

*Kearney, Nebraska
February 12, 2019
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 February 12, 2019 in the Council Chambers at City Hall. Present were: Stanley A. Clouse, President of the Council; Lauren Brandt, City Clerk; Council Members Randy Buschkoetter, Bruce Lear, Tami James Moore and Jonathan Nikkila. Absent: None. Michael Morgan, City Manager; Michael Tye, City Attorney; Wendell Wessels, Director of Finance; Eric Hellriegel, Assistant City Manager; Tony Jelinek, Director of Utilities; Andy Harter, Assistant Director of Public Works; Dan Lillis, Engineering Assistant II; Bryan Waugh, Chief of Police; and Shawna Erbsen, Administrative Services Director were also present. Members of the media present included: Ryan Boyd from KGFW and Mike Konz from the 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 Adrian Boykin provided the Invocation.

PLEDGE OF ALLEGIANCE

A 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

REZONING OF PROPERTY LOCATED AT 3760 WEST 70TH STREET

Mayor Clouse opened the public hearing on the application pertaining to rezoning property located at 3760 West 70th Street as submitted by Buffalo Surveying Corp. for TS Development, LLC. At the request of the developer, this item has been requested to be postponed until March 12, 2019.

Moved by Nikkila seconded by Moore to postpone until March 12, 2019 Public Hearing 3 on the proposed rezoning of property located at 3760 West 70th Street. Roll call resulted as follows: Aye: Clouse, Lear, Nikkila, Moore, Buschkoetter. Nay: None. Motion carried.

REZONING OF PROPERTY LOCATED AT 504 AND 514 WEST 42ND STREET

Mayor Clouse opened the public hearing on the application submitted by Nick Johnson for CGW, LLC and Johnson Imperial to rezone from District C-2/PD, Community Commercial/Planned Development Overlay District to District C-2, Community Commercial District for property described as Lot 3 and Lot 4, Eagles Nest Addition, an addition to the City of Kearney, Buffalo County, Nebraska (504 and 514 West 42nd Street) and consider Ordinance No. 8317.

Nick Johnson presented this matter to the Council. He is requesting to remove the Planned Development (PD) from the two outlots that have been zoned as a PD since the early 1970's.

There was no one present in opposition to this hearing.

Moved by Moore to close the public hearing on the application submitted by Nick Johnson for CGW, LLC and Johnson Imperial to rezone from District C-2/PD, Community Commercial/Planned Development Overlay District to District C-2, Community Commercial District for property described as Lot 3 and Lot 4, Eagles Nest Addition, an addition to the City of Kearney, Buffalo County, Nebraska (504 and 514 West 42nd Street) and introduced Ordinance No. 8317 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. 8317. 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, Moore, 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. 8317 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, Moore, Buschkoetter. Nay: None. Motion carried. Ordinance was read by number.

Moved by Lear seconded by Buschkoetter that Ordinance No. 8317 be passed, approved and published as required by law. Roll call resulted as follows: Aye: Clouse, Nikkila, Moore, Buschkoetter, Lear. Nay: None. Motion carried.

By reason of the roll call voted on the first reading and final passage of the ordinance, Ordinance No. 8317 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.

UTILITY EASEMENT VACATION LOCATED ON PROPERTY SOUTH OF 11TH STREET AND EAST OF 9TH AVENUE

Mayor Clouse opened the public hearing on the application submitted by Miller & Associates for Fox Creek Development, LLC to vacate the 10 foot wide utility easement shown on Fox Creek, an addition to the City of Kearney, Buffalo County, Nebraska, described as follows: the south 5 feet of Lot 3, except the east 5 feet thereof, and the north 5 feet of Lot 4, except the east 5 feet thereof, in Block Three, of Fox Creek, an addition to the City of Kearney, Buffalo County, Nebraska (south of 11th Street and East of 9th Avenue) and consider Ordinance No. 8318.

Craig Bennett from Miller & Associates presented this matter to the Council. This easement was platted with Fox Creek Addition, which later had a minor subdivision; the 10 foot utility easement is now in the center of the lot and needs to be released. There are no utilities in the easement at this time.

There was no one present in opposition to this hearing.

Moved by Buschkoetter to close the public hearing on the Application submitted by the application submitted by Miller & Associates for Fox Creek Development, LLC to vacate the 10 foot wide utility easement shown on Fox Creek, an addition to the City of Kearney, Buffalo County, Nebraska, described as follows: the south 5 feet of Lot 3, except the east 5 feet thereof, and the north 5 feet of Lot 4, except the east 5 feet thereof, in Block Three, of Fox Creek, an addition to the City of Kearney, Buffalo County, Nebraska (south of 11th Street and East of 9th Avenue) and introduced Ordinance No. 8318 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. 8318. 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, Buschkoetter, Lear, Nikkila, Moore. 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. 8318 by number. Roll call of those in favor of the passage of said ordinance on the first reading resulted as follows: Aye: Clouse, Buschkoetter, Lear, Nikkila, Moore. Nay: None. Motion carried. Ordinance was read by number.

Moved by Clouse seconded by Nikkila that Ordinance No. 8318 be passed, approved and published as required by law. Roll call resulted as follows: Aye: Clouse, Buschkoetter, Lear, Nikkila, Moore. Nay: None. Motion carried.

By reason of the roll call voted on the first reading and final passage of the ordinance, Ordinance No. 8318 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.

DEVELOPMENT OF GRANDVIEW ESTATES THIRTEENTH

Mayor Clouse opened the public hearing on the Applications submitted by Buffalo Surveying Corp. for Buffalo County School District 10 0007-000 (Kearney Public School) to (1) vacate Lot 10, Grandview Estates Tenth, an Addition to the City of Kearney, Buffalo County, Nebraska and consider Ordinance No. 8320; and (2) the Final Plat and Subdivision Agreement for Grandview Estates Thirteenth, an addition to the City of Kearney, Buffalo County, Nebraska, for property described as Lot 10 (to be vacated), Grandview Estates Tenth, an addition to the City of Kearney, Buffalo County, Nebraska, and located in the North Half of the Southwest Quarter of Section 30, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (Northwest of the Intersection of 45th Street and Avenue R) and consider Resolution No. 2019-39.

