City of Minden
P.O. Box 239, 325 N. Colorado
Minden, Nebraska 68959

phone 308.832.1820
fax 308.832.1949
www.MindenNebraska.org

The Christmas City
Minden NEBRASKA

Minutes of Council Meeting
City of Minden, Nebraska
April 3, 2017

The City Council of the City of Minden, Nebraska, met on this day at 6:00 p.m. for the regular session in the Council Chambers, pursuant to advance notice of said meeting simultaneously transmitted to all members of the Council and to the public as shown by the copy thereof posted in the Minden City Hall, Outside the Minden City Hall, First Bank & Trust Co., Minden Exchange Bank & Trust Co., and the Post Office. A copy of the notice is on file in the office of the City Clerk.

Mayor Ted Griess called the meeting to order at 6:00 p.m. The following City Council members were present: Larry Evans, Teresa Sumstine, and Bob Carlson. The following City Officials were present: Mayor Ted Griess, City Attorney Tom Lieske, City Clerk Abbey Jordan, and City Administrator Matthew Cederburg. The following Council Member was absent: Roger Jones.

All proceedings hereinafter were taken while the convened meeting was open to the attendance of the public.

After roll was called, Mayor Griess led those in attendance in the Pledge of Allegiance. Then Griess made the following statement:

> "Pursuant to the Open Meetings Act and Public Records Law Requirements a current copy of the Open Meetings Act is posted for public inspection on the east wall of the Council Chambers. In addition, for public inspection, there is located on the table to the south of the chairs in the Council Chambers, a copy of the Council packet that was distributed to the members of the Council prior to this meeting. The City Council will take public comments on an agenda item, if it is deemed necessary. Please state your name and address prior to commenting."

Agenda item #3, Mayoral Announcements. Mayor Griess wanted to remind everyone that fire hydrant testing and flushing was in process and to please report any rusty water to City Hall. He also wished to invite everyone to the Mayor's Breakfast on Tuesday morning. On April 29, 2017 NET will be visiting Minden to record a segment for their "On the Road" program. They will be doing a morning segment, and then in the afternoon they will be recording a live show on the common ground of Pioneer Village for their "Back Yard Farmer" Panel. The Mayor also wanted to remind everyone that on April 6 the Library will be hosting a trivia night at the Breakaway Bar and Grill.

Agenda item #4, The following items were listed under the agenda item "**consent agenda**" for this meeting:

a. Consider Approval of Minutes of Previous City Council Meetings
b. Consider Approval of Bills & Claims for this Council Meeting
c. Consider Acceptance of Excused Absence of Mayor or Council Member(s)
d. Consider Reports that are Enclosed in the Council Packets for This Council Meeting

The following bills and claims were submitted for approval under the "consent agenda" and are on file in the office of the City Clerk:

A-1 Heating Av Inc 312.83, A. Jordan 196.38, Aquafix 1730.12, Big John's Ford, Inc 485.93, Bnsf Railway Co. 89.56, Bsn Sports 3070.95, Central Fire & Safety Co 103.50, City Of Minden 45.00, Consolidated Management Co 152.02, D & M Security 75.00, Eakes Office Plus 608.67, Emergency Medical Products 89.60, First Bank & Trust Co 15315.54, Hd Supply Waterworks, Ltd 312.11, Island Supply Welding Co 31.35, Jameson Sandblasting & Painting 1891.25, J. Huff 43.00, John Deere Financial 6.35, Johnstone Supply 73.44, Ke Co Treas Barb Lynn 4000.00, K. Benson 120.00, Krull Agency 136856.00, Lieske, Lieske & Ensz P C, Llo 2195.23, Light And Siren 4080.50, Mason's Market 66.23, M. Cederburg 840.40,

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Municipal Emergency Serv 106.14, Miller & Associates 5207.00, The Minden Courier 279.10, Minden Rural Fire Dept. 1350.44, Minden Utility Dept. 4402.18, Municipal Supply-Nebraska 153.30, Ne Law Enforcement Training Ct 95.00, Nmc, Inc. 571.38, Ne Public Health Environmental 70.00, Olsson Associates 10669.46, Plains Tree Farm Inc 560.00, R. Layton 139.98, Revenue Bond Payment Account 25018.00, R. Young 455.00, Rutjens Construction 223676.44, Southern Power District 3246.09, Sterling West 681.90, Sunbelt Rentals, Inc 2329.40, T. Sumstine 167.33, Usa Blue Book 425.21, Village Cleaners Inc 174.44.

Evans motioned to approve the consent agenda and Carlson seconded. On roll call, the following voted Aye: Evans, Sumstine, and Carlson. The following members were absent: Jones. Motion carried.

Agenda item #5, National Police Week and Peace Officer's Day Proclamation. This item was postponed until the next Council meeting on April 17.

Agenda item #6, Treasury, February 2017. Cederburg reported the state of the treasury. No action taken.

Agenda Item #7, Budget, February 2017. Cederburg reviewed the budget fluctuations. No action taken.

Agenda Item #8, Discussion of Mason's Supermarket request for Vacation of the alley from the South edge of the building to 8th Street.

Mason's Supermarket has been looking to expand their storage area towards the alley and would have a generator sitting in the alley. Before investing in design and engineering costs, they wished to know how the council felt about this expansion and if they were opposed to it. Riley Space, owner of Mason's Supermarket, provided further clarification of the proposed project including the future store expansion plans to the south, which hinges on the additional storage area. Space also plans to put the electric lines underground. The council discussed plans for a utilities easement.

Agenda Item #9, Public Hearing on a budget amendment for Community Development Block Grant 15-DTR-105.

