

# City of Minden

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

phone 308.832.1820  
fax 308.832.1949  
www.MindenNebraska.org



## Minutes of Council Meeting City of Minden, Nebraska June 19, 2017

The City Council of the City of Minden, Nebraska, met on this day at 6:00 p.m. in a 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. Roger Jones was absent. The following City Officials were present: Mayor Ted Griess, City Attorney Tom Lieske, and City Clerk Abbey Jordan. City Administrator Matt Cederburg was absent.

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. The Mayor and Police Chief James Huff thanked Girl Scout Troup 7783 and Troup 645 for selecting the Police Department as the recipient of donated cookies. The Mayor also read the reply the City of Minden received from Senator Deb Fischer in regards to water infrastructure funding. He then urged people present to send additional comments to Senator Fisher as water infrastructure funding is a major concern.

**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 387.00, A. Jordan 114.60, Amazon 314.50, Awwa Customer Service 75.00, Aurora Cooperative 955.20, Baker & Taylor 355.65, Beehive Industries Llc 5400.00, Black Hills Energy 93.00, Carrot Top Industries 118.02, Cenage/Gale 272.89, Charter Communications 1335.54, City Of Holdrege Landfill 5640.12, Clinch Enterprises 32.32, Consolidated Management Co 164.81, Cooperative Producers, Inc. 156.33, Kim Carver Specialized Hauling 200.00, Demco 235.04, Ebsco 610.45, Elliott Equipment Co. 3338.00, Ems Billing 649.62, Figgins Construction Inc 36067.69, Hd Supply Waterworks, Ltd 111.03, Intellicom Computer Consulting 7421.08, Jims Ok Tire Minden Llc 221.00, K. Clapper 73.62, K. Larsen 50.00, Solid Waste Agency Landfill 80.00, K. Olson 29.56, The Lockmobile 410.00, Mailfinance 825.00, Matheson Tri-Gas Inc 31.62, M. Cederburg 1605.43, Storey Kenworthy 717.83, Midwest Laboratories 225.50, Midwest Tapes 123.35,

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Minden Hardware 946.06, Minden Lawn & Sprinkler 1060.00, Minden Lumber & Concrete Co. 285.23, Minden Office Supply, Inc 87.11, Minden Opera House 300.00, Napa Auto Parts 27.13, Ne Public Power District 25212.86, N T & T 81.19, One Call Concepts Inc 53.28, Oriental Trading 102.89, Pepsi Cola Of Hastings 82.24, Presto X Co. 60.00, Quality Sound & Water 588.00, Recreation Supply Co 4203.19, Sign Center Inc 910.00, South Central Diesel, Inc 24.44, Southern Power District 19.41, Sunset Spa & Supply 157.28, T. Delgado 400.00, United States Postal Service 144.00, Van Diest Supply Co 649.25, Water Environment Fed 28.00, Wex Bank 3605.83, Woodward Disposal 4314.70, Xerox Capital Services Inc 156.65.

Evans motioned to approve the consent agenda and Carlson seconded. On roll call, the following voted Aye: Evans, Sumstine, and Carlson. Absent and not voting: Jones. Motion carried.

**Agenda Item #9**, Consider Approval of Resolution #1663 terminating Pension Plan GP8324. This item was moved up after Agenda Item #4. Dennis Amstutz, Ohio National, explained the Pension Plans that the City of Minden currently offer employees. The plan is to combine discontinue GP8324 and combine it into GP8336.

## **RESOLUTION NO. 1663 Pension Plan GP8324**

WHEREAS, the City of Minden currently has two pension plans with one of them being Pension Plan GP8324.

WHEREAS, the City of Minden wishes to terminate Pension Plan GP8324.

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF MINDEN, NEBRASKA:

That the following addenda will supersede the preceding provisions of the plan as of the date noted herein and that the City of Minden Pension Plan GP8324 be terminated effective June 19th, 2017.

Council Member Evans moved for the adoption of the foregoing Resolution. Council Member Sumstine seconded the motion.

On roll call the following voted Aye: Evans, Sumstine, and Carlson. The following voted Nay: none. The following were absent and not voting: Jones.

The passage of said Resolution having been consented to by a majority of the members of the City Council, the Mayor declared the Resolution passed and adopted, this 19th day of June, 2017.

PASSED AND APPROVED this 19th day of June, 2017.

/s/ Ted Griess  
Ted Griess, Mayor

Attest:

/s/ Abbey Jordan  
Abbey Jordan, City Clerk

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Evans motioned to approve Resolution #1663 terminating Pension Plan GP8324 and Sumstine seconded. On roll call, the following voted Aye: Evans, Sumstine, and Carlson. Motion carried.

**Agenda Item #5**, Consider Approval of an Ordinance amending Section 70-82, Numbering Streets and Buildings, of the Municipal Code of Minden, First Reading. The current Ordinance regarding visible numbers on buildings states that only residents asked of the Mayor have visible numbers on their buildings. The new Ordinance would demand that all buildings have proper and visible numbering in order to help in case of emergencies. There would be no penalties regarding the Ordinance.

Evans introduced Ordinance No. 1218 for its first reading.

## ORDINANCE NO. 1218

AN ORDINANCE TO AMEND CHAPTER 70 OF THE MUNICIPAL CODE OF MINDEN, KEARNEY COUNTY, NEBRASKA, BY AMENDING SECTION 70-82, AS THE SAME RELATES TO NUMBERING STREETS AND BUILDINGS.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF MINDEN, KEARNEY COUNTY, NEBRASKA:

Section 1. That Section 70-82 of the Municipal Code of the City of Minden, Kearney County, Nebraska, be and the same is hereby amended to read as follows:

### **Section 70-82 Displaying numbers.**

(a) The owner, agent, lessee or occupant of any building or residence within the City shall number and cause to have placed in public view on each such building, residence or mailbox numbers denoting the street address of the residence or structure.

