Company's Second East Lawn Addition to the City of Kearney, and all now vacated, said tract of land being more particularly described as follows: Beginning at the Northwest corner of the Southwest Quarter of the Southeast Quarter of said Section 31, thence East 466.2 feet; thence South 423.2 feet to a point on the North Boundary of U.S. Highway No. 30, running thence in a Southwesterly direction along the North Boundary of said Highway 384.7 feet, running thence North 196.95 feet; thence West 100.0 feet, running thence North 334.85 feet to the place of beginning, Buffalo County, Nebraska duly made out, acknowledged and certified, and the same hereby is approved in accordance with the provisions and requirements of Section 19-916 of the Nebraska Revised Statutes, be accepted and ordered filed and recorded in the Office of the Register of Deeds of Buffalo County, Nebraska; said addition is hereby included within the corporate limits of said City and shall be and become a part of said City for all purposes whatsoever, and the inhabitants of such addition shall be entitled to all the rights and privileges and shall be subject to all laws, ordinances, rules and regulations of said City.

BE IT FURTHER RESOLVED that the Subdivision Agreement, marked as Exhibit "A" attached hereto and made a part hereof by reference, be and is hereby approved and that the President of the Council be and is hereby authorized and directed to execute said agreement on behalf of the City of Kearney, Nebraska. Said Subdivision Agreement shall be filed with the final plat with the Buffalo County Register of Deeds.

BE IT FURTHER RESOLVED that the President of the Council be and is hereby authorized and directed to execute the final plat on behalf of the City of Kearney, Nebraska.

PASSED AND APPROVED THIS 13TH DAY OF JUNE, 2017.

ATTEST:
LAUREN BRANDT
DEPUTY CITY CLERK

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

**VACATE PORTION OF TRAIL RIDGE COUNTRY ESTATES AND REZONE
PROPERTY NORTHEAST OF THE 53RD AVENUE AND 62ND STREET
INTERSECTION**

Public Hearings 5 and 6 were discussed together but voted on separately.

Mayor Clouse opened the public hearing on the Applications submitted Buffalo Surveying for Michael and Patrese O'Brien to (1) vacate Lot 6, Block 2 and Lot 1, Block 3, Trail Ridge Country Estates and consider Ordinance No. 8147; and (2) rezone from District AG, Agricultural District to District RR-1, Rural Residential District (Rural Standards) property described as a tract of land being part of the West Half of the East Half of the Southwest Quarter of Section 20, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (northeast of the 53rd Avenue and 62nd Street Intersection) and consider Ordinance No. 8148. Planning Commission recommended approval.

Mitch Humphrey presented this matter to the Council. This site is located on the fringe of the City's two-mile extraterritorial jurisdiction and north of the 56th Street corridor. The O'Brien's own a piece of property that is currently unplatted but also own the north part of Lot 1 and Lot 6. The O'Brien's would like to plat the lots so that one lot has 3.07 acres (north lot), the next lot would have 5.75 acres and the final lot would have 3.01 acres. The property is currently not zoned but surrounds zoning RR-1. As part of the application, a request to zone the lots has been included with the final plat containing the three lots and a cul-de-sac bulb on the end. There is a structure on the west part of Lot 1 that will go away, the lot would be sold and a new home would be placed on Lot 1. The O'Brien's will retain Lot 3 for a future sell.

Council member Lammers stated that there was some discussion in Planning Commission regarding the access to the property and concerns over the County would take care of the road. Mr. Humphrey stated that there was a neighbor that voiced concerns about 62nd Street whereas the County's policy is to not take care of roads that do not conform to their standards. This road, by many efforts from the O'Brien's, has been brought up to the standards. However, the County decided that because the road terminated at the property line for the Trail Ridge Country Estates project without a cul-de-sac or turn-around dedicated and built, the County would not take over the road. The O'Brien's have since maintained the road for many years and have added asphalt paving to portions of abutting Lot 1 and Lot 3. The O'Brien's are working on creating a cul-de-sac or turn-around that is required. After the cul-de-sac or turnaround is complete, the neighbors could then petition the County Highway Department or Board for maintenance of the road.

There was no one present in opposition to this hearing.

Moved by Lammers to close the public hearing on the Applications submitted by Buffalo Surveying for Michael and Patrese O'Brien for property located northeast of the 53rd Avenue and 62nd Street Intersection and introduced Ordinance No. 8147 vacating Lot 6, Block 2 and Lot 1, Block 3, Trail Ridge Country Estates and introduced Ordinance No. 8148 rezoning from District Agricultural District to District RR-1, Rural Residential District (Rural Standards) 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 close the hearing and suspend the rules for Ordinance Nos. 8147 and 8148. President of the Council asked for discussion or if anyone in the audience was interested in the ordinances. No one responded. Clerk called the roll which resulted as follows: Aye: Clouse, Nikkila, Lammers Buschkoetter, Lear. Nay: None. Motion to suspend the rules having been concurred in by three-fourths of the City Council, said motion was declared passed and adopted. City Clerk read Ordinance Nos. 8147 and 8148 by number. Roll call of those in favor of the passage of said ordinances on the first reading resulted as follows: Aye: Clouse, Nikkila, Lammers Buschkoetter, Lear. Nay: None. Motion carried. Ordinances were read by number.

Moved by Nikkila seconded by Lear that Ordinance Nos. 8147 and 8148 be passed, approved and published as required by law. Roll call resulted as follows: Aye: Clouse, Lammers, Buschkoetter, Lear, Nikkila. Nay: None. Motion carried.

By reason of the roll call voted on the first reading and final passage of the ordinances, Ordinance Nos. 8147 and 8148 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.

FINAL PLAT FOR O'BRIEN COUNTRY ESTATES LOCATED NORTHEAST OF THE 53RD AVENUE AND 62ND STREET INTERSECTION

Public Hearings 5 and 6 were discussed together but voted on separately.

Mayor Clouse opened the public hearing on the Application submitted by Buffalo Surveying for Michael and Patrese O'Brien for the Final Plat for O'Brien Country Estates, a subdivision being all of Lot 6, Block Two, part of Lot 1, Block Three, Trail Ridge Country Estates, a subdivision in the West Half of the Southeast Quarter and the East Half of the Southwest Quarter and part of the West Half of the East Half of the Southwest Quarter of Section 20, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (northeast of the 53rd Avenue and 62nd Street Intersection) and to consider Resolution No. 2017-96. Planning Commission recommended approval.

There was no one present in opposition to this hearing.

Moved by Lear seconded by Buschkoetter to close the hearing and adopt Resolution No. 2017-96 approving the Application submitted by Buffalo Surveying for Michael and Patrese O'Brien for the Final Plat for O'Brien Country Estates, a subdivision being all of Lot 6, Block Two, part of Lot 1, Block Three, Trail Ridge Country Estates, a subdivision in the West Half of the Southeast Quarter and the East Half of the Southwest Quarter and part of the West Half of the East Half of the Southwest Quarter of Section 20, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (northeast of the 53rd Avenue and 62nd Street Intersection). Roll call resulted as follows: Aye: Clouse, Nikkila, Lammers, Buschkoetter, Lear. Nay: None. Motion carried.

RESOLUTION NO. 2017-96

BE IT RESOLVED BY THE PRESIDENT AND COUNCIL OF THE CITY OF KEARNEY, NEBRASKA, that the plat of O'Brien Country Estates of Buffalo County,

Nebraska, a subdivision being part of the West Half of the East Half of the Southwest Quarter and part of the East Half of the East Half of the Southwest Quarter of Section 20, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska, more particularly described as follows: A tract of land comprising of Lot 6, Block Two, part of Lot 1, Block Three, Trail Ridge Country Estates, a subdivision in the West Half of the West Half of the Southeast Quarter and the East Half of the East Half of the Southwest Quarter of Section 20, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska, and said tract of being part of the West Half of the East Half of the Southwest Quarter of Section 2, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska, with said Lot 6, Block Two and part of Lot 1, Block Three, Trail Ridge Country Estates now vacated, and all being more particularly described as follows: Referring to the Northwest Corner of the West Half of the East Half of the Southwest Quarter and assuming the North line of the West Half of the East Half of the Southwest Quarter of Section 20 as bearing S 89°56'32" E and all bearings contained herein are relative thereto; thence on the North line of the West Half of the East Half of the Southwest Quarter of said Section 20 a distance of 665.08 feet to the ACTUAL PLACE OF BEGINNING, said point being the Northwest Corner of the East Half of the East Half of the Southwest Quarter of said Section 20, and said point being the Northwest Corner of Lot 6, Block Two, Trail Ridge Country Estates; thence continuing on the North line of the East Half of the East Half of the Southwest Quarter of said Section 20 and on the North line of said Trail Ridge Country Estates a distance of 382.34 feet to the Northwest Corner of Lot 5, Block Two of said Trail Ridge Country Estates, such point also being the Northeast Corner of said Lot 6, Block Two, Trail Ridge Country Estates; thence leaving the North line of the East Half of the East Half of the Southwest Quarter of said Section 20, and the North line of said Trail Ridge Country Estates and on the line common to the West line of said Lot 5, Block Two and the East line of said Lot 6, Block Two, Trail Ridge Country Estates, S 30°38'21" W a distance of 482.55 feet to the Southwest Corner of said Lot 5, Block Two, Trail Ridge Country Estates, such point also being the Southeast Corner of said Lot 6, Block Two, Trail Ridge Country Estates, and such point being on the northerly line of 62nd Street, a street shown on the plat and dedication of said Trail Ridge Country Estates; thence northwesterly on the line common to the northerly line of said 62nd Street and the southerly line of said Lot 6, Block Two, Trail Ridge Country Estates, and on a non-tangent 330.0 foot radius curve, concave southerly, forming a central angle of 25°03'39" an arc distance of 144.34 feet to the Southwest Corner of said Lot 6, Block Two, Trail Ridge Country Estates, said point being N 71°50'54" W a chord distance of 143.19 feet from the previously described point, and such point also being on the East line of the West Half of the East Half of the Southwest Quarter of said Section 20; thence leaving said non-tangent curve and on the West line of said Trail Ridge Country Estates and on the East line of the West Half of the East Half of the Southwest Quarter of said Section 20, S 00°02'55" E a distance of 60.36 feet to the Northerly Corner of said Lot 1, Block Three, Trail Ridge Country Estates, said point being on the southerly line of said 62nd Street, and such point being on a non-tangent 270.0 foot radius curve, concave southerly; thence on the line common to the southerly line of said 62nd Street and the northerly line of said Lot 1, Block Three, Trail Ridge Country Estates, and on said non-tangent curve forming a central angle of 59°09'55" an arc distance of 278.81 feet to a point of tangency, said point being S 53°32'56" E a chord distance of 266.59 feet from the previously described point; thence continuing on the line common to the southerly line of said 62nd Street and the northerly line of said lot 1, Block Three, Trail Ridge

