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
July 2, 2018

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 Griess called the meeting to order at 6:00 p.m. The following City Council members were present: Larry Evans, Bob Carlson, Roger Jones, and Teresa Sumstine. The following City Officials were present: City Attorney Tom Lieske, Mayor Ted Griess, 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 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. Griess stated that the budget workshop will take place August 2nd at the Minden Opera House. The Dawg Days street dance on June 23rd was well attended. Griess thanked Don Phillips for tending to the plantings around the square.

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:

A. Christensen 110, A. Larsen 40, Big John's Ford, Inc 1,847.26, Bsn Sports 332.24, Charter Communications 1341.82, City Of Minden 45, Icon Enterprises, Inc. 3,270.00, Clia Laboratory Program 150, Core & Main Lp 482.82, D & M Security 75, Eakes Office Plus 662.77, Electric Pump 1,228.00, Emergency Medical Products 835.13, First Bank & Trust Co 9,414.57, Fyr-Tek, Inc.

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

1,868.85, Hawkins Water Treatment 2,389.09, Island Supply Welding Co 29.4, Ke Co Clrk Myra Johnson 128.00, Ke Co Treas Barb Lynn 4,500.00, K. Olson 73.43, Lawson Products, Inc. 189.96, Lieske, Lieske & Ensz P C, Llo 1864.25, Mailfinance 657.6, Mason's Market 68.72, M. Cederburg 605, Mccrometer Inc 951.96, Mid Plains Heating & Air 828, The Minden Courier 30, Minden Lawn & Sprinkler 300, Minden Office Supply, Inc 125.57, Minden Public Schools 3,550.00, Minden Rural Fire Dept. 3,305.95, Minden Utility Dept. 4,826.19, William D Simmerman 6,086.44, Ne Public Health Environmental 79, Olsson Associates 4825.79, Recreation Supply Co 107, Revenue Bond Payment Account 25,533.00, R. Young 455, Sos Portable Toilets Inc 125, Southern Power District 3,397.68, Travelers 3,837.00, Tyler Technologies 6,008.85, Usa Blue Book 27.14, Usps 816.8, Van Diest Supply Co 3,649.25, Village Cleaners Inc 174.72, Weaver Farm Service Inc 525.

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

Agenda Item #5, Treasury Report, April & May 2018

Cederburg presented both April and May of the Treasury Report. No action taken.

Agenda Item #6, Budget Report, April & May 2018

Cederburg reviewed the Budget Report. No action was taken.

Agenda Item #7, Consider approval to change Ohio National Pension qualification from 1-year to 6-months.

Carlson motioned to approve the Ohio National Pension qualification change to 6-months and Sumstine seconded. On roll call, the following voted aye: Evans, Carlson, Jones, and Sumstine. Motion carried.

Agenda Item #8, Consider Approval of Resolution amending Section 10.02 Pension Plan, of the Personnel Manual.

RESOLUTION NO. 1682

Whereas, Section 10.02 of the City of Minden Personnel Manual states that all regular full-time and qualified part-time employees are eligible to enroll in the City of Minden's pension plan after one year of employment; and,

Whereas, the City Council of the City of Minden is desirous of making certain changes to said requirement;

Now Therefore Be It Resolved, by the City Council of the City of Minden, Kearney County, Nebraska, that Section 10.02 of the City of Minden Personnel Manual be amended to read as follow, to wit:

> The City of Minden has a retirement plan available. All regular full-time and qualified part-time employees are eligible to enroll after six months. (Refer to Pension Plan Handbook).

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

Dated this 2nd day of July, 2018.

/s/ Ted Griess
Ted Griess, Mayor

ATTEST:

/s/ Abbey Jordan
Abbey Jordan, City Clerk

Sumstine motioned to approve Resolution 1682 amending pension eligibility and Carlson seconded. On roll call the following voted aye: Evans, Sumstine, Carlson, and Jones. Motion carried.

Agenda Item #9, Consider Approval of Ordinance adding Section 82-99 (m), No Parking Area designated on Gilman Avenue to the Minden Municipal Code, Third Reading.

Evans introduced Ordinance 1233 for its third reading.

ORDINANCE NO. 1233

AN ORDINANCE TO AMEND CHAPTER 82, ARTICLE V, OF THE MUNICIPAL CODE OF THE CITY OF MINDEN, KEARNEY COUNTY, NEBRASKA, BY AMENDING SECTION 82-99 AS THE SAME RELATES TO PARKING.

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

Section 1. That Section 82-99 (m), of the Municipal Code of the City of Minden, Kearney County, Nebraska, be added to the Municipal Code of the City of Minden, the same to read as follows:

Section 82-99 (m). No Parking Area Designated on Gilman Avenue in the City of Minden, Kearney County, Nebraska. It shall be unlawful for the driver of any motor vehicle to park the motor vehicle on the west side of Gilman Avenue from First Street to Third Street between the hours of 7:00 a.m. and 4:00 p.m. on school days. All of said streets are in the City of Minden.

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. 1233 and shall be in full force and effect from and after its passage, approval and publication according to law.

Passed and approved this 2nd day of July, 2018.

/s/ Ted Griess

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

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.

