

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 September 18, 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, Bob Carlson, and Roger Jones. The following City Officials were present: City Attorney Tom Lieske, City Administrator Matt Cederburg, and City Clerk Abbey Jordan.

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 Jones 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. Griess thanked Cederburg and Jordan for handling the agenda and packets each week including details for all. He welcomed a new business to Minden, “Blades for Men” located at 1201 N. Brown. Also welcomed was officer Shrader, sitting in for Chief Huff.

Agenda item #4, The following item was 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:

Ace Irrigation Inc 563.01, Amazon 371.81, Aqua Aerobic Systems Inc 6,074.41, Aurora Cooperative 33.63, Baker & Taylor 541.35, Big John's Ford, Inc 317.56, Bill's Plumbing & Htg. Inc 69.88, Black Hills Energy 39.95, Blue Cross Blue Shield Ne 375.27, Cenage/Gale 348.91, City Of Holdrege Landfill 5,125.37, Clinch Enterprises 32.32, Computer Hardware 140, Cooperative Producers, Inc. 1,449.60, Cornhusker Cleaning System Inc 9, Data Technologies Inc 170, Diamond Vogel Paints Inc 216.9, Digital Ally 605, Dollar General-Regions 410526 163.01, Ems Billing 1,166.05, Fifth Street Printing 85.75, Fyr-Tek, Inc. 7,440.00, Hach Company 74.33, Holly Largent 195.85, Intellicom Computer Consulting 3,021.00, Island Supply Welding Co 32.25, Jan Carter 9,800.00, Jim's Ok Tire Minden Llc 1,953.36, Johnson Service Company 37,829.25, Joy's Floral & Gifts 50, L. T. Pedley Drug 10.33, Landmark Implement Carquest 107.19, Logan Contractors Supply 4,820.00, Mailfinance 825, Matheson Tri-Gas Inc 34.72, Menards Of Kearney 61.92, Michael Raffaeli 119.26, Midwest Tapes 61.41, Midwest Workwear 198.05, Minden Hardware 573.7, Minden Lumber & Concrete Co. 1,636.44, Minden Office

City of Minden

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

phone 308.832.1820
fax 308.832.1949
www.MindenNebraska.org



Supply, Inc 355.42, Municipal Code Corporation 250, Municipal Emergency Serv 999, Municipal Supply-Nebraska 97.56, N T & T 81.19, Ne Ag Specialties 653.32, Ne Public Power District 41,884.23, Nebraska Library Association 160, Nebraska Library Commission 122, Nebraska Public Power District 198,055.99, Nmc, Inc. 698.32, One Call Concepts Inc 48.72, Oriental Trading 325.63, Philip Carkoski Construction 5,650.00, Platte Valley Communications 205, Police Officers Assoc Of Ne 165, Presto X Co. 127, Ryan Hurst 58.94, Sandry Fire Supply Llc 1,193.45, Southern Power District 20.85, Stewart Campbell 27.92, Sunbelt Rentals, Inc 1,063.79, Sunset Spa & Supply 392.76, Superior Outdoor Power Center 206.93, The Library Store 19.54, The Minden Courier 644.63, TI Sund Constructors, Inc 7,277.10, Total Funds By Hasler 400, United Suppliers, Inc. 655.88, Verizon Wireless 1,150.41, Wahoo Heritage Inn 150, Wex Bank 4,107.33, Xerox Capital Services Inc 149.48.

Evans motioned to approve the consent agenda and Jones seconded. On roll call, the following voted aye: Evans, Sumstine, Carlson, and Jones. Motion carried.

Agenda Item #5, Treasury Report, August 2017.

Cederburg presented the August 2017 treasury report to the council. No action taken.

Agenda Item #6, Budget Report, August 2017.

Cederburg presented the August 2017 budget report to the council. No action taken.

Agenda Item #7, Public Hearing to Consider Fiscal Year 2017-18 City Budget.

- a. Consider Approval to Increase the Total Restricted Funds Authority by an Additional 1%.
- b. Consider Approval of the Fiscal Year 2017-18 Budget as Proposed

Lieske opened the public hearing at 6:10 p.m. No one spoke in favor or in opposition. The hearing was closed at 6:12 p.m.