Country Estates, S 24°00'00" E a distance of 110.69 feet to a point being a distance of 211.61 feet northerly from the southeasterly Corner of said Lot 1, Block Three, Trail Ridge Country Estates; thence leaving the southerly line of said 62nd Street, S 66°00'00" W a distance of 283.8 feet to a point on the West line of said Lot 1, Block Three, Trail Ridge Country Estates, said point also being on the East line of the West Half of the East Half of the Southwest Quarter of said Section 20; thence on the line common to the West line of said Lot 1, Block Three, Trail Ridge Country Estates and the East line of the West Half of the East Half of the Southwest Quarter of said Section 20, N 00°02'55" W a distance of 26.61 feet to the Northeast Corner of Lot 1, Block One, Erin's Valley Subdivision, a subdivision being part of the West Half of the East Half of the Southwest Quarter of Section 20, Township 9 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska; thence on the North line of said Lot 1, Block One, Erin's Valley Subdivision, N 89°56'32" W a distance of 665.92 feet to the Northwest Corner of said Lot 1, Block One, Erin's Valley Subdivision, said point being on the West line of the West Half of the East Half of the Southwest Quarter of said Section 20; thence on the West line of the West Half of the East Half of the Southwest Quarter of said Section 20, N 00°00'46" E a distance of 383.74 feet; thence leaving the West line of the West Half of the East Half of the Southwest Quarter of said Section 20, N 61°57'05" E a distance of 333.49 feet; thence N 71°57'05" E a distance of 285.0 feet; thence N 89°57'05" E a distance of 100.00 feet to a point on the East line of the West Half of the East Half of the Southwest Quarter of said Section 20, said point being on the West line of said Lot 6, Block Two, Trail Ridge Country Estates; thence on the line common to the East line of the West Half of the East Half of the Southwest Quarter of said Section 20 and the West line of said Lot 6, Block Two, Trail Ridge Country Estates, N 00°02'55" W a distance of 150.00 feet to the place of beginning, containing 11.83 acres, more or less, all in Buffalo County, Nebraska duly made out, acknowledged and certified, and the same hereby is approved in accordance with the terms and requirements of Sections 16-901 through 16-904 inclusive, R.R.S. 1943 (as amended) be accepted and ordered filed and recorded in the Office of the Register of Deeds, Buffalo County, Nebraska.

BE IT FURTHER RESOLVED that the President of the Council be and is hereby authorized and directed to execute the final plat on behalf of the City of Kearney, Nebraska.

PASSED AND APPROVED THIS 13TH DAY OF JUNE, 2017.

ATTEST:
LAUREN BRANDT
DEPUTY CITY CLERK

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

REZONE PROPERTY LOCATED NORTHEAST OF THE 27TH AVENUE AND 11TH STREET INTERSECTION

Public Hearings 7, 8, 9 and 10 were discussed together but voted on separately.

Mayor Clouse opened the public hearing on the Application submitted by Buffalo Surveying for VSL Kearney, LLC to rezone from District AG, Agricultural District to District R-3/PD, Urban Residential Multi-Family (Medium Density)/Planned Development Overlay District property described as a tract of land being part of the Southeast Quarter of the Southwest Quarter and part of the Southwest Quarter of the

Southeast Quarter of Section 3, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (northeast of the 27th Avenue and 11th Street Intersection) and to consider Ordinance No. 8149.

Mitch Humphrey presented this matter to the Council. This project involves 28.53 acres located west of 11th Street, east of Central Community College and southeast of The Buckle warehouse. Mitch Elliott, a Kearney native with RDG Planning and Design and John Sole, architect with Vetter Health Services (parent company of VSL Kearney) are also at the hearing to help represent this project.

Mitch Elliott, Senior Partner Architect with RDG Planning and Design stated that he is representing Vetter Health Services. The Vetter family is Nebraska-based. There are 23 Vetter facilities already in Nebraska with a recent addition built in Broken Bow. The organization is mission driven and values and vision based. Jack Vetter has owned land in Kearney since the mid 1990's. Mr. Elliott worked with Jack on the purchase property south of Northridge (about 10 acres) that had a significant slope on the property. As Kearney has grown, it was decided that relocating to the southwest portion of Kearney would be a positive move.

11th Street runs to the south of this parcel, 16th Street will be dedicated to the north, 27th Avenue to the west and 24th Avenue to the east. The property is being platted and divided into two parcels. The first lot will encompass the first phase of the project and the second lot then encompasses the balance. A strategic approach was used to capitalize the best interest of the TIF availability.

The first phase will access and utilize 27th Avenue as the primary entrance for both guests and employee traffic. Having a signaled intersection is very important for traffic control. There will be over 100,000 square foot of building footprint within the first phase of development. Guest and visitor parking will be to the southwest of the building. Employee parking and service delivery will come off of a private street that intersects its access of 27th Avenue. The entire campus master plan is not being brought forth at this time but the goal is to develop a lower density independent living in Lot 2. This will be brought forward in the future and will consist of cottages, duplexes, triplexes, fourplexes, but not a multi-story apartment type approach.

This facility will be a 60-bed (residents), skilled-nursing environment with the ability to add another 20 resident household. The first household located on the southwest portion of the building will be dedicated to short-term rehab. The average length of stay for this portion is two weeks to one month with access to therapeutic, dining and church services. This building is a one-story, 60,000 square foot (out of the 100,000 square foot building).

Attached to this building is a 40-apartment assisted living environment that will benefit from shared resources in terms of laundry, housekeeping, maintenance and dietary kitchen. The assisted living portion of the building is a two-story building ranging from apartments the size of a studio apartment (1 bedroom, 1 bedroom den) and some two bedroom apartments. A housing study that RDG looked at supported the need for assisted living as well as independent living.

In the State of Nebraska, there is a certificate of need law that allows the purchase and relocation of beds across the state. It used to be at one time that the beds were only allowed to be relocated within a county. But because the state decided to locate beds where they are needed, Jack Vetter has been able to capitalize on purchasing beds in different parts of the state in over utilized areas, and then bring them into other areas. By also using underutilized beds from current buildings, Kearney will now benefit from those additional beds. The building will be fully Medicare and Medicaid certified. There will be a combination of private pay Medicare eligible and Medicaid eligible residents from the community. Over the last month, there has been some development as compared to what was submitted to the Planning Commission. Exterior daylighting and natural daylighting are trying to be utilized as much as possible. One of the concepts was to capitalize on the Sandhill Crane. The soaring nature of wingspan drove the three-dimensional concepts of shed roofs, clear story lighting, windows within certain areas, etc. Mr. Elliott is eager to develop something that is therapeutic in nature for those who are rehab to room and becomes home for those from a long term care standpoint.

Construction Management will be handled in house by the Vetter team. The Vetter team will begin soliciting earth work bids and coordinating the schedule with the City staff and the TIF application. The hope is by mid-July, top soil can be stripped and dirt can be brought in to begin construction. When the facility is full, there will be approximately 110-130 team members and ran 24/7 (3 shifts) but two-thirds will be employed during the day shift which runs about 6:30 am to 2:30 p.m. Based on other communities, a \$4 million annual payroll is anticipated. There are early discussions occurring with the Central Community College and UNK nursing programs for possible collaborations. Vetter believes it is important to grow their own regarding nurses, CNAs and medical support team members.

The site development documents are currently wrapping up. Site construction to begin next month presuming tonight's meeting. Building documents will be completed in early August and building construction is also August 2017 through July 2018. The Vetter organization will take one month to set the building up for occupancy in August 2018 with final occupancy in September 2018. This is an aggressive schedule. Vetter has been able to become the preferred provider for long term and short term rehab in every community and in many communities, they have also become the preferred employer. This has occurred because the organization invests in culture, a place where people want to live and work. This is the secret sauce of Jack and Eldora Vetter.

Council Member Clouse asked if the design that was laid out was a standard model design. Mr. Elliott stated there has never been a replicated design in any two locations. The design to the context of the community is very important so what works in other communities might not work in Kearney and vice versa. This is not a cookie cutter plan that has been developed before.