Mitch Humphrey from Buffalo Surveying Corp. presented this matter to the Council. Lot 10 encompasses 1.22 acres on which five lots will be created that will be 80 feet to 85 feet wide. The subdivision agreement discusses when 45th street was put in and when the land was divided into lots there wasn't access to the sewer line so the sewer line will have to be tapped into an easement that will be dedicated.

There was no one present in opposition to this hearing.

Moved by Nikkila to close the public hearing on the Applications submitted by submitted by Buffalo Surveying Corp. for Buffalo County School District 10 0007-000 (Kearney Public School) to (1) vacate Lot 10, Grandview Estates Tenth, an Addition to the City of Kearney, Buffalo County, Nebraska and introduced Ordinance No. 8320 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 Moore seconded the motion to close the hearing and suspend the rules for Ordinance No. 8320. 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, Moore, 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. 8320 by number. Roll call of those in favor of the passage of said ordinance on the first reading resulted as follows: Aye: Clouse, Moore, Buschkoetter, Lear, Nikkila. Nay: None. Motion carried. Ordinance was read by number.

Moved by Moore seconded by Lear that Ordinance No. 8320 be passed, approved and published as required by law. Roll call resulted as follows: Aye: Clouse, Buschkoetter, Lear, Nikkila, Moore. Nay: None. Motion carried.

By reason of the roll call voted on the first reading and final passage of the ordinance, Ordinance No. 8320 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 Lear seconded by Buschkoetter to adopt Resolution No. 2019-39 approving the Final Plat and Subdivision Agreement for Grandview Estates Thirteenth, an addition to the City of Kearney, Buffalo County, Nebraska, for property described as Lot 10 (to be vacated), Grandview Estates Tenth, an addition to the City of Kearney, Buffalo County, Nebraska, and located in the North Half of the Southwest Quarter of Section 30, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska (Northwest of the Intersection of 45th Street and Avenue R). Roll call resulted as follows: Aye: Clouse, Lear, Nikkila, Moore, Buschkoetter. Nay: None. Motion carried.

RESOLUTION NO. 2019-39

BE IT RESOLVED BY THE PRESIDENT AND COUNCIL OF THE CITY OF KEARNEY, NEBRASKA, that the plat of Grandview Estates Thirteenth, an addition to the City of Kearney, Buffalo County, Nebraska for property described as Lot 10, now vacated, Grandview Estates Tenth, an addition to the City of Kearney, Buffalo County, Nebraska, and located in the North Half of the Southwest Quarter of Section 30, Township 9 North, Range 15 West of the 6th P.M., 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 12TH DAY OF FEBRUARY, 2019.

ATTEST:
LAUREN BRANDT
CITY CLERK

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

CODE AMENDMENTS

Mayor Clouse opened the public hearing on the proposed amendments to the following chapters/sections of the City Code as follows: (a) Section 13-104 "Residential Use Types" of Chapter 13 "Use Types" to remove 'or more' from the use type definition; (b) Section 13-105 "W" "Civic Use Types" of Chapter 13 "Use Types" to add administrative offices and fellowship social hall, and remove exclusions and property tax exemption statement for the use type definition; (c) Section 46-104 "Supplemental Use Regulations: Civic Uses" of Chapter 46 "Supplemental Use Regulations" to add Accessory Uses and floor area percentage permitted with a Religious Assembly Use Type to Supplemental Use Regulations; (d) Table 14-1 "Use Matrix" of Chapter 14 "Zoning District Regulations" "Civic Use Types" to add Section 46-104 D. to the Supplemental Regulations column in the Religious Assembly row in Table 14-1; (e) Section 15-102 "Site Development Regulations" of Chapter 15 "District AG, Agricultural District" to remove non-active regulators; reduce lot area and width; modify minimum yards; increase maximum height for other permitted uses; modify regulator reference from notes; (f) Section 16-101 "Purpose" of Chapter 16 "District RR-1, Rural Residential District (Rural Standards)" to remove unnecessary statements; (g) Section 16-102 "Site Development Regulations" of Chapter 16 "District RR-1, Rural Residential District (Rural Standards)" to remove non-active regulators; increase lot area; reduce lot width; add note regarding wellhead protection area; (h) Section 18-101 "Purpose" of Chapter 18 "District RR-2, Rural Residential District (Intermediate Standards)" to remove development limitation text; add clarification language; (i) Section 18-102 "Site Development Regulations" of Chapter 18 "District RR-2, Rural Residential District (Intermediate Standards)" to remove non-active regulators; increase lot area; modify minimum yards; add note regarding wellhead protection area and NDEQ approval note and consider Ordinance No. 8321.

Assistant Development Services Director, Brenda Jensen presented this matter to the Council. Assistant Development Services Director stated City staff have been looking at ways to clean up some inconsistencies that are in City Code to simplify administrative processes.

There was no one present in opposition to this hearing.

Moved by Buschkoetter to close the public hearing on the on the proposed amendments to the following chapters/sections of the City Code as follows: (a) Section 13-104 "Residential Use Types" of Chapter 13 "Use Types" to remove 'or more' from the use type definition; (b) Section 13-105 "W" "Civic Use Types" of Chapter 13 "Use Types" to add administrative offices and fellowship social hall, and remove exclusions and property tax exemption statement for the use type definition; (c) Section 46-104 "Supplemental Use Regulations: Civic Uses" of Chapter 46 "Supplemental Use Regulations" to add Accessory Uses and floor area percentage permitted with a Religious Assembly Use Type to Supplemental Use Regulations; (d) Table 14-1 "Use Matrix" of Chapter 14 "Zoning District Regulations" "Civic Use Types" to add Section 46-104 D. to the Supplemental Regulations column in the Religious Assembly row in Table 14-1; (e) Section 15-102 "Site Development Regulations" of Chapter 15 "District AG, Agricultural District" to remove non-active regulators; reduce lot area and width; modify minimum yards; increase maximum height for other permitted uses; modify regulator