(b) In the case of a building or premises that contains occupancy by multiple parties and is served by separate or individual exterior doors, the apartment or unit number(s) or range of numbers must also be installed and maintained on the building along with the assigned address number so that both are plainly seen and in a conspicuous place as near as possible to the appropriate entrance thereto.

(c) The numbers shall be plain, legible and of contrasting color with its background upon which they appear and shall be maintained in such condition at all times. The numbers shall not be less than three inches in height by two inches in width.

Section 2. That any other ordinance or section passed and approved prior to the passage, approval and publication or posting of this ordinance and in conflict with its provisions is hereby repealed.

Section 3. This ordinance shall be known as Ordinance No. 1218 and shall be in full force and effect from and after its passage, approval and publication according to law.

Carlson seconded. On roll call, the following voted Aye: Evans, Sumstine, and Carlson. Absent and not voting: Jones. Motion carried.

**Agenda Item #6**, Consider Approval of \$1,000 maximum to go towards McDowell Eagle Scout Project at Legion Field. Chane McDowell, father of Jared McDowell proposed Legion Field's plans to build a shelter on the far side of the baseball

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fields to incorporate more shade for fans and building a ledge on the concession stands. McDowell also presented a breakdown of the costs involved in the projects.

Sumstine motioned to approve the \$1,000 maximum to go towards McDowell Eagle Scout Project at Legion Field and Carlson seconded. On roll call, the following voted Aye: Evans, Sumstine, and Carlson. Absent and not voting: Jones. Motion carried.

**Agenda Item #7**, Consider Approval of Minor Subdivision application for David & Margaret Foster for Lots 8 & 9, McBride's Addition, City of Minden, Kearney County, Nebraska. David Foster explained the restrictions caused by having two properties and the benefits that would come from the approval of a minor subdivision. Foster had also previously discussed options for the property with City Administrator Matt Cederburg. Foster plans to destroy the house on Lot 9 that he does not reside in when funds are available.

Carlson motioned to approve the Minor Subdivision application for David & Margaret Foster for Lots 8 & 9, McBride's Addition, City of Minden, Kearney County, Nebraska and Evans seconded. On roll call, the following voted Aye: Evans, Sumstine, and Carlson. Absent and not voting: Jones. Motion carried.

**Agenda Item #8**, Review progress on repairs of Lots 10-12, Block 21, Original Town. Steve Melroy of 135 E 1<sup>st</sup> explained the updates that had been done to his property. Progress has been made to the property through tearing down the overhanging roof and supports. Concerns about the property were initially brought to attention in 1999. Melroy stated he plans to install an overhead door in the opening, put up siding on the back of the building, fix the brick wall, and removing others' vehicles and items from the property.

Carlson motioned to allow 60 days before reviewing progress on repairs of Lots 10-12, Block 21, Original Town and Sumstine seconded. On roll call, the following voted Aye: Evans, Sumstine, and Carlson. Absent and not voting: Jones. Motion carried.

**Agenda Item #10**, Consider Approval of WPCI's new DL drug testing policy.

This item was tabled until the July 3, 2017 City Council meeting due to the absence of City Administrator Matt Cederburg.

**Agenda Item #11**, Consider Approval of an Ordinance amending Chapter 10, Article II, Dogs, from the Municipal Code of Minden, First Reading. Sumstine brought to the Council a point about kenneling dogs on agricultural properties and potentially having another amendment about this issue. She also expressed concerns regarding an increase in the pit bull population in Minden if the City were to allow pit bulls. People in surrounding areas may choose to reside in Minden just because we would allow pit bulls.

Sumstine introduced Ordinance No. 1219 for its first reading.

## ADOPTING ORDINANCE ORDINANCE NO. 1219

AN ORDINANCE ADOPTING AND ENACTING A NEW CODE FOR DOGS FOR THE CITY OF MINDEN, NEBRASKA; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN; PROVIDING FOR PENALTIES FOR THE VIOLATION THEREOF; PROVIDING FOR THE MANNER OF AMENDING SUCH CODE; AND PROVIDING WHEN SUCH CODE AND THIS ORDINANCE SHALL BECOME EFFECTIVE.

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BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MINDEN, NEBRASKA:

**Section 1.** The Code Section entitled "Dogs", consisting of Chapter 10, Article II, Divisions I and II is hereby adopted.

**Section 2.** All ordinances applicable to Dogs enacted on or before June 19, 2017, and not included in the Code or recognized and continued in force by reference therein, are repealed.

**Section 3.** The repeal provided for in section 2 hereof shall not be construed to revive any ordinance or part thereof that has been repealed by a subsequent ordinance that is repealed by this ordinance.

**Section 4.** This ordinance shall become effective after publication which may be in pamphlet form and shall be known as Ordinance No. 1219.

Evans seconded. On roll call, the following voted Aye: Evans, Sumstine, and Carlson. Absent and not voting: Jones. Meeting adjourned.

**Agenda Item #12,** Public Comments.

No public comments.

**Agenda Item #6,** Adjournment.

Evans motioned to adjourn the meeting at 7:05 p.m. and Carlson seconded. On roll call, the following voted Aye: Evans, Sumstine, and Carlson. Absent and not voting: Jones. Meeting adjourned.

/s/ Ted Griess  
Ted Griess, Mayor

ATTEST:

/s/ Abbey Jordan  
Abbey Jordan, City Clerk

(SEAL)