Council Member Clouse asked if in other Vetter properties, are there both long and short term skilled nursing and assisted living all combined. Mr. Elliott stated that there is not assisted living in every community as it depends on the market demand. Council member Lammers asked if there was a memory care unit included in the property. Mr. Elliott stated that there is not a designated memory care area. There have been some

recent changes to the life safety code that the Centers for Medicare and Medicaid are developing which allows control of inadvertent elopement or exiting of the building which can be done in stealth like manner so that the environment is safe. For those who have some level of confusion or dementia, the environment is safe even though there is not a designated memory support household.

Council Member Lammers asked if the 110 to 130 potential employees are considered full time equivalents. Mr. Elliot stated that yes; those are full time positions and the reality is that the number of people on the payroll list will be greater than 110 to 130.

There was no one present in opposition to this hearing.

Moved by Buschkoetter to close the public hearing on the Application submitted by Buffalo Surveying for VSL Kearney, LLC to rezone from District AG, Agricultural District to District R-3/PD, Urban Residential Multi-Family (Medium Density)/Planned Development Overlay District property described as a tract of land being part of the Southeast Quarter of the Southwest Quarter and part of the Southwest Quarter of the Southeast Quarter of Section 3, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (northeast of the 27th Avenue and 11th Street Intersection) and introduced Ordinance No. 8149 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 close the hearing and suspend the rules for Ordinance No. 8149. President of the Council asked for discussion or if anyone in the audience was interested in the ordinance. No one responded. Clerk called the roll which resulted as follows: Aye: Clouse, Lammers, Buschkoetter, Lear, Nikkila. 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. 8149 by number. Roll call of those in favor of the passage of said ordinance on the first reading resulted as follows: Aye: Clouse, Lammers, Buschkoetter, Lear, Nikkila. Nay: None. Motion carried. Ordinance was read by number.

Moved by Clouse seconded by Lammer that Ordinance No. 8149 be passed, approved and published as required by law. Roll call resulted as follows: Aye: Clouse, Buschkoetter, Lear, Nikkila, Lammers. Nay: None. Motion carried.

By reason of the roll call voted on the first reading and final passage of the ordinance, Ordinance No. 8149 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.

FINAL PLAT FOR BROOKESTONE GARDENS ADDITION

Public Hearings 7, 8, 9 and 10 were discussed together but voted on separately.

Mayor Clouse opened the public hearing on the Application submitted by Buffalo Surveying for VSL Kearney, LLC for the Final Plat for Brookestone Gardens Addition,

an addition to the City of Kearney, Buffalo County, Nebraska for property described as a tract of land being part of the Southeast Quarter of the Southwest Quarter and part of the Southwest Quarter of the Southeast Quarter of Section 3, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (northeast of the 27th Avenue and 11th Street Intersection) and to consider Resolution No. 2017-97. Planning Commission recommended approval.

There was no one present in opposition to this hearing.

Moved by Lammers seconded by Nikkila to close the hearing and adopt Resolution No. 2017-97 approving the Buffalo Surveying for VSL Kearney, LLC for the Final Plat and Subdivision Agreement for Brookestone Gardens Addition, an addition to the City of Kearney, Buffalo County, Nebraska for property described as a tract of land being part of the Southeast Quarter of the Southwest Quarter and part of the Southwest Quarter of the Southeast Quarter of Section 3, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (northeast of the 27th Avenue and 11th Street Intersection). Roll call resulted as follows: Aye: Clouse, Lear, Nikkila, Lammers, Buschkoetter. Nay: None. Motion carried.

RESOLUTION NO. 2017-97

BE IT RESOLVED BY THE PRESIDENT AND COUNCIL OF THE CITY OF KEARNEY, NEBRASKA, that the plat of Brookestone Gardens Addition, an addition to the City of Kearney, Buffalo County, Nebraska for a tract of land being part of the Southeast Quarter of the Southwest Quarter and part of the Southwest Quarter of the Southeast Quarter of Section 3, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska, more particularly described as follows: Referring to the Southwest Corner of Section 3 and assuming the South line of the Southwest Quarter of Section 3 as bearing N 89°56'02" E and all bearings contained herein are relative thereto; thence on the South line of the Southwest Quarter of said Section 3, N 89°56'02" E a distance of 1540.00 feet to the ACTUAL PLACE OF BEGINNING, said point being the Southeast Corner of a tract of land described on Limited Partnership Warranty Deed filed at Instrument 2014-07777, recorded on December 19, 2014 in the office of the Register of Deeds of Buffalo County; thence continuing on the South line of the Southwest Quarter of Section 3, S 89°56'02" E a distance of 1145.77 to the Southeast Corner of the Southwest Quarter of said Section 3; thence on the South line of the Southwest Quarter of the Southeast Quarter of said Section 3, N 89°55'32" E a distance of 66.00 feet; thence leaving the South line of the Southwest Quarter of the Southeast Quarter of said Section 3, N 00°03'58" W a distance of 1009.95 feet; thence S 89°55'54" W a distance of 1245.70 feet to the Southeast Corner of Lot 1, Buckle Second Addition, an addition to the City of Kearney, Buffalo County, Nebraska; thence on the East line of said Buckle Second Addition, S 01°21'37" W a distance of 66.02 feet to the Southeast Corner of said Buckle Second Addition, such point also being the Northeast Corner of said tract of land described on the Limited Partnership Warranty Deed filed at Instrument 2014-07777; thence on the East line of said tract of land described on Limited Partnership Warranty Deed filed at Instrument 2014-07777, S 02°13'27" E a distance of 944.59 feet to the place of beginning, containing 28.53 acres, more or less, all in Buffalo County, Nebraska duly made out, acknowledged and certified, and the same hereby is approved in accordance with the provisions and

requirements of Section 19-916 of the Nebraska Revised Statutes, be accepted and ordered filed and recorded in the Office of the Register of Deeds of Buffalo County, Nebraska; said addition is hereby included within the corporate limits of said City and shall be and become a part of said City for all purposes whatsoever, and the inhabitants of such addition shall be entitled to all the rights and privileges and shall be subject to all laws, ordinances, rules and regulations of said City.

BE IT FURTHER RESOLVED that the Subdivision Agreement, marked as Exhibit "A" attached hereto and made a part hereof by reference, be and is hereby approved and that the President of the Council be and is hereby authorized and directed to execute said agreement on behalf of the City of Kearney, Nebraska. Said Subdivision Agreement shall be filed with the final plat with the Buffalo County Register of Deeds.

BE IT FURTHER RESOLVED that the President of the Council be and is hereby authorized and directed to execute the final plat on behalf of the City of Kearney, Nebraska.

PASSED AND APPROVED THIS 13TH DAY OF JUNE, 2017.

ATTEST:
LAUREN BRANDT
DEPUTY CITY CLERK

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

ANNEXATION OF PROPERTY LOCATED SOUTH OF THE INTERSECTION OF AVENUE S AND 54TH STREET PLACE

Public Hearings 7, 8, 9 and 10 were discussed together but voted on separately.

Mayor Clouse opened the public hearing on the Application submitted by Buffalo Surveying for VSL Kearney, LLC for the annexation of Brookestone Gardens Addition, an addition to the City of Kearney, Buffalo County, Nebraska for property described as a tract of land being part of the Southeast Quarter of the Southwest Quarter and part of the Southwest Quarter of the Southeast Quarter of Section 3, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (northeast of the 27th Avenue and 11th Street Intersection) and to consider Resolution No. 2017-98.

There was no one present in opposition to this hearing.

Moved by Nikkila seconded by Lear to close the hearing and adopt Resolution No. 2017-98 approving the Application submitted by Buffalo Surveying for VSL Kearney, LLC for the annexation of Brookestone Gardens Addition, an addition to the City of Kearney, Buffalo County, Nebraska for property described as a tract of land being part of the Southeast Quarter of the Southwest Quarter and part of the Southwest Quarter of the Southeast Quarter of Section 3, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (northeast of the 27th Avenue and 11th Street Intersection). Roll call resulted as follows: Aye: Clouse, Nikkila, Lammers, Buschkoetter, Lear. Nay: None. Motion carried.

RESOLUTION NO. 2017-98

WHEREAS, an Application has been submitted by Buffalo Surveying for VSL Kearney, LLC for the inclusion of Brookestone Gardens Addition, an addition within the

corporate boundaries of the City of Kearney said property described as a tract of land being part of the Southeast Quarter of the Southwest Quarter and part of the Southwest Quarter of the Southeast Quarter of Section 3, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska, more particularly described as follows: Referring to the Southwest Corner of Section 3 and assuming the South line of the Southwest Quarter of Section 3 as bearing N 89°56'02" E and all bearings contained herein are relative thereto; thence on the South line of the Southwest Quarter of said Section 3, N 89°56'02" E a distance of 1540.00 feet to the ACTUAL PLACE OF BEGINNING, said point being the Southeast Corner of a tract of land described on Limited Partnership Warranty Deed filed at Instrument 2014-07777, recorded on December 19, 2014 in the office of the Register of Deeds of Buffalo County; thence continuing on the South line of the Southwest Quarter of Section 3, S 89°56'02" E a distance of 1145.77 to the Southeast Corner of the Southwest Quarter of said Section 3; thence on the South line of the Southwest Quarter of the Southeast Quarter of said Section 3, N 89°55'32" E a distance of 66.00 feet; thence leaving the South line of the Southwest Quarter of the Southeast Quarter of said Section 3, N 00°03'58" W a distance of 1009.95 feet; thence S 89°55'54" W a distance of 1245.70 feet to the Southeast Corner of Lot 1, Buckle Second Addition, an addition to the City of Kearney, Buffalo County, Nebraska; thence on the East line of said Buckle Second Addition, S 01°21'37" W a distance of 66.02 feet to the Southeast Corner of said Buckle Second Addition, such point also being the Northeast Corner of said tract of land described on the Limited Partnership Warranty Deed filed at Instrument 2014-07777; thence on the East line of said tract of land described on Limited Partnership Warranty Deed filed at Instrument 2014-07777, S 02°13'27" E a distance of 944.59 feet to the place of beginning, containing 28.53 acres, more or less, all in Buffalo County, Nebraska; and

WHEREAS, the Kearney City Planning Commission has received and held a public hearing on May 19, 2017 on the inclusion of Brookestone Gardens Addition within the corporate limits and recommended the Kearney City Council approve said application; and

WHEREAS, said application to include the land within the corporate limits was duly signed by the owners of the land affected with the express intent of platting the land as Brookestone Gardens Addition, an addition to the City of Kearney, Buffalo County, Nebraska; and

WHEREAS, a public hearing was held by the Kearney City Council relating to said application on June 13, 2017 who deemed the said addition to be included within the corporate limits to be advantageous to and in the best interests of the City.