Jones motioned to approve to increase the total restricted funds authority by an additional 1%.and Sumstine seconded. On roll call, the following voted aye: Evans, Sumstine, Carlson, and Jones. Motion carried.

Carlson motioned to approve the fiscal year 2017-18 budget as proposed and Sumstine seconded. On roll call, the following voted aye: Evans, Sumstine, Carlson, and Jones. Motion carried.

Agenda Item #8, Public Hearing to Consider Setting the Final Property Tax Request at a Different Amount than the Prior Year Tax Request.

- a. Consider Approval of Resolution for Property Tax Request

Lieske opened the public hearing at 6:15 p.m. No one spoke in favor or in opposition. The hearing was closed at 6:16 p.m.

RESOLUTION NO. 1670

A RESOLUTION FOR THE PROPERTY TAX REQUEST FOR 2017-2018

WHEREAS, Nebraska Revised Statute 77-1601.02 provides that the property tax request for the prior year shall be the property tax request for the current year for purposes of the levy set by the County Board of Equalization unless the Governing Body of the City of Minden passes by a majority vote a resolution or ordinance setting the tax request at a different amount; and

City of Minden

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

phone 308.832.1820
fax 308.832.1949
www.MindenNebraska.org



WHEREAS, a special public hearing was held as required by law to hear and consider comments concerning the property tax request; and

WHEREAS, it is in the best interests of the City of Minden that the property tax request for the current year be a different amount than the property tax request for the prior year.

NOW, THEREFORE, the Governing Body of the City of Minden, by a majority vote, resolves that:

The 2017-2018 property tax request be set at \$847,061.00 for the General Fund and \$257,879.00 for the Bond Fund for a total Tax Request of \$1,104,940.00. A copy of this resolution is to be certified and forwarded to the County Clerk on or before October 13, 2017.

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 18th day of September, 2017.

/s/ Ted Griess
Ted Griess, Mayor

Attest:

/s/ Abbey Jordan
Abbey Jordan, City Clerk

Sumstine motioned to approve Resolution #1670 for the property tax request and Carlson seconded. On roll call, the following voted aye: Evans, Sumstine, Carlson, and Jones. Motion carried.

Agenda Item #9, Consider Approval of Annual Appropriations Bill, an Ordinance to adopt the 2017-18 Budget Statement.

Carlson introduced Ordinance No. 1228 for its first reading:

ORDINANCE NO. 1228

AN ORDINANCE TO ADOPT THE BUDGET STATEMENT TO BE TERMED THE ANNUAL APPROPRIATION BILL; TO APPROPRIATE SUMS FOR NECESSARY EXPENSES AND LIABILITIES; TO PROVIDE FOR AN EFFECTIVE DATE.

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

Section 1. That after complying with all procedures required by law, the budget presented and set forth in the budget statement is hereby approved as the Annual Appropriation Bill for the fiscal year beginning October 1, 2017, through September 30, 2018. All sums of money contained in the budget statement are hereby appropriated for the necessary expenses and liabilities of the City of Minden. A copy of the budget document shall be forwarded as provided by law to the Auditor of Public Accounts, State Capital, Lincoln, Nebraska and the County Clerk of Kearney County, Nebraska, for use by the levying authority.

Section 2. This ordinance shall take effect and be in full force from and after its passage, approval, and publication or posting as required by law.

Passed and adopted this 18th day of September, 2017.

City of Minden

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

phone 308.832.1820
fax 308.832.1949
www.MindenNebraska.org



/s/ Ted Griess
Ted Griess, Mayor

Attest:

/s/ Abbey Jordan
Abbey Jordan, City Clerk

Jones seconded. On roll call, the following voted aye: Evans, Sumstine, Carlson, and Jones. Motion carried.

Carlson motioned to waive the three readings of Ordinance No. 1228 and Sumstine seconded. On roll call, the following voted aye: Evans, Sumstine, Carlson, and Jones. Motion carried.

Carlson motioned to adopt Ordinance No. 1228 by title and Jones seconded. On roll call, the following voted aye: Evans, Sumstine, Carlson, and Jones. Motion carried.

Agenda Item #10, Consider Approval of payment to Al's Old House Repair, LLC in the amount of \$5400 for Façade Improvement Program at 345 N. Colorado for CDBG 15-DTR-104.