reference from notes; (f) Section 16-101 "Purpose" of Chapter 16 "District RR-1, Rural Residential District (Rural Standards)" to remove unnecessary statements; (g) Section 16-102 "Site Development Regulations" of Chapter 16 "District RR-1, Rural Residential District (Rural Standards)" to remove non-active regulators; increase lot area; reduce lot width; add note regarding wellhead protection area; (h) Section 18-101 "Purpose" of Chapter 18 "District RR-2, Rural Residential District (Intermediate Standards)" to remove development limitation text; add clarification language; (i) Section 18-102 "Site Development Regulations" of Chapter 18 "District RR-2, Rural Residential District (Intermediate Standards)" to remove non-active regulators; increase lot area; modify minimum yards; add note regarding wellhead protection area and NDEQ approval note and introduced Ordinance No. 8321 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. 8321. 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, Moore, 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. 8321 by number. Roll call of those in favor of the passage of said ordinance on the first reading resulted as follows: Aye: Clouse, Nikkila, Moore, Buschkoetter, Lear. Nay: None. Motion carried. Ordinance was read by number.

Moved by Clouse seconded by Nikkila that Ordinance No. 8321 be passed, approved and published as required by law. Roll call resulted as follows: Aye: Clouse, Moore, 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. 8321 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.

IV. CONSENT AGENDA

Moved by Nikkila seconded by Moore that Subsections 1 through 6 of Consent Agenda Item IV be approved. Roll call resulted as follows: Aye: Clouse, Buschkoetter, Lear, Nikkila, Moore. Nay: None. Motion carried.

1. Approve Minutes of Regular Meeting held January 22, 2019.
2. Approve the following Claims:
 - PS Personnel Services
 - SMCS Supplies, Materials & Contractual Services
 - ER Equipment Rental
 - CO Capital Outlay
 - DS Debt Service

Alfred & Benesch \$1,554.79 co; All Makes Office \$6,209.00 co; Alvine & Associates \$9,107.62 co; Amazon \$1,581.50 smcs; American Fence \$774.68 smcs; Arensdorf,A \$2.59 smcs; Arram,J \$395.26 smcs; Ask Supply \$219.64 smcs; Aurora Coop \$26.88 smcs; Axmann Heating \$7,999.00 co; Baker & Taylor \$3,198.03 smcs; Baye,S \$23.00 smcs; Beehive \$11,546.00 smcs; Beissel-Heath,M \$20.00 smcs; Bellairs,J \$297.30 smcs; Bibliotheca \$11,380.05 smcs; Bike Shed \$1,330.00 smcs; Blackstone Publishing \$620.72 smcs; BlackStrap \$1,560.74 smcs; BlueCross/BlueShield \$256,542.92 smcs; Bosselman \$2,561.38 smcs; Brandow,A \$4.13 smcs; Bridgett Lavene Consult. \$2,500.00 smcs; Broadfoot's \$2,100.75 smcs; Brown, Connor \$44.40 smcs; Buffalo Co. Historical \$551.00 co; Buffalo Co. Register Deeds \$138.00 smcs; Buffalo Co. Court \$101.70 ps; Builders \$125.75 smcs; Cash,M \$204.32 smcs; Cash-Wa \$254.20 smcs; Center Point Publishing \$75.96 smcs; Central District Health \$2,892.00 smcs; Central NE Bobcat \$6,975.38 co; Central States Wire \$2,913.08 smcs; Chesterman \$136.50 smcs; Chief Supply \$52.96 smcs; Christensen,C \$324.00 smcs; Cigna \$7,400.28 smcs; City of Ky \$427,342.58 smcs,ps; Comm. Act. Partnership \$1,923.00 smcs; Community Health Charities \$102.00 ps; Community Serv. Fund-NE \$58.00 ps; Compasscom \$157.50 smcs; Cook,J \$16.41 smcs; Cooke,T \$51.45 smcs; Copycat Printing \$1,100.00 smcs; Core & Main \$5,133.83 smcs; Cornhusker Cleaning \$498.22 smcs; Credit Management Serv. \$80.92 ps; Culligan \$379.79 smcs; Cummins \$1,335.24 smcs; Dan Roeder Construction \$233,861.75 co; Daniel,S \$475.70 smcs; Dawson Public Power \$17,140.97 smcs; Dennis,C \$35.00 smcs; Dineen,F \$95.00 smcs; Dowhy Towing \$200.00 smcs; Eakes \$2,022.21 smcs; Entenmann-Rovin \$1,316.60 smcs; ESO Solutions \$4,675.00 smcs; ESRI \$6,900.00 smcs; Farmers Union \$600.00 smcs; First Holiday Tour \$3,170.00 smcs; Flaherty,T \$351.00 smcs; Frontier \$73.98 smcs; Gale \$154.89 smcs; General Collection Co. \$253.86 ps; Grey House Publishing \$1,428.00 smcs; Hausmann Construction \$30.26 smcs; HM Life Insurance \$55,158.50 smcs; Hometown Leasing \$159.08 smcs; Hough,C \$150.00 smcs; ICMA Retirement Trust \$28,317.24 ps; Int'l Code Council \$2,994.53 smcs; IRS \$147,886.97 ps; J & B Powder Coating \$167.00 smcs; Jack Lederman \$187.07 smcs; Jack's Uniforms \$421.90 smcs; Jacobson,C \$150.00 smcs; Jelinek,A \$88.00 smcs; Johnson Controls \$645.10 smcs; Katie Autry's Photography \$74.82 smcs; Ky Animal Shelter \$7,808.00 smcs; Ky Area United Way \$536.42 ps; Ky Community Found. \$1,500.00 smcs; Ky Hub \$3,173.55 smcs; Konica Minolta \$523.96 smcs; Lammers,G \$50.98 smcs; League of NE Municipalities \$890.00 smcs; Lockmobile \$50.00 smcs; Magic Cleaning \$7,640.00 smcs; Marlatt Machine \$140.00 smcs; Martin,G \$95.06 smcs; Mason RV \$47.99 smcs; Menards \$388.30 smcs; Midwest Connect \$8,547.37 smcs; Milco Environmental \$300.00 smcs; Miller & Associates \$72,748.10 co; Miller Signs \$3,802.00 smcs; Miracle Recreation \$49.00 co; Mirror Image \$225.40 smcs; Morgan,M \$192.00 smcs; Municipal Supply \$5,537.26 smcs; Murphy Tractor \$17,635.53 smcs,co; Nanfito,N \$13.00 smcs; NE Assoc. of Senior Centers \$40.00 smcs; NE Child Support \$2,448.89 ps; NE Dept of Revenue \$127,405.83 smcs,ps; NE Dept of Transportation \$221,501.03 smcs; New Deal Deicing \$7,949.00 smcs; Nicolen,M \$100.00 smcs; Niemack,D \$248.00 smcs; Niles,J \$6.02 smcs; Northwestern Energy \$5,180.89 smcs; Nova Fitness \$3,843.00 co; Oak Creek Engineering \$3,472.36 smcs; Office Depot \$22.04 smcs; O'Keefe Elevator \$430.44 smcs; One Call Concepts \$120.61 smcs; Overhead Door \$80.00 smcs; Paramount \$138.25 smcs; Payflex Systems \$1,039.75 smcs,ps; Penworthy Company \$391.64 smcs; Pep Co \$237.34 smcs; Photo Card Specialties \$85.76 smcs; Pierson,M \$150.00 smcs; Platte Valley Comm \$2,424.75 smcs; Platte Valley Laboratories \$125.00 smcs; Potter,J \$21.97 smcs; Presto-X \$226.00 smcs; Prime Communications