NOW, THEREFORE, BE IT RESOLVED by the President and City Council of the City of Kearney, Nebraska, that the land to be platted as Brookestone Gardens Addition shall be included within the corporate limits of the City of Kearney, Buffalo County, Nebraska, that the inhabitants of such addition shall be entitled to all the rights and privileges, and shall be subject to all the laws, ordinances, rules and regulations of the City of Kearney.

BE IT FURTHER RESOLVED that the inclusion of Brookestone Gardens Addition within the corporate limits of the City of Kearney is subject to the final plat being filed with the Buffalo County Register of Deeds.

PASSED AND APPROVED THIS 13TH DAY OF JUNE, 2017.

ATTEST:
LAUREN BRANDT

STANLEY A. CLOUSE
PRESIDENT OF THE COUNCIL

DEPUTY CITY CLERK AND EX-OFFICIO MAYOR
**DEVELOPMENT PLANS FOR CONSTRUCTION OF SKILLED NURSING FACILITY
AND AN APARTMENT ASSISTED LIVING FACILITY**

Public Hearings 7, 8, 9 and 10 were discussed together but voted on separately.

Mayor Clouse opened the public hearing on the Application submitted by Brungardt Engineering, LLC for Vetter Senior Living for Planned District Development Plan Approval for construction of a skilled nursing facility and an apartment assisted living facility on property to be zoned District R-3/PD, Urban Residential Multi-Family (Medium Density)/Planned Development Overlay District and described as a tract of land being part of the Southeast Quarter of the Southwest Quarter and part of the Southwest Quarter of the Southeast Quarter of Section 3, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (northeast of the 27th Avenue and 11th Street Intersection) and to consider Resolution No. 2017-99.

There was no one present in opposition to this hearing.

Moved by Lear seconded by Buschkoetter to close the hearing and adopt Resolution No. 2017-99 approving the Application submitted by Brungardt Engineering, LLC for Vetter Senior Living for Planned District Development Plan Approval for construction of a skilled nursing facility and an apartment assisted living facility on property to be zoned District R-3/PD, Urban Residential Multi-Family (Medium Density)/Planned Development Overlay District and described as a tract of land being part of the Southeast Quarter of the Southwest Quarter and part of the Southwest Quarter of the Southeast Quarter of Section 3, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska (northeast of the 27th Avenue and 11th Street Intersection). Roll call resulted as follows: Aye: Clouse, Lammers, Buschkoetter, Lear, Nikkila. Nay: None. Motion carried.

RESOLUTION NO. 2017-99

WHEREAS, Brungardt Engineering, LLC for Vetter Senior Living have applied for Planned District Development Plan Approval for the construction of a skilled nursing facility and an apartment assisted living facility on property to be zoned District R-3/PD, Urban Residential Multi-Family (Medium Density)/Planned Development Overlay District and described as a tract of land being part of the Southeast Quarter of the Southwest Quarter and part of the Southwest Quarter of the Southeast Quarter of Section 3, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska, more particularly described as follows: Referring to the Southwest Corner of Section 3 and assuming the South line of the Southwest Quarter of Section 3 as bearing N 89°56'02" E and all bearings contained herein are relative thereto; thence on the South line of the Southwest Quarter of said Section 3, N 89°56'02" E a distance of 1540.00 feet to the ACTUAL PLACE OF BEGINNING, said point being the Southeast Corner of a tract of land described on Limited Partnership Warranty Deed filed at Instrument 2014-07777, recorded on December 19, 2014 in the office of the Register of Deeds of Buffalo County; thence continuing on the South line of the Southwest Quarter of Section 3, S 89°56'02" E a distance of 1145.77 to the Southeast Corner of the Southwest Quarter of said Section 3; thence on the South line of the Southwest Quarter of the Southeast Quarter of said Section 3, N 89°55'32" E a distance of 66.00 feet; thence leaving the

South line of the Southwest Quarter of the Southeast Quarter of said Section 3, N 00°03'58" W a distance of 1009.95 feet; thence S 89°55'54" W a distance of 1245.70 feet to the Southeast Corner of Lot 1, Buckle Second Addition, an addition to the City of Kearney, Buffalo County, Nebraska; thence on the West line of said Buckle Second Addition, S 01°21'37" W a distance of 66.02 feet to the Southeast Corner of said Buckle Second Addition, such point also being the Northeast Corner of said tract of land described on the Limited Partnership Warranty Deed filed at Instrument 2014-07777; thence on the East line of said tract of land described on Limited Partnership Warranty Deed filed at Instrument 2014-07777, S 02°13'27" E a distance of 944.59 feet to the place of beginning. Containing 28.53 acres, more or less, of which 0.92 acres, more or less, are presently used for road purposes on the South side, all in Buffalo County, Nebraska (northeast of the 27th Avenue and 11st Street Intersection).

NOW, THEREFORE, BE IT RESOLVED by the President and City Council of the City of Kearney, Nebraska, that the application of Brungardt Engineering, LLC for Vetter Senior Living for Planned District Development Plan Approval for the construction of a skilled nursing facility and an apartment assisted living facility on property zoned District R-3/PD, Urban Residential Multi-Family (Medium Density)/Planned Development Overlay District and described as a tract of land being part of the Southeast Quarter of the Southwest Quarter and part of the Southwest Quarter of the Southeast Quarter of Section 3, Township 8 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska, more particularly described as follows: Referring to the Southwest Corner of Section 3 and assuming the South line of the Southwest Quarter of Section 3 as bearing N 89°56'02" E and all bearings contained herein are relative thereto; thence on the South line of the Southwest Quarter of said Section 3, N 89°56'02" E a distance of 1540.00 feet to the ACTUAL PLACE OF BEGINNING, said point being the Southeast Corner of a tract of land described on Limited Partnership Warranty Deed filed at Instrument 2014-07777, recorded on December 19, 2014 in the office of the Register of Deeds of Buffalo County; thence continuing on the South line of the Southwest Quarter of Section 3, S 89°56'02" E a distance of 1145.77 to the Southeast Corner of the Southwest Quarter of said Section 3; thence on the South line of the Southwest Quarter of the Southeast Quarter of said Section 3, N 89°55'32" E a distance of 66.00 feet; thence leaving the South line of the Southwest Quarter of the Southeast Quarter of said Section 3, N 00°03'58" W a distance of 1009.95 feet; thence S 89°55'54" W a distance of 1245.70 feet to the Southeast Corner of Lot 1, Buckle Second Addition, an addition to the City of Kearney, Buffalo County, Nebraska; thence on the West line of said Buckle Second Addition, S 01°21'37" W a distance of 66.02 feet to the Southeast Corner of said Buckle Second Addition, such point also being the Northeast Corner of said tract of land described on the Limited Partnership Warranty Deed filed at Instrument 2014-07777; thence on the East line of said tract of land described on Limited Partnership Warranty Deed filed at Instrument 2014-07777, S 02°13'27" E a distance of 944.59 feet to the place of beginning. Containing 28.53 acres, more or less, of which 0.92 acres, more or less, are presently used for road purposes on the South side, all in Buffalo County, Nebraska (northeast of the 27th Avenue and 11st Street Intersection) be approved.

PASSED AND APPROVED THIS 13TH DAY OF JUNE, 2017.

ATTEST:
LAUREN BRANDT
DEPUTY CITY CLERK

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

IV. CONSENT AGENDA

Mayor Clouse stated that at the request of City staff Item 18 of the Consent Agenda will be placed on the June 27 agenda for consideration.

Moved by Buschkoetter seconded by Clouse that Subsections 1 through 17 of Consent Agenda Item IV be approved. Roll call resulted as follows: Aye: Clouse, Buschkoetter, Lear, Nikkila, Lammers. Nay: None. Motion carried.