Sumstine motioned to approve the payment to Al's Old House Repair, LLC and Evans seconded. On roll call, the following voted aye: Evans, Sumstine, Carlson, and Jones. Motion carried.

Agenda Item #11, Consider Approval of payment to Al's Old House Repair, LLC in the amount of \$1957.50 for Façade Improvement Program at 347 N. Colorado for CDBG 15-DTR-104.

Evans motioned to approve the payment to Al's Old House Repair, LLC and Sumstine seconded. On roll call, the following voted aye: Evans, Sumstine, Carlson, and Jones. Motion carried.

Agenda Item #12, Consider Approval of draw #2 for \$4,087.50; this amount will be drawn on CDBG 15-DTR-104 from NE Dept. of Economic Development.

Carlson motioned to approve the payment of draw #2 for \$4,087.50 and Sumstine seconded. On roll call, the following voted aye: Evans, Sumstine, Carlson, and Jones. Motion carried.

Agenda Item #13, Consider Approval of Scope of Work for Construction of 34.5 kV Underground Circuit from NPPD's Minden 115/34.5kV Substation to City of Minden's North Plant Substation.

Sumstine motioned to approve the Scope of Work and Request for Approval of Project to Construct 34.5 kV underground Circuit from NPPD's Minden 115/34.5kv Substation to City of Minden's North Plant Substation and Carlson seconded. On roll call, the following voted aye: Evans, Sumstine, Carlson, and Jones. Motion carried.

Agenda Item #14, Consider Approval of NPPD project for Engineering of Minden's 34.5 kV Underground Circuit not to exceed \$75,000.

Jones motioned to approve the project of NPPD project for engineering of Minden's 34.5 kV underground circuit and Sumstine seconded. On roll call, the following voted aye: Evans, Sumstine, Carlson, and Jones. Motion carried.

City of Minden

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

phone 308.832.1820
fax 308.832.1949
www.MindenNebraska.org



Agenda Item #15, Consider Approval of NPPD project for removal of the Overhead Distribution Line in Minden West Estates along 31 Road in Lots 1-4, Block 4 estimated at \$10,254.83.

Carlson motioned to approve the project of NPPD project for removal of the overhead distribution line and Sumstine seconded. On roll call, the following voted aye: Evans, Sumstine, Carlson, and Jones. Motion carried.

Agenda Item #16, Consider Approval of Ordinance amending 34-61, Fire Prevention Code, of the Minden Municipal Code, Third Reading.

Jones introduced Ordinance No. 1226 for its third reading:

ORDINANCE NO. 1226

AN ORDINANCE TO AMEND CHAPTER 34, ARTICLE III OF THE MUNICIPAL CODE OF THE CITY OF MINDEN, KEARNEY COUNTY, NEBRASKA, BY AMENDING SECTION 34-61, AS THE SAME RELATES TO UNIFORM CODES.

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

Section 1. That Section 34-61 of the Municipal Code of the City of Minden, Kearney County, Nebraska, be amended to read as follows:

Section 34-61 Adoption of Fire Prevention Code. There is hereby adopted by the mayor and city council, for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, that certain code known as the National Fire Protection Association (NFPA) 101 Life Safety Code, 2000 Edition or the most current edition on file in the office of the city clerk, and the same is hereby adopted and incorporated as fully as if set out at length in this article. Said amendment repeals and replaces the 1976 edition of the Fire Prevention Code recommended by the American Insurance Association and the 1987 edition of the Fire Prevention Code published by the National Fire Protection Association, both of which were adopted earlier by the City Council of the City of Minden, Kearney County, Nebraska.

(Code 1982, §4-1101, Ord. No. 1226, 9/18/2017.)

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. 1226 and shall be in full force and effect from and after its passage, approval and publication according to law.

Passed and approved this 18th day of September, 2017.

/s/ Ted Griess
Ted Griess, Mayor

ATTEST:

/s/ Abbey Jordan
Abbey Jordan, City Clerk

City of Minden

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

phone 308.832.1820
fax 308.832.1949
www.MindenNebraska.org



Sumstine seconded. On roll call, the following voted aye: Evans, Sumstine, Carlson, and Jones. Motion carried.