\$11,954.54 co; Recorded Books \$397.48 smcs; Resource Mgmt. \$359.25 smcs; Rest & Relaxation Tour \$118,445.00 smcs; Rheome Tree \$1,850.00 smcs; Ritter,C \$197.44 smcs; Rokit Event Pros \$1,250.00 smcs; Rowe Welding \$9,620.00 co; RR Donnelley \$639.88 smcs; S&B Heating \$380.85 smcs; Sapp Brothers \$33,963.23 smcs; Sawin,S \$88.00 smcs; SCALES \$1,000.00 smcs; Schindler Elevator \$900.12 smcs; School District #7 \$2,171.00 smcs; Schroeder,J \$607.50 smcs; Schroer,J \$270.00 smcs; Schutte,B \$89.60 smcs; Schwarz,G \$119.00 smcs; See Clear Cleaning \$2,050.00 smcs; Shada,T \$242.96 smcs; Snap-on Tools \$1,483.50 smcs; Sonshine Ventures \$28,020.79 smcs; SOS Portable Toilets \$220.00 smcs; Tech Masters \$56.35 smcs; Telegraph \$276.49 smcs; Thompson Co. \$65.36 smcs; Thompson,K \$205.00 smcs; Turner Body Shop \$100.00 smcs; Tye & Rowling \$13,944.17 smcs; Lund,L \$5.42 smcs; Union Bank & Trust \$77,072.01 ps; Unruh,S \$172.15 smcs; Verizon \$6,441.48 smcs; Vermont Systems \$4,470.00 smcs; Village Uniform \$305.92 smcs; Watchguard Video \$435.00 smcs; Water's Edge Aquatic \$4,555.00 smcs; Whalen,J \$607.50 smcs; Yant Equipment \$2,430.00 smcs; Yellow Van Cleaning \$368.55 smcs; Payroll Ending 01/19/2019 -- \$449,125.27 and 02/02/2019 -- \$459,151.47. 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 canceling assessed connection fees levied against certain lots and lands and to remove the said records and assessment schedules from the active files of the City of Kearney and approve Resolution No. 2019-40.

RESOLUTION NO. 2019-40

WHEREAS, special assessments have been levied against various properties owned by the City of Kearney; and

WHEREAS, the special assessment liens should be extinguished and no longer constitute liens upon the subject real estate;

NOW, THEREFORE, BE IT RESOLVED by the President and City Council of the City of Kearney, Nebraska, that the Clerk of the City of Kearney be and is hereby authorized and directed to denote on the records of the Office that the special assessments levied against the below-listed lots are cancelled, and to remove the said records and assessment schedules from the active files of the Office.

Lot 4 of Block 1, Hisey Subdivision to the City of Kearney, Buffalo County, Nebraska, TOGETHER WITH the vacated east 17 feet of Avenue D abutting said lot on the west (Connection Fee of \$30.35 per foot of frontage benefitted as part of Sewer Connection District No. 2004-7; AND Connection Fee of \$21.96 per foot of frontage benefitted as part of Water Connection District No. 2004-4)

Lot 5 of Block 1, Hisey Subdivision to the City of Kearney, Buffalo County, Nebraska, TOGETHER WITH the vacated east 17 feet of Avenue D abutting said lot on the west (Connection Fee of \$30.35 per foot of frontage benefitted as part of Sewer Connection District No. 2004-7; AND Connection Fee of \$21.96 per foot of frontage benefitted as part of Water Connection District No. 2004-4)

Lot 6 of Block 1, Hisey Subdivision to the City of Kearney, Buffalo County, Nebraska, TOGETHER WITH the vacated east 17 feet of Avenue D abutting said lot on the

west (Connection Fee of \$30.35 per foot of frontage benefitted as part of Sewer Connection District No. 2004-7; AND Connection Fee of \$21.96 per foot of frontage benefitted as part of Water Connection District No. 2004-4)

Lot 1 of Block 2, Hisey Subdivision to the City of Kearney, Buffalo County, Nebraska, TOGETHER WITH the vacated east 17 feet of Avenue D abutting said lot on the west (Connection Fee of \$30.35 per foot of frontage benefitted as part of Sewer Connection District No. 2004-7; AND Connection Fee of \$21.96 per foot of frontage benefitted as part of Water Connection District No. 2004-4)