1. Approve Minutes of Regular Meeting held May 23, 2017.

2. Approve the following Claims:

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

Ace Irrigation \$24,761.42 smcs,co; Acushnet \$388.72 smcs; Adventure Enterprises \$845.00 smcs; Agri Coop \$1,826.58 smcs; All Makes Auto \$1,547.46 smcs; Amazon \$1,229.63 smcs; American Fence \$687.00 smcs; American First Aid \$291.24 smcs; Amundson,M \$43.60 smcs; An Evening Production \$600.00 smcs; Anderson Bros \$1,855.51 smcs; Arctic Refrigeration \$87.00 smcs; Ask Supply \$931.52 smcs; Asphalt & Concrete \$4,150.14 smcs; Aten,V \$205.21 smcs; Aurora Coop \$78.00 smcs; Auto Value \$1,497.97 smcs; Baker & Taylor \$11,597.16 smcs; Barney Abstract \$1,020.00 smcs; Beacon Athletics \$711.00 smcs; Beehive Inds \$5,773.00 smcs; Berg,B \$27.60 smcs; Blackburn Mfg \$172.88 smcs; Blackstone Audio Books \$567.95 smcs; Blessing \$335,256.82 co; BlueCross/BlueShield \$226,664.10 smcs; Books Galore \$13,821.39 smcs; Bosselman \$37,217.48 smcs; Brilliance Publishing \$58.35 smcs; Broadfoot's \$325.00 smcs; Brown,J \$200.00 smcs; Bruha,S \$440.00 smcs; Budden,J \$675.00 smcs; Buffalo Co Attorney \$18,750.00 smcs; Builders \$646.32 smcs,co; CNA Surety \$40.00 smcs; Capital Business Systems \$6.40 smcs; Capstone Press \$100.95 smcs; Cash-Wa \$4,085.04 smcs; Castillo,M \$37.76 smcs; Center Point \$73.36 smcs; Central District Health \$2,814.00 smcs; Central NE Bobcat \$568.84 smcs; Charter Communications \$251.91 smcs; Chesterman \$3,109.90 smcs; Christensen,D \$60.00 smcs; CIGNA \$7,143.81 smcs; City of Ky \$406,100.29 smcs,co,ps; Clinch Enterprises \$96.68 smcs; Cody,L \$61.00 smcs; Comm Health Charities \$6.00 ps; Comraci,M \$34.72 smcs; Cornhusker Cleaning \$60.56 smcs; Cover,P \$52.88 smcs; Crown,T \$53.74 smcs; D & K Products \$8,777.00 smcs; Daniels,J \$48.94 smcs; Danko Emergency \$6,506.54 smcs; DAS State Accounting \$5,808.86 smcs,co; Day,D \$1,598.00 smcs; Dell \$9,775.48 co; Depository Trust \$453,123.75 ds; Dept of Motor Vehicles \$52.80 co; Dero \$4,636.90 co; Deterdings \$16,250.72 smcs; Diamond Tours \$41,000.00 smcs; Dish \$207.06 smcs; Don's Hobby Guns \$8,303.00 smcs; DPC Inds \$5,538.18 smcs; Dutton Lainson \$241.35 smcs; Eagle Distributing \$1,977.70 ds; Eakes \$3,215.03 smcs; Eirich,D \$820.05 smcs; Elliott Equipment \$2,556.77 smcs; EMC Ins \$250.00 smcs; Enforcement Video \$3,180.00 smcs; Evers,B \$397.00 smcs; Everson,M

\$15.81 smcs; Fair Play \$235.00 smcs; Felsburg Holt & Ullevig \$4,150.00 smcs; Flaherty,T \$330.00 smcs; Fraber,G \$72.00 smcs; Frank,C \$8.24 smcs; Frontier \$81.06 smcs; Fyr-Tek \$366.70 smcs; Gale \$2,053.47 smcs; Gangwish Turf \$469.13 co; Gear for Sports \$2,542.19 smcs; Gideon,S \$41.25 smcs; Goecki,J \$24.41 smcs; Griffith, Mark \$29.47 smcs; HD Supply \$93,559.73 smcs,co; Hemingway,B \$500.00 smcs; Hermance,J \$7.55 smcs; HM Life Ins \$40,705.60 smcs; HOA Solutions \$1,090.44 smcs; Hometown Leasing \$423.12 smcs; Horizon Design \$600.00 smcs; Huber,T \$18.86 smcs; ICMA \$10,479.58 ps; IRS \$317,310.44 ps; Int'l Code Council \$135.00 smcs; Int'l Municipal Lawyers \$625.00 smcs; Jack Lederman \$542.83 smcs; Jack,S \$17.31 smcs; Jack's Uniforms \$1,647.19 smcs; James,D \$290.00 smcs; Johnson Hardware \$407.73 smcs; Jones,W \$14.20 smcs; Ky Animal Shelter \$7,381.25 smcs; Ky Concrete \$9,068.95 co; Ky Crete & Block \$44.00 smcs; Ky Hub \$2,211.40 smcs; Ky Literacy Council \$1,500.00 smcs; Ky Powersports \$15,357.97 co; Ky United Way \$651.90 ps; Ky Volunteer Fire \$594.53 smcs; Ky Winlectric \$2,525.00 smcs; Keefer,P \$39.31 smcs; Kern,A \$35.00 smcs; Klassen,M \$10.00 smcs; Konica Minolta \$281.73 smcs; Kvatek,G \$14.85 smcs; Larue Distributing \$71.20 smcs; Lawn Builders \$650.00 smcs; LCL Truck Equipment \$327.26 smcs; Logan Contractors \$427.16 smcs; Lopers Athletic Club \$1,011.50 smcs; Magic Cleaning \$7,640.00 smcs; Matheson \$59.65 smcs; Maynard,R \$190.00 smcs; Mead Lumber \$41.96 co; Merryman \$84.64 smcs; Midlands Contracting \$87,783.00 co; Mid-NE Garage Doors \$1,809.60 smcs; Mid-Plains Equipment \$2,300.00 co; Midwest Connect \$6,809.14 smcs; Midwest Pump \$1,612.50 smcs; Midwest Turf \$15,883.15 co; Miller & Associates \$44,077.45 smcs,co; Miller Signs \$2,420.00 smcs,co; Miller,J \$82.48 smcs; Miller,R \$15.97 smcs; Moonlight Embroidery \$540.00 smcs; Moran,A \$504.00 smcs; Municipal Pipe \$14,177.52 smcs,co; Municipal Supply \$1,404.05 smcs; Navigator Motorcoaches \$2,060.00 smcs; NE Child Support \$3,532.72 ps; NE Dept. of Labor \$255.88 ps; NE Dept. of Revenue \$89,694.75 smcs,ps; NE Environmental \$911.52 smcs; NE Public Health \$2,309.00 smcs; NE Sec of State \$30.00 smcs; NEland Distributors \$2,908.70 smcs; New Life Church \$130.00 smcs; Nicolen,M \$100.00 smcs; Noetzelman,J \$30.07 smcs; Nolda,J \$186.00 smcs; Northwestern Energy \$1,592.33 smcs; OCLC \$654.79 smcs; Ohri,R \$20.00 smcs; O'Keefe Elevator \$430.44 smcs; Olsson Associates \$11,278.50 co; One Call Concepts \$619.92 smcs; O'Neill Wood \$13,820.00 smcs; O'Reilly Auto \$4,214.42 smcs,co; Otto,N \$200.00 smcs; Outdoor Custom Sports \$525.10 smcs; Outdoor Recreation \$808.00 smcs; Overdrive \$4,000.00 smcs; Palmer,W \$55.60 smcs; Paramount \$202.80 smcs; Park,S \$73.74 smcs; Patriot Technologies \$81.93 smcs; Payflex \$595.00 smcs,co; Penguin Random House \$37.50 smcs; Penworthy \$392.33 smcs; Pep Co. \$86.34 smcs; Pitney Bowes \$60.00 smcs; Platte River Harley Davidson \$1,627.91 co; Postmaster \$314.00 smcs; Pot O' Gold \$155.00 smcs; Presto-X \$234.57 smcs; Pulliam,R \$40.00 smcs; Ready Mixed Concrete \$250.12 smcs; Recorded Books \$508.63 smcs; Reinke's \$134.14 smcs; Republic National \$1,500.11 smcs; Resource Management \$1,553.28 smcs; Reynolds,B \$283.50 smcs; Rheome Tree \$1,100.00 smcs; Rich, Tony \$50.00 smcs; Roemmich, Deb \$30.78 smcs; Roth,A \$2.46 smcs; RW Sorensen \$3,620.00 smcs; Saintizaire,S \$48.94 smcs; Schanour,J \$497.20 smcs; School District #7 \$4,830.10 smcs; See Clear Cleaning \$2,050.00 smcs; Shedd,K \$49.81 smcs; Sheldon,S \$26.92 smcs; Sign Center \$8,820.00 smcs; Silverstone \$13,880.00 smcs; Smith,R \$45.11 smcs; Snap-On Tools \$260.00 smcs; SOS Portable Toilets \$295.00 smcs; Sporting Edge \$1,593.00 smcs; Stamm,E \$14.36 smcs; Steinbrinks \$5,990.00 smcs; Stover Goodsir,K \$11.89 smcs; Strategic Insights \$675.00 smcs; Strategic Materials \$360.88 smcs; Subsurface Solutions \$4,233.00 co;