Agenda Item #17, Consider approval of Ordinance amending 14-51, International Building Code, of the Minden Municipal Code, Third Reading.

Carlson introduced Ordinance No. 1227 for its third reading:

ORDINANCE NO. 1227

AN ORDINANCE TO AMEND CHAPTER 14 ARTICLE III OF THE MUNICIPAL CODE OF THE CITY OF MINDEN, KEARNEY COUNTY, NEBRASKA, BY AMENDING SECTION 14-51, AS THE SAME RELATES TO UNIFORM CODES.

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

Section 1. That Section 14-51 of the Municipal Code of the City of Minden, Kearney County, Nebraska, be amended to read as follows:

Section 14-51 Adoption of International Building Code.

(a) There is hereby adopted by the mayor and city council, for the purpose of prescribing regulations governing the erection, construction, enlargement, alteration, repair, moving, removal, conversion, demolition, occupancy, equipment, use, height, area and maintenance of buildings or structures in the city, that certain code known as the International Building Code, (IBC), and the International Residential Code, (IRC), published by the International Code Council, being the 2012 edition (striking sec. 313) or the most current edition on file in the office of the city clerk, and the same is hereby adopted and incorporated as fully as if set out at length in this article.

(b) Further, that Section 903.2.8 of the International Building Code be amended to read as follows; "An automatic sprinkler system shall be installed in accordance with Section 903.3 which shall be provided throughout all buildings with a Group R fire area except for those areas designated Group R-2, specifically single and two-family apartment houses in a district zoned Commercial One only."

(c) And, further, that Section 419.5 of the International Building Code be amended to read as follows; "The live/work unit shall be provided with a monitored fire alarm system where required by Section 907.2.9."

(d) And, further, that Section 420.4 of the International Building Code be amended to read as follows; "Group R occupancies shall be equipped throughout with an automatic sprinkler system in accordance with Section 903.2.8, except for Group R-2, specifically single and two-family apartment houses in a district zoned Commercial One only. Group I-1 occupancies shall be equipped throughout with an automatic sprinkler system in accordance with Section 903.2.6. Quick response or residential automatic sprinklers shall be installed in accordance with Section 903.3.2"

(Code 1982, §16-101, Ord. No. 1156, 5/17/2010; Ord No. 1203, 8/20/2015; Ord. No. 1227, 9/18/2017.)

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. 1227 and shall be in full force and effect from and after its passage, approval and publication according to law.

City of Minden

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

phone 308.832.1820
fax 308.832.1949
www.MindenNebraska.org



Passed and approved this 18th day of September, 2017.

/s/ Ted Griess
Ted Griess, Mayor

ATTEST:

/s/ Abbey Jordan
Abbey Jordan, City Clerk

Jones seconded. On roll call, the following voted aye: Sumstine, Carlson, and Jones. Voting nay: Evans. Motion carried.

Agenda Item #18, Consider Approval of Drainage Easement for the North 25' of Lot 4, Schmidt Subdivision, City of Minden, Kearney County, Nebraska.

Carlson motioned to approve the drainage easement and Evans seconded. On roll call, the following voted aye: Evans, Sumstine, Carlson, and Jones. Motion carried.

Agenda Item #19, Review progress on repairs of Lots 10-12, Block 21, Original Town.

Steve Melroy, property owner of 532 N Colorado, stated he has completed all repairs and removed all items requested. There is one unlicensed vehicle that is for sale. Also, bricks are stacked to complete the wall. No action taken.

Agenda Item #20, Public Comments. Carolyn Bunger, 521 N. Colorado, shared that she is on the DTR Steering Committee and recalled that invoices for the Façade Improvement Program weren't to be paid until the project was complete. Shelley Biever, owner of 345 & 347 N. Colorado, stated that her contractor, Al Leal, had spoken to Miller and Associates as he was requesting funds to allow him to purchase materials for the project.

Agenda Item #21, Adjournment.

Jones motioned to adjourn the meeting at 6:52 p.m. and Evans seconded. On roll call, the following voted aye: Evans, Sumstine, Carlson, and Jones. Meeting adjourned.

/s/ Ted Griess
Ted Griess, Mayor

ATTEST:

/s/ Abbey Jordan
Abbey Jordan, City Clerk
(SEAL)