Lot 2 of Block 2, Hisey Subdivision to the City of Kearney, Buffalo County, Nebraska, TOGETHER WITH the vacated east 17 feet of Avenue D abutting said lot on the west (Connection Fee of \$30.35 per foot of frontage benefitted as part of Sewer Connection District No. 2004-7; AND Connection Fee of \$21.96 per foot of frontage benefitted as part of Water Connection District No. 2004-4)

Lot 3 of Block 2, Hisey Subdivision to the City of Kearney, Buffalo County, Nebraska, TOGETHER WITH the vacated east 17 feet of Avenue D abutting said lot on the west (Connection Fee of \$30.35 per foot of frontage benefitted as part of Sewer Connection District No. 2004-7; AND Connection Fee of \$21.96 per foot of frontage benefitted as part of Water Connection District No. 2004-4)

Lot 4 of Block 2, Hisey Subdivision to the City of Kearney, Buffalo County, Nebraska, TOGETHER WITH the vacated east 17 feet of Avenue D abutting said lot on the west (Connection Fee of \$30.35 per foot of frontage benefitted as part of Sewer Connection District No. 2004-7; AND Connection Fee of \$21.96 per foot of frontage benefitted as part of Water Connection District No. 2004-4)

PASSED AND APPROVED THIS 12TH DAY OF FEBRUARY, 2019.

ATTEST:
LAUREN BRANDT
CITY CLERK

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

4. Approve the recommendation to purchase a new Dump Truck with a 16 Foot Dump Box to be used at the Wastewater Treatment Plant for the Utilities Department and award the bid to Wick’s Sterling Trucks, Inc. in the amount of \$130,401.00.

5. Adopt Resolution No. 2019-41 approving the Developer Constructed Infrastructure Agreement for Grandview Estates Thirteenth between the City of Kearney and Buffalo County School District 10-0007-000, School District #7, Buffalo County, Nebraska, a/k/a Kearney Public Schools, a/k/a the School District of the City of Kearney, a Nebraska corporation, a/k/a the School District of the City of Kearney, Buffalo County, Nebraska, a Body Corporate, by and through Alex Straatmann, President of the Board of Education, for the construction of paving, water main, sanitary sewer main and storm sewer for Grandview Estates Thirteenth, an addition to the City of Kearney, Buffalo County, Nebraska, for property described as Lot 10 (to be vacated), Grandview Estates Tenth, an addition to the City of Kearney, Buffalo County, Nebraska, and located in the North Half of the Southwest Quarter of Section 30, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska.

RESOLUTION NO. 2019-41

BE IT RESOLVED BY THE PRESIDENT AND COUNCIL OF THE CITY OF KEARNEY, NEBRASKA that the agreement entitled "Developer Constructed Infrastructure Agreement for Grandview Estates Thirteenth" between the City of Kearney and Buffalo County School District 10-0007-000, School District #7, Buffalo County, Nebraska, a/k/a Kearney Public Schools, a/k/a the School District of the City of Kearney, a Nebraska corporation, a/k/a the School District of the City of Kearney, Buffalo County, Nebraska, a Body Corporate, by and through Alex Straatmann, President of the Board of Education, for the construction of a sanitary sewer main for Grandview Estates Thirteenth, an addition to the City of Kearney, Buffalo County, Nebraska, for property described as Lot 10 (to be vacated), Grandview Estates Tenth, an addition to the City of Kearney, Buffalo County, Nebraska, and located in the North Half of the Southwest Quarter of Section 30, Township 9 North, Range 15 West of the 6th P.M., 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 12TH DAY OF FEBRUARY, 2019.

ATTEST:
LAUREN BRANDT
CITY CLERK

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

6. 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 cater and dispense alcoholic liquor as follows:

- a) Inside UNK Health and Sports Center located at, 2501 15th Avenue, on Thursday, February 28, 2019 from 4:00 p.m. to 10:00 p.m., for a business event;
- b) Inside the Extension Building located at the Buffalo County Fairgrounds, 1400 E 34th Street, on Saturday, March 2, 2019 from 3:00 p.m. until 12:00 a.m. for a Quinceanera; and
- c) Inside the Exhibit Building located at the Buffalo County Fairgrounds, 3807 Avenue N, on March 8, 2019 from 4:00 p.m. to 10:00 p.m.; March 9, 2019 from 10:00 a.m. to 8:00 p.m.; March 10, 2019 from 11:00 a.m. until 6:00 p.m. for a Motorcycle Show.

V. CONSENT AGENDA ORDINANCES

ORDINANCE NO. 8322 AUTHORIZING ISSUANCE OF COMBINED UTILITIES REVENUE BONDS

Council Member Moore introduced Ordinance No. 8322 authorizing the issuance of a Combined Utilities Revenue Bonds of the City of Kearney, Nebraska in the principal amount of up to \$2,620,000 for the purpose of paying the costs of an extension of the City's sanitary sewer collection system and the City's water system; authorizing the issuance of said bonds in the form of promissory notes to evidence loans from the Nebraska Department of Environmental Quality; approving the execution and delivery of

loan agreements with the Nebraska Department of Environmental Quality; approving related documents with respect to said loans; prescribing the form, terms and details of said bonds; pledging and hypothecating the revenue and earnings of the waterworks plant and water system, sewage disposal plant and sanitary sewer system and electric distribution system of said City for the payment of said bonds and interest thereon; providing for the collection, segregation and application of the revenues of the City's waterworks plant and water system, sewage disposal plant and sanitary sewer system and electric distribution system; approving execution of related documents; entering into contracts on behalf of the City with the holder of said bonds; determining that interest on said bonds shall not be excludable from gross income for purposes of federal income taxation, 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 suspend the rules for Ordinance No. 8322. 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, Moore, 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. 8322 by number. Roll call of those in favor of the passage of said ordinance on the first reading resulted as follows: Aye: Clouse, Nikkila, Moore, Buschkoetter, Lear. Nay: None. Motion carried. Ordinance was read by number.

Moved by Lear seconded by Buschkoetter that Ordinance No. 8322 be passed, approved and published as required by law. Roll call resulted as follows: Aye: Clouse, Buschkoetter, Lear, Nikkila, Moore. Nay: None. Motion carried.