Supplyworks \$707.52 smcs; Tacha,J \$50.00 smcs; Taupe,B \$15.71 smcs; Teichmeier,T \$8.89 smcs; Theis,J \$80.00 smcs; Thomson Reuters-West \$744.00 smcs; Thurston,C \$60.75 smcs; Tielke's Sandwiches \$78.32 smcs; TL Sund Construction \$47,303.10 smcs; Tradewell Pallet \$7,060.00 smcs; Tri-Cities Group \$235.66 smcs; Tri-CoGlass \$2,525.00 smcs; Tri-State Oil \$106.25 smcs; Tye Law Firm \$13,336.93 smcs; Union Bank \$145,671.34 ps; Unique Management \$223.75 smcs; UNK \$302.01 smcs,ps; V The Gypsy Cowbelle \$125.00 smcs; Vanwall \$49,560.00 co; Verizon Long Distance \$40.01 smcs; Village Uniform \$356.17 smcs; Voet,A \$37.02 smcs; Walters Electric \$35,115.00 co; Warrington,D \$330.00 smcs; Wasteworks \$578.44 smcs; Weitzel,T \$100.00 smcs; Welch,K \$15.65 smcs; Well Fargo Equipment \$500.00 co; Wessels,W \$110.21 smcs; Wilco Life Ins \$19.00 ps; Wolf,Z \$15.16 smcs; Yancy,A \$300.00 smcs; Yant Equipment \$573.81 smcs; Young,M \$477.00 smcs; Zimmerman Printing \$236.00 smcs; Payroll Ending 5/27/2017 -- \$457,510.13. 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. Approve the appointment of Lauren Brandt as the City Clerk.
4. Approve the Street/Sidewalk/Parking Lot Closure, Traffic Control and or Parking Restrictions Permit Applications as follows:
 - a) Mike Swenke to close 1 to 3 parking stalls each day along the west side of Central Avenue from 23rd Street to 24th Street and the south side of 24th Street from the alley located between Central Avenue and 1st Avenue to Central Avenue through July 4, 2017.
 - b) Kirk Melson to close parking stalls along both the east and west sides of Central Avenue from 23rd Street to 24th Street and the south side of 24th Street from the alley located between Central Avenue and 1st Avenue to Central Avenue on June 17, 2017.
 - c) Jason Volquardsen to close the four parking stalls located directly in front of The World Theatre on July 8, 2017.
5. Adopt Resolution No. 2017-100 approving the Developer Constructed Infrastructure Agreement between the City of Kearney and Paul Jackson and Tamara Jackson for Jackson Riverside Addition.

RESOLUTION NO. 2017-100

BE IT RESOLVED BY THE PRESIDENT AND COUNCIL OF THE CITY OF KEARNEY, NEBRASKA that the agreement entitled "Developer Constructed Infrastructure Agreement for Jackson Riverside Addition" between the City of Kearney and Paul S. Jackson and Tamara V. Jackson, for the construction of sanitary sewer improvements for Jackson Riverside 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 13TH DAY OF JUNE, 2017.

ATTEST:
LAUREN BRANDT
DEPUTY CITY CLERK

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

6. Adopt Resolution No. 2017-101 approving the Municipality Program Agreement for State Project XL1710 (Project No. NH-80-6[112]) between the City of Kearney and the Department of Roads for improvements to a portion of I-80 at the Kearney Interchange Ramps.

RESOLUTION NO. 2017-101

WHEREAS, the State of Nebraska, Department of Roads intends to improve a portion of I-80 at the Kearney Interchange Ramps; and

WHEREAS, the City of Kearney has requested State of Nebraska, Department of Roads to expand the scope of its project to include work solely for the benefit of the City described in said agreement to be accomplished at City's cost;

NOW, THEREFORE, BE IT RESOLVED by the President and Council of the City of Kearney, Nebraska, that the Mayor is hereby authorized and directed to execute said agreement on behalf of the City of Kearney. A copy of the Municipality Program Agreement for State Project XL1710 (Project No. NH-80-6[112]) is marked as Exhibit A and attached hereto and made a part hereof by reference.

PASSED AND APPROVED THIS 13TH DAY OF JUNE, 2017.

ATTEST:
LAUREN BRANDT
DEPUTY CITY CLERK

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

7. Repeal Resolution No. 2010-139 and adopt Resolution No. 2017-102 correcting the legal description pertaining to the redevelopment project (Younes Conference Center) in Redevelopment Areas #2 and #8 for an area described as Lot 2, Younes Center Fifth Addition, an addition to the City of Kearney, Buffalo County, Nebraska.

RESOLUTION NO. 2017-102

WHEREAS, on July 27, 2010 the City Council adopted Resolution No. 2010-139 approving the redevelopment project (Younes Conference Center) located in Redevelopment Areas #2 and #8 for an area now described as Lot 2, Younes Center Fifth Addition, an addition to the City of Kearney, Buffalo County, Nebraska (Parcel ID 580127100); and

WHEREAS, City staff has determined that the legal description is in error and that said Resolution No. 2010-139 must be repealed and a new resolution adopted with the correct legal description; and

WHEREAS, the City of Kearney, Nebraska, a municipal corporation and city of the first class, has determined it be desirable to undertake and carry out urban redevelopment projects in areas of the City which are determined to be substandard and blighted and in need of redevelopment; and

WHEREAS, the Nebraska Community Development Law, Chapter 18, Article 21, Nebraska Reissue Revised Statutes of 1991, as amended (the "Act"), prescribes the requirements and procedures for the planning and implementation of redevelopment

projects; and

WHEREAS, the City has declared an area of the City to be substandard and blighted and in need of redevelopment pursuant to the Act; and

WHEREAS, the Community Redevelopment Authority of the City of Kearney, Nebraska (the "Authority"), has prepared a Redevelopment Plan for both Area #2 and Area #8 pursuant to Section 18-2111 of the Act ("Redevelopment Plan"), and recommended the Redevelopment Plan to the Planning Commission of the City; and

WHEREAS, the Planning Commission of the City reviewed the Redevelopment Plan pursuant to the Act and submitted its recommendations, if any, to the Authority, pursuant to Section 18-2114 of the Act; and

WHEREAS, in accordance with Section 18-2114 of the Act, the Authority submitted its recommendation, along with the recommendation from the Planning Commission to the City Council; and

WHEREAS, following consideration of the recommendations of the Planning Commission and the Authority, and following the public hearing with respect to the Redevelopment Plan, the City approved the Plan; and

WHEREAS, there has been presented to the City by the Authority for approval pursuant to and in accordance with Section 18-2119 of the Act a specific Redevelopment Project within the Redevelopment Plan and as authorized in the Redevelopment Plan, as now legally described as Lot 2, Younes Center Fifth Addition, an addition to the City of Kearney, Buffalo County, Nebraska (Parcel ID 580127100); and

WHEREAS, the City Council has determined that the proposed Redevelopment Project would not be economically feasible without the use of tax increment financing; that the proposed Redevelopment Project would not occur in the community without the use of tax increment financing, and; that the costs and benefits of the proposed Redevelopment Project have been found to be in the long-term best interests of the community.

NOW, THEREFORE, BE IT RESOLVED by the President and City Council of the City of Kearney, Nebraska that: Resolution No. 2010-139 passed and approved on the 27th day of July, 2010 be and is hereby repealed in its entirety.

BE IT RESOLVED by the President and City Council of the City of Kearney, Nebraska that:

1. The Redevelopment Plan of the City previously approved for the area described on the attached Exhibits "A", and "B" including the Redevelopment Project now legally described as Lot 2, Younes Center Fifth Addition, an addition to the City of Kearney, Buffalo County, Nebraska (Parcel ID 580127100), is hereby determined to be feasible and in conformity with the general plan for the development of the City of Kearney as a whole and the Redevelopment Plan, including the Redevelopment Project identified on the attached Exhibits "A" and "B", is in conformity with the legislative declarations and determinations set forth in the Act.

2. The City Council hereby determines that the proposed Redevelopment Project would not be economically feasible without the use of tax increment financing; that the proposed Redevelopment Project would not occur in the community without the use of tax increment financing, and; that the costs and benefits of the proposed Redevelopment Project are found to be in the long-term interests of the community.

3. Approval of the Redevelopment Plan is hereby ratified and reaffirmed, as amended by this Resolution, and the Authority is hereby directed to implement the Redevelopment Plan in accordance with the Act.

4. Pursuant to Section 18-2147 of the Act, ad valorem taxes levied upon real property in a redevelopment project for the benefit of any public body, included or authorized in the Plan which is now legally described as Lot 2, Younes Center Fifth Addition, an addition to the City of Kearney, Buffalo County, Nebraska (Parcel ID 580127100), shall be divided, for a period not to exceed 15 years after the effective date of the provision, which effective date shall be July 27, 2010, as follows:

a. That proportion of the ad valorem tax which is produced by the levy at the rate fixed each year by or for each public body upon the redevelopment project valuation (as defined in the Act) shall be paid into the funds of each such public body in the same proportion as are all other taxes collected by or for the body; and

b. That proportion of the ad valorem tax on real property in the redevelopment project in excess of such amount, if any, shall be allocated to and, when collected, paid into a special fund of the Authority to be used solely to pay the principal of, the interest on, and any premiums due in connection with the bonds, loans, notes or advances of money to, or indebtedness incurred by, whether funded, refunded, assumed, or otherwise, such Authority for financing or refinancing, in whole or in part, the redevelopment project. When such bonds, loans, notes, advances of money, or indebtedness, including interest and premiums due, have been paid, the Authority shall so notify the County Assessor and County Treasurer and all ad valorem taxes upon taxable real property in such a redevelopment project shall be paid into the funds of the respective public bodies.

c. Any interest and penalties due for delinquent taxes shall be paid into the funds of each public body in the same proportion as are all other taxes collected by or for the public body.