Lieske opened the public hearing 6:17 p.m. Brenda Jensen from Miller and Associates spoke to the council the different categories of funding for the grant, and how these funds align with the façade improvement program. Lieske closed the public hearing at 6:21 p.m.

Sumstine made a motion to approve the Budget Amendment for the Community Development Block Grant 15-DTR-105 and Evans seconded. On roll call, the following members voted aye: Evans, Sumstine, and Carlson. The following members were absent: Jones. Motion carried.

Agenda Item #10, Consider Approval of the Façade Improvement Program Guidelines for the Downtown Revitalization CDBG Grant.

Jensen spoke about the steps involved in order for business owners to receive funds for the façade improvement program. Business owners within a block radius of the courthouse would be eligible for up $20,000 with $10,000 being a grant and $8,000 being a low interest loan to be used on windows, doors, awnings, signs, exterior paint, lighting, brick tuck-pointing, and sidewalks. Evans made a motion to approve the Façade Improvement Program Guidelines for the Downtown Revitalization CDBG Grant and Carlson seconded. On roll call, the following members voted aye: Evans, Sumstine, and Carlson. The following members were absent: Jones. Motion carried.

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Agenda Item #13, Consider Approval for Water Distribution System Improvements change order #3 for final additional items adjusted quantities.

This item was discussed after item 10. Jeff Palik, Olsson Associates, stated that the purpose of the change order is to zero out quantities that were over or under estimated from previous orders. In December 2016, the NE Dept of Health and Human Services inspected the work that had already been done. The City has one year to identify any project defects and will perform a complete walk through with the engineers prior to this time elapsing to ensure everything is in order. Cederburg stated that the project is projected to come in under budget with a final report for council at a future meeting. Carlson made a motion to approve the Water Distribution System Improvements change order #3 for final additional items adjusted quantities and Sumstine seconded. On roll call, the following members voted aye: Evans, Sumstine, and Carlson. The following members were absent: Jones. Motion carried.

Agenda Item #14, Consider approval of Pay Request #5, final, of $223,676.44 for Rutjens Construction for Water Distribution System Improvements.

This item was discussed along with item 13. Palik discussed releasing all retainage fees held back for the project. The project is finished with the exception of various paving jobs left to do. The final estimate presented will zero out all money owed to Rutjens. Evans made a motion to approve Pay Request #5, of $223,676.44 for Rutjens Construction for Water Distribution System Improvements and Sumstine seconded. On roll call, the following members voted aye: Evans, Sumstine, and Carlson. The following members were absent: Jones. Motion carried.

Agenda Item #11, Presentation of Parks and Recreational Director, by Seth Webster.

During Webster's presentation, he commented about how Minden does not currently have a lot of activities for adults and children. Creating more activities in Minden promotes growth and development of the community. Webster suggested establishing a Recreational Center such as the YMCA. Having the YMCA in town would provide activities for both kids and adults, as well as a daycare facility to allow parents to participate in activities without worrying about their children. Webster also suggested having a slow pitch softball tournament over the July 4th holiday in order to reintroduce softball to Minden. Other ideas he presented was hosting a 5K color run, adult basketball and kickball leagues, slow pitch softball leagues, and having youth sports camps hosted in Minden over the summer. For community activities, Webster discussed starting up a movie night at the Minden Opera House, hosting an art in the park event, hosting city wide scavenger hunts, and a poker night. No action was taken.

Agenda Item #12, Presentation of Building Permit Department by Permits Officer, Darin Fischer.

Fischer discussed his daily job requirements, including reviewing building permits, ensuring the permits are within the City's codes and ordinances, attending zoning and variance meetings, and inspecting properties. He also discussed how inspections for all new home and large commercial permits are managed by Kearney. Fischer, with over three years of inspections, also plans to bring code suggestions to council to improve efficiency. No action was taken.

Agenda Item #15, Discussion of Sections 10-31 through 10-59, Dogs, from the Municipal Code of Minden.

The council discussed taking out all pit bull language within the Municipal Code and replace it with dangerous dog. Many cities tend to avoid using breed specific regulations. Within the section the council also planned on deleting irrelevant information regarding cats. The council then discussed the definition of keeping a kennel, owning 3 or more dogs over the age of 6 months at one time. They discussed the possibilities of having a special permit to allow more than 3 dogs within a household. There were concerns about pet oriented businesses, such as grooming salons, day cares, and boarding facilities, and if they were to have more than three dogs at a time, would they be defined as "keeping a kennel" and fined for

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not obeying the City's Code. The council discussed limiting the amount of time a certain amount of dogs can be at a facility and to allow these facilities to have permits due to the fact that they would not be residences. The council also discussed what the City would do if a dog were deemed dangerous, the time frame the owner would have to get the dog out of town, if the City would have regulations put on any dog that is potentially dangerous (having the dogs registered, tagged, chipped, updated on specific shots). They discussed what determined a dog to be dangerous, and decided a dangerous dog would be any dog that when unprovoked would inflict injury, or chase domestic animals or people in a menacing fashion is potentially dangerous. The council also discussed restricting owners with a history of owning dangerous dogs from obtaining another dog, be it deemed dangerous or not. No action was taken.

Agenda Item #16, Public Comments.

There were no public comments made.

Agenda Item #17, Adjournment.

Carlson motioned to adjourn the meeting at 8:45 p.m. and Evans seconded. On roll call, the following voted Aye: Evans, Sumstine, and Carlson. Members absent were: Jones. Meeting adjourned.

/s/ Ted Griess
Ted Griess, Mayor

ATTEST:

/s/ Abbey Jordan
Abbey Jordan, City Clerk

(SEAL)