By reason of the roll call voted on the first reading and final passage of the ordinance, Ordinance No. 8322 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. 8323 ON PROPOSED CODE AMENDMENTS FOR SEVERAL SECTIONS OF ARTICLE 10 "PLUMBING CODE" OF CHAPTER 9 "PUBLIC WORKS"

Council Member Moore introduced Ordinance No. 8323 amending several sections of Article 10 "Plumbing Code" of Chapter 9 "Public Works" of the City Code including revisions to Division I "Uniform Plumbing Code" (a) Section 9-1016 "Uniform Plumbing Code; Adopted" to remove language and clarify appendices that are adopted and appendices that are not adopted; (b) Section 9-1017 "Amendments to Uniform Plumbing Code, 2015 Edition" to clarify cleanout heights, add language for piping of a dishwasher waste line, drinking fountain alternatives and bonding exception for CSST gas piping; (c) Section 9-1018 "Septic Systems and Leach Fields" to clarify enforcement for Septic Systems and Leach Fields and clarify that all permits, inspections, and registrations are done through the Nebraska Department of Environmental Quality (NDEQ); (d) Section 9-1020 "Oil Interceptors for Service Facilities and Manufacturing Processes" to remove language to better align with state statutes; revisions to Division II "Plumbing Permits"

(e) Section 9-1035 "Plumbing Permit Fees" to remove language to better align with state statutes; revisions to Division III "Licensing and Regulation of Plumbers" (f) Section 9-1041 "Classification of Licenses" to amend language for clarification of Master Plumbing license submittal requirements; (g) Section 9-1048 "Examination and Licensing Requirements" to remove language to better align with state statutes; (h) Section 9-1049 "Issuance of License" to amend language to reflect the NITC Plumbing Exam Agreement; (i) Section 9-1051 "Renewal of Licenses" to amend language to better align with state statutes and add the exception for reciprocity of other equivalent national tests and certifications; (j) Section 9-1052 "Revocation of License" to amend language for clarification purposes; (k) Section 9-1053 "Permitting Others to Use License" to amend language for clarification purposes; and (l) Section 9-1055 "Licenses; Reciprocity" to amend language to better align with state statutes, 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 suspend the rules for Ordinance No. 8323. 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, Moore, 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. 8323 by number. Roll call of those in favor of the passage of said ordinance on the first reading resulted as follows: Aye: Clouse, Nikkila, Moore, Buschkoetter, Lear. Nay: None. Motion carried. Ordinance was read by number.

Moved by Lear seconded by Buschkoetter that Ordinance No. 8323 be passed, approved and published as required by law. Roll call resulted as follows: Aye: Clouse, Buschkoetter, Lear, Nikkila, Moore. Nay: None. Motion carried.

By reason of the roll call voted on the first reading and final passage of the ordinance, Ordinance No. 8323 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. 8324 ON PROPOSED CODE AMENDMENT TO SECTION 1-210 "MEETINGS" OF ARTICLE 2 "CITY COUNCIL OF CHAPTER 1 "ADMINISTRATION"

Council Member Moore introduced Ordinance No. 8324 amending Section 1-210 "Meetings" of Article 2 "City Council of Chapter 1 "Administration" to add language stating that the regular City Council meetings for the month of December are to be rescheduled annually to occur on the second (2nd) and third (3rd) Tuesday, 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 suspend the rules for Ordinance No. 8324. 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, Moore, 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. 8324 by number. Roll call of those in favor of the passage of said ordinance on the first reading resulted as follows: Aye: Clouse, Nikkila, Moore, Buschkoetter, Lear. Nay: None. Motion carried. Ordinance was read by number.

Moved by Lear seconded by Buschkoetter that Ordinance No. 8324 be passed, approved and published as required by law. Roll call resulted as follows: Aye: Clouse, Buschkoetter, Lear, Nikkila, Moore. Nay: None. Motion carried.

By reason of the roll call voted on the first reading and final passage of the ordinance, Ordinance No. 8324 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. 8325 ON CREATION OF PAVING IMPROVEMENT DISTRICT NO. 2019-998 FOR PATRIOT INDUSTRIAL PARK

Council Member Moore introduced Ordinance No. 8325 creating Paving Improvement District No. 2019-998 for Patriot Industrial Park, 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 suspend the rules for Ordinance No. 8325. 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, Moore, 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. 8325 by number. Roll call of those in favor of the passage of said ordinance on the first reading resulted as follows: Aye: Clouse, Nikkila, Moore, Buschkoetter, Lear. Nay: None. Motion carried. Ordinance was read by number.

Moved by Lear seconded by Buschkoetter that Ordinance No. 8325 be passed, approved and published as required by law. Roll call resulted as follows: Aye: Clouse, Buschkoetter, Lear, Nikkila, Moore. Nay: None. Motion carried.

By reason of the roll call voted on the first reading and final passage of the ordinance, Ordinance No. 8325 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. 8326 ON PROPOSED AMENDMENT TO THE SALARY ORDINANCE

Council Member Moore introduced Ordinance No. 8326 repealing Ordinance No. 8296 and amend the Salary Ordinance reflecting recommended classification changes, 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 suspend the rules for Ordinance No. 8326. 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, Moore, 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. 8326 by number. Roll call of those in favor of the passage of said ordinance on the first reading resulted as follows: Aye: Clouse, Nikkila, Moore, Buschkoetter, Lear. Nay: None. Motion carried. Ordinance was read by number.

Moved by Lear seconded by Buschkoetter that Ordinance No. 8326 be passed, approved and published as required by law. Roll call resulted as follows: Aye: Clouse, Buschkoetter, Lear, Nikkila, Moore. Nay: None. Motion carried.

By reason of the roll call voted on the first reading and final passage of the ordinance, Ordinance No. 8326 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

ANNUAL FINANCIAL REPORT

Mayor Clouse opened for discussion the City of Kearney Annual Financial Report prepared by the accounting firm of KSO CPAs + Advisors.