5. The Mayor and City Clerk are authorized and directed to execute and file with the Treasurer and Assessor of Buffalo County, Nebraska, an Allocation Agreement and Notice of Pledge of Taxes with respect to the Redevelopment Project substantially in the form attached hereto as Exhibit "C" with appropriate insertions.

PASSED AND APPROVED THIS 13TH DAY OF JUNE, 2017.

ATTEST:
LAUREN BRANDT
DEPUTY CITY CLERK

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

8. Repeal Resolution No. 2010-127 and adopt Resolution No. 2017-103 correcting the legal description pertaining to the redevelopment project (Fairfield Inn) in Redevelopment Area #8 for an area described as Lot 3, Younes Center Fifth Addition, an addition to the City of Kearney, Buffalo County, Nebraska.

RESOLUTION NO. 2017-103

WHEREAS, on June 22, 2010 the City Council adopted Resolution No. 2010-127 approving the redevelopment project (Fairfield Inn) located in Redevelopment Area #8 for an area now described as Lot 3, Younes Center Fifth Addition, an addition to the City of Kearney, Buffalo County, Nebraska (Parcel ID 580127200); and

WHEREAS, City staff has determined that the legal description is in error and that said Resolution No. 2010-127 must be repealed and a new resolution adopted with the correct legal description; and

WHEREAS, the City of Kearney, Nebraska, a municipal corporation and city of the

first class, has determined it be desirable to undertake and carry out urban redevelopment projects in areas of the City which are determined to be substandard and blighted and in need of redevelopment; and

WHEREAS, the Nebraska Community Development Law, Chapter 18, Article 21, Nebraska Reissue Revised Statutes of 1991, as amended (the "Act"), prescribes the requirements and procedures for the planning and implementation of redevelopment projects; and

WHEREAS, the City has declared an area of the City to be substandard and blighted and in need of redevelopment pursuant to the Act; and

WHEREAS, the Community Redevelopment Authority of the City of Kearney, Nebraska (the "Authority"), has prepared a Redevelopment Plan for Area #8 pursuant to Section 18-2111 of the Act ("Redevelopment Plan"), and recommended the Redevelopment Plan to the Planning Commission of the City; and

WHEREAS, the Planning Commission of the City reviewed the Redevelopment Plan pursuant to the Act and submitted its recommendations, if any, to the Authority, pursuant to Section 18-2114 of the Act; and

WHEREAS, in accordance with Section 18-2114 of the Act, the Authority submitted its recommendation, along with the recommendation from the Planning Commission to the City Council; and

WHEREAS, following consideration of the recommendations of the Planning Commission and the Authority, and following the public hearing with respect to the Redevelopment Plan, the City approved the Plan; and

WHEREAS, there has been presented to the City by the Authority for approval pursuant to and in accordance with Section 18-2119 of the Act a specific Redevelopment Project within the Redevelopment Plan and as authorized in the Redevelopment Plan, as now legally described as Lot 3, Younes Center Fifth Addition, an addition to the City of Kearney, Buffalo County, Nebraska (Parcel ID 580127200); and

WHEREAS, the City Council has determined that the proposed Redevelopment Project would not be economically feasible without the use of tax increment financing; that the proposed Redevelopment Project would not occur in the community without the use of tax increment financing, and; that the costs and benefits of the proposed Redevelopment Project have been found to be in the long-term best interests of the community.

NOW, THEREFORE, BE IT RESOLVED by the President and City Council of the City of Kearney, Nebraska that: Resolution No. 2010-127 passed and approved on the 22nd day of June, 2010 be and is hereby repealed in its entirety.

BE IT RESOLVED by the President and City Council of the City of Kearney, Nebraska that:

1. The Redevelopment Plan of the City previously approved for the area described on the attached Exhibit "A", including the Redevelopment Project now legally described as Lot 3, Younes Center Fifth Addition, an addition to the City of Kearney, Buffalo County, Nebraska (Parcel ID 580127200), is hereby determined to be feasible and in conformity with the general plan for the development of the City of Kearney as a whole and the Redevelopment Plan, including the Redevelopment Project identified on the attached Exhibit "A", is in conformity with the legislative declarations and determinations set forth in the Act.

2. The City Council hereby determines that the proposed Redevelopment Project would not be economically feasible without the use of tax increment financing;

that the proposed Redevelopment Project would not occur in the community without the use of tax increment financing, and; that the costs and benefits of the proposed Redevelopment Project are found to be in the long-term interests of the community.

3. Approval of the Redevelopment Plan is hereby ratified and reaffirmed, as amended by this Resolution, and the Authority is hereby directed to implement the Redevelopment Plan in accordance with the Act.

4. Pursuant to Section 18-2147 of the Act, ad valorem taxes levied upon real property in a redevelopment project for the benefit of any public body, included or authorized in the Plan which is now legally described as Lot 3, Younes Center Fifth Addition, an addition to the City of Kearney, Buffalo County, Nebraska (Parcel ID 580127200), shall be divided, for a period not to exceed 10 years after the effective date of the provision, which effective date shall be June 22, 2010, as follows:

a. That proportion of the ad valorem tax which is produced by the levy at the rate fixed each year by or for each public body upon the redevelopment project valuation (as defined in the Act) shall be paid into the funds of each such public body in the same proportion as are all other taxes collected by or for the body; and

b. That proportion of the ad valorem tax on real property in the redevelopment project in excess of such amount, if any, shall be allocated to and, when collected, paid into a special fund of the Authority to be used solely to pay the principal of, the interest on, and any premiums due in connection with the bonds, loans, notes or advances of money to, or indebtedness incurred by, whether funded, refunded, assumed, or otherwise, such Authority for financing or refinancing, in whole or in part, the redevelopment project. When such bonds, loans, notes, advances of money, or indebtedness, including interest and premiums due, have been paid, the Authority shall so notify the County Assessor and County Treasurer and all ad valorem taxes upon taxable real property in such a redevelopment project shall be paid into the funds of the respective public bodies.

c. Any interest and penalties due for delinquent taxes shall be paid into the funds of each public body in the same proportion as are all other taxes collected by or for the public body.

5. The Mayor and City Clerk are authorized and directed to execute and file with the Treasurer and Assessor of Buffalo County, Nebraska, an Allocation Agreement and Notice of Pledge of Taxes with respect to the Redevelopment Project substantially in the form attached hereto as Exhibit "C" with appropriate insertions.

PASSED AND APPROVED THIS 13TH DAY OF JUNE, 2017.

ATTEST:
LAUREN BRANDT
DEPUTY CITY CLERK

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

9. Approve setting June 27, 2017 at 5:30 p.m. as the time and date to meet as the Board of Equalization to assess costs in connection with Paving Improvement District Nos. 2015-976, 2015-977, 2015-978, 2015-979, 2015-980; Water District Nos. 2015-579, 2015-580, 2015-581, 2015-582; Sanitary Sewer District Nos. 2015-516, 2015-517, 2015-518, 2015-519.

10. Approve the recommendation from the Development Services Division on extending the current licenses for East Lawn Mobile Homes Estates, 2900 and 3010 Grand Avenue an additional 60 days to correct the deficiencies and L & M Mobile Home

Park, 1110 Central Avenue an additional 30 days to correct the deficiencies.

11. Adopt Resolution No. 2017-104 approving Change Order No. 1 showing a decrease in the amount of \$3,883.68, Application and Certificate for Payment No. 3-Final in the amount of \$89,405.22, and accept the Certificate of Substantial Completion submitted by Prairie Land Construction, Inc. and approved by Miller & Associates for the Archway Trail; Phase III from Sweetwater Avenue to Fort Kearny Trailhead.

12. Adopt Resolution No. 2017-105 approving the Developer Constructed Infrastructure Agreement between the City of Kearney and Starostka Group, Unlimited Inc., for L & P Commercial Park, an addition to the City of Kearney, Buffalo County, Nebraska.

13. Adopt Resolution No. 2017-106 approving Application and Certificate for Payment No. 2 in the amount of \$6,852.60 submitted by Blessing, LLC and approved by Miller & Associates for the 2016 Part 3 Improvements for 56th Street from 4th Avenue to 19th Avenue and 17th Avenue from 50th Street to west City limits; AND 2013 Part 10 Improvements for Talmadge Street from 2nd Avenue to 4th Avenue.

14. Adopt Resolution No. 2017-107 approving the Agreement for Aspen Meadows Third Addition between the City of Kearney and Twin Falls L.L.C.

15. Adopt Resolution No. 2017-108 approving the Property Maintenance and Lease Agreement between the City of Kearney and Greg Dollman for a 40-acre detention cell located in northeast Kearney.

16. Approve the applications 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 alcoholic liquor as follows:

a) Inside Brookdale Kearney Northridge located at 5410 17th Avenue on Thursday, June 29, 2017 from 4:00 p.m. until 10:00 p.m. for Business After Hours.

b) Inside the Expo Building and an outdoor 100'x50' fenced area adjacent to the Expo Building, located at the Buffalo County Fairgrounds, 3807 Avenue N, on Tuesday, July 4, 2017 from 3:00 p.m. until 1:00 a.m. for a customer appreciation event.

c) Inside the Ag Pavilion located at the Buffalo County Fairgrounds, 3807 Avenue N, on Saturday, July 8, 2017 from 3:00 p.m. until 1:00 a.m. for a reception.

d) Inside the Expo Building located at the Buffalo County Fairgrounds, 3807 Avenue N, on Friday, July 14, 2017 from 3:00 p.m. until 1:00 a.m. for a car show.

e) Inside the Ag Pavilion located at the Buffalo County Fairgrounds, 3807 Avenue N, on Saturday, July 15, 2017 from 3:00 p.m. until 1:00 a.m. for a reception.

f) Inside the Expo Building and an outdoor area measuring 25'x50' and an outdoor area measuring 100'x50' adjacent to the building as shown on the diagrams all located at the Buffalo County Fairgrounds, 3807 Avenue N on July 26, 27, 28, 29, 31, 2017 from 3:00 p.m. until 1:00 a.m. and July 30, 2017 from 3:00 p.m. until 12:00 a.m. for the Buffalo County Fair.

g) Inside an outdoor area measuring 1000'x180' and designated as the Outdoor Arena adjacent to the Expo Building as shown on the diagram at the Buffalo County Fairgrounds, 3807 Avenue N on Sunday, July 30, 2017 from 1:00 p.m. until 11:00 p.m. for the Buffalo County Fair Demo Derby.