Agenda Item #1 0, Consider Approval of Ordinance amending Section 82-99 (g), No Parking Area designated on Park Avenue to the Minden Municipal Code, First Reading.

Evans introduced Ordinance 1234 for its first reading.

ORDINANCE NO. 123 4

AN ORDINANCE TO AMEND CHAPTER 82, ARTICLE V, OF THE MUNICIPAL CODE OF THE CITY OF MINDEN, KEARNEY COUNTY, NEBRASKA, BY AMENDING SECTION 82-99 AS THE SAME RELATES TO PARKING.

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

Section 1. That Section 82-99 (g), of the Municipal Code of the City of Minden, Kearney County, Nebraska, be amended, the same to read as follows:

Section 82-99 (g). No Parking Area Designated on Park Avenue in the City of Minden, Kearney County, Nebraska. It shall be unlawful for the driver of any motor vehicle to park the motor vehicle on the west side of Park Avenue from First Street to Third Street between the hours of 7:00 a.m. and 4:00 p.m. on school days. All of said streets are in the City of Minden.

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. 1234and shall be in full force and effect from and after its passage, approval and publication according to law

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

Agenda Item #1 1, Consider Approval of Ordinance amending Section 14-327, Swimming Pool; Enclosure Required of the Minden Municipal Code, First Reading.

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

Evans introduced Ordinance 1235 for its first reading.

ORDINANCE NO. 1235

AN ORDINANCE TO AMEND CHAPTER 14, ARTICLE XII, OF THE MUNICIPAL CODE OF MINDEN, KEARNEY COUNTY, NEBRASKA, BY AMENDING SECTION 14-327 AS THE SAME RELATES TO PRIVATE SWIMMING POOLS;

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

Section 1. That Sections 14-327, of the Municipal Code of the City of Minden, Kearney County, Nebraska, be amended, the same to read as follows:

Section 14-327. - Swimming Pool; Enclosure Required

Every private swimming pool with a water depth of 24" or greater shall be completely surrounded by a fence or wall not less than four (4) feet in height which shall be of a type which precludes passage through or under and is not readily climbable by small children. This shall not mean an additional fence within a completely fenced yard, provided, the fence meets the stated minimum requirement. All gates shall be equipped with a latch which is not readily operated by small children and is on the side of the fence facing the pool. See Section 14-288 of the Municipal Code for fencing material requirements.

The main building, or any accessory structure, on the site may form part of the enclosure. The sides of above-ground pools are acceptable as integral barriers, provided, that the sides extend not less than four (4) feet above the outside ground at all points, and provided further, that access steps or ladders are capable of being rendered inaccessible by being removed or raised more than four (4) feet above the outside grade.

Hot tubs and spas with a hard cover are exempt from Section 14-327 as long as the cover is only open when the hot tub or spa is in use.

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. 1235 and shall be in full force and effect from and after its passage, approval and publication according to law.

Passed and approved this 2nd day of July, 2018.

/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

The Christmas City
Minden NEBRASKA

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

Sumstine motioned to suspend the three readings of Ordinance 1235 and Jones seconded. On roll call the following voted aye: Evans, Sumstine, Carlson, and Jones. Motion carried.

Sumstine motioned to Adopt Ordinance 1235 by title and Jones seconded. On roll call the following voted aye: Evans, Sumstine, Carlson, and Jones. Motion carried.

Agenda Item #12 , Consider Approval of Ordinance amending Section 14-288 (4), Fences and Wall Screens of the Minden Municipal Code, First Reading.

Evans introduced Ordinance 1236 for its first reading.

ORDINANCE NO. 1236

AN ORDINANCE TO AMEND CHAPTER 14, ARTICLE XII, OF THE MUNICIPAL CODE OF MINDEN, KEARNEY COUNTY, NEBRASKA, BY AMENDING SECTION 14-288 AS THE SAME RELATES TO FENCES AND SCREEN WALLS;

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

Section 1. That Section 14-288 (4), of the Municipal Code of the City of Minden, Kearney County, Nebraska, be amended, the same to read as follows:

> Section 14-288 (4)
> All fences shall be constructed of wood, metal, plastics, fiberglass or masonry materials, shall be structurally sound, and shall have a neat and finished appearance. No fence shall use barbed wire, electrically charged fence material, or agricultural panels in its construction.

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. 1236 and shall be in full force and effect from and after its passage, approval and publication according to law.

Jones seconded. Chief Huff commented about agricultural zoning fencing that is already present would not be allowed with the proposed changes. No vote taken. Ordinance 1236 was tabled for clarification to be added concerning agricultural zoned areas.

Agenda Item #1 3, Consider Approval of Contract Amendments with Tyler Technologies for Incode 10 Software.

Cederburg commented on changes to the contract and mentioned the frustrations himself, Abbey, and Connie have had with the Tyler Technologies implementation team. However, the City is looking forward to the software capabilities and functionalities once the conversion is complete.

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

Carlson motioned to approve contract amendments with Tyler Technologies and Jones seconded. On roll call the following voted aye: Evans, Sumstine, Carlson, and Jones. Motion carried.

Agenda Item #1 4, Public Comments.

Katrina Tomsen, 425 N Colorado, asked if Ordinance 1236 includes chain-link fence. Griess responded that chain-link fencing is allowable.

Agenda Item #1 5, 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)