Mindy Oman with KSO CPAs + Advisors presented this matter to the Council. Ms. Oman stated her firm had audited the financial statements of the City that were prepared by the Finance Department as of September 30, 2018. Ms. Oman stated that in the opinion of the firm, the audit was presented fairly, which was a clean opinion.

She presented a few highlights of the statements: The assets of the City exceeded its liabilities by \$254,000,000 at the end of the year which is its net position. She stated \$31,000,000 of this amount is unrestricted and can be used to meet the City's ongoing obligations. The net position increased by \$15,000,000 in comparison to the prior year. This increase was made up of \$6,000,000 in the governmental funds and \$9,000,000 in the business type funds. The total debt of the City decreased by \$1,500,000 during the year. Major capital projects completed were Patriot Park for \$8,700,000 and the fixed base radio read system for \$1,500,000 and various paving improvement projects. The City issued new bonds for paying the cost of improving streets and intersections for \$7,600,000 and \$425,000 for purchasing the new fire safety equipment.

Moved by Clouse seconded by Nikkila to approve the City of Kearney Annual Financial Report. Roll call resulted as follows: Aye: Clouse, Buschkoetter, Lear, Nikkila, Moore. Nay: None. Motion carried.

ADOPTION OF THE REVISED CITY OF KEARNEY SPECIAL EVENT PERMIT APPLICATION

Mayor Clouse opened for discussion the adoption of Resolution No. 2019-42 approving the revised City of Kearney Special Event Permit Application.

City Clerk, Lauren Brandt presented this matter to the Council. City staff over the past several months have developed a newly proposed application for special events. The new application provides education and guidance for applicants when they request street closures. The application gives the applicant the opportunity to know which City department to contact to have their pre planning questions answered before the event. Many other communities' applications were examined while preparing the revised application. It was found that several other cities charge a fee, however; Kearney will remain one of the few communities that will not charge any fees for special events.

There will be a proposed parade route in the new application as limiting interference with traffic was a main concern. There will be a special events meeting to meet with potential applicants on Friday, February 15th at the Kearney Public Library. Each event application will continued to be evaluated by the Special Events committee comprised of Administration, Public Works, Kearney Police Department and Park and Recreation and may also go through a pre-planning meeting on larger events, however; the new application will contain a majority of what they need to be aware of up front. Any events that include alcohol will be viewed separately by looking at security with Chief Waugh and the SDL application would still have to come before City Council.

Moved by Nikkila seconded by Moore to approve the adoption of Resolution No. 2019-42 approving the revised City of Kearney Special Event Permit Application. Roll call resulted as follows: Aye: Clouse, Buschkoetter, Lear, Nikkila, Moore. Nay: None. Motion carried.

RESOLUTION NO. 2019-42

WHEREAS, throughout the past several years, the demands and requests for usage/closure of city streets and various city services has steadily grown, resulting in the need for a more detailed and thorough Special Event Permit Application; and

WHEREAS, for the past several months, City staff comprised from Administration, Public Works, Police and Park & Recreation met to discuss much needed revisions to our Special Event Permit Application; and

WHEREAS, City staff determined a new application would assist both staff and applicants on identifying and planning for many of the requirements necessary to hold a special event; and

WHEREAS, City staff also requests approval from City Council allowing the City Manager and/or his designee, the ability to approve the closure of five (5) parking stalls or less without completion of the Special Event Permit Application.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Kearney, Nebraska, that the newly revised Special Event Permit Application be and is hereby adopted and will become effective immediately. A copy of the newly revised Special Event Permit Application, marked Exhibit "A", is attached hereto and made a part hereof by reference.

BE IT FURTHER RESOLVED that the City Manager and/or his designee is hereby authorized to approve the closure of five (5) parking stalls or less without completion of the Special Event Permit Application.

PASSED AND APPROVED THIS 12TH DAY OF FEBRUARY, 2019.

ATTEST:
LAUREN BRANDT
CITY CLERK

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

ONE & SIX YEAR STREET IMPROVEMENT PLAN

Mayor Clouse opened for discussion the One & Six Year Street Improvement Plan and set the public hearing for February 26, 2019 to adopt the One and Six Year Street Improvement Plan.

Assistant Public Works Director Andy Harter presented this matter to the Council.

The following is the proposed One Year Street Improvement Plan:

Location	Est. State Cost	Est. City Cost	Est. Total Cost
30th Avenue from 39th Street North 2640 feet		\$52,000.00	\$52,000.00
25th Street and 9th Avenue	\$2,304,000.00	\$256,000.00	\$256,000.00
A Avenue, from 25th Street to 27th Street. 700 feet		\$485,000.00	\$485,000.00
V Avenue, from 138 feet South of 36th Street to 197 feet North of 36th Street		\$65,000.00	\$65,000.00
36th Street, from V Avenue to X Avenue		\$175,000.00	\$175,000.00
X Avenue, from 39th Street to 36th Street		\$203,000.00	\$203,000.00
55th Street Place, from 15th Avenue West to cul-de-sac 450 feet		\$193,000.00	\$193,000.00
11th Avenue from 145 feet North of 48th Street to 400 feet South of 52nd Street		\$234,000.00	\$234,000.00
54th Street, from 80 feet West of 17th Avenue Place to 160 feet West of 18th Avenue Place		\$167,000.00	\$167,000.00
18th Avenue Place, from 54th Street to end of cul-de-sac, 285 feet		\$120,000.00	\$120,000.00
17th Avenue Place, from 54th Street to end of cul-de-sac, 285 feet		\$116,000.00	\$116,000.00
29th Street, from 2nd Avenue to 250 feet West of 5th Avenue		\$131,000.00	\$131,000.00
9th Avenue, from 25th Street to 28th Street		\$114,000.00	\$114,000.00
19th Street, from 1st Avenue to 120 feet West of 1st Avenue		\$78,000.00	\$78,000.00
17th Street, from P Avenue to 340 feet West of P Avenue		\$107,000.00	\$107,000.00
P Avenue, from 16th Street to 500 feet North of P Avenue		\$151,000.00	\$151,000.00
9th Avenue, from 4th Street to 8th Street		\$375,000.00	\$375,000.00
4th Street, from 170 feet East of 8th Avenue to 140 feet West of 9th Avenue		\$305,000.00	\$305,000.00
10th Avenue, from Talmadge Street to 3rd Street		\$525,000.00	\$525,000.00
Talmadge Street, 560 feet West of 6th Avenue to 10th Avenue		\$330,000.00	\$330,000.00
5th Avenue, from 28th Street to 30th Street		\$58,000.00	\$58,000.00
Patriot Park Boulevard		1,300,000.00	1,300,000.00
57th Street, from 17th Avenue to 19th Avenue		\$425,000.00	\$425,000.00
18th Avenue, from 56th Street to 57th Street		\$100,000.00	\$100,000.00