17. Adopt Resolution 2017-109 approving the Purchase Agreement between Arram Equities, Inc. and the City of Kearney for the purchase of Lots 1 through 12, SunRise Estates.

18. Adopt Resolution No. 2017-110 approving the Developer Constructed Infrastructure Agreement for Brookstone Gardens Addition between the City of Kearney and VSL Kearney, LLC and Vetter Holdings, Inc.

V. CONSENT AGENDA ORDINANCES

ORDINANCE NO. 8150 AMENDING CHAPTER 3 OF THE CITY CODE INVOLVING FOOD TRUCKS

The existing food truck ordinance was approved in 2016 to create regulation governing the allowance of food trucks in Kearney. Over the past year food trucks have posed little to no issue. Vendors and event organizers have posed many clarification inquiries of code. Local/out-of-town food vendors and smaller mom/pop merchants generally sell at private and public events. The Police Department has never had concerns with these vendors or trucks participating in public and private events.

Staff is recommending a streamlining of the both the itinerant merchant and food truck regulation to address many nuances realized since the enactment of the legislation last year. The changes will relax conditions eliminating the \$500 itinerant merchant permit while still requiring necessary state licenses, occupational taxes and non-allowance of city streets. The MONA parking lot is still made available. Furthermore any vendors that are part of a Council approved event or established farmers market could operate without a required itinerant permit.

Council Member Clouse introduced Ordinance No. 8150 amending Article 29 "Itinerant Merchants, Peddlers & Solicitors" of Chapter 3 "Business Regulations" of the City Code as follows: amend Section 3-2902 "Definitions" to change the definition of Food Truck Vendor; amend Section 3-2903.01 "Food Truck Permit" to remove the attainment requirement of an itinerant merchant permit; amend Section 3-2904 "Exemptions from Article" to include the reference of sales within specific events; amend Section 3-2907 "Fees" to include the reference of Food Truck Vendors; and amend Section 3-2908 "Sales; Restrictions" to clarify the definitions of sales restrictions, 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 Lammers seconded the motion to suspend the rules for Ordinance No. 8150. 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. 8150 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 Lammers seconded by Nikkila that Ordinance No. 8150 be passed, approved and published as required by law. Roll call resulted as follows: Aye: Clouse, Nikkila, Buschkoetter, Lammers, Lear. Nay: None. Motion carried.

By reason of the roll call voted on the first reading and final passage of the ordinance, Ordinance No. 8150 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. 8151 CREATING PAVING DISTRICT NO. 2017-985

These improvement districts are for the extension of 11th Avenue infrastructure. The improvements will begin on 11th Avenue, approximately 150 feet north of the 48th Street and 11th Avenue intersection and continue north approximately 582 feet. The improvements will complete the connection north to 56th Street as the developer is currently working to complete the remaining section outside of the City limits.

Council Member Clouse introduced Ordinance No. 8151 creating Paving Improvement District No. 2017-985 for 11th Avenue from the southwesterly line of Lot 4, Block Two thence northwesterly to the north line of Outlot B, Block One, all in Fountain Hills Eighth 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 Lammers 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. 8151 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 Lammers seconded by Nikkila that Ordinance No. 8151 be passed, approved and published as required by law. Roll call resulted as follows: Aye: Clouse, Nikkila, Buschkoetter, Lammers, Lear. Nay: None. Motion carried.

By reason of the roll call voted on the first reading and final passage of the ordinance, Ordinance No. 8151 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. 8152 CREATING WATER DISTRICT NO. 2017-585

These improvement districts are for the extension of 11th Avenue infrastructure. The improvements will begin on 11th Avenue, approximately 150 feet north of the 48th Street and 11th Avenue intersection and continue north approximately 582 feet. The

improvements will complete the connection north to 56th Street as the developer is currently working to complete the remaining section outside of the City limits.

Council Member Clouse introduced Ordinance No. 8152 creating Water District No. 2017-585 for 11th Avenue from the southwesterly line of Lot 4, Block Two thence northwesterly to the north line of Outlot B, Block One, all in Fountain Hills Eighth 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 Lammers 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. 8152 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 Lammers seconded by Nikkila that Ordinance No. 8152 be passed, approved and published as required by law. Roll call resulted as follows: Aye: Clouse, Nikkila, Buschkoetter, Lammers, Lear. Nay: None. Motion carried.

By reason of the roll call voted on the first reading and final passage of the ordinance, Ordinance No. 8152 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. 8153 CREATING SANITARY SEWER DISTRICT NO. 2017-522

These improvement districts are for the extension of 11th Avenue infrastructure. The improvements will begin on 11th Avenue, approximately 150 feet north of the 48th Street and 11th Avenue intersection and continue north approximately 582 feet. The improvements will complete the connection north to 56th Street as the developer is currently working to complete the remaining section outside of the City limits.

Council Member Clouse introduced Ordinance No. 8153 creating Sanitary Sewer District No. 2017-522 for 11th Avenue from the southwesterly line of Lot 4, Block Two thence northwesterly to the north line of Outlot B, Block One, all in Fountain Hills Eighth 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 Lammers 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. 8153 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 Lammers seconded by Nikkila that Ordinance No. 8153 be passed, approved and published as required by law. Roll call resulted as follows: Aye: Clouse, Nikkila, Buschkoetter, Lammers, Lear. Nay: None. Motion carried.

By reason of the roll call voted on the first reading and final passage of the ordinance, Ordinance No. 8153 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. 8154 CREATING PAVING DISTRICT NO. 2017-986

These improvement districts are for the extension of Country Club Lane infrastructure. The improvements will begin on Country Club Lane, approximately 185 feet north of the 37th Street and Country Club Lane intersection and continue north approximately 400 feet. The improvements will complete the connection north to 39th Street.

Council Member Clouse introduced Ordinance No. 8154 creating Paving Improvement District No. 2017-986 for Country Club Lane from 39th Street south to the south lot line of Lot 3, Block 1, Aspen Meadows 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 Lammers 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. 8154 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 Lammers seconded by Nikkila that Ordinance No. 8154 be passed, approved and published as required by law. Roll call resulted as follows: Aye: Clouse, Nikkila, Buschkoetter, Lammers, Lear. Nay: None. Motion carried.

By reason of the roll call voted on the first reading and final passage of the ordinance, Ordinance No. 8154 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. 8155 CREATING WATER DISTRICT NO. 2017-586

These improvement districts are for the extension of Country Club Lane infrastructure. The improvements will begin on Country Club Lane, approximately 185 feet north of the 37th Street and Country Club Lane intersection and continue north approximately 400 feet. The improvements will complete the connection north to 39th Street.

Council Member Clouse introduced Ordinance No. 8155 creating Water District No. 2017-586 for Country Club Lane from 39th Street south to the south lot line of Lot 3, Block 1, Aspen Meadows 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 Lammers 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. 8155 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 Lammers seconded by Nikkila that Ordinance No. 8155 be passed, approved and published as required by law. Roll call resulted as follows: Aye: Clouse, Nikkila, Buschkoetter, Lammers, Lear. Nay: None. Motion carried.

By reason of the roll call voted on the first reading and final passage of the ordinance, Ordinance No. 8155 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

Council Member Nikkila expressed his excitement for Saturday's upcoming ribbon cutting for the new Hike/Bike Trail Extension that extends the trail from Cottonmill Park to Fort Kearny.

City Manager Michael Morgan stated that the additional Tech One infrastructure is complete and the street lighting is going up soon. The Housing Study is complete and going to Planning Commission on Friday. Eastbrooke Park Splashpad is now open. The Veterans' Home construction is coming along nicely with the anticipated opening in September 2018, resulting in another large employer. City staff is working on the annual budget.

The 56th Street and 17th Avenue street project has been delayed and will likely begin in July. The street project on 31st Avenue is nearing paving. The Avenue M Hike/Bike Trail is paved and the pedestrian bridge is on order which will take a few months to complete. There is a trial LED light currently in front of City Hall and he encouraged citizens to view what an LED light looks like. The Country Club Lane bridge construction is now open and complete. An engineer review for 2nd Avenue (11th Street to 56th Street) is forthcoming to examine the entire section and intersections.

Council Member Clouse reminded citizens of water safety. He welcomed Lauren Brandt as the new City Clerk and thanked Michaelle Trembly for her years of serving as the City Clerk. He welcomed Michaela Benes as the new Administrative Assistant/Social Media as she will be handling the City's social media pages.

VIII. ADJOURN

Moved by Clouse seconded by Lammers that Council adjourn at 6:15 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**

**LAUREN BRANDT
DEPUTY CITY CLERK**