TOTAL	\$2,304,000.00	\$6,065,000.00	\$6,065,000.00
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The following is the proposed Six Year Street Improvement Plan:

Location	Est. State Cost	Est. City Cost	Est. Total Cost
18th Street from Central Avenue to 1st Avenue - Storm		\$670,000.00	\$670,000.00
1st Avenue from 18th Street to South Railroad Street - Storm		\$1,532,000.00	\$1,532,000.00
31st Street from Avenue D to Avenue I, 1875 feet		\$1,030,000.00	\$1,030,000.00
30th Avenue Bridge Expansion		\$2,100,000.00	\$2,100,000.00
11th Street from Avenue A to Avenue F		\$1,500,000.00	\$1,500,000.00
Avenue N from 28th Street to 39th Street		\$2,400,000.00	\$2,400,000.00
39th Street, from 17th Avenue to 22nd Avenue		\$1,250,000.00	\$1,250,000.00
Pony Express, from 325 feet North of 39th Street to 100 feet South of Indian Hills Drive, 450 feet		\$215,000.00	\$215,000.00
31st Street from Avenue I to Avenue N, 1250 feet		\$495,000.00	\$495,000.00
TOTAL	\$0	\$11,192,000.00	\$11,192,000.00

Assistant Public Work Director reviewed and gave brief descriptions of the items listed on the One and Six Year Plan.

College curves will be occurring this year with the Nebraska Department of Transportation leading the project. This project will run between the 5th Avenue intersection and 12th Avenue with a few intersections being closed. The state will be taking out the east bound entrance onto Highway 30th at 9th Avenue and moving the pedestrian signal to the west on the project. A turn lane will be added north bound onto 9th Avenue. The City is responsible for 10% of the funds and the rest will be paid for by federal safety funds.

Patriot Park Boulevard will run along the south side of the Patriot Park Development. The paving improvement district has already been approved. This road will be the only east/west connection between the Kearney Expressway and Airport Road that will be allowed as the state has controlled access in the area. The road will assist with development of the area, access to the park for fire response and assist with traffic flow for the large amount of people out there.

Council Member Nikkila questioned if people will be able to turn south onto the Kearney Expressway from Patriot Park Boulevard. Assistant Public Work Director stated that people will be able to turn south onto the Kearney Expressway and the intersection is set up to have signals if needed.

Discussion was again held regarding the 30th Avenue Bridge Expansion project regarding the level of difficulty and expense of the project and how well the bridge is handling the traffic flow. The plan is to look into alleviating some of the traffic stacking

issues by working with the State of Nebraska on traffic signal timing.

Moved by Clouse seconded by Nikkila to set the public hearing for February 26, 2019 to adopt the One and Six Year Street Improvement Plan. Roll call resulted as follows: Aye: Clouse, Nikkila, Moore, Buschkoetter, Lear. Nay: None. Motion carried.

PROPOSED GRANT APPLICATION ON THE COMMUNITY TENNIS PROJECT

Mayor Clouse opened for discussion the grant application on the Community Tennis Project in partnership with the University of Nebraska at Kearney.

Assistant City Manager, Eric Hellriegel presented this matter to the Council. This item is to discuss the application for the civic and community center financing fund which is administered by the Nebraska Department of Economic Development. This type of project can go towards civic centers, community centers, recreation centers and planning within Nebraska. The City of Kearney began discussions with the University of Nebraska at Kearney (UNK) about possible opportunities for partnership for a recreational facility within the community; UNK had done some pre development and determined a layout and a concept. The building will house six indoor tennis courts, a small office space and small locker facilities. UNK has been in the process of fundraising for the facility. As part of the partnership the City is eligible to apply for just over \$1,100,000 worth of grant funds to go towards this facility; no tax monies will be used on the facility. UNK has agreed to operate and maintain the facility. The facility will be owned by the City as a condition of the grant itself and will lease it back to UNK as part of the grant process. The public will have scheduled access to the facility as part of the agreement with UNK. It is anticipated that UNK, the local high schools, the Park and Recreation Department and the Kearney Tennis Association will be the primary users. The facility will be located on the University Village campus.

Mayor Clouse questioned if the street access will open up to Village Flats continuing to the north?

Assistant City Manager stated street access will continued to be evaluated; UNK is committing infrastructure for the road and the utility infrastructure that will serve the facility as well.

Moved by Nikkila seconded by Moore to approve the grant application on Community Tennis Project in partnership with the University of Nebraska at Kearney. Roll call resulted as follows: Aye: Clouse, Moore, Buschkoetter, Lear, Nikkila. Nay: None. Motion carried.

OPEN ACCOUNT CLAIM

Moved by Moore seconded by Lear that the Open Account Claim in the amount of \$4,520.43 payable to Nebraska Public Power District be allowed. Roll call resulted as follows: Aye: Buschkoetter, Lear, Nikkila, Moore. Nay: None. Clouse abstained. Motion carried.

VII. REPORTS

None.

VIII. ADJOURN

Moved by Clouse seconded by Nikkila that Council adjourn at 6:30 p.m. Roll call resulted as follows: Aye: Clouse, Lear, Nikkila, Moore, Buschkoetter. Nay: None. Motion carried.

ATTEST:

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

**LAUREN BRANDT
CITY CLERK**